

Hammond City Council Members
Councilman Kip Andrews- President
Councilman Sam DiVittorio- Vice President
Councilman Devon Wells
Councilwoman Carlee Gonzales
Councilman Steve Leon

City Council Clerk, Tonia Banks
City Attorney, Andre Coudrain



**HAMMOND CITY COUNCIL
PUBLIC HEARING MINUTES
312 EAST CHARLES STREET
HAMMOND, LOUISIANA
April 13, 2021
5:30pm**

- I. CALL TO ORDER:** Council President, Kip Andrews called Public Hearing to order at 5:30pm
- II. ROLL CALL:** Councilman Wells (P), Councilman DiVittorio (P), Councilwoman Gonzales (P), Councilman Leon (P), Councilman Andrews (P)
- III. PUBLIC HEARING: NONE**



**HAMMOND CITY COUNCIL
REGULAR SESSION MINUTES
312 EAST CHARLES STREET
HAMMOND, LOUISIANA
April 13, 2021
6:00pm or at conclusion of Public Hearing**

- I. CALL TO ORDER:** Council President, Kip Andrews called Public Hearing to order at 5:45pm
- II. ROLL CALL:** Councilman Wells (P), Councilman DiVittorio (P), Councilwoman Gonzales (P), Councilman Leon (P), Councilman Andrews (P)
- III. PRAYER:** Pastor, Terrence Lee
Second Rose Hill Baptist Church
- IV. PLEDGE OF ALLEGIANCE:** All veterans and active military, please render the proper salute.
Councilman Kip Andrews
- V. REPORTS:**
1. Mayor: NONE
 2. Council:
 - A. E. Rene Soule- 42798 Scarlet Circle Liberty Restoration CDC- informed the Council and the Citizens of a program to assist in Emergency Rental Assistance due to COVID directly and indirectly. This is a federal government program through the Louisiana Housing Corporation. Available for tenants and landlords. More information is available at LStateRent.com or call 877-495-6555. The City Council Clerk was provided handouts.

B. Dr. Lue Russell- 17268 Old Covington Hwy., stated she's with the National Congress of Black Woman as an Executive board member. When the first stimulus plan was presented there was some concerns that clear information did not make its way to rural and minority communities and not everybody received what was available. This new plan Rescue America Act is an effort that everyone knows what's available to them. Rental assisting funding is available also funds for back utility pay. Its 12 months of back rent and 3 months of forward rent if they meet the threshold as well as utilities. Mortgage assistance is also available - call your mortgage company to make them aware you were impacted by COVID and there are no foreclosures or evictions. There is a child tax credit for every child 6 yrs., old or under there is a \$3600 dollar tax credit, and children over 6 to age 17 there is a \$3000 tax credit. Those funds will be paid out by checks starting in July half of what's available will be paid July through December in the amounts of \$250 or \$300 per child the other half will be claimed on the taxes for those who qualify. There is increase in unemployment of \$300 dollars a week that ends September 6th, PPP Loans are still available, the Shuttered Venue Operators grant is for entertainment venues, restaurants, musical venues, these are places that were closed these funds are grants that do not need to be paid back. The Economic Injury Development Loan is for anyone who was impacted would qualify - these funds were limited to some \$10,000 grants that did not have to be paid back. The tax deadline is May 17, 2021. Any loans repayment because of COVID has been delayed and will start 2022. FEMA has made funds available if you had to pay for funeral expenses for someone who died with COVID. If you had insurance that paid you're not reimbursed. Stated she has flyers and there is an initiative to bring vaccination in rural areas Southern University has been awarded the funding and the lead and Tangipahoa Parish is included and many churches will be included. On the radio WFPR every 4th Sunday 4pm they are continuing to bring updates.

C. Kip Andrews- presented a Certificate of Appreciation to the Meals for the Multitude founded by Ed and Butch Robertson for 23 yrs., of service.

Thanked Lt. Doug Banks for his assistance for the Easter Egg Hunt, and thanked everyone for their donations, and volunteers.

On April 24, 2021 District 1 will have a cleanup starting at 8am to 10:30am will meet up at MLK Park. Asking all residents of District 1 and others to come out to be a part.

Hosting a meeting to setup a Community Garden inside of District 1 look out for a time place and date for this to take place.

D1 Committee has available scholarships for any graduating senior living in District #1 you can receive information by contacting Councilman Andrews or receive request by Facebook also Seniors can leave names with City Council Clerk.

