

OFFICIAL PROCEEDINGS
ST. JOHN THE BAPTIST PARISH COUNCIL
TUESDAY, AUGUST 25, 2009
CHAIR RONNIE SMITH
VICE CHAIR CHERYL MILLET

The Council of the Parish of St. John the Baptist, State of Louisiana, met in Regular Session in the Joel McTopy Chambers, LaPlace, Louisiana on Tuesday, August 25, 2009, at 6:30 PM.

CALL TO ORDER:

PRESENT AT ROLL CALL: Haston Lewis, Councilman District I, Charles Julien, Councilman District III, Cheryl Millet, Councilwoman District VII, Steve Lee, Councilman-at-Large, Div. B, Darnel C. Usry, Councilwoman District V, Richard "Dale" Wolfe, Councilman-at-Large, Div. A, Ronnie Smith, Councilman District VI, Danny Millet, Councilman District II

ABSENT: Jaclyn Hotard

Councilwoman Usry led the Prayer. Councilwoman Millet led the Pledge.

Bill Hubbard, Parish President, was present.

Legal Counsels Jeff Perilloux and Kerry Brown were present.

Ronnie Smith - Proclamation - Kevin Bossier, II in recognition of his heroic efforts in the rescue of two people in the Tangipahoa River on June 17th, 2009

Councilman Smith stated, "We have had this item on the agenda for several meetings and Mr. Bossier is not able to come forward. I just want to briefly touch on this then we will remove it from the agenda. The reason this item is on the agenda is this young man is a senior in high school. He lives in Hammond. His grandmother actually works for us. His family is a former resident of our parish. He heroically jumped into the Tangipahoa River to rescue two children from the river on June 17th. I just thought it was a worthy cause. This kid went above and beyond the call of duty. I thought he deserved at least a proclamation for us to thank him for the acts that he has done. I will get the proclamation to him. Thank you."

Consent Agenda

Items: Approval of Minutes August 11, 2009, Regular Meeting; Permit Approval - New Orleans Bike Club - Bike ride - Saturday, August 23rd from 8:00 AM until 11:00 AM

MOTION: Councilman Lee moved and Councilwoman Usry seconded the motion to approve the amended consent agenda consisting of Approval of Minutes August 11th, 2009, Regular Meeting; Permit Approval - New Orleans Bike Club - Bike ride - Saturday, August 23rd from 8:00 AM until 11:00 AM; Added Councilwoman Millet - appointment of Lucian Gauff to the Recreation Board. The motion passed with Councilwoman Hotard absent.

Councilwoman Hotard arrived at 6:36 PM.

PUBLIC HEARING ON ORDINANCES:

09-33 (Public Hearing Held) An ordinance amending ordinance 08-67 relative to the annual operating budgets of the St. John the Baptist Parish General Fund, Special Revenue Funds, Enterprise Funds and Parishwide Sewerage Construction Fund for the fiscal year beginning January 1, 2009 and ending December 31, 2009. (B. Hubbard)

MOTION: Councilman Lee moved and Councilwoman Usry seconded the motion to accept Ordinance 09-33. The motion passed with 8 yeas and 1 abstaining (Hotard).

INTRODUCTION OF ORDINANCES:

There were no ordinances to be introduced at this time.

COMMITTEE REPORTS:

Councilman Lee stated, *"At 6:15 this evening the finance committee met to conduct the financial business of the parish. At this time I would ask for a motion of full council to endorse the actions taken by the finance committee."*

MOTION: Councilwoman Hotard moved and Councilwoman Usry seconded the motion to accept the recommendation of the finance committee. The committee approved to grant administration authorization to execute task order #3 with Murray Architects for the new government complex renderings & plans & specifications in relation to the 2009 Bond Issue, approved to grant administration authorization to execute task order #3 with Murray Architects for the new government complex renderings & plans & specifications in relation to the 2009 Bond Issue, and approved grant Ray Davezac, Bond Manager, authorization to advertise for bids for Priority One Water Towers: Courthouse, Garyville, Edgard, Lucy & Wallace, in relation to the 2009 Bond Issue. The motion passed unanimously.

DEPARTMENT/ENGINEER REPORTS:

Dale Wolfe - Personnel Matters

There were no personnel matters at this time.

Charles Julien - Update on grass cutting ordinance

Councilman Julien stated, *"I would ask that administration come up. I had an opportunity to speak with Mr. Bailey. We are working something out concerning the grass cutting situation. I would ask that Mr. Perilloux explain the law that governs the ordinance."*

Jeff Perilloux, Legal Counsel, stated, *"I forwarded the council members, as well as the administration, a report this morning on my research findings concerning the various laws that apply to the parish's ability to create and enforce grass cutting ordinances, tall weeds and that type of thing. Our ordinance essentially mirrors what is*

allowed by state law. In Louisiana Revised Statute 33:1236(21)(a) sections 1 & 2, it establishes the procedure that parishes and in particular St. John the Baptist Parish may adopt in order to deal with the problems associated with tall grass and/or weeds throughout the parish. Our local ordinance, which is found in Sections 10:101 through 10:108 in our Code of Ordinances, specifically follows the framework and parameters set up in state law. So unless the state law is modified or changed, the parish is sort of limited in what it can do to try to for example maybe reduce the delay period and what not. As you know Mr. Julien, right now there is a 15 day delay period. That is prescribed by the state statute. So the parish is not in a position to be able to reduce that delay period if you will for anything less than the 15 days prescribed by state law. So unless the state law is modified and it certainly can be, unless it is modified, the parish essentially is as stringent as it can be right now according to state law."

Councilman Julien asked, "So in your professional opinion there is nothing that we can do to cut down on the time that it takes to trim the lots?"

Jeff Perilloux stated, "Not from an ordinance stand point. Obviously Planning and Zoning and Mr. Clifford's department and what not that handles the grass cutting, as long as they are on top of it and taking care of the violations and sending out the notices in a timely fashion, then we are doing what we can do according to our local ordinance. So I don't think tightening the belt with the ordinance is a possibility. It might be just the practical application of applying the ordinance to the actual situation that applies in the problem areas and the violated areas, which I understand from administration that is being done on a regular basis. Nonetheless having said that, that would be the only suggestion that I would have is to make sure that our procedure practically follows what our ordinance prescribes."

Councilman Julien stated, "Thank you."

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

Pat McTopy - Resolution - R09-20 - A Resolution authorizing the application for a grant from the Office of Community Development

Pat McTopy stated, "I ask that you remove this item from the agenda."

Councilman Smith stated, "Consider it removed."

Pat McTopy - Resolution - R09-21 - A Resolution to amend the LCDBG Procurement Policy

Pat McTopy stated, "As you are aware the parish annually applies for CDBG funding. This year we are entitled to additional CDBG funding because of the Hurricane Gustav/Ike LRA funding. We have been requested to pass this resolution to have our procurement policy applied to this additional funding opportunity."

MOTION: Councilwoman Millet moved and Councilman Millet seconded the motion to accept Resolution R09-21 - A resolution to amend the LCDBG Procurement Policy. **WHEREAS**, St. John the Baptist Parish Council intends to apply for Fiscal Year 2010-2011 Louisiana Community Development Block Grant funds; and, **WHEREAS**, the Parish also has been allocated funds through the Gustav/Ike Community Development Block Grant Disaster Recovery Program which requires compliance with the same HUD, federal and state procurement practices; and, **WHEREAS**, the Parish desires to have one uniform procurement policy for these two HUD grant programs, **NOW, THEREFORE BE IT RESOLVED**, that the Parish of St. John the Baptist Parish does hereby amend its LCDBG Procurement Policy to include language to signify that these procurement policies also apply to the CDBG Disaster Recovery Program grants and projects. The motion passed unanimously.

Pat McTopy - Resolution - R09-22 - A Resolution to adopt the residential anti-displacement and relocation assistance plan

Pat McTopy stated, *"This is a requirement of the CDBG program. We are requesting that the council adopt this resolution concerning anti-displacement and relocation."*

MOTION: Councilwoman Usry moved and Councilman Lee seconded the motion to accept Resolution - R09-22 - A Resolution to adopt the residential anti-displacement and relocation assistance plan. **WHEREAS**, the St. John the Baptist Parish will receive CDBG Disaster Recovery Program funds and may receive a Louisiana Community Development Block Grant Program in the coming fiscal year; and, **WHEREAS**, the LCDBG Program requires that all grant recipients adopt by resolution a Residential Anti-displacement and Relocation Assistance Plan; and, **NOW, THEREFORE BE IT RESOLVED**, that St. John the Baptist Parish hereby adopts the attached Residential Anti-displacement and Relocation Assistance Plan. The motion passed unanimously.

