

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON **TUESDAY, FEBRUARY 15, 2022 AT 3:00 P.M.** IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, LOCATED AT 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA.

The St. Bernard Parish Council, the Governing Authority, met in Regular Session on Tuesday, February 15, 2022 at three o'clock p.m. pursuant to notice given to each member and posted in the manner required by law.

The meeting convened at 3:01 p.m. Members present: Council Chair Kerri Callais, Joshua "Josh" Moran, Howard Luna, Wanda Alcon, Fred Everhardt, Jr., and Richard "Richie" Lewis.

Members absent: Councilmember Gillis McCloskey.

Also present were Roxanne Adams Clerk of Council, serving as official secretary of the Council, Parish President Guy McInnis and CAO Ronnie Alonzo were representing Administration.

Councilmember Callais delivered the invocation and Councilmember Alcon led the Pledge of Allegiance.

#1 On motion of Mr. Lewis, seconded by Mrs. Alcon, it was moved to approve the minutes from the February 1, 2022 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, February 11, 2022.

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

YEAS: Moran, Luna, Alcon, Everhardt, Lewis

NAYS: None

ABSENT: McCloskey

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

And the motion was declared **adopted** on the 15th day of February, 2022.

#2 No action was taken on this item.

#3 Councilmember 's District Update

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

Councilmember McCloskey is now present.

#4 President 's Report

No action taken on this item.

#5 Recognize the Public

No action taken on this item.

#6 Summary No. 3990

Introduced by: Councilmember Lewis on 2/1/22

AN ORDINANCE TO **AMEND** CHAPTER 3, ALCOHOLIC BEVERAGES; SECTION 3-16, SPECIFIC QUALIFICATIONS OF APPLICANTS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#7 Summary No. 3991

Introduced by: Administration on 2/1/22

AN ORDINANCE TO **AMEND** CHAPTER 5, BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES; ARTICLE I, IN GENERAL; SECTION 5-28, CONSTRUCTION OF MULTIPLE TWO-FAMILY DWELLINGS ON THE SAME LOT OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#8 Summary No. 3992

Introduced by: Administration on 2/1/22

AN ORDINANCE TO **AMEND** ORDINANCE SBPC #2387-12-21, AN ORDINANCE DECLARING CERTAIN FORMER LOUISIANA LAND TRUST PROPERTIES TO BE HELD FOR PUBLIC USE AND DECLARING THE REMAINDER OF THE FORMER LOUISIANA LAND TRUST PROPERTIES AS SURPLUS TO BE AUCTIONED.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#9 Summary No. 3993

Introduced by: Administration on 2/1/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

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

RESOLUTION SBPC #2209-02-22

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. Kimberly, Inc. dba Brewster's 8751 W. Judge Perez Drive, Chalmette, La. 70043 Owner(s): Theodore and Kimberly Reab **(Renewal) (Beer and Liquor)**
2. MJROD, LLC., dba Chalmette Rotolo's Pizzeria 8109 W. Judge Perez Dr., Ste. A, Chalmette, La. 70043. Owner(s): Jason Cook. **(Renewal) (Beer and Liquor)**
3. Penny's Café, Inc., dba Penny's Café 5442 E. Judge Perez Drive, Violet, La. 70092 Owners: David A. and Penny G Lepine. **(Renewal) (Beer Only)**
4. Pons-A-Pack Inc., dba Ponstein's Food Store - 3523 Paris Road, Chalmette, La. 70043 Owner(s): Neil Ponstein. **(Renewal) (Beer and Liquor)**
5. Quitutes, LLC, dba Quitutes 6617 W. Judge Perez Drive, Arabi, La. 70032 Owner(s): Jacob and Maria Lawson **(Renewal) (Beer and Liquor)**

Special Event (s)

- | | |
|--------------------------|---|
| 1. Name of Organization: | Our Lady of Lourdes Knights of Columbus #8442 |
| Address of Organization: | 2621 Colonial Blvd. Violet, La. 70092 |
| Name of Event: | Our Lady of Lourdes Crawfish Cook-Off |
| Type of Event: | Crawfish Cook-Off |
| Date: | Saturday April 30, 2022 |
| Time: | 8:00 AM - 5:00 PM |
| Contact Person: | Clifford Bertucci |

