

**MINUTES OF ST. TAMMANY PARISH COUNCIL MEETING - FEBRUARY 4, 2010
AT 6:00 P.M. ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.**

Call to Order by Honorable Marty Gould, Vice-Chairman

Invocation by Mr. Burkhalter

Pledge of Allegiance by Mr. Falconer

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

PRESENTATIONS

Gould - 1) Certificates of Recognition to members of the National Council of Negro Women (NCNW) Slidell Section - Youth Division. (Burkhalter)

Burkhalter - presented certificates to the members.

Gould - 2) Certificates of Recognition to members of the Northshore High School Swim Team for winning the 2008 and 2009 State Championships. (Burkhalter)

Burkhalter - presented certificates to the coaches and students.

Coach Ed Kelly - the honor belongs to the kids for doing all of the work. Thanks to the Council for the recognition as the football team is often the only one recognized. He has challenged the football team to beat the girls' in the water, but no one has taken the challenge. He thanks his sponsors for taking care of everything so he can focus on coaching the team.

Stefancik - moved to move up Items 10, 11 and 12 from Ordinances for Adoption, second by Bellisario. Unanimous with 1 absent. (Binder)

Gould - 9) Ord. Cal. No. 4193 -Amended and restated General Bond Ordinance authorizing the issuance from time to time of Parish Utilities Revenue Bonds; prescribing the form and certain terms and conditions of said bonds; providing for the payment thereof in principal and interest; and providing for other matters in connection therewith. (Introduced 11/5/09) (Tabled 12/3/09 & 1/7/10)

Grant Schlueter - this bond was introduced a few Council meetings ago. It is a General Bond which sets the framework to issue the Utility Bond.

Stefancik - moved to adopt, second by Bellisario. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 10-2194.

Gould - 10) Ord. Cal. No. 4194 - Amended and restated First Supplemental Bond Ordinance authorizing the issuance of not exceeding \$1,000,000 of Parish Utilities Revenue Bonds, Series 2009A, in accordance with the terms of a General Bond Ordinance adopted on _____, 2009; prescribing the form, and certain terms and conditions of said bonds; and providing for other matters in connection therewith. (Introduced 11/5/09) (Tabled 12/3/09 & 1/7/10)

Schlueter - this is a \$1 Million bond that was sold to DEQ.

Stefancik - moved to adopt, second by Burkhalter. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 10-2195.

Gould - 11) Ord. Cal. No. 4195 - Second Supplemental Bond Ordinance authorizing the issuance of _____ of Parish Utilities Revenue Bonds, Series 2009B, in accordance with the terms of a General Bond Ordinance adopted on _____, 2009; prescribing the form, and certain terms and conditions of said bonds; and providing for other matters in connection therewith. (Introduced 11/5/09) (Tabled 12/3/09 & 1/7/10)

Schlueter - this is the issuance of and the actual amount of the bond which is \$41 million. It is for 35 years instead of 20 years or less. They had a pre-pricing call on Tuesday with the underwriters, and then yesterday, the underwriters went out on the national market and found a better interest rate of 4.99%. The bond sale will be closed on March 3.

Stefancik - moved to adopt, second by Burkhalter. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 10-2196.

Binder - Called for items to be pulled from the Consent Calendar:

- | | | |
|---------------------|--------------------|--------------------|
| Ord. Cal. No. 4209 | Ord. Cal. No. 4243 | Ord. Cal. No. 4244 |
| Ord. Cal. No. 4246 | Ord. Cal. No. 4247 | Ord. Cal. No. 4252 |
| Ord. Cal. No. 4253 | Resolution C-2783 | Resolution C-2785 |
| Resolution C - 2790 | | |

Consent Calendar less items removed:

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

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|---------------------------|------------------|
| Regular Council Meeting | January 7, 2010 |
| Council Committee Meeting | January 27, 2010 |

**ORDINANCES FOR INTRODUCTION
(Public Hearing March 4, 2010)**

2) Ord. Cal. No. 4240 - Ordinance to amend the Parish Unified Development Code, Volume 1 (Zoning), Section 5.24 I-1 Industrial to add the use of office warehouse. (ZC09-12-036) (Zoning Commission approved 1/5/10) (Binder/Davis)

3) Ord. Cal. No. 4241 - Ordinance amending the Official Parish Zoning Map of the 2009 South West Comprehensive Rezoning Area (CRA-2) to reclassify 10,989 acres located west of Highway 21, north of Lalanne Road from PUD (Planned Unit Development) to a NC-1 (Professional Office). (Ward 1, District 1) (ZC09-12-037) (Zoning Commission approved 1/5/10) (Binder/Davis)

4) Ord. Cal. No. 4242 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning) Sections 5.01 E-1, 5.02 E-2, 5.03 E-3, 5.04 E-4, (Estate District) and Sections 5.05 A-1, 5.06 A-1-A & 5.07 A-2 (Suburban District) to add the use of Temporary Residence as an Administrative Permit. (ZC10-01-015) (Zoning Commission approved 1/5/10) (Binder/Davis)

7) Ord. Cal. No. 4245 - Ordinance establishing a "No Parking" Zone on Centennial Plaza within unincorporated Ward 9, District 11. (Stefancik)

10) Ord. Cal. No. 4248 - Ordinance establishing a "Load Limit 8 Tons on the portion of Ben Thomas Road in unincorporated St. Tammany Parish. (Ward 9, District 14) (Burkhalter)

