

PUBLISHED JULY 26, 2007 AND POSTED AT PARISH COMPLEX BY JULY 31, 2007

AGENDA

**ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, AUGUST 2, 2007 AT 6:00 P.M.
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.**

Call to Order by Honorable Barry Bagert, Chairman

Invocation by

Pledge of Allegiance by

Roll Call: Marty Dean

Russell Fitzmorris

James A. "Red" Thompson

Patricia P. Brister

Marty Gould

Gary Singletary

Barry Bagert

Al Hamauei

Chris Canulette

Henry Billiot

Steve Stefancik

Jerry Binder

Joe "Coach" Thomas

Ken Burkhalter

PRESENTATIONS

- 1) Recognize YAX Florist, Lacombe, La., as August "Business of the Month".**
- 2) Sean Hunter regarding operations at Armstrong International Airport.**
- 3) Dr. Peter Cannizzaro regarding LSU Ag Center annual report.**

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 July 5, 2007
Council Committee Meeting July 25, 2007**

**ORDINANCES FOR INTRODUCTION
(Public Hearing September 6, 2007)**

- 1) Ord. Cal. No. 3587 - Ordinance to amend Parish Code, Chapter 18, by adding Article X providing for placement, construction and modification of Wireless Telecommunication Facilities, telecommunication facilities application, co-location, lease of Parish land and permit process, minimization of negative impact and process for Parish review. (Tabled 6/7/07 and 7/5/07 pending receipt of ordinance from legal dept.)**
- 2) Ord. Cal. No. 3607 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of North 12th Street, east of Hendry Avenue, south of North 10th Street, containing 2.25 acres, from PUD to C-1 Neighborhood Commercial. (Ward 3, District 3) (ZC07-06-028) (Zoning Commission approved 7/3/07)**
- 3) Ord. Cal. No. 3608 - 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)**

4) Ord. Cal. No. 3609 - Ordinance to extend for an additional six (6) months the moratorium on the placement of fill on undeveloped property within a portion of Tammany Hills Subdivision.
(Ward 3, District 5)

5) Ord. Cal. No. 3610 - Ordinance to extend for an additional six (6) months the 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 unincorporated boundaries of Ward 9, District 11.

6) Ord. Cal. No. 3611 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of 10th Street, east of 11th Street, north of Marquette Street, containing 35,406 sq. ft., from A-6 General Multiple Family to LC Light Commercial.
(Ward 4, District 4) (ZC07-07-039) (Zoning Commission approved 7/3/07)

7) Ord. Cal. No. 3612 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 21, south of Arbor Walk, north of Dummyline Road, containing 4.76 acres, from SA Suburban Agricultural to LC Light Commercial.
(Ward 1, District 1) (ZC07-07-042) (Zoning Commission approved 7/3/07)

8) Ord. Cal. No. 3613 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 21, south of Arbor Walk, north of Dummyline Road, containing 0.3 acres, from SA Suburban Agricultural to LC Light Commercial.
(Ward 1, District 1) (ZC07-07-043) (Zoning Commission approved 7/3/07)

9) Ord. Cal. No. 3614 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 21, south of Dummyline Road, north of Highway 1077, containing 0.28 acres, from SA Suburban Agricultural to LC Light Commercial.
(Ward 1, District 1) (ZC07-07-044) (Zoning Commission approved 7/3/07)

10) Ord. Cal. No. 3615 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 21, south of Arbor Walk, north of Dummyline Road, containing 3.48 acres, from SA Suburban Agricultural to LC Light Commercial.
(Ward 1, District 1) (C07-07-045) (Zoning Commission approved 7/3/07)

11) Ord. Cal. No. 3616 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 59, south of Walder Road, containing 1.47 acres, from M-1 Light Industrial to C-2 Highway Commercial. (Ward 4, District 10) (ZC07-07-046)
(Zoning Commission approved 7/3/07)

12) Ord. Cal. No. 3617 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Highway 59, north of Strain Road, containing 5.04 acres, from M-1 Light Industrial to C-2 Highway Commercial. (Ward 4, District 7) (ZC 07-07-048)
(Zoning Commission approved 7/3/07)

