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PUBLISHED MARCH 25, 2004 AND POSTED AT PARISH COMPLEXES BY MARCH 29, 2004

AGENDA

ST. TAMMANY PARISH COUNCIL MEETING

THURSDAY, APRIL 1, 2004 AT 6:00 P.M.

ST. TAMMANY GOVERNMENT COMPLEX

21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Patricia Brister, Chairman

Invocation by

Pledge of Allegiance by

Roll Call: Marty Dean

Russell Fitzmorris

James A. "Red" Thompson

Marty Gould

Gary Singletary

Joe Impastato

Patricia Brister

Steve Stefancik

Chris Canulette

Barry D. Bagert

Henry Billiot

Jerry Binder

Joe "Coach" Thomas

Ken Burkhalter

PRESENTATIONS

1) Certificate of Recognition to Pan-American Laboratories, Inc. as Business of the Month for outstanding service to the community.

2) Certificate of Declaration for Twin Cities - Lacombe, Louisiana, U.S.A. and Lacombe, Alberta, Canada.

CONSENT CALENDAR

MINUTES

Regular Council Meeting March 4, 2004

Council Committee Meetings March 24, 2004

ORDINANCES FOR INTRODUCTION

(Public Hearing May 6, 2004)

1) Ord. Cal. No. 2802 - 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 Highland Park Subdivision. (Ward 9, District 12)

2) Ord. Cal. No. 2803 - Ordinance amending official zoning map of St. Tammany to reclassify land on the north side of Highway 22, east of Perrilloux Road, containing 64.29 acres, from R-Rural to PUD (Planned Unit Development) (Ward 1, District 1) (ZC 04-02-012) (Zoning Commission approved 3/2/2004)

3) Ord. Cal. No. 2804 - Ordinance amending official zoning map of St. Tammany to reclassify land on the east side of Lee Road, between Brunning and Knights Roads, containing 0.77 acres, from R-Rural to C-2 Highway Commercial. (Ward 2, District 2) (ZC 04-03-015) (Zoning Commission approved 3/2/2004)

4) Ord. Cal. No. 2805 - Ordinance amending official zoning map of St. Tammany to reclassify land on the north side of Highway 90, south of the East Poitevent Canal, containing 1.0 acre, from SA Suburban Agriculture to RC Recreational/Conservation. (Ward 8, District 13) (ZC 04-03-017) (Zoning Commission approved 3/2/2004)

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5) Ord. Cal. No. 2806 - Ordinance to amend Ord. C.S. No. 02-0566, the 2003-2007 Capital Improvement Budget and Program, to identify changes to Capital Improvement List for 2003-2007.

6) Ord. Cal. No. 2807 - Ordinance to correct road inventory to include Natures Way and an extension of East Howze Beach Road. (Ward 9, Districts 7 and 13)

7) Ord. Cal. No. 2808 - Ordinance accepting finalized subdivision into road and drainage inventories, specifically Forest Brook, Phase 4-C-1. (Ward 4, District 7)

8) Ord. Cal. No. 2809 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Uncas Favret, developer of Fairway Oaks Business Park Subdivision. (Ward 4, District 4)

9) Ord. Cal. No. 2810 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and GW Contractors, Inc., developer of Starwood Subdivision. (Ward 2, District 3)

10) Ord. Cal. No. 2811 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and CLM Development, L.L.C., developer of Post Oak Landing Subdivision. (Ward 1, District 1)

11) Ord. Cal. No. 2812 - Ordinance to declare Lot 556, Moonraker Subdivision, Phase 3-D, as surplus property and authorize sale of same. (Ward 9, District 13)

12) Ord. Cal. No. 2813 - Ordinance to amend Ord. C.S. No. 04-0828, adopted 2/5/2004, establishing and validating rates and fees for sewerage and water services provided by systems owned and operated by the Parish.

13) Ord. Cal. No. 2814 - Ordinance to amend Chapter 18, Article III, of Parish Code, relative to St. Tammany Parish Planning Commission.

14) Ord. Cal. No. 2815 - Ordinance to amend Chapter 18, Article IV, of Parish Code, relative to St. Tammany Parish Zoning Commission.

15) Ord. Cal. No. 2816 - Ordinance to amend Code, Chapter 7, Drainage and Flood Control, Article I, Section 7-002.00 Limiting the Placement of Fill on Property Adjacent to Certain Waterways and Drainage Ways.

RESOLUTIONS

16) Resolution C.S. No. C-1063 - Resolution stating Council endorsement of Abita Springs Water Company, Inc. for participation in La. Enterprise Zone Program.

17) Resolution C.S. No. C-1064 - Resolution establishing warranty obligations.

