

HAMMOND CITY COUNCIL PUBLIC HEARING MINUTES 312 EAST CHARLES STREET HAMMOND, LOUISIANA March 28, 2017 5:30pm

- I. CALL TO ORDER: Council President Lemar Marshall The Public Hearing was called to order by President Lemar Marshall at 5:30pm.
- II. ROLL CALL: Johnny Blount (P), Jason Hood (P), Janice Carter Beard (P), Lemar Marshall (P), Mike Williams (P)

III. PUBLIC HEARING:

1. An ordinance to authorize the Mayor or his designee to accept the former Hammond U.S. Army Reserve Center located at 1290 SW Railroad Avenue in its as-is condition and sign all documents related to the transfer. Dr. Lacy Landrum, presented this item and stated the facility has been empty for many years. She informed the council that the City began working on this under Mayor Foster's Administration trying to obtain this building from the Federal Government. The building is being given to the City for free in its as – is condition. The Federal Government provided 3 inspection Reports which included the History of the building, Studies of Radioactive Material, and the Asbestos report which they found some asbestos on the adhesive which holds tile of the floors. Dr. Landrum stated that under the leadership of Mayor Panepinto & Fire Chief John Thomas the City worked very diligently over the years to move this process along. The benefit for the City is not only for our Headquarters for our Fire Training Center, Fire Administration, and our Fire Prevention to be housed together but, also the State Fire Marshall will set up an office in this building – which will bring people from all over the Northshore to the City of Hammond.

Councilman Marshall: Asked if there is an agreement with the State Fire Marshall to move into that space at the U.S. Army Reserve Center.

Lacy Landrum: Stated that there were initial letters that went in with the application but, there is no formal agreement signed. She informed Councilman Marshall there is a letter of intent that was signed along with the application.

Councilman Lemar Marshall: Asked where the funds would come from to rehab the building.

Lacy Landrum: Stated that the City applied for a grant that is outstanding at the time but, probably will not be funded because they applied for State Capital Outlay funds for that project. She informed Councilman Marshall that funds for the building would be for council discussion.

Chief John Thomas: Stated that millage money possibly can be used in the future but he is not in a big rush.

There were no public comments

2. An ordinance declaring movable property as surplus and not needed for a public purpose and providing for a donation to benefit public safety. 3 (Three) Dodge Durango's. Jana Thurman, presented this item, asking council approval to surplus (3) Dodge Durango's pending the council approval, the Mayor is asking authorization to donate the vehicles to Roseland Police Department.

There were no public comments:



HAMMOND CITY COUNCIL MINUTES REGULAR SESSION 312 EAST CHARLES STREET HAMMOND, LOUISIANA March 28, 2017

6:00pm Immediately following Public Hearing.

- I. CALL TO ORDER: Council President Lemar Marshall
 Regular Session was called to order by President Lemar Marshall at 5:35pm
- II. ROLL CALL: Johnny Blount (P), Jason Hood (P), Janice Carter Beard (P), Lemar Marshall (P), Mike Williams (P)
- III. PRAYER: Jay Kelly
- IV. PLEDGE OF ALLEGIANCE: All veterans and active military, please render the proper salute.

 Councilman Johnny Blount

V. REPORTS:

1. Council: NONE

- 2. <u>Mayor</u>: Thanked Councilman Marshall for reading the proclamation at Greater St. James Celebration. Mayor Panepinto informed everyone about the Cleanest City Date for April 5th, the judges will show up at 9am. He also stated that we have Recycling Day on Saturday, May 6th, in Zemurray Park from 8am to 12pm.
- 3. Recognition of New Businesses: NONE

VI. Minutes of March 14, 2017: After review it was motioned by Janice Carter Beard and second by Johnny Blount to approve the minutes of March 14, 2017.

