

CITY OF HARAHAH
6437 JEFFERSON HIGHWAY, HARAHAH, LOUISIANA
MAYOR AND HARAHAH CITY COUNCIL
December 19, 2013

The Mayor and the Council met on the above date for their regular meeting.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present: Mayor Mosca, Councilman Baudier, Councilman Chatelain, Councilman Huete, Councilman Landry, Councilman Murray, Municipal Clerk Nicole Lee, City Attorney David Courcelle, Police Chief Joe Lorenzo

Absent: Fire Chief Todd St. Cyr.

Mayor Mosca thanked the Police Dept. for solving a burglary case recently in Harahan. They recovered most of the stolen goods. Crime comes from the outside – not from our residents. He announced that a millage election in April will be dedicated to the police dept. He said that a wealthy New Orleans citizen called to offer assistance to the police dept. for such superb service.

SPECIAL PRESENTATIONS

St. Rita School Volleyball Champs

Councilman Chatelain presented the certificates to the East Bank Catholic Volleyball Champions from St. Rita's.

ADDRESS THE COUNCIL

Darlene Schwartz announced she resigned as an officer with the Police Dept. and announced her candidacy for Chief of Police. She has 35 years with the federal govt. with Customs and Homeland Security.

Tim Walker announced his candidacy for Chief of Police. He is a resident since 1976 and has 5 grandchildren here in Harahan. He is retired from New Orleans Police Dept. He also has degrees in police work. He is on the East Jefferson Bd. of Directors; Vice President of the Senior Center; Harahan Lions Club and the DD Club.

Bernie Delhom, Grove Ave. presented a Petition to install a stop sign at 7th St. and Grove Ave.

A motion was offered by **Councilman Murray** and seconded by **Councilman Landry** to erect a stop sign and have the police chief step up investigation of speeding on Grove.

Discussion:

Councilman Baudier said yes;

Chatelain said no because it is mostly neighbors and they don't realize how fast they are going. He asked the Chief to step up enforcement in the area. He would like a traffic study.

Councilman Landry agreed with Mr. Chatelain – it is only neighbors on the street. He advised them to speak to their neighbors.

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

YEAS: Baudier, Huete, Landry, Murray

NAYS: Chatelain

ABSENT: None

MOTION PASSED

Dale Simoneaux, talked about the most important issue that has come before the council – meaning the Colonial Country Club decision. In a democracy, not all will be pleased. The decision is made and we must go forward. The point is that now we are going forward, he asked that we get the best possible development with extra drainage capacity to help in the area and landscaping so that 100 years from now, the citizens can say it was the right thing. He says that sometimes there is an “opt” out clause and the bottom falls out – he hopes that plan “B” is not 200 homes and requires a sewerage treatment plant – he asked that the city put it downwind of Macque. He cited an article about the levees being raised except for the 5,000 ft. stretch in Harahan. The levees are to be raised 5 ft. and he would like to know why we are being accepted.

He said with the weather changes, 5 ft. could make a difference. Why is it being accepted?

Councilman Chatelain said it had to be because of the pump to the river project. It will be raised after the project is completed.

A motion was made by Councilman Chatelain and seconded by Councilman Landry to amend the agenda to take up Resolutions.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION PASSED

RESOLUTIONS

A motion was offered unanimously by the Council to adopt the following resolution.

1. A resolution finding and determining that a public hearing has been held and that no petition has been filed objecting to the proposed issuance of not to exceed Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000) of Taxable Sewer Revenue Bonds of the City of Harahan, State of Louisiana; authorizing the officials of said City to proceed with the preparation of the documents required for the issuance of such bonds; and providing for other matters in connection therewith.

Discussion:

Mr. Martin said this is the next step in the issuance of the bonds.

Councilman Murray asked if it will be advertised.

Mr. Martin said it is part of the loan package and will be advertised 4 times.

Councilman Murray asked for a hard copy of the package and information from the CPA as to the projected amount coming from fees to pay for the bonds. She said we are ahead only \$36,000 and she doesn't feel this is enough to pay off the loan.

