

**AGENDA**  
**ST. TAMMANY PARISH COUNCIL MEETING**  
**THURSDAY, SEPTEMBER 3, 2009 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**

**PRESENTATIONS**

**1) Presentation by Chief Gary Mendow and Greg Lemons regarding the fire rating of Fire Protection District No. 8. (Crawford-Howell)**

**PUBLIC HEARING**

**Public hearing in accordance with open meetings law R.S. 42:1, et seq for consideration and adoption of Resolution C.S. No. C-2686 - Resolution establishing millage rates for the year 2009. (Binder/Davis)**

**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**

<b>Regular Council Meeting</b>	<b>August 6, 2009</b>
<b>Council Committee Meeting</b>	<b>August 26, 2009</b>

**ORDINANCES FOR INTRODUCTION**  
**(Public Hearing October 1, 2009)**

**1) Ord. Cal. No. 4111 - Ordinance amending the official zoning map of the St. Tammany 2009 South Central Comprehensive Rezoning Area One (CRA-1) to reclassify land located in Section 14, Township 7 South, Range 12 East containing 100 acres from A-4 (Single-family Residential) to TND-1 (Traditional Neighborhood Development).(Ward 6, District 7) (Hamauei) (ZC09-07-017) (Tabled by Zoning Commission 7/7/09 and 8/6/09) (Council tabled introduction 8/6/09).**

**2) Ord. Cal. No. 4128 - Ordinance to amend Appendix C of the Parish Code of Ordinances, Land Use Regulations Ordinance No. 523 as amended, Section 4 Off Street Parking and Loading Regulations and the Parish Unified Development Code, Volume I (Zoning), Section 7.07 Off Street Parking and Loading Regulations. (ZC09-08-022) (Zoning Commission approved 8/4/09) (Binder/Davis)**

3) Ord. Cal. No. 4129 - Ordinance amending zoning map of Parish Comprehensive Rezoning Area One (CRA-1) to reclassify a certain area as Manufactured Housing Overlay (MHO). (Ward 7, District 7) (ZC09-08-023) (Zoning Commission approved 8/4/09) (Binder/Davis)

4) Ord. Cal. No. 4130 - Ordinance to Correct the Road and Drainage Inventory to include Madie Lane, and Bienville Road Lateral, and delete Cleo Road. (Wards 2, 8 & 9, Districts 2, 6 & 11) (Binder/Davis)

5) Ord. Cal. No. 4131 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Autumn Creek, Phase 2; Normandy Oaks, Phase 3A; Normandy Oaks, Phase 3B; and Casa Bella Subdivisions. (Wards 1 & 4, Districts 1 & 5) (Binder/Davis)

6) Ord. Cal. No. 4132 - Ordinance to Revoke a Portion of Iberville Street Right-of-Way, located in Chinchuba Subdivision. (Approved by Planning Commission 8/11/09) (Ward 4, District 5) (Binder/Davis)

7) Ord. Cal. No. 4133 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire all parcels and/or Rights-of-way on Pugh Road. (District 7) (Binder/Davis)

8) Ord. Cal. No. 4134 - Ordinance authorizing the Parish to accept the dedication of the streets and roadways situated within the Highlands Subdivision and identified as Highlands Crest Drive, Tartan Trace, Piper Place, Heather Hollow, White Oak Court and Terrace Trace. (Ward 2, District 2) (Cooper)

9) Ord. Cal. No. 4135 - Ordinance amending the official zoning map of the Parish to reclassify land located east of LA Highway 1082 and approximately eight miles north of the intersection of LA Highway 21 and LA Highway 1082 containing 440.78 acres from R-Rural to A-1 - Suburban. (Ward 5, District 2) (ZC07-05-023) (Cooper)

10) Ord. Cal. No. 4136 - Ordinance authorizing the Parish President to execute a Cooperative Endeavor Agreement between the Parish and Recreational District No. 7 for the placement and construction of a pavilion at Lock #1. (Ward 6, District 6) (Crawford-Howell)

11) Ord. Cal. No. 4137 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for construction or placement of building structures on property within certain portions of Highland Park Subdivision (District 12) (Binder)

12) Ord. Cal. No. 4138 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on property within a portion of Tammany Hills Subdivision and a portion of Ingram Estates Subdivision. (Ward 3, District 5)(Gould)

13) Ord. Cal. No. 4139 - Ordinance to extend for an additional six (6) months the moratorium on issuance of permits for construction or placement of building structures on Eola, Jordan and Elmer Streets, located west of Soutl street, and on the submission of any application to enter the parish rights of way for the purpose of extending, opening and/or constructing any unopened portion of said streets. (Ward 4, District 5) (Gould)

14) Ord. Cal. No. 4140 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of applications by the parish zoning commission for mobile home conditional use permits and/or on the issuance of building permits for placement of mobile homes on property within Bayou Heights Subdivision. (Ward 6, District 6) (Crawford-Howell)

15) Ord. Cal. No. 4141 - Ordinance to extend for an additional six (6) month the moratorium on the issuance of building permits for construction or placement of building structures on property within portions of Beverly Hills and Kingspoint Subdivisions. (Ward 8, District 14) (Burkhalter)

