

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **APRIL 4, 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 April 4, 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 7:07 p.m. Members present: Chairman Richard "Richie" Lewis, Councilmembers: Gillis McCloskey, Nathan Gorbaty, Howard Luna, Wanda Alcon, Manuel "Monty" Montelongo and Kerri Callais.

Members absent: None

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.

Mr. Lewis recognized Mr. Ray Garofalo, State Representative.

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

#1 On motion of Mr. Gorbaty, seconded by Mr. McCloskey, it was moved to approve the minutes of the March 21, 2017 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, March 31, 2017.

On motion of the Chair, without objection and by unanimous consent, it was moved to amend the minutes on item #24 to change Councilman Luna's vote from YEA to NAY.

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 4th day of April, 2017.

#2 On a joint motion of the Council, without objection and by unanimous consent, it was moved to recognize the Chalmette High School Basketball Team.

#3 On motion of the Chair, without objection and by unanimous consent, it was moved to recognize John Gray with Access Health for a presentation.

#4 On a joint motion of the Council, without objection and by unanimous consent, it was moved to proclaim May 8th – 12th, 2017 at Women's Lung Health Week in St. Bernard Parish.

#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

This update is on file with the minutes of this meeting

#7 Recognize the Public

No one signed up to speak for this meeting

#8 Summary No. 3456

Introduced by: Councilmember Luna on 2/7/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 3; OFF-STREET PARKING AND LOADING REQUIREMENTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#9 Summary No. 3468

Introduced by: Councilman Luna on 3/21/17

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

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#10 Summary No. 3469

Introduced by: Councilman Montelongo on 3/21/17

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 AND TO AMEND CHAPTER 22; ZONING; SECTION 22-9; SPECIAL REGULATIONS, SUBSECTION 22-9-5; RECREATIONAL VEHICLE PARKS TO ADD TWO NEW SUBSECTIONS 22-9-5.5 RECREATIONAL VEHICLES PARKS OUTSIDE THE FEDERAL LEVEE PROTECTION SYSTEM AND SUBSECTION 22-9-5.6 RECREATIONAL VEHICLES FOR PERSONAL RECREATIONAL USE OUTSIDE THE FEDERAL LEVEE PROTECTION SYSTEM IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#11 Summary No. 3470

Introduced by: Councilmember Callais on 3/21/17

AN ORDINANCE IMPLEMENTING THE UPDATED COASTAL ZONE MANAGEMENT PROGRAM FOR ST. BERNARD PARISH AND PROVIDING FOR THE REGULATION AND CONTROL OF COASTAL USES OF LOCAL CONCERN.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#12 THIS PUBLIC HEARING WILL BE TO DISCUSS AND OPEN FOR PUBLIC COMMENT A REQUEST TO APPROVE NEW CONSTRUCTION OF ACCESSORY STRUCTURES "SAFE HOUSES" TO BE PLACED ADJACENT TO EXISTING PUMP STATIONS LOCATED AT 4200 JEAN LAFITTE PARKWAY AND 3701 BARTOLO DRIVE SUBJECT TO THE REQUIREMENTS OF CHAPTER 5; BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES, SECTION 5-2; EXEMPTION OF GOVERNMENT BUILDINGS AND LAND AND SCHOOLS WITH ENROLLMENT OF 500 OR MORE STUDENTS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1704-04-17

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. V.J.'s Hollywood Bar, LLC dba V.J.'s Hollywood Bar 2004 Goodwill Dr. Violet, LA 70092 Owner: Vernon Williams, Sr. **(Renewal) (Beer & Liquor)**
2. Tag's Meat Market, Inc. dba Tag's Deli 1207 E. Judge Perez Dr. Chalmette, LA 70043 Owners: Deborah & Michael E. Michalik, Jr. **(Renewal) (Beer only)**
3. SL & CR, LLC dba MeMe's Bar & Grille 712 W. Judge Perez Dr. Chalmette, LA 70043 Owners: Charles E. Williams, Jr. & Rae Ann Williams **(Renewal) (Beer & Liquor)**
4. Parish Buds, LLC dba Bud's Broiler 2800 Paris Rd. Chalmette, LA 70043 Owner: Justin D. Palmer **(Renewal) (Beer only)**
5. Today's Ketch Seafood, Inc. dba Today's Ketch Seafood 2110 E. Judge Perez Dr. Chalmette, LA 70043 Owners: Jeffery & Teri Pohlmann **(Renewal) (Beer & Liquor)**

