PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: radams@sbpg.net  (504) 278-4228  (504) 278-4209 (fax)  Posted 1/11/19
Tuesday, January 15, 2019  3:00 p.m.  Council Chambers  Page 1 of 3

Sign Interpreter will be provided if requested 48 working hours in advance. Should an interpreter be needed, it is advised that the interested person contact the Clerk of Council at 278-4228. All accessible formats are available upon request.

A. Meeting Called to Order and Roll Call
B. Remind Public that no food or drink is allowed in the Council Chambers
C. Remind Public of Cell Phone Ordinance SBPC #815-02-08
D. Invocation by Carol T. Brown with JCITA Ministries
E. Pledge of Allegiance by Councilmember Gorbaty
F. Recognize Elected Officials

APPROVAL OF MINUTES

1. Motion to approve the minutes of the January 2, 2019 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, January 11, 2019. (Council Chair)

RECOGNITION

2. Motion to recognize the League of Angels Organization. (Councilmember Lewis)
3. Councilmember’s for a District Update
4. Guy McInnis, President's Report
5. Recognize the Public

PUBLIC HEARINGS

6. Summary No. 3677
   Introduced by: Council on 1/2/19

   AN ORDINANCE TO AMEND CHAPTER 18; PLANNING AND DEVELOPMENT, ARTICLE I; IN GENERAL, SECTION 18-1; PARISH PLANNING COMMISSION- CREATED; MEMBERSHIP OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

RESOLUTIONS

7. Adopt Resolution SBPC #1904-01-19, approving permits as recommended by the Alcohol Beverage and Bingo Department: (Administration)
   
   Beer and/or Liquor Permit(s)
   
   1. Madison Enterprises, LLC dba Gerald’s Donuts & Restaurant 6901 St. Claude Ave., Arabi, La 70032 Owner: Richard J. Lewis (Renewal) (Beer & Liquor)
   2. Lion Bar, LLC dba Juan’s Bar 7419 W. St. Bernard Highway, Arabi, La 70032 Owners: Henry Lion, III & Tammy Lion (Renewal) (Beer & Liquor)
   3. Lehrmann’s Inc. dba Lehrmann’s Bar 135 W. St. Bernard Highway, Chalmette, La 70043 Member: Ronald Lehrmann Jr. (Renewal) (Beer & Liquor)
4. M&R Services Hispanos, LLC dba Latin Market 8823 W. Judge Perez Dr., Chalmette, La 70043 Owner: Mena Fahaim (Renewal) (Beer & Liquor)

5. Murphy Oil USA, Inc. dba Murphy USA #7217 8001-A W. Judge Perez Dr., Chalmette, La 70043 Member: Shariff Hassan (Renewal) (Beer & Liquor)

6. Last Stop Food Mart, LLC dba Last Stop Food Mart 4513 E. LA Highway 46, St. Bernard, La 70085 Owner: Margaret Kramer (Renewal) (Beer & Liquor)

8. Adopt Resolution SBPC #1905-01-19, a resolution authorizing the adoption of the CDBG-D/R Monitoring Plan Update. (Administration)

9. Adopt Resolution SBPC #1906-01-19, a resolution to approve an itinerant permit for “Left Turn Racing LLC” to be operational at municipal number: 3501 Paris Road in Chalmette, La. (Administration)

ADOPTION

10. Summary No. 3677
    Introduced by: Council on 1/2/19
    Public Hearing held on 1/15/19

    AN ORDINANCE TO AMEND CHAPTER 18; PLANNING AND DEVELOPMENT, ARTICLE I; IN GENERAL, SECTION 18-1; PARISH PLANNING COMMISSION- CREATED; MEMBERSHIP OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

INTRODUCTION

11 Summary No. 3679
    Planning Commission recommended APPROVAL on 1/3/19
    Introduced by: Council on 1/15/19

    AN ORDINANCE TO APPROVE DOCKET Z-2019-001, PETITION OF MYRTY MENDOZA FOR A CONDITIONAL USE PERMIT TO OPERATE AN ABUSE ADDICTION TREATMENT FACILITY, FOR THE FOLLOWING DESCRIBED PROPERTY: LOT 55 GALLO EXT CORNER OF JUDGE PEREZ & GALLO. PROPERTY LOCATION: 1520 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

OTHER MATTERS

12. Motion to discuss and take any action as it relates to information received from the Coastal Zone Advisory Committee.
EXECUTIVE SESSION

13. Motion to go into Executive Session to discuss Cajun Industries, LLC, et al v. Sheriff James Pohlmann, Ex Officio Tax Collector St. Bernard Parish, 34th Judicial District Court No. 13-1229, Division "E".


15. Motion to enter into Executive Session to discuss St. Bernard Parish Government v. Lake Borgne Basin Levee District and Southeast Louisiana Flood Protection Authority - East, No. 18-0865 "E", Lambert "Joe" Hassinger - No. 18-1065 "C" and Lambert "Joe" Hassinger - No. 18-1066 "A".

