

**CITY OF HARAHAH**  
6437 JEFFERSON HIGHWAY, HARAHAH, LOUISIANA  
**MAYOR AND HARAHAH CITY COUNCIL**  
February 20, 2014

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; Steve Villavaso, City Planner.

**Absent:** Fire Chief Todd St. Cyr.

**SPECIAL PRESENTATIONS**

**Gayle Adams**, voice teacher presented Louis Butler's daughter, Charlotte as an opera singer. She sang three selections including the Star Spangled Banner.

**Peter Theis & John Adcock**, lawyers, on behalf of Margaret Caruso who wants to open a Personal Care Home in Harahan for the elderly. The Fair Housing Act mandates this as allowable in the city. The request is reasonable and is compatible with the area. This does not change the zoning ordinance or allow for any other personal care home in Harahan.

**Mayor Mosca** said the city is trying to work out a solution that will impact the city with the least amount of damage to the city.

**Councilman Landry** said it appears that the city must approve this or the Federal Govt. will step in and mandate the action.

**Mayor Mosca** said that if the city approves the resolution that should resolve the matter.

**Mr. Theis** said that once the city approves it – that doesn't mean that anyone else can do that. All state requirements must still be met.

**Councilman Murray** asked if allowing only one would not be discriminating against another one.

**Mr. Theis** said that each request would be decided on its own merits so there would be no discrimination.

**Councilman Murray** said that commercial zoning areas allow for Group Homes for mentally disabled persons.

**Councilman Baudier** said that the neighbors are against this and we must represent our voters.

**Mr. Theis** said that there is no outward physical change in the home or to the zoning – and there are many requirements that must be met.

**Councilman Chatelain** asked about the 6 residents with 2 workers – he feels there is not enough parking.

**Mr. Theis** said the residents don't drive and there won't be a parking problem.

**Councilman Chatelain** said he would have to have the neighbors to come back.

**Councilman Landry** asked about the Fair Housing Act. When was this passed by the Federal Government?

**Mr. Adcock** said the Fair Housing Act was adopted in 1988 and amended in 1991. Disabled is used in Federal Law and defined by the law. He said there is no personal care home in Harahan.

**Councilman Murray** asked about the parking areas and asked the city attorney if there were anything in the zoning law about how many cars can be parked in residential or how much of the lot can be paved.

**Councilman Chatelain** asked Mr. Villavaso about the parking for the home.

**Mr. Villavaso** said that parking in the first 20 ft. of the lot is not allowed. But that she could probably fit at least 3 cars on the driveway.

**ADDRESS THE COUNCIL**

**Richard Kittok**, Chairman of the Appeals Bd. asked about the law suit filed against the appeals board and the city. He asked that the Council

stand with the Appeals Bd.'s decision on this case. A letter was sent to the Attorney General concerning this suit and asking for an AG opinion, but the Mayor sent a letter saying he did not want an opinion. Mr. Kittok, representing the board, is asking whether it is legal for the Mayor to settle a lawsuit against the Appeals Bd. without asking for input from the board.

Mr. Courcelle said that if a matter is turned down, it then comes to the Mayor once they file suit.

Councilman Murray said she had also asked for an opinion from the Attorney General.

Mayor Mosca said an opinion can only be obtained from the Attorney General if a request is from the Mayor or if it is brought by resolution before the council.

Councilman Murray said there was a 3<sup>rd</sup> way – that if is brought before the council and they decide not to address this, then an individual can act.

Councilman Huete asked if everyone had read the Mayor's letter.

Councilman Murray said that the Mayor did write a letter to the Attorney General about not needing an opinion. She does not understand his reasoning.

Mayor Mosca said that the council had not requested the opinion.

Councilman Murray said the Attorney General replied to her that the Mayor and therefore the city did not want an opinion.

Mayor Mosca said a resolution is needed.

Mr. Kittok requested a resolution from the council to get an opinion.

Mayor Mosca said he would ask the city attorney to ask the Attorney General whether the Mayor can settle lawsuits for the city.

Tim Walker, West Imperial, a candidate for Police Chief for Harahan gave his statistics.

Darlene Schwartz, a candidate for Police Chief for Harahan gave her statistics.

A motion was made by Councilman Landry and seconded by Councilman Baudier to amend the agenda to take up the Colonial Development Agreement.

The Mayor called for the vote, the vote was:

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

**MOTION APPROVED**

**NEW BUSINESS**

**COLONIAL DEVELOPMENT AGREEMENT**

The Mayor announced that the Zoning Board had reviewed the agreement and will be reviewing it again.

