

**CITY OF HARAHAH**  
**6437 JEFFERSON HIGHWAY, HARAHAH, LOUISIANA**  
**MAYOR AND HARAHAH CITY COUNCIL**  
**August 20, 2015**

The Mayor and the Council met on the above date for the regular meeting at 7:30 pm.

**PLEDGE OF ALLEGIANCE**

Following the Pledge of Allegiance, the Mayor called the Meeting to order at 7:30 p.m.

**ROLL CALL**

**Present:** Mayor Miceli, Councilman Baudier, Councilman Huete, Councilman Johnston, Councilman Wheeler, Municipal Clerk Nicole Lee, Fire Chief Todd St. Cyr, Police Chief Tim Walker

**Absent:** Councilman Benton

**Mayor Miceli** introduced Attorney Michael Mullin and said she will be nominating him as City Attorney.

**Mr. Mullin** addressed the council and gave his qualifications for the office.

**Police Chief Walker** vouched for Mr. Mullen and his qualifications.

**Mayor Miceli** gave an update on Hurricane Danny and announced that there is a link on the city's web page to keep people updated. She also announced that Harahan citizen Kevin Elfert attained the rank of Eagle Scout in Oct. of last year.

She also announced that she went to Washington, D.C. & met with Senators Vitter & Cassidy and Rep. Scalise concerning help for the city. They are very willing to help. Senator Vitter will be in town tomorrow to help write grants to make improvements to the city.

**SPECIAL PRESENTATIONS**

**Yvonne Morise** addressed the council on the St. Vincent de Paul Society Walk for the Poor Fundraiser. It will be held at Laketown in Kenner next to the Treasure Chest. The walk is ½ up on the levee and back. Walk starts at 9 am with the party until 11 am. Food is provided. Mayor Miceli and Mayor Mike Yenni will be serving the food. Registration is required. Registration forms available at City Hall. Registrants get a free T-shirt.

**Dawn Benoit** presented the awards to the following:

JPRD undefeated 10 and under girls softball Eastbank Champs  
12 and under girls Parish All-stars, State Champs, Southwest Regional Champs and World Series Champs.

**ADDRESS THE COUNCIL**

**Former Mayor Vinny Mosca** said there is life after politics – 2 issues – prior to 1995 the city had not held a tax sale. Never authorized a tax sale against a Harahan resident. Liens were placed for delinquent taxes and when the property was sold – the lien was paid. 96-97% pay their taxes. Title 33:461 – which allows Mayor to direct any sale by ordinance of a taxes property. His choices concerning tax sale were simple. Investors come from outside the city – usually for rental property. If this administration chooses to do so – notice must be given. He did not object to have police and fire and non-civil service employees to have insurance. Also former police employees under last police chief hired an attorney who said we were not following federal guidelines about pay. He negotiated a consent judgment that he negotiated paid their insurance for 6-9 months after they left the department. In 2012 after consulting the council & 5 different Mayors in Jefferson Parish – I made decision to give insurance to the council for 2 reasons. He felt that if a councilman was hurt on the job – workman's comp would come in – he considered them full time employees. He offered insurance and most accepted it. He believes that the council puts in a lot of time and effort. If you know them you know the council a friends knows they are dedicated.

**Laurie Dominguez**, Oak Ave. The health insurance increases the cost and causes uneven salaries to those who opt out. She pointed out that the councilmen have full time jobs. Given the state of the budget – how can you ask that the city pay for this and cut the police & fire depts. who provided needed services. Agenda ordinance – uphold the law of the US, Louisiana and the City. She asked what was refused to be put on the

agenda. Not very transparent to adopt this ordinance. The constitution begins with "we the people" – don't forget that. She asked the mayor to veto these ordinances if they pass.

Blaise LeBlanc, Newman Ave. formerly Colonial Club Dr. He left Harahan because of Colonial Club issues. He gave his history of experience in Harahan – moved in 2012 into a house classified as teardown. Electrical, plumbing and roof was completely redone. Crepe myrtle was taken down to accommodate A.J. Valenti because it obstructed his view of the street when backing out of his driveway. He claimed that the Valenti's are running a Doberman rescue business boarding the dogs there, private detective agency and she is also a notary. He said the plumbing was redone in Valenti's house and a kennel was installed. He was awakened in middle of night by barking dogs. Declined office in Save Harahan because of Valenti. A cookbook was suggested as a fundraiser – but was shot down. He has reported barking dogs – but would not get involved because that is a friend of the Mayor. No police report shows that the dogs were barking. The dogs cause vermin – rats. He did everything by permit – are they permitted for 3 businesses. He read the definition of a nuisance in the ordinance.

