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AGENDA

**ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, OCTOBER 2, 2008 AT 6:00 P.M.
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.**

Call to Order by Honorable Jerry Binder, Chairman

Invocation by

Pledge of Allegiance by

Roll Call: Marty Dean

Gary Cooper

James A. "Red" Thompson

R. Reid Falconer

Marty Gould

Rebecca Crawford-Howell

Jerry Binder

Al Hamauei

Chris Canulette

E. L. Gene Bellisario

Henry Billiot

Steve Stefancik

Richard Artigue

Ken Burkhalter

PRESENTATION

1) Samantha Goodwin - presentation regarding the activities of LCDP, Inc., a non-profit organization. (Dean)

CONSENT CALENDAR

Any items not pulled from the Consent Calendar are automatically approved in whole by one vote. Items pulled from the Consent Calendar are discussed and voted upon individually.

MINUTES

Regular Council Meeting

September 11, 2008

Council Committee Meeting

September 24, 2008

ORDINANCES FOR INTRODUCTION

1) Ord. Cal. No. 3902 - Ordinance to amend the Unified Development Code, Volume 1 - Zoning, relative to the Comprehensive Rezoning of the South Central Study Area. (Tabled 8/7/08 & 9/11/08) (Binder/Davis)

2) Ord. Cal. No. 3939 - Ordinance amending the official zoning map of St. Tammany Parish to reclassify land located west La Highway 59, North of Walder Road containing 13.3 Acres of Land from its SA (Suburban Agricultural) to PUD (Planned Unit Development).(Ward 4, District 10) (ZC09-01-005)(Council overrode Zoning denial 9/11/08)(Binder/Davis)

3) Ord. Cal. No. 3940 - Ordinance introducing the 2009 Operating Budget. (Binder/Davis)

4) Ord. Cal. No. 3941 - Ordinance introducing the 2009 Capital, Fixed Assets & Grants Budgets. (Binder/Davis)

5) Ord. Cal. No. 3942 - Ordinance to correct the Road and Drainage Inventory to include Lakeshore Boulevard East; Oak Harbor Boulevard Extension; Two (2) Fish Hatchery Road Laterals; and Mckinney Road Lateral.(Wards 7, 8 & 9 and Districts 7, 13 & 14)(Gould)

6) Ord. Cal. No. 3943 - Ordinance authorizing the Parish President to accept the donation of and/or exchange Parish properties with property owned by Laporte Family Properties, LLC located off of Koop Drive near the Tammany Trace. (Binder/Davis)

7) Ord. Cal. 3944 - Ordinance to amend Parish Code, Chapter 7 Drainage and Flood Control, Article 1 Section 7-002.00 Use of Fill Materials Prohibited, to provide for the use of fill materials and the type of construction on lots located within the geographic boundaries of a portion of the Tammany Hills and Alexisville subdivisions, and to provide for procedures with respect thereto. (Gould)

8) Ord. Cal. No. 3945 - Ordinance establishing a "No Thru Trucks" Zone on Lonesome Road. (Ward 4, District 10)(Binder/Davis)

9) Ord. Cal. No. 3946 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for any construction activities on, or improvements to, undeveloped property within a portion of Pineview Heights Subdivision and certain surrounding areas. (Ward 4, District 5)(Gould)

10) Ord. Cal. No. 3947 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for the construction or placement of building structures on certain properties within unincorporated St. Tammany Parish abutting, in whole or in part, a portion of East I-10 Service Road, in Slidell.(Ward 8, District 8)(Canulette)

11) Ord. Cal. No. 3948- Ordinance to extend for an additional six (6) months the moratorium on submission of applications to rezone property within the triangular shaped area bounded on the south by Highway 190, on the east by the Tchefuncte River, and on the west by the St. Tammany/Tangipahoa Parish line. (Ward 1, District 1)(Dean)

12) Ord. Cal. No. 3949 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building, occupancy or occupational permits or licenses by any parish department or agency for any pain management center/clinic unaffiliated with any hospital, hospice or facility for treatment of the terminally ill in unincorporated St. Tammany. (Binder)

