

**MINUTES**  
**ST. TAMMANY PARISH COUNCIL MEETING**  
**THURSDAY, NOVEMBER 4, 2010 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**

**arrived at 6:30pm**

**PRESENTATIONS**

**Binder - 1) Moment of Silence recognizing the soldiers lost in Operation Iraqi Freedom, Operation New Dawn and Operation Enduring Freedom, as well as their families, and to also recognize all other members of the military as Veterans' Day approaches on November 11, 2010. (Binder)**

**Binder - with Veterans' Day approaching on November 11, he finds that as he gets older his heroes are teachers, members of law enforcement and the soldiers who are protecting this country in the war on terrorism. There are veterans in all families, and he encourages everyone to make a point to recognize the people we know as veterans and thank them for their service.**

**Artigue - there is a Veterans' Day parade in Slidell from 1 to 4 pm starting at Slidell High and ending at Salmen High.**

**Hamauei - that parade is to specifically recognize Vietnam veterans. Fighting in that war was not popular. They did not welcome them home. He feels like they should be recognized after 40 years.**

**Will Rachel - represents Veterans Celebrating Freedom. This is their 3<sup>rd</sup> year hosting the parade. There are 36,000 Vietnam veterans in St. Tammany Parish. They would like to thank the Council for recognizing the people who guard the gates of our freedom.**

**Binder - 2) Introduction of the Junior Council Members for November - Ella Katherine Hamauei and Addie Louise Hamauei (granddaughters of Councilman Al Hamauei). (Hamauei)**

**Hamauei - only one of my granddaughters' is here. This is Addie Hamauei. She is not normally shy, but she would rather be coloring right now.**

**Binder - 3) Presentation of Certificates to Boy Scout and Cub Scout troops in appreciation of their work to distribute Hurricane and Flooding Safety Information Guidelines. (Binder/Davis)**

**Dexter Accardo - Director of St. Tammany Parish Homeland Security & Emergency Operation Center. Over the last 8 months the Parish has been actively involved in problems related to the oil spill in the Gulf. In the middle of that work, the need arose to distribute flyers regarding hurricane preparedness. Several Boy Scout Troops, Cub Scouts and Lone Scouts distributed all of the flyers. Without their help, his department would not have been able to get the brochures to the people.**

**Binder - 4) Presentation of Certificates of Recognition to Youth Leadership Council and Junior Advisory Board of St. Tammany. (Binder/Davis)**

Binder - this is to be removed at the request of Administration.

Binder - 5) Presentation of Proclamation recognizing the Tchefuncte River Foundation.  
(Binder/Davis)

Bill Oiler - read the proclamation on behalf of Kevin Davis.

Kyle Catalano - thanks the Parish for the recognition on behalf of the Foundation. They are currently working hard to organize a Festival in June 2011 in downtown Madisonville.

**PUBLIC HEARING  
2011 PARISH OPERATING/CAPITAL BUDGETS**

Binder - 1) Ord. Cal. No. 4384 - Ordinance adopting the 2011 Parish Operating Budget. (Introduced 9/29/10)

Sandra Slifer - President of the League of Women Voters. They would like to thank Leslie Long, Kim Salter and Mike Sevante for meeting with them to discuss the budget.

Carlo Hernandez - he was in the meetings with the League of Women Voters. He received the answers that he needed, but he wanted to comment on Lighting Districts. The Parish has 11 Lighting Districts, some of which have nearly \$1 million sitting in a fund. The most developed areas have them, but in the rural areas there are not many. Mike Sevante told him there are a lot of dark spots in the rural areas partially due to guidelines such as lights being placed at a cross street. Also, there are no traffic lights planned for Highway 1088 at I-12 or near Lakeshore High School. The High School is 600 feet north of Lighting District 6, but east of Lighting District 1. In order to cover this area with lights, he thinks that the boundaries of either District should be changed.

Gould - to Leslie Long. Are there plans to light the Highway 1088 and I-12 interchange? He knows that the State normally does not provide lights.

Bill Oiler - yes there are plans. Almost every interstate interchange is expected to be in a lighting fund that will come from the Regional Planning Commission which will be funded federally.

Sevante - in 2009, the Parish was authorized by the Legislature with a way to create new lighting districts and properly fund them. Currently, the districts are funded by parcel fee or millage. This program would get money from a service fee from the local utilities. For the utilities to collect the service fee, there would have to be a vote of the people to approve and a utility that would be willing to collect the fee.

Falconer - he has been receiving calls from constituents who want to know why the Parish's budget increased so much. He has been explaining that it is because of the inclusion of St. Tammany Water (formerly SELA). It is also because the auditor stated that they needed to show the numbers from the Library, COAST, etc. Also, he has been involved in discussion about the cost of living increase. He would suggest that the Parish consider providing an hourly adjustment rather than a percentage increase to salaries. That way the lower salaries would be better served. Finally, he would like to recognize some of his students from Southeastern who will receive extra credit for attending the meeting.

Stefancik - moved to adopt, second by Bellisario. Unanimous with no one absent; becomes Ordinance C.S. No. 10-2405.

Binder - 2) Ord. Cal. No. 4385 - Ordinance adopting the 2011-2015 Parish Capital Improvement Budget and Program, and further identify Fixed Assets & Grants Awards. (Introduced 9/29/10)

Stefancik - moved to adopt, second by Burkhalter. Unanimous with no one absent; becomes Ordinance C.S. No. 10-2406.

Binder - call to Council and Audience for items to be pulled from the Consent Calendar:

Ord. Cal. No. 4381  
Reso C-3001

Reso C-2970  
Reso C-3002

Reso C-2994

## Consent Calendar less items pulled:

## 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. (Call to Council Members and Audience for items to pull)

## MINUTES

Special Council Meeting	September 29, 2010
Regular Council Meeting	October 7, 2010
Council Committee Meeting	October 27, 2010

## ORDINANCES FOR INTRODUCTION

(Public Hearing December 2, 2010)

2) Ord. Cal. No. 4429 - Ordinance amending the official Parish Zoning Map to reclassify 3.67 acres located on the corner of Coyne Road and Million Dollar Road from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (ZC10-09-108) (Zoning Commission approved 10/5/10) (Binder/Davis)

3) Ord. Cal. No. 4430 - Ordinance amending the official Parish Zoning Map to reclassify 40,000 square feet located north of Brewster Road, west of Perrilloux Road in Madisonville from A-2 (Suburban District) to PF-1 (Public Facilities District). (Ward 1, District 1) (ZC10-10-115) (Zoning Commission approved 10/5/10) (Binder/Davis)

4) Ord. Cal. No. 4431 - Ordinance amending the official Parish Zoning Map to reclassify 3 acres located west of LA Highway 437, north of Handsome Meadow Lane from A-1 (Suburban District) to PF-1 (Public Facilities District). (Ward 2, District 2) (ZC10-10-116) (Zoning Commission approved 10/5/10) (Binder/Davis)

