

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON **TUESDAY, MARCH 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, March 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 3:00 p.m. Members present: Councilmembers: Council Chair, Richard "Richie" Lewis, Gillis McCloskey, Nathan Gorbaty, Howard Luna, and Manuel "Monty" Montelongo.

Member Absent: Wanda Alcon and 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.

Minister Jerry Troxclair with Peace and Prayer Ministries delivered the invocation and Councilmember McCloskey led the Pledge of Allegiance.

#1 On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to approve the minutes of the March 6, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, March 15, 2019.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

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

Councilmember McCloskey offered an objection to removing this item.

On the motion of Mr. McCloskey, seconded by Mr. Gorbaty, it was moved to recognize Donnie Bourgeois with Capital Projects Department for an update on Bluebird Park, Heights/Alexander Park, and Pakenham/Jackson project.

Council Chair recognized Constable Billy Cure.

#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 is on file with the minutes of this meeting.

#5 Recognize the Public

No one signed up to speak.

On motion of the Chair, without objection and by unanimous consent, it was moved to address item #21.

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

Summary No. 3696

Introduced by: Administration on 3/19/19

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AN ORDINANCE GRANTING LAKE BORGNE BASIN LEVEE DISTRICT A TEMPORARY ROAD SERVITUDE, AS DESCRIBED IN EXHIBIT "A", FOR FLOOD PROTECTION IMPROVEMENTS.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

On motion of the Chair, without objection and by unanimous consent, it was moved to address item #12 & #13.

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

RESOLUTION SBPC #1921-03-19

A RESOLUTION DECLARING THE INTENTION OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TO ISSUE TAXABLE UTILITIES REVENUE BONDS, IN ONE OR MORE SERIES, IN AN AMOUNT NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000) FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTING, ACQUIRING, EXTENDING AND IMPROVING THE SEWER PORTION OF THE COMBINED WATER AND SEWER SYSTEM OF SAID PARISH; 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, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

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

RESOLUTION SBPC #1922-03-19

A RESOLUTION MAKING APPLICATION TO THE STATE BOND COMMISSION FOR CONSENT AND AUTHORITY TO ISSUE NOT EXCEEDING TEN MILLION DOLLARS (\$10,000,000) OF TAXABLE SALES TAX BONDS, IN ONE OR MORE SERIES, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

Discussion ensued;

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

#6 Summary No. 3689

Introduced by: Administration on 3/6/19

AN ORDINANCE TO AMEND CHAPTER 17; PERSONNEL, ARTICLE V; DISCIPLINARY ACTIONS, SECTION 17-121; DISCIPLINARY PROCEDURE IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#7 Summary No. 3690

Planning Commission recommended **APPROVAL** on 2/26/19

Introduced by: Administration on 3/6/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-004**, PETITION OF MICHAEL CHIANELLI FOR A ZONING CHANGE FROM R-2 (TWO FAMILY RESIDENTIAL) AND C-1 (NEIGHBORHOOD COMMERCIAL) TO C-2 TO OPERATE A USED CAR LOT. PROPERTY LOCATION: 3737 PARIS RD. CHALMETTE, LA 70043.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#8 Summary No. 3691

Planning Commission recommended **Vote for Approval w/conditions failed 3-3 vote. No Recommendation** on 2/26/19

Introduced by: Administration on 3/6/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-005**, PETITION OF THE DANCE CONNECTION FOR A ZONING CHANGE FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO A C-1 (NEIGHBORHOOD COMMERCIAL) WITH A CONDITIONAL USE PERMIT TO ALLOW LIGHT MANUFACTURING. PROPERTY LOCATION: 1009 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#9 Summary No. 3692

Planning Commission recommended **APPROVAL** on 2/26/19

Introduced by: Administration on 3/6/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-006**, PETITION OF JOHN KAMLADE JR. FOR A ZONING CHANGE FROM R-3 (MULTI-FAMILY RESIDENTIAL AND C-1 (NEIGHBORHOOD COMMERCIAL) TO C-2 (GENERAL COMMERCIAL) AND A CONDITIONAL USE PERMIT TO ALLOW VEHICLE STORAGE LOT. PROPERTY LOCATION: 2025 LICCIARDI LANE VIOLET, LA 70092.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1919-03-19

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)

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1. Kimberly, Inc. dba Brewster's 8751 W. Judge Perez Dr., Chalmette, La 70043 Owners: Theodore and Kimberly Reab **(Renewal) (Beer & Liquor)**

Special Event

1. Name of Organization: S.O.A.R. Strengthening Outcomes with Autism Resources
Address: 39041 Old Sawmill Rd., Ponchatoula, La 70454
Event: SOARS Autism Crawfish Cookoff
Location: 3809 Paris Rd., Chalmette, La 70043
Date: May 11 2019
Time: 10AM-10PM
Contact: Sherri Houin/Desi Romano
2. Name of Organization: Old Arabi Neighborhood Association
Address: PO Box 112 Arabi, La 70032
Event: Sippin Into Sunset
Location: 409 Aycock St., Arabi, La 70032
Date: March 28, 2019
Time: 6PM-9PM
Contact: Barry Lemoine
3. Name of Organization: Tomato Festival Committee
Address: 2320 Paris Rd., Chalmette, La 70043
Event: Tomato Festival
Location: 2320 Paris Rd., Chalmette, La 70043
Date: May 3, 4, &5, 2019
Time: (5/3) 5pm-11pm (5/4) 11am-11pm (5/5) 11am-10pm
Contact: Fr. Marlon Mangubat
4. Name of Organization: Carolyn Park Boosters Inc.
Address: 9 Brittany Pl., Arabi, La 70032
Event: 4th Annual Community Kickball Tournament
Location: 405 Lynx Dr., Arabi, La 70032
Date: Saturday, March 31, 2019
Time: 8AM-10PM
Contact: Duane Deblonde

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

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

RESOLUTION SBPC #1920-03-19

A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM ATMOS ENERGY IN THE AMOUNT OF \$4,500.00 FOR THE WIND DOWN WEDNESDAYS CONCERT SERIES IN TORRES PARK.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

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

RESOLUTION SBPC #1923-03-19

A RESOLUTION SUPPORTING THE APPROVAL OF A PROJECT PRESENTED BY THE DISTRICT "C" COUNCIL REPRESENTATIVE ON THE PARKS AND PARKWAYS COMMISSION.

Discussion ensued;

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

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

ORDINANCE SBPC #2145- 03-19

Summary No. 3689

Introduced by: Administration on 3/6/19

Public Hearing held on 3/19/19

AN ORDINANCE TO AMEND CHAPTER 17; PERSONNEL, ARTICLE V; DISCIPLINARY ACTIONS, SECTION 17-121; DISCIPLINARY PROCEDURE IN 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, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

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

ORDINANCE SBPC #2146-03-19

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Summary No. 3690

Planning Commission recommended **APPROVAL** on 2/26/19

Introduced by: Administration on 3/6/19

Public Hearing held on 3/19/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-004**, PETITION OF MICHAEL CHIANELLI FOR A ZONING CHANGE FROM R-2(TWO FAMILY RESIDENTIAL) AND C-1(NEIGHBORHOOD COMMERCIAL) TO C-2 TO OPERATE A USED CAR LOT. PROPERTY LOCATION: 3737 PARIS RD. CHALMETTE, LA 70043.

Discussion ensued;

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

On motion of the Chair, without objection and by unanimous consent, it was moved recognize Councilmember McCloskey.

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

Summary No. 3691

Planning Commission recommended **Vote for Approval w/conditions failed 3-3 vote. No Recommendation** on 2/26/19

Introduced by: Administration on 3/6/19

Public Hearing held on 3/19/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-005**, PETITION OF THE DANCE CONNECTION FOR A ZONING CHANGE FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO A C-1 (NEIGHBORHOOD COMMERCIAL) WITH A CONDITIONAL USE PERMIT TO ALLOW LIGHT MANUFACTURING. PROPERTY LOCATION: 1009 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

On the motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to add an amendment into section to read as follows:

SECTION 1. The St. Bernard Parish Council does hereby approve **Docket Z-2019-005**, petition of The Dance Connection for a zoning change from C-1 (Neighborhood Commercial) to a C-1 (Neighborhood Commercial) with a Conditional Use Permit **to allow Atlas Rigging, LLC to operate as** Light Manufacturing.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

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And the motion was declared **adopted** on the 19th day of March, 2019.

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

ORDINANCE SBPC #2147 -03-19

Summary No. 3691

Planning Commission recommended **Vote for Approval w/conditions failed 3-3 vote. No Recommendation** on 2/26/19

Introduced by: Administration on 3/6/19

Public Hearing held on 3/19/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-005**, PETITION OF THE DANCE CONNECTION FOR A ZONING CHANGE FROM C-1 (NEIGHBORHOOD COMMERCIAL) TO A C-1 (NEIGHBORHOOD COMMERCIAL) WITH A CONDITIONAL USE PERMIT TO ALLOW LIGHT MANUFACTURING. PROPERTY LOCATION: 1009 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

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

ORDINANCE SBPC #2148-03-19

Summary No. 3692

Planning Commission recommended **APPROVAL** on 2/26/19

Introduced by: Administration on 3/6/19

Public Hearing held on 3/19/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-006**, PETITION OF JOHN KAMLADE JR. FOR A ZONING CHANGE FROM R-3(MULTI-FAMILY RESIDENTIAL AND C-1(NEIGHBORHOOD COMMERCIAL) TO C-2(GENERAL COMMERCIAL) AND A CONDITIONAL USE PERMIT TO ALLOW VEHICLE STORAGE LOT. PROPERTY LOCATION: 2025 LICCIARDI LANE VIOLET, LA 70092

Discussion ensued;

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

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

Summary No. 3694

Introduced by: Council on 3/19/19

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, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

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

Summary No. 3695

Introduced by: Council on 3/19/19

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2019 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1, FIRE PROTECTION DISTRICT NO. 1 AND FIRE PROTECTION DISTRICT NO. 2.

Discussion ensued;

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

ABSTAIN: None

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

And the motion was declared **adopted** on the 19th day of March, 2019.

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

Summary No. 3697

Introduced by: Administration on 3/19/19

AN ORDINANCE TO AUTHORIZE THE RESCISSION OF THE SALE OF 2109 ESTEBAN STREET TO PAUL E. HERKES, III AND THE RESCISSION OF THE ACT OF RESUBDIVISION WHICH CREATED LOT 3-A AND TO AUTHORIZE THE PARISH PRESIDENT, THE ST. BERNARD HOUSING, REDEVELOPMENT AND QUALITY OF LIFE COMMISSION, AND THE ROAD HOME CORPORATION TO EXECUTE ANY NECESSARY DOCUMENTS FOR THE RESCISSIONS

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

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NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 2019.

#23 Coastal Zone Advisory Committee

No action taken.

#24 On motion of Mr. Gorbaty, seconded by Mr. Montelongo, it was moved to enter into Executive Session to discuss St. Bernard Parish Government v. Southern Solutions Land Management, LLC, 34th JDC #118-830 E.

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

YEAS: McCloskey, Gorbaty, Luna, Montelongo

NAYS: None

ABSENT: Alcon, Callais

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

And the motion was declared **adopted** on the 19th day of March, 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 3:45 p.m. on the 19th day of March, 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