



**HAMMOND CITY COUNCIL
PUBLIC HEARING
MINUTES
312 EAST CHARLES STREET
HAMMOND, LOUISIANA
March 27, 2018
5:30pm**

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

III. PUBLIC HEARING:

1. An ordinance to amend the City of Hammond budget for Fiscal Year 2017-2018 in accordance with the procedures set within Section 5-03 of the City of Hammond Charter. Syeda Naeem, presented this item informing the council that the budget is being amended for those items that have more than 5% variance.

There were no comments

2. An Ordinance to Approve an Expanded Conditional Use request by Channing Garrett (applicant) to allow placement of 2012 mobile home w/chassis meeting all code requirements on Lot 11 Square 4 Kenmore Addition located at 606 Campo St.; Zoned RS-3 (Z-2018-02-00044) recommend denial by Zoning Commission. Tracie Schillace, informed the council that it was recommended denial by the zoning commission because this is not in a proposed mobile home area and is in a floodway. Mr. Garrett applied for a variance that was denied by the zoning commission in which the zoning rules require you to have a front facing door and due to this being a mobile home it's hard to fit a trailer on a narrow lot. Tracie Schillace informed the council that they did discuss with Mr. Garrett if it was approved to place a mobile there, he would cut a door to meet the front facing door requirement.

Comments:

Councilman Lemar Marshall: Asked if the City is asking him to cut a door in another part of the mobile home.

Tracie Schillace: Stated this is for the zoning district requirements which requires for a front facing door. It's also in a floodway which requires strict engineering footings for this mobile home and Mr. Garrett would have to provide engineer drawings and a no rise certificate.

Councilwoman Janice Carter Beard: Asked if the mobile home is already on the property?

Tracie Schillace: Stated the property is vacant

Councilman President Johnny Blount: Informed the council that Mr. Garrett informed him that he will be able to meet all conditions. Councilman Blount asked why they would want Mr. Garrett to have a front facing door.

Tracie Schillace: Stated this is what they wanted in the design when the unified development code was rewritten.

Councilwoman Janice Carter Beard: Asked how can a door be changed on a manufactured mobile home where something may already exist in that part of the mobile home.

Councilman Lemar Marshall: Stated this is a problem with mobile homes on narrow lots.

Tracie Schillace: Informed the council that if he created the front facing door Mr. Garrett would not have to worry about the variance being approved but, he would still need to meet their building code and flood plan requirements, if this is approved.

Councilman Lemar Marshall: Asked is this being denied because he hasn't meet the requirements?

Tracie Schillace: Stated no it was denied due to not being in a proposed mobile home area and it's in a floodway.

Councilwoman Janice Carter Beard: There are other mobile homes in this area and a recent one that was just placed in the area.

Tracie Schillace: Yes, there are several older mobile homes in this area but, they do not front on the canal side they are on the west side of the street. The council is only voting whether to allow to have a mobile home.

Louise Bostic, 112 Elm Drive: Since this mobile home is in a floodway it would have to be 6 to 8 ft., off the ground and thinks the Council should take a look at the area because this is putting these individuals in a hazardous situation.

There were no further comments on this item

Nick Gagliano, 902 West Colorado Street: Thanked the Council for the Filming Ordinance that was passed and looking out for small businesses.



**HAMMOND CITY COUNCIL
MINUTES
REGULAR SESSION
312 EAST CHARLES STREET
HAMMOND, LOUISIANA
March 27, 2018
6:00pm Immediately following Public Hearing**

I. CALL TO ORDER: Council President Johnny Blount

II. ROLL CALL: Johnny Blount (P), Jason Hood (P), Janice Carter Beard (P), Lemar Marshall (P), Mike Williams (A)

III. PRAYER: Pastor West

IV. PLEDGE OF ALLEGIANCE: All veterans and active military, please render the proper salute.
Councilman Lemar Marshall

V. REPORTS:

1. Council: Council President Johnny Blount recognized Eddie Fisher Sr., and Eddie Fisher Jr., - 40114 Annette Drive Ponchatoula, LA.

A. Eddie Fisher Sr., Stated that they are present today seeking an Expanded Conditional Use for an alcohol license. They are opening a Billiard Hall at 42309 South Morrison, the old Ramada Inn or Red Roof Inn Hotel. This is a Billiard Hall not a bar or a club and they have pictures to show the process of what has been done so far. The Billiard Hall will attract a lot of businesses to Hammond and he's looking to create jobs and revenue.

