

MINUTES
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, SEPTEMBER 2, 2010 AT 6:00 P.M.
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Jerry Binder, Chairman

Invocation by Ms. Crawford-Howell

Pledge of Allegiance by Mr. Billiot

Roll Call:	Marty Dean	Arrived 6:41 pm
	Gary Cooper	Absent
	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	Arrived 7:22 pm

PUBLIC HEARING - BOARD OF REVIEW

Binder - In accordance with the provisions of La. R.S. 47:1992, the St. Tammany Parish Council hereby convenes in public session as a Board of Review to entertain complaints and/or appeals from any taxpayer(s) aggrieved by ad valorem assessments levied against his/her/their property.

The Assessor of St. Tammany Parish has duly advertised notice of this public hearing in accordance with law. The deadline for receipt of appeals by taxpayers to the Board of Review will be 11:59 p.m. September 9, 2010. If no appeals are lodged by this date, or appeals are lodged but resolved through the Parish Assessor's Office, the time will automatically expire and terminate without the need for the Parish Council to reconvene to so declare.

Board of Review call for unresolved appeals: the appeal hearings will be scheduled for the week of September 13-17, 2010, if necessary.

PRESENTATIONS

Binder - introduced Terry Hand new Legal Counsel for the Parish Council.

Binder - 1) Introduction of the Junior Council Member for September - Ashley Calamari. (Binder)

Binder - Ashley is a 5th grader at Our Lady of Lourdes in Slidell. Her favorite subject is math, and her favorite sport is volleyball.

Binder - 2) Presentation by Kevin Davis and Public Service Commissioner Eric Skrmetta to Courtney Smith in recognition for being selected as St. Tammany Parish's Representative in the Reaching for Tops Essay Contest sponsored by Public Service Commission's District One. (Gould) (Tabled 8/5/10)

Eric Skrmetta - spends a lot of time between Baton Rouge, St. Tammany and Jefferson Parish. He has just opened a new office on the West Causeway approach in Mandeville. He feels that, in addition to his elected obligation, he has a personal obligation to the public. He recently learned that a lot of children in his district do not know about the TOPS program which Patrick Taylor founded. He created this essay contest to make sure that students become aware of this program. He also asked each Parish to form a committee to decided who wins each year. This year Courtney Smith from Fontainebleau High School won.

Binder - 3) Proclamation designating September 24, 2010 as Black and Gold Day in St. Tammany Parish to raise funds for the Children's Museum. (Binder/Davis)

Kevin Davis - the Junior League of Greater Covington has been a great motivator in the development of the Children's Museum for the Parish. The road to the museum has already been built. It will be behind the Kids Konnection playground here on Koop Drive. The Junior League is asking that September 24th be declared Black and Gold day in honor of the Saints. The students will be allowed to wear black and gold that day for a donation of one dollar to the museum. This museum will allow children to think, question, deduct, debate and explore.

Cheryl Arabie - accepted the proclamation as the Assistant Supervisor for the School Board.

Lisa Barnett - Junior League - they want to thank the Parish for helping. There are a lot of things to come for the Museum. They are happy that this fund raiser will make the children a part of building their Museum.

Sherri Lemmond - President of the Junior League - this is the first time that they have been able to involve both sides of the Parish in a fund raiser for the museum.

Binder - 4) Presentation to Inside Northshore's Lori Murphy for her efforts with the St. Tammany Bicentennial book and celebration. (Binder/Davis)

Kevin Davis - wants to thank Lori Murphy for her dedication in making the launch of the bicentennial celebrations happen. She also worked on a book about the history of the Parish and all of its communities. He hopes that the book will be used as an educational tool.

Lori Murphy - it was an honor to work on this project. They collected wonderful pictures and stories from all areas of the Parish.

Davis - he would also like to thank Suzanne Parsons Stymiest and her staff for gathering the information on the Parish's cultural icons. The icons were born here or made their lives and homes here. He feels it is important to recognize history to move into the future.

Binder - 5) Kevin Davis Update on Oil Spill proceedings. (Binder/Davis)

Davis - passed out report describing the short and long term plans for recovery from the oil spill. On page 3, noted that removal of any unused resources requires approval by the Parish President and or Parish Manager. The assets will remain in the Parish until at least December of this year. He is happy with this final report, and this is now how they will operate.

Gould - he wants to thank Mr. Artigue for being the point man for the Council regarding the oil spill. He thinks that the citizens need to know how much Mr. Artigue has done to help in the recovery process.

Artigue - he wants to emphasize that before any resource leaves the Parish, it has to be approved by the Parish.

Binder - Mr Davis, do you have any news on this new explosion?

Davis - he has been in touch with the state. The incident happened on a platform, not an active drilling rig. There were 13 people in the water but none died. Also, there was no oil spill. This incident brings to mind the drilling moratorium. With this 2nd explosion, he is nervous about the future. He hopes that Washington does not overreact. The moratorium is only on offshore drilling, but the agency who issues drilling permits has been very strict on all permits, even for inland waters.

Binder - called Council and Audience for items to be pulled from the Consent Calendar:

Ord. Cal. No. 4375

Ord. Cal. No. 4376

Ord. Cal. No. 4381

Resolution No. C-2941

Resolution No. C-2953

Consent Calendar less items pulled:

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. (Call to Council Members and Audience for items to pull)

MINUTES

Regular Council Meeting	August 5, 2010
Special Council Meeting	August 12, 2010
Council Committee Meeting	August 25, 2010

ORDINANCES FOR INTRODUCTION

(Public Hearing October 7, 2010)

1) Ord. Cal. No. 4365 - Ordinance amending the Official Parish Zoning Map to reclassify 32.2 acres located along Genie, Yaupon and Michelle Streets and Yvette Drive, Phases I & II, Hickory Village Subdivision from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay District). (Ward 6, District 6) (ZC10-07-083) (Binder/Davis)

2) Ord. Cal. No. 4366 - Ordinance amending the Official Parish Zoning Map to reclassify 28.65 acres located east and west of 5th and 9th Avenues, south of LA Highway 435 from A-2 (Suburban District), A-4 (Single Family Residential District) & MHO (Manufactured Housing Overlay District) to A-2 (Suburban District) and A-4 (Single Family Residential District). (Ward 10, District 6) (ZC10-08-090) (Binder/Davis)

