

**OFFICIAL PROCEEDINGS**  
**ST. JOHN THE BAPTIST PARISH COUNCIL**  
**TUESDAY, DECEMBER 23, 2008**  
**CHAIR JACLYN HOTARD**  
**VICE CHAIR RONNIE SMITH**

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 23, 2008, at 6:30 PM.

**CALL TO ORDER:**

**PRESENT AT ROLL CALL:** Ronnie Smith, Councilman District VI, Danny Millet, Councilman District II, Dale Wolfe, Councilman-at-Large, Div. A, Haston Lewis, Councilman District I, Charles Julien, Councilman District III, Jaclyn Hotard, Councilwoman District IV, Cheryl Millet, Councilwoman District VII, Steve Lee, Councilman-at-Large, Div. B

**ABSENT:** Darnel C. Usry

Councilman Smith led the Prayer. Councilman Millet led the Pledge of Allegiance.

Bill Hubbard, Parish President, was present.

Legal Counsels Jeff Perrilloux and Kerry Brown were present.

**Consent Agenda**

**Items:** Approval of Minutes December 09, 2008, Regular Meeting; Councilman Smith - re-appointment of Larry Snyder to the Zoning Board of Adjustments; Councilwoman Millet - re-appointment of Brian Florene to the Zoning Board of Adjustments; Ralph Bean - Resolutions - Annual Sewer Plant audits (R08-34 through R08-40)

**MOTION:** Councilman Smith moved and Councilwoman Millet seconded the motion to approve the consent agenda consisting of Approval of Minutes December 09, 2008, Regular Meeting; Councilman Smith - re-appointment of Larry Snyder to the Zoning Board of Adjustments; Councilwoman Millet - re-appointment of Brian Florene to the Zoning Board of Adjustments; Ralph Bean - Resolutions - Annual Sewer Plant audits (R08-34 through R08-40). The motion passed with Councilwoman Usry absent.

**PUBLIC HEARING ON ORDINANCES:**

**08-72** (Public Hearing Held) An ordinance to provide for the imposition of a franchise fee on cable and/or video service providers within the Parish of St. John the Baptist; to provide for occupation of or work within the right of way; to provide for an effective date; and to provide for related matters. (B. Hubbard)

Pat McTopy, Chief Administrative Officer, stated, "I would like to ask the council to consider amending this ordinance, amending Section 6 registration to add one sentence. With your permission I will read it.

*All registering entities are hereby requested to provide capacity for public, educational and governmental access programming streams and channels in accordance with LA RS45:1369."*

*Councilman Lee stated, "Please tell us why because everybody around the table knows this is a very technical ordinance that has been drawn up by some attorneys specializing in these type of things. Was this something that was left out that the attorney made the recommendation for? If not please explain why we are making this amendment."*

*Pat McTopy stated, "The attorney, as you noted, prepared the ordinance at the parish's request. After it was prepared and after it was introduced to the council it was brought to our attention that we didn't have that sentence asking for the public access channel. As a result of that we asked him to amend the ordinance to provide for that and that is what this is about."*

**MOTION:** Councilman Lee moved and Councilman Millet seconded the motion to approve amended Ordinance 08-72 to include All registering entities are hereby requested to provide capacity for public, educational and governmental access programming streams and channels in accordance with LA RS45:1369. The motion passed with Councilwoman Usry absent.

**INTRODUCTION OF ORDINANCES:**

**08-73** An ordinance to request a Re-subdivision of Lots 803B, 878C, 879C, 822B, and two areas noted as a drainage servitude of St. Andrews Blvd Extension into lots herein designated as lots 803B1, 878D, 879D1, 879D2, 882C, and Parcels DS-1 & DS-2 of St. Andrews Blvd. Extension situated in Section 70, T-11-S, R-7-E, LaPlace, St. John the Baptist Parish, Louisiana (Belle Terre Land PZ-08-026) (B. Hubbard)

**08-74** An ordinance to request a Re-subdivision of a portion of the John Esperros Tract into Tracts herein designated as Tract A, Tract B, Tract C, Tract D, Tract E, Tract F, Tract Row, Parcel Y & M V, Parcel L & A and dedicate a 96' x 50' portion of Garden Grove of the John Esperros Tract. (Cypress Property Management - Esparros PZ 08-028) (B. Hubbard)

