

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **OCTOBER 4, 2016 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 October 4, 2016 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 7:05 p.m. Members present: Council Chair, Kerri Callais, Councilmembers Gillis McCloskey, Nathan Gorbaty, Howard Luna, Wanda Alcon, Manuel "Monty" Montelongo and Richard "Richie" Lewis.

Members absent: None

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.

Minister Jerry Troxclair delivered the invocation and Councilmember Montelongo led the Pledge of Allegiance.

**#1** On motion of Mr. Gorbaty, seconded by Mr. Lewis, it was moved to approve the minutes from the September 20, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, September 30, 2016.

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

Ms. Callais took Chairman's Privilege to recognize Cisco Gonzales with the Archbishop Rummel Knights of Columbus #5747 to present the St. Bernard Parish Recreation Department with a check in the amount of \$5,000.00.

**#2** On a joint motion of the Council, without objection and by unanimous consent it was moved to proclaim October 17<sup>th</sup> – 21<sup>st</sup>, 2016 as "National Business Women's Week".

**#3** On a joint motion of the Council, without objection and by unanimous consent it was moved to recognize Susan Vincent Kleese as the 2016 Woman of the Year.

**#4** On a joint motion of the Council, without objection and by unanimous consent it was moved to recognize Sidney D. Torres III as the 2016 Man of the Year.

**#5 President's Report**

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

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**#6 Councilmember's District Update**

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

**#7 Recognize the Public**

No one signed up to speak

**#8 Summary No. 3420**

Introduced by: Administration on 9/20/16

AN ORDINANCE TO AMEND APPENDIX D, FEES; SECTION 4, MISCELLANEOUS CHARGES, OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**#9 Summary No. 3421**

Introduced by: Administration on 9/20/16

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A LEASE AGREEMENT BY AND BETWEEN THE ST. BERNARD PARISH GOVERNMENT, AS LESSOR, AND THE UNO FEDERAL CREDIT UNION, AS LESSEE.

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

**#10 Summary No. 3422**

Introduced by: Administration on 9/20/16

AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

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

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

**RESOLUTION SBPC #1640-10-16**

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. Café Riche, LLC dba Café Riche 8117 E. St. Bernard Highway, Poydras, La 70085 Owners: Bryan Riche **(Renewal) (Beer only)**
2. Churchill Downs LA Horse Racing, Co., LLC dba Fair Grounds OTB and Casino 8700 W. Judge Perez Drive, Chalmette, LA 70043 Members: C. Loshbaugh, W. Carstanjen, A. Kung Leung Tse, M. Anderson & T. Bryant **(Renewal) (Beer & Liquor)**
3. Fete' Hall, LLC dba Fete' Hall 2015 Fazzio Road, Chalmette, LA 70043 Owner: Rochelle Cannon **(Renewal) (Beer & Liquor)**

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

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

**NAYS:** None

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**ABSENT:** None

**ABSTAIN:** Lewis

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**RESOLUTION SBPC #1641-10-16**

A RESOLUTION IN SUPPORT OF THE NATIONAL PARK SERVICE.

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016

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

**RESOLUTION SBPC #1642-10-16**

A RESOLUTION APPOINTING A NEW MEMBER TO THE PLANNING COMMISSION.

On motion of Ms. Callais, seconded by Mr. Lewis, it was moved to appoint David Chaisson to the Planning Commission.

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**RESOLUTION SBPC #1643-10-16**

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A RESOLUTION REPLACING THE ST. BERNARD RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN IN ITS ENTIRETY FOR THE LOUISIANA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**RESOLUTION SBPC #1644-10-16**

A RESOLUTION ADOPTING AN INTERNAL GRIEVANCE PROCEDURE PROVIDING FOR PROMPT AND EQUITABLE RESOLUTION OF COMPLAINTS ALLEGING ANY ACTION RESTRICTING HANDICAP ACCESS AS PROHIBITED BY THE REGULATION OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, 24 CFR PART 8, IMPLEMENTING SECTION 504 OF THE REHABILITATION ACT OF 1973, AMENDED (PUBLIC LAW 93-112).