3) Ord. Cal. No. 4367 - Ordinance amending the Official Parish Zoning Map to reclassify 62.12 acres located along Central Avenue, west of Chris Kennedy Road from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Mobile Home Overlay District). (Ward 6, District 6) (ZC10-08-091) (Binder/Davis)

4) Ord. Cal. No. 4368 - Ordinance amending the Official Parish Zoning Map to reclassify 1.04 acres located at the end of Richard's Road, south of North Dixie Ranch Road, north of I-12 from NC-6 (Public, Cultural and Recreational District) to A-2 (Suburban District). (Ward 7, District 7) (ZC10-08-093) (Binder/Davis)

5) Ord. Cal. No. 4369 - Ordinance amending the Official Parish Zoning Map to reclassify 93.66 acres located east & west of Morrow and Hoover Drives, north & south of Lawes Street from A-1 (Suburban District) to A-4 (Single Family Residential District). (Ward 8, District 13) (ZC10-08-095) (Binder/Davis)

6) Ord. Cal. No. 4370 - Ordinance amending the Official Parish Zoning Map to reclassify 1.008 acres located west of Wood Street, north of Berry Todd Road, being 62075 Wood Street, Lacombe from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing Overlay District). (Ward 7, District 7) (ZC10-08-097) (Binder/Davis)

7) Ord. Cal. No. 4371 - Ordinance amending the Official Parish Zoning Map to reclassify 7.28 acres located east of Rock Road, north of Mill Road, south of Berry Todd Road from A-2 (Suburban District) to A-3 (Suburban District). (Ward 7, District 7) (ZC10-08-099) (Binder/Davis)

8) Ord. Cal. No. 4372 - Ordinance amending the 2010 Operating Budget. (Binder/Davis)

9) Ord. Cal. No. 4373 - Ordinance to correct the Road and Drainage Inventory to include Riverside Drive Lateral; Zeta Avenue; Highway 1078 Lateral; an extension of Dewberry Road; an extension of Palm Blvd.; an extension of E. Sycamore Street; and the streets within the Highlands Subdivision, specifically Highland Crest Drive, Tartan Trace, Piper Place, Heather Hollow, White Oak Court, and Terrace Trace; also to Rename Eden Isles Blvd. (Wards 1, 2, 3, 7 & 9, Districts 1, 2, 3, 7, & 13) (Binder/Davis)

10) Ord. Cal. No. 4374 - Ordinance to authorize the Parish President to acquire certain parcels and/or rights of way located on the northwest frontage road of I-10 beginning at its intersection with U.S. 190 Business known as Fremeaux Avenue. (Binder/Davis)

13) Ord. Cal. No. 4377 - 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)

14) Ord. Cal. No. 4378 - 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)

15) Ord. Cal. No. 4379 - 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 Soutl 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)

16) Ord. Cal. No. 4380 - 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. (District 14) (Burkhalter)

RESOLUTIONS

18) Resolution C.S. No. C-2932 - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

19) Resolutions C.S. No. C-2933 - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards (Facilities). (Binder/Davis)

20) Resolutions C.S. No. C-2934 - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

21) Resolution C.S. No. C-2935 - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards (Infrastructure). (Binder/Davis)

22) Resolution C.S. No. C-2936 - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - District 2. (Binder/Davis)

23) Resolution C.S. No. C-2937 - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - District 3. (Binder/Davis)

24) Resolution C.S. No. C-2938 - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - District 8. (Binder/Davis)

25) Resolution C.S. No. C-2939 - Resolution to AMEND Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - District 12. (Binder/Davis)

26) Resolution C.S. No. C-2940 - Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - District 13. (Binder/Davis)

28) Resolution C.S. No. C-2942 - Resolution to support Fire Protection District No.1's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing a thermal imager. (Binder/Davis)

29) Resolution C.S. No. C-2943 - Resolution to support Fire Protection District No. 2's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing digital radios. (Binder/Davis)

30) Resolution C.S. No. C-2944 - Resolution to support Fire Protection District No.3's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing emergency generator parts and installation. (Binder/Davis)

31) Resolution C.S. No. C-2945 - Resolution to support Fire Protection District No.4's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing digital radios. (Binder/Davis)

32) Resolution C.S. No. C-2946 - Resolution to support Fire Protection District No.5's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing personal protective equipment. (Binder/Davis)

33) Resolution C.S. No. C-2947 - Resolution to support Fire Protection District No.6's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing digital radios. (Binder/Davis)

34) Resolution C.S. No. C-2948 - Resolution to support Fire Protection District No.7's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing personal protective equipment.(Binder/Davis)

35) Resolution C.S. No. C-2949 - Resolution to support Fire Protection District No.8's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing extrication equipment. (Binder/Davis)

36) Resolution C.S. No. C-2950 - Resolution to support Fire Protection District No.9's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing personal protective equipment. (Binder/Davis)

37) Resolution C.S. No. C-2951 - Resolution to support Fire Protection District No.12's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing a thermal imager. (Binder/Davis)

38) Resolution C.S. No. C-2952 - Resolution to support Fire Protection District No.13's application for assistance from the Louisiana Office of Community Development for the purpose of purchasing a large diameter hose. (Binder/Davis)

40) Resolution C.S. No. C-2954 - Resolution establishing Performance and Warranty Obligations. (Binder/Davis)

PERFORMANCE

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Angelic Estates S/D, Phase 1A Performance Obligation (\$26,000) Expires: October 30, 2010 Ward:3, District: 5	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Enter Parish R.O.W. (Resolution No. 09-018) Andrew Dr./Orchard Drives S/D Expires: October 9, 2010 Ward:3, District: 5	RELEASE L.O.C. TO BE BROUGHT INTO SELECTIVE PARISH MAINTENANCE SYSTEM
Terra Bella S/D, Phase 1A-1 (Brick Rdwy) Amount: \$24,000 Expires: October 9, 2010 Ward: 1, District: 1	RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM

Tuscany West Estates S/D
Amount: \$155,500
Expires: October 14, 2010
Ward: 1, District: 1

