

OFFICIAL PROCEEDINGS
ST. JOHN THE BAPTIST PARISH COUNCIL
TUESDAY, DECEMBER 10th, 2013
CHAIR JACLYN HOTARD
VICE CHAIR LENNIX MADERE

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, December 10th, 2013, at 6:30 PM.

CALL TO ORDER:

PRESENT AT ROLL CALL: Lennix Madere, Councilman District III, Larry Snyder, Councilman District VI, Michael Wright, Councilman District V, Art Smith, Councilman, District I, Marvin Perrilloux, Councilman District IV, Lucien Gauff, Councilman-at-Large, Div. A, Jaclyn Hotard, Councilman-at-Large, Div. B, Cheryl Millet, Councilwoman, District VII, Ranney Wilson, Councilman, District II

ABSENT: None

Councilman Smith led the Prayer. Councilman Snyder led the Pledge.

Legal Counsel Jeff Perilloux and Carl Butler were present.

INTRODUCTION OF BUSINESSES

Natalie Robottom - Presentation - Mark Allemand - FEMA Community Recovery Assistance Specialist

Mr. Mark Allemand the FEMA Recovery Assistance Specialist was presented with a key to the parish from Natalie Robottom and the council for all of his hard work and dedication to the parish during our time of need.

Natalie Robottom - Presentation - Master Land Use Plan (UNO).

UNO gave a lengthy presentation on the Master Land Use Plan for the parish.

Consent Agenda

Items: Approval of Minutes - November 20th, 2013, Special Meeting; Approval of Minutes - November 26th, 2013, Regular Meeting; Permit Approval - MLK Parade and Rally - Monday, January 20th, 2014 beginning at 8:00 AM

MOTION: Councilman Gauff moved and Councilman Snyder seconded the motion to approve the consent agenda consisting of Approval of Minutes - November 10th, 2013, Special Meeting; Approval of Minutes - November 26th, 2013, Regular Meeting; Permit Approval - MLK Parade and Rally - Monday, January 20th, 2014 beginning at 8:00 AM. The motion passed unanimously.

PUBLIC HEARING ON ORDINANCES:

13-48 (Public Hearing Held) An ordinance introducing the annual operating budgets for St. John Parish General Fund, Special Revenue Funds, Enterprise Funds and Parishwide Sewerage Construction Fund for the fiscal year beginning January 1, 2014 and ending December 31, 2014. (N. Robottom)

MOTION: Councilman Gauff moved and Councilman Perrilloux seconded the motion to remove Ordinance 13-48 from the table. The motion passed with 8 yeas and 1 against (Hotard).

Councilman Snyder stated, *"I still have some issues with this and things I am not clear on yet. I think we are waiting on an opinion so I would like to put it back on the table."*

MOTION: Councilman Snyder moved and Councilwoman Millet seconded the motion to table Ordinance 13-48. The motion passed unanimously.

13-50 (Public Hearing Held) An ordinance requesting preliminary approval of Tiger Landing Subdivision, 98 Lots located in Section 11 & 12, T-12-S, R-19-E, Edgard, St. John the Baptist Parish, Louisiana (N. Robottom)

Angelic Sutherland stated, *"The Preliminary Plat was unanimously approved at the November 18th Planning Commission Meeting and Administration recommends approval."*

MOTION: Councilman Gauff moved and Councilman Madere seconded the motion to approve Ordinance 13-50. The motion passed with 8 yeas and 1 absent (Perrilloux).

13-51 (Public Hearing Held) An ordinance requesting approval of a family re-subdivision of the Prescott & Marian Bailey, Jr. lot and The Prescott & Marian Bailey Tract into lots herein designated as Lots PB-1, Lot 1, Lot 2, and Tract 3 of The Prescott & Marian Bailey, Jr. lot Situated in Section 24, T-11-S, R-18-E, Wallace, St. John the Baptist Parish, Louisiana (N. Robottom)

Angelic Sutherland stated, *"This Family Re-subdivision was unanimously approved at the November 18th Planning Commission Meeting and Administration recommends approval."*

MOTION: Councilman Gauff moved and Councilman Perrilloux seconded the motion to approve Ordinance 13-51. The motion passed unanimously.

13-52 (Public Hearing Held) An ordinance requesting approval of a re-subdivision of Lot 15 & Lot 16, Block 17, Airport Industrial Park Subdivision, Phase I into a lot herein designated as Lot 15A, Block 17, Airport Industrial Park Subdivision, Phase I, situated in Sections 32 & 57, T-11-S, R-6-E, Reserve, St. John the Baptist Parish, Louisiana (N. Robottom)

Angelic Sutherland stated, *"The Planning Commission unanimously approved this re-subdivision on November 18th and Administration recommends approval."*

MOTION: Councilman Perrilloux moved and Councilman Snyder seconded the

motion to approve Ordinance 13-52. The motion passed unanimously.

COMMITTEE REPORTS:

Councilwoman Millet stated, "The finance committee met today at 6:00 PM and I would like to ask one of my fellow council members to make a motion that we ratify those items."

MOTION: Councilman Gauff moved and Councilman Wright seconded the motion to accept the recommendations of the finance committee. The motion passed unanimously.

DEPARTMENT/ENGINEER REPORTS:

Virgil Rayneri, Director of Utilities, stated, "I have a couple of updates for you on Pebble Beach that we had a discussion on at the last meeting. The work on the lift station located on Pebble Beach is ongoing. The new pumps have been installed and two new aero frequency drives have been ordered. The work should be completed by the end of January at which time the generator will be removed and the lift station will return to normal operation. On the lift station diesel pump update we are pursuing an opportunity to lease/purchase electrical skids for all twelve lift stations damaged during Hurricane Isaac. This work will require Entergy connection and at each location it will be operated by a control panel system. We are requesting an amendment to the lift station project worksheet with FEMA to account for the changes and scope of the project and to avoid jeopardizing future funding and that is the status of it as of today."

Councilman Madere asked, "Can you give an update on the infrastructure and fixing the lines for the sewer? When are they planning on finishing that project? I know they were supposed to finish a few weeks ago."

Virgil Rayneri stated, "We are behind because of some issues that we had and also because of the river stage stopping work for a while and we should complete it I think we had thirty days at the last meeting that we had that they were planning on."

