

CITY OF HARAHAH
6437 JEFFERSON HIGHWAY, HARAHAH, LOUISIANA
MAYOR AND HARAHAH CITY COUNCIL
September 18, 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 Tim Walker, Steve Villavaso, City Planner.

Absent: Fire Chief Todd St. Cyr.

SPECIAL PRESENTATIONS

Proclamation - Constitution Week

Mayor Mosca announced the 227th anniversary of the adopting of the Constitution of America, Sept. 17 - 23rd as Constitution Week. Bonnie Cook, a representative of the National Organization of the Daughters of the American Revolution thanked the Council.

Chief Tim Walker presented Capt. Adams, commander of operations, Sgt. Gleber, in charge of the Patrol section and Detective Bureau, Capt. Savoy, commander of the reserve and his reserve officer's awards and said they contributed over 1250 hrs. this year. They are dedicated personnel. He awarded ribbons to entire section.

Capt. Leo Savoy presented the commendation to the reserve officers.

Chief Walker presented Capt. William Savoy a Class C Commendation for his work with the department.

On another matter, Chief Walker asked if anyone from the Mayor's office had called civil service concerning his secretary Tracy Whittle.

Mayor Mosca 2013 budget was audited and the findings came out - 1. General fund had 5,800,000 spent - budgeted 5,400,000. The recommendation was that the council monitor total revenues and amends the budget when necessary. The council did that on Dec. 19, 2013 - unanimously voted to change budget 5,968,000. They followed the recommendation. 2. Bid laws - the city purchased 6 police vehicles and the Jeff. Parish Council paid for 3 of them through the parish contract. Also the prior police chief cooperated in bringing a program - the Federal Forfeiture Program in which federal funds come to the police dept. Money comes into the city from various sources. It brought in \$280,000 with another \$80,000 this year and \$120,000 next year. The funds go through a separate checking account - 3 cars were bought through this fund. I thought I could buy the cars with federal funds without a bid process. I didn't know I need to use a bid process. The chief decided to buy these 3 cars. No contract for 2 individuals who cut grass - one at Sr. Center and one at playground. He created a contract for them. He asked City Auditor to let him know where the city is as of Sept. 15, 2014. A letter was distributed to the council from him. The end of year fund balance for Capital Projects was \$854,000. This year there are additional revenues of \$174,000 - surplus of \$1 million of the capitol project budget. Created surplus for next administration to use on streets. Councilman Johnston gave almost \$280,000 to fix streets in Harahan. Major factors of city government is sewer repair and street repairs. Don't know when sewer repairs will come up, but last year we spent \$154,000 for 1 sewer repair and \$375,000 for another and \$344,000 for sewer repairs. The money was not budgeted. But our position is when it comes to sewer repairs - we fix it and pay later.

ADDRESS THE COUNCIL

Allen Boudreaux - running for council - will not seek endorsement of any elected official. Wants voter endorsements.

Tina Miceli running for Mayor of Harahan. Gave qualifications and vision for Harahan.

Pat Rooney, 1st Parish Court Judge, Div. B – traffic, DWI and civil matters. Southern Legal Clinic.

Gary Landrieu – running for House of Representatives.

Johnny Lee – 1st Parish Court Judge, was public defender in 1st Parish Court.

Bryan Whittle – announced he is running for Council.

Carrie Wheeler – announced she is running for Council.

Craig Johnston – announced he is running for Council.

Pat McDaniel – announced he is running for Council and is not accepting donations.

Michael Maxwell – announced he is running for Council.

Ray Thompson, Macque Dr. – not running for Council. Development Agreement calls for study to turn Colonial into a park. The council expressed support for a Community committee to work on the plan. Capella agreed and so did the council – but a year has gone by and nothing has been done – needs to be in the agreement. Rumor – JW Colonial have approached residents along Glenwood to get their approval for a road access to and over the levee. Seems that monetary support or a promise of additional land has been promised for their support.