Vote: Lemar Marshall (Y), Jason Hood (Y), Mike Williams (Y), Janice Carter Beard (Y), Johnny Blount (Y). Motion Approved 5-0

VII. RESOLUTIONS

A. OLD BUSINESS:

1. A resolution to authorize the Mayor to release a Request for Proposal, as recommended by the Zemurray Park Focus Group, for a master plan for the reuse and redevelopment of all Zemurray Park athletic fields and other spaces not currently in use, including but not limited to, additional aquatics facilities, tennis courts, basketball courts, and a possible amphitheater. The primary centerpiece of the proposal will be the redevelopment of the Zemurray Park Pool to include a 25-yard, 10-lane pool, suitable for competitive and recreational use, with a new pool house. Councilman Lemar Marshall, presented this item and wanted an understanding whether under the resolution there should it be 1 RFP or 2 RFP? He stated that the overall plan was to submit the RFP for the Master plan for the entire park which was inclusive of the pool. Councilman Marshall stated his point to the administration was to include everything at one time and he didn't want 2 Master plans. He would like the Citizens to get engaged in the whole process that would require only 1 Master plan.

Mayor Panepinto: Stated the resolution was passed January 2017 and the project was based on re doing the pool. He stated that he requested that we put them both at the same time because of the Land and Water Conservation money which are federal dollars.

Charles Borchers: Informed the council that the application is in its second phase in which the 1st phase is reviewed by the state and the 2nd phase is reviewed by the National Park Service. He stated that these are

Federal dollars that are passed to the City for Zemurray Park improvements. It is a \$250,000 grant application and a \$250,000 match.

Mayor Pete Panepinto: Stated the goal is to get the pool running and that he believes it will take longer to do a Master plan.

Councilman Mike Williams: Stated that the public wants the pool and if we get the money for the pool why not go ahead and start with the pool.

Councilman Lemar Marshall: Stated that the council passed a resolution for a RFP to be done and at some point it may be changed due to the wording in a request for proposal. He stated the Mayor put together the Focus Group in order for the process to take place and start the Master plan RFP.

Lacy Landrum: Informed the council that there is not 2 Master plans but Architectural Design of the pool & a Master plan for the remainder of the park. She stated if you chose to move forward with the Master plan first before you complete any architectural design of the pool, then go through the planning process, and then to get a consultant it probably would not be completed until November or December. Dr. Landrum informed councilman Marshall that the council needs to determine the funding for the project and the funds should be set aside before an RFP is sent out- this is to be determined at the next meeting.

No Action required by the Council on this item

B. NEW BUSINESS:

1. A resolution to appoint Jennifer White to the Hammond Historic District Commission from March 29, 2017 – December 30, 2020, to fulfill the remainder of four-year term. Mayor Panepinto, presented this item. He first asked Ralph Ross to come to the podium. Mayor asked Ralph Ross about Jennifer White's qualification to serve on the commission. The Mayor stated that Mr. Ross informed him that Mrs. White will do a good job on the commission.

Ralph Ross: Stated he was rethinking the appointment of Mrs. White and that they needed to review what the UDC and State says about the qualifications for nominations.

Mayor Panepinto: Informed Mr. Ross under our State statue and in our own guidelines it states that we should have 3 or more citizens or lay people. The Mayor stated that Mrs. White is a Biology teacher at Southeastern, resident of Hammond for 9yrs. He asked Mr. Ross how she is not qualified to be a lay person to serve on the commission.

Ralph Ross: Said the reaction he was getting in the neighborhood was astonishment that Jennifer White was being nominated. He stated he has a great deal of respect for Mrs. White. He stated In the Louisiana Certified local government guidelines, advertising is required to be in good faith for local appointments to the Historic District Commission.

Mayor Panepinto: Stated Jennifer White is replacing a lay person not a professional

Councilman Jason Hood: Asked if advertising is a requirement?

Mayor Panepinto: Asked City Attorney if there is something legally stating that advertising has to be done for this appointment?

City Attorney Andre Coudrain: Stated he looked at what Mr. Ross is referring to and also looked at the State statue on Historic District Commissions and reviewed the UDC Provisions and he informed the Mayor that he doesn't thinks the City is required to advertise for this position under those provisions.

Councilman Marshall: Asked Attorney Coudrain why does he thinks the City is not required to advertise when the Louisiana Certified local government guidelines states it should be advertised under Good Faith Effort.

Attorney Coudrain: Responded that the guidelines deals with a membership in a program that is not applicable to the City's requirements for Commission Members.