Councilman Murray asked about a bond for the project.

Mayor Mosca said there was a letter of credit but the bond is a different financial vehicle.

Councilman Murray said that a bond does need to be posted. A letter of credit does not indemnify the city.

Councilman Landry said they will come up with a bond in time.

Councilman Murray said she is still going over the agreement document.

Councilman Landry asked about another section of the agreement.

Councilman Murray asked about the maintenance of the drainage area.

Mr. Capella said that the question was who would own the drainage area and that if JW Colonial gave it to the city the city would be responsible for the upkeep.

Councilman Murray asked about the 15 acres used for drainage.

Councilman Landry said that the 15 acres being used for drainage would be protected by a servitude given in perpetuity.

Mr. Capella agreed that the servitude would be granted in perpetuity and no one would ever be able to build on the property.

Councilman Murray asked if they sold the property, who would be responsible for the upkeep of the property? She asked about the property's upkeep if the commercial property is also sold.

Mr. Capella said that would be written into the agreement.

Councilman Murray asked about a second or third owner.

Mr. Capella said that it will either be owned by the current owner; the commercial venture; or the City of Harahan – and the agreement will lay out who will be responsible for the upkeep. He further said that JW Colonial has done everything they have been asked to do. He said that the city may add to the agreement and the final plan will be brought to the Planning & Zoning Board to decide the final needed changes. They will work with the city to get everybody as comfortable as possible. The development agreement has been presented and he invited any councilmen to call them at any time if they have questions. He appreciated the cooperation of the city.

Councilman Murray asked about the lighting and parking because the picture has not been changed.

Mr. Capella said that they have been changed, but the finished document is not ready.

#### APPROVAL OF MINUTES

A motion was made by Councilman Baudier and seconded by Councilman Murray to dispense with the reading of the minutes of the January 16, 2014 Council Meeting.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

#### MOTION APPROVED

A motion was made by Councilman Huete and seconded by Councilman Landry to approve the minutes of the January 16, 2014 Council Meeting.

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

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 January.

#### PLANNING & ZONING BOARD

A motion was made by Councilman Baudier and seconded by Councilman Chatelain to dispense with the minutes of the February 5, 2014 Planning and Zoning board 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 Baudier to accept the minutes of the February 5, 2014 Planning and Zoning Board Meeting.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

#### MOTION APPROVED

#### RESOLUTIONS

The following resolution was offered unanimously by the Council.

The Municipal Clerk read the resolution by title only.

1. A resolution granting Amendment No. 2 to the Engineering Agreement with Myer Engineers, Ltd. (an Engineering Firm licensed in the State of Louisiana), associated with the design and installation of two (2) sewage effluent pumps at the City of Harahan's Waste Water Treatment Plant, a project funded by the Hurricanes Gustav & Ike CDBG Parish-Implemented Disaster Recovery Program through the Jefferson Parish Office of Community Development, for an addition to the project's scope of services. This supplemental agreement will increase the cost of design and construction of the project from \$11,774.00 to \$16,030.30.

**Discussion:** None

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

**YEAS:** Baudier, Chatelain, Huete, Landry, Murray

**NAYS:** None

**ABSENT:** None

**RESOLUTION PASSED**

**ORDINANCES FOR APPROVAL (PUBLIC HEARING)**

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

The clerk read the Ordinance by title only.

1. 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.

**The Mayor** opened the Public Hearing.

**The Mayor** closed the Public Hearing.

**Discussion:** None

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

**YEAS:** Baudier, Chatelain, Huete, Landry

**NAYS:** Murray

**ABSENT:** None

**ORDINANCE APPROVED**

The following Ordinance was introduced by **Councilman Chatelain** and seconded by **Councilman Landry**.

The clerk read the Ordinance by title only.

2. 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.

**Discussion:**

**The Mayor** said the ordinance was not completely written and asked that it be deferred.

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

**YEAS:** Baudier, Chatelain, Huete, Landry, Murray

**NAYS:** None

**ABSENT:** None

**ORDINANCE DEFERRED**

**ORDINANCE FOR INTRODUCTION (FIRST READING)**

None

**OLD BUSINESS**

**The Police Millage.**

**Mayor Mosca** had the City Clerk compile the cost to the citizens of the 6 mills for the Police Dept. to be voted on in April. The city subsidizes the police dept. but now needs millage for that dept. so the other monies can be used for maintenance in the city. If a house is assessed at \$100,000 - it will cost \$60 a year. \$200,000 - \$120 more, etc. He called Chief Lorenzo to the podium.

