

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING HELD ON TUESDAY, JUNE 4, 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, June 4, 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 7:02 p.m. Members present: Councilmembers: Council Vice-Chair, Kerri Callais, Gillis McCloskey, Howard Luna, Wanda Alcon, and Manuel "Monty" Montelongo.

Member Absent: Nathan Gorbaty and Richard "Richie" Lewis

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 Montelongo led the Pledge of Allegiance.

#1 On motion of Mr. McCloskey, seconded by Mrs. Alcon, it was moved approve the minutes of the May 7, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, May 24, 2019 and the May 21, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, May 31, 2019.

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

#2 Councilmember 's District Update

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

Council Vice-Chair took a Chairman's Privilege to recognize Wendell Curell- General Manager of South Lafourche Levee District and Board Member of the CPRA.

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

#3 President 's Report

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

#4 Recognize the Public

- Ken Dufour - Violet, La

#5 Summary No. 3718

Introduced by: Administration on 5/21/19

AN ORDINANCE TO AUTHORIZE THE RETENTION OF WAITZ & DOWNER TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT AGAINST C & C MARINE AND REPAIR, L.L.C., MARQUETTE TRANSPORTATION COMPANY, L.L.C., THEIR INSURERS AND ANY OTHER RESPONSIBLE PARTIES IN CONNECTION WITH CLAIMS FOR DAMAGES ARISING FROM AN INCIDENT ON MAY 14, 2018 WHICH CAUSED DAMAGE TO THE CEMENT DOLPHIN STRUCTURE IN ST. BERNARD PARISH IN THE LOWER MISSISSIPPI RIVER AND ANY MATTERS RELATED THERETO.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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#6 Summary No. 3720

Introduced by: Administration on 5/21/19

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. 3721

Introduced by: Administration on 5/21/19

AN ORDINANCE TO AMEND **ORDINANCE SBPC 1564-10-14**, AN ORDINANCE OUTLINING GROUP HEALTH, LIFE AND DENTAL INSURANCE BENEFITS FOR ELIGIBLE EMPLOYEES AND RETIREES OF THE ST. BERNARD PARISH GOVERNMENT.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#8 Summary No. 3722

Introduced by: Council on 5/21/19

AN ORDINANCE TO AMEND CHAPTER 22, ZONING; SECTION 22-5, RESIDENTIAL ZONING DISTRICTS, SECTION 22-6, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS AND SECTION 22-7, SITE DEVELOPMENT STANDARDS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#9 Summary No. 3723

Introduced by: Council on 5/21/19

AN ORDINANCE TO AMEND APPENDIX F, REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1948-06-19

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. Violet Discount Meat Market, LTD dba Violet Discount Meat Market 5636 E. Judge Perez Dr., Violet, La 70092 Owners: Abdul Alrobiai & Feteh Alradi **(Renewal) (Beer & Liquor)**
2. Winn Dixie Montgomery, LLC dba Winn Dixie #1432 3300 Paris Road, Chalmette, La 70043 President: Robert Randall Onstead **(Renewal) (Beer & Liquor)**

Special Event

1. Name of Organization: Knights of Nemesis Social Club & Parade
Address of Organization: P.O. Box 291, Arabi, La 70032
Event: Hook a Kid on Fishing Rodeo

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Location: Campo's Marina
Date: June 15, 2019
Time: 8AM-5PM
Contact: Danny Fernandez

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

RESOLUTION SBPC #1949-06-19

A RESOLUTION APPOINTING THE ST. BERNARD VOICE AS THE OFFICIAL JOURNAL OF THE PARISH OF ST. BERNARD FOR ONE YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020 PURSUANT TO R.S. 43:150 AND R.S. 43:174.

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

RESOLUTION SBPC #1950-06-19

A RESOLUTION REQUESTING LAKE BORGNE BASIN LEVEE DISTRICT TO CLEAN UP AND MAINTAIN THE CANALS IN ST. BERNARD PARISH.

Discussion ensued;

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

RESOLUTION SBPC #1951-06-19

A RESOLUTION REQUESTING LAKE BORGNE BASIN LEVEE DISTRICT TO BRING ALL PUMPS TO OPERATIONAL STATUS IN ST. BERNARD PARISH.

Discussion ensued;

On the motion of Mr. Montelongo, seconded by Mrs. Alcon, it was moved to amend this item to read:

A RESOLUTION REQUESTING LAKE BORGNE BASIN LEVEE DISTRICT TO BRING ALL PUMPS TO OPERATIONAL STATUS IN ST. BERNARD PARISH AND OPERATE AND MAINTAIN PUMPS DURING AND AFTER RAIN EVENTS.

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

RESOLUTION SBPC #1951-06-19

A RESOLUTION REQUESTING LAKE BORGNE BASIN LEVEE DISTRICT TO BRING ALL PUMPS TO OPERATIONAL STATUS IN ST. BERNARD PARISH AND OPERATE AND MAINTAIN PUMPS DURING AND AFTER RAIN EVENTS.

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

RESOLUTION SBPC #1952-06-19

A RESOLUTION DECLARING THAT THE ST. BERNARD PARISH COUNCIL HAS READ AND UNDERSTANDS THAT THE MUNSTER WASTEWATER TREATMENT PLANT LOCATED AT 3300 MUNSTER BLVD. IS MEETING THE TREATMENT EFFLUENT REQUIREMENTS THAT ARE THAT ARE SET FORTH BY THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY.

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

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YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

RESOLUTION SBPC #1953-06-19

A RESOLUTION DECLARING THAT THE ST. BERNARD PARISH COUNCIL HAS READ AND UNDERSTANDS THAT THE RIVERBEND OXIDATION POND LOCATED ON JUDGE PEREZ AT SOUTHLAKE BLVD. IS MEETING THE TREATMENT EFFLUENT REQUIREMENTS THAT ARE THAT ARE SET FORTH BY THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY.

Discussion ensued;

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

YEAS: Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

ABSTAIN: McCloskey

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

ORDINANCE SBPC #2170-06-19

Summary No. 3718

Introduced by: Administration on 5/21/19

Public Hearing held on 6/4/19

AN ORDINANCE TO AUTHORIZE THE RETENTION OF WAITZ & DOWNER TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT AGAINST C & C MARINE AND REPAIR, L.L.C., MARQUETTE TRANSPORTATION COMPANY, L.L.C., THEIR INSURERS AND ANY OTHER RESPONSIBLE PARTIES IN CONNECTION WITH CLAIMS FOR DAMAGES ARISING FROM AN INCIDENT ON MAY 14, 2018 WHICH CAUSED DAMAGE TO THE CEMENT DOLPHIN STRUCTURE IN ST. BERNARD PARISH IN THE LOWER MISSISSIPPI RIVER AND ANY MATTERS RELATED THERETO.

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

ORDINANCE SBPC #2171-06-19

Summary No. 3720

Introduced by: Administration on 5/21/19

Public Hearing held on 6/4/19

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;

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

ORDINANCE SBPC #2172-06-19

Summary No. 3721

Introduced by: Administration on 5/21/19

Public Hearing held on 6/4/19

AN ORDINANCE TO AMEND **ORDINANCE SBPC 1564-10-14**, AN ORDINANCE OUTLINING GROUP HEALTH, LIFE AND DENTAL INSURANCE BENEFITS FOR ELIGIBLE EMPLOYEES AND RETIREES OF THE ST. BERNARD PARISH GOVERNMENT.

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

ORDINANCE SBPC #2173-06-19

Summary No. 3722

Introduced by: Council on 5/21/19

Public Hearing held on 6/4/19

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AN ORDINANCE TO AMEND CHAPTER 22, ZONING; SECTION 22-5, RESIDENTIAL ZONING DISTRICTS, SECTION 22-6, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS AND SECTION 22-7, SITE DEVELOPMENT STANDARDS 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, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

ORDINANCE SBPC #2174-06-19

Summary No. 3723

Introduced by: Council on 5/21/19

Public Hearing held on 6/4/19

AN ORDINANCE TO AMEND APPENDIX F, REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT 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, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

Summary No. 3719

Introduced by: Administration on 5/21/19

Tabled on 5/21/19 until 6/4/19

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO PURCHASE PURNELL LANE RIGHT OF WAY PARCEL 1-1 AND PARCEL 2-1 AND TO AUTHORIZE THE DISTRICT ATTORNEY'S OFFICE TO FILE AN EXPROPRIATION SUIT IF NECESSARY TO ACQUIRE SAID PROPERTIES

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

Summary No. 3724

Planning Commission recommended **APPROVAL** on 5/28/19

Introduced by: Administration on 6/4/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-008**, PETITION OF STEVE PRICE FOR A ZONING CHANGE FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-2 (TWO-FAMILY RESIDENTIAL) TO BUILD A DOUBLE. PROPERTY LOCATION: 1212 MEHLE ST. ARABI, LA 70032.

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

Summary No. 3725

Planning Commission recommended **APPROVAL w/ conditions** on 5/28/19

Introduced by: Administration on 6/4/19

AN ORDINANCE TO APPROVE **DOCKET Z-2019-009**, PETITION OF NIKOLA ZARAK FOR A CONDITIONAL USE PERMIT TO OPERATE AN RV PARK IN AN A-1, (RURAL) DISTRICT. PROPERTY LOCATION: 4025 HOPEDALE HWY. ST. BERNARD, LA 70085.

Discussion ensued;

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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

Summary No. 3726

Planning Commission recommended **APPROVAL** on 5/28/19

Introduced by: Administration on 6/4/19

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

Discussion ensued;

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

#25 On motion of Mr. McCloskey, seconded by Mrs. Alcon, it was moved to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for April 2019.

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

#26 Coastal Zone Advisory Committee

Discussion ensued;
No action taken.

#35 On motion of Mrs. Alcon, seconded by Mr. Luna, it was moved to enter into Executive Session to discuss Potential Litigation between Jarrod Gourgues and St. Bernard Parish Government.

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

YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

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:

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YEAS: McCloskey, Luna, Alcon, Montelongo

NAYS: None

ABSENT: Gorbaty, Lewis

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

And the motion was declared **adopted** on the 4th day of June, 2019.

#27 No action taken on this item

There being no further business for discussion, the Council Chair declared the meeting adjourned at 8:37 p.m. on the 4th day of June, 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

Kerri

Callias

ROXANNE ADAMS
CLERK OF COUNCIL

KERRI CALLAIS
VICE COUNCIL

CHAIR