

**City of Harahan
6437 Jefferson Highway
Mayor and Harahan City Council
Regular Meeting Agenda**

Date: October 20, 2016

Time: 7:30 P.M.

Meeting called to order by the Mayor followed by the Pledge of Allegiance.

ROLL CALL

SPECIAL PRESENTATIONS

- 1. Darlene Schwartz, Community Liaison**
- 2. Army Corp of Engineers**

ADDRESS THE COUNCIL

APPROVAL OF MINUTES

**Reading of the Minutes of the Council Meeting on September 22, 2016
Approval of the Minutes of the Council Meeting on September 22, 2016**

COMMUNICATIONS

Board of Adjustments and Appeals did not meet in September.

Accepting the October 10, 2016 Minutes of the Planning and Zoning Board.

RESOLUTIONS

PROPOSED RESOLUTION NO. 2016 – 14

Local Government Assistance Program Grant application for the purchase and installation of a replacement submersible sewage pump and motor.

PROPOSED RESOLUTION NO. 2016 – 15

Local Government Assistance Program Grant application for the purchase of computer application, computer equipment and plotter equipment suitable for storing 600 GB of data.

PROPOSED RESOLUTION NO. 2016 – 16

Formal request that Jefferson Parish President Michael S. Yenni resign his elected position as Jefferson Parish President.

ORDINANCES FOR APPROVAL

PROPOSED ORDINANCE NO. 2016 – 14

An Ordinance to sell and/or auction property owned by the municipality of the City of Harahan, providing for the procedure to be utilized pursuant to the provisions of L.R.S. 33:4712, which provides for the sale, exchange or lease of property by a municipality.

PROPOSED ORDINANCE NO. 2016 – 15

An Ordinance to amend Ordinance 1333, Section XV, relative to the zoning classification “NU Non-urban Batture District”, Harahan Municipal Code, 1990, Appendix A, by adding thereto a new subsection governing the hours of operation of commercial enterprises therein; and to otherwise provide with respect thereto. (Referred to the Planning and Zoning Advisory Board on September 22, 2016)

PROPOSED ORDINANCE NO. 2016 – 16

An Ordinance to amend Ordinance No. 1806 being the Annual Budget of Revenue and Expenditures for Fiscal Year ending December 31, 2016, by decreasing appropriations to Capital Expenditures by the amount of \$1,000 and by increasing the appropriation to Budget Code 010-4-112-40320 relative to Police Department -

Uniforms and Accessories for the specific purpose of the purchase of 2 Bulletproof Vests; and to otherwise provide with respect thereto.

PROPOSED ORDINANCE NO. 2016 – 17

An Ordinance to place “stop signs” on Oak Avenue at the corners of Columbus Street.

ORDINANCE FOR INTRODUCTION (FIRST READING)

PROPOSED ORDINANCE NO. 2016 – 18

An Ordinance approving the resubdivision of 401 and 405 Oak Ave., Harahan, LA 70123, Lots 1, 2, and 3, Square J, Harahan City Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana, made by Dading, Marques & Associates, LLC, dated September 19, 2012.

PROPOSED ORDINANCE NO. 2016 – 19

An Ordinance to amend the Harahan Municipal Code by adding to Chapter 2, Article 1, a new Section to be designated Section 2-6 establishing a convenience fee of 2.49% for payment of City charges by electronic means and a new Section to be designated Section 2-7 establishing a \$2.00 technical fee upon all permits, licenses in charges imposed by the City of Harahan authority for payment of City charges.

PROPOSED ORDINANCE NO. 2016 – 20

An ordinance as amended of the Harahan City Council amending Chapter 50, Motor Vehicles and Traffic, of the Harahan Municipal Code by adding Article IV Electronic Enforcement, Speed Limit Enforcement, Sections 50-100 through 50-106 to provide for the enforcement of certain traffic signal violations by automated means and provide for civil penalties for traffic signal violations enforced by automated means.

OLD BUSINESS

None

NEW BUSINESS

None

ADDRESS THE COUNCIL

SECRETARY’S REPORT

**Secretary’s report for September, 2016
Total revenue \$345,299.98**

REPORTS

PAY BILLS

**Bill’s paid in September, 2016
Total expenditures \$417,148.68**

EXECUTIVE SESSION

None

ADJOURN

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:

1 **The following Resolution was offered unanimously by the Council of the City of**
2 **Harahan:**

3
4 **PROPOSED RESOLUTION NO. 2016 – 14**

5
6 **WHEREAS, any Rural Community within the State of Louisiana may apply**
7 **individually for the Local Government Assistance Program; and**

8
9 **WHEREAS, cooperation is required between all government offices, namely the**
10 **Mayor, City Council, State Representative and State Senator; and**

11
12 **WHEREAS, based on the Louisiana Legislative Appropriations, the City of**
13 **Harahan can apply for a funding grant from the State of Louisiana, Local Government**
14 **Assistance Program Office.**

15
16 **NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Harahan, with**
17 **the approval and consent of the Mayor, as the governing body for the City of Harahan**
18 **that:**

19
20 **A Local Government Assistance Packet is submitted to the State of Louisiana**
21 **for the purchase and installation of a replacement submersible sewage pump and**
22 **motor.**

23
24 **BE IT FURTHER RESOLVED that the City of Harahan requests State**
25 **Representative, Kirk Talbot and State Senator, Daniel Martiny support this grant**
26 **request on behalf of the City of Harahan, in the form of a letter to the Local Government**
27 **Assistance Office, indicating their support.**

28
29 **WHEREFORE, The Mayor and City Council of the City of Harahan specifically**
30 **lobby Representative Kirk Talbot and Senator Daniel Martiny for their support in this**
31 **grant application; and**

32
33 **WHEREFORE, the Council of the City of Harahan votes to approve the**
34 **application of the City of Harahan for a Local Government Assistance Program Grant,**
35 **as filed by the Mayor of the City of Harahan, to the State of Louisiana, for a grant for**
36 **the purchase of a spare dry pit submersible pump and motor, to be stored at the**
37 **Wastewater Treatment Plant for immediate use, as needed; and**

38
39 **WHEREFORE, the Council of the City of Harahan specifically requests the Mayor**
40 **of the City of Harahan to apply for the Local Government Assistance Program Grant**
41 **for the Sewerage Department, of the City of Harahan, in the amount of \$20,500.00 from**
42 **the Local Government Assistance Program; and**

43
44 **WHEREFORE, the Council of the City of Harahan requests that the Mayor of the**
45 **City of Harahan apply for this Local Government Assistance to improve a deteriorating**
46 **sewerage system, and to improve the quality of life for the Citizens of Harahan; and**

47
48 **WHEREFORE, with the addition of this spare pump and motor, potential for**
49 **negative environmental impact is vastly decreased.**

50
51 **The foregoing resolution having been submitted to a vote, the vote thereon was**
52 **as follows:**

53
54 **YEAS:**

55 **NAYS:**

56 **ABSENT:**

57 **ABSTENTION:**

58
59
60
61

62 **And this resolution was declared adopted on this _____ day of _____, 2016.**

63

64

65

66

67 _____
Nicole Lee, City Clerk

1 **The following Resolution was offered unanimously by the Council of the City of**
2 **Harahan:**

3
4 **PROPOSED RESOLUTION NO. 2016 - 15**

5
6 **WHEREAS, any Rural Community within the State of Louisiana may apply**
7 **individually for the Local Government Assistance Program; and**

8
9 **WHEREAS, cooperation is required between all government offices, namely the**
10 **Mayor, City Council, State Representative and State Senator; and**

11
12 **WHEREAS, based on the Louisiana Legislative Appropriations, the City of**
13 **Harahan can apply for a funding grant from the State of Louisiana, Local Government**
14 **Assistance Program Office.**

15
16 **NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Harahan, with**
17 **the approval and consent of the Mayor, as the governing body for the City of Harahan**
18 **that:**

19
20 **A Local Government Assistance Packet is submitted to the State of Louisiana**
21 **for the purchase of computer application, computer equipment and plotter equipment**
22 **suitable for storing 600 GB of data.**

23
24 **BE IT FURTHER RESOLVED that the City of Harahan requests State**
25 **Representative, Kirk Talbot and State Senator, Daniel Martiny support this grant**
26 **request on behalf of the City of Harahan, in the form of a letter to the Local Government**
27 **Assistance Office, indicating their support.**

28
29 **WHEREFORE, The Mayor and City Council of the City of Harahan specifically**
30 **lobby Representative Kirk Talbot and Senator Daniel Martiny for their support in this**
31 **grant application; and**

32
33 **WHEREFORE, the Council of the City of Harahan votes to approve the**
34 **application of the City of Harahan for a Local Government Assistance Program Grant,**
35 **as filed by the Mayor of the City of Harahan, to the State of Louisiana, for a grant for**
36 **the purchase of computer application, computer equipment and plotter equipment**
37 **suitable for storing 600 GB of data; and**

