

AGENDA
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, FEBRUARY 5, 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

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	January 8, 2009
Special Council Meeting	January 22, 2009
Council Committee Meeting	January 28, 2009

ORDINANCES FOR INTRODUCTION

1) Ord. Cal. No. 4000 - Ordinance amending the official zoning map of St. Tammany to reclassify land west of La Highway 59, north of Casril Drive containing 5.822 acres from A-2 (Suburban), C-2 (Highway Commercial) & M-1 (Light Industrial) to M-1 (Light Industrial). (ZC09-01-001) (Binder/Davis)

2) Ord. Cal. No. 4001 - Ordinance to repeal and reenact Section 13.001.01 of the Parish Code to prohibit operating a motor vehicle on any Public Levee and to regulate motor vehicles on privately owned and maintained levees. (Binder)

3) Ord. Cal. No. 4002 - Ordinance to amend Ordinance C.S. No. 05-1049, adopted 2/3/05 which established the "personnel policies" to provide for amendments reflected herein. (Binder/Davis)

4) Ord. Cal. No. 4003 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire a certain parcel of land (commonly referred to as Bluebird Street) from Jerry Bohannan. (Ward 9, District 11) (Binder/Davis)

5) Ord. Cal. No. 4004 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Autumn Creek, Phase 1; Countryside, Phase 1; Stonebridge at Madisonville; Madison Farms, Phase 6 & 7; Penn Mill Lakes, Phase 2-b; and Del Sol Subdivisions. (Wards 1 & 3, Districts 1 & 3) (Binder/Davis)

6) Ord. Cal. No. 4005 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for construction on property within a portion of Tammany Forest Subdivision. (Ward 7, District 7) (Hamauei)

7) Ord. Cal. No. 4006 - Ordinance to extend for an additional six (6) months the moratorium on rezoning or resubdivision of property located north of Interstate 12 and abutting or having access to Airport Road. (Ward 9, District 11)

8) Ord. Cal. No. 4007 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building permits for construction on property on the south side of Lakeview Drive. (Ward 9, District 13) (Artigue)

9) Ord. Cal. No. 4008 - Ordinance to amend Parish Code of Ordinances, Chapter 2, Article III, Parish Council and Ordinance C.S. No. 01-0283, adopted March 1, 2001, regarding cell phone expense policies.

RESOLUTIONS

10) 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) (Tabled 1/8/09)

11) 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) (Tabled 1/8/09)

12) Resolution C.S. No. 2566 - Resolution approving the issuance of \$100,000 of Certificates of Indebtedness, Series 2009, of Fire Protection District No. 11 of St. Tammany Parish. (Crawford-Howell) (Tabled 1/8/09)

13) Resolution C.S. No. 2567 - Resolution approving the issuance of not exceeding \$111,000 of Certificates of Indebtedness, Series 2009, of St. Tammany Parish Recreation District No. 6. (Binder/Davis)

14) Resolution C.S. No. 2568 - Resolution approving the issuance of \$100,000 of Certificates of Indebtedness, Series 2009, of Recreation District No. 11 of St. Tammany Parish. (Binder/Davis)

15) Resolution C.S. No. 2569 - Resolution approving the issuance of \$1,200,000 of Revenue Anticipation Note, Series 2009, of Recreation District No. 1 of St. Tammany Parish. (Binder/Davis)

16) Resolution C.S. No. 2570 - Resolution establishing Warranty Obligations (Binder/Davis)

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Palm Courts S/D Amount: \$33,600 Expires: March 24, 2009 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, 2009 Ward: 4, District: 7	RELEASE L.O.C. TO BE BROUGHT INTO SELECTIVE PARISH MAINTENANCE SYSTEM
Barkley Parc, Phase 2A Amount: \$38,400 Expires: March 16, 2009 Ward: 3, District: 3	EXTEND FOR ONE (1) YEAR OR UNTIL CITY OF COVINGTON ANNEXES PHASE 2A