5) Ord. Cal. No. 4432 - Ordinance amending the official Parish Zoning Map to reclassify 2.98 acres located west of LA Highway 1090, east of I-59 from A-3 (Suburban District) to PF-1 (Public Facilities District). (Ward 8, District 9) (ZC10-10-117) (Zoning Commission approved 10/5/10) (Binder/Davis)

6) Ord. Cal. No. 4433 - Ordinance amending the official Parish Zoning Map to reclassify 5 acres located north of Henry Keller Memorial Park, west of Fish Hatchery Road in Lacombe from A-2 (Suburban District) to PF-1 (Public Facilities District). (Ward 7, District 7) (ZC10-10-118) (Zoning Commission approved 10/5/10) (Binder/Davis)

7) Ord. Cal. No. 4434 - Ordinance amending the official Parish Zoning Map to reclassify 38,857.47 square feet located on southwest corner of Keith Drive & John Drive, being Lot 34, Hickory Hills Subdivision, Addition No. 1 in Slidell from A-2 (Suburban District) to A-2 (Suburban District) & MHO (Manufactured Housing District). (Ward 8, District 9) (ZC10-10-119) (Zoning Commission approved 10/5/10) (Binder/Davis)

8) Ord. Cal. No. 4435 - Ordinance amending the official Parish Zoning Map to reclassify 1.62 acres located on the northeast corner of Oak Park Drive & Gail Street, being 52 Oak Park Drive, Madisonville and which property comprises a total 1.62 acres from its present A-3 (Suburban District) to PF-1 (Public Facilities District). (Ward 1, District 1) (ZC10-10-121) (Zoning Commission approved 10/5/10) (Binder/Davis)

9) Ord. Cal. No. 4436 - Ordinance amending the official Parish Zoning Map to reclassify 1.49 acres located on the southeast corner of Henry Clay and "I" Street from A-4-A (Single Family Residential District) to CB-1 (Community Based Facilities District). (Ward 3, District 5) (ZC10-10-122) (Zoning Commission approved 10/5/10) (Binder/Davis)

10) Ord. Cal. No. 4437 - Ordinance amending the official Parish Zoning Map to reclassify 3.6 acres located on the southwest corner of LA Highway 41 & Golden Lane, being 65155 Highway 41, Pearl River from HC-2 (Highway Commercial District) to HC-2 (Highway Commercial District) & RO (Rural Overlay). (Ward 8, District 6) (ZC10-10-123) (Zoning Commission approved 10/5/10) (Binder/Davis)

11) Ord. Cal. No. 4438 - Ordinance amending the official Parish Zoning Map to reclassify 2.12 acres located north of I-12, east of Airport Road from HC-3 (Highway Commercial District) to PF-1 (Public Facilities District). (Ward 9, District 11) (ZC10-10-124) (Zoning Commission approved 10/5/10) (Binder/Davis)

12) Ord. Cal. No. 4439 - Ordinance establishing a “No Parking” Zone on Olene Drive (4-E-113) (Ward 4, District 5). (Gould)

13) Ord. Cal. No. 4440 - Ordinance to authorize the Parish President to acquire parcels, rights-of-way and/or servitudes for the Highway 1077/1085 Intersection Project. (Binder/Davis)

14) Ord. Cal. No. 4441 - Ordinance to authorize the Parish President to acquire parcels, rights-of-way and/or servitudes for Polders Lane Project. (Binder/Davis)

15) Ord. Cal. No. 4442 - Ordinance to correct the Road and Drainage Inventory to include Mitchell Road Lateral; Henry Gaines Lateral; 16<sup>th</sup> Section Road Lateral; Pineridge Road Lateral; and an extension of North 13<sup>th</sup> Street. (Wards 6, 8 & 9) (Districts 6, 1, 13 & 14) (Binder/Davis)

16) Ord. Cal. No. 4443 - Ordinance to extend for an additional six (6) months the moratorium on the placement of fill and on the issuance of permits for construction, renovation, improvement or placement of any building or structures on property within the boundaries of the subdivision known as Serenity Oaks. (Ward 9, District 14) (Burkhalter)

**RESOLUTIONS**

18) Resolution C.S. No. C-2989 - Resolution authorizing the filing of an application with the Louisiana Department of Transportation and Development for a grant under 49, CFR 5311, Non-Urbanized Area Formula Program and/or 49 CFR 5309, Discretionary Capital Program. (Binder/Davis)

19) Resolution C.S. No. C-2990 - Resolution establishing Performance and Warranty Obligations. (Binder/Davis)

**PERFORMANCE**

<b><u>NAME OF SUBDIVISION</u></b>	<b><u>RECOMMENDATION</u></b>
Pine Creek Acres S/D, Phase 1A Amount: \$7,200 Expires: December 24, 2010 Ward: 1, District: 1	EXTEND FOR SIX (6) MONTHS OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Ashland Oaks Business Park S/D Amount: \$32,400 Expires: December 22, 2010 Ward:1, District: 1	EXTEND FOR SIX (6) MONTHS OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
River Highlands S/D, Phase 1 Amount: \$21,300 Expires: December 8, 2010 Ward: 1, District: 1	EXTEND FOR SIX (6) MONTHS OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED

**WARRANTY**

<b><u>NAME OF SUBDIVISION</u></b>	<b><u>RECOMMENDATION</u></b>
Lakeshore Villages S/D, Ph. 2, Sec.1 Amount: \$82,500 Expires: December 16, 2010 Ward: 9, District: 13	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED
Enter Parish R.O.W. (Resolution No. 08-010) Unnamed St. Between Dupre & Molitor Sts. Town of Mandeville S/D Amount: \$10,200 Expires: December 11, 2010 Ward: 4, District: 7	EXTEND FOR ONE (1) YEAR OR UNTIL WORK IS SATISFACTORILY ACCOMPLISHED

20) Resolution C.S. No. C-2991 - Resolution to amend Ordinance C.S. No. 09-1266, 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grants Awards. (Binder/Davis)

21) Resolution C.S. No. C-2992 - Resolution to amend Ordinance C.S. No. 09-2166, 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 1 Capital Improvements List. (Binder/Davis)

22) Resolution C.S. No. C-2993 - Resolution to amend Ordinance C.S. No. 09-2166, 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the District 7 Capital Improvements List. (Binder/Davis)

24) Resolution C.S. No. C-2995 - Resolution declaring as surplus certain assets and authorizing the donation or exchange of same. (Binder/Davis)

25) Resolution C.S. No. C-2996 - Resolution approving and authorizing the Parish President to sign and/ or execute a memorandum of understanding with the Village of Sun for the purpose of assisting the Village with building permit inspections. (Binder/Davis)

26) Resolution C.S. No. C-2997 - Resolution approving and authorizing the Parish President to sign and/ or execute a cooperative endeavor agreement the Village of Folsom for the purpose of assisting the Village with certain road improvements. (Binder/Davis)

27) Resolution C.S. No. C-2998 - Resolution approving and authorizing the Parish President to sign and/or execute a cooperative endeavor agreement with the City of Covington regarding the re-paving of the Parish EOC parking lot and alley. (Binder/Davis)

