

**AGENDA**  
**ST. TAMMANY PARISH COUNCIL MEETING**  
**THURSDAY, DECEMBER 4, 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**

**PRESENTATIONS**

**1) Discussion -Citizens of Woodridge Subdivision regarding the traffic issues on Highway 22.  
(Falconer)**

**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**

**November 6, 2008**

**ORDINANCES FOR INTRODUCTION**  
**(Public Hearing January 8, 2009)**

**1) Ord. Cal. No. 3967 - Ordinance to amend Parish Code of Ordinances, Appendix C, Land Use Regulations Ordinance No. 523 as amended, Section 2.0205, and Appendix B, Subdivision Regulations Ordinance No. 499 as amended, Section 40-035.0, to add new provisions for development of land on the south side of Lakeview Drive, Ward 9, District 13. (Artigue) (Tabled 11/6/08)**

**2) Ord. Cal. No. 3975 - Ordinance to Amend Ord. C.S. No. 06-0278, adopted April 6, 2006, amending the official zoning map of St. Tammany to reclassify land east and west of Highway 1077 and North of Highway 190 containing 286.81 acres from SA and Rural to PUD, to provide major amendments to the original PUD Plan. (ZC06-02-011) (Zoning Commission Approved 11/5/08) (Binder/Davis) (Ward 1, District 1)**

**3) Ord. Cal. No. 3976 - Ordinance amending the official zoning map of St. Tammany to reclassify land located on the northwest corner of Lake Tahoe Street & Lake Placid Drive and south of Highway 1085 containing 1.0 acre from SA (Suburban Agricultural)to A-3 (Suburban). (Ward 1, District 1) (ZC08-11-061) (Zoning Commission Approved 11/5/08) (Binder/Davis)**

4) Ord. Cal. No. 3977 - Ordinance to revoke Mack Richardson Drive and an unnamed portion of right-of-way. (Ward 4, District 7) (Binder/Davis)

5) Ord. Cal. No. 3978 - Ordinance to adopt a voluntary developmental agreement between the Parish and Maurmont Properties, L.L.C. (Binder/Davis)

6) Ord. Cal. No. 3979 - Ordinance authorizing the parish president to execute an agreement with the St. Tammany Association for Retarded Citizens, Inc. regarding the administration of funds. (Binder/Davis)

7) Ord. Cal. No. 3980 - Ordinance authorizing the parish president to purchase, expropriate or otherwise acquire land commonly referred to as North Shore Beach from Robert J. Delaney, III. (Ward 9, District 13). (Binder/Davis)

8) Ord. Cal. No. 3981 - Ordinance authorizing the parish president to purchase, expropriate or otherwise acquire all certain parcels and/or rights of way for the Brownswitch/Robert Road Intersection Project. (Binder/Davis)

9) Ord. Cal. No. 3982 - Ordinance authorizing the publication of a notice of intention to create the Wadsworth Community Development District under the authority of Chapter 27-b of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9039.11, et seq.). (Binder/Davis)

10) Ord. Cal. No. 3983 - Ordinance to impose an emergency thirty (30) day moratorium on the issuance of permits for construction or placement of building structures on certain right-of-way parcels needed for listed capital projects. (Binder/Davis)

11) Ord. Cal. No. 3984 - Ordinance to impose a six (6) month moratorium on the issuance of permits for construction or placement of building structures on certain right-of-way parcels needed for listed capital projects.

