

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **FEBRUARY 21, 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 February 21, 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 3:00 p.m. Members present: Chairman Richard "Richie" Lewis, Councilmembers Howard Luna, Wanda Alcon and Kerri Callais.

Members absent: Gillis McCloskey, Nathan Gorbaty and Manuel "Monty" Montelongo

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and CAO, Ronnie Alonzo and Michelle Walsh was present representing Administration.

Pastor Jim Jeffries delivered the invocation and Councilmember Callais led the Pledge of Allegiance.

Councilman Montelongo is recorded as present at this time.

#1 On motion of Mr. Luna, seconded by Mrs. Alcon, it was moved to approve the minutes from the February 7, 2017 Regular Council Meeting and the minutes of the minutes from the February 9, 2017 Special Council Meeting as published in the official journal, the St. Bernard Voice on Friday, February 17, 2017.

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

YEAS: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

#2 President's Report

A copy of this report 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 be recognized under this item.

#5 A PUBLIC HEARING TO DISCUSS AND DEVELOP THE LIST OF CANDIDATES FOR THE ST. BERNARD PARISH PERSONNEL BOARD PURSUANT TO SECTION 4-10 SUBSECTION (C) OF THE ST. BERNARD PARISH HOME RULE CHARTER TO FILL A VACANT POSITION FOR THE ST. BERNARD PARISH ECONOMIC DEVELOPMENT COMMISSION'S APPOINTMENT.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#6 Summary No. 3452

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Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Councilman Montelongo on 2/7/17

AN ORDINANCE TO APPROVE **DOCKET Z-2016-015**, PETITION OF DEMETRIA BROWN FOR A ZONING CHANGE FROM "R-1(M), (MOBILE HOME SINGLE-FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" AND A CONDITIONAL USE TO ALLOW AN ITINERANT MARKET (SEASONAL) FOR THE PROPERTY LOCATED AT 6415 JULES BROWN STREET, VIOLET, LA 70092.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM.

#7 Summary No. 3453

Planning Commission recommended **APPROVAL** with conditions on 1/24/17

Introduced by: Administration on 2/7/17

AN ORDINANCE TO APPROVE **DOCKET Z-2017-001**, PETITION OF JAMES LICCIARDI FOR A CONDITIONAL USE PERMIT TO OPERATE AN OFF TRACK BETTING FOR THE PROPERTY LOCATED AT 4242 E. JUDGE PEREZ DRIVE, MERAUX, LA 70075.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#8 Summary No. 3454

Introduced by: Administration on 2/7/17

AN ORDINANCE AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO ADOPT THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S (FEMA) DIGITAL FLOOD INSURANCE RATE MAPS (DFIRMS).

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#9 Summary No. 3455

Introduced by: Administration on 2/7/17

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO LEASE PARISH PROPERTY LOCATED AT 1914,1916,1918,1920 ALEXANDER AVENUE, ARABI LOUISIANA 70032, FOR HEIGHTS PARK.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#10 Summary No. 3457

Introduced by: Councilmember Lewis on 2/7/17

AN ORDINANCE TO AMEND CHAPTER 17; PERSONNEL, SECTION 17-31; ALCOHOL AND/OR DRUG TESTING OF EMPLOYEES IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1690-02-17

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)

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1. Rocky & Carlo's Inc. dba Rocky & Carlo's Restaurant & Bar 613 W. St. Bernard Hwy. Chalmette, LA 70043 Owners: Thomas Tommaseo, Tommoso G. Tommaseo, & Leonarda Tommaseo Gioe **(Renewal) (Beer & Liquor)**
2. Hopedale Marina, LLC dba Hopedale Marina 7600 Hopedale Hwy. St. Bernard, LA 70085 Owner: Patrick Turner **(Renewal) (Beer Only)**
3. St. Bernard Parish Government Civic Center 8245 W. Judge Perez Dr. Chalmette, La 70043 Manager: Maurinne Liuzza **(Renewal) (Beer & Liquor)**
4. ES&A Inc. dba Daiquiri Paradise 201 W. Judge Perez Dr. Chalmette, LA 70043 Owner: George N. Ammari **(Renewal) (Beer & Liquor)**
5. Kimberly, Inc. dba Brewster's 8751 W. Judge Perez Dr. Chalmette, LA 70043 Owners: Theodore & Kimberly Reab **(Renewal) (Beer & Liquor)**
6. St. Bernard Parish Government 1101 Magistrate St. Chalmette, LA 70043 Director: Loni Banks Thomas **(Renewal) (Beer & Liquor)**
7. Racetrac Petroleum, Inc. dba Racetrac # 2368 8130 W. Judge Perez Dr. Chalmette, LA 70043 Manager: Crystal Stebbins **(Renewal) (Beer & Liquor)**
8. Racetrac Petroleum, Inc. dba Racetrac # 2350 2713 Paris Rd. Chalmette, LA 70043 Manager: Belinda Anthony **(Renewal) (Beer & Liquor)**
9. Par 3 Restaurant, LLC dba Par 3 Restaurant 1530 E. Judge Perez Dr. Chalmette, LA 70043 Member: Dorothy Z. Labrosse **(Renewal) (Beer & Liquor)**
10. DG Louisiana, LLC dba Dollar General Store #13839 4201 E. Judge Perez Dr. Meraux, LA 70075 Officers: Steven Deckard, John Garratt & James Thorpe **(Renewal) (Beer & Liquor)**
11. DG Louisiana, LLC dba Dollar General Store #11511 951 Bayou Rd. St. Bernard, LA 70085 Officers: Steven Deckard, John Garratt & James Thorpe **(Renewal) (Beer & Liquor)**
12. DG Louisiana, LLC dba Dollar General Store # 11035 7210 St. Claude Ave. Arabi, LA 70032 Officers: Steven Deckard, John Garratt & James Thorpe **(Renewal) (Beer & Liquor)**
13. DG Louisiana, LLC dba Dollar General Store # 11428 5505 E. Judge Perez Dr. Violet, LA 70092 Officers: Steven Deckard, John Garratt & James Thorpe **(Renewal) (Beer & Liquor)**
14. Charlie's Restaurant & Catering LLC dba Charlie's Restaurant & Catering 6129 E. St. Bernard Hwy. Violet, LA 70092 Owner: Chad Blanchard **(Renewal) (Beer & Liquor)**
15. The Palms Casino & Truck Stop Inc. dba The Palms Truck Stop 8001 A, W. St. Bernard Hwy. Arabi, LA 70032 Owners: Charles L. & John R. Bienvenu, Jr. **(Renewal) (Beer & Liquor)**
16. The Palms Casino & Truck Stop, Inc. dba The Palms Casino 8001-C W. St. Bernard Hwy. Arabi, LA 70032 Owners: Charles L. & John R. Bienvenu **(Renewal) (Beer & Liquor)**
17. The Kimmy Group, LLC dba The Palms Too 8001-B W. St. Bernard Hwy. Arabi, LA 70032 Member: Charles L. Bienvenu **(Renewal) (Beer & Liquor)**

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18. Murphy Oil USA, Inc. dba Murphy USA # 7217 8001 A. W. Judge Perez Dr. Chalmette, LA 70043
(Renewal) (Beer & Liquor)

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

YEAS: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **ABSTAIN**.

And the motion was declared **adopted** on the 21st day of February, 2017.

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

RESOLUTION SBPC #1691-02-17

A RESOLUTION ADOPTING THE LOUISIANA LEGISLATIVE AUDITOR'S QUESTIONNAIRE.

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

YEAS: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

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

RESOLUTION SBPC #1692-02-17

A RESOLUTION DECLARING THAT THE ST. BERNARD PARISH COUNCIL HAS READ AND UNDERSTANDS THAT THE MUNSTER WASTEWATER TREATMENT PLANT LOCATED AT 3300 MUNSTER BLVD. IS MEETING THE TREATMENT EFFLUENT REQUIREMENTS THAT ARE THAT ARE SET FORTH BY THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY.

Discussion ensued;

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

YEAS: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

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The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

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

RESOLUTION SBPC #1693-02-17

A RESOLUTION ADOPTING THE RESTORE ACT MULTIYEAR IMPLEMENTATION PLAN.

Discussion ensued;

On motion of Ms. Callais, seconded Mr. Lewis, it was moved to address this item at the end of this meeting.

