

The Mayor and Council of the City of Gretna met this day Wednesday, September 13, 2017 at 5:34 p.m., in regular session with the following members present: **Councilmen Wayne A. Rau; Milton L. Crosby; Michael A. Hinyub; Mark K. Miller and Jackie J. Berthelot.**

Absent: Mayor Belinda C. Constant
Presiding: Councilman at Large Wayne A. Rau

There was a quorum of all 4 council members.

Notice of the Meeting

Notice of the scheduled meeting of the Mayor and Council Regular meeting was advertised in the Times-Picayune (Official Journal) on September 6, 2017, and posted on the bulletin board at the main entrance of Gretna City Hall, 740 2nd Street, Gretna, Louisiana on August 11, 2017.



Invocation / Pledge of Allegiance

Councilman Crosby offered a prayer upon the opening of the meeting; thereafter the Pledge of Allegiance was recited.



Opening Remarks by the Mayor Pro Tem.

Mayor Pro Tem Rau announced, following the 2017 Gretna Heritage Festival, the city will begin the annual Back to the River Concerts and Back to the Gretna Drive-In movies as follows:

Back to the River Concerts	Back to the Gretna Drive-In movies
October 6 – Aaron Foret	October 7 – Moana
October 13 – Big Al and the Heavyweights	October 14 – Cars
October 20 – Esplanade	October 21 – Finding Dory
October 27 – MJ & The Redeemers	October 28 – Hotel Transylvania
November 3 – The Boogie Men	November 4 – Trolls
November 10 – The Yat Pack	November 11 – Movie is to be announced



Presentations:

Recognition of New Businesses:

InkSpot Graphix (840 Burmaster Street) Mr. Ebon George, Owner.

Councilman Crosby (District 1) read aloud and presented the *Certificate of Appreciation* acknowledging and welcoming **InkSpot Graphix (840 Burmaster Street)**, as a new business to the City of Gretna. Mr. George briefed on the activities and services the business offers to the community, and thanked the City of Gretna for recognizing and welcoming the business into the community.



7. Variance Request(s):

711 Derbigny Street – Shirley Funches, Applicant
Canopy structure built to rear property line in lieu of required 3-ft. setback. (District 2)

Mrs. Azalea Rousell, Planning and Zoning Official provided the variance report as follows:

Variance: Canopy-Rear Yard

Municipal Address: 711 Derbigny Street
Legal Description: Lots 4,5,6,7, Square 19, New Mechanickham Subdivision
Applicant: Mrs. Shirley Fikes Funches
Council District: 2 Historic District: Mechanickham

A commercial building housing a Daycare Center is located on said property which is zoned Neighborhood Commercial (C-1) and located within the Mechanickham Historic District.

The applicant received a Stop Work Order for a rear yard canopy constructed to the rear building line without a building permit. The applicant is applying for the required permit and requesting a variance for the canopy's extension to the rear property line in lieu of the required regulations that every part of a required yard shall be open to the sky.

The applicant is requesting a variance to **Gretna Code of Ordinances Section. 58-156. - Projections into open areas and supplementary bulk regulations:**

(a) Every part of a required yard shall be *open* to the sky except where necessary buildings are permitted in that portion of a rear or side yard and except for the ordinary projections of sills, belt courses, cornices and ornamental features projecting not more than 18 inches beyond any structure.

Section 102- 60 Approval Standards.

(a) **General.** In the consideration of all appeals and all proposed variances and/or exceptions, under the terms of this chapter, the city council shall not grant approval unless it makes a finding, based upon the evidence presented to it, that each case shall indicate all of the following:

(1) The approval, if granted, will not cause any diminution or depreciation of property values of any surrounding property or will not alter the essential character of the locality.

(2) The approval, if granted, will tend to preserve and advance the prosperity and general welfare of the neighborhood and community.

(3) The approval, if granted, will not be detrimental to the public welfare or seriously affect or be injurious to other property in which the property is located, in that it will not: impair an adequate supply of light and air; or increase substantially the congestions in the public streets, create a traffic hazard, or permit inadequate parking; or increase the danger of fire; or substantially affect or overburden existing drainage or sewerage systems; or otherwise endanger the public safety; or cause serious annoyance or injury to occupants or adjoining premises by reason of emission of odors, fumes, gases, dust, smoke, noise, vibration, light or glare, or other nuisances.

(4) A physical hardship with special conditions and circumstances exists which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or building in the same zoning district; and the special conditions and circumstances do not result from the intentional actions of the applicant or any person who may have or had interest in the property; and the strict adherence to the regulation for the property would result in a demonstrable hardship upon the owner as distinguished from mere inconvenience.

(5) Literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter; and granting the variance requested will generally not confer on the applicant any special privilege which is denied by this chapter to other lands, structures, or buildings in the same district similarly situated; and the purpose of the variance is not based exclusively upon a desire to serve the convenience or profit of the property owner or other interested party.

Applicant’s Hardship

The applicant submitted a hardship letter asking that this variance be granted based upon the contents of their letter. (Attached)

Analysis

The business owner has noted that she contracted a licensed professional contractor to install the canopy and believed that all city permits had been obtained. She advised that the canopy was installed to comply with State Day Care Licensing regulations for protection to students during the mandated outdoor time during in climate weather conditions.

This application was presented to the Historic District Commission and received a Certificate of Appropriateness.

The property was posted with a “Variance Applied For” sign as required by law. My office received no inquiries regarding the notice posting.

On motion by **Councilman Hinyub** and seconded by **Councilman Crosby**, **IT WAS RESOLVED** to approve the variance request for 514 Derbigny Street allowing the canopy structure built; contingent upon that the drainage be corrected to allow proper drainage onto property and away from the neighboring property, and all building fees and building issues are resolved, by the following vote:

Yeas: **Councilman Hinyub, Crosby, Miller and Berthelot**
Nays: None
Absent: None
Presiding: Wayne A. Rau, Councilman At Large

There were no comments from the public and/or City Council on this variance request.



514 Derbigny Street - Thomas C. Boudreaux, Applicant
Rear yard setback for a canopy structure. (District 2)

Mrs. Azalea Rousell, Planning and Zoning Official provided the variance report as follows:

Variance: Canopy Cover-Rear Yard

Municipal Address: 514 Derbigny Street

Legal Description: Part of Lots 1, 2 and 3, Square 14, New Mechanickham Subdivision

Applicant: Mr. Thomas Boudreaux

Council District: 2

Historic District: Mechanickham

A commercial building housing an emergency response trauma and death scene cleaning and restoration business is located on said property which is zoned Neighborhood Commercial (C-1) and located within the Mechanickham Historic District.

The applicant has applied for a permit to install a canopy cover extending to the rear property line in lieu of the required regulations that every part of a required yard shall be open to the sky.

