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AGENDA

ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, APRIL 2, 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**

PRESENTATIONS

- 1) Certificates of Recognition to members of the Salmen High School Basketball Team for winning the 2009 State Championship. (Binder)**
- 2) Certificates of Recognition to members of the National Council of Negro Women (NCNW) - Slidell Section - Youth Division. (Burkhalter)**
- 3) Recognition of Fire Protection District No. 4 for receiving a Class 2 rating from the Property Insurance Association of Louisiana. (Gould)**

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	March 5, 2009
Council Committee Meeting	March 26, 2009

ORDINANCES FOR INTRODUCTION

(Public Hearing May 7, 2009)

- 1) 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) (Tabled 3/5/09)**
- 2) 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)(Tabled 3/5/09)**

- 3) Ord. Cal. No. 4033 - Ordinance amending the official zoning map of St. Tammany to reclassify land north Highway 21, east of Highway 1085 containing 1.73 acres from LC (Light Commercial) to C-2 (Highway Commercial). (Ward 1, District 1) (ZC09-03-005) (Zoning Commission approved 3/3/09) (Binder/Davis)
- 4) Ord. Cal. No. 4034 - Ordinance establishing a speed limit of 35 mph on Fairhaven Road (2-U-2). (Ward 2, District 2) (Cooper)
- 5) Ord. Cal. No. 4035 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building permits for the construction or placement of building structures within a portion of Cypress Park Subdivision and a portion of surrounding areas. (Ward 7, District 7) (Hamauei)
- 6) Ord. Cal. No. 4036 - 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 abutting, in whole or in part, a portion of East I-10 Service Road, Slidell, Louisiana. (Ward 8, District 8) (Canulette)
- 7) Ord. Cal. No. 4037 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the parish zoning and planning commissions for the rezoning or resubdivision of property west of highway 11 and south of interstate 12 within unincorporated boundaries of Ward 9, District 14. (Ward 9, District 14) (Burkhalter)
- 8) Ord. Cal. No. 4038 - 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)
- 9) Ord. Cal. No. 4039 - 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 whose primary focus or concentration is the prescribing and/or dispensing of pain medication to individuals with complaints of chronic pain which is unaffiliated with any hospital, hospice and/or facility for the treatment of the terminally ill in unincorporated St. Tammany Parish. (Binder)
- 10) Ord. Cal. No. 4040 - Ordinance to extend for an additional six (6) months the moratorium on requests for rezoning of property within the triangular shaped area bounded on the south by Highway 190, on the east by Tchefuncte River, and on the west by the St. Tammany and Tangipahoa Parish line (Ward 1, District 1). (Dean)
- 11) Ord. Cal. No. 4041 - Ordinance to authorize the Parish President to execute an Act of Nullity of the adjudicated property sale to Dallas Wilson of May 8, 2008 and refund the purchase price. (Binder/Davis)
- 12) Ord. Cal. No. 4042 - Ordinance to amend the Parish Code of Ordinances, Section 2-009.00, Parish Fees and Service Charge, transportation and drainage impact fees. (Binder/Davis)
- 13) Ord. Cal. No. 4043 - Ordinance to correct the Road and Drainage Inventory to include Honeydew Lane; to add a portion to Scotch Pine Drive; and to delete portions of Monroe Crawford Road; Reed Road; and Allen Road. (Wards 2, 4, 6 & 10, Districts 2, 4 & 6) (Binder/Davis)
- 14) Ord. Cal. No. 4044 - Ordinance to correct the Road and Drainage Inventory to include Rheusaw Parker Road Lateral. (Ward 6, District 6) (Binder/Davis)
- 15) Ord. Cal. No. 4045 - Ordinance amending the 2008 Operating Budget. (Binder/Davis)
- 16) Ord. Cal. No. 4046 - Ordinance amending the 2009 Operating Budget. (Binder/Davis)

