

OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A **REGULAR MEETING HELD ON TUESDAY, JUNE 6, 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, June 6, 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 7:01 p.m. Members present: Council Vice-Chair Kerri Callais, Gillis McCloskey, Joshua "Josh" Moran, Wanda Alcon, and Fred Everhardt, Jr.

Councilmembers absent were Councilmember Howard Luna and Councilmember Richard "Richie" Lewis.

Also present were Roxanne Adams, Clerk of Council, serving as official secretary of the Council and Guy McInnis, Parish President and John Lane, Coastal Manager were representing Administration.

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

Elected Officials present were Ray Lauga former Councilmember District A, Jeff Southerland Justice of the Peace Ward "H" and Tony "Te-Ton" Jeansonne - Constable Ward "J".

**#1** On motion of Mr. McCloskey, seconded by Mr. Moran, it was moved to approve the minutes from the May 16, 2023 Regular Council Meeting as published in the official journal, the St. Bernard Voice on Friday, May 26, 2023.

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, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

**#2** On joint motion of the Council Chair, without objection and by unanimous consent, it was moved to receive an update from the Capital Projects Department.

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, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

**#3 Councilmember's District Update**

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

**#4 President's Report**

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

**#5 Recognize the Public**

- Travis Thurman - St. Bernard, LA

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- Ken Dufour - Violet, LA

### #6 Summary No. 4090

Planning Commission recommended **APPROVAL** on 4/25/23  
Introduced by: Administration on 5/16/23

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 2, INTERPRETATION; SUB-SECTION 22-2-4, DEFINITIONS; SECTION 22-5, RESIDENTIAL ZONING DISTRICTS; SUB-SECTION 22-5-4, PERMITTED USES IN RESIDENTIAL DISTRICTS; SECTION 22-6, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; SUB-SECTION 22-6-4, PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS; SECTION 22-9, SPECIAL REGULATIONS; SUB-SECTION 22-9-6, DESIGN DEVELOPMENT DISTRICTS - REQUIRED OVERLAYS; SUB-SUBSECTION 22-9-6.9, SCHEDULE USE CHART - REQUIRED OVERLAYS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

### #7 Summary No. 4091

Introduced by: Administration on 5/16/23

AN ORDINANCE TO **AMEND** APPENDIX A- SUBDIVISION REGULATIONS; SECTION 1, GENERAL PROVISIONS; SUBSECTION 1.4, ORDINANCE AND CREATE SECTION 2, SUBDIVISION OF LAND PROCEDURE; SUBSECTION 2.7, SUBDIVISION OF LOT NEXT DOOR PROPERTIES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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

### #8 Summary No. 4092

Introduced by: Administration on 5/16/23

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**

### #9 Summary No. 4093

Introduced by: Administration on 5/16/23

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**

### #10 Summary No. 4094

Introduced by: Administration on 5/16/23

AN ORDINANCE TO **AMEND** CHAPTER 17 - PERSONNEL; ARTICLE VIII - HOURS OF WORK, LEAVES OF ABSENCE, AND ABSENCE WITHOUT LEAVE; SEC. 17-156 - HOLIDAYS.

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

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

### Summary No. 4090

Planning Commission recommended **APPROVAL** on 4/25/23  
Introduced by: Administration on 5/16/23  
Public Hearing held on 6/3/23

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 2, INTERPRETATION; SUB-SECTION 22-2-4, DEFINITIONS; SECTION 22-5, RESIDENTIAL ZONING DISTRICTS; SUB-SECTION 22-5-4, PERMITTED USES IN RESIDENTIAL DISTRICTS; SECTION 22-6, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; SUB-SECTION 22-6-4, PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS; SECTION 22-9, SPECIAL REGULATIONS; SUB-SECTION 22-9-6, DESIGN DEVELOPMENT DISTRICTS - REQUIRED OVERLAYS; SUB-

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SUBSECTION 22-9-6.9, SCHEDULE USE CHART - REQUIRED OVERLAYS OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

On motion of Ms. Callais, seconded by Mr. McCloskey, it was moved to **amend** Summary No. 4090 to remove 842 Friscoville Ave from the list and amend page 5 to remove the Planning Commission recommendation.

