

PUBLIC NOTICE - ST. BERNARD PARISH COUNCIL MEETING - AGENDA

Email: radams@sbpgg.net

(504) 278-4228

(504) 278-4209 (fax)

Posted: 7/13/23

Tuesday, July 18, 2023

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 Councilmember Luna
- E. Pledge of Allegiance by Councilmember Luna
- F. Recognize Elected Officials

APPROVAL OF MINUTES

1. Motion to approve the minutes from the July 5, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, July 14, 2023. (Council Chair)

RECOGNITION

2. Motion to recognize Alan Ashley with Acadian Ambulance to present a presentation. (Council)
3. Motion to receive an update from the Capital Projects Department. (Administration)
4. Councilmember's for a District Update.
5. Guy McInnis, President's Report
6. Recognize the Public

PUBLIC HEARINGS

7. **Summary No. 4100**
Introduced by: Councilmember Luna on 7/5/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2346-08-21**, AN ORDINANCE ESTABLISHING AN OLD ARABI NEIGHBORHOOD COMMISSION TO ADDRESS PRESERVATION AND REDEVELOPMENT ISSUES.

RESOLUTIONS

8. Adopt **Resolution SBPC #2313-07-23**, a resolution to a appoint member to the St. Bernard Parish Library Board. (Council)

ADOPTIONS

9. **Summary No. 4100**
Introduced by: Councilmember Luna on 7/5/23
Public Hearing held on 7/18/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2346-08-21**, AN ORDINANCE ESTABLISHING AN OLD ARABI NEIGHBORHOOD COMMISSION TO ADDRESS PRESERVATION AND REDEVELOPMENT ISSUES.

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10. **Summary No. 4101**
Councilman Everhardt

AN **EMERGENCY** ORDINANCE TO ENSURE THAT ADMINISTRATION CONTINUES TO STAFF, MAINTAIN AND OPERATE FIRE STATIONS 10 & 11 WHILE CONCURRENTLY WORKING ON PRESERVING FIRE STATION 12 TO PREPARE FOR FUTURE USE.

OTHER MATTERS

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

EXECUTIVE SESSION

12. Motion to enter into Executive Session to discuss SBPG v Urban Systems, 34th JDC No. 19-0298.
(Administration)

Next Regular scheduled Council Meeting will be held Tuesday, August 1, 2023 @ 7:00 p.m.

Approved by: *Richard "Richie" Lewis* Time: 3:00 p.m. Date: 7/13/23

#1

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, JULY 18, 2023 AT THREE O'CLOCK P.M.

On motion of XXXX, seconded by XXXX, it was moved to approve the minutes from the July 5, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, July 14, 2023.

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 18th day of July, 2023.

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, July 18, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 18th day of July, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING HELD ON WEDNESDAY, JULY 5, 2023 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 Session on Wednesday, July 5, 2023 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 Richard "Richie" Lewis, Gillis McCloskey, Joshua "Josh" Moran, Howard Luna, Wanda Alcon, Fred Everhardt, Jr., and Kerri Callais

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and John Lane, CAO was representing Administration.

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

Elected Officials present were Jeff Southerland, Justice of the Peace Ward "H".

#1 On motion of Mr. McCloskey, seconded by Ms. Callais, it was moved to approve the minutes from the June 20, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, June 30, 2023.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 5th day of July, 2023.

#2 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize the 2023 Leadership St. Bernard Class.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 5th day of July, 2023.

#3 Councilmember's District Update

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

#4 President's Report

No action taken on this item.

#5 Recognize the Public

- Jim Phillpott – Chalmette, LA
- David Jarrell – Chalmette, La

#6 Summary No. 4095

Introduced by: Councilmember Everhardt on 6/6/23

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2472-12-22**, CHAPTER 11; HEALTH AND SANITATION; ARTICLE IX, PROHIBITING THE SALE AND DISTRIBUTION OF IMPORTED SHRIMP, **CRAB MEAT AND CRAWFISH**; TO CREATE AND ADD SECTION 11-31**34** ENFORCEMENT OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Minutes of the St. Bernard Parish Council Meeting of July 5, 2023

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NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#7 Summary No. 4097

Introduced by: Administration on 6/20/23

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2469-12-22**, AN ORDINANCE TO ADOPT THE 2023 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#8 Summary No. 4098

Introduced by: Administration on 6/20/23

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2469-12-22**, AN ORDINANCE TO ADOPT THE 2023 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#9 Summary No. 4099

Introduced by: Councilmember Luna on 6/20/2023

AN ORDINANCE TO REPEAL **ORDINANCE SBPC #1857-03-17**, AN ORDINANCE EMPOWERING THE PARK AND PARKWAY COMMISSION TO DEVELOP A ST. BERNARD TOWN CENTER PARK IN ITS ENTIRETY.

