

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **MAY 2, 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 May 2, 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 7:01 p.m. Members present: Councilmembers: Chairman Richard "Richie" Lewis, Gillis McCloskey, Nathan Gorbaty, Howard Luna, Wanda Alcon and Kerri Callais.

Members absent: Manuel "Monty" Montelongo

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

Mr. Montelongo is recorded as present at this time.

Pastor Tommy Walker delivered the invocation and Councilmember Montelongo led the Pledge of Allegiance.

#1 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to approve the minutes of the April 18, 2017 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, April 28, 2017.

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 2nd day of May, 2017.

#2 President's Report

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

#3 Councilmember's District Update

This update is on file with the minutes of this meeting.

#4 Recognize the Public

No one signed up to speak for this meeting

#5 Summary No. 3472

Planning Commission recommended **APPROVAL** on 3/28/17
Introduced by: Administration on 4/4/17

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AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION; 22-7 SITE DEVELOPMENT STANDARDS, SUBSECTION 22-7-4; SIGN REGULATIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#6 Summary No. 3478

Introduced by: Administration on 4/18/17

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

#7 Summary No. 3479

Introduced by: Administration on 4/18/17

AN ORDINANCE TO AMEND THE ST. BERNARD PARISH GOVERNMENT PERSONNEL PLAN.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#8 Summary No. 3480

Introduced by: Administration on 4/18/17

AN ORDINANCE TO AUTHORIZE THE RETENTION OF SHER GARNER CAHILL RICHTER, KLEIN & HILBERT, LLC TO PROVIDE LEGAL REPRESENTATION IN PARATECH, L.L.C. V. ST. BERNARD PARISH GOVERNMENT- 14-1331, DIV. D, RICHARD PERNICIARO AND ROBERT CLEVELAND, INDIVIDUALLY AND ON BEHALF OF PARATECH, L.L.C. V. GUY MCINNIS, RAY LAUGA, JR., CASEY W. HUNNICUTT, RICHARD LEWIS, ST. BERNARD PARISH GOVERNMENT, THE TIMES PICAYUNE, L.L.C., BENJAMIN ALEXANDER-BLOCH AND RSUI INDEMNITY COMPANY - 16-0969, DIV. C AND ANY RELATED MATTERS.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#9 Summary No. 3481

Introduced by: Administration on 4/18/17

AN ORDINANCE TO AUTHORIZE THE RETENTION OF SHER GARNER CAHILL RICHTER, KLEIN & HILBERT, LLC TO PROVIDE LEGAL REPRESENTATION IN SHARON SHAEFFER V. DAVID PERALTA, NO.14-270-C AND SHARON SHAEFFER V. DAVID PERALTA, INDIVIDUALLY AND OFFICIALLY ST. BERNARD PARISH, ST. BERNARD PARISH SHERRIFF'S OFFICE, ST. BERNARD PARISH COUNCIL, SHARON WILLIAMS OFFICIALLY, BILLY MCGOEY OFFICIALLY, MELISSA O'NEIL OFFICIALLY, DONALD BOURGEOIS OFFICIALLY, KIM OWENS OFFICIALLY, GUY MICINNIS OFFICIALLY, XYZ INSURANCE COMPANIES, USDC NO. 16-17784 AND ANY RELATED MATTERS.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#10 Summary No. 3482

Introduced by: Administration on 4/18/17

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AN ORDINANCE TO AUTHORIZE THE RETENTION OF SHER GARNER CAHILL RICHTER, KLEIN & HILBERT, LLC TO PROVIDE LEGAL REPRESENTATION IN PARATECH, L.L.C. V. ST. BERNARD PARISH GOVERNMENT- 34 JDC No. 14-940, DIV. AD HOC AND ANY RELATED MATTERS.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1713-05-17