16) Ord. Cal. No. 4142 - Ordinance to correct the Road Inventory to include an approximate 325 foot length of Walnut Street. (Ward 4, District 5) (Gould)

17) Ord. Cal. No. 4143 - Ordinance to amend the Parish Code, Chapter 15, Article II, Watercraft Speed Limits, to establish a "Dead Slow, No Wake" zone for the canals in Bayou Lacombe Manor Subdivision (Ward 7, District 7) (Hamauei)

18) Ord. Cal. No. 4144 - Ordinance to amend Ordinance C.S. No. 09-2074, adopted June 4, 2009, and Parish Code of Ordinances, Chapter 13, Motor Vehicles Traffic, Division I, Section 13-009.00, restricting the use of auxiliary or compression engine brakes, commonly referred to as "Jake Brakes", within unincorporated St. Tammany Parish. (Cooper)

**RESOLUTIONS**

19) Resolution C.S. No. C-2687 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

20) Resolution C.S. No. C-2688 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Thompson)

21) Resolution C.S. No. C-2689 - Resolution authorizing the Parish Government to administer grants appropriated to the Parish Council in Act 122 of the Louisiana 2009 regular session of the Legislature. (Binder/Davis)

22) Resolution C.S. No. C-2690 - Resolution supporting the Parish President authorizing the Chief Administrative Officer to sign all grant documents relating to Louisiana Act 122 of 2009 Line Item Appropriations, on his behalf. (Binder/Davis)

23) Resolution C.S. No. C-2691 - Resolution approving the issuance of not exceeding \$42,000 of Limited Tax Certificates, Series 2009, of St. Tammany Parish Recreation District No. 11. (Wards 3 and 10, Districts 2, 3, 5, 6 and 7) (Binder/Davis)

24) Resolution C.S. No. C-2692 - Resolution authorizing the Chief Administrative Officer to execute an agreement with the Louisiana Department of Transportation and Development to expand the apron area (apron, taxiway, and drainage) at the St. Tammany Regional Airport. (Binder/Davis)

25) Resolution C.S. No. C-2693 - Resolution to concur/not concur with the City of Covington annexation and rezoning of 7.263 acres from parish C2 - Highway Commercial and SA - Suburban Agriculture to City of Covington C3 - Highway Business District located in Section 42, Township 6 South, Range 11 East, Greensburg Land District. (Ward 3, District 1) (Binder/Davis)

26) Resolution C.S. No. C-2694 - Resolution establishing Warranty Obligations.

(1.)

**PERFORMANCE**

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Angelic Estates S/D, Phase 1A Amount: \$26,000 Expires: October 30, 2009 Ward: 3, District: 5	<b>PERFORMANCE OBLIGATION                      EXTEND FOR ONE (1) YEAR                      OR UNTIL WORK IS                      SATISFACTORILY ACCOMPLISHED</b>

(2.)

**WARRANTY**

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Versailles S/D, Phase 5B-2 Amount: \$3,500 Expired: December 6, 2009 Ward: 1, District: 1	<b>RELEASE L.O.C.                      TO BE BROUGHT INTO THE                      SELECTIVE PARISH                      MAINTENANCE SYSTEM</b>

**WARRANTY OBLIGATIONS CONTINUED:**

**Terra Bella S/D, Phase 1-A-1**  
**Amount: \$61,900**  
**Expires: October 9, 2009**  
**Ward: 1, District: 1**

**EXTEND FOR ONE (1) YEAR**  
**OR UNTIL WORK IS**  
**SATISFACTORILY ACCOMPLISHED**

**Tuscany West Estates S/D**  
**Amount: \$155,500**  
**Expires: October 14, 2009**  
**Ward: 1, District: 1**

**EXTEND FOR ONE (1) YEAR**  
**OR UNTIL WORK IS**  
**SATISFACTORILY ACCOMPLISHED**

27) Resolution C.S. No. C-2695 - Resolution of intention of the Parish Council to abolish Sewerage District No. 6, ordering and directing due notice of the proposed abolishment and setting a hearing date for any and all objections thereto. (Ward 3, District 3) (Thompson)

**END OF CONSENT CALENDAR****APPEALS**

1) Applicant Leroy Cooper for George and Deborah Hallal appealing the Zoning Commission DENIAL on May 5, 2009 to rezone 2.484 acres north of Hoffman Road, east of Alexander Street and west of State Street. (Ward 4, District 7) (ZC09-05-012) (Postponed for 3 months at 6/4/09 Council Meeting)

**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.

**ORDINANCES FOR ADOPTION**

1) Ord. Cal. No. 4029AA - Ordinance to amend the Unified Development Code, Volume 1 - Zoning, by adopting the recommendation of the Parish Zoning Commission, as amended, relative to the Comprehensive Rezoning of the South West Study Area. (Introduced 3/5/09) (Reintroduced 4/2/09 & 5/7/09, 6/4/09, 7/2/09 & 8/6/09)