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

Tuscany West Estates S/D (Brick Entrance Rdwy)
Amount: \$3,000
Expires: October 14, 2010
Ward: 1, District: 1

**RELEASE L.O.C.
RECOMMEND TO BE BROUGHT
INTO SELECTIVE PARISH
MAINTENANCE AFTER REMAINDER
OF S/D WORK IS
SATISFACTORILY ACCOMPLISHED**

Pinnacle Parkway Extension (MS08-02-009)
Amount: \$50,500
Expires: October 1, 2010
Ward: 1, District: 1

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

41) Resolution C. S. No. C-2955 - Resolution stating the Parish Council's endorsement of TCA Cellular Therapy, LLC for participation in the benefits of the Louisiana Enterprise Zone Program. (EZ2010-0794). (Binder/Davis)

42) Resolution C.S. No. C-2956 - Resolution stating the Parish Council's Endorsement of Texas Roadhouse, Inc. for participation in the benefits of the Louisiana Enterprise Zone Program. (EZ2010-0688). (Binder/Davis)

43) Resolution C.S. No. C-2957 - Resolution authorizing a variance to required lot depths for Lots 42 and 43, North Shore Sites Subdivision, pursuant to Section 3.6 II (K)(5)(A) of the St. Tammany Coastal Zone Management Ordinance. (Ward 9, District 13) (Artigue)

END OF CONSENT CALENDAR

Stefancik - moved to adopt Consent Calendar less items pulled, second by Bellisario. Unanimous with 3 absent (Dean, Cooper, Burkhalter).

Binder - 11) Ord. Cal. No. 4375 - Ordinance to authorize the Parish President to grant a utility servitude to Washington-St. Tammany Electric Cooperative, Inc. in and around LA Highway 434 north of I-12. (Binder/Davis)

Sevante - Asks the Legal Department to provide the draft agreement for the Ordinance. Also, WST has been reluctant to help with funding road lighting districts. CLECO has willingly been doing so. WST should be encouraged to do so also.

Hamauei - moved to introduce, second by Bellisario.

Binder - 12) Ord. Cal. No. 4376 - Ordinance to amend Ordinance C.S. No. 09-2181, adopted December 3, 2009, which established and validated rates and fees for sewerage and water services provided by systems owned and operated by the Parish. (Binder/Davis)

Greg Gordon - Environmental Services - this ordinance is to group all fees charged in establishing a utility so that when a citizen applies to connect service, they will be able to pay just one fee.

Davis - this is just a housekeeping item because of the recent purchase of Southeast Water. Their rates were scattered all over and were different amounts for different areas. This is not a rate increase. In all of the time the Parish has owned Cross Gates Water, the rates have never been raised.

Stefancik - moved to introduce, second by Bellisario.

Binder - 17) Ord. Cal. No. 4381 - Ordinance to rezone 3.48 acres at the entrance of Belle Point Subdivision within the South West Comprehensive Rezoning Area from HC-1 (Highway

Commercial) to HC-2 (Highway Commercial). (Ward 1, District 1) (Zoning Commission recommended denial 8/3/10) (Dean)

Dean - moved to table, second by Gould. Unanimous with 2 absent (Cooper, Burkhalter).

Binder - 27) Resolution C.S. No. C-2941 - Resolution supporting and authorizing the Chief Administrative Officer to formally request that Louisiana Department of Transportation and Development, Division of Aviation provide funds to complete the airport improvements at St. Tammany Regional Airport, as specifically described in the Capital Improvement Program application for state financial assistance dated September 1, 2010. (Binder/Davis)

Leslie Long - they are working with the Louisiana DOTD to finalize this, but it will not be ready until next month.

Stefancik - moved to table, second by Artigue. Unanimous with 3 absent (Dean, Cooper, Burkhalter).

Binder - 39) Resolution C.S. No. C-2953 - Resolution to concur/not concur with the Town of Pearl River annexation and rezoning of 15.2 acres (Parcel 1, measuring 3 acres and Parcel 2 measuring 12.2 acres) located in Lots 2 & 7, Section 6, Township 8 South, Range 15 East from Parish A-2 (Suburban District) and I-2 (Industrial District) to Town of Pearl River B-2 (Commercial District). (PR2010-04) (Ward 8, Districts 6 & 9) (Binder/Davis)

Bellisario - moved to table, second by Crawford-Howell. Unanimous with 3 absent (Dean, Cooper, Burkhalter).

APPEALS

Binder - 1) Robert Schank, Leon and Jane Golemi, Cori Renfroe, and Karen Brantly, individually appealing the Zoning Commission APPROVAL to rezone 529.6 acres located on the north, south, east and west sides of Three Rivers Road and west of Highway 190 from PF-1 (Public Facilities) to MD-4 (Medical Research). (Ward 3, District 1) (ZC10-05-045)(Tabled 6/3/10, 7/1/10 & 8/5/10)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of an ordinance.

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

Jeff Schoen - represents Tulane Primate Center - has a letter from all parties requesting that this matter be tabled.

Dean - moved to table, second by Thompson. Unanimous with 2 absent (Cooper, Burkhalter).

Binder - 2) Richard P. Wilke appealing the Zoning Commission APPROVAL on December 1, 2009 to rezone 33 acres south of LA Highway 1085, west of LA Highway 21 and across from Bricker Road from PUD (Planned Unit Development) to MD-1 (Medical Residential). (Ward 1, District 1) (ZC09-12-047) (Applicant Michael J. Champagne, Jr.) (Tabled 1/7/10 & 2/4/10) (Postponed 60 days on 3/4/10) (Postponed 60 days on 5/6/10) (Tabled 8/5/10)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of an ordinance.

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

Dean - Mr. Wilke appealed this at my request. There have been a lot of meetings on this matter with all parties. They are ready to move forward.

Dean - moved to concur with the Zoning Commission Approval, second by Thompson. Unanimous with 2 absent (Cooper, Burkhalter).

Dean - moved to introduce an ordinance, second by Gould; becomes Ord. Cal. No. 4382.