11) Ord. Cal. No. 4249 - Ordinance establishing a "No Parking" Zone on Charles Court / Eden Isles Island in cul de sac. (Ward 9, District 13) (Binder/Davis)

12) Ord. Cal. No. 4250 - Ordinance to correct the Road and Drainage inventory to include South 11th Street; Tammany Trace mechanical draw bridge; an extension of Little Creek Road; an extension of Jackson Street; and 11 waterways in Coin du Lestin Subdivision. (Wards 4, 7 & 9) (Districts 7 & 11) (Binder/Davis)

13) Ord. Cal. No. 4251 - Ordinance to correct the Road and Drainage Inventory to include Murphy Road. (Ward 1, District 1) (Binder/Davis)

16) Ord. Cal. No. 4254 - 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)

17) Ord. Cal. No. 4255 - Ordinance to extend for 6 months the moratorium for property North of Interstate 12 and abutting and/or having access to Airport Road. (Ward 9, District 11) (Stefancik)

RESOLUTIONS

19) Resolution C.S. No. C-2784 - Resolution establishing Warranty Obligations (Binder/Davis)

WARRANTY

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Palm Courts S/D Amount: \$33,600 Expires: March 20, 2010 Ward: 1, District: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED

Alamosa Park S/D, Phase 3B Amount: \$18,000 Expires: March 11, 2010 Ward:4, District: 7	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
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21) Resolution C.S. No. C-2786 - Resolution stating that Parish Council's endorsement of Abita Veterinary Practice, LLC for participation in the Louisiana Enterprise Zone Program. (EZ#2009-0286) (Binder/Davis)

22) Resolution C.S. No. C-2787 - Resolution stating that Parish Council's endorsement of It Straps On, Inc. for participation in the Louisiana Enterprise Zone Program. (EZ#2009-0305) (Binder/Davis)

23) Resolution C.S. No. C-2788 - Resolution stating that Parish Council's endorsement of Magnolia Trace for participation in the Louisiana Enterprise Zone Program. (EZ#2009-1143) (Binder/Davis)

24) Resolution C.S. No. C-2789 - Resolution approving and authorizing the Parish President to sign and/ or execute a cooperative endeavor agreement between the Parish and Stirling Properties as agent for Maurmont Properties for the purpose of constructing necessary improvements to Stirling Blvd at Brewster Road. (Binder/Davis)

END OF CONSENT CALENDAR

Stefancik - moved to adopt Consent Calendar less items removed, second by Falconer. Unanimous with 1 absent (Binder).

Gould - 1) Ord. Cal. No. 4209 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 8.01, Minimum Standards for Specific Uses, relative to agricultural and decorative ponds. (Tabled 12/3/09 & 1/7/10)(Canulette)

Canulette - moved to substitute a new ordinance, introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with 1 absent (Binder).

Gould - 5) Ord. Cal. No. 4243 - Ordinance amending the Official Zoning Map of the 2009 South West Comprehensive Rezoning Area (CRA-2) to reclassify 0.78 acre located in Section 24, Township 7 South, Range 11 East from A-2 (Suburban) to HC-1 (Highway Commercial). (Ward 4, District 5) (Gould)

Hamauei - moved to introduce and refer to the Zoning Commission, second by Canulette. Unanimous with 1 absent (Binder).

Gould - 6) Ord. Cal. No. 4244 - Ordinance to amend Parish Code of Ordinances, Appendix B, Chapter 40 Subdivision Regulatory Ordinance No. 499, Section 40-045.00 Minor Subdivision Review, to provide criteria for the waiver of public hearing and administrative approval of minor subdivisions. (Falconer)

Falconer - moved to introduce and refer to the Zoning Commission, second by Thompson. Unanimous with 1 absent (Binder).

Gould - 8) Ord. Cal. No. 4246 - Ordinance to amend Parish Code of Ordinances, Chapter 7 Drainage and Flood Control, Article 1, Section 7-002.00 Use of Fill Materials Prohibited, to provide for additional areas of special concern and regulations related thereto. (Hamauei)

Hamauei - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with 1 absent (Binder).

Gould - 9) Ord. Cal. No. 4247 - Ordinance amending the Official Parish Zoning Map of the 2009 South East Comprehensive Rezoning Area (CRA-3) to reclassify 3.84 acres in Sections 37 and 38 of Township 8 South, Range 14 East from A-2 (Suburban) to HC-2 (Highway Commercial).(Ward 9, District 11) (Stefancik)

Stefancik - moved to introduce and refer to the Zoning Commission, second by Burkhalter. Unanimous with 1 absent (Binder).

Gould - 14) Ord. Cal. No. 4252 - Ordinance to amend and reenact Parish 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. (Binder/Davis)

Bellisario - moved to introduce and refer to the Zoning Commission, second by Billiot. Unanimous with 1 absent (Binder).

Gould - 15) Ord. Cal. No. 4253 - Ordinance amending the Official Parish Zoning Map of the 2009 South Central Comprehensive Rezoning Area (CRA-1) to reclassify 1.29 acres located in Section 37, Township 8 South, Range 14 East in Plot 'G' from Suburban (A-2) to Highway Commercial (HC-2). (Ward 9, District 11) (Stefancik)

Stefancik - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with 1 absent (Binder).

Gould - 18) Resolution C.S. No. C-2783 - Resolution approving holding an election in St. Tammany Parish Fire Protection District No. 9 to authorize the levy of a special tax therein. (Binder/Davis)

Crawford-Howell - this tax needs to be renewed because of the merging of Fire Protection District Nos. 9 and 10. It is approximately 45 mils and is not a new tax.

