

**CITY OF HARAHAH
6437 JEFFERSON HIGHWAY, HARAHAH, LOUISIANA
MAYOR AND HARAHAH CITY COUNCIL
November 19, 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 Benton, Councilman Huete, Councilman Johnston, Councilman Wheeler, Municipal Clerk represented by Judy Johnson, Fire Chief Todd St. Cyr, Police Chief Tim Walker.

MAYOR'S COMMENTS

Mayor Miceli invited everyone to attend the Breakfast with Santa with live reindeer on Saturday, December 5, 2015 at the Harahan Gym from 9-11:30 am. Tickets are \$10 per child. She also announced the Christmas Parade will take place on December 12th starting at Noon. She reminded everyone of the elected on Saturday, November 16, 2015 and that on Saturday, December 5, 2015 the Ladies Auxiliary of the Knights of Columbus will hold a Christmas Market at St. Rita School. She also reminded everyone that the rain date for the Jambalaya Cook-off/Car Show will be this Saturday, Nov. 21, 2015. She reported that city representatives had appeared before the Legislative Auditor's Committee and that the meeting could be seen on the city website. She also announced that the city had spent less money than projected and taken in more money than projected. She listed \$170,000 from FEMA, \$31,000 from Grants, \$56,000 recouped from delinquent taxes and if the Council passes the budget as presented, the \$453,000 from BP will be applied to the deficit lowering it by 52%. She noted that the old framed photos of previous city officials are back on the wall, but she is still looking for a better way to display them.

SPECIAL PRESENTATIONS

J.R. Parrish, Veolia gave a slide presentation of the sewerage system and its problems. He explained the reasons why sewerage is backing up in the pipes. There are many cracks in the pipes and joints that are allowing infiltration of rain water into the sewerage line and a power outage took the main pump offline which caused one of the backups. The system is nearly 60 years old and is in great need of upgrading. Ground subsidence and tree roots have aggravated the problem. He said there was also a cross connection between drainage and sewerage lines at Colonial Club and Grover Ave. which has greatly added to the problem and a relief valve that had been left open was ordered closed by the DEQ and put more pressure on the system. This has made the system subject to more frequent overflows. The testing and collection system assessment is 90% complete. So now repairs can be prioritized and work can begin as soon as the bidding process is completed. However, this takes time. Pump Station No. 8 is the first to be fixed which will help, but he also advocated the creation

of a second line going directly to the sewerage plant that would take some of the pressure off of Pump Station No. 8. They are hoping to advertise, choose a contractor and start construction in early 2016 but work will not be finished until 2017 or later. He also stated that the \$4 million borrowed for this effort will not do the entire job. He recommended that every 5 years the pipes be inspected with cameras which has not been done until now.

Diane Smith of Colonial Club Dr. said she cannot use her bathroom because the sewage is backing up into her house. She said her neighbors have sewage in their streets – but hers is in the house.

Eric Chatelain, Colonial Club Dr. suggested the city clean the storm drains. He said to repair the drainage needs and it should eliminate the drainage problems.

Jack Dean, Franklin Ave. said he can't use the bathroom or laundry. He has videoed the sewage in the street and his tap water smells of sewerage. He said he is using a bucket as his bathroom.

Mr. Parrish that this problem grew over the last 30 years and won't be fixed overnight. He said the last power outage they had to wait for a part to come from Mississippi – but now have one on the shelf.

Mayor Miceli said a meeting between residents and Veolia has been arranged for January 13 so they can get an update.

Bryan Whittle, Gordon Ave. asked about a redundant electrical system that could come on if the power goes out and suggested we use a short term solution to help.

Mr. Parrish said that temporary pumps are not the answer and that they are doing what they can.

Mayor Miceli then introduced Mr. Don Wheat of Carr, Riggs & Ingram, LLC the city's new accounting firm. They have examined the budget and congratulated the city on being conservative and not overestimating revenues. He said the city must address the deficit because it affects the city's credit rating and ability to borrow money. He noted that the 2015 budget had not been adopted as of yet and the Regular December Meeting is only 14 days before the end of the year not the 15 days required by law. He noted that the city's budget is in good shape.

Councilman Johnston said he has questions for him but he will call him. He asked what was the fund balance at the end of 2014.

Mr. Wheat said that the \$1.2 million deficit was not good and the city needs to work on fixing it.

ADDRESS THE COUNCIL

Mae Jean Cazenave, Oak Ave. stated that delaying amending the 2015 budget for 3 months was a disgrace. She also said that she had heard statements to the effect that this council would not pass anything the Mayor wanted and they should resign if that was the case. She further stated that since some people have not been paying their taxes she asked for a rebate on the taxes she paid.

