

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **MAY 17, 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 May 17, 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 3:02 p.m. Members present: Council Chair, Kerri Callais, Councilmembers Nathan Gorbaty, Howard Luna, Wanda Alcon, Manuel "Monty" Montelongo and Richard "Richie" Lewis.

Members absent: Gillis McCloskey

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

Minster Jerry Troxclair delivered the invocation and Councilmember Luna led the Pledge of Allegiance.

#1 On motion of Mr. Luna, seconded by Mr. Lewis, it was moved to approve the minutes from the May 3, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, May 13, 2016.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

#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 speak at this meeting.

On motion of the Chair, without objection and by unanimous consent, it was moved to address items #14 and #15.

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

RESOLUTION SBPC #1592-05-16

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A RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT EXCEEDING TWO MILLION DOLLARS (\$2,000,000) OF TAXABLE CERTIFICATES OF INDEBTEDNESS, OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PROVIDING CERTAIN TERMS OF SAID CERTIFICATES; MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF SAID CERTIFICATES; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

Discussion ensued;

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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

RESOLUTION SBPC #1593-05-16

A RESOLUTION GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF NOT EXCEEDING FOUR MILLION TWO HUNDRED THOUSAND DOLLARS (\$4,200,000) OF TAXABLE LIMITED TAX CERTIFICATES OF INDEBTEDNESS OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA; PROVIDING CERTAIN TERMS OF SAID CERTIFICATES; MAKING APPLICATION TO THE STATE BOND COMMISSION FOR APPROVAL OF SAID CERTIFICATES; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

#5 **Summary No. 3378**

Planning Commission recommended **APPROVAL** on 4/26/16

Introduced by: Administration on 5/3/16

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

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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#6 Summary No. 3374

Planning Commission recommended **APPROVAL** on 4/26/16
Introduced by: Administration on 5/3/16

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

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#7 Summary No. 3375

Introduced by: Administration on 5/3/16

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

#8 Summary No. 3377

Introduced by: Councilman Lewis on 5/3/16

AN ORDINANCE TO AMEND CHAPTER 13; OCCUPATIONAL LICENSE, TAXES AND REGULATIONS, SECTION 13-44; PERMIT REQUIREMENTS FOR DISTRIBUTION AND SOLICITATION IN THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1587-05-16

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. Dockside Enterprises, Inc. dba Casanova Seafood 1928 Massicot Road, St. Bernard, LA 70085
Owners: Judy & Robert Casanova **(Renewal) (Beer only)**
2. Liza K. Inc. dba Yogi's Katz Lounge 3004 Paris Road, Chalmette, LA 70043 Owner: Liza Kelly Levis
(Renewal) (Beer and Liquor)
3. RD & RS, Inc., dba Smokes for Less #3 2400 Paris Road, Chalmette, LA 70043 Owner: Jatin Desat
(Renewal) (Beer and Liquor)
4. SL & CR, LLC, dba MeMe's Bar & Grille 712 W. Judge Perez Drive, Chalmette, LA 70043 Owners:
Charles E. Williams, Jr. & Rae Ann Williams **(Renewal) (Beer and Liquor)**
5. Vaughan Bar, Inc., dba Barracuda's Lounge 7907 E. St. Bernard Hwy., Suite A, St. Bernard, LA 70085
Owner: Ricky 'Tony' Melerine **(Renewal) (Beer and Liquor)**

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6. Victory Fuel Enterprises, LLC dba 5303 Deli & Food 5303 Paris Road, Chalmette, LA 70043 Member: John K. Roberts, III **(Renewal) (Beer and Liquor)**
7. Vucinovich's LaBella Vita, LLC dba Vucinovich's LaBella Vita 3850 E. Judge Perez Drive, Meraux, LA 70075 Owners: Russell L. Vucinovich, Jr. & Eileen P. Vucinovich **(Renewal) (Beer and Liquor)**
8. Wal Mart Louisiana, LLC dba Wal Mart Supercenter #909 8101 W. Judge Perez Drive, Chalmette, LA 70043 Manager: Otho Craddock **(Renewal) (Beer and Liquor)**
9. Who Dat Yat Chat, LLC dba Who Dat Yat Chat 5805 E. Judge Perez Drive, Violet, LA 70092 Members: Lisa Graves & Darleen Levy **(Renewal) (Beer and Liquor)**
10. Winn Dixie Montgomery, LLC dba Winn Dixie #1432 3300 Paris Road, Chalmette, LA 70043 President: Robert Randall Onstead **(Renewal) (Beer and Liquor)**
11. 2021 Paris, LLC dba Mr. C's 2021 Paris Road, Chalmette, LA 70043 Members: Ray Culotta, Jr. & Danielle Culotta **(Renewal) (Beer and Liquor)**
12. Phoenix Max, Inc. dba The Daq Shaq 6601 W. Judge Perez Drive, Arabi, LA 70032 Owners: Denise Chatellier & Guy Olano III **(New) (Beer and Liquor)**
13. Phoenix Max, Inc. dba Sweet Things & Grill 6617 W. Judge Perez Drive, Arabi, LA 70032 Owners: Denise Chatellier & Guy Olano III **(New) (Beer and Liquor)**
14. Hot Wok Asian Buffet, Inc. dba Hot Wok Asian Buffet 8700 W. Judge Perez Drive, Chalmette, LA 70043 Owner: Shan Rogn Lin **(New) (Beer and Liquor)**