13) Ord. Cal. No. 3618 - Ordinance to adopt a Voluntary Developmental Agreement between the Parish and Summerfield, LLC, developer of Summerfield Estates Subdivision.
(Ward 8, District 9)

14) Ord. Cal. No. 3619 - Ordinance to correct the road inventory to include an approximate 985 foot extension of Silas Thomas Road; an approximate 1,861 foot extension of Dendinger Road; an approximate 277 foot extension of Schokley Drive, an approximate 749 foot extension of Mayfair Road, a reduction of approximately 2,505 feet of Sipes Road; and reorganization of Parlange Drive, Parlange Drive North, Parlange Drive East, Parlange Drive South, Parlange Drive West and E. Leg. (Wards 6 & 8, Districts 6, 9 & 13)

15) Ord. Cal. No. 3620 - Ordinance to amend Code, Section 2-009.00, Fees and Service Charges, to include Public Records Requests.

16) Ord. Cal. No. 3621 - Ordinance authorizing the Parish President to accept the Act of Dedication and Donation of a portion of Irene Road for inclusion into the road maintenance system. (Ward 2, District 2)

17) Ord. Cal. No. 3622 - Ordinance to amend Code, Chapter 16, Parks, Recreation and Scenic Neighborhoods, to add new Article XIX, creating Recreation District No. 16, and amending Article IV to merge and consolidate Recreation District No. 3 into and with the new District.

RESOLUTIONS

18) Resolution C.S. No. C-2139 - Resolution approving the holding of an election in Fire Protection District No. 6 on October 20, 2007 to authorize levy of a special tax (millage renewal).

19) Resolution C.S. No. C-2140 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 10.892 acres, being Lot 9-A-1, Sq. 27; Lots 6, 16-18, Sq. 26; Lots 15, 21-22, Sq. 26; Lot 19, Sq. 26; Lot 20, Sq. 26, from Parish LC Light Commercial to City of Slidell A-8 High Density Urban District. (Ward 8, District 13) (SL2007-04)

20) Resolution C.S. No. C-2141 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 2.5 acres, being Lots 1, 2 and south 1/2 of Lot 3, Sq. 26, from Parish A-6 Single Family Residential to City of Slidell A-8 High Density Urban District. (Ward 8, District 13) (SL2007-05)

21) Resolution C.S. No. C-2142 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 1 acre being Lot 26, Tract J, Airport Road, from Parish A-4 Single Family Residential to City of Slidell A-7 Multi-Family Urban District. (Ward 9, District 11) (SL2007-06)

22) Resolution C.S. No. C-2143 - Resolution to concur/not concur with City of Slidell annexation and rezoning of 1.2 acres, which property is 40 foot unconstructed right of way of Short Street between Sq. 27 & 28, Pearl Acres Subdivision, commencing at its intersection with Opal Street going east approximately 554 feet; and the 40 foot unconstructed right of way of Opal Street commencing at the southeast lot corner of Lot 22, Sq. 2, Pearl Acres Subdivision, going north approximately 459 feet (right of way lies adjacent to Sq. 26, fronting Lots 15 through 22, Pearl Acres Subdivision), from Parish ROW District to City of Slidell ROW District. (Ward 8, District 13) (SL2007-07)

23) Resolution C.S. No. C-2144 - Resolution establishing warranty obligations.

WARRANTY

NAME OF SUBDIVISION	RECOMMENDATION
Marigny Trace S/D, PH 6A & 6B Amount: \$8,900 Expires: August 17, 2007 Ward: 4 District: 7 (Tabled 7/5/07)	Release Warranty L.O.C. Establish Performance L.O.C. To be brought into the Selective Parish Maintenance System upon release of Performance L.O.C.
Madison Farms S/D, PH 6 & 7 Amount: \$59,600 Expires: September 22, 2007 Ward: 1 District: 1	Extend for one (1) year or until work is satisfactorily accomplished

Warranty obligations continued:

