



HAMMOND CITY COUNCIL
MINUTES
312 EAST CHARLES STREET
HAMMOND, LOUISIANA
February 12, 2019
5:30pm

I. CALL TO ORDER: Public Hearing was called to order by Council President, Carlee Gonzales @5:30pm

II. ROLL CALL: Kip Andrews (P), Carlee White Gonzales (P), Devon Wells (P), Sam DiVittorio (P), Steven Leon (P).

III. PUBLIC HEARING:

1. An ordinance to transfer \$396,800 from the Sales Tax (203) fund balance to various funds as described in Budget Change Form 19-08. Lacy Landrum, Director of Administration informed the Council there are several items that would be included in the request. This is something the City reviews in the middle of the year to determine where the City is with funds. Even with this requested transfer the City will have \$526, 154.00 in the Sales Tax Fund balance that is not allocated in anyway and \$1.3 million in the General Fund balance that's not allocated for a total of \$ 1.8million even with this budget transfer. The items were taken up individually.

I. Fire Department \$70,000 transfer to finalize MAG Corrections
Anthony Maurer, President of Fire Union: 19360 S. St. Charles Ave., Loranger- spoke in support of the Transfer and stated he has met with all employees and there are no issues and would like the support of the Council.

II. Meter Reader Software Upgrade for in house reading- \$16, 800.00 transfer
In last budget personnel, equipment, and trucks were allocated, this is for software.

Councilman Wells- how much are new employees being paid for meter reading

Lacy Landrum: \$25,000 per year plus benefits

Councilman Sam DiVittorio: how much was the contracting company being paid?

Lacy Landrum: informed Councilman DiVittorio she does not have that information at this time

There were no public comments

III. Airport Road Improvements \$60,000 to install two (2) J - turns on Airport Road by Chappapeela Park.
This is for safety reasons due to High Park Blvd & Chappapeela Park traffic. The City will contribute 10%, Parish 10%, and the FEDs will pay 80% of the project costs.

There were no public comments

IV. Airport Land Acquisition \$150,000 transfer. There is a \$1 Million grant from FAA, & DOTD for land acquisition and the City needs another \$150,000 to purchase land to add to money already budgeted. This is in the FAA & DOTD report for many years and this would make the City more eligible for grants in the future and the funds will expire at the end of the fiscal year. The City thought it had budgeted enough money for the acquisition based on an appraisal, but a new appraisal was ordered by FAA which increased the value by \$150,000.

Councilman Sam DiVittorio- Why was the first appraisal turned down?

David Lobue: this had to do with comps

Mayor: this had to do with FAA methods for appraisals

Bryant Smith, 9360 Hwy., 412 East Slaughter LA. Stated FAA minimum standards were not used in the first appraisal

Councilwoman Devon Wells: how long is the runway?

David Lobue: There is 6501 feet of total runway and 690 feet are unusable

Councilman Devon Wells: if the land is purchased it will be the total of 6501 feet. The extra runway would allow larger aircrafts to land.

David Lobue: Yes

Councilman Steve Leon: was owner willing to sell for the \$1,100,000 based on the first appraisal

Mayor: the seller thinks it is worth more than the new appraised value.

Councilwoman Carlee Gonzales: she looked at both appraisals and the difference was a simple increase in land value. This is a lot of money going to houses and thinks it is a lot of money for the land. I think we're overpaying for the property and she stated she has a problem with the price.

Councilman Steven Leon: what type of commitment does the City have from the owner?

David Lobue: only verbal at this time

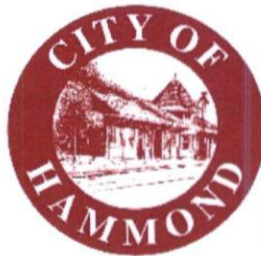
Bryant Smith: the deadline is June 30 to spend the grant money

Councilman Kip Andrews: is this appraiser always used by the state?

David Lobue: not sure

V. Air Traffic Control Tower Elevator build out \$100,000 there are (2) grants that \$ 284,500 that includes both State Capital Outlay funds and Delta Regional Authority grant programs for the tower. The National Guards handles all the control Tower Staffing and also run a National Training Center. This transfer will allow build outs to the interior that will add flexibility to the tower and for an elevator.

