



Charter Review Committee Report

2021-2022

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The Committee

- Frank J. DiVittorio,
Chairman
District 4
- Lesli Bolner,
Secretary
District 5
- Arlene Knighten,
District 1
- Nick Gagliano,
District 2
- Tracy Wells,
District 3
- Doug Johnson,
Mayor

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The Process

- The Hammond City Charter Review Committee was first convened December 14, 2020 per Resolution 20-1013-02.
- We held 23 meetings.
- At the invitation of the Committee former and present mayors and council persons, former Charter Committee members, other City Officials, and the general public were specifically invited and participated.
- We held meetings at alternate locations and on Saturday to allow greater public participation.
- We invited public comment by email.
- We received presentations from the City attorney, administration, bond counsel and compensation consultants.

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The Contents

- The report is comprised of:
 1. Nine Proposed Amendments to the Hammond City Charter.
 2. Eight Recommendations that either did not require amendment to the Charter or while unanimously recommended unanimity on all terms was not reached.
 3. Three issues that the Committee unanimously agreed warranted further discussion, but were either unable to reach a unanimous resolution on or which adequate resolution exceeded the Committee's resources.
- **The contents of this report were unanimously approved as written by all five councilmember and the mayor's nomination.**

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Proposals 1 and 2

- The Mayor/Council have not received any pay increases in at least a decade.
- The Committee undertook a search for a compensation consultant.
- Efforts were made to locate options through SLU.
- Mr. Johnson found a consultant that was utilized by a prior committee.
- The Administration recommended, SSA Consultants, who we were advised the City has worked with in the past.
- The Committee did not have the ability to Contract with a consultant, the Administration assisted us by contracting with SSA on behalf of the City.
- Proposal \$95,000 annual salary for mayor; \$15,000 for councilpersons.

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Regional Peer Informational Table

Category	City of Hammond	City of Alexandria	City of Slidell	City of Ruston	City of Thibodaux	City of Gonzales	City of Zachary
Population	21,437	46,180	28,781	21,854	15,948	10,957	19,316
Population Density (per square mile)	1,428.5	1,679.8	1,823.5	1,048.5	2,417.1	1,167.2	625.1
Total Revenue	\$42,633,465	\$140,657,585	\$72,414,000	\$66,680,081	\$32,297,436	\$17,812,101	\$15,037,750
Total Expenditures	\$48,795,958	\$140,657,585	\$54,257,000	\$65,917,273	\$41,856,019	\$17,011,874	\$15,018,475
Median Household Income	\$36,921	\$43,497	\$54,906	\$29,128	\$38,269	\$52,923	\$84,795
Median Home Value	\$159,300	\$148,900	\$161,700	\$169,600	\$166,800	\$161,200	\$224,500
Cost of Living (percent of national)	-6.4%	-14.3%	-8.5%	-12.8%	-5.4%	-7.1%	-6.4%
University	Southeastern	LSU of Alexandria	N/A	Louisiana Tech	Nicholls State	N/A	LSU & Southern

SSA
Consultants
City of Hammond Elected Official Compensation Review

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Comparative Salary Analysis

This section of the report details the salaries provided by the City of Hammond and the target peer group. Each column displays the representative salary of that municipality.

Mayor Compensation Review Chart

City of Hammond	City of Alexandria	City of Slidell	City of Ruston	City of Thibodaux	City of Gonzales	City of Zachary	Average of Peers
\$75,500	\$131,106	\$123,091	\$98,077	\$82,400	\$140,916	\$85,000	\$110,098

Council Member Compensation Review Chart

City of Hammond	City of Alexandria	City of Slidell	City of Ruston	City of Thibodaux	City of Gonzales	City of Zachary	Average of Peers
\$12,000	\$25,704	\$22,487	\$12,000	\$14,098 (At Large) \$12,651 (District)	\$12,000	\$10,164	\$15,586

SSA
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Proposal 3

- Section 2-08: Revise to provide the Council shall appoint, remove, direct and supervise an employee of the City who shall have the title of Clerk of the Council who shall serve at the pleasure of the Council.
- Basis: The Charter contains provisions prohibiting Council involvement regarding employee oversight, which conflict with the provision that the Council have a dedicated employee such as a Council Clerk. Although not contained in the proposal, the Council could further propose modification to the Section to add other positions subject to their direct oversight including, but not limited to public relations personnel, communications personnel, and/or administrative personnel.