13) Ord. Cal. No. 3950 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building permits for construction or placement of building structures within a portion of Cypress Park Subdivision and a portion of surrounding areas. (Ward 7, District 7)(Hamauei)

14) Ord. Cal. No. 3951- Ordinance to extend for an additional six (6) months the moratorium on receipt of submissions by the Parish Zoning and Planning Commissions for rezoning or subdivision of property west of Highway 11 and south of Interstate 12. (Burkhalter)(Ward 9, District 14)

RESOLUTIONS

15) Resolution C.S. No. C-2445 - Resolution establishing Adjusted Millage Rate for the year 2008. (Tabled 8/7/08 & 9/11/08)(Binder/Davis)

16) Resolution C.S. No. C-2446 - Resolution reestablishing the Legal Maximum Millage Rates for the year 2008. (Tabled 8/7/08 & 9/11/08)(Binder/Davis)

17) Resolution C.S. No. C-2489 - Resolution to amend Ordinance C.S. No. 07-1680 - 2008-2012 Capital Improvement Budget and Program, Fixed Assets and Grant Awards. (Grants)(Binder/Davis)

18) Resolution C.S. No. C-2490 - Resolution to amend Ordinance C.S. No. 07-1680 - 2008-2012 Capital Improvement Budget and Program, Fixed Assets and Grant Awards. (Fixed Assets) (Binder/Davis)

19) Resolution C.S. No. C-2491 - Resolution establishing Warranty Obligations. (Binder/Davis)

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Stonebrook Subdivision Amount: \$10,900 Expires: November 1, 2008 Ward: 4 District: 10	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Guste Island Estates S/D, Parcel A (Village) Amount: \$31,000 Expires: November 3, 2008 Ward: 1 District: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Northshore Commercial Park S/D Amount: \$40,500 Expires: November 15, 2008 Ward: 4 District: 7	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED

WARRANTY OBLIGATIONS CONTINUED:

Money Hill Subdivision, Phase 6
Amount: \$61,900
Expires: November 30, 2008
Ward: 6 District: 6

RELEASE L.O.C.
THIS IS A PRIVATE SUBDIVISION AND
THE PARISH IS NOT RESPONSIBLE
FOR ANY MAINTENANCE

Plantation Subdivision (Shiloh Lane)
Amount: \$29,300
Expires: October 17, 2008
Ward: 10 District: 2

RELEASE L.O.C.
THIS IS A PRIVATE SUBDIVISION AND
THE PARISH IS NOT RESPONSIBLE
FOR ANY MAINTENANCE

Del Sol Subdivision
Amount: \$90,000
Expires: October 16, 2008
Ward: 1 District: 1

RELEASE L.O.C.
TO BE BROUGHT INTO SELECTIVE
PARISH MAINTENANCE SYSTEM

Enter Parish R.O.W. (Resolution No. 06-068)
Pansy, Independence, and Daisy Street(s)
West Abita Springs Subdivision
Amount: \$2,500
Expires: January 25, 2009
Ward: 3 District: 3

RELEASE L.O.C.
TO BE BROUGHT INTO SELECTIVE
PARISH MAINTENANCE SYSTEM

20) Resolution C.S. No. C-2491 - Resolution stating the Parish Council's endorsement of Baker Sales, Inc. for participation in the Louisiana Enterprise Zone Program. (Binder/Davis)

21) Resolution C.S. No. C-2493 - Resolution approving the holding of an election in Sub-Drainage District No. 3 of Gravity Drainage District No. 5 to authorize the levy of a parcel fee therein. (Binder/Davis)

22) Resolution C.S. NO. C-2494 - Resolution requesting the Louisiana Department of Transportation and Development install signalization at the intersection of U.S. Highway 11 at Oak Harbor Boulevard to further promote public safety. (Ward 9, District 12). (Binder)

END OF CONSENT CALENDAR**APPEALS**

1) Applicant Donna Nevels appealing the Zoning Commission DENIAL on August 5, 2008 to rezone 15,000 square feet on the northeast corner of Howze Beach Road and Rio Street, from SA (Suburban Agricultural) to C-1 (Neighborhood Commercial).(Ward 9, District 12)(ZC08-07-040) (Tabled 9/11/08)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and introduction of an ordinance.