There is a Charter Review Committee Meeting on Thursday in Council Chambers at 5:30pm

Thanked Guy Palermo, Webb Anderson, Lacy Landrum, Mayor, Councilman Wells for attending the meeting he called on March 31 to discuss the sewer issue in District #3.

Tom Hogan, 309 E. Church Street, asked about the event involving a HPD Officer and member of the public that was captured on video and circulated widely. The public is still waiting to hear what will be done in response to this situation and also about the booking room incident and no report has been issued. Hope something constructive will be done about it.

Councilman Andrews, stated the booking room investigation is in its last stages. We're awaiting information from the video expert who is tied up in a major case. After he's released from this case he will pick up his part for the booking room investigation. The projected date of closure to try to receive this information will be within the second week of May. The total charges as of today are \$5,183.67.

Councilman Andrews, stated September 8, 2020 Introduction, September 22, 2020 Final Adoption Ord. # 20-5629 were the dates we spoke and voted on the Rail Spur. Stated that an email was provided by Lacy Landrum and asked if she should could go into details on the email

Lacy Landrum, she is still in correspondence with both Home Depot and Graham Packing and has contacted local and corporate offices. The next step is to send certified letters.

Councilman Andrews, there is no ETA at all this has been a 7 month process and in February 2021 these companies were supposed to be billed.

Lacy Landrum, she emailed multiple times also have had multiple conversation trying to finalize the leases and receive data from CN Rail

Mayor, the companies are dragging their feet and now not much contact and now the time to involve Andre

Councilman Andrews, this has been going for the last several months and these funds could go toward other things like pay study, parks, streets, or sewer issue

Mayor these funds will be used to maintain the tracks

Councilman DiVittorio, he's saying that taking money out of areas that the City been funding the track to make repairs for previous years. When was their communication between the two companies?

Lacy Landrum, communication began prior to the vote so they would be aware what was coming. They also were in attendance at a Council Meeting and they were given the Ordinance. We recognize that this is due and there are avenues to recover payments but just as we collect back taxes, back payments of permit fees we will do so when we receive the payment.

Councilman Wells, asked question in February and was told there is a count on how many cars are going back there?

Lacy Landrum, we do not have estimates from CN and CN pushes the cars.

Councilman Wells, this have been discussed and talked about. If I don't pay my water bill they will cut it off. So it seems like we need to cut the spur off.

Mayor, we will deal with it legally.

Councilman Wells, do not like excuses and have real solutions to solving these problems

VI. Minutes of March 23, 2021: NONE

VII. RESOLUTIONS

A. OLD BUSINESS: NONE

B. NEW BUSINESS:

1. A resolution to transfer \$14,640.50 from the Hammond Downtown Development District's general fund to advertising for the Millage Renewal Public Awareness Campaign.

There was a motion by Councilwoman Gonzales and second by Councilman Andrews to AMEND the agenda to move resolution #1 to #3 Introduction of an ordinances to be discussed.

VOTE: Councilman Wells (Y), Councilman DiVittorio (Y), Councilwoman Gonzales (Y), Councilman Leon (Y), Councilman Andrews (Y). Motion Approved to Amend 5-0

2. A resolution authorizing Councilman Wells to retain the professional services of Edwards Law Group LLC to develop and draft an ordinance and not to exceed \$24,999.00. Councilman Wells, reached out to City Attorney Andre Coudrain concerning this item. Councilman Wells stated he would like to make an amendment. This information is about the land usage of the Sewer, gun control around Mooney Park, and food trucks in the area.

City Attorney, Andre Coudrain, suggested to identify what issues and you have provided those. This firm will assist in developing ordinances for the Council to consider on these 4 subject matters. It is important to have a specified form in keeping with the existing Code of Ordinances so municode could place in the book of ordinances and happy to assist the Edwards Law Group. Recommended that you make a motion to amend this item to identify land use, Sewer problems, gun control around Mooney Park, and Food trucks.

There was a motion by Councilman Wells and second Councilman DiVittorio to AMEND to identify land use, sewer problems, gun control around Mooney Park, and food trucks

Councilman Wells, the \$24,999 will not be the original price

VOTE: Councilman Wells (Y), Councilman DiVittorio (Y), Councilwoman Gonzales (Y), Councilman Leon (Y), Councilman Andrews (Y). Motion Approved to Amend 5-0

Councilman Wells, want to make sure the land is used correctly than what is being done. The sewer is out of control and anytime we're building in the community want to make sure the sewer is in control. In Mooney Park the shootings and he's concerned about the senior citizens and the kids, constituents have questions about the food trucks in the Hammond area.