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. QC Discount, LLC dba Meraux Food Store 2004 Paris Road Chalmette, LA 70043 Owner: Abdallah A. Jaber **(Renewal) (Beer & Liquor)**
2. Quick Check, Inc. dba Quick Check #4 617 Bayou Rd. St. Bernard, LA 70085 Member(s): Abdallah A. Jaber **(Renewal) (Beer & Liquor)**
3. Jaber and Sons, Inc. dba Quick Check #6 5815 E. Judge Perez Drive Violet, LA 70092 Owner: Abdallah A. Jaber **(Renewal) (Beer & Liquor)**
4. UMI, LLC dba UMI 535 E. Judge Perez Dr. Chalmette, LA 70043 Owner: Shao X. Ruan & Wanhlia Zhu **(Renewal) (Beer & Liquor)**
5. Wal-Mart Louisiana, LLC dba Walmart Super center #909 8101 W. Judge Perez Dr. Chalmette, LA 70043 Owner: Otho Craddock **(Renewal) (Beer & Liquor)**
6. Walgreen Louisiana Co., Inc. dba Walgreens #07415 100 W. Judge Perez Dr. Chalmette, LA 70043 Manager: Dustin Mares **(Renewal) (Beer & Liquor)**
7. Walgreen Louisiana Co., Inc. dba Walgreens # 13586 4141 E. Judge Perez Dr. Meraux, LA 70075 Owner: Johnathon Wetsel **(Renewal) (Beer & Liquor)**
8. PS Investments, LLC dba Chalmette Rotolo's 8109 W. Judge Perez Dr., Ste. A Chalmette, LA 70043 Members: Earl P. Alphonso & Sandra L. Alphonso **(Renewal) (Beer & Liquor)**
9. QC Discount, LLC dba QC Discount 4725 E. Judge Perez Dr. Violet, LA 70092 Owner: Abdallah A. Jaber **(Renewal) (Beer & Liquor)**
10. Walmart Louisiana, LLC dba Wal-mart # 5081 2500 Archbishop Hannan Blvd. Meraux, LA 70075 Manager: Donald Sierra, Jr. **(Renewal) (Beer & Liquor)**
11. QC Pit Lane, LLC dba QC Pit Lane 3325 E. Judge Perez Dr. Meraux, LA 70075 Members: Abdallah A. Jaber & Ahmed Jaber **(Renewal) (Beer & Liquor)**
12. 5303 Paris, LLC dba Paris Casino 5301 Paris Rd. Chalmette, LA 70043 **(Renewal) (Beer & Liquor)**

Special Event

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1. Name of Organization: Jazz in June (Leisure Program)
Address: 1101 Magistrate St., Chalmette LA 70043
Event: Jazz in June
Location: Torres Park
Date: (every Thursday in June)
June 1, June 8, June 15, June 22, June 29
Time: 5:30PM-7:30PM
Contact: Denise Montalbano

2. Name of Organization: Our Lady of Lourdes Catholic Church
Address: 2621 Colonial Blvd. Violet, LA 70092
Event: Our Lady of Lourdes Church Ride Extravaganza
Location: 2621 Colonial Blvd. Violet LA 70092
Date: May 18,19,20,21
(not selling beer on May 18th)
Time: 5PM-10PM, 5PM-10PM, 12PM-10PM,12PM-10PM, 12PM-8PM
Contact: Hector Perez

3. Name of Organization: South End Zone
Address: 312 W. Honors Pt. Ct.
Event: South End Zone's 2017 Summer Fest
Location: 8241 W. St. Bernard Hwy Chalmette, LA 70043
Date: June 23, 2017
Time: 6PM – Midnight
Contact: Larry Bienvenu

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 2nd day of May, 2017.

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

RESOLUTION SBPC #1714-05-17

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO SIGN A MULTI-PARISH EMERGENCY MUTUAL AID AND ASSISTANCE AGREEMENT BETWEEN THE PARISHES OF JEFFERSON, ORLEANS, PLAQUEMINES, ST. BERNARD, ST. CHARLES, ST. JOHN THE BAPTIST, ST. TAMMANY, CALCASIEU, CAMERON, VERMILION, ST. MARTIN, IBERIA, ST. MARY, ASCENSION, ST. JAMES, LAFOURCHE, TERREBONNE, ASSUMPTION, LIVINGSTON, AND TANGIPAHOA FOR EMERGENCY MUTUAL AID AND ASSISTANCE

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

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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 2nd day of May, 2017.