**08-75** An ordinance to change the zoning classifications from R-1 to I-1 for a portion of Tract C, and from MHD to I-1 and C-3 for Tract E as shown on a survey map by Riverlands Surveying, of a portion of the John Esparros Tract situated in Sections 37, 53, 54, 55 and 56, T-11-S, R-7-E, LaPlace, St. John the Baptist Parish, Louisiana. (Cypress Property Management, LLC - Esparros PZ 08-008) (B. Hubbard)

**08-76** An ordinance to request a Re-subdivision of Lots 791A through 909A, Parcel DS-1 of St. Andrews Boulevard Extension and an un-Subdivided portion of LaPlace Plantation into Lots herein designated as lots 791C through 909C, Parcel DS-1A, Parcel DS-1B and Parcel DS-3 of St. Andrews Boulevard Extension and Parcel R-1 of LaPlace Plantation all situated in Sections 21 & 70, T-11-S, R-7-E, LaPlace, St. John the Baptist Parish, Louisiana (Belle Terre Land - PZ 08-027) (B. Hubbard)

**08-77** An ordinance to request a re-subdivision of Lots 20 and 21, Square 6, Subdivision of Cornland Plantation into lots here designated as Lots 20-A, 20-B, and 21-A, Square 6, Subdivision of Cornland Plantation situated in Sections 43 & 44, T-11-S, R-6-E, Reserve, St. John the Baptist Parish, Louisiana (Ben Canales - PZ 08-022) (B. Hubbard)

**08-78** An ordinance to request a Re-subdivision of the upper 2/3 of Lot B, Lot C, Lot D, the upper 2/3 of Lot K (per COB 8, Folio 76), Lot L and Lot M of Lacaze Plantation into Lots herein designated as Lot C-1, C-2, C-3, D-1, D-2, D-3 and L-3 of Lacaze Plantation situated in Sections 26, 27, 53 and 54, T-12-S, R-18-E, Wallace, St. John the Baptist Parish, Louisianan (Rene Zeringue - PZ 08-024) (B. Hubbard)

**08-79** An ordinance amending Ordinance 06-13 to rename the following Street. AMP Circle to AMP-JFP Circle. (B. Hubbard)

**08-80** An ordinance to amend ordinance 92-33 to change the consumer price index used to calculate the annual consumer price index adjustment from "The National Consumer Price Index published by the United States Bureau of Labor Statistics which shows a rise or decrease in the cost of living index for New Orleans, LA over the level of such cost of living in the previous year, to the U.S. city average 12-month percentage change in the Water and Sewer and Trash Collection Service Group of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) compiled by the Bureau of Labor Statistics. (B. Hubbard)

**08-81** An ordinance establishing rates for the cost of water charged by the parish and/or consolidated waterworks district No. 1 to users of said waterworks system in the following rate tiers. (B. Hubbard)

**COMMITTEE REPORTS:**

Councilman Smith stated, "*I would like to ask that the council accept the recommendation of the Finance Committee.*"

**MOTION:** Councilman Smith moved and Councilwoman Millet seconded the motion to accept the recommendation of the finance committee. The motion passes with 7 yeas, 1 absent (Usry) and 1 abstaining (Lee).

**DEPARTMENT/ENGINEER REPORTS:**

**Dale Wolfe - Personnel Matters**

There were no personnel matters.

**OLD BUSINESS:**

There was no old business.

**NEW BUSINESS:**

**Bill Hubbard - Resolution - R08-32 - A Resolution ordering and calling**

**a special election to be held in the Parish of St. John the Baptist, State of Louisiana to authorize the incurring of debt and issuance of bonds therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith**

**MOTION:** Councilman Smith moved and Councilman Millet seconded the motion to approve Resolution R08-32. A Resolution ordering and calling a special election to be held in the Parish of St. John the Baptist, State of Louisiana to authorize the incurring of debt and issuance of bonds therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith. The motion passed with Councilwoman Usry absent.

