OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON WEDNESDAY, **NOVEMBER 3, 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 November 3, 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 7:04p.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.

Pastor Tommy Walker delivered the invocation and Councilman Lewis led the Pledge of Allegiance.

#1 On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to approve the minutes from the October 18, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, October 28, 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 2nd day of November, 2016.

- **#2** On a joint motion of the Council, without objection and by unanimous consent it was moved to proclaim November 7th November 13th, 2016 as "National Key Club Week" in St. Bernard Parish
- #3 On a joint motion of the Council, without objection and by unanimous consent it was moved to recognize Rickey Robin, Robert Broadhead, Casey Kieff, Sterling Cordon, Timmy Juneau and Brian Clark for their efforts with the Wounded Warriors In Action Foundation.
- **#4** On a joint motion of the Council, without objection and by unanimous consent it was moved to recognize District Chief Kevin M. Zanca on his retirement from the St. Bernard Parish Fire Department with 37 years of service.
- #5 On a joint motion of the Council, without objection and by unanimous consent it was moved to recognize the St. Bernard Cemetery for their valuable contribution to the Mississippi River Geotourism Program, and their support in sustaining and enhancing the unique geographic character of the region through their commitment to aesthetics, culture, environment heritage and the wellbeing of the regions' residents.

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- **#6** On motion of the Chair, without objection and by unanimous consent it was moved to recognize Jason Stopa, Director of Community Development, for a department update.
- #7 On motion of the Chair, without objection and by unanimous consent it was moved to remove this item.

#8 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.

#9 Councilmember's District Update

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

#10 Recognize the Public

Gail Buckley – Meraux, LA

On motion of the Chair, without objection and by unanimous consent, it was moved to address item #17.

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

RESOLUTION SBPC #1653-11-16

A RESOLUTION DECLARING THE INTENTION OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TO ISSUE TAXABLE UTILITIES REVENUE BONDS, IN ONE OR MORE SERIES, IN AN AMOUNT NOT TO EXCEED THIRTEEN MILLION DOLLARS (\$13,000,000) FOR THE PURPOSE OF PAYING THE COST OF CONSTRUCTING AND ACQUIRING ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATER PORTION OF THE COMBINED WATER AND SEWER SYSTEM OF SAID PARISH; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

Public hearing will be held on December 6, 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: None

DID NOT VOTE: Lewis

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

#11 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.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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#12 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.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#13 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.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#14 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.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1651-11-16

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)

- 1. EMA Inc. dba South Lake Foods 7532 E. Judge Perez Dr., Violet, LA 70092 Owner: Manuel & Eva Nicosia (Renewal) (Beer & Liquor)
- 2. Frozen Fantasies, LLC dba Frozen Fantasies 3120 E. Judge Perez Dr., Meraux, LA 70075 Owners: Harry Meraux Fisher, III & Herbie Meraux Fisher (Renewal) (Beer & Liquor)
- 3. GTN Convenience, LLC dba Sammy's Discount Express 1609/11 E. St. Bernard Hwy., Chalmette, LA 70043 Owner: Mai Nguyen (Renewal) (Beer & Liquor)
- 4. Guillory, Lura Mae dba Guillory's 8317 E. St. Bernard Hwy., St. Bernard LA 70085 Owner: Lura Mae Guillory (Renewal) (Beer Only)
- 5. Gulf Outlet Marina Boat Launch Inc. dba Gulf Outlet Marina Boat Launch 255 Marina Rd. Chalmette, LA 70043 Owner: Robert C. Berthelot & Raymie B. Anderson (Renewal) (Beer Only)
- 6. Mary Sinh LLC dba Banh Mi Boys 113 E. Judge Perez Dr. Chalmette, LA 70043 Owner: Thoa Nguyen (Renewal) (Beer Only)

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

NAYS: None

ABSENT: None

ABSTAINED: Lewis

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

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

RESOLUTION SBPC #1652-11-16

A RESOLUTION REQUESTING THE STATE OF LOUISIANA, THROUGH THE DEPARTMENT OF WILDLIFE AND FISHERIES, TO CONDUCT A SURVEY AND AN ASSESSMENT OF THE REMAINING ANCHORS AND OTHER RELICS OF THE BP OIL SPILL IN THE VICINITY OF ST. BERNARD PARISH; AND AUTHORIZING THE PARISH PRESIDENT TO SIGN, EXECUTE AND ADMINISTER ANY AND ALL RELEVANT DOCUMENTS.

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 2nd day of November, 2016.

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

RESOLUTION SBPC #1654-11-16

A RESOLUTION APPOINTING A NEW MEMBER TO THE PLANNING COMMISSION.

On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to appoint Ryan Randall 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

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

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

Summary No. 3429

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

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

Discussion ensued;

On motion of Mr. Lewis, seconded by Mrs. Alcon, it was moved to amend \$90,000 to read \$75,000.

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 2nd day of November, 2016.

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

ORDINANCE SBPC #1829-11-16

Summary No. 3429

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

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, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

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

ORDINANCE SBPC #1830-11-16

Summary No. 3430

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

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, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

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

ORDINANCE SBPC #1831-11-16

Summary No. 3431

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

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, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

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

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ORDINANCE SBPC #1832-11-16

Summary No. 3432

Introduced by: Administration on 10/18/16

Public hearing held on 11/2/16

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, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

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

Summary No. 3433

Introduced by: Administration on 11/2/16

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, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of November, 2016.

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

Summary No. 3434

Introduced by: Administration on 11/2/16

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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, 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 2nd day of November, 2016.

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

Summary No. 3435

Introduced by: Councilman Gorbaty on 11/2/16

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

Discussion ensued;

On motion of Mr. Gorbaty, seconded by Mr. Lewis, it was moved to **table** this item until the November 15, 2016 Council meeting.

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 2nd day of November, 2016.

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

Summary No. 3436

Planning Commission recommended **APPROVAL** on 10/25/16 Introduced by: Administration on 11/2/16

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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:

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 2nd day of November, 2016.

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

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.

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 2nd day of November, 2016.

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

Summary No. 3438

Introduced by: Administration on 11/2/16

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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, 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 2nd day of November, 2016.

#29 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 18th day of October, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, November 15, 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
CLERK OF COUNCIL

Kervi Callais
KERRI CALLAIS
COUNCIL CHAIR