Crawford-Howell - moved to adopt, second by Burkhalter. Unanimous with 1 absent (Binder).

Gould - 20) Resolution C.S. No. C -2785 - Resolution to approve the appointment of John E. Smith as Director of the Department of Engineering for the remainder of the 2008-2011 Parish President's term of office. (Binder/Davis)

Kevin Davis - wanted to introduce John Smith. Mr. Smith will be working with the Council in managing all Capital Projects.

Bellisario - moved to appoint, second by Artigue. Unanimous with 1 absent (Binder).

Gould - 25) Resolution C.S. NO. C-2790 - Resolution to vacate, in part, the moratorium established by Ordinance C. S. 09-2105 on issuance for building permits for construction or placement of building structures on property within a portion of unincorporated Town of Alton Subdivision. (Ward 9, District 14)

Jeff Schoen - he represents the St. Tammany Parish School Board. The reason for this lift of the moratorium is to allow Alton Elementary School to make improvements. They will be using \$4 million from the School Board to improve the school. Students will be in temporary classrooms during the renovations, and the school is going to do its best to make sure that progress is quiet and makes as little impact as possible.

Burkhalter - this is a great opportunity that the community will benefit from.

Burkhalter - moved to adopt, second by Stefancik. Unanimous with 1 absent (Binder).

APPEALS

Gould - 1) Samuel Markovich appealing the Zoning Commission DENIAL on December 1, 2009 to rezone 28.36 acres west of LA Highway 1077 and south of Joiner Wymer Road. (Ward 1, District 1) (ZC09-12-040) (Applicant: Parish Council via Ordinance Cal. No. 4168) (Tabled 1/7/10)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required, adoption of a resolution and removal of Ordinance Cal. No. 4168 from the agenda.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and adoption of Ordinance Cal. No. 4168.

Dean - moved to table, second by Thompson. Unanimous with 1 absent (Binder).

Gould - 2) Richard P. Wilke appealing the Zoning Commission APPROVAL on December 1, 2009 to rezone 33 acres south of LA Highway 1085, west of LA Highway 21 and across from Bricker Road from PUD (Planned Unit Development) to MD-1 (Medical Residential). (Ward 1, District 1) (ZC09-12-047) (Applicant Michael J. Champagne, Jr.) (Tabled 1/7/10)

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.

Dean - moved to table, second by Thompson. Unanimous with 1 absent (Binder).

Gould - 3) Jack Hopper appealing the Zoning Commission DENIAL on December 1, 2009 to rezone 1 acre on the northwest corner of Coral Avenue and Pearl Street from A-3 (Suburban) to NC-1 (Professional Office). (Ward 8, District 8) (ZC09-12-043) (Applicant: Parish Council via Ordinance Cal. No. 4181) (Tabled 1/7/10)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required, adoption of a resolution and removal of Ordinance Cal. No. 4181 from the agenda.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and adoption of Ordinance Cal. No. 4181.

Canulette - he met with Mr. Hopper and the landlords to resolve some issues. The back part of this property will be deed restricted to prevent construction near the school. Security cameras will be installed and monitored. This business has been in operation for a few years and was lost in the rezoning process.

Canulette - moved to override the Zoning Commission denial, second by Burkhalter. Unanimous with 2 absent (Dean, Binder).

Canulette - will adopt Ordinance Calender No. 4181 when it comes up under Ordinances for Adoption.
Gould - 4) Tontinette Puissegur appealing the Zoning Commission DENIAL on January 5, 2010 to rezone 4.27 acres north of Highway 190 and west of Highway 1077 from NC-2 (Indoor Retail & Service) to NC-6 (Public, Cultural & Recreational). (ZC10-01-11)

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.

Tontiette Puissegur - she met with Mr. Dean who suggested that NC-5 would be more appropriate zoning and would give them the opportunity to conform the building to.

Dean - moved to override the Zoning Denial by amending the rezoning to NC-5, second by Thompson. Unanimous with 1 absent (Binder).

Dean - moved to introduce an ordinance, second by Cooper. Unanimous with 1 absent (Binder); becomes Ord. Cal. No. 4256.

Gould - 5) Sharon Coates appealing the Zoning Commission DENIAL on January 5, 2010 to rezone Lots 1-4 Section A and Lots 1-4 Section B designated as Lot 1-A in Square 20, Alexiusville Subdivision from NC-1 (Professional Office) to NC-5 (Retail & Services). (Applicant: Parish Council via Ordinance Cal. No. 4174)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required, adoption of a resolution and removal of Ordinance Cal. No. 4174 from the agenda.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and adoption of Ordinance Cal. No. 4174.

Burkhalter - moved to table, second by Stefancik. Unanimous with 1 absent (Binder).

6) Heather Case appealing the Zoning Commission DENIAL on January 5, 2010 to rezone 14,400 square feet east of Courtano Drive and south of Harrison Avenue from NC-1 (Professional Office) to NC-5 (Retail & Services). (Applicant Parish: Council via Ordinance Cal. No. 4175)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required, adoption of a resolution and removal of Ordinance Cal. No. 4175 from the agenda.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and adoption of Ordinance Cal. No. 4175.

Burkhalter - moved to table, second by Stefancik. Unanimous with 1 absent (Binder).

7) Garic Barranger appealing the Zoning Commission DENIAL on January 5, 2010 to rezone 14,400 square feet southeast of Harrison Avenue and Courtano Boulevard from NC-1 (Professional Office) to NC-5 (Retail & Services). (Applicant: Parish Council via Ordinance Cal. No. 4173)

NOTE: To concur with Zoning DENIAL, a simple majority vote is required, adoption of a resolution and removal of Ordinance Cal. No. 4173 from the agenda.