Councilman Madere asked, "So their contract is still in effect or have they gone past their contract?"

Virgil Rayneri stated, "We are still not finished."

Councilman Madere asked, "Are they paying us anything for being late or are they penalized in any way for being late as far as this project?"

Virgil Rayneri stated, "PEC will take care of that. They will liquidate damages."

Councilman Madere stated, "Okay because I don't know if this company I know you are checking on them but I don't like the way they are working because I spoke to the guy myself down E. 28th Street and I had Mr. Reed Alexander and he has been very helpful with me with these individuals. First of all they haven't been doing exactly what they said they were going to do on Friday's in terms of filling these holes up and making sure they are as smooth as possible until they are compact and I had a lengthy discussion with him until we got his supervisor on the phone and then his supervisor relayed the problem that the guy that was handling

the project in the field decided he wasn't going to carry out this particular aspect of the contract and he said he was going to straighten it out. He also mentioned to me at the time that this individual he had fired twice already. My comment to him was if you fired him twice get ready to fire him a third time because he has to do his job in the parish and they are not going back and leveling the streets off for repairs which was promised. Even after I spoke to him that day he said that Friday they were going to do that and I told him I was going to go back and check those streets and it still wasn't done according to what they said they were going to do and I understand we want the work done but I want to make sure that they do it right and don't just rush through the job and not take care of it the proper way."

Virgil Rayneri stated, "Mr. Babin is here and he can answer your questions but we do have the same issues you have."

Gerald Babin, PEC, stated, "The project was engineered by us and we do have an inspector out there. Suncoast is the prime contractor and they are mainly a lining contractor. Let me go back this contract is both for lining infrastructure and also point repair which you are talking about. Suncoast has a subcontractor doing the point repair and the process is we have a piece of broken or smashed pipe under the road we have to cut the road and dig it out and replace about 8-10 feet it depends on the problem especially in this weather we are going back in with fill, we are putting lime stone in there and we have told them several times that our main goal was to keep the lime stone patches in good shape especially on the weekends. My inspector pretty much rides them every Friday and looks at them and determines if we have to get some more fill in it. Our goal is to let that lime stone compact and then come back and put the asphalt in after everything is compacted. They are running behind on the project and we definitely let them know that several times. We have had several meetings with them. They are and have this week brought in another subcontractor to do point repairs also. So they look like they are stepping it up but I came in and heard you talking about liquidated damages and yes sir that will apply to his contract. He has a contract with us and it has stipulations in it. Any day over the contract is \$300.00 a day."

Councilman Madere stated, "That was my concern the contract that was doing it hasn't been doing the best job and now you basically have to speed it up because there is a \$300.00 a day fine that he is going to have to pay the parish. I am concerned how well he is going to do the remainder of the job."

Gerald Babin stated, "Well I don't think they can speed up the work that they are doing. I think they can get more crews in and that is what we have been after them to do is to get more than one crew. They had a crew doing the point repairs and I think the way they do speed up the contract is to get more than one crew working more than one area at a time."

Councilman Madere stated, "Okay also I did a lot of research and I also found out that they may have also not used the proper I think it was T on some of the repairs and they have to go back and correct some of those?"

Gerald Babin stated, "They have yes we are having them go back."

Councilman Madere asked, "Okay do you have a total of how many that is?"

Gerald Babin stated, "I don't have a total but they are replacing them. You are correct."

Councilman Perrilloux asked, "Mr. Babin if you are paying for grade A and they are putting C, aren't they violating the contract?"

Gerald Babin stated, "No well the contract says to put this type of coupling on it and they are going to put that on it and we will make sure that they do."

Councilman Perrilloux asked, "At their expense?"

Gerald Babin stated, "At their expense yes sir."

Councilman Perrilloux stated, "Okay we will follow up on that one. I have another question also for Mr. Rayneri and this is one of my pet peeves. I know I have been having on the agenda about a year and a half ago and I know we went out for proposals in August for filters at the Lyons plant. When are we going to start that project? Will it be January 2014 or when? Do you have any idea?"

Virgil Rayneri stated, "We are completing the scoring on that project and then after that we will move on."

Councilman Perrilloux stated, "Okay I am sorry that I didn't put it on the agenda but since you came up that was a question that I wanted to ask. So you are continuing the scoring is there a timeline?"

Virgil Rayneri stated, "I think it should be completed by the end of the year but I am not sure because I think we had like ten companies to score and it is just about completed."

Councilman Perrilloux stated, "Okay I will follow back up with you thank you."

Councilman Snyder stated, "At the last meeting we had an intense discussion on some of the lift stations and the problems that they are causing and I think the council came up with a couple of ideas and I was wondering were any of them pursued like for instance going back to what we had before especially the ones in neighborhoods close to people's homes or repairing those and taking those temporary pumps away from there. Did we do anything with that or was it just discussion?"

Virgil Rayneri stated, "That was the subject that I addressed earlier."

Councilman Snyder stated, "I heard you say something about a generator. I wasn't talking about the generator."

Virgil Rayneri stated, "The twelve lift stations sir we are now looking at the opportunity to lease/purchase electrical skids so that we can eliminate the diesel system which would eliminate the noise."

Councilman Snyder asked, "So we will get rid of the pumps all together?"

Virgil Rayneri stated, "We will get rid of the diesel and go with electrical pumps."

Councilman Snyder stated, "Okay great. How long is that going to be?"

Virgil Rayneri stated, "I knew you were going to ask that question it is going to take about six weeks to get everything settled. We are waiting on FEMA to make sure that we don't jeopardize any funding from FEMA so after that is resolved I would say in six weeks we ought to be able to secure the skids and then the installation will start and really I would be guessing how long it would take to do it."

Councilman Snyder stated, "I understand. Is there any way we can get a head start on this by getting the wires in there or getting the infrastructure in there for the electrical pumps?"

Virgil Rayneri stated, "They will all come in and the skids mounted then we will get Entergy to supply power to use our control system that we have in place right now to control the pumps. So we are thinking and being proactive."

