

**City of Harahan
6437 Jefferson Highway
Mayor and Harahan City Council
Council Meeting Minutes
February 22, 2018**

Date: February 22, 2018

Time: 7:30 pm

Mayor Miceli opened the Meeting 7:34 pm.

The City Clerk led the pledge of allegiance.

The City Clerk called the roll.

In Attendance were:

Mayor Miceli, Councilman Baudier, Councilman Benton, Councilman Huete, Councilman Johnston, Councilman Wheeler, City Clerk Nicole Lee, Police Chief Walker; City Attorney Gilbert Buras, Fire Chief St. Cyr.

Absent CPA Linda Lulue

MAYOR'S COMMENTS:

The Mayor mentioned the Florida shooting incident and reminded everyone of their responsibility to report anything out of the ordinary – she asked for a moment of silence for the victims and their families. She also updated the status of the Pump Station 8 project. 5 bids came in and the contract was awarded to Fleming Construction Co. with a bid of \$124,410. Work will be started the week of February 26th to be completed by May, 2018. Sewer repairs by Gulf Coast Underground have several back yard repairs still to be done. Restoration of the yards will be completed by March, 2018, if weather permits. Street resurfacing in the VFW area – design completion is set for March with road work starting in June using Jeff. Parish Annual Asphalt & Concrete to perform the work. Pump Station 6 – rehabilitation and rerouting will relieve 40% of the sewerage load on Station 8 – design work is on schedule to be complete in April, with bidding in May – and construction is scheduled to start in June to be completed in late 2018. Finish date is dependent on weather. The streetscaping grant from DOTD for sidewalk improvement brings in \$338,763 in grant money for the proposed projects of curb ramps, crosswalk refurbishment and sidewalks along Jefferson Hwy. Won't address all areas – but is first step to make pedestrians and cyclists safer. Preliminary design is ready.

SPECIAL PRESENTATIONS

1. Darlene Schwartz, Community Liaison – she reminded that property taxes are now delinquent – she urged everyone to pay them before March 1st to avoid further penalties. Drug enforcement Take Back Day will be April 28th. Regular locations will be open from 10 am to 2 pm. She thanked everyone for the support for her and family on the death of her mother.

Mayor Miceli told Ms. Schwartz that she and the administration is there for her.

2. Current State of the Harahan Police Department

Chief Walker said he spoke to the Mayor about Incode – but is still complaining about it. He said the Mayor of Mandeville had his financials on his phone. He is still complaining about not getting timely financials. He asked the Mayor about calling a car dealership – he apologized to Councilman Benton saying he bought 6 machine guns instead of the 4. He said it was primarily funding from Jefferson Parish used to purchase the ammunition, guns and cars. He questioned the pension system for the police dept. He asked about the auditing firm being used. He asked for all payments for health insurance from the insurance company for the police dept. He wants the figures that were paid. Crimestoppers says to lock your car – they notified the area around Harahan School about the children's Mardi Gras parade and found 9 cars unlocked.

ADDRESS THE COUNCIL

Aggie Orr – My Brother's Bar

Richard Kittok, Senior Center

Jason Bruzik, Stoneleigh

Evelyn Rhiems, Renpass

John Rheims, Renpass compost could drift over the levee into the neighborhoods. A motion was made by Councilman Baudier seconded by Councilman Huete to grant more time.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

Mr. Rheims continued

Jason Asbill, Posey

Tim Baudier

APPROVAL OF MINUTES

Councilman Benton offered a motion to dispense with the reading of the minutes of the December 28, 2017 special council meeting seconded by Councilman Baudier.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

Councilman Johnston offered a motion to approve the minutes of the December 28, 2017 special council meeting seconded by Councilman Benton.

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

YEAS: Benton, Johnston

NAYS: Baudier, Huete, Wheeler

MOTION FAILS

Councilman Benton offered a motion to dispense with the reading of the minutes of the Council Meeting of January 25, 2018 seconded by Councilman Johnston.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

Councilman Johnston offered a motion to approve the minutes of the Council Meeting of January 25, 2018 seconded by Councilman Baudier.

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

YEAS: Benton, Johnston

NAYS: Baudier, Huete, Wheeler

ABSENT: None

MOTION FAILS

COMMUNICATIONS

The Board of Adjustments and Appeals did not meet in January, 2018.

The Planning & Zoning Board did not meet in February, 2018.

RESOLUTIONS - None

ORDINANCES FOR APPROVAL

PROPOSED ORDINANCE NO. 2017-39 (Deferred 1/25/2018)

An Ordinance amending Ordinance No. 1822, the annual Budget of Revenues and Expenditures for the Fiscal Year ending December 31, 2017 for the City of Harahan, Louisiana. (Harahan Police Department)

This Ordinance was offered by Councilman Wheeler and seconded by Councilman Baudier.

The City Clerk read the Ordinance by title only.

Open Hearing – No one spoke

Council Discussion

Councilman Wheeler said she could not get the body of the ordinance completed. She wanted run sheets from Ms. Lulue and still does not have them.

Mayor Miceli said she spoke to Ms. Lulue who is ill.