NOTE: To override Zoning DENIAL, a majority vote of the entire Council is required and adoption of Ordinance Cal. No. 4173.

Burkhalter - moved to table, second by Stefancik. Unanimous with 1 absent (Binder).

8) Richard Wilke appealing the Zoning Commission APPROVAL of a 6 month extension on January 5, 2010 of a conditional use permit for a 99,045 square foot retail facility west of Highway 21 and south of Cherokee Rose Lane. (Ward 1, District 1) (CP07-09-157PR).

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.

Rick Wilke - filed the appeal on behalf of Marty Dean who had some questions he wanted to have answered. Now, he is withdrawing the appeal.

Dean - moved to concur with the Zoning Commission approval, second by Thompson. Unanimous with 2 absent (Stefancik, Binder).

Dean - moved to adopt a resolution, second by Falconer. Unanimous with 2 absent (Stefancik, Binder); becomes Resolution C.S. No. C-2791.

ORDINANCES FOR ADOPTION

Gould - 1) Ord. Cal. No. 4168 - Ordinance amending the official zoning map of the 2009 South West Comprehensive Rezoning Area (CRA-2) (CRA-2) of St. Tammany Parish to reclassify land at the corner of Joiner Wymer Road and Hwy 1077 from Suburban (A-3) to Single Family Residential (A4).(Ward 1, District 1) (Introduced 10/1/09) (ZC09-12-040) (Tabled 11/5/09, 12/3/09 & 1/7/10) (Related to Appeal No. 1)

Dean - moved to table pending the appeal hearing, second by Thompson. Unanimous with 2 absent. (Stefancik, Binder).

Gould - 2) Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Article 2 Definitions and Section 5.2102, Paragraph (2) Convenience Stores (w/gas), to provide a definition for convenience store and to provide requirements for convenience stores selling gas as an accessory use in the HC-2 Highway Commercial District. (Introduced 11/5/09) (ZC10-01-009) (Tabled by Zoning Commission 1/5/10) (Tabled 12/3/09 & 1/7/10)

Canulette - moved to table pending appeal period, second by Artigue. Unanimous with 3 absent (Sean, Stefancik, Binder).

Gould - 3) Ord. Cal. No. 4173 - Ordinance amending the official zoning map of the 2009 South West Comprehensive Rezoning Area (CRA-2) of St. Tammany Parish to reclassify Lots 1, 2, 3 and 4 of Section D, Square 20, Alexiusville Subdivision, from its present NC-1 (Professional Office) to NC-5 (Retail and Service). (Ward 3, District 5) (Introduced 11/5/09) (Tabled 12/3/09 & 1/7/09) (ZC10-01-005) (Related to Appeal No. 7)

Bellisario - moved to table pending appeal hearing, second by Hamauei. Unanimous with 2 absent (Dean, Binder).

Gould - 4) Ord. Cal. No. 4174 - Ordinance amending the official zoning map of the 2009 South West Comprehensive Rezoning Area (CRA-2) of St. Tammany Parish to reclassify Lots 1, 2, 3 and 4 of Section A, and Lots 1, 2, 3 and 4 of Section B, now designated as Lot 1-A in Square 20, Alexiusville Subdivision, from its present NC-1 (Professional Office) to NC-5 (Retail and Service). (Ward 3, District 5) (Introduced 11/5/09) (Tabled 12/3/09 & 1/7/10) (ZC10-01-006) (Related to Appeal No. 5)

Hamauei - moved to table pending appeal hearing, second by Bellisario. Unanimous with 2 absent (Dean, Binder).

Gould - 5) Ord. Cal. No. 4175 - Ordinance amending the official zoning map of the 2009 South West Comprehensive Rezoning Area (CRA-2) of St. Tammany Parish to reclassify Lots 1, 2, 3 and 4 of Section C, Square 20, Alexiusville Subdivision, from its present NC-1 (Professional Office) to NC-5 (Retail and Service). (Ward 3, District 5) (Introduced 11/5/09) (Tabled 12/3/09 & 1/7/10) (ZC10-01-012) (Related to Appeal No. 6)

Burkhalter - moved to table pending appeal hearing, second by Hamauei. Unanimous with 2 absent (Dean, Binder).

Gould - 6) Ord. Cal. No. 4181- Ordinance amending zoning in the 2009 South East Comprehensive Rezoning Area (CRA-3) to reclassify Lot 6, Square 14 in Pearl Acres Subdivision from its Present Suburban(A-3) to Professional Office (NC-1) (Ward 8, District 8) (Introduced 11/5/09) (Tabled 12/3/09 & 1/7/10) (ZC09-12-043) (Related to Appeal No. 3)

Canulette - moved to adopt, second by Burkhalter. Unanimous with 2 absent (Dean, Binder);

becomes Ordinance C.S. No. 10-2192.

Gould - 7) Ord. Cal. No. 4182 - Ordinance amending zoning in the 2009 South East Comprehensive Rezoning Area Three (CRA-3) to reclassify Square 2: Lots 7-11, Square 3: Lots 1-12, Square 6: Lots 1, 2, and 9-13, and containing 24 acres in Pearl Acres Subdivision from Suburban District (A-3) to Animal Training / Housing (AT-1). (Ward 8, District 8) (Introduced 11/5/09) (Tabled 12/3/09 & 1/7/10) (ZC10-01-002) (Zoning Commission approved 1/5/2010)

Canulette - moved to adopt, second by Artigue. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 10-2193.

