

OFFICIAL PROCEEDINGS
ST. JOHN THE BAPTIST PARISH COUNCIL
TUESDAY, DECEMBER 14th, 2021
CHAIRMAN KURT BECNEL
VICE-CHAIR MICHAEL WRIGHT

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 Tuesday, December 14th, 2021, 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, Robert Arcuri, Councilman District V, Tonia Schnyder, Councilwoman District VI, Thomas Malik, Councilman District VII, Michael Wright, Councilman-at-Large, Div. B

ABSENT: Tyra Duhe-Griffin

Councilman Wright led the Prayer. Councilwoman Houston led the Pledge.

Legal Counsel Keith Green Jr. and Christopher Cortez were present.

PUBLIC COMMENT - AGENDA ITEMS ONLY (3 minutes per citizen)

There were no public comments.

MOTION: Councilwoman Houston moved and Councilman Madere seconded the motion to suspend the rules to amend the agenda to move the two (2) recognition items before the presentations. The motion passed with Councilwoman Duhe-Griffin absent.

Jaclyn Hotard - Recognition - St. John Warriors Red Super Bowl Champions (9 & 10-year old's)

Jaclyn Hotard, Parish President, recognized the St. John Warriors Red Super Bowl Champions (9 & 10-year old's) with a certificate for their Championship win. The Council also congratulated the coaches and thanked the parents for showing their support and recognition to the team.

Jaclyn Hotard - Recognition - St. Charles Catholic High School Football Team LHSAA Division III State Champions

Jaclyn Hotard, Parish President, recognized St. Charles Catholic High School Football Team LHSAA Division III State Champions on their undefeated season, meeting the Lafayette Christian Academy Knights, for the 3rd year in a row, winning with a 32-27 victory and are the 2021 Louisiana Division III State Football Champions. The Council also congratulated the team on their big win and thanked them for a job well done.

Kurt Becnel - Presentation - Glen Duncan - Louisiana State Flag

Glen Duncan with Quality Engineering Surveying was present at the meeting to give

a brief presentation on the revision of our Louisiana State Flag. The state flag of Louisiana displays a white pelican nurturing its young by tearing at its own breast (signified by three drops of blood), with a white banner containing the state motto in blue letters (Union, Justice, and Confidence), all on a field of blue. The whole story of the official Flag is available in the new book *A Modern History of the Louisiana Pelican Flag*, or a tale of the surprisingly difficult quest for the *Official State Flag*.

Jaclyn Hotard - Presentation - 2019 Miss Andouille Queen Heather Roussel and 2019 Teen Andouille Queen Mallory Waguespack - Keys to the Parish

The above item will be placed on the December 28th, 2021 agenda.

CONSENT AGENDA:

ITEMS: Approval of Minutes - November 23rd, 2021, Council Meeting; Parish President Jaclyn Hotard - Re-appointment of Jo Maxent to the St. John the Baptist Parish Housing Authority Board of Commissioners

MOTION: Councilwoman Houston moved and Councilman Madere seconded the motion to approve consent agenda items consisting of Approval of Minutes - November 23rd, 2021, Council Meeting; Parish President Jaclyn Hotard - Re-appointment of Jo Maxent to the St. John the Baptist Parish Housing Authority Board of Commissioners. The motion passed with Councilwoman Duhe-Griffin absent.

REPORTS:

President's Report:

Tom Malik - Finance Committee Report:

Councilman Malik stated, "Mr. Chairman, the Finance Committee prior to this meeting attended by seated council members and passed all the Resolutions, including R21-170, R21-171 and R21-172."

UNFINISHED BUSINESS:

MOTION: Councilman Malik moved and Councilman Wright seconded the motion to remove Ordinance 21-42 from the TABLE. The motion passed with Councilwoman Duhe-Griffin absent.

21-42 (Public Hearing Held) (Tabled 11-09-21) An ordinance introducing the annual operating budgets for the St. John the Baptist Parish General Fund, Special Revenue Funds, Enterprise Funds, Capital Projects Funds, and Debit Service Funds for the fiscal year beginning January 1, 2022 and ending December 31, 2022 (J. Hotard)