Binder - 3) Stacy Lacombe, Jamie Sinon, and Mary Brand appealing the Zoning Commission APPROVAL on August 3, 2010 to rezone 30.421 acres located south of LA Highway 1088 at the southwest intersection with Interstate 12 from A-2 (Suburban District) to PBC-1 (Planned Business Campus District). (Ward 4, District 7) (ZC10-07-075) (Applicant: Jeff Schoen for Land Holding Co., LLC)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and introduction of an ordinance.

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

Holly Morales - she represents some of the neighbors in this area. They would like title restrictions on this property, including restricting the plans to 1 story buildings near the residential areas.

Stefancik - what he is hearing and seeing is documentation requesting changes to planning issues not zoning.

Morales - they are objecting to the zoning because the PBC-1 zoning will allow taller buildings with less buffers.

Matt Railey - he built in Pineview Farms 2 years ago. He waited to build until he confirmed the 2025 plan would make the area rural. Now he finds out it will be zoned to highway commercial, and his street will become a cut-thru for traffic which is exactly what he tried to avoid.

Joyce Castleman - she is concerned about a business park backing up to their backyards. She is also concerned about the how all of the traffic will be handled by just 2 lane roads.

Jeff Schoen - he represents Land Holding Company the owner and builder of this property. If you will look at the hand-out, this matter is regarding the 30.42 acre tract between Highway 1088 and Interstate 12. There is a million dollar interchange going in this area. There will be a lot of ingress and egress there soon. They went before the Zoning Commission because Comprehensive Rezoning rezoned this area as A-2, because, at the time, the Council was unsure whether or not the interchange would be built. Now with the interchange going in, Staff recommended that this be rezoned PBC-1, and the Zoning Commission unanimously approved with some restrictions. The restrictions included the following: building will not begin until the interchange is open and a new traffic study is done; deed restrictions saying that the area will be built according to the site plan already provided; only 1 story buildings around the outside of the property; any 2 story buildings will be no taller than a normal 2 story residence; there will be a limited number of 2 story buildings, and they will be positioned so that they will not impact the neighbors; all 3 story buildings will be on the interior of the property; a 50 foot, no cut buffer. Already, the planned 2 story buildings are 150 feet away from the property line, and there are no residences within 150 feet on the other side of the property line. This property has 46% green space and central water and drainage which will tie into the existing LADOTD canal. No water will flow onto or through the neighbors property nor will they block any water flowing from a neighbor's property. Also, there is a service road being built that will be where the Business Park exits. There will not be access to Loretta Drive. He believes that there are 3 reasons why this rezoning was recommended for approval by Staff and approved by the Zoning Commission. They are 1) they agreed to traffic studies once the interchange was built; 2) the infrastructure was not in place at the time of Comprehensive Rezoning; and 3) they have addressed all of the neighbors' concerns.

Holly Morales - no service road is being constructed. She thinks he is referencing the Loretta Drive entrance being moved. Their request is for 3 of the buildings nearest the property line be changed from 2 story to one story, but they are willing for some of the other 2 story buildings further away to be 3 story.

Steve George - he would like to see a traffic study, because he thinks it will show a lot of problems. He also wants to see a drawing that shows that drainage will not flow onto his property.

Sidney Fontenot - the traffic study and drainage will have to be addressed at the planning stage.

Hamauei - it is hard to discuss zoning without mentioning planning. However, when this project does come up for planning, they will address these issues.

John Smith - any drainage plans will have to be approved by the Engineering Department.

Fontenot - also the traffic studies will have to be conducted when school is in session.

Gould - how far along is the Highway 1088 Corridor study?

Fontenot - they are conducting a long-term infrastructure study on Highway 1088 with a connection to Highway 434.

Falconer - does the Parish have any standing to enforce deed restrictions?

Neil Hall - no. It has some control over enforcing plats, set backs and green space, but deed restrictions are between private entities. The Parish would not enforce them.

Falconer - this is something that used to be handled with restrictions on conditional use?

Neil - the Parish can only enforce what is put on a final plan such as restrictions on the number of 3 story and 2 story buildings. The Parish cannot enforce deed restrictions during a zoning case, because the plan may change during the planning process.

Schoen - the only issue we are discussing tonight is zoning. They hope that it will be approved tonight and adopted next month. They will file a deed restriction with the Court when the rezoning is approved which will give rights to the neighbors to approve or not approve changes. When it goes to planning, they would be willing to put the deed restrictions on the plats for the Planning Commission's approval.

Falconer - how does an adjacent property owner enforce those restrictions 10 years from now if the property is sold?

Schoen - they draft the deed restrictions in the form of a restrictive covenant the same as neighborhoods do. Only the adjacent property owner(s) would be able to enforce them.

Sevante - he questions that if Mr. Schoen's clients agree to the stipulations listed in the deed restrictions, would they be amiable to the restrictions being placed in the ordinance?

Schoen - they absolutely would agree.

Sevante - conditional zoning has always been a point of discussion. In this instance, you have the client volunteering to do something rather than the Parish telling them what to do.

Hall - conditional zoning can be done and is done in other parishes. What is important to him from a legal standpoint is to not lock in the zoning and the restrictions, because at some point it could be turned into something else. From what he is hearing, what Mr. Schoen is willing to do sets a precedent. He thinks that the Parish can hold them to the restrictions when it comes time for the planning and plats.

Hamauei - he wants to get the names, numbers and addresses of all the citizens here, so that they can be notified when this comes before the Planning Commission. Mr. Schoen, let us resolve the original request from Ms. Morales.

Schoen - regarding access to the property, above the site itself on the map, there is a condensed layout showing the interchange. The State will be building a new road that will become the new Loretta Drive. This property will not connect to the new or old Loretta Drive. The new road is a 2 lane road that will tie into a 4 lane road. Tonight is the first time he has heard Mrs. Morales' offer to exchange changing 2 story buildings to one story while allowing some of the 2 story buildings to become 3 stories.

Hamauei - he thinks that those changes are minimal requests from the neighborhood.

Schoen - they agree to make buildings 1, 2 and 8 on the plan 1 story and that story will be reallocated to Buildings 4, 5 and 6. He will do a new site plan and file the deed restrictions discussed.

Council discussion ensued.

