

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING** HELD ON **TUESDAY, MARCH 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, March 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 7:02 p.m. Members present: Council Chair Richard "Richie" Lewis, Gillis McCloskey, Joshua "Josh" Moran, Howard Luna, Fred Everhardt, Jr., and Kerri Callais.

Councilmembers Absent: Wanda Alcon

Also present were Jennifer L. Imbraguglio, Deputy Clerk of Council, serving as official secretary of the Council and Guy McInnis, Parish President was representing Administration.

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

Elected Officials present were Justice of the Peace Ward H Jeff Southerland, Constable Ward H Craig Miller, Justice of the Peace Ward C Beau Bowman, Constable Ward C Tina Micheu, Justice of the Peace Ward F Charles Jackson, Justice of the Peace Ward I Harry Fisher, III, Constable Ward J Tony "Te-Ton" Jeansonne, and Justice of the Peace Ward K Bruce Jackson.

#1 On motion of Mr. Moran, seconded by Mr. McCloskey, it was moved to approve the minutes from the February 23, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, March 3, 2023.

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

#2 On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize Mrs. Linda Lopez with the St. Bernard Parish Art Guild.

No action taken on this item.

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

#3 On motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize the JP and Constable Association.

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Justice of the Peace Ward H Jeff Southerland and Beau Bowman Justice of the Peace Ward C addressed the Councilmembers.

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

#4 On motion of the Council Chair, without objection and by unanimous consent, it was moved to recognize Michael Williamson, CEO of United Way of Southeast Louisiana, to discuss United Way's 2023 St. Bernard Parish Campaign.

Michael Williamson presented a PowerPoint presentation.

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

#5 Councilmember's District Update

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

#6 President's Report

No action was taken on this item

#7 Recognize the Public

- Anthony Stipelcovich - Chalmette, LA
- Rene Martinez - St. Bernard, LA
- Robert Campo - St. Bernard, LA
- James Kieff - Hopedale, LA
- Fay Daspit - St. Bernard, LA
- Aaron Melerine - St. Bernard, LA
- Brad Tregle - St. Bernard, LA
- Pam Mones - St. Bernard, LA
- Eddie Estopinal - St. Bernard, LA
- Raymond Nehlig - St. Bernard, LA

On motion of the Council Chair, without objection and by unanimous consent, it was moved to take a 5 minute recess.

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

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ABSENT: Alcon

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

And the motion was declared **adopted** on the 7th day of March, 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, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

#8 Summary No. 4071

Introduced by: Administration on 2/23/23

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACCEPT THE DONATION OF LOTS MS1 AND MS2, OF THE STORY PLANTATION SUBDIVISION, SECTION FOUR, IN THE PARISH OF ST. BERNARD, LA, FROM FREDERICK J. SIGUR, AND EXECUTE ANY NECESSARY DOCUMENTS FOR THE DONATION.

NO ONE APPEARED TO SPEAK FOR OR AGAINST THIS ITEM

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

RESOLUTION SBPC #2286-03-23

A RESOLUTION APPOINTING A MEMBER TO THE BOARD OF ZONING ADJUSTMENTS (BZA).

On motion of the Council Chair, without objection and by unanimous consent, it was moved to appoint Louis Schneider to the Board of Zoning Adjustments (BZA) with a term expiration as March 2027.

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

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

RESOLUTION SBPC #2287-03-23

A RESOLUTION APPOINTING MEMBERS TO THE HOME MORTGAGE AUTHORITY (HMA).

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On motion of the Chair, without objection and by unanimous consent, it was moved to appoint the following people to the Home Mortgage Authority: Howard Luna, Clifford Reuther and Joseph Rexford with term expirations for March 2027.

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

YEAS: McCloskey, Moran, Everhardt, Callais

NAYS: None

ABSENT: Alcon

ABSTAINED: Luna

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

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

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

RESOLUTION SBPC #2288-03-23

A RESOLUTION APPOINTING A MEMBER TO THE TOURIST COMMISSION.