Next Regular scheduled Council Meeting will be held Tuesday, February 5, 2019 @ 7:00 p.m.

Approved by: Richard “Richie” Lewis  Time: 1:50 p.m.  Date: 1/11/2019
EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE
PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR
MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH
GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE,
LOUISIANA ON TUESDAY, JANUARY 15, 2019 AT THREE O’CLOCK P.M.

On motion of XXXX, seconded by XXXX, it was moved to approve the
minutes of the January 2, 2019 Regular Council Meeting as published in the official
journal, the St. Bernard Voice on Friday, January 11, 2019.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 15th day of January, 2019.

CERTIFICATE

I HEREBY CERTIFY that the above and
foregoing is a true and correct copy of a motion
adopted at a Regular Meeting of the Council of
the Parish of St. Bernard, held at Chalmette,
Louisiana, on Tuesday, January 15, 2019.

Witness my hand and the seal
of the Parish of St. Bernard on
this 15th day of January, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
The St. Bernard Parish Council, the Governing Authority, met in Regular Session on Wednesday, January 2, 2019 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: Councilmembers: Council Chair, Richard “Richie” Lewis, Gillis McCloskey, Howard Luna, Wanda Alcon, and Kerri Callais.

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

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

#1 On motion of Ms. Callais, seconded by Mr. McCloskey, it was moved to approve the minutes of the December 18, 2018 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, December 28, 2018.

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

YEAS: McCloskey, Luna, Alcon, Callais
NAYS: None
ABSENT: Gorbaty, Montelongo

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

And the motion was declared adopted on the 2nd day of January, 2019.

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

#3 On the motion of the Chair, without objection and by unanimous consent, it was moved to recognize Katie Tommaseo, St. Bernard Parish Tourism Office, for a Battle of New Orleans event update.

#4 Councilmember’s District Update
A copy of this update is on file with the minutes of this meeting.

#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.

#6 Recognize the Public
No one signed up to speak.

#7 Summary No. 3673
Planning Commission recommended APPROVAL on 12/11/18
Introduced by: Administration on 12/18/18

AN ORDINANCE TO APPROVE DOCKET Z-2018-020, PETITION OF QLDG LLC. FOR A ZONING CHANGE FROM C-1 TO C-2 TO OPERATE A CAR WASH. PROPERTY LOCATION: 4131 E. JUDGE PEREZ DR. MERAUX, LA 70075.
Minutes of the St. Bernard Parish Council Meeting of January 2, 2019
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NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#8 Summary No. 3674
Planning Commission recommended APPROVAL on 12/11/18
Introduced by: Councilmember McCloskey on 12/18/18

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-4; GENERAL PROVISIONS, SUBSECTION 22-4-2.14; ACCESSORY BUILDINGS AND STRUCTURES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#9 Summary No. 3675
Planning Commission recommended APPROVAL on 12/11/18
Introduced by: Councilmember McCloskey on 12/18/18

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 22-5-5(4a); NO ACCESSORY BUILDING OR STRUCTURE SHALL BE CONSTRUCTED OR PLACED IN SUCH A MANNER THAT IT COULD BE USED AS A DWELLING UNIT OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#10 Summary No. 3676
Introduced by: Administration on 12/18/18

AN ORDINANCE TO AMEND THE ST. BERNARD PARISH PERSONNEL PLAN.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THE PROPOSED ORDINANCE

#11 On motion of Mr. Luna, seconded by Mr. Gorbaty, it was moved to adopt the following resolution:

RESOLUTION SBPC #1902-01-19

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. The Kitchen Table Café, LLC dba The Kitchen Table 7005 St. Claude Ave., Arabi, La 70032 Owner: Kevin T. Hackett and Donna M. Caulto (Renewal) (Beer & Liquor)
3. Haider Management, LLC dba Stella Maris Café & Grocery 7555 W. Judge Perez Dr., Arabi, La 70032 Member: Nashat Haider (Renewal) (Beer & Liquor)
5. Money Honey, LLC dba Zig’s Last Stop Lounge 308 E. Judge Perez Dr., Chalmette, La 70043 Member: Thomas Pacaccio, Jr. (Renewal) (Beer & Liquor)
6. Little Maddie, LLC dba Gerald’s Donuts & Restaurant 2101 E. Judge Perez Dr., Chalmette, La 70043 Member: Richard J. Lewis (Renewal) (Beer & Liquor)
Special Event

1. Name of Organization: Louisiana Crawfish Festival
   Address: PO Box 1996, Chalmette, La 70044-1996
   Event: Louisiana Crawfish Festival
   Location: Frederick J. Sigur Civic Center
   Date: March 21, 22, 23, 24, 2019
   Time: 11am- 11pm
   Contact: Russell J. Serpas

2. Name of Organization: New Orleans Track Club
   Address: 1050 S. Jefferson Davis Pkwy Ste. 109
            New Orleans, La 70125
   Event: Jackson Day Race
   Location: Starts at Aycock Barn, at Chalmette Battlefield makes u-turn Back up
            on St. Bernard Hwy. ending at Aycock Barn. to the finish line. Stays
            on St. Bernard Hwy. the whole time.
   Date: January 6, 2019
   Time: Starting at 8AM
   Contact: Chloe Nicolosi

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

YEAS: McCloskey, Luna, Alcon, Callais
NAYS: None
ABSENT: Gorbaty, Montelongo

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

And the motion was declared adopted on the 2nd day of January, 2019.

