

PUBLISHED FEBRUARY 23, 2006 AND POSTED AT PARISH COMPLEX BY FEBRUARY 27, 2006

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING  
THURSDAY, MARCH 2, 2006 AT 6:00 P.M.  
ST. TAMMANY GOVERNMENT COMPLEX  
21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Steve Stefancik, Chairman

Invocation by

Pledge of Allegiance by

Roll Call:

Marty Dean  
Russell Fitzmorris  
James A. "Red" Thompson  
Patricia P. Brister  
Marty Gould  
Gary Singletary  
Steve Stefancik  
Joe Impastato  
Chris Canulette  
Barry D. Bagert  
Henry Billiot  
Jerry Binder  
Joe "Coach" Thomas  
Ken Burkhalter

CONSENT CALENDAR

MINUTES

Regular Council Meeting  
Council Committee Meetings

February 2, 2006  
February 22, 2006

ORDINANCES FOR INTRODUCTION

(Public Hearing April 6, 2006)

1) Ord. Cal. No. 3233 - An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the south side of M.P. Planche Road, west of LA Highway 25, east of Jenkins Road and which property comprises a total of 32.6 acres of land more or less, from its present SA (Suburban Agricultural) District to an A-3 (Suburban) District. (Ward 3, District 3) (ZC05-04-024) (Zoning Commission Approved 02/07/2006) (Stefancik/Davis)

2) Ord. Cal. No. 3234 - An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the southeast corner of Main Street and LA Highway 434, being lots 5, 6, 7 & 8, Square 89, Lacombe Park and which property comprises a total of 30,000 sq. ft. of land more or less, from its present A-2 (Suburban) District to a ID (Institutional) District, Ward 7, District 7. (ZC05-10-068) (Zoning Commission Approved 02/07/2006) (Stefancik/Davis)

3) Ord. Cal. No. 3235 - An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the south side of Haas Road, west of LA Highway 11 & Ashton Oaks Subdivision, east of Robert Road and which property comprises a total of 196.4 acres of land more or less, from its present SA (Suburban Agricultural) District to a PUD (Planned Unit Development) District, Ward 8, District 9. (ZC06-01-004) (Zoning Commission Approved 02/07/2006) (Stefancik/Davis)

4) Ord. Cal. No. 3236 - An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the south side of LA Highway 22, west of Koepp Road, east of Trepagnier Road and which property comprises a total of 10.719 acres of land more or less, from its present R (Rural) District to an A-3 (Suburban) District, Ward 1, District 1. (ZC06-01-005) (Zoning Commission Approved 02/07/2006) (Stefancik/Davis)

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5) Ord. Cal. No. 3237 - An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the west side of Charlie Street, south of Three Rivers Road, being Square 108, Alexisville and which property comprises a total of 1.322 acres of land more or less, from its present SA (Suburban Agricultural) District to an A-6 (General Multi-Family Residential) District, Ward 3, District 1. (ZC06-02-009) (Zoning Commission Approved 02/07/2006) (Stefancik/Davis)

6) Ord. Cal. No. 3238 - An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the south side of the Tammany Trace, west of South Pontchartrain Drive and which property comprises a total of 5 acres of land more or less, from its present SA (Suburban Agricultural) District to a LC (Light Commercial) District, Ward 4, District 7. (ZC06-02-010) (Zoning Commission Approved 02/07/2006) (Stefancik/Davis)

7) Ord. Cal. No. 3239 - An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the east and west sides of LA Highway 1077, north of US Highway 190 and which property comprises a total of 285.94 acres of land

more or less, from its present SA (Suburban Agricultural) & R (Rural) Districts to a PUD (Planned Unit Development) District, Ward 1, District 1. (ZC06-02-011) (Zoning Commission Approved 02/07/2006) (Stefancik/Davis)

8) **Ord. Cal. No. 3240** - An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the east side of Falconer Drive, north of Emerald Forest Blvd., south of Crestwood Blvd. and which property comprises a total of 33,600 sq. ft. of land more or less, from its present SA (Suburban Agricultural) District to a LC (Light Commercial) District, Ward 3, District 5. (ZC06-02-012) (Zoning Commission Approved 02/07/2006) (Stefancik/Davis)

