



**HAMMOND CITY COUNCIL  
PUBLIC HEARING  
MINUTES  
312 EAST CHARLES STREET  
HAMMOND, LOUISIANA  
April 25, 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 (A), Jason Hood (P), Janice Carter Beard (P), Lemar Marshall (P), Mike Williams (P)

**III. PUBLIC HEARING:**

**1. An ordinance to remedy or abate chronic nuisance properties.** Mayor Panepinto, presented this item to council informed that this is something that needs to be in place. This is strictly to make the Landlords take care of their properties.

**President Lemar Marshall:** Stated that this ordinance is not to exclude the current ordinance on the books.

**City Attorney Andre Coudrain:** Informed Council that violators will still be responsible under the Criminal Code Book of Ordinances.

**Those speaking in Opposition to the Ordinance:**

**John Braud, 1801 CM Fagan Drive, Hammond Ste. 6:** Stated he's very sensitive to the concerns of the community about nuisances within the community. He referenced sections of the Ordinance that stated that it took three incident but in the Section 17-7-53 upon a finding of a nuisance refers to 1. In Section 17-7-61 he states a landlord can't use the Ordinance for termination of tenancy. He stated the ordinance was hastily prepared and is poorly drafted. He asked the council to delay implantation for one year to give time for landlords to enforce lease. He asked the council to table the Ordinance for stake holders to have a full review of the Ordinance.

**John Gravette, 104 Laurel Drive, Hammond La.:** Stated he's concerned with some of the items in the Ordinance and landlords being responsible for violations by tenants.

**Councilman Lemar Marshall:** Stated that the intent of the Ordinance is trying to engage the Landlord with information to correct the behavior of tenants.

**John Braud:** Stated that there are unintended consequences and it's opening up the City for liability. He also stated that on the disability side there is no wording for the protection for individuals for disabilities.

**Mayor Panepinto:** Stated the City is trying to s make Landlords accountable for their property.

**City Attorney Coudrain:** Stated that (1) the ordinance is triggered by a notice from the City and it may not be every nuisance in the City that triggers a notice that the City intends to collect costs from a landlord and place them in this process (2) The council at the end of the day is the one who decides what will get fined to the owner so if there is a circumstance that is truly exceptional the council would review and may not result in a charge against the owner.

**Councilman Mike Williams:** He would not want this item tabled he would like Home Owners Association involved and neighbors but, wants to be sure this is done right for everyone.

**Those speaking In Favor of the Ordinance:**

**Louise Bostic, 112 Elm Drive, Hammond:** Stated that there are numerous rental properties in college town where she lives. The problems are with non-residents that do not live in Hammond and have invested in multiple rental properties and do not pay attention to the homes. She asked How Does a property owner in the area address the issue of a nuisance property. She stated that owners should be responsible for their property.

**Councilman Lemar Marshall:** Informed Ms. Bostic that if the citation occurs the administration will contact the Landlord.

**Julie Loper, 10 Marta, and President of Whitmar Acres Home Owners Association:** Stated she asked for this Ordinance for a long time. In the Whitmar Acres area, one owner was responsible for 34% the police calls in the entire neighborhood. There are 168 home in the Whitmar Acres plus 10 different larger apartment buildings.

**Council Lemar Marshall:** Informed Mrs. Loper that he spoke with Delores from Housing Authority 3yrs., ago under the former Mayor. He stated that Delores found this ordinance to be of value where she could access the information and this could benefit the Housing Authority as well.

**Paula Wells, 122 Rosewood Drive:** In favor of the Ordinance and the problem she is having is noise that's very loud. She stated that there should be some type of communication with the Landlord because there is a breakdown in that area and consistent monitoring should be on a regular basis.

**Theresa Ragusa, 507 W. Michigan Street:** Stated she is in favor of the Ordinance and there needs to be better restrictions in the area.