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

RESOLUTION SBPC #1903-01-19

A RESOLUTION AUTHORIZING AN APPLICATION AMENDMENT TO THE LOUISIANA OFFICE OF
COMMUNITY DEVELOPMENT (CDBG) TO SPEND COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM INCOME FUNDS FOR THE CONSTRUCTION OF HEIGHTS PARK AND A BRIDGE OVER THE
40 ARPENT CANAL AT ST. CLAUDE HEIGHTS PARK FOR AN INCREASE IN THE AMOUNT OF
$103,000.00 FOR A TOTAL CDBG BUDGET OF $403,000.

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

YEAS: McCloskey, Luna, Alcon, Callais
NAYS: None
ABSENT: Gorbaty, Montelongo

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

And the motion was declared adopted on the 2nd day of January, 2019.
#13 On motion of Mr. McCloskey, seconded by Ms. Callais, it was moved to adopt the following ordinance:

**ORDINANCE SBPC #2128-01-19**

Summary No. 3673
Planning Commission recommended APPROVAL on 12/11/18
Introduced by: Administration on 12/18/18
Public Hearing held on 1/2/19

AN ORDINANCE TO APPROVE DOCKET Z-2018-020, AN ORDINANCE TO APPROVE DOCKET Z-2018-020, PETITION OF QLDG LLC. FOR A ZONING CHANGE FROM C-1 TO C-2 TO OPERATE A CAR WASH. PROPERTY LOCATION: 4131 E. JUDGE PEREZ DR. MERAUX, LA 70075.

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

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

**NAYS:** None

**ABSENT:** Gorbaty, Montelongo

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

And the motion was declared adopted on the 2nd day of January, 2019.

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

**ORDINANCE SBPC #2129-01-19**

Summary No. 3674
Planning Commission recommended APPROVAL on 12/11/18
Introduced by: Councilmember McCloskey on 12/18/18
Public Hearing held on 1/2/19

AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-4; GENERAL PROVISIONS, SUBSECTION 22-4-2.14; ACCESSORY BUILDINGS AND STRUCTURES 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, Luna, Alcon, Callais

**NAYS:** None

**ABSENT:** Gorbaty, Montelongo

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

And the motion was declared adopted on the 2nd day of January, 2019.

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

**ORDINANCE SBPC #2130-01-19**

Summary No. 3675
Planning Commission recommended APPROVAL on 12/11/18
Introduced by: Councilmember McCloskey on 12/18/18
Public Hearing held on 1/2/19
AN ORDINANCE TO AMEND CHAPTER 22; ZONING, SECTION 22-5; RESIDENTIAL ZONING DISTRICTS, SUBSECTION 22-5-5(4a); NO ACCESSORY BUILDING OR STRUCTURE SHALL BE CONSTRUCTED OR PLACED IN SUCH A MANNER THAT IT COULD BE USED AS A DwELLING UNIT 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, Luna, Alcon, Callais
NAYS:  None
ABSENT:  Gorbaty, Montelongo

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

And the motion was declared adopted on the 2nd day of January, 2019.

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

ORDINANCE SBPC #2131-01-19

Summary No. 3676
Introduced by: Administration on 12/18/18
Public Hearing held on 1/2/19

AN ORDINANCE TO AMEND THE ST. BERNARD PARISH PERSONNEL PLAN.

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

YEAS:  McCloskey, Luna, Alcon, Callais
NAYS:  None
ABSENT:  Gorbaty, Montelongo

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

And the motion was declared adopted on the 2nd day of January, 2019.

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

Summary No. 3677
Introduced by: Council on 1/2/19

AN ORDINANCE TO AMEND CHAPTER 18; PLANNING AND DEVELOPMENT, ARTICLE I; IN GENERAL, SECTION 18-1; PARISH PLANNING COMMISSION- CREATED; MEMBERSHIP OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

On the motion of Ms. Callais, seconded by Mr. McCloskey, it was moved to amend Summary No. 3677 to read as follows:

(a) There is hereby created a parish planning commission which shall consist of seven (7) members, all to be appointed by the council, which may remove any member of the commission, after public hearing, for inefficiency, neglect of duty or malfeasance. A planning commission member can also be removed with a 2/3 vote of the total membership of the Council. Only the Council Member representing a specific district can submit for removal of the corresponding planning
commission district seat. One (1) member shall be appointed from each of the five (5) councilmanic districts and one (1) member shall be elected from each of the two (2) councilman-at-large divisions. The first quorum of the newly constituted board shall not be determined until the new commissioners are sworn in.