2) Applicant William J. Orazio, Jr. appealing the Zoning Commission DENIAL on August, 2008 of a conditional use permit for a 10,000 sq. ft. Outdoor Storage Yard on the south side of Jim Sharp Road, east of LA Highway 1129. (Ward 2, District 2)(CP08-08-127)(Tabled 9/11/08)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required and adoption of a resolution.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and adoption of a resolution.

ORDINANCES FOR ADOPTION
(Public Hearing)

1) Ord. Cal. No. 3895AA - Ordinance to rename E. Fairway Drive Extension as Judge Tanner Boulevard. (Introduced 8/7/08; Reintroduced 9/11/08)

- 2) Ord. Cal. No. 3909 - Ordinance to amend the Parish Unified Development Code, Article 6, Overlays to add Section 6.06, Mixed Use District. (Introduced 8/7/08 and Referred to Zoning)(Tabled 9/11/08)
- 3) Ord. Cal. No. 3914 - Ordinance amending the official zoning map of St. Tammany to reclassify land located at the northeast corner of LA Highway 36 & Melissa Lane, Lot 3, Block 5, Garland's Addition containing 13,000 sq.ft. from SA (Suburban Agricultural) to C-1 (Neighborhood Commercial). (Ward 3, District 3)(ZC08-07-039)(Zoning Commission Approved 8/5/08)(Introduced 9/11/08)
- 4) Ord. Cal. No. 3915 - Ordinance amending the official zoning map of St. Tammany to reclassify land located on the northwest corner of LA Highway 1077 & Interstate 12 containing 7.37 acres from R (Rural) to C-2 (Highway Commercial). (Ward 1, District 1)(ZC08-08-044)(Zoning Commission Approved 8/5/08)(Introduced 9/11/08)
- 5) Ord. Cal. No. 3916 - Ordinance amending the official zoning map of St. Tammany to reclassify land located north of LA Highway 40, East of Beason Road, 16096 Highway 40 containing 4.02 acres from R (Rural) to ID (Institutional).(Ward 2, District 2)(ZC08-08-045)(Zoning Commission Approved 8/5/08)(Introduced 9/11/08)
- 6) Ord. Cal. No. 3917 - Ordinance amending the official zoning map of St. Tammany to reclassify land located west of LA Highway 59, north of America Street, being lots 36, 37, 38, 52, 53 & 54 & a portion of Henrietta Street, Square 155, Town of Mandeville containing 0.57 acres from A-2 (Suburban) to a C-2 (Highway Commercial). (Ward 4, District 10)(ZC08-08-048)(Zoning Commission Approved 8/5/08)(Introduced 9/11/08)
- 7) Ord. Cal. No. 3918 - Ordinance amending the official zoning map of St. Tammany to reclassify land located north of LA Highway 36, west of Manor Street, east of St. Landry street, being 20409 Highway 36 containing 0.966 acres of land from SA (Suburban Agricultural) to C-2 (Highway Commercial). (Ward 3, District 3)(ZC08-08-049)(Zoning Commission Approved 8/5/08)(Introduced 9/11/08)
- 8) Ord. Cal. No. 3919 - Ordinance amending St. Tammany Land Use Regulations, Ordinance No. 523, Section 2.1502 to provide for a change in the permitted uses in the M-2 Intermediate Industrial District. (ZC07-06-038)(Zoning Commission Approved 8/5/08)(Introduced 9/11/08)
- 9) Ord. Cal. No. 3920 - Ordinance to extend for six (6) months the moratorium on issuance of permits for construction or placement of buildings within portions of Tammany Hills and Ingram Estates Subdivisions. (Ward 3, District 5)(Introduced 9/11/08)
- 10) Ord. Cal. No. 3921 - Ordinance to extend for six (6) months the moratorium on issuance of permits for construction or placement of buildings on Eola, Jordon and Elmer Streets west of Soutl Street and on submission of applications to enter the parish right of way.(Ward 4, District 5)(Introduced 9/11/08)
- 11) Ord. Cal. No. 3922 - Ordinance to extend for six (6) months the moratorium on applications for mobile home conditional use or building permits within Bayou Heights Subdivision. (Ward 6, District 6)(Introduced 9/11/08)
- 12) Ord. Cal. No. 3923 - Ordinance establishing a "No Parking" Zone on both sides of Webster Street. (Ward 4, District 10)(Introduced 9/11/08)
- 13) Ord. Cal. No. 3924 - Ordinance to establish a franchise fee on holders of a state issued certificate of franchise authority to provide cable service or video service in unincorporated St. Tammany, to provide for public, educational, and governmental access programming and access support, and to otherwise provide with respect to those matters authorized in Chapter 10-A of Title 45 of the Louisiana Revised Statutes of 1950, The Consumer Choice for Television Act.(Introduced 9/11/08)
- 14) Ord. Cal. No. 3925 - Ordinance correcting the boundary description of Sewage District No. 6, Article II Sewage Districts, Division 7 District No. 6, Section 21-076.00 of the Parish Code.(Ward 3, District 3)(Introduced 9/11/08)
- 15) Ord. Cal. No. 3926 - Ordinance amending the 2008 Operating Budget.(Introduced 9/11/08)

