

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON **TUESDAY, APRIL 2, 2019 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, April 2, 2019 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 7:00 p.m. Members present: Councilmembers: Council Chair, Richard "Richie" Lewis, Gillis McCloskey, Nathan Gorbaty, Wanda Alcon, and Kerri Callais

Member Absent: Howard Luna 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.

Pastor Trevor Truitt with Celebration Church delivered the invocation and Councilmember McCloskey led the Pledge of Allegiance.

**#1** On motion of Mr. McCloskey, seconded by Mr. Gorbaty, it was moved to approve the minutes of the March 12, 2019 Special Council Meeting and the March 19, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, March 29, 2019.

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

**YEAS:** McCloskey, Gorbaty, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.

**#2** 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 current projects.

**#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.

**#6 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.

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

**#7 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.

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

**#8 Summary No. 3696**

Introduced by: Administration on 3/19/19

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

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

**#9 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.

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

**#10 Adopt Resolution SBPC #1924-04-19**, approving permits as recommended by the Alcohol Beverage and Bingo Department:  
(Administration)

**Beer and/or Liquor Permit(s)**

1. Rick's Veteran's, LLC dba Magnolia Discount 7600 W. Judge Perez Dr., Arabi, La 70043  
Owner: Zahran Bazzar **(New) (Beer & Liquor)**

2. Tag's Meat Market, Inc. dba Tag's Deli 1207 E. Judge Perez Dr., Chalmette, La 70043  
Owners: Deborah and Michael E. Michalik, Jr  
**(Renewal) (Beer Only)**

3. QC Discount, LLC dba Meraux Food Store 2004 Paris Rd., Chalmette, La 70043  
Owner: Abdallah A. Jaber **(Renewal) (Beer & Liquor)**

4. QC Discount, LLC dba QC Discount 4725 E. Judge Perez Dr., Violet, La 70092  
Owner: Abdallah A. Jaber **(Renewal) (Beer & Liquor)**

5. QC Discount, LLC dba Quick Check #4 617 Bayou Rd., St. Bernard, La 70085  
Owner: Abdallah A. Jaber **(Renewal) (Beer & Liquor)**

6. QC Pit Lane, LLC dba QC Pit Lane 3225 E. Judge Perez Dr., Meraux, La 70075  
Members: Abdallah A. Jaber & Ahmed Jaber **(Renewal) (Beer & Liquor)**

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7. RaceTrac Petroleum, Inc. dba RaceTrac #2350 2713 Paris Rd., Chalmette, La 70043

Manager: Belinda Anthony **(Renewal) (Beer & Liquor)**

8. Sadi, Inc., dba Village Food and Beverage Discount 601 E. Judge Perez Dr., Chalmette,

La 70043 Member: Abdelrahim Sadi **(Renewal) (Beer & Liquor)**

9. RaceTrac Petroleum., dba RaceTrac #2368 8130 W. Judge Perez Dr., Chalmette, La

70043 Manager: Crystal Stebbins **(Renewal) (Beer & Liquor)**

**Special Event**

1. Name of Organization: Tomato Festival Committee  
Address: 2320 Paris Road, Chalmette, La 70043  
Event: OLPS Crawfish Cook Off  
Location: 2320 Paris Road, Chalmette, La 70043  
Date: April 13, 2019 (alternate date April 14, 2019)  
Time: 12PM-4PM  
Contact: FR. Marlon Mangubat

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

**YEAS:** McCloskey, Gorbaty, Alcon

**NAYS:** None

**ABSENT:** Luna, Montelongo

**ABSTAIN:** Callais

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.

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

**RESOLUTION SBPC #1925-04-19**

A RESOLUTION TO RE-APPOINT RUTH BERTUCCI AS THE GOVERNING AUTHORITY'S BOARD MEMBER OF THE ST. BERNARD FIRE PROTECTION DISTRICTS NO. 1 -2, FIRE CIVIL SERVICE BOARD.

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

**YEAS:** McCloskey, Gorbaty, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.

**#12** On motion of Mrs. Alcon, seconded by Ms. Callais, it was moved to **adopt** the following resolution:

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**RESOLUTION SBPC #1926-04-19**

A RESOLUTION TO RE-APPOINT LISA BORNE TO THE ST. BERNARD PARISH LIBRARY BOARD.

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

**YEAS:** McCloskey, Gorbaty, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.

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

**RESOLUTION SBPC #1927-04-19**

A RESOLUTION AUTHORIZING THE PARISH TO APPLY FOR A GRANT FROM THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY (LDEQ) TO INSTALL TWO LEVEL 2 ELECTRIC-VEHICLE CHARGING STATIONS IN STRATEGIC SITES WITHIN THE ST. BERNARD PARISH.

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

**YEAS:** McCloskey, Gorbaty, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.

On motion of the Chair, without objection and by unanimous consent, it was moved to remove items #14 and #15 in globo per Legal Counsel.

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

**YEAS:** McCloskey, Gorbaty, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.

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

**ORDINANCE SBPC #2149-04-19**

**Summary No. 3694**

Introduced by: Council on 3/19/19

Public Hearing held on 4/2/19

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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, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.

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

## **ORDINANCE SBPC #2150-04-19**

### **Summary No. 3695**

Introduced by: Council on 3/19/19

Public Hearing held on 4/2/19

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.

An additional Public Hearing was held at this time. No one appeared to speak for or against this item.

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

**YEAS:** McCloskey, Gorbaty, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

**ABSTAIN:** None

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

And the motion was declared **adopted** on the 2<sup>th</sup> day of April, 2019.

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

## **ORDINANCE SBPC #2151-04-19**

### **Summary No. 3696**

Introduced by: Administration on 3/19/19

Public Hearing held on 4/2/19

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, Alcon, Callais

**NAYS:** None

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**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.

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

## **ORDINANCE SBPC #2152-04-19**

### **Summary No. 3697**

Introduced by: Administration on 3/19/19

Public Hearing held on 4/2/19

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, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>th</sup> day of April, 2019.

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

### **Summary No. 3700**

Introduced by: Councilmember Luna

AN ORDINANCE TO AMEND CHAPTER 22, ZONING; SECTION 22-7, SITE DEVELOPMENT STANDARDS; SUBSECTION 22-7-4, SIGN REGULATIONS; SUBSUBSECTION 22-7-4.8; ENFORCEMENT, VIOLATIONS AND PENALTIES 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, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>th</sup> day of April, 2019.

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

### **Summary No. 3701**

Planning Commission recommended **NO RECOMMENDATION** on 3/26/19

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Introduced by: Administration on 4/2/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-007**, PETITION OF JEFFREY LANE FOR A ZONING CHANGE FROM R-1(SINGLE FAMILY RESIDENTIAL) TO C-1(NEIGHBORHOOD COMMERCIAL) TO OPERATE A LAW OFFICE. PROPERTY LOCATION: 2320 PAKENHAM DR. CHALMETTE, LA 70043.

On the motion of Mr. Lewis, seconded by Ms. Callais, it was moved to amend this item to change C-1 (Neighborhood Commercial) to RO (Residential Office).

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

**YEAS:** McCloskey, Gorbaty, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

**ABSTAIN:** Gorbaty

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

And the motion was declared **adopted** on the 2<sup>th</sup> day of April, 2019.

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

## **Summary No. 3701**

Planning Commission recommended **NO RECOMMENDATION** on 3/26/19

Introduced by: Administration on 4/2/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-007**, PETITION OF JEFFREY LANE FOR A ZONING CHANGE FROM R-1(SINGLE FAMILY RESIDENTIAL) TO RO (RESIDENTIAL OFFICE) TO OPERATE A LAW OFFICE. PROPERTY LOCATION: 2320 PAKENHAM DR. CHALMETTE, LA 70043.

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

**YEAS:** McCloskey, Gorbaty, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

**ABSTAIN:** Gorbaty

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

And the motion was declared **adopted** on the 2<sup>th</sup> day of April, 2019.

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

## **Summary No. 3702**

Introduced by: Administration on 4/2/19

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

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

**YEAS:** McCloskey, Gorbaty, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>th</sup> day of April, 2019.

**#23** On the motion Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for February 2019.

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

**YEAS:** McCloskey, Gorbaty, Alcon, Calais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.

### **#24 Coastal Zone Advisory Committee**

No action taken.

On motion of the Chair, without objection and by unanimous consent, it was moved remove item #26 from the agenda.

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

**YEAS:** McCloskey, Gorbaty, Alcon, Calais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.

**#25** On the motion of Mr. McCloskey, seconded by Mr. Gorbaty 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, Alcon, Calais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.



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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, Alcon, Calais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.

**#25** On motion of Mr. Gorbaty, seconded by Ms. Callais, it was moved to accept the advice of legal counsel in the matter of 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, Alcon, Callais

**NAYS:** None

**ABSENT:** Luna, Montelongo

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

And the motion was declared **adopted** on the 2<sup>nd</sup> day of April, 2019.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 7:36 p.m. on the 2<sup>nd</sup> day of April, 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