Eric Chatelain, Colonial Club Dr. asked for an update on the Colonial Country Club situation. He said he had counted 7 street lights out and that this was a safety issue. He also asked that the city clean the green algae growing on stop signs.

Councilman Huete said that Greg Finn is our contact with Entergy and that he will get any lights that are reported fixed.

Lee Brown, Harahan Firefighters Association, said that through a grant the fire department had 150 smoke detectors and said that

if any citizens needs one to call the fire station and they will come install it. It's called "Operation Save a Life".

Dale Simoneaux, Macque said that he was glad to see that a stop light was being installed at the intersection of Hickory and Sauve. He thanked Jeff. Parish Councilman Johnston for his help. He also thanked Mayor Miceli for restoring the pictures to the wall and volunteered to be on the committee to have the pictures scanned for posterity.

Barbara Butera, Carolyn Dr. said that as a former City Clerk and Tax Collector she knows how much effort goes into getting the tax bills out. She said it is a very complicated process and if the Parish would do it for \$2.00 a parcel that price is a bargain and the Parish has the manpower and technology to do the necessary research and access to information the city does not have. She went on to say that this would be a great thing for the city because the responsibility and liability that goes with a tax sale would be off of the city. She urged the council to reconsider and vote for the Cooperative Agreement.

William Morgan, Elodie said that residents on Elodie are constantly losing power and they feel there is something wrong on the electric pole.

Mayor Miceli asked him to call her in the morning to deal with the problem.

Tracy Whittle, Gordon announced the Ladies Auxiliary of the Knights of Columbus will hold a Christmas Market on December 5th, at St. Rita Gym from 9-4 pm.

APPROVAL OF MINUTES

A motion was made by Councilman Johnston and seconded by Councilman Wheeler to dispense with the reading of the minutes of the October 15, 2015 Council Meeting.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None.

ABSENT: None

MOTION APPROVED

A motion was made by Councilman Johnston and seconded by Councilman Wheeler to approve the minutes of the October 15, 2015 Council Meeting.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None.

ABSENT: None

MOTION APPROVED

A motion was made by Councilman Johnston and seconded by Councilman Wheeler to dispense with the reading of the minutes of the November 9, 2015 Special Council Meeting.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None.

ABSENT: None

MOTION APPROVED

A motion was made by Councilman Wheeler and seconded by Councilman Huete to approve the minutes of the November 9, 2015 Special Council Meeting.

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

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YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None.

ABSENT: None

MOTION APPROVED

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

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None.

ABSENT: None

MOTION APPROVED

A motion was made by Councilman Johnston and seconded by Councilman Wheeler to approve the minutes of the November 9, 2015 Special Council Meeting.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None.

ABSENT: None

MOTION APPROVED

COMMUNICATIONS

BOARD OF ADJUSTMENTS AND APPEALS

A motion was made by Councilman Johnston and seconded by Councilman Johnston to dispense with the reading of the minutes of the September 23, 2015 Appeals Board Meeting.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION APPROVED

A motion was made by Councilman Johnston and seconded by Councilman Wheeler to approve the minutes of the September 23, 2015 Appeal Board Meeting.

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

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: None.

ABSENT: Benton

MOTION APPROVED

PLANNING & ZONING BOARD

The Planning & Zoning Board did not meet in October.

RESOLUTIONS –

- 1. The following Resolution was offered unanimously by the Council.**

A Resolution authorizing the Mayor and Council of the City of Harahan to adopt the Multi-jurisdiction Program for Public Information Plan prepared by members of the Community Rating system User Group, Jefferson United Mitigation Professionals (JUMP).

The Mayor asked for public input. There was none.

Council Discussion:

None

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

RESOLUTION PASSES

2. The following Resolution was offered by Councilman Benton. A Resolution authorizing the Mayor and Council of the City of Harahan to accept the Louisiana Legislative Auditor's report. The Mayor asked for public input. There was none.

Council Discussion:

Councilman Johnston said he doesn't believe they need a resolution for this. He doesn't like the wording and the council does not know what questions were asked or what information the Legislative Auditor was given.

Councilman Benton said that the resolution was reiterating exactly what the auditors found.

Councilman Wheeler said she doesn't think a resolution is necessary.

Councilman Baudier said he doesn't remember anyone from the Legislative Auditor Commission saying we need to accept the report by resolution. He will call them for clarification.

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

YEAS: Benton

NAYS: Baudier, Huete, Johnson, Wheeler

ABSENT: None

RESOLUTION FAILS

3. The following Resolution was offered by Councilman Benton. A Resolution accepting the Postlewaite & Netterville Audit Report. The City Clerk read the Resolution in its entirety.

Council Discussion:

Councilman Johnston said there is no issue but he would like to defer this to the next meeting so he can read the audit report.

