

**PUBLISHED JULY 31, 2008 AND POSTED AT PARISH COMPLEX BY AUGUST 5, 2008**

**AGENDA**

**ST. TAMMANY PARISH COUNCIL MEETING  
THURSDAY, AUGUST 7, 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 Crawford-Howell**
- Jerry Binder**
- Al Hamauei**
- Chris Canulette**
- E. L. Gene Bellisario**
- Henry Billiot**
- Steve Stefancik**
- Richard Artigue**
- Ken Burkhalter**

**DISCUSSION**

**1) Public Hearing regarding the August 29, 2008 deadline for removal of FEMA trailers from private property in St. Tammany Parish. (Burkhalter)**

**PRESENTATIONS**

**1) Certificates of Recognition to Spencer Ragas and Andrew Pliney for earning the rank of Eagle Scout with Boy Scout Troop 310. (Gould)**

**2) Certificate of Recognition to Vincent DeLucca for earning the rank of Eagle Scout with Boy Scout Troop 365. (Hamauei)**

**3) Certificates of Recognition to the founders of the Liars and Lunkers Bass Fishing Club for creating and hosting the "Lock One Little Ones" Annual Fishing Tournament for Children. (Crawford-Howell)**

**CONSENT CALENDAR**

**Any items not pulled from the Consent Calendar are automatically approved in whole by one vote. Items pulled from the Consent Calendar are discussed and voted upon individually.**

**MINUTES**

- Regular Council Meeting July 3, 2008**
- Council Committee Meeting July 30, 2008**
- Special Council Meeting July 30, 2008**

**ORDINANCES FOR INTRODUCTION  
(Public Hearing September 4, 2008)**

1) Ord. Cal. No. 3840 - Ordinance amending official zoning map of St. Tammany to reclassify land south of Highway 190, east of Leaning Oak Drive containing 32,333 sq. ft. from A-3 Suburban to C-1 Neighborhood Commercial. (Ward 8, District 14) (ZC08-04-016)(Zoning Commission approved 5/6/08)(Tabled 6/5/08 and 7/3/08) (Binder/Davis)

Parish Council Meeting

August 7, 2008

Page 2

2) Ord. Cal. No. 3866 - Ordinance amending official zoning map of St. Tammany to reclassify land west of Courtano Drive, south of Harrison Avenue containing 28,800 square feet from A-2 Suburban to C-1 Neighborhood Commercial. (Ward 3, District 5)(ZC08-06-028)(Zoning Commission approved 6/3/08) (Tabled 7/3/08) (Binder/Davis)

3) Ord. Cal. No. 3892 - Ordinance to extend for an additional six (6) months the moratorium on the 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) (Hamauei)

4) Ord. Cal. No. 3893 - Ordinance to extend for an additional six (6) months the moratorium on submissions for rezoning or resubdivision of property located north of Interstate 12 and abutting or accessing Airport Road. (Ward 9, District 11) (Stefancik)

5) Ord. Cal. No. 3894 - Ordinance to amend and 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) (Gould)

6) Ord. Cal. No. 3895 - Ordinance to rename E. Fairway Drive Extension as Judge Tanner Boulevard. (Gould)

7) Ord. Cal. No. 3896 - Ordinance establishing a "No Thru Trucks" Zone on Slemmer Road. (Ward 3, District 5) (Gould)

8) Ord. Cal. No. 3897 - Ordinance establishing a "No Thru Trucks" Zone on both sides of Beech Street and Dove Park Road. (Ward 4, District 5) (Gould)

9) Ord. Cal. No. 3898 - Ordinance establishing a "No Parking" Zone on both sides of Powell Drive from Highway 11 to Powell Road. (Ward 9, District 14) (Burkhalter)

10) Ord. Cal. No. 3899 - Ordinance amending the official zoning map of St. Tammany to reclassify land on the northwest corner of Highway 59 & Labarre Street containing 0.121 acres from A-2 (Suburban) to C-2 (Highway Commercial).(Ward 4, District 10) (ZC08-07-036) (Zoning Commission approved 7/8/08) (Binder/Davis)

11) Ord. Cal. No. 3900 - Ordinance to amend Land Use Regulatory Ordinance No. 523, Section 5.1606.D.1, relative to landscaping within a utility easement when the utility easement is located within the street planting area. (ZC08-07-038)(Zoning Commission approved 7/8/08) (Binder/Davis)