There were no public comments



**HAMMOND CITY COUNCIL AGENDA
REGULAR SESSION
312 EAST CHARLES STREET
HAMMOND, LOUISIANA
February 12, 2019
5:30pm at Conclusion of Public Hearing**

- I. CALL TO ORDER:** Regular Session was called to order by Councilwoman Gonzales @ 6pm
- II. ROLL CALL:** Kip Andrews (P), Carlee White Gonzales (P), Devon Wells (P), Sam DiVittorio (P), Steven Leon (P).
- III. PRAYER:** Councilman Kip Andrews
- IV. PLEDGE OF ALLEGIANCE:** All veterans and active military, please render the proper salute.
Councilwoman Carlee Gonzales
- V. REPORTS:**
 - 1. Council:** Councilwoman Gonzales introduced Entergy Representatives to discuss the new Entergy smart meters
Eunice Harris representing Entergy- Introduced 2 of Entergy Team members to the Council and informed the Council that the team will be available to speak to the public after the Council meeting to answer any questions.
Mark D. Kleehammer- Vice President Regulatory & Public Affairs for Entergy:

Stated Entergy is committed to providing safe, affordable, and reliable energy to customers.

Smart Meters are safe and will provide reliable energy and are cost effective

Entergy has low rates compared to the rest of the Country

Usage is an issue because of our area Summer heat

Entergy wants to help customers manage bills and lower bills overall

Other energy providers have installed Smart Meters.

Entergy has received approval from the La. Public Service Commission for the Smart Meters and the costs to be charged to customers

Entergy Smart Meters can assist with the following:

Operational Savings

Improved Outage Management

Customers can better manage usage

Can identify excessive usage

Can provide tiered rates in the future

The Public Service Commission required an Opt Out Provision

Entergy put together the cost basis for Opt Out. The Commission approved the proposed opt out rate after elimination of an upfront fee & reducing the monthly payment.

FCC says transmittal from the Smart Meters is at State allowed levels and has no adverse Health exposure.

Lucy Armond, 43482 McLain, Hammond: Stated smart Meters are emitting radio frequency radiation and over exposure is hazardous to our health and the World Health Organization classifies radio frequency radiation as a possible Carcinogen. She informed the Council that her daughter is a brain tumor survivor that had a brain tumor at 3yrs. old and she's now 13 and tries to limit exposure to radiation. If they received the Smart Meter she is concerned that they could not limit exposure to radiation. The Opt Out cost is too high to keep the current meter. We are already paying for services now and customers should be able to Opt Out with no additional cost. Entergy is looking out for its own interest not of its customers and the customers did not ask for Smart Meters.

Andrew Owens- Director, Regulatory Research

Customers will benefit from fuel adjustments with Smart Meters

Councilwoman Gonzales: How do you Opt Out?

Andrew Owens: Entergy is replacing all meters over 3 states

90 days before installation will occur a customer will receive a letter and the letter will give the estimated timeline when the meter will be replaced. Also, the information is placed on the Entergy website.

Louisiana has no upfront payment as long it's received in 60 days

There will be a monthly fee

Councilwoman Gonzales: there will be another time to address other issues and asked Entergy representatives to answer any further questions from the public in the lobby.

B. Wilbert Dangerfield Committee –Councilman Kip Andrews stated the Committee will meet on Thursday, February 14th, 2019 @ 5pm at the MLK Safehaven building to review nominations and recipient for the Award.

C. Councilman Wells- Stated he is having issues with ditches being cleaned in District #3. He stated emails were sent to the Streets department on the 25th of January, 2019 requesting ditches to be cleaned in the area of Mooney Ave from Florida Street to the end of Mooney Ave., and as of today February 12, 2019 it has been started but, not completed. Councilman Wells named various streets & addresses in District #3 that needed to be cleaned.

Councilman Wells stated the Mayor took down fence in Mooney Park

Mayor: asked Councilman Wells did you not state you wanted the fence down and the basketball facility moved. He asked that Robert Morgan address the ditch issues and stated that 80% of the work has been done.

Robert Morgan stated there are 3 or 4 ditches that still needed to be cleaned and with another 2 hours of work they will be cleaned.

Robert Morgan asked Councilman Wells to have constituents to call the office to put in a work order with Name, Address, & phone number. He informed the Council he's doing the best with what he has to get the jobs completed and to make sure it is done as best can be done.

2. Mayor- Sales tax \$98,000 above budget

Dorothy Maxine Youth Basketball Tournament will be February 17, 2019 at the Hammond Recreational Center

3. Recognition of New Businesses: NONE

VI. Minutes of January 22, 2019: There was a motion by Councilman Kip Andrews and second by Councilman Devon Wells to approve the minutes of January 22, 2019.

**VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0**

VII. RESOLUTIONS

A. OLD BUSINESS: NONE

B. NEW BUSINESS:

1. A resolution to approve the Hammond BBQ Challenge, Inc. to hold the 2019 It's A Smokin' BBQ Challenge in downtown Hammond on March 21, 22, & 23, 2019, lying within the boundaries of S.W. Railroad Ave., from 100 yards South of Coleman Street to West Thomas Street; East Charles Street to Hanson Street; Coleman Street from Cate Street to S. W. Railroad Ave.