Councilman Huete said she did not have a copy of the audit.

A motion was made by Councilman Johnston and seconded by Councilman Wheeler to defer this until the next regular meeting.

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

YEAS: Benton

NAYS: Baudier, Huete, Johnson, Wheeler

ABSENT: None

RESOLUTION FAILS

The clerk advised the board that the resolution to enter into a cooperative agreement with Sheriff Newell Normand would have to be withdrawn because it was not received in time for the meeting.

A motion was made by Councilman Benton and seconded by Councilman Johnston to withdraw the resolution.

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

YEAS: Benton, Baudier, Huete, Johnson, Wheeler

NAYS: None

ABSENT: None

RESOLUTION WITHDRAWN

4. The following Resolution was offered by Councilman Baudier.

The City Clerk read the Resolution in its entirety.

A Resolution directing Mayor Miceli to endeavor to protect, preserve, and return to public exhibition in the Harahan Council chambers, the photographs of former officials of the City of

Harahan that have been removed from the walls of the Harahan Council chambers by the Mayor.

Council Discussion:

Councilman Baudier thanked the Mayor for hanging the portraits in the council chambers and said preserving Harahan's history is important and this was a step in the right direction.

Councilman Johnston said it was a shame it took this long to do it.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSTAIN: None

RESOLUTION PASSES

ORDINANCES FOR APPROVAL (Public Hearing)

None

ORDINANCE FOR INTRODUCTION (FIRST READING)

- 1. The following Ordinance was proposed by Councilman Benton**

An Ordinance amending Ordinance No. 1791, the annual Budget of Revenue and Expenditures for the Fiscal Year ending December 31, 2015 for the City of Harahan, Louisiana.

- 2. The following Ordinance was proposed by Councilman Benton**

An Ordinance amending Ordinance No. 1794, the annual Budget for the Sales Tax Fund for the City of Harahan, Louisiana for the Fiscal Year ending December 31, 2015.

- 3. The following Ordinance was proposed by Councilman Benton**

An Ordinance amending Ordinance 1793, the annual Budget of Revenue and Expenditures for the Sewerage Department for the Fiscal Year ending December 31, 2015 for the City of Harahan, Louisiana.

- 4. The following Ordinance was proposed by Councilman Benton**

An Ordinance adopting the annual Budget of Revenue and Expenditures for the Fiscal Year ending December 31, 2016 for the City of Harahan, Louisiana.

- 5. The following Ordinance was proposed by Councilman Benton**

An Ordinance adopting the annual Budget for the Sales Tax Fund for the City of Harahan, Louisiana for the Fiscal Year ending December 31, 2016.

- 6. The following Ordinance was proposed by Councilman Benton**

An Ordinance adopting the annual Budget of Revenue and Expenditures for the Sewerage Department for the Fiscal Year ending December 31, 2016 for the City of Harahan, Louisiana.

- 7. The following Ordinance was introduced by Councilman Johnston**

An Ordinance to require Council review and approval for contracts entered into by the City of Harahan.

8. The following Ordinance was introduced by Councilman Johnston

An Ordinance to require budget reports be provided to the Harahan City Council.

9. The following Ordinance was introduced by Councilman Johnston

An Ordinance to require an appropriation dependency clause be included in all contracts entered into by the City of Harahan.

10. The following Ordinance was introduced by Councilman Johnston

An Ordinance to require prior Council approval to advertise for statements of qualifications, requests for proposals, or bids and to require formal Council acceptance of statements of qualifications, requests for proposals or bids received shall be necessary in the following instances:

- 1. The sale of bonds.**
- 2. The purchase of any item which is not included in the current operating budget,**
- 3. Professional services;**
- 4. Insurance (all insurance including but not limited to, medical, liability, automotive, equipment, errors and omissions, etc.)**
- 5. Construction or renovations projects in excess of the contract limit as defined in R.S. 38:2212**
- 6. Personal services.**

OLD BUSINESS

None

NEW BUSINESS

1. A request from St. Rita Church to provide barricades and a police escort for a procession around the block after the 11:30 am Mass on Sunday, November 22, 2015.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None.

ABSENT: None

MOTION APPROVED

2. Council Attorney Discussion

A motion was made by Councilman Huete and seconded by Councilman Baudier to hire Bob Garrity as the Council's attorney.

Discussion:

Mayor Miceli said she will not pay a council attorney until the council approves a city attorney.

Councilman Huete said she had not nominated anyone and asked what had happened to the attorneys she had recommended.

Mayor Miceli said she had interviewed the candidates and they said they would be submitting a proposal and she had not received it yet.

Councilman Huete asked what proposal.

Mayor Miceli reiterated that the attorneys said they would submit a proposal to the city and had not done so as of yet.