**Mary Piroso, 2607 Rue St. Martin:** Stated she sees this Ordinance as empowering landlords by giving them the tools to create leases that will make it better for everyone. In her area there are multiple apartments and most of them live out of town and she is in favor of the Ordinance.

**Betty \_\_\_\_\_, 126 Rosewood Drive:** Stated she is in support of the Ordinance

**2. An ordinance to Approve Amendment to Ordinance #17-5499 request by Vollen G. Washington (owner) and Alma M. Robinson (applicant) to allow placement of 2016 Mobile Home meeting all code requirements on Lot 6A Square 10 Greenville Park Subdivision instead of Lot 6 located at 104 W. Louisa West St. in accordance with survey by Wm. J. Bodin Jr.; Zoned RS-3 (Z-2017-01-00034) Recommend Denial by Zoning Commission. Tracie Schillace,** presented this item and informed the council that this Ordinance was previously approved, the owner currently owns 3 lots and would like to combine into one lot.

**Louise Bostic, 112 Elm Drive, Hammond:** Asked why did the zoning board recommend denial?

**Tracie Schillace,** Informed Ms. Louise because it was not in a proposed mobile home area.

**Mayor Panepinto:** It was approved due to her particular circumstances and expanded approval was only for her.

**Tracie Schillace,** Stated if the ownership or occupancy changes they will have to come before the council to keep the mobile home.

**3. An ordinance to Approve for Expanded Conditional Use Request by Leola & Jesse Robinson to allow placement of 2017 Mobile Home meeting all code requirements on Lot 15 Blk 5 in Pine Ridge Addition located at 105 Grant St ; Zoned RS-3 (Z-2017-03-00035) Recommended Approval with Conditions by Zoning Commission. (Tracie Schillace**

- Conditions:**
- 1) The mobile home must meet all requirements for placement of a mobile home and must be constructed to meet the latest HUD standards; and
  - 2) The approval shall be with the understanding that such use is a personal right that expires upon a change in occupancy or ownership by Leola & Jesse Robinson, and
  - 3) The property must be cleared of trash, abandoned cars, and removal of rear mobile home prior to issuance of any permits.

**Tracie Schillace,** presented this item stated this is in a proposed mobile home area. Tracie informed the council that the mobile home & the 2 automobiles have been removed

4. **An Ordinance to Amend Unified Development Code Ordinance #14-5634 to provide Relative to Article 2 Administration Section 2.3.5 Site Plan Review (Case#TA-2017-03-00005) Recommend approval by Planning Commission.** Tracie Schillace, presented this item and informed the council that currently in the UDC there is a section that states there is no Site plan review required. The items under that section are things that the Planning Commission review for site plans. She recommends approval to clarify this.

5. **An Ordinance to Amend Unified Development Code Ordinance #14-5634 to provide Relative to Article 3 Permits and Final Plat Approval Section 3.2.2 Bond and Maintenance Requirements D) Maintenance Bond (Case#TA-2017-03-00005) Recommend Approval by Planning Commission.** Tracie Schillace, presented this item to the council and informed the council that it would be changed from a 1 year Maintenance Bond to a 2 year maintenance bond.

6. **An Ordinance to Amend Unified Development Code Ordinance #14-5634 to provide Relative to Article 10 Streets, Sidewalks, and Railroads Section 10.2.2 Street Geometric Design Standards I) (Case#TA-2017-03-00005) Recommend approval by Planning Commission.** Tracie Schillace, stated the UDC provides for use of a 50 yr., flood elevation and the current flood maps are based on a 100yr.flood elevation and she recommends approval to change to the 100yr., flood line.

7. **An Ordinance to Amend Unified Development Code Ordinance #14-5634 to provide Relative to Article 10 Streets, Sidewalks, and Railroads 10.2.3 Street and all rights-of-way B) (Case#TA-2017-03-00005) Recommend approval by Planning Commission.** Tracie Schillace, informed the council that the Commission recommends from 50 ft., to 60ft for rights of way to allow for sidewalks and utilities.