The applicant is requesting a variance to Gretna Code of Ordinances Section. 58-156. - *Projections into open areas and supplementary bulk regulations:*

(a) Every part of a required yard shall be *open* to the sky except where necessary buildings are permitted in that portion of a rear or side yard and except for the ordinary projections of sills, belt courses, cornices and ornamental features projecting not more than 18 inches beyond any structure.

Section 102- 60 Approval Standards.

(a) *General.* In the consideration of all appeals and all proposed variances and/or exceptions, under the terms of this chapter, the city council shall not grant approval unless it makes a finding, based upon the evidence presented to it, that each case shall indicate all of the following:

(1) The approval, if granted, will not cause any diminution or depreciation of property values of any surrounding property or will not alter the essential character of the locality.

(2) The approval, if granted, will tend to preserve and advance the prosperity and general welfare of the neighborhood and community.

(3) The approval, if granted, will not be detrimental to the public welfare or seriously affect or be injurious to other property in which the property is located, in that it will not: impair an adequate supply of light and air; or increase substantially the congestions in the public streets, create a traffic hazard, or permit inadequate parking; or increase the danger of fire; or substantially affect or overburden existing drainage or sewerage systems; or otherwise endanger the public safety; or cause serious annoyance or injury to occupants or adjoining premises by reason of emission of odors, fumes, gases, dust, smoke, noise, vibration, light or glare, or other nuisances.

(4) A physical hardship with special conditions and circumstances exists which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or building in the same zoning district; and the special conditions and circumstances do not result from the intentional actions of the applicant or any person who may have or had interest in the property; and the strict adherence to the regulation for the property would result in a demonstrable hardship upon the owner as distinguished from mere inconvenience.

(5) Literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter; and granting the variance requested will generally not confer on the applicant any special privilege which is denied by this chapter to other lands, structures, or buildings in the same district similarly situated; and the purpose of the variance is not based exclusively upon a desire to serve the convenience or profit of the property owner or other interested party.

Applicant’s Hardship

The applicant submitted a hardship letter asking that this variance be granted based upon the contents of their letter. (Attached)

Analysis

The business owner has noted that the canopy cover is needed to protect his critical business equipment from outdoor elements. In addition, he noted that there are several canopies erected and extended to rear and side property lines within the historic district.

This application was presented to the Historic District Commission and received a Certificate of Appropriateness.

The property was posted with a “Variance Applied For” sign as required by law. My office received no inquiries regarding the notice posting.

On motion by **Councilman Hinyub** and seconded by **Councilman Crosby**, **IT WAS RESOLVED** to approve the variance request for 514 Derbigny Street for rear yard setback for a canopy structure; contingent upon the applicant properly contain water runoff from the canopy onto his property, by the following vote:

Yeas: **Councilman Hinyub, Crosby, Miller and Berthelot**

Nays: None

Absent: None

Presiding: Wayne A. Rau, Councilman At Large

Mr. Thomas Boudreaux stated he has proper curbing around the perimeter of the property, once the posts are set to specifications, all the water would stay on his property and would run out appropriately.

There were no further comments from the public and/or City Council on this variance request.



3400 Hero Drive - Johnny Deocampo, Applicant
Side yard setback for an accessory structure. (District 3)

Mrs. Azalea Rousell, Planning and Zoning Official provided the variance report as follows:

Factual Background

Municipal Address: 3400 Hero Drive (Corner of 34th Street)

Legal Description: Lot 1, Square DD, Park Place Subdivision

Applicant: Johnny Deocampo

Council District: 3

Historic District: N/A

The subject property is zoned Single Family Residential District (R-1) and contains a 3 foot elevated single family dwelling. This applicant received a Stop Work Order for rear yard shed constructed on slab without a building permit. The applicant is applying for the required permit for the shed which extends to side yard lot line in lieu of the ft. setback required for an accessory structure.

The applicant is requesting a variance to **Gretna Code of Ordinances, 58-158. - Regulation of Accessory buildings**

(1) Any *accessory* building that is not a part of the main building may be built in a required side yard, provided that such *accessory* building is not less than 60 feet from the front lot line and not less than three feet from the nearest interior side lot line.

Section 102- 60 Approval Standards.

(a) General. In the consideration of all appeals and all proposed variances and/or exceptions, under the terms of this chapter, the city council shall not grant approval unless it makes a finding, based upon the evidence presented to it, that each case shall indicate all of the following:

(1) The approval, if granted, will not cause any diminution or depreciation of property values of any surrounding property or will not alter the essential character of the locality.

(2) The approval, if granted, will tend to preserve and advance the prosperity and general welfare of the neighborhood and community.

(3) The approval, if granted, will not be detrimental to the public welfare or seriously affect or be injurious to other property in which the property is located, in that it will not: impair an adequate supply of light and air; or increase substantially the congestions in the public streets, create a traffic hazard, or permit inadequate parking; or increase the danger of fire; or substantially affect or overburden existing drainage or sewerage systems; or otherwise endanger the public safety; or cause serious annoyance or injury to occupants or adjoining premises by reason of emission of odors, fumes, gases, dust, smoke, noise, vibration, light or glare, or other nuisances.

(4) A physical hardship with special conditions and circumstances exists which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or building in the same zoning district; and the special conditions and circumstances do not result from the intentional actions of the applicant or any person who may have or had interest in the property; and the strict adherence to the regulation for the property would result in a demonstrable hardship upon the owner as distinguished from mere inconvenience.

(5) Literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter; and granting the variance requested will generally not confer on the applicant any special privilege which is denied by this chapter to other lands, structures, or buildings in the same district similarly situated; and the purpose of the variance is not based exclusively upon a desire to serve the convenience or profit of the property owner or other interested party.

Applicant's Hardship

The applicant submitted a hardship letter asking that this variance be granted based upon the contents of their letter. (Attached)

Analysis

The subject property was issued a variance in 2015 for a side yard fence to extend to the side lot line on a corner lot, in an effort to be aligned with an existing rear yard fence abutting the dead end at the Hero Canal. The fence is positioned mid-way between the front and rear building lines. The property owner has removed a portion of the side yard fence and constructed a shed on the property line in alignment with side yard fence.

The property was posted with a “Variance Applied For” sign as required by law. My office received two (2) telephone inquiries being informational in nature.

On motion by **Councilman Miller** and seconded by **Councilman Crosby**, **IT WAS RESOLVED** to approve the variance request for 3400 Hero Drive for side yard setback for an accessory structure contingent upon contingent upon all building fees and all building issues are resolved, by the following vote:

Yeas: **Councilman Miller, Crosby, Hinyub and Berthelot**

Nays: None

Absent: None

Presiding: Wayne A. Rau, Councilman At Large

There were no comments from the public and/or City Council on this variance request.