Councilman Wilson asked, "At the last meeting we were talking about these repairs being somewhere in the \$40,000.00 range for each. I understand it isn't even close to that. Is that correct? What is the cost of fixing these to the point that you are fixing to do now?"

Virgil Rayneri stated, "Chuck may have better numbers on that and the repairs and what is in place right now."

Councilman Wilson stated, "The point I am trying to make is that we are using a big figure like \$40,000.00 a piece this could have been done months and months ago and I hope we learn a good lesson for the future that if this comes around that we think a little better ahead of time as far as mitigation purposes that we think of a better way first to start off with because we are talking about \$40,000.00 and from what I understand it is not even close to that."

C.J. Savoie, Parish Engineer, stated, "I think you are talking about skids that they are proposing is that correct?"

Councilman Wilson stated, "Yes it was to correct the problem that were discussed last week to get the diesel engines away. I am just asking what the cost really is compared to the cost mentioned last week?"

Chuck Savoie stated, "They are presently right now going out and getting prices for the skids that he is talking about. These are going to be skids that have electrical pumps mounted on them and what they want to do is for right now get a lease program to lease the pumps for right now because they are probably going to be temporary so the installation is not going to be that high because the idea of the skid is to reutilize the set up that they have out there for the diesel pump."

Councilman Wilson stated, "The point I am trying to make is that this is something that should have been addressed and taken care of long before 15 months of misery that these people have gone through and again I would like to apologize to all that were affected."

Chuck Savoie stated, "I think they are addressing that and when they addressed it at the time I think it was more of an emergency that they undertook immediately and they were probably hoping they weren't going

to be there that long. I don't know all of the answers for that."

Councilman Wilson stated, *"I wasn't looking at you for the answers Chuck."*

Virgil Rayneri stated, *"That is a correct statement that Chuck said nobody expected that 15 months later we would still be dealing with the FEMA situation and we did the fastest as we had to make sure that we restored services to the residents and we didn't think we were going to be this long and we have made several changes since we put the pumps in by reducing cost to go to another vendor, by purchasing hoses and things of that nature and now we came up with the option to go with the electrical skids. We are listening to your recommendations if you have any."*

Councilman Perrilloux asked, *"One question do we have to you are going out to lease these pumps is that money coming from the sewerage fund or do we have to make a motion?"*

Virgil Rayneri stated, *"It is a lease to purchase. If Gohsep approves for the pricing that we are spending right now on the rental of the diesel pumps would be sufficient to do the lease/purchase with the 12 electrical systems."*

Councilman Madere asked, *"Mr. Babin once again you said you have a supervisor that is going to be out there?"*

Gerald Babin stated, *"We have an inspector out there."*

Councilman Madere asked, *"Is the inspector from your company?"*

Gerald Babin stated, *"Yes sir."*

Councilman Madere asked, *"Okay and he is going to be there Friday? I am going to meet him I think it might be the same guy I met a couple of times. So he will be around where they are working on the point repairs at?"*

Gerald Babin stated, *"Yes sir anything that you see that you think needs to be addressed please tell him."*

Councilman Madere stated, *"I am going to show him exactly what I am talking about and what they are doing to make sure that they take care of it. Once these repair areas are compacted down is it going to be the parish's responsibility to fix those holes?"*

Gerald Babin stated, *"No sir it will be under contract and the contractors choice is to leave the lime stone down until we do them all at one time once he is finished with the point repairs and the only problem with that is that he has to take care of maintaining that."*

Councilman Madere stated, *"The only problem with that is that if he has 30 repairs the newest ones are not going to be as compacted down as the ones from the first time. So when he is doing the repairs on it the most recent ones are the ones that are going to collapse."*

Gerald Babin stated, *"No he is testing I mean we are going to test those but he is compacting with equipment. The additional traffic is*

additional compaction but he is compacting with equipment."

Councilman Madere stated, *"That is the part that he hasn't been doing."*

Gerald Babin stated, *"Well what happens is that lime stone works loose on the surface and you end up with low gravel there."*

Councilman Madere asked, *"Mr. Boucvalt what was the outcome of the Reserve Canal you said you were going to get back to me?"*

Jobe' Boucvalt stated, *"The Port had to go back out this past Saturday and re do it with different sonar equipment. The first time they went the information was a little sketchy so they went back in with another one and they just sent me that report today and they did identify about 59 locations of some type of obstruction. As they were going down the canal they could actually go and see some stumps down there now some of them are close to the bank and some are maybe a little further away from the bank. So I plan to get this list together and get it to Mr. Jones with FEMA and see what they can do to possibly help us."*

Councilman Madere stated, *"Okay just keep me updated on it."*

Jobe' Boucvalt stated, *"Also the Port has graciously offered to go back when the water level goes down with their mud boat and maybe we can bring Mr. Jones with us and let him actually see this because some of these locations are coming up at three feet so if you can see it when the water goes down it would probably be able to give him a better idea. So we did get information from the Port and are appreciative of their efforts."*

Jaclyn Hotard - (Carry Over 11-26-13) Code Enforcement - Personnel matters

Councilwoman Hotard asked that this item be carried over to the next agenda.

Lennix Madere - (Carry Over 11-26-13) Boogie Joseph Center/Health Unit

Councilman Madere asked that this item be carried over to the next agenda.

Jaclyn Hotard/Cheryl Millet/Marvin Perrilloux - Street lights - Belle Terre

Councilwoman Hotard asked, *"Mr. Nunes if you could give an update on the street lights that we sent over in the email for St. Andrews estates."*

Brian Nunes, Director of Public Works, stated, *"Okay those were specifically the ones on Turnberry and that area. We looked at those and three or four of them had previously been called in but the earliest one we had was November 25th and it went as far as December 4th. There were two that hadn't been called in so we added those to the list based on the email now currently I believe we have 13 total on the list and we work those as quickly as we can we do have problems in certain spots. As a matter of fact on Turnberry or in that area about a month ago we had problems with lights so we replaced an entire transformer out there and now we are still having some other problems so we are going to go ahead and address the lights and we are going to see with the new lights and*

the transformer if that takes care of the problem and if not we know there is something deeper but it is on our list with the 13 lights on the work order system I would guess within a week we could get all of them done but again the fact that two of those weren't on the list I would just encourage all of the residents in the parish to just please call them in and use the work order system and it really does work that is why we are down to 13. If they call it in to 652-4815 we immediately add it or they can do it on the parish website."

