

OFFICIAL PROCEEDINGS
ST. JOHN THE BAPTIST PARISH COUNCIL
TUESDAY, JULY 14th, 2020
VIDEO/TELECONFERENCE
CHAIRMAN LENNIX MADERE
VICE-CHAIR KURT BECNEL

CERTIFICATE

The St. John the Baptist Parish Council, through its Chairman, Lennix Madere, Jr., hereby certifies as follows: In accordance with Executive Proclamations JBE 2020-30 issued by Governor John Bel Edwards on March 16, 2020, and concurrence by the Attorney General on March 19th, 2020, this Notice shall serve as certification by the St. John the Baptist Parish Council of its inability to operate in accordance with the Louisiana Open Meetings Law due to a lack of quorum as a result of the COVID-19 public health emergency. Pursuant to Section 4 of JBE 2020-30 the St. John the Baptist Parish Council will provide for attendance at its essential government meeting on Tuesday, July 14th, 2020 via video conference in order to obtain a quorum of its members. Therefore, in accordance with JBE 2020-30, the St. John the Baptist Parish Council meeting on Tuesday, July 14th, 2020 at 5:00 PM will be held via video conference and in a manner that will allow for observation and input by members of the public, as set forth in the notice posted on Friday, July 14th, 2020. All other Open Meetings Law requirements have been met.

The St. John the Baptist Parish Council members will meet via Zoom video/teleconference at the posted date and time.

Via Telephone access: Call 985-652-1702

Via Web access: www.sjbparish.com {click on (Government) Menu button, then select (Parish Council)}

Also, you can watch as normal on our Government Channels live with scheduled replays.

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: Warren Torres

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

Legal Counsel Keith Green, Jr. and Christopher Cortez were present via video conference.

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

Natalie Tatje submitted public comments - Discussion regarding unkept residential property and is concerned about the well-being of their tenants residing on their

rental property. The surrounding properties have debris in the backyard, what appears to be gas cans, in addition, we are getting several complaints about rodents and I have called out Freedom termites and pest control several times to treat our buildings. What do we need to do in order to have Code Enforcement address the problem? Is there a written process that needs to be followed and will be notified of any action that is conducted by Code Enforcement? I hope that you can help with what appears to be several violations. Your help is appreciated. Kurt and Natalie Tatje.

INTRODUCTION OF BUSINESSES:

There was no introduction of businesses.

CONSENT AGENDA:

ITEMS: Approval of Minutes – June 23rd, 2020, Regular Meeting; Councilman Madere – Appointment of Gary Brock to the Parish wide Utility Board

MOTION: Councilman Wright moved and Councilwoman Duhe-Griffin seconded the motion to approve the consent agenda items consisting of Approval of Minutes – June 23rd, 2020, Regular Meeting; Councilman Madere – Appointment of Gary Brock to the Parish Wide Utility Board. The motion passed with Councilman Torres absent.

PUBLIC HEARING AND ADOPTION ON ORDINANCES:

20-14(Public Hearing Held)An ordinance approving the re-subdivision of Parcels 51-A-1 and 51-A-2 of Reserve Plantation into Parcels 51-A-1A and 51-A-2A of Reserve Plantation, including a 10' water servitude and 20' access servitude, located in the area generally bounded by W. Airline Highway, River Road, W. 10th Street and NW 4th Street, Reserve as shown in a survey prepared by Stephen P. Flynn, P.L.S. on March 24, 2019 (PZS-20-1240) (J. Hotard)

Rene Pastorek stated, *"This re-subdivision request to enable the transfer of property was recommended with unanimous approval by the Planning Commission at its June 15, 2020 meeting and by the Utility Board at its May 19, 2020 meeting. Due to consistency with the zoning district requirements, the surrounding neighborhood development pattern, and the goals of the Comprehensive Plan. Administration recommends approval."*

MOTION: Councilman Wright moved and Councilman Arcuri seconded the motion to approve Ordinance 20-14. The motion passed with Councilman Torres absent.

20-15(Public Hearing Held)An ordinance approving the re-subdivision of Lot B, Lot C and a portion of the George Haik Tract into Lots 1-C and 1-D of the George Haik Tract, located in the area generally bounded by River Road, W. Airline Highway, W. 4th Street, and W. 3rd Street, Reserve, as shown in a survey prepared by Stephen P. Flynn, P.L.S. on April 2, 2020 (PZS-20-1242) (J. Hotard)

Rene Pastorek stated, *"This re-subdivision request to enable the transfer of property was recommended with unanimous approval by the Planning Commission at its June 15, 2020 meeting and by the Utility Board at its May 19, 2020 meeting. Due to consistency with the surrounding neighborhood development pattern and the goals of the Comprehensive Plan, Administration recommends approval."*

MOTION: Councilwoman Houston moved and Councilman Wright seconded the motion to approve Ordinance 20-15. The motion passed with Councilman Torres absent.

