

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON **TUESDAY, MAY 2, 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, May 2, 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 7:00 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 Everhardt delivered the invocation and Councilmember Luna led the Pledge of Allegiance.

#1 On motion of Mr. McCloskey, seconded by Mr. Moran, it was moved to approve the minutes from the April 18, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, April 28, 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 2nd day of May, 2023.

#2 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize Chalmette Bicycle and Lawn Mower on their 60 years in business in St. Bernard Parish.

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 2nd day of May, 2023.

On motion of the Council Chair, without objection and by unanimous consent, it was moved to address item #16.

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 2nd day of May, 2023.

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

ORDINANCE SBPC #2489-05-23

Summary No. 4083

Introduced by: Councilmember McCloskey on 4/18/23

Public Hearing held on 5/2/23

AN ORDINANCE TO RENAME CAROLYN PARK PLAYGROUND TO CAROLYN PARK PLAYGROUND AT JOHN GEBBIA FIELD.

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 2nd day of May, 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

No one signed up to speak.

#6 Summary No. 4081

Introduced by: Council on 4/18/23

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2023 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1, FIRE PROTECTION DISTRICT NO. 1 AND FIRE PROTECTION DISTRICT NO. 2.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#7 Summary No. 4082

Introduced by: Council on 4/18/23

AN ORDINANCE TO GEOGRAPHICALLY MERGE PRECINCTS AND INCORPORATE THOSE MERGERS INTO THE REDISTRICTING PLAN ADOPTED BY ORDINANCE SBPC #2451-08-22, AND ESTABLISH POLLING PLACES FOR SAID PRECINCTS.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#8 Summary No. 4083

Introduced by: Councilmember McCloskey on 4/18/23

AN ORDINANCE TO RENAME CAROLYN PARK PLAYGROUND TO CAROLYN PARK PLAYGROUND AT JOHN GEBBIA FIELD.

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

#9 Summary No. 4084

Introduced by: Administration on 4/18/23

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AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACQUIRE LOT 33A SQ. C CYPRESS GARDEN SUBDIVISION. BEING A RESUB OF LOTS 33 & 34A - LOT 33A MEAS 160.62' FRONT ON PAUL X DEPTH OF 112.85' X WIDTH IN REAR 35.53' X SECOND DEPTH OF 87.64' X SECOND WIDTH OF 75.4' X DEPTH OF 63.83' TO POINT OF BEGINNING.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

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

RESOLUTION SBPC # 2298-05-23

A RESOLUTION DECLARING THAT THE ST. BERNARD PARISH COUNCIL HAS READ AND UNDERSTANDS THAT THE MUNSTER WASTEWATER TREATMENT PLANT LOCATED AT 3300 MUNSTER BLVD. IS MEETING THE TREATMENT EFFLUENT REQUIREMENTS THAT ARE SET FORTH BY THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY.

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 2nd day of May, 2023.

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

RESOLUTION SBPC #2299-05-23

A RESOLUTION DECLARING THAT THE ST. BERNARD PARISH COUNCIL HAS READ AND UNDERSTANDS THAT THE RIVERBEND OXIDATION POND LOCATED ON JUDGE PEREZ AT SOUTHLAKE BLVD. IS MEETING THE TREATMENT EFFLUENT REQUIREMENTS THAT ARE SET FORTH BY THE LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY.

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 2nd day of May, 2023.

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

RESOLUTION SBPC #2300-05-23

A RESOLUTION DECLARING THAT ST. BERNARD PARISH GOVERNMENT SHALL JOIN THE ATTORNEY GENERAL OF LOUISIANA IN LITIGATION AGAINST FEMA TO CHALLENGE RISK RATING 2.0.

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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, Callais

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of May, 2023.

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

RESOLUTION SBPC #2301-05-23

A RESOLUTION RESPECTFULLY REQUESTING ADMINISTRATION TO INVESTIGATE THE USE OF SPEED TABLES AS A METHOD OF CURBING SPEEDING ON FLORIDA AVENUE BETWEEN JACOB AND VAL REISS PARK.

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 2nd day of May, 2023.

On motion of Mr. Lewis, seconded by Mr. Moran, it was moved to amend the agenda to address **Resolution SBPC #2303-05-23** .

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 2nd day of May, 2023.

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

RESOLUTION SBPC #2303-05-23

A RESOLUTION RESPECTFULLY REQUESTING THAT ATTORNEY GENERAL JEFF LANDRY PROVIDE THE ST. BERNARD PARISH COUNCIL WITH AN OFFICIAL OPINION IN REFERENCE TO **ORDINANCE SBPC #2483-04-23** , CAN THE ST. BERNARD PARISH COUNCIL VIA ORDINANCE MANDATE ADMINISTRATION TO MOVE FIRE EQUIPMENT AND PERSONNEL THROUGHOUT ST. BERNARD PARISH ACCORDING TO THE ST. BERNARD PARISH HOME RULE CHARTER.

Discussion ensued;

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On motion of Mr. Everhardt, seconded by Mr. McCloskey, it was moved to amend the resolution to include (4) ordinances previously passed- SBPC #47-12-92, SBPC #662-07-06, SBPC #1517-07-14, and SBPC #2025-01-18.

Discussion ensued on Mr. Everhardt's proposed amendment.

Roll call vote on Mr. Everhardt's proposed amendment.

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

YEAS: Luna, Everhardt

NAYS: McCloskey, Moran, Alcon, Callais

ABSENT: None

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

And the motion was declared **failed** on the 2nd day of May, 2023.