Ralph Ross: Asked Attorney Coudrain if he was referring to the Louisiana Certified Local Government Program. Mr. Ross stated if the City doesn't keep up with the qualifications from the program the Historic District is no longer represented by the State.

Attorney Coudrain: Stated that in his opinion advertising for this position is not required because advertising is not required by state statute or city ordinance

Councilman Mike Williams: Asked if the members that were appointed, but not advertised, are they at risk

Councilman Marshall: Stated that what he understands from Mr. Ross is things may have been done in error and it should not continue. He would like the council and the administration to follow protocol.

Councilwoman Janice Carter Beard: Questioned whether the nominee has a personal stake in the Historic District. She stated we're placing someone with a personal stake on the committee to make a decision on whether or not to expand the district.

Mayor Panepinto: Stated the Commission will not make the decision, the Council makes that decision.

Jessica Shirey: 202 Holly Drive, Hammond, Informed the the council that the members of the Commission only made a decision on whether that proposed district was considered 2/3 Historic. She stated it was then sent to Planning & Zoning which then they did not recommend it to be expanded.

Councilwoman Janice Carter Beard: Stated that this item is still on the table and she personally doesn't agree with putting somebody on the comission that has a personal stake.

Councilman Mike Williams: Stated that a person can be first opposed to the District, but later support it. He stated that everyone has seen the email from Mr. Ralph Ross but, he will read it for the record.

The Email:

Just confirmed that three Council members are adamantly against Jenn White's appointment.

A few of us plan to attend the Council meeting tomorrow night, but we shouldn't have to say anything. Council will simply vote down Jenn's appointment.

According to the rules, the vacancy should be advertised. Before that happens, I think it might be good if we offer resumes suggesting that Patty and Pat would both be perfect candidates. When/if the position does get advertised, it would be great if both Patty and Pat submit their names.

I'm thinking both of y'all just in case some bogus reason gets manufactured to eliminate one of you. Surely two bogus reasons would never fly?

--Ralph

Councilman Lemar Marshall: All of us as Councilmen Women meet with constituents and have conversation prior to a vote. He stated it was unfortunate that the email was published and wished it had not happened. Councilman Marshall stated council members can give opinions on how they intend to vote. He believes that Councilwoman Beard was stating we should not have individuals who are involved in this on the commission that's for or against the expansion.

Lacy Landrum: Informed the council that the Historic Commission is completely separate from the Study Committee for the Proposed Expansion. She stated that the Proposed Expansion does not go back before the Commission or the Study Committee - the Proposed Expansion if it comes back, it will come to the Council.

Councilman Mike Williams: The DDD is made up of property owners who has invested interest in that district. He stated having someone on the Historic District that has the best of interest in the Historic District to him is no different than someone serving on a Board of a Homeowner Association that has the best of interest of their neighborhood.

Mayor Panepinto: Citizens has concerns with Codes & Ordinances. Jennifer White followed the codes & ordinances when they renovated their home. Mayor Panepinto stated that he believes that Mrs. White is not opposed to the Historic District Expansion.

Councilman Lemar Marshall: Stated that Councilman Williams made a point that he agree with being consistent with policy. Councilman Marshall stated that there is a guideline in a policy that's written with a Good Faith Effort to try to make this happen orderly. It's important for the council to follow the rules and be in compliance to be in Good Faith Effort.

City Attorney Andre Coudrain: If the City wants to have advertisement or other requirements the Council should pass the ordinance and until you adopt that policy it's not binding.

Councilman Marshall: Asked if this is part of the Hammond Unified Development Code?

City Attorney, Andrea Coudrain: Stated No

Councilman Lemar Marshall: Asked if the City has a process?

City Attorney, Andrea Coudrain: He stated there is a policy through State Statue and the Hammond Unified Development Code which was read. He stated whatever the council adopts will be the policy. The current policy is that there are 7 members all of whom shall be residents and they shall be appointed by the Mayor who is subject to the approval by the majority vote of the council. The members shall be appointed by the Mayor (1) Qualified Architect and (6) other citizens. In making appointments preference may be given as far as possible to members of Historic, Cultural, Educational, Archaeological etc., and organizations. Attorney Coudrain informed the council if they choose to have advertisement as a condition, they should pass that ordinance.

Councilman Marshall: Asked if we are required to follow Louisiana Certified Local Government Program Guideline?

Attorney Coudrain: Stated he doesn't believe we are required to be in any program. He informed Councilman Marshall that the City may choose to be in that program.

Councilman Lemar Marshall: Asked if we were currently in the Louisiana Certified Local Government Program?

Leah, The Administrator Officer of the Historic District: She stated yes there are apparent Organizations but, we have our own Ordinances. We follow our own Ordinance which is the Mayor using a Good Faith Effort. Leah stated we could move forward with a different understanding once it's codified.

Anthony Ronatazza, 600 East Robert Street, Hammond, LA.: Stated the City should adopt a policy for advertising. He stated he wants the City to compromise and one of the compromises is to appoint Jennifer White to the Commission. He would like to move forward collectively to bring this together as one Unified neighborhood and is asking the council to approve her appointment.

Ralph Ross: Stated that Jennifer would need a lot of training because she has been fighting a lot of these provisions and guidelines. Mr. Ross stated he thought differently about Mrs. White's appointment as he spoke to others in neighborhood. The quote Mrs. White placed in the Newspaper that stated "The way to preserve this neighborhood is not to put it in the Historic District", and Mr. Ross stated that this is contrary to what all the rest of them have been working on.

Jessica Shirey, 202 Holly Drive, Hammond: Stated she owns property in Historic District, is a member of the Commission, and has interest in Historic Renovation, and she is a lay person. She stated there should not be personal bias in deciding the appointment.

Councilman Lemar Marshall: Stated the council may need to tighten up procedures because of the possible Historic District Expansion.

Jennifer White, 601 East Charles Street: Stated she has never ever been against preservation. Mrs. White stated she did not want her property to be in the Historic District as the rules are currently written. She stated that she believes that there can be a compromise, and she desires to be on the Historic District Commission to help with those compromises. Mrs. White stated she has very genuine intentions simply to allow for some compromise in the neighborhood. She asked if the Council members could individually tell her if they opposed her appointment and what was their opposition?

Councilman Marshall: Asked if this item could be tabled

Councilman Mike Williams: Stated he supported Jennifer White's appointment and he's not sure if tabling it would be a good idea.

Councilwoman Janice Carter Beard: Stated she opposed the appointment due to the Expansion is still on the table and the Council is in the middle of it

Mayor Pete Panepinto: Suggested the item be tabled

Louise Bostic, 112 Elm Drive: Stated this discussion is an overkill and would not want this tabled.

Councilman Jason Hood: Stated he supports Mrs. White's appointment and to table this is a direct disrespect to her and we have a policy in place that our legal council that has clearly stated. He stated that the council should not table this appointment.

There was motion to Table by Janice Carter Beard and second by Johnny Blount.

Vote: Lemar Marshall (Y), Jason Hood (N), Mike Williams (N), Janice Carter Beard (Y), Johnny Blount (Y). Motion passed to Table 3-2

2. A resolution to approve The Rind located at 1307 West University Ave., Hammond La., to obtain a permit to sell packaged High/Low alcohol. The owner is The Rind, LLC. Jinnie Wilson, presented this item and stated this is a new business to come to Hammond. The business is a Cheese shop and would like to sell wine with cheese.

The owner Ashley Pecquet, 20012 Twin Oaks, Drive, was present at the meeting

Councilman Lemar Marshall: Informed Ms. Pecquet that the City has laws to not sell alcohol to underage individuals and she should be sure she has a process in place to follow the rules and regulations of the City. There was motion by Mike Williams and second by Janice Carter Beard to approve The Rind located at 1307 West University Ave., Hammond La., to obtain a permit to sell packaged High/Low alcohol. The owner is The Rind, LLC.

Vote: Lemar Marshall (Y), Jason Hood (Y), Mike Williams (Y), Janice Carter Beard (Y), Johnny Blount (Y). Motion Approved 5-0

3. A resolution supporting the submission of \$48,230 Traffic Safety Grant application for overtime DWI, Juvenile Underage Drinking, Seatbelt, and Speed enforcement. Charles W. Borchers IV, informed the council that this is a grant that is applied for every year and this year they are looking to add speed enforcement through the application. There is no match requirement on this it's strictly State Funds. There was motion by Johnny Blount and second by Janice Carter Beard supporting the submission of \$48,230 Traffic Safety Grant application for overtime DWI, Juvenile Underage Drinking, Seatbelt, and Speed enforcement.