38
39 **WHEREFORE, the Council of the City of Harahan specifically requests the Mayor**
40 **of the City of Harahan to apply for the Local Government Assistance Program Grant**
41 **for the Sewerage Department, of the City of Harahan, in the amount of \$29,500.00 from**
42 **the Local Government Assistance Program; and**

43
44 **WHEREFORE, the Council of the City of Harahan requests that the Mayor of the**
45 **City of Harahan apply for this Local Government Assistance to repair and rehabilitate**
46 **much of the sewerage system, and to allow the City to maintain a database of**
47 **information concerning current conditions of the sewer lines, date of the most recent**
48 **inspection or repair, physical location of each house connection and manage future**
49 **programmed improvements; and**

50
51 **WHEREFORE, this project will preserve and maintain the integrity of the data**
52 **for future use and benefit of the entire City.**

53
54 **The foregoing resolution having been submitted to a vote, the vote thereon was**
55 **as follows:**

56
57 **YEAS:**

58 **NAYS:**

59 **ABSENT:**

60 **ABSTENTION:**

61

62 **And this resolution was declared adopted on this _____ day of _____, 2016.**

63

64

65

66

67 _____
Nicole Lee, City Clerk

The following Resolution was offered unanimously by the Council of the City of Harahan:

PROPOSED RESOLUTION NO. 2016 – 16

WHEREAS, the City of Harahan is a municipal corporation and political subdivision of the State of Louisiana within the Parish of Jefferson; and

WHEREAS, the City of Harahan and Jefferson Parish are mutually charged with the legal obligation to protect the health, welfare and safety of Harahan's citizens; and

WHEREAS, Parish President Michael S. Yenni has acknowledged certain acts that have caused the citizens of Jefferson Parish and citizens of the City of Harahan concern about his ability to effectively govern as the Parish President.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Harahan, Louisiana, acting as governing authority of said City and on behalf of all the citizens of the City of Harahan that:

The City of Harahan does hereby formally request that Jefferson Parish President Michael S. Yenni resign his elected position as Jefferson Parish President immediately.

The foregoing resolution having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTENTION:

And this resolution was declared adopted on this ____ day of _____, 2016.

Nicole Lee, City Clerk

The following Ordinance was offered unanimously by the Council of the City of Harahan:

PROPOSED ORDINANCE NO. 2016 - 14

An Ordinance to sell and/or auction property owned by the municipality of the City of Harahan, providing for the procedure to be utilized pursuant to the provisions of L.R.S. 33:4712, which provides for the sale, exchange or lease of property by a municipality.

WHEREAS, this property is no longer needed for public purposes and the City of Harahan is authorized to sell and/or auction this inventory.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Harahan, State of Louisiana, acting as the governing authority of the said City that:

SECTION 1. The Mayor of the City of Harahan is hereby commissioned to dispose of City property no longer needed for public purposes under the provisions of L.R.S. 33:4712, which provides for the sale and/or auction of property by a municipality.

SECTION 2. Property (as per attached descriptive list)

SECTION 3. If any provision of this ordinance is held to be invalid or otherwise enforceable by the final judgement of a court of competent jurisdiction; such invalidity shall not affect the validity of any of the remaining provisions of this ordinance that may be given effect without the invalid provision; and to this end the provisions of this ordinance are hereby declared to be servable.

SECTION 4. All ordinances or parts of ordinances of the City of Harahan on conflict with this ordinance are hereby repealed.

The foregoing Ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS:

NAYS:

ABSENT:

ABSTENTION:

This Ordinance was declared adopted on this ____ day of _____ to become effective immediately upon the signature of the Mayor or upon the expiration of the time period without the signature of the Mayor.

Tina Miceli, Mayor

Nicole Lee, City Clerk

**Proposed Ordinance No. 2016 – 14
Property List:**

MAINTENANCE

- 1 Dump Truck (Ford F-750)
- 1 Ford F-150 Pick-up (1996)
- DR Leaf Vac

FIRE

- 1 Fire Truck
- 1 O2 Tank Filler Cascade System

POLICE

- 2 Army Trucks
- 1 Light Tower
- 1 Water Buffalo
- 8 Police Units
- 1 Radar Trailer

RECREATION

- 1 Floor Cleaning Machine
- 2 Pitching Machine (Softball)
- 4 Grey Padded Office Chairs

***** The above listed property are the primary items that will be sold at the auction. The final list will be completed by the October 20th Council Meeting, including serial and VIN numbers. The City is also in the process of getting proposals for an auctioneer.**

1 The following Ordinance was proposed by Councilman Johnston and seconded by
2 Councilman _____:

3
4 **PROPOSED ORDINANCE NO. 2016 - 15**

5
6 An Ordinance to amend Ordinance 1333, Section XV, relative to the zoning
7 classification "NU Non-urban Batture District", Harahan Municipal Code, 1990,
8 Appendix A, by adding thereto a new subsection governing the hours of
9 operation of commercial enterprises therein; and to otherwise provide with
10 respect thereto.