Councilman Leon, these are great things but do we have to go outside to get an ordinance drawn up?

City Attorney, Andre Coudrain, this is up to the council. Stated he would typically assist in preparing ordinances when requested it's up to the Council to get another firm or group to develop ordinances on those issues. It's still up to the Council to vote it would be just recommending and developing the ordinance.

Councilman Leon, asked Councilman Wells was there a reason why he didn't want the City Attorney to draw up the ordinance.

Councilman Wells, council voted that the council could have their own attorney and Andre is the City Attorney. Andre will assist the Edward firm.

Councilwoman Gonzales, have you consider having Andre draft these items due to him being on a retainer and it will fall within his rate. Then if there is a need outside opinion because of a conflict then have the firm review the ordinance. Also, Andre is familiar with the style and current laws

Councilman Wells, Andre the law group I'm dealing with is professional?

City Attorney, Andre Coudrain, yes, seen their licensing and they have experience in public body work

Councilman Wells, they will work with Andre and I think it was clear that Andre stated the council could do this if we choose.

Councilwoman Gonzales, we all bring good ideas and we represent our districts with different suggestions. Stated her life experience is a billable hour attorney. If a client does not have to pay to write from scratch everything and can go to an attorney on a retainer who can do to it you're getting a bang for your buck by having the person who is not going to bill you per hour to create something. Let's remember we're spending taxpayer's money who already pay the City Attorney.

Councilman DiVittorio, asked Councilman Wells about the \$24,999 curious where this came from and would you be willing to amend to \$15,000 in that range?

Councilman Wells, yes it could be dropped to \$10,000. Every department moves money under \$25,000 and the City Council does not know nothing about this is why he picked this total.

Councilman DiVittorio, anybody in a department can move money up to \$25,000

Mayor, it was higher under Mayor Foster and it now has been bumped down to transfer funds

Councilman DiVittorio, who signs off

Lacy Landrum, administration, & accounting

Councilman DiVittorio, do we have an Accountant

Lacy Landrum, we do not have a finance director

Councilman DiVittorio, possibly need to review the moving of funds

Lacy Landrum, purchase limit is different depends on what your purchasing and how your purchasing.

Councilman DiVittorio, this will be just an ordinance to adjust on the moving around of funds and purchasing?

City Attorney, Andre Coudrain, yes

Councilman Wells, this could be \$10,000

City Attorney, Coudrain, in the budget process would like to consult with the administration the council only meets about every two weeks and want to be sure there is an ability when needed for money to be moved from one section to the other but it could be administered through your budget authority.

Councilman Wells, just want the ball to begin and all the bills go through the President

Councilwoman Gonzales, on the land use our laws require the Planning & Zoning and a lot of consideration goes into this process. Food trucks the DDD has received polls from different community members on whether or not we should have food trucks there should be discussion before an ordinance is drafted.

Councilman Wells, this is dealing with my district and there is an issue that has to be discussed and move forward.

Mayor, one of the issues with the food trucks that was a concern of the businesses downtown

Councilman Wells, ok let's put a distance and to keep them away from downtown. They want food trucks in the park for events.

Mayor, we allow them in the park for events

Lacy Landrum, did research and there is a lot of information. There was a survey conducted and that data is available and will provide that data.

Councilman Leon, why pay someone else if we're paying someone now to do the same job

Councilwoman Gonzales, first time hearing these issues and agree they need to be addressed this is my opinion off the cuff.

Councilman Wells, love district #3 and love the City of Hammond. I been dealing with the City of Hammond and these problems been present and I want a solution.

Councilman DiVittorio, things need to be done and just review the cap but need answers and resolutions done.

Pastor, Terrence Lee, 13462 Adams Road, stated he's a business professional and he deals with a lot of attorney's and know when he's getting quality service and when he's not also know when they are overworked and overpaid. Why arguments are going on there are no models in place go see how other cities are dealing with issues then bring models back to the Council and come to a resolution that's economical with tax payers dollars not sit and argue which is a waste of our time. People are suffering and the council is wasting time. Spend time, Stop arguing and get models in place people are ready for change. It shouldn't be discussed with one or two districts it should be the entire council.

Patrick Strahan, 19840 Dr. John Lambert Drive, bring models to the table. Yes gun control for Mooney Park and Clark Park has to be done but, none of this will be done if the council does not meet together to hash things out nothing will be done. There are items on the agenda not discussed among everyone. In order for the public to make a decision we need that information beforehand. Food trucks in the community is a great idea, how much of this will continue before we make some change it only comes with communication and working together and this has not happened fully. There is no collaboration with the council and the City can see the non-communication.

Elizabeth Lafarge, 601 Rue Cannes, what happens if the not to exceed amount is spent and the work is still not complete?

Councilman Wells, City always go over budget and they ask for more money. Stated he would like to drop the \$24,999 to \$5000 and asked City Attorney for the next step?

City Attorney, Andre Coudrain, make a motion to amend the agenda to have the not to exceed number be \$5000
There was a motion by Councilman Wells and second by Councilman DiVittorio to amend the agenda to have the not to exceed amount be \$5000.00

VOTE: Councilman Wells (Y), Councilman DiVittorio (Y), Councilwoman Gonzales (Y), Councilman Leon (Y), Councilman Andrews (Y). Motion Approved to Amend 5-0

There was a motion by Councilman Wells and second by Councilman DiVittorio to authorize City Council to retain the professional service of Edwards Law Group to develop and draft ordinances on land use, sewer issues, gun control, and food trucks with the amount not to exceed \$5000.00

Councilman Leon, is there a timeline

City Attorney, Coudrain be cautious on a timeline

VOTE: Councilman Wells (Y), Councilman DiVittorio (Y), Councilwoman Gonzales (N), Councilman Leon (N), Councilman Andrews (Y). Motion Approved 3-2

Elizabeth Lafarge, has the law firm provided Councilman Wells with an estimate

Councilman Wells, no they have not

VIII. FINAL ADOPTION OF ORDINANCE: NONE

IX. INTRODUCTION OF ORDINANCE AND SET OF PUBLIC HEARING:

1. Introduction of an ordinance for a Text Amendment to Ordinance #14-5364

1) Article 6.1.3 Mixed Use MX-N to remove several allowed uses, and

2) Add required construction routes for developments to be approved prior to issuance of permits. (TA-2020-07-00019). Recommend Approval by Zoning Commission. Tracie Schillace, asking to introduce two items the first is the MX-N Zoning the previous zoning ordinance zoning was listed as B-1. Tracie informed the Council that the spreadsheet in the packet shows what the B1 zoning allows. When the zoning ordinance

was re written in 2014 there were some additional uses that added to that zoning district also renamed MX-N. When the UDC was written they renamed all the districts. The MX-N is mixed use neighborhood intended to be a buffer between residential and commercial this was to protect the neighborhoods.

Councilwoman Gonzales, the public hearing on this was August 2020 and why is it just coming to Council.

Tracie Schillace chose to hold off because of COVID.

Councilwoman Gonzales, in 2014 and since that time anyone that has brought property that is MX-N have all these owners been aware.

Tracie Schillace, we have public hearings and the zoning commission has seen the previous B1 and how much it has increased, and it acts a buffer. Restrictions could be added.

Councilman Andrews can this go back to zoning commission.

Tracie Schillace yes it could go back to the zoning commission.

Councilwoman Gonzales would like business owners to be notified.

Councilman Wells, have there been any problems with the zoning.

Tracie Schillace, it did not come up as a problem the zoning commission has seen that it was a drastic change. There have not been any specific problems.

Councilman Wells, when you get something rezoned everyone who has adjoining property would be notified and think this will affect mom and pops owners.

Tracie Schillace, you are not expanding the uses you are restricting the uses not allowing what more is allowed.

The second part of this ordinance is for new developers once approved to inform them what the City expects but we do not have it in writing. We want new developers to know what routes are approved before receiving a permit.

There was a motion by Councilwoman Gonzales and second by Councilman Leon to introduce an ordinance for a Text Amendment to Ordinance #14-5364.

**1) Article 6.1.3 Mixed Use MX-N to remove several allowed uses, and
2) Add required construction routes for developments to be approved prior to issuance of permits. (TA-2020-07-00019). Recommend Approval by Zoning Commission.**

VOTE: Councilman Wells (N), Councilman DiVittorio (Y), Councilwoman Gonzales (Y), Councilman Leon (Y), Councilman Andrews (Y). Motion Approved 4-1