Councilman Perrilloux asked, "Can you please repeat that number for the lights I get calls all the time."

Brian Nunes stated, "The best way to get on the list is to call our public works office and the number is 652-4815 and that gets you directly into public works. We have the computers up all day you call and are immediately entered into the work order system."

Councilwoman Millet asked, "Mr. Nunes you are saying that the earliest work orders that were called in were what?"

Brian Nunes stated, "November 25th that is the earliest non-completed work order. We do have some completed ones over the past 12 months that we pulled up and there were some Turnberry area that we fixed and they went out again. So we replaced the transformer in that area thinking that would address the problem so now with the transformer and replacing of the lights we are hoping that the system will work as it is designed too and if it doesn't we know that there is another underlying issue that we might have to look into."

Councilwoman Millet asked, "So the lights are not repaired in that section yet?"

Brian Nunes stated, "No I don't believe they are all done because today we actually did some work on Belle Terre so we had to pull the crew. The lighting crew works five days a week it is not like my other crews so we do constantly work on lights."

Councilwoman Millet stated, "Oh I know we take care of a lot of lights and they do a really good job and I am really glad to say that I did go and check and the Belle Terre lights are on and I appreciate that but there is a pole that is down that needs to be repaired. I don't know who does that and puts the poles back up but one of them are knocked down on the exit ramp."

Ranney Wilson - Mark & Tommy Bourgeois - Bonfire Permit

Councilman Wilson stated, "I think everyone has a copy of the paper work given out (the council was handed a letter and copy of past bonfire permits)."

Tommy Bourgeois, Mt. Airy, stated, "Years ago they used to build fires on the Mississippi River to get ships and barges to stop and deliver groceries and things to stores and houses because there was no other transportation. My grandfather used to make a bonfire on the levee every Christmas and he is the one that did it for the local barges. My five

year old grandson every year asks his father to build him a bonfire on the levee because he wants to carry on what we always did. I did that since I was knee high to a duck and we don't understand why after all these years St. John wants to not let us build a fire. Nalco sent a letter saying they have no objections and they think that the council should work with the people that feel like they should. The tank farm is out of town and it is going to be built between two tracks and that will be 2,500 feet from the bonfire. If you stand where we are on an angle we are 2,500 feet from Nalco that doesn't have any explosives. In Garyville not far from the gas stations there are bonfires. In Reserve by Valero there is a bonfire very close and there is one within 100 feet from the grain elevator and I just don't understand why we can't build our bonfire. I have copies that I have been given permits dating back since 1983."

Councilwoman Hotard asked, "Mr. Bourgeois I have read your past permits. Why are you not getting a permit this year? What is the issue?"

Tommy Bourgeois stated, "I couldn't even get a permit from the office to fill out. They wouldn't even give me one. They just said you are too close to Nalco. They are building one by the gas stations where Timbermill was years ago. You can look at the map we brought (map passed around to council)."

Councilman Gauff stated, "You were asking why are they here and I think the biggest thing is that the code or the ordinance says that they should be 2,500 feet from this structure or the property line and I think they have built this bonfire over the last 39 years but I don't think the code has been enforced or this ordinance hasn't been enforced."

Councilwoman Hotard stated, "They have a permit from last year."

Councilman Gauff stated, "I know that is what I am saying they have permits from the last many years but this year the ordinance is being enforced so that is where we are and the letter from Nalco says that as long as the neighboring community doesn't mind then they don't mind but they don't want to violate any ordinance they are going to go along with whatever the parish says as far as the ordinance goes. I think the problem that I have and I explained to Mr. Wilson we open this up to every code or ordinance violation. I think we need to change this ordinance that is the biggest thing. I think where their property line is and I think it is from the property line but I think it says from there and they aren't that far. I could be wrong because I didn't measure it but what has happened is over time they have successfully gotten their permit and been able to build but this year I think the ordinance was looked at and found to be in violation and then said okay we have been violating this ordinance and we want to stop."

Councilman Wilson stated, "One of the issues is that they have been having permits since permits were required but they have been having bonfires for 129 years. I am asking that we pass this and turn around and fix the ordinance so that this doesn't come up again and put it at a different footage. It is 2,500 feet or very close to that away from that plant itself."

Tommy Bourgeois stated, "If you go on an angle of where the fire would be it is pretty close to 2,500 feet from Nalco and Nalco is an eco-

plant."

Councilman Snyder stated, "Here we go again we take the human factor out of it and I don't know if it is just to be on point or we just don't know what is going on. If you take Nalco and throw a bomb over there it wouldn't burn because they make additives. I am sure we use some of their stuff over here. Shell is a petro-chemical plant but the ordinance says chemical plant. Nalco runs tests. See that is the human factor of this that we don't use sometimes and that is the part that is causing us problems right now. Who was there first Nalco or the bonfire? Nalco moved next to the bonfire. I realize there are a lot of jobs there but I sympathize with this and if there is some kind of a way we can get around this and let them do the bonfire this year and then fix the ordinance for next year."

Councilman Madere stated, "I am in agreement with Mr. Snyder and I was one that was always tired of hearing grandfathered in but this bonfire has been there for so long and they have never had a problem with it. I would be in agreement to allow them to have the bonfire. They have a permit from last year and then maybe we need to revisit our ordinance to modify it. It hasn't blown up in years and I don't think it will blow up this year."

Jobe' Boucvalt stated, "Just for clarification first of all Nalco is a chemical facility. I did talk with the people from Nalco and they do have petroleum products on their site. Three permits were denied due to the 2,500 feet and two of them have moved of course Mr. Bourgeois is the third and they don't comply with number 1 in the ordinance. Number 2 in the ordinance is 2,500 feet for petrochemical and as I stated Nalco does have some petroleum products on site. I asked the representative how they are classified to make sure I had the information correct and he said as a chemical facility. This bonfire property is adjacent to the Nalco property and number 1 in the ordinance states that no bonfire will be built on property adjacent to a chemical facility. Now it is the discretion of the council but I want to make sure you understand what the ordinance says and understand what we looked at and who we talked to and who was involved. Nalco chemical is in our extremely hazardous book for facilities and they do have some highly flammable materials on their site."