20-16(Public Hearing Held)An ordinance approving the re-subdivision of Lot A, Godchaux Community, Unit No. 1, Riverlands into Lots A-1 and A-2, Godchaux Community, Unit No. 1, Riverlands, in the area generally bounded by Ormond Blvd., Cambridge Drive, Airline Hwy., and Madewood Rd., LaPlace, as shown in a survey prepared by Stephen P. Flynn, P.L.S. on May 18, 2020 (PZS-20-1244)(J. Hotard)

Rene Pastorek stated, *"This re-subdivision request to enable the transfer of property was recommended with unanimous approval by the Planning Commission at its June 15, 2020 meeting and by the Utility Board at its June 2, 2020 meeting. Due to consistency with the surrounding neighborhood development pattern and the goals of the Comprehensive Plan, Administration recommends approval."*

MOTION: Councilwoman Schnyder moved and Councilman Wright seconded the motion to approve Ordinance 20-16. The motion passed with Councilman Torres absent.

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 Councilman Arcuri seconded the motion accepting the recommendation of the finance committee. The motion passed with Councilman Torres absent.

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

There was no new business.

DEPARTMENT/ENGINEER REPORTS:

Tonia Schnyder - Discussion regarding mandatory face mask or facial covering

Councilwoman Schnyder stated, *"Yes Mr. Madere, I actually added that item to the agenda a week ago, prior to the masks mandate by Governor John Bel Edwards. Mainly because more cases in our parish was rising fairly, quickly, and this was becoming very alarming. Also, several of our residents in the parish were concerned and complaining that we did not have masks...mandatory masks requirements in our parish. As I was listening to the Governor's press conference, I could have sworn we had a personal conversation, he touched on almost every concern that I had. Also, Mrs. Hotard and I discussed it as well and she was equally as concerned, so actually I think she was going to sign an executive order as well, the Governor beat us to it. But just to reiterate, I just want to remind everyone that COVID-19 is real, and it's here, our numbers are steadily rising and we've had a new death actually reported today. This especially goes out to our younger adults, the 18, 29-year old's. I know you want*

to go out and have fun...we all do and we will, but we must use caution and protect ourselves and others. When someone is wearing a mask, they're protecting you...let's be considerate enough of others just by wearing a mask or some type of facial covering and protect them as well. I can't say this enough, no one is exempt...no one, no matter what age you are. I know some may get tired screaming masks up, social distancing, every single day, but what we don't know is...I have a daughter, she's 21-years old, she was tested positive for COVID-19 three (3) months ago. As a mother, I had to watch my child suffer, can't breathe, crying in pain due to pneumonia, changing sheets twice a day because her fever was so high, she kept sweating it out. I couldn't hug my child and comfort her and that hurt more than anything, but knowing she was quarantined in my home, gave me a little more comfort. So, to you young adults, imagine your parents or anyone you love exposed to COVID-19 is hospitalized because of your carelessness. You have to live with that! So please, please, when you're out and about, don't [Inaudible] think about others...wear your masks, social distance. You may think it's not 'Kool', but hopefully this is a short term and that's just everyone, do our part. Whereas we can get through this pandemic and get back to whatever normal may be."

Councilwoman Houston stated, "Yes sir, I'd like to make a motion that we, the Governing Body of St. John, the St. John the Baptist Parish Council, make a motion and I know the Governor has made it a state mandate, but I'd like to go on record and have the governing body make a mandate in St. John the Baptist Parish, that face covering and masks are mandatory here. And they will and that they're not complying with the mandate is/will result in violations."

Councilman Madere stated, "Okay Ms. Houston, could you repeat that last portion, I couldn't understand what you said."

Councilwoman Houston stated, "I'd like to make face covering and masks wearing, in addition to it being [Inaudible] go on record as made mandatory in St. John the Baptist Parish also."

Councilman Madere stated, "Okay, thank you."

Jaclyn Hotard stated, "Thank you, and just a couple of things I just want to touch on and Councilwoman Schnyder is correct, we had the conversation about you know, my intent to issue the Executive Order. My question with this motion, and some of the issues that we had as I discussed, face coverings mandates and masks mandates with enforcing a body was the enforcement issue. So, I would just like to ask Councilwoman Houston mentioned in her motion about violations and things like that. If you could specify what those penalties or violations would be and who will be charged with enforcing it, we're having some difficulty right now with that. So, if maybe in that motion, when you mention a violation if you could, if you could clarify what that would actually...be and who will be charged with enforcing it. Obviously, just a simple motion in that form has no legal affect, but at least if I understand the intent, then we can communicate that with all parties."