11
12 **NOW, THEREFORE, BE IT ORDAINED** by the council of the City of Harahan,
13 acting as the governing authority of said City that:

14
15 **SECTION 1.** That Subsection B of Section XV of Appendix A of the Harahan
16 Municipal Code relative to the zoning classification "NU Non-urban Batture
17 District", Ordinance No. 1333, known as the comprehensive zoning law of the
18 City of Harahan, be, and the same is hereby amended by adding a new
19 subsection thereto to be designated Subsection "F." to read as follows:

20
21 **F. Hours of Operation**

22
23 Any business operations utilizing equipment of dump truck, front end
24 loaders, cranes, and excavators shall be restricted to operations between
25 the hours of 6:00 a.m. and 6:00 p.m.

26
27 **SECTION 2.** The severability and repeal clause as referenced in Ordinance
28 #1566 is incorporated into this Ordinance.

29 The foregoing Ordinance having been submitted to a vote, the vote thereon
30 was as follows:

31
32 **YEAS:**

33 **NAYS:**

34 **ABSENT:**

35 **ABSTENTION:**
36

37 The Ordinance was declared adopted on this ____ day of _____ to
38 Become effective immediately upon the signature of the Mayor or upon the
39 expiration of the time period without the signature of the mayor.

40
41
42
43 _____
44 **Tina Miceli, Mayor**

Nicole Lee, City Clerk

SECTION XV. NU – NON-URBAN BATTURE DISTRICT

A. This district is composed of lands that lie outside the protective levees between the crest of the Mississippi levee and the water level of the Mississippi River. Land uses permitted in this district are limited to temporary development consistent with traditional development in these areas and will be under conditions that will reduce the possibility of flooding due to abnormal high water in the Mississippi River.

B. PERMITTED USES. In the NU – Non-Urban Batture District only the following uses are permitted:

1. Barge mooring and holding facilities.
2. Nature or natural parks.
3. Public and private forests, parks, parkways, wildlife reservations or similar conservation projects.
4. Public utility structures and land.
5. Sand extraction, provided that the necessary safeguards are provided to protect the surrounding areas and access roadways from obnoxious or offensive odors, dust, light, noise or vibration.
6. Accessory uses attendant to the above uses provided no structure exceeds a maximum of one thousand (1,000) square feet in area. Boat or ship repair are not permitted unless such repair constitutes an emergency. There shall be no storage or overnight parking of any vehicles on the property. No manufacturing shall be done on site.

C. HEIGHT REGULATIONS. No building or structure shall exceed thirteen (13) feet in height.

D. AREA REGULATIONS.

1. Yard: No front, side or rear yard is required.
2. Lot area: No minimum lot area is required.

E. OFF-STREET PARKING REGULATIONS. Off-street parking requirements are provided in Section XVI.

1 The following Ordinance was proposed by Councilman Johnston and seconded by
2 Councilman _____:

3
4 **PROPOSED ORDINANCE NO. 2016 - 16**

5
6 **An Ordinance to amend Ordinance No. 1806 being the Annual Budget of Revenue**
7 **and Expenditures for Fiscal Year ending December 31, 2016, by decreasing**
8 **appropriations to Capital Expenditures by the amount of \$1,000 and by increasing the**
9 **appropriation to Budget Code 010-4-112-40320 relative to Police Department -**
10 **Uniforms and Accessories for the specific purpose of the purchase of 2 Bulletproof**
11 **Vests; and to otherwise provide with respect thereto.**

12
13 **NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Harahan,
14 **acting as the governing authority of said City that Ordinance No. 1806 being the Annual**
15 **Budget of Revenue and Expenditures for Fiscal Year ending December 31, 2016, be,**
16 **and the same is hereby, amended in the following particulars:**

17
18 **By decreasing appropriations to Capital Expenditures-Police Department**
19 **Budget Account No. 341-4-112-40900 by the amount of \$1,000; and transferring said**
20 **amount to General Ledger Account No. 341-4-110-59400 (Transfer to General Fund),**
21 **and by increasing the appropriation to Budget Account No. 010-4-112-40320 relative**
22 **to Police Department Uniforms and Accessories for the specific purpose of the**
23 **purchase of bulletproof vests and transferring into General Ledger Account No. 010-3-**
24 **110-39341 (Transfer in Capital Projects Fund).**