Vote: Lemar Marshall (Y), Jason Hood (Y), Mike Williams (Y), Janice Carter Beard (Y), Johnny Blount (Y). Motion Approved 5-0

4. A resolution (1) supporting the submission of an application to Keep Louisiana Beautiful for a Healthy Communities Grant of \$10,000 to purchase cleanup supplies and equipment and encourage personal and community responsibility for a cleaner, more sustainable Hammond; and (2) supporting an in-kind match of up to \$2,500. Charles W. Borchers IV, presented this item stated this is also a grant that we apply for every year. He informed the council that the in kind match is volunteer hours. This grant will be used to purchase supplies and small tools for Keep Hammond Beautiful and also looking at some of the older tools and getting to our Parks & Grounds Department. There was motion by Janice Carter Beard and second by Mike Williams (1) supporting the submission of an application to Keep Louisiana Beautiful for a Healthy Communities Grant of \$10,000 to purchase cleanup supplies and equipment and encourage personal and community responsibility for a cleaner, more sustainable Hammond; and (2) supporting an in-kind match of up to \$2,500.

Vote: Lemar Marshall (Y), Jason Hood (Y), Mike Williams (Y), Janice Carter Beard (Y), Johnny Blount (Y). Motion Approved 5-0

5. A resolution (1) ratifying bids received March 24, 2017 for "Levy Building Roof Replacement" and (2) authorizing the Mayor to enter into a contract with the lowest responsive and qualified bidder. Charles W. Borchers IV, Informed the council that there were a total of 6 bidders. The lowest bidder Partin Roofing, LLC was \$69,900.00 and the highest bidder was \$ 104, 525.00 E. Cornell Malone Corporation and both failed to include one of our required bid forms. Mr. Borchers stated it is the opinion of the City Attorney the information received from the apparent low bidder, Partin Roofing, LLC, fails to include all required information, including specifically the nondiscrimination agreement on the City form. Therefore, this bid should be rejected.

The recommendation would be to approve RYCARS Construction, LLC in the amount of \$72,875.00 which is the lowest responsive and qualified bidder. There was motion by Jason Hood and second by Janice Carter Beard (1) ratifying bids received March 24, 2017 for "Levy Building Roof Replacement" and (2) authorizing the Mayor to enter into a contract with RYCARS Construction, LLC in the amount of \$72,875.00 as the lowest responsive and qualified bidder.

Vote: Lemar Marshall (Y), Jason Hood (Y), Mike Williams (Y), Janice Carter Beard (Y), Johnny Blount (Y). Motion Approved 5-0

6. A resolution to authorize the Mayor to enter into contract with Roofing Solutions, LLC., the lowest responsive and qualified bidder, for "Re-Roofing Fire Station #4, in the amount of \$77,000.

Jana Thurman, presented this item to council and stated on March 8th, she received a total of 9 proposals for Re-Roofing for Fire Station #4. The lowest bid came in was Roofing Solutions, LLC in the amount of \$77,000 and they were the lowest responsive and qualified bidder. Mrs. Thurman stated the Fire Department has the money which was put into their last year budget in their millage account.

Councilman Blount asked what type of material is on the roof. (TONIA- WHAT WASTHE RESPONSE??)

There was motion by Johnny Blount and second by Janice Carter Beard to authorize the Mayor to enter into contract with Roofing Solutions, LLC. the lowest responsive and qualified bidder, for "Re-Roofing Fire Station #4, in the amount of \$77,000.

Vote: Lemar Marshall (Y), Jason Hood (Y), Mike Williams (Y), Janice Carter Beard (Y), Johnny Blount (Y). Motion Approved 5-0

VIII. FINAL ADOPTION OF ORDINANCE:

1. Final adoption of an ordinance to authorize the Mayor or his designee to accept the former Hammond U.S. Army Reserve Center located at 1290 SW Railroad Avenue in its as-is condition and sign all documents related to the transfer.

