

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **OCTOBER 18, 2016 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 October 18, 2016 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: Council Chair, Kerri Callais, Councilmembers Gillis McCloskey, Nathan Gorbaty, Howard Luna, Wanda Alcon and Manuel "Monty" Montelongo.

Members absent: Richard "Richie" Lewis.

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.

Faith Gonzales with the 4-H Officers in Jr Leadership Club delivered the invocation and Tiffany Poteet with the 4-H Officers in Jr Leadership Club led the Pledge of Allegiance.

**#1** On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to approve the minutes from the October 4, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, October 14, 2016.

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:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

**#2** On motion of the Chair, without objection and by unanimous consent it was moved to recognize Wayne Burgess for a 4-H update.

**#3** On a joint motion of the Council, without objection and by unanimous consent it was moved to proclaim October 2016 as "Domestic Violence Awareness Month"

**#4** On a joint motion of the Council, without objection and by unanimous consent it was moved to recognize Dorothy L. "Dot" Benge for her outstanding service to the people of St. Bernard Parish.

**#5** On motion of the Chair, without objection and by unanimous consent it was moved to recognize the Ronald McDonald Charity.

**#6** **President's Report**

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

**#7** **Councilmember's District Update**

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

### #8 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 items #26, #27 and #28 Executive Session in Globo.

#26 On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to enter into Executive Session to discuss Robert Huerstel v. S.B. Fire Dept. OWC No. 16-00813.

#27 On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to enter into Executive Session to discuss potential litigation re C. Moore Therapeutic Group Home, LLC and Angelicare, LLC.

#28 On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to enter into Executive Session to discuss U.S.A. vs. St. Bernard Parish, USDC #12-00321.

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:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

On motion of Mr. Gorbaty, seconded by Mr. McCloskey, 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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

#26 On motion of the Chair, without objection and by unanimous consent, it was moved to accept the advice of Legal Counsel in the matter of Robert Huerstel v. S.B. Fire Dept. OWC No. 16-00813.

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

**YEAS:** McCloskey, Gorbaty, Luna, Alcon, Montelongo

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**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

**#27** No official action taken on the potential litigation re C. Moore Therapeutic Group Home, LLC and Angelicare, LLC.

**#28** No official action taken in the matter of U.S.A. vs. St. Bernard Parish, USDC #12-00321.

**#9 Summary No. 3424**

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 19; STREETS AND OTHER PUBLIC WAYS, ARTICLE I; IN GENERAL TO ADD SECTION 19-5 – COMPLETE STREET POLICY IMPLEMENTATION IN PUBLIC RIGHT-OF-WAYS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**#10 Summary No. 3425**

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, ARTICLE I; IN GENERAL TO ADD SECTION 5-27; COMPLETE STREET POLICY IMPLEMENTATION FOR PRIVATE DEVELOPMENT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**#11 Summary No. 3426**

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND **CHAPTER 22; ZONING**, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENTS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**#12 Summary No. 3427**

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

AN ORDINANCE TO AMEND **CHAPTER 22; ZONING**, SECTION 7; SITE DEVELOPMENT STANDARDS TO CREATE SUBSECTION 10; COMPLETE STREETS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

**RESOLUTION SBPC #1645-10-16**

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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. Ben's Pizza #2, LLC dba Ben's Pizza #2 2805 E. Judge Perez Drive, Meraux, LA 70075  
Owners: Addlee & Stacey Martin **(Renewal) (Beer only)**
2. CJAM Enterprises, LLC dba J & J Chicken and Seafood 2545 Paris Road, Suite C, Chalmette, LA 70043 Members: Carlo James, III & Ken M. James **(Renewal) (Beer only)**

### Special Event Permit(s)

1. Name of Organization: **Arc of Greater NOLA/Sterling Hall**  
Address: 3700 Jean Lafitte Pkwy., Chalmette, LA 70043  
Event: **Anything Goes!**  
Date & Time: Thursday, November 10, 2016, 6:00-9:00 p.m.  
Contact Person: Kristin Hill & Nicole Blair
2. Name of Organization: **The Voices Foundation**  
Address: 2101 Paris Road, Chalmette, LA 70043  
Event: **Holidaze Comedy Show**  
Date & Time: November 11, 12, 18 & 19, 2016, 8:00 p.m.  
Contact Person: Barry Lemoine

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:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

### **RESOLUTION SBPC #1646-10-16**

A RESOLUTION AUTHORIZING ACCEPTANCE OF A FY16 UNIVERSITY OF NEW ORLEANS RESEARCH AND TECHNOLOGY FOUNDATION'S EPA LAKE PONTCHARTRAIN BASIN RESTORATION GRANT IN THE AMOUNT OF \$26,000.00 FOR THE ST. BERNARD PARISH GREEN INFRASTRUCTURE PROGRAM.