Mr. Martin said that the bond committee said that it was sufficient.

Councilman Murray asked if the council had received that documentation.

Mr. Martin said he did not know, but this is only the first step.

Councilman Murray asked why they hadn't received it.

Mr. Martin said it came from the financial people here at City Hall.

Councilman Murray said she had no information to back up the resolution. She said Mr. Martin has the information.

Mayor Mosca said that budget documents were put in their mail box.

Councilman Murray said the budget documents had nothing to do with the bond issue. She wants to know if the city will be able to repay the loan.

Councilman Landry said he figured it out.

Councilman Murray said that is not the point - she has asked for 2 months for the information and it was not forth coming.

Mayor Mosca said she has the information.

Councilman Murray said has asked for the projection from the auditors.

Mayor Mosca said the projection is \$245,000.

Councilman Murray said the Mr. Martin has received the information, but she has not received it, nor a copy of the bond.

Mr. Martin said the documents have been submitted provisionally.

Councilman Murray said they have not received any documents.

Mayor Mosca said he hired Mr. Martin to do the job.

Councilman Murray asked Mr. Martin to give the council the information since the Mayor is not disseminating it.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

RESOLUTION PASSED

A motion was offered by Councilman Huete and seconded by Councilman Baudier to amend the agenda to take up the first Ordinance for Introduction.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION PASSED

A motion was offered unanimously by the Council to introduce the following ordinance.

The clerk read the Ordinance by title only.

1. An Ordinance authorizing the issuance of Four Million Dollars (\$4,000,000) of Taxable Sewer Revenue Bonds, Series 2014, of the City of Harahan, State of Louisiana, prescribing the form, terms and conditions of said Bonds; providing for the payment thereof; entering into certain other covenants and agreements in connection with the security and payment of said Bonds; selling said Bonds to the Clean Water State Revolving Fund; authorizing the execution of a Loan and Pledge Agreement and other loan documents with the Louisiana Department of Environmental Quality; providing for other matters in connection therewith."

Discussion:

Councilman Murray pointed out the difference in the amounts.

Mr. Martin said that if the city needs to have more than \$4,000,000 they don't have to go back to the bond commission.

Mayor Mosca said that \$350,000 spent on the sink holes will be paid back from the loan.

A motion was made by Councilman Chatelain and seconded by Councilman Baudier to take up New Business at this time.

Mr. Albert Robichaux, Terrytown from JCOA addressed the council concerning the Harahan Sr. Center. He thanked the city for allowing the JCOA to use the Sr. Center. They are chartered and are a 501-C-3 corporation and serve 80,000 people. The JP Council set up 11 centers and each one had a committee to run the centers. They all receive millage to run the centers except for Harahan. The Jefferson Parish Council said that committees could no longer run the centers. JCOA disbanded the committees and took their monies. The centers were told to set up a non-profit corporation and the only one to do it was the Harahan Sr. Center. Some of their money was given back to the non-profit organization and the agreement was that they not use the building except for the seniors and the money can only be used for activities at the senior center.

Councilman Landry asked about the millage that all the centers receive except Harahan.

Mr. Robichaux said that the Parish rededicated unused millage to the Sr. Centers but Harahan did not participate. The millage brings in \$950,000 a year and the money is divided among the centers, but JCOA get \$400,000 of the money which is used for the meal program. Mr. Johnston should be asked to change the procedure to include Harahan because we also serve River Ridge residents.

Councilman Landry and Chatelain agreed that the Sr. Center serves River Ridge citizens who do pay the millage.

Mr. Robichaux said that possibly the Center could receive \$35,000 from the millage. He said that the millage has been collected since 2006.

Councilman Chatelain said he was not aware of the millage and he feels that since we serve the River Ridge area - we should get a cut of the millage.

Mr. Robichaux says we do not have a written agreement. He said JCOA doesn't like the name Harahan Sr. Center Inc. being used by the non-profit org. because it is confusing. They would prefer it be called Friends of Harahan Sr. Center Inc. But it is legal and the funds have been released.

