

**AGENDA
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, JANUARY 17, 2008 AT 6:00 P.M.
21490 KOOP DRIVE, MANDEVILLE, LA.**

**Call to Order by Honorable Steve Stefancik, Parliamentarian
Invocation by
Pledge of Allegiance by**

**Roll Call: Marty Dean
Gary Cooper
James A. "Red" Thompson
R. Reid Falconer
Marty Gould
Rebecca Crawford-Howell
Steve Stefancik
Al Hamauei
Chris Canulette
E.L. "Gene" Bellisario
Henry Billiot
Jerry Binder
Richard "Richie" Artigue
Ken Burkhalter**

ELECTION OF OFFICERS/COUNCIL STAFF APPOINTMENTS

1) Resolution C.S. No. C-2253 - Resolution to appoint a Chairman of the Parish Council for the calendar year 2008.

2) Resolution C.S. No. C-2254 - Resolution to appoint a Vice-Chairman of the Parish Council for the calendar year 2008.

3) Resolution C.S. No. C-2268 - Resolution to reaffirm the appointment of Mike Sevante as Parish Council Administrator for the 2008 term.

4) Resolution C.S. No. C-2269 - Resolution to reaffirm the appointment of Diane Hueschen as Clerk of Council for the 2008 term.

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 December 6, 2007
Council Committee Meeting No December meeting**

**ORDINANCES FOR INTRODUCTION
(Public Hearing February 14, 2008)**

1) Ord. Cal. No. 3722 - Ordinance to amend Ordinance P.J.S. No. 94-2010, adopted July 21, 1994, amending the official zoning map of St. Tammany to reclassify 250.4 acres east of Highway 11, south of Eden Isles Boulevard, west of I-10 and north of Lakeview Drive, from SA, A-4 and A-6 to PUD, to provide major amendments to original PUD plan. (Ward 9, District 13) (ZC94-05-038) (Zoning Commission approved 12/4/07)

2) Ord. Cal. No. 3723 - Ordinance to amend Ordinance C.S. No. 06-1373, adopted September 7, 2006, amending the official zoning map of St. Tammany to reclassify 161.2 acres at the end of Briar Hollow Road, east of Highway 21, from SA to PUD, to provide major amendments to original PUD plan. (Ward 1, District 1) (ZC06-07-053) (Zoning Commission approved 12/4/07)

3) Ord. Cal. No. 3724 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the northwest corner of Highway 59 and McNamara Street, being Lot 70A, Sq. 197A, Town of Mandeville Subdivision, containing 10,320 sq. ft., from A-2 Suburban to LC Light Commercial. (Ward 4, District 10) (ZC07-12-069) (Zoning Commission approved 12/4/07)

4) Ord. Cal. No. 3725 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Regina Coeli Road, west of Highway 25, containing 15.695 acres, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 3, District 3) (ZC07-12-071) (Zoning Commission approved 12/4/07)

5) Ord. Cal. No. 3726 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Viola Street, east of Highway 59, containing 0.811 acres, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 4, District 5) (ZC07-12-072) (Zoning Commission approved 12/4/07)

6) Ord. Cal. No. 3727 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the northwest corner of Highway 59 and America Street, containing 0.57 acres, from A-2 Suburban to C-2 Highway Commercial. (Ward 4, District 10) (ZC07-12-073) (Zoning Commission approved 12/4/07)

7) Ord. Cal. No. 3728 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 1085, north of Highway 21, containing 4.61 acres, from SA Suburban Agricultural to ID Institutional. (Ward 1, District 1) (ZC07-12-078) (Zoning Commission approved 12/4/07)

8) Ord. Cal. No. 3729 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of C.S. Owens Road, west of Highway 1087, containing 1.59 acres, from Rural to ID Institutional. (Ward 1, District 1) (ZC07-12-081) (Zoning Commission approved 12/4/07)

9) Ord. Cal. No. 3730 - Ordinance concurring in the de-annexation Ordinance of the City of Covington, describing the area to be annexed into unincorporated St. Tammany Parish and the new boundaries thereof, and also classifying the annexed property as a PUD. (Ward 3, District 3)

10) Ord. Cal. No. 3731 - Ordinance to revoke a portion of Marigny Avenue right of way in Town of Mandeville Subdivision. (Ward 4, District 7) (Planning Commission approved 12/11/07)

11) Ord. Cal. No. 3732 - Ordinance to amend Code, Chapter 2, Article V, to provide for renaming of the St. Tammany Parish Arts Commission.