PUBLIC HEARING IS SET FOR APRIL 27, 2021 AT 5:30PM

2. Introduction of an ordinance to transfer \$750,000 from the Sales Tax Fund (203) ending fund balance to Capital Expenditures to provide for sewer system improvements (two lift stations, SSES, and sewer rehabilitation). Chuck Spangler, stated this item is hyperlinked. Mayor stated he wanted something done immediately in district 3 and something needs to be done. We need to find where the extra water is coming in and he has initiated a professional service contract that's looking for the problem. There are 2 projects which is Mooney Ave and Mississippi Street pump station. The Mississippi street pump station is a new concept and it's a high flow pump – he is planning to put a pump station on that main line and wants to put in a high flow lift station. He stated he talked to the people in the neighborhood and the lady next to the manhole that has multiple problems. He found an adjudicated property that the City owns and ordered the survey the Mayor approved and will make sure that the City has legal rights and the pump station will be placed there. What will happen when the manhole fills up there will be an overflow that will go into a wet well. The two parts are construction and the other is the rehab expansion that's on its way.

Mayor stated the work is scheduled for July 1 but can't go out for bids unless you have funds in place that's why he is asking to approve the appropriation now to move quickly.

Chuck Spangler, he is planning to do a lot more when budget session comes around. This is a good start.

Councilman Divittorio, last meeting you stated \$12 million now its \$750,000 and if it's a \$12 million dollar issue \$750,000 wouldn't do much and it's a hazard issue there should be some other funds out there that the city could get.

Mayor, the \$750,000 is starting the process going after priority problems.

Councilman Andrews, asking for some options just for educational wise.

Lacy Landrum, there are 2 main funding sources. Louisiana Community Development Block Grants every 2 years. The City has participated in this you can receive up to a \$1 million dollars grant for sewer rehab. The second is the Clean Water State Revolving Loan Fund Program- loans are at 0.95% interest the pre application takes up to 3 to 4 months for approval. The full application can take up to 6 to 9 months and once approved then goes to the State Bond Commission. The purpose is to allocate the funds then see what's coming from the Feds and then see what other options are available.

Councilman Wells, on Mississippi Street going on 3 yrs., talking about the man cover and it's like a joke and he has called so many times and now fixed within 2 days. The \$750,000 – he talked to the people in the community and district 3 does not want a band aid and nobody will give us a pacifier and he would like to TABLE this item. Stated he spoke with everyone in the neighborhood and told them what his plans was and told the community that district 3 does not need a band aid.

Chuck Spangler, get with us and make things happen and do not vote against this let's get started.

Mayor, this is not a band aid this an early start and please do not vote no

Councilman Wells would like to Table this item - this is not enough. The other areas are not having sewer problems asked to see what was done with the block grant you will not give me \$750,000 and think that this is going to solve the problem.

Mayor, you're getting more than that after the fiscal year starts.

Councilman Wells, it affects district #3 and he talked to the community and told them what he would like to do, and they stated Devon you make the decision. He would like this item tabled.

There was a motion by **Councilman Wells** and second by **Councilman DiVittorio** to TABLE an ordinance to transfer \$750,000 from the Sales Tax Fund (203) ending fund balance to Capital Expenditures to provide for sewer system improvements (two lift stations, SSES, and sewer rehabilitation).

VOTE: Councilman Wells (Y), Councilman DiVittorio (Y), Councilwoman Gonzales (N), Councilman Leon (Y), Councilman Andrews (Y). Motion Approved to TABLE 4-1

3. An Introduction of an ordinance to transfer \$14,640.50 from the Hammond Downtown Development District's general fund to advertising for the Millage Renewal Public Awareness Campaign. Chelsea Tallo Little, stated this is for the Millage renewal for April 24, 2021.

There was a motion by **Councilwoman Gonzales** and second by **Councilman Andrews** to introduce an ordinance to transfer \$14,640.50 from the Hammond Downtown Development District's general fund to advertising for the Millage Renewal Public Awareness Campaign.

VOTE: Councilman Wells (Y), Councilman DiVittorio (Y), Councilwoman Gonzales (Y), Councilman Leon (Y), Councilman Andrews (Y). Motion Approved 5-0

PUBLIC HEARING IS SET FOR APRIL 27, 2021 AT 5:30PM

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 April 13, 2021

BEING 10 PAGES IN LENGTH

**TONIA BANKS
HAMMOND CITY COUNCIL CLERK**

**PRESIDENT, KIP ANDREWS
HAMMOND CITY COUNCIL**

Persons needing accommodations or assistance should contact City Council Clerk Tonia Banks at 985-277-5610. Request should be made at least 24 hours prior to the scheduled meeting.

X. ADJOURN: There was a motion by Councilwoman Gonzales and second by Councilman Andrews to adjourn the meeting. All members were in favor to adjourn the meeting and the meeting was adjourned.