12) Ord. Cal. No. 3985 - Ordinance to extend for six (6) months the moratorium on the receipt of submissions and the approval of applications for the resubdivision of property within Lewisburg Estates Subdivision and a portion of Old Golden Shores Subdivision, and only within the unincorporated boundaries of Ward 4, District 4.(Falconer)

13) Ord. Cal. No. 3986 - Ordinance to extend for six (6) months the moratorium on the approval of rezoning, issuance of conditional use permits and issuance of plan review permits for property abutting the Louisiana Highway 21 Planned Corridor from Keys Road North to the Tchefuncte River. (Ward 1, District 1) (Dean)

14) Ord. Cal. No. 3987 - Ordinance to extend for six (6) months the moratorium on the placement of fill and on the issuance of building permits for construction or placement of building structures on property within Dove Park Subdivision (Ward 4, District 5) (Gould)

15) Ord. Cal. No. 3988 - Ordinance amending the Parish Code of Ordinances, Chapter 4 Animals, Fowl and Reptiles, Article V Animal Control, to Amend and Reenact Sections 4-120.00 through 4-136.00, providing comprehensive regulations governing animal control and welfare, and to otherwise provide with respect thereto. (Binder/Davis)

#### RESOLUTIONS

16) Resolution C.S. No. C-2527 - Resolution approving the issuance of \$3 Million of Limited Tax Certificates, Series 2009, of Fire Protection District No. 2. (Binder/Davis)

17) Resolution C.S. No. C- 2528 - Resolution to amend ordinance C.S. No. 07-1680 - 2008-2012 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

18) Resolution C.S. No. C-2529 - Resolution naming Laporte, Sehart, Romig & Hand as the audit firm for the fiscal year 2008. (Binder/Davis)

19) Resolution C.S. No. C-2530 - Resolution to amend Ordinance C.S. No. 07-1680 - 2008-2012 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - Fund 306 to add Horseshoe Island Road. (Binder/Davis)

20) Resolution C.S. No. C-2531 - Resolution to amend Ordinance C.S. No. 07-1680 - 2008-2012 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - Fund 307 to add Graci Lane. (Binder/Davis)

21) Resolution C.S. No. C-2532 - Resolution providing for the tabulation of sealed and electronic bids received for the purchase of \$8 Million of Limited Tax Revenue Bonds, Series 2009. (Binder/Davis)

22) Resolution C.S. No. C-2533 - Resolution accepting the lowest bid for the purchase of \$8 Million of Limited Tax Revenue Bonds, Series.(Binder/Davis)

23) Resolution C.S. No. C-2534 - Resolution to support Fire Protection District No. 3's application of assistance from the Louisiana Office of Community Development for the purpose of purchasing extrication materials.(Binder/Davis)

24) Resolution C.S. No. C-2535 - Resolution authorizing the publication of a Notice of Intention to create the Wadsworth Community Development District under the authority of Chapter 27-b of Title 33 of the Louisiana Revised Statutes of 1950, as amended (La. R.S. 33:9039.11, *et seq.*) (Binder/Davis)

25) Resolution C.S. No. C-2536 - Resolution establishing Warranty Obligations. (Binder/Davis)

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Grand Maison Subdivision, Phase 2 Amount: \$41,600 Expires: January 24, 2009 Ward: 4, District: 5	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
Penn Mill Lakes S/D, Phase 2C Amount: \$77,000 Expires: January 9, 2009 Ward: 3, District: 3	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
The Fountains Subdivision Amount: \$34,900 Expires: January 12, 2009 Ward: 4, District: 5	CALL L.O.C. THIS IS A PRIVATE SUBDIVISION AND THE PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE
River Highlands S/D, Phase 1 Amount: \$21,300 Expires: December 7, 2008 Ward: 3, District: 1	RELEASE WARRANTY OBLIGATION AND ESTABLISH A PERFORMANCE OBLIGATION FOR SIX (6) MONTHS

26) Resolution C.S. No. C-2537 - Resolution to congratulate President-Elect Barak Obama, Vice President-Elect Joe Biden, Senator Mary Landrieu and Congressman Steve Scalise in their election to office. (Burkhalter)

27) Resolution C.S. No. C-2538 - Resolution authorizing the Parish President to sign Subrecipient Agreement providing Community Development Block Grant Funds to Volunteers of America providing services associated with the "Repairs on Wheels" Home Repair Program.

END OF CONSENT CALENDAR

## APPEALS

1) Applicant Bill Magee appealing the Zoning Commission DENIAL on November 5, 2008 of a conditional use permit for a 2033 sq. ft. Home Day Care Center located west of Highway 434, south of Holly Drive, address 61581 Highway 434. (Ward 2, District 2)(CP08-09-145)

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.

2) Vic Planetta appealing the Planning Commission DENIAL on November 12, 2008 of a Petition to create two (2) 60' x 100' Substandard lots from a portion of a revoked right-of-way (1<sup>st</sup> Avenue) between Squares 51 and 59, Town of Alton Subdivision (Ward 8, District 14)

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

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

## ORDINANCES FOR ADOPTION

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. (Introduced 10/2/08) (Tabled 11/6/08)

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) (ZC08-10-057) (Tabled by Council 9/11/08, 10/2/08 & 11/6/08) (Tabled by Zoning Commission 10/7/08) (Zoning Commission Denied 11/5/08)

3) Ord. Cal. No. 3940 - Ordinance adopting the 2009 Operating Budget. (Introduced 10/2/08)

4) Ord. Cal. No. 3941 - Ordinance adopting the 2009 Capital, Fixed Assets & Grants Budgets. (Introduced 10/2/08)

5) Ord. Cal. 3944AA - 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 in areas of special concern, to provide standards for non-residential development, and to provide for procedures with respect thereto. (Introduced 10/2/08)

6) Ord. Cal. No. 3955 - Ordinance amending the official zoning map of St. Tammany to reclassify land located north of Amanda Drive, east of Highway 25 containing 2.58 acres from A-3 (Suburban) to LC (Light Commercial). (Ward 3, District 2)(ZC08-09-051)(Zoning Commission Approved October 7, 2008) (Introduced 11/6/08)

7) Ord. Cal. No. 3956 - Ordinance to amend and reenact Appendix C of the St. Tammany Parish Code of Ordinances, Land Use Regulations Ordinance No. 523 as amended, Section 4 Off Street Parking and Loading Regulations. (ZC08-09-052) (Zoning Commission Approved October 7, 2008) (Introduced 11/6/08)

8) Ord. Cal. No. 3957 - Ordinance to amend Ord. C.S. No. 06-1274, adopted April 6, 2006, amending the official zoning map of St. Tammany to reclassify 196.4 acres south of Haas Road, west of Highway 11 & Ashton Oaks Subdivision, east of Robert Road, from SA (Suburban Agricultural) to PUD, to provide major amendments to the original PUD plan. (Ward 8, District 9)(ZC06-01-004) (Zoning Commission Approved October 7, 2008) (Introduced 11/6/08)

9) Ord. Cal. No. 3958 - Ordinance amending the official zoning map of St. Tammany to reclassify land located at the southeast intersection of Interstate 59 & Highway 1090 containing 1.4388 acres from A-3 (Suburban) to C-1 (Neighborhood Commercial). (Ward 8, District 9)(ZC08-10-053) (Zoning Commission Approved October 7, 2008) (Introduced 11/6/08)

10) Ord. Cal. No. 3959 - Ordinance amending the official zoning map of St. Tammany to reclassify land located north of Salt Bayou Road, east of Old Spanish Trail containing 0.5 acres from SA (Suburban Agricultural) to C-2 (Highway Commercial) (Ward 8 and Ward 9, District 13) (ZC08-10-054) (Zoning Commission Approved October 7, 2008) (Introduced 11/6/08)

11) Ord. Cal. No. 3960 - Ordinance amending the official zoning map of St. Tammany to reclassify land located south of Polders Lane, east of West 29th Avenue containing 15 acres of land from SA (Suburban Agricultural) to a PUD (Planned Unit Development). (Ward 3, District 3)(ZC08-10-058) (Zoning Commission Approved October 7, 2008) (Introduced 11/6/08)