28) Resolution C.S. No. C-2999 - Resolution to certify that the Parish shall comply with all requirements of the State of Louisiana Off-System Bridge Replacement Program. (Binder/Davis)

29) Resolution C.S. No. C-3000 - Resolution to establish load limits on bridges within the Off-System Bridge Replacement Program for the Parish, as indicated, and directing the Department of Engineering to record same with the Clerk of Court. (Binder/Davis)

32) Resolution C.S. No. C-3003 - Resolution to vacate, in part, the moratorium established by Ordinance C.S. No. 10-2361 on issuance of building permits for construction or placement of building structures on property within a portion of Beverly Hills and Kingspoint Subdivisions to release Lots 1, 2, 3, 4, 5 and 6, Square 1. (Ward 8, District 14) (Burkhalter)

33) Resolution C.S. No. C-3004 - Resolution agreeing to acquire properties along U.S. Highway 11 from the Louisiana Land Trust and authorizing the Parish President to take all appropriate actions to effect these acquisitions. (Ward 9, District 13) (Artigue)

#### END OF CONSENT CALENDAR

Stefancik - moved to adopt Consent Calendar less items pulled, second by Gould. Unanimous with no one absent.

Binder - 1) Ord. Cal. No. 4381 - Ordinance to rezone 3.48 acres at the entrance of Belle Point Subdivision within the South West Comprehensive Rezoning Area from HC-1 (Highway Commercial) to HC-2 (Highway Commercial). (Ward 1, District 1) (Zoning Commission recommended denial 8/3/10) (Dean) (Tabled 9/2/10 & 10/7/10)

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

Binder - 17) Resolution C.S. No. C-2970 - Resolution to Concur/Not Concur with the City of Slidell annexation and rezoning of 0.83 acres from Parish HC-2 (Highway Commercial District) to City of Slidell C-4 (Highway Commercial District) located on Parcel "B" of a Minor Subdivision of a 6.171 acre parcel into Parcels A& B, in Section 23, Township 9 South, Range 14 East, St. Tammany Parish. (SL2010-01) (Ward 8, District 13) (Binder/Davis)(tabled 10/7/10)

Artigue - moved to concur with the annexation, second by Burkhalter. Unanimous with no one absent.

**Binder - 23) Resolution C.S. No. C-2994 - Resolution approving the issuance, sale and delivery of not exceeding Thirty Million Dollars (\$30,000,000) of St. Tammany Public Trust Financing Authority Revenue Bonds (Christwood Project). (Binder/Davis)**

**Binder - this Resolution needs to be amended to reflect a change in the amount of the bonds from \$30 million to \$21 million.**

**Jason Akers - represents Foley and Judell. This is a public trust that was created 30 years ago. The trust is financing a project for Christwood. The Parish has no obligation for repayment. This resolution is simply providing approval to borrow the money.**

**Stefancik - we established a Finance Authority under Parish rule to replace the trust. He is trying to understand why the Trust is being used. Was the Finance Authority even tried?**

**Akers - when the Christwood project was established in 1995, it was funded through the Trust. Because of the bonds, they have to borrow through the trust because Christwood is already obligated to it. The trust was used because the Finance Authority would not be able to cover the older bonds in case of a default.**

**Dean - moved to amend, second by Gould. Unanimous with no one absent.**

**Dean - moved to adopt as amended, second by Cooper. Unanimous with no one absent.**

**Binder - 30) Resolution C.S. No. C-3001 - Resolution to concur/not concur with City of Mandeville annexation and rezoning of 0.3518 acres located in Section 33, Township 7 South, Range 11 East from Parish HC-2 (Highway Commercial District) to City of Mandeville O/R (Office Residential District). (Ward 4, District 4) (MN2010-02) (Binder/Davis)**

**Falconer - moved to concur with the annexation, second by Thompson. Unanimous with no one absent.**

**Binder - 31) Resolution C.S. No. C-3002 - Resolution to concur/not concur with the City of Covington annexation and rezoning of 0.68 acres located at 1930 N Collins Boulevard from Parish HC-2 (Highway Commercial District) to City of Covington CR (Regional Commercial District). (Ward 3, District 2) (CO2010-01) (Binder/Davis)**

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

**Burkhalter - moved to reopen the Consent Calendar to discuss Resolution C-3005, second by Falconer. Motion passed with 11 yeas, 3 nays (Dean, Thompson, Binder) and no one absent.**

**Binder - 34) Resolution C.S. No. C-3005 - Resolution authorizing a contract with Allan Cartier for professional services related to the redistricting of Parish Council Districts consistent with the 2010 Decennial Census, and authorizing the Council Chairman to execute documents in connection therewith. (Binder/Davis)**

**Burkhalter - He has walked in on bits and pieces of discussions on redistricting and the census. He would rather put out an RFP for any one interested rather than just appoint someone. He is not sure who drew up the last redistricting, but the borders of his district are unclear and divided in a crazy way. He would like to take a time out to consider who is the best option to assist. He understands that this redistricting is critical on even a federal level. He thinks we need to do an RFP.**

**Binder - he and Mr. Gould were approached by Mike Sevante advising that the redistricting needed to be completed as soon as possible after receipt of the complete results of the Census. The Parish Charter requires that redistricting be completed at least six (6) months before the next Council Member election. That may be an improbable task considering that elections are scheduled for October and it is unsure as to when the complete results of the Census will arrive. He knows from redistricting in Slidell that there are not many people who are qualified to handle this process. For example, on the State level, the Parish was shafted when the Senatorial Districts of St. Tammany and St. Bernard were included in the same district. The reason for this resolution was to try and get ahead of what was necessary and make a recommendation.**

**Burkhalter - he knows people who can do this and would be interested.**

**Binder - this process only occurs every 10 years.**

**Hamauei - thinks that the Council should adopt this tonight, but he is sure that if the Council is not happy with its choice, then they can talk to others to complete the process. The Parish needs to get moving on this.**

**Bellisario - he is in the Senate District that is 100 miles long. That is what happens when someone who does not know the area does the redistricting. He is comfortable with Mr. Cartier because Mr. Cartier knows the Parish.**

**Gould - he was happy with TamPlan and Mr. Cartier during the last redistricting. They have made the message clear that they want to settle District 14 in regards to the minority population because what happens in that District effects the rest of the Districts.**

**Binder - he and Mr. Gould made it clear to Mr. Cartier that they knew it was going to be a difficult process. Because in some areas there has been a lot of growth, such as District 1. They told Mr. Cartier that they want every council member to have the proper input in the redistricting process. All of the Council districts have to be contiguous. The only area that has any latitude is District 14 because it needs to be a minority district.**

**Sandra Slifer - as the President of the League of Women Voters - they ask that as many of the meetings with Mr. Cartier as possible be made public. In the past, the citizens were left out of the process until the maps were virtually finished. They would like the Council to have the meetings in Chambers with the maps on the wall. Especially because the population has changed so drastically.**