NAME OF SUBDIVISION	RECOMMENDATION
Timberlane S/D, PH 2 Amount: \$46,800 Expires: September 12, 2007 Ward: 1 District: 1	Extend for one (1) year or until work is satisfactorily accomplished
Plantation S/D (Shiloh Lane) Amount: \$29,300 Expires: September 21, 2007 Ward: 10 District: 7	Extend for one (1) year or until work is satisfactorily accomplished
Pittman Place S/D Amount: \$29,100 Expires: September 1, 2007 Ward: 8 District: 9	Extend for one (1) year or until work is satisfactorily accomplished

24) Resolution C.S. No. C-2145 - Resolution to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvement Budget and Program, Fixed Assets and Grant Awards.

25) Resolution C.S. No. C-2146 - Resolution supporting Fire Protection District No. 3 application for assistance from Louisiana Office of Community Development for building an ambulance shelter.

26) Resolution C.S. No. C-2147 - Resolution supporting Fire Protection District No. 5 application for assistance from Louisiana Office of Community Development for purchase of new radio repeater, antenna, and desktop radio repeater.

27) Resolution C.S. No. C-2148 - Resolution supporting Fire Protection District No. 6 application for assistance from Louisiana Office of Community Development for purchase of extrication tools.

28) Resolution C.S. No. C-2149 - Resolution supporting Fire Protection District No. 7 application for assistance from Louisiana Office of Community Development for purchasing personal protective equipment.

29) Resolution C.S. No. C-2150 - Resolution supporting Fire Protection District No. 8 application for assistance from Louisiana Office of Community Development for purchase of portable water pump.

30) Resolution C.S. No. C-2151 - Resolution supporting Fire Protection District No. 9 application for assistance from Louisiana Office of Community Development for building a water reservoir.

31) Resolution C.S. No. C-2152 - Resolution supporting Fire Protection District No. 10 application for assistance from Louisiana Office of Community Development for purchase of extrication tools.

32) Resolution C.S. No. C-2153 - Resolution supporting Fire Protection District No. 11 application for assistance from Louisiana Office of Community Development for purchasing personal protective equipment.

33) Resolution C.S. No. C-2154 - Resolution supporting Fire Protection District No. 13 application for assistance from Louisiana Office of Community Development for purchasing free standing antenna tower.

34) Resolution C.S. No. C-2155 - Resolution to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvement Budget and Program, to make changes to Council District 6 road list to include Shubert Lane to the 2008-2011 road lists.

35) Resolution C.S. No. C-2156 - Resolution to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvement Budget and Program, to make changes to Council District 11 road list to include N. Harrison Drainage.

36) Resolution C.S. No. C-2157 - Resolution stating Parish Council endorsement of Textron Marine & Land Systems for participation in benefits of Louisiana Enterprise Zone Program.

37) Resolution C.S. No. C-2158 - Resolution calling special election in Road Lighting District No. 16 on November 17, 2007, to authorize the levy of a special tax therein, making application to the State Bond Commission, and for other matters in connection therewith.

38) Resolution C.S. No. C-2159 - Resolution authorizing the Parish President to enter negotiations with Acadian Ambulance Service, Inc. for an extension of the existing Contract for Emergency and Non-Emergency Ambulance Services within areas of St. Tammany Parish, subject to the concurrence of the Parish Council.

END OF CONSENT CALENDAR

APPEALS

1) Applicant Patrick Milligan appealing the Zoning Commission DENIAL on May 1, 2007 to rezone 6,250 sq. ft. of land on the north side of Coast Boulevard, east of Behrman Street, west of Dwyer Street, from Special District #14 to C-2 Highway Commercial. (Ward 8, District 12) (ZC07-05-022) (Tabled 6/7/07 & 7/5/07)

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) Paul A. Lea, Jr. for applicant James E. Shields, Sr., appealing the Zoning Commission DENIAL on June 5, 2007 to rezone 28 acres on the south side of Highway 1088, east of Trinity Drive, west of Forest Brook Boulevard, from SA Suburban Agricultural and C-1 Neighborhood Commercial to a PUD (Planned Unit Development). (Ward 4, Districts 5 & 7) (ZC07-01-001) (Item referred back to Zoning Commission with specific requests 4/5/07; Tabled 7/5/07)

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.

