

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON TUESDAY, **AUGUST 16, 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 August 16, 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 3:06 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.

Father Augustine delivered the invocation and Councilmember Gorbaty led the Pledge of Allegiance.

#1 On motion of Mr. Gorbaty, seconded by Mr. Lewis, it was moved to approve the minutes from the August 2, 2016 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, August 12, 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 16th day of August, 2016.

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

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

RESOLUTION SBPC #1618-08-16

A RESOLUTION OF SUPPORT FOR THE ST. BERNARD PARISH PRIORITY COASTAL PROJECTS.

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

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

And the motion was declared **adopted** on the 16th day of August, 2016.

#2 On motion of the Chair, without objection and by unanimous consent, it was moved to recognize Stephen Morel with Civic Source to discuss the adjudicated property process.

No official action taken

#3 President's Report

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

#4 Councilmember's District Update

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

#5 Recognize the Public

No one signed up to be recognized at this meeting.

#6 Summary No. 3400

Introduced by: Councilmember Gorbaty on 8/2/16

AN ORDINANCE INSTITUTING A TEMPORARY MORATORIUM ON NEW HIRES FOR ST. BERNARD PARISH GOVERNMENT.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#7 Summary No. 3401

Introduced by: Administration on 8/2/16

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. 3402

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-012**, PETITION OF DIONNA RICHARDSON FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3408 ANGELIQUE DRIVE, VIOLET, LA 70092.

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

#9 Summary No. 3403

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-013**, PETITION OF CATHY MOORE FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3008 ROSETTA DRIVE, CHALMETTE, LA 70043.

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

On motion of the Chair, without objection and by unanimous consent, it was moved to address items #17 and #18.

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

Summary No. 3402

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

Executive Finance Committee made **NO RECOMMENDATION** on 8/15/16

Public hearing held on 8/16/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-012**, PETITION OF DIONNA RICHARDSON FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3408 ANGELIQUE DRIVE, VIOLET, LA 70092.

On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to **table** Summary No. 3402 until the September 20, 2016 meeting.

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 16th day of August, 2016.

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

Summary No. 3403

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

Executive Finance Committee made **NO RECOMMENDATION** on 8/15/16

Public hearing held on 8/16/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-013**, PETITION OF CATHY MOORE FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 3008 ROSETTA DRIVE, CHALMETTE, LA 70043.

On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to **table** Summary No. 3403 until the September 20, 2016 meeting:

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 16th day of August, 2016.

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#10 Summary No. 3404

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-015**, PETITION OF DEMETRIA BROWN FOR A ZONING CHANGE FROM "R-1(M), (MOBILE HOME SINGLE-FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" AND A CONDITIONAL USE TO ALLOW AN ITINERANT MARKET (SEASONAL) FOR THE PROPERTY LOCATED AT 6415 JULES BROWN STREET, VIOLET, LA 70092.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#11 Summary No. 3405

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-016**, PETITION OF RALPH MENESSES FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 2904 JACKSON BLVD., CHALMETTE, LA 70043.

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

#12 Summary No. 3406

Introduced by: Councilmember Alcon on 8/2/16

AN ORDINANCE TO **AMEND** ORDINANCE SBPC #1802-07-16, AN ORDINANCE AUTHORIZING THE CREATION OF THE "FILM ST. BERNARD", AN INCENTIVE PROGRAM THROUGH WHICH A REBATE MAY BE OFFERED FOR LODGING, PAYROLL, AND OTHER PRODUCTION EXPENDITURES MADE IN ST. BERNARD PARISH FOR PRE-APPROVED PRODUCTIONS.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

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

RESOLUTION SBPC #1617-08-16

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. DePope Launch & Tavern, Inc. dba DePope Launch & Tavern 6201 E. St. Bernard Hwy., Violet, LA 70092 Owner: Lionel J. Alphonso, Sr. **(Renewal) (Beer & Liquor)**

Special Event

1. Name of Organization: Old Arabi Neighborhood Association
Address: 843 Angela Street, Arabi, LA 70032
Event: Sippin' in the Sunset/Old Arabi Sugar Fest
Location: Aycokk Barn, 409 Aycokk Street, Arabi, LA
Date & Time: September 1st, October 6th, October 8th and November 3, 2016; 6:00 p.m. – 8:00 p.m.
Contact Person: Maegan S. Dobson

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

YEAS: McCloskey, Gorbaty, Alcon, Luna, 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 16th day of August, 2016.

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

ORDINANCE SBPC #1806-08-16

Summary No. 3400

Introduced by: Councilmember Gorbaty on 8/2/2016

Executive Finance Committee recommended **APPROVAL** on 8/15/16

Public hearing held on 8/16/16

AN ORDINANCE INSTITUTING A TEMPORARY MORATORIUM ON NEW HIRES FOR ST. BERNARD PARISH GOVERNMENT.

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 **YEA**.

And the motion was declared **adopted** on the 16th day of August, 2016.

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

Summary No. 3401

Introduced by: Administration on 8/2/16

Executive Finance Committee recommended **APPROVAL** with amendments on 8/15/16

Public hearing held on 8/16/16

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 Ms. Callais, seconded by Mr. McCloskey, it was moved to amend the budget as entered into the official record.

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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 16th day of August, 2016.

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

ORDINANCE SBPC #1807-08-16

Summary No. 3401

Introduced by: Administration on 8/2/16

Executive Finance Committee recommended **APPROVAL** with amendments on 8/15/16

Public hearing held on 8/16/16

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, Luna, Alcon, Montelongo, Lewis

NAYS: Gorbaty

ABSENT: None

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

And the motion was declared **adopted** on the 16th day of August, 2016.