**HAMMOND CITY COUNCIL  
MINUTES  
REGULAR SESSION  
312 EAST CHARLES STREET  
HAMMOND, LOUISIANA  
April 25, 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 6:20pm
- II. ROLL CALL:** Johnny Blount (A), Jason Hood (P), Janice Carter Beard (P), Lemar Marshall (P), Mike Williams (P)
- III. PRAYER:** Councilwoman Janice Carter Beard
- IV. PLEDGE OF ALLEGIANCE:** All veterans and active military, please render the proper salute.  
Councilman Mike Williams
- V. REPORTS:**
  1. Council: NONE
  2. Mayor: Met with Entergy and they have donated \$55,500.00 to the afterschool program.  
Dean Foods bought the Sunshine Dairy and the also developed a property behind the Airport the Distribution Center for Browns Milk operation solely out of Hammond. They plan on hiring 60 employees.  
Recycling Day May 6<sup>th</sup> in Zemurray Park from 8am to noon  
Cleanest City on May 4<sup>th</sup> on Thursday @ noon

**3. Recognition of New Businesses: NONE**

**VI. Minutes of April 11, 2017: After review it was motioned by Janice Carter Beard and second by Mike Williams to approve the minutes of April 11, 2017.**

**Vote: Johnny Blount (A), Jason Hood (Y), Janice Carter Beard (Y), Lemar Marshall (Y), Mike Williams (Y)  
Motion Approved 4-0**

**VII. RESOLUTIONS**

**A. OLD BUSINESS: NONE**

**B. NEW BUSINESS:**

**1. A resolution authorizing La Carreta Mexican Cuisine to get a Waiver of the Open Container Law for the Cinco de Mayo Celebration on May 5, 2017 from 2:00pm – 10:30pm within the boundaries of Charles Street to Railroad Avenue and part of Casa de Fresa Parking Mall. Jane Bretschger, presented this item and stated she would like the approval from council to obtain a Waiver of the open Container law for the Cinco de Mayo Celebration on May 5.**

**There was a motion by Janice Carter Beard and second by Jason Hood authorizing La Carreta Mexican Cuisine to get a Waiver of the Open Container Law for the Cinco de Mayo Celebration on May 5, 2017 from 2:00pm – 10:30pm within the boundaries of Charles Street to Railroad Avenue and part of Casa de Fresa Parking Mall.**

**Vote: Johnny Blount (A), Jason Hood (Y), Janice Carter Beard (Y), Lemar Marshall (Y), Mike Williams (Y) Motion Approved 4-0**

**2. A resolution authorizing La Carreta Mexican Cuisine located at 108 NW Railroad Avenue to sell alcohol on the sidewalk in front of the restaurant on May 5, 2017 from 2:00pm – 10:30pm. Jane Bretschger, stated this request is to have serving stations on the sidewalks to sell alcohol.**

**Councilwoman Janice Carter Beard asked will there be wristbands and how would you manage the control to the sale of alcohol to minors.**

**Jane Bretschger: Stated it will be as normal to card everyone who orders alcohol.**

**There was a motion by Jason Hood and second by Janice Carter Beard authorizing La Carreta Mexican Cuisine located at 108 NW Railroad Avenue to sell alcohol on the sidewalk in front of the restaurant on May 5, 2017 from 2:00pm – 10:30pm.**

**Vote: Johnny Blount (A), Jason Hood (Y), Janice Carter Beard (Y), Lemar Marshall (Y), Mike Williams (Y) Motion Approved 4-0**

**3. A resolution to approve BMB located at 3151 Hwy., 190 West, Hammond La., to obtain a permit to sell packaged high/low alcohol. The owner is SINH HOA Investments, LLC. Jinnie Wilson, presented this item informing council that this is convenient store/ service station. It is existing and been purchased by new ownership previous also sold packaged liquor the business is located across from Applebee's.**

