

**CITY OF HARAHAH  
6437 JEFFERSON HIGHWAY, HARAHAH, LOUISIANA  
MAYOR AND HARAHAH CITY COUNCIL  
December 15, 2015**

The Mayor and the Council met on the above date for a special 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 Miceli said that Cox was supposed to be here but they aren't. She asked the Clerk to use her phone to record the meeting to supplement the taping. Councilman Wheeler was asked to keep time for the Address the Council segment.

She announced that City Clerk, Nicole Lee had a baby boy on December 3<sup>rd</sup> and congratulated her.

Curbside collection of Christmas trees start on Jan. 7 thru Jan. 9 – place trees on street on the 6<sup>th</sup> of January.

She stated that the Councilmen have requested more time and since Robert Heinz has resigned, Don Wheat of CRI is his replacement and is a little late.

Councilman Huete corrected the Mayor and said I didn't ask for more time. Councilman Wheeler and I met with Mr. Wheat and he asked that we cancel this meeting and not move forward with this budget but wait until January.

Mayor Miceli said she understood that the Councilmen and Mr. Wheat both wanted more time.

Councilman Wheeler said they sent out an email – Councilman Baudier said he would like to cancel and Councilman Johnston felt we could precede but there are questions that need to be addressed.

Councilman Huete again said that the council did not request more time – it was Mr. Wheat.

Mayor Miceli said she understood from the meeting that the council and Mr. Wheat wanted more time – but she wanted the meeting so that it would be in front of the public for the transparency.

The Mayor called a 5 minute recess to allow Mr. Wheat time to arrive at the meeting.

Mr. Wheat arrived at 6:05 pm.

The Mayor called the meeting back to order and reminded the council to use the microphones.

Mayor Miceli apprised Mr. Wheat of the foregoing conversations about the meeting on Friday.

Councilman Huete asked his thoughts about the 2016 budget.

Mr. Wheat said he doesn't have a lot to say because he did not work on the budget. There is a lot of work for him to do to catch up on the situation and provide a decent budget. He wants to spend the next two weeks catching up – he said he knows that the

city will be in violation of state law because it has to be adopted 15 days before the end of the year. He said normally an administration would prepare a budget several months out. To get to a budget that everyone can agree on will be difficult. He is trying to get the city in compliance with the budget law, and then amending that budget to please everyone but it doesn't seem that's what the council wants. He asked if anyone had questions. Councilman Johnston asked about Section 3 of the budget, which is Schedule 1 – if the budget is adopted without Schedule 1 adopted, it is a general budget – not a line item budget.

Mr. Wheat said that it just depends on how much detail the council wants. What you approve is what you approve. There is usually a cutoff for discretion for the administration.

Councilman Johnston said we have an ordinance for the city that the budget is in line item form.

Mr. Wheat asked if they want a line item budget that lists every item.

Councilman Huete asked if it was the Mayor's wish to have a line item budget or not.

Mr. Wheat said the Mayor definitely wants to have a line item budget. It just depends on how much you want to tie the administration's hands with money.

Councilman Huete said that is just semantics.

Mr. Wheat said it is not semantics.

Councilman Huete said they want to follow the ordinance.

Mr. Wheat said the council has to approve the budget.

Mayor Miceli said that it's her intention to follow the law.

Councilman Wheeler asked why the agenda went out without Schedule 1 attached.

The Mayor asked the clerk to explain why there is not schedule 1.

Ms. Johnson said that Mr. Heinz did not supply a schedule 1.

Councilman Wheeler asked who prepared the budget ordinances.

Ms. Johnson said that Mr. Heinz had prepared them.

Councilman Wheeler does not see how they can proceed without Schedule 1. She said an email went out that the budget ordinances pertaining to 2015 & 2016 should be deferred.

Mayor Miceli said she wanted the decisions they make to be in the public domain and let the people know what is going on in the city and it is on the record.

Councilman Wheeler said that if we don't get the information we need – we will just keep deferring.

Mayor Miceli said that in order to facilitate the business of the city she had instituted a weekly executive working sessions to discuss the needs of the city. She had hoped that the discussions would make the meetings go smoother. She listed the issues that have been discussed. She announced that Councilman Benton had made 11 meetings but the other Councilmen have only made 1 meeting each. She urged that they attend the meetings in order to be prepared. She thanked Chief Walker for his attendance and said she valued his experience on the council. She suggested that the council attend these meetings.

Mr. Wheat said that if they don't need me at the December 17<sup>th</sup> meeting because he is not here for free.