Councilwoman Houston stated, "You know after I said violation, I thought about that and that's why when he asked me to repeat it, I did not say violation. So, I will amend the-my motion to say; that I want to make masks, I want us the [Inaudible] to make it official and mandate that masks are required in St. John Parish, in addition to the Governor's mandate."

Councilman Madere stated, "Okay we all understand it now. The motion without any language in terms of enforcement. Okay just reinforcing, the motion is just reinforcing what the Governor have said, a mandate throughout the state."

Councilwoman Houston stated, "Correct, correct."

MOTION: Councilwoman Houston moved and Councilwoman Duhé-Griffin seconded the motion to have St. John the Baptist Parish residents comply with the recommendation of Governor John Bel Edwards Mandatory Mask Mandate for the State of Louisiana. The motion passed with Councilman Torres absent.

Robbie Arcuri - Update on the Water Meter Project

Councilman Arcuri stated, "Yes I would just like an update, we haven't heard on the progress of the water meter project. The last I heard that, the contractor was doing some software work, but was not doing any physical work in the parish, and I would like an update for the public on the progress of the contract for the water meters."

Rob DeLaune stated, "Good Evening Council. Yes, we had a progress meeting with the contractor, Greenup Industries, on July 9th. And they indicated to us that the first group of meters, which includes approximately 3300 meters, will be delivered on July 24th, to a location that will be [Inaudible] in St. John Parish by the contractor. Also, they indicated that the data collection units, which will be installed on the elevated water towers to take the radio frequency reads, along with the end point that'll be on the meters to transmit those reads, will be delivered early August. So, at this time we have asked the contractor to give us an updated schedule on installation since the material will be arriving in the next 2 to 3 weeks. The schedule will include: the first part will include training; installation training and software training, which that'll be approximately 1 to 2 weeks, and then immediately following the training, the installation will begin."

Councilman Arcuri stated, "Okay, thank you."

Robbie Arcuri - Update on canal cleaning and dredging

Councilman Arcuri stated, "Well, I believe we got an update from the parish, we actually voted on the drainage bids, and I would just like to know, when are the bids going out and when's the completion date for the bid?"

Jaclyn Hotard stated, "Thank you and I apologize the sun is just coming down right here, but I did have a meeting with Mr. Savoie (Joseph), he could probably give you a more exact date of when those bids would actually go out. We identified the first - I believe it was six (6) or eight (8) of the canals where we are able to bank the spoils, and that was still around \$4 million, so we're working through some budgeting issues, because that's just for those eight (8). But is was some of the more problematic ones that we had, I believe on one (1) of them we may not have to do that work, because it's going to actually...tie into the levee. But I made it very clear to Mr. Savoie on that project, that I'm very eager and ready to get started as I know the Council is ready to get started on this project, so, I would defer to him for the exact date, but I could just tell you that our conversation was...I wanted it to go out ASAP."

Councilman Arcuri stated, "Thank you very much."

Tonia Schnyder - Discussion regarding the Sewer Lift Station at 1809 Cambridge Drive

Councilwoman Schnyder request to place the above item on the 07/28/2020 agenda.

Tammy Houston - Discussion regarding unkept residential property

Jackie Landeche read the public comment received from Natalie Tatje.

Councilman Madere stated, "Okay...I just want to make a comment about that. You know they have the right to write in their comment, but I just think giving out addresses, you know at the Council meeting is not a good idea. Okay, I mean we can address the problem and concerns, and you know with Code Enforcement and everything without giving out personal address and location, that's the only problem I have with that. You know in fact, if they were coming here, they give their address you know. So, I just, the way I feel about it...I don't think we should be giving out all those addresses on a discussion like this. But a, I had seen the pictures, I don't know if anyone else had seen it okay, but there is some type of violation I think Code Enforcement Officer, that's going to be turned over to Rene and they're going to be according to the enforcement rules that we have in place in Planning & Zoning. Okay, any other comments about that?"

Councilwoman Houston stated, "Thank you, here's the problem. I get this kind of complaint often, and I guess my, my concern is that the answer is always-there's nothing we can do about it. So, I wanted the laws explained to see exactly if maybe we should start amending some of the laws, because you saw what the pictures looked like. And there should be something that could be able or should be able to be done with/if a resident is in that condition for the health and safety of the people who live in adjacent to the property. So that's what I wanted Planning & Zoning to explain, because I get from the Code Enforcement Officer-we cannot enter their backyard, you can clearly see that there is trash or there's an abundance of debris in the backyard, and [Inaudible] so, there should be something they can do. They said if it's visible, but they can't go under a person's carport, but the carport is visible. So, I just wanted clarity in what the rules are, and if we need to make some amendments to the rules, so we can clean the parish up. That we can give our residents/that they can live next to people who are not imposing on their rights to live in a clean environment. So that's, that's why I put this on the agenda."

Councilman Madere stated, "And I thank you Ms. Houston and I'm going to let Mr. Rene take that. But, I'm 100% in agreement with you. Mr. Rene, would you like to answer that?"

Rene Pastorek stated, "Councilwoman Houston, you bring up a really good point, this is a unique situation. I'm obviously living next to trash and debris, when it is visible from your yards, concerned. When we spoke about this a week ago, I wasn't aware or hadn't seen the pictures, when something is completely fenced in and completely not visible, any property including the street or the neighboring properties, that actually cannot, you know Inspectors can't go on their property for violation of the 4th Amendment of the Constitution. When there's broken floorboards or you know fence boards, we actually can secure access on a neighboring property with the owner's consent to conduct an inspection and issue

a violation because it is actually visible. The picture was sent to our department today, we're working to inspect the property to secure access and process the violation."

Councilwoman Houston stated, "What about, I've been told that they cannot site a person for the trash/debris or any type of materials they have underneath their carport...am I correct about that?"

Rene Pastorek stated, "I don't know where you're getting that information from, if it's an accumulation of trash or debris, that is you know a neglect or accumulation or it's impactful with the health safety and welfare of the community, that certain can be a violation."

Councilwoman Houston asked, "Cause the carport can be seen...am I correct? Most of them can..."

Rene Pastorek stated, "Absolutely!"

Councilwoman Houston stated, "Okay, okay."

Rene Pastorek stated, "Violation, it's definitely a violation."

Councilman Madere stated, "Ms. Houston, okay and Mr. Rene. Ms. Houston's absolutely right and Mr. Rene was right in his response. If it's a private fence, we can't go in it, but if they have a crack in that fence and you can actually see what's back there just like Mr. Rene said, the Code Enforcement Officer have the right to write that up. And carport trash in front of it, okay, that's obvious you know anyone that's...I hope that's not our Code Enforcement Officer that's saying that information, cause that's definitely wrong. If it's visible, you understand, under the carport or under your house or on the side of the house is visible, it should be written up as a violation, you know. So, it's and I totally agree with you, individuals shouldn't have to be forced to live next door of property that have trash visible in the community like that. Same thing, it's not [Inaudible] I have the same problem with abandoned cars. It's still trash..."

Councilwoman Houston interrupting stated, "Yeah uh, a Code Enforcement Officer did not tell me that, it was a resident who was complaining and she or he was told...that's their answer, so I told them I would get the correct answer for them. Now...who gave them that answer I don't know, but I told them I would ask for a clarification on it. And, that's why I asked the question today."

Councilman Madere stated, "Very good, thank you!"

Councilwoman Duhe-Griffin stated, "I have a question. So, I would like clarity on the process, and will the person who filed the complaint or the comment, how will they be notified, and what are the fines for not cleaning it up? Will they be addressed or fined, how that person be held accountable?"

Rene Pastorek stated, "So typically our violation complaints are anonymous, we don't always [Inaudible] if a citizen would like a follow-up, we certainly can reach out and let them know, I think that's very important to a lot of citizens. Actually don't have the fines readily available...but when a violation is issued, the property owner certainly gets fined to clear up the violation themselves, you know to not have any fines [Inaudible] to them, it becomes an issue and the

prescribed time-period passes by, and the violations turns into a fine and that's accessed to the property owner."

Councilwoman Duhe-Griffin asked, "What is the time frame...I'm sorry?"

Rene Pastorek stated, "It's specified within the Ordinance I'd have to look into it further, I don't have I just don't have it off-hand..."

Councilwoman Duhe-Griffin interrupting stated, "That's o 'okay. Okay, thank you Mr. Rene."

Councilman Madere stated, "Mr. Rene, you're going to get that information to her?"

Rene Pastorek stated, "Yeah absolutely. I can follow..."

Councilman Madere interrupting stated, "Wait, he's going to get that information to you. I sort of remember but I don't want to say it, but I know it's a fine per day, per violation. So, once they've been notified of the violation, okay every day that go by, it's considered another violation there's a fine that's attached to each day. So, the fine could get pretty big if they don't clean it up, and when it gets to a certain...I'll let you explain the rest of it I don't get paid for that. Okay, but I do know a little bit about it. Okay, thank you."

Jaclyn Hotard stated, "Thank you really quick, and I thank you Councilwoman Houston for placing this item on the agenda. It's something that you know we've begun to be more aggressive with, we actually just demolished four (4) properties that were...I say we demolished them, they were already pretty much on the ground. We just picked up the debris, they were unsafe and hazardous. And, also to kind-a answer your question a little bit, Councilwoman Griffin, and Rene can go into a lit bit further depth on that. But all citations are a little bit different, violations whether it's tall grass, whether it's a junked vehicle, all of those different things they all have different time elements to them, notice type requirements, repeat offenders for grass...I know they're specific. So, all of them work a little bit differently, it's not really a one size fits all, but I can tell you that, my office is committed to addressing them if there are properties, please send them over to us and so that we can continuously monitor any property, that, you know is in any violation of any of our Ordinances. I also asked Rene once I came into office and some things have been delayed just with Corona Virus, to provide to me some language to address-blights specifically, because some of the language that we do have it doesn't address that. And so, we've kind of run into little loopholes along the way, he did provide that information to me and we're working through that, because I agree with you Councilwoman Houston, if there's a missing piece to our Ordinance, then we need to amend that so that we have all the pieces together. But each violation is just a little bit differently as far as how much time someone has, we will monitor those...all-of those complaints that come in we take them very seriously. So again, I want to thank you for putting this item on the agenda and kind of put the public on notice to come into compliance, that's always the goal-that people come into compliance on their own instead of us having to have them bring their property into compliance, because it just cost so much of the taxpayers money for us to do that."

Councilwoman Houston stated, "Thank you President Hotard. Thank you for that, and you mentioned that you actually had four (4) properties that you cleaned up, that houses

Councilman Wright stated, "

Tammy Houston/Damian & Gail Schnyder - Discussion regarding the speed bumps on E. 24th Street, Reserve

Councilwoman Houston stated, "I make a motion that we remove that item from the agenda."

MOTION: Councilwoman Houston moved and Councilwoman Duhe-Griffin seconded the motion to REMOVE - Tammy Houston/Damian & Gail Schnyder - Discussion regarding the speed bumps on E. 24th Street, Reserve, from the agenda. The motion passed with Councilman Torres absent.

INTRODUCTION OF ORDINANCES:

20-17 An ordinance amending ordinance 20-04 relative to the annual Operating budgets for St. John the Baptist Parish General Fund, Special Revenue Funds, Enterprise Funds, and Capital Project Funds for the fiscal year beginning January 1, 2020 and ending December 31, 2020. (J. Hotard)

PRESIDENT REPORT:

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

Keith Green, Jr., District Attorney's Office, stated, "Thank you Mr. Madere, and Good Evening Council members and Madam President. Mr. Madere, my statement is regarding the last item that you all removed from the agenda. I was having a some connection issues and I wanted to make sure was that...the Council members did, you all did vote, first of all to amend your agenda, which would need to be by unanimous vote to amend the agenda, to remove the item from the agenda, and then you would take a vote to remove the item, and then prior to that, the item would need to be read in full letting the public know what item it is specifically, that was going to be removed."

Jackie Landeche stated, "We didn't amend, all we did was remove."

Councilman Madere stated, "Well Mr. Green, since the council meeting is not over, maybe we can do that."

Keith Green, Jr. stated, "Well because the meeting is still in session, you all can just to make the record clear, which is what we want to do. So, what I would suggest is-is that you all suspend the rules, you get one of the council members can make a motion to suspend the rules, to amend the agenda to remove and then read the item that is to be removed, and you all have already taken the vote to remove that item, so that item would be removed because it's already passed. But, you want to make sure that our record is clear and indicating that the rules were suspended to amend the agenda, and the reason for amending the agenda is to remove that specific item and then have that item read aloud, and then if that receives a unanimous vote, then the vote has already been taken to remove the

item. So, then we'll be good."

MOTION: Councilwoman Houston moved and Councilwoman Duhe-Griffin seconded them motion to suspend the rules to amend the agenda to remove Councilwoman Houston's item from the agenda - Tammy Houston/Damian & Gail Schnyder - Discussion regarding the speed bumps on E. 24th Street, Reserve from the agenda. The motion passed with Councilman Torres absent.

ADJOURNMENT:

At 7:17 PM, Councilwoman Schnyder moved and Councilman Wright seconded the motion to adjourn. The motion passed with Councilman Torres absent.

/s/Lennix Madere
COUNCIL CHAIRMAN

/s/Jackie Landeche
Council Secretary

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

Public Comment Form: <http://st-john-parish.com/council-meeting/>