

AGENDA
ST. TAMMANY PARISH COUNCIL MEETING
THURSDAY, DECEMBER 3, 2009 AT 6:00 P.M.
ST. TAMMANY GOVERNMENT COMPLEX
21490 KOOP DRIVE, MANDEVILLE, LA.

Call to Order by Honorable Jerry Binder, Chairman

Invocation by

Pledge of Allegiance by

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

PRESENTATIONS

- 1) Introduction of Junior Council Member, Olivia Barrentine (Cooper/Gould)
- 2) Recognition of members of Brownie Troop 365. (Cooper)
- 3) Kathy Lowrey, General Manager regarding the economic contributions of the Northshore Harbor Center to the economy of St. Tammany Parish. (Artigue/Davis)
- 4) Presentation – Certificate of Appreciation to Robert J. Lambert, retiring General Manager of the Lake Pontchartrain Causeway Commission (GNOEC). (Binder/Davis)
- 5) Certificate of Recognition to the Parish Department of Cultural and Governmental Affairs for its efforts contributing to Parish Government's receipt of a Louisiana Culture Award. (Binder /Davis)

PUBLIC HEARING
2010 PARISH OPERATING/CAPITAL BUDGETS

- 1) **Ord. Cal. No. 4163** - Ordinance adopting the 2010 Parish Operating Budget. (Introduced 10/1/09) (Tabled 11/5/09)
- 2) **Ord. Cal. No. 4164** - Ordinance to establish the 2010-2014 Capital Improvement Budget and Program, and further identify Fixed Asset and Grant Awards. (Introduced 10/1/09) (Tabled 11/5/09)

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	November 5, 2009
Council Committee Meeting	None

ORDINANCES FOR INTRODUCTION
(Public Hearing January 7, 2009)

- 1) **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)

2) **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) (Bellisario)

3) **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) (Artigue)

4) **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) (Gould)

5) **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) (Dean)

6) **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. (Binder/Davis)

7) **Ord. Cal. No. 4204** - Ordinance accepting finalized subdivisions into the Road & Drainage Inventories, specifically Terra Bella, Phase 1-A-1 Subdivision (Ward 1, District 1) (Binder/Davis)

8) **Ord. Cal. No. 4205** - Ordinance amending the 2009 Operating Budget. (Binder/Davis)

9) **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. (Billiot)

10) **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). (Crawford-Howell)

11) **Ord. Cal. No. 4208** - Ordinance amending the 2009 Parish Zoning Map of the South Central Comprehensive Rezoning (CRA-1) to reclassify Donnis Road (9-B-007) as Manufactured Housing Overlay (MHO). (Ward 9, District 6) (Crawford-Howell)

12) **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. (Canulette)

RESOLUTIONS

13) **Resolution C.S. No. C-2733** - Resolution to concur/not concur with the City of Slidell annexation and rezoning of 10.5324 acres from Parish C-2 Highway Commercial to City of Slidell C-4 Highway Commercial located on Lots 14A and 15A Lake Gardens Subdivision. (SL2009-01) (Ward 9, District 13) (Binder/Davis)

14) **Resolution C.S. No. C-2751** - Resolution to vacate, in part, the six (6) month moratorium established by Ordinance C.S. No. 05-1173, and any subsequent extension thereof, on the issuance of permits for construction or placement of building structures on property that abuts Louisiana Highway 59, or is located within a distance of two hundred (200') feet of the centerline of the Highway, and which property, being situated along said highway, is in the area between the north side of Louisiana Highway 1088 and the South Side of I-12. (Ward 4, District 5). (Gould)

15) **Resolution C.S. No. C-2752** - Resolution urging Congress to continue to provide for an Off-System Bridge Program. (Binder/Davis)

16) Resolution C.S. No. C-2753 - Resolution establishing warranty obligations. (Binder/Davis)

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	CALL L.O.C. TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM
Pine Creek Acres S/D, Phase 1B Amount: \$37,800 Expires: January 27, 2009 Ward:1, District: 1	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	RELEASE TO BE BROUGHT INTO THE SELECTIVE PARISH MAINTENANCE SYSTEM

17) Resolution C.S. No. C-2754 - Resolution to amend Ordinance C.S. No. 08-1968, 2009-2013 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

18) Resolution C.S. No. C-2755 - Resolution to amend Ordinance C.S. No. 08-1968, 2009-2013 Capital Improvement Budget and Program, Fixed Asset and Grant Awards. (Binder/Davis)

19) Resolution C.S. No. C-2756 - Resolution authorizing the filing of an application with the Louisiana Department of Transportation for a grant under 49, CFR 5311, Non-Urbanized Area Formula Program and/or 49 CFR 5309, Discretionary Capital Program. (Binder/Davis)

20) Resolution C.S. No. C-2757 - Resolution establishing Policis for the Acquisition of Sewer and Water Assets. (Gould)

END OF CONSENT CALENDAR

APPEALS

1) Applicant William Brai appealing the Zoning Commission DENIAL on November 4, 2009 of a conditional use permit for a 380 square foot mobile home to be used as a guest house located west of Beverly Drive, south of Lake Ramsey Road, address 75401 Beverly Drive, Covington. (Ward 3, District 3) (CP09-11-089)

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 adoption of a resolution.

ORDINANCES FOR ADOPTION

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)

2) Ord. Cal. No. 4126 - Ordinance to concur/not concur with the de-annexation ordinance of the City of Slidell describing the area to be annexed into unincorporated St. Tammany and the new boundaries thereof, and also classifying the annexed property as A-4 (Single Family Residential).(STP 2009-02) (Ward 9, District 12) (Introduced 8/6/09) (Tabled 9/3/09, 10/1/09 & 11/5/09)

3) **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)

4) **Ord. Cal. No. 4166AA** - Ordinance amending the official zoning map of the 2009 South Central Comprehensive Rezoning Area One (CRA-1) of St. Tammany Parish to reclassify land north and south of East Main Street and Clesi Avenue, east of Transmitter Road from A-3 (Suburban) to A-3 and Mobile Home Overlay (MHO). (Ward 7, District 11) (Introduced 10/1/09) (Tabled 11/5/09) (ZC09-12-041) (Amended and approved by Zoning Commission on 11/4/09)

5) **Ord. Cal. No. 4167** - 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 in the Southern Corner of Keys Road and Hwy 21 from Professional Office (NC1) and Neighborhood Institutional (NC4) to Medical Residential (MD1). (Ward 1, District 1) (Introduced 10/1/09) (Tabled 11/5/09) (ZC09-12-042) (To be heard by Zoning Commission 12/1/2009)

6) **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) (ZC09-12-040) (To be heard by Zoning Commission 12/1/2009)

7) **Ord. Cal. No. 4170** - Ordinance to amend the St. Tammany Parish Unified Development Code, Volume I (Zoning), Sections 5.01 E-1 Estate District, 5.02 E-2 Estate District, 5.03 E-3 Estate District, 5.04 E-4 Estate District, 5.05 A-1 Suburban District, 5.06 A-1-A Suburban District, 5.07 A-2 Suburban District, 5.08 A-3 Suburban District to add the use of day care home as an Administrative Permit. (ZC09-09-029) (Zoning Commission Approved 10/6/2009) (Introduced 11/5/09)

8) **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) (ZC10-01-009) (To be heard by Zoning Commission 1/10/2010)

9) **Ord. Cal. No. 4172** - Ordinance establishing a "No Parking Zone" on Pawns Lane. (8-I-66) (Ward 8, District 9) (Introduced 11/5/09)

10) **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) (ZC10-01-005) (To be heard by Zoning Commission 1/4/2010)

11) **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) (ZC10-01-006) (To be heard by Zoning Commission 1/4/2010)

12) **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) (ZC10-01-007) (To be heard by Zoning Commission 1/4/2010)

13) **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) (ZC09-12-044) (To be heard by Zoning Commission 12/1/2009)

14) **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). (ZC09-12-045) (To be heard by Zoning Commission 12/1/2009)

15) **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) (ZC09-12-049) (To be heard by Zoning Commission 12/1/2009)

16) **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. (Introduced 11/5/09)

17) **Ord. Cal. No. 4180** - Ordinance amending Appendix C of the Parish Code of Ordinances, Land Use Regulations Ordinance No. 523 as amended, Section 4 - Off-Street Parking and Loading Regulations and Parish Unified Development Code, Volume I (Zoning), Section 7.07 Off-Street Parking and Loading Regulations. (ZC09-06-015) (Zoning Commission Approved 6/2/2009) (Introduced 11/5/09)

18) **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) (ZC09-12-043) (To be heard by Zoning Commission 12/1/2009)

19) **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) (ZC10-01-002) (To be heard by Zoning Commission 1/4/2010)

20) **Ord. Cal. No. 4183** - 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) (Introduced 11/5/09)

21) **Ord. Cal. No. 4184** - Ordinance to amend and reenact Section 20-011.01 of the Parish Code of Ordinances to provide additional requirements for the opening and/or extension of Emerald Forest Boulevard. (Ward 3, District 5) (Introduced 11/5/09)

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

23) **Ord. Cal. No. 4186** - Ordinance to authorize Parish President to acquire certain movable and immovable assets from Southeastern Louisiana Water and Sewer Company, LLC. (SELA). (Introduced 11/5/09)

24) **Ord. Cal. No. 4187** - Ordinance to authorize the Parish President to employ certain individuals to operate the parish sewer and water services. (Introduced 11/5/09)

25) **Ord. Cal. No. 4188** - Ordinance to accept the highest bid and authorize sale of surplus property to Russell A. Traina, for Slip 89 of Marina Chamale' Condominiums. (Introduced 11/5/09)

26) **Ord. Cal. No. 4189** - Ordinance to accept the highest bid and authorize sale of surplus property to Thomas Laizer, III for Lot 51, Square 233-A, Mandeville. (Introduced 11/5/09)

27) **Ord. Cal. No. 4190** - Ordinance to revoke a portion of Airport Road Right-of-Way located at the intersection of LA. Highway 25, Covington. (Ward 3, District 2) (Introduced 11/5/09)

28) **Ord. Cal. No. 4191** - Ordinance to correct the Road and Drainage Inventory to include Frank Blackwell Road Lateral; Doubloon Bayou Lateral; and Marigold Drive Lateral. (Wards 1, 6 & 8, Districts 1, 6 & 13)(Introduced 11/5/09)

29) **Ord. Cal. No. 4192** - Ordinance to rename Curley Road (R06H054) as Harry Kerlec Road. (Ward 6, District 6) (Introduced 11/5/09)

30) **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)

31) **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)

32) **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)

33) **Ord. Cal. No. 4196** - Ordinance to amend Ordinance C.S. No. 04-0908, adopted June 3, 2004, which established and validated rates and fees for sewerage and water services provided by systems owned and operated by the Parish. (Introduced 11/5/09)

34) **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) (ZC10-01-004) (To be heard by Zoning Commission 1/4/2010)

APPOINTMENTS

1) Resolution to appoint Clayton Boyd Foreman to replace Adrian Sharp (resigned) to St. Tammany Parish Fire Protection District No. 6. (Cooper)

2) Resolution to appoint William Stadler to replace Robert Golding (resigned) to St. Tammany Parish Community Action Agency Advisory Board. (Binder/Davis)