Gould - 8) Ord. Cal. No. 4185 - Ordinance to authorize the execution of an agreement pursuant to L.A.R.S. 33:4791.1 between Parish Government and Acadian Ambulance Service, Inc. for the provision of emergency and non-emergency ambulance services within specific service areas of St. Tammany Parish. (Introduced 11/5/09) (Tabled 12/3/09 & 1/7/10)

Stefancik - moved to postpone indefinitely, second by Artigue. Unanimous with 1 absent (Binder).

Stefancik - moved to adopt a resolution extending the existing contract until a new contract is adopted, second by Burkhalter. Unanimous with 1 absent (Binder)

Gould - 12) Ord. Cal. No. 4197 - Ordinance amending zoning in the South Central Comprehensive Rezoning Area (CRA-1) to reclassify certain areas as Manufactured Housing Overlay (MHO). (Ward 8, District 14). (Introduced 11/5/09) (Tabled 12/3/09 & 1/7/10) (ZC10-01-004) (Zoning Commission approved 1/5/2010)

Burkhalter - moved to adopt, second by Artigue. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 10-2197.

Gould - 13) Ord. Cal. No. 4199 - Ordinance authorizing the Parish to accept the dedication of the streets and roadways situated within the Oak Grove Estates Subdivision and identified as Oak Grove Way and Weeping Oak Lane. (Ward 8, District 9) (Introduced 12/3/09) (Tabled 1/7/10)

Bellisario - moved to remove, second by Canulette. Unanimous with 1 absent (Binder).

Gould - 14) Ord. Cal. No. 4200 - Ordinance amending the 2009 Parish zoning map for the South East Comprehensive Rezoning (CRA-3) to reclassify McManus Road (8-W-15) as Manufactured Housing Overlay (MHO). (Ward 8, District 13) (Introduced and referred to Zoning Commission 12/3/09) (Tabled 1/7/10)

Artigue - moved to table pending appeal period, second by Burkhalter. Unanimous with 1 absent (Binder).

Gould - 15) Ord. Cal. No. 4206AA- Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 7.02, Sign Regulations, relative to residential subdivision and center median entrance signs. (Introduced and referred to Zoning Commission 12/3/09) (Tabled 1/7/10)

Billiot - moved to amend, second by Bellisario. Unanimous with 3 absent (Falconer, Binder, Burkhalter).

Council discussion ensued.

Billiot - moved to adopt, second by Bellisario. Unanimous with 3 absent (Falconer, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2198.

Gould - 16) Ord. Cal. No. 4207AA - Ordinance amending the 2009 Parish Zoning Map of the South East Comprehensive Rezoning (CRA-3) to reclassify 72 acres in Pearl River, east of Interstate 59, from A-1 to I-1 (Ward 8, District 6). (Introduced 12/3/09) (Amended and reintroduced 1/7/10)

Crawford-Howell - moved to adopt, second by Thompson. Unanimous with 2 absent. (Bellisario, Binder); becomes Ordinance C.S. No. 10-2199.

Gould - 17) Ord. Cal. No. 4210 - Ordinance amending the 2009 Official Parish Zoning Map of the South West Comprehensive Rezoning Area (CRA-2) to reclassify land from Suburban (A-2) to Highway Commercial (HC-2). (Ward 1, District 1) (Introduced and referred to Zoning Commission 1/7/10)

Dean - moved to table pending appeal period, second by Thompson. Unanimous with 3 absent (Falconer, Bellisario, Binder).

Gould - 18) Ord. Cal. No. 4211 - Ordinance accepting Act of Dedication and Donation of a sixty (60') foot right of way and servitude for future improvement of the extension of Shubert Lane. (Ward 10, District 6) (Introduced 1/7/10)

Crawford-Howell - moved to adopt, second by Thompson. Unanimous with 3 absent (Falconer, Bellisario, Binder); becomes Ordinance C.S. No. 10-2200.

Gould - 19) Ord. Cal. No. 4212 - Ordinance to amend Parish Unified Development Code, Volume I (Zoning), Article 2 Definitions to clarify the definition of restaurant, eating and drinking establishment, and to provide a definition for restaurant without lounge. (Introduced and referred to Zoning Commission 1/7/10)

Burkhalter - moved to table pending the Zoning Commission Hearing, second by Hamauei. Unanimous with 3 absent (Falconer, Bellisario, Binder).

Gould - 20) Ord. Cal. No. 4213AA - Ordinance to amend Parish Unified Development Code, Volume I (Zoning) Sections 5.24 - 5.26a, I-1, I-2, I-3 and I-4 Industrial Districts, relative to Commercial Excavations. (ZC09-11-032) (Zoning Commission approved 12/1/09) (Introduced 1/7/10)

Canulette - moved to amend and reintroduce, second by Artigue. Unanimous with 3 absent (Falconer, Bellisario, Binder).

Artigue - moved to reintroduce, second by Canulette.

Gould - 21) Ord. Cal. No. 4214 - Ordinance to amend Parish Unified Development Code, Volume I (Zoning) to add a new zoning classification: Section 5.29 Medical Research District (ZC09-11-035) (Zoning Commission approved 12/1/09) (Introduced 1/7/10)

Billiot - moved to adopt, second by Thompson. Unanimous with 3 absent (Falconer, Bellisario, Binder); becomes Ordinance C.S. No. 10-2201.