**Stefancik - moved on reconsideration to adopt the Consent Calendar, second by Gould. Motion passes with 13 yeas, 1 nay (Burkhalter) and no one absent.**

#### **APPEALS**

**Binder - 1) Janine Manguno appealing the Zoning Commission DENIAL on September 7, 2010 to rezone 1.6 acres located north of LA Highway 1088, west of Hickory Street from A-2 (Suburban District) to NC-1 (Neighborhood Commercial District). (Ward 4, District 5) (ZC10-09-110) (Tabled 10/7/10)**

**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.**

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

**Binder - 2) John Hoogacker appealing the Zoning Commission DENIAL on October 5, 2010 to rezone 3.21 acres located on Commercial Drive, east of I-59 Service Road, Lots 1-3 of I-59 Commercial Park, Slidell from HC-2 (Highway Commercial District) to I-2 (Industrial District). (Ward 8, District 9) (ZC10-10-120)**

**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.**

**Gary Stanford - he owns Stanford Mobile Homes which is 4 acres adjacent to Mr. Hoogacker's property. At the Zoning Commission, Mr. Hoogacker stated that he was requesting the rezoning to be able to store 18-wheelers. However, Mr. Stanford saw that the 18 wheelers Mr. Hoogacker placed there are used to transport fuel. Also, there is a very bad curve in the road leading to the property and having that many trucks coming in and out could lead to a bad accident.**

**Bellisario - moved to concur with the Zoning Commission Denial, second by Burkhalter. Unanimous with 1 absent (Dean).**

Bellisario - moved to adopt a resolution, second by Stefancik. Unanimous with 1 absent (Dean); becomes Resolution C.S. No. C-3006.

Binder - 3) Leroy L. Cooper appealing the Zoning Commission DENIAL on October 5, 2010 of a request for a major amendment to a 13.17 acre PUD (Planned Unit Development District) located at the end of Caroline Court, east of Highway 190, south of Park Place Drive. (Ward 3, District 5) (ZC05-12-077)

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.

Falconer - he would like to go on record stating that at one time he was involved in this project. Therefore, he would like to recuse himself from any discussion regarding it.

Gould - He spoke to Mr. Cooper this morning and received some information that he would like to discuss with the citizens.

Gould - moved to table, second by Canulette. Unanimous with 4 absent (Dean, Falconer, Bellisario, Burkhalter).

#### ORDINANCES FOR ADOPTION

Binder - 1) Ord. Cal. No. 4209AA - 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)(Amended & re-introduced 2/4/10) (ZC10-01-016) (Zoning Commission approved 3/2/10)(Tabled 3/4/10, 4/1/10, 5/6/10, 6/3/10, 7/1/10, 8/5/10, 9/2/10& 10/7/10)

Gould - moved to remove, second by Bellisario. Unanimous with 2 absent (Dean, Burkhalter).

Binder - 2) Ord. Cal. No. 4213AAV - 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 & reintroduced 2/4/10) (Adopted 3/4/10) (Reconsidered, rescinded & tabled 4/1/10) (Tabled 5/6/10, 6/3/10, 7/1/10, 8/5/10, 9/7/10) (Re-introduced 10/7/10)

Steven Furr - his family is effected by this Ordinance. It seems that the Council is set on 300 foot set back from wildlife areas. They feel that is unfair and unnecessary. On his property, a 300 foot buffer would take away 50 acres. They feel it is regulatory taking and would like the Council to leave the set-back at 100 feet.

Tom Kennedy, Ph. D. - he works with the Nature Conservatory in Pearl River. From an ecological and hydrologic standpoint, his view toward the sand and gravel mines is that if the set-backs were left at 100 feet then the river could avulse when a flood episode occurs and enter the mines. The river needs to be able to wind its course. If it avulses then the river could channel to a different course. The 300 foot set-backs may not even be sufficient. The Mississippi DEQ has a guideline that suggests a 500 foot set-back.

Bellisario - he thinks that they need to study this more. He wants to look at putting bermson the properties along the river.

Kennedy - you also need to consider the turbidity or water clarity of the river. That is important for the health of the river and ecological needs of the river community, such as fish and fresh water mussels. If water clarity is lost it will effect whole communities.

Canulette - what are your credentials?

Kennedy - I have a Masters' Degree in wildlife and fisheries and a Ph.D. in aquatic biology.

Canulette - they have learned that Louisiana Wildlife and Fisheries has a 66 point process to prevent turbidity. There are seven endangered species in the Pearl River. This is ours and he feels that we need to protect it. The 300 foot set-backs will not effect anyone currently in business. It will be strictly for new permits.

Artigue - he is wondering if they should consider the 500 feet instead of 300 feet.

Bellisario - if we keep increasing the set-backs, it will knock people out of business. He wants to see studies that validate the set-backs. He also wants to review the option of using berms.

Crawford-Howell - she agrees with Mr. Bellisario. She does not like dealing with taking the income of constituents. They have not shown what needs to be shown about the set-backs, and berms need to be researched.

Gould - the set-backs are from the waters' edge, but he thinks it needs to be considered from the flood plain.

Artigue - the set-backs need to be set from a low river level. Even if you create a berm on 200 acres, it will flood someone's property.

Hamauei - these are the problems we face everyday. It is all about finding balance. We need the products that are mined, but at the same time, we need to preserve the environment.

Canulette - they have found that the set-backs range from 50 meters to 600 plus feet on wildlife areas.

Terry Hand - in a way, the 300 feet may be sufficient when considering the noise, migratory paths and breeding grounds. It needs to be researched more.

Sidney Fontenot - there are no provisions for set-backs right now. An ordinance was adopted with a 100 foot set-back, but it was rescinded.

Cooper - this will apply to sand and gravel mining?

Artigue - it should not be limited to sand and gravel. If it is a dirt mine, it should be 300 feet.

Canulette - moved to table, second by Artigue. Unanimous with 1 absent (Dean).

Binder - 3) Ord. Cal. No. 4382 - Ordinance amending the official Parish Zoning Map to reclassify 33 acres located south of LA Highway 1085, west of LA Highway 21, across from Bricker Road from PUD (Planned Unit Development District) to a MD-1 (Medical Residential District). (Ward 1, District 1) (ZC09-12-047) (Introduced 9/2/10) (Tabled 10/7/10)

Cooper - moved to adopt, second by Thompson. Unanimous with 2 absent (Dean, Artigue); becomes Ordinance C.S. No. 10-2362.

Binder - 4) Ord. Cal. No. 4383 - Ordinance amending the official Parish Zoning Map, to reclassify 30.421 acres located south of LA Highway 1088 at the southwest intersection with Interstate 12 from A-2 (Suburban District) to an PBC-1 (Planned Business Campus District).(Ward 4, District 7) (ZC10-07-075) (Introduced 9/2/10) (Tabled 10/7/10)

Hamauei - moved to adopt, second by Gould. Unanimous with 3 absent (Dean, Artigue, Burkhalter); becomes Ordinance C.S. No. 10-2363.