12) Ord. Cal. No. 3733 - Ordinance to amend Code, Chapter 18, Article IV, St. Tammany Parish Zoning Commission, to provide for Judicial Review of Council Decisions.

13) Ord. Cal. No. 3734 - Ordinance establishing a "No Parking" zone for both sides of a portion of Hard Hat Drive. (Ward 3, District 2)

14) Ord. Cal. No. 3735 - Ordinance to amend Code, Chapter 2, Article V, Tourist and Convention Commission, to provide for changes in membership, nominations and appointments.

15) Ord. Cal. No. 3736 - Ordinance to correct Road Inventory to include East Court, West Court, South Lane, Solar Court, Hano Drive, Green Thumb Lane, and Turtle Creek Subdivision, Phase 5-1-C Detention Pond. (Wards 2, 4 & 8, Districts 3, 7 & 13)

16) Ord. Cal. No. 3737 - Ordinance accepting finalized subdivisions into the Road and Drainage Inventories, specifically Hickory Dell, Highland Oaks, Phase 2, Southdown, Phase 3A, Southdown, Phase 3C, Tallow Creek, Phase 1F, Tallow Creek, Phase 1-I-1, Versailles, Phase 5A, and permission to enter right of way of Holly Drive in River Gardens Subdivisions. (Wards 1, 6 & 8, Districts 1, 6 & 9)

17) Ord. Cal. No. 3738 - Ordinance to amend the Parish Code of Ordinances, Chapter 15, to reestablish criminal penalties for intentional littering, commercial littering and littering per Sections referenced herein.

RESOLUTIONS

18) Resolution C.S. No. C-2255 - Resolution stating Council endorsement of Family Dollar Stores of Louisiana, Inc. (Lacombe) for participation in benefits of Louisiana Enterprise Zone Program.

19) Resolution C.S. No. C-2256 - Resolution stating Council endorsement of Fradella's Collision Center, Inc. for participation in benefits of Louisiana Enterprise Zone Program.

20) Resolution C.S. No. C-2257 - Resolution stating Council endorsement of Python Corporation for participation in benefits of Louisiana Enterprise Zone Program.

21) Resolution C.S. No. C-2258 - Resolution authorizing filing of an application with La. DOTD for grant under 49 CFR 5311, Non-Urbanized Area Formula Program and/or 49 CFR 5309, Discretionary Capital Program.

22) Resolution C.S. No. C-2259 - Resolution to concur/not concur with Town of Pearl River annexation and rezoning of 3 acres of land located at 38415 Highway Department Road, from Parish Rural District to Town of Pearl River B-2 Commercial District. (Ward 8, District 6)

23) Resolution C.S. No. C-2260 - Resolution establishing warranty obligations.

WARRANTY

NAME OF SUBDIVISION	RECOMMENDATION
Alamosa Park Subdivision, Phase 2B Amount: \$9,000 Extended at December 6, 2007 Meeting Ward: 4, District: 7	RELEASE L.O.C. ALREADY IN SELECTIVE PARISH MAINTENANCE SYSTEM
Arbor Walk Subdivision, Phase 4 Amount: \$31,100 Expires: January 10, 2009 Ward: 1, District: 1	RELEASE L.O.C. THIS IS A PRIVATE SUBDIVISION AND PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE
Bedico Creek Subdivision, Phase 1B Amount: \$22,500 Expires: March 17, 2008 Ward: 1, District: 1	RELEASE L.O.C. THIS IS A PRIVATE SUBDIVISION AND PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE
Castine Oaks Subdivision, Phase 1 Amount: \$2,700 Expires: February 23, 2008 Ward: 4, District: 10	CALL L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
Clipper Estates Subdivision, Phase 7B Amount: \$18,100 Expires: December 6, 2008 Ward: 9, District: 13	RELEASE L.O.C. THIS IS A PRIVATE SUBDIVISION AND PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE
Clipper Estates Subdivision, Phase 8 Amount: \$13,000 Expires: December 6, 2008 Ward: 9, District: 13	RELEASE L.O.C. THIS IS A PRIVATE SUBDIVISION AND PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE

Warranty Obligations continued:

NAME OF SUBDIVISION	RECOMMENDATION
<p>Marina Beau Chene Subdivision, Section 3 Amount: \$14,400 Expires: February 23, 2008 Ward: 4, District: 4</p>	<p>EXTEND ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED</p>
<p>Tallow Creek Subdivision, Phase 1G Amount: \$17,000 Expires: February 14, 2008 Ward: 1, District: 1</p>	<p>EXTEND ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED</p>
<p>Versailles Subdivision, Phase 5C Amount: \$75,400 Expires: January 24, 2008 Ward: 3, District: 1</p>	<p>RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM</p>
<p>Enter Parish R-O-W Resolution No. 05-246 Walden and Linden Streets and Eldora Avenue Tammany Terrace Subdivision, Phase 1 Amount: \$42,200 Expires: January 25, 2008 Ward: 3, District: 2</p>	<p>RELEASE L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM</p>

24) Resolution C.S. No. C-2261 - Resolution to amend Ordinance C.S. No. 07-1680, the 2008-2012 Capital Improvement Budget and Program, Fixed Asset and Grant Awards, to make changes to Council District 6 Road List to delete 4th Street and add Fourth Street.

25) Resolution C.S. No. C-2262 - Resolution to amend Ordinance C.S. No. 07-1680, the 2008-2012 Capital Improvement Budget and Program, Fixed Asset and Grant Awards.

26) Resolution C.S. No. C-2263 - Resolution supporting creation of a Cultural Products District and application to La. Department of Culture, Recreation and Tourism for the Lacombe and Big Branch Communities of unincorporated St. Tammany Parish. (Wards 4 & 7, District 7)

27) Resolution C.S. No. C-2264 - Resolution authorizing Parish President to purchase/expropriate property in vicinity of Airport Road in Slidell in conjunction with 2006-2010 Capital Improvement Projects as it pertains to the Airport Road-Slidell Connector Project.

28) Resolution C.S. No. C-2265 - Resolution authorizing Parish President to purchase/expropriate property in vicinity of Emerald Forest Boulevard in conjunction with 2006-2010 Capital Improvement Projects as it pertains to the Emerald Forest Boulevard Extension Project.

29) Resolution C.S. No. C-2266 - Resolution authorizing Parish President to purchase/expropriate property in the vicinity of Highway 21 and Bootlegger Road in conjunction with 2006-2010 Capital Improvement Projects as it pertains to Highway 21 Widening Project.

30) Resolution C.S. No. C-2267 - Resolution authorizing Parish President to purchase/expropriate property in the vicinity of Viola Road in conjunction with 2007-2011 Capital Improvement Projects as it pertains to the Viola Road Widening Project.

END OF CONSENT CALENDAR

APPEALS

1) Jeffrey D. Schoen, attorney for applicant PPQ Development, appealing the Zoning Commission DENIAL on December 4, 2007 to rezone 14.66 acres on the north side of I-12 at the end of the future extension of Ochsner Boulevard, from SA Suburban Agricultural to A-6 General Multi-Family Residential. (Ward 1, District 1) (ZC07-12-082)

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) Applicant Vincent F. Wynne, Jr. appealing the Zoning Commission DENIAL on December 4, 2007 to rezone 4.70 acres on the west side of Highway 1077, south of the junction of Highway 1077 and Highway 21, from Rural to C-1 Neighborhood Commercial. (Ward 1, District 1) (ZC07-12-079)

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) Applicant Vincent F. Wynne, Jr. appealing the Zoning Commission DENIAL on December 4, 2007 of conditional use permit for 83,750 sq. ft. mini-storage on the west side of Highway 1077, south of junction of Highway 1077 and Highway 21. (Ward 1, District 1)(CP07-12-209)

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 adoption of a resolution.