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

Summary No. 3404

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

Executive Finance Committee made **NO RECOMMENDATION** on 8/15/16

Public hearing held on 8/16/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-015**, PETITION OF DEMETRIA BROWN FOR A ZONING CHANGE FROM "R-1(M), (MOBILE HOME SINGLE-FAMILY RESIDENTIAL)" TO "C-1, (NEIGHBORHOOD COMMERCIAL)" AND A CONDITIONAL USE TO ALLOW AN ITINERANT MARKET (SEASONAL) FOR THE PROPERTY LOCATED AT 6415 JULES BROWN STREET, VIOLET, LA 70092.

On motion of Mr. Montelongo, seconded by Mr. Lewis, it was moved to **table** Summary No. 3404 ordinance indefinitely.

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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 16th day of August, 2016.

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

ORDINANCE SBPC #1808-08-16

Summary No. 3405

Planning Commission recommended **DENIAL** on 7/26/16

Introduced by: Administration on 8/2/16

Executive Finance Committee made **NO RECOMMENDATION** on 8/15/16

Public hearing held on 8/16/16

AN ORDINANCE TO APPROVE **DOCKET Z-2016-016**, PETITION OF RALPH MENESSES FOR A ZONING CHANGE FROM "R-1, (SINGLE FAMILY RESIDENTIAL)" TO "R-2, (TWO-FAMILY RESIDENTIAL)" FOR THE PROPERTY LOCATED AT 2904 JACKSON BLVD., CHALMETTE, LA 70043.

Discussion ensued;

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

YEAS: McCloskey, Gorbaty, Alcon, Montelongo, Lewis

NAYS: Luna

ABSENT: None

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

And the motion was declared **adopted** on the 16th day of August, 2016.

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

ORDINANCE SBPC #1809-08-16

Summary No. 3406

Introduced by: Councilmember Alcon on 8/2/16

Executive Finance Committee made **NO RECOMMENDATION** on 8/15/16

Public hearing held on 8/16/16

AN ORDINANCE TO **AMEND ORDINANCE SBPC #1802-07-16**, AN ORDINANCE AUTHORIZING THE CREATION OF THE "FILM ST. BERNARD", AN INCENTIVE PROGRAM THROUGH WHICH A REBATE MAY BE OFFERED FOR LODGING, PAYROLL, AND OTHER PRODUCTION EXPENDITURES MADE IN ST. BERNARD PARISH FOR PRE-APPROVED PRODUCTIONS.

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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 16th day of August, 2016.

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

Summary No. 3407

Introduced by: Administration on 8/16/16

AN ORDINANCE TO DECLARE AS SURPLUS 2224 ESTEBAN, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

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: None

DID NOT VOTE: McCloskey

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

And the motion was declared **adopted** on the 16th day of August, 2016.

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

Summary No. 3408

Introduced by: Administration on 8/16/16

AN ORDINANCE TO DECLARE AS SURPLUS 2313 MEHLE, WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

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: None

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DID NOT VOTE: McCloskey

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

And the motion was declared **adopted** on the 16th day of August, 2016.

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

Summary No. 3409

Introduced by: Administration on 8/16/16

AN ORDINANCE TO DECLARE AS SURPLUS 309 SABLE, WHICH IS OWNED BY THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

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: None

DID NOT VOTE: McCloskey

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

And the motion was declared **adopted** on the 16th day of August, 2016.

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

Summary No. 3410

Introduced by: Administration on 8/16/16

AN ORDINANCE TO DECLARE AS SURPLUS 3024-3026 PACKENHAM, WHICH IS OWNED BY THE PARISH, AND TO AUTHORIZE THE DONATION OF SAID PROPERTY ACCORDING TO LAW AND PURSUANT TO THE RENTAL LAND GRANT PROGRAM.

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: None

DID NOT VOTE: McCloskey

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

And the motion was declared **adopted** on the 16th day of August, 2016.

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

Summary No. 3411

Introduced by: Councilmember Luna on 8/16/16

AN ORDINANCE TO **AMEND** CHAPTER 22; ZONING, SECTION 7; SITE DEVELOPMENT STANDARDS, SUBSECTION 1.1; OVERALL LANDSCAPE AREA REQUIREMENT 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 16th day of August, 2016.

#27 Coastal Zone Advisory Committee

No official action taken

#28 On motion of Mr. Montelongo, seconded by Mr. Gorbaty, it was moved to enter into Executive Session to discuss Potential Litigation between St. Bernard Parish Government and Dionna Richardson.

#29 On motion of Mr. Montelongo, seconded by Mr. Gorbaty, it was moved to enter into Executive Session to discuss Potential Litigation between St. Bernard Parish Government and Cathy Moore.

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 16th day of August, 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

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ABSENT: None

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

And the motion was declared **adopted** on the 16th day of August, 2016.

#28 On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to accept the advice of Legal Counsel in the matter of Potential Litigation between St. Bernard Parish Government and Dionna Richardson.

#29 On motion of Mr. Lewis, seconded by Mr. Gorbaty, it was moved to accept the advice of Legal Counsel in the matter of Potential Litigation between St. Bernard Parish Government and Cathy Moore.

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 16th day of August, 2016.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 6:00 p.m. on the 16th day of August, 2016.

Next Regular scheduled Council Meeting will be held Tuesday, September 6, 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