3) Applicants Barbara and Charles Hasselbeck appealing the Zoning Commission DENIAL on July 3, 2007 to rezone 4.78 acres at the southeast corner of Highway 22 and Mitcham Road, west of Indian Trace Boulevard, from LC Light Commercial to C-1 Neighborhood Commercial. (Ward 1, District 1) (ZC07-07-040)

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.

4) John & Carolyn Pennino and Lisa Phillips appealing the Zoning Commission APPROVAL on July 3, 2007 to rezone 848.261 acres on the east side of Highway 434, north of Ezell Road, south of D'Antonio Road, from SA Suburban Agricultural to PUD (Planned Unit Development). (Wards 7 & 9, Districts 7 & 11) (ZC07-07-041) (Applicant Jeffrey D. Schoen, owner Weyerhaeuser Real Estate Development Company)

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 the entire Council is required and adoption of a resolution.

5) Jeffrey D. Schoen for applicant Adrian Lenczewski appealing the Zoning Commission DENIAL on July 3, 2007 to rezone 10.040 acres on the south side of Hardin Road, south of Highway 190, west of Pace Street, from MH Mobile Home to ID Institutional District. (Ward 8, District 14) (ZC07-07-047)

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.

6) Applicant Patricia LeBouef appealing the Zoning Commission DENIAL on July 3, 2007 to rezone 15,450 sq. ft. of land at the southeast corner of Highway 59 and Dupard Street, north of McNamara Street, from A-2 Suburban to LC Light Commercial. (Ward 4, District 10) (ZC07-07-049)

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.

7) P. J. Stakelum, III, and Richard P. Wilke appealing the Zoning Commission APPROVAL on July 3, 2007 of conditional use permit for 54,200 sq. ft. commercial building on the west side of Highway 21, south of Greenbriar Boulevard. (Ward 1, District 1) (CP07-06-097PR) (Applicant Kyle Associates, LLC, owner JSB, Hwy. 21, 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 the entire Council is required and adoption of a resolution.

ORDINANCES FOR ADOPTION

1) Ord. Cal. No. 3569 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and developer of Cypress Park Subdivision. (Ward 7, District 7) (Introduced 6/7/07) (Tabled 7/5/07)

2) Ord. Cal. No. 3589 - Ordinance to revoke a portion of unnamed street right-of-way in Chinchuba Subdivision. (Ward 4, District 4) (Brister) (Pre-introduced & referred to Planning Commission 7/5/07) (Planning Commission approved 7/10/07)

3) Ord. Cal. No. 3590 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on property that abuts Highway 59, or is located within a distance of two hundred (200') feet of the centerline of the highway, and which property, being situated along said highway, is in the area between the north side of Highway 1088 and the south side of I-12. (Ward 4, District 5) (Introduced 7/5/07)

4) Ord. Cal. No. 3591 - Ordinance to extend for an additional six (6) months the moratorium on submission and review of zoning and conditional use permit applications, planning commission review and issuance of building permit applications, for construction or placement of multi-family structures on property in unincorporated Council District 12. (Introduced 7/5/07)

5) Ord. Cal. No. 3592 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Brownsitch Road, east of Robert Road, west of Dauphine Street, containing 14 acres, from C-1 Neighborhood Commercial & SA Suburban Agricultural to ID Institutional. (Ward 8, District 9) (ZC07-02-007) (Zoning Commission Approved 6/5/07) (Introduced 7/5/07)

6) Ord. Cal. No. 3593 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Highway 190, east of Christa Drive, containing 2.6 acres, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 9, District 11) (ZC07-05-021) (Zoning Commission Approved 6/5/07) (Introduced 7/5/07)

7) Ord. Cal. No. 3594 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the southeast corner of Highway 59 and Henry Clay Avenue, north of Destin Street, west of Marigny Street, containing 16,884 sq. ft., from A-2 Suburban to LC Light Commercial. (Ward 4, District 10) (ZC07-05-024) (Zoning Commission Approved 6/5/07) (Introduced 7/5/07)

8) Ord. Cal. No. 3595 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Airport Road, north of Burns Road, containing 5 acres, from SA Suburban Agricultural to M-2 Intermediate Industrial. (Ward 3, District 2) (ZC07-06-026) (Zoning Commission Approved 6/5/07) (Introduced 7/5/07)

9) Ord. Cal. No. 3596 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Eike Street, south of Washington Street, north of Lincoln Street, containing 3.53 acres, from SA Suburban Agricultural to an A-3 Suburban District.

