

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON WEDNESDAY, **JANUARY 17, 2017 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 in the Council Chambers of the St. Bernard Parish Government Complex, Chalmette, Louisiana on January 17, 2017 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 3:02 p.m. Members present: Chairman Richard "Richie" Lewis, Councilmembers Gillis McCloskey, Howard Luna, Wanda Alcon, Manuel "Monty" Montelongo and Kerri Callais.

Members absent: Nathan Gorbaty

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

Ms. Donna Hooper delivered the invocation and Councilman Alcon led the Pledge of Allegiance.

Mr. Lewis recognized Mr. Charlie Ponstein, former Parish President.

Mr. Gorbaty is recorded as present at this time.

**#1** On motion of Mrs. Alcon, seconded by Ms. Callais, it was moved to approve the minutes from the January 3, 2017 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, January 13, 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 17<sup>th</sup> day of January, 2017.

**#2** On a joint motion of the Council, without objection and by unanimous consent, it was moved to recognize Vickie Theriot with Capital Area Finance Authority (CAFA) and Larry Englande of George K. Baum to discuss the Cooperative Endeavor Agreement (CEA) between CAFA and St. Bernard Parish Home Mortgage Authority.

Mr. Lewis took Chairman's Privilege to recognize Mrs. Toni Green-Brown with Entergy.

**#3 President's Report**

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

**#4 Councilmember's District Update**

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

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**#5 Recognize the Public**

- Ken Dufour – Violet, LA
- Tim Levy – Chalmette, LA
- Jay Saacks – Chalmette, LA

**#6 Summary No. 3447**

Introduced by: Administration on 12/20/16

AN ORDINANCE TO REPEAL AND REPLACE IN ITS ENTIRETY CHAPTER 17; PERSONNEL OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**#7 Summary No. 3448**

Introduced by: Council on 1/3/17

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT EXCEEDING THIRTEEN MILLION DOLLARS (\$13,000,000) OF TAXABLE UTILITIES REVENUE BONDS, SERIES 2017, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF A GENERAL BOND ORDINANCE ADOPTED ON APRIL 25, 2015; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

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

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

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

**ORDINANCE SBPC #1846-01-17**

**Summary No. 3448**

Introduced By: Council on 1/3/17

Public hearing held on 1/17/17

A SUPPLEMENTAL BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT EXCEEDING THIRTEEN MILLION DOLLARS (\$13,000,000) OF TAXABLE UTILITIES REVENUE BONDS, SERIES 2017, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, IN ACCORDANCE WITH THE TERMS OF A GENERAL BOND ORDINANCE ADOPTED ON APRIL 21, 2015; PRESCRIBING THE FORM, AND CERTAIN TERMS AND CONDITIONS OF SAID BONDS; 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, 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 17<sup>th</sup> day of January, 2017.

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

## **RESOLUTION SBPC #1680-01-17**

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. King Discount Tobacco & Liquor, LLC dba King Discount Tobacco & Liquor 8700 W. Judge Perez Dr., Ste. W. Chalmette, LA 70043 Owner: Suleiman Darweesh **(Renewal) (Beer & Liquor)**
2. Moran Foods, LLC dba Sav-A-Lot #355 8700 W. Judge Perez Dr. Chalmette, LA 70043 Members: Eric J. Claus, Michael D. Collins, John Breedlove, Nancy Chagares, Julie Freed **(Renewal) (Beer & Liquor)**
3. J. Fernandez, LLC dba Julie's Tavern 8431 W. St. Bernard Hwy. Chalmette, LA 70043 Owner: Julie T. Fernandez **(Renewal) (Beer & Liquor)**
4. LAI Nguyen, Inc. dba Village Food Store 8953 W. Judge Perez Drive Chalmette, LA 70043 Owner: Hoang Anh Thi Lai **(Renewal) (Beer & Liquor)**
5. Last Stop Food Mart, LLC dba Last Stop Food Mart 4513 E. LA Hwy. 46 St. Bernard, LA 70085 Owner: Margaret Kramer **(Renewal) (Beer & Liquor)**
6. Lion Bar, LLC dba Juan's Bar 7419 W. St. Bernard Hwy. Arabi, LA 70032 Members: Henry Lion III & Tammy Lion **(Renewal) (Beer & Liquor)**
7. The Kitchen Table Café, LLC dba The Kitchen Table Café 7005 St. Claude Ave. Arabi, LA 70032 Owner: Kevin Hackett & Donna Caulto **(Renewal) (Beer & Liquor)**
8. Dingo's, LLC dba Da Bayou Swamp Bar 2029 Paris Rd. Chalmette, LA 70043 Owners: Kenneth Zulli & Christine Zulli **(Renewal) (Beer & Liquor)**
9. M&V Entertainment, LLC Crossroads Bar 103 W. St. Bernard Hwy. Chalmette, LA 70043 Member: Michael Carlton, Sr. & Vincent Ferrara **(Renewal) (Beer & Liquor)**

### **Special Event**

1. Name of Organization: St. Bernard Irish Italian Islenos Comm. Parade & Marching Club  
Address: 1706 Mehle St., Arabi, LA 70032  
Event: St. Bernard Irish Italian Parade  
Location: Starts @ Civic Center  
Date & Time: April 1, 2017 @ 12:00 PM  
Contact Person: Chad O'Neil

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 **ABSTAIN**.

And the motion was declared **adopted** on the 17<sup>th</sup> day of January, 2017.

