

**MINUTES OF THE ST. TAMMANY PARISH COUNCIL MEETING  
ON THURSDAY, JANUARY 7, 2010 AT 6:00 P.M. HELD IN  
ST. TAMMANY GOVERNMENT COMPLEX  
21490 KOOP DRIVE, MANDEVILLE, LA.**

**Call to Order by Honorable Jerry Binder, Chairman**

**Invocation by Mr. Hamauei**

**Pledge of Allegiance by Mr. Thompson**

**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      **ARRIVED LATE**

**ELECTION OF OFFICERS**

**Binder - 1) Resolution C.S. No. C-2764 - Resolution to appoint a Chairman of the Parish Council for the calendar year 2010.**

**Bellisario - moved to nominate Jerry Binder, second by Canulette.**

**Canulette - moved to close nominations, second by Bellisario.**

**Bellisario - moved to appoint Jerry Binder, second by Gould. Unanimous with 1 absent (Burkhalter).**

**Binder - 2) Resolution C.S. No. C-2765 - Resolution to appoint a Vice-Chairman of the Parish Council for the calendar year 2010.**

**Falconer - moved to nominate Marty Gould, second by Crawford-Howell.**

**Canulette - moved to close nominations, second by Bellisario.**

**Canulette - moved to appoint Marty Gould, second by Bellisario. Unanimous with 1 absent (Burkhalter).**

**PRESENTATIONS**

**Binder - 1) Certificate of Recognition to Bonnie Romano, Carriage Lane Estates Property Owners Association, for selection as a National Night Out 2009 All Star. (Gould)**

**Gould - presented certificate to Bonnie Romano.**

**Binder - called for items to be removed from the Consent Calendar:**

<b>Ord. Cal. 4209</b>	<b>Ord. Cal. 4217</b>	<b>Ord. Cal. 4229</b>	<b>Ord. Cal. 4234</b>
<b>Ord. Cal. 4210</b>	<b>Ord. Cal. 4219</b>	<b>Ord. Cal. 4230</b>	<b>Resolution C-2766</b>
<b>Ord. Cal. 4212</b>	<b>Ord. Cal. 4226</b>	<b>Ord. Cal. 4231</b>	<b>Resolution C-2769</b>
<b>Ord. Cal. 4213</b>	<b>Ord. Cal. 4227</b>	<b>Ord. Cal. 4232</b>	
<b>Ord. Cal. 4216</b>	<b>Ord. Cal. 4228</b>	<b>Ord. Cal. 4233</b>	
<b>Consent Calendar minus items removed:</b>			

**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  
Council Committee Meeting

December 3, 2009  
NONE

**ORDINANCES FOR INTRODUCTION**

(Public Hearing February 4, 2010)

3) 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) (Crawford-Howell)

6) 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) (Binder/Davis)

7) 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) (Binder/Davis)

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

12) 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. (Binder/Davis)

13) 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) (Binder/Davis)

14) 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)(Gould)

15) 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. (Binder)

16) 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) (Burkhalter)

17) 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. (Hamauei)

**RESOLUTIONS**

28) Resolution C.S. No. C-2767 - Resolution approving the issuance of not exceeding \$220,000 of Limited Tax Certificates, Series 2010, of St. Tammany Parish Fire Protection District No. 3. (Binder/Davis)

29) Resolution C.S. No. C-2768 - Resolution to vacate, in part, the moratorium established

by Ordinance C.S. No. 08-1741, and any subsequent amendment and extension thereof, on the approval of rezoning and issuance of conditional use permits or plan review permits for property abutting the Louisiana Highway 21 corridor from Keys Road North to Azalea Drive (See Ordinance C.S. No. 09-1994). (Ward 1, District 1) (Dean)

31) Resolution C.S. No. C-2770 - Resolution establishing Warranty Obligations. (Binder/Davis)

**PERFORMANCE**

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
The Fountains Subdivision Amount: \$35,000 Expires: January 9, 2010 Ward: 4, District: 5	EXTEND FOR SIX (6) MONTHS OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED

**WARRANTY**

<u>NAME OF SUBDIVISION</u>	<u>RECOMMENDATION</u>
Penn Mill Lakes S/D, Phase 2C Amount: \$77,000 Expires: January 9, 2010 Ward:3, District: 3	RELEASE WARRANTY OBLIGATION ESTABLISH PERFORMANCE OBLIGATION FOR SIX (6) MONTHS
Country Lane Patio Homes S/D, Phase 1 Amount: \$21,100 Expires: December 27, 2010 Ward:8, District: 13	RELEASE L.O.C. THIS IS A PRIVATE SUBDIVISION AND THE PARISH IS NOT RESPONSIBLE FOR ANY MAINTENANCE
Country Lane Patio Homes S/D, Phase 2 Amount: \$23,800 Expires: February 12, 2010 Ward: 8, District: 13	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Terra Bella S/D, Phase 1-A-2 Amount: \$117,900 Expires: January 12, 2010 Ward: 1, District: 1	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED

32) Resolution C.S. No. C-2771 - Resolution stating the Parish Council's endorsement of Lakshmi of Morgan City, LLC for participation in the Louisiana Enterprise Zone Program. (EZ#2009-1035) (Binder/Davis)

33) Resolution C.S. No. C-2772 - Resolution stating the Parish Council's endorsement of Ochsner Health Center - Abita Springs for participation in the Louisiana Enterprise Zone Program. (EZ#2009-1046) (Binder/Davis)

34) Resolution C.S. No. C-2773 - Resolution stating the Parish Council's endorsement of Sharon Green State Farm Insurance Company for participation in Louisiana Enterprise Zone Program. (EZ#2009-1076) (Binder/Davis)

35) Resolution C.S. No. C-2774 - Resolution stating the Parish Council's endorsement of Profit-on-Hold for participation in the Louisiana Enterprise Zone Program. (EZ#2009-1087) (Binder/Davis)

36) Resolution C.S. No. C-2775 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget, Fixed Asset and Grants Awards. (Binder/Davis)

37) Resolution C.S. No. C-2776 - Resolution to amend Ordinance C.S. No. 08-1968 - 2009-2013 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

38) Resolution C.S. No. C-2777 - Resolution authorizing the filing of an application with the

Louisiana Department of Transportation and Development for a grant under the Job Access and Reverse Commute (JARC) Grant Program and/or the New Freedom Program. (Binder/Davis)

**END OF CONSENT CALENDAR**

Stefancik - moved to adopt the Consent Calendar minus items removed, second by Burkhalter. Unanimous with no one absent.

Items removed from the Consent Calendar:

Binder - 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)(Canulette)

Canulette - moved to table, second by Artigue. Unanimous with no one absent.

Binder - 2) 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) (Dean)

Dean - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with no one absent.

Binder - 4) 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. (Dean)

Dean - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with no one absent.

Binder - 5) Ord. Cal. No. 4213 - 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) (Binder/Davis)

Canulette - moved to amend and introduce, second by Bellisario. Unanimous with 1 absent (Billiot).

Binder - 8) 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. (Binder/Davis)

Crawford-Howell - moved to introduce, second by Thompson.

Binder - 9) 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. (Binder/Davis)

Gould - moved to introduce, second by Crawford-Howell.

Binder - 11) 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). (Stefancik)

Dean - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with no one absent.

Binder - 18) 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). (Crawford-Howell)

Dean - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with no one absent.

**Binder - 19) 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). (Crawford-Howell)**

**Dean - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with no one absent.**

**Binder - 20) 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).(Crawford-Howell)**

**Dean - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with no one absent.**

**Binder - 21) 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). (Crawford-Howell)**

**Dean - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with no one absent.**

**Binder - 22) 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). (Crawford-Howell)**

**Dean - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with no one absent.**

**Binder - 23) 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). (Crawford-Howell)**

**Dean - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with no one absent.**

**Binder - 24) 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). (Crawford-Howell)**

**Dean - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with no one absent.**

**Binder - 25) 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). (Crawford-Howell)**

**Dean - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with no one absent.**

**Binder - 26) 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). (Crawford-Howell)**

**Dean - moved to introduce and refer to the Zoning Commission, second by Bellisario. Unanimous with no one absent.**

**Binder - 27) Resolution C.S. No. C-2766 - Resolution approving holding an election in St. Tammany Parish Fire Protection District No. 7 to authorize the levy of a special tax therein. (Binder/Davis)**

Crawford-Howell - this is a renewal of an existing tax, not a new tax.

Stefancik - moved to adopt, second by Burkhalter. Unanimous with no one absent.

