

AGENDA

**ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, DECEMBER 2, 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) Alice Torrey report on post election voter registration drive. (Brister)

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

November 4, 2004

Council Committee Meetings

None due to Thanksgiving holidays

ORDINANCES FOR INTRODUCTION

(Public Hearing January 6, 2005)

1) Ord. Cal. No. 2978 - Ordinance to revoke a portion of an unnamed alleyway in Slidell Heights Subdivision. (Ward 9, District 14) (Brister/President)

2) Ord. Cal. No. 2979 - Ordinance to revoke a portion of R. L. Oalman Drive, north of Covington. (Ward 2, District 2) (Brister/President)

3) Ord. Cal. No. 2980 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Castine Oaks Development, developer of Castine Oaks Subdivision. (Ward 4, District 10) (Brister/President)

4) Ord. Cal. No. 2981 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Belle Point Development, LLC, developer of Belle Point Subdivision. (Ward 1, District 1) (Brister/President)

5) Ord. Cal. No. 2982 - Ordinance authorizing Parish President to enter into and accept Act of Dedication and Donation of 60-foot right-of-way in Section 11, T-8-S, R-14-E for inclusion in the road maintenance system. (Ward 8, District 6) (Brister/President)

6) Ord. Cal. No. 2983 - Ordinance authorizing Parish President to enter into and accept a Lateral Drainage Easement of a 20-foot lateral drainage ditch in Section 11, T-8-S, R-14-E for inclusion in the parish maintenance system. (Ward 8, District 6) (Brister/President)

7) Ord. Cal. No. 2984 - Ordinance authorizing Parish President to enter into and accept a Lateral Drainage Easement of a 30-foot lateral drainage ditch in Section 11, T-8-S, R-14-E for inclusion in the parish maintenance system. (Ward 8, District 6) (Brister/President)

RESOLUTIONS

8) Resolution C.S. No. C-1287 - Resolution providing for canvassing returns and declaring results of the special election held in St. Tammany Parish on Tuesday, November 2, 2004, to authorize the levy of a special tax therein (Coroner's office). (Brister)

9) Resolution C.S. No. C-1288 - Resolution approving the issuance of \$700,000 of Limited Tax Certificates of Indebtedness, Series 2005, of Recreation District No. 4. (Impastato)

10) Resolution C.S. No. C-1289 - Resolution establishing warranty obligations. (Brister/President)

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
AUTUMN WIND SUBDIVISION, PH 1 AMOUNT: \$0.00 EXPIRES: NOT APPLICABLE WARD: 3 DISTRICT: 7	NO WARRANTY WAS REQUIRED TO BE BROUGHT INTO THE MAINTENANCE SYSTEM
BLUFF SUBDIVISION, PH 4 AMOUNT: \$15,500 EXPIRES: JANUARY 13, 2005 WARD: 8 DISTRICT: 8	EXTEND FOR ONE (1) YEAR OR UNTIL WORK SATISFACTORILY ACCOMPLISHED
BROOKSTONE SUBDIVISION, PH 2 AMOUNT: \$25,100 EXPIRES: JANUARY 23, 2005 WARD: 4 DISTRICT: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK SATISFACTORILY ACCOMPLISHED
CYPRESS LAKES OF OAK HARBOR, FILING 1 AMOUNT: \$45,100 EXPIRES: JANUARY 27, 2005 WARD: 9 DISTRICT: 12	EXTEND FOR ONE (1) YEAR OR UNTIL WORK SATISFACTORILY ACCOMPLISHED
DOMINION SUBDIVISION, PH 1 AMOUNT: \$56,500 EXPIRES: JANUARY 5, 2005 WARD: 1 DISTRICT: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK SATISFACTORILY ACCOMPLISHED
EMERALD CREEK SUBDIVISION, PH 1 AMOUNT: \$21,400 EXPIRES: December 12, 2004 WARD: 10 DISTRICT: 7	RELEASE L.O.C. (Tabled 11/4/2004) TO BE BROUGHT INTO THE MAINTENANCE SYSTEM
GRAND CHAMPIONS OF OAK HARBOR, FILING 1 AMOUNT: \$34,400 EXPIRES: JANUARY 29, 2005 WARD: 9 DISTRICT: 12	EXTEND FOR ONE (1) YEAR OR UNTIL WORK SATISFACTORILY ACCOMPLISHED