WARRANTY

NAME OF SUBDIVISION RECOMMENDATION

ALAMOSA PARK SUBDIVISION, PHASE 2 RELEASE L.O.C.
AMOUNT: \$27,000 TO BE BROUGHT INTO THE
EXPIRES: MAY 20, 2004 MAINTENANCE SYSTEM
WARD 4, DISTRICT: 7

ARBOR WALK SUBDIVISION, PHASE 1 RELEASE L.O.C.
AMOUNT: \$51,000 TO REMAIN IN THE OWNERSHIP OF
EXPIRES: JUNE 20, 2004 HOMEOWNERS' ASSOCIATION
WARD1, DISTRICT 1

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Warranty Obligations continued:

NAME OF SUBDIVISION RECOMMENDATION

BRIER LAKE SUBDIVISION, PHASE 14 RELEASE L.O.C.
AMOUNT: \$9,000 TO REMAIN IN THE OWNERSHIP OF
EXPIRES: MAY 13, 2004 HOMEOWNERS' ASSOCIATION
WARD 7, DISTRICT 7

ESTATES AT THE RESERVE, PHASE 2 RELEASE L.O.C.
AMOUNT: \$22,500 TO REMAIN IN THE OWNERSHIP OF
EXPIRES: MAY 21, 2004 HOMEOWNERS' ASSOCIATION
WARD 4, DISTRICT 10

KINGSPPOINT SUBDIVISION, PHASE 8Q-4 EXTEND FOR ONE (1) YEAR OR
AMOUNT: \$18,100 UNTIL WORK SATISFACTORILY

**EXPIRES: MAY 1, 2004
WARD 8, DISTRICT 14**

ACCOMPLISHED

**NORTHPARK SUBDIVISION, PHASE 5C-Sec. 3 RELEASE L.O.C.
AMOUNT: \$10,700 TO REMAIN IN THE OWNERSHIP OF
EXPIRES: MAY 16, 2004 HOMEOWNERS' ASSOCIATION
WARD 3, DISTRICT 1**

**TCHEFUNCTE SOUTH SUBDIVISION, PHASE 1 RELEASE L.O.C.
AMOUNT: \$27,600 TO REMAIN IN THE OWNERSHIP OF
EXPIRES: MAY 16, 2004 HOMEOWNERS' ASSOCIATION
WARD 1, DISTRICT 1**

18) Resolution C.S. No. C-1065 - Resolution to amend Ord. C.S. No. 03-0775, the 2004-2008 Capital Improvement Budget and Program, to make changes to Council District 9 road list to include Little Gull Drive, Palm Swift Drive and Tara Court, and to delete Autumn Wood and York Court. (District 9)

19) Resolution C.S. No. C-1066 - Resolution to amend Ord. C.S. No. 03-0775, the 2004-2008 Capital Improvement Budget and Program, to make changes to Council District 11 road list to include Coin De Lestin Bridge and Pleasant Drive. (District 11)

20) Resolution C.S. No. C-1067 - Resolution to amend Ord. C.S. No. 03-0775, the 2004-2008 Capital Improvement Budget and Program, fixed asset and grant awards.

21) Resolution C.S. No. C-1068 - Resolution to support Parish application for assistance from Tourist Commission for Holiday of Lights to be held in December 2004 at Tammany Trace Caboose.

22) Resolution C.S. No. C-1069 - Resolution to support Parish application for assistance from FEMA to elevate flood-prone residences or acquire, demolish and remove flood-prone residences.

23) Resolution C.S. No. C-1070 - Resolution accepting ownership of a portion of Brownsitch Road from DOTD, subject to certain conditions. (Ward 8, District 9)

24) Resolution C.S. No. C-1071 - Resolution authorizing execution of Cooperative Endeavor Agreement between the Parish and Recreation District No. 4 for operation, maintenance, and control of the old Lacombe library building and John Davis Park. (Ward 7, District 7)

END OF CONSENT CALENDAR

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APPEALS

1) Applicant Jonathan Pearson, Pearson Real Estates Services, Inc., appealing the Zoning Commission DENIAL on February 3, 2004 to rezone 29.46 acres of land on the west side of I-59, south of the East Pearl River, from C-2 Highway Commercial to M-2 Intermediate Industrial. (Ward 6, District 6) (ZC 04-01-004) (Tabled 3/4/2004)

2) Applicant Mike Perkins appealing the Zoning Commission DENIAL on February 3, 2004 to rezone 1.93 acres on the southeast corner of Highway 11 and Eden Isles Boulevard, being Lots 71-74 in Eden Isles Subdivision, Unit 1, from C-1 Neighborhood Commercial to A-6 General Multiple Family District. (Ward 9, District 13) (ZC 04-02-010) (Tabled 3/4/2004)