12) Ord. Cal. No. 3901 - Ordinance establishing a "No Parking" Zone on a portion of both sides of Defiance Drive. (Ward 8, District 13) (Artigue)

13) Ord. Cal. No. 3902 - Ordinance to amend the Unified Development Code, Volume 1 - Zoning, relative to the Comprehensive Rezoning of the South Central Study Area. (Binder/Davis)

14) Ord. Cal. No. 3903 - Ordinance to amend the Unified Development Code, Volume 1 – Zoning, by adopting the new zoning designations of PF-2 Public Facilities District, PF-3 Public Facilities District and TND-1

**Traditional Neighborhood Development District and amending the adopted TND Traditional Neighborhood Development District to be designated as a TND-2 Traditional Neighborhood Development District.(Binder/Davis)**

**15) Ord. Cal. No. 3904 - Ordinance to waive Subdivision Regulations Ordinance No. 499; Sec. 40-032.04; Paragraph 1. (e) which prohibits placement of sub-surface drainage longitudinally under any new roadway course. (Planning Commission Approved July 8, 2008) (Binder/Davis)**

**16) Ord. Cal. No. 3905 - Ordinance to correct the Drainage Inventory to include certain drainage ditches. (Districts 1, 2, 3, 6, 7, 8, 9, 10 &13) (Binder/Davis)**

**17) Ord. Cal. No. 3906 - Ordinance to correct the road inventory to include an extension to Jenkins Cemetery Road. (Ward 5, District 2) (Binder/Davis)**

**Parish Council Meeting**

**August 7, 2008**

**Page 3**

**18) Ord. Cal. No. 3907 - Ordinance authorizing the Parish President to enter into negotiations with one or more qualified proposers and to execute a contract or contracts with the qualified proposer(s) to the St. Tammany Parish Request for Proposal #450-13-08-03-3 for transit service dated July 10, 2008. (Binder/Davis)**

**19) Ord. Cal. No. 3908 - Ordinance amending Parish Code of Ordinances, Article II, Watercraft Speed Limits, Section 15-006.00a, to provide for inclusion of the private canals of Lakeshore Estates under the “dead slow, no wake” zones. (Ward 9, District 13) (Artigue)**

**20) Ord. Cal. No. 3909 - Ordinance to amend the Parish Unified Development Code, Article 6, Overlays to add Section 6.06, Mixed Use Overlay. (Gould)**

#### **RESOLUTIONS**

**21) Resolution C.S. No. C-2415 - Resolution to concur/not concur with the City of Slidell Annexation and rezoning of 1 acre from C-2 Highway Commercial to City of Slidell C-4 Highway Commercial located on West Lindberg Drive between Gause Boulevard & Fremaux Drive. (Ward 8, District 14)(Tabled 7/3/08)**

**22) Resolution C.S. No. C-2436 - Resolution approving an election in Sewer District No. 6 to authorize the sale of facilities of the District. (Binder/Davis)**

**23) Resolution C.S. No. C-2437 - Resolution establishing Warranty Obligations. (Binder/Davis)**

#### **WARRANTY**

| <b><u>NAME OF SUBDIVISION</u></b>   | <b><u>RECOMMENDATION</u></b>   |
|---|--|
| <b>Stonebridge at Madisonville S/D<br/>Amount: \$16,000<br/>Expires: January 23, 2009<br/>Ward:1, District: 1</b> | <b>RELEASE L.O.C.<br/>TO BE BROUGHT INTO THE SELECTIVE<br/>PARISH MAINTENANCE SYSTEM</b> |
| <b>Madison Farms Phase 6 &amp; 7<br/>Amount: \$59,600<br/>Expires: September 22, 2008<br/>Ward:1, District: 1</b> | <b>RELEASE L.O.C.<br/>TO BE BROUGHT INTO THE SELECTIVE<br/>PARISH MAINTENANCE SYSTEM</b> |

**24) Resolution C.S. No. C-2438 - Resolution stating Parish Council endorsement of Key Electronics, LLC for participation in the Louisiana Enterprise Zone Program. (Binder/Davis)**

**25) Resolution C.S. No. C-2439 - Resolution stating Parish Council endorsement of Silva & Associates, LLC for participation in the Louisiana Enterprise Zone Program. (Binder/Davis)**

26) Resolution C.S. No. C-2440 - Resolution stating Parish Council endorsement of Notami Hospitals of LA, Inc. D/B/A Lakeview Regional Medical Center for participation in the Louisiana Enterprise Zone Program. (Binder/Davis)

27) Resolution C.S. No. C-2441 - Resolution to amend Ordinance C.S. No. 07-1680 - 2008-2012 Capital Improvement Budget, Fixed Assets and Grant Awards. (Binder/Davis)

28) Resolution C.S. No. C-2442 - Resolution to amend Ordinance C.S. No. 07-1680 - 2008-2012 Capital Improvement Budget, Fixed Assets and Grant Awards. (Binder/Davis)

29) Resolution C.S. No. C-2443 - Resolution to support Parish's application for assistance from the Recreational Trails Program to reroute Tammany Trace around four acres of land dedicated for the construction of Trailhead Enhancements. (Binder/Davis)

30) Resolution C.S. No. C-2444 - Resolution to support Tammany Trace Foundation's application for assistance from Recreational Trails Program to construct the Old Fields Plateau Interpretive Trail at the Camp Salmen Nature Park. (Binder/Davis)

Parish Council Meeting

August 7, 2008

Page 4

31) Resolution C.S. No. C-2445 - Resolution establishing Adjusted Millage Rate for the year 2008. (Binder/Davis)

32) Resolution C.S. No. C-2446 - Resolution reestablishing the Legal Maximum Millage Rates for the year 2008. (Binder/Davis)

33) Resolutions C.S. No. C-2447 - Resolution to establish authorized signatories for Grant applications, submissions and agreements regarding funds applicable to transit service to be provided within the Parish. (Binder/Davis)

34) Resolution C.S. No. C-2448 - Resolution to concur/not concur with Covington annexation and rezoning of 1.67 acres from Parish SA Suburban Agricultural to Covington C-2 Commercial District located at Section 32, Township 6 South, Range 11 East (Commercial on Hwy 190) and 17.776 acres from Parish PUD Planned Unit Development to Covington PRD Planned District located at Section 32, Township 6 South, Range 11 East (Residential in Brakley Parc, Phase II-A). (Ward 3, District 3)(Binder/Davis)

### END OF CONSENT CALENDAR

### APPEALS

1) Carlo Hernandez appealing the Zoning Commission APPROVAL on June 3, 2008 to amend St. Tammany Parish Land Use Ordinance No. 523, 2.10 LC(Light Commercial) District. (ZC08-06-029) (Related to Item #1 Ordinances for Adoption-Ord. Cal. No. 3790AA)(Tabled 7/3/08)

NOTE: To concur with Zoning APPROVAL, a simple majority vote is required and adoption of Ordinance Calendar No. 3790AA.

NOTE: To override Zoning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution and removal of Ord. Cal. No. 3790AA.

2) Daniel S. Covey appealing the Planning Commission APPROVAL on June 10, 2008 of Preliminary Subdivision Review of Autumn Creek II (Resubmitted). (Ward 1, District 1) (SD06-06-020P)(Applicant Cooper Engineering, Inc.) (Tabled 7/3/08)

**NOTE:** To concur with Planning APPROVAL, a simple majority vote is required and adoption of a resolution.

**NOTE:** To override Planning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution.

3) Daniel S. Covey appealing the Planning Commission APPROVAL on June 10, 2008 of Preliminary Subdivision Review of Autumn Creek II, Phase 2(Resubmitted).(Ward 1, District 1) (SD06-08-028P2)(Applicant Cooper Engineering, Inc.) (Tabled 7/3/08)

**NOTE:** To concur with Planning APPROVAL, a simple majority vote is required and adoption of a resolution.

**NOTE:** To override Planning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution.

4) Daniel S. Covey appealing the Planning Commission APPROVAL on June 10, 2008 of Preliminary Subdivision Review of Autumn Creek II, Phase 3(Resubmitted).(Ward 1, District 1) (SD06-09-032P3)(Applicant Cooper Engineering, Inc.) (Tabled 7/3/08)

**NOTE:** To concur with Planning APPROVAL, a simple majority vote is required and adoption of a resolution.

**NOTE:** To override Planning APPROVAL, a majority vote of the entire Council is required and adoption of a resolution.

Parish Council Meeting

August 7, 2008

Page 5

5) John Taylor appealing the Zoning Commission APPROVAL on July 1, 2008 to rezone Lots 1-12, Square 80, Oaklawn Subdivision located south of Highway 190, east of 16<sup>th</sup> Street and west of 15<sup>th</sup> Street. (Ward 7, District 7)(ZC08-07-041).