**Chief Lorenzo** said there are 25 officers and 30 cars - he explained that some are in the shop and others are being cannibalized for the other cars. He would like a large uniform presence to deter crime.

**Mayor Mosca** said that when a crime is committed in Harahan, a quick arrest usually follows. He said that with proper technology such as crime cameras on Hickory there would be 24 hour monitoring for crime.

**Chief Lorenzo** said that other cameras could be monitoring shopping areas or neighborhoods. He would like to put more men on the street and the officers make less than Jefferson deputies. He would like to have more training.

**Mayor Mosca** said the city needs more personnel on the street.

**Chief Lorenzo** said the city is a prime candidate for community policing. He said that some of the officers have opted out of the city pension system because they need the money. Retention is a problem. Sheriff deputies make \$2,500 more than our officers. There are no details in the city.

**Mayor Mosca** suggested a cooperative endeavor agreement with Jefferson Parish for equipment.

**Chief Lorenzo** said that has already been done.

**Mayor Mosca** said that if the millage does not pass, it will impact the city for years to come. He asked the Councilmen if they support the millage.

**Councilman Huete** said yes but asked the mean salary for Harahan officers.

**Chief Lorenzo** said that Jefferson Parish pays \$2,000 more but did not give the starting salary.

**Councilman Huete** asked when was the last time the officers received a raise? She also asked about the "River Ridge" beat in Jefferson Parish.

**Chief Lorenzo** asked Rena Sanders, Human Resources, and she replied that officers received a raise in 2012. He then said that there is more than one officer in River Ridge and we have 2 or 3 officers on patrol at any given time.

**Mayor Mosca** said that with this extra money, they could create more overtime for the officers.

**Councilman Landry** said he thought the "Community Walk" was a walk against crime.

**Chief Lorenzo** said he and another officer were knocking doors to meet the people.

**Councilman Murray** thanked the Chief for all he does and asked about some of the recent crimes.

**Chief Lorenzo** said they have added patrols in the neighborhood where crimes have been committed.

**Councilman Murray** thanked him for the Neighborhood Watch meeting.

**Chief Lorenzo** said he is trying to develop 10 to 12 strong Neighborhood Watch groups. He said that citizens are putting up cameras that they will be using to solve crimes.

**Councilman Landry** is also in favor of the millage. They have started a Neighborhood Watch program in his neighborhood. He asked what phone number was the quickest to call for help - 911 or Harahan Police Dept.

**Chief Lorenzo** said that 911 dispatches for Harahan.

**Councilman Chatelain** is in favor of the millage.

**Mayor Mosca** said this millage is needed badly.

**Councilman Landry** said the annual city budget was \$4.6 million when he first took office and now it is \$5.4 million.

**Chief Lorenzo** gave his statistics report for January, 2014.

He announced the closing of Hickory for about 90 days and offered the solution of using 10<sup>th</sup> St. as one way in to Hickory Ave.

**Councilman Murray** asked about the Fire Dept.'s access to Hickory.

**Councilman Baudier** said that Chief St. Cyr met with the Dept. of Transportation this past week.

#### **ADDRESS THE COUNCIL**

None

#### **SECRETARY'S REPORT**

Secretary's report for January, 2014

Revenues \$1,409,805.46.

#### **PAY BILLS**

The Council paid the bills for January, 2014 in the amount of \$466,166.54.

#### **REPORTS**

**Councilman Landry**, 7<sup>th</sup> annual Dad & Daughter Dance at St. Rita's Gym, March 7 - 7-10 pm. His wife is chairing the event.

**Councilman Chatelain** complimented Ms. Butler on her singing. St. Rita is having a crawfish cook-off, date to be announced. They will also have a steak dinner in March. Tickets are \$100 a couple with a cash bar. Date TBA. He is following Harahan basketball and suggested everyone come out for it.

**Councilman Baudier** - have a safe Mardi Gras. He asked for condolences for the owner of Droopy's who recently passed.

**Mayor Mosca** announced that several streets will be repaved soon. He urged everyone to vote for the millage for the Police Dept.

**Councilman Murray** - have a happy Mardi Gras.

**Councilman Huete** - no report.

**EXECUTIVE SESSION**

The council voted unanimously to go into executive session at 10:00 p.m.

The meeting was called back to order at 11:05 pm.

**ADJOURN**

A motion was offered by Councilman Landry and seconded by Councilman Baudier to adjourn at 11:10 pm.

The Mayor called for a vote. The vote was:

**YEAS:** Baudier, Chatelain, Huete, Landry, Murray

**NAYS:** None

**ABSENT:** None

**MOTION APPROVED**



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 Appeals 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:**