Hall - he is not saying that deed restrictions somehow get zoning locked in. He does not have a problem with the restrictions being put into place. He thinks it is good simply having the current property owner agreeing to have the plans reflect the deed restrictions when it is headed into the planning stage. The restrictions will not effect this at the zoning level. If the zoning is changed tonight, and there is a problem after the traffic studies, drainage studies, etc. are completed, the zoning could be changed again.

Council discussion ensued.

Gould - thinks this conversation was good, because he thinks that the people's needs need to be addressed.

Gould - moved to concur with the Zoning Commission approval, second by Canulette. Unanimous with 1 absent (Cooper).

Gould - moved to introduce, second by Canulette; becomes Ord. Cal. No. 4383.

Binder - the Council will hear Appeals 4 and 5 together and then vote on them separately.

Binder - 4) Jeff Schoen and John Sinon appealing the Zoning Commission DENIAL to rezone 358 acres located at the southeast intersection of LA Highway 1088 & I-12 from A-2 (Suburban District) to A-3 (Suburban District). (Ward 4, District 7) (ZC10-07-076)

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 introduction of an ordinance.

Binder - 5) Jeffery Schoen appealing the Zoning Commission DENIAL to rezone 358 acres located at the southeast intersection of LA Highway 1088 and I-12 from A-2 (Suburban District) to PUD (Planned Unit Development Overlay District. (Ward 4, District 7) (ZC10-07-077)

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 introduction of an ordinance.

Hamauei - this is also a zoning issue involving density. The current density is 2 homes per acre, and they are asking for this zoning with the stipulation of less density.

Schoen - they are asking for A-3 zoning with a PUD overlay. If the overlay expires, then his client is willing to do deed restrictions. This property is south of and contiguous to the previously discussed business park. It was zoned A-2 during the comprehensive rezoning. His client sought A-3 zoning, but there was not enough infrastructure in place at that time. They are now asking for the zoning change because of the interchange and the drainage that now exists. Staff recommends the change in zoning and the PUD overlay which will create a density of 1.7 units per acre. Access to Oscar Street will be limited to only emergencies, and they will be gating that entrance to ensure that. They are willing to eliminate access totally and make it green space. Then the traffic will run through the business park to the new Lorretta Drive. They realize that the traffic study will have to be done later. Phase I will consist of single family homes, town houses and patio homes. They will not seek approval from the Planning Commission for either phase at this time. They are waiting for the market to improve and for a wetlands permit. There will be 56.6% green space, along with a 5.3 acre area with a clubhouse, etc. No drainage will be sent across the neighbors property, and all of the

neighbors drainage will be routed to the canal. All of these items will be addressed at the Planning Commission. All of this property is in Flood Zone C; so, even under the new FEMA regulations, there should not be any fill dirt problems. He thinks that this request was denied because of the density, a traffic access point and the drainage. All of which, he feels he addressed. The immediate area to this property has 1.3 to 1.4 houses per acre. He feels that they are meeting in the middle. They will record a deed restriction at the time of adoption.

Bob Delatte - he lives on Oscar. He is fine with no access to Oscar Street. However, when all of these new houses with cars are built, they will not be able to only exit through the shopping center.

Mike Jacobs - he moved to St. Tammany for the picture on the cover of the Bicentennial book, basically for green space. He thinks that all of the patio homes will become rentals and eventually turn into Section 8 housing. If you do the math of the acres according to the map, it works out to 8 houses per acre. He thinks that there will be 1200 cars trying to leave the new area through their subdivision. This is St. Tammany Parish, not Metairie. He did want the interchange to give them greater access to the interstate. Now, he's not sure. He is not against progress and thinks that the business park could be a nice thing. He doesn't think that they need apartments or patio homes. The drainage ditch is about 2-3 feet wide and 9 feet deep and fills up during a hard rain.

Holly Morales - she has the same objections as the previous person. Perhaps when you add up all the land, you will have a density of only 1.7 per acre. However, their neighborhood is not that dense nor do they have town houses and patio homes. She will turn in a petition with the names and addresses of all of the neighbors to be notified of changes.

Phillip Abel - he lives on Maple Street. This was denied by the Zoning Commission. The Council represents the people of this Parish, and the people want to upgrade, not downgrade as this would do. The Parish does not need townhouses or 20 foot lots. All this company is doing is trying to make money. Why would the Council let this happen?

Julie Pufal - her family has lived in Pineview Heights for 50 years. They do not need patio homes that will become Section 8 housing. She is concerned about who will end up there.

Schoen - in response to the comments - the reason they are attempting to eliminate access to Oscar Street is to show respect for the neighborhood that would most be effected by this development. However, in this area, there are only 15 houses that actually abut the property line. The main complaint they received was that connection. The drainage ditch is actually 175 foot wide servitude of the LADOTD. The waterway is 10 feet wide and deep. This development will make central water and drainage available to residents. They respect the views and opinions of the people, but it was not his client nor the Council who caused this area to change. It was the interchange. He invites them to find another developer willing to offer these restrictions. Any plans would still have to go through the planning process and be approved.

Robert Pufal - this development will overwhelm the new school, not to mention the fire departments and first responders. The business park will bring in 600 cars that will have to go somewhere. Their streets are not wide enough. His wife's family has lived in this area for 50 years. When the new raceway opens, it will cause even more problems.

Schoen - he thinks most of the speakers have lived in Pineview Heights. He does not have time to explain how density is calculated. It is dependant on the platted parcel and not just the size of the lot. There are already some parcels in the area that are .03 acres. He is sure that several people own several parcels that they could sell. He believes the current composite density is 1.3 to 1.4.

Holly Morale - she does not live in Pineview, but on Loretta Drive. Each parcel on Loretta is 2 acres. Her Aunt and Uncle created the drive.

Mike Jacobs - he lives in Pineview and all of his neighbors have an acre plus.

Falconer - we just finished comprehensive rezoning. Is this zoning change going to be extraordinary for this area?

Fontenot - this area was ranged from A-2 to A-3. At the time, they did not know that the interchange would be built. To the north the zoning is A-3. Closer to the high school is more commercial. Across the highway is similar to Pineview Heights.

