

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON WEDNESDAY, **JANUARY 3, 2017 AT 7:00 P.M.** IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA.

The St. Bernard Parish Council, the Governing Authority, met in Regular in the Council Chambers of the St. Bernard Parish Government Complex, Chalmette, Louisiana on January 3, 2017 at seven o'clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 7:05 p.m. Members present: Richard "Richie" Lewis, Councilmembers Gillis McCloskey, Nathan Gorbaty, Howard Luna, Wanda Alcon, Manuel "Monty" Montelongo and Kerri Callais.

Members absent: None

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and Parish President Guy McInnis and CAO, Ronnie Alonzo was present representing Administration.

Minister Jerry Troxclair delivered the invocation and Councilman Luna led the Pledge of Allegiance.

#1 On motion of Mrs. Alcon, seconded by Mr. Montelongo, it was moved to approve the minutes from the December 20, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, December 30, 2016.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017

#2 On motion of the Chair, without objection and by unanimous consent, it was moved to recognize Andrew Jacques for an update regarding St. Bernard Economic Development Foundation.

On motion of the Chair, without objection and by unanimous consent, it was moved to address items #11 and #12.

#11 On motion of Mr. McCloskey, seconded by Mr. Montelongo, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1676-01-17

A RESOLUTION TO RETAIN TAUZIN CONSULTANTS, LLC AS A FEDERAL LOBBYIST REPRESENTING ST. BERNARD PARISH GOVERNMENT FOR A PERIOD OF ONE (1) YEAR.

Discussion ensued;

On motion of Mr. McCloskey, seconded by Mrs. Alcon, it was moved to amend the resolution as follows:

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- Remove "WHEREAS, the Council further desires to fund said contract with BP funds"
- Add "WHEREAS, the execution of the said contractual obligation is contingent upon the approval of the Council Chair"
- Add "contingent upon the approval of the Council Chair" to the end of NOW THEREFORE BE IT RESOLVED

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as YEA.

And the motion was declared **adopted** on the 3rd day of January, 2017.

On motion of Mr. McCloskey, seconded by Mr. Montelongo, it was moved to **adopt** the following resolution as amended:

RESOLUTION SBPC #1676-01-17

A RESOLUTION TO RETAIN TAUZIN CONSULTANTS, LLC AS A FEDERAL LOBBYIST REPRESENTING ST. BERNARD PARISH GOVERNMENT FOR A PERIOD OF ONE (1) YEAR.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as YEA.

And the motion was declared **adopted** on the 3rd day of January, 2017.

#12 On motion of McCloskey, seconded by Mr. Montelongo, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1677-01-17

A RESOLUTION ENTERING INTO A NEW CONTRACT WITH DAN A. ROBIN, JR. AS A LOBBYIST REPRESENTING ST. BERNARD PARISH FOR A PERIOD OF ONE (1) YEAR.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Alcon, Montelongo, Callais

NAYS: Gorbaty, Luna

ABSENT: None

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The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017.

#3 President's Report

A copy of this report was entered into the official record and is on file with the minutes of this meeting.

#4 Councilmember's District Update

A copy of this update is on file with the minutes of this meeting.

#5 Recognize the Public

Clem Mackles – St. Bernard, LA

#6 Summary No. 3442

Introduced by: Administration on 12/20/16

AN ORDINANCE TO DECLARE AS SURPLUS 10016 CLAIBORNE, VIOLET LA, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY ACCORDING TO LAW.

A COPY OF THIS PUBLIC HEARING IS ON FILE WITH THE CLERK OF COUNCIL'S OFFICE

#7 Summary No. 3443

Planning Commission recommended **APPROVAL** on 12/13/16

Introduced by: Administration on 12/20/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-019**, PETITION OF ERROL AND STACEY MANINO FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "C-2, (GENERAL COMMERCIAL)" FOR THE PROPERTY LOCATED AT 2524 URANUS DRIVE, VIOLET, LA 70092.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#8 Summary No. 3444

Planning Commission recommended **APPROVAL** with conditions on 12/13/16

Introduced by: Administration on 12/20/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-020**, PETITION OF JACK PAYNE, III FOR CONDITIONAL USE PERMIT TO OPERATE A FOOD TRUCK IN AN A-1 ZONE FOR THE PROPERTY LOCATED AT 6205 DELACROIX HWY., ST. BERNARD, LA 70085.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#9 Summary No. 3446

Introduced by: Councilmember Callais on 12/20/16

AN ORDINANCE TO AMEND **ORDINANCE SBPC #1838-12-16**, AN ORDINANCE TO ADOPT THE 2017 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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#10 On motion of Mrs. Alcon, seconded by Mr. Montelongo, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1675-01-17

BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve the following permits as recommended by the Alcohol Beverage and Bingo Department:

Beer and/or Liquor Permit(s)

1. Lehrmann's Inc. dba Lehrmann's Bar 135 W. St. Bernard Hwy. Chalmette, LA 70043. Owner: Ronald Lehrmann Sr. **(Renewal) (Beer & Liquor)**
2. Louisiana CVS Pharmacy, LLC dba CVS/Pharmacy #2597 2600 Paris Rd. Chalmette, LA 70043 Owner: Steve Loyola **(Renewal) (Beer & Liquor)**
3. Little Maddie, LLC dba Gerald's Donuts & Restaurant 2101 E. Judge Perez Dr. Chalmette, LA 70043 Owner: Richard J. Lewis **(Renewal) (Beer & Liquor)**
4. Madison Enterprises, LLC dba Gerald's Donuts & Restaurant 6901 St. Claude Ave. Arabi, LA 70032 Owner: Richard J. Lewis **(Renewal) (Beer & Liquor)**
5. Little Taylor, LLC dba The Rocks Chargrill 1351 E. St. Bernard Hwy. Chalmette, LA 70043 Owners: Peter Deogracias & Bernard J. Slutsky III **(Renewal) (Beer & Liquor)**

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **ABSTAIN**.

And the motion was declared **adopted** on the 3rd day of January, 2017.

#13 On motion of Mr. Montelongo, seconded by Mr. McCloskey, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1678-01-17

A RESOLUTION AUTHORIZING PARISH PRESIDENT GUY MCINNIS TO ENTER INTO CONTRACT WITH ROYAL ENGINEERING FOR THE BAYOU TERRE AUX BOUEFS ARMORING PROJECT.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

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And the motion was declared **adopted** on the 3rd day of January, 2017

#14 On motion of Ms. Callais, seconded by Mr. Montelongo, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #1679-01-17

A RESOLUTION TO SUPPORT PLAQUEMINES PARISH IN THEIR EFFORTS TO OBTAIN A PERMIT REQUESTING THE CLOSURE OF MARDI GRAS PASS.

Discussion ensued;

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017

#15 On motion of Mr. McCloskey, seconded by Mr. Luna, it was moved to **adopt** the following ordinance:

Summary No. 3442

Introduced by: Administration on 12/20/16

Public Hearing on 1/3/17

AN ORDINANCE TO DECLARE AS SURPLUS 10016 CLAIBORNE. VIOLET LA, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY ACCORDING TO LAW.

Discussion ensued;

On motion of Mrs. Alcon, seconded by Mr. Luna, it was moved to amend Section 3 to change the purchase price to \$25,000.00.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017

On motion of Mr. McCloskey, seconded by Mr. Luna, it was moved to **adopt** the following ordinance, as amended:

ORDINANCE SBPC #1842-01-17

Summary No. 3442

Introduced by: Administration on 12/20/16

Public Hearing on 1/3/17

AN ORDINANCE TO DECLARE AS SURPLUS 10016 CLAIBORNE. VIOLET LA, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY ACCORDING TO LAW.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017

#16 On motion of Mr. Montelongo, seconded by Mr. Luna, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #1843-01-17

Summary No. 3443

Planning Commission recommended **APPROVAL** on 12/13/16

Introduced by: Administration on 12/20/16

Public Hearing held on 1/3/17

AN ORDINANCE TO APPROVE **DOCKET Z-2016-019**, PETITION OF ERROL AND STACEY MANINO FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "C-2, (GENERAL COMMERCIAL)" FOR THE PROPERTY LOCATED AT 2524 URANUS DRIVE, VIOLET, LA 70092.

Discussion ensued;

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Luna, Alcon, Montelongo, Callais

NAYS: Gorbaty

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017

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#17 On motion of Mr. Montelongo, seconded by Mr. Gorbaty, it was moved to **adopt** the following ordinance:

ORDINANCE SBPC #1844-01-17

Summary No. 3444

Planning Commission recommended **APPROVAL** with conditions on 12/13/16

Introduced by: Administration on 12/20/16

Public Hearing on 1/3/17

AN ORDINANCE TO APPROVE **DOCKET Z-2016-020**, PETITION OF JACK PAYNE, III FOR CONDITIONAL USE PERMIT TO OPERATE A FOOD TRUCK IN AN A-1 ZONE FOR THE PROPERTY LOCATED AT 6205 DELACROIX HWY., ST. BERNARD, LA 70085.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017.

#18 On motion of Mr. McCloskey, seconded by Mr. Luna, it was moved to **adopt** the following ordinance:

Summary No. 3446

Introduced by: Councilmember Callais on 12/20/16

Public Hearing on 1/3/17

AN ORDINANCE TO AMEND **ORDINANCE SBPC #1838-12-16**, AN ORDINANCE TO ADOPT THE 2017 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

Discussion ensued;

On motion of Ms. Callais, seconded by Mr. McCloskey, it was moved to amend this item as submitted in its entirety.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Luna, Alcon, Montelongo, Callais

NAYS: Gorbaty

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017.

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On motion of Mr. McCloskey, seconded by Mr. Luna, it was moved to **adopt** the following ordinance, as amended:

ORDINANCE SBPC #1845-01-17

Summary No. 3446

Introduced by: Councilmember Callais on 12/20/16

Public Hearing on 1/3/17

AN ORDINANCE TO AMEND **ORDINANCE SBPC #1838-12-16**, AN ORDINANCE TO ADOPT THE 2017 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Luna, Alcon, Montelongo, Callais

NAYS: Gorbaty

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017.

#19 On motion of Mr. McCloskey, seconded by Mr. Luna, it was moved to **introduce** the following ordinance:

Summary No. 3448

Introduced By: Council on 1/3/17

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT EXCEEDING THIRTEEN MILLION DOLLARS (\$13,000,000) OF TAXABLE UTILITIES REVENUE BONDS, SERIES 2017, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF A GENERAL BOND ORDINANCE ADOPTED ON APRIL 21, 2015; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Luna, Alcon, Montelongo, Callais

NAYS: Gorbaty

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017.

#20 Coastal Zone Advisory Committee

No official action taken

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#21 On motion of Mrs. Alcon, seconded by Mr. McCloskey, it was moved to enter into Executive Session to discuss Alfreda Melerine Pizani, et al vs. St. Bernard Parish, 109-548.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017.

On motion of the Chair, without objection and by unanimous consent, it was moved to return to Regular Session.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017.

On motion of Ms. Callais, seconded by Mr. Luna, it was moved to accept the advice of Legal Counsel in the matter of Alfreda Melerine Pizani, et al vs. St. Bernard Parish, 109-548.

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 3rd day of January, 2017.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 8:21 p.m. on the 3rd day of January, 2017.

Next Regular scheduled Council Meeting will be held Tuesday, January 17, 2017 @ 3:00 p.m.

COPIES OF ALL RESOLUTIONS AND ORDINANCES IN THEIR ENTIRETY ARE ON FILE AT THE CLERK OF COUNCIL'S OFFICE AND ARE AVAILABLE FOR PUBLIC VIEWING.

Roxanne Adams

ROXANNE ADAMS
CLERK OF COUNCIL

Richard J. Lewis

RICHARD J. LEWIS
COUNCIL CHAIR