

**AGENDA
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, FEBRUARY 14, 2008 AT 6:00 P.M.
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.**

Call to Order by Honorable Jerry Binder, Chairman

Invocation by

Pledge of Allegiance by

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

PRESENTATIONS

- 1) Recognize Smith's Sporting Goods of Slidell, LLC, as February Business of the Month.**
- 2) Report by Patricia Brister, Executive Director of Northshore Business Council.**

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	January 17, 2008
Council Committee Meeting	No January meeting

**ORDINANCES FOR INTRODUCTION
(Public Hearing March 6, 2008)**

- 1) 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. (Tabled 1/17/2008)**
- 2) Ord. Cal. No. 3738 - Ordinance to amend Code, Chapter 15, to reestablish criminal penalties for intentional littering, commercial littering and littering per Sections referenced herein. (Tabled 1/17/2008)**
- 3) Ord. Cal. No. 3744 - Ordinance authorizing the Parish President to accept the dedication of streets, rights of way and drainage servitudes within Timberlane Subdivision, Phases 1 and 2. (Ward 1, District 1)**

- 4) Ord. Cal. No. 3745 - Ordinance amending the official zoning map of St. Tammany to reclassify land at the end of North 12th Street, east of Highway 190, north of Harrison Avenue, containing 21.28 acres, from SA Suburban Agricultural to PUD (Planned Unit Development). (Ward 3, District 3) (ZC07-11-065) (Zoning Commission approved 1/2/2008)
- 5) Ord. Cal. No. 3746 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the west side of Highway 190, north of Avery Estates, containing 51.458 acres, from MH Mobile Home District to PUD (Planned Unit Development). (Ward 8, District 13) (ZC07-12-077) (Zoning Commission approved 1/2/2008)
- 6) Ord. Cal. No. 3747 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the southeast corner of Highway 25 and River Road, containing 3.898 acres, from A-2 Suburban to C-2 Highway Commercial. (Ward 3, District 3) (ZC07-12-080) (Zoning Commission approved 1/2/2008)
- 7) Ord. Cal. No. 3748 - Ordinance to amend Ord. C.S. No. 01-0363, adopted September 6, 2001, which amended the official zoning map of St. Tammany to reclassify 66.36 acres on the east side of Highway 25, north of Liskey Road, south of Million Dollar Road, from A-1 to PUD, to provide major amendments to the original PUD plan. (Ward 3, District 2) (ZC01-07-048) (Zoning Commission approved 1/2/2008)
- 8) Ord. Cal. No. 3749 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the north and west sides of Million Dollar Road, south of Riverside Drive, containing 105.68 acres, from SA Suburban Agricultural and Rural to A-1 Suburban. (Wards 2 & 3, District 2) (ZC08-01-001) (Zoning Commission approved 1/2/2008)
- 9) Ord. Cal. No. 3750 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the east side of Highway 59, north of Mire Drive, containing 0.44 acres, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 3, District 7) (ZC08-01-002) (Zoning Commission approved 1/2/2008)
- 10) Ord. Cal. No. 3751 - Ordinance amending the official zoning map of St. Tammany to reclassify land west of Carroll Road, north of Garden Drive, south of Liberty Drive, being Lot 27, Bayou Liberty Garden Subdivision, containing 32,600 sq. ft., from A-3 Suburban to C-1 Neighborhood Commercial. (Ward 9, District 11) (ZC08-01-003) (Zoning Commission approved 1/2/2008)
- 11) Ord. Cal. No. 3752 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the northeast corner of Amber Street and Coral Avenue, being Lots 4 and 5, Square 16, Pearl Acres Subdivision, containing 2 acres, from A-3 Suburban to C-1 Neighborhood Commercial. (Ward 8, District 8) (ZC08-01-006) (Zoning Commission approved 1/2/2008)
- 12) Ord. Cal. No. 3753 - Ordinance to correct the parish road inventory to remove Honey Island Marina Road and correct parish drainage inventory to include Hunters Glen Lateral Ditch. (Wards 4 & 8, Districts 10 & 13)
- 13) Ord. Cal. No. 3754 - Ordinance accepting finalized subdivisions into parish road and drainage inventories, specifically Grande Maison, Phase 1, and Willow bend, Phase 2. (Wards 1 & 4, Districts 1 & 5)
- 14) Ord. Cal. No. 3755 - Ordinance to amend Ord. C.S. No. 06-1415, the 2007-2011 Capital Improvements Budget and Program, and to further identify changes to the Capital Improvement List for 2007-2011.
- 15) Ord. Cal. No. 3756 - Ordinance amending the 2008 Operating Budget (to include cost associated with computerized aerial image system).
- 16) Ord. Cal. No. 3757 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for the construction or placement of building structures on certain property within a portion of Tammany Forest Subdivision. (Ward 7, District 7)