Binder - he feels the need to say that he would rather be more educated on a project before they vote. They try to make changes so that the development will be more compatible for the homeowners. It is good to get the information and work with the neighbors.

Dean - with all due respect to everyone that moved here from Metairie and Harvey, the population has exploded since Katrina and all of the citizens have to shop, eat, etc. The Council has to find the balance to make everyone happy. The Parish is changing.

Hamauei - he agrees with Mr. Dean. The Parish is growing and changing. All of the information is misleading from both sides. He is going to request to table this and then have a community meeting. They are going to resolve this.

Hamauei - moved to table Appeal #4, second by Gould. Motion passed with 2 Nay (Billiot and Burkhalter) and 1 absent (Cooper).

Hamauei - moved to table Appeal #5, second by Canulette. Motion passed with 2 Nay (Billiot and Burkhalter) and 1 absent (Cooper).

ORDINANCES FOR ADOPTION

Binder - 1) Ord. Cal. No. 4209AA - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 8.01, Minimum Standards for Specific Uses, relative to agricultural and decorative ponds. (Tabled 12/3/09 & 1/7/10)(Amended & re-introduced 2/4/10) (ZC10-01-016) (Zoning Commission approved 3/2/10)(Tabled 3/4/10, 4/1/10, 5/6/10, 6/3/10, 7/1/10 & 8/5/10)

Canulette - moved to table, second by Hamauei. Unanimous with 3 absent (Cooper, Bellisario, Billiot).

Binder - 2) Ord. Cal. No. 4213AII - Ordinance to amend Parish Unified Development Code, Volume I (Zoning) Sections 5.24 - 5.26a, I-1, I-2, I-3 and I-4 Industrial Districts, relative to Commercial Excavations. (ZC09-11-032) (Zoning Commission approved 12/1/09) (Introduced 1/7/10 & reintroduced 2/4/10) (Adopted 3/4/10) (Reconsidered, rescinded & tabled 4/1/10) (Tabled 5/6/10, 6/3/10, 7/1/10 & 8/5/10)

Stefancik - moved to table, second by Canulette. Unanimous with 4 absent (Cooper, Falconer, Bellisario, Billiot).

Binder - 3) Ord. Cal. No. 4339 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the parish zoning and planning commissions, for rezoning or resubdivision of property, not previously applied for, located north of Interstate 12 and abutting or having access to Airport Road. (Ward 9, District 11) (Introduced 8/5/10)

Stefancik - moved to adopt, second by Canulette. Unanimous with 4 absent (Cooper, Falconer, Bellisario, Billiot); becomes Ordinance C.S. No. 10-2325.

Binder - 4) Ord. Cal. No. 4340 - Ordinance authorizing the Parish President to execute an act of dedication by the St. Timothy United Methodist Church and the related Cooperative Endeavor Agreement by and between St. Tammany Parish, Sub-drainage District No. 2 of Gravity Drainage District No. 5 and St. Timothy United Methodist Church for the dedication and construction of a dry retention pond. (Ward 4, District 5) (Introduced 8/5/10)

Gould - moved to table, second by Falconer. Unanimous with 4 absent (Cooper, Falconer, Bellisario, Billiot).

Binder - 5) Ord. Cal. No. 4341 - Ordinance to amend St. Tammany Parish Code of Ordinances, Chapter 7 Drainage and Flood Control, Article 1, Section 7-002.00 Use of Fill Materials Prohibited, to provide requirements with respect to the relocation of drainage ditches, drainage channels and/or

similar drainage features that are partially located on, or which traverse a lot or parcel of property. (Introduced 8/5/10)

Gould - moved to adopt, second by Dean. Unanimous with 4 absent (Cooper, Falconer, Bellisario, Billiot); becomes Ordinance C.S. No. 10-2326.

Binder - 6) Ord. Cal. No. 4342 - Ordinance to amend Appendix B, Chapter 40 of the St. Tammany Parish Code of Ordinances, Subdivision Regulatory Ordinance 499, Section 40-037.0 Drainage, to provide requirements with respect to structures being located within twenty (20') feet of an open drainage ditch, drainage channel and/or similar drainage feature. (Introduced 8/5/10)

Gould- moved for adoption, second by Thompson. Unanimous with 4 absent (Cooper, Falconer, Canulette, Billiot); becomes Ordinance C.S. No. 10-2327.

Binder - 7) Ord. Cal. No. 4343 - Ordinance authorizing the Parish President to execute Cooperative Endeavor Agreement by and between St. Tammany Parish and Sub-drainage District No. 2 of Gravity Drainage District No. 5 of St. Tammany Parish for the purpose of improving and repairing the drainage ditch known as the Meadowbrook Main Drain. (Ward 4, District 5) (Introduced 8/5/10)

Gould- moved for adoption, second by Thompson. Unanimous with 4 absent (Cooper, Falconer, Canulette, Billiot); becomes Ordinance C.S. No. 10-2328.

Binder - 8) Ord. Cal. No. 4344 - Ordinance amending the Official Parish Zoning Map to reclassify 5.61 acres located north of Voters Road and West of Allen Road from A-3 (Suburban District) to AT-1 (Animal Training Housing District). (Ward 8, District 14).(ZC10-07-070)(Zoning Commission approved 7/6/10) (Introduced 8/5/10)

Burkhalter - moved for adoption, second by Artigue - Unanimous with 4 absent (Cooper, Falconer, Canulette, Billiot); becomes Ordinance C.S. No. 10-2329.

Binder - 9) Ord. Cal. No. 4345 -Ordinance amending the Official Parish Zoning Map reclassify 2.23 acres located at the northwest corner of Front Street & Ramos Street, being Lots 114AA & 116A, Town of Claiborne, from NC-2 (Indoor Retail and Service District) to NC-4 (Neighborhood Institutional District). (Ward 3, District 3) (ZC10-07-071) (Zoning Commission approved 7/6/10) (Introduced 8/5/10)

Thompson - moved for adoption, second by Dean. Unanimous with 4 absent (Cooper, Falconer, Canulette, Billiot); becomes Ordinance C.S. No. 10-2330.

