

AGENDA
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, JANUARY 8, 2009 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

ELECTION OF OFFICERS

1) Resolution C.S. No. C-2562 - Resolution to appoint a Chairman of the Parish Council for the calendar year 2009.

2) Resolution C.S. No. C-2563 - Resolution to appoint a Vice-Chairman of the Parish Council for the calendar year 2009.

CONSENT CALENDAR
(PAGES 1 THROUGH 5)

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

December 5, 2008

ORDINANCES FOR INTRODUCTION
(Public Hearing February 5, 2009)

1) 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)(Tabled 12/4/08)

2) Ord. Cal. No. 3988 - Ordinance amending the St. Tammany 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)(Tabled 12/4/08)

3) Ord. Cal. No. 3991 -Ordinance amending the official zoning map of St. Tammany to reclassify land located at the end of Iron Street, South of Hwy 435 containing 14.42 acres of land from R (Rural) to A-3 (Suburban)(ZC08-08-047) (Ward 10, District 6)(Zoning Commission Approved 12/2/08)(Binder/Davis)

4) Ord. Cal. No. 3992 - Ordinance amending the official zoning map of St. Tammany to reclassify land located west Hwy 190, north of Three Rivers Road containing 0.34 acre from C-2 (Highway Commercial) LC (Light Commercial) (District, Ward 3, District 1) (ZC08-12-063) (Zoning Commission Approved 12/2/08)(Binder/Davis)

5) Ord. Cal. No. 3993 - Ordinance amending the official zoning map of St. Tammany to reclassify land located West Highway 190, north of Three Rivers Road containing 0.57 acres from C-2 (Highway Commercial) to C-1 (Neighborhood Commercial)(Ward 3, District 1)(ZC08-12-064)(Zoning Commission Approved 12/2/08)(Binder/Davis)

6) Ord. Cal. No. 3994 - Ordinance to rename Machinist Row as Stainless Road. (Ward 3, District 2)(Binder/Davis)

7) Ord. Cal. No. 3995 - Ordinance amending Article III, Section 3-02 of the Home Rule Charter of St. Tammany Parish. (Stefancik)

8) Ord. Cal. No. 3996 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for construction or placement of building structures on property that abuts Highway 59, or is located within a distance of two hundred (200') feet of the centerline of the Highway, and which property, being situated along said highway, is in the area between the north side of Highway 1088 and the south side of I-12 (Ward 4, District 6)(Gould)

9) Ord. Cal. No. 3997 - Ordinance to extend for an additional six (6) months the moratorium on the submission and review of zoning and conditional use permit applications, Planning Commission Review and on the issuance of building permit applications, for the purpose of construction or placement of multi-family structures on property within unincorporated areas of Council District 12. (Binder)

10) Ord. Cal. No. 3998 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building or conditional use permits for construction or placement of building structures on property within a portion of unincorporated Town of Alton Subdivision.(Ward 9, District 14) (Burkhalter)

10a)Ord. Cal. No. 3999- Ordinance to extend the three (3) month moratorium on the issuance of permits for construction or placement of building structures on property located within the Sub Drainage District #3 of Gravity Drainage District #5 and areas generally north and east of the District. (Binder/Davis)

RESOLUTIONS

11) 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)(Tabled 12/4/08)

12) Resolution C.S. No. C-2543 - Resolution establishing Warranty Obligations. (Binder/Davis)

(1.)	<u>PERFORMANCE</u>
<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Marigny Trace S/D, Phases 6A & 6B Amount: \$8,900 Expires: March 19, 2009 Ward: 4, District: 10	PERFORMANCE OBLIGATION RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM

(2.)	<u>WARRANTY</u>
<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
The Fountains Subdivision Amount: \$34,900 Expires: January 12, 2009 Ward:4, District: 5	RELEASE WARRANTY L.O.C. ESTABLISH PERFORMANCE L.O.C.

Plantation Subdivision (Country Meadows) Amount: \$13,200 Expired: July 31, 2009 Ward:10, District: 2	RELEASE L.O.C. THIS IS A PRIVATE SUBDIVISION AND THE PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE
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WARRANTY OBLIGATIONS CONTINUED:

Country Lane Patio Homes S/D, Phase 2
Amount: \$23,800
Expires: February 12, 2009
Ward: 8, District: 13

**EXTEND FOR ONE (1) YEAR OR UNTIL
WORK IS SATISFACTORILY
ACCOMPLISHED**

Northpointe Business Park S/D, Phase 1
Amount: \$38,500
Expires: February 26, 2009
Ward: 1, District: 1

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

Northpointe Business Park S/D, Phase 2
Amount: \$15,100
Expires: February 22, 2009
Ward: 1, District: 1

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

13) Resolution C.S. No. 2544 - Resolution declaring the intention of the Parish Council that certain expenditures made in connection with the potential acquisition of a utility system be reimbursed from the proceeds of tax-exempt money. (Binder/Davis)