Mayor Miceli reminded everyone that there is a 3 minute time limit.

Christie Williams, OK Ave. – in support of Blaise LeBlanc – dogs constantly bark. They place trash in front of her house instead of in front of their own house. She wants Blaise back as a neighbor.

Darlene Schwartz – 3 events coming up: Fundraiser at Colonial Bowling Alley on Sept. 6 to benefit the Grief and Loss Center – Bobby Hebert is host. Event is from Noon-3 pm – current & former NFL players will be in attendance.

2<sup>nd</sup> event – DEA – Take Back Day – dispose of outdated meds – Rite Aid Pharmacy & Police Dept. Sept. 26<sup>th</sup> – Sat. 10 am to 2 pm – 76 lbs. collected last time.

3<sup>rd</sup> event - National Night Out Against Crime, Tues., Oct. 13<sup>th</sup> – at St. Rita school yard with a live band, displays from different organizations – call Tracy Fanguy or Darlene to volunteer to help.

Mae Jean Cazenave, Oak Ave. – spoke about the proposed health insurance ordinance and why the city should pay for it. She asked that each councilman explain why they should be eligible for the benefit.

Ashley Cambre speaking on behalf of Councilman Sue Benton – He read her letter. The ordinance about agenda – may not be lawful. It will be used to circumvent transparency. She said that Mayor Miceli has never refused to place items on the agenda. The council has stated that they want transparency but this ordinance reduces transparency from the council.

Michelle Leslie – spoke on a boxer rescue upcoming fundraiser at the Camp. Local businesses are participating. Family friendly event – auction/ 50-50 – boxers up for adoption. La. Boxer Rescue – Sept. 26<sup>th</sup> – 11 am -5 pm.

Terri Valenti, Colonial Club Dr., President of Doberman Rescue of Gulf Coast – she does not run a Doberman business out of her home. She has foster dogs, but no employees, never plumbed for a kennel ever – her dogs are in at night. Spoke with Mr. LeBlanc on numerous occasions – could not get information. I have Valenti & Associates – no employees and no customers – occupational license from Mayor Mosca. She is offended by Mayor Mosca's reason for giving health insurance to council. This came about during Colonial Club development when it should have been his first and foremost duty to protect the citizens. It smells of possible corruption to give them insurance at that time. Councilmen are part time employees.

Rhonda Bagby – The council pledged to serve citizens – but are trying to serve themselves. She spoke to judges and attorneys – and the agenda ordinance is illegal what Ms. Huete is trying to do. Need to learn & practice respect.

Debra Schmidt, Oak Ave. – She quoted NOLA.com concerning citizens remaining vigilant and work to improve the city. Her desire is to work with councilmen to build – we are the people – we put the council in office – my hot topics – Oak Ave. issues, pump to the river; damage to her home

– asking council to work with citizens to go to Jefferson Parish and Corps of Engineers so that we can make a difference.

Eric Chatelain – Colonial Club Dr. – wants citizen input on projects on Oak. He wants a meeting in the council chambers on Wednesday, the 26<sup>th</sup>. He wants a Town Hall meeting. It was noted that Wednesday is the Appeals Bd. meeting. So he asked for Tuesday, the 25<sup>th</sup> to have their input on more projects on Oak Ave. He met with Mayor and wants citizen support.

Wayne Landry, he read a newspaper article. He was a consultant on health insurance 15 years ago. Clarified some of the information in the article. He said the plan would have to be modified to grant eligibility to councilmen. Health insurance is not compensation – it is tax free income. Health plans do not cover on the job injuries. Eligibility must be defined with the insurance company.

Rena Sanders, Oak Ave. She elected to take Cobra coverage when she resigned from the city. Cobra payment was paid Aug. 1<sup>st</sup> but check has not cleared the bank yet as of August 20<sup>th</sup>. She asked that they look into this matter. Cobra packet says that coverage may end if payment is not made in a timely manner.

Mike Amedeo, Cressione Dr., He wanted to thank the fire dept. – house full of gas, called fire dept. – fans aired out house very quickly – thanks to fire dept. for averting a disaster.

Louella Lang, Oak Ave. – spoke against Oak Ave. resubdivision. She asked they follow the law. She also spoke on the health insurance issue. No one grants themselves a pay raise except the council. The police & fire depts. need the money that would be used for insurance.