9) **Ord. Cal. No. 3241** - An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the east side of LA Highway 1077, north of Brewster Road and which property comprises a total of 25.963 acres of land more or less, from its present SA (Suburban Agricultural) District to an A-2 (Suburban) District, Ward 1, District 1. (ZC06-02-013) (Zoning Commission Approved 02/07/2006) (Stefancik/Davis)

10) **Ord. Cal. No. 3242** - 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 a certain portion of Highland Park Subdivision ( District 12) (Binder)

11) **Ord. Cal. No. 3243** -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 property within unincorporated St. Tammany Parish abutting a portion of Highway 190. (Districts 5 & 10) (Gould/Billiot)

12) **Ord. Cal. No. 3244** - Ordinance to extend for an additional six (6) months the 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 in part, Tantella Ranch Road and any properties abutting, in whole or in part, Highway 1077 from Highway 190 to the parish line, and which properties use said roadways for purposes of ingress to an egress from said properties. (Ward 1, District 1) (Dean)

13) **Ord. Cal. No. 3245** - Ordinance to amend the Code of Ordinances, Chapter 16, providing for the amendment of the boundaries of Recreation District No. 10 and Recreation District No. 1, and to provide for repeal, severability and date of enactment. (Ward 3, District 5) (Gould)

14) **Ord. Cal. No. 3246** - An Ordinance amending the 2005 Operating Budget (Stefancik/Davis)

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15) **Ord. Cal. No. 3247** - An Ordinance to amend Ordinance C. S. 04-0988 - 2005-2009 Capital Improvements Budget and Program, Fixed Assets and Grant Awards. (Stefancik/Davis)

16) **Ord. Cal. No. 3248** - An Ordinance to revoke a portion of Machinist Row right-of-way, located in Covington Industrial Park, Phase 1 Subdivision, Ward 3, District 2 (Stefancik/Davis)

#### RESOLUTIONS

17) **Resolution C. S. No. C-1649** - Resolution stating Council endorsement of Greater Gulf Coast Auto Auctions, for participation in the Benefits of the Louisiana Enterprise Zone Program. (Stefancik/Davis)

18) **Resolution C. S. No. C-1650** - Resolution stating Council endorsement of Neurological Rehabilitation Living Center of Louisiana, LLC, for participation in the Benefits of the Louisiana Enterprise Zone Program. (Stefancik/Davis)

19) **Resolution C. S. No. C-1651** - Resolution stating Council endorsement of David Y. Martin, Jr., Inc., for participation in the Benefits of the Louisiana Enterprise Zone Program. (Stefancik/Davis)

20) **Resolution C. S. No. C-1652** - Resolution stating Council endorsement of Walgreens Louisiana Company, Inc., (Covington), for participation in the Benefits of the Louisiana Enterprise Zone Program. (Stefancik/Davis)

21) **Resolution C. S. No. C-1653** - Resolution stating Council endorsement of American Factory Direct Furniture, Inc., for participation in the Benefits of the Louisiana Enterprise Zone Program. (Stefancik/Davis)

22) **Resolution C. S. No. C-1654** - Resolution stating Council endorsement of Wal-Mart Louisiana, LLC., (West Slidell), for participation in the Benefits of the Louisiana Enterprise Zone Program. (Stefancik/Davis)

23) **Resolution C. S. No. C-1655** - Resolution stating Council endorsement of Wal-Mart Louisiana, LLC., (East Slidell), for participation in the Benefits of the Louisiana Enterprise Zone Program. (Stefancik/Davis)

24) **Resolution C. S. No. C-1656** - Resolution stating Council endorsement of Abita Brewing Company, for participation in the Benefits of the Louisiana Enterprise Zone Program. (Stefancik/Davis)

25) Resolution C. S. No. C-1657 - Resolution stating Council endorsement of Stoltz Enterprises, Inc., for participation in the Benefits of the Louisiana Enterprise Zone Program. (Stefancik/Davis)

26) Resolution C. S. No. C-1658 - Resolution stating Council endorsement of Walgreens Louisiana Co., Inc., (Slidell), for participation in the Benefits of the Louisiana Enterprise Zone Program (Stefancik/Davis)

27) Resolution C. S. No. C-1659 - Resolution establishing warranty obligations. (Stefancik/Davis)

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**WARRANTY**

**NAME OF SUBDIVISION RECOMMENDATION**

RIVER OAKS ADD S/D-PH 10-B-2  
AMOUNT: \$69,000  
EXPIRES: APRIL 12, 2006  
WARD: 8 DISTRICT: 13

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

PENN MILL LAKES S/D PH 2-A-2  
AMOUNT: \$5,500  
EXPIRES: APRIL 12, 2006  
WARD: 3 DISTRICT: 3

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

VINTAGE COURTS PHASE 1  
AMOUNT: \$21,300  
EXPIRES: APRIL 7, 2006  
WARD: 3 DISTRICT: 5

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

28) Resolution C. S. No. C-1660 - Resolution certifying the population census counts for the Fire Protection Districts of St. Tammany Parish. (Stefancik/Davis)

29) Resolution C. S. No. C-1661 - Resolution to amend Ordinance C. S. No. 05-1205 - 2006-2010 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Stefancik/Davis)

30) Resolution C. S. No. C-1662 - Resolution adopting the Community Development Plan for purposes of the Louisiana Community Development Block Grant Program. (Stefancik/Davis)

31) Resolution C. S. No. C-1663 - Resolution of intention to amend the boundaries of Recreation District No. 10 and Recreation District No. 1, and directing the Council Chairman to give notice thereof.

32) Resolution C. S. No. C-1664 - Resolution declaring the intention of Sales Tax District No. Three of the Parish of St. Tammany, State of Louisiana, that certain expenditures made in connection with constructing, acquiring, extending and/or improving (i) roads, streets and bridges and/or (ii) drains and drainage facilities, including acquiring all necessary land, equipment and furnishings for any of said public works, improvements and facilities be reimbursed with the proceeds of tax-exempt borrowings, and providing for other matters in connection therewith.

**END OF CONSENT CALENDAR**

**APPEALS**

1) Applicant Adolph Ringen appealing the Zoning Commission DENIAL on December 6, 2005 of a conditional use permit for an 840 sq. ft. billboard replacement on the southeast corner of North Causeway Boulevard Service Road and Forest Lane, being Lot 2-A, Forest Park Subdivision, in a C-2 Highway Commercial District. (Ward 4, District 10) (CP 05-12-117) (TABLED 1/5/2006 and 2/2/2006)

2) Applicant Oliver J. Kerwin appealing the Zoning Commission APPROVAL on December 6, 2005 of a conditional use permit for a 3840 sq. ft. Auto Repair/Body Shop on the south side of Highway 190, west of 24th Street, across from Henderson Road, in a C-2 Highway Commercial District. (Ward 7, District 7) (CP 05-12-111) (TABLED 1/5/2006 and 2/2/2006)

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3) Applicant Leroy J. Cooper appealing the Zoning Commission DENIAL on January 3, 2006 to rezone 5.24 acres at the end of Hollycrest Lane, east of Highway 190, from LC Light Commercial to C-2 Highway Commercial. (Ward 3, District 5) (ZC 05-09-056) (TABLED 2/2/2006)

4) Paul J. Mayronne, Attorney for applicant Favret Investments, LLC, appealing the Planning Commission DENIAL on December 13, 2005 for Tentative Subdivision Approval of Houltonville Estates east of Penn's Chapel Road and south of Highway 22, east of Madisonville. (Ward 4, District 4) (SD 05-06-013) (TABLED 2/2/2006)

5) Hazel Sinclair appealing the Planning Commission APPROVAL on December 13, 2005 for Preliminary Subdivision Review of Weston Glen in Section 45 and 46, Township 7 South, Range 11 East. (Ward 1, District 1) (SD 05-08-020P) (Developer/owner David Webber; Engineer Richard C. Lambert Consultants) (TABLED 2/2/2006)

