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**PUBLISHED AUGUST 25, 2005 AND POSTED AT PARISH COMPLEX BY AUGUST 30, 2005
AGENDA**

ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, SEPTEMBER 1, 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

PRESENTATIONS

1) Certificate of Recognition to Bears Restaurant (Watson family) as "Business of the Month" for outstanding service to the community.

2) Certificate of Recognition in Memory of Paul D. Cordes, Sr.

CONSENT CALENDAR

MINUTES

Regular Council Meeting August 4, 2005

Council Committee Meetings August 24, 2005

ORDINANCES FOR INTRODUCTION

(Public Hearing October 6, 2005)

1) Ord. Cal. No. 3146 - Ordinance to amend the Parish Code of Ordinances, Chapter 15, Offenses - Miscellaneous, to enact Article XVII Registration of Sex Offenders-Verification

Procedures, Section 15-985.00 through Section 15-985.04, to provide that any person required to register for life as a sex offender with the Sheriff of St. Tammany Parish shall be required to wear a location tracking electronic monitoring device to aid the Sheriff in verifying that all required information and notifications are current and being provided within the designated areas.

2) Ord. Cal. No. 3147 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Vista Street, south of I-12, west of Highway 1077, containing 25 acres, from R-Rural to A-4 Single Family Residential. (Ward 1, District 1) (ZC 04-11-094) (Zoning Commission approved 8/3/2005)

3) Ord. Cal. No. 3148 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Ruelle Du Chene Drive, south of Brewster Road, containing 4.5 acres, from R-Rural to A-3 Suburban. (Ward 1, District 1) (ZC 05-06-040) (Zoning Commission approved 8/3/2005)

4) Ord. Cal. No. 3149 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Highway 36, west of Reed Road, east of Deer Run Road, containing 4.319 acres, from R-Rural to C-2 Highway Commercial. (Ward 6, District 6) (ZC 05-08-053) (Zoning Commission approved 8/3/2005)

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5) Ord. Cal. No. 3150 - 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 on certain property within unincorporated St. Tammany Parish abutting a portion of Highway 190 south and east from its intersection with Causeway Boulevard to its intersection with Florida Street. (Districts 5 & 10)

6) Ord. Cal. No. 3151 - 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 certain portion of Highland Park Subdivision.

7) Ord. Cal. No. 3152 - Ordinance to revoke a portion of an unnamed alley in Lacombe Park Subdivision. (Ward 7, District 7) (REV 05-08-003) (Planning Commission approved 8/9/05)

8) Ord. Cal. No. 3153 - Ordinance authorizing Parish President to accept dedication and donation of John T. Prats Road for inclusion into the Parish Road Maintenance System. (Ward 10, District 2)

9) Ord. Cal. No. 3154 - Ordinance to correct Road Inventory to include Cotton Lane. (Ward 8, District 11)

10) Ord. Cal. No. 3155 - Ordinance to amend Ord. C.S. No. 05-1049, adopted February 3, 2005, which established the "Personnel Policies" to provide for amendments thereto.

11) Ord. Cal. No. 3156 - Ordinance amending the Parish Code, Chapter 20, to establish a new Section 20-015.00, Mailboxes within Parish Rights-of-way.

12) Ord. Cal. No. 3157 - Ordinance providing for the sale of not exceeding \$14,000,000 of Sales Tax Refunding Bonds (Jail) and for other matters in connection therewith.

13) Ord. Cal. No. 3158 - Ordinance providing for issuance of Sales Tax Refunding Bonds (Jail) and for other matters in connection therewith.

14) Ord. Cal. No. 3159 - Ordinance providing for the sale of not exceeding \$31,000,000 of Sales Tax Refunding Bonds (Justice Complex) and for other matter in connection therewith.

15) Ord. Cal. No. 3160 - Ordinance providing for issuance of Sales Tax Refunding Bonds (Justice Complex) and for other matters in connection therewith.

16) Ord. Cal. No. 3161 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building permits for construction of placement of structures on any properties within unincorporated St. Tammany 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 and egress said properties. (Ward 1, District 1)

17) Ord. Cal. No. 3162 - Ordinance to amend the Parish Code to provide for creation of the 22nd Judicial District Children and Youth Planning Board, establishing the composition thereof, and to provide for other matters relative to La. R.S. 46:1941.1 et seq.

18) Ord. Cal. No. 3163 - Ordinance amending Article I, Section 1-02 of the Home Rule Charter of the Parish of St. Tammany, State of Louisiana, to provide with respect to term limits for St. Tammany Parish Government Elected Officials.

19) Ord. Cal. No. 3164 - Ordinance to amend Ordinance C. S. No. 05-1162, adopted August 4, 2005, and Appendix B of the Parish Code, Subdivision Regulatory Ord. No. 499, specifically Section 40-020.0 Exemptions.