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

**YEAS:** McCloskey, Alcon, Callais

**NAYS:** Luna

**ABSENT:** Gorbaty, Montelongo

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

And the motion was declared **adopted** on the 2nd day of January, 2019.

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

**Summary No. 3677**

Introduced by: Council on 1/2/19

AN ORDINANCE TO **AMEND** CHAPTER 18; PLANNING AND DEVELOPMENT, ARTICLE I; IN GENERAL, SECTION 18-1; PARISH PLANNING COMMISSION- CREATED; MEMBERSHIP 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, Alcon, Callais

**NAYS:** Luna

**ABSENT:** Gorbaty, Montelongo

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

And the motion was declared **adopted** on the 2nd day of January, 2019.

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

**Summary No. 3678**

Introduced by: Councilmember Lewis on 1/2/19

AN ORDINANCE TO **AMEND** CHAPTER 17; PERSONNEL, ARTICLE VIII; HOURS OF WORK, LEAVE OF ABSENCE, AND ABSENCE WITHOUT LEAVE, SECTION 17-144; EXHAUSTION OF SICK LEAVE 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, Luna, Alcon, Callais

**NAYS:** None

**ABSENT:** Gorbaty, Montelongo
The Council Chair, Mr. Lewis, cast his vote as YEA.

And the motion was declared adopted on the 2nd day of January, 2019.

#19 On motion of Mr. McCloskey, seconded by Ms. Callais, it was moved to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for November 2018.

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

YEAS: McCloskey, Luna, Alcon, Callais

NAYS: None

ABSENT: Gorbaty, Montelongo

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

And the motion was declared adopted on the 2nd day of January, 2019.

#20 Coastal Zone Advisory Committee

No action taken.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 7:27 p.m. on the 2nd day of January, 2019.

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 “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
PUBLIC HEARING NOTICE

THE ST. BERNARD PARISH COUNCIL WILL HOLD A PUBLIC HEARING ON TUESDAY, JANUARY 15, 2019 THREE (3:00) O’CLOCK P.M. AT THE COUNCIL CHAMBERS OF THE GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA TO RECEIVE COMMENTARY ON THE FOLLOWING PROPOSED ORDINANCE INTRODUCED AT THE JANUARY 2, 2019 COUNCIL MEETING:

Summary No. 3677
Introduced by: Council on 1/2/19

AN ORDINANCE TO AMEND CHAPTER 18; PLANNING AND DEVELOPMENT, ARTICLE I; IN GENERAL, SECTION 18-1; PARISH PLANNING COMMISSION-CREATED; MEMBERSHIP OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Parish Council hereby amends Chapter 18; Planning and Development, Article I; In General, Section 18-1; Parish Planning Commission-Created; Membership attached in Exhibit “A”.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.

BY DIRECTION OF

Richard “Richie” Lewis
RICHARD “RICHIE” LEWIS
COUNCIL CHAIR
Summary No. 3677
Exhibit “A”
Ordinance SBPC #XXXX-XX-XX

Chapter 18 - Planning and Development
Article I - In General
Sec. 18-1 – Parish Planning Commission – Created; Membership

Sec. 18-1. - Parish planning commission—Created; membership.

(a) There is hereby created a parish planning commission which shall consist of seven (7) members, all to be appointed by the council, which may remove any member of the commission, after public hearing, for inefficiency, neglect of duty or malfeasance. **A planning commission member can also be removed with a 2/3 vote of the total membership of the Council. Only the Council Member representing a specific district can submit for removal of the corresponding planning commission district seat.** One (1) member shall be appointed from each of the five (5) councilmanic districts and one (1) member shall be elected from each of the two (2) councilman-at-large divisions. The first quorum of the newly constituted board shall not be determined until the new commissioners are sworn in.
On motion of XXXX, seconded by XXXX, it was moved to adopt the following resolution:

**RESOLUTION SBPC #1904-01-19**

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. Madison Enterprises, LLC dba Gerald’s Donuts & Restaurant 6901 St. Claude Ave., Arabi, La 70032 Owner: Richard J. Lewis (Renewal) (Beer & Liquor)

2. Lion Bar, LLC dba Juan’s Bar 7419 W. St. Bernard Highway, Arabi, La 70032 Owners: Henry Lion, III & Tammy Lion (Renewal) (Beer & Liquor)

3. Lehrmann’s Inc. dba Lehrmann’s Bar 135 W. St. Bernard Highway, Chalmette, La 70043 Member: Ronald Lehrmann Jr. (Renewal) (Beer & Liquor)

4. M&R Services Hispanos, LLC dba Latin Market 8823 W. Judge Perez Dr., Chalmette, La 70043 Owner: Mena Fahaim (Renewal) (Beer & Liquor)

5. Murphy Oil USA, Inc. dba Murphy USA #7217 8001-A W. Judge Perez Dr., Chalmette, La 70043 Member: Shariff Hassan (Renewal) (Beer & Liquor)

6. Last Stop Food Mart, LLC dba Last Stop Food Mart 4513 E. LA Highway 46, St. Bernard, La 70085 Owner: Margaret Karmer (Renewal) (Beer & Liquor)
The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**YEAS:**

**NAYS:**

**ABSENT:**

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared xxxxxxx on the 15th day of January, 2019.