12) Ord. Cal. No. 3961 - Ordinance amending the official zoning map of St. Tammany to reclassify land located on east of Perrilloux Road, north of Highway 22 containing 12.6105 acres from A-4 (Single-Family Residential) & C-2 (Highway Commercial) to ID (Institutional). (Ward 1, District 1) (ZC08-10-059) (Zoning Commission Approved October 7, 2008) (Introduced 11/6/08)

13) Ord. Cal. No. 3962 - Ordinance establishing a "Speed Limit" of 15 MPH on roads in a portion of Kingspoint Subdivision. (District 14)(Introduced 11/6/08)

14) Ord. Cal. No. 3963 - Ordinance authorizing the Parish President to execute a Cooperative Endeavor Agreement with Sub-drainage District No. 2 of Gravity Drainage District No. 5. (Introduced 11/6/08)

15) Ord. Cal. No. 3964 - Ordinance to correct the Road and Drainage Inventory to include Hickory Field Boat Launch Road and Jim Hugh Lane Lateral; and to remove C.R. Even Road. (Wards 2, 5 & 6, Districts 2, 3 & 6)(Introduced 11/6/08)

16) Ord. Cal. No. 3965 - Ordinance to permit the crossing of Tammany Trace for the purpose of rerouting drainage through Oaklawn Trace Subdivision and elsewhere, in the vicinity of Lacombe. (Ward 7, District 7) (Introduced 11/6/08)

17) Ord. Cal. No. 3966 - Ordinance amending the 2008 Operating Budget. (Introduced 11/6/08)

18) Ord. Cal. No. 3968 - Ordinance to amend Ordinances C.S. No. 01-0415 and 07-1495 and to amend and reenact Code of Ordinances, Chapter 2, Precincts, to effect voting precinct boundary adjustments for the convenience of voters, and acts of correction in compliance with federal and state law. (Wards 4 and 6, Districts 4 and 6) (Introduced 11/6/08)

19) Ord. Cal. No. 3969 - Ordinance authorizing the execution of a one-year extension of the current contract with Acadian Ambulance Service, Inc. as sole provider of emergency and non-emergency ambulance services in areas of unincorporated St. Tammany Parish. (Introduced 11/6/08)

20) Ord. Cal. No. 3970 - Ordinance reaffirming Ordinance C.S. No. 08-1861, adopted July 3, 2008, to amend and reenact Land Use Regulations Ordinance No. 523, Section 6.01, and Unified Development Code, Section 7.0801, amending side yard setback and driveway requirements. (ZC08-08-042) (Zoning Commission Denied October 7, 2008) (Introduced 11/6/08)

21) Ord. Cal. No. 3971 - Ordinance approving the form authorizing the execution of an amendment to the Cooperative Endeavor Agreement in connection with the Colonial Pinnacle Nord du Lac Economic Development District. (Introduced 11/6/08)

22) Ord. Cal. No. 3972 - Ordinance providing for the incurring of debt and issuance of \$8 Million of Limited Tax Revenue Bonds, Series 2009. (Coroner) (Introduced 11/6/08)

23) Ord. Cal. No. 3973 - Ordinance to adopt the St. Tammany Parish Housing Initiative and authorize the Parish President to develop policies and procedures for the implementation of the Parish Redevelopment and Disposition Plan (Introduced 11/6/08)

24) Ord. Cal. No. 3974 - Ordinance amending the official Parish zoning map to reclassify land north of Champagne Street, west of North Columbia Street containing 1.0 acre from M-1 (Light Industrial) to ID (Institutional) (Ward 3, District 3). (ZC08-10-060) (Introduced 11/6/08)

#### NOMINATIONS

1) Resolution to appoint \_\_\_\_\_ to replace Paul Cimmino (resigned) to the St. Tammany Commission on Cultural Affairs. (Parishwide) (Gould)