

**PROCEEDINGS OF THE MAYOR  
AND BOARD OF ALDERMEN  
TOWN OF GRAMERCY  
NOVEMBER 13, 2017**

**PUBLIC HEARING**

ORDINANCE 701-17 AN ORDINANCE AMENDING THE TOWN OF GRAMERCY CODE OF ORDINANCES, CHAPTER 74, UTILITIES, ARTICLE IV, SEWER USE AND WASTEWATER COLLECTION AND TREATMENT, DIVISION 3, DOMESTIC USER REGULATIONS, TO PROVIDE AN ALTERNATIVE ADMINISTRATIVE ENFORCEMENT REMEDY.

Eric Deroche, 420 E. Eighth Street, stated he owned the land in a mobile home park but not the mobile homes. He asked the Mayor and Board of Aldermen to consider an amendment to state that the owner of the titled mobile homes be held responsible for necessary repairs. The Mayor and Board of Aldermen agreed to consider this amendment.

ORDINANCE 702-17 AN ORDINANCE AMENDING THE TOWN OF GRAMERCY CODE OF ORDINANCES, APPENDIX A, ZONING, ARTICLE 20, C-1 CENTRAL BUSINESS DISTRICT, TO IMPOSE NECESSARY CONDITIONS AND STANDARDS FOR THE DISTRICT

Eric Deroche, 420 E. Eighth Street, expressed concerns including if 50% of exterior glass includes the side of the building, if there is a common building is the building owner responsible for commercial fronts or is the business owner responsible, and asked for clear language on standards for business signs. Alderman Coleman suggested having a public workshop for the business and property owners to ask questions and to give them a guideline as to what the Town is asking for.

No further comments were received on the above ordinances. Mayor Nosacka asked for a motion to close the public hearing. Motion by Alderman Lee, second by Alderman Bourgeois and the public hearing was closed at 7:35 pm.

The Mayor and Board of Aldermen of the Town of Gramercy, Louisiana, met in regular, monthly session on Monday, November 13, 2017, 2017, at 7:35 p.m. at the Gramercy Town Hall.

Mayor Nosacka called the meeting to order, and asked that the Clerk to call roll:

There were present: Mayor Steven Nosacka, Alderman Jody Bourgeois, Alderman Craig Calcagno, Alderman Betty C. Coleman, Alderman Rhonda Lee, Alderman Claude Wiggins

There were absent: None

There were also present: Chief of Police Brent Dicharry, Town Attorney Robert Fauchaux, Jr., Town Clerk Amy St. Pierre

**PUBLIC COMMENTS**

No comments were received on agenda items.

**REPORTS**

**1. MAYOR'S REPORT**

Mayor Nosacka stated that Mr. Thomas Ragas 90 day extension ended on November 8, 2017. At the time the town is seeking quotes to remove the second floor, cover the first floor, and remove the remainder of debris on the exterior. He will advise Mr. Ragas of the costs when received. Mr. Ragas stated he has had health issues that prevented him from getting more work completed. The mayor stated it would take about 30 days to receive and review the quotes and suggested Mr. Ragas continue work on his property. Lauri L Photography, 224 E. Main Street, Gramercy, will have its grand opening on Thursday, November 16, 2017 at 3:00 pm. The East Bank Drainage Task Force will hold a public meeting on Monday, November 20, 2017 at 6:00 pm, Grand Point Fire Station. Sonic has removed the full dumpster and inquired about applying for a renovation permit. The blighted house on Golden Grove Street has been demolished and the town will invoice the property owner for costs.

**REPORTS ON ONGOING PROJECTS**

Mayor Nosacka stated that the appraisal for the Union Hall property will be completed soon for the E. Railroad Project.

**REPORTS OF DEPARTMENT HEADS AND DIRECTORS**

**A. CHIEF OF POLICE**

Police Chief Brent Dicharry reported that the Police Department responded to 294 calls for October. Halloween night was successful and without incident. Chief Dicharry has interviewed three applicants to fill the vacancy at the Police Department and hopes to come forward with a recommendation in December.

## **B. EMERGENCY PREPAREDNESS**

Lt. Jody Ordeneaux reminded Gramercy residents to check the batteries in their smoke detectors and to clean out vents. He suggested the Town researches drainage regulations for new developments. This could possibly help with flood prevention in the future.