Councilman Johnston said it's not smart to amend the 2015 budget until the final numbers are in to amend the 2015 budget.

Councilman Huete said that she wants the public to know that he suggested that the council is not postponing the vote on the budgets.

**Mr. Wheat said that a final budget for 2015 can be amended in January and that a low threshold for the budget is not the norm. Councilman Benton asked if the council would have to meet more frequently if they adopt the 46 page budget.**

**Mr. Wheat said they won't have to meet more frequently but they will have a lot of amendments to the budget. A budget is an educated guess of where you are going to be. Most governments don't adopt such a detailed budget.**

**Councilman Johnston said they want to add line items to the 2015 budget.**

**Mr. Wheat said that a line item budget with hundreds and hundreds of lines becomes an exercise in futility when you adopt such a specific line item budget. It's very unusual to adopt a budget that way.**

**Councilman Benton asked if Schedule 1 is a detailed budget.**

**Mayor Miceli said that the law calls for a line item budget.**

**Mr. Wheat said it depends on the level of detail that you want – if you make the threshold too low – then lots of amendments will be needed. It is very difficult to comply with the 5% threshold. Because if you make a \$50 line item – you are basically saying that the administration can't spend \$55 and that's silly. I understand you want control over the money.**

**Councilman Huete it's not that we want control – it's our duty.**

**Councilman Wheeler said that the 2016 budget was based on the amendment of the 2015 budget but we did not amend it and it was based on wrong numbers. There are several things that need to be addressed.**

**Mr. Wheat said that the actual 2015 numbers is where you begin the 2016 budget but that it is an estimate.**

**Councilman Wheeler asked about a line item that was budgeted at \$1,000 and it was overspent by \$5,000 and now the projected for 2016 is \$6,000 – but the 2016 is based on wrong numbers.**

**Mr. Wheat said it does not depend on an amendment. He stated that the Jefferson Council does not adopt a detailed budget but if that's what you want I will comply.**

**Councilman Huete asked if they had voted to approve overspending the police budget. She said a summary twice in 12 months was not sufficient. She said that the Mayor believes she tells us – but she doesn't. You said that your goal is to give us a month to month report. We need to have the information to do our jobs.**

**Mayor Miceli reminded Councilman Huete that the previous administration of which she was a part did not adopt a 2015 budget at all. The software had to be straightened out and a 2015 budget was not approved until June 24, 2015. The council was told the budget was up for amendment in September 2015 and it still has not been amended and it is now December 15<sup>th</sup>. She said they worked with the Legislative Auditor to straighten out the budget problems. She said that input from the council would be appreciated. She said she would report at the future meeting as to how many budget runs the council received. As far as accurate figures at the end of the month – that is not possible because final numbers sometime take 4-5 weeks to come in. She also stated that the council was only given monthly estimates last year and then the figures were corrected as they came in.**

**Councilman Benton said the council is forgetting the situation that this administration walked into. She said that Councilman Huete is insinuating that the Mayor and Mr. Heinz purposely did not present information to the Council.**

**Councilman Huete said she only got two runs of the budget in July & September of this year.**

**Councilman Benton said it was done in an accusatory way.**

**Mayor Miceli thanked Mr. Wheat for his input.**

**Councilman Huete wants it made clear that it was Mr. Wheat's recommendation to defer the ordinances until there are better numbers and not the council's suggestion.**

**Mayor Miceli said that she thinks the council just wants your recommendation on the 2016- 3 budget ordinances and the 2015 amendment to the budget.**

**Mr. Wheat said he doesn't see the point of amending the 2015 budget until January or later.**

**Councilman Johnston said that by ordinance we have to adopt the 2016 budget before the end of the year.**

**Mr. Wheat said it's not an ordinance - it's state law and the city will be in violation of that law.**

**Councilman Johnston asked about the line item schedule 1.**

**Councilman Wheeler asked if he was working on schedule 1.**

**Mr. Wheat said he would work on schedule 1.**

#### **ADDRESS THE COUNCIL**

**Mae Jean Cazenave, Oak Ave. stated that Councilmen Huete & Baudier did not pass a budget for 2015. She asked that they take the 2015 budget for 2016 and then amend it every month if necessary. Amendments have been put off month after month because four councilman don't want to vote. She further stated that Mr. Heinz met with each department head and developed a budget they were satisfied with, but that the four councilmen had run him off just like the attorneys and still haven't passed a budget. What will happen when the state finds out what you are doing?**

**Councilman Johnston and Wheeler complained that no line item budget had been attached to it.**

**Councilman Huete said they did not make amendments - they couldn't because no amendments came through because they only received 2 run rates.**