Gould - 22) Ord. Cal. No. 4215 - Ordinance amending the 2009 Official Parish Zoning map of the Southeast Comprehensive Rezoning Area (CRA-3) to reclassify 6.44 acres located east of Military Road and north of Mary Grace Loop from A-3 (Suburban) to a NC-4 (Neighborhood Institutional). (Ward 8, District 9) (ZC09-12-046) (Zoning Commission approved 12/1/09) (Introduced 1/7/10)

Bellisario - moved to adopt, second by Artigue. Unanimous with 2 absent (Falconer, Binder); becomes Ordinance C.S. No. 10-2202.

Gould - 23) Ord. Cal. 4216 - Ordinance to amend the Parish Unified Development Code, Volume 1 - Zoning by adopting the recommendation of the Zoning Commission relative to the comprehensive rezoning of the North East Study Area (CRA-4), as amended. (Introduced 1/7/10)

Crawford-Howell and Cooper - submitted amendments into the record.

Crawford-Howell - moved to amend, second by Canulette. Unanimous with 2 absent (Falconer, Binder).

Falconer - moved to reintroduce, second by Crawford-Howell.

Gould - 24) Ord. Cal. No. 4217 - Ordinance to amend the Unified Development Code, Volume 1 - Zoning by adopting the recommendation of the Zoning Commission relative to the comprehensive

rezoning of the North West Study Area (CRA-5), as amended. (Introduced 1/7/10)

Cooper and Thompson - submitted amendments into the record.

Hamauei - moved to amend, second by Crawford-Howell. Unanimous with 2 absent (Canulette, Binder).

Cooper - moved to reintroduce, second by Crawford-Howell.

Gould - 25) Ord. Cal. No. 4218 - Ordinance establishing a "No Thru Trucks" zone on Lake Road. (7-F-3) (Ward 7, District 7) (Introduced 1/7/10)

Hamauei - moved to adopt, second by Crawford-Howell. Unanimous with 2 absent (Canulette, Binder); becomes Ordinance C.S. No. 10-2203.

Gould - 26) Ord. Cal. No. 4219 - Ordinance amending the 2009 Official Parish Zoning Map of the South East Study Area (CRA-3) to reclassify land encompassing St. Genevieve Church from Suburban District (A-2) to Public Facilities District (PF-1). (Introduced and referred to Zoning Commission 1/7/10)

Stefancik - moved to table pending Zoning Commission hearing, second by Burkhalter. Unanimous with 3 absent (Cooper, Canulette, Binder).

Gould - 27) Ord. Cal. No. 4220 - Ordinance to ratify and re-enact Ordinance No. 08-1946 which authorized the Parish President, to purchase, expropriate or otherwise acquire certain parcels and/or rights of way for the Brewster Road Extension Project. (Introduced 1/7/10)

Burkhalter - moved to adopt, second by Stefancik. Unanimous with 2 absent (Canulette, Binder); becomes Ordinance C.S. No. 10-2204.

Gould - 28) Ord. Cal. No. 4221 - Ordinance establishing "Load Limit 8 Tons" and "No Thru Trucks" Zones on Harbor Drive and Marina Drive. (Ward 9, District 13) (Introduced 1/7/10)

Artigure - moved to adopt, second by Stefancik. Unanimous with 2 absent (Canulette, Binder); becomes Ordinance C.S. No. 10-2205.

Gould - 29) Ord. Cal. No. 4222 - 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 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 1/7/10)

Billiot - to amend to extend for 60 days, second by Hamauei. Unanimous with 2 absent (Canulette, Binder).

Billiot - moved to adopt as amended, second by Burkhalter. Unanimous with 2 absent (Canulette, Binder); becomes Ordinance C.S. No. 10-2206.

Gould - 30) Ord. Cal. No. 4223 - Ordinance to extend for an additional six (6) months the moratorium on the submission and review of zoning and conditional use permit applications, planning commission review and on the issuance of building permit applications, for the purpose of construction or placement of multi-family structures on property within unincorporated areas of Council District 12. (Introduced 1/7/10)

Burkhalter - moved to adopt, second by Canulette. Unanimous with 2 absent (Billiot, Binder); becomes Ordinance C.S. No. 10-2207.

Gould - 31) Ord. Cal. No. 4224 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of building or conditional use permits for construction or placement of building structures on property within a portion of unincorporated Town of Alton Subdivision. (Ward 9, District 14) (Introduced 1/7/10)

Burkhalter - moved to adopt, second by Canulette. Unanimous with 3 absent (Falconer, Biulliot, Binder); becomes Ordinance C.S. No. 10-2208.

Gould - 32) Ord. Cal. No. 4225 - Ordinance authorizing the purchase of property in Abita Oaks Subdivision, Phase II, for the purpose of establishing a library branch in Abita Springs. (Introduced 1/7/10)

Dean - moved to adopt, second by Falconer. Unanimous with 2 absent (Binder, Burkhalter); becomes Ordinance C.S. No. 10-2209.

Gould - 33) Ord. Cal. No. 4226 - Ordinance amending the 2009 Official Parish Zoning Map of the South Central Comprehensive Rezoning Area (CRA-1) to reclassify Lot 24 in Hutchinson Farm Subdivision as Rural Overlay (RO). (Introduced and referred to Zoning Commission 1/7/10)

Stefancik - moved to table pending Zoning Commission hearing, second by Falconer. Unanimous with 2 absent (Bellisario, Binder).

Gould - Item Nos. 33, 34, 35, 36, 37, 38, 39 and 40 are all to be tabled pending Zoning Commission hearing.