Jaclyn Hotard stated, "Thank you Chairman Becnel, thank you. And I'd just like to re-establish for the record, that the Ordinance, the budget ordinance if you will was actually, introduced into the record per the guidelines of the Charter 60-days prior to us having to adopt that. I did have a question from a Council member on that, and it was actually introduced. That's how items get on this agenda right here, just for reference, in fact when you have these here in your Introduction of Ordinances, these ordinances don't actually make it to your

agenda until they are legally introduced. So, I just wanted to clear that up for the council member who had reached out and asked. Also, what took place at the Budget Workshops, and I know this is a very difficult time of year with...um you know just with the hurricane and all, of those things and so it was not as easy for people to attend the workshops. But one request that I did make at the workshop, and then I'm going to formally place on the record for consideration, was that when we put our budget together, we did not know how much the health insurance was actually going to cost. As the Chief Financial Officer explained, we budgeted for a 15% increase, obviously it was 22 so we had to update the document that we submitted to you in the legal timeframe we're required to submit it. However, we did not include any increases for our employees because we did not know what that number was going to look like, and there have been times in the past, where because of increases and insurance and other things we were not able to put in increases for employees. And so, now we know what we're up against, my recommendation is that we do amend Ordinance 21-42, to allow for a 3% increase for our employees, this will be a cost of three hundred and fifty-four thousand dollars, two-hundred and six, two...three hundred fifty-four thousand, two-hundred and sixty-three dollars (\$354,263.00), that will be spread amongst all of the departments that do have employees in them. So, I would kindly ask for the Council to consider my recommendation, that we amend Ordinance 21-42 to include that 3% increase at that amount that I read to be spread across all of the budgets that have employees."

MOTION: Councilwoman Houston moved and Councilman Madere seconded the motion to approve amending of Ordinance 21-42. The motion passed with Councilwoman Duhe-Griffin absent.

MOTION: Councilwoman Houston moved and Councilman Madere seconded the motion to approve the amended Ordinance 21-42. The motion passed with 7 yeas (Arcuri, Becnel, Houston, Madere, Malik, Torres, Wright), 1 abstaining (Schnyder) and 1 absent (Duhe-Griffin).

PUBLIC HEARING AND ADOPTION ON ORDINANCE(S)/NEW BUSINESS:

21-43(Public Hearing Held) An ordinance approving the rezoning of Lot 20, Square A, LaPlace Heights Subdivision, from the Residential District One (R-1) to the Residential District Two (R-2) zoning district located in the area generally bounded by Paula Drive, McReine Road, and Marcia Street, LaPlace, as shown in Exhibit 1 attached (PZR-21-1249) (J. Hotard)

MOTION: Councilman Arcuri moved and Councilman Torres seconded the motion to Ordinance 21-43. The motion passed with Councilwoman Duhe-Griffin absent.

21-44(Public Hearing Held) An ordinance approving the rezoning of Lott YY-1, Carrollwood Section No. 3, from the Commercial District Two (C-2) to the Residential District Three (R-3) zoning district located in the area generally bounded by Fairway Drive, Carrollwood Drive, and Shadow Lane, LaPlace, as shown in Exhibit 1 attached (PZR-21-1250) (J. Hotard)

MOTION: Councilman Malik moved and Councilwoman Schnyder seconded the motion to Ordinance 21-44. The motion passed Councilwoman Duhe-Griffin absent.

21-45(Public Hearing Held) An ordinance authorizing the issuance and sale of not exceeding Seventy Million Dollars (\$70,000,000) of Hurricane Recovery Revenue

Notes of the Parish of St. John the Baptist, State of Louisiana; and providing for other matters in connection therewith (J. Hotard)

MOTION: Councilwoman Houston moved and Councilman Madere seconded the motion to REMOVE Ordinance 21-45 from the agenda. The motion passed with Councilwoman Duhe-Griffin absent.

Kurt Becnel - Resolution - R21-168 - A Resolution providing for canvassing the returns and declaring the results of the special elections held in (i) the Parish of St. John the Baptist, State of Louisiana, to authorize the renewal of special taxes, the rededication of a special tax and the issuance of general obligation bonds therein and (ii) Road Lighting District No. 1 of the Parish of St. John the Baptist, State of Louisiana to authorize the renewal of a special tax therein, on Saturday, November 13, 2021