14) Resolution C.S. No. 2545 - Resolution approving the Parish President to sign and/or execute a cooperative endeavor agreement with that State of Louisiana regarding the South Slidell Levee Rehabilitation Project. (#50-J52-06B-06)(Binder/Davis)

15) Resolution C.S. No. 2546 - Resolution approving the Parish President to sign and/or execute a cooperative endeavor agreement with that State of Louisiana regarding the South Slidell Levee Rehabilitation Project. (#50-J52-06B-07)(Binder/Davis)

16) Resolution C.S. No. 2547 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards. (Fixed Assets) (Binder/Davis)

17) Resolution C.S. No. 2548 - Resolution approving the holding of an election in St. Tammany Parish Recreation District No. 14. (Binder/Davis)

18) Resolution C.S. No. 2549 - Resolution approving the issuance of \$500,000 of Revenue Anticipation Note, Series 2009, of St. Tammany Parish Fire Protection District No. 4. (Binder/Davis)

19) Resolution C.S. No. 2550 - Resolution approving the issuance of \$60,000 of Certificates of Indebtedness, Series 2009, of St. Tammany Parish Fire Protection District No. 9. (Binder/Davis)

20) Resolution C.S. No. 2551 - Resolution Authorizing Certain Actions and Individuals to Perform Certain Functions Required by the State of Louisiana Community Development Block Grant ("LCDBG") Disaster Recovery Program.

21) Resolution C.S. No. 2552 - Resolution to adopt the Citizen Participation Plan and the Citizen Complaint Procedure for the State of Louisiana Community Development Block Grant (LCDBG) Disaster Recovery Program. (Binder/Davis)

22) Resolution C.S. No. 2553 - Resolution to establish procurement procedures relative to the State of Louisiana Community Development Block Grant ("LCDBG") Disaster Recovery Program. (Binder/Davis)

23) Resolution C.S. No. 2554 - Resolution to adopt a residential Anti-displacement and Relocation Assistance Plan for the State of Louisiana Community Development Block Grant ("LCDBG") Disaster Recovery Program. (Binder/Davis)

24) Resolution C.S. No. 2555-resolution to appoint a Section 504 Coordinator for the State of Louisiana Community Development Block Grant ("LCDBG") Disaster Recovery Program.

25) Resolution C.S. No. 2556 - Resolution to adopt a policy for communicating information to persons with hearing impairments for the State of Louisiana Community Development Block Grant ("LCDBG") Disaster Recovery Program. (Binder/Davis)

26) Resolution C.S. No. 2557 - Resolution to appoint a Fair Housing Coordinator for the State of Louisiana Community Development Block Grant ("LCDBG") Disaster Recovery Program. (Binder/Davis)

27) Resolution C.S. No. 2558 - resolution to appoint an Equal Employment Opportunity Officer for the State of Louisiana Community Development Block Grant ("LCDBG") Disaster Recovery Program.

28) Resolution C.S. No. 2559 - resolution to comply with Section 3 of the Housing and Urban Development Act of 1968 for the State of Louisiana Community Development Block Grant ("LCDBG") Disaster Recovery Program.

29) Resolution C.S. No. 2560 - resolution to appoint a Labor Compliance Officer for the Life of the State of Louisiana Community Development Block Grant ("LCDBG") Disaster Recovery Program. (Binder/Davis)

30) Resolution C.S. No. 2561 - resolution approving the issuance of \$450,000 of Revenue Anticipation Note, Series 2009, of St. Tammany Parish Fire Protection District No. 2. (Binder/Davis)

END OF CONSENT CALENDAR

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 & 12/4/08)

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 & 12/4/08) (Tabled by Zoning Commission 10/7/08) (Zoning Commission Denied 11/5/08)

3) 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)(Tabled 12/4/08)

4) 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)(Introduced 12/4/08)

5) 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)(Tabled 12/4/08)

6) 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)(Tabled 12/4/08)

7) 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)(Introduced 12/4/08)

8) 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)(Introduced 12/4/08)

9) Ord. Cal. No. 3977 - Ordinance to revoke Mack Richardson Drive and an unnamed portion of right-of-way. (Ward 4, District 7) (Binder/Davis) (Introduced 12/4/08)

10) 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. (Introduced 12/4/08)

11) 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). (Introduced 12/4/08)

12) 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 Brownsitch/Robert Road Intersection Project. (Introduced 12/4/08)

13) 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.(Introduced 12/4/08)

14) 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.(Introduced 12/4/08)

15) 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)(Introduced 12/4/08)

16) 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)(Introduced 12/4/08)

17) Ord. Cal. 3989- 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 12/4/08)

18) Ord. Cal. No. 3990 - Ordinance to amend the "St. Tammany Parish Coastal Zone Management Ordinance", Ordinance P.J.S. No. 92-1607, to provide for consistent guidelines for the issuance of "Letter of No Objection" with regards to state lands permits, particularly land reclamation and areas of special concern, and to otherwise provide with respect thereto. (Artigue)