Eddie Fisher Jr., Informed the Council this will be a professional billiard hall not with your ordinary tables - these are professional tournament tables. They have plans to have multiple tournaments held weekly. This has not been done on the Northshore. Stated Charity events will be held and will be providing jobs in the area.

Councilman Lemar Marshall: Asked how many tables do you have total?

Eddie Fisher Jr., - Said they will have 13 tables total.

Kimberly Lakenberry, League Manager for Local American Pool Players Association: 28759 L.J. Methan Road, Holden La. 70744. They operate in Tangipahoa Parish, & Pike County Mississippi. If opened, this location could host National Tournaments & Regional Tournaments. Also, they are looking to institute a junior's Program to promote the sport of billiards.

Eddie Fisher Sr., - Informed the Council that this building is unique because it has (2) separate areas a large ball area with (8) tables and (5) tables in another room.

Councilman Lemar Marshall: Asked if this should be in the same category as the bowling alley & movie theatre. He does not want to put businesses in jeopardy by forcing the 60/40 rule when it's not their intent. This is not a bar this is a billiard hall where professional pool players come to play pool.

Councilwoman Janice Carter Beard: Asked is the 60/40 split just for restaurants? Is this required for them if they are only selling snacks and finger foods?

Eddie Fisher Sr., - We're only selling these types of foods like hot dogs, hamburgers, small things while playing.

Mayor Panepinto: Asked Eddie Jr., that this will not be a bar.

Eddie Fisher Jr. - Informed the Mayor that this will not be a bar just a professional billiard hall.

Councilman Jason Hood: Asked about the rezoning request

City Attorney, Andre Coudrain: Stated it's not a zoning issue, this would be an Expanded Conditional Use. He stated his recommendation will be that they get their permit for billiard hall and if they are then looking to serve alcohol, then they should make a request with Planning and Zoning for Expanded Conditional Use and it's up to Planning and Zoning to make a recommendation, then come back before the Council for a final decision.

B. Pat Farris (Marshal Office) – Recognized by Councilman Lemar Marshall to address Council

Pat Farris, 303 East Thomas Street: Asking to revisit the budget allocated to the Marshals' Office. In the 6 months the profit loss actual shows approximately \$18,149.00 deficit in 6months. He is asking the Council to amend the 2017-2018 operating budget for the City to increase the budget for an additional \$25,000.00 allocation to the City's Marshal Office. Mr. Farris passed out Profit & Loss statements to the Council.

Councilman Lemar Marshall: Asked what was cut out of your budget?

Pat Farris- Several sources of revenues for the Marshal's office: City of Hammond, Tangipahoa Parish Council, Criminal Court Cost, Civil fees.

Councilman Lemar Marshall: What's the reimbursement from Tangipahoa Parish of \$46,000.00?

Pat Farris- Stated it is their monthly allocation, it's currently at \$121,000.00 for the year and broken down per month.

Director of Administration, Lacy Landrum: Asked Mr. Farris if he was making similar reports to the Tangipahoa Parish Government & Ponchatoula City Government, showing them where you're at for your 6 months update and request for additional funds.

Pat Farris – Yes

Councilman Jason Hood: Asked about the cash balances of the Marshal's accounts. The City of Hammond is the largest contributor to the Marshall office & would like for him to reach out to the other agencies to reinstate some the funds. It should not be on the City of Hammond to totally fund.

2. Mayor: Stated that Hammond had a great weekend with the Blues & BBQ Fest that was a success. On Sunday there was an Easter egg hunt at Zemurray Park with 15,000 eggs put out for the children. Golden Corral will be opening in about a month.

3. Recognition of New Businesses: NONE

VI. Minutes of March 13, 2018: After review it was motion by Councilwoman Janice Carter Beard and second by Councilman Lemar Marshall to approve the minutes of March 13, 2018.

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

VII. RESOLUTIONS

A. OLD BUSINESS: NONE

B. NEW BUSINESS:

1. 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 Saturday, May 5, 2018 from 2:00pm – 10:30pm. Jane Bretschger, Stated that La Carreta Mexican Cuisine would like the council to approve a waiver for the alcohol that will be sold on the patio of the sidewalk and will follow up with an ATC Permit as well.