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:** Lewis

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

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And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**RESOLUTION SBPC #1647-10-16**

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE LOUISIANA COASTAL PROTECTION AND RESTORATION AUTHORITY'S CONSERVATION AND RESTORATION PARTNERSHIP FUND GRANT PROGRAM IN THE AMOUNT OF \$32,000.00 FOR THE ST. BERNARD PARISH CYPRESS REFORESTATION PROGRAM (CAERNARVON TO VERRET).

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:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**RESOLUTION SBPC #1648-10-16**

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT'S TRANSPORTATION ALTERNATIVES PROGRAM IN THE AMOUNT OF \$582,384.00 FOR THE MISSISSIPPI RIVER TRAIL, PHASE IV (VALERO MERAUX REFINERY TO PARIS ROAD)

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:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**RESOLUTION SBPC #1649-10-16**

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A RESOLUTION TO AUTHORIZE THE CHAIR AND VICE CHAIR OF THE ST. BERNARD PARISH COUNCIL TO ADVERTISE FOR REQUESTS FOR PROPOSALS (RFP'S) FOR THE 2016 COMPREHENSIVE FINANCIAL AUDIT OF ST. BERNARD PARISH GOVERNMENT.

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:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**ORDINANCE SBPC #1825-10-16**

**Summary No. 3424**

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 19; STREETS AND OTHER PUBLIC WAYS, ARTICLE I; IN GENERAL TO ADD SECTION 19-5 – COMPLETE STREET POLICY IMPLEMENTATION IN PUBLIC RIGHT-OF-WAYS TO 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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**ORDINANCE SBPC #1826-10-16**

**Summary No. 3425**

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, ARTICLE I; IN GENERAL TO ADD SECTION 5-27; COMPLETE STREET POLICY IMPLEMENTATION FOR PRIVATE DEVELOPMENT TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**Summary No. 3426**

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENTS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to amend this item to read "three (3) inches in caliper, as measured at diameter breast height (DBH)"

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:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**ORDINANCE SBPC #1827-10-16**

**Summary No. 3426**

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENTS TO THE ST. BERNARD PARISH CODE OF ORDINANCES.

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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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**ORDINANCE SBPC #1828-10-16**

**Summary No. 3427**

Planning Commission recommended **APPROVAL** on 9/27/16

Introduced by: Administration on 10/4/16

Public hearing held on 10/18/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS TO CREATE SUBSECTION 10; COMPLETE STREETS TO 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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**Summary No. 3429**

Introduced by: Administration on 10/18/16

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



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**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**Summary No. 3430**

Introduced by: Administration on 10/18/16

AN ORDINANCE TO CREATE AND INSERT APPENDIX F; REASONABLE ACCOMMODATION UNDER THE FAIR HOUSING ACT TO 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

**NAYS:** None

**ABSENT:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**Summary No. 3431**

Introduced by: Administration on 10/18/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1824-10-16**, AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

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:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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On motion of Mrs. Alcon, seconded by Mr. Gorbaty, it was moved to amend the agenda to **introduce Summary No. 3432.**

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:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

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

**Summary No. 3432**

Introduced by: Administration on 10/18/16

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST (LLT) PROPERTIES UNDER THE BUILDER BUNDLE III PROGRAM.

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:** Lewis

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

And the motion was declared **adopted** on the 18<sup>th</sup> day of October, 2016.

**#25 Coastal Zone Advisory Committee**

No official action taken

There being no further business for discussion, the Council Chair declared the meeting adjourned at 5:09 p.m. on the 18<sup>th</sup> day of October, 2016.

Next Regular scheduled Council Meeting will be held Wednesday, November 2, 2016 @ 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

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR