

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **FEBRUARY 6, 2018 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 Session on Tuesday, February 6, 2018 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 3:00 p.m. Members present: Councilmembers: Council Chair, Kerri Callais, Nathan Gorbaty, Howard Luna, Wanda Alcon, Manuel "Monty" Montelongo and Richard "Richie" Lewis.

Members absent: Gillis McCloskey

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.

Sister Robinson delivered the invocation and Councilmember Montelongo led the Pledge of Allegiance.

#1 On motion of Mr. Gorbaty, seconded by Mr. Lewis, it was moved to approve the minutes of the January 16, 2018 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, January 26, 2018.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

#2 On motion of the Chair, without objection and by unanimous consent, it was moved to remove this item from the agenda.

#3 Councilmember's District Update

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

#4 President's Report

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

#5 Recognize the Public

- Ken Dufour - Violet, LA

#6 Summary No. 3554

Introduced by: Administration on 1/16/18

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2019-12-17**, AN ORDINANCE TO ADOPT THE 2018 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1793-02-18

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. M & P Servicios Hispanos, LLC dba Latin Market 8823 W. Judge Perez Dr. Chalmette, La 70043 Owner: Mena Fahaim **(Renewal) (Beer & Liquor)**
2. Meraux Tackle Box, LLC dba Meraux Tackle Box 3124 E. Judge Perez Dr. Ste. A Meraux, La 70075 Owner: Harry Fisher, Jr. **(Renewal) (Beer & Liquor)**
3. Little Taylor, LLC dba The Rocks Chargrill 1351 E. St. Bernard Hwy. Chalmette, La 70043 Members: Peter Deograxis III & Bernard Slutsky III **(Renewal) (Beer & Liquor)**
4. Maxinh, LLC dba St. Roch Kitchen #4 5840-A East Judge Perez Drive Violet, La 70092 Owner: Hai Le & Van Trinh **(Renewal) (Beer & Liquor)**
5. Moran Foods, LLC dba Sav-A-Lot #355 8700 W. Judge Perez Dr. Chalmette, La 70043 Members: Eric Claus, John Breedlove, Michael Collins, Nancy Chargares, Julie Freed **(Renewal) (Beer & Liquor)**
6. Old Arabi **Café**, LLC dba Arabi Poboy 650 Friscoville Avenue Arabi, La 70032 Owners: Larry & Luann Landry **(Renewal) (Beer & Liquor)**
7. GMG Express, LLC dba Grab N Go 7601 E. St. Bernard Hwy. Violet, La 70092 Owner: Maher Abukahlil **(New) (Beer & Liquor)**
8. Chalmette Wings & Things, LLC dba Chalmette Wings & Things 2407 Paris Rd. Ste. A Chalmette, La 70043 Owners: Sammie May & Erika May **(New) (Beer & Liquor)**

Special Event

1. Name of Organization: Los Islenos Heritage & Cultural Society

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Address: 1345-57 Bayou Road, St. Bernard, La 70085
Event: Los Islenos Fiesta 2018
Location: 1345-57 Bayou Rd., St. Bernard Parish
Government
Date: February, 28, 2018- March 4, 2018
Time: 11AM-10PM
Contact: Rhonda Rodriguez

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

YEAS: Gorbaty, Luna, Alcon, Montelongo

NAYS: None

ABSENT: McCloskey

ABSTAINED: Lewis

The Council Chair, Ms. Callais, cast her vote as **ABSTAIN**.

And the motion was declared **adopted** on the 6th day of February, 2018.

#8 On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to **adopt** the following resolution:

RESOLUTION SBPC # 1794-02-18

A RESOLUTION TO REQUEST REIMBURSEMENT FOR TRAVEL EXPENSES INCURRED BY COUNCILMEMBER'S GILLIS MCCLOSKEY, WANDA ALCON AND MANUEL "MONTY" MONTELONGO DURING THE MONTH OF JANUARY WHILE IN ATTENDANCE AT MEETINGS WASHINGTON, DC AND THE POLICE JURY ASSOCIATION MEETINGS IN BATON ROUGE, LA.

On motion of Mrs. Alcon, seconded by Mr. Montelongo, it was moved to amend this item to remove Mr. McCloskey from this reimbursement.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

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

RESOLUTION SBPC # 1794-02-18

A RESOLUTION TO REQUEST REIMBURSEMENT FOR TRAVEL EXPENSES INCURRED BY COUNCILMEMBER'S WANDA ALCON AND MANUEL "MONTY" MONTELONGO DURING THE MONTH OF JANUARY WHILE IN ATTENDANCE AT MEETINGS WASHINGTON, DC AND THE POLICE JURY ASSOCIATION MEETINGS IN BATON ROUGE, LA.

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

YEAS: Gorbaty, Luna, Lewis

NAYS: None

ABSENT: McCloskey

ABSTAINED: Alcon, Montelongo

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

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

RESOLUTION SBPC # 1795-02-18

A RESOLUTION AUTHORIZING ACCEPTANCE OF A SURFACE TRANSPORTATION PROGRAM GRANT FROM THE U.S. DEPARTMENT OF TRANSPORTATION'S FEDERAL HIGHWAY ADMINISTRATION FOR THE ST. BERNARD PARISH 40 ARPENT TRAIL FROM ARABI TO VIOLET CANAL

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

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

ORDINANCE SBPC # 2030-02-18

Summary No. 3554

Introduced by: Administration on 1/16/18
Public hearing held on 2/6/18

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2019-12-17**, AN ORDINANCE TO ADOPT THE 2018 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: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

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

Summary No. 3555

Planning Commission recommended **APPROVAL** on 1/23/18
Introduced by: Administration on 2/6/18

AN ORDINANCE TO APPROVE **DOCKET Z-2018-001**, PETITION OF SPLASH LAND CORPORATION, INC. FOR A ZONING CHANGE FROM "C-1, (NEIGHBORHOOD COMMERCIAL)" TO "C-2, (GENERAL COMMERCIAL)" FOR THE PROPERTY LOCATED AT 922 E. JUDGE PEREZ DR., CHALMETTE, LA 70043.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

#12 On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to **introduce** the following ordinance:

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Summary No. 3556

Introduced by: Administration on 2/6/18

AN ORDINANCE TO AUTHORIZE THE RETENTION OF ROBERT E. COUHIG, JR. AND THE LAW FIRM OF COUHIG PARTNERS, LLC TO PROVIDE LEGAL REPRESENTATION IN ST. BERNARD PARISH GOVERNMENT V. THE UNITED STATES, U.S. COURT OF FEDERAL CLAIMS NO. 15-1072.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

#13 On motion of Mr. Montelongo, seconded by Mr. Lewis, it was moved to **introduce** the following ordinance:

Summary No. 3557

Introduced by: Administration on 2/6/18

AN ORDINANCE DECLARING CERTAIN FORMER LOUISIANA LAND TRUST PROPERTIES TO BE HELD FOR PUBLIC USE AND DECLARING THE REMAINDER OF THE FORMER LOUISIANA LAND TRUST PROPERTIES AS SURPLUS.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

#14 On motion of the Chair, without objection and by unanimous consent, it was moved to defer this item until the end of the agenda.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

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NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

#15 On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to **introduce** the following ordinance:

Summary No. 3559

Introduced by: Councilman Lewis on 2/6/18

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 5-5; RESIDENTIAL ZONING DISTRICTS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

#16 Coastal Zone Advisory Committee

No official action taken

On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to amend the agenda to go into executive session on an emergency basis to discuss the prospective litigation between St. Bernard Parish Government, Fuccich Contracting Inc. and Shread, Kyrkendall & Associates, Inc.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

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#17 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to enter into Executive Session to discuss **St. Bernard Parish Government vs. United States, US Ct. of Claims No. 15-107.**

#18 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to enter into Executive Session to discuss St. Bernard Parish Government, Fuccich Contracting Inc. and Shread, Kuyrkendall & Associates, Inc.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA.**

And the motion was declared **adopted** on the 6th day of February, 2018.

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: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA.**

And the motion was declared **adopted** on the 6th day of February, 2018.

#17 On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to accept the advice of Legal Counsel in the matter of **St. Bernard Parish Government vs. United States, US Ct. of Claims No. 15-107.**

#18 On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to accept the advice of Legal Counsel in the matter of St. Bernard Parish Government, Fuccich Contracting Inc. and Shread, Kuyrkendall & Associates, Inc.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

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NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

#14 On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to **introduce** the following ordinance:

Summary No. 3558

Introduced by: Administration on 2/6/18

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2019-12-17**, AN ORDINANCE TO ADOPT THE 2018 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

Discuss ensued;

On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to amend this item to remove the \$600,000 proposed amendment and add Fund 464, Cost Center 61100, Project Code 0030, Ledger Code 57001, Expenditure \$80,000.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to **introduce** the following ordinance, as amended:

Summary No. 3558

Introduced by: Administration on 2/6/18

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2019-12-17**, AN ORDINANCE TO ADOPT THE 2018 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: Gorbaty, Luna, Alcon, Montelongo, Lewis

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NAYS: None

ABSENT: McCloskey

The Council Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6th day of February, 2018.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 8:11 p.m. on the 6th day of February, 2018.

Next Regular scheduled Council Meeting will be held Tuesday, February 20, 2018 @ 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
CHAIR

Kerri Callais

KERRI CALLAIS
COUNCIL