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Proposal 4

- Ethics Section 7-03: Revise the first sentence to add “all officers, officials, and employees of the City whether elected or appointed, paid or unpaid, shall be subject to and comply with all State ethics laws, codes, and regulations.” Eliminate the second, third, and fourth sentence of Section 7-03.
- Basis: The Charter currently provides for an Ethics Board that is not currently constituted and is not known to have functioned in recent time. It is believed that the area of regulation has been displaced by State law and attempting to regulate it could lead to conflicting duties and obligations and unnecessary redundancy.

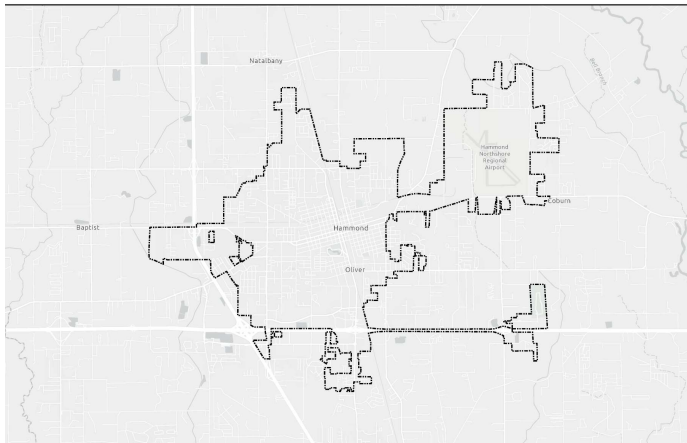
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Proposal 5

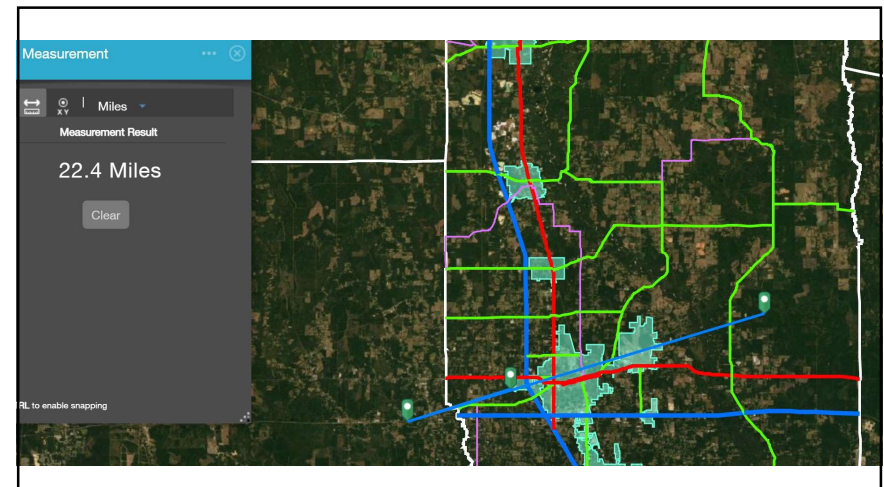
- Section 4-01: Revise to provide All department heads during their term of office shall live within the Parish of Tangipahoa, but no farther than two miles from the nearest point of the City Limits.
- Basis: Availability and immersion in the City was deemed an important qualifying factor.

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City of Hammond GIS



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Proposal 6

- For department heads subject to confirmation by the Council, the Council Members shall receive at least 30-days prior notice to any Proposed Council Confirmation Hearing information and documentation concerning the potential candidate, including, but not limited to, the candidate's name, application, background check, criminal check, resume, references, and qualifications.
- Basis: Public input revealed that there was public concern regarding whether the Council was receiving sufficient information regarding proposed nominations to allow them to make a meaningful review of candidates.
- The Committee believes it might be beneficial for the Council to implement such a procedure by ordinance or resolution, but given the level of public concern and fact that it such a procedure has not been adopted the proposal is suggested.