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RESOLUTIONS

20) Resolution C. S. No. C-1505 - Resolution requesting Parish Legislative Delegates amend La. R.S. 33:1243 to provide that St. Tammany Parish may impose the maximum penalty for violation of a Parish Ordinance to a fine of \$1,000 and six (6) months imprisonment in the Parish Jail, except where a specific State Statute places a ceiling on such penalties.

21) Resolution C. S. No. C-1506 - Resolution approving issuance of not exceeding \$2,300,000 of General Obligation Refunding Bonds of Gravity Drainage District No. 5.

22) Resolution C.S. No. C-1507 - Resolution establishing Warranty Obligations.

WARRANTY

NAME OF SUBDIVISION RECOMMENDATION

**TCHEFUNCTE SOUTH S/D PH2 EXTEND FOR ONE (1 YEAR) OR
 AMOUNT: \$10,200 UNTIL WORK IS SATISFACTORILY
 EXPIRES: OCTOBER 29, 2005 ACCOMPLISHED
 WARD: 1 DISTRICT: 1**

**VERSAILLES S/D PH 5-A EXTEND FOR ONE (1) YEAR OR
 AMOUNT: \$62,300 UNTIL WORK IS SATISFACTORILY
 EXPIRES: OCTOBER 27, 2005 ACCOMPLISHED
 WARD: 3 DISTRICT 5**

**LAKESHORE ESTATES S/D PH 1A-4 EXTEND FOR ONE (1) YEAR OR
 AMOUNT: \$67,500 UNTIL WORK IS SATISFACTORILY
 EXPIRES: OCTOBER 13, 2005 ACCOMPLISHED
 WARD: 9 DISTRICT: 13**

**TURTLE CREEK S/D PH 5-1-C EXTEND FOR ONE (1) YEAR OR
 AMOUNT: \$32,000 UNTIL WORK IS SATISFACTORILY
 EXPIRES: OCTOBER 19, 2005 ACCOMPLISHED
 WARD: 8 DISTRICT: 9**

**THE MOORINGS S/D PH 5 CALL L.O.C.
 AMOUNT: \$33,400 MAINTENANCE TO REMAIN
 EXPIRES: OCTOBER 19, 2005 IN HOMEOWNERS ASSOCIATION
 WARD: 8 DISTRICT: 13 (PRIVATE SUBDIVISION)**

23) Resolution C.S. No. C-1508 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 10.375 acres bounded on the north by Lopez Street, on the south by Windsor Place Subdivision, on the west by the western boundary of Highland Park Subdivision, and on the east by the rear of Lot 11, Square 20, and Lot 22, Square 20 Highland Park Subdivision, from Parish A-4 Single Family to City of Slidell PUD District. (Ward 9, District 12)

24) Resolution C.S. No. C-1509 - Resolution to concur/not concur with City of Slidell annexation and rezoning of Parish right-of-way located within Highland Park Subdivision, being a portion of Bridge, Arbor, Plum and DeSoto Streets right-of-way (all unconstructed), from Parish A-4 Single Family to City of Slidell PUD District.(Ward 9, District 12)

25) Resolution C.S. No. C-1510 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 3.09 acres located on Highway 190 West in Section 37, Township 8 South, Range 14 East, from Parish C-2 Highway Commercial to City of Slidell C-4 Highway Commercial. (Ward 9, District 11)

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26) Resolution C.S. No. C-1511 - Resolution stating Parish Council endorsement of Rainbow Automotive of Hammond, LLC, for participation in Louisiana Enterprise Zone Program.

27) Resolution C.S. No. C-1512 - Resolution stating Parish Council endorsement of TTG

Investments, LLC, for participation in Louisiana Enterprise Zone Program.

28) Resolution C.S. No. C-1513 - Resolution stating Parish Council endorsement of Citizens Savings Bank for participation in Louisiana Enterprise Zone Program.

29) Resolution C.S. No. C-1514 - Resolution stating Parish Council endorsement of Best Buy Stores, LP, for participation in Louisiana Enterprise Zone Program.

30) Resolution C.S. No. C-1515 - Resolution for waiver of Parish Road Construction Standards to accept a gravel road into the Parish Selective Road Maintenance System Inventory. (Ward 10, District 2)

31) Resolution C.S. No. C-1516 - Resolution to amend Ordinance C.S. No. 04-0988, the 2005-2009 Capital Improvement Budget and Program, Fixed Asset and Grant Awards.

32) Resolution C.S. No. C-1517 - Resolution certifying that St. Tammany Parish Government has no bond funding sufficient to fund the project entitled "La. Highway 22 and Bayou Tete L'Ours Area Drainage Improvements, Planning and Construction". (Ward 4, District 4)

33) Resolution C.S. No. C-1518 - Resolution certifying that St. Tammany Parish Government has no bond funding sufficient to fund the project entitled "Camp Salmen Acquisition and Improvements, Planning and Construction".

34) Resolution C.S. No. C-1519 - Resolution certifying that St. Tammany Parish Government has no bond funding sufficient to fund the project entitled "Diversified Foods, Emergency Infrastructure Upgrade, Planning and Construction".

35) Resolution C.S. No. C-1520 - Resolution certifying that St. Tammany Parish Government has no bond funding sufficient to fund the project entitled "Haas Road Retention Pond Project".

36) Resolution C.S. No. C-1521 - Resolution certifying that St. Tammany Parish Government has no bond funding sufficient to fund the project entitled "Maritime Training Institute Complex, Planning and Construction".

37) Resolution C.S. No. C-1522 - Resolution to amend Ordinance C.S. No. 04-0988, the 2005-2009 Capital Improvement Budget and Program, Fixed Asset and Grant Awards.

38) Resolution C.S. No. C-1523 - Resolution establishing Millage Rate for the year 2005.

39) Resolution C.S. No. C-1524 - Resolution ordering and calling a special election to be held November 12, 2005 in Lighting District No. 6 to authorize the levy of a special tax therein, Lighting District No. 11 to authorize the levy of a service charge therein, and Lighting District No. 14 to authorize the levy of a service charge therein, and to provide for all other matters in connection therewith.

40) Resolution C.S. No. C-1525 - Resolution ordering and calling a special election to be held in the Parish of St. Tammany, State of Louisiana, to vote upon the adoption of an amendment to the Home Rule Charter; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

END OF CONSENT CALENDAR**PARISH COUNCIL MEETING****SEPTEMBER 1, 2005****PAGE 5****APPEALS**

1) Bill Magee, Attorney for owners Bill and Shari Karanas, appealing Zoning Commission Denial on April 5, 2005 for conditional use permit for a 7,877 sq. ft. Maternity Home on the south side of Highway 1088, west of Forest Brook Boulevard, in a Suburban Agriculture District. (Ward 4, District 7)(CP05-02-017) (TABLED 5/5/2005 thru 8/4/2005)

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 entire Council is required and adoption of a resolution.

2) Darin Boudreaux & Mark Johnston appealing Zoning Commission Approval on August 3, 2005 to rezone 5.46 acres at end of Atalin St., south of Tortoise Dr., west of Marigny Trace Subdivision, from SA Suburban Agriculture to A-4 Single Family Residential. (Ward 4, District 10)(ZC 05-08-050)(Applicant Scalfano Engineering/Owner Modern America Realty Services)

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 entire Council is required and adoption of a resolution.

3) William J. Smith appealing Zoning Commission APPROVAL on August 3, 2005 to rezone 37.79 acres on the south side of Highway 1085 and the north side of I-12, west of Highway 1077, from R-Rural to M-2 Intermediate Industrial. (Ward 1, District 1) (ZC 05-08-051) (Applicant Jeff Schoen, Attorney for Zenith Interest Partnership)

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 entire Council is required and adoption of a resolution.

4) Carlo Hernandez appealing Zoning Commission APPROVAL on August 3, 2005 of amendment to Land Use Ord. No. 523, Section 3.03 Minimum Standards, to authorize administrative approval of conditional use permits for mobile homes in a subdivision that received prior Zoning Commission consideration and Council consideration and approval for utilization of the blanket conditional use procedure. (ZC 05-08-054) (Land Use text change per Ord. Cal. No. 3106 As Amended and reintroduced by Parish Council 8/4/2005)

Note: To concur with Zoning Approval, a simple majority vote is required and adoption of Ord. Cal. No. 3106 As Amended (Item #1 under Ordinances for Adoption)

Note: To override Zoning Approval, a majority vote of entire Council is required, removal of Ord. Cal. No. 3106 As Amended and adoption of a resolution.

5) Sam Ethridge, Jr. appealing Zoning Commission APPROVAL on August 3, 2005 for a conditional use permit for a 160' Monopole Cellular Tower on the south side of Walder Road, west of Highway 59, in a Suburban Agricultural District. (Ward 4, District 10) (CP 05-08-074) (Applicant Chris Emmer for Mystic Porte, LLC)

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 entire Council is required and adoption of a resolution.

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6) Paul J. Mayronne, Attorney for applicant Ruelle Du Chene Developers, LLC, appealing Planning Commission condition attached to Tentative Subdivision Approval on July 12, 2005 for Eagle Landing. (Ward 1, District 1) (SD 05-07-018)

Note: To concur with Planning Commission conditional tentative subdivision approval, a simple majority vote is required and adoption of a resolution.

Note: To override Planning Commission conditional tentative subdivision approval, a majority vote of entire Council is required and adoption of a resolution.