2) Ord. Cal. No. 4087AA - Ordinance to amend the Unified Development Code, Volume 1 - Zoning, by adopting the recommendation of the Parish Zoning Commission, as amended, relative to the Comprehensive Zoning of the Southeast Study Area. (Approved by Zoning Commission on May 19, 2009)(Introduced 6/4/09) (Reintroduced 7/2/09 & 8/6/09)

3) Ord. Cal. No. 4092 - Ordinance to close a portion of K West Street for an indefinite period of time, located in Alexisville Subdivision. (Ward 3, District 5) (Introduced 6/4/09) (Tabled 7/2/09 & 8/6/09)

4) Ord. Cal. No. 4110 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 5.31 Ed-1, Primary Education District, relative to Permitted Uses. (ZC09-07-019) (Zoning Commission Approved 7/7/09) (Introduced 8/6/09)

5) Ord. Cal. No. 4112 - Ordinance establishing a "No Thru Trucks" Zone on Brookter Street. (8-V-108) (Ward 8, District 13) (Introduced 8/6/09)

6) Ord. Cal. No. 4113 - Ordinance to reaffirm and ratify Ordinance C.S. No. 09-2098, adopted July 2, 2009 and rezoning 261 acres from A-4 to I-1. (Ward 4, District 7) (ZC09-08-026) (Introduced 8/6/09 and referred to Zoning Commission)

7) Ord. Cal. No. 4114 - 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) (Introduced 8/6/09)

8) Ord. Cal. No. 4115 - Ordinance to extend for an additional six (6) months the moratorium on the 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 the unincorporated boundaries of Ward 9, District 11. (Ward 9, District 11) (Introduced 8/6/09)

9) Ord. Cal. No. 4116 - Ordinance to authorize the Parish to proceed with the advertising and posting of Slip 89 of Marina Chamale' Condominiums, which has been declared as surplus property. (Introduced 8/6/09)

10) Ord. Cal. No. 4117 - Ordinance to authorize the Parish to proceed with the advertising and posting of Lot 51, Square 233-a, Rural Mandeville, which has been declared as surplus property. (Introduced 8/6/09)

11) Ord. Cal. No. 4118 - Ordinance to amend Parish Code, Chapter 2, Article I, Section 2-007.00(d), Purchasing Procedures, and provide for repeal, severability and date of enactment. (Introduced 8/6/09)

12) Ord. Cal. No. 4119 - Ordinance amending the 2009 Operating Budget. (Introduced 8/6/09)

13) Ord. Cal. No. 4120 - Ordinance to impose a six (6) month moratorium on the issuance of building permits and occupancy permits for structures that are connected to or will be provided sewer service by Utilities, Inc. of Louisiana, utilizing the lift station located at the entrance of Crestwood Estates. (Introduced 8/6/09)

14) Ord. Cal. No. 4121 - Ordinance amending the official zoning map of the St. Tammany 2009 South Central Comprehensive Rezoning Area One (CRA-1) to reclassify land located in Sections 16 & 21, Township 7 South, Range 13 East containing 20.5661 acres from A-4 (Single Family Residential) to A-4-A (Single Family Residential). (Ward 6, District 6) (ZC09-09-030) (Introduced 8/6/09 and referred to the Zoning Commission)

15) Ord. Cal. No. 4122 - Ordinance to amend Parish Code, Chapter 14 Nuisances, Article I, Section 14-003.00 Fires for Yard Debris, to amend paragraph (D) thereof, prohibiting burning of leaves and yard debris on lots less than 12,600 square feet in size. (Introduced 8/6/09)

16) Ord. Cal. No. 4123 - Ordinance to correct the Road and Drainage Inventory to include a portion of Frank Pierre Road. (Ward 2, District 3) (Introduced 8/6/09)

17) Ord. Cal. No. 4124 - Ordinance authorizing the Parish President to proceed with an expropriation and acquisition of the assets of Southeastern Louisiana Water & Sewer Co., L.L.C. (Introduced 8/6/09)

18) Ord. Cal. No. 4125 - Ordinance to concur/not concur with the de-annexation ordinance of the City of Slidell, describing the area to be annexed into unincorporated St. Tammany and the new boundaries thereof, and also classifying the annexed property as A-4 (Single Family Residential) (STP 2009-01) (Ward 8, District 9) (Introduced 8/6/09)

19) Ord. Cal. No. 4126 - Ordinance to concur/not concur with the de-annexation ordinance of the City of Slidell describing the area to be annexed into unincorporated St. Tammany and the new boundaries thereof, and also classifying the annexed property as A-4 (Single Family Residential). (STP 2009-02) (Ward 9, District 12) (Introduced 8/6/09)

20) Ord. Cal. No. 4127 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning) Section 5.30B PF-3 Public Facilities District relative to Title and Permitted Uses. (ZC09-07-020) (Introduced 8/6/09)

#### APPOINTMENTS

1) Resolution to appoint Jerry Neil Granger to St. Tammany Parish Recreation District No. 6 (Lee Road/Folsom). (Cooper)