

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON **TUESDAY, FEBRUARY 7, 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 Tuesday, February 7, 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 7:01 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 Guy McInnis, Parish President and Ronnie Alonzo, CAO were representing Administration.

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

#1 On motion of Mrs. Alcon, seconded by Mr. McCloskey, it was moved to approve the minutes from the January 17, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, January 27, 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 7th day of February, 2023.

#2 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize the 2023 Zulu King and Queen.

The Zulu Club was recognized as being present.

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 7th day of February, 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 was taken on this item

#5 Recognize the Public

- Ken Dufour - Violet, LA

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- Jessica Daigle - Arabi, LA
- David Jarrell - Chalmette, LA

#6 Summary No. 4063

Introduced by: Councilmember Everhardt on 12/20/22

Planning Commission recommended **DENIAL** on 1/24/23

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

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

#7 Summary No. 4066

Introduced by: Administration on 1/17/23

AN ORDINANCE TO REPEAL AND REPLACE THE ST. BERNARD PARISH GOVERNMENT PERSONNEL PLAN IN ITS ENTIRETY.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#8 Summary No. 4068

Introduced by: Administration on 1/17/23

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACCEPT THE DONATION OF CERTAIN PROPERTY LOCATED IN THE VERSAILLES SUBDIVISION OF ST. BERNARD PARISH, STATE OF LOUISIANA, FROM MERAUX LAND DEVELOPMENT, L.L.C. AND TO EXECUTE ANY NECESSARY ANCILLARY DOCUMENTS FOR THE DONATION.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#9 On motion of Mr. Everhardt, seconded by Ms. Callais, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #2284-02-23

A RESOLUTION EXPRESSING SUPPORT OF PLAQUEMINES PARISH ORDINANCE NO. 23-17, AN ORDINANCE REAFFIRMING PROHIBITION OF ANY PLAQUEMINES PARISH-ISSUED PERMIT FOR AUTHORIZATION, CONSTRUCTION AND/OR OPERATION OF ANY MISSISSIPPI RIVER SEDIMENT DIVERSION PROJECT, AND DIRECTING AND AUTHORIZING ANY AND ALL LEGAL STEPS NECESSARY TO PREVENT HARM TO PLAQUEMINES PARISH, ITS CITIZENS, ITS INDUSTRIES, ITS NATURAL RESOURCES, ITS ECONOMY AND ITS ENVIRONMENT FROM AFOREMENTIONED MISSISSIPPI RIVER SEDIMENT DIVERSION PROJECTS AND OTHERWISE TO PROVIDE WITH RESPECT THERETO.

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 7th day of February, 2023.

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

Summary No. 4063

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Introduced by: Councilmember Everhardt on 12/20/22
Planning Commission recommended **DENIAL** on 1/24/23
Public Hearing held on 2/7/23

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

Discussion ensued;

Councilmember Everhardt made a motion to **table** Summary No. 4063 until the March 7, 2023 Council Meeting.

Motion dies due to lack of a second;

Discussion ensued further;

On motion of Mr. Everhardt, seconded by Mr. Luna, it was moved to table indefinitely Summary No. 4063.

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 7th day of February, 2023.

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

ORDINANCE SBPC #2475-02-23

Summary No. 4066

Introduced by: Administration on 1/17/23
Public Hearing held on 2/7/23

AN ORDINANCE TO REPEAL AND REPLACE THE ST. BERNARD PARISH GOVERNMENT PERSONNEL PLAN IN ITS ENTIRETY.

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 7th day of February, 2023.

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

ORDINANCE SBPC #2476-02-23

Summary No. 4068

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Introduced by: Administration on 1/17/23

Public Hearing held on 2/7/23

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACCEPT THE DONATION OF CERTAIN PROPERTY LOCATED IN THE VERSAILLES SUBDIVISION OF ST. BERNARD PARISH, STATE OF LOUISIANA, FROM MERAUX LAND DEVELOPMENT, L.L.C. AND TO EXECUTE ANY NECESSARY ANCILLARY DOCUMENTS FOR THE DONATION.

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 7th day of February, 2023.

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

Summary No. 4069

Introduced by: Councilmember Luna, Alcon, and Lewis on 2/7/23

AN ORDINANCE TO **AMEND** CHAPTER 4, ANIMALS AND FOWL; ARTICLE I, IN GENERAL; TO CREATE AND ADD SECTION 4-8 BACKYARD HENS 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, 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 7th day of February, 2023.

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

Summary No. 4070

Planning Commission recommended **APPROVAL** on 1/24/23

Introduced by: Administration on 2/7/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-002**, PETITION OF TEE-WEE'S ON DA BAYOU LLC FOR A CONDITIONAL USE FOR A FOOD TRAILER. SITE LOCATION: 1309 YSCLOSKEY HWY, ST. BERNARD LA 70085.

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

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ABSENT: None

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

And the motion was declared **adopted** on the 7th day of February, 2023.

#15 On 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 December, 2022.

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 7th day of February, 2023.

#16 Coastal Zone Advisory Committee

No action taken on this item.

On motion of Mr. Everhardt, seconded by Ms. Callais, it was moved to **amend** the agenda to include item #18.

A RESOLUTION RESPECTFULLY REQUESTING THE COASTAL PROTECTION AND RESTORATION AUTHORITY (CPRA) TO EITHER IMMEDIATELY READJUST THE CAERNARVON DIVERSION OUTFLOW TO A LOWER "CFS" OR IMMEDIATELY TERMINATE THE CAERNARVON FRESHWATER DIVERSION SYSTEM COMPLETELY.

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 7th day of February, 2023.

#18 On motion of Mr. Everhardt, seconded by Ms. Callais, it was moved to **adopt** the following resolution:

RESOLUTION SBPC #2285-02-23

A RESOLUTION RESPECTFULLY REQUESTING THE COASTAL PROTECTION AND RESTORATION AUTHORITY (CPRA) TO EITHER IMMEDIATELY READJUST THE CAERNARVON DIVERSION OUTFLOW TO A LOWER "CFS" OR IMMEDIATELY TERMINATE THE CAERNARVON FRESHWATER DIVERSION SYSTEM COMPLETELY.

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

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

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NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 7th day of February, 2023.

#17 On motion of the Council Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to review the Judgement List.

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 7th day of February, 2023.

On motion of the Council 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, 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 7th day of February, 2023.

#17 No action taken on this item.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 9:38 p.m. on the 7th day of February, 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
Lewis
ROXANNE ADAMS
LEWIS
CLERK OF COUNCIL

 Richard "Richie"
RICHARD "RICHIE"
COUNCIL CHAIR