

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **MARCH 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 March 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 3:00 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 CAO, Ronnie Alonzo was present representing Administration.

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

#1 On motion of Mr. McCloskey, seconded by Mrs. Alcon, it was moved to approve the minutes from the March 1, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, March 11, 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 15th day of March, 2016.

#2 President's Report

A copy of this report 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.

Ms. Callais took Chair's Privilege to recognize Startup St. Bernard Winners.

#4 Recognize the Public

- Anthony Stepelcovich – Chalmette, LA

#5 Summary No. 3353

Introduced by: Administration on 3/1/16

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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. 3354

Introduced by: Councilmember Callais on 3/1/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1301-05-12**, ORDINANCE TO AMEND CHAPTER 5, BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES; ARTICLE II COASTAL ZONE MANAGEMENT; SECTION 5-33 OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#7 Summary No. 3356

Introduced by: Councilmember Montelongo on 3/1/16

AN ORDINANCE TO **AMEND** CHAPTER 15 OIL, GAS, AND MINERAL EXPLORATION, REMOVAL AND TRANSPORTING; OTHER LAND-DISTURBING AND WATER-DISTURBING ACTIVITIES; ARTICLE II SEISMIC ACTIVITY; SECTION 15-37 OPERATION OF AIR BOATS REGULATED OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1553-03-16

Beer and/or Liquor Permit(s)

1. The Kimmy Group, LLC dba The Palms Too 8001-B W. St. Bernard Highway, Arabi, LA 70032 Member: Charles L. Bienvenu Expires: March 31, 2016 **(Renewal) (Beer & Liquor)**
2. M & P Servicios Hispanos, LLC dba M & P Servicios Hispanos 8823 W. Judge Perez Drive, Chalmette, LA 70043 Members: Gary Fischer and Monica Fischer Expired: January 31, 2016 **(Renewal) (Beer & Liquor)**
3. Penny's Café', Inc. dba Penny's Café 5442 E. Judge Perez Drive, Violet, LA 70092 Owners: David and Penny Lepine Expired: February 28, 2016 **(Renewal) (Beer only)**
4. Rick's Veteran's, LLC dba Magnolia Discount 7600 W. Judge Perez Drive, Arabi, LA 70032 Owner: Fouad El Jaouhari Expires: March 31, 2016 **(Renewal)(Beer & Liquor)**
5. Rocky & Carlo's, Inc. dba Rocky & Carlo's Restaurant & Bar 613 W. St. Bernard Highway, Chalmette, LA 70043 Owners: Thomas Tommaseo, Tommoso G. Tommaseo and Leonanda Tommaseo Gioe Expires: March 31, 2016 **(Renewal)(Beer & Liquor)**
6. Nap's Place, LLC dba Speck's Bar 2603 Hopedale Highway, St. Bernard, LA 70085 Members: Craig and Aline Napoli Expires: February 28, 2016 **(Renewal) (Beer & Liquor)**

Special Event Permit(s)

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1. Name of Organization: The Voices Foundation
Address: 821 Angela Avenue, Arabi, LA 70032
Contact Person: Barry Lemoine
Name of Event: Robin Hood
Location Event: Docville Farm, 5128 E St. Bernard Hwy, Violet, LA 70092
Date and Time: April 8 and 9, 2016, 7:30-10:00 p.m.

On motion of the Chair, without objection and by unanimous consent, it was moved to amend this item to include the following:

7. The Kitchen Table Café, LLC dba The Kitchen Table Café 7005 St. Claude Avenue, Arabi, LA 70032
(Renewal) (Beer & Liquor)

Special Event Permit(s)

2. Name of Organization: Community Kickball Tournament
Address: 8201 W. Judge Perez Drive, Chalmette, LA
Contact Person: Councilman Gillis McCloskey
Name of Event: Community Kickball Tournament
Location Event: Carolyn Park Playground
Lynx Drive and Badger Drive
Date and Time: April 3, 2016, 2:00 – 5:00 p.m.

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

ABSTAINED: Lewis

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

And the motion was declared **adopted** on the 15th day of March, 2016.

On motion of Mr. Montelongo, seconded by Mr. McCloskey, it was moved to **adopt** Resolution SBPC #1553-03-16, as amended.

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

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ABSTAINED: Lewis

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

And the motion was declared **adopted** on the 15th day of March, 2016.

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

RESOLUTION SBPC #1554-03-16

A RESOLUTION APPOINTING NEW MEMBERS TO THE OLD ARABI HISTORIC COMMISSION.

<u>Member</u>	<u>Expiration Date</u>	<u>Appointee From</u>
Ray Lauga Jr.	06/18/17	Old Arabi Neighborhood Association
Col. Tim Chastin	03/15/18	Jackson Barracks Commandant

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 15th day of March, 2016.

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

RESOLUTION SBPC #1555-03-16

A RESOLUTION TO APPOINT MEMBERS TO THE ST. BERNARD PARISH HOME MORTGAGE AUTHORITY BOARD.

Discussion ensued;

NAME	EXPIRATION DATE
Guy McInnis	March 15, 2020
Wanda Alcon	March 15, 2020

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 15th day of March, 2016.

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

RESOLUTION SBPC #1556-03-16

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE AGREEMENTS RELATED TO RESTORE ACT FUNDING.

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 15th day of March, 2016.

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

RESOLUTION SBPC #1557-03-16

A RESOLUTION AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO ADOPT THE LATEST CITIZEN PARTICIPATION PLAN POLICIES SET FORTH BY THE LA DIVISION OF ADMINISTRATION, OFFICE OF COMMUNITY DEVELOPMENT - DISASTER RECOVERY UNIT, IN RELATION TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DISASTER RECOVERY FUNDS.

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 15th day of March, 2016.

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

RESOLUTION SBPC #1558-03-16

A RESOLUTION AUTHORIZING ST. BERNARD PARISH GOVERNMENT TO ADOPT THE LATEST PROCUREMENT POLICIES SET FORTH BY THE LA DIVISION OF ADMINISTRATION, OFFICE OF COMMUNITY DEVELOPMENT - DISASTER RECOVERY UNIT, IN RELATION TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DISASTER RECOVERY FUNDS.

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 15th day of March, 2016.

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

RESOLUTION SBPC #1559-03-16

A RESOLUTION PROHIBITING THE USE OF THE BP OIL MONEY FOR ANY AND ALL SALARIES PERTAINING TO ST. BERNARD PARISH GOVERNMENT EMPLOYEES AND ANY PROFESSIONAL SERVICES CONTRACTS.

Discussion ensued;

On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to remove the language, "and any professional services contracts."

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

YEAS: Gorbaty, Luna, Montelongo, Lewis

NAYS: McCloskey, Alcon

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of March, 2016.

Discussion ensued further as amended;

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

RESOLUTION SBPC #1559-03-16

A RESOLUTION PROHIBITING THE USE OF THE BP OIL MONEY FOR ANY AND ALL SALARIES PERTAINING TO ST. BERNARD PARISH GOVERNMENT EMPLOYEES.

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

YEAS: McCloskey, Gorbaty, Luna, Alcon, Lewis

NAYS: Montelongo

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of March, 2016.

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

ORDINANCE SBPC #1744-03-16

Summary No. 3353

Introduced by: Administration on 3/1/16

EFC recommended **APPROVAL** on 3/9/16

Public hearing held on 3/15/16

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

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 15th day of March, 2016.

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

ORDINANCE SBPC #1745-03-16

Summary No. 3354

Introduced by: Councilmember Callais on 3/1/16

EFC recommended **APPROVAL** on 3/9/16

Public hearing held on 3/15/16

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AN ORDINANCE TO **AMEND ORDINANCE SBPC #1301-05-12**, ORDINANCE TO AMEND CHAPTER 5, BUILDINGS, CONSTRUCTION AND RELATED ACTIVITIES; ARTICLE II COASTAL ZONE MANAGEMENT; SECTION 5-33 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 15th day of March, 2016.

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

Summary No. 3356

Introduced by: Councilmember Montelongo on 3/1/16

EFC made **No Recommendation** on 3/9/16

Public hearing held on 3/15/16

AN ORDINANCE TO AMEND CHAPTER 15 OIL, GAS, AND MINERAL EXPLORATION, REMOVAL AND TRANSPORTING; OTHER LAND-DISTURBING AND WATER-DISTURBING ACTIVITIES; ARTICLE II SEISMIC ACTIVITY; SECTION 15-37 OPERATION OF AIR BOATS REGULATED OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

On motion of Mr. Montelongo, seconded by Mr. McCloskey, it was moved to **amend** Summary No. 3356 by making the following changes:

- Section (a) remove "two (2) mile(s) and revert back to one-half (½) mile
- Section (d) remove "between 9:30 p.m. and 4:30 a.m." and replace with "during the period beginning one-half (½) hour after sunset and ending at sunrise"

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 15th day of March, 2016.

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

ORDINANCE SBPC #1746-03-16

Summary No. 3356

Introduced by: Councilmember Montelongo on 3/1/16

EFC made **No Recommendation** on 3/9/16

Public hearing held on 3/15/16

AN ORDINANCE TO AMEND CHAPTER 15 OIL, GAS, AND MINERAL EXPLORATION, REMOVAL AND TRANSPORTING; OTHER LAND-DISTURBING AND WATER-DISTURBING ACTIVITIES; ARTICLE II SEISMIC ACTIVITY; SECTION 15-37 OPERATION OF AIR BOATS REGULATED 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 15th day of March, 2016.

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

Summary No. 3357

Introduced by: Councilmember Lewis on 3/15/16

AN ORDINANCE TO DECLARE 620 COUGAR DRIVE SURPLUS, TO REMOVE IT FROM ANY PREVIOUSLY CREATED BUILDER'S BUNDLE AND TO REQUIRE THAT THE PARISH PRESIDENT OR HIS DESIGNEE SELL THE PROPERTY BY A PUBLIC AUCTION.

On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to amend this item reflect the disposition plan and not a public auction.

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**.

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And the motion was declared **adopted** on the 15th day of March, 2016.

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

Summary No. 3357

Introduced by: Councilmember Lewis on 3/15/16

AN ORDINANCE TO DECLARE 620 COUGAR DRIVE SURPLUS, TO REMOVE IT FROM ANY PREVIOUSLY CREATED BUILDER'S BUNDLE AND TO REQUIRE THAT THE PARISH PRESIDENT OR HIS DESIGNEE SELL THE PROPERTY IN ACCORDANCE WITH THE DISPOSITION PLAN.

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 15th day of March, 2016.

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

Summary No. 3358

Introduced by: Administration on 3/15/16

AN ORDINANCE TO AMEND CHAPTER 10.5; FLOOD DAMAGE PREVENTION, SECTION 10.5-5; DEFINITIONS OF WORKS AND TERMS USED AND SECTION 10.5-32; SPECIFIC STANDARDS 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 15th day of March, 2016.

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

Summary No. 3359

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Introduced by: Administration on 3/15/16

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

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 15th day of March, 2016.

#21 Coastal Zone Advisory Committee

No official action taken

There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:09 p.m. on the 15th day of March, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, April 5, 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