**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.

### ORDINANCES FOR ADOPTION (Public Hearing)

1) Ord. Cal. No. 3790AA - Ordinance amending Parish Code, Appendix C, Land Use Regulatory Ord. 523, Section 2.10, LC Light Commercial District, to provide adjustments in square feet of floor space for office and professional buildings, for assisted living centers, adjustment in minimum lot area and minimum area regulations. (ZC08-06-029) (Zoning Commission approved on 6/3/08)(Reintroduced 6/5/08)(Related to Appeal #1)(Tabled 7/3/08)

2) Ord. Cal. No. 3807 - Ordinance authorizing the Parish to accept dedication and donation of streets, rights of way and drainage servitudes situated within Parc du Lac Subdivision. (Ward 4, District 10) (Introduced 4/3/08 and referred to Planning Commission)(Tabled 5/1/08 - 7/3/08)

3) Ord. Cal. No. 3864 - Ordinance amending official zoning map of St. Tammany to reclassify land on northeast corner of Browns Village Road & Commercial Drive containing 1.5 acres from M-1 Light Industrial to M-3 Heavy Industrial. (Ward 8, District 14) (ZC08-05-027)(Zoning Commission approved 6/3/08)(Introduced 7/3/08)

4) Ord. Cal. No. 3865 - Ordinance amending official zoning map of St. Tammany to reclassify land west of Highway 11, north of Frickie Road, south of Mechanical Boulevard containing 3.623 acres from C-1 Neighborhood Commercial to C-2 Highway Commercial.(Ward 8, District 14)(ZC07-06-034)(Zoning Commission approved 6/3/08)(Introduced 7/3/08)

5) Ord. Cal. No. 3867 - Ordinance amending official zoning map of St. Tammany to reclassify land south of Brownsitch Road, west of Highway 1090, east of Walnut Street containing 0.57 acres from A-3 Suburban to C-2 Highway Commercial.(Ward 8, District 9)(ZC08-06-030)(Zoning Commission approved 6/3/08)(Introduced 7/3/08)

6) Ord. Cal. No. 3868 - Ordinance amending official zoning map of St. Tammany to reclassify land north of Little Creek Road, east of Highway 59 containing 64.295 acres from SA Suburban Agricultural & C-2 Highway Commercial ID Institutional. (Ward 4, District 7)(ZC08-06-032)(Zoning Commission approved 6/3/08)(Introduced 7/3/08)

7) Ord. Cal. No. 3869 - Ordinance amending official zoning map of St. Tammany to reclassify land on west of Highway 437, north of Hulin Road and containing 0.86 acres from SA Suburban Agricultural to C-1 Neighborhood Commercial. District 2)(ZC08-06-033)(Zoning Commission approved 6/3/08)(Introduced 7/3/08)

8) Ord. Cal. No. 3870 - Ordinance amending official zoning map of St. Tammany to reclassify land north of Highway 22, south of Montgomery Terrace Subdivision, west of Perilloux Road, east of Hwy 1085 containing 1.77 acres from R-Rural to C-1 Neighborhood Commercial. (Ward 1, District 1)(ZC08-06-034)(Zoning Commission approved 6/3/08)(Introduced 7/3/08)

9) Ord. Cal. No. 3871 - Ordinance amending official zoning map of St. Tammany to reclassify land north of Highway 22, south of Montgomery Terrace Subdivision, west of Perilloux road, east of Highway 1085 containing 0.469 acres from R - Rural to C-1 Neighborhood Commercial. (Ward 1, District 1)(ZC08-06-035)(Zoning Commission approved 6/3/08)(Introduced 7/3/08)

10) Ord. Cal. No. 3873 - Ordinance to impose a six (6) month moratorium on issuance of permits for construction or placement of building structures on property within a portion of Town of Alton Subdivision. (Ward 9, District 14)(Introduced 7/3/08)

Parish Council Meeting

August 7, 2008

Page 6

11) Ord. Cal. No. 3874 - 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 within a distance of two hundred (200') feet of the centerline, north of Highway 1088 and south of I-12. (Ward 4, District 5) (Introduced 7/3/08)

12) Ord. Cal. No. 3875 - 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 on issuance of building permit applications, for purpose of construction or placement of multi-family structures on property within unincorporated areas of Council District 12. (Introduced 7/3/08)

13) Ord. Cal. No. 3876 - Ordinance to correct the Road Inventory to include portions of Pear Street and Beech Street. (Ward 4, District 5)(Introduced 7/3/08)

14) Ord. Cal. No. 3877 - Ordinance to amend the 2008 Operating Budget. (Introduced 7/3/08)

