

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING HELD ON TUESDAY, AUGUST 20, 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, August 20, 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, Manuel "Monty" Montelongo, 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 Alcon led the Pledge of Allegiance.

#1 On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved approve the minutes of the August 6, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, August 16, 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 20th day of August, 2019.

Council Chair took a Chairman's Privilege to recognize Walter Leger.

On motion of the Chair, without objection and by unanimous consent, it was moved to address Item #15.

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

RESOLUTION SBPC #1969-08-19

A RESOLUTION CREATING THE 2020 ST. BERNARD PARISH COMPLETE CENSUS COUNT COMMITTEE.

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 20th day of August, 2019.

#2 On motion of the Chair, without objection and by unanimous consent, it was moved to recognize Kevin Williams for a check presentation to Borgnemouth Park with money raised at St. Bernard Salutes America.

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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 20th day of August, 2019.

#3 On motion of the Council, without objection and by unanimous consent, it was moved to proclaim September 2019 as "National Preparedness Month".

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 20th day of August, 2019.

#4 On motion of the Council, without objection and by unanimous consent, it was moved to proclaim August 30th, August 31st, and September 1st as St. Bernard Parish Professional Fire Fighters Local 1468 "Fill the Boot 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 6th day of August, 2019.

#5 Councilmember's District Update

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

#6 President's Report

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

#7 Recognize the Public

- Ken Dufour - Violet, LA

#8 Summary No. 3732

Introduced by: Administration on 8/6/19

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1821-10-16**, AMENDING THE APPROVED ST. BERNARD PARISH GOVERNMENT REDEVELOPMENT AND DISPOSITION PLAN FOR LOUISIANA LAND TRUST PROPERTIES AND FORWARD THE PLAN TO THE STATE OF LOUISIANA.

A COPY OF THIS PUBLIC HEARING IS ON FILE AT THE CLERK OF COUNCIL'S OFFICE

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#9 Summary No. 3733

Introduced by: Councilmember Montelongo on 8/6/19

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACCEPT A DONATION OF IMMOVABLE PROPERTY LOCATED IN THE DOULLUT SUBDIVISION FROM SUSAN MAESTRI ROBIN AND DAN A. ROBIN.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#10 Summary No. 3734

Introduced by: Administration on 8/6/19

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO DONATE 100 WEST VIRTUE STREET TO NUNEZ COMMUNITY COLLEGE AND TO EXECUTE ANY NECESSARY DOCUMENTS FOR THE DONATION.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#11 Summary No. 3735

Planning Commission recommended **APPROVAL** on 7/23/19

Introduced by: Administration on 8/6/19

AN ORDINANCE TO APPROVE **PUD-2019-001**, PETITION OF ROBERT BERTHELOT FOR SECTION 22-9-3 A PLANNED UNIT DEVELOPMENT TO INCLUDE BUT NOT LIMITED TO NEW LOTS FOR FUTURE RESIDENTIAL DEVELOPMENT AND AMENITIES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#12 Summary No. 3737

Introduced by: Administration on 8/6/19

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

#13 Summary No. 3738

Introduced by: Administration on 8/6/19

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

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

RESOLUTION SBPC #1968-08-19

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. B & G Fresh Market, LLC dba B & G Fresh Market 501 W. Judge Perez Dr., Chalmette, La 70043 Owner: Brian Gab & Robert Binney **(Renewal) (Beer & Liquor)**
2. HPV, LLC dba Huey P's Pizzeria 7801-A East St. Bernard Highway, Violet, La 70092 Owner: Michelle Estopinal & Betty Archote **(Renewal) (Beer & Liquor)**

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Special Event

1. Name of Organization: Knights of Columbus #8442
Address of Organization: 2621 Colonial Blvd., Violet, La 70092
Event: Shrimp Cook Off
Location: 2621 Colonial Blvd., Violet, La 70092
Date: September 14, 2019
Time: 7AM - 6PM
Contact: Clifford Bertucci

**** this Special Event Permit was approved at the 8/6/19 Council Meeting as September 7th, but needs a date change.****

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Montelongo

NAYS: None

ABSENT: None

ABSTAIN: Callais

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

And the motion was declared **adopted** on the 20th day of August, 2019.

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

ORDINANCE SBPC #2182-08-19

Summary No. 3732

Introduced by: Administration on 8/6/19

Public Hearing on 8/20/19

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1821-10-16**, AMENDING THE APPROVED ST. BERNARD PARISH GOVERNMENT REDEVELOPMENT AND DISPOSITION PLAN FOR LOUISIANA LAND TRUST PROPERTIES AND FORWARD THE PLAN TO THE STATE OF LOUISIANA.

Discussion ensued;

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

YEAS: McCloskey, Gorbaty, Alcon, Montelongo, Callais

NAYS: Luna

ABSENT: None

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

And the motion was declared **adopted** on the 20th day of August, 2019.

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

ORDINANCE SBPC #2183-08-19

Summary No. 3733

Introduced by: Councilmember Montelongo on 8/6/19

Public Hearing held on 8/20/19

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AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACCEPT A DONATION OF IMMOVABLE PROPERTY LOCATED IN THE DOULLUT SUBDIVISION FROM SUSAN MAESTRI ROBIN AND DAN A. ROBIN.

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 20th day of August, 2019.

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

ORDINANCE SBPC #2184-08-19

Summary No. 3734

Introduced by: Administration on 8/6/19

Public Hearing held on 8/20/19

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO DONATE 100 WEST VIRTUE STREET TO NUNEZ COMMUNITY COLLEGE AND TO EXECUTE ANY NECESSARY DOCUMENTS FOR THE DONATION.