17) Ord. Cal. No. 3758 - Ordinance to extend for an additional six (6) months the moratorium on placement of fill on undeveloped property within a portion of Tammany Hills Subdivision. (Ward 3, District 5)

18) Ord. Cal. No. 3759 - Ordinance to extend for an additional six (6) months the moratorium on receipt of submissions by Parish Zoning and Planning Commissions for rezoning or resubdivision of property not previously applied for and located north of I-12, abutting or having access to Airport Road. (Ward 9, District 11)

19) Ord. Cal. No. 3760 - Ordinance to amend Parish Code, Appendix C, Land Use Ord. 523, Ward 4 Comprehensive Rezoning, and the official zoning map of St. Tammany to reclassify certain land within Heritage Heights Subdivision. (Ward 4, District 5)

20) Ord. Cal. No. 3761 - Ordinance to amend Ord. C.S. No. 07-1496, adopted January 4, 2007, and Ord. C.S. No. 07-1588, adopted June 7, 2007, to make changes to polling locations.

RESOLUTIONS

21) Resolution C.S. No. C-2279 - Resolution establishing warranty obligations.

NAME OF SUBDIVISION	RECOMMENDATION
Coquille Subdivision, Phase 1 Amount: \$62,100 Expires: March 7, 2008 Ward 1, District 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Grand Oaks Subdivision, Phase 1 Amount: \$22,100 Expires: March 22, 2008 Ward 1, District 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Oak Plain Subdivision, Phase 1 Amount: \$17,100 Expires: May 3, 2008 Ward 8, District 13	RELEASE L.O.C. TO BE BROUGHT INTO SELECTIVE PARISH MAINTENANCE SYSTEM
Tallow Creek Subdivision, Phase 1G Amount: \$17,000 Expires: February 14, 2008 Ward 1, District 1	RELEASE L.O.C. TO BE BROUGHT INTO SELECTIVE PARISH MAINTENANCE SYSTEM

22) Resolution C.S. No. C-2280 - Resolution certifying that St. Tammany Parish Government has no bond funding sufficient to fund the project entitled "East St. Tammany Wastewater Regionalization".

23) Resolution C.S. No. C-2281 - Resolution certifying that St. Tammany Parish Government has no bond funding sufficient to fund the project entitled "UNO Technology Park Drainage, Sewer and Water Extensions and Road".

24) Resolution C.S. No. C-2282 - Resolution certifying that St. Tammany Parish Government has no bond funding sufficient to fund the project entitled "West St. Tammany Wastewater Regionalization".

25) Resolution C.S. No. C-2283 - Resolution requesting the U.S. Army Corps of Engineers amend the district boundaries of the Mississippi Valley Division to include all of St. Tammany Parish within the Vicksburg District.

26) Resolution C.S. No. C-2284 - Resolution authorizing the temporary change of polling place for Voting Precincts 806 and 816 from Grace Memorial Baptist Church to Little Oak Elementary School effective only for the March 8, 2008 election date.

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) (Tabled 1/17/2008)

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 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) (Tabled 1/17/2008)

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.

3) Applicant Leroy J. Cooper appealing the Zoning Commission DENIAL on January 2, 2008 to rezone 13.3 acres on the west side of Highway 59, north of Walder Road, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 4, District 10) (ZC08-01-005)

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) Paul A. Lea, Jr. appealing the Zoning Commission APPROVAL on January 2, 2008 to rezone 2.223 acres at the end of East Brewster Road, east of Highway 21, south of I-12, from SA Suburban Agricultural to C-2 Highway Commercial. (Ward 1, District 1) (ZC07-12-076) (Applicant Patrick and Paul Hodgins, owner Maurmont Properties, LLC) (APPEAL ITEMS 4 AND 5 GO TOGETHER)

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) Paul A. Lea, Jr. appealing the Zoning Commission APPROVAL on January 2, 2008 of a conditional use permit for an apartment complex at the end of East Brewster Road, east of highway 21, south of I-12. (Ward 1, District 1) (CP08-01-009) (Applicant Patrick and Pam Hodgins, owner Maurmont Properties, LLC) (APPEAL ITEMS 5 AND 4 GO TOGETHER)

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) Applicant Ronald Wheat appealing the Zoning Commission DENIAL on January 2, 2008 of a conditional use permit for a 1,216 sq. ft. mobile home on the north side of Willow Street, east of Maple Drive (Lots 12 & 13, River Gardens Subdivision). (Ward 8, District 9) (CP08-01-001)

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.