Binder - 30) Resolution C.S. No. C-2769 - Resolution authorizing the Parish President to sign a Cooperative Endeavor Agreement with the State of Louisiana, Office of Community Development ("OCD"), and the Road Home Corporation relative to the property disposition and reuse of funds generated by the sale of properties acquired through the Road Home Program. (Binder/Davis)

Burkhalter - will this money go towards the eradication of blight?

Kevin Davis - this is the first part of money for that.

#### APPEALS

Binder - 1) Clifford Elie appealing the Zoning Commission APPROVAL on December 1, 2009 to rezone 2.95 acres west of LA 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) (Applicant Sal Perino, Jr.)

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 - spoke with Mr. Elie who withdrew his appeal.

Dean - moved to concur with the zoning approval, second by Gould. Unanimous with 1 absent (Thompson).

Stefancik - moved to introduce an ordinance, second by Canulette; becomes Ordinance Cal. No. 4235.

Binder - 2) Applicant Joyce C. David appealing the Zoning Commission DENIAL on December 1, 2009 to rezone 0.64 acres west of LA Highway 21 and north of Madisonville. (Ward 1, District 1) (ZC09-12-039)

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.

Floyd Glass - the applicants asked for the wrong zoning when they originally went before the Zoning Commission. They would like to change the request from HC-2 to NC-2. They have discussed this with the appellant and thinks everyone is okay with the lowering of the Zoning.

Rick Wilke - Association of Associations. The applicants want to put a small restaurant in this area and serve beer and wine with meals. The NC-2 Zoning is okay with the residents in the area.

Dean - moved to override the Zoning denial, second by Thompson. Unanimous with no one absent.

Dean - moved to introduce an ordinance to reflect a change to NC-2 zoning, second by Thompson; becomes Ordinance Cal. No. 4236.

Binder - 3) 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)

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 no one absent.

Binder - 4) 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.)

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.

Rick Wilke - he filed this appeal on behalf of Mr. Dean so that there would be time for all parties to reach an agreement. It needs to be tabled for more discussions.

Dean - moved to table, second by Stefancik. Unanimous with no one absent.

Binder - 5) 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)

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 has talked to Mr. Hooper, and they are in agreement to table this matter in order for all parties to visit the site.

Canulette - moved table, second by Bellisario. Unanimous with no one absent.

Binder - 6) Paul J. Mayronne on behalf of Autumn Creek, II, LLC appealing the Planning Commission APPROVAL subject to staff comments of Final Subdivision Review of Autumn Creek II, Phase 2-1. (Ward 1, District 1) (SD06-06-028)

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

NOTE: To override Planning APPROVAL, a two-third vote of the entire Council is required and adoption of a resolution.

Paul Mayronne - all parties have reached an agreement, so his client is withdrawing his appeal and asking that the Council concur. There was a concern about a strip of ground that did not have a designated use, and the residents want to be sure that no changes could be made without a public hearing. His client committed to file for a major amendment to the PUD in order to separate the 2 parts of the subdivision.

Dean - moved to concur with the Planning approval, second by Burkhalter. Unanimous with no one absent.

Dean - moved to adopt a resolution, second by Burkhalter. Unanimous with no one absent; becomes Resolution C.S. No. C-2778.

**ORDINANCES FOR ADOPTION**

Binder - 1) 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) (Tabled 9/3/09, 10/1/09, 11/5/09 & 12/3/09)  
Bellisario - moved to remove, second by Canulette. Unanimous with 1 absent (Burkhalter).

**Binder - 2) 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) (Introduced 9/3/09) (Tabled 10/1/09, 11/5/09 & 12/3/09)**

**Hamauei - moved to remove, second by Bellisario. Unanimous with 2 absent (Billiot, Burkhalter).**

**Binder - 3) 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) (Tabled 11/5/09 & 12/3/09) (ZC09-12-040) (Related to Appeal No. 3)**

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

**Binder - 4) Ord. Cal. No. 4171 - 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) (Tabled 12/3/09) (ZC10-01-009) (To be heard by Zoning Commission 1/5/2010)**

**Dean - moved to table, second by Gould. Unanimous with 1 absent (Billiot).**

**Binder - 5) 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) (ZC10-01-005) (To be heard by Zoning Commission 1/5/2010)**