10) Ord. Cal. No. 3597 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Brownsitch Road, west of Military Road, containing 0.586 acres, from A-2 Suburban to LC Light Commercial. (Ward 8, District 9) (ZC07-06-029) (Zoning Commission Approved 6/5/07) (Introduced 7/5/07)

11) Ord. Cal. No. 3598 - Ordinance amending the official zoning map of St. Tammany to reclassify land north of Highway 22, east of Highway 1085, west of Oak Park Drive, containing 4.7 acres, from A-4 Single Family Residential to C-1 Neighborhood Commercial (2.082 acres) and C-2 Highway Commercial (2.618 acres). (Ward 1, District 1) (ZC07-06-030) (Zoning Commission Approved 6/5/07) (Introduced 7/5/07)

12) Ord. Cal. No. 3599 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Highway 22, west of Oullibert Road, north of Koepp Road, containing 8 acres, from A-3 Suburban to C-2 Highway Commercial. (Ward 1, District 1) (ZC07-06-031) (Zoning Commission Approved 6/5/07) (Introduced 7/5/07)

13) Ord. Cal. No. 3600 - Ordinance to amend Code, Appendix C, Land Use Regulations Ord. No. 523, Section 2.1502, to provide for change in permitted uses for M-2 Intermediate Industrial District. (ZC07-06-038) (Zoning Commission approved 6/5/07) (Introduced 7/5/07)

14) Ord. Cal. No. 3601 - Ordinance accepting finalized subdivisions into road & drainage inventories, specifically Normandy Oaks, Phase 1. (Ward 1, District 1) (Introduced 7/5/07)

15) Ord. Cal. No. 3602 - Ordinance to correct road inventory to include an approximate 675 foot extension of River Drive, an approximate 3,600 foot extension of Robinson Road, an approximate 613 foot extension of Meadow Lake Drive East, and an approximate 580 foot extension of Meadow Lake Drive West. (Ward 8, Districts 9 & 13) (Introduced 7/5/07)

16) Ord. Cal. No. 3603 - Ordinance to amend Code, Chapter 20, Article III, Road Lighting Districts, to add a new section creating Lighting District No. 16 for a portion of Ward 3, District 5. (Introduced 7/5/07)

17) Ord. Cal. No. 3604 - Ordinance amending Article III, Section 3-02 of the Home Rule Charter of the Parish of St. Tammany, to repeal the term limit provision for the office of Parish President. (Introduced 7/5/07)

18) Ord. Cal. No. 3605 - Ordinance authorizing the Parish President to execute a Cooperative Endeavor Agreement between the Parish and the Coroner for St. Tammany Parish. (Introduced 7/5/07)

19) Ord. Cal. No. 3606 - Ordinance establishing "No Thru Truck" zone on a portion of Fish Hatchery Road and Krentel Road. (Ward 7, District 7) (Introduced 7/5/07)

APPOINTMENTS

Resolution to appoint _____ to replace Sandip Chauhan (resigned) to the Hotel-Motel Assn. representative on the Tourist and Convention Commission. (Tabled 7/5/07)
Nominations of members from Hotel-Motel Association 6/7/07:

Huey W. Davis
1537 Susan Lane
Slidell, LA.

Jennifer Shutt
81150 Highway 1080
Folsom, LA. 70437

2) Resolution to appoint David Bates to replace Steve Schuler (moved out of District) to Sub-Drainage District No. 2 of Gravity Drainage District No. 5 (Meadowbrook).