Mr. Everhardt's proposed amendment has failed;

Discussion ensued further on Resolution SBPC #2303-05-23 as originally submitted;

Councilmember Everhardt motioned to amend Resolution SBPC #2303-05-23 to remove mandate and replace with set policy.

Motion died due to lack of a second.;

Discussion ensued further on Resolution SBPC #2303-05-23 as originally presented;

Roll call vote on the resolution as originally submitted;

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

YEAS: McCloskey, Moran, Luna, Alcon, Callais

NAYS: Everhardt

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of May, 2023.

On motion of Mr. Moran, seconded by Ms. Callais, it was moved to amend the agenda to address Resolution SBPC #2302-05-23:

A RESOLUTION SUPPORTING THE ADMINISTRATION'S ORDERING A STUDY TO ASSESS THE CURRENT ORGANIZATION AND PERFORMANCE OF THE ST. BERNARD PARISH FIRE DEPARTMENT IN COMPARISON TO INDUSTRY STANDARDS AND BEST PRACTICES.

Roll call vote to amend the agenda;

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

YEAS: McCloskey, Moran, Luna, Alcon, Callais

NAYS: Everhardt

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of May, 2023.

Item failed to amend the agenda.

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

ORDINANCE SBPC #2490-05-23

Summary No. 4081

Introduced by: Council on 4/18/23

Public Hearing held on 5/2/23

AN ORDINANCE LEVYING AND IMPOSING CERTAIN TAXES FOR 2023 ON ALL THE PROPERTY SUBJECT TO TAXATION IN THE PARISH OF ST. BERNARD, ROAD LIGHTING DISTRICT NO. 1, ROAD DISTRICT NO. 1, GARBAGE DISTRICT NO. 1, FIRE PROTECTION DISTRICT NO. 1 AND FIRE PROTECTION DISTRICT NO. 2.

Discussion ensued;

Council Chair opened the floor for additional public comment on this item.

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

ABSTAINED: None

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

And the motion was declared **adopted** on the 2nd day of May, 2023.

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

ORDINANCE SBPC #2491-05-23

Summary No. 4082

Introduced by: Council on 4/18/23

Public Hearing held on 5/2/23

AN ORDINANCE TO **AMEND** CHAPTER 8; ELECTIONS, SECTION 8-2; SINGLE-MEMBER COUNCILMANIC DISTRICTS; COUNCILMAN-AT-LARGE DISTRICT; ELECTION PRECINCTS TO GEOGRAPHICALLY MERGE PRECINCTS AND INCORPORATE THOSE MERGERS INTO THE REDISTRICTING PLAN ADOPTED BY ORDINANCE SBPC #2451-08-22, AND ESTABLISH POLLING PLACES FOR SAID PRECINCTS.

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 2nd day of May, 2023.

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

ORDINANCE SBPC #2492-05-23

Summary No. 4084

Introduced by: Administration on 4/18/23

Public Hearing held on 5/2/23

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACQUIRE LOT 33A SQ. C CYPRESS GARDEN SUBDIVISION. BEING A RESUB OF LOTS 33 & 34A - LOT 33A MEAS 160.62' FRONT ON PAUL X DEPTH OF 112.85' X WIDTH IN REAR 35.53' X SECOND DEPTH OF 87.64' X SECOND WIDTH OF 75.4' X DEPTH OF 63.83' TO POINT OF BEGINNING.

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 2nd day of May, 2023.

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

Summary No. 4085

Introduced by: Administration on 5/2/23

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**.

And the motion was declared **adopted** on the 2nd day of May, 2023.

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

Summary No. 4086

Introduced by: Administration on 5/2/23

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

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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 2nd day of May, 2023.

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

Summary No. 4087

Introduced by: Administration on 5/2/23

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**.

And the motion was declared **adopted** on the 2nd day of May, 2023.

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

Summary No. 4088

Introduced by: Councilmember Luna on 5/2/23

AN ORDINANCE TO **AMEND** ORDINANCE SBPC #2413-02-22, 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, Callais

NAYS: None

ABSENT: None

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

And the motion was declared **adopted** on the 2nd day of May, 2023.

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

Summary No. 4089

Introduced by: Councilman Everhardt on 5/2/23

AN ORDINANCE TO **AMEND** ORDINANCE SBPC #2483-04-23, AN ORDINANCE TO HAVE THE ADMINISTRATION IMMEDIATELY PUT BACK IN PLACE THE ENTIRE STAFFING AND

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EQUIPMENT LEVELS OF FIRE DISTRICT 2 TO ITS LEVELS AS IT WAS PRIOR TO ~~MARCH 6, 2023~~ AUGUST 29, 2021.

Discussion ensued;

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

YEAS: Everhardt

NAYS: McCloskey, Moran, Luna, Alcon. Callais

ABSENT: None

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

And the motion was declared **failed** on the 2nd day of May, 2023.

#23 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 March, 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 2nd day of May, 2023.

#24 Coastal Zone Advisory Committee

No action taken on this item.

On motion of Ms. Callais, seconded by Mr. Moran, it was moved to amend the agenda to introduce Summary No. 4090.

Councilmember Everhardt is now marked as absent.

Roll call vote to amend the agenda;

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

YEAS: McCloskey, Moran, Alcon, Everhardt, Callais

NAYS: Luna

ABSENT: None

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

And the motion was declared **failed** on the 2nd day of May, 2023.

Motion to amend the agenda failed.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 9:43 p.m. on the 2nd day of May, 2023.

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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