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Proposal 7

- Amend the Charter to provide for a Planning and Zoning Commission to consist of five (5) persons, each appointed by the Mayor, subject to confirmation by the City Council. The Members of the Commission shall be chosen by the Mayor, one (1) from each Council District. Each Member shall be an elector or owner of real estate in the City (either as an individual or through an entity).
- Basis: There was significant public input and discussion regarding the City's Planning and Zoning process. The input was substantially negative. Complicating corrective action is that state statutes essentially create a "Planning Commission", "Zoning Commission", and "Board of Adjustments" that regulate them to different degrees. The result is that three regulators of sorts operating in substantially similar area with sometimes conflicting requirements. In Hammond the three units have been comprised of the same five people that although technically operate separately rarely reveal any distinguishable existence to the public. The Committee also found difficulty obtaining decisive legal opinions regarding whether specific proposals were even within the City's authority to alter. It is likely that the regulation of growth and development in the City is ripe for a substantial revision, possibly through the creation of a specialized committee with the Council retaining and assigning specialized legal counsel to advise it.

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CITY OF HAMMOND
PLANNING AND ZONING COMMISSIONS AND
BOARD OF ADJUSTMENTS MEETING
312 EAST CHARLES ST.
AGENDA—Thursday, April 7, 2022 at 5:00 P.M.
Work Session Thursday, March 31, 2022 NOON in City Council Chambers

PUBLIC HEARING MEETING:

I. CALL PUBLIC HEARING TO ORDER

II. ROLL CALL: Matt Sandifer (), Kyle Douglas (), Monica Perez (), Ron Matthews ()

III. APPROVAL OF MINUTES: June 3, 2021, July 1, 2021, August 5, 2021, October 7, 2021, December 2, 2021, January 6, 2022, February 3, 2022, March 3, 2022.

IV. BOARD OF ADJUSTMENT, Public Hearing

NEW BUSINESS

VAB-2022-02-00102 Variance request by Noel Butler (applicant) to waive UDC #14.3.2(A) to allow for a limestone parking lot at 120 Hightop Dr. per site plan by T. C. Spradler, Jr. dated 1/4/2022; Zoned L4.

VAB-2022-03-00103 Variance request by Charles Dawson (owner) to waive UDC #6.3.1(A) to reduce the minimum lot width from 75 feet to 52 feet at 1505 Natchez St. per survey by Mike J. Meade dated 8/3/2021 to allow for a single-family dwelling; Zoned RS-11A.

VAB-2022-03-00106 Variance request by the Hammond Union of Police (owner) to waive UDC #14.3.2(A) to allow for a limestone parking lot at 211 Natchez St. per site plan dated 3/11/2022; Zoned C-N.

VAB-2022-03-00107 Variance request by Nicholas J. Muscarella, Sr. (owner) to waive UDC #6.3.1 to reduce the Lot Area minimum square feet from 1,200 to 600 square feet, and to reduce the (B) front setback from 25 feet to 10 feet, and (D) interior side setback from 10 feet to 5 feet located at 410 W. Church St. per site plan by Patricia Architects; Zoned RS-11, Hyde Gate Preservation District.

OLD BUSINESS:
NONE

V. ZONING COMMISSION AGENDA—Public Hearing

OLD BUSINESS:
NONE

NEW BUSINESS

Z-2022-03-00101 Expanded Conditional Use request by Mary Richardson (owner) to allow for a mobile home located in a Planned Mobile Home Area at 17001 Haverly St. per survey by McLean Land Surveying, Inc., dated 3/14/1994; Zoned RS-3.

Z-2022-03-00102 Expanded Conditional Use request by Matthew Moore (applicant) and Roma Avo, LLC (owner) to allow for a motor vehicle storage as a conditional use located at 1949 Roma Avenue, Suite A per deed by Roma Street Management, LLC dated 6/23/2017; Zoned C-N.

VI. PLANNING COMMISSION, Public Hearing

NEW BUSINESS:
NONE

OLD BUSINESS:
NONE

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Planning Commission: A municipal planning commission shall consist of not less than five nor more than nine members, at the discretion of the local legislative body, all to be appointed by the chief executive of the municipality, who may remove any member of the commission, after public hearing, for inefficiency, neglect of duty, or malfeasance in office. La. Stat. Ann. § 33:103. Where a parish or municipality has adopted a charter for local self-government or other home rule charter and such charter provides for the establishment of a planning commission or otherwise provides for the functions of a planning commission to be performed by the governing authority or other board or commission, the provisions of this Subpart concerning membership, appointment, organization, and structure shall not be applicable. La. Stat. Ann. § 33:103.