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

**RESOLUTION SBPC #1681-01-17**

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FY2016 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM IN THE AMOUNT OF \$536,432 FOR THE PURCHASE OF PERSONAL PROTECTIVE EQUIPMENT.

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 17<sup>th</sup> day of January, 2017.

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

**RESOLUTION SBPC #1682-01-17**

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FY2016 PROGRAM TO PREPARE COMMUNITIES FOR COMPLEX COORDINATED TERRORIST ATTACKS.

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 17<sup>th</sup> day of January, 2017.

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

**RESOLUTION SBPC #1683-01-17**

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A RESOLUTION AUTHORIZING AN APPLICATION TO THE LOUISIANA OFFICE OF COMMUNITY DEVELOPMENT TO SPEND COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME FUNDS FOR THE REDEVELOPMENT OF PUBLIC USE LOTS TO CREATE ST. CLAUDE HEIGHTS PARK IN THE AMOUNT OF \$100,000.00.

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 17<sup>th</sup> day of January, 2017.

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

## **Summary No. 3447**

Introduced by: Administration on 12/20/16

Public hearing held on 1/17/17

AN ORDINANCE TO REPEAL AND REPLACE IN ITS ENTIRETY CHAPTER 17; PERSONNEL OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

On motion of Ms. Callais, seconded by Mr. McCloskey, it was moved to amend Summary No. 3447 as follows:

- Page 59, (3) g Add: "OEP Manager shall be designated as Director for the purpose of RS 29.728"
- Add: "Employees who have or will attain their 20 year anniversary by the end of the 2017 calendar year will be eligible to accrue annual leave at the rate of 25 days per year"
- Add: "any employee that is hired as an unclassified employee can only receive 2 weeks of vacation unless otherwise approved by the St. Bernard Parish Council"
- Section 17-156 Add: "Lundi Gras as a Holiday"
- Amend the pay scale chart for unclassified employees to include two (2) Executive Assistants to the Parish President and two (2) Council Assistants
- Amend to include the Personnel Policy Updates as submitted by Administration

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 17<sup>th</sup> day of January, 2017.

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Discussion ensued as amended;

On motion of Mr. Lewis, seconded by Ms. Callais, it was moved to amend Summary No. 3447 as follows:

- Page 2, Definitions, Classified Service
  - Remove (2) in its entirety "All Elected officials who are employees of St. Bernard Parish Government";
  - Edit (3) change "Executives to Secretaries"
  - Edit (9) remove "including WIA, LSU Cooperative Extension Service, District Attorney's Office, Judges Secretaries, Court Reporters and Juvenile Probation";

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 17<sup>th</sup> day of January, 2017.

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

### **ORDINANCE SBPC #1847-01-17**

#### **Summary No. 3447**

Introduced by: Administration on 12/20/16

Public hearing held on 1/17/17

AN ORDINANCE TO REPEAL AND REPLACE IN ITS ENTIRETY CHAPTER 17; PERSONNEL 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 17<sup>th</sup> day of January, 2017.

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

#### **Summary No. 3449**

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Introduced by: Administration on 1/17/17

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 17<sup>th</sup> day of January, 2017.

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

**Summary No. 3450**

Introduced by: Administration on 1/17/17

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE LOT NEXT DOOR II PROGRAM – SIDE LOT PROGRAM.

On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to amend this item to add 1701 Center Street and 1617 Center Street.

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 17<sup>th</sup> day of January, 2017.

On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to **introduce** Summary No. 3450, as amended.

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 17<sup>th</sup> day of January, 2017.

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

**Summary No. 3451**

Introduced by: Administration on 1/17/17

AN ORDINANCE TO PROVIDE FOR RE-ESTABLISHMENT OF A REGIONAL PLANNING COMMISSION TO INCLUDE THE PARISHES OF ST. CHARLES AND ST. JOHN THE BAPTIST JOINTLY WITH THE PARISHES OF JEFFERSON, ORLEANS, PLAQUEMINES, ST. BERNARD, ST. TAMMANY AND TANGIPAHOA.

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 17<sup>th</sup> day of January, 2017.

**#17 Coastal Zone Advisory Committee**

No official action taken

On motion of the Chair, without objection and by unanimous consent, it was moved to discuss item's #18 and #19 in Globo.

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 17<sup>th</sup> day of January, 2017.

**#18** On motion of Ms. Callais, seconded by Mr. McCloskey, it was moved to enter into Executive Session to discuss Lonnie Campbell, Jr. v. SBPG, 34th JDC #15-0710.

**#19** On motion of Ms. Callais, seconded by Mr. McCloskey, it was moved to enter into Executive Session to discuss Alfreda Melerine Pizani, et al vs. St. Bernard Parish, 109-548.

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 17<sup>th</sup> day of January, 2017.

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 17<sup>th</sup> day of January, 2017.

**#18** On motion of Mr. Luna, seconded by Ms. Callais, it was moved to accept the advice of Legal Counsel in the matter of Lonnie Campbell, Jr. v. SBPG, 34th JDC #15-0710.

**#19** On motion of Mr. Luna, seconded by Ms. Callais, it was moved to accept the advice of Legal Counsel in the matter of Alfreda Melerine Pizani, et al vs. St. Bernard Parish, 109-548.

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 17<sup>th</sup> day of January, 2017.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:46 p.m. on the 17<sup>th</sup> day of January, 2017.

Next Regular scheduled Council Meeting will be held Tuesday, February 7, 2017 @ 7:00 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