Eric Phares, 1201 N. Morrison Blvd. informed the Council this is the 16th Annual Event.

Brian Shirey: 1929 Country Club Lane, Hammond, informed the Council over the years the event has raised over \$400,000 for Tangipahoa non-profits - the beneficiaries are the following: Special Olympics Louisiana, TARC, Louisiana Children's Discovery Center, CASA, Richard Murphy Hospice Foundation, Tangi Food Pantry, Our Daily Bread, Tangi Council on Aging, Tangi Humane Society, Hammond Regional Arts Center, Outdoorsmen Helping Others, Pro Start Hammond High, & Pro Start Springfield. This is an all-Volunteer Board and Staff from the community.

There was a motion by Councilman Steve Leon and second by Councilman Kip Andrews to approve the Hammond BBQ Challenge, Inc. to hold the 2019 It's A Smokin' BBQ Challenge in downtown Hammond on March 21, 22, & 23, 2019, lying within the boundaries of S.W. Railroad Ave., from 100 yards South of Coleman Street to West Thomas Street; East Charles Street to Hanson Street; Coleman Street from Cate Street to S. W. Railroad Ave.

**VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0**

2. A resolution to approve the Hammond BBQ Challenge, Inc. to sell beer and alcoholic beverages specifically "Daiquiris", on the City's property lying within the boundaries of S. W. Railroad Ave., from 100 yards South of Coleman Street to West Thomas Street; East Charles Street to Hanson Street; Coleman Street from Cate Street to S. W. Railroad Avenue for the hours of 6pm to 11pm on Thursday, March 21, 2019, 3pm to 11pm on Friday, March 22, 2019, and from 10am to 11:30 pm on Saturday, March 23, 2019. Eric Phares, asking permission of the Council to sell beer and alcoholic beverages specifically "Daiquiris", on the City's property.

There was a motion by Councilman Steve Leon and second by Councilman Kip Andrews to approve the Hammond BBQ Challenge, Inc. to sell beer and alcoholic beverages specifically "Daiquiris", on the City's property lying within the boundaries of S. W. Railroad Ave., from 100 yards South of Coleman Street to West Thomas Street; East Charles Street to Hanson Street; Coleman Street from Cate Street to S. W. Railroad Avenue for the hours of 6pm to 11pm on Thursday, March 21, 2019, 3pm to 11pm on Friday, March 22, 2019, and from 10am to 11:30 pm on Saturday, March 23, 2019.

**VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0**

3. A resolution to approve the Hammond BBQ Challenge, Inc. to obtain a waiver of the City of Hammond Open Container Law within the boundaries of S. W. Railroad Ave., from 100 yards S. of Coleman Street to West Thomas Street; East Charles Street to Hanson Street; Coleman Street from Cate Street to S. W. Railroad Avenue for the hours of 6pm to 11pm on Thursday, March 21, 2019, 3pm to 11pm on Friday, March 22, 2019, and from 10am to 11:30 pm on Saturday, March 23, 2019. Eric Phares, asking permission to obtain a waiver for Open Container Law.

There was a motion by Councilman Kip Andrews and second by Councilman Sam DiVittorio to approve the Hammond BBQ Challenge, Inc. to obtain a waiver of the City of Hammond Open Container Law within the boundaries of S. W. Railroad Ave., from 100 yards S. of Coleman Street to West Thomas Street; East Charles Street to Hanson Street; Coleman Street from Cate Street to S. W. Railroad Avenue for the hours of 6pm to 11pm on Thursday, March 21, 2019, 3pm to 11pm on Friday, March 22, 2019, and from 10am to 11:30 pm on Saturday, March 23, 2019.

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0

4. A resolution to ratify and award bids for “Sewer & Drainage System Evaluation Survey [FY2019]” received 2/1/2019. Chuck Spangler, informed the Council that the bids were received on February 1st, 2019. The work performed at Pineville Subdivision, Villa West Drainage, & Sewer Problem on S. Cherry Street. This is the survey work for professional services, bidding is not required, but he asked for bids to get the best price. The Low Bidder is Compliance EnviroSystems (CES) for the base bid in the amount of \$36,604.00. He also informed the council that it’s under budget.

There was a motion by Councilman Sam DiVittorio and second by Councilman Steve Leon to ratify and award bids for “Sewer & Drainage System Evaluation Survey [FY2019]” received 2/1/2019 to Compliance EnviroSystems for \$36,604.

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0

5. A resolution to approve “Downtown Parking Improvements [FY 2018]” (project 420-11711) – Magee Excavation & Development, LLC, contractor. (Chuck Spangler):
A. Approval of Change Order No. 2 (Final) in the amount of \$1,000.00 extra.
B. Acceptance of work as substantially complete; commence 45 day lien period withholding 10% retainage.

Chuck Spangler: Requested to TABLE

There was a motion by Councilman Kip Andrews and second by Councilman Steve Leon to **TABLE** “Downtown Parking Improvements [FY 2018]” (project 420-11711) – Magee Excavation & Development, LLC, contractor. (Chuck Spangler):
A. Approval of Change Order No. 2 (Final) in the amount of \$1,000.00 extra.
B. Acceptance of work as substantially complete; commence 45 day lien period withholding 10% retainage.

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved to **TABLE**

6. A resolution to approve City Council Agenda Preparation. Councilwoman Gonzales, stated this is a method to submit items to be placed on the agenda. The deadline will be the Thursday before the meeting to submit items but, because of Planning & Zoning recommendation or bids that may come in on Friday, items may be added to the agenda with a placeholder.

There was a motion by Councilman Steve Leon and second by Councilman Kip Andrews to approve City Council Agenda Preparation resolution.

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0

7. A resolution to approve the purchase of equipment for disaster recovery to backup all City Hall data in the amount of \$49,031.00. Marcus G. McMillian, asking permission to purchase equipment for disaster recovery to backup all City Hall data to a remote location which will be the EOC building in Amite.

There was a motion by Councilman Sam DiVittorio and second by Councilman Kip Andrews to approve the purchase of equipment for disaster recovery to backup all City Hall data in the amount of \$49,031.00.

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0

8. A resolution to set for public hearing the topic of the search for the next Police Chief for public comment and input. Councilman Sam DiVittorio, stated this is important for the residents of the City of Hammond to give feedback and input they may have on the next Police Chief hire. Residents stressed to him that Crime was an issue and this would assist with the decision or choice of the next Police Chief.

Lacy Landrum, Stated the administration agrees with a public meeting. The administration would like to propose February 18th for public meeting to move forward with process.

City Council Secretary, Tonia Banks stated she will review the Council Chambers Calendar for availability and notify Councilmembers.

There was a motion by Councilman Steve Leon and second by Councilman Kip Andrews to set for public hearing the topic of the search for the next Police Chief for public comment and input.

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0

9. A resolution for the City Council to hold an executive session for purposes of evaluating each of the top three applicants for police chief as identified by the mayor and to review the analysis of their applications with each candidate to evaluate the qualifications of each. Following the executive session, the city council will issue an opinion whether each applicant is qualified to serve as Police Chief.

Councilman Sam DiVittorio, stated it's important to get the Council opinion and education on the three top applicants and make sure appointments are the correct appointments.

Mayson Foster: 800 W. Dakota St., Hammond La: Surprised that this item was on the agenda. He informed the Council he served as Mayor for 12years, served as Councilmember for 4years and this was the first time he has seen Council involved with the appointment to someone to be a department head and the Police Chief is a Department Head. In **Section 3-07** Powers and Duties of the Mayor is to be the person that appoints all employees and all Department heads in the City. In **Section 2-05** of the Charter Prohibitions states except as provided elsewhere in this Charter, neither the Council nor any of its members shall involve themselves in any manner in the appointment, removal, direction or supervision of any City Administrative officer or employee. In **Section 4-04** Police Department states the head of the Police Department shall be the Police Chief who shall be appointed by the Mayor, subject to confirmation by the Council, in accordance with applicable state law.

The Law states that under exceptions in open meetings law nothing in this paragraph shall prevent an Executive Session for discussion of the appointment of the award of a public Contract but, this provision says it's illegal to have an Executive Session to discuss this, there is no exceptions. Asking the Council to do not start getting involved in the Police Chief appointment or any other employee in the City it's against the Law and the Charter.

Pastor Terrence Lee: Stated his concern is that Charters could be changed and just because it's a book does not mean it is the best for the City do what's best for the City. Also, the Charter can be amended if it's not effective and keep an open mind.

David Danel, 803 West Idaho, Hammond: Stated he thinks if the Council started having executive sessions and taking the top 3 candidates you have crossed the line to starting to interview candidates. The Charter has a clear distinction in the Power of the Council and the Mayor. This is not the job of the Council and agrees with Mayson Foster.