Judy Johnson, Oak Ave. – spoke on the damages being done to homes by the Pump to the River. She asked that anyone who has damage to go to the Soniat Canal Citizens Advisory Board meeting on Sept. 8<sup>th</sup> at Little Farms Playground and express their concerns.

Mr. Baudier said he will fight with the Mayor to get damages repaired.

Geralyn Calderera, OK Ave. She is very disappointed and upset – about the raises for council. Went to see Ms. Huete – not there; she spoke to Craig Johnston and asked how many new businesses or grants have been received since this administration has taken office. The answer was none. She noted that several referenced ordinances were not attached to the proposed ordinance even though the law says they are to be attached. Can't envision why they should have the insurance when they were given it illegally. Law says that the council can raise their salaries but there is no limit as to what you can give yourselves. Bring in business before increasing your salary. If you want that raise – let the people vote on it. People are judged by their character – the citizens wanted transparency – but you have worked against the Mayor – you need remediation. Also Ord. 1080 does not apply to the proposed Ord. No. 3

Nicole Risse – Jefferson Hwy. – national issue – Sat., Aug. 22 – is National Buddy Check Day – for veterans. A Veteran her father knew died and was not found for 3 weeks. She asked that everyone remember the 22<sup>th</sup> of every month and check on their neighbors.

Robert Johnson, Riverside Drive said he has a different perspective on insurance. Mayor added council in 2012 – council did not adopt ordinance to approve. Previous council members received the benefits. He said the State Constitution says that compensation cannot be reduced during their term. He thinks they have received it and it cannot be reduced.

#### APPROVAL OF MINUTES

A motion was made by Councilman Johnston and seconded by Councilman Baudier to dispense with the reading of the minutes of the July 16, 2015 Council Meeting.

The Mayor called for the vote, it was as follows:

**YEAS:** Baudier, Huete, Johnston, Wheeler

**NAYS:** None

**ABSENT:** Benton

#### MOTION APPROVED

A motion was made by Councilman Wheeler and seconded by Councilman Johnston to approve the minutes of the July 16, 2015 Council Meeting.

The Mayor called for the vote, it was as follows:

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: None

ABSENT: Benton

**MOTION APPROVED**

A motion was made by Councilman Johnston and seconded by Councilman Baudier to dispense with the reading of the minutes of the July 13, 2015 Special Council Meeting.

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: None

ABSENT: Benton

**MOTION APPROVED**

A motion was made by Councilman Wheeler and seconded by Councilman Johnston to approve the minutes of the July 13, 2015 Special Council Meeting.

The Mayor called for the vote, it was as follows:

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: None

ABSENT: Benton

**MOTION APPROVED**

**COMMUNICATIONS**

**BOARD OF ADJUSTMENTS AND APPEALS**

The Board of Adjustments and Appeals did not meet in July.

**PLANNING & ZONING BOARD**

The Planning & Zoning Board did not meet in August.

**RESOLUTIONS**

None

**ORDINANCES FOR APPROVAL (Public Hearing)**

The following Ordinance was introduced by Councilman Baudier and seconded by Councilman Huete.

The City Clerk read it in its entirety.

1. An Ordinance providing that the Harahan Municipal Code be supplemented to fix the compensation of the elected public officials of the City of Harahan as required by L.R.S. 33:404.1.

The Mayor opened the Public Hearing. Johnston/Huete Mae Jean Cazenave, Oak Ave. If former Mayor gave insurance – no one in city knew about it. She said that until depts. are fully funded no raises or insurance should be given. Pay off deficit first. Part time employees may be discriminated against if council get insurance.

The Mayor closed the Public Hearing. Johnston/Wheeler

**Board Discussion:**

Councilman Baudier – said the people who come to the council meeting want to control the city but failed to give full story. No one has called him except Ms. Smith. He is working with Mayor reduce the deficit. Bank fees were \$10,000 a year and he doesn't feel that the city should be paying anything. He abstained on a pay raise during the last council. Transparency – this ordinance is about transparency not about getting a raise. Reiterated what Mr. Johnson said – about compensation cannot be reduced. We can sue city. We worked 8-9 days in a row during a storm. I always answer my phone – call me – councilman 24-7. This is an ordinance about transparency.

Councilman Huete – Tim did research and put some meat behind this ordinance. All human beings, all deserve health care. Every municipality surrounding Harahan offers their councilman insurance. They are all considered part time – but they have insurance. She is supporting the ordinance.