**CERTIFICATE**

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, January 15, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 15th day of January, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL

On motion of XXXX, seconded by XXXX, it was moved to adopt the following resolution:

RESOLUTION SBPC #1905-01-19
A RESOLUTION AUTHORIZING THE ADOPTION OF THE CDBG-D/R MONITORING PLAN UPDATE.

WHEREAS, that the St. Bernard Parish Government has been afforded the opportunity to apply and participate in the State of Louisiana Community Development Block Grant - Disaster Recovery Program administered by the Division of Administration; and,

WHEREAS, the STATE requires Grantees to establish procedures to ensure adequate monitoring of the overall progress and effectiveness of the project.

NOW THEREFORE BE IT RESOLVED, by the St. Bernard Parish Council, that the attached policy entitled “Monitoring Plan Update”, dated January 2019 is hereby adopted.

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 15th day of January, 2019.
CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, January 15, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 15th day of January, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL
St. Bernard Parish Government

Monitoring Plan

Updated January 2019

Monitoring Overview

The St. Bernard Parish Government has established this Monitoring Plan to:

- Gauge the overall progress and effectiveness of the project implementation.
- Serve as a management tool to identify issues that may compromise program integrity, funding, and service delivery for corrective action and resolution.
- Serve as a technical assistance tool whereby the St. Bernard Parish Government identifies areas in which to strengthen program capacity and quality of service delivery.

Melissia O’Neil has been identified as the Monitoring Coordinator for the St. Bernard Parish Government.

The Monitoring Coordinator is responsible for:

- Ensuring that a risk assessment is executed for all projects (See Attachment A: Risk Assessment);
- Setting the Monitoring Schedule that prioritizes reviews based on risk (see Table 1);
- Ensuring proper documentation and tracking of all monitoring efforts;
- Notifying the OCD/DRU of severe issues;
- Engaging the OCD/DRU for necessary technical assistance; and,
- Ensuring Monitoring occurs as outlined within the Plan.

Project Administration

The St. Bernard Parish Government uses the services of the OCD-DRU administrative consultant to assist the St. Bernard Parish Government Monitoring Coordinator in the completion of all monitoring conducted by the St. Bernard Parish Government Project Managers.
The St. Bernard Parish Government is utilizing a Sub recipient to administer projects.  

| Yes | No |

**Sub recipient:** St. Bernard Parish Hospital Service District  
**Projects administered by the Sub recipient:**  
ILTR-00115 - Develop a Mixed-Use Medical Village (Hospital)  
ILOC-00038 - Medical Office Complex  

**Sub recipient:** Nunez Community College  
**Projects administered by the Sub recipient:**  
ILTR-00289 – Nunez Workforce Development  

**Monitoring Checklist**  

The St. Bernard Parish Government will utilize the following checklists from the OCD/DRU Administrative Manual to perform monitoring:  

- The St. Bernard Parish Governments Internal Monitoring Schedule  
- The St. Bernard Parish Governments Notice of Monitoring Visit  
- The St. Bernard Parish Governments Compliance Monitoring Core Checklist for Subrecipients (Exhibit 12-3 of the OCD Disaster Recovery CDBG Grantee Administrative Manual) will be used to monitor Sub recipients.  
- The St. Bernard Parish Governments Monitoring Project Checklist (Exhibit 12-4 of the OCD Disaster Recovery CDBG Grantee Administrative Manual) will be used to review St. Bernard Parish Government Projects.  
- The St. Bernard Parish Governments Compliance Monitoring Supplemental Worksheets for the Project Checklist (Exhibit 12-4b of the OCD Disaster Recovery CDBG Grantee Administrative Manual) will be used to review Grantee projects.  
- The St. Bernard Parish Governments Monitoring Report Letter (Exhibit 12-6 of the OCD Disaster Recovery CDBG Grantee Administrative Manual);  
- The St. Bernard Parish Governments Project Contract Administration Form (Exhibit 12-5 of the OCD Disaster Recovery CDBG Grantee Administrative Manual) will be used to review and monitor all CDBG-DRU funded contracts.  

**Types of Monitoring**  

At least one onsite review will be conducted on all projects prior to closeout. This review will occur early enough in the project life cycle to allow time for technical assistance and/or the resolution of any corrective actions to be identified. A desk review will be performed for each administrative consultant and/or Sub recipient soon after the binding agreement has been executed to verify initial performance and identify any
technical assistance needs. Additional reviews may be performed to monitor consultants, Sub recipients, and/or projects as necessary.

**Monitoring Process**

- Execute Risk Assessment
- Set Monitoring Schedule
- Use Checklists to Monitor
- Draft Monitoring Letter
- Provide Technical Assistance as Needed

**Risk Assessment and Monitoring Schedule**

Where there is more than one Sub recipient, program, or project, risk assessment results will be used to determine the priority of monitoring reviews. In cases where a risk assessment is not performed, the basis for determining monitoring prioritization will be documented. The risk assessments included as Exhibits 12-2 and 12-3 to the OCD Disaster Recovery CDBG Grantee Administrative Manual will be executed and made a part of the Monitoring Plan.

After the initial review, additional program/project monitoring (onsite or desk) will be conducted for all active programs/projects through closeout.

- Programs/projects requiring follow-up activities and/or corrective actions will take precedence over those not requiring such actions.
- The program/project risk will also be taken into account when scheduling additional reviews.

Table 1 below contains the initial monitoring schedule for all St. Bernard Parish Government’s Hurricanes Katrina/Rita CDBG-Disaster Recovery Projects. The Table will be updated following the completion of the “Risk Assessment” for each project when completed and filed in each project monitoring file with updates recorded accordingly.
## Table 1 Monitoring Schedule

<table>
<thead>
<tr>
<th>Review #</th>
<th>Entity/ Project to Monitor</th>
<th>Risk Assessment</th>
<th>Monitor</th>
<th>Desk or Onsite</th>
<th>Monitor Review Date</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>ILTR-000099 Water Treatment Plant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>ILTR-00115 Hospital</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>3</td>
<td>ILTR-00059 Val Reiss Park</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>4</td>
<td>ILTR-00173 Old Arabi</td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>5</td>
<td>ILTR-00259 Dravo WWTP</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>6</td>
<td>ILTR-00258 Drainage-Palmisano</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>IFIS-00012 Raw Oyster Factory</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>IFIS-00020 Yscloskey Ice House</td>
<td></td>
<td></td>
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<td></td>
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</tr>
<tr>
<td>9</td>
<td>IFIS-00019 Harbor of Refuge</td>
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<tr>
<td>10</td>
<td>ILOC-00038 Medical Office Complex</td>
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</tr>
<tr>
<td>11</td>
<td>ILTR-00289 Nunez Workforce Development</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

### Schedule /Guidelines

- At least one (1) onsite review will be conducted of all projects prior to closeout. This review will occur early enough in the project life cycle to allow time for technical assistance and/or the resolution of any corrective actions that may be identified.
  - Projects requiring follow-up activities and/or corrective actions will take precedence over those not requiring such actions.
  - The project risk will also be taken into account when scheduling additional reviews.

- If a Sub recipient is engaged to administer the project, the St. Bernard Parish Government will monitor the Sub recipient soon after the binding agreement has been executed to verify initial performance and identify any technical assistance needs. Follow-up reviews will be performed as necessary.

- If an administrative consultant is engaged to administer the project, the St. Bernard Parish Government will begin monitoring the administrative consultant (using the Contract Administration Form) soon after the binding agreement has been executed to verify initial performance and identify any technical assistance needs. Follow-up reviews will be performed as necessary.
Execute Checklist

As described within the Monitoring Schedule Table 1, the review will be completed by executing the appropriate checklist. Checklist responses will include comments that detail any issues identified. The executed Checklist will be maintained within the Project file.

Monitoring Report

Upon completion of the review, the monitor will draft a Monitoring Report that identifies the checklist sections used to complete the monitoring review, the results of the review (areas of merit and/or issues identified, if any), and the basis for the conclusions. The Monitoring Report will be maintained within the appropriate file. If a Sub recipient is monitored, the Monitoring Report will be provided to the Sub recipient. A Monitoring Report Template is included as Exhibit 12-6 of the OCD Disaster Recovery CDBG Grantee Administrative Manual and contained in Attachment G.

Technical Assistance

When concerns are identified as a result of the monitoring review, technical assistance may be required to assist in the resolution of the issue. The objective of technical assistance is to ensure compliance with Federal, State, and local regulations and program requirements. The nature and extent of technical assistance will be determined at the discretion of the Monitor, Monitoring Coordinator, Grantee, and/or OCD/DRU. Some examples of technical assistance may include:

- Verbal or written advice;
- Formal training; and/or
- Documentation and guidance.

Evidence of technical assistance will be maintained within the Project file.

The Monitoring Coordinator will contact the OCD/DRU if guidance is required in providing technical assistance to contractors or Sub recipients.

Follow-up

In the event that issues are identified for corrective action, follow-up actions will be scheduled to address the progress of the resolution. The timing and frequency of the follow-up communication will be determined at the discretion of the Monitor and Monitoring Coordinator and should be based on the severity of the deficiency. All follow-up actions will be documented.
**Certification**

This Monitoring Plan is the formal plan by which the St. Bernard Parish Government conducts its monitoring activities for all projects funded under the St. Bernard Parish Governments Hurricanes Katrina/Rita CDBG-Disaster Recovery Program.

______________________________
Melissa P. O’Neil, Grants Department Manager
St. Bernard Parish Government

On motion of Mr. xxxx, seconded by Mr. xxxx, it was moved to adopt the following resolution:

RESOLUTION SBPC #1906-01-19

A RESOLUTION TO APPROVE AN ITINERANT PERMIT FOR “LEFT TURN RACING LLC” TO BE OPERATIONAL AT MUNICIPAL NUMBER: 3501 PARIS ROAD IN CHALMETTE, LA.

WHEREAS, Ordinance SBPC #1308-06-12 was passed on June 5, 2012; and,

WHEREAS, the ordinance states following December 31, 2006 permits may be issued for itinerant vendors with special permission of the Council; and

WHEREAS, the property owner has issued in writing, permission for said vendor to use their location; and,

WHEREAS, no permit issued per vendor and/or location under this section shall be valid for any period beyond five (5) consecutive calendar days specified on the permit excluding special permits granted by council; and,

WHEREAS, an itinerant vendor permit may be renewed for one (1) additional consecutive period of five (5) days.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby approve an Itinerant Permit for “Left Turn Racing LLC”, for five (5) consecutive calendar days from the date the Department of Community Development issues said permit.

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

YEAS:
NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as xxx.

And the motion was declared adopted on the 15th day of January, 2019.

CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, January 15, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 15th day of January, 2019.

__________________________
ROXANNE ADAMS
CLERK OF COUNCIL
ITERATE MARKET APPLICATION

Please fill out this application in full.
Application must go in front of council for approval.

Application Fee: $100

CONTACT INFORMATION

Name of Business: Left Turn Racing LLC
Business Address: 2079 S Elms Rd Swartz Creek, MI 48473
Phone #: 810-240-0800 Email: leftturnracing@att.net

Owner Name: Todd Baker
Address: 2079 S. Elms Rd Swartz Creek, MI 48473
Phone #: 810-240-0800 Email: bajar-32@hotmail.com

Property Owner: Charles Ponsoine
Address: 3501 Paris Road Chalmette, LA 70043
Phone #: 504 390-4804 Email:

Type of Business: Retail T-Shirts
Activity or Items for Sale: Saints memorabilia

SUPPLEMENTAL SUBMITTAL REQUIREMENTS:

1) Application

2) Lease agreement from property owner.

3) Valid Driver's License or State ID.

4) Any additional information as requested by the Department of Community Development for administration of this section.
OWNER / APPLICANT CERTIFICATION

I do hereby certify that, to the best of my knowledge and belief, the information supplied with this application is true and accurate. I understand that the St. Bernard Parish Government is authorized to suspend or revoke a permit or license issued under the provisions of its Municipal Code wherever a permit or license is issued in error or on the basis of incorrect, inaccurate or any false statement or misrepresentation, or in violation of any ordinance or regulation or any of the provisions of the St. Bernard Parish Municipal Code, the Comprehensive Zoning Ordinance, adopted by the St. Bernard Parish Government.

[Signature]

1-9-2019

Applicant’s Signature    Date    Title
January 25 to February 3, 2019. If there is any additional information you may need, you can contact me on cell phone at (504) 390-4804.

Sincerely,

Charles Ponstein

TO Todd Baker; This property will be used for the sale of sports memorabilia from 3501 Parke Road, Chalmette, LA 70043.

Charles Ponstein has agreed to lease 3501 Parke Road, Chalmette, LA 70043.

January 8, 2019
MICHIGAN COMMERCIAL DRIVER LICENSE

S 260799 / 15 325
ISS 04-07-2016
EXP 04-28-2020
04-26-1959

TODD CHARLES BAKER
3076 E ELMS RD
SWARTZ CREEK, MI 48077-0728

Sex M
Hgt 600
Eyes BLU

Lic Type CA End CY,NPT

Restrictions K-DOT extensions only, M-8a class A passenger vehicle

Todd Baker
D014009327357104
Rev 05-21-2011
To the council,

In regards to setting up a temporary stand at 3501 Paris Rd, Chalmette. My name is Todd Baker CEO of Left Turn Racing and my company has proper liability insurance. We run a very clean neat operation selling New Orleans Saints tees, hoodies and flags ect. Unfortunately due to our home location we will unable to make the council meeting. We here at Left Turn Racing appropriate the councils time and the opportunity to do business in St Bernard Parrish.

Sincerely,

Todd Baker
On motion of XXXX, seconded by XXXX, it was moved to adopt the following ordinance:

Summary No. 3677
Introduced by: Council on 1/2/19
Public Hearing held on 1/15/19

AN ORDINANCE TO AMEND CHAPTER 18; PLANNING AND DEVELOPMENT, ARTICLE I; IN GENERAL, SECTION 18-1; PARISH PLANNING COMMISSION-CREATED; MEMBERSHIP OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The Parish Council hereby amends Chapter 18; Planning and Development, Article I; In General, Section 18-1; Parish Planning Commission-Created; Membership attached in Exhibit “A”.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.
January 15, 2019

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

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 15th day of January, 2019.