Councilman Baudier said the council needs an attorney to help the Happy Italian get an ABO permit.

Chief Walker was asked about the problem.

Chief Walker said that the restaurant is within 200 ft. of residential property and a church and school which prohibits the issuance of a high content alcoholic beverage permit.

Councilman Huete suggested that they amend the ordinance.

Mayor Miceli said the city deserves an attorney first.

Councilman Huete called for the vote.

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: Benton

ABSENT: None

MOTION PASSES

ADDRESS COUNCIL

Barbara Butera, Carolyn said if the council doesn't have time to do their homework that perhaps they should not try to do the Mayor's job – she urged them to vote for a city attorney – not a council attorney. She questioned why they vote "no" on everything the Mayor proposes especially since they never questioned the former Mayor on anything.

Rhonda Bagby, Generes said she is disappointed with the whole council – and that we need a city attorney. She said that passing notes and texting during the meeting was unacceptable.

????, Ravan said the council's not watching the video of the Legislative Auditor's meeting was unacceptable.

Rena Sanders, Oak said that the council was doing a good job and that they needed revenue & expense reports.

Mae Jean Cazenave, Oak said that if the Council couldn't do their job – it's time to resign. She said they were very surprised that Tina Miceli was elected – but to get over it and start working together.

Terry Valenti, Colonial Club Dr. said she is not shocked that they want their own attorney at taxpayer's expense because the council is all about themselves especially since some of them received improper payments. She said they were being foolish to not accept the Legislative Auditor's report because it just keeps being read and reread. She urged them to accept it and move forward with the city's business.

Erica Parrack, Repass said that Councilman Johnston got his information only the day before the meeting and she had heard about the Nicole Lee situation very differently. She said it was extremely important for the city to have an attorney.

SECRETARY'S REPORT

Secretary's report for October, 2015 total receipts is \$353,842.67.

REPORTS

Chief Walker gave the police dept.'s report for the month of October, 2015.

Chief St. Cyr gave the fire dept.'s report for the month of October, 2015.

Councilman Huete said she had received email from several ladies asking for permission to put a sign in the neutral ground in front of St. Rita to advertise the Christmas market. She asked Police Chief Walker if that was possible.

Chief Walker said it is a state highway and he can't give permission for that.

Councilman Baudier stated that he wanted to get an answer about the high alcohol content permit because it is hurting business. He said it was not his intention to go against the Mayor – but he wants to help businesses. He also stated that he does not remember the

Legislative Auditor saying the council had to accept the report by resolution. He said he would call them. He said that Harahan was not the only city to receive a slap of the wrist – but the resolution was a slap in the face. He gets accused of toxic politics but it was the people who come to the podium that create toxic politics by jumping on the council.

Councilman Johnston agreed with Councilman Baudier and reiterated that he did not get the agenda until the day before the meeting. He wished everyone a Happy Thanksgiving.

Councilman Wheeler wished everyone a Happy Thanksgiving.

Councilman Benton wished everyone a Happy Thanksgiving and urged the Council to find common ground and work with the Mayor. Councilman Baudier interrupted and said that Mr. Michael Mullin gave his word that what was said was in confidence and then repeated their conversation at the meeting. He said he needs a biased attorney.

Councilman Huete – no report.

Mayor Miceli said that the legislative audit report is uncomfortable, but it must be accepted and the city must move on to make sure the law is followed. She said the council cannot ignore the ramifications if the problems are not fixed. She said the city will follow the law and not overspend or overpay employees. She said it was disrespectful to insult people who volunteered their services to the city – she urged the council to respect each other and the city employees and volunteers. She said she has created more transparency in this administration than any past administration.

Councilman Baudier told Chief Walker that The Happy Italian has a letter from St. Rita's Church saying they do not mind the high alcohol content permit.

Chief Walker said that the restaurant is within 200 ft. of residential property, a church and a school and granting a high alcohol permit is against the law. He will not grant the permit unless and until a city attorney is appointed and tells him he can do this.

Councilman Huete said they can just amend the ordinance.

PAY BILLS

Bill's paid for October, 2015 in the amount of \$451,746.50

EXECUTIVE SESSION

ADJOURN

A motion was offered by Councilman Benton and seconded by Councilman Johnston to adjourn at 9:55 pm.

The Mayor called for a vote. The vote was:

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: None.

ABSENT: Benton

MOTION APPROVED

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.; 24th JDC, Case 744-961, Div. "I".**
- 2. Susanne K. Scalise vs. City of Harahan, LA, Anne Gordon, Louise Slayden, Ronald Gordon, Gail Gordon; 24th 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

Judy Johnson, Acting Clerk

Tina Miceli, Mayor