Binder - 10) Ord. Cal. No. 4346 - Ordinance amending the Official Parish Zoning Map to reclassify 0.44 acres located on the northwest corner of Nursery Street & LA Highway 36, being Lots 10 & 11, Square 1, Abita Nursery Subdivision from NC-4 (Neighborhood Institutional District) to HC-2 (Highway Commercial District). (Ward 3, District 3) (ZC10-07-073) (Zoning Commission approved 7/6/10) (Introduced 8/5/10)

Thompson - moved for adoption, second by Dean. Unanimous with 5 absent (Cooper, Falconer, Gould, Canulette, Billiot); becomes Ordinance C.S. No. 10-2331.

Binder - 11) Ord. Cal. No. 4347 - Ordinance amending the Official Parish Zoning Map to reclassify 9.82 acres located south of Woodrow Drive, west of LA Highway 437 from A-1 (Suburban District) to A-1A (Suburban District). (Ward 2, District 2) (ZC10-07-079) (Zoning Commission approved 7/6/10) (Introduced 8/5/10)

Thompson - moved for adoption, second by Gould. Unanimous with 3 absent (Cooper, Canulette, Billiot); becomes Ordinance C.S. No. 10-2332.

Binder - 12) Ord. Cal. No. 4348 - Ordinance amending the Official Parish Zoning Map to reclassify 4 acres located west of Isabel Swamp Road, north of LA Highway 40 from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (ZC10-07-080) (Zoning Commission approved 7/6/10) (Introduced 8/5/10)

Thompson - moved to adopt, second by Gould. Unanimous with 3 absent (Cooper, Canulette, Billiot); becomes Ordinance C.S. No. 10-2333.

Binder - 13) Ord. Cal. No. 4349 - Ordinance amending the Official Parish Zoning Map to reclassify 9.232 acres located south of LA Highway 40, west of LA Highway 437 from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (ZC10-07-081) (Zoning Commission approved 7/6/10) (Introduced 8/5/10)

Thompson - moved for adoption, second by Dean. Unanimous with 4 absent (Cooper, Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 10-2334.

Binder - 14) Ord. Cal. No. 4350 - Ordinance amending the Official Parish Zoning Map to reclassify 0.994 acres located on the northeast corner of Brownschwich Road and Chateau De Way from PF-1 (Public Facilities District) to HC-1 (Highway Commercial District). (Ward 8, District 9) (ZC10-07-082) (Zoning Commission approved 7/6/10) (Introduced 8/5/10)

Bellisario - moved to adopt, second by Artigue. Unanimous with 4 absent (Cooper, Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 10-2335.

Binder - 15) Ord. Cal. No. 4351 - Ordinance amending the Official Parish Zoning Map to reclassify 1 acre located at the end of Perkins Road, east of South 24th Street, south of US Highway 190, being Part of Lot 3 & the south half of Lot 10, Greensburg District Subdivision from A-1-A (Suburban District) to A-1-A (Suburban District) & MHO (Manufactured Housing Overlay District). (Ward 7, District 7) (ZC10-07-085) (Zoning Commission approved 7/6/10) (Introduced 8/5/10)

Hamauei - moved for adoption, second by Bellisario. Unanimous with 4 absent (Cooper, Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 10-2336.

Binder - 16) Ord. Cal. No. 4352 - Ordinance amending the Official Parish Zoning Map to reclassify 1.94 acres located west of US Highway 11, commencing at Northshore Circle and extending to Lake Pontchartrain from A-4A (Suburban District) to CB-1 (Community Based Facilities District). (Ward 9, District 13) (ZC10-07-086) (Zoning Commission approved 7/6/10) (Introduced 8/5/10)

Artigue - moved for adoption, second by Burkhalter. Unanimous with 3 absent (Cooper, Falconer, Canulette); becomes Ordinance C.S. No. 10-2337.

Binder - 17) Ord. Cal. No. 4353 - Ordinance amending the Official Parish Zoning Map to reclassify 14.16 acres located on the Northwest Corner of LA Highway 437 & Woodrow Road from A-1 (Suburban District) to an A-1-A (Suburban District). (Ward 2, District 2) (ZC10-07-087) (Zoning Commission approved 7/6/10) (Introduced 8/5/10)

Thompson - moved for adoption, second by Gould. Unanimous with 3 absent (Cooper, Falconer, Canulette); becomes Ordinance C.S. No. 10-2338.

Binder - 18) Ord. Cal. No. 4354 - Ordinance amending the Official Parish Zoning Map to reclassify 5 acres located west of LA Highway 437, north of Woodrow Drive from A-1 (Suburban District) to an A-2 (Suburban District). (Ward 2, District 2) (ZC10-07-088) (Zoning Commission approved 7/6/10) (Introduced 8/5/10)

Thompson - moved for adoption, second by Dean. Unanimous with 3 absent (Cooper, Falconer, Canulette); becomes Ordinance C.S. No. 10-2339.

Binder - 19) Ord. Cal. No. 4355 - Ordinance amending the Official Parish Zoning Map to reclassify 9.31 acres located east of LA Highway 40, north of Big Fork Road, south of Fairhaven Road from A-1 (Suburban District) to an A-1-A (Suburban District). (Ward 2, District 2) (ZC10-07-089) (Zoning Commission approved 7/6/10) (Introduced 8/5/10)

Thompson - moved for adoption, second by Gould. Unanimous with 3 absent (Cooper, Falconer, Canulette); becomes Ordinance C.S. No. 10-2340.

Binder - 20) Ord. Cal. No. 4356 - Ordinance validating and ratifying ordinances adopting the Comprehensive Rezoning Areas of the Unified Development Code, Volume I (Zoning), and all subsequent amendments thereof. (Introduced 8/5/10)

Binder - this needs to be postponed until December to allow time for the Zoning Commission to hear it.

Burkhalter - moved to postpone until December, second by Bellisario. Unanimous with 1 absent (Cooper).

Binder - 21) Ord. Cal. No. 4358 - Ordinance to correct the Road and Drainage Inventory to include Rucker Road; extension of Hezzie Loyd Road; extension of Mclain Road; extension of Destin Street; extension of Waxwing Drive Lateral; and extension of Blue Crane No. 1 Lateral. (Wards 1, 2, 4 & 8, Districts 1, 2, 9 & 10) (Introduced 8/5/10)

Billiot - moved to adopt, second by Artigue. Unanimous with 1 absent (Cooper); becomes Ordinance C.S. No. 10-2341.