Gould - 34) Ord. Cal. No. 4227 - Ordinance amending the 2009 Official Parish Zoning Map of the South Central Comprehensive Rezoning Area (CRA-1) to reclassify land in Section 34 Greensburg Land District as Mobile Home Overlay (MHO) and Rural Overlay (RO). (Introduced and referred to Zoning Commission 1/7/10)

Gould - 35) Ord. Cal. No. 4228 - Ordinance amending the 2009 Official Parish Zoning Map of the South Central Comprehensive Rezoning Area (CRA-1) to reclassify land in Section 21 Greensburg Land District as Rural Overlay (RO). (Introduced and referred to Zoning Commission 1/7/10)

Gould - 36) Ord. Cal. No. 4229 - Ordinance amending the 2009 Official Parish Zoning Map of the South Central Comprehensive Rezoning Area (CRA-1) land in Section 27 as Mobile Home Overlay (MHO) and Rural Overlay (RO). (Introduced and referred to Zoning Commission 1/7/10)

Gould - 37) Ord. Cal. No. 4230 - Ordinance amending the 2009 Official Parish Zoning Map of the South Central Comprehensive Rezoning Area (CRA-1) to reclassify land in Section 27, address 37269 Chris Kennedy Road, as Mobile Home Overlay (MHO) and Rural Overlay (RO), and amend zoning on this parcel from A2 (Suburban) to A3 (Suburban). (Introduced and referred to Zoning Commission 1/7/10)

Gould - 38) Ord. Cal. No. 4231 - Ordinance amending the 2009 Official Parish Zoning Map of the South Central Comprehensive Rezoning Area (CRA-1), to reclassify land containing 0.4498 acres, as Mobile Home Overlay (MHO) and Rural Overlay (RO). (Introduced and referred to Zoning Commission 1/7/10)

Gould - 39) Ord. Cal. No. 4232 - Ordinance amending the 2009 Official Parish Zoning Map of the South Central Comprehensive Rezoning Area (CRA-1) to reclassify land containing 0.90 acres as Mobile Home Overlay (MHO) and Rural Overlay (RO). (Introduced and referred to Zoning Commission 1/7/10)

Gould - 40) Ord. Cal. No. 4233 - Ordinance amending the 2009 Official Parish Zoning Map of the South Central Comprehensive Rezoning Area (CRA-1) to reclassify land in Section 27, address 67401 Chris Kennedy Road, as Mobile Home Overlay (MHO) and Rural Overlay (RO). (Introduced and referred to Zoning Commission 1/7/10)

Stefancik - moved to table Item Nos. 33 through 40, second by Thompson. Unanimous with 2 absent (Cooper, Binder).

Gould - 41) Ord. Cal. No. 4234 - Ordinance amending the 2009 Official Parish Zoning Map of the South Central Comprehensive Rezoning Area (CRA-1) to reclassify land in Section 27, address 36484 M. Crawford Road, as Mobile Home Overlay (MHO) and Rural Overlay (RO). (Introduced and referred to Zoning Commission 1/7/10)

Crawford-Howell - moved to remove, second by Burkhalter. Unanimous with 1 absent (Binder).

Gould - 42) Ord. Cal. No. 4235 - Ordinance amending the Official Parish Zoning Map to reclassify 2.95 acres west of Highway 1077, south of Belington Avenue and north of Brewster Road from A-3 (Suburban) to HC-2 (Highway Commercial). (Ward 1, District 1) (ZC09-12-038) (Introduced 1/7/10)

Dean - moved to adopt, second by Thompson. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 10-2210.

Gould - 43) Ord. Cal. No. 4236 - Ordinance amending the Official Parish Zoning Map to reclassify 0.64 acres west of Highway 21 and north of the Town of Madisonville from A-3 (Suburban) to NC-2 (Retail & Service). (Ward 1, District 1) (ZC09-12-039) (Introduced 1/7/10)

Dean - moved to adopt, second by Thompson. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 10-2211.

Gould - 44) Ord. Cal. No. 4238AA - Ordinance to impose a six (6) month moratorium on the receipt of applications by the Parish Planning Department for minor subdivision review and administrative approval as provided for in Appendix B, Subdivision Regulations, Section 40-045.0 of the Parish Code of Ordinances. (Introduced 1/7/10)

Burkhalter - moved to amend to remove the SELA acquisition from the moratorium, second by Artigue. Unanimous with 1 absent (Binder).

Falconer - moved to adopt, second by Thompson. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 10-2212.

Gould - 45) Ord. Cal. No. 4239 - Ordinance amending the 2010 Operating Budget. (Introduced 1/7/10)

Dean - moved to adopt, second by Thompson. Unanimous with 1 absent (Binder); becomes Ordinance C.S. No. 10-2213.

NOMINATION

Gould - 1) Resolution to appoint _____ and _____ to the St. Tammany Parish Development District to replace Danny Schaus and Chadwick Collings (terms expire December 31, 2009 and neither one is eligible to serve additional terms).

Gould- votes sheets have been distributed, marked and tallied, John Merchanson and Kristin McLaren-Mickal received the top votes.

Burkhalter - moved to appoint, second by Canulette. Unanimous with 1 absent (Binder); becomes Resolution C.S. No. C-2793.

APPOINTMENT

Gould - 1) Resolution to appoint _____ to replace Rebecca L. Scroggins (resigned) on the St. Tammany Parish Library Board of Control for the remainder of the term expiring 12/31/2011. (Cooper)

Burkhalter - moved to open the nominations, second by Artigue.

