

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **MAY 3, 2016 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 May 3, 2016 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 7:02 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 President, Guy McInnis and CAO, Ronnie Alonzo was present representing Administration.

Councilmember Luna delivered the invocation and Councilmember Gorbaty led the Pledge of Allegiance.

#1 On motion of Mr. McCloskey, seconded by Mr. Luna, it was moved to approve the minutes from the April 19, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, April 29, 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 3rd day of May, 2016.

#2 On motion of the Chair, without objection and by unanimous consent, it was moved to recognize Lindi Senez to discuss the upcoming "Joggin for the Noggin" event in St. Bernard Parish.

#3 On motion of the Chair, without objection and by unanimous consent, it was moved to recognize Katie Tommaseo, Tourism Manager to proclaim May 1st – May 7th, 2016 as "National Travel and Tourism Week" in St. Bernard Parish.

#4 On motion of the Chair, without objection and by unanimous consent, it was moved to proclaim May 9th – May 14th, 2016 as "National Women's Lung Health Week" in St. Bernard Parish.

#5 On motion of the Chair, without objection and by unanimous consent, it was moved to to recognize Chris McLindon for a presentation on Coastal Awareness.

Presentation is on file with the minutes of this meeting.

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#6 On motion of the Chair, without objection and by unanimous consent, it was moved to recognize Administration for an update of Bluebird Park.

No official action taken.

#7 President's Report

A copy of this report was entered into the official record and is on file with the minutes of this meeting.

#8 Councilmember's District Update

A copy of this update is on file with the minutes of this meeting.

#9 Recognize the Public

- Ken Dufour – Violet, LA
- Glen Lauga – St. Bernard, LA

On motion of the Chair, without objection and by unanimous consent, it was moved to address item #22.

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

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.

On motion of Mr. Lewis, seconded by Mr. Luna, it was moved to amend this item to include three (3) additional budget amendments.

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 3rd day of May, 2016.

On motion of Mr. McCloskey, seconded by Mrs. Alcon, it was moved to **introduce** Summary No. 3375, as amended:

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 3rd day of May, 2016.

#10 Summary No. 3370

Introduced by: Administration on 4/19/16

AN ORDINANCE TO DECLARE AS SURPLUS A TEN FOOT SECTION OF 8512 CREOLE DR. CHALMETTE, LA, WHICH IS OWNED BY THE PARISH, AND TO AUTHORIZE THE SALE OF SAID TEN FOOT SECTION OF SAID PROPERTY ACCORDING TO LAW TO ELIZZA JANE SIMS.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#11 Summary No. 3371

Introduced by: Administration on 4/19/16

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

#12 Summary No. 3372

Introduced by: Administration on 4/19/16

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

#13 Summary No. 3373

Introduced by: Councilman Montelongo on 4/19/16

AN ORDINANCE ABANDONING STREET RIGHT OF WAY FOR A CERTAIN PORTION OF MEMORY LANE IN EASTWOOD MANOR SUBDIVISION, ST. BERNARD PARISH, LOUISIANA.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1585-05-16

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. CC's Hideout, LLC dba CC's Hideout 86 Norton Avenue, Arabi, LA 70032 Member: Soyana M. Escott **(Renewal) (Beer & Liquor)**
2. Rana & Sons, LLC dba Discount Food Mart 7011 St. Claude Avenue, Arabi, LA 70032 Members: Rana S. Rasool & Rana M. Rasool **(Renewal) (Beer & Liquor)**
3. Rick's Veteran's, LLC dba Magnolia Discount 7600 W. Judge Perez Drive, Arabi, LA 70032 Owner: Zahran Bazzar **(Renewal) (Beer & Liquor)**
4. Smart Win, LLC dba Discount Food Mart 2 1800 E. Judge Perez Drive, Suite B, Chalmette, LA 70043 Members: Rana S Rasool & Rana M. Rasool **(Renewal) (Beer & Liquor)**
5. St. Bernard Station, LLC dba St. B's Discount 5859 E. St. Bernard Hwy., Violet, LA 70092 Owner: Danny Nassar **(Renewal) (Beer & Liquor)**