Binder - 22) Ord. Cal. No. 4359 - Ordinance Amending 2010 Operating Budget. (Introduced 8/5/10)

Stefancik - moved to amend, second by Burkhalter. Unanimous with 1 absent (Cooper).

Stefancik - moved to reintroduce, second by Burkhalter.

Binder - 23) Ord. Cal. No. 4362 - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Section 7.02, Sign Regulations, relative to Residential Subdivision and Center Median Entrance Signs. (ZC10-05-048) (Introduced 8/5/10)

Burkhalter - moved to amend, second by Artigue. Unanimous with 1 absent (Cooper).

Burkhalter - moved to reintroduce, second by Bellisario.

Binder - 24) Ord. Cal. No. 4363 - Ordinance amending the Official Parish Zoning Map of the 2009 South West Comprehensive Rezoning Area Two (CRA-2) to reclassify 6 acres, bearing physical address 120 Fairview Drive, Madisonville, from A-4 (Single Family Residential District) to HC-2 (Highway Commercial District). (Ward 4, District 4) (ZC10-07-074) (Zoning Commission denied 7/6/10) (Introduced 8/5/10)

Falconer - moved to adopt, second by Crawford-Howell. Unanimous with 1 absent (Cooper); becomes Ordinance C.S. No. 10-2342.

Binder - 25) Ord. Cal. No. 4364 - Ordinance to impose a 6 month moratorium on the issuance of building permits for construction or placement of building structures on any properties within unincorporated St. Tammany Parish abutting, in whole or part, the east side of Tantela Ranch Road and Highway 1077 from Boyd Road to McGee Road and which properties use said roadways for purposes of ingress to and egress from said properties. (Ward 1, District 1) (Introduced 8/5/10)

Dean - moved to adopt, second by Thompson. Unanimous with 1 absent (Cooper); becomes Ordinance C.S. No. 10-2343.

DISCUSSION AND OTHER MATTERS

Binder - 1) Motion to refer to Zoning Commission for recommendation the proposed rezoning of property located north of Hwy 190 E, west of Military Rd and east of Mitchell Rd in South Central Comprehensive Rezoning Area (CRA-1) from A-2 (Suburban District) and NC-4 (Neighborhood Institutional District) to MHO (Manufactured Housing Overlay). (Ward 8, District 13) (Artigue)

Artigue - moved to refer, second by Bellisario. Unanimous with 1 absent (Cooper).

Binder - 2) Motion to refer to Zoning Commission for recommendation the proposed rezoning of 29355 Hwy 190, Lacombe located north of Hwy 190, west of Vermillion Rd and east of Mill Rd in

the South Central Comprehensive Rezoning Area (CRA-1) currently zoned A-2 (Suburban District) to HC-2 (Highway Commercial District). (Ward 7, District 7) (Hamauei)

Artigue - moved to refer, second by Bellisario. Unanimous with 1 absent (Cooper).

Binder - 3) Motion to refer to the Zoning Commission for recommendation the proposed rezoning of 28.88 acres situated on Sharp Chapel Road, Section 7, Township 5 South, Range 12 East, from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (Cooper)

Artigue - moved to refer, second by Bellisario. Unanimous with 1 absent (Cooper).

Bellisario - moved to open the Off-the-Floor Agenda, second by Burkhalter. Unanimous with 1 absent (Cooper).

OFF-THE-FLOOR

Binder - 1) Resolution to appoint _____ to replace James E. Morrison (resigned) on the St. Tammany Hospital Services District No. 2 (Slidell Memorial Hospital) Permanent Nominating Committee. (Bellisario)

Bellisario - nominated Alicia Irmscher.

Bellisario - moved to close nominations, second by Gould. Unanimous with 1 absent (Cooper).

Bellisario - moved to appoint Alicia Irmscher, second by Stefancik. Unanimous with 1 absent (Cooper); becomes Resolution C.S. No. C-2959.

Binder - 2) Resolution to amend Ordinance C.S. No. 09-2166 - 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - District 14. (Burkhalter)

Burkhalter - moved to amend and adopt, second by Bellisario. Unanimous with 1 absent (Cooper); becomes Resolution C.S. No. C-2960.

VERBAL OFF-THE-FLOOR

Burkhalter - Motion to refer to the Zoning Commission for recommendation the proposed rezoning of Lots 5&9 Square 13 West Alton CB760 752 and Lots 6, 7, and 8, Square 13 CB 1401 837 in the South Central Comprehensive Rezoning Area (CRA-1) currently zoned A-4 (Suburban District) to NC-4 (Neighborhood Institutional District). (Ward 8, District 14)

Burkhalter - moved to consider the verbal Off-the-Floor item, second by Bellisario. Unanimous with 1 absent (Cooper).

Burkhalter - moved to refer, second by Bellisario. Unanimous with 2 absent (Cooper, Canulette).

EXECUTIVE SESSION

Binder - 1) Lawsuit entitled: "Sharon Ziegler v. STP, 22nd JDC No. 2010-14578"

Stefancik - moved to enter Executive Session, second by Bellisario. Unanimous with 2 absent (Cooper, Canulette).

Stefancik - moved to leave Executive Session, second by Bellisario. Unanimous with 2 absent (Cooper, Burkhalter).

Stefancik - Resolution authorizing settlement of lawsuit entitled Sharon Ziegler V. Bryce Marlowe and St. Tammany Parish, 22nd Judicial District Court Case No. 2010-14578 "H".

Stefancik - moved to adopt, second by Bellisario. Unanimous with 2 absent (Cooper, Burkhalter); becomes Resolution C.S. No. C-2958.

Sevante - there will be a Special Council Meeting on Wednesday, September 29, 2010 before the Agenda Review Committee. The purpose of the meeting is to introduce the 2011 budgets. The Budget Ordinances have to be introduced 90 days before the end of the year.

There being no further business, meeting adjourned at the call of the Chairman.

JERRY BINDER, COUNCIL CHAIRMAN

THERESA L. FORD, COUNCIL CLERK