MOTION: Councilwoman Houston moved and Councilman Madere seconded the motion to approve Resolution - R21-168. A Resolution providing for canvassing the returns and declaring the results of the special elections held in (i) the Parish of St. John the Baptist, State of Louisiana, to authorize the renewal of special taxes, the rededication of a special tax and the issuance of general obligation bonds therein and (ii) Road Lighting District No. 1 of the Parish of St. John the Baptist, State of Louisiana to authorize the renewal of a special tax therein, on Saturday, November 13, 2021. 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 (i) the Parish of St. John the Baptist, State of Louisiana, and (ii) Road Lighting District No. 1 of the Parish of St. John the Baptist, State of Louisiana (the "Parish and District"), 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 elections held in (i) the Parish of St. John the Baptist, State of Louisiana and (ii) Road Lighting District No. 1 of the Parish of St. John the Baptist, State of Louisiana, on SATURDAY, NOVEMBER 13, 2021 (the "Elections"), to authorize the levy of special taxes therein pursuant to the following propositions (the "Propositions"): PARISH OF ST. JOHN THE BAPTIST PROPOSITION NO. 1 OF 4 (MILLAGE RENEWAL) Shall the Parish of St. John the Baptist, State of Louisiana (the "Parish"), continue to levy a tax of seventy-five hundredths (.75) mills on all property subject to taxation in said Parish (an estimated \$580,000 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2022 and ending with the year 2031, for the purpose of maintaining, operating and improving animal control facilities for the Parish? PROPOSITION NO. 2 OF 4 (MILLAGE RENEWAL) Shall the Parish of St. John the Baptist, State of Louisiana (the "Parish"), continue to levy a tax of two and twenty-five hundredths (2.25) mills on all property subject to taxation in said Parish (an estimated \$1,739,300 reasonably expected at this time to be collected from the levy of the tax for an entire year), for a period of ten (10) years, beginning with the year 2022 and ending with the year 2031, for the purpose of maintaining, operating and improving recreational facilities for the Parish, including the acquisition of equipment and furnishings therefor? PROPOSITION NO. 3 OF 4 (MILLAGE REDEDICATION) Shall the Parish of St. John the Baptist, State of Louisiana (the "Parish"), which is currently levying a special tax of seven (7) mills (the "Tax") on all property subject to taxation in the Parish (an estimated \$5,411,200 reasonably expected at this time to be collected from the levy of the Tax for an entire year), through the year 2046 for levees, facilities and structures associated with outer flood protection purposes, be authorized to

rededicate the proceeds of the Tax heretofore or hereafter received for the additional purpose of improving, operating and maintaining stormwater and drainage systems within the Parish? PROPOSITION NO. 4 OF 4 (BOND) Shall the Parish of St. John the Baptist, State of Louisiana (the "Parish"), incur debt and issue not exceeding \$58,000,000 of general obligation bonds (the "Bonds"), in one or more series, to run not exceeding 20 years from the date thereof, to bear interest at a rate not exceeding 7% per annum, and to be payable from ad valorem taxes to be levied and collected in the manner provided by Article VI, Section 33 of the Louisiana Constitution of 1974, as amended, and other constitutional and statutory authority, for the purposes of constructing, acquiring and improving public roads, highways and bridges, the Parish waterworks system and other public improvements in the Parish, title to which shall be in the public, with an estimated 11.25 mills to be levied in the first year of issue to pay said Bonds, which amount is 1.25 mills less than the amount currently being levied to pay all existing general obligation bonds of the Parish? ROAD LIGHTING DISTRICT NO. 1 OF THE PARISH OF ST. JOHN THE BAPTIST PROPOSITION (MILLAGE RENEWAL) Shall Road Lighting District No. 1 of the Parish of St. John the Baptist, State of Louisiana (the "District"), continue to levy a tax of three and eighty-three hundredths (3.83) mills on all property subject to taxation in the District (an estimated \$2,942,200 reasonably expected at this time to be collected from the levy of the tax for an entire year), except railroad rights-of-way and tracks located thereon, for a period of ten (10) years beginning with the year 2022 and ending with the year 2031, for the purpose of providing, maintaining and operating electric lights on the streets, roads, highways, alleys and public places in the District? This Governing Authority does further proceed to examine and canvass the returns of the Elections thereof. SECTION 2. Election Results. According to the official certified tabulation of votes cast at said Elections, (i) there was a total of 1,599 votes cast IN FAVOR OF Proposition No. 1 and a total of 995 votes cast AGAINST Proposition No. 1, resulting in a majority of 604 votes cast IN FAVOR OF Proposition No. 1; (ii) there was a total of 1,584 votes cast IN FAVOR OF Proposition No. 2 and a total of 1,013 votes cast AGAINST Proposition No. 2, resulting in a majority of 571 votes cast IN FAVOR OF Proposition No. 2; (iii) there was a total of 1,717 votes cast IN FAVOR OF Proposition No. 3 and a total of 867 votes cast AGAINST Proposition No. 3, resulting in a majority of 850 votes cast IN FAVOR OF Proposition No. 3; (iv) there was a total of 1,601 votes cast IN FAVOR OF Proposition No. 4 and a total of 967 votes cast AGAINST Proposition No. 4, resulting in a majority of 634 votes cast IN FAVOR OF Proposition No. 4; and (v) there was a total of 1,823 votes cast IN FAVOR OF Road Lighting District No. 1 Proposition and a total of 766 votes cast AGAINST Road Lighting District No. 1 Proposition, resulting in a majority of 1,057 votes cast IN FAVOR OF Road Lighting District No. 1 Proposition. The Propositions were therefore duly CARRIED by a majority, of the votes cast by the qualified electors voting at the Elections. SECTION 3. Promulgation of Election Result. The results of said elections shall be promulgated by publication in the manner provided by law, after receipt from the Secretary of State's office of the actual costs of the elections, as required by Act 205 of the Regular Session of the Legislature of Louisiana for the year 2019. SECTION 4. Declaration. The foregoing results of the Elections are hereby declared by this Governing Authority and shall be published as required by law. SECTION 5. Procès Verbal. A *Procès Verbal* of the canvass of the returns of the Elections 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. The motion passed with Councilwoman Duhe-Griffin.