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

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

RESOLUTION SBPC #2312-07-23

A RESOLUTION SUPPORTING THE ADMINISTRATION IN PURCHASING THE PROPERTIES LOCATED AT 1301 MISSOURI, 1305 MISSOURI, 1309 MISSOURI, AND 3104 VOLPE TO INSTALL A SEWER LIFT STATION.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 5th day of July, 2023.

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

Summary No. 4095

Introduced by: Councilmember Everhardt on 6/6/23

Public Hearing held on 7/5/23

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2472-12-22**, CHAPTER 11; HEALTH AND SANITATION; ARTICLE IX, PROHIBITING THE SALE AND DISTRIBUTION OF IMPORTED SHRIMP, [CRAB MEAT AND CRAWFISH](#); TO CREATE AND ADD SECTION 11-31[34](#) ENFORCEMENT OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

On motion of Mr. Lewis, seconded by Mr. Moran, it was moved to **table** Summary No. 4095 until the August 1, 2023 Council Meeting.

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

YEAS: McCloskey, Moran, Alcon, Callais

NAYS: Luna, Everhardt

Minutes of the St. Bernard Parish Council Meeting of July 5, 2023

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ABSENT: None

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

And the motion was declared **adopted** on the 5th day of July, 2023.

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

ORDINANCE SBPC #2503-07-23

Summary No. 4097

Introduced by: Administration on 6/20/23

Public Hearing held on 7/5/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2469-12-22**, AN ORDINANCE TO ADOPT THE 2023 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, Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 5th day of July, 2023.

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

ORDINANCE SBPC #2504-07-23

Summary No. 4098

Introduced by: Administration on 6/20/23

Public Hearing held on 7/5/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2469-12-22**, AN ORDINANCE TO ADOPT THE 2023 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, Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 5th day of July, 2023.

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

Summary No. 4099

Introduced by: Councilmember Luna on 6/20/23

Public Hearing held on 7/5/23

AN ORDINANCE TO REPEAL **ORDINANCE SBPC #1857-03-17**, AN ORDINANCE EMPOWERING THE PARK AND PARKWAY COMMISSION TO DEVELOP A ST. BERNARD TOWN CENTER PARK IN ITS ENTIRETY.

On motion of Mr. Luna, seconded by Ms. Callais, it was moved to **remove** Summary No 4099 from the agenda.

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

YEAS: McCloskey, Luna, Alcon, Everhardt, Callais

Minutes of the St. Bernard Parish Council Meeting of July 5, 2023

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NAYS: Moran

ABSENT: None

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

And the motion was declared **adopted** on the 5th day of July, 2023.

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

Summary No. 4100

Introduced by: Councilmember Luna on 7/5/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2346-08-21**, AN ORDINANCE ESTABLISHING AN OLD ARABI NEIGHBORHOOD COMMISSION TO ADDRESS PRESERVATION AND REDEVELOPMENT ISSUES.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 5th day of July, 2023.

#16 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for May, 2023.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 5th day of July, 2023.

#17 Coastal Zone Advisory Committee

Discussion ensued;

No action taken on this item.

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

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Callais

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 5th day of July, 2023.

Minutes of the St. Bernard Parish Council Meeting of July 5, 2023

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There being no further business for discussion, the Council Chair declared the meeting adjourned at 9:44 p.m. on the 5th day of July, 2023.

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, JULY 18, 2023 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 JULY 5, 2023 COUNCIL MEETING:

Summary No. 4100

Introduced by: Councilmember Luna on 7/5/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2346-08-21**, AN ORDINANCE ESTABLISHING AN OLD ARABI NEIGHBORHOOD COMMISSION TO ADDRESS PRESERVATION AND REDEVELOPMENT ISSUES.

SECTION 1. That the Old Arabi Neighborhood Commission is hereby established to address preservation and redevelopment issues: The Old Arabi Neighborhood Commission shall only review issues of aesthetic concerns pertaining to the exterior and visible from any street frontage. No permit shall be issued by St. Bernard Parish for any structure, within the district boundaries, without a **certificate of appropriateness** issued from the Old Arabi Neighborhood Commission.