Special Event

1. Name of Organization: Carolyn Park Booster Club
Address: Lynx & Badger
Event: 2nd Annual Community Kickball
Location: Carolyn Park Playground
Date: April 23, 2017
Time: 10AM-8PM
2. Name of Organization: Knights Of Columbus Council 8442
Address: 7533 Wilson St. Violet, LA 70092
Event: First Crawfish Cook-off Our Lady of Lourdes
Location: Our Lady of Lourdes Church
(2621 Colonial Blvd.)
Date: May 13, 2017
Time: 8AM – 5PM
3. Name of Organization: St. Bernard Rod Knockers
Address: 5665 Hwy. 39 Braithwaite, LA 70040
Event: Derby at Docville
Location: Docville
Date: May 6, 2017
Time: 3PM-7PM

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

And the motion was declared **adopted** on the 4th day of April, 2017.

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

RESOLUTION SBPC #1705-04-17

A RESOLUTION AUTHORIZING AN APPLICATION TO APPROVE NEW CONSTRUCTION OF ACCESSORY STRUCTURES "SAFE HOUSES" TO BE PLACED ADJACENT TO EXISTING PUMP STATIONS.

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 4th day of April, 2017.

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

RESOLUTION SBPC #1706-04-17

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN ST. BERNARD PARISH GOVERNMENT AND THE OLD ARABI NEIGHBORHOOD ASSOCIATION IN REGARD TO THE AYCOCK STREET BARN.

Discussion ensued;

On motion of Mr. Luna, seconded by Mrs. Alcon, it was moved to **amend** the following resolution as follows:

Page 1, Article I, Section (1)

1. Allow the Aycock Street Barn to be utilized by the *Arabi Association* for ~~programs which enhance the quality of life in Old Arabi and the Parish of St. Bernard, except that Parish reserves the right to charge a fee to be mutually agreed upon for Sugar Fest or other similar large, all-day festivals.~~ Sippin in the Sunset and the Sugar Fest. Both events enhance the quality of life in Old Arabi and the Parish of St. Bernard. St. Bernard Parish Council, the governing authority, reserves the right to charge a fee to be mutually negotiated for the events listed herein.

4. Provide use of the Aycock Street Barn on a first come first serve basis.

Page 2, Article III, Section (1)

1. This agreement will become effective ~~on March __, 2017.~~ upon the date of acceptance by the St. Bernard Parish President.

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Discussion ensued on the amendment;

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: McCloskey

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of April, 2017.

Discussion ensued as amended;

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

RESOLUTION SBPC #1706-04-17

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN ST. BERNARD PARISH GOVERNMENT AND THE OLD ARABI NEIGHBORHOOD ASSOCIATION IN REGARD TO THE AYCOCK STREET BARN.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Callais

NAYS: McCloskey

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of April, 2017.

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

RESOLUTION SBPC #1707-04-17

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT WITH THE LOUISIANA WILDLIFE AND FISHERIES DEPARTMENT TO RETAIN A PRIME CONTRACTOR TO CREATE A PRODUCTIVE OYSTER REEF ON PUBLIC OYSTER SEED GROUNDS TO OFFSET IMPACTS TO OYSTER AREAS RESULTING FROM ANY EXPOSURE TO DEEPWATER HORIZON OIL, DISPERSANT, AND RESPONSE ACTIVITIES.

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 4th day of April, 2017.

