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AGENDA

ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, MARCH 3, 2005 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

Jerry Binder

Joe Impastato

Chris Canulette

Barry D. Bagert

Henry Billiot

Joe "Coach" Thomas

Ken Burkhalter

CONSENT CALENDAR

Any items not pulled from the consent calendar are automatically approved in whole by one vote. Items pulled from Consent Calendar are discussed and voted upon individually.

MINUTES

Regular Council Meeting February 3, 2005

Council Committee Meetings February 23, 2005

ORDINANCES FOR INTRODUCTION

(Public Hearing April 7, 2005)

1) Ord. Cal. No. 3020 - 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)

2) Ord. Cal. No. 3021 - 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 property within unincorporated St. Tammany Parish abutting a portion of Highway 190 south and east of its intersection with Causeway Boulevard to its intersection with Florida Street. (Districts 5 and 10) (Gould/Billiot)

3) Ord. Cal. No. 3022 - Ordinance amending the official zoning map of St. Tammany to reclassify land north of Hwy. 1085, north of Bootlegger Run Subdivision, containing 8.74 acres, from A-2 Suburban to M-2 Intermediate Industrial. (Ward 1, District 1) (ZC 04-10-080) (Zoning Commission approved 2/1/2005) (Stefancik/President)

4) Ord. Cal. No. 3023 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Hwy. 190, west of Thompson Road, east of Sylve Road, containing 1.0 acre, from SA Suburban Agriculture to C-2 Highway Commercial. (Ward 9, District 11) (ZC 02-02-007) (Zoning Commission approved 2/1/2005) (Stefancik/President)

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5) Ord. Cal. No. 3024 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of 8th Street, north of Marquette Street, south of Iberville (Lots 35, 36 37 & 38, Sq. 13, Chinchuba Subdivision), containing 14,400 sq. ft., from SA Suburban Agriculture to C-1 Neighborhood Commercial. (Ward 4, District 4) (ZC 05-02-004) (Zoning Commission approved 2/1/2005) (Stefancik/President)

6) Ord. Cal. No. 3025 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Hwy. 1129, north of Atwood Road, south of Jarrell Road, containing 4 acres, from R-Rural to ID Institutional. (Ward 2, District 2) (ZC 05-02-006) (Zoning Commission approved 2/1/2005) (Stefancik/President)

7) Ord. Cal. No. 3026 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Pittman Road, west of Dean Road, containing 17.55 acres, from SA Suburban Agriculture to A-3 Suburban. (Ward 8, District 9) (ZC 05-02-010) (Zoning Commission approved 2/1/2005)(Stefancik/President)

8) Ord. Cal. No. 3027 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Advance Mortgage Company, LLC, developer of a portion of Squares 42 and 48, Tammany Hills Subdivision. (Ward 3, District 5) (Planning Commission approved 2/9/2005) (Stefancik/President)

9) Ord. Cal. No. 3028 - Ordinance to amend Code, Appendix B (Ord. 499, Subdivision Regs), Section 40-041.0 Developmental Agreements, subsection 40-041.03 Applicability. (Stefancik/President) (Planning Commission approved 2/9/2005)

10) Ord. Cal. No. 3029 - Ordinance to amend Ord. C.S. No. 03-0775, the 2004-2008 Capital Improvement Budget and Program, and further identify Fixed Asset and Grant Awards. (Stefancik/President)

11) Ord. Cal. No. 3030 - Ordinance to correct Road Inventory to include Lenoir Road and Otis

Drive. (Wards 2 & 6, Districts 3 & 6) (Stefancik/President)

12) Ord. Cal. No. 3031 - Ordinance amending the 2005 Operating Budget.(Stefancik/President)

13) Ord. Cal. No. 3032 - Ordinance to amend Ord. C.S. No. 03-0775, the 2004-2008 Capital Improvement Budget and Program, and further identify changes to Capital Improvement List for 2004- 2008. (Stefancik/President)

14) Ord. Cal. No. 3033 - Ordinance to ratify action of the Parish President to accept donation of property in connection with construction of turn lane at Harrison Avenue and Highway 59. (Ward 3, District 3) (Stefancik/President)

15) Ord. Cal. No. 3034 - Ordinance to ratify action of the Parish President to negotiate an Act of Cash Sale in connection with construction of a turn lane at Harrison Avenue and Highway 59. (Ward 3, District 3) (Stefancik/President)

16) Ord. Cal. No. 3035 - Ordinance to amend Code, Appendix B (Ord. 499, Subdivision Regs), Section 40-037 Drainage, to include by reference Parish Code Chapter 7 Drainage and Flood Control Regulations. (Gould)

RESOLUTIONS

17) Resolution C.S. No. C-1349 - Resolution approving holding an election in Recreation District No. 7 on Saturday, April 23, 2005, to authorize the levy of a special tax therein. (Singletary)

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18) Resolution C.S. No. C-1350 - Resolution to recognize and confirm Administration appointment of John O'Neil as Director of Fire Services. (Stefancik/President)

