

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON WEDNESDAY, **NOVEMBER 15, 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 November 15, 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 3:08 p.m. Members present: Council Chair, Kerri Callais, Councilmembers Gillis McCloskey, Howard Luna, Wanda Alcon, Manuel "Monty" Montelongo and Richard "Richie" Lewis.

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.

Minister Jerry Troxclair delivered the invocation and Councilman McCloskey led the Pledge of Allegiance.

**#1** On motion of Mr. McCloskey, seconded by Mrs. Alcon, it was moved to approve the minutes from the November 2, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, November 11, 2016.

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

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

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

On motion of the Chair, without objection and by unanimous consent it was moved recognize Keith Lagrange, Director of Public Works for a department update. A presentation is on file with the minutes of this meeting.

**#2 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.

**#3 Councilmember's District Update**

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

**#4 Recognize the Public**

No one signed up to speak.

**#5 Summary No. 3433**

Introduced by: Administration on 11/2/16

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AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

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

**#6 Summary No. 3434**

Introduced by: Administration on 11/2/16

AN ORDINANCE TO DECLARE THE EQUIPMENT ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID EQUIPMENT.

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

**#7 Summary No. 3436**

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-018**, PETITION OF MICHAEL FINCHER FOR A ZONING CHANGE FROM "R-2, (TWO FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 3201 PARIS ROAD, CHALMETTE, LA 70043.

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

**#8 Summary No. 3437**

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS, SECTION 4; GENERAL PROVISIONS, SUBSECTION 2.14; ACCESSORY BUILDINGS AND STRUCTURES, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY BUILDINGS AND STRUCTURES AND SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY USES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

**#9 Summary No. 3438**

Introduced by: Administration on 11/2/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, SECTION 23; APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

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

**RESOLUTION SBPC #1655-11-16**

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)**

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1. Forty Arpent Brewery, LLC dba 40 Arpent Brewing Company 6809 N. Peters Street Arabi, LA 70032 Members: Michael Naquin, Emily Chopin & Carl Doescher **(Renewal) (Beer Only)**
2. Forty Arpent Brewery, LLC dba 40 Arpent Brewing Company 6809 N. Peters Street Arabi, LA 70032 Members: Michael Naquin, Emily Chopin & Carl Doescher **(Manufacturer permit)**
3. El Patron, Inc. dba El Patron Mexican Restaurant 3109 Jean Lafitte Parkway Chalmette, LA 70043 Owners: Adilene Avalos & Irene Sanchez De Avalos **(Renewal) (Beer & Liquor)**
4. M & P Servicios Hispanos, LLC dba M & P Servicios Hispanos 8823 W. Judge Perez Drive Chalmette, LA 70043 Member: Mena Fahaim **(Renewal) (Beer & Liquor)**

### Special Event Permit(s)

1. Name of Organization: Forty Arpent Brewery Company  
Address: 6809 N. Peters Street, Arabi, LA 70032  
Name of Event: **40 Arpent Brewing Company's 3<sup>rd</sup> Annual Christmas Bash**  
Location of Event: 6809 N. Peters Street, Arabi, LA 70032  
Date and Time: **Saturday, December 10, 2016, 3:00 – 10:00 p.m.**  
Contact Person: Michael Naquin

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

**ABSTAINED:** Lewis

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

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

### **RESOLUTION SBPC #1656-11-16**

A RESOLUTION ADOPTING THE RESTORE ACT MULTIYEAR IMPLEMENTATION PLAN.

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

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

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

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

**RESOLUTION SBPC #1657-11-16**

A RESOLUTION AUTHORIZING AN APPLICATION TO THE GOMESA INFRASTRUCTURE FUNDING PROGRAM IN THE AMOUNT OF \$34,575,491.00 FOR THE LOUISIANA HIGHWAY 300 COASTAL INFRASTRUCTURE RESILIENCE PROJECT.

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

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

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

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

**RESOLUTION SBPC #1658-11-16**

A RESOLUTION AUTHORIZING LOUISIANA CAPITAL OUTLAY APPLICATIONS FOR FY2017-2018 FOR CAPITAL IMPROVEMENT PROJECTS IN THE AMOUNT OF \$20,622,455.00.

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

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

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

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

**RESOLUTION SBPC #1659-11-16**

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A RESOLUTION AUTHORIZING A SUPPLEMENTAL GRANT APPLICATION TO THE DEEP WATER HORIZON ECONOMIC AND PROPERTY DAMAGES TRUST AGREEMENT SETTLEMENT PROGRAM IN THE AMOUNT OF \$100,000.00 FOR EXPANSION OF ST. BERNARD PARISH TOURISM PROMOTION.

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

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

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

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

**RESOLUTION SBPC #1660-11-16**

A RESOLUTION CERTIFYING TO THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT THAT ST. BERNARD PARISH GOVERNMENT HAS AND WILL CONTINUE TO COMPLY WITH ALL FHWA/DOTD REQUIREMENTS REGARDING PERFORMANCE OF INTERIM INSPECTIONS, CALCULATING THE LOAD CARRYING CAPACITY AND LOAD POSTING DEFICIENT BRIDGES UNDER THEIR JURISDICTION FOR 2016.

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

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

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

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

**ORDINANCE SBPC #1833-11-16**

**Summary No. 3433**

Introduced by: Administration on 11/2/16

Public hearing held on 11/15/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1713-12-15**, AN ORDINANCE TO ADOPT THE 2016 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, Luna, Alcon, Montelongo, Lewis

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

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

**ORDINANCE SBPC #1834-11-16**

**Summary No. 3434**

Introduced by: Administration on 11/2/16

Public hearing held on 11/15/16

AN ORDINANCE TO DECLARE THE EQUIPMENT ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT OR HIS DESIGNEE TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID EQUIPMENT.

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

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

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

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

**ORDINANCE SBPC #1835-11-16**

**Summary No. 3436**

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

Public hearing held on 11/15/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-018**, PETITION OF MICHAEL FINCHER FOR A ZONING CHANGE FROM "R-2, (TWO FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" FOR THE PROPERTY LOCATED AT 3201 PARIS ROAD, CHALMETTE, LA 70043.

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, Lewis

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

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

**Summary No. 3437**

Planning Commission recommended **APPROVAL** on 10/25/16

Introduced by: Administration on 11/2/16

Public hearing held on 11/15/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS, SECTION 4; GENERAL PROVISIONS, SUBSECTION 2.14; ACCESSORY BUILDINGS AND STRUCTURES, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY BUILDINGS AND STRUCTURES AND SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY USES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

On motion of Mr. Luna, seconded by Mr. McCloskey, it was moved to **amend Summary No. 3437** Section 4 Subsection 2.14 (f) (4) by removing "one calendar year. An extension is subject to the review and approval of the Director of the Department of Community Development." and replace it with "twelve (12) month period" and remove Section 5 Subsection 5 (5) in its entirety "A shipping container or similar items are prohibited from all residential and commercial zoning districts and not subject to variance or waiver from the Board of Zoning Adjustment.

Discussion ended on the amendment;

On motion of Mr. Luna, seconded by Mr. McCloskey, it was move to add back "An extension is subject to the review and approval of the Director of the Department of Community Development."

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

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

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

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

**ORDINANCE SBPC #1836-11-16**

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 2; INTERPRETATION, SUBSECTION 4; DEFINITIONS, SECTION 4; GENERAL PROVISIONS, SUBSECTION 2.14; ACCESSORY BUILDINGS AND STRUCTURES, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY BUILDINGS AND STRUCTURES AND SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 5; PERMITTED ACCESSORY USES 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, Lewis

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

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

**ORDINANCE SBPC #1837-11-16**

**Summary No. 3438**

Introduced by: Administration on 11/2/16

Public hearing held on 11/15/16

AN ORDINANCE TO AMEND CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, SECTION 23; APPEARANCE AND OTHER REQUIREMENTS FOR RAISED OR ELEVATED STRUCTURES (IN RESIDENTIALLY ZONED AREAS) INSIDE THE HURRICANE PROTECTION LEVEE 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, Lewis

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

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

**Summary No. 3435**

Tabled on 11/2/15 prior to introduction

Introduced by: Councilman Gorbaty

AN ORDINANCE EMPOWERING THE PARK AND PARKWAY COMMISSION TO DEVELOP A ST. BERNARD TOWN CENTER PARK

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

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

**NAYS:** None

**ABSENT:** Gorbaty

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

And the motion was declared **adopted** on the 15<sup>th</sup> day of November, 2016.

**#22 Coastal Zone Advisory Committee**

No official action taken

There being no further business for discussion, the Council Chair declared the meeting adjourned at 3:55 p.m. on the 15<sup>th</sup> day of November, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, December 6, 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