Binder - 5) Ord. Cal. No. 4386 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 5.20 - HC-1 (Highway Commercial District) to add the use of Specialty Food Processing. (ZC10-05-049) (Introduced 10/7/10)

Gould - moved to adopt, second by Crawford-Howell. Unanimous with 4 absent (Dean, Canulette, Artigue, Burkhalter); becomes Ordinance C.S. No. 10-2364.

Binder - 6) Ord. Cal. No. 4387 - Ordinance amending the official Parish Zoning Map to reclassify 12.09 acres located along Trinchard Road, south of Mckee Road, north of Arc Road from A-1 (Suburban District) to A-1 (Suburban District) & MHO (Manufactured Housing Overlay District). (Ward 1, District 1) (ZC10-07-072) (Introduced 10/7/10)

Thompson - moved to adopt, second by Cooper. Unanimous with 4 absent (Dean, Canulette, Artigue, Burkhalter); becomes Ordinance C.S. No. 10-2365.

Binder - 7) Ord. Cal. No. 4388 - Ordinance to amend the Parish Unified Development Code, Volume I (Zoning), Section 8.01, Minimum Standards for Specific Uses, relative to contractors' storage yards, outdoor salvage yards, outdoor retail sales & storage yards, portable storage containers used for storage, outside display areas of pre-assembled accessory buildings, pool & playground equipment. (ZC10-08-098) (Introduced 10/7/10)

Gould - moved to adopt, second by Crawford-Howell. Unanimous with 5 absent (Dean, Falconer, Canulette, Artigue, Burkhalter); becomes Ordinance C.S. No. 10-2366.

Binder - 8) Ord. Cal. No. 4389 - Ordinance amending the official Parish Zoning Map to reclassify 1.69 acres located south of Riverside Drive, west of US Highway 190 from A-2 (Suburban District) to NC-2 (Indoor Retail and Service District). (Ward 3, District 1) (ZC10-08-100) (Introduced 10/7/10)

Thompson - moved to adopt, second by Cooper. Unanimous with 5 absent (Dean, Falconer, Canulette, Artigue, Burkhalter); becomes Ordinance C.S. No. 10-2367.

Binder - 9) Ord. Cal. No. 4390 - Ordinance amending the official Parish Zoning Map to reclassify 15.81 acres located north of Planche Road, east of LA Highway 437, west of LA Highway 1081 from NC-4 (Neighborhood Institutional District) to an A-2 (Suburban District) and PF-1 (Public Facilities District). (Ward 3, District 2) (ZC10-09-104) (Introduced 10/7/10)

Cooper - moved to adopt, second by Thompson. Unanimous with 5 absent (Dean, Falconer, Canulette, Artigue, Burkhalter); becomes Ordinance C.S. No. 10-2368.

Binder - 10) Ord. Cal. No. 4391 - Ordinance amending the official Parish Zoning Map to reclassify 1.37 acres located west LA Highway 437, north of Schmolke Road, south of North Fitzmorris Road, being 76417 Lee Road, Covington and which property comprises a total 1.37 acres of land more or less, from its present A-1 (Suburban District) to an NC-2 (Indoor Retail and Service District). (Ward 3, District 2) (ZC10-09-105) (Introduced 10/7/10)

Cooper - moved to table, second by Thompson. Unanimous with 5 absent (Dean, Falconer, Canulette, Artigue, Burkhalter).

Binder - 11) Ord. Cal. No. 4392 - Ordinance amending the official Parish Zoning Map to reclassify 5.32 acres located at the end of Keystone Boulevard, east of US Highway 190 from MD-2 (Medical Clinic District) to MD-3 (Medical Facility District). (Ward 4, District 5) (ZC10-09-106) (Introduced 10/7/10)

Gould - moved to adopt, second by Crawford-Howell. Unanimous with 4 absent (Dean, Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 10-2369.

Binder - 12) Ord. Cal. No. 4393 - Ordinance amending the official Parish Zoning Map to reclassify 8.74 acres located at the northeast corner of LA Highway 40 & West King Road, south of Maryetta Drive from A-1 (Suburban District) to A-1-A (Suburban District). (Ward 2, District 2) (ZC10-09-109) (Introduced 10/7/10)

Cooper - moved to adopt, second by Thompson. Unanimous with 4 absent (Dean, Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 10-2370.

Binder - 13) Ord. Cal. No. 4394 - Ordinance amending the official Parish Zoning Map, to reclassify 9.72 acres located north of US Highway 190, east of Pleasant Drive, west of Buckingham Road, being 2448 Highway 190 West, Slidell from HC-2 (Highway Commercial District) and A-2 (Suburban District) to HC-2 (Highway Commercial District) and ED-1 (Primary Education District). (Ward 9, District 11) (ZC10-09-112) (Introduced 10/7/10)

Stefancik - moved to adopt, second by Artigue. Unanimous with 4 absent (Dean, Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 10-2371.

Binder - 14) Ord. Cal. No. 4395 - Ordinance amending the official Parish Zoning Map to reclassify 20,419 square feet located north of LA Highway 36, west of Manor Road, east of St. Landry, being 20419 Highway 36, Covington from NC-4 ( Neighborhood Institutional District) to PF-1 (Public Facilities District). (Ward 3, District 3) (ZC10-09-113) (Introduced 10/7/10)

Thompson - moved to adopt, second by Gould. Unanimous with 4 absent (Dean, Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 10-2372.

Binder - Ord. Cal. No. 4418 - needs to be considered before Ord. Cal. No. 4396.

Gould - 37) Ord. Cal. No. 4418 - Ordinance to amend the Code of Ordinances, Chapter 7, Article VII, providing for the amendment of the boundaries of Gravity Drainage District No. 5.(Introduced 10/7/10)

Gould - moved to adopt, second by Crawford-Howell. Unanimous with 4 absent (Dean, Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 10-2394.

Binder - 15) Ord. Cal. No. 4396 - Ordinance to amend Parish Code of Ordinances, Chapter 7, Drainage and Flood Control, Article VII to enact Section 7-093.00 creating Parish Sub-drainage District No. 4 of Gravity Drainage District No. 5 (including Fountains Subdivision) and providing for other matters in connection therewith. (Introduced 10/7/10)

Gould - moved to adopt, second by Stefancik. Unanimous with 4 absent (Dean, Falconer, Canulette, Burkhalter); becomes Ordinance C.S. No. 10-2373.

Gould - 16) Ord. Cal. No. 4397 - Ordinance amending the 2010 Operating Budget. (Introduced 10/7/10)

Stefancik - moved to adopt, second by Crawford-Howell. Unanimous with 3 absent (Dean, Canulette, Burkhalter); becomes Ordinance C.S. No. 10-2374.

Gould - 17) Ord. Cal. No. 4398 - Ordinance approving and authorizing the Parish President to sign and/or execute a cooperative endeavor agreement with the Village of Sun regarding the use and maintenance of the Pearl River Lock No. Three (3). (Introduced 10/7/10)

Crawford-Howell - moved to adopt, second by Stefancik. Unanimous with 4 absent (Dean, Canulette, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2375.