4) Applicant JoAnn Reed appealing the Zoning Commission DENIAL on December 4, 2007 to rezone 1.5 acres on the east side of Highway 59, north of Meiners Road, from A-3 Suburban to LC Light Commercial. (Ward 4, District 5) (ZC07-12-075)

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.

5) Jean Thomeczek, et al appealing the Zoning Commission APPROVAL on December 4, 2007 for issuance of a conditional use permit for 56,000 sq. ft. retail/mini storage facility on the south side of Highway 22, east of Woodridge Boulevard and west of Ridgewood Drive, in a C-2 Commercial District. (Ward 4, District 4) (CP02-04-029PR) (Applicant Joey Champagne)

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.

6) Janet L. Pittman, et al appealing the Zoning Commission APPROVAL on December 4, 2007 for issuance of a conditional use permit for a 2.46 acre horse farm on the north side of Woodlane Drive, west of Riverside Drive, in an A-2 Suburban District. (Ward 3, District 1) (CP07-12-210) (Applicant J. Michelle Miller)

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 thru 12/6/07)

2) Ord. Cal. No. 3696 - 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 situated along said highway is in the area between the north side of Highway 1088 and the south side of I-12 in Ward 4, District 5. (Introduced 12/6/07)

3) Ord. Cal. No. 3697 - 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 areas of Council District 12. (Introduced 12/6/07)

4) Ord. Cal. No. 3698 - Ordinance to amend Ordinance C.S. No. 07-1502, adopted February 1, 2007, amending the official zoning map of St. Tammany to reclassify 43.31 acres on the east side of Highway 1085, north of Brewster Road, across from Hough Road, from Rural to PUD, to provide major amendments to original PUD plan. (Ward 1, District 1) (ZC06-10-090) (Zoning Commission approved 11/6/07)(Introduced 12/6/07)

5) Ord. Cal. No. 3699 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Krentel Road, north of I-12, containing 5.84 acres, from SA Suburban Agricultural to M-2 Intermediate Industrial. (Ward 7, District 7) (ZC07-11-062) (Zoning Commission approved 11/6/07) (Introduced 12/6/07)

6) Ord. Cal. No. 3700 - Ordinance to amend Parish Code, Appendix C, Land Use Ord. 523, Section 5.0316, to provide for change in Commercial Signage Regulations. (ZC07-11-068) (Zoning Commission approved 11/6/07) (Introduced 12/6/07)

7) Ord. Cal. No. 3701 - Ordinance to correct road inventory to include Bollifield Road and to remove approximately 2,528 feet from Branch Crossing Drive. (Ward 3, District 2)(Introduced 12/6/07)

8) Ord. Cal. No. 3702 - Ordinance to authorize the Parish President to accept Act of Donation from Velvet Pines Developers, LLC, of a parcel of land on Penn Mill Road. (Ward 3, District 3) (Introduced 12/6/07)

9) Ord. Cal. No. 3703 - Ordinance to revoke a portion of Arc Road right of way in Ward 1, District 1. (Planning Commission approved 11/13/07) (Introduced 12/6/07)

10) Ord. Cal. No. 3704 - Ordinance to adopt Voluntary Developmental Agreement between the Parish and developer of Chapel Creek Condominiums and Retail Development Subdivision. (Ward 4, District 4) (Introduced 12/6/07)

11) Ord. Cal. No. 3705 - Ordinance to amend Parish Code, Appendix B, Subdivision Regulatory Ordinance 499, to create a preamble to Section 40-084.0 Mobile Home Parks. (Planning Commission approved 11/13/07) (Introduced 12/6/07)

12) Ord. Cal. No. 3706 - Ordinance to authorize the Parish President to purchase and/or expropriate certain parcel(s) of land in conjunction with Capital Improvement Projects. (Introduced 12/6/07)

13) Ord. Cal. No. 3708 - Ordinance to impose a six (6) month moratorium on the receipt of submissions by both the Parish Planning Department and the Parish Planning Commission for the resubdivision of property within Lewisburg Estates Subdivision and a portion of Old Golden Shores Subdivision within unincorporated boundaries of Ward 4, District 4. (Introduced 12/6/07)