The Mayor called for the vote, it was as follows:

YEAS: Baudier, Huete, Wheeler

NAYS: Johnson

ABSENT: Benton

**ORDINANCE APPROVED**

The following Ordinance was introduced by Councilman Huete and seconded by Councilman Wheeler.

The City Clerk read it in its entirety.

2. An Ordinance approving the re-subdivision of Lots A and B-2, Square 1, Jefferson Court Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana, made by Gilbert, Kelly & Couturie, Inc., dated March 19, 2015.

The Mayor opened the Public Hearing. Huete/Johnston

An attorney representing the owner presented to the council.

The Mayor closed the Public Hearing. Johnston/Wheeler

**Board Discussion:**

Councilman Baudier is for the ordinance.

The Mayor called for the vote, it was as follows:

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: None

ABSENT: Benton

**ORDINANCE APPROVED**

The following Ordinance was introduced by Councilman Huete and seconded by Councilman Wheeler.

The City Clerk read it in its entirety.

3. An Ordinance amending Ordinance 1080 to allow individual City of Harahan Council Members to place items of business on the City of Harahan regular and/or special meeting agendas pursuant to the order of business section 2-57 of the Harahan Municipal Code.

The Mayor opened the Public Hearing. Johnston/Wheeler

Debbie Smith urged the council to vote against this – she emailed council but only got 2 responses – vote no.

Ray Thompson, Macque Dr. – one purpose – for one or more councilmen to sneak in something at the last minute. Vote no.

Luella Lang, Oak Ave. – a vote for this ordinance is a vote against transparency. We will spread the word about how you are running this city.

Mae Jean Cazenave was not on topic.

The Mayor closed the Public Hearing. Johnston/Huete

**Board Discussion:**

Councilman Wheeler – no councilman should be denied to put anything on the agenda.

Councilman Baudier – he has met with the Mayor that we agreed (Mayor and I) to not have special meetings anymore. He is tired of the ridicule because of backdoor deals.

Councilman Johnston – big issue with section 2 – 25 hrs. is not enough time to advertise. The agenda should be set when the meeting is called.

Councilman Huete – misconception about section 2 – She initially wrote the ordinance said that Tommy Anzelmo re-wrote the gave a legal opinion of the ordinance. 25 hrs. – may believe trying to slip something in. Will offer and amendment. Opinion – the La. Rev. 33:404 has served as mayor's authority to review and change agendas. – attorney general opinion – Mayor has the authority to control the agenda as long as they are in conformity with ordinances adopted by the council. – Ord. 1080 specifies when meetings can be called. This allows full transparency. Needed special meetings to cover items not allowed on the agenda. Have had the most special meetings ever. If this passes, special meetings should be for emergencies only. Once on the agenda – have 30 days to research and 60 days later to find out about the ordinance or resolution.

A motion to amend section 2 of the ordinance was offered by Councilman Huete and seconded by Councilman Johnston to read as follows: that any Councilman can place items on the agenda at call of the special meeting.

The Mayor called for the vote on the amendment. it was as follows:

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: None

ABSENT: Benton

**AMENDMENT ADOPTED**

Mayor Miceli said she has never not allowed items on the agenda. They have a feeling that – she finds odd that the attorney who wrote the ordinance and then authored an opinion. She said it was not disclosed that Mr. Anzelmo authored the ordinance. She has requested an AG opinion on the ordinance – she asked that they defer the vote until the opinion is in.

Councilman Huete said that this is part of the city attorney's job to assist with the writing of ordinances.

The Mayor called for the vote. it was as follows:

**YEAS:** Baudier, Huete, Johnston, Wheeler

**NAYS:** None

**ABSENT:** Benton

**ORDINANCE ADOPTED**

**ORDINANCES FOR INTRODUCTON (First Reading)**

The following Ordinance was introduced unanimously by the Council.

The City Clerk read it by title only.

1. An Ordinance authorized the transfer of the utility franchise by and between the City of Harahan and Entergy Louisiana, LLC, the successor in interest to Louisiana Power & Light Company, to Entergy Louisiana Power, LLC.

**OLD BUSINESS**

None

**NEW BUSINESS**

1. Permission to serve beer and wine at the St. Rita Knights of Columbus annual Car Show on Saturday, August 29, 2015 from 5:00 pm until 9:00 pm in the St. Rita School Yard.

A motion was made by Councilman Johnston and seconded by Councilman Baudier to grant permission.

The Mayor called for the vote, it was as follows:

**YEAS:** Baudier, Huete, Johnston, Wheeler

**NAYS:** None

**ABSENT:** Benton

**MOTION APPROVED**

2. St. Rita Pecan Festival

Permission to sell beer and wine at the annual Pecan Festival Bingo on Friday, October 2, 2015 from 5:00 p.m. until 11:00 p.m.

Permission to sell beer and wine at the St. Rita Pecan Festival on Friday, November 13, 2015 from 5:00 pm until 12:00 a.m., Saturday, November 14, 2015 from 12:00 p.m. until 12:00 a.m., Sunday, November 15, 2015 from 12:00 p.m. until 9:00 p.m.

Permission to block Bourg St. from Imperial Woods Dr. to Ravan Ave. during the hours of operation for the St. Rita Pecan Festival Friday, November 13, 2015 through Sunday, November 15, 2015.

Permission to block Ravan on Saturday, November 12, 2015 from 11:00 am until 6 p.m. for classroom performances.

A motion was made by Councilman Wheeler and seconded by Councilman Johnston to grant permission for all.

The Mayor called for the vote, it was as follows:

**YEAS:** Baudier, Huete, Johnston, Wheeler

**NAYS:** None

**ABSENT:** Benton

**MOTION APPROVED**

**ADDRESS COUNCIL**

Debra Schmidt, Oak Ave. said she will be their new best friend – she will work to change city. Disappointed in council – heard the people – didn't matter.

Mae Jean Cazenave, Oak Ave. – paying for Baudier's insurance – hidden from people.

Wayne Landry – to get insurance had to fill out a form – if doesn't allow elected officials – submit the application now.

**SECRETARY'S REPORT**

Secretary's report for July, 2015 total receipts is \$394,275.46.

**REPORTS**

Chief Walker gave his report for the month of July, 2015.

Spoke on Pump to the River traffic flow – close one east bound lane on Jefferson Hwy. next week. Trying to come to a consensus on the traffic flow. Reminded everyone not to use cell phones in a school zone.

Fire Chief St. Cyr gave his report for the month of July, 2015. Methane lead at Pump to the River site – continues to leak – skipped over a 20 ft. swath to continue the project. Asked that they bring in a geologist – hydraulic cement did not work.

**Councilman Johnston** - August 29<sup>th</sup> St. Rita Car Show – 5 – 9 pm. Email got couple days ago that a Human Resources Director was hired. Says a department has to be created.

**Councilman Baudier** – considering the source – about commercial development – shoot down residential because they voted against the developer in the last election. Working hard with Mayor to put council back on track.

**Mayor Miceli** – I have never prevented an item to be put on the agenda – nor did I ever ask for a special meeting on someone's son's confirmation night. I won't circumvent the law. I'll wait for the AG opinion – items for the agenda should come directly to her. Didn't run to circumvent someone else's power. Pump to River has been a problem – money has been spent trying to help with it. She has actively tried to get a face to face meeting with the Corps of Engineers. Went to Washington, D.C. and met with Rep. Scalise and Senators Vitter and Cassidy. Other elected officials have been contacted to help defend our city.

**PAY BILLS**

Bill's paid for July, 2015 in the amount of \$867,202.62.

**EXECUTIVE SESSION**

None

**ADJOURN**

A motion was offered by **Councilman Baudier** and seconded by **Councilman Wheeler** to adjourn at 10:12 pm.

**The Mayor** called for a vote. The vote was:

**YEAS:** Baudier, Huete, Johnston, Wheeler

**NAYS:** None

**ABSENT:** Benton

**MOTION APPROVED**

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Tina Miceli, Mayor

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Nicole Lee, Municipal Clerk

**A. The following matter involving pending litigation may be considered:**

1. Phillip Canella vs. Arch Ins. Co., City of Harahan, Todd A. St. Cyr and Allstate Ins. Co.; 24<sup>th</sup> JDC, Case 744-961, Div. "I".
2. Susanne K. Scalise vs. City of Harahan, LA, Anne Gordon, Louise Slayden, Ronald Gordon, Gail Gordon; 24<sup>th</sup> JDC, Case 744-986, Div. "O".
3. City of Harahan, et al, v. BP Exploration & Production, Inc., et al, U.S.D.C., Eastern District of Louisiana, No. 2:13-cv-01397.

**B. The following matter involving prospective litigation for which formal written demand has been made may be considered.**

**C. The following matters involving discussion of the character, professional competence, or physical or mental health of:**

**Name:**