City Clerk read aloud in its entirety all items on the September 13, 2017 **CONSENT AGENDA**:

7. CONSENT AGENDA:

A. Approval of Meeting Minutes: August 9, 2017 Council Regular meeting.

B. Event Request(s):

- (1) 2017 Gretna Heritage Festival - September 29, 30 and October 1, 2017.
- (2) Halloween Block Party (Colony, Fernwood, Wildwood) - Marina Silva, Applicant
Tuesday, October 31, 2017 - 5:30 p.m. to 9:30 p.m. (District 4)
- (3) Homecoming/Family/Friend Day Fellowship-Regular Baptist Church, Applicant –
Sunday, October 29, 2017, 10:00 AM - 1:30 PM (Weyer & 4th Streets) (District 2)



C. Adoption of Ordinances by Consent:

ORDINANCE NO. 4789

An ordinance amending the Gretna Code of Ordinances, Chapter 40. Mayor’s Court; by adding Section 40-5. –Court Rules for the Mayor’s Court.

WHEREAS, the City of Gretna has interest in the health, safety and welfare of its citizens; and

WHEREAS, the City of Gretna must clearly indicate the procedures for enforcement of different sections of this code by the Mayor’s Court.

NOW THEREFORE BE IT ORDAINED, by the Gretna City Council, acting as legislative authority for said city that:

The Gretna Code of Ordinances, Chapter 40. –Mayor’s Court; is hereby amended by adding Section 40-5. –Court Rules for the Mayor’s Court to read:

Section 40-5. –Court Rules for the Mayor’s Court.

1. PURPOSE

- a. These Rules are intended to govern the day-to-day operation of this Court and to facilitate the meaningful interaction between the Court, attorneys, witnesses, staff and litigants, and to ensure the administration of justice in the most efficient and effective manner possible.
- b. At every court session, this Court shall be presided over by a magistrate, duly appointed by the Mayor and confirmed by a majority vote of the Gretna City Council.
- c. At all times while the Mayor’s Court is in session, the magistrate shall be referred to as “Judge.”

- d. There shall be a Clerk for this Mayor's Court, duly appointed by the Mayor and confirmed by a majority vote of the City Council, who shall perform all duties pertaining to docketing and recordkeeping as more fully required by the Mayor.
- e. The Clerk shall be responsible for the audiotaping of all sessions of Court, beginning 15 minutes before the commencement of Court.

2. COURT SESSIONS

- a. Court will be held Monday through Thursday of each week, except for days declared legal holidays by the City of Gretna, and at other times designated by the Mayor.
- b. You **MUST** be present by 1:00 P.M. Court shall commence promptly at 1:15 P.M. or at other times designated by the Mayor, and shall continue until the business of the day is completed and the Magistrate adjourns Court.
- c. At least one member of the Clerk's staff and the Bailiff, who shall be a member of the Gretna Police Department, shall be in attendance at all times while Court is in session.

3. PROPER ATTIRE

- a. All persons in the courtroom shall be properly attired while Court is in session.
- b. Proper attire shall include a shirt (no tank tops), pants (no shorts), and shoes (no flip-flops).
- c. Proper attire for attorneys shall include a coat and tie.
- d. Clothing shall exhibit no vulgar language or language indicating political support.
- e. No hats or head coverings are allowed unless dictated by a person's religion.
- f. All persons must appear neat and clean.

4. OPENING OF COURT

- a. Before the time scheduled for the opening of Court, the Bailiff shall direct court officers, personnel, litigants and spectators to their seats.
- b. As the Magistrate enters, the Bailiff shall require that all present shall rise.
- c. The Bailiff shall advise everyone that "the Mayor's Court for the City of Gretna is now in session, Judge _____ presiding. Be seated and no talking, please."

5. CONDUCT OF PERSONS IN ATTENDANCE

- a. All persons entering the courtroom must remain seated unless otherwise instructed by the Judge or the Prosecutor.
- b. No person shall approach the Judge's bench while Court is in session, except by permission of the Court.
- c. The use of tobacco in any form is not permitted.
- d. The reading of newspapers is not permitted.
- e. Except for the audio recording authorized and maintained by the Clerk, no recording (audio or video), televising, broadcasting or photographing shall be allowed while Court is in session.
- f. The use of electronic devices, including, but not limited to, cell phones, beepers, transmitters, receivers or entertainment devices is not permitted in the courtroom while Court is in session.

6. ATTORNEY'S CONDUCT

- a. Attorneys appearing before the Gretna Mayor's Court shall, at all times, conduct themselves in accordance with the Rules of Professional Conduct and the Code of Ethics of the Louisiana Bar Association.
- b. Attorneys appearing in Court shall properly address the defendant, witnesses and opposing counsel, and avoid the use of first names or nicknames.
- c. When addressing the Court or making objections, attorneys should rise and direct all objections, as well as remarks and other comments, to the Judge.
- d. All documents, including motions, orders, decrees or judgments, shall be handed to the Clerk, who shall deliver them to the Judge.

7. DEFENDANTS

- a. The defendant should stand before the Judge during his arraignment, while entering a plea or when he is being sentenced. If he is represented by an attorney, he should stand with the attorney.
- b. The defendant should, at all times, be respectful toward the Judge, the attorneys involved in the case, the court personnel and the witnesses.

8. CONTINUANCES

The Judge may grant a continuance to any party after a showing of Good Cause.

9. CONTEMPT OF COURT

- a. Duly appointed Magistrates for the Gretna Mayor's Court have the specific authority to find defendants in Contempt of Court.
- b. In the event of the defendant's willful failure to appear, and after a showing that he/she was duly notified of the date and time that his /her appearance was required, the Judge may find him/her in Contempt of Court.
- c. For each occurrence, the Judge is specifically authorized to levy a fine of up to ONE HUNDRED AND FIFTY (\$150.00) DOLLARS.

10. RIGHT TO REPRESENTATION

- a. Any defendant charged with a crime that, if convicted, could result in his/her incarceration is entitled to legal representation at all times during the proceedings.
- b. If he/she is unable to afford an attorney of his/her choice, one will be appointed at no cost to him/her.
- c. The Judge will make a determination of the defendant's ability to pay for his/her own attorney on a case-by-case basis.

11. WITNESSES

- a. All witnesses shall be treated with courtesy and respect.
- b. All witnesses shall be sworn in before taking the witness stand or testifying.
- c. Neither the attorneys nor the defendant may approach the witness on the witness stand without permission from the Judge.
- d. When an attorney or the defendant finishes questioning a witness, he/she shall so indicate to the Judge.

12. EXHIBITS

- a. Documents shall first be delivered to the Clerk to be numbered consecutively.
- b. Opposing counsel should be provided a copy or allowed to view the original.
- c. The Judge should rule on the admissibility of evidence individually or *en globo*.

13. DISCRETION OF THE MAYOR

If the Mayor determines that the interest of justice is best served by doing so, he/she may allow deviations from these rules. All parties must be properly notified if the Mayor determines that such deviation is necessary.

Provided that a majority of the City of Gretna Council have voted in favor of this ordinance, this ordinance shall have the full force and effect of law at midnight on the tenth day following the Clerk's presentment of the same to the Mayor, in accordance with Louisiana Revised Statutes 33:406(c)(2) unless the Mayor returns the same, unsigned, to the Clerk during that ten-day period.

