

**CITY OF HARAHAN
6437 JEFFERSON HIGHWAY, HARAHAN, LOUISIANA
MAYOR AND HARAHAN CITY COUNCIL
December 17, 2015**

Third, fourth and fifth graders from Harahan serenaded the audience with Christmas Carols from 6:30 pm until the meeting began.

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

PLEDGE OF ALLEGIANCE

The children then led the Pledge of Allegiance and sang a patriotic song.

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 thanked the children and invited Santa Claus to come in and had him give Christmas gifts to the council.

SPECIAL PRESENTATIONS

Bridgette Brown, Harahan Elementary School asked the council for permission to hold their Annual Mardi Gras Ball at the Soniat Gym with no rental fee.

Calvin Hoppmeyer, City Engineer presented an update on Pump Station No. 8. He said that two pumps are fully operational and another would be installed in the following week and there was now a spare pump on the shelf in case of emergency. He also said there is a piggy back agreement with Jefferson Parish that will allow them to do the clean up work needed. He further stated that the assessment of the sewer system is 95% complete and they hope to be bidding out the first repair program by January or February, 2016. They are currently receiving bids to repair two pumps used to pump treated effluent to the river. The bids for the alternate route to the sewer plant should be ready in May, 2016.

Mayor Miceli said these pumps and backup pumps will somewhat improve the situation with the sewage plant, but a long term solution will take some time.

Typically pump stations are designed with 1 or 2 pumps with a full extra pump as a spare. Pump station 8 is now operating at capacity.

Councilman Huete asked how much of the \$4 million has been spent on testing.

Mr. Hoppmeyer said that \$500-\$600,000 had been spent.

Councilman Huete said that Mr. Parish said the state needs to release funds to start work.

Mr. Hoppmeyer said that plans to redirect flow from lift station 6 must be drawn up, the state must approve them, bids must be

advertised and once they come in – the state must approve them again before any work can begin.

Mayor Miceli then nominated Gilbert Buras for the office of City Attorney and listed some of his qualifications and presentations he has made and said he could be available to meet with the Council at their weekly executive working sessions and that the vote would take place at the regular January Council Meeting.

Councilman Wheeler will keep track of the time again.

The Mayor continued and said that the weekly executive sessions that began in October is to foster communication between the administration and the council. One major topic that was discussed was the sewer problem that is causing our citizens much pain.

She then asked that the 4 ordinances sponsored by Councilman Johnston be deferred by the council until a city attorney is in place or we have the opinions of the Legislative Auditor or the Attorney General.

She also announced that curbside collection of Christmas tree collection will start on Jan. 7 thru Jan. 9 – place trees on street on the 6th of January.

Mayor Miceli congratulated City Clerk Nicole Lee on the birth of a healthy, 8 lb. 15 oz. baby boy on December 3rd and wished her well during her maternity leave.

ADDRESS THE COUNCIL

Rena Sanders, Oak Ave. thanked Chief Walker for the “blue light” patrols during this holiday season.

John Riehm, Renpass apprised the Council of the sand and fly problems being experienced in their neighborhood. He said there is not only sand pits but garbage and composting pits that are breeding flies. He asked if the City could speak with Woods Marine about planting trees to deflect the sand and the secondary road closer to the river be used instead of the road next to the levee. He stated the trucks shake their homes from 6 am until 10 pm every day.

Ellen Riehm, Renpass reinforced her husband’s findings and said they had spoken to Mr. Wood. She repeated that they cannot open their windows and she is concerned about what all the vibrations are doing to the levee. She feels the only solution is to move the road closer to the river. Mr. Wood has not agreed to move the road. Paulette Zeringue, Crislaur said there has been increasing activity on the levee, the batture and the road parallel to the levee that is creating more vibrations on the levee and their homes.

James Lynch, Riverside Dr. said he has lived there 12 years and the activities continue to increase – he estimates that 500 dumptrucks go over the levee in a month and the sprinkler on the sand pits are rarely used and some pits are at least 10 ft. higher than the levee. He said the garbage smell is very pervasive and he feels that fertilizer and composting are being dumped there. He asked if the council approved this activity. He would like these activities to cease.

Rhonda Bagby, Generes said that pressing issues are facing the city and a City Attorney needs to be appointed. She said that after speaking with numerous citizens they feel that 4 of the 5 councilmen are a total embarrassment to the city.

Mae Jean Cazenave, Oak said she wonders whether the councilmen can make any decisions on their own. We need a city attorney not a council attorney that caters to the board. She asked

that the list of names of the people who haven't paid their taxes along with the amounts they owe and the years they owe be published in the paper and on the website. The Sheriff's office has offered to conduct a tax sale and collect ad valorem taxes at a ridiculously low price. She said the council has tied the Mayor's hands to not hire a temporary clerk while the clerk has her baby. She said the previous CFO had spoken to all dept. heads and they were satisfied with the budget he came up with – why were the council not satisfied.

Eric Chatelain, Colonial Club Dr. said that he pays taxes and he complained that an administrative resubdivision that he had requested has not been forthcoming. It's costing him money. He said he had left numerous messages for the Mayor but he has received no call.

Mayor Miceli asked the Clerk to give him her cell phone and asked him to call her directly and set up a meeting.

Mr. Chatelain said that no repairs are being done in the city. He said trucks shake his house at 6 am.

Laurie Dominguez, Oak Ave. stated that the proposed ordinances need to be reviewed in detail and the council should defer until the vote on the city attorney. If the council has problems approving a city attorney how are you going to approve contracts. Does anyone on this council know the difference between a deductible and a retention and what that means to your budget. I did this for 30 years. They need more detail and to be reviewed.

Dale Simoneaux, Macque Dr. disagreed with a previous resident about the 4 councilmen being an embarrassment to the city. He disagrees with that and said they were elected in a democracy with freedom of speech. With the privilege of free speech comes a responsibility. He thanked the Mayor for her initiatives and felt that most cities would find the same problems. He stated he is tired of the same tired rhetoric from a small group of residents.

Charles Wassamire, Oak said that the street has a 5 ton weight limit that needs to be enforced.

Mayor Miceli said that the information about this situation has been sent to many other officials asking for their help.

Rodney Joubert, Riverside Dr. also complained of the sand problem. He said that after purchasing the home he discovered that all the windows were siliconed shut and inquired as to why. He then found out about the sand problem. He knows he can't sell because of the sand and garbage problems. He has to constantly pressure wash his property. He said his neighbors have resorted to renting their homes because they can't sell them either. He asked the council for their help.

Mayor Miceli said she also sent the information to the Levee Board.

Robert Johnson, Riverside Dr. also spoke on the sand issue. He said that local government should consider the health & safety of the residents the most important part of their job. He urged the council to enforce the zoning ordinance. He said that it is Woods duty to operate without being a nuisance. There are not supposed to have trucks overnight. He suggested that the DEQ might be able to help but he wants the city to get a new city attorney to fight this problem.

APPROVAL OF MINUTES

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION APPROVED.

A Motion to approve the minutes of the November 16, 2016 Special Meeting was offered by Councilman Johnston and seconded by Councilman Benton.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION APPROVED.

A Motion to dispense with the reading of the minutes of the November 19, 2015 Regular Council Meeting was offered by Councilman Wheeler and seconded by Councilman Benton.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION APPROVED.

A Motion to approve the minutes of the November 19, 2015 Regular Council Meeting was offered by Councilman Johnston and seconded by Councilman Benton.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION APPROVED.

COMMUNICATIONS

The Planning & Zoning Board did not meet in December.

The Appeals Board did not meet in November.

RESOLUTIONS

The following Resolution was offered unanimously by the Council.

1. A Resolution adopting the 2016 Holiday Calendar for the City of Harahan.

The clerk read the resolution in its entirety.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

RESOLUTION ADOPTED

The following Resolution was offered by Councilman Benton.

2. A Resolution authorizing the Mayor and Council of the City of Harahan to accept the audit report of the city auditor Postlethwaite & Netterville.

Chief Walker said he had a problem with the budget of his department. He said that he had a \$43,000 fund balance and outstanding bills of \$9,000 but the final budget showed his department over budget by \$1,661.

Councilman Huete offered a motion to defer this Resolution until January 21, 2016 seconded by Councilman Wheeler.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

RESOLUTION DEFERRED.

The following Resolution was offered by Councilman Huete.

3. A Resolution stating the Council of the City of Harahan has received the Louisiana Legislative Auditors Report.

Mayor Miceli said she wished the Council had accepted the audit.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

RESOLUTION ADOPTED

The following Resolution was offered by Councilman Benton.

4. A Resolution applying for a Local Government Assistance Program Grant for \$30,000 to provide hardware, software, training and implementation of the software.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

RESOLUTION ADOPTED

The following Resolution was offered by Councilman Benton.

4. A Resolution applying for a Local Government Assistance Program Grant for \$20,000 to improve the drainage system by cleaning the catch basins, manholes and drainage lines.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

RESOLUTION ADOPTED

ORDINANCES FOR APPROVAL (Public Hearing)

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

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

The Mayor opened the public hearing.

No one spoke

The Mayor closed the public hearing.

A motion to defer the Ordinance until the Regular Council meeting on January 21, 2016 was offered by Councilman Huete and seconded by Councilman Johnston.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

ORDINANCE DEFERRED

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

2. 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.

The Mayor opened the Public Hearing.

No one spoke.

The Mayor closed the Public Hearing.

A motion to defer until the January 21 Regular Council Meeting was offered by Councilman Johnston and seconded by Councilman Baudier.

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 Johnston.

3. An Ordinance amending Ordinance. No. 1793, the Annual Budget of Revenues and Expenditures for the Sewerage Department for the Fiscal Year ending December 31, 2015 for the City of Harahan, Louisiana.

The Mayor opened the Public Hearing.

No one spoke.

The Mayor closed the Public Hearing.

Councilman Benton asked why do we have to wait to January, February or March for the 2015 budget but we can provide the 2016 budget to vote on Dec. 30th. We are doing this without a professional.

Councilman Johnston said that we need to do the numbers. If we do the 2015 budget amendment don't we have to wait until January or February when the final numbers come in.

Councilman Huete stated that it was Mr. Wheat who suggested it be deferred to January or February for the final numbers.

Councilman Benton said she is confused doing both budgets at the same time. She said we are deferring the 2015 budget amendments to early 2016 but the 2016 budget needs to be done by the end of the year.

Councilman Johnston said the final numbers of the 2015 year are about to come through so it's easier to hold off rather than amending the 2015 budget now and then doing it again in a month or two.

Mayor Miceli said we should be relying on a professional for both budgets.

Councilman Benton said it was her understanding that we wanted to wait on 2016 because Mr. Wheat wanted a better handle on the numbers.

Councilman Johnston said they can always come back and amend the 2016 budget but it had to be adopted before the end of the year.

Councilman Huete said Mr. Wheat was not waiting for the run for January, February or March. He was trying to get the incode numbers right because what Mr. Heinz's budget did not match what was in incode.

Councilmen Benton said they were still waiting for him to analyze the data.

Mayor Miceli asked if the minutes would be available by the 30th. The clerk said yes they would be ready.

A motion to defer until the Regular Meeting on January 21, 2016 was offered by Councilman Johnston and seconded by Councilman Baudier.

The voted on the motion was as follows:

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

ORDINANCE DEFERRED

The following Ordinance was offered by Councilman Johnston and seconded by Councilman Baudier.

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

The Mayor opened the Public Hearing.

The clerk read the Ordinance in its entirety.

The Mayor opened the Public Hearing.

Darlene Schwartz, Sedgefield stated that the ordinance contained a lot of requirements the Mayor must meet and that the 24 hour time limit after emergencies was not feasible. She reminded the Council that after Hurricane Katrina no one could be contacted for days. If people evacuate, communication could be really difficult. **Deborah Smith, Oak Ave.** asked why does the council have to unanimously approve a contract – she said that if the city contracts with a cleaning service the council has to approve it. She said as a director in the company she works for she can authorize contracts up to \$5,000.

The Mayor closed the Public Hearing.

Council Discussion:

Councilman Benton said that under the Lawrason Act the Mayor has the statutory authority to sign a contract if the money has been appropriated. She stated that no ordinance can limit the Mayor's powers nor interfere with the day to day operations of the city. To those of us unfamiliar with the situation, they could assume that the current Mayor was responsible for the findings of the Legislative Auditor. The findings of that report are attributed to the past administrations. In fact, she is the one responsible for bringing these problems to the attention of the legislative auditor. But she is being attacked and punished because her efforts are seen as betrayal of political allies of some members of this council. In retaliation they are attempting to usurp all her powers as Mayor and restrict her to an entirely administrative capacity. Her transgressions include having the audacity to reform city hall, cut expenses, streamline city hall, increase revenues and not allow herself to be dictated to by people who do not have the best interests of the city and its citizens at heart. The factions behind this chaos and acrimony just can not get over the fact they don't have control over the Mayor's office. They are trying to legislate control of all the Mayor's functions to the council. To achieve this they are writing ordinances for Craig Johnston to introduce that change or amend the Lawrason Act. This is not legal. Changes, amendments or abandonment of the Lawrason Act can only be done by the state legislature or a vote of the citizens. Hopefully, members of this council will reconsider allowing themselves to be used for this purpose. Hopefully, they will realize that by approving these ordinances they will be taking on the duties, responsibilities and liabilities that come with that control. I would have to ask how council members with full time jobs, who can't find time to attend 30 minutes weekly meetings with the Mayor, meetings with citizens who have sewerage backing up into their homes, or time to read the Postlewaite Netterville audit or the legislative auditor's report will find the time to perform these additional duties they are bestowing upon themselves. Adoption of these ordinances will have a profound effect on the efficiency of carrying out the day to day operations of the city and will increase spending by requiring multiple special meetings to meet the demands of these

ordinances. The author of these ordinances has failed to consider or request input as to how complying with these ordinances will affect the day to day operations of the city. There is no city attorney to provide guidance on the legality of the content of these ordinances. The people behind these ordinances are not interested in doing what is best for the city or the citizens. They are only interested in their own agenda of gaining control of the Mayor's office. In pursuit of this goal they are willing to adversely affect the health and safety of the citizens in the process. Members of this council were elected to represent the citizens, not some shadow Mayor who is clearly unconcerned about the best interests of the citizens of the City of Harahan. Mr. Johnston and any Councilman who approves these ordinances should be ashamed of their lack of due diligence regarding the legality or administrative ramifications and their lack of attention to what is best for the residents.

Councilman Johnston said he does not plan to pull these ordinances. He stated that this goes to transparency and if the council is working with it because the citizens know what's going on before they do.

Councilman Johnston offered an amendment to amend the time limit to inform the council from 24 hours to 72 hours in case of an emergency, seconded by Councilman Baudier.

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

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: Benton

ABSENT: None

AMENDMENT PASSES

Mayor Miceli stated that the health, safety & welfare of the citizens comes first. She won't let their homes flood or wait to remove a tree from their homes until she contacts the council and they hold a meeting. The administrative duties of the Mayor take precedence over the day to day operation of the city.

Councilman Benton said she had Attorney General's opinions and case law that make it clear that this ordinance is illegal.

The Mayor said if it is wise to defer the budgets – then it's also wise to include an attorney with government experience that we know can render an opinion and we know that we're not breaking state law, that we are protecting our citizens and not impeding day to day services or the quick response they need on day to day services. Day to day operations if they are impeded will affect the citizens. We don't have a price tag on this but we're willing to throw caution to the wind.

Councilman Benton said this will cost money and we don't know how much. She said that every time we have a special meeting it costs the city approximately \$600-\$800 for advertising, videoing the meeting. This ordinance is illegal.

Mayor Miceli said you can pass an ordinance that mandates that the Mayor makes sure that the sun shines every day but there's no way for the Mayor to make that happen.

The Mayor called for a vote on the amended ordinance, the vote was as follows:

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: Benton

ABSENT: None

ORDINANCE ADOPTED

The following Ordinance was offered by Councilman Johnston and seconded by Councilman Huete.

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

The Mayor opened the Public Hearing.

No one spoke

The Mayor closed the Public Hearing.

Council Discussion:

Councilman Benton said she emailed Mr. Wheat and asked when he would be able to provide this information on a monthly basis. He said he can't do this now nor does he know how much it will cost. She said that it's irresponsible to pass an ordinance that you don't know the time frame it would take to be implemented or the cost for that. She asked that the ordinance be deferred until Mr. Wheat has time to get up to speed to deliver a monthly report.

Councilman Johnston said this has always been done.

Mayor Miceli asked if he wanted estimates or real numbers.

Councilman Johnston replied he wants real numbers and it's only recently that this hasn't been done. It never happened at all this whole year. The council is behind – way behind every month. They need accurate figures. In the past the runs were every month.

Councilman Benton asked if they helped and did it stop Mayor Mosca from spending \$2 million dollars more than the city had.

Mayor Miceli asked Councilman Johnston if he had received those runs since he was not on the council at the time.

Councilman Huete interrupted and said they spoke on this at the last meeting on Tuesday and Councilman Baudier and she just wants to attest to the fact that they got budget runs every month.

Mayor Miceli asked if they were complete or were the figures estimates.

Councilman Huete said she didn't know and would have to check. Mayor Miceli assured her the figures were estimates because journal entries changing the figures were made at a later date. Our attempt this whole year was to fix the software system and get to the point where you could have accurate figures each month. There is a spreadsheet with instructions for giving accurate numbers and that includes checks clearing the bank. After talking with numerous accountants including CRI and Mr. Heinz I learned that if you want a real number the wait at best is 4-5 weeks after the month ends. I can show you the journal entries where the estimates were corrected and I also understand that this is a common practice. But if you want real numbers – it can't be turned around in the time frame you ask for.

Councilman Huete asked if the standard is 5 weeks – not 4 weeks.

The ordinance calls for 15 days for the numbers to be presented.

Councilman Johnston moved to amend the time frame from 15 days to 20 days.

Councilman Benton said Mr. Wheat can't do it in that time frame.

Councilman Huete asked how long it would take for Mr. Wheat to get up to speed and surmised that he may not be the right person.

Mayor Miceli offered to have Mr. Wheat come to the executive session on Monday or to the next council meeting on the 30th of December.

A motion was offered by Councilman Johnston and seconded by Councilman Baudier to amend the 15 day time frame to 20 days.

The Mayor called for the vote which was as follows:

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: Benton

ABSENT: None

ORDINANCE AMENDED

Councilman Johnston said that the council is in charge of the budget and they need figures in a timely manner. That's the bottom line.

Councilman Wheeler said they received two budget runs one in July and another in September.

Mayor Miceli said she will let them know at the Dec. 30th how many runs they received.

Councilman Wheeler repeated that they only received two budget runs.

Councilman Huete said it was a fact that they only got 2 runs. We're not lying. But let's talk facts – if there were more – you got them – we didn't.

Mayor Miceli said she will bring the topic up at the meeting on the 30th and she will have the facts about how many runs were delivered.

Councilman Wheeler said she and Councilman Huete provided the two runs to Mr. Wheat. The fact is that we received two runs for 2015.

Councilman Benton explained that she is voting against this ordinance because we cannot implement it at this time. Mr. Wheat should be given the time to do it. She asked that the ordinance be deferred to give CRI more time.

Mayor Miceli said that everyone deserves the right numbers – but if you want the final numbers the time frame is impossible. It would be best to defer to the accountant.

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

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: Benton

ABSENT: None

AMENDED ORDINANCE PASSES

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

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

The Mayor opened the Public Hearing.

Ray Thompson, Macque asked that Councilman Johnston explain the meaning of "appropriation dependency clause".

Councilman Johnston said it means that if revenues drop in any line item and there is no money to pay the contract – it is cancelled – you pay for the services already rendered and cancel the contract.

The Mayor closed the public hearing.

Council Discussion:

Councilman Benton said that the money is already appropriated before the contract is signed.

Councilman Johnston gave the example that if the video poker revenue falls and there is a contract - you can cancel the contract.

Councilman Huete said it sounds like it is protecting us.

Mayor Miceli said that state law requires a certain amount of due diligence and reasonableness for cancellation from the council. This is an important part that was left out of this ordinance and she is worried about being arbitrary and capricious. This is contractual law and we are doing it without an attorney. She recommended deferral of the ordinance until a city attorney can review it, which would be in the city's best interests.

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

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: Benton

ABSENT: None
ORDINANCE PASSES

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

7. An Ordinance to require prior Council approval to advertise for statements of qualification, requests for proposals, or bids and to require formal Council acceptance of statements of qualification, 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 renovation projects in excess of the contract limit as defined in R.S. 38:2212.**
- 6. Personal services.**

The Mayor opened the Public Hearing.

Laurie Dominguez, Oak Ave. said there are too many open ended clauses with no dollar limit. She asked that it be deferred because it needs more detail and more thought.

Terry Valenti, Colonial Club Dr. asked why Councilman Johnston is submitting these ordinances to tie the Mayor's hands. She asked who is writing these ordinances because Councilman Johnston is a brand new councilman who does not have the legal expertise to write them. She said the city is governed by the Lawrason Act and these ordinances are illegal. She said she has a problem with the Council passing these ordinance because the public didn't know it was illegal until after it was voted on. This council is thumbing their nose at the Lawrason Act and the legal system. I have a problem asking for our input and then learning after the vote that the ordinance might be illegal. You are voting for things that will affect the citizens and we don't have legal council to help us.

Barbara Butera, Carolyn Dr. told Councilman Johnston that when his father was mayor he didn't have ordinances to tie his hands and asked why, since it was no problem then why do this now. Why it is a problem now? She asked them not to go against the Lawrason Act. Who ran for Mayor except Tina Miceli – yet y'all are trying to take over her job.

Roy Marks, West Ave. said he hates politics. He said the Council is not getting the information to make an educated guess. The council was voted in to look after our best interests. He said the Mayor's chair should be on the floor in front of the Council. He said the council meeting is a joke and nothing is being done unless you give the council the information to make an educated guess.

The Mayor closed the public hearing.

Councilman Benton asked what are "personal services".

Councilman Johnston said that it was any service brought into the city. He further said I know what it is – but his mind is a blank right now.

Councilman Benton said that if this ordinance was adopted in January –the city would have lost \$140,000 because it would have blocked the insurance plan being changed.

Councilman Johnston said it would have brought the insurance issue to the people and yes it would have blocked the change. We affected a lot of the employees.

Councilman Benton said it was mid-year because of the previous administration – let's not forget that.

Councilman Huete said we can't forget that – it keeps coming up. Mayor Miceli said that day to day operations of the city would be affected and the health and safety of the citizens comes first. She said storm drains need to be cleaned & citizens' homes are being flooded with sewage and calling council meetings to deal with this would slow down government until nothing gets done and she feels that's the goal.

Councilman Johnston said that no one writes their own ordinances and it doesn't matter who writes them and it is not the council's fault they have no city attorney.

Mayor Miceli asked who wrote them.

Councilman Johnston said he wrote them.

Mayor Miceli said that Westwego had a similar ordinance that was struck down.

Councilman Johnston said if it passes then you can challenge it. Mayor Miceli said that would cost the city money. But that transparency is needed so we need to know who is writing the ordinance. I offered to have Mr. Buras come to the executive meeting. Councilman Huete and Wheeler left before he came in. He saw you leave. She said he came at 2 pm and you had left. His resume can be seen and approved by the Council - not someone in the background writing ordinances.

Councilman Huete asked if you are really going to tell us what really happened.

Councilman Johnston said when the attorney tells you - you are wrong – you force them out.

Councilman Huete asked if Tommy Anzelmo rang a bell. He gave you an opinion that you didn't like and he resigned the next day.

Councilman Huete said that transparency means telling the truth. Mayor Miceli said that this ordinance will impede day to day services in a timely manner. Those are the real problems. I ask that the city attorney be seated and speak about these ordinances.

Councilman Huete again brought up Tommy Anzelmo.

Councilman Johnston said that every transparency ordinance passed has not been followed. There is no budget on the website, no check register – there is push back all the time. You ran on transparency – yet contracts are not put on line. You put the Mayor's message but not the budget.

Mayor Miceli said she wants transparency.

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

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: Benton

ABSENT: None

OLD BUSINESS – None

NEW BUSINESS

A request from Harahan Elementary School to use the Soniat Gym for their Annual Mardi Gras Ball without a rental fee.

A motion was made by Councilman Johnston and seconded by Councilman Baudier to grant the use of the gym.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

MOTION PASSES

A Motion to amend the agenda to add a Block Party in the 500 block of Gordon Ave. from Wilson to Sixth St. on New Year's Eve from 8 pm until 1 am was offered by Councilman Johnston and seconded by Councilman Baudier.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

MOTION PASSES

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

MOTION PASSES

ADDRESS COUNCIL

Bryan Whittle, Gordon Ave. thanked the council for approving their 18th annual New Year's Eve Party.

SECRETARY'S REPORT

The total revenues for the month of November, 2015 are \$537,226.89.

REPORTS

Police Chief Walker gave his report for November, 2015.

Fire Chief St. Cyr gave his report for October and November, 2015. He also stated they have installed 31 smoke detectors in 13 homes.

Councilman Baudier – Merry Christmas and Happy New Year.

Councilman Johnston said he ran on transparency & he will continue to fight for transparency. He wished everyone Merry Christmas and Happy New Year.

Councilman Wheeler – Merry Christmas and Happy New Year.

Councilman Benton – said the entire council and the mayor ran on transparency but these ordinances do not add transparency. She wished everyone Merry Christmas and Happy New Year.

Mayor Miceli said she wants transparency in government also. She invited everyone to call her. She wants things done properly & legally. She asked that everyone respect each other's powers and to also respect the citizens. Ordinances need to be legal and professionals need to be brought in to decide if they are legal. She wished everyone a Merry Christmas and a Happy New Year.

PAY BILLS

Bills paid in November, 2015 totaled \$423,181.44.

EXECUTIVE SESSION

ADJOURN

A motion was offered by Councilman Johnston and seconded by Councilman Wheeler to adjourn at 9:52 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.; 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