NAME OF SUBDIVISION	RECOMMENDATION
LES BOIS SUBDIVISION, PH 1 AMOUNT: \$23,500 EXPIRES: JANUARY 22, 2005 WARD: 1 DISTRICT: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK SATISFACTORILY ACCOMPLISHED
MADISON FARMS SUBDIVISION, PH 4 AMOUNT: \$17,600 EXPIRES: October 8, 2005 WARD: 1 DISTRICT: 1	RELEASE L.O.C. TO BE BROUGHT INTO THE MAINTENANCE SYSTEM
MARPLE LANE (Entrance to River Oaks S/D, Add #9) AMOUNT: \$4,600 EXPIRES: JANUARY 28, 2005 WARD: 8 DISTRICT: 13	CALL L.O.C. TO BE BROUGHT INTO THE MAINTENANCE SYSTEM
PENN MILL LAKES SUBDIVISION, PH 1 AMOUNT: \$63,900 EXPIRES: JANUARY 13, 2005 WARD: 3 DISTRICT: 3	EXTEND FOR ONE (1) YEAR OR UNTIL WORK SATISFACTORILY ACCOMPLISHED
STIRLING OF MANDEVILLE S/D AMOUNT: \$15,900 EXPIRES: JANUARY 20, 2005 WARD: 1 DISTRICT: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK SATISFACTORILY ACCOMPLISHED
TALLOW CREEK S/D, PH 1B AMOUNT: \$14,200 EXPIRES: JANUARY 9, 2005 WARD: 1 DISTRICT: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK SATISFACTORILY ACCOMPLISHED

11) Resolution C.S. No. C-1290 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 0.98 acres west of I-10, southeast of Daney Street and north of Old Spanish Trail at the end of News Road, from Parish C-2 Highway Commercial to City of Slidell C-4 Highway Commercial. (Ward 8, District 14) (Brister/President)

12) Resolution C.S. No. C-1291 - Resolution endorsing Marine Power Holding, LLC, for participation in benefits of Louisiana Enterprise Zone Program. (Brister/President)

13) Resolution C.S. No. C-1292 - Resolution endorsing Sam's East, Inc., for participation in benefits of Louisiana Enterprise Zone Program. (Brister/President)

14) Resolution C.S. No. C-1293 - Resolution endorsing Fire Security Communications, LLC, for participation in benefits of Louisiana Enterprise Zone Program. (Brister/President)

15) Resolution C.S. No. C-1294 - Resolution endorsing Cross Gates Recreation, Inc., for participation in benefits of Louisiana Enterprise Zone Program. (Brister/President)

16) Resolution C.S. No. C-1295 - Resolution endorsing Premier After Hours, LLC, for participation in benefits of Louisiana Enterprise Zone Program. (Brister/President)

17) Resolution C.S. No. C-1296 - Resolution to amend Ord. C.S. No. 03-0775, the 2004-2008 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Brister/President)

18) Resolution C.S. No. C-1297 - Resolution to certify that the Parish Government will assume full financial and managerial responsibilities and legal responsibilities required in the Tammany Trace-Bayou Lacombe bridge renovation in order to be formally accepted into Louisiana Dept. of Transportation's Enhancement Program. (Brister/President)

19) Resolution C.S. No. C-1298 - Resolution to certify that the Parish Government will assume full financial and managerial responsibilities and legal responsibilities required in the I-10 at Oak Harbor Boulevard interchange landscaping project in order to be formally accepted into Louisiana Dept. of Transportation's Enhancement Program. (Brister/President)