ORDINANCE NO. 4790

An ordinance amending the Gretna Code of Ordinances, Chapter 16- Criminal Offenses; by amending Sec. 16-47.- Criminal damage to property; Sec. 16-51.- Theft; Sec. 16-51.1.- Unauthorized use of a movable; Sec. 16-52.- Receiving stolen things, and Sec. 16-53. - Criminal damage to property by defacing with graffiti.

WHEREAS, the City of Gretna recognizes and takes seriously its responsibility to protect its citizens from crime; and

WHEREAS, the City of Gretna wishes to exercise jurisdiction over crimes with a threshold value of \$1000.00 or less; and

WHEREAS, the City of Gretna desires to implement penalties for persons who commit crimes; and

WHEREAS, this ordinance is not enhancing the existing penalties nor is it exceeding the constitutional and statutory authority given to Mayor's Court.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Gretna, acting as legislative authority for said City, that:

The Gretna Code of Ordinances, Chapter 16. –Criminal offenses; more particularly amending Sec. 16-47.- Criminal damage to property; Sec. 16-51.- Theft; Sec. 16-51.1.- Unauthorized use of a movable; Sec. 16-52.- Receiving stolen things, and Sec. 16-53. - Criminal damage to property by defacing with graffiti; this ordinance is hereby adopted amending the City of Gretna Code of Ordinances as provided herein.

Sec. 16-47. - Criminal damage to property.

- (a) Criminal damage to property is the intentional damaging of any property of another, without the consent of the owner, and by any means other than fire or explosion.
- (b) Whoever commits the crime of simple criminal damage to property where the damage is less than \$1000.00 shall be punished as provided in section 16-8.

Sec. 16-51. - Theft.

- (a) Theft is the misappropriation or taking of anything of value which belongs to another when the value is less than \$1000.00 either without the consent of the other to the misappropriation or taking, or by means of fraudulent conduct, practices, or representations. An intent to deprive the other permanently of whatever may be the subject of the misappropriation or taking is essential.
- (b) When there has been a misappropriation or taking by a number of distinct acts of the offender, the aggregate of the amount of the misappropriations or taking shall determine the value of the theft.
- (c) Whoever violates the provisions of this section shall be punished as provided in section 16-8.

Sec. 16-51.1. - Unauthorized use of a movable.

- (a) Unauthorized use of a movable is the intentional taking or use of a movable having a value of \$1000.00 or less, which belongs to another, either without the other's consent, or by means of fraudulent conduct practices, or representations, or by intentionally failing to return leased movables when obligated to do so under the terms of the lease and 15 days have passed from the date of written demand for return or surrender of the movable was sent to the lessee's last known address by the lessor or his agent, but without any intention to deprive the other of the movable permanently. The fact that the movable so taken or used may be classified as an immovable, according to the law pertaining to civil matters, is immaterial.
- (b) Whoever commits a violation of this section shall be punished as provided in section 16-8.

Sec. 16-52. - Receiving stolen things.

- (a) Receiving stolen things is the intentional possessing, procuring, receiving, or concealing of anything of value which has been the subject of any robbery or theft, under circumstances which indicate that the offender knew or had good reason to believe that the thing was the subject of one of these offenses and, when the value of the stolen things is less than-\$1000.00.
- (b) When the offender has committed the crime of receiving stolen things by a number of distinct acts, the aggregate of the amount of the things so received shall determine the value of the stolen things received.
- (c) It shall be an affirmative defense to a violation of this section committed by means of possessing, that the accused, within 72 hours of acquiring knowledge or good reason to believe that a thing was the subject of robbery or theft, reports that fact or belief in writing to the parish district attorney.
- (d) Whoever commits the crime of receiving stolen things shall be punished as provided in section 16-8.

Sec. 16-53. - Criminal damage to property by defacing with graffiti.

- (a) It shall be unlawful for any person to intentionally deface with graffiti immovable or movable property, whether publicly or privately owned, without the consent of the owner.
- (b) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
Deface or defacing is the damaging of immovable or movable property by means of painting, marking, scratching, drawing, or etching with graffiti.
Graffiti includes, but is not limited to, any sign, inscription, design, drawing, diagram, etching, sketch, symbol, lettering, name, or marking placed upon immovable or movable property in such a manner and in such a location as to deface the property and be visible to the general public.
- (c) Whoever commits the crime of criminal damage to property by defacing with graffiti, where the damage is less than \$1000.00 shall be punished as provided in section 16-8.

Provided that a majority of the City of Gretna Council have voted in favor of this ordinance, this ordinance shall have the full force and effect of law at midnight on the tenth day following the Clerk's presentment of the same to the Mayor, in accordance with Louisiana Revised Statutes 33:406(c)(2) unless the Mayor returns the same, unsigned, to the Clerk during that ten-day period.

ORDINANCE NO. 4791

An ordinance amending the Gretna Code of Ordinances, Chapter 24- Environment and Natural Resources; by amending Section 24-93(b) Abatement by order of city.

WHEREAS, the City of Gretna recognizes and takes seriously its responsibility to protect its citizens blight and nuisance; and

WHEREAS, the City of Gretna desires to implement procedures for the removal and prevention of blight and nuisance.

NOW THEREFORE BE IT ORDAINED, by the Gretna City Council, acting as legislative authority for said city that:

The Gretna Code of Ordinances, Chapter 24- Environment and Natural Resources; by amending Sections 24-93(b) Abatement by order of city; this ordinance is hereby adopted amending the City of Gretna Code of Ordinances as provided herein.

24-93. - Abatement by order of city.

(b) Abatement of weeds by city. Notwithstanding whether any injunctive or other judicial relief is petitioned for in accordance with the provisions of this article, if the violation consists of weeds, grass or other vegetation on any lot, lots or other parcel of land and is not abated within five days of the notification made in accordance with section 2-1, then the building official of the city is hereby authorized to cut, destroy and remove all such grass, weeds and other deleterious or unhealthy growths of vegetation on a monthly basis or whenever required for compliance with Section 24-92 of this code, and the property owner, as shown on the latest property assessment rolls, shall be assessed a charge for the cutting, destruction and removal in accordance with the following schedule:

(1) A charge of \$0.0558 per square foot, but not less than a minimum charge of \$100.00, shall be assessed.

(2) If the costs to the city for the cutting, destruction and/or removal exceeds the amount of \$100.00, the owner of the property shall be assessed the actual cost, plus a surcharge equal to 25 percent of the costs to cover inspection and administrative costs.

Provided that a majority of the City of Gretna Council have voted in favor of this ordinance, this ordinance shall have the full force and effect of law at midnight on the tenth day following the Clerk's presentment of the same to the Mayor, in accordance with Louisiana Revised Statutes 33:406(c)(2) unless the Mayor returns the same, unsigned, to the Clerk during that ten-day period.