Councilwoman Hotard asked, "I have a question with all that being said why did we issue a permit last year and the year before? I know you signed the one from last year."

Jobe' Boucvalt stated, "It fell through the cracks and I missed it. This year we had a new applicant that came in and was within the 2,500 feet and so I had our staff member measure it to comply with the ordinance and it was found to be adjacent to the property. So I denied them and they went further and do have a permit today. I have to be consistent and this bonfire falls within that 2,500 feet. After looking further into it I saw it was adjacent to the property. I made the mistake last year. I missed it. I can't speak for the years before but when I saw that I said I have to comply with the ordinance and I did check with legal counsel and the parish president and that is how all of this came about."

Councilwoman Millet asked, "How far are we talking here? Are we talking 2,200? Are we talking 1,800?"

Jobe' Boucvalt stated, "I don't have the exact measurement with me but they are adjacent to the property line."

Councilwoman Millet asked, "So if they move to the other side of the property line?"

Jobe' Boucvalt stated, "They would have to move a little ways to get out of the 2,500 feet. If they move to the other side of the property and wouldn't be adjacent and would just have to get permission from the property owner next to them."

Councilman Snyder stated, "He mentioned that there are dangerous chemicals there. Acid is a dangerous chemical we understand that what chemicals there are combustibile and is this 2,500 feet of the nearest structure in there or is this 2,500 feet of the property line?"

Jobe' Boucvalt stated, "I measured it once from inside the units where they process and it was within the 2,500 feet."

Councilman Wilson stated, "The ordinance states the property line but the facility is actually much further away from the property line and then the bonfire would be further than that. All I am asking is that we allow it this year and this council will come back and look at the ordinance to fix it. We have refineries all over Reserve and as far as petrochemical every vehicle outside has that in it. This is something that has been going on for a long time and I am asking that we give them this now but turn around and revisit the ordinance on this particular issue."

Jeff Perilloux, Legal Counsel, stated, "I don't think you have any legal right to allow this tonight. You can come back later and amend or modify the ordinance and create a new ordinance that will rectify some of the issues that you are dealing with in terms of the numbers and maybe putting more definitions but frankly I don't think you all have any ability to take any action that would overrule the ordinance tonight."

Councilman Wilson asked, "Mr. Perilloux is there something that can be introduced tonight and handled at the next council meeting on the 23rd?"

Jeff Perilloux stated, "You can introduce a new ordinance tonight if someone can come up with an ordinance really quick but in all frankness I will just tell you that the ordinance that you are talking about that is being enforced now was implemented in 1984. The fact that it was passed I would proceed with caution. They made mistakes obviously by issuing permits in the past. We were asked to look at it this year I can only give an opinion based on what the actual ordinance says today and unfortunately I know Christmas Eve is only two weeks away. It is certainly something that can be addressed and looked at going forward but I would proceed with caution in terms of amending an existing ordinance that involves safety issues."

Lennix Madere - Water bill issues

Councilman Madere asked that this item be carried over to the next agenda.

Larry Snyder/Jaclyn Hotard - 506 W. Frisco Drive flooding

Councilman Snyder stated, "I would like to hear any feedback from Brian on that if it is alright to discuss it now. It seems like to me I went over there a couple of times and it is very low and I think there was some tests done and the water was actually going the wrong way. I am not sure but I think we may need you to look into it a little more to see if someone can do some work on that because some work was done on the other ones in that area and I was wondering if maybe we can get this looked at and be given suggestions and then we can talk about it more because these people have flooded numerous times just from rain water and their insurance is sky high because of that. Now if this is always happening that means we have a problem."

Jeff Perilloux stated, "I just want to caution you about discussing a specific issue regarding what may or may not be the problem. If we are going to talk about a general drainage problem in the vicinity of this location that is okay but I would caution you against getting specific regarding instances involving a specific house."

Councilman Snyder asked, "What can we do to help the area out?"

Brian Nunes stated, "Well there are a few things we may be able to do because we do know that the Frisco area is low lying and actually Mr. Savoie has gone out and given a report but he had some suggestions on what we could do for the drainage system in that area. We spoke about it this morning. What we would like to do is as part of the CES contract to clean out catch basins and culverts in the flooded areas and we know this was a flooded area so we do want to get investigation over there. We need some camera work done and sonar and use the same process there that we have used in other areas of the parish. So that will be addressed and through that we will end up cleaning the culverts out. If that doesn't solve the problem then we will need to go further and maybe do some survey work out there to see how the system played out and if it played out incorrectly then we will have to decide the next step and how we would make repairs but it is a low lying area and we need to do more work before we can come back to you with how to fix it."

Councilman Snyder stated, "We may need to talk to some people on that street to see how it has been for the past 10 to 15 years there could be a collapse and that might be all we need to straighten it out."

Brian Nunes stated, "That is a good idea something could be just collapses by using the CES contract that is already there and that area has been identified for investigation they can either eliminate that as a possibility or rectify it right off the bat and see what happens after that if it starts working then we know that was the problem."

Councilman Snyder stated, "If you can Brian I would appreciate you moving that a little higher on your list of things to get done. I would appreciate that."

Jaclyn Hotard - Bert Street road repair

Councilwoman Hotard stated, "Mr. Nunes are the road repairs done on Bert Street? I know for a while there was a temporary patch that wasn't really working."

Brain Nunes stated, "Repairs to a waterline were made on September 27th,

but the work order to repair the road was not submitted to Public Works timely. Public Works received a call from DOTD on December 2nd and initial repairs were made to the road last week. The work was completed today."

Councilwoman Hotard stated, "Okay I will take a ride back out there tomorrow."

Art Smith - Small parks in District I

Councilman Smith stated, "I am looking for a park in Lucy we had allocated funds for that at one time and nothing became of those funds and nothing became of the park. I am just trying to find out from administration what is the hold up? I know it says right here that this best fits the bond issue and requires approval by the council."