7) Applicant Kathy Bass appealing the Zoning Commission DENIAL on January 2, 2008 of a conditional use permit for a 768 sq. ft. mobile home on the north side of Sigrid Lane, west of Donya Avenue (Lot 13, Sq. B, Browns Village Subdivision). (Ward 9, District 6) (CP08-01-006)

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.

8) Heidi Pellegrin appealing the Zoning Commission APPROVAL on January 2, 2008 of a conditional use permit for a 2,560 sq. ft. mobile home on the south side of Home Estates Drive, east of Camp Villere Road. (Ward 9, District 11) (CP08-01-014) (Applicant Yvette L. Williams)

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.

9) Carlo Hernandez appealing the Zoning Commission APPROVAL on January 2, 2008 to rezone 1.718 acres on the north side of Highway 1088, east of Highway 59, from SA Suburban Agricultural to LC Light Commercial. (Ward 4, District 5) (ZC08-01-004) (Applicant Jeff Schoen, owner Diane M. Cooper, et al)

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.

10) Misty Labat, et al appealing the Zoning Commission APPROVAL on January 2, 2008 of a conditional use permit for retail facility over 20,000 sq. ft. on the west side of Highway 21, south of Cherokee Rose Lane. (Ward 1, District 1) (CP07-09-157PR) (Applicant Markovich appealed original denial; case was referred back to Zoning Commission with land to be exempt from moratorium imposed by Ord. C.S. No. 08-1741 adopted 12/6/2007)

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 1/17/2008)

2) 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) (Introduced 1/17/2008)

3) 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) (Introduced 1/17/2008)

4) 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) (Introduced 1/17/2008)

5) 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) (Introduced 1/17/2008)

6) 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) (Introduced 1/17/2008)

7) 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) (Introduced 1/17/2008)

8) 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) (Introduced 1/17/2008)

9) 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) (Introduced 1/17/2008)

10) 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) (Introduced 1/17/2008)

11) 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) (Introduced 1/17/2008)

12) Ord. Cal. No. 3732 - Ordinance to amend Code, Chapter 2, Article V, to provide for renaming of the St. Tammany Parish Arts Commission. (Introduced 1/17/2008)

13) 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. (Introduced 1/17/2008)

14) Ord. Cal. No. 3734 - Ordinance establishing a "No Parking" zone for both sides of a portion of Hard Hat Drive. (Ward 3, District 2) (Introduced 1/17/2008)

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) (Introduced 1/17/2008)

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) (Introduced 1/17/2008)

17) Ord. Cal. No. 3739 - Ordinance 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. (Introduced 1/17/2008)

18) Ord. Cal. No. 3740 - Ordinance 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. (Introduced 1/17/2008)

19) Ord. Cal. No. 3741 - Ordinance 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. (Introduced 1/17/2008)

20) Ord. Cal. No. 3742 - Ordinance 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. (Introduced 1/17/2008)

21) Ord. Cal. No. 3743 - Ordinance to ratify Ord. C.S. No. 07-1713, adopted 12/6/2007, which declared Lots 7 and 8, Square 39, Spanish Trail Highlands Subdivision, as surplus property and authorized the sale of said lots. (Introduced 1/17/2008)

NOMINATIONS

1) Resolution C.S. No. C-____ - Resolution to appoint _____ and _____ to the St. Tammany Tourist and Convention Commission. (Incumbents with expired terms are Connie Born and Evans Spiceland). (Parishwide)

2) Resolution C.S. No. C-____ - Resolution to reappoint Dr. Peter J. Gerone, William Hathaway and Eugene A. Garcia (terms expired) and to appoint _____ to replace Russell D. Crawford (resigned) to Mosquito Abatement District No. 2. (Parishwide)

APPOINTMENTS

1) Resolution C.S. No. C-____ - Resolution to appoint Robert A. Whelan to replace Joseph F. Fitzpatrick, Jr. (term expired) to Recreation District No. 1.

2) Resolution C.S. No. C-____ - Resolution to reappoint Alvin Roussel, Jr. to Fire Protection District No. 5.

3) Resolution C.S. No. C-____ - Resolution to reappoint Willie Richardson, Jr., Antoine Brumfield, Fred Oswald and Lonnie Allen (terms expired) to Recreation District No. 12.

4) Resolution C.S. No. C-____ - Resolution to reappoint Glynn E. Huhn, Kathy Nastasi, Wayne Jacob and Pierre Fabre (terms expired) to Water District No. 2.

EXECUTIVE SESSION

Lawsuit entitled: "Carrie Norval vs. St. Paul Fire and Marine, Inc. Co., et al"
22nd JDC No. 07-10086-A