ORDINANCE NO. 4792

An ordinance amending City of Gretna Ordinance No. 1945, adopted by the City Council on the 12th day of July 1989, more particularly amending the zoning classification of Lot 16, Square 15, Mechanickham Subdivision, Gretna, Louisiana from Single-family residential district (R-1) to Business core district (BC-1); directing, authorizing and empowering the Zoning Official to alter and amend the Official Zoning Map of the City of Gretna. Municipal Address: 425 Huey P. Long Avenue

WHEREAS, Eliza N. Henson is the owner of Lot 16, Square 15, Mechanickham Subdivision, City of Gretna, Parish of Jefferson, State of Louisiana; and

WHEREAS, Lot 16, Square 15, Mechanickham Subdivision, is designated on the City of Gretna official zoning map as Single-family residential district (R-1), which said Map forms a part of Ordinance No. 1945, adopted by the Planning Advisory Board; and

WHEREAS, at this time, the owner respectfully requests that Lot 16, Square 15, Mechanickham Subdivision, be rezoned to Business core district (BC-1); and

WHEREAS, the Planning Advisory Board was disbanded by the City Council, and the duties of the Planning Advisory Board were allocated to the Planning and Zoning Official and the Council of the City of Gretna, Louisiana; and

WHEREAS, the Planning and Zoning Official of the City of Gretna, Louisiana has cause to duly advertise as prescribed by law, a public hearing in connection with the zoning reclassification of Lot 16, Square 15, Mechanickham Subdivision, City of Gretna, Parish of Jefferson, State of Louisiana; and

WHEREAS, a public hearing was held by the City Council, in accordance with law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Gretna, acting as legislative authority for said City, that:

SECTION I. The zoning classification of Lot 16, Square 15, Mechanickham Subdivision, Gretna, Louisiana, be and it is hereby amended and changes from Single-family residential district (R-1) to Business core district (BC-1).

SECTION II. The Gretna City Council, hereby directs, authorizes and empowers the Planning and Zoning Official of the City of Gretna, Louisiana to alter and amend City of Gretna Ordinance 1945, more particularly to the Official Zoning Map thereof, to officially designate Lot 16, Square 15, Mechanickham Subdivision, as Business core district (BC-1).

SECTION III. The Mayor of the City of Gretna, State of Louisiana is hereby empowered, authorized and directed to sign and execute all acts of documents necessary and proper in the premises to give full force and effect to this ordinance.

Provided that a majority of the City Council has voted in favor of this ordinance, this ordinance shall have the full force and effect of law at midnight on the tenth day following the Clerk's presentment of the same to the Mayor, in accordance with Louisiana Revised Statutes 33:406(c)(2) unless the Mayor returns the same, unsigned, to the Clerk during that ten-day period.

Mrs. Azalea Roussell, Planning and Zoning Official provided the zoning report as follows:

Rezoning: 425 Huey P. Long Avenue (R-1) to (BC-1)

Municipal Address: 425 Huey P. Long Avenue

Legal Description: Lots 16, Square 15, Mechanickham Subdivision Eliza Henson, Applicant

Current Zoning: Single Family Residential District (R-1)

Proposed Zoning: Business Core District (BC-1)

Council District: 2

Historic District: Mechanickham

The subject property is zoned Single Family Residential District (R-1) and contains a single family dwelling. The majority of parcels within the square where the subject property is located are zoned Business Core District (BC-1).

In 1989, when the City was overlaid with zoning, the subject property was originally zoned Business Core District (BC-1) along with the majority of that square. In addition, the entire Huey P. Long Avenue Corridor is zoned Business Core District (BC-1) from the river southbound to Fifth Street.

In 1999, the property owner at that time applied for a zoning change of the parcel from Business Core District (BC-1) to Single Family Residential (R-1) along with two adjacent parcels. The Council granted approval for the three parcels within the square to be spot zoned (R-1) to construct three single family dwellings. The square contained a majority of mixed commercial uses at that time and continues to do so.

The descriptive portion of the BC-1 zoning district is designed to provide space for essential commercial services and facilities, which presently exist along this section of Huey P. Long Avenue. The request to rezone the subject property to Business Core District (BC-1) is consistent with the majority of the zoning within the square.

The property was posted as required by law. My office received three (3) telephone calls, all being informational in nature.

ORDINANCE NO. 4793

An ordinance to provide for the acquisition of the adjudicated property located at 820 Solon Street by the City of Gretna, LA, pursuant to Louisiana Revised Statute 47:2236.

WHEREAS, there is a general concern for the health, safety and welfare of the citizens of Gretna; and

WHEREAS, the City of Gretna is desirous of improving economic development and subsequent quality of life for citizens of Gretna; and

WHEREAS, the City of Gretna seeks to control the number of abandoned properties and to slow urban blight by placing abandoned properties back into the stream of commerce; and

WHEREAS, La. R. S. 47:2236 provides for a procedure for the City to claim ownership of properties that have been adjudicated to the city for more than five years previously; and

WHEREAS, the below described property located at 820 Solon Street (Parcel No. 8100005350) has been adjudicated to the City of Gretna for more than five years; and

WHEREAS, the City of Gretna desires to acquire the below described property to be used for any valid public purpose, up to and including public auction, lot next door sale, or donation; all as provided for by state law.

NOW, THEREFORE, BE IT ORDAINED by the City Council, acting as legislative authority for the City of Gretna, that:

The City of Gretna intends to claim ownership of the following described property that has been adjudicated to the city for more than five years previously:

ONE CERTAIN LOT OF GROUND, together with all the buildings and improvements thereon, all rights, ways, privileges, servitudes, appurtenances and advantages thereunto belonging or in anywise appertaining, situated in the Parish of Jefferson, State of Louisiana, in the town of McDonoghville, Gretna in Square No. 131 designated as Lot B-2A, all in accordance with plan of resubdivision of Gilbert, Kelly & Couturie, Inc., dated August 30, 1978, filed for record in Jefferson Parish under Entry No. 841309 on September 15, 1978, and according to which said lot is designated as Lot B 2-A of Square 131, which square is bounded by Franklin Street, Solon Street, Kepler Street, and Hancock Street, and according to which commences at a distance of 135.0.1 feet from the corner of Franklin Street and Solon and measures thence 67 feet front on Solon Street, same width in the rear, by a depth of 192 feet between equal and parallel lines.. Lot B-2A is composed of a portion of former lot B-1 and Lot B-2 in accordance with a plan of resubdivision and ordinance No. 1559 of the City of Gretna, filed for record in the Parish of Jefferson under Entry No. 841-308 and said Lot b-2 is composed of former lots 11, 12, 13, and portion of former lot 5A, which is composed of former lots 18 and 19 of Square 131 McDonoghville.

The following parties are owners and/or interested parties, as defined by state law:

City of Gretna
Duckbill Company, Inc.
Parish of Jefferson

Provided that a majority of the City Council have voted in favor of this ordinance, this ordinance shall have the full force and effect of law at midnight on the tenth day following the Clerk’s presentment of the same to the Mayor, in accordance with *Louisiana R.S. 33:406(c)(2)* unless the Mayor returns the same, unsigned to the Clerk during that ten-day period.