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 20th day of August, 2019.

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

ORDINANCE SBPC #2185-08-19

Summary No. 3735

Planning Commission recommended **APPROVAL** on 7/23/19

Introduced by: Administration on 8/6/19

Public Hearing held on 8/20/19

AN ORDINANCE TO APPROVE **PUD-2019-001**, PETITION OF ROBERT BERTHELOT FOR SECTION 22-9-3 A PLANNED UNIT DEVELOPMENT TO INCLUDE BUT NOT LIMITED TO NEW LOTS FOR FUTURE RESIDENTIAL DEVELOPMENT AND AMENITIES.

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 20th day of August, 2019.

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

ORDINANCE SBPC #2186-08-19

Summary No. 3737

Introduced by: Administration on 8/6/19
Public Hearing held on 8/20/19

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 20th day of August, 2019.

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

ORDINANCE SBPC #2187-08-19

Summary No. 3738

Introduced by: Administration on 8/6/19
Public Hearing held on 8/20/19

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 20th day of August, 2019.

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

Summary No. 3739

Introduced by: Councilmember McCloskey on 8/20/19

AN ORDINANCE RENAMING HEIGHTS PARK TO "THE SONNY KNOBLOCH PARK".

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

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ABSENT: None

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

And the motion was declared **adopted** on the 20th day of August, 2019.

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

Summary No. 3740

Introduced by: Councilmember Luna on 8/20/19

AN ORDINANCE TO **AMEND** CHAPTER 20, TRAFFIC; ARTICLE IV, PARKING, STOPPING, STANDING; SECTION 20-144.1, PARKING OF CERTAIN VEHICLES IN RESIDENTIAL AREAS 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, 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 20th day of August, 2019.

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

Summary No. 3741

Introduced by: Administration on 8/20/19

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, 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 20th day of August, 2019.

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

Summary No. 3742

Introduced by: Administration on 8/20/19

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:

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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 20th day of August, 2019.

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

Summary No. 3743

Introduced by: Administration on 8/20/19

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, 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 20th day of August, 2019.

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

Summary No. 3744

Introduced by: Administration on 8/20/19

AN ORDINANCE TO **AMEND** CHAPTER 5, BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES; ARTICLE I, IN GENERAL; SECTION 5-4, PRESERVATION OF HISTORIC BUILDINGS, STRUCTURES, SITES, AND TREES - PERMIT APPLICATION; WAITING PERIOD; AND SECTION 5-5, SAME - DETERMINATION OF HISTORIC SIGNIFICANCE 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 20th day of August, 2019.

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

Summary No. 3745

Introduced by: Administration on 8/20/19

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AN ORDINANCE TO **AMEND** CHAPTER 19, STREETS AND OTHER PUBLIC WAYS; ARTICLE II, PLANTING, MAINTENANCE, AND REMOVAL OF TREES ON PUBLIC LAND; SECTION 19-33, DUTIES 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, Montelongo, Callais

NAYS: Luna

ABSENT: None

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

And the motion was declared **adopted** on the 20th day of August, 2019.

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

Summary No. 3746

Introduced by: Administration on 8/20/19

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 22-7, SITE DEVELOPMENT STANDARDS; SUBSECTION 22-7-2, PLANTING, MAINTENANCE, AND REMOVAL OF TREES ON PUBLIC LAND; SUB-SUBSECTION 22-7-2.6, TREE PERMIT REQUIREMENTS; SUB-SUBSECTION 22-7-2.7, HISTORIC TREES AND PRESERVATION; AND SUB-SUBSECTION 22-7-2.11, ADMINISTRATION GUIDELINES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Public Hearing for Summary No. 3746 will be held on October 1, 2019.

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

YEAS: McCloskey, Gorbaty, Alcon, Montelongo, Callais

NAYS: Luna

ABSENT: None

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

And the motion was declared **adopted** on the 20th day of August, 2019.

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

Summary No. 3747

Introduced by: Administration on 8/20/19

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 22-7, SITE DEVELOPMENT STANDARDS; SUBSECTION 22-7-4, SIGN REGULATIONS; SUB-SUBSECTION 22-7-4.5, DIMENSIONS, CONDITIONS, AND RESTRICTIONS FOR SIGN TYPES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Public Hearing for Summary No. 3747 will be held on October 1, 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

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ABSENT: None

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

And the motion was declared **adopted** on the 20th day of August, 2019.

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

Summary No. 3748

Introduced by: Administration on 8/20/19

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

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 20th day of August, 2019.

#32 Coastal Zone Advisory Committee

Discussion ensued;
No action taken.

#33 On motion of Mrs. Alcon, seconded by Ms. Callais, it was moved to enter into Executive Session to discuss Reginald Wallace v. St. Bernard Parish, OWCA Log # MGD:19-2564.

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 20th day of August, 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:

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 20th day of August, 2019.

#33 On motion of Ms. Callais, seconded by Mrs. Alcon, it was moved to accept the advice of legal counsel in the matter of Reginald Wallace v. St. Bernard Parish, OWCA Log # MGD: 19-2564.

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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 20th day of August, 2019.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:45 p.m. on the 20th day of August, 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

Richard "Richie"

Lewis

ROXANNE ADAMS

RICHARD "RICHIE"

LEWIS

CLERK OF COUNCIL

COUNCIL

CHAIR