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, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

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

### **ORDINANCE SBPC #2497-06-23**

#### **Summary No. 4090**

Planning Commission recommended **APPROVAL** on 4/25/23

Introduced by: Administration on 5/16/23

Public Hearing held on 6/3/23

AN ORDINANCE TO **AMEND** CHAPTER 22, ZONING; SECTION 2, INTERPRETATION; SUBSECTION 22-24, DEFINITIONS; SECTION 22-5, RESIDENTIAL ZONING DISTRICTS; SUBSECTION 22-5-4, PERMITTED USES IN RESIDENTIAL DISTRICTS; SECTION 22-6, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; SUB-SECTION 22-6-4, PERMITTED USES IN BUSINESS AND INDUSTRIAL DISTRICTS; SECTION 22-9, SPECIAL REGULATIONS; SUB-SECTION 22-9-6, DESIGN DEVELOPMENT DISTRICTS - REQUIRED OVERLAYS; SUB-SECTION 22-9-6.9, SCHEDULE USE CHART - REQUIRED OVERLAYS 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

**NAYS:** None

**ABSENT:** Luna, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

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

#### **Summary No. 4091**

Introduced by: Administration on 5/16/23

Public Hearing held on 6/6/23

AN ORDINANCE TO AMEND APPENDIX A- SUBDIVISION REGULATIONS; SECTION 1, GENERAL PROVISIONS; SUBSECTION 1.4, ORDINANCE AND CREATE SECTION 2, SUBDIVISION OF LAND PROCEDURE; SUBSECTION 2.7, SUBDIVISION OF LOT NEXT DOOR PROPERTIES OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

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On motion of Mr. McCloskey, seconded by Mr. Moran, it was moved to **amend** Summary No. 4091 to read:

**SECTION 2.** Effective Date. This Ordinance shall become effective immediately upon ~~authorizing signature by the Parish President~~ approval of the State of Louisiana. In the event of a presidential veto, this Ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council and then approved by the State of Louisiana pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

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, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

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

### **ORDINANCE SBPC #2498-06-23**

#### **Summary No. 4091**

Introduced by: Administration on 5/16/23

Public Hearing held on 6/6/23

AN ORDINANCE TO AMEND APPENDIX A- SUBDIVISION REGULATIONS; SECTION 1, GENERAL PROVISIONS; SUBSECTION 1.4, ORDINANCE AND CREATE SECTION 2, SUBDIVISION OF LAND PROCEDURE; SUBSECTION 2.7, SUBDIVISION OF LOT NEXT DOOR PROPERTIES 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

**NAYS:** None

**ABSENT:** Luna, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

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

### **ORDINANCE SBPC #2499-06-23**

#### **Summary No. 4092**

Introduced by: Administration on 5/16/23

Public Hearing held on 6/6/23

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, Alcon, Everhardt

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**NAYS:** None

**ABSENT:** Luna, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

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

## **Summary No. 4093**

Introduced by: Administration on 5/16/23

Public Hearing held on 6/6/23

AN ORDINANCE TO AMEND **ORDINANCE SBPC #2385-12-21**, AN ORDINANCE TO ADOPT THE 2022 ST. BERNARD PARISH ANNUAL OPERATING AND CAPITAL BUDGET.

On motion of Mrs. Alcon, seconded by Mr. McCloskey, it was moved to **amend** Summary No. 4093 to include the proposed amendments as submitted by Administration which also includes adjustments from our Auditing Firm.

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, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

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

## **ORDINANCE SBPC #2500-06-23**

## **Summary No. 4093**

Introduced by: Administration on 5/16/23

Public Hearing held on 6/6/23

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:** None

**ABSENT:** Luna, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

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

## **ORDINANCE SBPC #2501-06-23**

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## Summary No. 4094

Introduced by: Administration on 5/16/23

Public Hearing held on 6/6/23

AN ORDINANCE TO **AMEND** CHAPTER 17 - PERSONNEL; ARTICLE VIII - HOURS OF WORK, LEAVES OF ABSENCE, AND ABSENCE WITHOUT LEAVE; SEC. 17-156 - HOLIDAYS.

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, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

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

## Summary No. 4095

Introduced by: Councilmember Everhardt on 6/6/23

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2472-12-22**, CHAPTER 11; HEALTH AND SANITATION; ARTICLE IX, PROHIBITING THE SALE AND DISTRIBUTION OF IMPORTED SHRIMP; TO CREATE AND ADD SECTION 11-313 ENFORCEMENT OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Discussion ensued;

On motion of Mr. Everhardt, seconded by Mr. McCloskey, it was moved to **amend** Summary No. 4095 as follows:

### Amend the Title

Add [CRAB MEAT AND CRAWFISH](#)

Change 11-~~313~~ 314

### Amend Section 1

Add [crab meat and crawfish](#)

Change 11-~~313~~ 314

### Amendments to Exhibit "A"

#### Amend the Title for Article IX

Add [CRAB MEAT AND CRAWFISH](#)

#### Amend Section 11-311( a) - Sale and Distribution Prohibited.

Add [crab meat and crawfish](#)

#### [Add Section 11-312 - Definitions](#)

[For the purpose of this article, the following terms, phrases and words shall have the meaning given herein, unless it shall be apparent from the context that a different meaning is intended.](#)

[Imported - brought into a country from overseas](#)

Amend the Current Section 11-~~312~~ to 11-[313](#) - Penalties

[Add Section 11-314 - Enforcement](#)

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a. It shall be the responsibility of the chief compliance officer or his designee to inspect and issue a citation to any person, vendor, seller, or retailer that is found to be in violation of these requirements. If a violation is identified, notice of the violation shall be sent to the owner. Notice to one (1) owner shall be deemed notice to any co-owner.

b. Such notice of violation shall be by United States certified mail.

c. If the notice should be returned by the post office department because of its inability to make delivery thereof or if the owner has refused to accept the notification, notice may be accomplished by publication of the notification in the official journal at least once.

d. The notice shall contain the following:

1. The date that the violation occurred.

2. It should state if this is the first, second or a third or subsequent offense.

3. An additional charge of three hundred dollars (\$300.00) shall be assessed for the cost of the inspection and administrative costs. Included in this charge will be the cost of mailings, filing and publication of notification in the official journal.

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, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

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

## **Summary No. 4095**

Introduced by: Councilmember Everhardt on 6/6/23

AN ORDINANCE TO **AMEND ORDINANCE SBPC #2472-12-22**, CHAPTER 11; HEALTH AND SANITATION; ARTICLE IX, PROHIBITING THE SALE AND DISTRIBUTION OF IMPORTED SHRIMP, **CRAB MEAT AND CRAWFISH**; TO CREATE AND ADD SECTION 11-31**34** ENFORCEMENT OF THE ST. BERNARD PARISH CODE OF ORDINANCES.

Public Hearing to be held at the July 5, 2023 7 p.m. Council Meeting.

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, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

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

**Summary No. 4096**

Introduced by: Administration on 6/6/23

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, Alcon, Everhardt

**NAYS:** None

**ABSENT:** Luna, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

**#18** On motion of the Mrs. Alcon, seconded by Mr. McCloskey, it was moved to accept the Monthly Financial Summary Statement of Revenues and Expenditures and Change in Fund Balance for April, 2023.

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, Lewis

The Council Vice-Chair, Ms. Callais, cast her vote as **YEA**.

And the motion was declared **adopted** on the 6<sup>th</sup> day of June, 2023.

**#19 Coastal Zone Advisory Committee**

No action taken on this item.

There being no further business for discussion, the Council Chair declared the meeting adjourned at 8:26 p.m. on the 6<sup>th</sup> day of June, 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

ROXANNE ADAMS  
CLERK OF COUNCIL

Kerri Callais

KERRI CALLAIS  
COUNCIL CHAIR