Michael Wright - Resolution - R21-169 - A Resolution to dissolve the St. John the Baptist Parish Council Finance Committee

Councilman Wright stated, "Thank you Mr. Chairman. This was an item at the Council Retreat, so just to refresh fellow Council members as well as to inform the General Public what the intent and goal of this is. You know the Finance Committee and tonight was a prime example, it gets to be a little confusing to the public, tonight we adjourned at 6:04 and we had 26 minutes of free time. Sometimes the meetings go over and we have, to adjourn, the Finance Committee go into the Regular only to go back to readjourn for the finance committee. It gets to be a bit confusing for the public, so, you know part of the discussion at the retreat and the intent of this Resolution is to dissolve the finance committee, which would entail all Finance items to be on the Regular Council agenda under New Business. I believe it, you know we've done a great job of making things more efficient and streamlining, a lot of the processes for the public, including our own meetings, we do have a long way to go, but this Resolution you know I believe is a good next step into streamlining, and it would go into effect. The Resolution is in the booklet, this would go into effect January 1st of 2022, and I do ask for the support of my fellow council members. Thank you!"

Councilwoman Schnyder stated, "Yes, coincidentally I had asked Mr. Green about the same thing some months ago, I said where does it states that...the Council members or actually Finance Comm Members also, and because I couldn't find it anywhere. Mr. Green told me he didn't know either, he said but, the Council do have the authority to assign committees, boards or whatever. So somewhere down the line they, the Council Members say we're going to have a Finance Committee and that's what happened. So, I was good with that! So, in my quest to find the answers, I found that Mr. Green was correct! The Council do have that authority to form committees whatever. But the Charter also states that in order to the Council right here...by ordinance, we have to do an ordinance to abolish or consolidate any parish department, office, agency, board, or commission, according to the Charters. If I read that correctly, am I interpreting that wrong? That's what this state."

Keith Green, Jr. stated, "The Finance Committee is not an agency, a department or a commission."

Councilwoman Schnyder stated, "A board!"

Keith Green, Jr. stated, "The Finance Committee is not a board."

Councilwoman Schnyder stated, "Now when the Charter stated that the..."

Keith Green, Jr. interrupting stated, "That would be like your Finance Department, that would be like your Planning & Zoning Board..."

Councilwoman Schnyder interrupting stated, "Right...."

Keith Green, Jr. interrupting stated, "That! So, this Finance Committee is not a board, a commission or department..."

Councilwoman Schnyder stated, "Right, right, that's what I need clarification on that we are not a Resolution..."

Keith Green, Jr. interrupting stated, "It's not a commission or a board."

Councilwoman Schnyder stated, "Right, because when you made the comment that we had the authority to form committees, that's where it may have happened at, and that's the only thing I saw."

Keith Green, Jr. stated, "That happens under Robert's Rules of Order."

Councilwoman Schnyder stated, "Okay! I just need clarification on that."

Keith Green, Jr. stated, "No problem."

Councilwoman Schnyder stated, "That we shouldn't do an ordinance or resolution. But I'm good with that because I wanted that months ago."

Keith Green, Jr. stated, "No problem, we're good."