Gould - 18) Ord. Cal. No. 4399 - Ordinance dissolving Colonial Pinnacle Community Development District within the Parish of St. Tammany, State of Louisiana, in compliance with the provisions of Chapter 27-B, Title 33 of the Louisiana Revised Statutes of 1950, as amended, La. R.S. 33:9039.11 to 33:9039.37, Inclusive. (Introduced 10/7/10)

Kelly Rabalais - this ordinance is to wrap up what was left of the Colonial Pinnacle Community Development District.

Carmen Lavergine - represents Colonial Pinnacle. The district was created in 2007 as a financing tool. Bonds were issued in 2008 and then paid off in 2009. The District has no liability, debt or property. The land from the District was transferred to the Parish.

Falconer - what land did the District own?

Lavergne - it owned the public infrastructure. They owned the land, built the infrastructure and then transferred everything to the Parish. Both the Community Development District and the Economic Development District worked on this tract, but the two Districts are separate entities.

Falconer - he was concerned that the project would not turn around and then the Parish would have the liability for financing. One-half of the retail stores are built. Are there plans to finish the rest?

**Ken Marshall - representing Colonial Pinnacle Trust. They have opened the first stores, but do not have a time frame for when the other partially built areas will be finished. They are working to keep the project moving. Dillard's is supposed to be coming and they have several pending lease agreements to fill the unoccupied buildings.**

**Barbara Dodds - are we still paying the extra sales tax at the shopping centre?**

**Falconer - the 3/4 cent sales tax goes toward paying off the bonds of the Economic Development District. It will remain in place.**

**Thompson - moved to adopt, second by Stefancik. Unanimous with 4 absent (Dean, Cooper, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2376.**

**Gould - 19) Ord. Cal. No. 4400 - Ordinance to authorize the Parish President to enter into a Joint Use Agreement with the Louisiana Department of Transportation and Development for the use of its right-of-way for the proposed Fishing Pier Project. (Introduced 10/7/10)**

**Artigue - moved to adopt, second by Stefancik. Unanimous with 4 absent (Dean, Cooper, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2377.**

**Gould - 20) Ord. Cal. No. 4401 - Ordinance to authorize the Parish President to enter into a lease with the State Land Office for the lease of property in and around the I-10 Twin Span for the proposed Fishing Pier Project. (Introduced 10/7/10)**

**Artigue - moved to adopt, second by Stefancik. Unanimous with 4 absent (Dean, Cooper, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2378.**

**Gould - 21) Ord. Cal. No. 4402 - Ordinance repealing Chapter 2, Article XIII, Section 2-125.00 *et seq.* of the St. Tammany Parish Code of Ordinances. (Introduced 10/7/10)**

**Stefancik - moved to adopt, second by Bellisario. Unanimous with 4 absent (Dean, Cooper, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2379.**

**Gould - 22) Ord. Cal. No. 4403 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights-of-way and/or servitudes for the Abita River Sub Basin Detention Pond Project. (Introduced 10/7/10)**

**Stefancik - moved to adopt, second by Billiot. Unanimous with 4 absent (Dean, Cooper, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2380.**

**Gould - 23) Ord. Cal. No. 4404 - Ordinance declaring the intention of the Parish to acquire ownership of Lot 1, Phase 1, Old Military Hills Subdivision pursuant to Louisiana Revised Statute 47:2236, *et seq.*, which said property has been adjudicated to the Parish for the non-payment of property taxes.(Introduced 10/7/10)**

**Stefancik - moved to adopt, second by Artigue. Unanimous with 4 absent (Dean, Cooper, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2381.**

**Gould - 24) Ord. Cal. No. 4405 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights-of-way and/or servitudes for the Bayou Chinchuba Detention Pond Project. (Introduced 10/7/10)**

**Billiot - moved to adopt, second by Stefancik. Unanimous with 5 absent (Dean, Thompson, Hamauei, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2382.**

**Gould - 25) Ord. Cal. No. 4406 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights-of-way and/or servitudes for the Fishing Pier Project. (Introduced 10/7/10)**

**Artigue - moved to adopt, second by Stefancik. Unanimous with 5 absent (Dean, Thompson, Hamauei, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2383.**

Gould - 26) Ord. Cal. No. 4407 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights-of-way and/or servitudes for the Huntwyck Village Drainage Improvement Project. (Introduced 10/7/10)

Stefancik - moved to adopt, second by Billiot. Unanimous with 5 absent (Dean, Thompson, Hamauei, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2384.

Gould - 27) Ord. Cal. No. 4408 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights-of-way and/or servitudes for the Labarre Street Detention Pond Project. (Introduced 10/7/10)

Billiot - moved to adopt, second by Bellisario. Unanimous with 4 absent (Dean, Thompson, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2385.

Gould - 28) Ord. Cal. No. 4409 - Ordinance to authorize the Parish President to purchase, expropriate or otherwise acquire certain parcels, rights-of-way and/or servitudes for the Riverwood Estates Drainage Project. (Introduced 10/7/10)

Falconer - moved to adopt, second by Cooper. Unanimous with 4 absent (Dean, Thompson, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2386.

Gould - 29) Ord. Cal. No. 4410 - Ordinance to amend the St. Tammany Parish Code of Ordinances, Article 1, Section 3-001.00 through 3-014.00 relative to the Airport Hazard Ordinance.(Introduced 10/7/10)

Falconer - moved to adopt, second by Artigue. Unanimous with 4 absent (Dean, Thompson, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2387.

Gould - 30) Ord. Cal. No. 4411 - Ordinance to correct the Road and Drainage Inventory to include Parish Parkway; and two Dillard Road Laterals. (Wards 5 & 9, Districts 6 & 11) (Introduced 10/7/10)

Bellisario - moved to adopt, second by Stefancik. Unanimous with 4 absent (Dean, Thompson, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2388.

Gould - 31) Ord. Cal. No. 4412 - Ordinance accepting finalized subdivisions into the Road and Drainage Inventories, specifically enter the right of way on Andrew Drive within Orchard Drives Subdivision. (Ward 3, District 5) (Introduced 10/7/10)

Cooper- moved to adopt, second by Crawford-Howell. Unanimous with 5 absent (Dean, Thompson, Falconer, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2389.

Gould - 32) Ord. Cal. No. 4413AA - Ordinance to amend Parish Code of Ordinances, Appendix B, Chapter 40 Subdivision Regulatory Ordinance No. 499, Section 40-045.00 Minor Subdivision Review, to establish The Urban Growth Boundary Line, to provide criteria for administrative approval of minor subdivisions of property north of The Urban Growth Boundary Line. (Introduced 10/7/10)

Gould - this item needs some technical amendments and then it can be adopted.

Bellisario - moved to amend, second by Hamauei. Unanimous with 5 absent (Dean, Thompson, Falconer, Binder, Burkhalter).

Bellisario - moved to adopt as amended, second by Hamauei. Unanimous with 5 absent (Dean, Thompson, Falconer, Binder, Burkhalter); becomes Ordinance C.S. No. 10-2390.

