

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON **TUESDAY, NOVEMBER 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, November 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 7:03 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 Parish President Guy McInnis and John Lane, CAO were representing Administration.

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

Elected Officials present were Kim Jones - 34th JDC Judge Division "C", Randy Nunez - Clerk of Court, Jeff Southerland - Justice of the Peace Ward H, Cindi Meyer - Council Elect District C, and Tony Te-Ton Jeansonne Constable Ward J.

#1 On motion of Mr. McCloskey, seconded by Ms. Callais, it was moved to approve the minutes from the October 18, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, October 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 November, 2023.

#2 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize the Knights of Columbus Rummel Council 5747 for check presentations.

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 November, 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 taken on this item.

#5 Recognize the Public

- Ashley Reeb - Chalmette, LA
- Ken Dufour - Violet, LA

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#6 Summary No. 4130

Introduced by: Councilmember Moran on 10/18/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2469-12-22**, AN ORDINANCE TO ADOPT THE 2023 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#7 Summary No. 4131

Introduced by: Councilmember Moran on 10/18/23

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACQUIRE LOT 11-A SQ. A SIDLENIE SUBDIVISION MEASURING 50' FRONT ON TORRES X DEPTH OF 235'.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#8 Summary No. 4132

Introduced by: Councilmember Moran on 10/18/23

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACQUIRE LOT 4 SQ. I SIDLENIE PARK SUBDIVISION MEASURING 50' FRONT ON TORRES X DEPTH OF 148'.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

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

RESOLUTION SBPC #2334-11-23

A RESOLUTION RESPECTFULLY REQUESTING ENTERGY, AT&T AND COX COMMUNICATIONS TO COMPLETE THE INSTALLATION OF THEIR UTILITIES ON ALL NEW UTILITY POLES AND ONCE COMPLETE, REMOVE THE PREVIOUS UTILITY POLES THAT EXISTED THERE.

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 7th day of November, 2023.

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

RESOLUTION SBPC #2335-11-23

A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE LOUISIANA LOCAL GOVERNMENT ASSISTANCE PROGRAM IN THE AMOUNT OF \$100,000.00 FOR CONSTRUCTION OF THE MISSISSIPPI RIVER TRAIL MERAUX TRAILHEAD.

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 7th day of November, 2023.

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

Summary No. 4130

Introduced by: Councilmember Moran on 10/18/23

Public Hearing held on 11/7/23

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;

On motion of Mrs. Alcon, seconded by Mr. Moran, it was moved to **amend** Summary No. 4130 to remove the \$9,000 from Park and Parkways Commission and move the \$9,000 to the Corp Tax Incentive changing the amount from \$59,000 to \$68,000.

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 7th day of November, 2023.

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

ORDINANCE SBPC #2533-11-23

Summary No. 4130

Introduced by: Councilmember Moran on 10/18/23

Public Hearing held on 11/7/23

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 7th day of November, 2023.

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

ORDINANCE SBPC #2534-11-23

Summary No. 4131

Introduced by: Councilmember Moran on 10/18/23

Public Hearing held on 11/7/23

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACQUIRE LOT 11-A SQ. A SIDLENIE SUBDIVISION MEASURING 50' FRONT ON TORRES X DEPTH OF 235'.

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 7th day of November, 2023.

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

ORDINANCE SBPC #2535-11-23

Summary No. 4132

Introduced by: Councilmember Moran on 10/18/23

Public Hearing held on 11/7/23

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACQUIRE LOT 4 SQ. I SIDLENIE PARK SUBDIVISION MEASURING 50' FRONT ON TORRES X DEPTH OF 148'.

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 November, 2023.

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

Summary No. 4106

Introduced by: Councilmember Everhardt on 8/1/23

Planning Commission recommended **DENIAL** on 8/22/23

Public Hearing held on 9/5/23

Tabled on 9/5/23 until 10/3/23

Tabled on 10/3/23 until 10/18/23

Tabled on 10/18/23 until 11/7/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-012**, PETITION OF COUNCILMEMBER DISTRICT E FOR A ZONING CHANGE FROM A-1 (RURAL) TO R-1 (SINGLE-FAMILY RESIDENTIAL). PROPERTY LOCATION: LOTS: 1-50 WOODCHASE SUBDIVISION, LOTS 1-13 SQ. I, SIDLENIE PK., LOTS 2A, 3-11, 13-A, 14-20, SQ. F. SIDLENIE PK., LOT 2-E-1, 3E-18E, 19 & 20, SQ. E. SIDLENIE PK. SUB., LOTS: 1-5, 6A, 8A, 9-10, & 11A SQ. B. SIDLENIE PK. SUB., 8A1, 9-11A, 13-A-1, 14A, 16A1, & 17A, SQ. A, SIDLENIE SUB. ST. BERNARD, LA 70085.

Discussion ensued;

On motion of Mr. Everhardt, seconded by Mr. Luna, it was moved to **amend** Summary No. 4106 to remove Lots 1-50 Woodchase Subdivision from the Docket.

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 7th day of November, 2023.

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

ORDINANCE SBPC #2536-11-23

Summary No. 4106

Introduced by: Councilmember Everhardt on 8/1/23
Planning Commission recommended **DENIAL** on 8/22/23
Public Hearing held on 9/5/23
Tabled on 9/5/23 until 10/3/23
Tabled on 10/3/23 until 10/18/23
Tabled on 10/18/23 until 11/7/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-012**, PETITION OF COUNCILMEMBER DISTRICT E FOR A ZONING CHANGE FROM A-1 (RURAL) TO R-1 (SINGLE-FAMILY RESIDENTIAL). PROPERTY LOCATION: LOTS 1-13 SQ. I, SIDELENIE PK., LOTS 2A, 3-11, 13-A, 14-20, SQ. F. SIDELENIE PK., LOT 2-E-1, 3E-18E, 19 & 20, SQ. E. SIDELENIE PK. SUB., LOTS: 1-5, 6A, 8A, 9-10, & 11A SQ. B. SIDLENIE PK. SUB., 8A1, 9-11A, 13-A-1, 14A, 16A1, & 17A, SQ. A, SIDLENIE SUB. 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

ABSENT: None

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

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

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

Summary No. 4133

Introduced by: Administration on 11/7/23

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACQUIRE LOTS 1, 2, 3, 5, AND 6 SQ. 20 and LOTS 55 AND 56 RIVERLAND PARK SUBDIVISION.

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 November, 2023.

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

Summary No. 4134

Planning Commission recommended **APPROVAL** on 10/24/23
Introduced by: Administration on 11/7/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-016**, PETITION OF MONIQUE DAZET FOR A CONDITIONAL USE FOR A PROPOSED FOOD TRUCK. SITE LOCATION: 6701 N. PETERS STREET, ARABI LA 70032.

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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 7th day of November, 2023.

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

Summary No. 4135

Planning Commission recommended **APPROVAL** on 10/24/23

Introduced by: Administration on 11/7/23

AN ORDINANCE TO APPROVE **DOCKET Z-2023-017**, PETITION OF GB RIVER LLC FOR A ZONING CHANGE FROM R-1(SINGLE-FAMILY RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL). SITE LOCATION: 801 E. JUDGE PEREZ DR. CHALMETTE, LA 70043.

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 7th day of November, 2023.

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

Summary No. 4136

Introduced by: Administration on 11/7/23

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 7th day of November, 2023.

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

Summary No. 4137

Introduced by: Administration on 11/7/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2469-12-22**

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, 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 7th day of November, 2023.

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

Summary No. 4138

Introduced by: Administration on 11/7/23

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 7th day of November, 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 September, 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 November, 2023.

#22 Coastal Zone Advisory Committee

No action taken on this item.

On motion of the Council Chair, without objection and by unanimous consent, it was moved to read into the official record the announcement of election:

Notice is hereby given that at its meeting to be held on Tuesday, December 19, 2023 at 3:00 p.m. at its regular meeting place, the St. Bernard Parish Government Council Chambers, 8201 W. Judge Perez Drive, Chalmette, Louisiana, the Parish Council of the Parish of St. Bernard, State of Louisiana, plans to consider adopting a resolution ordering and calling an election to be held in the Parish of St. Bernard to authorize the renewal or replacement of Ad Valorem Taxes.

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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 7th day of November, 2023.

On motion of the Council Chair, without objection and by unanimous consent, it was moved to amend the agenda to include item #23.

#23 Motion to enter into Executive Session to discuss SBPG v. Urban Systems - 34th JDC No. 19-0298/C.

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 November, 2023.

#23 On motion of the Council Chair, without objection and by unanimous consent, it was moved to enter into Executive Session to discuss SBPG v. Urban Systems - 34th JDC No. 19-0298/C

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 November, 2023.

On motion of 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 November, 2023.

#23 No action taken on this item.

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There being no further business for discussion, the Council Chair declared the meeting adjourned at 8:08 p.m. on the 7th day of November, 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

Richard "Richie"

Lewis

ROXANNE ADAMS
CLERK OF COUNCIL

RICHARD "RICHIE" LEWIS
COUNCIL CHAIR