**Gould - moved to table, second by Burkhalter. Unanimous with 1 absent (Billiot).**

**Binder - 6) 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) (ZC10-01-006) (To be heard by Zoning Commission 1/5/2010)**

**Gould - moved to table, second by Thompson. Unanimous with 1 absent (Billiot).**

**Binder - 7) 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) (ZC10-01-012) (To be heard by Zoning Commission 1/5/2010)**

**Gould- moved to table, second by Crawford-Howell. Unanimous with 1 absent (Billiot).**

**Binder - 8) Ord. Cal. No. 4176 - Ordinance amending the official zoning map of the 2009 South West Comprehensive Rezoning Area (CRA-2) of St. Tammany Parish to reclassify 1.145 acres located at 136 Fairview Drive from Single-family Residential (A-4) to Indoor Retail and Service (NC-2). (Ward 4, District 4) (Introduced 11/5/09) (Tabled 12/3/09) (ZC09-12-044) (Zoning Commission recommended denial 12/1/2009 - No Appeal filed)**

**Falconer - moved to adopt, second by Burkhalter. Unanimous with 1 absent (Billiot); becomes Ordinance C.S. No. 10-2183.**

**Binder - 9) Ord. Cal. No. 4177 - Ordinance amending the official zoning map of the 2009 South West Comprehensive Rezoning Area (CRA-2) of St. Tammany Parish to reclassify Parkview Plaza Phase 1 and 2 located in Section 54, Township 7 South, Range 11 East from Multiple-family Residential (A-6) to Highway Commercial (HC-2). (Ward 4, District 4) (Introduced 11/5/09) (Tabled 12/3/09) (ZC09-12-045) (Zoning Commission recommended approval 12/1/2009)**

**Falconer - moved to adopt, second by Gould. Unanimous with 1 absent (Billiot); becomes Ordinance C.S. No. 10-2184.**

**Binder - 10) Ord. Cal. No. 4178 - Ordinance amending Parish Unified Development Code, Volume I, Section 6.0202 - General Standards and Criteria of the Manufactured Housing Overlay Regulations. (Introduced 11/5/09) (Tabled 12/3/09) (ZC09-12-048) (Zoning Commission recommended approval 12/1/2009)**

**Bellisario - moved to adopt, second by Crawford-Howell. Unanimous with 1 absent (Billiot); becomes Ordinance C.S. No. 10-2185.**

**Binder - 11) Ord. Cal. No. 4179 - Ordinance amending the Parish Unified Development Code, Volume I, Sections governing TND-1 AND TND-2 (Traditional Neighborhood Development Zoning), specifically Sections 5.3503, 5.3503A, 5.3523 and 5.3523A. (ZC09-12-049) (Introduced 11/5/09) (Tabled 12/3/09) (Zoning Commission recommended approval 12/1/2009)**

**Gould - moved to adopt, second by Artigue. Unanimous with 1 absent (Billiot); becomes Ordinance C.S. No. 10-2186.**

**Binder - 12) 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) (ZC09-12-043) (Related to Appeal No. 5)**

**Canulette - moved to table, second by Burkhalter. Unanimous with no one absent.**

**Binder - 13) 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) (ZC10-01-002) (To be heard by Zoning Commission 1/5/2010)**

**Canulette - moved to table, second by Burkhalter. Unanimous with no one absent.**

**Binder - 14) Ord. Cal. No. 4185 - Ordinance to authorize the execution of an agreement pursuant to LA.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)**

**Stefancik - the reason that he wanted to extend the contract to January 31<sup>st</sup> rather than just one month, is because he thought that this ordinance would pass tonight, which would give enough time for the ordinance to become effective before the contract expires. If we table the ordinance tonight, it will still take it 15 days to become effective if it is adopted in February, but the contact will have expired.**

**Sevante - this ordinance states that it will become effective immediately upon adoption.**

**Stefancik - he just wants to make sure that the Parish is covered under an ambulance contract.**

**Neil Hall - you can make the Resolution extending the contract to expire on the effective date of the ordinance.**

**Gould - moved to table, second by Artigue. Unanimous with no one absent.**

**Stefancik - moved to adopt a resolution extending the Acadian Ambulance contract, second by Gould. Unanimous with no one absent; becomes Resolution C.S. No. C-2182a.**

**Binder - 15) 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)**

**Gould - moved to table, second by Thompson. Unanimous with no one absent.**

**Binder - 16) 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)

Gould - moved to table, second by Thompson. Unanimous with no one absent.

