

ST. JOHN THE BAPTIST PARISH COUNCIL
FRIDAY, AUGUST 28TH, 2020
CHAIRMAN LENNIX MADERE
VICE-CHAIR KURT BECNEL

The Council of the Parish of St. John the Baptist Parish, State of Louisiana, met in Regular Session in the St. John the Baptist Parish Government Complex Chambers, LaPlace, Louisiana on Friday, August 28th, 2020, at 6:30 PM.

CALL TO ORDER:

PRESENT AT ROLL CALL: Lennix Madere, Jr., Councilman-at-Large, Div. A, Kurt Becnel, Councilman District I, Warren Torres, Jr., Councilman District II, Tammy Houston, Councilwoman District III, Tyra Duhe-Griffin, Councilwoman District IV, Robert Arcuri, Councilman District V, Tonia Schnyder, Councilwoman District VI, Thomas Malik, Councilman District VII, Michael Wright, Councilman-at-Large, Div. B

ABSENT: None

Councilwoman Duhe-Griffin led the Prayer. Councilman Becnel led the Pledge.

Legal Counsel Keith Green Jr. and Legal Clerk, Kennilyn Schmill were present.

PUBLIC COMMENT - AGENDA ITEMS ONLY (90 seconds per citizen)

The letter provided by Jan Sutton is attached to the minutes for review.

The Public Comments can be viewed in its entirety at www.sjbparish.com.

INTRODUCTION OF BUSINESSES:

Tyra Duhe-Griffin - Introduction - Dr. Lynett Hoofkin, Superintendent, St. John School Board

The above item will be placed on the September 8th, 2020, agenda.

Chip Kline - Coastal Protection and Restoration Authority Chairman - Introduction and Discussion relative to West Shore Lake Pontchartrain Project

Due to the impacts of Hurricane Laura, Mr. Kline will attend a future meeting. Administration request the removal of this item from the agenda.

MOTION: Councilman Arcuri moved and Councilman Wright seconded the motion to REMOVE the above item from the agenda. The motion passed unanimously.

CONSENT AGENDA:

ITEMS:

Approval of Minutes - August 11th, 2020, Regular Meeting

MOTION: Councilwoman Duhe-Griffin moved and Councilwoman Houston seconded the motion to approve consent agenda item - Approval of Minutes - August 11th, 2020,

Regular Meeting. The motion passed unanimously.

COMMITTEE REPORTS:

Finance Committee:

Councilman Wright stated, "Thank you Mr. Chairman, at this time I'll offer a motion to accept the recommendations of the finance committee."

MOTION: Councilman Wright moved and Councilwoman Duhe-Griffin seconded the motion to accept the recommendation of the finance committee. The motion passed unanimously.

PRESIDENT REPORT:

Jaclyn Hotard - Monthly Financial Report (July 2020)

The President's Report can be viewed in its entirety at www.sjbparish.com.

UNFINISHED BUSINESS:

Rene Pastorek - Council consideration of the Planning Commission's recommendation to deny application number PZR-20-1181 to rezone Lot C, Elvina Plantation from the Residential District One [R-1] to the Rural zoning district

Rene Pastorek stated, "This rezoning request to establish operation of a commercial dirt pit was recommended for denial by the Planning Commission at its July 20, 2020, meeting with a vote of 6-2 and 1 absent. The Planning and Zoning Department finds this request is consistent with the zoning district requirements, the Future Land Use Map, the intent of the Comprehensive Plan and meets the technical sufficiency for consideration by the Parish Council."

Councilman Madere stated, "Okay thank you. And next on the agenda is B, which is that same topic, but is was TABLED, we have to have a motion to remove it from the TABLE..."

Jaclyn Hotard interrupting stated, "Point of Order Mr. Chairman."

Councilman Madere stated, "Point of Order, wait, wait, go head!"

Jaclyn Hotard stated, "Point of Order, the first item on the agenda is actually the packet, the application. So, the first item on the agenda is not placed on the TABLE right now, therefore, it doesn't need to be removed from the TABLE. The first item - Item #A, which is the Council's consideration of the Planning Commission's recommendation, that item must be taken up first."

Councilman Madere stated, "Okay, so we must vote on that one."

Jaclyn Hotard stated, "Correct."

Councilman Wright stated, "Thank you, I mean if there's no discussion from the Council, I'll offer a motion to accept the Planning Commission's recommendation to deny application number PZR-20-1811 to rezone Lot C, Elvina Plantation from the Residential District One (R-1) to the Rural zoning district."

