

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **MARCH 1, 2017 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 March 1, 2017 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 7:00 p.m. Members present: Chairman Richard "Richie" Lewis, Councilmembers: Howard Luna, Wanda Alcon, Manuel "Monty" Montelongo and Kerri Callais.

Members absent: Gillis McCloskey and Nathan Gorbaty

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and President Guy McInnis and CAO, Ronnie Alonzo were present representing Administration.

Father Marlon Mangubat delivered the invocation and Councilmember Luna led the Pledge of Allegiance.

Mr. McCloskey and Mr. Gorbaty are recorded as present at this time.

**#1** On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to approve the minutes from the February 21, 2017 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, March 3, 2017.

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

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

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

**#2** On motion of the Chair, without objection and by unanimous consent, it was moved to remove this item.

**#3** On a joint motion of the Council, without objection and by unanimous consent, it was moved to recognize Kylie Bordelon, Emma Joan Nunez and Courtney Saulsman for being named the 2017 Students of the Year in St. Bernard Parish.

**#4** On a joint motion of the Council, without objection and by unanimous consent, it was moved to declare March 6 – 10, 2017 as "Severe Weather Awareness Week" in St. Bernard Parish.

Mr. Lewis took Chairman's Privilege to recognize Norman VanCourt on three Championships, first runner up State Golden Gloves. Norman's Boxing Gym has been open for 57 years.

**#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

### Councilman Montelongo

- Requested update on drainage project on V Street and Jules Brown Street in Violet from Administration.

### Councilman McCloskey

- Remind Community of 2<sup>nd</sup> Annual kickball tournament at Carolyn Park April 23<sup>rd</sup> and registration is open.
- Jean Lafitte reconstruction and drainage project scheduled to break ground in October of 2017.
- Air sanitizers at lift stations in District A will be installed by the end of the month.

### Councilman Lewis

- Requested Administration to provide the Council with a weekly report of Permits for businesses.

## #7 Recognize the Public

No one signed up to be recognized under this item.

## #8 Summary No. 3458

Introduced by: Councilman Lewis on 2/9/17

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE BUY AND BUILD PROGRAM.

**A COPY OF THIS PUBLIC HEARING IS ON FILE WITH THE CLERK OF COUNCIL'S OFFICE**

## #9 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.

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

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

### **RESOLUTION SBPC #1696-03-17**

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)**

1. Reminiscence Palace, LLC dba Reminiscence Palace 5009 E. St. Bernard Hwy. Meraux, LA 70075  
Owner: LaDonya Noble-Robinson **(Renewal) (Beer & Liquor)**
2. Pons-A-Pack, Inc. dba Ponstein's Food Store 3523 Paris Road Chalmette, LA 70043 Owner: Neil Ponstein **(Renewal) (Beer & Liquor)**
3. Phoenix Max, Inc. dba The Daq Shaq 6601 W. Judge Perez Dr. Arabi, LA 70032 Owners: Denise Chatellier & Guy Olano III **(Renewal) (Beer & Liquor)**

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4. Phoenix Max, Inc. dba Sweet Things & Grill 6617 W. Judge Perez Dr. Arabi, LA 70032 Members: Denise Chatellier & Guy Olano (**Renewal**) (**Beer & Liquor**)
5. Big Z H, LLC dba Brothers of Chalmette 7400 W. Judge Perez Dr. Arabi, LA 70032 Owners: Ziad Hamed (**Renewal**) (**Beer & Liquor**)

### Special Event

1. Name of Organization: Our Lady Prompt Succor Catholic Church  
Address: 2320 Paris Road, Chalmette, LA 70043  
Event: Tomato Festival  
Location: Our Lady Prompt Succor Catholic Church Grounds  
Date: May 5, 6, & 7<sup>th</sup>  
Time: (6pm-12am) (11:30am-12am) (11:30am-12am)
2. Name of Organization: Our Lady Prompt Succor Catholic Church  
Address: 2320 Paris Road, Chalmette, LA 70043  
Event: OLPS Crawfish Cook-Off  
Location: Our Lady Prompt Succor Catholic Church Grounds  
Date: April 8, 2017  
Time: 12pm-4pm
3. Name of Organization: The Voices Foundation  
Address: 2101 Paris Road Chalmette, LA 70043  
Event: Community Center Variety Show  
Location: Docville Farm  
Date: 3/31/17  
Time: 7pm – 10pm
4. Name of Organization: Our Lady Of Lourdes Catholic Church  
Address: 2621 Colonial Blvd. Violet, LA 70092  
Event: Our Lady Of Lourdes Spring Fling/Church Fundraiser  
Location: 2621 Colonial Blvd.  
Date: March 16, 17, 18, & 19<sup>th</sup> 2017  
Time: 5pm-10pm, 5pm-10pm, 12pm-10pm, 12pm-8pm

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

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

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **ABSTAIN**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

**RESOLUTION SBPC #1697-03-17**

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE NATIONAL MARINE FISHERIES SERVICE'S COASTAL ECOSYSTEM RESILIENCY GRANTS PROGRAM IN THE AMOUNT OF \$172,334.00 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:** McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

**RESOLUTION SBPC #1698-03-17**

A RESOLUTION AUTHORIZING ACCEPTANCE OF AN FY2016-201 LOUISIANA COMMUNITY WATER ENRICHMENT GRANT FOR THE CENTER STREET WATER LINE IMPROVEMENT PROJECT IN THE AMOUNT OF \$122,074.00.

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

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

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

**#13** On motion of the Chair, without objection and by unanimous consent, it was moved to **remove** the following resolution:

**RESOLUTION SBPC #1699-03-17**

RESOLUTION TO REQUEST REIMBURSEMENT FOR TRAVEL EXPENSES INCURRED BY COUNCILMAN GILLIS MCCLOSKEY DURING THE MONTH OF FEBRUARY WHILE IN ATTENDANCE AT MEETINGS IN WASHINGTON, DC.

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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, Callais

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

**Summary No. 3458**

Introduced by: Councilman Lewis on 2/9/17

Public hearing held on 3/7/17

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE BUY AND BUILD PROGRAM.

On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to amend this item as submitted into the official record.

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

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

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

**ORDINANCE SBPC #1856-03-17**

**Summary No. 3458**

Introduced by: Councilman Lewis on 2/9/17

Public hearing held on 3/7/17

AN ORDINANCE AUTHORIZING CONVEYANCE OF FORMER LOUISIANA LAND TRUST PROPERTIES UNDER THE BUY AND BUILD PROGRAM.

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, Callais

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

**ORDINANCE SBPC #1857-03-17**

**Summary No. 3459**

Introduced by: Councilman Gorbaty on 2/21/17

Public hearing held on 3/7/17

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

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

**Summary No. 3460**

Introduced by: Administration on 3/7/17

AN ORDINANCE TO AMEND **ORDINANCE SBPC #1838-12-16**, AN ORDINANCE TO ADOPT THE 2017 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

Discussion ensued;

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

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

**NAYS:** None

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**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

**Summary No. 3461**

Planning Commission recommended **APPROVAL** on 2/22/17

Introduced by: Administration on 3/7/17

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 22-9; SPECIAL REGULATIONS, TO ADD SUBSECTION 22-9-6.8; NORTH ARABI RESILIENCE DISTRICT IN 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, Callais

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

**#18** On motion of Ms. Callais, seconded by Mrs. Alcon, it was moved to **introduce** the following ordinance:

**Summary No. 3462**

Planning Commission recommended **APPROVAL** on 2/22/17

Introduced by: Administration on 3/7/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 22-5-4; PERMITTED USES IN RESIDENTIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

On motion of Ms. Callais, seconded by Mr. McCloskey, it was moved to amend this item to add the definition of short term rental, amend (e) section (1) to change Planning Commission to St. Bernard Parish Council and change Commission to Council.

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

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

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**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

Discussion ensued on item as amended;

On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to make a compound amendment on section (a) and (b) to add the following underlined language:

- a) Short term rentals, in R-1 districts, are only permitted as whole house or room rental as a conditional use if the property is owner occupied with a homestead exemption.
- b) Short term rentals, in all other zoning districts, other than R-1, are permitted as both whole house and room rentals.

Discussion ensued on proposed amendment;

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

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

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

On motion of Ms. Callais, seconded by Mrs. Alcon, it was moved to **introduce** the following ordinance, as amended:

**Summary No. 3462**

Planning Commission recommended **APPROVAL** on 2/22/17

Introduced by: Administration on 3/7/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 22-5-4; PERMITTED USES IN RESIDENTIAL DISTRICTS 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:** McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

**NAYS:** None



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**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

### **Summary No. 3463**

Planning Commission recommended **APPROVAL** on 2/22/17

Introduced by: Administration on 3/7/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 22-6-4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

On motion of Ms. Callais, seconded by Mrs. Alcon, it was moved to amend this item to add the definition of short term rental, amend (e) section (1) to change Planning Commission to St. Bernard Parish Council and change Commission to Council and to amend section (a) and (b) to add the following underlined language:

- a) Short term rentals, in R-1 districts, are only permitted as whole house or room rental as a conditional use if the property is owner occupied with a homestead exemption.
- b) Short term rentals, in all other zoning districts, other than R-1, are permitted as both whole house and room rentals.

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

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

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

### **Summary No. 3463**

Planning Commission recommended **APPROVAL** on 2/22/17

Introduced by: Administration on 3/7/17

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AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 22-6-4; PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS 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:** McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

**Summary No. 3464**

Planning Commission recommended **APPROVAL** on 2/22/17

Introduced by: Administration on 3/7/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-4; GENERAL PROVISIONS, SUBSECTION 22-4-3.2; EXCEPTIONS TO AREA REGULATIONS 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:** McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

**Summary No. 3465**

Planning Commission recommended **APPROVAL** on 2/22/17

Introduced by: Administration on 3/7/17

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AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 22-5-3; BULK AND AREA REQUIREMENTS 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:** McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

**Summary No. 3466**

Planning Commission recommended **APPROVAL** on 2/22/17

Introduced by: Administration on 3/7/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 22-6-3; BULK AND AREA REQUIREMENTS 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:** McCloskey, Gorbaty, Luna, Alcon, Montelongo, Callais

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

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

**Summary No. 3467**

Planning Commission recommended **APPROVAL** on 2/22/17

Introduced by: Administration on 3/7/17

AN ORDINANCE TO APPROVE **DOCKET Z-2017-002**, PETITION OF ALBERT JOHN CHIMENTO SR., FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3205 DELAMBERT ST, CHALMETTE, LA 70043.

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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, Callais

**NAYS:** None

**ABSENT:** None

The Council Chair, Mr. Lewis, cast his vote as **YEA**.

And the motion was declared **adopted** on the 7<sup>th</sup> day of March, 2017.

**#24 Coastal Zone Advisory Committee**

No official action taken

**#25** It was announced and read into the official record that St. Bernard Parish currently has 225 adjudicated properties available for sale at [CivicSource.com](http://CivicSource.com). The next online auction will be held on Wednesday, March 8, 2017 from 8:00 a.m. until 8:00 p.m.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 8:21 p.m. on the 7<sup>th</sup> day of March, 2017.

Next Regular scheduled Council Meeting will be held Tuesday, March 21, 2017 @ 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

*Richard J. Lewis*

RICHARD J. LEWIS  
COUNCIL CHAIR