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**Summary No. 3417**

Introduced by: Administration on 9/6/16

Public hearing held on 9/20/16

Tabled on 9/20/16 until 10/4/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1315-07-12**, 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;

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On motion of Mr. Gorbaty, seconded by Mr. Lewis, it was moved to amend Summary No. 3417 by adding "within the past three years of the Post Closing Option Change closing" to page 4.

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

Discussion ensued on Summary No. 3417 as amended.

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

**ORDINANCE SBPC #1821-10-16**

**Summary No. 3417**

Introduced by: Administration on 9/6/16

Public hearing held on 9/20/16

Tabled on 9/20/16 until 10/4/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1315-07-12**, 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.

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

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

**NAYS:** Luna

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**ORDINANCE SBPC #1822-10-16**

**Summary No. 3420**

Introduced by: Administration on 9/20/16

Public hearing held on 10/4/16

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AN ORDINANCE TO AMEND APPENDIX D, FEES; SECTION 4, MISCELLANEOUS CHARGES, 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, Lewis

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**Summary No. 3421**

Introduced by: Administration on 9/20/16

Public hearing held on 10/4/16

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A LEASE AGREEMENT BY AND BETWEEN THE ST. BERNARD PARISH GOVERNMENT, AS LESSOR, AND THE UNO FEDERAL CREDIT UNION, AS LESSEE.

On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to **amend** Summary No. 3421 as submitted to the Clerk.

Discussion ensued further;

On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to make a compound amendment to add "After a period of twenty-four (24) months either party shall have the right in its sole discretion to terminate the lease for convenience upon giving ninety (90) days advance written notice of the termination" to Section 11:

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**ORDINANCE SBPC #1823-10-16**

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**Summary No. 3421**

Introduced by: Administration on 9/20/16

Public hearing held on 10/4/16

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A LEASE AGREEMENT BY AND BETWEEN THE ST. BERNARD PARISH GOVERNMENT, AS LESSOR, AND THE UNO FEDERAL CREDIT UNION, AS LESSEE.

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**ORDINANCE SBPC #1824-10-16**

**Summary No. 3422**

Introduced by: Administration on 9/20/16

Public hearing held on 10/4/16

AN ORDINANCE AUTHORIZING THE SALE AND PUBLIC AUCTION OF SURPLUS ROAD EQUIPMENT.

Discussion ensued;

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**Summary No. 3423**

Introduced by: Administration on 10/4/16

AN ORDINANCE TO ADOPT THE 2017 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

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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, Lewis

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**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.

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**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.

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

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

**NAYS:** None

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**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**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.

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

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

**NAYS:** Richie

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**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.

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

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

**NAYS:** Lewis

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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

**Summary No. 3428**

Introduced by: Administration on 10/4/16

AN ORDINANCE TO DECLARE AS SURPLUS 316 DOERR DR., 321 DOERR DR., 316 LIVINGSTON AVE., 409 LIVINGSTON AVE., 321 PARISH DR., 205 PERRIN DR., 312 SABLE DR., 221 SERPAS DR., 304 SERPAS DR., 313 SERPAS DR., 320 SERPAS DR., 404 SERPAS DR., 412 SERPAS DR. AND 413 SERPAS DR., WHICH ARE OWNED BY THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTIES ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

Discussion ensued;

On motion of Mr. McCloskey, seconded by Mr. Gorbaty, it was moved to **table** Summary No. 3428 indefinitely:

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

**#26** On motion of Mr. Lewis, seconded by Mr. Montelongo, it was moved to **approve** the following Coastal permits:

a. **Randy Meliet - P20160585**  
To build a boat house across from 4605 Delacroix Hwy

b. **James Starr - P20160590**  
To build a boat house across from 4609 Delacroix Hwy

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

**DID NOT VOTE:** Lewis

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

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**#27** On motion of Mr. Gorbaty, seconded by Mr. Luna, it was moved to enter into Executive Session to discuss Potential Litigation between St. Bernard Parish Government and Burk-Kleinpeter, Inc.

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

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

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

On motion of Mrs. Alcon, seconded by Mr. Luna, 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, Lewis

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of October, 2016.

No official action was taken.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 8:46 p.m. on the 4<sup>th</sup> day of October, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, October 18, 2016 @ 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

*Kerri Callais*

KERRI CALLAIS  
COUNCIL CHAIR