The Commission shall consist of the following members with 3 year terms and shall reside within the district boundaries set forth in this ordinance:

- 2 appointees from council
- 3 appointees from neighborhood association
- 1 appointee from Chamber
- 1 appointee from Planning Commission

Voting: A quorum shall consist of 3 members and a simple majority shall determine voting results. Any voting tie shall be decided by the Council member of District A. Council member of District A serves as advisor to the commission and shall vote in the event of a tie vote.

District Boundaries:

North boundary- Shall start at St. Claude Ave. and Jackson Barracks and continue East following St Claude Ave. then St. Bernard Hwy. (LA46) and terminate at the Norfolk Southern Railroad rail tracks and shall include both sides (North & South) of LA Hwy 46.

East boundary- Shall start at St. Bernard Hwy. (LA46) and the Norfolk Southern Railroad rail tracks and continue South along the Eickes canal extension to the Eastern termination of North Peters St.

South boundary- Shall start at the Eastern termination of North Peters St. and continue West following North Peters St. and shall end at the North Peters St. and Jackson Barracks and continue East following North Peters St. and end at the St. Bernard Parish/Orleans Parish boundary (Jackson Barracks) and the continuation of North Peters St. and shall include both sides of North Peters St.

West Boundary- Shall start at the St. Bernard Parish/Orleans Parish boundary at the levee of the Mississippi River and continue North following the St. Bernard Parish/Orleans Parish boundary and terminate at the St. Bernard Parish/Orleans Parish boundary and St. Claude Ave. (LA46).

Applications: Applications for a letter of appropriateness from the Old Arabi Neighborhood Commission shall be submitted to the office of Community Development, with all submission requirements, five business days before the scheduled meeting to be reviewed.

Submissions: Submitted documents shall contain the following:

- Old Arabi Neighborhood Commission application.
- Survey of property defining property boundaries, servitudes, and utility tie-in points.
- Proposed Site Plan to scale, defining property lines, setbacks, proposed fencing, driveways, sidewalks, secondary structures, and utilities.
- Proposed Elevations, to scale, of the front and sides of the structure defining the height, width, and the proposed materials.

Criteria for the Issuance of Certificates of Appropriateness.

The Commission shall adhere to and seek compatibility of structures in the district in terms of size, texture, scale, and site plan and in so doing, the following guidelines shall be considered by the Commission in passing upon applications for a Certificate of Appropriateness:

A. For new construction. (1) All new construction shall be visually compatible with the buildings and environment with which they are related. (2) The general design, scale, gross volume, arrangement of site plan, texture, material and exterior architectural features of new construction shall be in harmony with its surroundings and shall not impair the "tout ensemble" of the neighborhood. (3) No one architectural style shall be imposed. (4) Quality and excellence in design should be major determinants.

B. For exterior alterations. (1) All exterior alterations to a building shall be compatible with the building itself and other buildings with which it is related, as provided in A(2) above and in applying these standards, the original design of the buildings may be considered. (2) Exterior alterations shall not affect the architectural character or historical quality of the building.

C. For signs. (1) The scale and design of any sign should be compatible with the buildings and environment with which it is related. (2) The materials, style, and patterns used in any sign should be compatible with the buildings and environment with which it is related.

D. Demolition. In considering an application for the demolition of a landmark or a building in an historic district, the following shall be considered: (1) The historic or architectural significance of the building. (2) The importance of the building to the "tout ensemble" of the district. (3) The special character and aesthetic interest that the building adds to the district. (4) The difficulty or impossibility of reproducing such a building because of its design, texture, material or detail. (5) The future utilization of the site.

E. Destruction of non-conforming use. The reconstruction of buildings legally non-conforming as to use and destroyed by fire, storms, or other acts of God shall be governed by the provisions of the zoning ordinance except that the Commission shall regulate the exterior design of such buildings.

Appeals

A. Any person or persons aggrieved by any decision, act, or proceeding of the Commission shall have a right to apply in writing to the Parish Council for reversal or modification thereof; and the Chair of the Parish Council shall have the right to stay all further action until the Parish Council may affirm a decision of the Commission by majority vote of all its members. Any such appeal shall be taken within ~~twenty~~ **thirty** (~~20~~ **30**) days from the date of decision; and the Parish Council has the right to reverse, change, or modify any decision of the Commission only by a majority vote of all its members.