Special Event Permit(s)

1. Name of Organization: Knights of Nemesis Social Club and Parade
Address: Post Office Box 291, Arabi, LA 70032
Event: Knights of Nemesis *Hook A Kid on Fishing Rodeo*
Location: Campo's Marina, Shell Beach, LA
Date & Time: Saturday, June 18, 2016, 8:00 a.m. – 4:00 p.m.
Contact Person: Robert Showalter
2. Name of Organization: St. Bernard Parish Salutes America
Address: 8201 W. Judge Perez Drive, Chalmette, LA 70043
Event: St. Bernard Parish Salutes America – 4th of July Celebration
Location: Fred Sigur Civic Center Parking Lot
Date & Time: Sunday, July 3, 2016, 6:00 p.m. – 10:30 p.m.
Contact Person: George Imbraguglio, Jr., President

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

YEAS: Gorbaty, Luna, Alcon, Montelongo

NAYS: None

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ABSENT: McCloskey

ABSTAINED: Lewis

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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

RESOLUTION SBPC #1588-05-16

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S HAZARD MITIGATION ASSISTANCE GRANT PROGRAM IN THE AMOUNT OF \$1,394,652.00 FOR THE ST. BERNARD PARISH CREELY CANAL STORMWATER MITIGATION PROJECT.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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

RESOLUTION SBPC #1589-05-16

A RESOLUTION AUTHORIZING AN APPLICATION TO THE FY2015-2016 LOUISIANA COMMUNITY WATER ENRICHMENT FUND GRANT PROGRAM FOR THE CENTER STREET WATER LINE REPLACEMENT PROJECT IN THE AMOUNT OF \$125,240.00.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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

RESOLUTION SBPC #1590-05-16

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A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE LOUISIANA DECENTRALIZED ARTS FUNDING PROGRAM IN THE AMOUNT OF \$5,000.00 FOR THE JAZZ IN JUNE CONCERT SERIES AT TORRES PARK.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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

RESOLUTION SBPC #1591-05-16

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: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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

Summary No. 3378

Planning Commission recommended **APPROVAL** on 4/26/16

Introduced by: Administration on 5/3/16

Public hearing held on 5/17/16

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

Discussion ensued;

On motion of Mr. Luna, seconded by Mr. Lewis, it was moved to amend section (c), (d) and (g) as submitted into the official record.

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

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YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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

ORDINANCE SBPC #1783-05-16

Summary No. 3378

Planning Commission recommended **APPROVAL** on 4/26/16

Introduced by: Administration on 5/3/16

Public hearing held on 5/17/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 4 PERMITTED USES IN RESIDENTIAL AREAS 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: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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

Summary No. 3374

Planning Commission recommended **APPROVAL** on 4/26/16

Introduced by: Administration on 5/3/16

Public hearing held on 5/17/16

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

On motion of Mr. Luna, seconded by Mr. Lewis, it was moved to amend section (c), (d) and (g) as submitted into the official record.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

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NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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

ORDINANCE SBPC #1784-05-16

Summary No. 3374

Planning Commission recommended **APPROVAL** on 4/26/16

Introduced by: Administration on 5/3/16

Public hearing held on 5/17/16

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 6; COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS, SUBSECTION 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: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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

ORDINANCE SBPC #1785-05-16

Summary No. 3375

Introduced by: Administration on 5/3/16

Public hearing held on 5/17/16

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: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

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And the motion was declared **adopted** on the 17th day of May, 2016.

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

ORDINANCE SBPC #1786-05-16

Summary No. 3377

Introduced by: Councilman Lewis on 5/3/16

Public hearing held on 5/17/16

AN ORDINANCE TO AMEND CHAPTER 13; OCCUPATIONAL LICENSE, TAXES AND REGULATIONS, SECTION 13-44; PERMIT REQUIREMENTS FOR DISTRIBUTION AND SOLICITATION 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: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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

Summary No. 3379

Introduced by: Administration on 5/17/16

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: Gorbaty, Luna, Alcon, Montelongo

NAYS: Lewis

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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

Summary No. 3380

Introduced by: Administration on 5/17/16

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AN ORDINANCE TO **AMEND ORDINANCE SBPC # 1584-12-14**, AN ORDINANCE TO ADOPT THE 2015 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: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

A special meeting will be held on May 31, 2016 at 3:00 p.m. for the public hearing and adoption of this ordinance.

#22 Coastal Zone Advisory Committee

No official action taken

#23 On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to enter into Executive Session to discuss potential litigation of Global Risk Solutions Inc. vs. St. Bernard Parish Government.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

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On motion of Mr. Luna, seconded by Mr. Montelongo, it was moved to accept the advice of Legal Counsel on the potential litigation of Global Risk Solutions Inc. vs. St. Bernard Parish Government.

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

YEAS: Gorbaty, Luna, Alcon, Montelongo, Lewis

NAYS: None

ABSENT: McCloskey

The Chairman, Ms. Callais, cast his vote as **YEA**.

And the motion was declared **adopted** on the 17th day of May, 2016.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:27 p.m. on the 17th day of May, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, June 7, 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