Councilman Murray asked about the copies being made by the city clerk since the center's copy machine is broken.

Mr. Robichaux said they get \$680,000 a year from the state to run the Sr. Centers which only pays for the salaries.

Councilman Landry said the committees operate the center - they pay for many things that the city does not pay for.

Councilman Chatelain said the director is paid for by JCOA and they hire the director.

Mr. Robichaux praised former director E.J. Mouney who was a "dream" of a director.

Councilman Murray asked how many directors have been hired since **Mr. Mouney** passed away.

Mr. Robichaux answered 4 in two years. He feels that any issues can be worked out.

Councilman Murray asked about the \$40,000 that was taken. She asked who raised the money.

Mr. Robichaux said that the committee raised the money.

Councilman Murray stated that the Sr. Center had raised the money at the center.

Mayor Mosca asked about the hierarchy of the board and stated that he board was elected by the membership of the senior center.

Councilman Murray said that now that we have a non-profit organization running the center.

Tim Walker, a board member and founding member of the non-profit org. stated that JCOA is not affiliated with Jefferson Parish.

Councilman Chatelain said that the senior center had to be incorporated. He asked about the agreements with the city.

Mr. Kittok said that the center has an agreement with the city and **Mr. Robichaux** agreed.

Mayor Mosca asked about the articles of incorporation. He read the article about the "Daughters of Esther" with which they are affiliated. He claimed that **Mr. Kittok** will serve as president for life. He was not happy with that.

Mr. Kittok said that the committee will do whatever the city wants. The board of the non-profit consists of the elected members of the committee. He also stated that the board cooks for any events instead of paying a catering company. The Christmas Party cost \$2,500. They have saved over \$5,000 since they are cooking for the parties. The money is always counted by several people and nothing is done any different - it is all done for the benefit of the seniors. He stated they were forced to purchase insurance which cost \$1,800 and the incorporation cost more money. The thrift shop at the center is run by volunteers who sort the donated goods and then sell them with the proceeds going to the center. The committee has purchased chairs, tables, fans and other goods for the center.

Mayor Mosca said they came to him and he thought it was "The Friends of the Harahan Sr. Center" and granted the use of the center with further provisions including putting their money into the general fund with a line item called "Adelaide's" and the money would be exclusively for the use of the senior center.

Mr. Walker said that no checks have gone out with less than 2 signatures and that Harahan was the only center to comply with JOCA by giving them monthly reports. The center was audited at least once a year and were always in compliance. When the charter was cancelled and the monies seized they formed a non-profit and purchased insurance. Checks are still issued with 2 signatures. He said he found out about the millage about 2 years ago and he asked the parish for the millage. He said that 50% of the seniors are from outside Harahan. The other centers use the millage for trips and other things. The Parish excluded Harahan and all incorporated areas except Jean Lafitte.

Mr. Kittok said that an audit of the center showed that 62% of the members were from River Ridge and Elmwood. They only provide the functions - they don't tell the director how to run the center.

Councilman Chatelain said that JCOA is a 501-C-3 and he asked about the group we are incorporated under.

Mr. Kittok said they are included with a 501-C-3 organization which acts as an "umbrella organization" for the IRS. They don't interfere with the running of the center. He said the board is working on a new 501-C-3 now.

Mr. Robichaux said he had concerns about the organization and addressed it with a JCOA attorney who said it was fine and legal.

Mr. Kittok said there is no money provided for the River Ridge and Elmwood seniors from the JCOA.

Councilman Landry suggested that they go to the Parish Council and ask for the money.

Mr. Kittok said that the money is spent on food and parties and not on gambling trips.

Mr. Robichaux asked that the city join in with the Parish for the millage renewal because JCOA needs more money.

Councilman Chatelain asked how much would Harahan receive the millage?

Mr. Robichaux said it would receive nothing - it would go to JCOA and then be divided among the centers according to membership.

Sr. Center Director Tommie Duffy said there are 1,382 members.

Councilman Murray asked how many meals are delivered to Harahan.