#13 On motion of the Chair, without objection and by unanimous consent, it was moved to **remove** the following resolution:

RESOLUTION SBPC #1715-05-17

A RESOLUTION ACCEPTING THE CONTRACT WITH HARD ROCK CONSTRUCTION, LLC AS COMPLETE FOR THE ST. BERNARD PARISH STREET REHAB PROGRAM (STATE PROJECT #H.009834.6).

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 2nd day of May, 2017.

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

RESOLUTION SBPC #1716-05-17

A RESOLUTION AUTHORIZING ACCEPTANCE OF A BYRNE JUSTICE ASSISTANCE PROGRAM GRANT FOR CRIMINAL JUSTICE TECHNOLOGY UPGRADES FOR 34TH JUDICIAL DISTRICT COURT IN THE AMOUNT OF \$3,300.00.

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 2nd day of May, 2017.

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

RESOLUTION SBPC #1717-05-17

A RESOLUTION APPROVING AN APPLICATION FOR GRANT FUNDS FROM THE FEDERAL HIGHWAY ADMINISTRATION RECREATIONAL TRAILS PROGRAM FOR LOUISIANA (FRTPL) AS ESTABLISHED BY CFDA 20.219 FOR THE ST. BERNARD FORTY ARPENT TRAIL, PHASE II.

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 2nd day of May, 2017.

On motion of Mr. Lewis, seconded by Mr. Luna, it was moved to amend the agenda to discuss the removed stop signs and take any action necessary.

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 2nd day of May, 2017.

Discussion ensued;

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

RESOLUTION SBPC #1718-05-17

A RESOLUTION REQUESTING ADMINISTRATION TO RETURN THE STOP SIGNS THAT WERE REMOVED ON MAY 1, 2017 IN THE INTEREST OF PUBLIC HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF ST. BERNARD PARISH.

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

YEAS: McCloskey, Gorbaty, Alcon, Montelongo, Callais

NAYS: Luna

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ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of May, 2017.

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

Summary No. 3472

Planning Commission recommended **APPROVAL** on 3/28/17

Introduced by: Administration on 4/4/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION; 22-7 SITE DEVELOPMENT STANDARDS, SUBSECTION 22-7-4; SIGN REGULATIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

On motion of Mr. Luna, seconded by Ms. Callais, it was moved to table this item until the June 6, 2017 Council Meeting.

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 2nd day of May, 2017.

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

Summary No. 3474

Planning Commission recommended **APPROVAL** on 3/28/17

Introduced by: Administration on 4/4/17

Public hearing held 4/18/17

Tabled on 4/48/17 until 5/2/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION; SECTION 22-4; GENERAL PROVISIONS, SUBSECTION 22-4-2; GENERAL PROVISIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

On motion of Mrs. Alcon, seconded by Mr. Luna, it was moved to amend this item to amend this item as follows:

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Exterior facades on commercial structures located in C-1 and C-2 Zones and located on Highway 39, 46, & 47. Design elements for new or substantially renovated commercial structures.

- 7) Any building in commerce is exempted from the above requirements ~~unless 50.1% of said structure is being renovated.~~

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 2nd day of May, 2017.

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

ORDINANCE SBPC #1872-05-17

Summary No. 3474

Planning Commission recommended **APPROVAL** on 3/28/17

Introduced by: Administration on 4/4/17

Public hearing held 4/18/17

Tabled on 4/48/17 until 5/2/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION; SECTION 22-4; GENERAL PROVISIONS, SUBSECTION 22-4-2; GENERAL PROVISIONS 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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of May, 2017.

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

ORDINANCE SBPC #1873-05-17

Summary No. 3478

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Introduced by: Administration on 4/18/17

Public hearing held 5/2/17

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;

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 2nd day of May, 2017.

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

Summary No. 3479

Introduced by: Administration on 4/18/17

Public hearing held 5/2/17

AN ORDINANCE TO AMEND THE ST. BERNARD PARISH GOVERNMENT PERSONNEL PLAN.

Discussion ensued;

On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to **table** the following ordinance to the May 16, 2017 Council meeting:

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 2nd day of May, 2017.

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

ORDINANCE SBPC #1874-05-17

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Summary No. 3480

Introduced by: Administration on 4/18/17

Public hearing held 5/2/17

AN ORDINANCE TO RETAIN SHER GARNER CAHILL RICHTER, KLEIN & HILBERT, LLC TO PROVIDE LEGAL REPRESENTATION IN PARATECH, L.L.C. V. ST. BERNARD PARISH GOVERNMENT- 14-1331, DIV. D AND ANY RELATED MATTERS, AND IN RICHARD PERNICIARO AND ROBERT CLEVELAND, INDIVIDUALLY AND ON BEHALF OF PARATECH, L.L.C. V. GUY MCINNIS, RAY LAUGA, JR., CASEY W. HUNNICUTT, RICHARD LEWIS, ST. BERNARD PARISH GOVERNMENT, THE TIMES PICAYUNE, L.L.C., BENJAMIN ALEXANDER-BLOCH AND RSUI INDEMNITY COMPANY - 16-0969, DIV. C AND ANY RELATED MATTERS.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Callais

NAYS: None

ABSENT: None

ABSTAINED: Montelongo

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

And the motion was declared **adopted** on the 2nd day of May, 2017.

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

Summary No. 3481

Introduced by: Administration on 4/18/17

Public hearing held 5/2/17

AN ORDINANCE TO AUTHORIZE THE RETENTION OF SHER GARNER CAHILL RICHTER, KLEIN & HILBERT, LLC TO PROVIDE LEGAL REPRESENTATION IN SHARON SHAEFFER V. DAVID PERALTA, NO.14-270-C AND ANY RELATED MATTERS, AND TO PROVIDE LEGAL REPRESENTATION IN SHARON SHAEFER V. DAVID PERALTA, INDIVIDUALLY AND OFFICIALLY ST. BERNARD PARISH, ST. BERNARD PARISH SHERRIFF'S OFFICE, ST. BERNARD PARISH COUNCIL, SHARON WILLIAMS OFFICIALLY, BILLY MCGOEY OFFICIALLY, MELISSIA O'NEIL OFFICIALLY, DONALD BOURGEOIS OFFICIALLY, KIM OWENS OFFICIALLY, GUY MCINNIS OFFICIALLY, XYZ INSURANCE COMPANIES, USDC NO. 16-17784 AND ANY RELATED MATTERS.

On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to amend this item to change the case number from 14-270-C to 14-1270-C.

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

YEAS: McCloskey, Luna, Alcon, Callais

NAYS: None

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ABSENT: None

ABSTAINED: Gorbaty, Montelongo

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

And the motion was declared **adopted** on the 2nd day of May, 2017.

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

ORDINANCE SBPC #1875-05-17

Summary No. 3481

Introduced by: Administration on 4/18/17

Public hearing held 5/2/17

AN ORDINANCE TO AUTHORIZE THE RETENTION OF SHER GARNER CAHILL RICHTER, KLEIN & HILBERT, LLC TO PROVIDE LEGAL REPRESENTATION IN SHARON SHAEFFER V. DAVID PERALTA, NO.14-1270-C AND ANY RELATED MATTERS, AND TO PROVIDE LEGAL REPRESENTATION IN SHARON SHAEFER V. DAVID PERALTA, INDIVIDUALLY AND OFFICIALLY ST. BERNARD PARISH, ST. BERNARD PARISH SHERRIFF'S OFFICE, ST. BERNARD PARISH COUNCIL, SHARON WILLIAMS OFFICIALLY, BILLY MCGOEY OFFICIALLY, MELISSIA O'NEIL OFFICIALLY, DONALD BOURGEOIS OFFICIALLY, KIM OWENS OFFICIALLY, GUY MCINNIS OFFICIALLY, XYZ INSURANCE COMPANIES, USDC NO. 16-17784 AND ANY RELATED MATTERS.

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

YEAS: McCloskey, Luna, Alcon, Callais

NAYS: None

ABSENT: None

ABSTAINED: Gorbaty, Montelongo

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

And the motion was declared **adopted** on the 2nd day of May, 2017.

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

Summary No. 3482

Introduced by: Administration on 4/18/17

Public hearing held 5/2/17

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AN ORDINANCE TO AUTHORIZE THE RETENTION OF SHER GARNER CAHILL RICHTER, KLEIN & HILBERT, LLC TO PROVIDE LEGAL REPRESENTATION IN PARATECH, L.L.C. V. ST. BERNARD PARISH GOVERNMENT- 34 JDC No. 14-940, DIV. AD HOC AND ANY RELATED MATTERS.

Discussion ensued;

On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to amend this item to change the case number from 14-940 to 14-1331 and replace the attachment in its entirety.

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

YEAS: McCloskey, Luna, Alcon, Callais

NAYS: None

ABSENT: None

ABSTAINED: Gorbaty, Montelongo

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

And the motion was declared **adopted** on the 2nd day of May, 2017.

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

ORDINANCE SBPC #1876-05-17

Summary No. 3482

Introduced by: Administration on 4/18/17

Public hearing held 5/2/17

AN ORDINANCE TO AUTHORIZE THE RETENTION OF SHER GARNER CAHILL RICHTER, KLEIN & HILBERT, LLC TO PROVIDE LEGAL REPRESENTATION IN PARATECH, L.L.C. V. ST. BERNARD PARISH GOVERNMENT- 34 JDC No. 14-1331, DIV. AD HOC AND ANY RELATED MATTERS.

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

YEAS: McCloskey, Luna, Alcon, Callais

NAYS: None

ABSENT: None

ABSTAINED: Gorbaty, Montelongo

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

And the motion was declared **adopted** on the 2nd day of May, 2017.

On motion of Mr. Gorbaty, seconded by Ms. Callais, it was moved to revisit item #20.

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

ORDINANCE SBPC #1874-05-17

Summary No. 3480

Introduced by: Administration on 4/18/17

Public hearing held 5/2/17

AN ORDINANCE TO RETAIN SHER GARNER CAHILL RICHTER, KLEIN & HILBERT, LLC TO PROVIDE LEGAL REPRESENTATION IN PARATECH, L.L.C. V. ST. BERNARD PARISH GOVERNMENT- 14-1331, DIV. D AND ANY RELATED MATTERS, AND IN RICHARD PERNICIARO AND ROBERT CLEVELAND, INDIVIDUALLY AND ON BEHALF OF PARATECH, L.L.C. V. GUY MCINNIS, RAY LAUGA, JR., CASEY W. HUNNICUTT, RICHARD LEWIS, ST. BERNARD PARISH GOVERNMENT, THE TIMES PICAYUNE, L.L.C., BENJAMIN ALEXANDER-BLOCH AND RSUI INDEMNITY COMPANY - 16-0969, DIV. C AND ANY RELATED MATTERS.

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

YEAS: McCloskey, Luna, Alcon, Callais

NAYS: None

ABSENT: None

ABSTAINED: Gorbaty, Montelongo

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

And the motion was declared **adopted** on the 2nd day of May, 2017.

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

Summary No. 3483

Introduced by: Administration on 5/2/17

AN ORDINANCE TO AUTHORIZE THE RETENTION OF GREGORY J. NOTO TO PROVIDE LEGAL REPRESENTATION TO FORMER PARISH PRESIDENT, DAVID PERALTA IN SHARON SCHAEFER V. DAVID PERALTA, NO.14-270-C AND ANY RELATED MATTERS, AND TO PROVIDE LEGAL REPRESENTATION TO FORMER PARISH PRESIDENT, DAVID PERALTA IN SHARON SCHAEFER V. DAVID PERALTA, INDIVIDUALLY AND OFFICIALLY ST. BERNARD PARISH, ST. BERNARD PARISH SHERIFF'S OFFICE, ST. BERNARD PARISH COUNCIL, SHARON WILLIAMS OFFICIALLY, BILLY MCGOEY OFFICIALLY, MELISSIA O'NEIL OFFICIALLY, DONALD BOURGEOIS OFFICIALLY, KIM OWENS OFFICIALLY, GUY MCINNIS OFFICIALLY, XYZ INSURANCE COMPANIES, USDC NO. 16-17784 AND ANY RELATED MATTERS.

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

YEAS: McCloskey, Luna, Alcon, Callais

NAYS: None

ABSENT: None

ABSTAINED: Gorbaty, Montelongo

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

And the motion was declared **adopted** on the 2nd day of May, 2017.

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

Summary No. 3484

Planning Commission recommended **APPROVAL** on 4/25/17

Introduced by: Administration on 5/2/17

AN ORDINANCE TO APPROVE **DOCKET Z-2017-006**, PETITION OF CHRISTOPHER HAYES FOR CONDITIONAL USE PERMIT TO OPERATE A FOOD TRUCK IN A C-2 ZONE FOR THE PROPERTY LOCATED AT 8304 W. JUDGE PEREZ DR., CHALMETTE, LA 70043.

Discussion ensued; Mr. Chris Hayes was recognized to speak on this item.

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 **NAY**.

And the motion was declared **adopted** on the 2nd day of May, 2017.

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

Summary No. 3485

Introduced by: Administration on 5/2/17

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, 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 2nd day of May, 2017.

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

Summary No. 3486

Introduced by: Administration on 5/2/17

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 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 2nd day of May, 2017.

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

Summary No. 3487

Introduced by: Council on 5/2/17

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2017 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.

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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ABSTAIN: None

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

And the motion was declared **adopted** on the 2nd day of May, 2017.

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

Summary No. 3488

Introduced by: Councilman Lewis on 5/2/17

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 22-2; INTERPRETATION, SUBSECTION 22-2-4; DEFINITIONS 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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of May, 2017.

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

Summary No. 3489

Introduced by: Councilman Lewis on 5/2/17

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 22-6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 4; PERMITTED USES IN BUSINESS AND INDUSTRIAL 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: 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 2nd day of May, 2017.

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

Summary No. 3490

Introduced by: Councilman Lewis on 5/2/17

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 9; SPECIAL REGULATIONS, SUBSECTION 6.9; SCHEDULE USE CHART REQUIRED OVERLAYS 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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of May, 2017.

#31 On motion of Mr. Montelongo, seconded by Ms. Callais, it was moved to **approve** the follow Coastal Zone Use Permit:

a. Spat-Tech - P20170349

Hesco baskets will be placed directly on the water bottom. High density spat on shell will be grown in the Hesco baskets for a maximum of 90 days.

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 2nd day of May, 2017.

#32 On motion the Chair, without objection and by unanimous consent, it was moved to announce that St. Bernard Parish currently has 237 adjudicated properties available for deposit at CivicSource.com. The next online auction will be held on Wednesday, May 3, from 8:00 a.m. until 8:00 p.m. To initiate the auction process on one or more properties, the investor must place a deposit of \$850 on each property, which starts the prerequisite legal research and notification process that is required before the auction takes place. The pre-sale process takes approximately 120 days to complete. If the current property owner pays all delinquent taxes and fees during the pre-sale period, the depositor is refunded the deposit and the sale is halted. Properties start at \$0 plus closing costs and include title insurance. Visit CivicSource.com to learn more.

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The following Public Hearing Notice was read into the official record:

Notice is hereby given that the Parish Council of the Parish of St. Bernard, State of Louisiana, plans to consider an ordinance adopting ad valorem tax millages for 2017 at a meeting of the Parish Council on June 6, 2017 at 7:00 p.m. at the Council Chambers of the St. Bernard Parish Government Complex, 8201 West Judge Perez Drive, Chalmette, Louisiana.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 8:19 p.m. on the 2nd day of May, 2017.

Next Regular scheduled Council Meeting will be held Tuesday, May 16, 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