15) Ord. Cal. No. 3878 - Ordinance to correct the Road and Drainage Inventory to remove St. Gertrude Road and include an extension of Oak Harbor Boulevard. (Wards 3 & 9, Districts 2 & 13) (Introduced 7/3/08)

- 16) Ord. Cal. No. 3879 - Ordinance to revoke a portion of Thelma Street Right-of-Way in Mailleville Subdivision. (Ward 3, District 1)(Introduced 7/3/08)
- 17) Ord. Cal. No. 3880 - Ordinance authorizing the Parish President to execute a cooperative endeavor agreement with the City of Covington. (Binder/Davis)
- 18) Ord. Cal. No. 3881 - Ordinance authorizing the Parish President to execute a cooperative endeavor agreement with the Louisiana Land Trust. (Introduced 7/3/08)
- 19) Ord. Cal. No. 3882 - Ordinance authorizing the Parish President to execute a cooperative endeavor agreement with the Town of Abita Springs. (Introduced 7/3/08)
- 20) Ord. Cal. No. 3883 - Ordinance authorizing the Parish President to purchase, expropriate or otherwise acquire parcels or rights-of-way for the Covington By-Pass, Phase 1 South Project. (Introduced 7/3/08)
- 21) Ord. Cal. No. 3884 - Ordinance authorizing the Parish President to purchase, expropriate or otherwise acquire parcels or rights-of-way for the Haas Road Widening Project. (Introduced 7/3/08)
- 22) Ord. Cal. No. 3885 - Ordinance to amend and reenact Ordinance C.S. No.07-1510, adopted February 1, 2007, which amended the Code of Ordinances, Chapter 20, Roads and Bridges, Section 20.010.03, location and placement of public and private utility equipment and collection and/or distribution lines in parish rights of way. (Introduced 7/3/08)
- 23) Ord. Cal. No. 3886 - Ordinance to amend Parish Code, Chapter 7, Drainage and Flood Control, Article VII, to enact Section 7-092.00 creating Sub-drainage District No. 3 of Gravity Drainage District No. 5 (Northpark Subdivision Phase III). (Introduced 7/3/08)
- 24) Ord. Cal. No. 3887 - Ordinance designating C.S. Owens Road as two-way traffic and authorizing closure of a designated portion. (Ward 1 District 1)(Introduced 7/3/08)
- 25) Ord. Cal. No. 3888 -Ordinance to amend Parish Code Appendix B, Chapter 40, Ordinance No. 499, to require the removal of all encroachments from all public servitudes, easements and right of ways prior to final plat approval. (Introduced 7/3/08 and referred to Planning Commission)
- 26) Ord. Cal. No. 3889 - Ordinance authorizing the Parish President to lease land (commonly referred to as Mandeville Park and Ride) from the City of Mandeville. (Introduced 7/3/08)

Parish Council Meeting

August 7, 2008

Page 7

- 27) Ord. Cal. No. 3890- Ordinance authorizing the Parish to accept the dedication and donation of the streets and rights of way situated within Parc Du Lac Subdivision.(Ward 4, District 10) (Introduced 7/3/08)
- 28) Ord. Cal. No. 3891 - Ordinance recinding Ordinance C.S. No. 08-1829, adopted June 5, 2008, authorizing the placement of stop signs at the intersection of Pine Street Extension and Oak Downs Drive. (Ward 8, District 6) (Introduced 7/3/08)

### NOMINATIONS

- 1) Resolution to appoint four (4) members \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ to the Community Action Advisory Board. (Parishwide)  
(Binder)

### APPOINTMENTS

**1) Resolution to appoint two (2) members \_\_\_\_\_ and \_\_\_\_\_ to the St. Tammany Parish Development District Board for two consecutive one year terms. (Parishwide)(Nominated: Danny Schaus, Dennis Herringshaw and Chad Collins)**

**2) Resolution to appoint John Sammons to replace John J. Brady (deceased) to St. Tammany Parish Fire Protection District No. 7. (District 6)(Crawford-Howell)**

**3) Resolution to appoint Iris Johnson to replace James Don Scroggins (resigned) to St. Tammany Parish Library Board of Control. (Parishwide)(Crawford-Howell)**

**4) Resolution to appoint William Marsalis to replace Robert T. Meyers (resigned) and to reappoint Emil S. Johansen, Clyde Russell and Darrel Milburn to St. Tammany Parish Sewer District No. 4. (District 4)(Falconer)**