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

Summary No. 3456

Introduced by: Councilmember Luna on 2/7/17

Planning Commission recommended **APPROVAL** on 3/28/17

Public hearing held on 4/4/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 3; OFF-STREET PARKING AND LOADING REQUIREMENTS IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to amend Summary No. 3456 as follows:

Page 3, Section 22-7-3.2.1., Subsection (a)

- (a) Change eight-foot wide to four-foot wide
Change four (4) feet to 2 feet
Change eight (8) feet to 4 feet

Discussion ensued further on the amendment;

On motion of Mr. McCloskey, seconded by Mr. Gorbaty, it was moved to make a substitute motion to amend Summary No. 3456 as follows:

- (a) Change eight-foot wide to six-foot wide
Change four (4) feet to 3 feet
Change eight (8) feet to 6 feet
- (a) The required front yard for multiple-family development may be used as required parking area on the condition that a minimum eight six-foot-wide buffer zone between the paved parking surface and the building face be provided, and further, that at least four (4) three (3) feet of the total eight (8) six (6) feet be utilized as landscape on screen planting area.

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 4th day of April, 2017.
Discussion ensued;

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

ORDINANCE SBPC #1866-04-17

Summary No. 3456

Introduced by: Councilmember Luna on 2/7/17

Planning Commission recommended **APPROVAL** on 3/28/17

Public hearing held on 4/4/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 3; OFF-STREET PARKING AND LOADING 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 4th day of April, 2017.

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

ORDINANCE SBPC #1867-04-17

Summary No. 3468

Introduced by: Councilman Luna on 3/21/17

Public hearing held on 4/4/17

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 4th day of April, 2017.

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

ORDINANCE SBPC #1868-04-17

Summary No. 3469

Introduced by: Councilman Montelongo on 3/21/17

Planning Commission recommended **APPROVAL** on 3/28/17

Public hearing held on 4/4/17

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 AND TO AMEND CHAPTER 22; ZONING; SECTION 22-9; SPECIAL REGULATIONS, SUBSECTION 22-9-5; RECREATIONAL VEHICLE PARKS TO ADD TWO NEW SUBSECTIONS 22-9-5.5 RECREATIONAL VEHICLES PARKS OUTSIDE THE FEDERAL LEVEE PROTECTION SYSTEM AND SUBSECTION 22-9-5.6 RECREATIONAL VEHICLES FOR PERSONAL RECREATIONAL USE OUTSIDE THE FEDERAL LEVEE PROTECTION SYSTEM 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 4th day of April, 2017.

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

ORDINANCE SBPC #1869-04-17

Summary No. 3470

Introduced by: Councilmember Callais on 3/21/17

Public hearing held on 4/4/17

AN ORDINANCE IMPLEMENTING THE UPDATED COASTAL ZONE MANAGEMENT PROGRAM FOR ST. BERNARD PARISH AND PROVIDING FOR THE REGULATION AND CONTROL OF COASTAL USES OF LOCAL CONCERN.

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

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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 4th day of April, 2017.

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

Summary No. 3471

Introduced by: Administration on 3/21/17

AN ORDINANCE TO AMEND **ORDINANCE SBPC #1838-12-16**, AN ORDINANCE TO ADOPT THE 2017 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, Callais

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of April, 2017.

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

Summary No. 3472

Planning Commission recommended **APPROVAL** on 3/28/17

Introduced by: Administration on 4/4/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION; 22-7 SITE DEVELOPMENT STANDARDS, SUBSECTION 22-7-4; SIGN REGULATIONS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

On motion of Mr. Lewis, seconded by Ms. Callais, it was moved to amend Summary No. 3472 as follows:

Page 1, Section 22-7-4.1.1, Subsection (b) (2)

2. **Painting, repainting, cleaning, changing permitted items of information, or other normal maintenance and repair of a sign, not involving structural changes or changes in the electrical components of the sign or changes that would make a non-illuminated sign an laminated sign.**

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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 4th day of April, 2017.

On motion of Mr. Lewis, seconded by Ms. Callais, it was moved to amend Summary No. 3472 as follows:

Page 9, Section 22-7-4.5., Subsection (r)

- (r) *Pole sign.* A sign erected on one or more pole, and which is wholly independent of any building for support advertising space shall not exceed ~~48~~ 64 square feet per side, twenty (20) feet in height and must be installed by a licensed sign company.