Ms. Duffy said that 65 people are receiving home meals and approximately another 40 come in to the center to eat.

Councilman Landry said the seniors are provided with more than meals - he advised everyone to go to the website and check out the services.

Mayor Mosca asked **Ms. Duffy** and **Carlo Ferrara** to come to the podium

Ms. Duffy said she had no idea what the senior center did before she got this job. She said the center is a life line for some seniors. She has a problem with the name because it is confusing. She also contends that no board was elected; that no minutes or treasurers report are given at the meetings. She claims that the board interferes with the running of the center.

Councilman Landry said the board has always been elected and he is on the non-profit board too.

Councilman Chatelain asked how she gets office supplies.

Ms. Duffy said that JCOA supplies the office supplies. The copy machine is not paid for by JCOA.

Mr. Kittok said that the Xerox was coming out of the money raised by the seniors. He said that 90% of the elected members of the board are on the non-profit board.

Councilman Chatelain asked how much money does **Ms. Duffy** get from JCOA to run the center.

Mr. Kittok said the JCOA gives the center a petty cash fund. He also said the coffee was stored in another room and **Ms. Duffy** did not know where it was which had caused a problem.

Councilman Chatelain said he will go thru the building with **Tommy** to make sure she has keys for every lock in the building and knows where everything is.

Councilman Murray pointed out that JCOA pays the director but gives her no money to run the center.

Ms. Duffy said she receives \$300 for petty cash for office supplies and that she reports to JCOA.

Mr. Robichaux said the money comes from the state according to population. We have 10 centers and get \$680,000. **Ms. Duffy** has a supervisor and if she needs something, she can request what she needs.

Councilman Murray asked how much has JCOA given to the center in the past year.

Mr. Robichaux said a few thousand dollars.

Councilman Murray asked "where's the problem" - we have many volunteers who help out and pay for supplies.

Mr. Robichaux said the center has \$40,000.

Councilman Murray said that money was raised by the seniors and they don't know where their next money is coming from.

Mr. Robichaux said that JCOA can't move money like the city from one line item to another. They need more money from the state. \$680,000 is not enough.

Ms. Duffy said that this center may be the model for other centers. She has a problem with the non-profit handling the money,

Councilman Landry said the group just formed and there should be no problem.

Ms. Duffy said she was told to leave the board meeting.

Mr. Kittok said that she was never told to leave. We are learning as we go. No one was told they had to leave. For 10 years a JCOA representative gave a report at the board meeting. The director always came to the board meetings. Someone said at the meeting that the director can't come which isn't true. We lost volunteers because JCOA seized the money and there may not be an "Adelaide" because the volunteers want to quit because JCOA took the money.

Ms. Duffy said that the non-profit has control of the \$40,000 and she doesn't think they should control it.

Mr. Walker told Ms. Duffy to request what she needs from the board and they will do what they can to help her. He said the center was spending \$500 on coffee and they were trying to control spending.

Mayor Mosca said they will work this out at another meeting.

There will be a general meeting on the December 30th at 9:30 am at the senior center.

APPROVAL OF MINUTES

A motion was made by Councilman Baudier and seconded by Councilman Landry to dispense with the reading of the minutes of November 21, 2013 Council Meeting.

NAYS: None

ABSENT: None

MOTION APPROVED

A motion was made by Councilman Huete and seconded by Councilman Murray to approve the minutes of the November 21, 2013 Council Meeting.

The Mayor called for a vote. The vote was:

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION APPROVED

A motion was made by Councilman Chatelain and seconded by Councilman Huete to suspend the reading of the minutes of the Finance Committee Meetings on November 13, 14, 18, 19 & 20, 2013.

The Mayor called for a vote. The vote was:

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION APPROVED

A motion was made by Councilman Murray and seconded by Councilman Huete to approve the minutes of the Finance Committee Meetings on November 13, 14, 18, 19 & 20, 2013.

The Mayor called for a vote. The vote was:

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION APPROVED

COMMUNICATIONS

BOARD OF ADJUSTMENT AND APPEALS

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

PLANNING & ZONING BOARD

The Planning & Zoning Board did not meet in December.