Darlene Schwartz announced 2 events – 1. Sept. 27 – Sat. – Prescription take back day. Locations: Rite Aid Pharmacy parking lot and Harahan Police Station – 10 am to 2 pm. 2. National Night Out Against Crime – Oct. 14, Tues. 6:30 – 8:30 pm in parking lot behind St. Rita. Flyers will be distributed to the citizens. If you have questions, call 737-9763, or Darlene.schwartz@harahanpd.com.

Sue Benton – announced she is running for council – she feels that the city is not going in right direction.

A motion to amend the agenda to take up New Business was made by **Councilman Landry** and seconded by **Councilman Baudier**.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION APPROVED

NEW BUSINESS

1. Request is made for a low content ABO license for Fastway Fuelmart, located at 6492 Jefferson Hwy., for Shobha Movva and Stridhar Takkallapalli. (Deferred from August)

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

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION APPROVED

2. Notice of Public Meeting – Notice is hereby given that the City Council of the City of Harahan, state of Louisiana, plans to consider adopting a resolution ordering and calling an election to authorize the continuation of an ad valorem tax, at the meeting on Thursday, November 20, 2014 at 7:30 pm at the Council Chambers of the City Hall, 6437 Jefferson Hwy., Harahan, Louisiana.

A motion was offered unanimously to approve the notice.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION APPROVED

3. Board of Adjustments and Appeals appointment – Darlene Schwartz.

Discussion:

None

A motion was made unanimously by the Council to approve the appointment.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION APPROVED

Ms. Schwartz thanked the council for the appointment.

RESOLUTIONS

The following resolution was offered unanimously by the Council.

A Resolution authorizing the administration to accept the Municipal Water Pollution Prevention Environmental Audit Report for the period of August 1, 2013 to July 31, 2014, and to inform the Louisiana Department of Environmental quality that the following actions were taken and additional actions will be taken by the City Council.

The Clerk read the resolution in its entirety.

Discussion:

None

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

RESOLUTION ADOPTED

The Council returned to the original agenda.

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 August 21, 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 Chatelain to approve the minutes of the August 21, 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

COMMUNICATIONS

BOARD OF ADJUSTMENT AND APPEALS

A motion to dispense with the reading of the minutes of the Board of Adjustments and Appeals meeting of August 27, 2014 was made by Councilman Murray and seconded by Councilman Baudier.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION APPROVED

A motion to accept the minutes of the Board of Adjustments and Appeals meeting of August 27, 2014 was made by Councilman Landry and seconded by Councilman Baudier.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION APPROVED

PLANNING & ZONING BOARD

The Planning & Zoning Board did not meet in August.

ORDINANCES FOR APPROVAL (PUBLIC HEARING)

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

The City Clerk and the Mayor read the Ordinance in its entirety.

- 1. An Ordinance adopting a Development agreement (see attachment A) between J.W. Colonial and the City of Harahan, Louisiana.**

The Mayor opened the public hearing.

A.J. Boudreaux – not discussed is the batture – nothing in agreement; nothing on map that says the batture is part of this agreement. Should a road be put in over the levee, he wants to know what type of commerce would be allowed on the batture.

Councilman Landry said the batture is zoning POR – Park or Residential. Mr. Boudreaux said it doesn't matter because the city can't impede commerce on the river.

Judy Johnson spoke to the Council concerning matters not addressed in the agreement. She urged the council to seriously look at the matters. She asked if the council had received the documents.

Councilman Baudier stated that this is address the council and not a question and answer.

Mayor Mosca suggested that she make an appointment with him. She said she had not made an appointment with the Mayor.

Mayor Mosca pointed out that she works for the city and does a good job.

The Mayor closed the public hearing.

Councilman Landry asked Mr. Villavaso to describe a development agreement.

Steve Villavaso – standards for infrastructure are in the subdivision regulation code. State law agrees for an agreement between city and property owner. Only issues that are pertinent are in the agreement.

Councilman Landry – is this a strong, enforceable agreement?