Discussion ensued on the amendment;

Mr. Lewis withdrew this amendment at this time.

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

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 4th day of April, 2017.

The Public Hearing for this item, Summary No. 3472 will be held at the May 2, 2017 Council meeting which will be held in the St. Bernard Parish Council Chambers beginning at 7:00 p.m.

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

Summary No. 3473

Planning Commission recommended **APPROVAL** on 3/28/17

Introduced by: Administration on 4/4/17

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AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION; 22-7 SITE DEVELOPMENT 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, Callais

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of April, 2017.

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

Summary No. 3474

Planning Commission recommended **APPROVAL** on 3/28/17

Introduced by: Administration on 4/4/17

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION; SECTION 22-4; GENERAL PROVISIONS, SUBSECTION 22-4-2; GENERAL PROVISIONS 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, Alcon, Montelongo, Callais

NAYS: Luna

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of April, 2017.

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

Summary No. 3475

Planning Commission recommended **DENIAL** on 3/28/17

Introduced by: Administration on 4/4/17

AN ORDINANCE TO APPROVE **DOCKET Z-2017-003**, PETITION OF MICHAEL CASTJOHN, FOR A ZONING CHANGE FROM R-2 (TWO-FAMILY RESIDENTIAL) TO I-1 (LIGHT INDUSTRIAL) FOR THE PROPERTY LOCATED AT 413 E PROSPER STREET.

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

YEAS: McCloskey, Alcon, Montelongo, Callais

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NAYS: Gorbaty, Luna

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of April, 2017.

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

Summary No. 3476

Planning Commission recommended **DENIAL** on 3/28/17

Introduced by: Administration on 4/4/17

AN ORDINANCE TO APPROVE **DOCKET Z-2017-004**, PETITION OF ANNE CASTJOHN, FOR A ZONING CHANGE FROM R-2 (TWO-FAMILY RESIDENTIAL) **TO** I-1 (LIGHT INDUSTRIAL) FOR THE PROPERTY LOCATED AT 409 E PROSPER STREET.

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

YEAS: McCloskey, Alcon, Montelongo, Callais

NAYS: Gorbaty, Luna

ABSENT: None

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

And the motion was declared **adopted** on the 4th day of April, 2017.

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

Summary No. 3477

Planning Commission recommended **APPROVAL** on 3/28/17

Introduced by: Administration on 4/4/17

AN ORDINANCE TO APPROVE **DOCKET Z-2017-005**, PETITION DANIEL LESTER, FOR A ZONING CHANGE FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL) FOR THE PROPERTY LOCATED AT 1243 ANGELA STREET, ARABI, LA 70032.

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

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

And the motion was declared **adopted** on the 4th day of April, 2017.

#28 On motion the Chair, without objection and by unanimous consent, it was moved to **REMOVE** the following Coastal Zone Permits:

- a. **St. Bernard Parish High Density Oyster Spat on Shell Restoration and Sustainability Program** - The St. Bernard Parish CZAC has recommended this project to the St. Bernard Parish Council for approval. The approval did have a caveat. The concern was about the placement of the project due to the salinity levels being affected in a downward trend due to the Mardi Gras Pass levee breach. The approval was granted due to the funding source being entirely supplied by the State of Louisiana.

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 4th day of April, 2017.

#29 On motion the Chair, without objection and by unanimous consent, it was moved to announce that St. Bernard Parish currently has 213 adjudicated properties available for sale at CivicSource.com. The next online auction will be held on Wednesday, April 5th from 8:00 a.m. until 8:00 p.m. To initiate the auction process on one or more properties, the investor must place a deposit of \$850 on each property, which starts the prerequisite legal research and notification process that is required before the auction takes place. The pre-sale process takes approximately 120 days to complete. If the current property owner pays all delinquent taxes and fees during the pre-sale period, the depositor is refunded the deposit and the sale is halted. Visit CivicSource.com to learn more.