**Representative of Owner: Sinh Wyn, Metairie Louisiana**

**Councilwoman Janice Carter Beard: Informed Mr. Sinh that officers will be checking for sales to underage minors.**

**There was a motion by Janice Carter Beard and Second by Mike Williams to approve BMB located at 3151 Hwy., 190 West, Hammond La., to obtain a permit to sell packaged high/low alcohol. The owner is SINH HOA Investments, LLC.**

**Vote: Johnny Blount (A), Jason Hood (Y), Janice Carter Beard (Y), Lemar Marshall (Y), Mike Williams (Y) Motion Approved 4-0**

**VIII. FINAL ADOPTION OF ORDINANCE:**

**1. Final adoption of an ordinance to remedy or abate chronic nuisance properties.**

**Councilman Mike Williams: Asked City Attorney Coudrain does he see a need to table this item?**

**City Attorney Andre Coudrain: Attorney Coudrain stated he pointed out two things that needed to be added is to add "Health" as a purpose of the ordinance and to carve out for persons operating a**

business or selling items without a license or permit. City Attorney Coudrain stated that every nuisance that happens in the City is not going to invoke this process. The City is looking at chronic properties that have nuisance on a regular basis. He stated that Owners & Landlords will have the opportunity to explain to the council if they believe they should not have to pay for the excess services.

**John Gravette:** Asked how to measure success?

**Councilman Lemar Marshall:** Stated to improve the quality of life in the Community.

**Paula Wells, 122 Rosewood Drive:** Everyone wants to be safe.

There was a motion by Mike Williams and second by Janice Carter Beard to adopt an ordinance to remedy or abate chronic nuisance properties as recommended. **Vote:** Johnny Blount (A), Jason Hood (Y), Janice Carter Beard (Y), Lemar Marshall (Y), Mike Williams (Y) Motion Approved 4-0

**2. Final adoption of an ordinance to Approve Amendment to Ordinance #17-5499 request by Vollen G. Washington (owner) and Alma M. Robinson (applicant) to allow placement of 2016 Mobile Home meeting all code requirements on Lot 6A Square 10 Greenville Park Subdivision instead of Lot 6 located at 104 W. Louisa West St. in accordance with survey by Wm. J. Bodin Jr.; Zoned RS-3 (Z-2017-01-00034) Recommend Denial by Zoning Commission.**

There was a motion by Janice Carter Beard and second by Mike Williams to adopt an ordinance to Approve Amendment to Ordinance #17-5499 request by Vollen G. Washington (owner) and Alma M. Robinson (applicant) to allow placement of 2016 Mobile Home meeting all code requirements on Lot 6A Square 10 Greenville Park Subdivision instead of Lot 6 located at 104 W. Louisa West St. in accordance with survey by Wm. J. Bodin Jr.; Zoned RS-3 (Z-2017-01-00034) **Vote:** Johnny Blount (A), Jason Hood (Y), Janice Carter Beard (Y), Lemar Marshall (Y), Mike Williams (Y) Motion Approved 4-0

**3. Final adoption of an ordinance to Approve for Expanded Conditional Use Request by Leola & Jesse Robinson to allow placement of 2017 Mobile Home meeting all code requirements on Lot 15 Blk 5 in Pine Ridge Addition located at 105 Grant St ;Zoned RS-3 (Z-2017-03-00035) Recommended Approval with Conditions by Zoning Commission.**

**Conditions:**

- 1) The mobile home must meet all requirements for placement of a mobile home and must be constructed to meet the latest HUD standards; and
- 2) The approval shall be with the understanding that such use is a personal right that expires upon a change in occupancy or ownership by Leola & Jesse Robinson, and
- 3) The property must be cleared of trash, abandon cars, and removal of rear mobile home prior to issuance of any permits.

There was a motion by Janice Carter Beard and second by Jason Hood to adopt an ordinance to Approve for Expanded Conditional Use Request by Leola & Jesse Robinson to allow placement of 2017 Mobile Home meeting all code requirements on Lot 15 Blk 5 in Pine Ridge Addition located at 105 Grant St; Zoned RS-3 (Z-2017-03-00035) Recommended Approval with Conditions by Zoning Commission.

**Vote:** Johnny Blount (A), Jason Hood (Y), Janice Carter Beard (Y), Lemar Marshall (Y), Mike Williams (Y) Motion Approved 4-0

**4. Final adoption of an Ordinance to Amend Unified Development Code Ordinance #14-5634 to provide Relative to Article 2 Administration Section 2.3.5 Site Plan Review (Case#TA-2017-03-00005) Recommend approval by Planning Commission.**

There was a motion by Janice Carter Beard and second by Jason Hood to adopt an Ordinance to Amend Unified Development Code Ordinance #14-5634 to provide Relative to Article 2 Administration Section 2.3.5 Site Plan Review (Case#TA-2017-03-00005) Recommend approval by Planning Commission. **Vote:** Johnny Blount (A), Jason Hood (Y), Janice Carter Beard (Y), Lemar Marshall (Y), Mike Williams (Y) Motion Approved 4-0

5. Final adoption of an Ordinance to Amend Unified Development Code Ordinance #14-5634 to provide Relative to Article 3 Permits and Final Plat Approval Section 3.2.2 Bond and Maintenance Requirements D) Maintenance Bond (Case#TA-2017-03-0005) Recommend Approval by Planning Commission.

There was a motion by Janice Carter Beard and second by Jason Hood to adopt an ordinance to Amend Unified Development Code Ordinance #14-5634 to provide Relative to Article 3 Permits and Final Plat Approval Section 3.2.2 Bond and Maintenance Requirements D) Maintenance Bond (Case#TA-2017-03-0005) Recommend Approval by Planning Commission.

Vote: Johnny Blount (A), Jason Hood (Y), Janice Carter Beard (Y), Lemar Marshall (Y), Mike Williams (Y) Motion Approved 4-0

6. Final adoption of an Ordinance to Amend Unified Development Code Ordinance #14-5634 to provide Relative to Article 10 Streets, Sidewalks, and Railroads Section 10.2.2 Street Geometric Design Standards I) (Case#TA-2017-03-00005) Recommend approval by Planning Commission.

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Vote: Johnny Blount (A), Jason Hood (Y), Janice Carter Beard (Y), Lemar Marshall (Y), Mike Williams (Y) Motion Approved 4-0

7. Final adoption of an Ordinance to Amend Unified Development Code Ordinance #14-5634 to provide Relative to Article 10 Streets, Sidewalks, and Railroads 10.2.3 Street and all rights-of-way B) (Case#TA-2017-03-00005) Recommend approval by Planning Commission.

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Vote: Johnny Blount (A), Jason Hood (Y), Janice Carter Beard (Y), Lemar Marshall (Y), Mike Williams (Y) Motion Approved 4-0

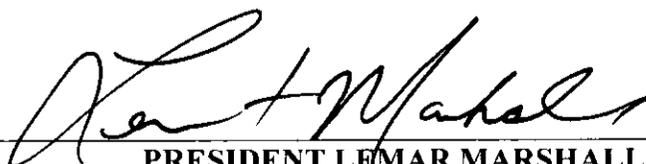
**IX. INTRODUCTION OF ORDINANCE AND SET OF PUBLIC HEARING: NONE**

**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 TRUE AND CORRECT RECITATION OF THE BUSINESS TRANSACTED AT THE REGULAR MEETING OF THE CITY COUNCIL HELD April 25<sup>th</sup>, 2017 BEING 6 PAGES IN LENGTH

  
\_\_\_\_\_  
TONIA BANKS  
HAMMOND CITY COUNCIL CLERK

  
\_\_\_\_\_  
PRESIDENT LEMAR MARSHALL  
HAMMOND CITY COUNCIL