20) Resolution C.S. No. C-1299 - Resolution to approve New Directions 2025 - Special Area and Corridor Plan for the Fremaux/U.S. 190 B Corridor and to amend the Future Land Use Plan of the Land Use Element-Phase 1 of the Comprehensive Plan for St. Tammany Parish, including the supporting map and text. (Brister/President) (Planning Commission approved 11/9/2004)

END OF CONSENT CALENDAR

APPEALS

1) Applicant Huey J. Brown appealing the Zoning Commission DENIAL on September 7, 2004 to rezone 0.94 acres at the northeast corner of Sharp Road and Lochmere Drive from A-2 Suburban to A-3 Suburban. (Ward 4, District 5) (ZC 04-09-074) (Tabled 10/7/2004 and 11/4/2004)

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.

2) Brenda M. Kennedy appealing the Department of Engineering, Office of Coastal Zone Management, DENIAL on October 14, 2004 for issuance of an after the fact Local Coastal Use Permit for the placement of fill in wetlands for the construction of a private drive to provide access to property on an extension of Boe Drive, south of Island Drive. (Ward 7, District 7) (LCUP 2004-0441)

NOTE: TO CONCUR WITH ENGINEERING DENIAL, A SIMPLE MAJORITY VOTE IS REQUIRED AND ADOPTION OF A RESOLUTION.

NOTE: TO OVERRIDE ENGINEERING DENIAL, A 2/3 VOTE IS REQUIRED AND ADOPTION OF A RESOLUTION TO ISSUE PERMIT.

**ORDINANCES FOR ADOPTION
(Public Hearing)**

1) Ord. Cal. No. 2808 - Ordinance accepting finalized subdivision into road and drainage inventories, specifically Forest Brook, Phase 4C1. (Ward 4, District 7) (Introduced 4/1/2004) (Tabled 10/7/2004 and 11/4/2004)

2) Ord. Cal. No. 2946 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Highway 190, east of Transmitter Road and west of S. Tranquility Drive, containing 81.73 acres, from C-1 Neighborhood Commercial and SA Suburban Agriculture to a PUD Planned Unit Development. (Ward 7, Districts 7 & 11) (ZC 04-08-067) (Zoning Commission approved 10/5/2004)(Introduced 11/4/2004)

3) Ord. Cal. No. 2947 As Amended - Ordinance to amend the Parish Code of Ordinances,

Appendix C (Ord. 523, Land Use Regs), Section 5.13 Accessory Buildings & Structures, and Section 10 - Definitions (Accessory Buildings, Accessory Structures or Uses). (Introduced as amended 11/4/2004)

4) Ord. Cal. No. 2948 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Dupard Street, west of Soutl Street (in Square 214 of Town of Mandeville Subdivision), containing 1.87 acres, from A-2 Suburban to A-4 Single Family Residential. (Ward 4, District 10) (ZC 04-10-082) (Zoning Commission approved 10/5/2004) (Introduced 11/4/2004)

5) Ord. Cal. No. 2949 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Highway 21, north of intersection of Hwy. 21 and Hwy. 1077 (Lots 3 & 4 of New Madisonville Subdivision), containing 10,476 square feet, from SA Suburban Agriculture to LC Light Commercial (Ward 1, District 1) (ZC 04-10-084) (Zoning Commission approved 10/5/2004) (Introduced 11/4/2004)

6) Ord. Cal. No. 2950 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Krentel Road, south of Bayou Lacombe, containing 6.667 acres, from SA Suburban Agriculture to C-2 Highway Commercial. (Ward 7, District 7) (ZC 04-10-086) (Zoning Commission approved 10/5/2004) (Introduced 11/4/2004)

7) Ord. Cal. No. 2951 - Ordinance amending the official zoning map of St. Tammany to reclassify land south of Highway 1088, west of Forest Brook Subdivision, containing 7,626 square feet, from C-2 Highway Commercial to A-4 Single Family Residential. (Ward 4, District 7) (ZC 04-10-088) (Zoning Commission approved 10/5/2004) (Introduced 11/4/2004)