Mr. Villavaso said it is strong and enforceable but this is not his legal opinion – from planning perspective. Both parties are committed to do certain things including uses for open space.

Councilman Landry asked what is the batture zoned?

Mr. Villavaso said– part is NU and part is POR. The adjacent land use is Single Family Residential. Batture is not included in the site plan.

Councilman Chatelain asked the city attorney about the zoning. He said that C-1 was already granted and the vote is an agreement between the city and developer. The developer does not have to agree to this. This is minimizing the damage.

Councilman Huete – has the city ever had a property agreement before.

Mr. Villavaso – not in the last 10 years.

Councilman Huete said this council is the first one to have a development agreement and asked if this is good for the city or not.

Mr. Villavaso – this is the largest vacant property in Harahan and possibly Jefferson Parish – an agreement is the right tool.

Councilman Huete asked if we didn't have it then the concessions would not happen. They have checked with elected officials throughout the state. There have been 29 version of this agreement. The situation won't ever be perfect – but it is the best for this city at this time. It can be amended. The council is here to protect the city – countless hours to try and get this done.

Councilman Murray said there are grammatical errors and she doesn't agree with Mr. Villavaso 100%. The only thing JW Colonial is giving up is agreeing to only 76 homes – but it can be amended. A new council may agree to amend the agreement to put additional homes. The subdivision regulations distributed to council. She read the purpose of the ordinance. She does not think this agreement and development is good for the city.

Councilman Huete asked Councilman Murray how many meetings or hours did she work on the agreement with the land owners.

Councilman Murray said the land owners didn't want to talk to her.

Councilman Huete said this is a collaboration. The land owners didn't reach out to council members, the council reached out to the property owners and they reached out to the council. She wished that Councilman Murray had put in more time and effort in putting it together.

Councilman Murray said that Councilman Huete knows that they talked many hours working on the agreement and that she met with developer. Mr. Georges was late for the meeting and was very rude when she asked someone to sit in on the meeting, Mr. Georges left the room. He did not want to meet with me because they know my vote.

Councilman Landry asked about the subdivision rule, it must be followed.

Mr. Villavaso said the agreement and the subdivision regulations have to be followed. It is the finest subdivision laws in the state of Louisiana – took two years – he is proud of them. You will be voting on this for the next several years with scrutiny and oversight.

Councilman Landry said that they can put homes as long as they follow these rules

Mr. Villavaso – if they don't have this agreement, the city could have 15 acres of commercial and probably 500 homes.

A motion to re-open the public hearing was offered by Councilman Landry and seconded by Councilman Baudier.

The Mayor called for the vote it was as follows:

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION APPROVED

Terri Valenti, Colonial Club Dr. said she was not going to speak about this matter again after the rezoning, but she can't allow Councilman Huete to attack Councilman Murray. Councilman Huete pretended that she understood how the citizens felt, but then voted for the development. Councilman Murray was the only person to do what she said she would do. Mr. Georges said that Harahan came to him about the property. And the council let him have it. We can argue over the development because of Councilman Huete's vote to change the zoning which she did not have to do.

The Mayor closed the public hearing and returned to council discussion. Councilman Baudier – high rise development was for it, but the city was against it. Mr. Manzella came in and the city turned him down. He was going to give the city the rest of the property. Then Mr. Georges came in. I didn't run Colonial into the ground but I am in favor of commercial to keep taxes lower. He then addressed Judy Johnson saying she did not run for Council and did not help fix the sink holes. He brought in Puchino's and Fairchilds single handedly and brought the True Detective movie here to be shot. He doesn't sit here and talk all day and suggested she get her facts.

Councilman Murray asked about the servitude with the concrete wall 35 feet from the property line. Who is responsible for the upkeep of that property and the ditch. She stated that 3 ft. of her property is in the ditch because of erosion.

Mr. Capella said the documents speak for itself. Mr. Georges has been maintaining it and will continue. The city asked that the building not go to the property line. He said they listened to the citizens.