**Councilman Benton asked Councilman Huete how often did they get budget runs in the previous year.**

**Councilman Huete said they got them every month with a check register.**

**Mayor Miceli interrupted the dialog and reminded them that this is address the council not discussion. She said they want to give accurate numbers.**

**No one else spoke and Mayor Miceli closed Address the Council.**

**Mayor Miceli went on to say that a volunteer was helping put together the meeting agenda and the City Clerk was out on maternity leave. She commended the volunteer and the staff for what they have accomplished.**

#### **ORDINANCES FOR APPROVAL (Public Hearing)**

**The following Ordinance was introduced by Councilman Benton and seconded by Councilman Johnston.**

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

**A motion to defer the Ordinance until December 29, 2015 was offered by Councilman Johnston and seconded by Councilman Wheeler.**

**Mayor Miceli said they should be aware of the advertising law.**

**Councilman Johnston said they would build it themselves and have a line item budget for the meeting. Councilman Johnston said they will be in compliance with a Harahan ordinance but not with the state law.**

**Councilman Benton asked if Mr. Wheat said he would have a line item budget.**

**Councilman Johnston said “we will have it”.**

**Mayor Miceli called a 5 minute recess to check her calendar about the meeting date.**

**The Mayor called the meeting back to order and said she had a family obligation on the 29<sup>th</sup> and a meeting on the 30<sup>th</sup>.**

**Councilman Benton suggested that the meeting be set earlier in the day.**

**A motion amending the date to Dec. 30<sup>th</sup> at 2 pm was made by Councilman Johnston and seconded by Councilman Wheeler.**

**Councilman Baudier said he may have to text during that meeting.**

**The vote on the motion was as follows:**

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

**NAYS: None**

**ABSENT: None**

**MOTION PASSES**

**ORDINANCE DEFERRED UNTIL DECEMBER 30TH**

**The following Ordinance was Introduced by Councilman Benton and seconded by Councilman Johnston.**

**2. 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.**

**A motion to defer until December 30<sup>th</sup> at 2 pm was offered by Councilman Johnston and seconded by Councilman Wheeler.**

**The voted on the motion was as follows:**

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

**NAYS: None**

**ABSENT: None**

**ORDINANCE DEFERRED**

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

**3. An Ordinance adopting the Annual Budget of Revenues and Expenditures for the Sewerage Department for the Fiscal Year ending December 31, 2016.**

**A motion to defer until December 30<sup>th</sup> at 2 pm was offered by Councilman Johnston and seconded by Councilman Wheeler.**

**Councilman Huete said that the revenues and expenditures do not match.**

**Mayor Miceli said that not having a professional is a problem.**

**The voted on the motion was as follows:**

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

**NAYS: None**

**ABSENT: None**

**ORDINANCE DEFERRED**

**ADDRESS COUNCIL**

**None**

**REPORTS**

**There were no reports from the council.**

Mayor Miceli said the city is approaching dangerous territory because there is no city attorney to question and the transition between accountants is hindering getting a budget done and without professionals helping it will be very difficult to do. We have councilmembers offering up ordinances for budgets without help. Harahan deserves better. We cannot keep moving forward without experts. She has spoken to the Legislative Auditor and the Attorney General for guidance. She intends to keep the public informed and safe. The unintended consequences to every law that is passed. She suggested the Council call the Legislative Auditor and the Attorney General for guidance. She added that Mr. Wheat's services are being paid for by the city and yet his counsel is rejected. Special Council meetings need to stop. She reminded the council that the sewer problems impact our residents in their streets and in their homes. The way a budget is written will affect emergencies. She will not hold up repair work seeking approval from the council. She advised the council to seek professional guidance since the city has limited resources and cannot afford mistakes. She will always protect the residents' safety.

Councilman Benton said we couldn't approve a budget tonight because Mr. Wheat was not ready but now we're going to do it without his input and we are going to do it ourselves. Who is writing these ordinances?

Mayor Miceli said that is the question. Who is in the background writing these ordinances?

Councilman Baudier said that is the same question they are asking too.

Councilman Huete interrupted saying that reality is perception and you can twist it any way you want, but we know the truth and you can keep living in what ever world you are living in and what you believe is not true.

Mayor Miceli said she is concerned at which point Councilman Johnston broke in and moved to adjourn the meeting.

The motion was seconded by Councilman Huete to adjourn at 6:38 pm.

The Mayor called for a vote. The vote was:

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

**NAYS:** None.

**ABSENT:** None

**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.; 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**