14) Ord. Cal. No. 3709 - Ordinance to authorize the Parish President to negotiate and accept an Act of Donation and Dedication of land for right of way from the Archdiocese of New Orleans, St. Genevieve Catholic Church and/or St. Joseph's Abbey, Inc. (Ward 9, District 11) (Introduced 12/6/07)

15) Ord. Cal. No. 3710 - Ordinance to authorize the Parish President to negotiate and execute an Agreement with the Archdiocese of New Orleans and St. Genevieve Catholic Church for use of a portion of Parish right of way for construction and utilization of a parking area. (Ward 9, District 11) (Introduced 12/6/07)

16) Ord. Cal. No. 3711 - Ordinance to amend Ord. C.S. No. 07-1676, adopted October 4, 2007, authorizing the Parish to accept the dedication of a right of way on the north side of I-12 at the former rest area, to add an additional donor entity, Quality Properties, Inc. (Ward 1, District 1) (Introduced 12/6/07)

17) Ord. Cal. No. 3712 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Highway 1088, east of Trinity Drive, west of Forest Brook Boulevard, containing 28 acres, from SA Suburban Agricultural and C-1 Neighborhood Commercial to a PUD. (Ward 4, Districts 5 & 7) (ZC07-01-001)(Introduced from appeal 12/6/07)

18) Ord. Cal. No. 3713 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the south side of Highway 22, west of Penns Chapel Road, containing 90.62 acres, from SA Suburban Agricultural to PUD. (Ward 4, District 4) (ZC07-10-059) (Introduced from appeal 12/6/07)

19) Ord. Cal. No. 3714 - Ordinance amending the official zoning map of St. Tammany to reclassify land at the end of Kathman Road, north of Adrienne Street, containing 123 acres, from Rural to a PUD. (Ward 1, District 1) (ZC07-06-037)(Introduced from appeal 12/6/07)

20) Ord. Cal. No. 3715 - Ordinance amending the official zoning map of St. Tammany to reclassify land at the southeast corner of Lonesome Road and Highway 190, containing 3.134 acres, from SA Suburban Agricultural to C-1 Neighborhood Commercial. (Ward 4, District 10) (ZC07-11-064)(Introduced from appeal 12/6/07)

21) Ord. Cal. No. 3716 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of West 21st Avenue, east of Pine Air Drive, containing 1.07 acres, from SA Suburban Agricultural to LC Light Commercial. (Ward 3, District 3) (ZC07-10-060) (Introduced from appeal 12/6/07)

22) Ord. Cal. No. 3717 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north side of Highway 190, east of North Oaklawn Drive, west of North Mill Road, containing 2.79 acres, from SA Suburban Agricultural to LC Light Commercial. (Ward 7, District 7) (ZC07-11-061) (Introduced from appeal 12/6/07)

23) Ord. Cal. No. 3718 - Ordinance authorizing the Parish President to execute documents in connection with maintenance responsibility for drainage within Highway 1088 right of way near its intersection with Interstate 12, and inclusion of said drainage feature in the Parish Selective Drainage Inventory. (Introduced 12/6/07)

24) Ord. Cal. No. 3720 - Ordinance to impose a six (6) month moratorium on approval of rezoning, issuance of conditional use permits and issuance of plan review permits, not previously received, for property abutting the Highway 21 Planned Corridor from Keys Road North to the Tchefuncte River. (Ward 1, District 1) (Introduced 12/6/07)

25) Ord. Cal. No. 3721 - Ordinance to establish descriptions and combine fire rating of territories within Fire Protection District No. 1. (Introduced 12/6/07)

APPOINTMENTS

1) Resolution C.S. No. C-_____ - Resolution to reappoint Debra Landor, Dwight Smith, Mike Sevante, Jackie Schneider, Joe Allen (terms expired) and to appoint Wendy Batiste to replace Harold Lewis (resigned) to Recreation District No. 4 (Lacombe).

2) Resolution C.S. No. C-_____ - Resolution to reappoint Barry D. Bagert to St. Tammany Parish Hospital Service District No. 2 Appointing Authority for a two (2) year term.

OTHER MATTERS

Assessor's Office appearance regarding funding request for aerial photography project.