6) Applicant Dudley Simmerly appealing the Zoning Commission DENIAL on February 7, 2006 to rezone 39,107 sq. ft. parcel of land located on the southwest corner of Orleans Street & Clausel Street, north of US Highway 190, from C-1 (Neighborhood Commercial) District to A-6 (General Multi Family Residential) District. (Ward 4, District 10) (ZC06-01-001)

7) Applicant John & Sheila Mangers appealing the Zoning Commission DENIAL on February 7, 2006 for issuance of a conditional use permit for a 1850 sq. ft. mobile home on the south side of Slemmer Road, east of US Highway 190 Service Road, being lots 77 & 78, Nidda Subdivision, (Ward 3, District 5) (CP06-02-017)

8) Julian Rodrigue, Jr., Attorney for petitioner Bilbo Strain, appealing the Zoning Commission DENIAL on February 7, 2006 for issuance of a conditional use permit for a Land Reclamation and Construction & Debris Disposal Site on 52.927 acres located on the north side of Cleland Road, east of LA Highway 1083; in an R (Rural) District. Ward 10, District 2. (CP06-02-040) (Owners David & Deanna Glass)

9) Rykert Toledano, Attorney for appealant, Darby Holding, LLC appealing the Planning Commission APPROVAL on February 14, 2006 for Preliminary Subdivision Review of Palm Courts. (Ward 1, District 1) (SD 05-11-029P) (Developer/Owner M. Properties; Engineer Kelly McHugh & Associates, Inc.)

#### ORDINANCES FOR ADOPTION

(Public Hearing)

1) Ord. Cal. No. 3167 - Ordinance to amend Parish Code of Ordinances, Appendix B, by amending and reenacting Section 40-074.01, Parish Enforced Subdivision Restrictions and/or Covenants, Subdivision Regulatory Ord. 499, to require that the subdivision garbage collection service shall be provided by a single garbage collection company. (Introduced 10/6/2005) (Planning Commission DENIED 11/8/2005) (Tabled 12/1/05 & 1/5/2006, 2/2/2006)

2) Ord. Cal. No. 3198 - Ordinance to amend the Parish Code of Ordinances, Chapter 15, to enact Article XVII, Section 15-985.00, to provide that any person required to register for life as a sex offender with the Sheriff shall be required to wear a location tracking electronic monitoring device to aid the sheriff's office in verifying that all required information and notifications are current and being provided within the designated areas. (Introduced 1/5/2006, Tabled 2/2/2006)

3) Ord. Cal. No. 3211 - 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 a portion of The Birg Boulevard Subdivision, less and except land released by resolutions of the Parish Council. (Ward 3, District 5) (Gould)

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4) Ord. Cal. No. 3212 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on certain property within a portion of Tammany Forest Subdivision. (Ward 7, District 7) (Impastato)

5) Ord. Cal. No. 3213 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on certain property within a portion of Tammany Hills and a portion of Ingram Estates Subdivisions, less and except land released by resolutions of the Parish Council. (Ward 3, District 5) (Gould)

6) Ord. Cal. No. 3215 - Ordinance to amend Parish Code of Ordinances, Chapter 2, Article III, Section 2-031.03 relative to Parish Council Committees. (Stefancik)

7) Ord. Cal. No. 3216 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 11, south of Eden Isles Drive, containing 0.52 acres, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 9, District 13) (ZC 05-12-080) (Zoning Commission approved 12/6/05) (Stefancik/Davis)

8) Ord. Cal. No. 3217 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Penn Mill Road, north of Highway 190, containing 1.653 acres, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 3, District 3) (ZC 05-09-060) (Zoning Commission approved 1/3/06) (Stefancik/Davis)

9) Ord. Cal. No. 3218 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Rangeline Road (Highway 59), south of Lowe Davis Road, containing 19.01 acres, from R-Rural to a PUD (Planned Unit Development). (Ward 10, District 2) (ZC 05-09-064) (Zoning Commission approved 1/3/06) (Stefancik/Davis)