19) Resolution C.S. No. C-1351 - Resolution establishing warranty obligations. (Stefancik/President)

WARRANTY

NAME OF SUBDIVISION RECOMMENDATION

**CLIPPER ESTATES SUBDIVISION, PHASE 5 RELEASE L.O.C.
AMOUNT: \$21,000 TO REMAIN IN THE OWNERSHIP
EXPIRES: SEPTEMBER 24, 2005 OF HOMEOWNERS ASSOCIATION
WARD: 9 DISTRICT: 13**

**FAIRFIELD OAKS SUBDIVISION EXTEND FOR ONE (1) YEAR OR
AMOUNT: \$16,300 UNTIL WORK SATISFACTORILY
EXPIRES: APRIL 17, 2005 ACCOMPLISHED
WARD: 1 DISTRICT: 1**

**KINGSPPOINT SUBDIVISION, PHASE 8Q-5 RELEASE L.O.C.
AMOUNT: \$16,100 TO BE BROUGHT INTO THE**

EXPIRES: JUNE 4, 2005 MAINTENANCE SYSTEM
WARD: 8 DISTRICT: 14

20) Resolution C.S. No. C-1352 - Resolution to amend Ord. C.S. No. 04-0988, the 2005-2009 Capital Improvement Budget and Program, to make changes to Capital Improvements General Road List to include Marina Drive. (Stefancik/President)

21) Resolution C.S. No. C-1353 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 3.3 acres of property north of Highway 190 West (Old Tiger Drive-In front portion), from Parish C-2 Highway Commercial to City of Slidell C-4 Highway Commercial. (Ward 9, District 11) (Stefancik/President)

22) Resolution C.S. No. C-1354 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 12.49 acres of property north of Highway 190 West (Old Tiger Drive-In back portion), from Parish C-2 Highway Commercial and SA Suburban Agriculture to City of Slidell C-4 Highway Commercial. (Ward 9, District 11) (Stefancik/President)

23) Resolution C.S. No. C-1355 - Resolution to concur/not concur with Town of Pearl River annexation and rezoning of 7.80 acres of property at the southwest corner of Highway 41 and Nelson Road, from Parish Rural District to Town of Pearl River B-2 Highway Commercial. (Ward 8, District 9) (Stefancik/President)

24) Resolution C.S. No. C-1356 - Resolution stating Parish Council endorsement of Acadian Millwork & Supply Co., Inc. for participation in benefits of the Louisiana Enterprise Zone Program. (Stefancik/President)

25) Resolution C.S. No. C-1357 - Resolution certifying the population census for Fire Protection Districts of St. Tammany Parish. (Stefancik/President)

26) Resolution C.S. No. C-1358 - Resolution to amend Ord. C.S. No. 04-0988, the 2005-2009 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Stefancik/President)

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27) Resolution C.S. No. C-1359 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 7,500 sq. ft. of land on the south side of Kisatchie Drive, between Tyler and Yaupon Drives, being east half of Lot 2, Sq. 14, Robbert Park, Annex #2, from Parish A-4 Single Family Residential to City of Slidell C-2 Neighborhood Commercial. (Ward 8, District 13) (Stefancik/President)

28) Resolution C.S. No. C-1360 - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 7,500 sq. ft. of land on the south side of Kisatchie Drive between Tyler and Yaupon Drives, being the west half of Lot 2, Sq. 14, Robbert Park, Annex #2, from Parish A-4 Single Family Residential to City of Slidell C-2 Neighborhood Commercial. (Ward 8, District 13) (Stefancik/President)

29) Resolution C.S. No. C-1361 - Resolution stating the Parish Council endorsement of Ruse's

**Enterprises, LLC for participation in benefits of the Louisiana Enterprise Zone Program.
(Stefancik/President)**

30) Resolution C.S. No. C-1362 - Resolution to rescind Resolution C.S. No. C-1283, adopted November 4, 2005, relative to CBS Television National News. (Burkhalter)

31) Resolution C.S. No. C-1363 - Resolution authorizing the Parish President to enter an Agreement with DOTD for installing the I-12 Merge Lane at Highway 21. (Stefancik/President)

END OF CONSENT CALENDAR

APPEALS

**1) Applicant Elliott Nelson appealing the Zoning Commission DENIAL on December 7, 2004 to rezone 1.81 acres on the east side of Highway 25, south of St. Gertrude Drive, north of Hard Hat Road, from LC Light Commercial to C-2 Highway Commercial. (Ward 3, District 2) (ZC 04-12-106)
(TABLED 2/3/2005)**

2) Paul J. Mayronne, Attorney for Petitioner/Owner, appealing the Zoning Commission DENIAL on February 1, 2005 to rezone 89.56 acres south of Highway 22, west of Penn's Chapel Road, from SA Suburban Agriculture to a PUD (Planned Unit Development). (Ward 4, District 4) (ZC04-10-087)