Cooper - nominated John Tortirice.

Crawford-Howell - nominated Don Danjean.

Burkhalter - moved to close the nominations and let them lay-over until next month, second by Thompson.

Gould - 2) Resolution to appoint Parish Council Representatives to the Regional Planning Commission for a two year term. (Terms expired 12/31/09) (Gould)

Bellisario - moved to appoint Steve Stefancik and Reid Falconer, second by Mr. Burkhalter. Unanimous with 1 absent (Binder); becomes Resolution C.S. No. C-2794.

DISCUSSION AND OTHER MATTERS

Gould - 1) Discussion on a Building Moratorium/Industry Lane to Beech Street. (Gould)

Stefancik - moved to table, second by Artigue. Unanimous with 1 absent (Binder).

Burkhalter - moved to open the Off-the-Floor Agenda, second by Thompson. Unanimous with 1 absent (Binder).

OFF-THE-FLOOR

Gould - 1) Resolution to Vacate, in part, the moratorium established by Ordinance C. S. No. 09-2172 regarding placement of fill and/or buildings in Serenity Oaks Subdivision.(Ward 9, District 14) (Burkhalter)

Burkhalter- moved to adopt, second by Bellisario. Unanimous with 1 absent (Binder); becomes Resolution C.S. No. C-2795.

Gould -2) Resolution requesting the Governor and St. Tammany Legislative Delegation to assist the Parish in appealing to the Louisiana Department of Public Safety regarding the closure of the Department of Motor Vehicle Mandeville Office. (Gould)

Burkhalter - moved to adopt, second by Hamauei. Unanimous with 1 absent (Binder); becomes Resolution C.S. No. C-2796.

Gould - 3) Resolution to vacate, in part, the six (6) month moratorium established by Ordinance C.S. No. 05-1173, and any subsequent extension thereof, on the issuance of permits for construction or placement of building structures on property that abuts Louisiana 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 Louisiana Highway 1088 and the south side of I-12. (Ward 4, District 5) (Gould)

Burkhalter - moved to adopt, second by Hamauei. Unanimous with 1 absent (Binder); becomes Resolution C.S. No. C-2797.

Gould - 4) Ordinance accepting act of dedication and donation of a twenty-five foot right of way and servitude for future improvements, expansion and/or widening of Louisiana Highway 59, and providing for other matters in connection therewith. (Ward 4 District 5) (Gould)

Burkhalter - moved to introduce, second by Artigue; becomes Ordinance Cal. No. 4257.

Gould - 5) Ordinance amending the Parish Code of Ordinances, Chapter 20 Roads and Bridges, to enact section 20-021.00 Major Road Right of Way Protection for future expansion. (Gould)

Stefancik - moved to introduce, second by Dean; becomes Ordinance Cal. No. 4258.

Gould - 6) Resolution requesting that the Louisiana State Legislature amend La R.S. 19:351 *et seq.* to extend the Parish's ability to use the "quick take" expropriation procedure when acquiring property for road and drainage projects. (Thompson)

Thompson - moved to adopt, second by Artigue. Unanimous with 2 absent (Binder, Burkhalter); becomes Resolution C.S. No. C-2798.

Gould - 7) Ordinance amending the 2009 Operating Budget. (Artigue)

Leslie Long - this is an item that is mandated by law wherein the Sheriff is allowed to submit a bill from a previous year (2008) to recoup funds for particular purchases. In this case, the Parish's share is \$750.

Artigue - moved to introduce, second by Stefancik; becomes Ordinance Cal. No. 4259.

Gould - 8) Resolution sponsoring the inclusion of the us 190 Landscaping Project from Fairway Drive to the Bogue Falaya River in the Department of Transportation and Development's 2009 Transportation Enhancement Program and providing that the Parish Government will assume full responsibility for the required local match for design engineering, construction administration and testing, managing and maintaining the project and for any legal liability incurred as a result of the project. (Gould)

Kevin Davis - they are working with the businesses along Highway 190 on this landscaping.

Thompson - moved to adopt, second by Falconer. Unanimous with 1 absent (Binder); becomes Resolution C.S. No. C-2799.

VERBAL OFF-THE- FLOOR

Bellisario - Request to reclassify certain parcels located on the East side of Military Road, South of Cross Gates Blvd, Section 37 & 38, Township 9 South, Range 15 East from A-6 Multiple Family Residential to A-8 Multiple Family Residential. (Ward 8, District 9)

Bellisario - this matter is time sensitive as it is on the Zoning Commission Agenda for its March 2 meeting.

Bellisario - moved to allow the motion to be heard, second by Stefancik. Unanimous with 1 absent (Binder).

Bellisario - moved to refer to Zoning Commission, second by Stefancik. Unanimous with 1 absent (Binder).

Crawford-Howell - Containing 1.0331 acres of land, situated in Section 33, Township 7 South, Range 14 East, St. Tammany Parish, Louisiana. 36434 Central Ave, Pearl River, LA.

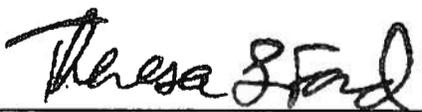
Crawford -Howell - moved to allow the motion to be heard, second by Thompson. Unanimous with 1 absent (Binder).

Crawford-Howell - moved to refer, second by Falconer. Unanimous with 1 absent (Binder).

There being no further business, meeting adjourned at the call of the Vice-Chairman.



JERRY BINDER, COUNCIL CHAIRMAN



THERESA L. FORD, COUNCIL CLERK