There was a motion by Councilman Lemar Marshall and second by Councilman Jason Hood authorizing La Carreta Mexican Cuisine located at 108 NW Railroad Avenue to sell alcohol on the sidewalk in front of the restaurant on Saturday, May 5, 2018 from 2:00pm – 10:30pm.

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

2. A resolution authorizing La Carreta Mexican Cuisine to obtain a waiver of the Open Container Law for the Cinco de Mayo Celebration on Saturday, May 5, 2018 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 requesting a waiver of the Open Container Law for the Cinco de Mayo Celebration.

There was a motion by Councilman Jason Hood and second by Councilman Lemar Marshall authorizing La Carreta Mexican Cuisine to obtain a waiver of the Open Container Law for the Cinco de Mayo Celebration on Saturday, May 5, 2018 from 2:00pm – 10:30pm within the boundaries of Charles Street to Railroad Avenue and part of Casa de Fresa Parking Mall.

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

3. A resolution to approve Hammond Tobacco & Beer, located at 680 N. Morrison Blvd., Hammond La., to sell High/Low packaged alcohol. The owner is Hammond Tobacco & Beer Inc. Jinnie Wilson, informed the Council this is a new business taking over where the old Circle K was located on N. Morrison Blvd., it's a convenient store and it will be packaged alcohol and they have met all qualifications.

Franki Cali, 1005 Delmar Blvd., Hammond: Representing Noel Poirier owner of the building and Waled Alradei who is opening the business.

Waled Alradei, Hammond, LA was present

There was a motion by Councilman Lemar Marshall and second by Councilwoman Janice Carter Beard to approve Hammond Tobacco & Beer, located at 680 N. Morrison Blvd., Hammond La., to sell High/Low packaged alcohol. The owner is Hammond Tobacco & Beer Inc.

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

4. A resolution to approve Food-n-Fun #23, located at 3151 Hwy., 190 West Hammond La., to sell High/Low packaged alcohol. The Owner is Spoonbill, Ventures LLC., (Councilman Jason Hood temporarily left meeting) Jinnie Wilson, presented this item and this is a convenient type store/truck stop. They have met all requirements that were requested.

Representative: Kim Touchet, 1819 Ryan Ave., New Iberia, La. – Operations Manager

There was a motion by Councilman Lemar Marshall and second by Councilwoman Janice Carter Beard to approve Food-n-Fun #23, located at 3151 Hwy., 190 West Hammond La., to sell High/Low packaged alcohol. The Owner is Spoonbill, Ventures LLC

VOTE: Jason Hood (A), Janice Carter Beard (Y), Mike Williams (A), Lemar Marshall (Y), Johnny Blount (Y). Motion Approved 3-0

5. A resolution to approve “Budget Change Form 18-07” transferring \$61,671 from unencumbered/closed out capital improvements projects to “Downtown Parking Improvements[FY2018]”, project# 420-11711, for a revised project budget of \$75,000.

(Councilman Jason Hood returned to the Meeting)

Chuck Spangler, presented this item informing the Council this is the second half of the downtown parking improvement project. There will be about 10 or 12 parking spaces in the area. This is a request to consolidate this project into one budget.

There was a motion by Councilman Lemar Marshall and second by Councilman Jason Hood to approve “Budget Change Form 18-07” transferring \$61,671 from unencumbered/closed out capital improvements projects to “Downtown Parking Improvements[FY2018]”, project# 420-11711, for a revised project budget of \$75,000.

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

6. A resolution to approve Budget Change Form No. 18-06 transferring \$59,900 from “Mooney Park Improvements” project (420-11209), \$6,600 from “Other Park Improvements” project (420-11511), \$1,800 from “Zemurray Park Improvements” project (420-11708), \$42,700 from “Clarke Park Improvements” project (420-11709), and \$35,000 from “Jackson Park Improvements” project (420-11710) to “Park Restroom Additions” project (420-11808). Chuck Spangler, informed the council that when the splash park was built the health department allowed the City to build with the condition of placing a restroom facility within 500ft of the splash park within 2yrs., and that will be up at the end of this calendar year. The restrooms will be similar to the restrooms at Chappapeela Park. The three parks that the restrooms will be installed are Zemurray, Jackson, and Clarke Park.

There was a motion by Councilman Jason Hood and second by Councilman Lemar Marshall to approve Budget Change Form No. 18-06 transferring \$59,900 from “Mooney Park Improvements” project (420-11209), \$6,600 from “Other Park Improvements” project (420-11511), \$1,800 from “Zemurray Park Improvements” project (420-11708), \$42,700 from “Clarke Park Improvements” project (420-11709), and \$35,000 from “Jackson Park Improvements” project (420-11710) to “Park Restroom Additions” project (420-11808).

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

7. A resolution to authorize the Mayor to enter into an agreement with Holly and Smiths Architects to design restrooms for Clarke, Jackson, Zemurray, and Mooney Parks. Lacy Landrum, presented this item to the Council and stated that both Holly & Smith and Chuck Spangler’s office will be working on this project.

She is requesting the council’s permission to hire Holly & Smith as the Architect for the project.

Councilman Lemar Marshall: Asked that the restrooms be a part of Zemurray Park Master Plan

Lacy Landrum: Stated she will ask Holly & Smith

There was a motion by Councilman Lemar Marshall and second by Councilwoman Janice Carter Beard to authorize the Mayor to enter into an agreement with Holly and Smiths Architects to design restrooms for Clarke, Jackson, Zemurray, and Mooney Parks.

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

8. A resolution to approve Budget Change Form No. 18-08 transferring \$10,000 from “East Church Lighting” project (420-11612) to “Church Street Lighting” project (420-11712). Lacy Landrum, stated this is to combine these two together since the purpose is for the same project. Stated that Councilman Blount has been working with Entergy to get clarification on the status of the project. The project will be moving forward and will have a better cost estimate of the final cost for the project.

There was a motion by Councilman Lemar Marshall and second by Councilman Jason Hood to approve Budget Change Form No. 18-08 transferring \$10,000 from “East Church Lighting” project (420-11612) to “Church Street Lighting” project (420-11712).

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

9. A resolution to approve Change Order No. 2 & Final for “Hammond Northshore Regional Airport Phase III Drainage Improvements – State Project No. H.011255”; (Project #616-11702). Chuck Spangler stated the project is complete, it’s 100% DOTD funds with no local funds but, there is a change order with a credit.

There was a motion by Councilman Jason Hood and second by Councilwoman Janice Carter Beard to approve Change Order No. 2 & Final for “Hammond Northshore Regional Airport Phase III Drainage Improvements – State Project No. H.011255”; (Project #616-11702).

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

10. A resolution to approve Final Acceptance on “Hammond Northshore Regional Airport Phase III Drainage Improvements – State Project No. H.011255”; (Project #616-11702). Chuck Spangler, presented this item and stated this is a closeout of the project withholding 5% retainage and commencing the lien period.

There was a motion by Councilman Jason Hood and second by Councilman Lemar Marshall to approve Final Acceptance on “Hammond Northshore Regional Airport Phase III Drainage Improvements – State Project No. H.011255”; (Project #616-11702).

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

11. A resolution authorizing the Mayor, on behalf of the City of Hammond, to sign an engineering agreement in the amount of \$185,000 with Spangler Engineering, LLC for engineering, including production of plans and specifications (required components of the City's full application to the Clean Water State Revolving Fund), construction inspection, testing and quality assurance, and related engineering fees, for improvements to the South Wastewater Treatment Plant under CWSRF Project CS221742-01. As included in the City's approved pre-application, this amount will be fully reimbursed by the City's \$2,085,000 CWSRF loan. Charles W. Borchers IV, stated one of the components of the full application is plans and specification so we have to retain our contractor which is Spangler Engineering. A project account will be set up when are funds received and funds will be reimbursed when the loan is received.

There was a motion by Councilman Jason Hood and second by Councilwoman Janice Carter Beard authorizing the Mayor, on behalf of the City of Hammond, to sign an engineering agreement in the amount of \$185,000 with Spangler Engineering, LLC for engineering, including production of plans and specifications (required components of the City's full application to the Clean Water State Revolving Fund), construction inspection, testing and quality assurance, and related engineering fees, for improvements to the South Wastewater Treatment Plant under CWSRF Project CS221742-01. As included in the City's approved pre-application, this amount will be fully reimbursed by the City's \$2,085,000 CWSRF loan.