WARRANTY OBLIGATIONS CONTINUED:

Grand Oaks Subdivision, Phase 1
Amount: \$22,100
Expires: March 19, 2009
Ward: 1, District: 1

“CALL” WARRANTY

Casa Bella S/D
Amount: \$5,300
Expires: March 17, 2009
Ward: 4, District: 5

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

17) Resolution C.S. No. C-2571 - Resolution obligating St. Tammany’s dedicated funds, grant funds, and in-kind services as the match requirement for the Land and Water Conservation Fund Grant to construct Camp Salmen’s Camp Ridge Loop.

18) Resolution C.S. No. C-2572 - Resolution to concur/not concur with Abita Springs Annexation and rezoning of 0.86 acres from Parish C-2 Highway Commercial to Abita Springs HC (Historic Commercial) in West Abita Springs Subdivision.(Ward 10, District 2) (AB2009-01) (Binder/Davis)

END OF CONSENT CALENDAR

APPEALS

1) Bruce Nesbitt and Steve Smith appealing the Zoning Commission APPROVAL and Applicant Jeffrey Schoen on behalf IESILA Corporation appealing to request modifications to four (4) conditions set by the Zoning Commission on January 6, 2009 of a conditional use permit for a 10,500 Non-Processing Waste Transfer Station located at the end of Coastal Blvd, east of LA Highway 25 (Ward 3, District 2) (CP08-12-187)

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

NOTE: To concur with Zoning APPROVAL with modifications requested, a majority vote of the entire council is required and adoption of a resolution.

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

2) Aimee Lavergne appealing the Zoning Commission APPROVAL on January 6, 2009 of a conditional use permit for a 1,456 sq. ft. mobile home on the east side of Holly Drive, south of Oak Drive. (Ward 8, District 9) (CP09-01-005) (Applicant Amy Deal)

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

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

3) Allen L. Dauterive, et al appealing the Planning Commission APPROVAL on January 13, 2009 of a Petition to enter Parish Right-of-way. (Palmetto Greens Drive) (Ward 3, District 5) (Petitioner: Provident Realty Advisors, Inc.)

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

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

ORDINANCES FOR ADOPTION

1) Ord. Cal. No. 3902AA - 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) (Reintroduced 1/8/09)

2) Ord. Cal. No. 3909AA - 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) (Reintroduced 1/8/09)

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 & 1/8/09)

4) Ord. Cal. No. 3967 - Ordinance to amend Parish Code of Ordinances, Appendix C, Land Use Regulations Ordinance No. 523 as amended, Sections 2.0205 and 6.01 to add new provisions for development of land on the south side of Lakeview Drive. (Ward 9, District 13) (Introduced 12/4/08) (Tabled 1/8/09 pending Zoning Commission review)

5) 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.). (Introduced 1/8/09)

6) 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. (Tabled 12/4/08) (Introduced 1/8/09)

7) 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) (Introduced 1/8/09)

8) 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) (Introduced 1/8/09)

9) 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) (Introduced 1/8/09)

10) Ord. Cal. No. 3994 - Ordinance to rename Machinist Row as Stainless Road. (Ward 3, District 2) (Introduced 1/8/09)

11) 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 5) (Introduced 1/8/09)

12) 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. (Introduced 1/8/09)

13) 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) (Introduced 1/8/09)

14) 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. (Introduced 1/8/09)

APPOINTMENT

1) Resolution to appoint one (1) member _____ to the St. Tammany Parish Recreation District No. 1 to replace Todd Richard (resigned). (Ward 4, Districts 4, 5, 7 & 10) (Falconer)

EXECUTIVE SESSION

Lawsuit entitled: N.W. St. Tammany Civic Association, et al v. St. Tammany Parish, 22nd Judicial District Court No. 2008-14871"D", First Circuit Court of Appeal No. 2009-CA-0094.