ORDINANCES FOR APPROVAL (PUBLIC HEARING)

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

The Municipal Clerk read the Ordinance in its entirety.

1. An Ordinance amending Ordinance No. 1750 the Annual Budget of Revenue and Expenditures for the Fiscal Year ending December 31, 2013 for the City of Harahan, Louisiana.

The Mayor opened the Public Hearing.

No one spoke.

Discussion:

Councilman Murray asked what was changed.

The Mayor called for a vote on the Ordinance. The vote was:

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

ORDINANCE PASSED

A motion was made by Councilman Murray and seconded by Councilman Chatelain to take a five minute recess.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION PASSED

The meeting was called back to order.

ORDINANCE FOR INTRODUCTION (FIRST READING)

A motion was made by Councilman Huete to introduce the following ordinance.

The clerk read the Ordinance by title only.

1. An Ordinance authorizing the issuance of Four Million Dollars (\$4,000,000) of Taxable Sewer Revenue Bonds, Series 2014, of the City of Harahan, State of Louisiana, prescribing the form, terms and conditions of said Bonds; providing for the payment thereof; entering into certain other covenants and agreements in connection with the security and payment of said Bonds; selling said Bonds to the Clean Water State Revolving Fund; authorizing the execution of a Loan and Pledge Agreement and other loan documents with the Louisiana Department of Environmental Quality; providing for other matters in connection therewith."

A motion was made by Councilman Landry to introduce the following ordinance.

The clerk read the Ordinance by title only.

2. An Ordinance adopting a Budget for the Sales Tax Fund for the City of Harahan, Louisiana for the Fiscal Year ending December 31, 2014.

A motion was made by Councilman Baudier to introduce the following ordinance.

The clerk read the Ordinance by title only.

3. An Ordinance adopting the Annual Budget of Revenues and Expenditures for the Sewerage Department for the Fiscal Year ending December 31, 2014 for the City of Harahan, Louisiana.

A motion was made by Councilman Chatelain to introduce the following ordinance.

The clerk read the Ordinance by title only.

4. An Ordinance to amend Ordinance No. 1046, to define "term" of office, which any elected official of the City of Harahan, State of Louisiana, may serve.

Councilman Murray asked what the definition would be.

Mayor Mosca said that term was never defined.

OLD BUSINESS

NEW BUSINESS

1. 2014 Holidays

A motion was made unanimously by the Council to adopt the list of holidays for 2014.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION PASSED

3. Kim Schwall, resident of Gordon Ave., is requesting a permit for the annual New Year's Eve Block Party in the 500 block of Gordon Ave. from 8:00 p.m. until 1:00 a.m.

A motion was offered unanimously by the Council to grant the permit.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION PASSED

ADDRESS THE COUNCIL

None

SECRETARY'S REPORT

Secretary's report for November, 2013.

Revenues \$235,512.17.

PAY BILLS

The Council paid the bills for November, 2013 in the amount of \$110,292.82.

REPORTS

Chief Lorenzo gave his report for November.

Councilman Landry Merry Christmas and Happy New Year.

Councilman Chatelain - same

Councilman Baudier - Puccino's Coffee Shop will be opened. He also mentioned the King Cake Festival - in January. Merry Christmas and Happy New Year.

Councilman Murray - Merry Christmas & Happy New Year

Councilman Huete - Merry Christmas & Happy New Year - enjoyed her year on the council.

Mayor Mosca thanked the council and all employees for their dedication and work. Merry Christmas and Happy New Year and he apologized to everyone who hates him.

EXECUTIVE SESSION

None

ADJOURN

A motion was made by **Councilman Murray** and seconded by **Councilman Baudier** to adjourn at 10:18 pm.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION PASSED

Provino Mosca, Mayor

Nicole Lee, Municipal Clerk

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

- 1. D Stop Prop LLC vs. Harahan City of, Board of Adjustments and Appeal of the City of Harahan, Case: 729-152 Div: "N".**

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: