

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON **TUESDAY, FEBRUARY 19, 2019 AT 3:00 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 19, 2019 at three o'clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 3:01 p.m. Members present: Councilmembers: Council Chair, Richard "Richie" Lewis, Gillis McCloskey, Nathan Gorbaty, Howard Luna, Wanda Alcon, and Manuel "Monty" Montelongo.

Member Absent: Kerri Callais

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

Carol T. Brown with JCITA Ministries delivered the invocation and Councilmember Alcon led the Pledge of Allegiance.

Councilmember Callais is now present.

Council Chair recognized Judge Dave Gorbaty and State Representative Ray Garofalo.

**#1** On motion of Mr. McCloskey, seconded by Ms. Callais, it was moved to approve the minutes of the February 5, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, February 15, 2019.

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 19<sup>th</sup> day of February, 2019.

**#2** On joint motion of the Council, without objection and by unanimous consent, it was moved to proclaim February 21, 2019 as "Realtor Appreciation Day" in St. Bernard Parish.

**#3** On joint motion of the Council, without objection and by unanimous consent, it was moved to recognize to Boh Bros. Construction for an update on Pakenham/Jackson.

**#4** On joint motion of the Council, without objection and by unanimous consent, it was moved to recognize Donnie Bourgeois with Capital Projects Department for an update on Bluebird Park, Heights/Alexander Park, and Pakenham/Jackson project.

No action taken.

**#5 Councilmember 's District Update**

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

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**#6 President's Report**

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

**#7 Recognize the Public**

No one signed up to speak.

**#8 Summary No. 3680**

Planning Commission recommended **APPROVAL** on 1/22/19  
Introduced by: Administration on 2/5/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-002**, PETITION OF SBPG FOR A GLOBAL ZONING CHANGE FOR PROPERTIES WHERE EXISTING BARS, NIGHTCLUBS, OR LOUNGES ARE LOCATED TO C-3 (HIGHWAY COMMERCIAL) DISTRICT ZONING.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE**

**#9 Summary No. 3681**

Planning Commission recommended **APPROVAL** on 1/22/19  
Introduced by: Administration on 2/5/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-003**, PETITION OF LOUIS CHARBONNET III FOR A ZONING CHANGE FROM C-1 AND C-2 TO A-1 TO OPERATE A FUNERAL HOME. PROPERTY LOCATION: 4905, 4909, 4913, 4917 AND 4925 E. JUDGE PEREZ DR. VIOLET, LA 70092.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE**

**#10 Summary No. 3682**

Introduced by: Councilmember Luna on 2/5/19

AN ORDINANCE TO **AMEND** CHAPTER 3; ALCOHOLIC BEVERAGES, SECTION SEC. 3-26.1; SALE, DELIVERY, DISPENSING, POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE**

**#11 Summary No. 3684**

Introduced by: Administration on 2/5/19

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2119-12-18**, AN ORDINANCE TO ADOPT THE 2019 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE**

**#12 Summary No. 3685**

Introduced by: Administration on 2/5/19

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AN ORDINANCE TO AMEND **ORDINANCE SBPC #2119-12-18**, AN ORDINANCE TO ADOPT THE 2019 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE**

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

**RESOLUTION SBPC #1914-02-19**

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. Dubear, LLC DBA Day & Night Discount #3 5840 East Judge Perez Dr., Violet, La 70092 Owner: Hai Le & Van Trinh **(Renewal) (Beer & Liquor)**
2. Lamar Enterprises, LLC dba Barker's Dozen 8001-A W. St Bernard Highway, Violet, La 70092 Owners: Rolfe A. Barker **(Renewal) (Beer Only)**
3. Par 3 Restaurant, LLC dba Par 3 Restaurant 1530 E. Judge Perez Dr., Chalmette La 70043 Member: Dorothy Z. Labrosse **(Renewal) (Beer & Liquor)**
4. M&A Cheema, LLC dba AAA Shell 2601 Paris Road, Chalmette, La 70043 Owner: Muhammed Cheema & Asia Cheema **(Renewal) (Beer & Liquor)**
5. 6601 W. Judge Perez Dr., LLC dba Daq Shaq 6601 W. Judge Perez Dr., Arabi, La 70032 Owner: Joseph A. Licciardi **(New) (Beer & Liquor)**

**Special Event**

1. Name of Organization: Casa New Orleans  
Address: 1340 Poydras St. Ste. 2120, New Orleans, La 70112  
Event: Rock the Casa  
Location: Docville Farm, 5128 E. St. Bernard Hwy, Violet, La 70092  
Date: March 30, 2019  
Time: 11AM-6PM  
Contact: Heather Michael
2. Name of Organization: Guy McInnis Campaign Fund  
Address: 130 West St. Avide Chalmette La, 70043  
Event: Family Fest (Gumbo Cook-Off)  
Location: 2501 Archbishop Hannan Blvd., Meraux, La, 70075  
Date: May 18, 2019  
Time: 11AM-5PM  
Contact: Guy McInnis

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

**YEAS:** Gorbaty, Luna, Alcon, Montelongo

**NAYS:** None

**ABSENT:** None

**ABSTAIN:** Callais

**DID NOT VOTE:** McCloskey

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of February, 2019.

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

**ORDINANCE SBPC #2135-02-19**

**Summary No. 3680**

Planning Commission recommended **APPROVAL** on 1/22/19

Introduced by: Administration on 2/5/19

Public Hearing held on 2/19/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-002**, PETITION OF SBPG FOR A GLOBAL ZONING CHANGE FOR PROPERTIES WHERE EXISTING BARS, NIGHTCLUBS, OR LOUNGES ARE LOCATED TO C-3 (HIGHWAY COMMERCIAL) DISTRICT ZONING.

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

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

**NAYS:** None

**ABSENT:** None

**ABSTAIN:** McCloskey

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of February, 2019.

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

**RESOLUTION SBPC #1915-02-19**

A RESOLUTION APPOINTING A MEMBER TO THE ST. BERNARD PARISH PLANNING COMMISSION, DISTRICT B.

On the motion of Mr. Gorbaty, seconded by Ms. Callais, it was moved to nominate Heather Fandino to fill the unexpired Planning Commission District B position to expire on December 1, 2020.

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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 19<sup>th</sup> day of February, 2019.

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

**ORDINANCE SBPC #2136-02-19**

**Summary No. 3681**

Planning Commission recommended **APPROVAL** on 1/22/19

Introduced by: Administration on 2/5/19

Public Hearing held on 2/19/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-003**, PETITION OF LOUIS CHARBONNET III FOR A ZONING CHANGE FROM C-1 AND C-2 TO A-1 TO OPERATE A FUNERAL HOME. PROPERTY LOCATION: 4905, 4909, 4913, 4917 AND 4925 E. JUDGE PEREZ DR. VIOLET, LA 70092.

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 19<sup>th</sup> day of February, 2019.

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

**ORDINANCE SBPC #2137-02-19**

**Summary No. 3682**

Introduced by: Councilmember Luna on 2/5/19

Public Hearing held on 2/19/19

AN ORDINANCE TO **AMEND** CHAPTER 3; ALCOHOLIC BEVERAGES, SECTION SEC. 3-26.1; SALE, DELIVERY, DISPENSING, POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES 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:** McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

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**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 19<sup>th</sup> day of February, 2019.

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

**ORDINANCE SBPC #213 8-02-19**

**Summary No. 3684**

Introduced by: Administration on 2/5/19

Public Hearing held on 2/19/19

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2119-12-18**, AN ORDINANCE TO ADOPT THE 2019 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

Discussion ensued;

Ms. Callais proposed an amendment as submitted and then withdrew the amendment.

On motion of Ms. Callais, seconded by Mr. Gorbaty, it was moved to amend Summary No. 3684 to zero out and remove the Go Coast Project (0049) from this budget amendment in the amount of \$80,000.

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 19<sup>th</sup> day of February, 2019.

Discussion ensued further;

On motion of Ms. Callais, seconded by Mr. Gorbaty, it was moved to **adopt** Summary No. 3684 as amended:

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 19<sup>th</sup> day of February, 2019.

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

**ORDINANCE SBPC #2139-02-19**

**Summary No. 3685**

Introduced by: Administration on 2/5/19  
Public Hearing held on 2/19/19

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2119-12-18**, AN ORDINANCE TO ADOPT THE 2019 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, 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 19<sup>th</sup> day of February, 2019.

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

**Summary No. 3686**

Introduced by: Administration on 2/19/19

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2119-12-18**, AN ORDINANCE TO ADOPT THE 2019 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, 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 19<sup>th</sup> day of February, 2019.

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

**Summary No. 3687**

Introduced by: Councilmember Luna on 2/19/19

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AN ORDINANCE TO AMEND **ORDINANCE SBPC #2119-12-18**, AN ORDINANCE TO ADOPT THE 2019 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, 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 19<sup>th</sup> day of February, 2019.

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

**Summary No. 3688**

Introduced by: Administration on 2/19/19

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2119-12-18**, AN ORDINANCE TO ADOPT THE 2019 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, 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 19<sup>th</sup> day of February, 2019.

**#23 Coastal Zone Advisory Committee**

President McInnis announced that St. Bernard received \$2 Million project with Terre Bouef Engineering Design.

**#24** On the motion of the Ms. Callais, seconded by Mrs. Alcon, it was moved to enter into Executive Session to discuss Angelicare , LLC et al v. St. Bernard Parish, et al, USDC E.D., LA #17-7360 and potential litigation between The United States Government and St. Bernard Parish Government related to HUD Complaint No. 06-17-8597-8 and all related matters.

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



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

And the motion was declared **adopted** on the 19<sup>th</sup> day of February, 2019.

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

No action taken was taken on Item #24.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:20 p.m. on the 19<sup>th</sup> day of February, 2019.

**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

Lewis

ROXANNE ADAMS

LEWIS

CLERK OF COUNCIL

CHAIR

Richard "Richie"

RICHARD "RICHIE"

COUNCIL