Zoning Commission: In order to avail itself of the powers conferred by R.S. 33:4721 through 4729, the legislative body of the municipality shall appoint a zoning commission whose function it shall be to recommend the boundaries of the various original districts as well as the restrictions and regulations to be enforced therein, and any supplements, changes, or modifications thereof. La. Stat. Ann. § 33:4726. Where a municipal planning commission exists it shall be the zoning commission. La. Stat. Ann. § 33:4726.

Board of Adjustment: The local legislative body may provide for the appointment of a board of adjustment, and in the regulations and restriction adopted pursuant to the authority of R.S. 33:4721 through R.S. 33:4729 may provide that the board may determine and vary their application in harmony with their general purpose and intent and in accordance with general or specific rules contained therein. La. Stat. Ann. § 33:4727. The board of adjustment shall consist of five members, and may include two alternate members, all of whom shall be landowners and qualified voters. La. Stat. Ann. § 33:4727.

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Proposal 8

- To add to the Charter the formation of an Advisory Committee which could create a community forum for discussion of community concerns. The Committee would meet quarterly and take minutes of discussions, but not have any power of investigation or subpoena. The Committee would not take any votes but would keep Minutes and submit the notes from the Meeting to the Council and Mayor for review. The Committee shall consist of the following Members to serve for one (1) year terms: Members appointed by each Council Member, Members appointed by the Mayor, and one (1) Member appointed by each of the following groups: Tangipahoa Chamber of Commerce, local NAACP, Downtown Development District, and Southeastern Louisiana University. The Committee shall elect a Chairman, a Vice-Chairman and a Secretary from among its Members, which shall all be electors of the City of Hammond. The Meetings of the Committee shall be open to the public, subject to reasonable rules of participation.
- Basis: There was substantial public input communicated to the Committee that public concerns were not being heard and addressed by the Administration. That the public felt powerless, fearful, and that intimidation tactics were being used to subvert public complaints. The hope was that a public advisory committee could create a venue for public complaint to an advocate able to withstand the pressure experienced by members of the public. This committee could be created by Ordinance or Resolution, but there was concern about the fact that although it would be easier to create through those means it would also be easier to dissolve.

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Proposal 9

- Charter Amendment to require Annual Evaluations for each Department Head designated in the Charter which shall be disseminated to the Mayor, the Council, and the Public.
- Basis: This was proposed as a method to increase accountability. A lack of accountability to the public was repeatedly raised by public input.

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Recommendation 1

- **Budget Review:** Unanimous recommendation that the Council consider retaining a consultant to review the budget contents for compliance with the existing requirements of the Charter.
- Based upon public input, analysis of the existing requirements currently contained in the Charter, and what was presented to the Committee as representative of what is generally delivered to the Council as a prospective budget, it was discovered that what the Council has been receiving as a proposed budget does not meet the requirements contained in the Charter, which has been acknowledged by the administration.

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Section 5-02. - Budget preparation and adoption.

At least forty-five (45) days prior to the beginning of each fiscal year, the mayor shall submit to the council a proposed operating budget in the form required by this charter. At the meeting of the council at which the operating budget is submitted, the council shall order a public hearing on it and shall cause to be published in the official journal, at least ten (10) days prior to the date of such hearing, the time and place thereof, a general summary of the proposed budget and the times and places where copies of the proposed budget are available for public inspection. At the time and place so advertised, the council shall hold a public hearing on the budget as submitted. The budget shall be finally adopted not later than the last regular meeting of the last month of the fiscal year. Upon final adoption, the budget shall be in effect for the budget year and copies shall be filed with the clerk of the council. The budget as finally adopted shall be reproduced and sufficient copies shall be made available for use of all offices, departments and agencies of the City, and for the use of interested persons.

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Section 5-03. - The budget document.