### **REPORTS FROM ST JAMES PARISH GOVERNMENT**

Councilman Alvin St. Pierre, Jr. reminded everyone that the East Bank Drainage Task Force will hold a public hearing on November 20, 2017 at 6:00 pm, Grand Point Fire Station. St. James Parish Council is working on the proposed budget for next year. He has requested money to work on the clearing of several drainage canals and Recreation District ball parks A & B for phase II plans.

### **REPORTS FROM GRAMERCY RECREATION DISTRICT**

Mr. Calcagno passed out this monthly report. DHH is requesting a Certified Food Safety Person at every park. The press box repair estimate is \$3,200.00.

### **ORDINANCE – FINAL ACTION**

#### ORDINANCE 701-17

AN ORDINANCE AMENDING THE TOWN OF GRAMERCY CODE OF ORDINANCES, CHAPTER 74, UTILITIES, ARTICLE IV, SEWER USE AND WASTEWATER COLLECTION AND TREATMENT, DIVISION 3, DOMESTIC USER REGULATIONS, TO PROVIDE AN ALTERNATIVE ADMINISTRATIVE ENFORCEMENT REMEDY.

WHEREAS, an Ordinance amending the Town of Gramercy Code of Ordinances, Chapter 74, Utilities, Article IV, Division 3.

The following shall be added and read as:

#### **Sec. 74-270. – Option for Town to Issue Notice to Correct.**

As an alternative to the provisions of Section 74-269, when the town finds that a residential or commercial user has violated, or continues to violate, any applicable provisions of this article, the town may serve upon that user a written notice to the person owning or occupying the premises, which notice shall require within 30 days of receipt of this notice of the violation, that the person owning or occupying the premises shall take corrective action as specified within the written notice.

#### **Sec. 74-271. - Service of notice to correct.**

The notice provided for Section 74-270 shall be forwarded by registered mail, with a return receipt requested, addressed to the person owning or occupying the premises at his last known address. Notice directed to the person owning the premises as shown on the last assessment rolls duly filed with the Parish Assessor shall be sufficient to constitute notice to the person actually owning the premises.

#### **Sec. 74-271. - Presumption of receipt of notice to correct.**

The notice provided for Section 74-271 shall be presumed to have been received by the person owning or occupying the premises when deposited in the United States post office for delivery to such person.

#### **Sec. 74-272. - Failure to comply with notice.**

Upon failure, neglect or refusal of the person owning or occupying the premises to comply with the notice issued under this article with seven days after the date of written notice, the person owning or occupying the premises shall be deemed in violation of this article and shall be subject to the penalties provided in this article.

#### **Sec. 74-273. - Authority of town to correct.**

Under this article, in default of corrective action within the period provided for, the mayor or his duly authorized representative is authorized and empowered, at the expense of the person owning the premises, to order by town forces or by contract the performance of the specified corrective action.

#### **Sec. 74-274. - Statement showing expense incurred; addition to tax liability.**

Upon the performance of the specified corrective action the tax collector shall furnish the owner, as shown on the last assessment roll of the town, by registered mail, a written statement showing the cost or expense incurred for the work and the place or property on which the work was done. If the statement is not paid within one month thereafter, the amount shall be

included in and form part of the taxes due by the owner of the property and when collected shall be credited to the general fund of the town.

**Sec. 74-275. - Lien for cost of correction by town.**

(a) If the full amount due the town is not paid by the person owning the premises within 30 days after completion of the work, as provided for in this article, the mayor or his duly authorized representative shall cause to be recorded in the mortgage records of the parish a sworn statement showing the cost incurred for the work and the date and place or property upon which the work was done. The recordation of such sworn statement shall constitute a lien and privilege on the property and shall remain in full force and effect for the full amount due in principal and interest, plus costs of court, if any, for collection for a period of ten years from the date of filing. The lien and privilege shall be prior in rank to mortgages, vendor's privileges and all other privileges except tax privileges. The cost and expenses shall be collected in the manner fixed for the collection of taxes and shall be subject to a delinquent penalty of ten percent if the cost and expense is not paid in full on or before 30 days after the date of completion of the work.

(b) Sworn statements recorded in accordance with this section shall be prima facie evidence that all legal formalities have been complied with and shall be full notice to every person concerned that the amount of the statement plus interest constitutes a charge against the property designated or described in the statement and the charge is due and collectible as provided by law.

Said Ordinance having been introduced Monday, October 9, 2017, notice of public hearing having been published on October 26, 2017 said public hearing been held on Monday, November 13, 2017 the title having been read and the Ordinance considered on motion by Alderman Bourgeois, second by Alderman Calcagno, to adopt the Ordinance, a record was taken and the following result was held

YEAS:	Bourgeois, Calcagno, Lee, Wiggins, Coleman
NAYS:	None
ABSENT:	None
ABSTAIN:	None

And the ordinance was declared adopted on this 13<sup>th</sup> day of November, 2017.

/s/ Mayor Steven T. Nosacka

Attest: /s/ Amy St. Pierre, Town Clerk

ORDINANCE 702-17

AN ORDINANCE AMENDING THE TOWN OF GRAMERCY CODE OF ORDINANCES, APPENDIX A, ZONING, ARTICLE 20, C-1 CENTRAL BUSINESS DISTRICT, TO IMPOSE NECESSARY CONDITIONS AND STANDARDS FOR THE DISTRICT

WHEREAS, an Ordinance amending the Town of Gramercy Code of Ordinances, Appendix A, Zoning, Article 20, C-1 Central Business District, to add Sections 20.6 through 20.8.

The following shall be added and read as:

**Sec. 20-6. Town Authority.**

The Town of Gramercy shall have the authority to impose such conditions and standards as deemed necessary to promote and preserve the public safety and economic and business interests of the District and surrounding area, and the health, safety, morals, comfort, convenience and welfare of persons residing, frequenting or working in or adjacent to the District.

**Sec. 20-7. Central Business District Standards.**

- (a) Building Exteriors
  - (1) Glass exteriors including doors and windows shall be replaced as needed to be free of visible cracks.
  - (2) Boards or other similar coverings shall not be used to cover glass exteriors.
  - (3) If posters or other coverings are applied to doors or windows, Business owner shall allow for at least 50% of exterior glass to be free of coverings.
  - (4) Exterior walls and trim must be uniformly painted or covered, and be free of visible mold, mildew, peeling paint, rotting wood, and other similar signs of wear and lack of maintenance.
  - (5) Roofs must be maintained so as to keep leaks from damaging building interiors and resulting indoor air quality hazards.
  - (6) Signage applied to building exteriors, including glass exteriors, must be professionally produced and installed in a type and manner that enhances the economic and business interests of the entire District.
- (b) Greenspaces, Sidewalks, Parking Areas
  - (1) Greenspaces, sidewalks, and parking areas must be maintained to an extent that the area positively contributes to the economic and business interests of the entire District.

**Sec. 20-8. - Violations; penalty.**

- (a) If any person violates any provision of this article or by any means or actions prevents or attempts to prevent any employee of and/or other person authorized by the town from carrying out the provisions of this article, he shall be deemed guilty of a misdemeanor and, upon conviction thereof, may be punished as provided in Section 1-11.
- (b) The fact that the town may cause the premises, building, buildings, or parts thereof, or other structure to demolished or repaired at the expense of the person owning the same shall not preclude the town mayor from taking legal action in a court of competent jurisdiction against the person who shall fail, neglect or refuse to comply with the orders of the town mayor and board of aldermen; and the violation or disregard of such orders shall be considered a violation of this article.

Said Ordinance having been introduced Monday, October 9, 2017, notice of public hearing having been published on October 26, 2017 said public hearing been held on Monday, November 13, 2017 the title having been read and the Ordinance considered on motion by Alderman Wiggins, second by Alderman Calcagno to adopt the Ordinance, a record was taken and the following result was held

YEAS:	Wiggins, Calcagno, Coleman, Bourgeois, Lee
NAYS:	None
ABSENT:	None
ABSTAIN:	None

And the ordinance was declared adopted on this 13<sup>th</sup> day of November, 2017.