17) Ord. Cal. No. 4047 - Ordinance to amend the Parish Code of Ordinances, Chapter 16, Parks, Recreation and Scenic Neighborhoods, to establish a new Article XIX, creating Recreation District No. 16, and amending Article IV, to merge and consolidate Recreation District No. 3 into and with the New Recreation District No. 16. (Burkhalter)

18) Ord. Cal. No. 4048 - Emergency Ordinance to impose a 30-day moratorium on the receipt of applications by the Parish Zoning Commission for mobile home conditional use permits and/or on the issuance of building permits for placement of mobile homes on property within the subdivision known as Hillcrest Country Club, Additions #1, 2, 3 and 4. (Ward 6, District 6) (Crawford-Howell)

19) Ord. Cal. No. 4049 - Ordinance to impose a six (6) month moratorium on the receipt of applications by the Parish Zoning Commission for mobile home conditional use permits and/or on the issuance of building permits for placement of mobile homes on property within the subdivision known as Hillcrest Country Club, Additions #1, 2, 3 and 4. (Ward 6, District 6) (Crawford-Howell)

RESOLUTIONS

20) Resolution C.S. No. C-2598 - Resolution approving the issuance of \$220,000 of Parcel Fee Bonds, Series 2009 of Sub-Drainage District No. 3 of Gravity Drainage District No. 5 (Estates of Northpark) of the Parish of St. Tammany, State of Louisiana. (Binder/Davis)

21) Resolution C.S. No. C-2599 - Resolution stating Council endorsement of Trinity Marine Products, Inc, for participation in the benefits of Louisiana Enterprise Zone Program. (EZ#20090132) (Binder/Davis)

22) Resolution C.S. No. C-2600 - Resolution establishing Warranty Obligations. (Binder/Davis)

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Pine Creek Acres, Phase 1A Amount: \$7,200 Expires: May 23, 2009 Ward: 1 District: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Magnolia Trace Subdivison Amount: \$17,640 Expires: May 8, 2009 Ward: 8 District: 9	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Oakley Place Subdivision Amount: \$57,800 Expires: May 8, 2009 Ward: 8 District: 9	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Abney Farms Estates 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
Raiford Oaks Subdivision, Phase 1 Amount: \$26,400 Expires: May 8, 2009 Ward: 1 District: 1	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
Tchefuncte Club Estates S/D, Phase 2 Amount: \$95,700 Expires: May 20, 2009 Ward: 1 District: 1	RELEASE L.O.C. THIS IS A PRIVATE SUBDIVISION AND THE PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE

23) Resolution C.S. No. C-2601 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards. (Binder/Davis)

24) Resolution C.S. No. C-2602 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards to make changes to the Council District No. 6 Road List. (Binder/Davis)

25) Resolution C.S. No. C-2603 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards to make changes to the Council District No. 7 Road List. (Binder/Davis)

26) Resolution C.S. No. C-2604 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards to make changes to the Council District No. 9 Road List. (Binder/Davis)

27) Resolution C.S. No. C-2605 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards to make changes to the Council District No. 10 Road List. (Binder/Davis)

28) Resolution C.S. No. C-2606 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grant Awards to make changes to the Council District No. 14 Road List. (Binder/Davis)

29) Resolution C.S. No. C-2607 - Resolution to support Parish Government's application for funding from the Louisiana Community Water Enrichment Fund.(Binder/Davis)

30) Resolution C.S. No. C-2608 - Resolution supporting the Parish President's authorizing the Chief Administrative Officer to sign all grant documents relating to Louisiana Act 19 of 2008 line item appropriation on his behalf. (Binder/Davis)

31) Resolution C.S. No. 2609 - Resolution authorizing the Parish President or his designee to sign sub-recipient agreements providing Community Development Block Grant Funds to eligible sub-recipients for the provisions of services associated with the CDBG Program.(Binder/Davis)

