

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON **TUESDAY, JUNE 21, 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, June 21, 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 3:00 p.m. Members present: Council Vice-Chair Richard "Richie" Lewis, Gillis McCloskey, Joshua "Josh" Moran, Howard Luna, Wanda Alcon, and Fred Everhardt, Jr.

Members Absent: Councilmember Kerri Callais

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and Jason Stopa, Community Development Director and John Lane, Coastal Director were representing Administration.

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

Elected Official present was Jeff Southerland, Justice of the Peace Ward H.

**#1** On motion of Mr. McCloskey, seconded by Mrs. Alcon, it was moved to approve the minutes from the June 7, 2022 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, June 17, 2022.

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:** Callais

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

**#2** On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize Donnie Bourgeois with the Capital Projects Department for an update.

No Report submitted.

Discussion ensued;

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:** Callais

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

**#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**

No one signed up to speak.

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**#6 Summary No. 4024**

Introduced by: Administration on 6/7/22

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**

**#7 Summary No. 4025**

Introduced by: Administration on 6/7/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2280-12-20**, AN ORDINANCE TO ADOPT THE 2021 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

**#8 Summary No. 4026**

Introduced by: Councilmember Callais on 6/7/22

AN ORDINANCE ABANDONING STREET RIGHT OF WAY FOR CERTAIN PART OF ST. BERNARD AVENUE IN DOLLUT SUBDIVISION OF ALLUVIAL CITY, ST. BERNARD PARISH, LOUISIANA.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

**#9 Summary No. 4027**

Introduced by: Administration on 6/7/22

AN ORDINANCE TO AUTHORIZE THE RETENTION OF GUICE A. GIAMBRONE, III OF BLUE WILLIAMS, L.L.P., TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF ST. BERNARD FIREFIGHTERS LOCAL 1468, ET AL. V. ST. BERNARD IN 34<sup>th</sup> J.D.C. NO. 22-0277.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

**#10 Summary No. 4028**

Introduced by: Administration on 6/7/22

AN ORDINANCE TO AUTHORIZE THE RETENTION OF GREG NOTO OF THE NOTO LAW FIRM, TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF AUBRY COLEMAN, ET AL. VS. PETER MOREL, JR. ET AL., 34<sup>th</sup> JDC #22-0149.

**NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM**

Council Vice-Chair took a Chairman's Privilege to recognize Jeff Southerland, Justice of the Peace, Ward H to give an update on litter issues and eviction process.

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

**RESOLUTION SBPC #2236-06-22**

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. Daiquiris Chalmette Partnership, dba, New Orleans Original Daiquiris, 8304 W. Judge Perez Dr., Chalmette, LA 70043 Owner(s): MNS of Chalmette, Inc. & 190 Octane Retail, LLC **(Renewal) (Beer and Liquor)**
2. Desi's Inc, dba, Desi's, 3809 Paris Road, Chalmette, LA 70043, Owner(s): Desi A. Romano, Tina C. Romano, Desi D. Romano **(Renewal) (Beer and Liquor)**
3. Disabled Veterans of LA, Inc., dba, Friendly Pub, 149 Friscoville Avenue, Arabi, LA

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70032, Manager: Carolyn Little **(Renewal) (Beer and Liquor)**

4. Wal-Mart Louisiana, LLC, dba, Wal-Mart #5081, 2500 Archbishop Hannan Blvd., Meraux, LA 70075, Manager: Donald Sierra, Jr. **(Renewal) (Beer and Liquor)**

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:** Callais

The Council Vice-Chair, Mr. Lewis, cast his vote as **ABSTAIN**.

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

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

## **RESOLUTION SBPC #2237-06-22**

A RESOLUTION SUPPORTING THE DEVELOPMENT OF A COMMUNITY GARDEN TO BE LOCATED ON 3920 GALLO DRIVE.

Discussion ensued;

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:** Callais

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

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

## **RESOLUTION SBPC #2238-06-22**

A RESOLUTION TO REAPPOINT 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, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

**DID NOT VOTE:** Luna

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

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

## **RESOLUTION SBPC #2239-06-22**

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A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE LOUISIANA DIVISION OF THE ARTS (LDOA) IN THE AMOUNT OF \$5,000.00 FOR THE WIND-DOWN WEDNESDAYS CONCERT SERIES IN TORRES PARK.