Councilman Murray said she has repeatedly asked that the entire amount of acreage be included. It is still not in the agreement. I did not get what I asked for and she did try to communicate with the landowners. She thanked the council members for their put downs.

Councilman Chatelain said they have spent hours and hours to get this agreement. The agreement should have been in place before the rezoning.

Councilman Landry – no further comment.

Councilman Huete – no further comment.

Mayor Mosca said that all have participated in the process of moving Harahan forward. Councilman Murray said her property would be depreciated by 30% and is voting no. Councilman Baudier has business acumen. Councilman Chatelain says it is in the best interest of the city. Councilman Landry has put forth a lot of effort. Councilman Huete spent countless hours on the agreement. This is in the best interest of the city.

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

YEAS: Baudier, Chatelain, Huete, Landry

NAYS: Murray

ABSENT: None

ORDINANCE PASSED

The Mayor signed the agreement.

The Mayor called a 10 minute recess.

The Meeting was called back to order at 9:45 pm

ORDINANCE FOR INTRODUCTION (First Reading)

The following Ordinance was introduced unanimously by the Council.

The City Clerk read the Ordinance by title only.

2. An Ordinance levying a tax of 13.87 mils on each dollar of assessed valuation on all taxable properties in the City of Harahan for the year 2014 and authorizing the Tax Collector to collect the said taxes on all the taxable property within the incorporated limits of the City of Harahan and to otherwise provide with respect thereto.

OLD BUSINESS

None

SECRETARY'S REPORT

Secretary's report for August, 2014

Revenues \$296,113.89.

PAY BILLS

The Council paid the bills for August, 2014 in the amount of \$251,941.98.

REPORTS

Chief Walker gave the report for the month of August, 2014.

He advised the citizens of a scam perpetrated by a man named Kevin – concerning home improvement.

Mrs. Landry said she had received a card on her home that the police had checked her property.

Councilman Huete said her alarm went off at 4:30 am – front door intruder – police were there in 60 seconds, they checked the property – Alarm company said it was an intruder – but no evidence was found.

Chief Walker welcomed her to her new home – letter welcomed resident to new home. Claude Otto of the 397 American Legion – Navy veteran Tuesday, Oct. 7 - 4-9 pm needs blood. She said that the decision on the agreement was not easy, she thanked all involved. Property owner did not need to make concessions. Agreement is not perfect – can be amended. Budget issues – but commercial will bring in over \$1 million in taxes according to a UNO report.

Councilman Murray to Chief Walker – someone hacked her google, facebook and email accounts – don't open email. Be careful. She thanked colleagues for their hard work on the agreement because the property was owned by a non-profit and belongs in the hands of another non-profit. Houses are a better use than commercial. Won't be at next council meeting.

Mayor Mosca said he will dedicate the next 3 months to get the land trust and the Georges group together to try and make the park happen. He is a candidate for council asked for support from people he touched. If I helped you, now's the time to help me.

Councilman Baudier at all time my goal was to promote commercial and need to generate tax dollars. He's hoping to leave city in better shape – and to promote business.

Councilman Chatelain – agrees with everyone – enjoys serving on the council – enjoys knocking doors. Try knocking doors and you'll be surprised. He will step down from his business and dedicate more time to the city. Everyone one worked hard on agreement. It was hard on my family. Looking to serve another 4 years.

Councilman Landry – St. Rita Bingo – 5 pm – Oct. 3rd. KC Oct. 11 – Oct. Fest. Noon - 9

Councilman Baudier – Nov. 1st Jambalaya Cook-off and Car Show at Harahan Playground.

ADDRESS THE COUNCIL

EXECUTIVE SESSION

None

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ADJOURN

A motion was offered by Councilman Baudier and seconded by Councilman Huete to adjourn at 10:05 pm.

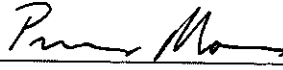
The Mayor called for a vote. The vote was:

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION APPROVED



Provino Mosca, Mayor



Nicole Lee, Municipal Clerk