Archives

New Orleans Houses written and illustrated by Lloyd Vogt. Pelican Publishing Company, 1985. Written and illustrated by an architect, this book provides the reader with an easy to understand introduction to a rich subject. The handsome sketches of the various houses are very appealing, and the text is presented in language that is aimed at the layman, not the trained architect. The commission shall add to the archives to aid in the promotion of historic preservation.

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 of this Ordinance with the invalid portions omitted.

BY DIRECTION OF

Richard Lewis

RICHARD LEWIS
COUNCIL CHAIR

#8

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, JULY 18, 2023 AT THREE O'CLOCK P.M.

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

RESOLUTION SBPC #2313-07-23

A RESOLUTION TO A APPOINT MEMBER TO THE ST. BERNARD PARISH LIBRARY BOARD.

WHEREAS, there is a vacancy that exists on the St. Bernard Library Board due to an expiring term; and,

WHEREAS, the Council is desirous of filling the aforementioned vacancy.

NOW THEREFORE, BE IT RESOLVED, that the St. Bernard Parish Council, the Governing Authority, does hereby appoint the following to the St. Bernard Parish Library Board of Control:

<u>Member</u>	<u>Expiration Date</u>
Elizabeth "Liz" Qualiano	July 2028

BE IT FURTHER RESOLVED, that these appointments are effective immediately with the passage of this Resolution.

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 18th day of July, 2023.

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Extract #8 continued
July 18, 2022

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, July 18, 2023.

Witness my hand and the seal
of the Parish of St. Bernard on
this 18th day of July, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

#9

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, JULY 18, 2023 AT THREE O'CLOCK P.M.

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

Summary No. 4100

Introduced by: Councilmember Luna on 7/5/23

Public Hearing held on 7/18/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2346-08-21**, AN ORDINANCE ESTABLISHING AN OLD ARABI NEIGHBORHOOD COMMISSION TO ADDRESS PRESERVATION AND REDEVELOPMENT ISSUES.

SECTION 1. That the Old Arabi Neighborhood Commission is hereby established to address preservation and redevelopment issues: The Old Arabi Neighborhood Commission shall only review issues of aesthetic concerns pertaining to the exterior and visible from any street frontage. No permit shall be issued by St. Bernard Parish for any structure, within the district boundaries, without a **certificate of appropriateness** issued from the Old Arabi Neighborhood Commission.

The Commission shall consist of the following members with 3 year terms and shall reside within the district boundaries set forth in this ordinance:

- 2 appointees from council
- 3 appointees from neighborhood association
- 1 appointee from Chamber
- 1 appointee from Planning Commission

Voting: A quorum shall consist of 3 members and a simple majority shall determine voting results. Any voting tie shall be decided by the Council member of District A. Council member of District A serves as advisor to the commission and shall vote in the event of a tie vote.

District Boundaries:

North boundary- Shall start at St. Claude Ave. and Jackson Barracks and continue East following St Claude Ave. then St. Bernard Hwy. (LA46) and terminate at the Norfolk Southern Railroad rail tracks and shall include both sides (North & South) of LA Hwy 46.

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Extract #9, continued
July 18, 2023

East boundary- Shall start at St. Bernard Hwy. (LA46) and the Norfolk Southern Railroad rail tracks and continue South along the Eickes canal extension to the Eastern termination of North Peters St.

South boundary- Shall start at the Eastern termination of North Peters St. and continue West following North Peters St. and shall end at the North Peters St. and Jackson Barracks and continue East following North Peters St. and end at the St. Bernard Parish/Orleans Parish boundary (Jackson Barracks) and the continuation of North Peters St. and shall include both sides of North Peters St.

West Boundary- Shall start at the St. Bernard Parish/Orleans Parish boundary at the levee of the Mississippi River and continue North following the St. Bernard Parish/Orleans Parish boundary and terminate at the St. Bernard Parish/Orleans Parish boundary and St. Claude Ave. (LA46).

Applications: Applications for a letter of appropriateness from the Old Arabi Neighborhood Commission shall be submitted to the office of Community Development, with all submission requirements, five business days before the scheduled meeting to be reviewed.

Submissions: Submitted documents shall contain the following:

- Old Arabi Neighborhood Commission application.
- Survey of property defining property boundaries, servitudes, and utility tie-in points.
- Proposed Site Plan to scale, defining property lines, setbacks, proposed fencing, driveways, sidewalks, secondary structures, and utilities.
- Proposed Elevations, to scale, of the front and sides of the structure defining the height, width, and the proposed materials.

Criteria for the Issuance of Certificates of Appropriateness.

The Commission shall adhere to and seek compatibility of structures in the district in terms of size, texture, scale, and site plan and in so doing, the following guidelines shall be considered by the Commission in passing upon applications for a Certificate of Appropriateness:

A. For new construction. (1) All new construction shall be visually compatible with the buildings and environment with which they are related. (2) The general design, scale, gross volume, arrangement of site plan, texture, material and exterior architectural features of new construction shall be in harmony with its surroundings and shall not impair the "tout ensemble" of the neighborhood. (3) No one architectural style shall be imposed. (4) Quality and excellence in design should be major determinants.

B. For exterior alterations. (1) All exterior alterations to a building shall be compatible with the building itself and other buildings with which it is related, as provided in A(2) above and in applying these standards, the original design of the buildings may be considered. (2) Exterior alterations shall not affect the architectural character or historical quality of the building.

C. For signs. (1) The scale and design of any sign should be compatible with the buildings and environment with which it is related. (2) The materials, style, and patterns used in any sign should be compatible with the buildings and environment with which it is related.

D. Demolition. In considering an application for the demolition of a landmark or a building in an historic district, the following shall be considered: (1) The historic or architectural significance of the building. (2) The importance of the building to the "tout ensemble" of the district. (3) The special character and aesthetic interest that the building adds to the district. (4) The difficulty or impossibility of reproducing such a building because of its design, texture, material or detail. (5) The future utilization of the site.

E. Destruction of non-conforming use. The reconstruction of buildings legally non-conforming as to use and destroyed by fire, storms, or other acts of God shall be governed by the provisions of the zoning ordinance except that the Commission shall regulate the exterior design of such buildings.

Appeals

A. Any person or persons aggrieved by any decision, act, or proceeding of the Commission shall have a right to apply in writing to the Parish Council for reversal or modification thereof; and the Chair of the Parish Council shall have the right to stay all further action until the Parish Council may affirm a decision of the Commission by majority vote of all its members. Any such appeal shall be taken within ~~twenty~~ **thirty** (~~20~~ **30**) days from the date of decision; and the Parish Council has the right to reverse, change, or modify any decision of the Commission only by a majority vote of all its members.

Archives

New Orleans Houses written and illustrated by Lloyd Vogt. Pelican Publishing Company, 1985. Written and illustrated by an architect, this book provides the reader with an easy to understand introduction to a rich subject. The handsome sketches of the various houses are very appealing, and the text is presented in language that is aimed at the layman, not the trained architect. The commission shall add to the archives to aid in the promotion of historic preservation.

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Extract #9, continued
July 18, 2023

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 of 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 18th day of July, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

RICHARD "RICHIE" LEWIS
COUNCIL CHAIR

Delivered to the Parish President _____
Date and Time

Received by _____

Page -5-
Extract #9, continued
July 18, 2023

Approved _____

Vetoed _____

Parish President

Guy McInnis

Returned to Clerk of the Council

Date and Time

Received by _____

#10

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, JULY 18, 2023 AT THREE O'CLOCK P.M.

On motion of Mr. xxxx, seconded by Mrs. xxxx, it was moved to **adopt** the following **Emergency Ordinance**:

EMERGENCY ORDINANCE SBPC #2505-07-23

Summary No. 4101
Councilman Everhardt

AN **EMERGENCY** ORDINANCE TO ENSURE THAT ADMINISTRATION CONTINUES TO STAFF, MAINTAIN AND OPERATE FIRE STATIONS 10 & 11 WHILE CONCURRENTLY WORKING ON PRESERVING FIRE STATION 12 TO PREPARE FOR FUTURE USE.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

SECTION 1. That this ordinance will ensure that administration will continue to staff, maintain and operate Fire Stations 10 & 11 while concurrently working on preserving Fire Station 12 to prepare for future use.

SECTION 2. That this ordinance will supersede **Ordinance SBPC #2483-04-23** that was adopted on April 18, 2023.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. If the proposed ordinance is not signed or vetoed by the Parish President within Twelve (12) hours after receipt it shall be considered adopted. As an emergency ordinance, the provisions shall remain valid for a time period of sixty (60) days.

SECTION 4. 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 of this Ordinance with the invalid portions omitted.

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

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Extract #10 continued
July 18, 2023

YEAS:

NAYS:

ABSENT:

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

And the motion was declared **xxxx** on the 18th day of July, 2023.

ROXANNE ADAMS
CLERK OF COUNCIL

RICHARD LEWIS
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 _____