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

12. A resolution to declare the unlawful distribution of opioid medications and opioid addiction a public nuisance. Lacy Landrum, informed the council that she’s been attending training on drugs throughout our communities. Andre Coudrain, City Attorney attended a training that discussed some of the major lawsuits against drug manufactures after the local entities have declared opioids as a nuisance. The LMA recently had their cover article to deal with the Opioid Epidemic. Louisiana is one of the top 10 states for drug overdose death rates and in Tangipahoa Parish is reported to have the second highest rating in Louisiana for opioid abuse. This is impacting every part of our community and this is giving us the tool if we would want to join into the ligation.

Councilman Lemar Marshall: Stated he had a chance to share this information with some of the Physicians and Louisiana has the largest usage of Opioid in Pregnant women. Councilman Lemar Marshall stated that Dr. Mabry, had a concern with the language on identifying people who are addicted to Opioids as a nuisance. He asked to rethink the language on how we’re referring to individuals as nuisance. He would like to change nuisance to public detriment.

City Attorney, Andre Coudrain: Stated the governments who have passed similar resolutions refer to it as nuisance, this is not to identify an individual it’s a term that’s used legally. Stated legally it would not make difference if used detriment or nuisance.

Councilman Lemar Marshall: Stated he would recommend to reconsider using nuisance and replace it with detriment so individuals are not identified as a public nuisance. He asked that it be tabled to change language.

Councilman Lemar Marshall Motion to table to change the language of public nuisance.

City Attorney, Andre Coudrain: Recommended to change the language rather than tabling the matter.

Motion Withdrawn to Table

There was a motion by Councilman Lemar Marshall and second by Councilwoman Janice Carter Beard to **amend** a resolution to declare the unlawful distribution of opioid medications and opioid addiction a detriment to the public.

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

There was a motion by Councilman Lemar Marshall and second by Councilwoman Janice Carter Beard to declare the unlawful distribution of opioid medications and opioid addiction a detriment to the public.

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

13. A resolution to authorize the Mayor to enter into an agreement with Pistorius Associates, LLC to design hangars for the airport. **(Councilwoman Janice Carter Beard temporarily left the room)**

Lacy Landrum, presented this item informing council this is a contract to hire Tom Pistorious as the architect to finish the design of the hangars this was approved in the budget for this fiscal year.

There was no motion. The Council President declared that the Matter Failed for lack of Motion

There was a motion by _____ and second by _____.

VOTE: Jason Hood (), Janice Carter Beard (), Mike Williams (), Lemar Marshall (), Johnny Blount (). No Motion Approved

VIII. FINAL ADOPTION OF ORDINANCE:

1. Final adoption of an ordinance to amend the City of Hammond budget for Fiscal Year 2017-2018 in accordance with the procedures set within Section 5-03 of the City of Hammond Charter.

There was a motion by Councilman Jason Hood and second by Councilman Lemar Marshall to adopt an ordinance to amend the City of Hammond budget for Fiscal Year 2017-2018 in accordance with the procedures set within Section 5-03 of the City of Hammond Charter.

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

2. Final adoption of an Ordinance to Approve an Expanded Conditional Use request by Channing Garrett (applicant) to allow placement of 2012 mobile home w/chassis meeting all code requirements on Lot 11 Square 4 Kenmore Addition located at 606 Campo St.; Zoned RS-3 (Z-2018-02-00044) recommend denial by Zoning Commission.

Channing Garrett apologized for being late and informed the Council he would abide by all the rules that the Zoning Commission informed him to set the mobile home on the property if the Council approved this item.

There was a motion by Councilman Lemar Marshall and second by Councilman Jason Hood to approve an Ordinance to Approve an Expanded Conditional Use request by Channing Garrett (applicant) to allow placement of 2012 mobile home w/chassis meeting all code requirements on Lot 11 Square 4 Kenmore Addition located at 606 Campo St.; Zoned RS-3 (Z-2018-02-00044) recommend denial by Zoning Commission.

VOTE: Jason Hood (Y), Janice Carter Beard (A), Mike Williams (A), Lemar Marshall (Y), Johnny Blount (Y). Motion Approved 3-0

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

X. ADJOURN: There was a motion by Councilman Jason Hood and second by Councilman Lemar Marshall 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 **March 27, 2018** BEING **7 PAGES** IN LENGTH

TONIA BANKS
HAMMOND CITY COUNCIL CLERK

PRESIDENT JOHNNY BLOUNT
HAMMOND CITY COUNCIL