__________________________  ________________________
ROXANNE ADAMS            RICHARD “RICHIE” LEWIS
CLERK OF COUNCIL          COUNCIL CHAIR

Delivered to the Parish President
Date and Time

Received by

Approved Vetoed

Parish President
Guy McInnis

Returned to Clerk of the Council
Date and Time

Received by
Chapter 18 - Planning and Development
Article I - In General
Sec. 18-1 – Parish Planning Commission – Created; Membership

Sec. 18-1. - Parish planning commission—Created; membership.

(a) There is hereby created a parish planning commission which shall consist of seven (7) members, all to be appointed by the council, which may remove any member of the commission, after public hearing, for inefficiency, neglect of duty or malfeasance. A planning commission member can also be removed with a 2/3 vote of the total membership of the Council. Only the Council Member representing a specific district can submit for removal of the corresponding planning commission district seat. One (1) member shall be appointed from each of the five (5) councilmanic districts and one (1) member shall be elected from each of the two (2) councilman-at-large divisions. The first quorum of the newly constituted board shall not be determined until the new commissioners are sworn in.
On motion of XXXX, seconded by XXXX, it was moved to introduce the following ordinance:

Summary No. 3679
Planning Commission recommended APPROVAL on 1/3/19
Introduced by: Administration on 1/15/19

AN ORDINANCE TO APPROVE DOCKET Z-2019-001, PETITION OF MYRTY MENDOZA FOR A CONDITIONAL USE PERMIT TO OPERATE AN ABUSE ADDICTION TREATMENT FACILITY, FOR THE FOLLOWING DESCRIBED PROPERTY: LOT 55 GALLO EXT CORNER OF JUDGE PEREZ & GALLO. PROPERTY LOCATION: 1520 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. The St. Bernard Parish Council does hereby approve Docket Z-2019-001, petition of Myrty Mendoza for a Conditional Use Permit to operate an Abuse Addiction Treatment Facility, for the following described property: Lot 55 Gallo Ext Corner of Judge Perez & Gallo

PROPERTY LOCATION: 1520 E. Judge Perez Dr. Chalmette, LA 70043.

Planning Commission recommends APPROVAL with the following WAIVERS AND CONDITIONS:

WAIVERS:

1. A waiver of the requirements of Section 22-3-1 - Existing nonconforming use to allow the petitioned property a change of use to a less conforming use: Pharmacy to Abuse Addiction Treatment Facility.

2. A waiver of the requirements of Section 22-3-13 - Discontinuance of legally nonconforming site development standards to allow the proposed development plan to conform to the site development standards, as reasonably achievable as determined by the director of community development, in section 22-7 site development standards and approved by planning commission.

3. A waiver of the requirements of Chapter 22-7-3.4(i) – Parking Lot Design to include permit a reduction of the 25' setback to a 0' setback along the front property line and a reduction of the 10'
January 15, 2019

setback to a 0’ setback along the east side of the structure, as shown on the existing development.

4. A waiver of the requirements of Chapter 22-7-3.2 – Number of Parking Spaces to include a parking space reduction from 22 spaces plus four (4) per licensed healthcare provider to the existing and non-conforming 13 spaces currently developed.

CONDITIONS:

1. The applicant shall submit a Landscape Plan prepared by a Louisiana Licensed Landscape Architect and meet all of the requirements of Chapter 22-7-1 – Landscape regulations and Chapter 22-7-2 – Planting, maintenance and removal of trees on public land, subject to the review and approval of the staff of the Department of Community Development.

2. The applicant shall erect a 7’ in height solid wood fence along the rear and western side property lines, subject to the review and approval of the Department of Community Development.

3. The applicant shall place a commercial trash dumpster and pen at the property.

4. The applicant shall provide 24-hr closed-circuit television (CCTV) surveillance security systems and one (1) security guard stationed at the facility during all operational hours.

5. The applicant shall remove all vending machines outside of building.

6. The applicant shall place no loitering signs in parking lot.

7. The applicant shall not have any benches or seating areas outside building.

SECTION 2. Effective Date. This Ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

SECTION 3. Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this Ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion this Ordinance with the invalid portions omitted.
The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

YEAS:

NAYS:

ABSENT:

The Council Chair, Mr. Lewis, cast his vote as XXX.

And the motion was declared adopted on the 15th day of January, 2019.

CERTIFICATE

I HEREBY CERTIFY that the above and foregoing is a true and correct copy of a motion adopted at a Regular Meeting of the Council of the Parish of St. Bernard, held at Chalmette, Louisiana, on Tuesday, January 15, 2019.

Witness my hand and the seal of the Parish of St. Bernard on this 15th day of January, 2019.

________________________
ROXANNE ADAMS
CLERK OF COUNCIL