There was motion by Janice Carter Beard and second by Mike Williams to adopt an ordinance to authorize the Mayor or his designee to accept the former Hammond U.S. Army Reserve Center located at 1290 SW Railroad Avenue in its as-is condition and sign all documents related to the transfer.

Vote: Lemar Marshall (Y), Jason Hood (Y), Mike Williams (Y), Janice Carter Beard (Y), Johnny Blount (Y). Motion Approved 5-0

2. Final adoption an ordinance declaring movable property as surplus and not needed for a public purpose and providing for a donation to benefit public safety. 3 (Three) Dodge Durango's.

There was motion by Jason Hood and second by Janice Carter Beard to adopt an ordinance declaring movable property as surplus and not needed for a public purpose and providing for a donation to benefit public safety. 3 (Three) Dodge Durango's.

Vote: Lemar Marshall (Y), Jason Hood (Y), Mike Williams (Y), Janice Carter Beard (Y), Johnny Blount (Y). Motion Approved 5-0

IX. INTRODUCTION OF ORDINANCE AND SET OF PUBLIC HEARING:

1. Introduction of an ordinance to amend the City of Hammond budget for Fiscal Year 2016 – 2017 in accordance with the procedures set within Section 5-03 of the City of Hammond Charter. Syeda Naeem, presented this item and stated that this is requirement by the state budget act.

There was motion by Jason Hood and second by Janice Carter Beard to introduce an ordinance to amend the City of Hammond budget for Fiscal Year 2016 – 2017 in accordance with the procedures set within Section 5-03 of the City of Hammond Charter.

Vote: Lemar Marshall (Y), Jason Hood (Y), Mike Williams (Y), Janice Carter Beard (Y), Johnny Blount (Y). Motion Approved 5-0

Public Hearing is set for April 11th, 2017

2. Introduction of an Ordinance to Adopt and establish a Tax on all the taxable property within the Corporate limits of Hammond for the Year 2017.

Public Works: 2.00 Mills General Fund: 9.04 Mills Police + Fire: 10.00 Mills Total - 21.04 Mills

Jinnie Wilson, presented this item stated that this is standard procedure.

There was motion by Mike Williams and second by Janice Carter Beard to introduce an Ordinance to Adopt and establish a Tax on all the taxable property within the corporate limits of Hammond for the Year 2017.

Public Works: 2.00 Mills General Fund: 9.04 Mills Police + Fire: 10.00 Mills Total - 21.04 Mills

Vote: Lemar Marshall (Y), Jason Hood (Y), Mike Williams (Y), Janice Carter Beard (Y), Johnny Blount (Y). Motion Approved 5-0

Public Hearing is set for April 11th, 2017

3. Introduction of an ordinance to amend the previous ordinances regulating the Water and Sewer rates for the City of Hammond. Lacy Landrum, presented this item informing the council that this to raise the water & sewer rates - the last time the rates were raised was in June of 2012. We will be adopting the rates of the minimum bill that will take us to what we had in 1995.

Councilman Marshall: Stated he would like the information to designate inside the city limits and outside the city limits

There was motion by Mike Williams and second by Janice Carter Beard to introduce an ordinance to amend the previous ordinances regulating the Water and Sewer rates for the City of Hammond.

Vote: Lemar Marshall (Y), Jason Hood (Y), Mike Williams (Y), Janice Carter Beard (Y), Johnny Blount (Y). Motion Approved 5-0

Public Hearing is set for April 11th, 2017

X. ADJOURN: There was a motion by Janice Carter Beard and second by Mike Williams to adjourn the meeting. All members were in favor and the meeting was adjourned.

CERTIFICATION OF CLERK

I TONIA BANKS, CLERK OF COUNCIL, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TURE AND CORRECT RECITATION OF THE BUSINESS TRANSACTED AT THE REGULAR MEETING OF THE CITY COUNCIL HELD March 28, 2017

BEING 8 PAGES IN LENGTH

| | TONIA BANKS |
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| | HAMMOND CITY COUNCIL CLERK |
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| - | PRESIDENT LEMAR MARSHALL |
| | HAMMOND CITY COUNCIL |
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