Binder - 17) 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)

Gould - moved to table, second by Thompson. Unanimous with no one absent.

Binder - 18) 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) (ZC10-01-004) (To be heard by Zoning Commission 1/5/2010)

Burkhalter - moved to table pending the appeal period, second by Canulette. Unanimous with no one absent.

Binder - 19) Ord. Cal. No. 4198 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning) Section 8.1011 Land Clearing Permit Relative to Bond. (ZC09-11-034) (Binder/Davis)

Gould - moved to adopt, second by Burkhalter. Unanimous with no one absent; becomes Ordinance C.S. No. 10-2187.

Binder - 20) 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)

Bellisario - moved to table, second by Burkhalter. Unanimous with no one absent.

Binder - 21) 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 12/3/09)

Artigue - moved to table pending the Zoning Commission hearing, second by Burkhalter. Unanimous with no one absent.

Binder - 22) Ord. Cal. No. 4201 - Ordinance to extend for an additional six (6) months the moratorium on the placement of fill and on the issuance of building permits for construction or placement of building structures on property within Dove Park Subdivision. (Ward 4, District 5) (Introduced 12/3/09)

Gould- moved to remove, second by Thompson. Unanimous with no one absent.

Binder - 23) Ord. Cal. No. 4202 - Ordinance to extend for an additional six (6) months the moratorium on the approval of rezoning, issuance of conditional use permits and issuance of plan review permits, not previously received, for property abutting the Louisiana Highway 21 Planned Corridor from Keys Road North to Azalea Drive. (Ward 1, District 1) (Introduced 12/3/09)

Dean - moved to adopt, second by Thompson. Unanimous with no one absent; becomes Ordinance C.S. No. 10-2188.

Binder - 24) Ord. Cal. No. 4203 - Ordinance to extend for an additional six (6) months the moratorium on the issuance of permits for construction or placement of building structures on certain right-of-way parcels needed for listed capital projects. (Introduced 12/3/09)

Gould - moved to adopt, second by Crawford-Howell. Unanimous with no one absent; becomes Ordinance C.S. No. 10-2189.

Binder - 25) Ord. Cal. No. 4204 - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Terra Bella, Phase 1-A-1 Subdivision. (Ward 1, District1 ) (Introduced 12/3/09)

Dean - moved to adopt, second by Thompson. Unanimous with no one absent; becomes Ordinance C.S. No. 10-2190.

Binder - 26) Ord. Cal. No. 4205 - Ordinance amending the 2009 Operating Budget. (Introduced 12/3/09)

Gould - moved to adopt, second by Artigue. Unanimous with no one absent; becomes Ordinance C.S. No. 10-2191.

Binder - 27) Ord. Cal. No. 4206 - 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 12/3/09)

Billiot - moved to table pending Zoning Commission hearing, second by Bellisario. Unanimous with no one absent.

Binder - 28) Ord. Cal. No. 4207 -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-3 (Ward 8, District 6). (Introduced 12/3/09)

Crawford-Howell - moved to table pending appeal period, second by Burkhalter. Unanimous with no one absent.

Binder - 29) Ord. Cal. No. 4208 - Ordinance amending the 2009 Parish Zoning Map of the South Central Comprehensive Rezoning (CRA-1) to reclassify Donniss Road (9-B-007) as Manufactured Housing Overlay (MHO). (Ward 9, District 6) (Introduced 12/3/09)

Crawford-Howell - moved to remove, second by Thompson. Unanimous with no one absent.

**NOMINATION**

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 is eligible to serve additional terms).

Burkhalter - nominated John Merchanson and Rob Cook.

Marty Gould - nominated John Amermans and Kristin McLaren.

Bellisario - nominated the two names recommended via e-mail by the Development District.

Binder - these appointments are parishwide, so it is necessary for these nominations to lay over until next month.

**APPOINTMENT**

1) Resolution to appoint Mark Aylor to replace Tammy Curry (resigned) to St. Tammany Parish Sub-Drainage District No. 1 of Gravity Drainage District No. 3. (Bellisario)

Bellisario - moved to appoint, second by Stefancik. Unanimous with no one absent; becomes Resolution C.S. No. C-2779.