25
26 **SECTION 1. If any provision of this ordinance is held to be invalid or otherwise**
27 **enforceable by the final judgement of a court of competent jurisdiction, such invalidity**
28 **shall not affect the validity of any of the remaining provisions of this ordinance that**
29 **may be given effect without the invalid provision; and to this end the provisions of this**
30 **ordinance are hereby declared to be servable**

31
32 **SECTION 2. All ordinances or parts of ordinances of the City of Harahan in**
33 **conflict with this ordinance are hereby repealed.**

34
35 **The foregoing Ordinance having been submitted to a vote, the vote thereon was**
36 **as follows:**

37
38 **YEAS:**

39 **NAYS:**

40 **ABSENT:**

41 **ABSTENTION:**

42
43 **This Ordinance was declared adopted on this ____ day of _____ to**
44 **become effective immediately upon the signature of the Mayor or upon the expiration**
45 **of the time period without the signature of the Mayor.**

46
47
48
49 _____
50 **Tina Miceli, Mayor**

Nicole Lee, City Clerk

1 The following Ordinance was proposed by Councilman Johnston and seconded by
2 Councilman _____:

3
4 **PROPOSED ORDINANCE NO. 2016 – 17**

5
6 **An Ordinance to place “stop signs” on Oak Avenue at the corners of Columbus**
7 **Street.**

8
9 **NOW, THEREFORE, BE IT ORDAINED** by the council of the City of Harahan acting
10 **as the governing authority of said city that:**

11
12 **SECTION 1. “Stop signs” to be placed on Oak Avenue at the corners of Columbus**
13 **Street. Signs will be placed facing in both directions on Oak Ave.**

14
15 **SECTION 2. The severability and repeal clause as referenced in**
16 **Ordinance #1566 is incorporated into this Ordinance.**

17
18 **The foregoing Ordinance having been submitted to a vote, the vote thereon was**
19 **as follows:**

20
21 **YEAS:**

22 **NAYS:**

23 **ABSENT:**

24 **ABSTENTION:**

25
26 **This Ordinance was declared adopted on this ____ day of _____ to**
27 **become effective immediately upon the signature of the Mayor or upon the expiration**
28 **of the time period without the signature of the Mayor.**

29
30
31
32 _____
33 **Tina Miceli, Mayor**

Nicole Lee, City Clerk

Petition to City of Harahan for Stop Signs at intersection of Columbus and Oak Ave

The property owners and residents along Oak Ave request the following:

- Place (1) Stop sign for East bound, at intersection of Columbus and Oak Ave.
- Place (1) Stop sign for West bound, at intersection of Columbus and Ave.

Reasoning: The stop signs would work as a traffic engineering constraint to slow speeding cars down along Oak Ave. The speed limit along Oak Ave is set at 20 MPH and many cars are consistently observed driving well over the posted speed limit. Furthermore, the businesses located on or near Columbus St. (Rickshaw lounge, Ace Body & Paint, Marks Marine, Fabacher Electric, and the Knights of Columbus Hall, which frequently holds many large events) make this intersection a high traffic area. The signed below residents and property owners feel that the installation of stop signs by the city would be a satisfactory step towards reducing traffic speeds and increasing the safety of the residents and their children along Oak Ave.

Resident	Address	Kids in Home Y/N
Marilyn Frank	407(B) Oak Ave	N
Bryan Connelly	371 OAK AVE	Y
Victor Leggin	437 OAK AVE	N
Karl Hugin	401 Oak Ave	N
Richard Lettke	456 OAK AVE	Y
STUART A. DUFFY	424 OAK AVE	N
Launa Duffry	424 OAK AVE	N
Gloria Russell	392 Oak Ave	N
Andrew Ingram	398 Oak Ave	N
Donna Moncallo	356 Oak Ave # D	Y
DANIEL CAITLOW	356 OAK AVE #C	N
Debra France	344 Oak Ave.	Y
Michael Entwistle	342 Oak Ave.	Y
Patricia Brown	338 OAK AVE	Y
Paul Dealy	338 OAK AVE	Y
Hollan C. Deud	338 Oak Ave # A	Y (WE NEED!)
Frank Stauden	339 OAK ST. apt c	Y
Olivia Honeford	339 OAK ST apt c	Y
Paul Soates	301 Oak St.	Y
Ashleigh Soates	301 Oak St.	Y
George Adams	319 Oak Ave	N
Marlene Lujan Call	353 OAK AVE	1