Councilman Madere stated, "Okay we have a motion by Mr. Michael Wright, second by Mr. Malik."

Councilman Wright stated, "And just for clarity, the motion is to accept the Planning Commission's recommendation to deny the application."

Councilman Madere asked, "Any comments?"

Jaclyn Hotard stated, "I have a comment."

Councilman Madere stated, "Okay Ms. Hotard."

Jaclyn Hotard stated, "Thank you. And my comments are going to be specific to...well to this item here, some of the comments that were mentioned at the last meeting regarding a meeting, and I addressed a little bit of it at that meeting. But I want to look at all nine (9) of you directly, I'm glad we're all here and I just want to let each one of you know I represent each one of you individually. I view all nine (9) of you as my nine (9) individual bosses, and I want to place on the record that not only that; but each one of your Districts elected me, overwhelmingly. All seven (7), and both At-Large, and at no time will ever deny any of you the opportunity to meet with me or my staff, to a legal meeting, especially a meeting that is attended by the District Attorney's office, and so I just want to let all of you know that I will make myself available to you. And I don't want to be placed in a position I have to pick and choose from nine (9) people that I have a lot of respect for, that I work hard for, day in and day night to represent, and to represent all of the wishes of all of your constituents. I felt that it was very unfair, it was very inappropriate, and I just want to let you know I will not allow myself to be placed in that position, if you ask me to meet with you, you ask my staff to meet with you, it's a legal meeting, I will do that. It's up to you to decide who you would like to be at that meeting. And sometimes being in the position that I'm in is very delicate, because we all have different needs for our Districts, right? And so, I want you to understand that as well and I'm working hard for all nine (9) of you, and for the constituents in your district of which I represent all of them as well. Thank you."

Councilwoman Houston stated, "Ms. Hotard. I thank you for your words, I was at that meeting, you're correct it was not an illegal meeting, someone came up and said that tonight and I want that understood it was not an illegal meeting. I was there, and I do appreciate you reaching out and clarifying that, thank you!"

Councilman Wright stated, "Thank you, and thank you Parish President, Hotard for making those statements and Councilwoman Houston, I know you and spoke after, and I just want to reiterate what I said at that meeting. At no time did I make an accusation to any of the Council members or members present that it was an illegal meeting and I just want to reiterate that position again tonight. Thank you."

Councilman Madere stated, "Okay Ms. Hotard, I appreciate the comments that you made, and Ms. Houston. Okay and if you remember the comments that I said I never said it was an illegal meeting, okay I just talked about the set-up of the meeting. And it's not an illegal meeting when you have only four (4) elected officials there, it would be an illegal meeting with five (5), at no times I said it was illegal. Okay, thank you."

Keith Green, Jr interrupting stated, "Mr. Chairman, specific to..."

Councilman Madere interrupting stated, "We'll move on. Right the topic. Ok, right!"

MOTION: Councilman Wright moved and Councilman Malik seconded the motion of consideration of the Planning Commission's recommendation to deny application number PZR-20-1811 to rezone Lot C, Elvina Plantation from the Residential District One (R-1) to the Rural zoning district. The motion passed with 7 Yeas, 2 Nays (Becnel and Torres).

20-19(Public Hearing Held)(Tabled 08-11-2020)An ordinance approving the rezoning of Lot C, Elvina Plantation generally bounded by W. Airline Highway, Interstate 10, U.S. Highway 51 and Windsor Street, LaPlace from the Commercial District Three(C-3)and Residential District One (R-1) to the Rural District (RURAL), as shown in Exhibit 1 attached(PZR-20-1181)(J. Hotard)

MOTION: Councilman Arcuri moved and Councilman Malik seconded the motion to remove Ordinance 20-19 from the TABLE. The motion passed unanimously.

Keith Green, Jr. stated, "Mr. Chairman, I just wanted to just advise the Council, that in addition to considering the item by unanimous consent of the council, you all can make a motion to suspend your rules to amend your agenda to remove the item from the agenda as well."

Councilman Madere asked, "Anybody like to amend the agenda to remove this item from the agenda?"

Councilman Arcuri stated, "I'd like to make a motion to amend the agenda to remove it."

Councilman Wright stated, "Just for a point of clarity from legal, removing the Ordinance and not voting on it would not allow this to be approved because we unanimously, but we approved the recommendation of the Planning Commission meeting on A, correct?"

Keith Green, Jr. stated, "The Ordinance actually shouldn't be on the agenda, but it is. So, because it's on the agenda it is a completely separate item. Now, typically what would happen, is the item, so because the agenda because the ordinance is a separate agenda item, you all have a few options; you all can amend your agenda to remove it; you all can take it up on a vote and approve it; you all can take it up on a vote and deny it; it can get a motion and not have a second. So, it works just a regular agenda item for action."

Councilman Wright stated, "Ok, thank you."

Councilman Madere stated, "Okay, we have a motion to have it removed, and we have a motion by Mr. Arcuri and a second by Mr. Malik."

Councilman Malik stated, "Mr. Chairman!"

Councilman Madere stated, "Yes."

Councilman Malik stated, "I'd like to make a substitute motion, and I understand

what Mr. Wright is asking, what the questions he's asking. And I'd like to make a substitute motion sir, is to deny the rezoning, we have a TABLED item...I'd like to make a motion to deny the Ordinance rezoning Lots C, of the Elvina Plantation generally bounded by W. Airline Highway, Interstate 10, U.S. Highway 51 and Windsor Street, LaPlace, Commercial District Three(C-3), Residential District One (R-1) to the Rural District. Instead of taking it off the TABLE, just go ahead and deny."

Jackie Landeche, Council Secretary asked, "But then, would that not be a substitute motion, wouldn't that be you'll removing the first motion and then you just making a motion for denial?"

Keith Green, Jr. stated, "According to Robert's Rules..."

Councilman Malik interrupting stated, "[CROSSTALK] The motion actually to deny the ordinance."

Councilman Madere stated, "The substitute motion is to deny, right?"

Jackie Landeche stated, "Keith!"

Keith Green, Jr. stated, "The Chairman should call for a second."

Councilman Madere stated, "Okay, can I have a second on that substitute motion. Second by Mr. Michael Wright. Okay so original motion..."

Keith Green, Jr. interrupting stated, "No discussion Mr. Chairman."

Councilman Madere stated, "Alright."

Keith Green, Jr. stated, "Substitute motion has to be voted on at that moment."

Councilman Madere stated, "Okay."

Jackie Landeche stated, "And that's the motion to DENY."

MOTION: Councilman Arcuri moved and Councilman Malik seconded the motion to DENY Ordinance 20-19 from the agenda. The motion passed unanimously.

NEW BUSINESS:

20-22 (Public Hearing Held) An ordinance granting approval to further extend the valid period of time of Conditional Subdivision Approval for an additional twelve (12) months for Belle Terre Commercial Subdivision, Phase I, Parcel B, Lots 4-22; Parcel C, Lots 2,3 & 6-9; and Parcel DS-4; Phase 2, Parcel B, Lots 23-49; and Parcel C, Lots 10-44; and Phase 3, Parcel D, Lots 1-39; Parcel E, Lots 1-42; Parcel DS-2; and Parcel DS-3; all situated in Sections 69 and 70, T-11-S, R-7-E, Southeast District of Louisiana, east of the Mississippi River, LaPlace, St. John the Baptist Parish, Louisiana; which were granted conditional approval on June 12, 2007 (Ordinance No. 07-33) and October 9, 2007 (Ordinance No. 07-65) (J. Hotard)

Rene Pastorek stated, "This ordinance extends the valid time for Conditional Approval of this subdivision for 12 months. According to the developer, an extension is requested due to economic times and a slowdown in the local real

estate market. Administration recommends approval."

MOTION: Councilman Wright moved and Councilwoman Schnyder seconded the motion to approve Ordinance 20-22. The motion passed with Councilman Malik absent.

20-23 (Public Hearing Held) An ordinance granting approval to further extend the valid period of time of Conditional Subdivision Approval for an additional twelve (12) months for River Oaks Subdivision, Phase V, Lots 205-239, 245-252, 264-282, and Parcels H-11, H-13, C, and D, located South of the proposed Woodland Drive right-of-way, west of the Vicknair Canal, east of St. Andrews Boulevard, and north of River Oaks Subdivision, Phase II and III; situated in Sections 66 and 67, T-11-S, R-7-E, LaPlace, St. John the Baptist Parish, Louisiana; which were granted Preliminary/Conditional approval on August 9, 2005 (Ordinance No.05-46) (J. Hotard)

Rene Pastorek stated, "This ordinance extends the valid time for Conditional Approval of this subdivision for 12 months. According to the developer, an extension is requested due to economic times and a slowdown in the local real estate market. Administration recommends approval."

MOTION: Councilman Wright moved and Councilwoman Duhe-Griffin seconded the motion to approve Ordinance 20-23. The motion passed with Councilman Malik absent.