Gould - 33) Ord. Cal. No. 4414 - Ordinance amending the official Parish Zoning Map of the 2009 North East Comprehensive Rezoning Area (CRA-4) to reclassify Section 11, Township 8 South, Range 14 East, bearing physical address 64364 Miller Road, from A-2 (Suburban District) to A-3 (Suburban District). (Ward 8, District 6) (ZC10-11-129) (Introduced 10/7/10)

Crawford-Howell - moved to table, second by Binder. Unanimous with 4 absent (Dean, Thompson, Falconer, Burkhalter).

Gould - 34) Ord. Cal. No. 4415 - Ordinance to extend for an additional six (6) months the moratorium on the receipt of submissions by the Parish Zoning and Planning Commissions for the rezoning or resubdivision of property west of Highway 11 and south of Interstate 12 within unincorporated boundaries of Ward 9 in District 14. (Ward 9, District 14) (Introduced 10/7/10)

Stefancik - moved to adopt, second by Artigue. Unanimous with 4 absent (Dean, Thompson, Falconer, Burkhalter); becomes Ordinance C.S. No. 10-2391.

Gould - 35) Ord. Cal. No. 4416 - Ordinance to extend for an additional six (6) months the moratorium on issuance of building, occupancy or occupational permits or licenses by any parish department or agency for any pain management center/clinic whose primary focus or concentration is the prescribing and/or dispensing of pain medication to individuals with complaints of chronic pain which is unaffiliated with any hospital, hospice and/or facility for the treatment of the terminally ill in unincorporated St. Tammany Parish. (Introduced 10/7/10)

Hamauei - moved to adopt, second by Binder. Unanimous with 4 absent (Dean, Thompson, Falconer, Burkhalter); becomes Ordinance C.S. No. 10-2392.

Gould - 36) Ord. Cal. No. 4417 - Ordinance to extend for 6 months the moratorium on the issuance of new permits for commercial excavations within unincorporated St. Tammany Parish. (Introduced 10/7/10)

Canulette - moved to adopt, second by Artigue. Unanimous with 4 absent (Dean, Thompson, Falconer, Burkhalter); becomes Ordinance C.S. No. 10-2393.

CLERK'S NOTE: Ord. Cal. No. 4418 was moved to be considered before Ordinance 4396.

Gould - 38) Ord. Cal. No. 4419 - Ordinance establishing the placement of a stop sign at the intersection of Tchefuncte Drive (R04-A-010) and Willow Drive (R04-A-016). (Ward 3, District 4) (Introduced 10/7/10)

Cooper - moved to adopt, second by Binder. Unanimous with 4 absent (Dean, Thompson, Falconer, Burkhalter); becomes Ordinance C.S. No. 10-2395.

Gould - 39) Ord. Cal. No. 4420 - Ordinance amending the official Parish Zoning Map to reclassify 529.6 acres located north, south, east & west of Three Rivers Road, west of US Highway 190 from PF-1 (Public Facilities District) to MD-4 (Medical Research District). (Ward 3, District 1) (ZC10-05-045) (Introduced 10/7/10)

Thompson - moved to adopt, second by Cooper. Motion passed with 10 yeas, 1 Nay (Gould) and 3 absent (Dean, Falconer, Burkhalter); becomes Ordinance C.S. No. 10-2396.

Gould - 40) Ord. Cal. No. 4421 - Ordinance amending the official Parish Zoning Map to reclassify 358 acres located at the southeast intersection of LA Highway 1088 & I-12 from A-2 (Suburban District) to A-3 (Suburban District). (Ward 4, District 7) (ZC10-07-076) (Introduced 10/7/10)

Hamauei - moved to adopt, second by Canulette. Unanimous with 2 absent (Dean, Burkhalter); becomes Ordinance C.S. No. 10-2397.

Gould - 41) Ord. Cal. No. 4422 - Ordinance amending the official Parish Zoning Map to reclassify 358 acres located at the southeast intersection of LA Highway 1088 & I-12 as PUD (Planned Unit Development Overlay). (Ward 4, District 7) (ZC10-07-077) (Introduced 10/7/10)

Hamauei - moved to adopt, second by Falconer. Unanimous with 3 absent (Dean, Billiot, Burkhalter); becomes Ordinance C.S. No. 10-2398.

Gould - 42) Ord. Cal. No. 4423 - Ordinance amending the official Parish Zoning Map to reclassify 14.09 acres located east of slaughter road, south of LA Highway 36, west of Reed Road from A-2 (Suburban District), HC-2 (Highway Commercial District), I-1 (Industrial District) & I-4 (Heavy

Industrial District) to A-2 (Suburban District-12.02 acres), HC-2 (Highway Commercial District-0.37 acres) & I-1 (Industrial District-1.7 acres). (Ward 6, District 6) (ZC10-07-069) (Introduced 10/7/10)

Crawford-Howell - moved to adopt, second by Bellisario. Unanimous with 3 absent (Dean, Billiot, Burkhalter); becomes Ordinance C.S. No. 10-2399.

Gould - 43) Ord. Cal. No. 4424 - Ordinance amending the official Parish Zoning Map to reclassify 8.59 acres located at the end of Leicher Road, west of Fitzgerald Church Road, south of LA Highway 40 from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (ZC10-09-107) (Introduced 10/7/10)

Cooper - moved to adopt, second by Stefancik. Unanimous with 3 absent (Dean, Thompson, Burkhalter); becomes Ordinance C.S. No. 10-2400.

Gould - 44) Ord. Cal. No. 4425 - Ordinance amending the official Parish Zoning Map to reclassify 1.03 acres located east of LA Highway 40, south of Dawsey Road from A-1 (Suburban District) to A-3 (Suburban District). (Ward 2, District 2). (ZC10-09-111) (Introduced 10/7/10)

Cooper - moved to adopt, second by Binder. Unanimous with 3 absent (Dean, Thompson, Burkhalter); becomes Ordinance C.S. No. 10-2401.

Gould - 45) Ord. Cal. No. 4426 - Ordinance amending the Official Zoning Map of the 2009 South Central Comprehensive Rezoning Area One (CRA-1) to reclassify parcels located in Sections 5 & 48, Township 9 South, Range 14 East south of East Banner Road from HC-1 (Highway Commercial) to A-2 (Suburban District).(Ward 9, District 11) (Introduced 10/7/10)

Stefancik - moved to adopt, second by Billiot. Unanimous with 3 absent (Dean, Thompson, Burkhalter); becomes Ordinance C.S. No. 10-2402.

Gould - 46) Ord. Cal. No. 4427 - Ordinance to authorize the Parish President, to purchase, expropriate or otherwise acquire certain parcels, rights of way and/or servitudes for the Pelican Park Extension Project. (Introduced 10/7/10)

Hamauei - moved to adopt, second by Artigue. Unanimous with 3 absent (Dean, Thompson, Burkhalter); becomes Ordinance C.S. No. 10-2403.