- The operating budget for the City government shall present a complete financial plan in accordance with modern fiscal management techniques for the ensuing fiscal year, and shall consist of three (3) parts as follows:
- Part I shall contain: (1) a budget message, prepared by the mayor, which shall outline the proposed fiscal plan for the City and describe significant features of the budget for the forthcoming fiscal period; (2) a general budget summary which, with supporting schedules, shall show the relationship between total proposed expenditures and total anticipated revenues for the forthcoming fiscal period and which shall compare these figures with corresponding actual figures for the last completed fiscal year and estimated figures for the year in progress.
- Part II shall contain: (1) detailed estimates of all proposed expenditures, showing the corresponding estimated expenditures for each item for the current fiscal year and actual figures for the last preceding fiscal year with explanations of increases or decreases recommended; (2) detailed estimates of anticipated revenues and other income; (3) a statement of delinquent taxes for current and preceding years, with the estimated percent collectible; (4) statement of the indebtedness of the City, showing debt redemption and interest requirements, debt authorized and unissued, and conditions of the sinking funds; (5) a statistical comparison of Administrative versus services costs; and **(6) such other information as may be requested by the council.** The total of proposed expenditures shall not exceed the total of estimated revenues.
- Part III shall contain a proposed complete draft of the appropriation ordinance.

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Section 5-07. - Capital improvement program.

- A. The mayor each year shall prepare and submit to the council a capital improvement program covering a period of at least five (5) years no later than the time of submission of the operating budget for the ensuing fiscal year. The amount indicated to be spent during the first year of the capital improvement program shall be the capital budget for that year.
- B. The capital improvement program shall include: (1) A clear general summary of its contents. (2) A list of all capital improvements, by order of priority, which are proposed to be undertaken for at least 1 fiscal years next ensuing with appropriate supporting information as to the necessity for such improver (3) Cost estimates, method of financing and recommended time schedules for each such improvement. **(4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.**

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Recommendation 2

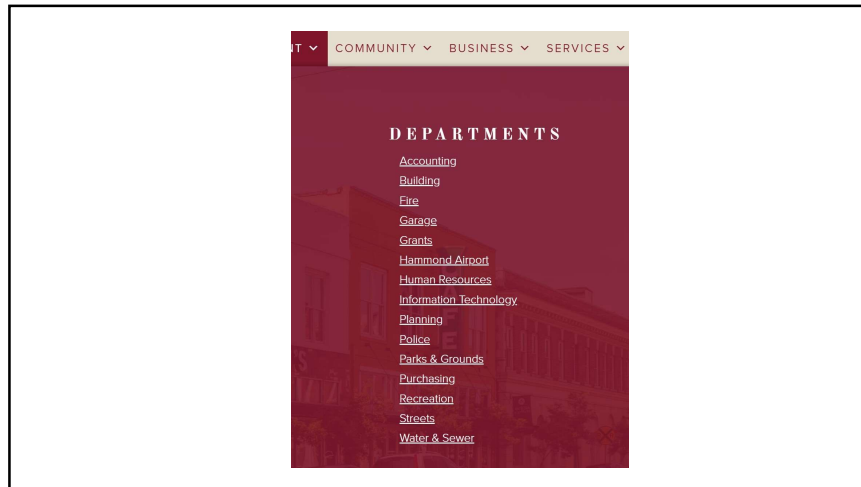
- **Department Organizational Structure:** Unanimously recommended that the Council conduct a review of the current departments in relationship to the Charter which provides for certain department heads and a process under Section 4-10 for altering the organizational structure. The current organizational chart does not reflect the department heads listed in the Charter and were not adopted pursuant to a reorganization plan adopted pursuant to Section 4-10.

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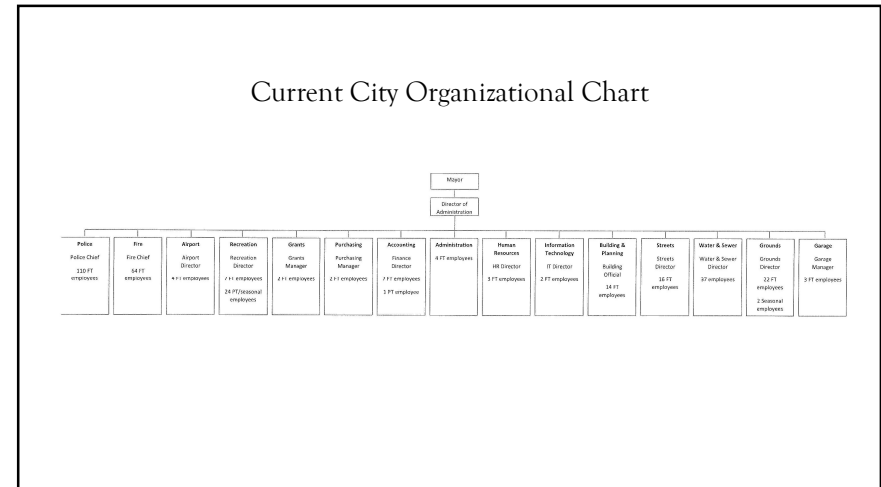
Departments Listed in Charter

- City Attorney - Section 4-02
- Director of Administration - Section 4-03 - Basically a CFO/Controller
- Police Department - Section 4-04
- Fire Department - Section 4-05
- Public Works Department - Section 4-06
- Utilities Department - Section 4-07
- Recreation Department - Section 4-08
- Personnel Department - Section 4-09 - Basically the Human Resources

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Section 4-10. - Administrative reorganization.

- A. The mayor shall have the right as chief executive officer to propose to the council the creation, change, alteration, combination or abolition of City departments, offices or agencies and/or the reallocation of the functions, powers, duties and responsibilities of such agencies including those provided for in this charter.
- B. At the meeting of the council at which the reorganization plan is submitted, the council shall order a public hearing on the plan to be held within thirty (30) days. The council shall cause to be published in the official journal at least ten (10) days prior to the date of such hearing, the time and place thereof, a general summary of the reorganization plan and the times and places where copies of the proposed reorganization plan are available for public inspection. At the time and place so advertised, the council shall hold a public hearing on the reorganization plan as submitted.
- C. The council shall within sixty (60) days following the date of the public hearing either approve or disapprove, but not amend, the proposed reorganization plan. Should the council fail to act within the prescribed time, the plan shall be deemed approved.
- D. The council may, at any time, request the mayor to submit a reorganization plan for the council's consideration. Should the mayor fail to comply with this request within sixty (60) days, the council may propose a reorganization plan of its own. Prior to becoming effective, any reorganization plan proposed by the council shall be adopted by ordinance.
- E. Voting will require a 2/3 majority of the full council.

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- **Recommendation 3:** Master Plan - Unanimously recommended the Council update the Hammond Master Plan and adopt an ordinance requiring the systematic and periodic review and update of the Master Plan in the future.
- **Recommendation 4:** Public Records - Unanimously recommended that the Council consider action requiring all of its meeting minutes, ordinances, resolutions, codes, and technical regulations be available online in a searchable form for public access and review.
The Committee believed this was an issue worthy of being addressed, but not requiring an amendment to the Charter to execute.
- **Recommendation 5:** Department Heads - The Committee unanimously agreed that, "All department heads shall be appointed by mayor and shall serve at the pleasure of the mayor subject to council approval. Said department heads shall be subject to reconfirmation upon the renewal of each mayoral term." However, the Committee could not reach a consensus on whether it should require a simple majority to reappoint or a minority (effectively a supermajority to terminate) a serving department head.
- **Recommendation 6:** Public Records - Requiring the Independent Audit required by Section 2-07 be made available on the City website.
- **Recommendation 7:** Term limits - Unanimous recommendation that they be left as they currently stand.
- **Recommendation 8:** Investigations - Unanimous recommendation that Section 2-06 be left unchanged.

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Issue 1

Debt: The issue of the City's ability to incur debt came up and was discussed at length. Initially the Administration offered substantial argument in favor of amending the Charter to allow the City to incur bonded debt without an election of the people. However, the Mayor's nominee to the Committee voiced strong opposition to the removal of the requirement that voters approve bonded debt. The Mayor himself also suggested that the requirement was fine as is. The only argument in favor of removing the requirement completely seemed to be a matter of convenience. There were examples made of when it could be beneficial for the City to incur smaller amounts of debt that the costs of holding an election would not justify. The possibility of a hybrid system where debt up to a certain threshold would be permitted without an election however fixing that threshold seemed somewhat arbitrary with the information available to the Committee so a proposal was not adopted, but it is believed that the issue warrants further consideration by the Council.

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Issue 2

Accountability of the Police Chief: Increasing accountability to public particularly came up regarding police chief. Ideas were discussed such as election versus appointment of the police chief, recall by public petition, etc.

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Issue 3

- Community Policing: Calls for implementation of true community policing activities in compliance with national standards on a systemic citywide permanent basis were repeatedly communicated to the Committee by public input.
- The Mayor's Nominee repeatedly offered his lifelong experience as a city resident and his desire to achieve true community policing that City residents have long demanded. His calls for improvement were joined by the other members of the Committee.

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