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

YEAS: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

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

RESOLUTION SBPC #1694-02-17

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE ENTERGY ENVIRONMENTAL INITIATIVES FUND IN THE AMOUNT OF \$22,000.00 FOR THE ST. BERNARD PARISH BLACK MANGROVE PLANTING PROGRAM.

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

YEAS: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

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

RESOLUTION SBPC #1695-02-17

A RESOLUTION APPOINTING NEW MEMBERS TO THE COASTAL ZONE ADVISORY COMMITTEE.

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On motion of Ms. Alcon, seconded by Mr. Montelongo, it was moved to appoint the following members

MEMBER	TERM
Brad Lacoste	February 2017 – February 2018
Chris Luna	February 2017 – February 2018

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

YEAS: Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

ABSTAINED: Luna

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

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

Summary No. 3452

Planning Commission recommended **DENIAL** on 7/26/16
Introduced by: Councilman Montelongo on 2/7/17
Public hearing held on 2/21/17

AN ORDINANCE TO APPROVE **DOCKET Z-2016-015**, PETITION OF DEMETRIA BROWN FOR A ZONING CHANGE FROM "R-1(M), (MOBILE HOME SINGLE-FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" AND A CONDITIONAL USE TO ALLOW AN ITINERANT MARKET (SEASONAL) FOR THE PROPERTY LOCATED AT 6415 JULES BROWN STREET, VIOLET, LA 70092.

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

YEAS: None

NAYS: Luna, Alcon, Montelongo, Callais

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **NAY**.

And the motion was declared **failed** on the 21st day of February, 2017.

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

ORDINANCE SBPC #1852-02-17

Summary No. 3453

Planning Commission recommended **APPROVAL** with conditions on 1/24/17
Introduced by: Administration on 2/7/17

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Public hearing held on 2/21/17

AN ORDINANCE TO APPROVE **DOCKET Z-2017-001**, PETITION OF JAMES LICCIARDI FOR A CONDITIONAL USE PERMIT TO OPERATE AN OFF TRACK BETTING FOR THE PROPERTY LOCATED AT 4242 E. JUDGE PEREZ DRIVE, MERAUX, LA 70075.

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

YEAS: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

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

ORDINANCE SBPC #1853-02-17

Summary No. 3454

Introduced by: Administration on 2/7/17

Public hearing held on 2/21/17

AN ORDINANCE AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO ADOPT THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S (FEMA) DIGITAL FLOOD INSURANCE RATE MAPS (DFIRMS).

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

YEAS: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

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

ORDINANCE SBPC #1854-02-17

Summary No. 3455

Introduced by: Administration on 2/7/17

Public hearing held on 2/21/17

AN ORDINANCE AUTHORIZING THE PARISH PRESIDENT TO LEASE PARISH PROPERTY LOCATED AT 1914,1916,1918,1920 ALEXANDER AVENUE, ARABI LOUISIANA 70032, FOR HEIGHTS PARK.

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

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YEAS: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

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

ORDINANCE SBPC #1855-02-17

Summary No. 3457

Introduced by: Councilmember Lewis on 2/7/17

Public hearing held on 2/21/17

AN ORDINANCE TO AMEND CHAPTER 17; PERSONNEL, SECTION 17-31; ALCOHOL AND/OR DRUG TESTING OF EMPLOYEES IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

YEAS: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

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

Summary No. 3459

Introduced by: Councilman Gorbaty on 2/21/17

AN ORDINANCE TO AMEND **ORDINANCE SBPC #1839-12-16**, 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: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

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#23 Coastal Zone Advisory Committee

No official action taken

#24 On motion of Mr. Luna, seconded by Mr. Montelongo, it was moved to enter into Executive Session to discuss Sinh Properties, LLC v.PFG Properties, LLC et al , 34 JDC 114-576.

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

YEAS: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 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: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

On motion of Ms. Callais, seconded by Mr. Luna, it was moved to accept the advice of Legal Counsel in the matter of Sinh Properties, LLC v.PFG Properties, LLC et al , 34 JDC 114-576.

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

YEAS: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

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

RESOLUTION SBPC #1693-02-17

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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: Luna, Alcon, Montelongo, Callais

NAYS: None

ABSENT: McCloskey, Gorbaty

The Chairman, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 21st day of February, 2017.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 3:44 p.m. on the 21st day of February, 2017.

Next Regular scheduled Council Meeting will be held Tuesday, March 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