3) Davis S. Derbes appealing the Zoning Commission DENIAL on March 2, 2004 to rezone 0.44 acres of land on the northwest corner of Highway 21 and Dummyline Road from SA Suburban Agriculture to C-1 Neighborhood Commercial. (Ward 1, District 1) (ZC 04-02-013) (Applicant Sam Latino)

4) Applicant Roy Tasso Mullett appealing the Zoning Commission DENIAL on March 2, 2004 to rezone 16.67 acres of land on the north side of Highway 21, west of the intersection of Highway 21 and Highway 40, from R-Rural to C-2 Highway Commercial. (Ward 2, District 2) (ZC 04-03-016)

5) Applicant Carrie April Vicari appealing the Zoning Commission DENIAL on March 2, 2004 for issuance of a conditional use permit for a 7,200 sq. ft. commercial horse stable and mobile home to be located on the north side of Voters Road, west of Allen Road, in an A-3 Suburban District. (Ward 8, District 14) (CP 04-03-037)

6) Donald Avant appealing the Zoning Commission APPROVAL on March 2, 2004 for issuance of a conditional use permit for land excavation-pond on 12 acres of land at 17076 Candies Road in Ward 2, District 2. (CP 96-06-055) (Applicant Ludwig T. Candies)

7) Susan Carollo, et al appealing the Planning Commission APPROVAL on March 10, 2004 for Tentative Review of Autumn Haven Subdivision in Ward 4, District 7. (SD 04-03-011) (Applicant Paris Properties, LLC)

ORDINANCES FOR ADOPTION

(Public Hearing)

1) Ord. Cal. No. 2683 As Amended - Ordinance to amend Code of Ordinances, Appendix C (Ord. No. 523 Land Use Regs), for additional requirements in zoning district standards regarding rezoning and conditional uses of property having reasonable potential to adversely affect natural and scenic rivers. (ZC 03-10-062) (Reintroduced as amended 3/4/2004)

2) Ord. Cal. No. 2757 - Ordinance to amend Parish Code of Ordinances, Chapter 14, Article I, to amend and reenact Section 14-002.00 Illustrative Enumeration, and to create a new Section 14-010.00 entitled Prohibited Tree Cuttings and Associated Debris. (Introduced 1/15/2004) (Tabled 2/5/2004 and 3/4/2004)

3) Ord. Cal. No. 2781 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Main Street, west of Lake Road, east of 8th Street, being Lots 3 and 4 of Square 88 in Lacombe Park Subdivision, containing 14,800 sq. ft., from SA Suburban Agriculture to C-1 Neighborhood Commercial. (Ward 7, District 7) (ZC 04-02-007) (Zoning Commission approved 2/3/2004) (Introduced 3/4/2004)

4) Ord. Cal. No. 2782 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Highway 190 Bypass, west of Jacqueline Court, containing 0.68

acres, from C-2 Highway Commercial to M-1 Light Industrial. (Ward 3, District 3) (ZC 04-02-008) (Zoning Commission approved 2/3/2004) (Introduced 3/4/2004)

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5) Ord. Cal.No. 2783 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Highway 21, south of I-12 and north of Christwood Boulevard, containing 0.61 acres, from LC Light Commercial and C-2 Highway Commercial to LC Light Commercial for 0.108 and C-2 Highway Commercial for 0.498 acres. (Ward 1, District 1) (ZC 04-02-009) (Zoning Commission approved 2/3/2004) (Introduced 3/4/2004)

6) Ord. Cal. No. 2784 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for construction or placement of building structures within a certain area of unincorporated Ward 4, District 10 (Dupard Street). (Introduced 3/4/2004)

7) Ord. Cal. No. 2785 - Ordinance to amend Ord. C.S. No. 02-0566, the 2003-2007 Capital Improvement Budget and Program, and to further identify fixed asset and grant awards. (Introduced 3/4/2004)

8) Ord. Cal. No. 2786 - Ordinance to amend 2003 Operating Budget. (Introduced 3/4/2004)

9) Ord. Cal. No. 2787 - Ordinance to amend 2004 Operating Budget. (Introduced 3/4/2004)

10) Ord. Cal. No. 2788 - Ordinance to correct road inventory to include DePorres Road and East Drive, also correct drainage inventory to include lateral ditch off Sharp Road and lateral ditch off Geronimo Drive. (Wards 2 and 3, Districts 2 and 3) (Introduced 3/4/2004)