16) Ord. Cal. No. 3927AA - An ordinance to correct the road and drainage inventory to include Techefuncte Street; to include extensions of Vincent Street, Bonfouca Street, W. Higgins Road, Scotch Pine Drive; and to remove a portion of E.T. Road.(Wards 2, 4, 5 & 9) (Districts 2, 4 & 6) (Introduced 9/11/08)

17) Ord. Cal. No. 3928 - Ordinance to amend Ordinance C.S. No. 08-1838, adopted June 5, 2008, to correct the length of the extension to Bessie Booth Road being accepted into the Road Maintenance System. (Ward 2, District 3)(Introduced 9/11/08)

18) Ord. Cal. No. 3929 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Penn Mill Lakes, Phase 2-A-1 Subdivision; also accepting entering the Right of Way on Menuet Road, 2nd Street and 3rd Street. (Wards 3 & 4)(Districts 3, 5, & 7)(Introduced 9/11/08)

19) Ord. Cal. No. 3930 - Ordinance to revoke a portion of Orleans and Tenth Streets in Lacombe Park Subdivision. (Ward 7, District 7) (Planning Commission approved 8/12/08) (Introduced 9/11/08)

20) Ord. Cal. No. 3931 - Ordinance authorizing the Parish President to purchase, expropriate or otherwise acquire certain parcels and/or rights of way for the Brewster Road Extension Project. (Introduced 9/11/08)

21) Ord. Cal. No. 3932 - Ordinance authorizing the Parish President to lease office space located at 21489 Koop Drive, Suite 6. (Introduced 9/11/08)

22) Ord. Cal. No. 3933 - Ordinance to extend for six (6) months the moratorium on the issuance of permits for construction or placement of buildings in portions of Highland Park Subdivision. (District 12)(Introduced 9/11/08)

23) Ord. Cal. No. 3935 - Ordinance authorizing the Parish President to purchase, expropriate or otherwise acquire all certain parcels and/or rights of way for the Brownswitch/Military Road Intersection Project. (Introduced 9/11/08)

24) Ord. Cal. No. 3936 - Ordinance authorizing the Parish President to purchase, expropriate or otherwise acquire all certain parcels and/or rights of way for the Diversified Food Road 3 Project. (Introduced 9/11/08)

25) Ord. Cal. No. 3937 - Ordinance to authorize the Parish President, to purchase, expropriate or otherwise acquire all certain parcels and/or rights of way for the University Center Project. (Introduced 9/11/08)

26) Ord. Cal. No. 3938 - Ordinance to impose a six (6) month moratorium on the issuance of building permits for construction or placement of building structures within portions of Beverly Hills and Kingspoint Subdivisions. (Ward 8, District 14) (Introduced 9/11/08)

NOMINATIONS

1) Resolution to appoint six (6) members _____, _____, _____, _____, _____, and _____ to the St. Tammany Parish Library Board of Control. (Parishwide) (Binder)(Tabled 9/11/09)