Jaclyn Hotard - Resolution - R20-20 - A Resolution to endorse and support Louisiana Economic Development's (LED's) Louisiana Development Ready Communities Program and its work plan and authorize the Parish President, Director of Economic Development and employees to cooperate with and participate in the community assessment and strategic planning activities, and further, the citizens of St. John the Baptist Parish

Jaclyn Hotard stated, "The Louisiana Development Ready Communities Program aims to increase Louisiana communities' competitive advantage by positioning parishes like St. John to successfully pursue and capture economic development opportunities. This program provides an opportunity to develop a strategic economic development plan and Administration recommends approval."

MOTION: Councilman Wright moved and Councilman Torres seconded the motion to approve Resolution - R20-20. A resolution to endorse and support Louisiana Economic Development's (LED's) Louisiana Development Ready Communities Program and its work plan and authorize the Parish President, Director of Economic Development and employees to cooperate with and participate in the community assessment and strategic planning activities, and further, the citizens of St. John the Baptist Parish. The motion passed unanimously.

Jaclyn Hotard - Resolution - R20-21 - A Resolution authorizing the Parish President to execute the documents and agreements required in implementing a grant under the Community Development Block Grant Disaster Recovery Program through the RESTORE LOUISIANA infrastructure: FEMA Public Assistance Non-Federal Share Match Program, for St. John the Baptist Parish in the aftermath of the 2016 Severe Storms and Flooding events; Project #4277 PW#625

Jaclyn Hotard stated, "In the aftermath of the 2016 Severe Storms and Flooding Event, the United States Congress and the CDBG Disaster Recovery Program made recovery funds available in the not to exceed amount of \$22,063. The CDBG funds

were designed to alleviate the conditions which posed a serious and immediate threat to the health or welfare of the community. This Resolution is required by the Department of Housing & Urban Development for the application process and Administration recommends approval of this Resolution."

MOTION: Councilman Torres moved and Councilwoman Houston seconded the motion to approve Resolution - R20-21. A resolution authorizing the Parish President to execute the documents and agreements required in implementing a grant under the Community Development Block Grant Disaster Recovery Program through the RESTORE LOUISIANA infrastructure: FEMA Public Assistance Non-Federal Share Match Program, for St. John the Baptist Parish in the aftermath of the 2016 Severe Storms and Flooding events; Project #4277 PW#625. The motion passed unanimously.

Tammy Houston - Resolution - R20-22 - A Resolution establishing an annual retreat to provide Professional Development and Training of the Parish Council and Administration to be held once a year

Councilwoman Houston stated, "Yes and I discussed this with the Parish President, we both agreed to remove from this Resolution - the desire for Administration to be included and just make it be of the Parish Council. At one time there was a Resolution 16-32, that authorized the Council and the Administration to hold an annual retreat, but it was rescinded in by vote of...unanimous vote of the Council on January 8th, 2019. So, in order for us to reinstate a mandatory retreat, we needed to come up with another resolution. So that's why this is on the agenda. So, I ask that the resolution be approved, but we take out anywhere where it says Administration."

Councilman Madere stated, "Ms. Houston I have a question. Do you have a timeline or a date, I mean for this resolution?"

Councilwoman Houston stated, "In the resolution is says yearly/annually, so that means we have to have one this year."

Councilman Madere stated, "Right, but I mean have we established a timeframe or a date?"

Councilwoman Houston stated, "No, it's not according to the resolution, but as you as the Chair you can select the date."

Councilman Madere stated, "Select a date, okay. That why I just wanted to make sure. Then we'll try and get a specific date."

MOTION: Councilwoman Duhe-Griffin moved and Councilman Wright seconded the motion to Resolution - R20-22. A resolution establishing an annual retreat to provide Professional Development and Training of the Parish Council to be held once a year. The motion passed unanimously.

Tyra Duhe-Griffin - Update from the Administration on the progress of the hiring of a new Recreation Director

Jaclyn Hotard stated, "Administration doesn't have an update at this time."

INTRODUCTION OF ORDINANCES:

There was no introduction of ordinances.

CORRESPONDENCE/COUNCIL BRIEFS:

The Correspondence/Council Briefs can be viewed in its entirety at www.sjbparish.com.

ADJOURNMENT:

At 7:32 PM, Councilman Malik moved and Councilwoman Schnyder seconded the motion to adjourn. The motion passed unanimously.

/s/Lennix Madere, Jr.
COUNCIL CHAIRMAN

/s/Jackie Landeche
Council Secretary

The meeting can be viewed in its entirety at www.sjbparish.com.