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

**YEAS:** McCloskey, Moran, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Callais

**DID NOT VOTE:** Luna

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

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

### **ORDINANCE SBPC #2441-06-22**

#### **Summary No. 4024**

Introduced by: Administration on 6/7/22

Public Hearing held on 6/21/22

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

**NAYS:** None

**ABSENT:** Callais

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

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

### **ORDINANCE SBPC #2442-06-22**

#### **Summary No. 4025**

Introduced by: Administration on 6/7/22

Public Hearing held on 6/21/22

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2280-12-20**, AN ORDINANCE TO ADOPT THE 2021 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

**NAYS:** None

**ABSENT:** Callais

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

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

## ORDINANCE SBPC #2443-06-22

### Summary No. 4026

Introduced by: Councilmember Callais on 6/7/22

Public Hearing held on 6/21/22

AN ORDINANCE ABANDONING STREET RIGHT OF WAY FOR CERTAIN PART OF ST. BERNARD AVENUE IN DOLLUT SUBDIVISION OF ALLUVIAL CITY, ST. BERNARD PARISH, LOUISIANA.

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:** Callais

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

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

## ORDINANCE SBPC #2444-06-22

### Summary No. 4027

Introduced by: Administration on 6/7/22

Public Hearing held on 6/17/22

AN ORDINANCE TO AUTHORIZE THE RETENTION OF GUICE A. GIAMBRONE, III OF BLUE WILLIAMS, L.L.P., TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF ST. BERNARD FIREFIGHTERS LOCAL 1468, ET AL. V. ST. BERNARD PARISH IN 34<sup>th</sup> J.D.C. NO. 22-0277.

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:** Callais

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

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

## ORDINANCE SBPC #2445-06-22

### Summary No. 4028

Introduced by: Administration on 6/7/22

Public Hearing held on 6/21/22

AN ORDINANCE TO AUTHORIZE THE RETENTION OF GREG NOTO OF THE NOTO LAW FIRM, TO PROVIDE LEGAL REPRESENTATION FOR ST. BERNARD PARISH GOVERNMENT IN THE CASE OF AUBRY COLEMAN, ET AL. VS. PETER MOREL, JR. ET AL., 34<sup>th</sup> JDC #22-0149.

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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

**NAYS:** None

**ABSENT:** Callais

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

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

### **Summary No. 4029**

Introduced by: Councilmember McCloskey on 6/21/22

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;

Public Hearing to be held on July 19<sup>th</sup> at the 3:00pm Council Meeting.

On motion of Mr. Luna, seconded by Mr. Everhardt, it was moved to **amend** Summary No. 4029 to decrease the proposed budgeted amount by \$45,000.00. The budget amendment shall be changed from \$315,000.00 to \$270,000.00

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

**YEAS:** Moran, Luna, Alcon, Everhardt

**NAYS:** McCloskey

**ABSENT:** Callais

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

Discussion on the item as amended;

Councilmember Luna would like to request an AG Opinion.

Discussion on the item as presented as a whole;

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

### **Summary No. 4029**

Introduced by: Councilmember McCloskey on 6/21/22

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, Alcon, Everhardt

**NAYS:** Luna

**ABSENT:** Callais

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

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And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

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

**Summary No. 4030**

Introduced by: Administration on 6/21/22

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

**NAYS:** None

**ABSENT:** Callais

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

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

**Summary No. 4031**

Introduced by: Councilmember Luna on 6/21/22

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, Luna, Alcon, Everhardt

**NAYS:** Moran

**ABSENT:** Callais

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

And the motion was declared **adopted** on the 21<sup>st</sup> day of June, 2022.

**#23 Coastal Zone Advisory Committee**

No official action taken.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 4:25 p.m. on the 21<sup>st</sup> day of June, 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

Lewis

ROXANNE ADAMS

LEWIS

CLERK OF COUNCIL

CHAIR

Richard "Richie"

RICHARD

"RICHIE"

COUNCIL

VICE-

