

AGENDA
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, MARCH 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	February 5, 2009
Council Committee Meeting	February 25, 2009

ORDINANCES FOR INTRODUCTION
(Public Hearing April 2, 2009)

- 1) Ord. Cal. No. 4011 - Ordinance amending the official zoning map of St. Tammany to reclassify land located east of Military Road, south of Sycamore Drive containing 81.58 acres of land from PUD (Planned Unit Development) to A-1 (Suburban). (Ward 8, District 9) (ZC09-02-002) (Zoning Commission approved 2/3/09) (Binder/Davis)
- 2) Ord. Cal. No. 4012 - Ordinance amending the official zoning map of St. Tammany to reclassify land located northwest of Highway 25 & Highway 1077 containing 4.767 acres from R (Rural) to ID (Institutional). (Ward 2, District 3) (ZC09-02-003) (Zoning Commission approved 2/3/09) (Binder/Davis)
- 3) Ord. Cal. No. 4013 - Ordinance amending the official zoning map of St. Tammany to reclassify land located on south Eden Street, east of Industry Park containing 0.46 acres from SA (Suburban Agricultural) to M-1 (Light Industrial). (Ward 3, District 3) (ZC09-02-004) (Zoning Commission approved 2/3/09) (Binder/Davis)
- 4) Ord. Cal. No. 4014 - Ordinance amending Ordinance C.S. No. 09-1985, adopted January 8, 2009 making changes to Land Use Regulations Ordinance No. 523 as Amended, Section 6.01, and Unified Development Code Section 7.0801, Modifications and Exceptions, Lots of Record, amending side yard setback and driveway requirements. (Gould)

5) Ord. Cal. No. 4015 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on property within a portion of Tammany Hills Subdivision and a portion of Ingram Estates Subdivision. (Ward 3, District 5.) (Gould)

6) Ord. Cal. No. 4016 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on Eola, Jordan and Elmer Streets, located west of Soult Street, and on the submission of any application to enter the parish rights-of-way for the purpose of extending, opening and/or constructing any unopened portion of said streets. (Ward 4, District 5) (Gould)

7) Ord. Cal. No. 4017 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of applications for mobile home conditional use permits and/or on the issuance of building permits for placement of mobile homes on property within Bayou Heights Subdivision. (Ward 6, District 6) (Crawford-Howell)

8) Ord. Cal. No. 4018 - Ordinance to extend for an additional six (6) month the moratorium on the issuance of building permits for construction or placement of building structures on property within portions of Beverly Hills and Kingspoint Subdivisions.(Ward 8, District 14) (Burkhalter)

9) Ord. Cal. No. 4019 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning) Section 5.21 HC-2 Highway Commercial Zoning Districts relative to automotive sales and service. (Binder/Davis)

10) Ord. Cal. No. 4020 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Sections 5.20 through 5.23a, HC- Highway Commercial Zoning Districts relative to height regulations. (Binder/Davis)

11) Ord. Cal. No. 4021 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Grand Maison, Phase 2; Northpointe Business Park, Phase 1; and Northpointe Business Park, Phase 2; and enter Parish Right of Way on Pansy Street and Independence Street. (Wards 1, 3 & 4, Districts 1, 3 & 5) (Binder/Davis)

12) Ord. Cal. No. 4022 - Ordinance to correct the Road and Drainage Inventory to include South Hay Hollow Road Lateral; Palm Street Lateral and Fish Hatchery Road Lateral. (Wards 2, 7 & 9, Districts 2, 7 & 12) (Binder/Davis)

13) Ord. Cal. No. 4023 - Ordinance to amend Ordinance C.S. No. 07-1680, 2008-2012 Capital Improvement Budget to identify changes to the Capital Improvement List for 2008-2012. (Binder/Davis)

14) Ord. Cal. No. 4024 - Ordinance to amend Ordinance C.S. No. 07-1680, 2008-2012 Capital Improvement Budget and identify Fixed Assets and Grant Awards. (Binder/Davis)

15) Ord. Cal. No. 4025 - Ordinance providing for the incurring of debt and issuance of Four Million Dollars (\$4,000,000) of St. Tammany Parish Revenue Bonds, Series 2009 for water and sewerage facilities improvements; prescribing the form, terms and conditions of said Bonds; designating the date, denomination and place of payment of said Bonds; providing for the payment thereof in principal and interest; authorizing the agreement with the Paying Agent; and providing for other matters in connection therewith. (Binder/Davis)

16) Ord. Cal. No. 4026 - 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 within certain portions of Highland Park Subdivision. (District 12) (Binder)

17) Ord. Cal. No. 4027 - Ordinance amending and reenacting Section 40-034.01, Contiguous Lot Rule, of the Parish Subdivision Regulatory Ordinance 499, to allow for the combining of substandard lots with abutting rear property lines. (Binder/Davis) (Introduce and refer to the Planning Commission)

18) Ord. Cal. No. 4028 - Ordinance to authorize the Parish President, to enter into a lease agreement with Florida Parishes Human Services Authority's Developmental Disabilities Services for space in the St. Tammany Parish State Building (aka-DHH Building).(Binder/Davis)

19) Ord. Cal. No. 4029 - Ordinance to amend the Unified Development Code, Volume 1 - Zoning, by adopting the recommendation of the Parish Zoning Commission, as amended, relative to the Comprehensive Rezoning of the South West Study Area. (Binder/Davis)

RESOLUTIONS

20) Resolution C.S. No. C-2582 - Resolution approving the holding of an election in St. Tammany Parish Recreation District No. 6 to authorize the levy of a special tax therein. (Binder/Davis)

21) Resolution C.S. No. C-2583 - Resolution establishing Warranty Obligations. (Binder/Davis)

WARRANTY

NAME OF SUBDIVISION	RECOMMENDATION
Willow Bend Subdivision, Phase 1 Amount: \$26,400 Expires: April 10, 2009 Ward:1, District: 1	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
Enter Parish R.O.W. (Resolution No. 07-154) I-10 Service Road/Howze Beach Road Amount: \$81,000 Expires: April 15, 2009 Ward:9, District: 13	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Eagle Landing - Entrance Amount: \$1,200 Expires: April 21, 2009 Ward: 1, District: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Eagle Landing Subdivision Amount: \$63,240.00 Expires: April 29, 2009 Ward: 1, District: 1	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
Autumn Creek Subdivision, Phase 2 Amount: \$37,000 Expires: July 7, 2009 Ward:1, District: 1	RELEASE WARRANTY OBLIGATION AND ESTABLISH A PERFORMANCE OBLIGATION FOR SIX (6) MONTHS
Abney Farms Subdivision Amount: \$6,000 Expires: May 8, 2009 Ward: 8, District: 9	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
Barkley Parc Subdivision, Phase 2A Amount: \$38,400 Expires: March 16, 2009 Ward:3, District: 3	RELEASE L.O.C.
Grand Oaks Subdivision, Phase 1 Amount: \$22,100 Expires: March 19, 2009 Ward:1, District: 1	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM

22) Resolution C.S. No. C-2584 - Resolution stating Council endorsement of BGL Grocers, Inc. for participation in the benefits of Louisiana Enterprise Zone Program. (Binder/Davis)

23) Resolution C.S. No. C-2585 - Resolution stating Council endorsement of Dauphin Stewart Corp. for participation in the benefits of Louisiana Enterprise Zone Program. (Binder/Davis)

24) Resolution C.S. No. C-2586 - Resolution stating Council endorsement of Children's College, LLC for participation in the benefits of Louisiana Enterprise Zone Program. (Binder/Davis)

25) Resolution C.S. No. C-2587- Resolution to amend Ordinance C.S. No. 08-1968, 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards. (Binder/Davis)

26) Resolution C.S. No. C-2588 - Resolution to amend Ordinance C.S. No. 08-1968, 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards. (Binder/Davis)

27) Resolution C.S. No. C-2589 - Resolution to amend Resolution C.S. No. C-2556 in order to remove the information telephone number provided when the parish adopted 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)

28) Resolution C.S. No. C-2590 - Resolution certifying the population census counts for the Fire Protection Districts of St. Tammany Parish. (Binder/Davis)

29) Resolution C.S. No. C-2591 - Resolution giving preliminary approval to the issuance of not to exceed Four Million Dollars (\$4,000,000) of St. Tammany Parish Revenue Bonds for water and sewerage facilities improvements; providing certain terms of said Revenue Bonds, making application to the State Bond Commission for the approval of said Revenue Bonds, and providing for other matters in connection therewith.
(Binder/Davis)

30) Resolution C.S. No. C-2592 - Resolution authorizing the Parish President to sign an amendment to a Cooperative Endeavor Agreement with the State of Louisiana, Division of Administration to increase St. Tammany Parish's allotment of Disaster Recovery Funds for the purpose of implementing the Parish Long Term Community Recovery Plans.(Binder/Davis)

31) Resolution C.S. No. C-2593 - Resolution to vacate, in part, the moratorium established by Ordinance C.S. No. 08-1928 on issuance of building permits for construction or placement of building structures on property located on the south side of Lakeview Drive, to release Lot 7, North Shore Sites Subdivision (Ward 8, District 13)(Ward 8, District 13)

END OF CONSENT CALENDAR

APPEALS

1) Jeff Schoen on behalf of Phillip Yee appealing the Zoning Commission DENIAL on January February 5, 2009 of a conditional use permit for a 4800 sq. ft. cellular tower on the north side of Gause Blvd. west of Sunset Drive, address 1717 Highway 190, West. (Ward 9, District 11) (CP09-01-006)

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

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 as amended 1/8/09 & 2/5/09)

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) (Tabled 2/5/09)

3) 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 & 2/5/09 pending Zoning Commission review)

4) 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) (Introduced 2/5/09)

5) 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. (Introduced 2/5/09)

6) 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. (Introduced 2/5/09)

7) 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) (Introduced 2/5/09)

8) 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) (Introduced 2/5/09)

9) 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) (Introduced 2/5/09)

10) 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) (Introduced 2/5/09)

11) 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) (Introduced 2/5/09)

12) 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. (Introduced 2/5/09)

13) Ord. Cal. No. 4009 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Marigny Trace, Phase 6a and Marigny Trace, Phase 6b Subdivisions. (Ward 4, District 10) (Introduced 2/5/09)

14) Ord. Cal. No. 4010 - Ordinance to amend the Unified Development Code sections governing TND-1 and TND-2 Traditional Neighborhood Development Zoning Districts. (Introduced 2/5/09)

EXECUTIVE SESSION

Lawsuit entitled: Manton v. Strain, USDC No. 09-339 "R" (3)