**Bill Hubbard - Resolution - R08-33 - A resolution in support of the School Board request to have the LA DOTD construct a turn lane from LA Hwy 628 to the entrances of Emily C. Watkins Elementary School**

**MOTION:** Councilman Millet moved and Councilman Smith seconded the motion to approve Resolution R08-33. A resolution in support of the School Board request to have the LA DOTD construct a turn lane from LA Hwy 628 to the entrances of Emily C. Watkins Elementary School. **WHEREAS**, the St. John the Baptist Parish School Board provides a quality education to the children of St. John the Baptist Parish; and, **WHEREAS**, the St. John the Baptist Parish School Board is constructing a new elementary school known as Emily C. Watkins Elementary School; and, **WHEREAS**, Emily C. Watkins Elementary School will be established to accommodate up to 800 students, beginning August 2009; and, **WHEREAS**, Emily C. Watkins Elementary School will be located at 944 La Hwy 628 in LaPlace; and, **WHEREAS**, the St. John the Baptist Parish School Board, the Parish President and the St. John the Baptist Parish Council values safety and acknowledges expectations for Emily C. Watkins Elementary School as a safe learning environment; and, **WHEREAS**, a left turn lane addition to enter the school was not included in the original building design for Emily C. Watkins Elementary; and, **WHEREAS**, a traffic study completed by Volker and Associates confirmed the need for a turn lane on La Hwy 628 at the Emily C. Watkins site. **NOW, THEREFORE, BE IT RESOLVED**, that the Parish President and members of the St. John the Baptist Parish Council support the St. John the Baptist Parish School Board's request of \$400,000 of the Louisiana Legislative Delegation to complete improvements to establish a turn lane from La Hwy 628 to the entrances of Emily C. Watkins Elementary School to facilitate school and ordinary vehicular traffic. The motion passed with Councilwoman Usry absent.

**Paul Oncale - LNO - Morris P. Hebert, Inc. - A Letter of No Objection for the proposed installation of a 10" Hydrogen Gas pipeline. Pipeline is approximately 13,150 feet in length and will tie into an existing Air Products line and end at a meter site**

Paul Oncale, Director of Public Safety, stated, "*This particular pipeline is part of the Marathon expansion project and all the pipeline is on Marathon property. Nothing passes through a residential area and we have no issues with it. Administration recommends that we approve this letter of no objection.*"

**MOTION:** Councilman Millet moved and Councilman Wolfe seconded the

motion to approve the LNO for Morris P. Hebert, Inc. - A letter of no objection for the proposed installation of a 10" Hydrogen Gas pipeline. Pipeline is approximately 13,150 feet in length and will tie into an existing Air Products line and end at a meter site. The motion passed with Councilwoman Usry absent.

**CORRESPONDENCE/COUNCIL BRIEFS**

Councilman Smith stated, "At this time I would like to wish everybody a Merry Christmas and a Happy New Year. I would like to thank my fellow council members for a wonderful first year together. It has been a good and informative year."

Councilwoman Hotard stated, "I just have one item. I know a lot of times when kids do special things we always congratulate them and sometimes I don't want to do it for my own kid because I feel like it is not right, but it is not right if I don't congratulate her because she is my kid. She was just named student of the year at John L. Ory Magnet and she is moving on to compete for student of the year for St. John Parish. So I am really proud of her and I told her I would say it on TV because I never do."

**PRESIDENT'S REMARKS**

Bill Hubbard, Parish President, stated, "Thanks Council for the unanimous support of our bond issue that is going to hit the ballots on April 4<sup>th</sup>. As you already know and what the public will know very soon is that this bond issue is broken down into five separate parts. Since I have been informed that we are getting ready to break a record, which is another testament to a good council working with the administration so I was going to thank you all like Ronnie said for working with me this year. It has been a good year. We have tackled a few tough storms and a snow blizzard. So we appreciate all the support that you have given this administration through the year. Merry Christmas to everybody and a Happy New Year also. Thank you very much."

There was no executive session.

**EXECUTIVE SESSION:**

Employee Back Pay

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

Cable Franchise Negotiations

Any and all pending legal matters.

**ADJOURNMENT:**

At 6:43 PM, Councilman Smith moved and Councilman Julien seconded the motion to adjourn. The motion passed with Councilwoman Usry absent.

/s/Jaclyn Hotard  
COUNCIL CHAIR

/s/Jackie Landeche  
Council Secretary