/s/ Mayor Steven T. Nosacka

Attest: Amy St. Pierre, Town Clerk

**RESOLUTIONS**

RESOLUTION NO. 26-17

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE ANNUAL AGREEMENT WITH THE PONCHARTRAIN LEVEE DISTRICT AND THE COOPERATIVE ENDEAVOR AGREEMENT PERTAINING TO THE CHRISTMAS BONFIRE PROGRAM

WHEREAS, the Town of Gramercy, Louisiana, and the Pontchartrain Levee District desire to enter into an annual Christmas Bonfire program agreement; and,

WHEREAS, the Town of Gramercy, Louisiana, desires once again to comply with the Pontchartrain Levee District Christmas Bonfire program agreement; and,

WHEREAS, the Town of Gramercy, Louisiana, desires to enter into the Cooperative Endeavor Agreement pertaining to the Christmas Bonfire Program.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN, GRAMERCY, LOUISIANA, THAT:

SECTION 1. Mr. Steven T. Nosacka, Mayor, is hereby authorized and empowered to enter into and sign said Christmas Bonfire Program agreement and the Cooperative Endeavor Agreement with the Pontchartrain Levee District, and to pay the Towns' portion of the liability insurance premium in the amount of \$2,500.00.

SECTION 2. That the subject agreements for the Christmas Season 2017 be attached hereto and made a part hereof.

The above resolution was offered by Alderman Coleman, seconded by Alderman Wiggins:

A vote being taken on the above resolution, the vote was as follows:

YEAS:	Bourgeois, Calcagno, Coleman, Lee, Wiggins
NAYS:	None
ABSENT:	None
ABSTAIN:	None

And the resolution was declared adopted on this the 13<sup>th</sup> day of November, 2017.

RESOLUTION 27-17

A RESOLUTION REQUESTING A LEGAL OPINION FROM THE LOUISIANA ATTORNEY GENERAL REGARDING PUBLIC DRAINAGE STATE STATUTE R.S. 38:215.1

WHEREAS, the Town of Gramercy has a need to access existing drainage canals and ditches for the purpose of maintaining and improving drainage and flood protection for the residents and businesses of the Town;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND THE BOARD OF ALDERMEN, TOWN OF GRAMERCY, LOUISIANA THAT:

SECTION 1. The Town Attorney is authorized to request a Legal Opinion from the Louisiana Attorney General regarding State Statute R.S. 38:215.1 and its possible use by the Town to assist with drainage and flood protection efforts on behalf of the residents and businesses in the Town of Gramercy.

A motion to adopt the above resolution was made by Alderman Calcagno, seconded by Alderman Bourgeois and resulted in the following vote:

YEAS:	Bourgeois, Calcagno, Coleman, Lee, Wiggins
NAYS:	None
ABSENT:	None
ABSTAIN:	None

And the resolution was declared adopted on this the 13<sup>th</sup> day of November, 2017.

#### **APPROVAL OF MINUTES**

It was moved by Alderman Coleman, second by Alderman Wiggins and approved to dispense with the reading of the minutes of the previous meeting and to adopt the minutes as published.

#### **PAYMENT OF BILLS/FINANCIAL STATEMENTS**

It was moved by Alderman Calcagno, second by Alderman Bourgeois, and approved to pay all bills and accept financial statements presented before the Council.

#### **ALDERMEN'S REPORT**

Alderman Calcagno passed out his monthly report. Alderman Calcagno thanked Rep. Clay Schexnayder for helping get the new red light at US 61/LA 3274. He attended the first East St. James Drainage Task Force meeting and was impressed by the amount of information presented.

Alderman Bourgeois reported that the sidewalk at 358 N. Pine Street is caving in and asked for it to be repaired.

Alderman Lee thanked the Mayor for finishing Mr. Fauchoux's driveway after town made basin repairs. She offered her condolences to the family of Bob Bolton.

Alderman Wiggins thanked everyone involved in the Veterans Day Program, the event was very successful. He asked the mayor to send a thank you note to Rep. Clay Schexnayder for helping with the new red light.

Alderman Coleman thanked Councilman Alvin St. Pierre for all his help with the Town throughout the year and wished everyone a Happy Thanksgiving.

There being no further business it was moved by Alderman Lee, second by Alderman Calcagno and approved to adjourn 8:40 pm.

/s/ Steven T. Nosacka, Mayor

/s/ Amy St. Pierre, Town Clerk