10) Ord. Cal. No. 3219 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of I-12, north of Old Todd Road, containing 59.37 acres, from C-1 Neighborhood Commercial to A-4 Single Family Residential. (Wards 9 & 7, District 7) (ZC 06-01-003) (Zoning Commission approved 1/3/06) (Stefancik/Davis)

11) Ord. Cal. No. 3220 - Ordinance amending the official zoning map of St. Tammany to reclassify land at the end of Joiner Wymer Road, west of Highway 1077, containing 40.46 acres, from R-Rural to A-3 Suburban. (Ward 1, District 1) (ZC 06-01-006) (Zoning Commission approved 1/3/06) (Stefancik/Davis)

12) Ord. Cal. No. 3221 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 1077, north of Highway 190, south of Gottschalk Road, containing 99.692 acres, from SA Suburban Agricultural and R-Rural to A-1 Suburban. (Ward 1, District 1) (ZC 06-01-007) (Zoning Commission approved 1/3/06) (Stefancik/Davis)

13) Ord. Cal. No. 3223 - Ordinance to impose a six (6) month moratorium on 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 within the unincorporated boundaries of Ward 9, District 11. (Stefancik)

14) Ord. Cal. No. 3224 - Ordinance to establish a "No Parking" zone on portions of Holly Crest Lane. (Ward 3, District 5) (Stefancik/Davis)

15) Ord. Cal. No. 3225 - Ordinance establishing Environmental Utility Service Agreement between the Parish and Bioregen Systems, LLC as such relates to treatment of septage and sludge. (Stefancik/Davis)

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16) Ord. Cal. No. 3226 - Ordinance to amend Parish Code, Chapter 9, Garbage and Trash, to establish rules and procedures for licensing, collection, storage, hauling, transfer, disposal and diversion of solid waste, and enforcement of penalties related thereto. (Stefancik/Davis)

17) Ord. Cal. No. 3227 - Ordinance to temporarily close a portion of Pine Avenue for an indefinite period of time, located in Whispering Timbers Subdivision, (Ward 1, District 1) (Stefancik/Davis)

18) Ord. Cal. No. 3228 - An Ordinance amending the official zoning map of St. Tammany Parish, La., to reclassify a certain parcel located on the north side of LA Highway 36, west of Greenhouse Road, east of Reed Road and which property comprises a total of 22.35 acres of land more or less, from its present R (Rural) District to an A-2 (Suburban) District. (Ward 6, District 6) (ZC06-01-008) (Stefancik/Davis)

19) Ord. Cal. No. 3229 - An Ordinance amending the official zoning map of St. Tammany Parish, La, to reclassify a certain parcel located on the east side of Airport Road, north of Chateau Drive and which property comprises a total of 8.97 acres of land more or less, from its present A-3 (Suburban) District to an A-6 (General Multiple Family Residential) District. (Ward 9, District 11) (ZC05-05-031) (Stefancik/Davis)

20) Ord. Cal. No. 3230 - Ordinance to ratify action of Parish President to purchase property in connection with the extension of Emerald/Falconer Drive. (Ward 3, District 5) (Gould)

21) Ord. Cal. No. 3231 - Ordinance authorizing Parish President to accept dedication and donation of approximately 11 acres by Lulich Steel Corporation in Ward 9, District 14. (Burkhalter)

22) Ord. Cal. No. 3232 - Ordinance adopting four (4) completed elements, to date, of proposed ND 2025 Comprehensive Plan for St. Tammany which were adopted by separate resolutions, to be made part of the existing Comprehensive Plan of St. Tammany Parish.

#### APPOINTMENTS

1) Resolution to appoint \_\_\_\_\_ to replace Thomas J. Havrilla (resigned) to Sewerage District No. 7. (District 13 appointment) (Tabled 1/5/2006 and 2/2/2006)

2) Resolution to appoint to replace Marshall G. Gries (declined appointment) to the 22<sup>nd</sup> Judicial District Children and Youth Planning Board.

#### EXECUTIVE SESSION