Natalie Robottom stated, "Mr. Smith and council members I think we have addressed this at least five times before. The 2002 bond issue that was approved included a number of parks and recreation facilities Lucy was one of them. There was \$100,000.00 allocated to a park in Lucy. The then council worked through and made some improvements in Regala and Belle Pointe and the council member and at large member at the time elected to move the money from the Lucy Park and build a restroom facility at the Castle Drive Park. That was all done at a public meeting with a vote of the council and those funds were redirected at that time by the then council to add to the project at Castle Drive. At the same time I want to say there was \$100,000.00 for Mt. Airy at that time that council member elected to use those funds to build a parking lot at Ezekiel Jackson Park and by motion by public vote the then council redirected those dollars. The council member representing the Reserve area had about \$100,000.00 there for a park and redirected those dollars to add to Regala again all with the support of the full council at that time so those projects never came to fruition but keep in mind whether \$100,000.00 would have been able to secure property and build a park is questionable but what I can't question is the council and members at that times decision to redirect those funds. So that is why that park has not come to fruition because the then council voted to move the money."

Councilman Smith stated, "So I guess I am looking for some more funding. Can this be put in the budget?"

Natalie Robottom stated, "All of the parks that have been done in the parish, all of the large scale facilities are done through a bond issue. There is three million dollars in recreation that was approved by the residents of this parish for recreation. We have not as a body decided what those projects are going to be. Any large scale projects would have to be done through that process. There are not funds available in the recreation budget to purchase property and build a park. We just secured funding for operations and maintenance of our current facilities and to run the programs and pay for the employees that we have. Any large scale capital project specifically done and has been done which we referenced in the bond issues that built the Regala gym can only be done with funds that are similar to what is in the bond issue so that is an option obviously it is not a one person decision but for the last time I hope to clarify why Lucy Park was not developed is because the council at that time voted to move the money and use it to build a restroom at the Castle Drive Park."

Councilman Smith stated, "I understand that. I am asking is there other funding that we can acquire for that."

Natalie Robottom stated, "The option that I provided which is bond money."

Councilman Snyder asked, "Can we look into grants for a small park? Has that avenue been explored?"

Natalie Robottom stated, "We have done that before and typically there is a fee to match. Again going by the experiences of this parish and how all the parks were created and developed and continue to be the amount of funding required has typically exceeded what would be available through other avenues."

Councilman Snyder asked, "So we are not going after a grant?"

Natalie Robottom stated, "We are constantly pursuing grants."

Councilman Snyder asked, "For a recreation park on the West Bank?"

Natalie Robottom stated, "That is not one that I am aware of right now but we are working on one for the boat launch and have acquired for the baseball complex but at this point there is a master plan that talks about what the people of this parish has put as priority for development of recreation and I don't recall where that is in there but I know there was discussion because they have a meeting on the West Bank and that did come up."

Councilman Snyder asked, "In that plan were the residents in that area receptive of putting a park in that area?"

Natalie Robottom stated, "We have had some contact not this year but previously and they were not."

Councilman Smith asked, "They were not receptive?"

Natalie Robottom stated, "They were not."

Councilman Smith stated, "I beg to differ with you."

Natalie Robottom stated, "There were several pieces of property that were presented from the previous administration that the former CAO actually went out into the neighborhoods and received several comments that some of the older residents did not want a park near their homes. That could have changed that was between 2010 and 2011 but there were people at the public hearings that did express a desire for a park in Lucy and there were others that expressed some other things. Again the plan looks at the entire parish."

Councilwoman Hotard stated, "I would like to just kind of stay on topic Mr. Smith. I don't want to get into the debate on if the residents do or don't want one. We won't accomplish that tonight is what I am saying so if we can just stay on topic with this item here so we stay on course."

Councilman Madere stated, "In listening to the conversation I don't think the administration is against a park it is that the funding isn't

there. Money that was there before was transferred by approval of the council and I think what they are saying is that there is money out of the bond to accomplish what you want or like Mr. Snyder said pursue some grants but no way do I feel as though this administration is against placing a park there. It comes down to the funding of the park and that is the problem now. Where do we get the money? I don't see anyone against it."

Councilman Wilson stated, "I built that Belle Pointe Park it probably took me ten years. The property was donated. I did receive a grant from the state every year and I did get money out of the budget from council members that I put together. There were two situations where I gave my money up for that year one was for Cambridge to help Mr. McTopy and one was Mr. Wolfe. It is not uncommon that money was moved for different things. They needed help and I was able to give them help but I would like to see if there is any money out there for parks from the state and I wish we would pursue that because I have an issue of my own in Garyville also."

Larry Soraparau, 502 Hwy 18, stated, "I just want to get the record straight. Lucy was promised a park and I know Mr. Hubbard can't defend himself right now but he told the West Bank Civic Group that we had \$178,000.00 allocated for that park before he left office and I know Mrs. Robottom you have the check book and we have had conversations about this. It is not going to go away. We voted for a park and I think the people in Lucy deserve a park and I am asking this council to take a close look at your numbers please if you can. I am not going to stand here and say where the money was spent but Mr. Hubbard told about 25 people that night that he had \$178,000.00 for that park this is where we will stand."

Councilman Smith stated, "I am just hoping that we can find some money for that park. It is important as my residents get older in that area they can't all travel to the big park and do the things that they want to do with their grandchildren. A small park in that area would provide that and serve a purpose. It would be used and the residents will feel better about themselves."

Councilwoman Hotard stated, "I would recommend to get with Mr. Gauff and maybe reach out to the residents again this is the time we have bond issue money and if it is a project that the community is in support of there will be some money available."

Councilman Gauff stated, "I did meet with some people from the West Bank who had some concerns but more of a concern about a walking trail that seemed to be more of a concern so that it could go through Lucy or even a part of Lucy so that they could have a means to exercise. I think it is one of those that I am not sure if another park on the West Bank in Lucy was what they wanted. There were a few people that did say that is what they wanted but overall I feel like it is a leverage thing saying we were once promised this and we didn't get it then so we want it now and that is fine if we are looking to put parks in all of our areas but I guess I felt personally that we were developing a complex over there that is unparalleled even on this side and I do understand what Mr. Smith is saying but I guess I would rather see us put the effort towards a walking trail through Lucy in the residential area because I have also mentioned there are rural areas that don't have housing or residents that live there so it may be costly to say just go from parish line to

parish line but if we could do something I would say the walking trail would be a start more so than the need for another park. Some of the residents said they didn't think Lucy needed a park but it is a conversation to have maybe they are changing and this is something that needs to be done."