**DISCUSSION AND OTHER MATTERS**

1) Reconsideration of Ordinance C.S. No. 09-2167 adopted December 3, 2009, not concurring with the De-annexation ordinance of the City of Slidell (STP-2009-02) (Ward 9, District 12) (Binder)

Stefancik - moved to reconsider, second by Burkhalter. Unanimous with one absent (Bellisario).

Gary Gammon - he owns this piece of property which is adjacent to his house. The City of Slidell has already de-annexed him and that made it so that he was unable to do anything with his property. The adjacent property is in the Parish, so now this property is land-locked. He is not able to receive City or Parish services.

Binder - he has talked to Mr. Gammon and has no problem with reversing the previous vote to not concur with the de-annexation.

Stefancik - moved to change the ordinance vote from not concur to concur, second by Burkhalter. Unanimous with one absent (Bellisario); becomes Ordinance C.S. No. 09-2167AA.

Falconer - moved to open the Off-the-Floor Agenda, second by Crawford. Unanimous with no one absent.

#### ITEMS OFF-THE-FLOOR

Binder - 1) Emergency ordinance to impose a 30-day moratorium on the receipt of applications by the Parish Planning Department for Minor Subdivision review and administrative approval as provided for in Section 40-045.0 of the Parish Code of Ordinances.(Falconer)

Falconer - moved to introduce, second by Dean. Unanimous with no one absent; becomes Ordinance Cal. No.4237.

Falconer - moved to suspend the rules and adopt, second by Thompson. Unanimous with no one absent; becomes Ordinance C.S. No. 10-2182.

Binder - 2) 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 Section 40-045.0 of the Parish Code of Ordinances.(Falconer)

Falconer - moved to introduce, second by Gould. Unanimous with no one absent; becomes Ordinance Cal. No. 4238.

Binder - 3) Resolution approving and authorizing the Parish President to sign and/ or execute Cooperative Endeavor Agreement between the Parish and the Louisiana Department of Transportation and Development regarding the transportation improvements funded by the American Recovery and Reinvestment Act of 2009 and administered by DOTD. (Gould)

Gould - moved to adopt, second by Falconer. Unanimous with no one absent; becomes Resolution C.S. No. C-2781.

Binder - 4) Ordinance amending the 2010 Operating Budget. (Binder)

Burkhalter - moved to introduce, second by Gould. Unanimous with no one absent; becomes Ordinance Cal. No.4239.

Binder - 5) Resolution approving and authorizing the Parish President to sign and/ or execute Cooperative Endeavor Agreement between the Parish and the St. Charles Community Health Center, Inc. for the purpose of contributing to the operation of the pediatric practice located in Slidell Memorial Hospital.(Binder)

Kevin Davis - this practice has already been in operation for a year, and now they have received a Federal grant.

Burkhalter - moved to adopt, second by Artigue. Unanimous with no one absent; becomes Resolution C.S. No. C-2782.

**Binder - Lawsuits entitled:**

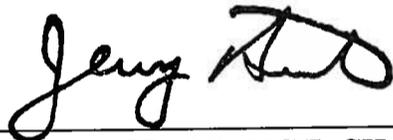
- 1) **United Disaster Response, LLC vs. Omni Pinnacle, LLC, et al., USDC-Eastern District, C.A. NO. 06-6075, SECTION "B" MAGISTRATE "1";**
- 2) **St. Tammany Parish vs. Omni Pinnacle, LLC, et al., 22<sup>ND</sup> JDC, CASE NO. 2007-10755, DIVISION "I" and R. Baker, Inc.; and**
- 3) **Stewart G. "Buddy" Fuzzell vs. Omni Pinnacle, LLC, et al., USDC-Eastern District, C.A. NO. 09-4166, SECTION "E", MAGISTRATE "3".**

**Stefancik - moved to enter executive session, second by Burkhalter. Unanimous with no one absent.**

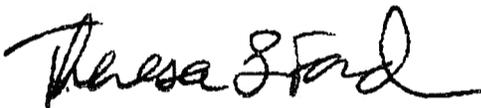
**Burkhalter - moved to come out of executive session, second by Stefancik. Unanimous with no one absent.**

**Stefancik - moved to adopt a resolution regarding executive session, second by Burkhalter. Unanimous with no one absent; becomes Resolution C.S. No. C-2780.**

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



**JERRY BINDER, COUNCIL CHAIRMAN**



**THERESA L. FORD, COUNCIL CLERK**