Jaclyn Hotard stated, "Thank you, and I'll just be very brief as well. Councilman Wright I appreciate you bringing this forward, we've talked about this, really for such a long time, even when I first came in because Councilman Wright is right twice, I guess this time. Because it does become very confusing and it's hard to determine what time to set the finance meeting, because you know you may have a long agenda, you set it at 5:30, but it's over in 10 minutes and you have a short agenda you set it at 6, and then it runs over and then you recess and people in the ordinance don't really know what's going on, it seems very confusing, and so it's one of those things we've talked about for a very long time but never really put it together. It was very good discussion at the retreat, something else just to present, typically our finance meetings do begin at 5:30, 5:45, you know the Council also has the ability to change the time of the actual council meeting, you know if we wanted to start at 5:30 for a later date...I just want to place that on your minds while we're doing this, so that residents also aren't you know here all night long. But I appreciate you bringing this forward, it's one of those cleanup items we've talked about for a long time, but right talking about it doesn't get it done so I do appreciate that, and it helps me to even think about more things that and I know we need to do, and right talking about it is not going to get it done, and so I appreciate you, you, taking that step. Thank you."

MOTION: Councilman Malik moved and Councilman Madere seconded the motion to approve Resolution - R21-169. A RESOLUTION TO DISSOLVE THE ST. JOHN THE BAPTIST PARISH COUNCIL FINANCE COMMITTEE. WHEREAS, the St. John the Baptist Parish Council Finance Committee consists of members of the St. John the Baptist Parish Council as a whole; WHEREAS, the dissolution of the finance committee promotes public hearing efficiencies; WHEREAS, the dissolution of the finance committee provides a streamlined public meeting process; WHEREAS, the Council meets regularly each month to conduct the business of the people of St. John as set forth by the Home Rule Charter, providing proper vehicles for finance agenda items. NOW, THEREFORE, BE IT RESOLVED, by the St. John the Baptist Parish Council, that: Section 1: The St. John the Baptist Parish Council dissolves the St. John the Baptist Parish Council Finance Committee effective January 1, 2022.

The motion passed with Councilwoman Duhe-Griffin.

INTRODUCTION OF ORDINANCES:

21-46 An ordinance authorizing the issuance and sale of Thirty Million Dollars (\$30,000,000) of Hurricane Recovery Revenue Notes of the Parish of St. John the Baptist, State of Louisiana; and providing for other matters in connection therewith (J. Hotard)

21-47 An ordinance approving a re-subdivision of Lots 306 and 307 into Lot 306-A of Lakeshore Estates, Inc. Subdivision, located in the area generally bounded by Des Allemands Blvd., Rue St. John, Lac Des Allemands, and Highway 643, Vacherie, St. John the Baptist, as shown in a survey prepared by Scott M. Bourgeois, P.L.S. on October 25, 2021 (PZS-21-1285) (J. Hotard & R. Pastorek)

21-48 An ordinance amending Chapter 26, Section 21 of the St. John the Baptist Parish Code of Ordinances, (a) High grass or weeds, to add the following: or a length of 4" over sidewalks, curbing or roadways (T. Malik)

21-49 An ordinance approving a re-subdivision of the Eastern Portion of Tract F-1-A, formerly a portion of the Whitney Plantation, into Tracts F-1-A-1 and Tract F-1-A-2, formerly a portion of the Whitney Plantation, located in the area generally bounded by W. 5th Street, Evergreen Plantation, Highway 18, and the Mississippi River, Edgard, St. John the Baptist Parish, as shown in a survey prepared by James W. Falgout, P.L.S. on July 28, 2021 (PZS-21-1282) (J. Hotard & R. Pastorek)

MOTION: Councilwoman Houston moved and Councilman Malik seconded the motion to go into Executive Session to discuss Warren G. Treme, AIMS Group, Inc., Fred Kinsley and AJSJS Dev., LLC, A Joint Venture v. St. John the Baptist Parish et al., Civil Action No. 2:21-cv-01307. The motion passed with Councilwoman Duhe-Griffin.

EXECUTIVE SESSION:

Warren G. Treme, AIMS Group, Inc., Fred Kinsley and AJSJS Dev., LLC, A Joint Venture v. St. John the Baptist Parish et al., Civil Action No. 2:21-cv-01307

MOTION: Councilman Malik moved and Councilman Houston seconded the motion to go back into regular session. The motion passed with Councilwoman Duhe-Griffin and Councilman Madere absent.

Councilman Malik stated, "No actions take."

CORRESPONDENCE/COUNCIL BRIEFS:

Councilwoman Schnyder stated, "Just one thing I forgot to mention earlier when we had to vote about the employees having the day off. I didn't realize I accidentally hit NO, I asked Michael did I hit NO? I meant to...I do support the employees being off, I didn't mean to hit the NO button. Just wanted to clear that up."

ADJOURNMENT :

At 8:23 PM, Councilwoman Houston moved and Councilman Wright seconded the motion to adjourn. The motion passed with Councilwoman Duhe-Griffin absent.

/s/Kurt P. Becnel
COUNCIL CHAIRMAN

/s/Jackie Landeche
Council Secretary