Art Smith - Edgard boat launch

Councilman Smith stated, "I am reading administrations response and this won't open until March of 2014. We have been waiting on this for years now. We are waiting on the grant process and it is just something that is taking too long to happen. What can we do to expedite this matter?"

Councilman Gauff stated, "I think this is one that we can appeal to our fellow council members. We already know the monies are available. We are waiting on the grant but we can also see if there is some other funding that would help us develop this boat launch on the West Bank. This will be used by everyone and I think it is something that we can appeal to our fellow council members to use some funding in the budget or in the bond issue. We just have to appeal to them."

Art Smith - Canal cleaning on West Bank

Councilman Smith stated, "I am satisfied with administrations answer on this and they will be addressed in January."

Art Smith - Blighted Properties

Councilman Smith stated, "I am just looking at the new sheet I received and a lot of these properties have been on this list for a few years and it is just time to get some of these things done."

Angelic Sutherland stated, "A list of hazardous and unsafe properties and other violations is provided to all council members for their districts at each council meeting. Based on that list, 6 properties are in court proceedings, 3 properties have been demolished by the owner, and 17 are in various stages of the process. This list includes notes describing the status of each property. The secretaries in code enforcement actually go and update the system every other Tuesday so they are moving along."

Councilman Madere stated, "I didn't get a chance to respond that house that is in court on E. 28th Street is that the trailer or the house?"

Jeff Perilloux stated, "You cannot mention an address or ask specifically."

Art Smith - Trailer placement issue on West Bank

Councilman Smith stated, "We will defer that one until later."

Larry Snyder/Lennix Madere - Planning and Zoning issues

Councilman Snyder stated, "On the main corridor of the overlay district I know we police those to make sure everyone is doing right but I see where we have some signs that are not in compliance and I was wondering if you or your department were aware of them and one of the reasons you may not be aware of them is because they only come on at night and they

are blinking neon signs and if I am not mistaken I think that is illegal and I know for sure there are two or three on the main corridor. Can we do something about that?"

Angelic Sutherland stated, "First of all I can't address the ones you are talking about because I don't know specifics however you did state the code that says you can have a readable message sign but it can't fluctuate or wave there are certain things that they can't do. During the day those are policed by code enforcement."

Councilman Snyder stated, "They are off during the day because you can't see them."

Angelic Sutherland stated, "I can't speak to if they change at night and I don't patrol the corridor."

Councilman Snyder stated, "Well they are illegal."

Angelic Sutherland stated, "They may not necessarily be."

Councilwoman Hotard asked, "Do you know of any of the blinking lights that are illegal?"

Angelic Sutherland stated, "No."

Councilwoman Hotard asked, "So you are not aware of any illegal flashing light signs in the overlay district."

Angelic Sutherland stated, "No not off of the top of my head but there are thousands of violations that we have but if you have any specifics you can email those to me or get with me after the meeting and I can look into it for you."

Councilman Madere stated, "I have one of my constituents who was fined for having the wrong lights. I don't know how they found out because it is off during the day time but anyways he was fined and he went and purchased the right lights but they still don't want to give him a permit to put it up I think because they want him to pay that fine. I know it is more than \$100.00. I just don't feel as though he should have to pay that fine. I think he voluntarily turned himself in because we were the ones that mentioned it to him then he went and turned himself in and got the right sign and now he has to pay a fine and get a permit and a small business getting started he cannot afford that sign and he basically turned himself in so where do we go from there with him?"

Angelic Sutherland stated, "Again I don't know what business you are referencing or a specific situation but again the P&Z department doesn't pass fines. There are fines in the code if you are found guilty of a misdemeanor or violation of some of those codes but that would be assessed through the legal process. In the code of ordinances it does say that if you build or erect a sign without a permit and then you come in to get a permit that is double the fee. That is not a fine. I don't know if that is what you are referring to but the code does state that."

Councilman Madere stated, "Okay thank you."

Councilman Perrilloux asked, "Ms. Sutherland I would like to get with you after the meeting to discuss this. I tried to call you in reference

to this fee but we will get together."

Councilwoman Millet asked, "I know I have asked you this before Ms. Sutherland or for a ruling on the Pods that are in the yards. How long are they allowed and I have yet to receive an answer so if you could please let me know so I can address this issue with my residents because I have people that have them in their yards still and I am not saying if they should or shouldn't but what is the policy or time frame? Do they need to be permitted?"

Angelic Sutherland stated, "I want to say I responded to your last email because the request that you made was actually already sent to code enforcement and that particular address was visited 3-4 weeks ago. There is no particular part of the code that spells out Pods per say but they are considered temporary structures during the storm there were a lot of residents who used them and we did not require permits pursuant to the executive order however any of those that remain and then it is normally based on a complaint if someone calls out a complaint we go visit and so we do permit it as a temporary structure."

Councilwoman Millet asked, "So we are now requiring permits because this much time has lapsed? So a resident would make a complaint and you would go out and investigate and this person would then require a permit is that what you are telling me?"

Angelic Sutherland stated, "Yes."

OLD BUSINESS:

Ranney Wilson - Drainage and Drainage equipment

Councilman Wilson asked that this item remain where it is.

NEW BUSINESS:

Natalie Robottom - Resolution - R13-42 - A resolution providing for canvassing the returns and declaring the result of the special election held in the Parish of St. John the Baptist, State of Louisiana, on Saturday, November 16, 2013, to authorize the incurring of debt and issuance of bonds

Natalie Robottom stated, "Approval of this resolution is a requirement to close out the recent bond election. Administration recommends approval."