8) Ord. Cal. No. 2952 - Ordinance to amend Code of Ordinances, Appendix C (Ord. 523, Land Use Regs), Section 5.03 Sign Regulations relative to Permitted Signs for Properties located along I-10 Service Road. (ZC 04-10-091) (Introduced 11/4/2004)

9) Ord. Cal. No. 2953 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building permits for construction or placement of building structures on certain properties within unincorporated St. Tammany Parish abutting, in whole or in part, Soutl Street between Highway 190 and Highway 1088 and which use Soutl Street for the purposes of gaining access to said properties. (Ward 4, Districts 7 & 10) (Introduced 11/4/2004)

10) Ord. Cal. No. 2954 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building permits for the construction or placement of building structures within a portion of Cypress Park Subdivision and surrounding areas in Ward 7, District 7. (Introduced 11/4/2004)

11) Ord. Cal. No. 2955 - 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 properties within unincorporated St. Tammany Parish abutting, in whole or in part, a portion of the East I-10 Service Road in Slidell. (Ward 8, District 8) (Introduced 11/4/2004)

12) Ord. Cal. No. 2956 - Ordinance to extend for an additional 120 days the moratorium on receipt of submissions by the Parish Zoning and Planning Commissions for rezoning of property within unincorporated St. Tammany Parish abutting, in whole or in part, Highway 190-Business between the Slidell City limits and Highway 1090 (S. Military Road). (Ward 8, Districts 12, 13 and 14) (Introduced 11/4/2004)

13) Ord. Cal. No. 2957 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Autumn Creek, LLC, developer of Autumn Creek Subdivision. (Ward 1, District 1) (Introduced 11/4/2004)

14) Ord. Cal. No. 2958 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Donald E. Pate & Robert Rathe, developers of The Plantation Subdivision. (Ward 5, District 2) (Introduced 11/4/2004)

15) Ord. Cal. No. 2959 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and RTM, LLC, developer of Madison Villas Subdivision.(Ward 1, District 1) (Introduced 11/4/2004)

16) Ord. Cal. No. 2960 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Paris Properties, LLC, developer of Autumn Haven Subdivision. (Ward 4, District 7) (Introduced 11/4/2004)

17) Ord. Cal. No. 2961 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and Arbor Holdings, LLC, developer of The Fountains Subdivision. (Ward 4, District 5) (Introduced 11/4/2004)

18) Ord. Cal. No. 2962 - Ordinance to revoke a portion of 14th and 15th Avenue rights of way, located in the Town of Alexiusville Subdivision, south of Covington. (Ward 3, District 1) (Introduced 11/4/2004)

19) Ord. Cal. No. 2963 - Ordinance to ratify action of Parish President to enter into a Drainage & Construction and Maintenance Agreement with Donna Pfeifer McDonald and Kevin McDonald. (Introduced 11/4/2004)

20) Ord. Cal. No. 2964 - Ordinance authorizing the execution of an Agreement pursuant to La. R.S. 33:4791.1 between St. Tammany Parish Government and Acadian Ambulance Service, Inc. for the provision of Emergency and Non-Emergency Ambulance Services within the service area of St. Tammany Parish. (Introduced 11/4/2004)

21) Ord. Cal. No. 2965 - Ordinance to amend Code of Ordinances, Appendix B (Ord. 499 Subdivision Regs), Section 40-061.0 Additional Requirements to Preliminary Subdivision Review, to provide for back slope requirements of roadside ditches. (Introduced 11/4/2004)

22) Ord. Cal. No. 2967 - Ordinance to impose a six (6) month moratorium on the issuance of permits for the construction or placement of building structures on property within a portion of Pineview Heights Subdivision and surrounding area. (Ward 4, District 5) (Introduced 11/4/2004)

23) Ord. Cal. No. 2968 - Ordinance to amend Code of Ordinances, Chapter 3, Article, XII, Section 3-400.00 Adoption of State Law concerning Emergency Medical Services. (Introduced 11/4/2004)

24) Ord. Cal. No. 2969 - Ordinance amending the official zoning map of St. Tammany Parish to reclassify land east of Highway 1129, north of Simalusa Estates, containing 1,859.94 acres, from R (Rural) to A-1 (Single Family Residential). (Ward 2, District 2) (ZC 04-07-057) (Introduced from appeal 11/4/2004)

25) Ord. Cal. No. 2970 - Ordinance amending the official zoning map of St. Tammany Parish to reclassify land on the south side of Highway 190, east of 17th Street and west of 15th Street, being Squares 79 and 80 in Lacombe Park Subdivision, containing 4.13 acres, from SA (Suburban Agriculture) C-1 (Neighborhood Commercial). (Ward 7, District 7) (ZC 04-09-073) (Introduced from appeal 11/4/2004)

26) Ord. Cal. No. 2971 - Ordinance to extend for an additional six (6) months the moratorium on receipt of submissions by Parish Planning and Zoning Commissions for the rezoning and/or resubdivision of property for new development in the Bayou Liberty area, specifically those portions of Precincts 907, 906, 905, 904, 901, 913, 915, 908 and 912, from which water flows to the Bayou Liberty Drainage Basin, as established by Ordinance C.S. No. 04-0817, adopted January 15, 2004. (Introduced 11/4/2004)

27) Ord. Cal. No. 2972 - Ordinance to authorize the Parish President to accept donation of a 40-acre tract of land in the southeast quarter of the southwest quarter of Section 28, Township 7 South, Range 12 East. (Introduced 11/4/2004)

28) Ord. Cal. No. 2973 - Ordinance to amend the Parish Code of Ordinances, Chapter 1, Article I, Section 1, to establish the Bureau of Administrative Adjudication, to create the position of hearing officer, to provide for the power and authority of administrative hearing officer, to establish corresponding rules and regulations, to authorize the levy of fines, imposition of penalties and other remedies, and otherwise provide with respect thereto. (Introduced 11/4/2004)

29) Ord. Cal. No. 2974 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions for the rezoning or resubdivision of property and/or on the issue of permits for construction or placement of any building structures on property west of Highway 11 and south of I-12 within unincorporated boundaries of Council District 14, Ward 9. (Introduced 11/4/2004)

30) Ord. Cal. No. 2975 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building permits for construction or placement of new building structures on property within Dove Park Subdivision in Ward 4, District 5. (Introduced 11/4/2004)

31) Ord. Cal. No. 2976 - Ordinance to extend for an additional six (6) months the moratorium on receipt of submissions by the Parish Zoning Commission for the rezoning of property within a certain portion of unincorporated areas of Ward 1, District 1. (Introduced 11/4/2004)

32) Ord. Cal. No. 2977 - Ordinance to change the portion of Garden Drive (9G51) from East Street to Devon Avenue from a "One Way" traffic zone to a "Two Way" traffic zone and to post signs accordingly. (Ward 9, District 11) (Introduced 11/4/2004)

NOMINATIONS

1) Resolution to appoint _____ to replace Edward P. "Bubby" Lyons (resigned) to the East Florida Parishes Retirement District (term expires 7/5/2005 per state law). (Parishwide) (Tabled 9/2/2004 - 11/4/2004)

2) Resolution to appoint _____ to replace Sue Wagner (moved out of parish) and _____ to replace Thomas J. Smith (resigned) to the Tourist Commission Nominating Committee. (Parishwide)

3) Resolution to reappoint or replace Peter Link (term expiring) to the St. Tammany Parish Development District. (Parishwide).

OTHER MATTERS

1) Paula Patecek Johnson regarding Resolution C.S. No. C-1286 adopted November 4, 2004. (Brister/President)