7) Hazel Sinclair appealing the Planning Commission APPROVAL on August 9, 2005 of Tentative Subdivision Review for Weston Glen. (Ward 1, District 1) (SD 05-08-020) (Applicant/Developer/Owner Webber Land and Development Corp.)

Note: To concur with Planning Approval, a simple majority vote is required and adoption of a resolution.

Note: To override Planning Approval, a majority vote of entire Council is required and adoption of a resolution.

ORDINANCES FOR ADOPTION

(Public Hearing)

1) Ord. Cal. No. 3106 As Amended - Ordinance to amend Parish Code, Appendix C, Land Use Ord. 523, Section 3.03 Minimum Standards, Paragraph R, Manufactured Homes or Mobile Homes, subparagraph 5, Waiver of Public Hearing, to authorize administrative approval of conditional use permits for mobile homes in subdivisions that received prior Zoning Commission consideration and Council consideration and approval for utilization of the blanket conditional use procedure for administrative issuance of such permits. (ZC 05-08-054) (Reintroduced as amended 8/4/2005) (Ordinance is subject of Appeal #4)

2) Ord. Cal. No. 3109 - Ordinance to rename Oak Harbor Boulevard East as Lakeshore

Boulevard East. (Ward 9, District 13) (Introduced 6/2/2005) (TABLED 7/7/2005 and 8/4/2005)

3) Ord. Cal. No. 3110 - Ordinance to rename Harbor Center Boulevard as Lakeshore Boulevard North. (Ward 9, District 13) (Introduced 6/2/2005) (TABLED 7/7/2005 and 8/4/2005)

4) Ord. Cal. No. 3131 - 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) (Introduced 8/4/2005)

5) Ord. Cal. No. 3132 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for construction or placement of building structures on certain property within a portion of Tammany Forest Subdivision. (Ward 7, District 7) (Introduced 8/4/2005)

6) Ord. Cal. No. 3133 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Three Rivers Road, east of Charlie Street, west of Bravo Street, containing 57,600 square feet, from LC Light Commercial to A-6 General Multi Family Residential. (Ward 3, District 1) (ZC05-07-047)(Zoning Commission approved 7/12/2005) (Introduced 8/4/2005)

7) Ord. Cal. No. 3134 - Ordinance amending the official zoning map of St. Tammany to reclassify land on west side of Bravo St., north of 11th St., east of Charlie St., south of 10th Avenue, containing 57,600 square feet, from SA Suburban Agricultural to A-6 General Multi Family Residential.(Ward 3, District 1) (ZC05-07-048)(Zoning Commission approved 7/12/2005) (Introduced 8/4/2005)

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8) Ord. Cal. No. 3136 - Ordinance to revoke a portion of Highland Drive right-of-way in Piney Ridge Park Subdivision west of Slidell. (Ward 9, District 11) (Planning Commission approved 7/12/2005) (Introduced 8/4/2005)

9) Ord. Cal. No. 3137 - Ordinance amending 2005 Operating Budget. (Introduced 8/4/2005)

10) Ord. Cal. No. 3138 - Ordinance providing for the levy within Sales Tax District No. Three of St. Tammany, effective December 1, 2006, of a two percent (2%) sales and use tax upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and upon the sale of services in said District, providing for the assessment, collection, payment thereof and the dedication of the proceeds of said tax and the purpose for which the proceeds of the tax may be expended, such tax having been authorized at a special election held July 16, 2005. (Introduced 8/4/2005)

11) Ord. Cal. No. 3139 - Ordinance authorizing the Parish President to accept the Act of Dedication and Donation of J. F. Smith Avenue, Johnny Smith Boulevard, Mechanical Drive and Production Drive, located in Johnny F. Smith Memorial Business Park and to include same into the Parish Road Maintenance System. (Ward 8, District 14) (Introduced 8/4/2005)

12) Ord. Cal. No. 3140 - Ordinance to amend Parish Code, Chapter 20, Article III, to add a new section creating Lighting District No. 14 for Ashton Oaks Subdivision, Phases 1 through 4. (Ward 8, District 9) (Introduced 8/4/2005)

13) Ord. Cal. No. 3141 - Ordinance establishing a “No Parking” zone on Javery Road. (Ward 8, District 14) (Introduced 8/4/2005)

14) Ord. Cal. No. 3142 - Ordinance establishing a “No Thru Trucks” zone on Pace Street. (Ward 8, District 14) (Introduced 8/4/2005)

15) Ord. Cal. No. 3144 - Ordinance to impose a six (6) month moratorium on issuance of permits for construction or placement of building structures on property within a portion of Tammany Hills and a portion of Ingram Estates Subdivisions. (Ward 3, District 5) (Introduced 8/4/2005)

16) Ord. Cal. No. 3145 - Ordinance to authorize the Parish President to purchase land at 134 Crapemyrtle Circle to improve drainage and flood protection in the general area. (Ward 1, District 4) (Introduced 8/4/2005)