Gould - 47) Ord. Cal. No. 4428 - Ordinance to authorize the Parish President, to purchase, expropriate or otherwise acquire certain parcels, rights of way and/or servitudes for Highway 190 at Northpark Project. (Introduced 10/7/10)

Cooper - moved to adopt, second by Crawford-Howell. Unanimous with 3 absent (Dean, Thompson, Burkhalter); becomes Ordinance C.S. No. 10-2404.

#### APPOINTMENTS

Gould - 1) Resolution to appoint George Gabel, James Land, Jacqueline Canavier, Eugene Gartner, Jr. And Lynn Gartner to St. Tammany Parish Sub-Drainage District No. 4 of Gravity Drainage District No. 5 (Fountains Subdivision). (Gould)

Binder - moved to appoint, second by Crawford-Howell. Unanimous with 4 absent (Dean, Thompson, Artigue, Burkhalter); becomes Resolution C.S. No. C-3007.

#### DISCUSSION AND OTHER MATTERS

Gould - 1) Motion to refer to Zoning Commission for recommendation the proposed rezoning of Lot 22, Cypress Park Square 8, from A-3 (Suburban District) to HC-2 (Highway Commercial District). (Ward 7, District 7) (Hamauei)

Gould - we do not need to consider this motion as it is a duplicate of one that was considered at a previous Council meeting.

Gould - we will take items 2 though 6 in globo.

Gould - 2) Motion to refer to Zoning Commission for recommendation the proposed rezoning of 0.174 acres situated in Section 9, Township 9 South, Range 14 East from A-3 (Suburban District) to HC-2 (Highway Commercial District). (Ward 9, District 14)(Burkhalter)

Gould - 3) Motion to refer to Zoning Commission for recommendation the proposed rezoning of 2.57 acres situated in Section 36, Township 5 South, Range 11 East, from A-1 (Suburban District) to A-2 (Suburban District). (Ward 2, District 2) (Cooper)

Gould - 4) Motion to refer to Zoning Commission for recommendation the proposed rezoning of Tract 361 of North Oaklawn, in Section 39, Township 8 South, Range 13 East from A-2 (Suburban District) to HC-2 (Highway Commercial District). (Ward 7, District 7) (Hamauei)

Gould - 5) Motion to refer to Zoning Commission for recommendation the proposed rezoning of Parcels B, C and D situated in Section 1, Township 8 South, Range 11 East, from NC-4 (Neighborhood Commercial District) to HC-1 (Highway Commercial District). (Ward 4, District 5) (Gould)

Gould - 6) Motion to refer to Zoning Commission for recommendation the proposed rezoning of Section 18, Township 7 South, Range 11 East, bearing physical address 1957 Highway 22 West, Madisonville, from A-2 (Suburban District) to HC-1 (Highway Commercial). (Ward 1, District 1) (Dean)

Stefancik - moved to refer Motion Nos. 2 thru 6 to the Zoning Commission, second by Bellisario. Unanimous with 5 absent (Dean, Thompson, Canulette, Artigue, Burkhalter).

Stefancik - moved to open the Off-the-Floor Agenda, second by Bellisario. Unanimous with 5 absent (Dean, Thompson, Canulette, Artigue, Burkhalter).

#### ITEMS OFF-THE-FLOOR

Gould - 1) Resolution to appoint Floyd Trascher to replace Jimmy Wallace (resigned) on St. Tammany Parish Fire Protection District No. 11. (Crawford-Howell)

Crawford-Howell moved to appoint, second by Bellisario. Unanimous with 6 absent (Dean, Thompson, Falconer, Canulette, Artigue, Burkhalter); becomes Resolution C.S. No. C-3009.

Gould - 2) Announcement of food drive by Bonnie Romano in conjunction with State Police Troop L. (Gould)

Gould - This item will not be discussed as Ms. Romano was unable to attend the meeting tonight.

Gould - 3) Resolution to amend Ordinance C.S. No. 09-2166 the 2010-2014 Capital Improvement Budget and Program, Fixed Asset and Grant Awards to make changes to the Capital Road List - Fund 300 to add Lindberg Extension. (Burkhalter)

Stefancik - moved to adopt, second by Bellisario. Unanimous with 6 absent (Dean, Thompson, Falconer, Canulette, Artigue, Burkhalter); becomes Resolution C.S. No. C-3010.

#### VERBAL ITEMS-OFF-THE-FLOOR

Cooper - 4) Resolution to vacate, in part, the moratorium established by Ordinance C.S. No. 10-2343 on the issuance of building permits for construction or placement of building structures on any properties within unincorporated St. Tammany parish abutting, in whole or part, the east side of Tantela Ranch Road and Highway 1077 from Boyd Road to Mcgee Road and which properties use said roadways for purposes of ingress to and egress from said properties. (Ward 1, District 1)

Cooper - moved to consider resolution verbally off-the-floor, second by Binder. Unanimous with 5 absent (Dean, Thompson, Canulette, Artigue, Burkhalter).

Copper - moved to adopt, second by Stefancik. Unanimous with 5 absent (Dean, Thompson, Canulette, Artigue, Burkhalter); becomes Resolution C.S. No. C-3011.

Cooper - 5) Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning) Article 2, Definitions, Section 5.25 - I-2 (Industrial District), Section 5.26 - I-3 (Industrial District), Section 5.26A- I-4 (Industrial District) and Section 8.01 - Minimum Standards relative to Solid Waste Transfer Station. (ZC10-08-094)

Stefancik - moved to consider ordinance verbally off-the-floor, second by Hamauei. Unanimous with 5 absent (Dean, Thompson, Canulette, Artigue, Burkhalter).

Cooper - moved to introduce, second by Binder; becomes Ord. Cal. No. 4444.

Cooper - 6) Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Article 2, Definitions, to create Section 5.36 SWM (Solid Waste Management District), amend Section 8.01 - Minimum Standards and Section 24.02 to exclude sewage and septage facilities from the list of permitted uses in the I-2 (Industrial District). (ZC10-09-114)

Cooper - moved to consider ordinance verbally off-the-floor, second by Binder. Unanimous with 5 absent (Dean, Thompson, Canulette, Artigue, Burkhalter).

Cooper - moved to introduce, second by Binder; becomes Ord. Cal. No. 4445.

Stefancik - moved to enter Executive Session, second by Bellisario. Unanimous with 4 absent (Dean, Thompson, Billiot, Burkhalter).

**EXECUTIVE SESSION**

Gould - 1) Lawsuit entitled: Francis A. Menendez, Sr. and Emogene Menendez v. St. Tammany Parish, 22<sup>nd</sup> JDC No. 2009-10368.

Stefancik - moved to leave Executive Session, second by Artigue. Unanimous with 3 absent (Dean, Thompson, Burkhalter).

Stefancik - moved to adopt a resolution authorizing settlement of the lawsuit, second by Bellisario. Unanimous with 3 absent (Dean, Thompson, Burkhalter); becomes Resolution C.S. No. C-3008.

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

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**JERRY BINDER, COUNCIL CHAIRMAN**

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**THERESA L. FORD, COUNCIL CLERK**