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt

NAYS: None

ABSENT: None

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ABSTAINED : Lewis

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

RESOLUTION SBPC #2210-02-22

A RESOLUTION APPROVING THE PLACEMENT OF A THREE WAY STOP SIGN AT THE CORNER OF RIVERLAND DRIVE AND UTAH STREET, CHALMETTE, LA.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

RESOLUTION SBPC #2211-02-22

A RESOLUTION TO APPOINT ELIZABETH "LISA" BORNE AS INTERIM CHAIRMAN TO THE ST. BERNARD PARISH HOME RULE CHARTER COMMISSION.

On the motion of Mr. Luna, seconded by Mr. Lewis, 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, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

RESOLUTION SBPC #2212-02-22

A RESOLUTION OF SUPPORT FOR THE PONTCHARTRAIN ESTUARY LOUISIANA NATIONAL ESTUARINE RESEARCH RESERVE (LaNERR) PROPOSAL.

Discussion ensued.

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

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

NAYS: None

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ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

RESOLUTION SBPC #2213-02-22

A RESOLUTION OPPOSING THE LOUISIANA WILDLIFE AND FISHERIES COMMISSION'S NOTICE OF INTENT REGARDING COASTAL MENHADEN BUFFER ZONE WHERE THE COMMERCIAL HARVEST OF GULF MENHADEN IS RESTRICTED.

Discussion ensued.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

RESOLUTION SBPC #2214-02-22

A RESOLUTION TO APPOINT MEMBERS TO THE ST. BERNARD PARISH 911 COMMUNICATIONS DISTRICT.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

Summary No. 3987

Introduced by: Councilmember McCloskey on 12/21/21

Public Hearing held on 1/18/22

Tabled on 1/18/22 until 2/1/22

Tabled on 2/1/22 until 2/15/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2172-06-19**, AN ORDINANCE OUTLINING GROUP HEALTH, LIFE AND DENTAL INSURANCE BENEFITS FOR ELIGIBLE EMPLOYEES AND RETIREES OF THE ST. BERNARD PARISH GOVERNMENT.

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On motion of Mr. McCloskey, seconded by Mr. Lewis, it was moved to remove Summary No. 3987 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, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

ORDINANCE SBPC #2412-02-22

Summary No. 3990

Introduced by: Councilmember Lewis on 2/1/22

Public Hearing held on 2/15/22

AN ORDINANCE TO **AMEND** CHAPTER 3, ALCOHOLIC BEVERAGES; SECTION 3-16, SPECIFIC QUALIFICATIONS OF APPLICANTS 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, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

Summary No. 3991

Introduced by: Administration on 2/1/22

Public Hearing held on 2/15/22

Tabled on 2/15/22 until 3/15/22

AN ORDINANCE TO **AMEND** CHAPTER 5, BUILDINGS; CONSTRUCTION AND RELATED ACTIVITIES; ARTICLE I, IN GENERAL; SECTION 5-28, CONSTRUCTION OF MULTIPLE TWO-FAMILY DWELLINGS ON THE SAME LOT OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

On motion of Mr. Lewis, seconded by Mrs. Alcon, it was moved to table Summary No. 3991 until the March 15, 2022 Council Meeting.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

ORDINANCE SBPC #2413-02-22

Summary No. 3992

Introduced by: Administration on 2/1/22

Public Hearing held on 2/15/22

AN ORDINANCE TO **AMEND** ORDINANCE SBPC #2387-12-21, AN ORDINANCE DECLARING CERTAIN FORMER LOUISIANA LAND TRUST PROPERTIES TO BE HELD FOR PUBLIC USE AND DECLARING THE REMAINDER OF THE FORMER LOUISIANA LAND TRUST PROPERTIES AS SURPLUS TO BE AUCTIONED.

Discussion ensued;

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

ORDINANCE SBPC #2414-02-22

Summary No. 3993

Introduced by: Administration on 2/1/22

Public Hearing held on 2/15/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

Discussion ensued;

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

Summary No. 3994

Introduced by: Councilmember Moran on 2/15/22

AN ORDINANCE TO **AMEND** CHAPTER 11, HEALTH AND SANITATION; ARTICLE II, SOLID WASTE DISPOSAL; JUNK; DIVISION 1, GENERALLY; SECTION 11-25, GARBAGE

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CONTAINERS - MULTIFAMILY DWELLINGS OF FOUR-PLEX AND LARGER AND COMMERCIAL ESTABLISHMENTS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

Summary No. 3995

Introduced by: Administration on 2/15/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2172-06-19**, AN ORDINANCE OUTLINING GROUP HEALTH, LIFE AND DENTAL INSURANCE BENEFITS FOR ELIGIBLE EMPLOYEES AND RETIREES OF THE ST. BERNARD PARISH GOVERNMENT.

Discussion ensued;

On motion of Mr. McCloskey, seconded by Mr. Lewis, it was moved to amend Summary No. 3995 to change on page 4: 60% to 40% in the second sentence and change 40% to 60% in the 7th sentence. As well as change the verbiage in the last sentence "premium from" to read "premium of both employees to be covered from".

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

Discussion on the amendment;

Councilmember McCloskey moved to withdraw his amendment without objection.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

Discussion on the original item as submitted.

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

YEAS: McCloskey, Moran, Luna, Everhardt
NAYS: Alcon, Lewis
ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

Summary No. 3996

Introduced by: Administration on 2/15/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

Discussion ensued;

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Lewis
NAYS: None
ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

Summary No. 3997

Introduced by: Administration on 2/15/22

AN ORDINANCE TO DECLARE THE PROPERTIES ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID PROPERTIES.

Discussion ensued;

On motion of Mr. Lewis, seconded by Mr. Everhardt, it was moved to amend Summary No. 3997 to remove "starting price" on the attachment.

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

YEAS: McCloskey, Moran, Luna, Alcon, Everhardt, Lewis
NAYS: None
ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

Discussion ensued on the item as amended.

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On motion of Mr. Luna, seconded by Mr. Moran, it was moved to amend Summary No. 3997 to add property

BER-114722	69 WEST CLAIBORNE SQUARE	CHALMETTE
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The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

Discussion continued on the item as amended;

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

Summary No. 3997

Introduced by: Administration on 2/15/22

AN ORDINANCE TO DECLARE THE PROPERTIES ON THE ATTACHED EXHIBIT "A" AS SURPLUS AND TO AUTHORIZE THE PARISH PRESIDENT TO EXECUTE ALL NECESSARY DOCUMENTS TO TRANSFER SAID PROPERTIES.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

On motion of Ms. Callais, seconded by Mr. Moran, it was moved to amend the agenda to add item #27.

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

Summary No. 3998

Introduced by: Administration on 2/15/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 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, Lewis

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

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

Summary No. 3998

Introduced by: Administration on 2/15/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

Discussion ensued;

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

#25 Coastal Zone Advisory Committee

No official action taken.

#26 On motion of Mr. McCloskey, seconded by Mr. Moran, it was moved enter into Executive Session to discuss claims asserted against St. Bernard Parish Government in that matter titled Maria Melendez De Canas, et al vs. St. Bernard Parish Government, et al, Civil No. 20-1422, Div. "C" 34th JDC. (Administration)

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

On motion of the Chair, without objection and by unanimous consent, it was moved to return to Regular Session.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

#26 On motion of Mr. Lewis, seconded by Mr. McCloskey, it was moved to accept the advice of legal counsel in the matter of the claims asserted against St. Bernard Parish Government

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in that matter titled Maria Melendez De Canas, et al vs. St. Bernard Parish Government, et al, Civil No. 20-1422, Div. "C" 34th JDC.

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

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

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 15th day of February, 2022.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:25 p.m. on the 15th day of February, 2022.

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

Callais

ROXANNE ADAMS
CLERK OF COUNCIL

CHAIR

Kerri

KERRI CALLAIS
COUNCIL