11) Ord. Cal. No. 2789 - Ordinance accepting finalized subdivisions into the road and drainage inventories, specifically Forest Brook, Phase 4-C-2, Marigny Trace, Phase 4, and Covington Meadows, Phase 1. (Wards 3 and 4, Districts 5 and 7) (Introduced 3/4/2004)

12) Ord. Cal. No. 2790 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Cross Gates, Inc., developer of La Chenier Subdivision. (Ward 8, District 9) (Introduced 3/4/2004)

13) Ord. Cal. No. 2791 - Ordinance to temporarily close Woodvine Street in DeVal Estates, north of Mandeville, for an indefinite period of time. (Ward 4, District 5) (Introduced 3/4/2004)

14) Ord. Cal. No. 2792 - Ordinance to revoke an unnamed alley right-of-way located in Lacombe Park Subdivision in the vicinity of Lacombe, La. (Ward 7, District 7) (Introduced 3/4/2004)

15) Ord. Cal. No. 2794 - Ordinance amending the official zoning map to reclassify land on the east side of Thompson Road, north of Reilly Road, containing 60.129 acres, from A-2 Suburban to PUD (Planned Unit Development) (Ward 9, District 11) (ZC 01-06-044) (Zoning Commission approved 7/3/2001) (Introduced 3/4/2004)

16) Ord. Cal. No. 2795 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Pugh Road, north of US Highway 190, containing 44.4 acres,

from SA (Suburban Agriculture) to PUD (Planned Unit Development). (Ward 4, District 7) (ZC04-02-011) (Introduced from appeal 3/4/2004)

17) Ord. Cal. No. 2797 - Ordinance to amend and reenact Chapter 7 of Parish Code, Drainage and Flood Control, to prohibit accumulation of any net fill on lots meeting criteria set forth, to provide procedures and requirements for development of such lots, to provide penalties for violation thereof, and otherwise provide with respect thereto. (Introduced 3/4/2004)

18) Ord. Cal. No. 2799 - Ordinance to impose a six (6) month 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) (Introduced 3/4/2004)

19) Ord. Cal. No. 2800 - Ordinance to correct road inventory to include Broussard Road, located off Pena Road in Ward 9, District 11. (Introduced 3/4/2004)

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20) Ord. Cal. No. 2801 - Ordinance authorizing Parish President to execute a Boundary Agreement relating to the Tammany Trace and the Alexius Hardware Property, as per Exhibit "A". (Introduced 3/4/2004)

APPOINTMENTS

1) Resolution to appoint members to Board of Sewerage District No. 14. (Tammany Hills) (Council has 4 and President has 1 appointment) (Tabled 1/15/2004, 2/5/2004 & 3/4/2004)

2) Resolution to appoint members to Board of Water District No. 15. (Tammany Hills) (Council has 4 and President has 1 appointment) (Tabled 1/15/2004, 2/5/2004 & 3/4/2004)

3) Resolution to appoint members to Community Action Agency Advisory Board as follows: elected officials Elsie Burkhalter, Marshall Brumfield and Ray Alford; private organizations Dawn Impastato, Reverend Eugene Wellington, Al Hameui, Jimmy Laurent and Leisa Smoot; and representatives of low income groups James Winston, Leo Casnave, Ron Randolph, Christy Sams and Kathleen Bacon. (Nominations made 2/5/2004; Tabled 3/4/2004)

4) Resolution to appoint _____ to replace Jeffery K. Barker (resigned) to Fire Protection District No. 6. (Fitzmorris) (Tabled 3/4/2004)

5) Resolution to appoint members to the Parish Board of Adjustments. (Parishwide) Nominations from 3/4/2004:

Ben Kirk	Barbara Dodds	Tim Ratcliff	Dan Fox
William Mathews	Louis Dutel, III	Ken Jones	Terry Price
Gerald Morris	Louis Brookter		

6) Resolution to reappoint Edward A. Sicard to Fire Protection District No. 5.

7) Resolution to reappoint Jim Rappold, Tasso Taylor, ~~Rick Timmell~~ Mike Taylor and Tom Davies to Fire Protection District No. 12.

8) Resolution to reappoint Kyle Bruhl, Antoine Brumfield, Rafe Silverstein and Lonnie Allen to Recreation District No. 12.

9) Resolution to appoint Stacy Brown to replace Elizabeth Keretz to Fire Protection District No. 10.

10) Resolution of recommendation to the Supreme Court for _____ to be appointed to replace Astrid Koppenol (Resigned) as Justice of the Peace for Ward 1 until an election is held to fill the vacancy.

EXECUTIVE SESSION

**Lawsuit entitled: “Azalea Lakes Partnership, et al
vs. Parish of St. Tammany”
22nd JDC No. 97-11083**