On motion of Ms. Callais, seconded by Mr. Everhardt, it was moved to appoint Jenifer Heintz to the Tourist Commission with an expiration of March 2026.

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

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

RESOLUTION SBPC #2289-03-23

A RESOLUTION SUPPORTING THE APPROVAL OF A PURCHASE PRESENTED BY THE DISTRICT "C" 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: Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

DID NOT VOTE: McCloskey

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

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

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

RESOLUTION SBPC #2290-03-23

A RESOLUTION RESPECTFULLY REQUESTING THAT THE LOUISIANA DEPARTMENT OF TRANSPORTATION OR THE ST. BERNARD PARISH GOVERNMENT REMOVE DISGARDED TIRES LOCATED ON PARIS ROAD.

Discussion ensued;

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

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

ORDINANCE SBPC #2479-03-23

Summary No. 4069

Introduced by: Councilmember Luna, Alcon, and Lewis on 2/7/23
Public Hearing held on 2/23/23
Tabled on 2/23/23 until 3/7/23

AN ORDINANCE TO **AMEND** CHAPTER 4, ANIMALS AND FOWL; ARTICLE I, IN GENERAL; TO CREATE AND ADD SECTION 4-8 BACKYARD HENS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Council Chair took a Chairman's Privilege to recognize Nelson Mire - Chalmette, LA to speak on this item.

Discussion ensued;

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

YEAS: McCloskey, Luna, Everhardt, Callais

NAYS: Moran

ABSENT: Alcon

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

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

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

ORDINANCE SBPC #2480-03-23

Summary No. 4071

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Introduced by: Administration on 2/23/23

Public Hearing held on 3/7/23

AN ORDINANCE TO AUTHORIZE THE PARISH PRESIDENT TO ACCEPT THE DONATION OF LOTS MS1 AND MS2, OF THE STORY PLANTATION SUBDIVISION, SECTION FOUR, IN THE PARISH OF ST. BERNARD, LA, FROM FREDERICK J. SIGUR, AND EXECUTE ANY NECESSARY DOCUMENTS FOR THE DONATION.

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

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

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.

Discussion ensued;

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

#17 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 January, 2023.

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

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ABSENT: Alcon

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

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

#18 Coastal Zone Advisory Committee

Discussion ensued;
No action taken on this item.

On motion of the Council Chair, without objection and by unanimous consent, it was moved to **amend** the agenda to include item #20.

#20 Motion to enter into Executive Session to discuss the National Opiate Litigation, MDL No. 2804 (N.D.Ohio) (“the Opioid Litigation”).

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

On motion of the Council Chair, without objection and by unanimous consent it was moved to take items #19 and #20 in globo.

#19 Motion to enter into Executive Session to discuss the settlement of claims in the matter of Randazzo Property Corporation vs Hard Rock Construction Company, LLC et al, Civil No. 18-1701.

#20 Motion to enter into Executive Session to discuss the National Opiate Litigation, MDL No. 2804 (N.D.Ohio) (“the Opioid Litigation”).

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

And the motion was declared **adopted** on the 7th day of March, 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:

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YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

#19 On motion of Ms. Callais, seconded by Mr. Everhardt, it was moved to accept the advice of legal counsel in the matter of settlement of claims in the matter of Randazzo Property Corporation vs Hard Rock Construction Company, LLC et al, Civil No. 18-1701

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

#20 On motion of Ms. Callais, seconded by Mr. Everhardt, it was moved to accept the advice of legal counsel in the matter of the National Opiate Litigation, MDL No. 2804 (N.D. Ohio) (“the Opioid Litigation”).

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

YEAS: McCloskey, Moran, Luna, Everhardt, Callais

NAYS: None

ABSENT: Alcon

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

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

There being no further business for discussion, the Council Chair declared the meeting adjourned at 10:07 p.m. on the 7th day of March, 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.

Jennifer L. Imbraguglio
Lewis

Richard “Richie”

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JENNIFER L. IMBRAGUGLIO
LEWIS
CLERK OF COUNCIL

RICHARD "RICHIE"
COUNCIL CHAIR