A motion was made by Councilman Wheeler and seconded by Councilman Johnston to defer to the March meeting.

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

YEAS: Baudier, Benton, Johnston, Wheeler

NAYS: None

ABSENT: Huete

ORDINANCE DEFERRED

PROPOSED ORDINANCE NO. 2018-1

An Ordinance relating to asphalt repairs around the City of Harahan to be performed during the Fiscal Year ending December 31, 2018.

This Ordinance was proposed by Councilman Benton and seconded by Councilman Johnston.

Open Hearing – No one spoke.

Council Discussion – Councilman Johnston said there is not enough information – he wants a list of streets to be done besides Elodie & Heebe. He wants to know the costs of the curbs, the sidewalks and the streets itemized.

Mayor Miceli said that there are areas throughout the city that need to be repaired because patch work is not enough. Not having money in the budget hinders the day to day operations and repairs in the city.

Councilman Wheeler said they asked Mr. Hoppmeyer about the \$100,000 for streets and for the \$30,000 for drainage and did not receive it. They don't know how much they have because they don't have the run sheets.

Mayor Miceli said this is the capital budget to take care of citizen's complaints and the money is for longer than 1 year. State law says we should have a comprehensive budget for General Fund & Capital Fund – but Harahan has no capital fund budget.

Councilman Baudier says they are responsible for the budget numbers – he can't sign off on that – you are asking for our help but we only have a guess of what we need.

Councilman Johnston said that he wants to know where we are at and what other streets are on the list.

Mayor Miceli said that Mr. Hoppmeyer told them the price per foot for repairs. She asked they meet with Mr. Hoppmeyer before the next meeting. She will ask when Mr. Hoppmeyer is available and let them know.

Councilman Wheeler again asked for the run sheets.

Mayor Miceli asked the City Clerk to get in touch with Mr. Hoppmeyer.

Councilman Wheeler and Councilman Johnston wants an itemized list of all needed repairs.

A motion was made by Councilman Johnston and seconded by Councilman Wheeler to defer the vote until March.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

ORDINANCE DEFERRED

Councilman Baudier stated for the record that he will not vote on miscellaneous items – he wants itemized lists.

Councilman Wheeler – wants the streets that are dug up to be fixed first.

Mayor Miceli – said the council can research the streets that need to be done and amend the ordinance to include them.

Councilman Johnston – streets that are torn up – will they be included with the sewerage repairs or will they be in this ordinance. He noticed that they have patched some streets but some are sinking.

Mayor Miceli – it would be very helpful if you would let the city know about that so they don't release the contractor before the city is satisfied with the job.

PROPOSED ORDINANCE NO. 2018-2

An Ordinance relating to drainage maintenance around the City of Harahan to be performed during the Fiscal Year ending December 31, 2018.

This ordinance was proposed by Councilman Benton and seconded by Councilman Johnston.

The City Clerk read the ordinance by title only.

Mayor Miceli read a statement from Calvin Hoppmeyer – this will allow the city to effect needed repairs for the drainage system. A drainage maintenance program is mandated – this is in addition to the money supplied by the Parish. Prior to storms, the parish equipment may not be used at that time – we want to start this now.

Open Hearing - Jason Bruzik, Stoneleigh – he asked about the contracts – will they be submitted to the council before you sign them? You have not presented the contracts. Harahan Law says you have to do that.

Council Discussion – Councilman Johnston said that he and Councilman Wheeler met with Councilman Paul Johnston to get the truck from the Parish and asked where is the \$30,000 going – the parish truck is doing the work.

A motion to proceed with the vote was made by Councilman Johnston seconded by Councilman Baudier.

YEAS: Benton

NAYS: Baudier, Huete, Johnston, Wheeler

ABSENT: None

ORDINANCE FAILS

Councilman Johnston explained that the majority of work will be done for free by the Parish - \$30,000 is too much – Jefferson parish is doing most of the work.

ORDINANCE FOR INTRODUCTION (First Reading) – None

OLD BUSINESS

1. Civil Service Board Appointment

Mayor Miceli said there are two appointments to be considered. One from the Loyola list and Glenn Landry has reconsidered his resignation. She asked for nominations from the council. She received none.

Mayor Miceli nominated Glenn Landry for re-instatement.

Council Discussion:

A motion was made by Councilman Benton seconded by Councilman Baudier to reappoint Glenn Landry to the board.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

Councilman Wheeler said she contacted a possible nominee but did not have the information yet.

A motion was made by Councilman Wheeler and seconded by Councilman Johnston to defer the vote on the second nomination to the March meeting.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

A motion was made by Councilman Baudier to amend the agenda to add “Mayor Pro Tem Comments” under Old Business seconded by Councilman Johnston.

Councilman Baudier posed a question to Mr. Buras concerning the council writing laws that hinder the Mayor from doing her job. They wrote a law giving the police dept. access to Incode and she hasn’t followed the law.

Mr. Buras said that access for all depts. includes payroll and personnel files – if they are specific to perform his functions as an elected Police Chief he can get that. He said I know you want him to have access to all depts. with read only – but some information should not be open to access. Financial information is pretty much public record but to give total read only access – that’s not a good idea.