E. Adoption of Resolutions by Consent:

RESOLUTION NO. 2017-040

A resolution authorizing Mayor Belinda C. Constant on behalf of the City of Gretna, to enter into a Professional Services Agreement with Burk-Kleinpeter, Inc. for engineer’s services related to the Stumpf Boulevard Drainage Improvements (Friedrichs Street to Westbank Expressway) Project.

WHEREAS, the City of Gretna recognizes the need to reduce the flood risk in the area of Friedrichs Street and Stumpf Boulevard; and

WHEREAS, the City of Gretna wishes to enter into an agreement for engineer’s services, advertisement and construction administration for the enclosure of a portion of the existing Stumpf Boulevard Canal, located between the limits of Friedrichs Street and the Westbank Expressway; and

WHEREAS, the City of Gretna recognizes that the concentration of National Flood Insurance Program flood claims in this area of the City continues to stifle growth and neighborhood outcomes; and

WHEREAS, the City of Gretna is committed and directed appropriate public resources to build appropriate infrastructure and amenities that improves the area.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Gretna, Louisiana, acting as legislative authority for said City, that:

Mayor Belinda Constant is hereby authorized and directed on behalf of the City of Gretna, to enter into a Professional Services Agreement with Burk-Kleinpeter, Inc. for engineer’s services related to the Stumpf Boulevard Drainage Improvements (Friedrichs Street to Westbank Expressway) Project.



RESOLUTION NO. 2017-041

A resolution authorizing Mayor Belinda C. Constant on behalf of the City of Gretna, to execute a Lease-Purchase Agreement with BancorpSouth Equipment Finance, a division of BancorpSouth Bank, for the purpose of lease-purchasing certain equipment.

WHEREAS, the City Council, the governing body (the “Governing Body”) of the City of Gretna, Louisiana (the “Lessee”), acting for and on behalf of the Lessee, hereby finds, determines and adjudicates as follows:

1. The Lessee desires to enter into an Equipment Lease-Purchase Agreement with the Exhibits attached thereto in substantially the same form as attached hereto as Exhibit “A” (the “Agreement”) with BancorpSouth Equipment Finance, a division of BancorpSouth Bank (the “Lessor”) for the purpose of presently purchasing the equipment as described therein for the total cost specified therein (collectively the “Equipment”) and to purchase such other equipment from time to time in the future upon appropriate approval.
2. The Lessee is authorized pursuant to LA R.S. 33:1236 to acquire equipment and furniture by Agreement and pay interest thereon under the Agreement, provided that the Agreement contains a non-appropriation clause.
3. It is in the best interest of the residents served by Lessee that the Lessee acquire the Equipment pursuant to and in accordance with the terms of the Agreement; and
4. It is necessary for the Lessee to approve and authorize the Agreement.
5. The Lessee desires to designate the Agreement as a qualified tax-exempt obligation of Lessee for purposed of Section 265(b)(3) of the Internal Revenue Code of 1986 (the “Code”).

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Gretna, Louisiana, acting as legislative authority for said City, that:

Section 1. The Agreement and Exhibits attached thereto in substantially the same form as attached hereto as Exhibit “A” by and between the Lessor and the Lessee is hereby approve and Mayor Belinda C. Constant (the “Authorized Officer”) is hereby authorized and directed to execute said Agreement on behalf of the Lessee.

Section 2. The Agreement is being issued in calendar year 2017.

Section 3. Neither any portion of the gross proceeds of the Agreement nor the Equipment identified to the Agreement shall be used (directly or indirectly) in a trade or business carried on by any person other than a governmental unit, except for such use as a member of the general public.

Section 4. No portion of the rental payments identified in the Agreement (a) is secured, directly or indirectly by property used or to be used in trade or business carried on by a person other than a governmental unit, except for such use as a member of the general public, or by payments in respect of such property; or (b) is to be derived from payments (whether or not to Lessee) om respect of property or borrowed money used or to be used for a trade or business carried on by any person other than a governmental unit.

Section 5. No portion of the gross proceeds of the Agreement are used (directly or indirectly to make or finance loans to person other than governmental units.

Section 6. Lessee hereby designates the Agreement as a qualified tax-exempt obligation for purposes of Section 265(b) of the Code.

Section 7. In calendar year 2017, Lessee has designated \$_____ of tax-exempt obligations (including the Agreement) as qualified tax-exempt obligations. Including the Agreement herein so designated. Lessee will not designate more than \$10,000,000 of obligations issued during calendar year 2017 as qualified tax-exempt obligations.

Section 8. Lessee reasonably anticipates that the total amount of tax-exempt obligations (other than private activity bonds) to be issued by Lessee during calendar year 2017 will not exceed \$10,000,000.

Section 9. For the purposes of this resolution, the amount of tax-exempt obligations stated as either issued or designated as qualified tax-exempt obligations includes tax-exempt obligations issued by all entities deriving their issuing authority from Lessee or by an entity subject to substantial control by Lessee, as provided in Section 265(b)(3) of the Code.

Section 10. The Authorized Officer is further authorized for and on behalf of the Governing Body and the Lessee to do all things necessary in furtherance of the obligations of the Lessee pursuant to the Agreement, including execution and delivery of all other documents necessary or appropriate to carry out the transactions contemplated thereby in accordance with the terms and provisions thereof.

On motion by **Councilman Hinyub** and seconded by **Councilman Crosby**, **IT WAS RESOLVED** to approve and adopt all the items read aloud from the September 13, 2017, Consent Agenda of the Council Regular meeting, by the following vote:

Yeas: **Councilmen Hinyub, Crosby, Miller, Hinyub and Berthelot**
Nays: None
Absent: None
Presiding: Wayne A. Rau, Councilman At Large

There were no comments from the public and or Council members.



Amendment # 1 to Agenda

On motion by **Councilman Berthelot** and seconded by **Councilman Hinyub**, **IT WAS RESOLVED** to amend the September 13, 2017 Agenda, to add two event requests: Bunco Game, American Legion Auxiliary; October 21, 2017; 7:00 PM; and Wild Dragon Fireworks Demonstration, Wild Dragon/Pyrotecnico, Applicant at Gretna City Park (near soccer field), October 7, 2017 at 7:15 PM, and the same were unanimously approved.