#30 On motion the Chair, without objection and by unanimous consent, it was moved to announce that a Public Information Session will be held on Wednesday, April 19th from 6:00 p.m. to 7:30 p.m. in the St. Bernard Council Chambers located at 8201 W. Judge Perez Drive. This free event will teach potential investors how to revitalize communities by returning adjudicated properties to commerce. Topics to be covered include: legal due process compliance, title insurance, how to participate in upcoming auctions and an overview of properties that are currently available for deposit.

On motion the Chair, without objection and by unanimous consent, it was moved to address items **#31** - **#35** in Globo.

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

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

And the motion was declared **adopted** on the 4th day of April, 2017.

#31 On motion the Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss Paratech, L.L.C. v. St. Bernard Parish Government- 14-1331, Div. D

#32 On motion the Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss Richard Perniciaro and Robert Cleveland, Individually and on behalf of Paratech, L.L.C. v. Guy McInnis, Ray Lauga, Jr., Casey W. Hunnicutt, Richard Lewis, St. Bernard Parish Government, The Times Picayune, L.L.C., Benjamin Alexander-Bloch and RSUI Indemnity Company - 16-0969, Div. C.

#33 On motion the Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss Sharon Shaeffer v. David Peralta, No.14270-C.

#34 On motion the Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss Sharon Shaeffer v. David Peralta, No.14270-C. enter into Executive Session to discuss Sharon Shaeffer v. David Peralta, individually and Officially St. Bernard Parish, St. Bernard Parish Sherriff's Office, St. Bernard Parish Council, Sharon Williams Officially, Billy McGoey Officially, Melissia O'Neil Officially, Donald Bourgeois Officially, Kim Owens Officially, Guy McInnis Officially, XYZ INSURANCE COMPANIES, USDC No. 16-17784.

#35 On motion the Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss "Arcola Sutton v. Ethan Herrle and St. Bernard Parish Government", 34th JDC No. 15-0030, Div. C.

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 4th day of April, 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: 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 4th day of April, 2017.

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#31 On motion of Ms. Callais, seconded by Mr. Gorbaty, it was moved to accept the advice of Legal Counsel in the matter of Paratech, L.L.C. v. St. Bernard Parish Government- 14-1331, Div. D

#32 On motion of Ms. Callais, seconded by Mr. Gorbaty, it was moved to accept the advice of Legal Counsel in the matter of Richard Perniciaro and Robert Cleveland, Individually and on behalf of Paratech, L.L.C. v. Guy McInnis, Ray Lauga, Jr., Casey W. Hunnicutt, Richard Lewis, St. Bernard Parish Government, The Times Picayune, L.L.C., Benjamin Alexander-Bloch and RSUI Indemnity Company - 16-0969, Div. C.

#33 On motion of Ms. Callais, seconded by Mr. Gorbaty, it was moved to accept the advice of Legal Counsel in the matter of Sharon Shaeffer v. David Peralta, No.14270-C.

#34 On motion of Ms. Callais, seconded by Mr. Gorbaty, it was moved to accept the advice of Legal Counsel in the matter of Sharon Shaeffer v. David Peralta, No.14270-C. enter into Executive Session to discuss Sharon Shaeffer v. David Peralta, individually and Officially St. Bernard Parish, St. Bernard Parish Sherriff's Office, St. Bernard Parish Council, Sharon Williams Officially, Billy McGoey Officially, Melissia O'Neil Officially, Donald Bourgeois Officially, Kim Owens Officially, Guy McInnis Officially, XYZ INSURANCE COMPANIES, USDC No. 16-17784.

#35 On motion of Ms. Callais, seconded by Mr. Gorbaty, it was moved to accept the advice of Legal Counsel in the matter of "Arcola Sutton v. Ethan Herrle and St. Bernard Parish Government", 34th JDC No. 15-0030, Div. C.

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 4th day of April, 2017.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 9:53 p.m. on the 4th day of April, 2017.

Next Regular scheduled Council Meeting will be held Tuesday, April 18, 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