City Attorney, Andre Coudrain: informed the Council that if it's in the Charter it's legal until the Charter is changed and the Charter does have separations of power. An Executive Session it can be done only under limited purposes and there are only certain ways, the appointment is for the Mayor to decide and bring to the Council. The applicants may want not want this information discussed in executive session.

Councilman DiVittorio: I'm involved when I am approving who the Mayor appoints.

Andre Coudrain: Executive session creates some difficulties and is limited. This could be done in open session.

Lacy Landrum: The Council has been invited to participate in the process. Each Councilmember was provided interview questions and asked for feedback but, there was no response from the Council.

There was a motion by Councilman Devon Wells and second by Councilman Kip Andrews to **TABLE A resolution for the City Council to hold an executive session for purposes of evaluating each of the top three applicants for police chief as identified by the mayor and to review the analysis of their applications with each candidate to evaluate the qualifications of each. Following the executive session, the city council will issue an opinion whether each applicant is qualified to serve as Police Chief.**

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved to **TABLE**

VIII. FINAL ADOPTION OF ORDINANCE:

1. Final adoption of an Ordinance to transfer \$396,800 from the Sales Tax (203) fund balance to various funds as described in Budget Change Form 19-08.

There was a motion by Councilwoman Gonzales and second by Councilman DiVittorio to divide this into (5) separate items.

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0. Each transfer request was taken up individually.

I. Fire Department MAG Corrections and to establish new pay grade for \$70,000.00.

There was a motion by Councilman Leon and second by Councilman Kip Andrews to approve the Fire Department MAG Corrections and to establish new pay grade for \$70,000.00 transfer as requested.

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0

II. Meter Reader Software to move \$16,800 into Data Processing.

There was a motion by Councilman Kip Andrews and second by Councilman Leon to approve the Meter Reading Software transfer in the amount of \$16,800 into Data Processing as requested.

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0

III. Airport Road Improvement to Move \$16,000 into Capital Expenditures

There was a motion by Councilwoman Gonzales and second by Councilman Kip Andrews to approve The transfer of \$16,000 for Airport Road Improvements.

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0

IV. Airport Land Acquisition in the amount of \$150,000 to be moved into the Grant Match Fund.

There was a motion by Councilman Steve Leon to transfer \$150,000 as requested.

There was no second to the motion and the Council President declared that the motion failed for the lack of second to the motion

V. Airport Tower Elevator Build Out in the amount of \$100,000

There was a motion by Councilman Kip Andrews and second by Councilwoman Gonzales to approve the Airport Tower Elevator Build Out transfer in the amount of \$100,000.

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)
Motion Approved 5-0

IX. INTRODUCTION OF ORDINANCE AND SET OF PUBLIC HEARING:

1. Introduction of an Ordinance for an Expanded Conditional Use request by Enrico Rogers to allow a mobile home on Lot 24 Blk 9 Greenville Park Subdivision at 107 W. Newman St.; Zoned RS-3 (Z-2019-01-00057) Recommend approval with a conditions by Zoning Commission.

- 1) The approval shall be with the understanding that such use is a personal right that expires upon a change in occupancy and ownership of Enrico Rogers, and
- 2) Must meet all placement requirements.

Tracie Schillace, asking permission to introduce this Ordinance for public hearing on February 26, 2019 to allow placement of a mobile home, this is in Councilman Wells District #3.

There was a motion by Councilman Devon Wells and second by Councilman Kip Andrews to introduce an ordinance for an Expanded Conditional Use request by Enrico Rogers to allow a mobile home on Lot 24 Blk 9 Greenville Park Subdivision at 107 W. Newman St.; Zoned RS-3 (Z-2019-01-00057) Recommend approval with a conditions by Zoning Commission.

- 1) The approval shall be with the understanding that such use is a personal right that expires upon a change in occupancy and ownership of Enrico Rogers, and
- 2) Must meet all placement requirements.

VOTE: Kip Andrews (Y), Carlee White Gonzales (Y), Devon Wells (Y), Sam DiVittorio (Y), Steven Leon (Y)

Motion Approved to Introduce Public Hearing is set for February 26th, 2019

- X. **ADJOURN:** There was a motion by Councilman Devon Wells and second by Councilman Sam DiVittorio to adjourn the meeting. All members were in favor.

CERTIFICATION OF CLERK

I TONIA BANKS, CLERK OF COUNCIL, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT RECITATION OF THE BUSINESS TRANSACTED AT THE REGULAR MEETING OF THE CITY COUNCIL HELD **February 12, 2018** BEING **8 PAGES** IN LENGTH

TONIA BANKS
HAMMOND CITY COUNCIL CLERK

PRESIDENT JOHNNY BLOUNT
HAMMOND CITY COUNCIL