

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING HELD ON TUESDAY, JANUARY 5, 2021 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, January 5, 2021 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: Councilmembers: Council Chair Richard "Richie" Lewis, Gillis McCloskey, Joshua "Josh" Moran, Wanda Alcon, Fred Everhardt, Jr., and Kerri Callais.

Members absent: Howard Luna

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.

Minister Jerry Troxclair with Peace and Prayer Ministries delivered the invocation and Councilmember Moran led the Pledge of Allegiance.

#1 On motion of Ms. Callais, seconded by Mrs. Alcon, it was moved to approve the minutes from the December 15, 2020 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, December 25, 2020.

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

YEAS: McCloskey, Moran, Alcon, Everhardt, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

#2 Councilmember 's District Update

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

#3 President 's Report

A copy of this report can be found on the parish website.

#4 Recognize the Public

- Ken Dufour - Violet, La

On motion of the Chair, without objection and by unanimous consent, it was moved to address item #11.

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

YEAS: McCloskey, Moran, Alcon, Everhardt, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

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

RESOLUTION SBPC #2091-01-21

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A RESOLUTION ORDERING AND CALLING A SPECIAL ELECTION TO BE HELD IN THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN; MAKING APPLICATION TO THE STATE BOND COMMISSION IN CONNECTION THEREWITH; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH.

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

YEAS: McCloskey, Moran, Alcon, Everhardt, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

#5 Summary No. 3859

Introduced by: Administration on 12/15/20

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2218-12-19**, AN ORDINANCE TO ADOPT THE 2020 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#6 Summary No. 3860

Introduced by: Administration on 12/15/20

AN ORDINANCE TO DECLARE AS SURPLUS 412 CHINCHILLA DRIVE, ARABI, LOUISIANA WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY ACCORDING TO LAW.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#7 Summary No. 3861

Introduced by: Councilmember Luna on 12/15/20

AN ORDINANCE TO ESTABLISH A SPECIAL REVENUE FUND "TRANSIT BUS SHELTER FUND" AND IMPLEMENT STIPULATIONS FOR ALL ADVERTISING REVENUES AND EXPENDITURES FOR THE TRANSIT BUSES IN THE ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

#8 Summary No. 3859

Introduced by: Administration on 12/15/20

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2218-12-19**, AN ORDINANCE TO ADOPT THE 2020 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

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

RESOLUTION SBPC #2089-01-21

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)

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1. Aaron's Investments, Inc. dba Aaron's 2545 Paris Road, Suite A Chalmette, LA 70043 Owner(s): Rolfe Aaron Barker and Janice A. Barker **(Renewal) (Beer Only)**
2. Barbara A. Civello, Inc., dba Barbara's Place 1008 W. Judge Perez Drive Chalmette, LA 70043 Owner: Arthur Schick, Jr. **(Renewal) (Beer and Liquor)**
3. LaMar Enterprises, LLC., dba Barker's Dozen 7801 -B East St. Bernard Hwy Violet, LA 70092 Owner(s): Rolfe A. Barker **(Renewal) (Beer Only)**
4. Last Stop Food Mart, LLC., dba Last Stop Food Mart 4513 E. La. Hwy 46, St. Bernard, LA 70085 Owner: Margaret B. Kramer **(Renewal) (Beer and Liquor)**
5. Lion Bar, LLC., dba Juan's Bar 7419 W. St. Bernard Highway Arabi, LA 70032 Member(s): Henry Lion, III and Tammy Lion **(Renewal) (Beer and Liquor)**
6. Louisiana CVS Pharmacy, LLC., dba CVS/Pharmacy #2597 2600 Paris Road Chalmette, LA 70043 Manager: Darren Riley **(Renewal) (Beer and Liquor)**
7. M & R Services Hispano's, LLC., dba Latin Market 8823 W. Judge Perez Drive, Chalmette, LA 70043 Owner: Mena Fahaim **(Renewal) (Beer and Liquor)**
8. Money Honey LLC., dba Zig's Last Stop Lounge 308 E. Judge Perez Drive, Chalmette, LA 70043 Member: Thomas Pacaccio, Jr. **(Renewal) (Beer and Liquor)**
9. Moneymaker, LLC., dba Zig's Hideout 105 Bayou Road St. Bernard, LA 70085 Owner: Thomas Pacaccio, Jr. **(Renewal) (Beer and Liquor)**

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

YEAS: McCloskey, Moran, Alcon, Everhardt

NAYS: None

ABSENT: Luna

ABSTAINED: Callais

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

And the motion was declared **adopted** on the 5th day of January, 2021.

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

RESOLUTION SBPC #2090-01-21

A RESOLUTION OF THE ST. BERNARD PARISH COUNCIL TO THE LOUISIANA SENATE AND THE LOUISIANA HOUSE OF REPRESENTATIVES URGING LEGISLATURE TO PASS LEGISLATION WHICH WILL INVEST IN THE INSTALLATION OF HIGH SPEED INTERNET FOR RURAL LOUISIANA.

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

YEAS: Moran, Alcon, Everhardt, Callais

NAYS: McCloskey

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

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

ORDINANCE SBPC #2285-01-21

Summary No. 3859

Introduced by: Administration on 12/15/20

Public Hearing held on 1/5/21

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2218-12-19**, AN ORDINANCE TO ADOPT THE 2020 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, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

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

ORDINANCE SBPC #2286-01-21

Summary No. 3860

Introduced by: Administration on 12/15/20

Public Hearing held on 1/5/21

AN ORDINANCE TO DECLARE AS SURPLUS 412 CHINCHILLA DRIVE, ARABI, LOUISIANA WHICH HAS BEEN ADJUDICATED TO THE PARISH, AND TO AUTHORIZE THE SALE OF SAID PROPERTY ACCORDING TO LAW.

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

YEAS: McCloskey, Moran, Alcon, Everhardt, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

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

ORDINANCE SBPC #2287-01-21

Summary No. 3861

Introduced by: Councilmember Luna on 12/15/20

Public Hearing held on 1/5/21

AN ORDINANCE TO ESTABLISH A SPECIAL REVENUE FUND "TRANSIT BUS SHELTER FUND" AND IMPLEMENT STIPULATIONS FOR ALL ADVERTISING REVENUES AND EXPENDITURES FOR THE TRANSIT BUSES 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:

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YEAS: McCloskey, Moran, Alcon, Everhardt, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

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

ORDINANCE SBPC #2288-01-21

Summary No. 3862

Introduced by: Administration on 12/15/20

Public Hearing held on 1/5/21

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2218-12-19**, AN ORDINANCE TO ADOPT THE 2020 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, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

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

Summary No. 3863

Introduced by: Administration on 1/5/21

AN ORDINANCE TO REVOKE AND SET ASIDE THE DEDICATION OF A CERTAIN PORTION OF SIDEWALK BETWEEN 8344 PRINCE DRIVE (Lot 388) AND 8400 PRINCE DRIVE (Lot 389) IN BUCCANEER VILLA NORTH.

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

YEAS: McCloskey, Moran, Alcon, Everhardt, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

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

Summary No. 3864

Introduced by: Councilmember Lewis on 1/5/21

AN ORDINANCE TO **AMEND** CHAPTER 4; ANIMALS AND FOWL, ARTICLE II; ANIMAL CONTROL REGULATIONS, DIVISION 3; TREATMENT AND CARE OF ANIMALS; NUISANCES, SECTION 4-56; WILD OR EXOTIC ANIMALS; INFANT WILD ANIMALS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

YEAS: McCloskey, Moran, Alcon, Everhardt, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

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

Summary No. 3865

Introduced by: Councilmember Everhardt on 1/5/21

AN ORDINANCE TO **AMEND** CHAPTER 10; FIRE PROTECTION AND PREVENTION, ARTICLE I; IN GENERAL, SECTION 10-5; OPEN BURNING OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

Council Chair recognized Chief Stone to speak on this item.

On motion of Mr. Lewis, seconded by Mr. Everhardt, it was moved to amend Summary No. 3865 to read the following:

b. The use of a fire pit shall conform with the following requirements:

i. A fire pit shall not be greater than ~~eight (8)~~ four (4) feet in diameter;

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

YEAS: McCloskey, Moran, Alcon, Everhardt, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

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

Summary No. 3865

Introduced by: Councilmember Everhardt on 1/5/21

AN ORDINANCE TO **AMEND** CHAPTER 10; FIRE PROTECTION AND PREVENTION, ARTICLE I; IN GENERAL, SECTION 10-5; OPEN BURNING 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, Alcon, Everhardt, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

#19 On motion of Mrs. Alcon, seconded by Mr. Moran, it was moved to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for November, 2020.

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

YEAS: McCloskey, Moran, Alcon, Everhardt, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

#20 Coastal Zone Advisory Committee

No action taken.

#21 On motion of Ms. Callais, seconded by Mr. McCloskey, it was moved to enter into Executive Session to discuss Farragut v. SBPG, 34th JDC No. 16-1560.

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

YEAS: McCloskey, Moran, Alcon, Everhardt, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

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, Alcon, Everhardt, Callais

NAYS: None

ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

#21 On motion of Ms. Callais, seconded by Mr. McCloskey, it was moved to accept the advice of legal counsel in the matter of Farragut v. SBPG, 34th JDC No. 16-1560.

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

YEAS: McCloskey, Moran, Alcon, Everhardt, Callais

NAYS: None

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ABSENT: Luna

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

And the motion was declared **adopted** on the 5th day of January, 2021.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 7:43 p.m. on the 5th day of January, 2021.

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