MOTION: Councilman Gauff moved and Councilman Madere seconded the motion to approve Resolution R13-42. A resolution providing for canvassing the returns and declaring the result of the special election held in the Parish of St. John the Baptist, State of Louisiana, on Saturday, November 16, 2013, to authorize the incurring of debt and issuance of bonds. BE IT RESOLVED by the Parish Council of the Parish of St. John the Baptist, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of St. John the Baptist, State of Louisiana, that:

SECTION 1. Canvass. This Governing Authority does now proceed in open and public session to examine the official tabulations of votes cast at

the special election held in the Parish of St. John the Baptist, State of Louisiana, on SATURDAY, NOVEMBER 16, 2013, to authorize the incurring of debt and issuance of bonds, and said Governing Authority does further proceed to examine and canvass the returns and declare the result of the special election. SECTION 2. Procès Verbal. A Procès Verbal of the canvass of the returns of said election shall be made and a certified copy thereof shall be forwarded to the Secretary of State, Baton Rouge, Louisiana, who shall record the same in his office; another certified copy thereof shall be forwarded to the Clerk of Court and Ex-Officio Recorder of Mortgages in and for the Parish of St. John the Baptist, who shall record the same in the Mortgage Records of said Parish; and another copy thereof shall be retained in the archives of this Governing Authority. SECTION 3. Promulgation of Election Result. The result of said election shall be promulgated by publication in the manner provided by law. The motion passed unanimously.

Natalie Robottom - Resolution - R13-43 - A resolution authorizing the application for a grant from the Office of Community Development

Natalie Robottom stated, "This resolution authorizing the Parish President to execute any and all documents in connection with an application to the Louisiana Office of Community Development (L-GAP) for \$124,800 for improvements and upgrades of the Senior Citizen Center in Edgard, LA. Administration recommends approval."

MOTION: Councilman Perrilloux moved and Councilman Gauff seconded the motion to approve Resolution R13-43. A resolution authorization the application for a grant from the Office of Community Development. **WHEREAS,** the Governor's Office of Community Development Local Government Assistance Program provides funds to local governments for needed infrastructures and long-term capital improvements in rural areas; and, **WHEREAS,** St. John Parish Council is seeking funds for the renovations of the St. John the Baptist Parish Senior Citizens Center, 155 East 3rd Street, Edgard, Louisiana; and, **WHEREAS,** the Office of Community Development requires an authorizing resolution as part of its application process, **NOW, THEREFORE BE IT RESOLVED,** that the St. John the Baptist Parish Council does hereby authorize the Parish President to execute any and all documents in connection with an application to the Louisiana Office of Community Development for \$124,800 towards the improvement and upgrade of the Senior Citizen Center in Edgard, LA, total funding requested is \$124,800. The motion passed unanimously.

Natalie Robottom - Authorization to award the construction contract for the Farmer's Market to Double E Construction Services, LLC

The above item was addressed in the Finance Meeting.

MOTION: Councilwoman Millet moved and Councilman Madere seconded the motion to go into executive session to discuss parish building security, abandoned vehicles, trailer placement and listed items. The motion passed unanimously.

MOTION: Councilman Madere moved and Councilwoman Millet seconded the motion to go back into regular session. The motion passed with Councilman Wilson absent.

There was no action taken as a result of executive session.

EXECUTIVE SESSION:

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

Parish Buildings - Security

Abandoned Vehicles

Code Enforcement - Personnel matters

Lennix Madere - St. John the Baptist Parish vs. Myrtle F. Victor, Roba Inc., and Adair Asset Management, LLC, 40th JDC, #63827

St. John the Baptist Parish vs. Roussel Welding and Metal Works, Inc., et al. Case No. 64187 Div. B

Any and all pending legal matters

INTRODUCTION OF ORDINANCES

There were no ordinances to be introduced at this meeting.

PRESIDENT'S REMARKS

Natalie Robottom stated, "

CORRESPONDENCE/COUNCIL BRIEFS

Councilman Gauff stated, *"I want to congratulate Mr. Joseph and SU on a great season and big win. I want to thank toys for tots and everyone involved for donating bikes and all of the volunteers that came out on Saturday. I would say over 500 kids were given toys that was a priceless event to see the looks on the kid's faces and about 15 bikes were given out as an extra treat. Congratulations to WSJ they had a great season as did many of our teams this year. Also I was fortunate enough to see the graduating computer class at the senior citizen center and they were so excited about furthering their education. It was a great event."*

Councilwoman Millet stated, *"I just want to wish our DA and his family best wishes and we are keeping him in our prayers. Also I had the privilege to go to the War Home here and the decorations are beautiful and it is so worth it to go there and say hello to the veterans they did a lot for us."*

Councilman Snyder stated, *"I just want to echo what Mr. Gauff said about toys for tots and to see these kid's faces was incredible. The volunteers did an outstanding job. I want to say that they have this bridge in Reserve that our workers were working on and they did such a beautiful job and I wanted to say thanks for making it a safer nicer place for the people in that area."*

Councilman Wright stated, *"I just want to say a job well done with the toys for tots I wasn't able to make it but heard good things about it and just to echo everyone congratulations and a speedy recovery to our DA Mr. Daley."*

Councilman Perrilloux stated, "I just wanted to mention Mr. Nelson Mandela a man who put his country over his personal agenda. Continued prayers for our DA and to my father and congratulations to all the teams they had a great season."

Councilman Madere stated, "I want to echo what everyone has said about Mr. Mandela also looking at the program they had this week concerning him was very heartfelt. I was there in 1994 in front of the African Embassy in Washington and we were arrested to bring attention to the plight. He was a great man and will truly be missed. Also to congratulate Mr. Joseph for being a good athlete and student and prayers for Mr. Daley. I will also be holding my town hall meeting on December 19th at the Reserve Library at 6:30 and everyone from District III is invited to come by."

Councilman Smith stated, "I would like to echo what everyone has said and a special Happy Birthday to my granddaughter."

Councilwoman Hotard stated, "I also want to congratulate all of our teams who played in the play offs. I would also like to send my prayers to Judge Daley he is recovering well so that is good news. I also would like to reflect on the passing of Mr. Mandela I think we all said some nice things about him and his works and just accepting people for who they are and not judging others and I think if we embrace that and walk the walk and not just talk the talk we would be a better place right here to."

ADJOURNMENT:

At 9:52 PM, Councilman Perrilloux moved and Councilwoman Millet seconded the motion to adjourn. The motion passed with Councilman Wilson absent.

/s/Jaclyn Hotard
COUNCIL CHAIRMAN

/s/Jackie Landeche
Council Secretary