

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON **TUESDAY, APRIL 4, 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, April 4, 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 was representing Administration.

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

**#1** On motion of Ms. Callais, seconded by Mr. Moran, it was moved to approve the minutes from the March 21, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, March 31, 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 4<sup>th</sup> day of April, 2023

**#2 Councilmember 's District Update**

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

**#3 President 's Report**

No action was taken on this item

**#4 Recognize the Public**

- Sam Stilner - Violey, LA
- Devin Murphy - Meraux, LA
- Wayne Landry - St. Bernard, LA
- Jason Mones - St. Bernard - LA
- Troy Serigne - St. Bernard - LA
- Emanuel Alphonso - St. Bernard, LA
- Amanda Mones - St. Bernard, LA
- Pam Mones - St. Bernard, LA
- Susie Navarro - St. Bernard, LA
- Catina Bergeron - St. Bernard, LA
- Connie Kurz - St. Bernard, LA
- Kevin Zanca - Arabi, LA
- Rene Martinez - St. Bernard, LA
- Shelley Tank - St. Bernard, LA

On motion of the Council Chair, without objection and by unanimous consent, it was moved to address item #13 at this item.

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

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**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 4<sup>th</sup> day of April, 2023

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

## **EMERGENCY ORDINANCE SBPC #2481-04-23**

### **Summary No. 4073**

Councilmember Everhardt

AN **EMERGENCY ORDINANCE** TO HAVE THE ADMINISTRATION IMMEDIATELY PUT BACK IN PLACE THE ENTIRE STAFFING AND EQUIPMENT LEVELS OF FIRE DISTRICT 2 TO ITS LEVELS AS IT WAS PRIOR TO MARCH 6, 2023.

Discussion ensued;

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 4<sup>th</sup> day of April, 2023

On motion of the Council Chair, without objection and by unanimous consent, it was moved to take a 10 minute recess.

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 4<sup>th</sup> day of April, 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

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of April, 2023.

### #5 **Summary No. 4072**

Planning Commission recommended **APPROVAL** on 2/28/23

Introduced by: Administration on 3/7/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-004**, PETITION OF NORRELL ATTRIBUTES LLC FOR A ZONING CHANGE FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL). SITE LOCATION: E. JUDGE PEREZ DRIVE AND MARIETTA STREET, CHALMETTE LA 70043.

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

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

### **RESOLUTION SBPC #2291-04-23**

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO CERTIFY THAT SOLICITED BIDS FOR BUCCANEER VILLA NORTH SUBDIVISION PHASE 1 - RETENTION POND STATE PROJECT NO. H.014399 (331) UNDER THE STATEWIDE FLOOD CONTROL PROGRAM WERE RECEIVED IN ACCORDANCE WITH AND COMPLY WITH THE CURRENT BID LAWS OF THE STATE OF LOUISIANA, INCLUDING, BUT NOT LIMITED TO R.S. 38:2211 ET SEQ.

Discussion ensued;

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 4<sup>th</sup> day of April, 2023.

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

### **RESOLUTION SBPC #2292-04-23**

A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO AWARD A CONTRACT TO THE LOWEST RESPONSIVE AND QUALIFIED BIDDER, LMB SERVICES, LLC. FOR BUCCANEER VILLA NORTH SUBDIVISION PHASE 1 - RETENTION POND STATE PROJECT NO. H.014399 (331) UNDER THE STATEWIDE FLOOD CONTROL PROGRAM WITH THE PURPOSE OF REDUCING FLOODING IN THE ST. CLAUDE HEIGHTS, CAROLYN PARK, BUCCANEER VILLA NORTH, AND CHALMETTE PLAZA SUBDIVISIONS.

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

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of April, 2023.

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

### **RESOLUTION SBPC #2293-04-23**

A RESOLUTION AUTHORIZING AND DIRECTING THE PARISH PRESIDENT TO EXECUTE A CONTRACT WITH LA GOVERNMENT STRATEGIES, LLC TO PROVIDE POST REDISTRICTING RELATED SERVICES TO THE ST. BERNARD PARISH COUNCIL.

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 4<sup>th</sup> day of April, 2023.

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

### **RESOLUTION SBPC #2294-04-23**

A RESOLUTION SUPPORTING THE APPROVAL OF A PURCHASE PRESENTED BY THE DISTRICT "A" COUNCIL REPRESENTATIVE ON THE PARKS AND PARKWAYS COMMISSION.

Discussion ensued;

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 4<sup>th</sup> day of April, 2023.

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

### **RESOLUTION SBPC #2295-04-22**

A RESOLUTION ADOPTING THE LOUISIANA LEGISLATIVE AUDITOR'S QUESTIONNAIRE.

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

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of April, 2023.

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

### **RESOLUTION SBPC #2296-04-23**

A RESOLUTION TO CALL A SPECIAL ELECTION TO FILL THE VACANCY IN THE OFFICE OF CONSTABLE, WARD D WITHIN THE PARISH OF ST. BERNARD.

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 4<sup>th</sup> day of April, 2023.

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

### **ORDINANCE SBPC #2482-04-23**

#### **Summary No. 4072**

Planning Commission recommended **APPROVAL** on 2/28/23

Introduced by: Administration on 3/7/23

Public Hearing held on 3/21/23

Tabled on 3/21/23 until 4/4/23 for additional Public Hearing

Additional Public Hearing held on 4/4/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-004**, PETITION OF NORRELL ATTRIBUTES LLC FOR A ZONING CHANGE FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL). SITE LOCATION: LOT 33 SQ C. MAGNOLIA SUB. PARCEL #303200C00033.

Discussion ensued;

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 4<sup>th</sup> day of April, 2023.

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

#### **Summary No. 4074**

Introduced by: Councilman Everhardt on 4/4/23

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AN ORDINANCE TO HAVE THE ADMINISTRATION IMMEDIATELY PUT BACK IN PLACE THE ENTIRE STAFFING AND EQUIPMENT LEVELS OF FIRE DISTRICT 2 TO ITS LEVELS AS IT WAS PRIOR TO MARCH 6, 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 4<sup>th</sup> day of April, 2023.

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

### **Summary No. 4075**

Introduced by: Councilman Luna on 4/4/23

AN ORDINANCE TO **AMEND** ORDINANCE SBPC #1993-08-17, AN ORDINANCE ESTABLISH A SPECIAL REVENUE FUND "TREE FUND" AND IMPLEMENT STIPULATIONS FOR ALL REVENUES AND EXPENDITURES IN THE 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, Callais

**NAYS:** None

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of April, 2023.

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

### **Summary No. 4076**

Introduced by: Councilmember Luna on 4/4/23

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

**NAYS:** None

**ABSENT:** None

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

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And the motion was declared **adopted** on the 4<sup>th</sup> day of April, 2023.

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

### **Summary No. 4077**

Introduced by: Administration on 4/4/23

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 4<sup>th</sup> day of April, 2023.

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

### **Summary No. 4078**

Introduced by: Councilmember Luna on 4/4/23

AN ORDINANCE TO ESTABLISH A SPECIAL REVENUE FUND "RIDE SHARE FEES" AND IMPLEMENT STIPULATIONS FOR REVENUES AND EXPENDITURES IN THE 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 4<sup>th</sup> day of April, 2023.

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

### **Summary No. 4079**

Planning Commission recommended **DENIAL** on 3/28/23

Introduced by: Administration on 4/4/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-003**, PETITION OF NAYARA FREITAS FOR A CONDITIONAL USE FOR AN AUTOMOTIVE JUNK YARD. SITE LOCATION: 1913 TUSA DRIVE, VIOLET LA 70092.

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

**YEAS:** McCloskey

**NAYS:** Moran, Luna, Alcon, Everhardt, Callais

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**ABSENT:** None

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

And the motion was declared **failed** on the 4<sup>th</sup> day of April, 2023.

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

**Summary No. 4080**

Introduced by: Administration on 4/4/23

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, Alcon, Callais

**NAYS:** Luna, Everhardt

**ABSENT:** None

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of April, 2023.

**#21** 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 February, 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:** Alcon

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

And the motion was declared **adopted** on the 4<sup>th</sup> day of April, 2023.

**#22 Coastal Zone Advisory Committee**

No action taken on this item.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 9:15 p.m. on the 4<sup>th</sup> day of April, 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