FLOOR 1- Event request: **Bunco Game**, American Legion Auxiliary; October 21, 2017; 7:00 PM
2301 Belle Chasse Highway, American Legion Hall

On motion by **Councilman Berthelot** and seconded by **Councilman Hinyub**, **IT WAS RESOLVED** to approve the event request for the Bunco Game by the American Legion Auxiliary; October 21, 2017; 7:00 PM - 2301 Belle Chasse Highway, American Legion Hall, by the following vote:

Yeas: **Councilman Berthelot, Hinyub, Crosby and Miller**
Nays: None
Absent: None
Presiding: Wayne A. Rau, Councilman At Large

FLOOR 2- Event request: **Wild Dragon Fireworks Demonstration** – Wild Dragon/Pyrotecnico,
Applicant - Gretna City Park (900 Gretna Blvd.) near soccer field October 7,
2017 at 7:15 PM

On motion by **Councilman Berthelot** and seconded by **Councilman Hinyub**, **IT WAS RESOLVED** to approve the event request for **Wild Dragon Fireworks Demonstration**; Gretna City Park (900 Gretna Blvd.) near soccer field October 7, 2017 at 7:15 PM, by the following vote:

Yeas: **Councilman Berthelot, Hinyub, Crosby and Miller**
Nays: None
Absent: None
Presiding: Wayne A. Rau, Councilman At Large



9. REPORTS:

Police Department: None

City Engineer (Burk-Kleinpeter, Inc.)

Mr. David Boyd, City Engineer provided a written monthly Project Status report dated September 13, 2017; provided a brief overview of each projects included in the report. The report was distributed and e-mailed to the council members, and on file in the Office of the City Clerk.

Mr. Boyd proceed to summarize the following projects:

Gretna Police Headquarters Renovation Phase III

Phase III Renovations are underway. Notice to Proceed was issued June 12 with a 240 calendar day project time-February 7, 2018.

Precipitator #2 Rehabilitation, replacing the metal basin with fiberglass

Demolition Work has been completed. Replacement part submittals from the contractor have been reviewed and accepted. Contractor is waiting for these parts to be delivered.

Stumpf Boulevard Sewer Force Main

Attempting to schedule a date and time to perform the connection this week September 5 – 8 due to dry weather conditions.

4th Street Extension

Drainage and Paving operations are underway. Project is moving forward.

Stumpf Blvd. at West Bank Expressway Road Failure-Drainage Project

Inside lane has been closed to traffic for emergency canal filling and lane repair. Currently the inside lane is not safe for use. The tentative schedule is as follows: DOTD Permit has been submitted, Advertisements to begin September 13, Bid Opening October 9, Council Acceptance of Low Bid October 11, Contractor's Notice to Proceed October 30 and Project Completion December 29.

Downtown Gretna Lighting

100% design has been submitted August 4, 2017 for review by the city. Specifications package have been completed. The project will be ready for bid in the month of August pending city approval.

25th Street Canal Project Grant Writing-Engineering Design Request for Proposals

On September 7, there is a meeting with Arcadis, BKI and Mayor Constant on how to proceed with this project.

Stop Sign Study 4th Street (LA 18) and Huey P. Long Avenue

Awaiting Department of Transportation and Development (DOTD) approval and plans from DOTD's Scott Boyle to re-stripe the intersection and install stop sign. A DOTD decision had been promised for August.

Councilman Hinyub asked for an update on the Downtown Lighting Project.

Mr. Boyd provided an update on the Downtown Lighting Project: Meeting held On July 12, 2017 with the Mayor; and the Mayor expressed the need to have the Huey P. Long Lighting Project plans and specifications ready for bid by August 2017. 100% Plans and Specs were emailed to the City for final review August 4, 2017. The plan is to tie portions of the Lighting Project in with 2 other drainage projects that were expected to be bid; the two projects are Downtown Drainage (potential bid date, September) and Jefferson Parish's 5th to 6th Streets Drainage Improvements Project slated to be bid out in October 2017.

The Lighting Project (1st Street to 3rd Street) will be included, the Downtown Drainage Project, to prevent double work and extra cost. The Downtown Drainage Project total cost is estimated at \$3,777,390 with the storm water plaza included; another option, without the storm water plaza, is estimated at \$2,918,377. Currently, the city is awaiting the outcome of a capital outlay funding application. Once the city provides BKI with direction on which or what elements will be part of the final scope for the Drainage Project, and depending upon available funding, BKI will then be able to finalize plans and specifications for advertisement for Downtown Drainage and Huey P. Long Avenue Lighting (1st Street and 3rd Street). The expected letting or bid date for this Downtown Drainage Project is spring 2018. The notion/idea of trying to tie the lighting in with the drainage in the Downtown area will have to be revisited.

The second drainage project that the lighting project will be tied in with, is the Jefferson Parish's Drainage improvements between 5th Street and 6th street.

Once this project is announced for letting/bid, BKI will include that portion of the lighting project with that bid package.

They are other issues, concerning the lighting between 4th Street and 5th Street (along Huey P. Long Avenue), is a State highway. A meeting with Mayor Constant, Councilman Hinyub and Scott Boyle/DOTD and myself. Mr. Boyle assured that we will not need to meet the lighting requirements for portion of the State highway, because it is such a short stretch and the speed limits are slow. Following that meeting, Mr. Perry Hogan, VP of BKI electrical section, spoke with Scott Boyle by phone and asked if the DOTD lighting requirements would be exempt for that portion of the highway (4th Street and 5th Street). Mr. Boyle state we would have to meet their lighting requirements for that portion of the highway; this would include 30-foot high break away poles which could pose problems to the power lines as well as other business that would be impacted if they fall or an accident. The persons who can grant exemption for this portion of the State highway are Ed Douglas and Michael Armentor of DOTD Lighting Electrical Division of DOTD. This might require the State Delegation and City Elected Officials to push for this exemption.

The final option, just to do the Lighting Project as a stand-alone project; probably do double work in the Downtown Drainage area (1st Street and 3rd Street) and (5th Street and 6th Street) it certainly can be done and BKI is prepared to do that with a week notice in order to finalize everything and cater it to a stand-alone project.

Councilman Hinyub stated the need to revisit this project depending on the funding. Wanted to clarify, the city was given a verbal commitment from DOTD on the 4th Street to 5th Street section, as well as the 4th Street Stop Sign and restriping, and are still waiting. The important thing about the lighting that DOTD is requiring, is that the poles would have the lamps above the utilities and if they are struck, they would break away and then, would have fallen poles and lamps on the existing utilities and buildings. If we can get this exemption to keep this project moving, please let us revisit that. Councilman Hinyub believed the city has passed its committed date by 100%.

Mr. Boyd stated that along with the lighting with DOTD; need to mention the 3-Way Stop sign at 4th and Huey P. Long Avenue and the re-striping, he suggested applying a little pressure as well.



Departmental Reports distributed: Reports dated September 13, 2017

Finance Department report titled “Actual vs. Budget for Major Funds” was received and distributed to the Council members.

Reports dated September 13, 2017 were received from the following: Building Department, Code Enforcement, Public Works Department and Historic District Commission. Said reports are on file in the Office of City Clerk and are a part of the Novus Agenda (paperless).

There were no comments from the public and or council members.



Council District Reports:

Councilman Crosby (District 1) – No comments.

Councilman Hinyub (District 2)

Councilman Hinyub thanked Mr. Danny Lasyone, Public Works Director and Mr. Michael Hinyub, Public Utilities Director for their pro-active stance on preparing for what was expected to be a large rain event for Hurricane Harvey. The crews were out the entire weekend and appreciated the preparations.