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6. UNI, LLC dba UMI 535 E. Judge Perez Drive, Chalmette, LA 70043 Owners: James Peeples & Jai Je Ruan **(Renewal) (Beer & Liquor)**
7. Victory Fuel Enterprises, LLC dba Pelican Express 5303-A Paris Road Chalmette, LA 70043 Member: John K. Roberts, III **(Renewal) (Beer only)**
8. Walgreens Louisiana Co., Inc. dba Walgreens #07415 100 W. Judge Perez Drive, Chalmette, LA 70043 Manager: Dustin Mares **(Renewal) (Beer & Liquor)**
9. Walgreen Louisiana Co., Inc. dba Walgreens #13586 4141 E. Judge Perez Drive, Meraux, LA 70075 Owner: Johnathon Wetzel **(Renewal) (Beer & Liquor)**
10. 6940, LLC dba Pirogue's Whiskey Bayou 6940 St. Claude Avenue, Arabi, LA 70032 Members: Muriel-Anna Altikriti, Lisa McCracken, Kelly Sheeran and Gregory Strategier **(Renewal) (Beer & Liquor)**

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 3rd day of May, 2016.

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

RESOLUTION SBPC #1586-05-16

A RESOLUTION PROVIDING FOR CANVASSING THE RETURNS AND DECLARING THE RESULT OF THE SPECIAL ELECTIONS HELD IN (I) THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, (II) GARBAGE DISTRICT NO. 1 OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, (III) ROAD DISTRICT NO. 1 OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, (IV) ROAD LIGHTING DISTRICT NO. 1 OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA AND (V) FIRE PROTECTION DISTRICT NO. 1 OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, ON SATURDAY, APRIL 9, 2016, TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN.

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 3rd day of May, 2016.

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

ORDINANCE SBPC #1780-05-16

Summary No. 3370

Introduced by: Administration on 4/19/16

Public hearing held on 5/3/16

AN ORDINANCE TO DECLARE AS SURPLUS A TEN FOOT SECTION OF 8512 CREOLE DR. CHALMETTE, LA, WHICH IS OWNED BY THE PARISH, AND TO AUTHORIZE THE SALE OF SAID TEN FEET SECTION OF SAID PROPERTY ACCORDING TO LAW TO ELIZZA JANE SIMS.

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 3rd day of May, 2016.

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

ORDINANCE SBPC #1781-05-16

Summary No. 3371

Introduced by: Administration on 4/19/16

Public hearing held 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.

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 3rd day of May, 2016.

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

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Summary No. 3372

Introduced by: Administration on 4/19/16

Public hearing held 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.

Discussion ensued;

On motion of Mr. Lewis, seconded by Mrs. Alcon, it was moved to amend this item to remove "2317 IT \$4,044"

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 3rd day of May, 2016.

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

ORDINANCE SBPC #1782-05-16

Summary No. 3372

Introduced by: Administration on 4/19/16

Public hearing held 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.

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 3rd day of May, 2016.

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

Summary No. 3373

Introduced by: Councilman Montelongo on 4/19/16

Public hearing held on 5/3/16

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AN ORDINANCE ABANDONING STREET RIGHT OF WAY FOR A CERTAIN PORTION OF MEMORY LANE IN EASTWOOD MANOR SUBDIVISION, ST. BERNARD PARISH, LOUISIANA.

Discussion ensued;

On motion of Mr. Montelongo, seconded by Mr. McCloskey, it was moved to table this item until survey is obtained.

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 3rd day of May, 2016.

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

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.

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 3rd day of May, 2016.

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

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.

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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, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 3rd day of May, 2016.

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

Summary No. 3376

Introduced by: Administration on 5/3/16

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: 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 3rd day of May, 2016.

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

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.

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 3rd day of May, 2016.

#25 Coastal Zone Advisory Committee

No official action taken

#26 On motion of Mr. Gorbaty, seconded by Mrs. Alcon, it was moved to discuss the Housing, Redevelopment & Quality of Life Commission.

Discussion ensued; No official action taken.

#27 On motion of Mr. Gorbaty, seconded by Mr. Montelongo, it was moved to enter into Executive Session to discuss Joseph Rigby vs. Craig Taffaro, et al, USDC Eastern District No. 12-2537.

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 3rd 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: 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 3rd day of May, 2016.

On motion of Mr. Montelongo, seconded by Mr. McCloskey, it was moved to accept the advice of Legal Counsel in the matter of Joseph Rigby vs. Craig Taffaro, et al, USDC Eastern District No. 12-2537.

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 3rd day of May, 2016.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 9:02 p.m. on the 3rd day of May, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, May 17, 2016 @ 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

Kerri Callais

KERRI CALLAIS
COUNCIL CHAIR