32) Resolution C.S. No. 2610 - Resolution to support Parish Government's application for assistance from the Land and Water Conservation Fund for the purpose of constructing the Gum Swamp Boardwalk for the Goldfish Bayou Basin Interpretive Trail at Camp Salmen Nature Park.(Binder/Davis)

33) Resolution C.S. No. 2611 - Resolution giving preliminary approval to the issuance of not exceeding One Million Dollars (\$1,000,000) of Utility Revenue Bonds, Series 2009, of the Parish of St. Tammany, State of Louisiana, providing certain terms of said Utility Revenue Bonds, making application to the State Bond Commission for the approval of said Bonds, and providing for other matters in connection thereto.

END OF CONSENT CALENDAR

APPEALS

1) E.B. Dittmer, II (on behalf of John Hoogacker) and Kevin Jordon appealing the Zoning Commission APPROVAL on March 3, 2009 of a conditional use permits for two (2) 1140 sq. ft. mobile homes on the end of Commercial Drive, east of I-59 Service Road, Lots 4 & 5, I-59 Commercial Park Subdivision. (Ward 8, District 9)(CP09-03-030 & CP09-03-031) (Applicant Shirley C. Stanford)

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.

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 & 3/5/09)
- 2) 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)(Referred to Zoning 3/5/09)
- 3) 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) (Introduced 3/5/09)
- 4) 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) (Introduced 3/5/09)
- 5) 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) (Introduced 3/5/09)
- 6) 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.) (Introduced 3/5/09)
- 7) 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) (Introduced 3/5/09)
- 8) Ord. Cal. No. 4017 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of applications by the Parish Zoning Commission 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) (Introduced 3/5/09)
- 9) 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)(Introduced 3/5/09)
- 10) 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. (Introduced 3/5/09)
- 11) 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.(Introduced 3/5/09)
- 12) 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) (Introduced 3/5/09)

13) 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) (Introduced 3/5/09)

14) 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)

15) Ord. Cal. No. 4024 - Ordinance to amend Ordinance C.S. No. 07-1680, 2008-2012 Capital Improvement Budget to identify Fixed Assets and Grant Awards. (Introduced 3/5/09)

16) 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. (Introduced 3/5/09)

17) 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) (Introduced 3/5/09)

18) 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. (Introduced and Referred to Planning Commission 3/5/09)

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. (Introduced 3/5/09)

20) Ord. Cal. No. 4030 - Ordinance authorizing the Parish President to enter into a Cooperative Agreement for the purpose of granting a servitude to access property, to provide for construction and maintenance thereof by grantee, and to otherwise provide with respect thereto. (Ward 3, District 3) (Thompson)

21) Ord. Cal. No. 4031 - Ordinance to Replace Parish Code of Ordinances, Chapter 2, Section 2-004.00, an ordinance creating the St. Tammany Parish Transit Authority and appointing members thereof (Ord. No. 1126, adopted 03/13/1980) and to provide for changes reflected herein. (Gould)

22) Ord. Cal. No. 4032 - Ordinance to authorize the Parish President to sign and/or execute transfer documents for Right-of-Way needed for State 1088 Interchange Project. (Hamauei)

NOMINATIONS

1) Resolution to appoint _____ (permanent member) to replace Gerald Morris (resigned) to the Parish Board of Zoning Adjustments. (Binder)

2) Resolution to appoint _____ (alternate member) to replace John Scott Fischer (resigned) to the Parish Board of Zoning Adjustments. (Binder)

APPOINTMENTS

1) Resolution to appoint Greg Lemons to replace Charles Frederick, Jr. (Deceased) to St. Tammany Parish Hospital Service District No. 1. (St. Tammany Parish Hospital) (Crawford-Howell)

2) Resolution to appoint _____ to St. Tammany Parish Recreation District No. 2 to replace Anita Fincher (resigned). (Cooper)

3) Resolution to appoint _____ to St. Tammany Parish Recreation District No. 6 to replace F. Jean Dawsey (resigned). (Cooper)