CORRESPONDENCE/COUNCIL BRIEFS

Councilman Lewis stated, *"I would like for us to look at the West Bank and look at some type of development. We are supposed to be, we said a long time ago that we were rural, then we found out that we are residential one all over. I think we need to do something with it. Either change it or if it is going to be all residential, let it be all residential. The way we are, we don't have anywhere to go. The parish needs to start looking at us as far as buying property or something over there where we can develop some sort of business park or something. This parish right now is running out of work. Every time you look somebody is looking for work and there is no work around. It looks like we aren't doing too much to even try to bring nothing in here. Some people may be trying but I tell you the truth I haven't seen too much since I have been back on the council. We need to look at letting the parish grow with some type of work or look at our tax structure that may bring some work or something into the parish. I think we need to do something. We need to know where this parish is going."*

Councilwoman Hotard stated, *"I would like to just make a request maybe to our Department of Public Safety that we send another request to the Department of Transportation and Development about the light on Carrollwood and Hemlock. It is still causing traffic jams. At 6:00*

today they had fifteen (15) or twenty (20) cars backed up on Carrollwood because the light is not allowing enough cars through as it does on Hemlock. The same thing when coming down Airline if you need to make a left onto Carrollwood it is the same thing. Unless you are right on the bumper of the second car, you won't make it through. We are getting back logged right there. So if we could send another request to DOTD to look at that, I would greatly appreciate it. Thank you."

Councilwoman Millet stated, "I am going to let Ms. Hotard know that I did turn from Airline Highway onto Carrollwood today. I was car number six (6). The light was still green. It was the first time that has ever happened to me and I make that turn a lot. So they worked one (1) glitch out. If they could work the rest of them out, I would appreciate it."

Councilwoman Hotard stated, "That means that you were going through a yellow light and could have gotten a ticket."

Councilwoman Millet stated, "No, it was still green after I went through and two (2) more cars behind me. So I was really impressed. Normally it is only two (2) cars that get through. I want to ask administration to check into the lift station on Fairway. There are some issues that we are having with that lift station. If you could have that taken care of for me I would appreciate it. So would the residents of that area."

PRESIDENT'S REMARKS

There were no presidential remarks.

MOTION: Councilman Lee moved and Councilwoman Usry seconded the motion to go into executive session. The motion passed unanimously.

MOTION: Councilwoman Usry moved and Councilwoman Millet seconded the motion to go back into regular session. The motion passed unanimously.

Councilman Lee stated, "As a result of executive session at this time I would like to make a motion to accept the administration and our attorney's recommendation to give them the authority to settle the Levantino vs. St. John the Baptist Parish law suit."

MOTION: Councilman Lee moved and Councilman Julien seconded the motion to accept the administration and our attorney's recommendation to give them the authority to settle the Levantino vs. St. John the Baptist Parish law suit. The motion passed with 7 yeas and 2 nays (Hotard, Wolfe).

Bill Hubbard, Parish President, stated, "As a result of the executive session and the discussions that we had in the executive session, I am going to ask the council to pass a resolution to remove the Utilities Director."

MOTION: Councilman Julien moved and Councilwoman Millet seconded the motion to approve Resolution R09-23. A resolution to remove the Utilities Director. The motion passes with 7 yeas, 1 abstaining (Lee) and 1 against (Wolfe).

EXECUTIVE SESSION:

Discussion relative to Public Utilities Department

Dale Wolfe - Personnel Matters

Property/Casualty Insurance Agent - 1) Claims, any/all property, casualty, and Workman comp claims 2) Claims, procedures and disposition 3) Coverage's, any/all material changes

Any and all pending legal matters.

ADJOURNMENT:

At 7:34 PM, Councilwoman Usry moved and Councilwoman Millet seconded the motion to adjourn. The motion passed unanimously.

/s/Ronnie Smith
COUNCIL CHAIR

/s/Jackie Landeche
Council Secretary