3) Applicant Paul M. Young, III appealing the Zoning Commission DENIAL on February 1, 2005 to rezone 9,000 sq. ft. of property on the east side of Evergreen Drive, north of Highway 190 and south of Fairview Drive, from A-3 Suburban to C-2 Highway Commercial. (Ward 9, District 11) (ZC02-05-029)

**4) Applicant Karen Renee Cannizzaro appealing the Zoning Commission DENIAL on February 1, 2005 for issuance of a conditional use permit for a 615 sq. ft. daiquiri shop on the northeast corner of Highway 190 and 18th Street in a C-2 Highway Commercial District. (Ward 3, District 5)
(CP05-02-020)**

5) Applicant James Kinter appealing the Zoning Commission DENIAL on February 1, 2005 for issuance of a conditional use permit for a 1,280 sq. ft. mobile home on the north side of Casril Drive, west of Highway 59, in an SA Suburban Agriculture District. (Ward 3, District 5) (CP05-02-016)

6) Paul J. Mayronne, Attorney for applicant, appealing the Planning Commission DENIAL on February 9, 2005 to enter parish rights-of-way (Desire, Estate, Homestead, Manor, Robert and Walker Streets) for purpose of gaining access to property. (Ward 3, District 3)

7) Attorney Jeff Schoen for applicant/owner Lonesome Development, LLC, appealing the

Zoning Commission DENIAL on August 4, 2004 to rezone 206.437 acres west of Tantella Ranch Road, east of Highway 1077, north of intersection of Tantella Ranch Road and Highway 1077, from SA Suburban Agriculture to PUD. (Ward 1, District 1)(ZC 04-07-055)(TABLED 9/2/2004) (POSTPONED 10/7/2004 pending ND 2025 completion of Small Area Plan in Ward 1, District 1)

ORDINANCES FOR ADOPTION

(Public Hearing)

- 1) Ord. Cal. No. 3006 - Ordinance to amend the Parish Code, Appendix C (Ord. 523 Land Use Regs), Section 5.16 relative to Standards for Landscaping and Tree Preservation Regulations. (Introduced 2/3/2005)**
- 2) Ord. Cal. No. 3007 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 11 and the east side of 7th Street, being Lot 12 and the remainder of Lot 7, Square 60, Alton Subdivision, containing 8,100 sq. ft. from SA Suburban Agriculture to C-2 Highway Commercial. (Ward 8, District 14) (ZC 04-12-099) (Zoning Commission approved 1/4/2005) (Introduced 2/3/2005)**
- 3) Ord. Cal. No. 3009 - 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 a portion of Tammany Forest Subdivision. (Ward 7, District 7) (Introduced 2/3/2005)**
- 4) Ord. Cal. No. 3010 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Marina Developers, LLC, developer of Marina Beau Chene Subdivision, Sections 3 and 4 in Ward 4, District 4. (Planning Commission approved 1/11/2005) (Introduced 2/3/2005)**
- 5) Ord. Cal. No. 3011 - Ordinance to amend Parish Code, Appendix B (Ord. 499 Subdivision Regs), to create Section 40-045.0 Minor Subdivision Review, and Subsection 40-045.01 Minimum Construction Standards for a Private Drive, to provide for administrative review of some subdivisions of property. (Introduced 2/3/2005)**
- 6) Ord. Cal. No. 3012 - Ordinance to correct Road Inventory to include South Road and an extension of Wilson Lane; also to correct Drainage Inventory to include ditch located off Deval Street. (Wards 2, 4 & 6, Districts 3, 5 & 6) (Introduced 2/3/2005)**
- 7) Ord. Cal. No. 3013 - Ordinance amending the 2005 Operating Budget. (Introduced 2/3/2005)**
- 8) Ord. Cal. No. 3014 - Ordinance amending the 2004 Operating Budget. (Introduced 2/3/2005)**
- 9) Ord. Cal. No. 3015 - Ordinance to amend Parish Code, Section 2-009.00 Parish Fees and Service Charges, particularly Ord. C.S. No. 04-0990, adopted 11/4/2004, relative to Transportation and Drainage Impact Fees (Hardship amendment). (Introduced 2/3/2005)**
- 10) Ord. Cal. No. 3017 - Ordinance to impose a six (6) month 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 removed by Resolutions referenced. (Ward 3, District 5) (Introduced 2/3/2005)**

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11) Ord. Cal. No. 3019 - Ordinance to impose a six (6) month moratorium on the issuance of permits for construction or placement of building structures on property within a portion of Tammany Hills Subdivision. (Ward 3, District 5) (Introduced 2/3/2005)

NOMINATIONS

1) Resolution to reappoint or replace Brenda Reine and Zachary A. Casey (terms expired) to the St. Tammany Parish Tourist and Convention Commission.

APPOINTMENTS

1) Resolution to appoint _____ to replace Donald Nash (resigned) to Sewerage District No. 7. (Thomas) (Tabled 2/3/2005)