Councilman Miller (District 3)

Councilman Miller echoed on Councilman Hinyub’s comments. Public Works and Public Utilities did a fabulous job as always. At this time, they are ongoing street repairs through District 3 and doing fills in City Park and some of the lower line areas that hold water, which helps with mosquito control and grass maintenance.

Councilman Berthelot (District 4)

Councilman Berthelot thanked everyone who participated in the preparation for the expected rain event.

Councilman-at-Large Rau (Citywide)

Councilman Rau echoed on all the Council members comments; it was incredible to see everybody in the city work together as a true team to prepare the city in every way possible. The Police Department did a lot of preparation and set up in place. Everything was done in a timely manner; thanks to everybody.



10. Introduction of an Ordinances: (Read into record)

A. An ordinance amending the Gretna Code of Ordinances, Chapter 16.- Criminal Offenses; Article V; by adding Section 16-124. – Public consumption of alcoholic beverages prohibited.

Requested by: Administration

Sponsor: Councilman Hinyub

B. An ordinance amending Ordinance No. 4767 adopted March 8, 2017 by the City Council, which established the fees for reproduction charges, by removing one of the listed items. All other parts within said ordinance, remains the same.

Requested by: Administration

Sponsor: Councilman Rau

- C. An ordinance approving the resubdivision of Lot 3 and Part of Lot 4, Square 20, Garden Park Subdivision, Gretna, Louisiana **INTO** Lots 3A and 3B, Square 20, Garden Park Subdivision, per the plan of survey and resubdivision of Dufrene Surveying & Engineering Inc., dated August 9, 2017.
Municipal address: 61 Willow Drive **Sponsor: Councilman Hinyub**
- D. An ordinance approving the resubdivision of Lots 3, 4 and Part of Lot 5, Square 15, Garden Park Subdivision, Gretna, Louisiana **INTO** Lots 3A, 4A and 5A, Square 15, Garden Park Subdivision, per the plan of survey and resubdivision of Dufrene Surveying & Engineering Inc., dated July 21, 2017.
Municipal address: 49 Holly Drive **Sponsor: Councilman Hinyub**
- E. An ordinance approving the resubdivision of Lot A2, Square 21, McDonoghville Subdivision, Gretna, LA **INTO** Lots A2A and A2B, Square 21, McDonoghville Subdivision, per the plan of survey and resubdivision of Dufrene Surveying & Engineering Inc., dated July 19, 2017.
Municipal address: 312 & 316 Virgil Street **Sponsor: Councilman Hinyub**
- F. An ordinance amending the Gretna Code of Ordinances, Chapter 58. Zoning and Subdivisions; particularly amending Section 58-117. –Business core district, BC-1; by adding paragraph (C) (3).
Requested & Sponsored by: Councilman Hinyub



Citizens Addressing the Mayor Pro Tem and City Council:

Ms. Linda Sanchez, a Gretna resident addressed the Mayor Pro Tem and City Council with concerns relative to ownership and conditions of the old Heebe Bakery building (corner of Lafayette and 5th Street). She stated that the building is in deplorable conditions and it is in a historic district.

Councilman Rau explained the new owners are in contract with an architect at this time to redesign and redo everything and that is pending at this time and there is no timeframe.



Other Matters:

A temporary moratorium prohibiting the issuance of building permits, and the construction of impervious flatwork in the non-buildable area of all residential districts.

Councilman Rau explained that this moratorium being established because the city has had several builders who have gotten permits in past to do and recently to construct houses on a lot and occupy at 90% of that lot with concrete. In relation to the current guidelines/trends towards preserving not only green space but also helping to prevent storm water/rain water runoff and creating drainage problems for the city; met with the city attorney and drafted this moratorium to give us time. The city is in the process of working on zoning and ordinances to address what requirements we are going to have for a percentage of property that must be left as green space when construction is done; or to have a pervious surface so that the rainwater is allowed to go into the ground. Hurricane Harvey prompted this moratorium, upon viewing on television a 20-year plot plan of the City of Houston, which showed the open space that was green space and compared it now/present, which is concreted. They have attributed the huge amount of the flooding problems Houston had to the fact that most of the city is covered with concrete. This is nationwide trend, getting away from having completely concrete properties and opens them to more drainage aspects. The city just requested the owners of Westside Shopping Center south, to do islands, open spaces and drainage areas in an attempt to retain some of their water before it runs into the city’s drainage system. This is a moratorium to allow the city to get legislation in place that will specify the dimensions and the requirements exactly as to what green space has to be maintained.

Ms. Lora Delhomme approached the podium questioning the deadline for the moratorium. Expressed wanting to make sure that not all building permits issuance were prohibited for six months.

On motion by **Councilman Berthelot** and seconded by **Councilman Hinyub**, the following action was discussed:

MORATORIUM

A TEMPORARY MORATORIUM PROHIBITING THE ISSUANCE OF BUILDING PERMITS, AND THE CONSTRUCTION OF IMPERVIOUS FLATWORK IN THE NON-BUILDABLE AREA OF ALL RESIDENTIAL DISTRICTS.

It is moved that a 180-day moratorium be established prohibiting the issuance of building permits and the construction of impervious flatwork in the non-buildable area of all residential districts.

THEREFORE, PURSUANT TO ARTICLES 44-41 and 44-42 and by the City Council acting as legislative authority for the City of Gretna does hereby establish a 180-day moratorium prohibiting the issuance of building permits and the construction of impervious flatwork in the non-buildable area of all residential districts.

Provided that a majority of the City Council has voted in favor of this moratorium, this moratorium shall have immediate full force and effect of law.

This moratorium having been submitted to a vote, the vote thereon was as follows:

Yeas: **Councilmen Berthelot, Hinyub, Crosby and Miller**

Nays: None

Absent: None

Abstained: None

Presiding: Wayne A. Rau, Councilman At Large



Amendment 2 to Agenda

On motion by **Councilman Berthelot** and seconded by **Councilman Hinyub**, **IT WAS RESOLVED** to amend the September 13, 2017 Agenda, to add a third event request: Bad Wolf Bar (2010 O'Connor Street) for a Comic Con (like craft fair) on October 21, 2017; 10:00 AM, and the same were unanimously approved.



There was no further business to conduct, and on motion by **Councilman Miller** and seconded by **Councilman Berthelot**, the Council Regular meeting for September 13 , 2017 adjourned at 6:17 p.m., and the same was unanimously approved.

Respectfully submitted:

/S/ NORMA J. CRUZ
CITY CLERK
CITY OF GRETNA
STATE OF LOUISIANA

/S/ WAYNE A. RAU
MAYOR PRO-TEMPORE
CITY OF GRETNA
STATE OF LOUISIANA

A TRUE COPY:

/S/ NORMA J. CRUZ
CITY CLERK
CITY OF GRETNA
STATE OF LOUISIANA