Mayor Miceli said that the chief's secretary came and explained what she wanted and she asked the chief to confirm that.

Mr. Buras – said that “address the council” is to speak to the council, but it is not an inquisition of the Mayor. The Lawrason Act does not fit Harahan any more. He is still waiting on an Attorney General's opinion about the contracts – and he does not feel that the Mayor has to do that – every paycheck is a contract. This is not what the Lawrason Act intended.

Chief Walker said they are not looking for personnel files – personnel files are not in Incode – this is smoke and mirrors – he wants financials to see what he is being charged for – we were charged for Mr. Buras to attend the council meeting.

Councilman Baudier asked Chief Walker whether the personnel information was in Incode. He said Mr. Buras said to give him access.

Mayor Miceli said she spoke to the Chief today and asked if what they did to give him access to Incode was working. Last year she called Daul Insurance and they offered email access to see his dept.'s costs. This would provide information to you.

Chief Walker said you wanted the police dept. to be responsible as an HR dept. – you wanted us to enroll our officers.

Mayor Miceli said you could get access by Daul – it's as much as you want to do.

Chief Walker said this is about Incode – they came to the office and when they left – his access was cut off.

Councilman Wheeler screamed at the Mayor to give him the access and let's move on.

Councilman Baudier asked for a list of private information on Incode.

Councilman Wheeler said just give it to him.

Mr. Buras said he does not know what Incode looks like and what information it contains. He will look into it as a lawyer and give a legal opinion.

Councilman Johnston said he just wants access back.

Councilman Wheeler said the denial of access was done out of spite.

Chief Walker asked for an honest answer why this was done. The Incode representative came to his office and when he left – they no longer had access.

Mayor Miceli said there were major projects done to improve the Incode system to correct the mistakes of the past. She thinks access was turned on already but she's asking that you let me know if it works.

Councilman Baudier asked Mr. Buras to look into the Attorney General Opinion 11-00-84.

Mr. Buras asked that he send it to him.

NEW BUSINESS

1. Appointments to the Fire Dept. Advisory Board.

Chief St. Cyr said he wanted to appoint Chris Henderson & Kelly Roche as his nominees on the board.

Councilman Wheeler offered a motion seconded by Councilman Johnston to defer the council's nominations to the March meeting.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSED

2. Elected Police Dept. Representative for the Civil Service Board.

Chief Walker said the employee's voted for Capt. Adams to be their representative.

3. High Content ABO application for R & E Jefferson, LLC, located at 6492 Jefferson Hwy.

Chief Walker said that all results are fine – but waiting on fingerprints.

Councilman Johnston asked about the church next door to this.

Mayor Miceli said the church was sold and will no longer be a church.

A motion was made by Councilman Johnston and seconded by Councilman Benton to grant the permit.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None
MOTION PASSED

4. High Content ABO application for The Pearl Room, LLC dba The Pearl Room, located at 2310 Hickory Ave.

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

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSED

5. High Content ABO application for Rite Aid #7268, located at 8225 Jefferson Hwy.

A motion was made by Councilman Johnston, seconded by Councilman Wheeler to approve the permit.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSED

ADDRESS THE COUNCIL

Jean-Marie Murphy, Woodlawn

A motion was made by Councilman Baudier seconded by Councilman Huete to grant more time.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

Jason Bruzik, Stoneleigh

SECRETARY'S REPORT

Secretary's report for January, 2018

Total revenue \$665,923.82.

REPORTS

Chief Walker gave a recap of stats for 2017. There were 7,860 calls for service. Then he gave the stats for January, 2018. He told everyone to lock their cars.

Chief St. Cyr – no report

Councilman Huete said that My Brother's Bar would be open on Feb. 23.

Councilman Baudier is excited about the new businesses coming to Harahan. We have an opportunity to promote our commercial corridors. He touted 2 restaurants having great food.

Councilman Benton – no report.

Councilman Wheeler announced the HFD's Fish Fry on March 2 for lunch and dinner at \$8 a plate.

Councilman Johnston – announced St. Rita's Fish Fry on March 16th – 5-8 pm.

Mayor Miceli – new developments in the city – across the street a gas station has changed hands – it will now be a Shell station. Mr. Ray is the new owner and he is working with city hall to have the station fit the city. More projects coming. They completed a memorandum of understanding with JW Colonial about The Blake. She thanked Mr. Buras for his help.

PAY BILLS

Bill's paid in January, 2018

Total expenditures \$551,960.52

EXECUTIVE SESSION - None

ADJOURN

A motion was offered by Councilman Benton and seconded by Councilman Baudier to adjourn at 9:40 p.m.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: NONE

ABSENT: None

MOTION PASSES

MEETING ADJOURNED AT 9:25 p.m.

A. The following matter involving pending litigation may be considered

(Court, Case, Number, Parties):

- 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. Suzanne 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**
- 4. Wood Materials LLC, Wood Resources LLC v. City of Harahan, 24th JDC, Case 761-783, Div. "K"**

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: