

**CITY OF HARAHAH  
6437 JEFFERSON HIGHWAY, HARAHAH, LOUISIANA  
MAYOR AND HARAHAH CITY COUNCIL  
MARCH 16, 2017 MINUTES**

The Mayor opened the Regular Council Meeting for March 16, 2017 at 7:30 pm.

The City Clerk led the Pledge of Allegiance.

**ROLL CALL**

**Present:** Mayor Miceli, Councilman Baudier, Councilman Benton, Councilman Huete, Councilman Johnston, Councilman Wheeler, Municipal Clerk Nicole Lee, Police Chief Tim Walker, City Attorney Gilbert Buras; Financial Administrator Linda Lulue.

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

**Mayor's comments:**

Mayor Miceli spoke on the transition of the garbage contract and asked citizens to contact Ramelli directly with problems. She also said that the day-to-day operations of the city were being compromised because the council voted to eliminate all capital funds except for police & fire. She noted that the ordinance amending the Police Dept.'s budget was not in the correct form. She informed the public that if the Millage Election being called for by Councilman Johnston passes, the city will not collect the money until January 2019 and that even with this millage, the city will still be subsidizing the sewage system. She noted the Ordinance to amend the 2016 Budget for the City needs to pass to comply with state law.

**SPECIAL PRESENTATIONS**

All comments are recorded on the video on the city's website.

1. Veolia – Jonathan Scott Patterson

Mr. Patterson replaced J.R. as Project Manager for Veolia.

2. Proclamation for Police Dept.

The Clerk read the Proclamation for the Police Department recognizing the Police Dept. for helping to make Harahan the 1<sup>st</sup> and 2<sup>nd</sup> safest place to live in Louisiana.

3. Darlene Schwartz, Community Liaison – 4 items

Drug Take Back – on Saturday, April 29 – 10 am to 2 pm.

Harahan Sr. Center – April 3<sup>rd</sup> – 9 am to 2 pm – conducting a sale, including handmade crafts and candy; and white elephant items.

2017 Medicare update is scheduled for Wednesday May 3 – 11 am to Noon at the Harahan Sr. Center, a representative from the La. Health Insurance Program will speak on Part D & give tips on fraud prevention.

Boy Scout Troop 179 working with the 3<sup>rd</sup> District Volunteer Fire Dept. has scheduled a trip for 14 days to northern New Mexico. Cost is approx. \$2,500 a person. They are looking for donations, call 628-0992 Ricky Esteves to help them. June 15 is the cut off date for donations.

4. Chief Tim Walker - Current State of the Harahan Police Department  
Chief Walker gave his report.

**ADDRESS THE COUNCIL**

All comments are recorded for the record on the video of the meeting & is available on the city's website.

Representative Kirk Talbot

Mae Jean Cazenave, Oak

Jason Bruzik, Stoneleigh,

A motion was offered by Councilman Baudier and seconded by Councilman Wheeler to have a vote of no confidence concerning Mr. Buras, City Attorney.

**Yeas:** Baudier, Huete, Johnston, Wheeler

**Nays:** Benton

**MOTION PASSES**

**Councilman Johnston said he would like to explain why he voted for the vote of no confidence. He stated that Mr. Buras said that he works at the discretion of the Mayor & you were telling the Mayor not to follow ordinances, then you informed us to get our own attorney.**

**Mr. Buras – my statement that the city attorney serves at the pleasure of the Mayor is a matter of law. If there comes a time when there is a conflict between the council and the mayor, the council could hire their own attorney. I have never advised the council or the Mayor not to follow a duly passed ordinance. I will always give you my interpretation of the law – if you disagree – you can get your own lawyer. This is not without precedent in Harahan but you don't have that much money to spend. These decisions need to be done at a private meeting. I don't take umbrage at your vote.**

**Chief Walker**

**Nicole Lee, City Clerk**

**John Riehm, Renpass**

**Evelyn Riehm, Renpass**

**Eric Chatelain – Colonial Club Dr.**

**Terry Donnelly, attorney for Wood Materials**

**Tommy Budde, Stoneleigh**

**Mr. Dubea**

**APPROVAL OF MINUTES**

**A motion was made by Councilman Baudier and seconded by Councilman Johnston to dispense with the reading of the minutes of the February 16, 2016 meeting.**

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

**YEAS: Baudier, Benton, Huete,**

**NAYS: None**

**ABSENT: None**

**MOTION PASSES**

**A motion was made by Councilman Benton and seconded by Councilman to approve the minutes of the February 16, 2016 meeting.**

**MOTION DIED FOR LACK OF A SECOND**

**COMMUNICATIONS**

**The Board of Adjustments and Appeals did not meet in February.**

**The Planning and Zoning Board did not meet in March.**

**RESOLUTIONS**

**PROPOSED RESOLUTION 2017-4 – Deferred**

**This Resolution is proposed by Councilman Johnston.**

**The Clerk read the resolution in its entirety.**

**A Resolution ordering and calling a special election to be held in the City of Harahan, State of Louisiana, to authorize the levy of a special tax therein the avails of which shall be dedicated to the maintenance and operation of a sewerage system by the City of Harahan.**

**A motion to withdraw the resolution was offered by Councilman Johnston and seconded by Councilman Baudier.**

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

**YEAS: Baudier, Benton, Huete, Johnston, Wheeler**

**NAYS: None**

**RESOLUTION WITHDRAWN**

**The City Clerk read the Notice of Public Meeting**

**Notice is hereby given that at its meeting to be held on Thursday, April 20, 2017 at 7:30 pm at the City Hall Council Chambers, 6437 Jefferson Hwy., Harahan, Louisiana, the City Council of the City of Harahan, State of Louisiana, plans to consider adopting a resolution ordering and calling an election to be held in the City of Harahan to authorize the levy of an ad valorem tax.**

**ORDINANCES FOR APPROVAL**

**ORDINANCE NO. 2017 – 2**

**This Ordinance was offered by Councilman Johnston and seconded by Councilman Huete.**

**The city clerk read the Ordinance by title only.**

**An Ordinance amending Ordinance No. 1806, the annual Budget of Revenue and Expenditures, for the Fiscal Year ending December 31, 2016, for the City of Harahan, Louisiana (Police Department)**

**Ms. Lulue said that the format is incorrect and the figures were wrong. Chief Walker complained that he could not get answers from Ms. Lulue. Tracy Whittle explained that Police Supplies is from a GOSEPH grant. Ms. Lulue said there has been a GOSEPH line item in the budget since 2013.**

**Chief Walker said we planned to meet with Ms. Lulue but she had a medical emergency and the meeting was not held.**

**A motion to amend the Ordinance was made by Councilman Johnston and seconded by Councilman Wheeler.**

**Councilman Johnston read the amendments. He added:**

**“Section 1. The capital transfer is to the 2017 budget, and he amended line item 33 to read line item 341-3-112-322-72.”**

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

**YEAS: Baudier, Huete, Johnston, Wheeler**

**NAYS: Benton**

**AMENDMENT PASSES**

**A motion to amend the ordinance by Councilman Johnston and seconded by Councilman Huete.**

**The amendment amends Line item Uniforms to No. 40320.**

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

**YEAS: Baudier, Huete, Johnston, Wheeler**

**NAYS: Benton**

**AMENDMENT PASSES**

**A motion to open the public hearing was offered by Councilman Johnston and seconded by Councilman Wheeler.**

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

**YEAS: Baudier, Benton, Huete, Johnston, Wheeler**

**NAYS: None**

**MOTION PASSES**

**No one spoke.**

**A motion to close the public hearing was offered by Councilman Johnston and seconded by Councilman Baudier.**

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

**YEAS: Baudier, Benton, Huete, Johnston, Wheeler**

**NAYS: None**

**MOTION PASSES**

**A Motion by Councilman Johnston and seconded by Councilman Baudier to adopt the ordinance as amended.**

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

**YEAS: Baudier, Huete, Johnston, Wheeler**

**NAYS: Benton**

**ORDINANCE ADOPTED AS AMENDED**

**PROPOSED ORDINANCE NO. 2017 – 3**

**The council offered this Ordinance unanimously.**

**An Ordinance amending the annual Budget of Revenues and Expenditures for the Fiscal Year ending December 31, 2016 for the City of Harahan, Louisiana.**

**The City Clerk read the ordinance by title only.**

**A motion was offered by Councilman Johnston and seconded by Councilman Huete to amend the ordinance as adopted originally (Ord. 1806).**

**Councilman Johnston said that the original verbiage was changed and he wants the verbiage to remain as it was originally adopted.**

**The City Clerk read the changed verbiage.**

The Mayor called for the vote, it was as follows:  
YEAS: Baudier, Benton, Huete, Johnston, Wheeler  
NAYS: None  
AMENDMENT PASSES

Ms. Lulue read the law into the record along with changes necessary.

A motion was offered by Councilman Johnston and seconded by Councilman Benton to open the public hearing.  
The Mayor called for the vote, it was as follows:  
YEAS: Baudier, Benton, Huete, Johnston, Wheeler  
NAYS: None  
MOTION PASSES

NO ONE SPOKE

A motion was offered by Councilman Johnston and seconded by Councilman Benton to close the public hearing.  
The Mayor called for the vote, it was as follows:  
YEAS: Baudier, Benton, Huete, Johnston, Wheeler  
NAYS: None  
MOTION PASSES

**COUNCIL DISCUSSION**

Mayor Miceli said this is the third time it has been put up and now again at the last moment an amendment is presented.  
The original of the ordinance was offered in October, 2016.  
Councilman Baudier said that somebody changed the ordinance after it was adopted.  
Councilman Johnston – one question – page 10 – general fund – line 61 transfer of sales tax receipts increases – but the Police Dept. goes down.  
Ms. Lulue said that Jefferson Parish provides the information to the city as to how much the police dept. receives.  
Councilman Wheeler asked about the bond sinking fund – page 2 – line 13 attorney.  
Ms. Lulue said this was Mr. Martin’s bill for closing out the bonds.  
Councilman Wheeler – Carr Riggs and Ingram does not understand why we don’t get monthly reports. We need to get those run sheets.  
Ms. Lulue said that her time in 2016 was spent on closing out the bonds and the DEQ problem.

A motion was offered by Councilman Johnston and seconded by Councilman Baudier to adopt the Ordinance as amended.  
YEAS: Baudier, Benton, Huete, Johnston, Wheeler  
NAYS: None  
ORDINANCE PASSED AS AMENDED

**PROPOSED ORDINANCE NO. 2017 – 4**

The Ordinance is proposed by Councilman Johnston and seconded by Councilman Huete.  
The City Clerk read the ordinance by title only.  
Ms. Lulue said there is one major problem with ordinance. All capital projects fund line items were zeroed out by the council – there is no money in the line item from which they are proposing to take \$6,000.  
Legislative Auditor said that a zero balance capital budget is not allowed by law because it hinders the day to day operations of the city.  
The Mayor called a 5 minute recess to have the ordinance rewritten.  
The Meeting was called back to order.  
Councilman Johnston read the altered verbiage.  
An Ordinance to amend the Capital Budget for the year 2017 of the City of Harahan by increasing Line 341-4115-40900 (Highways and Street Maintenance) to \$6,000 for the purpose of purchase and installation of a wind rated roll up door, a capital expense item for the Maintenance Dept.  
The Mayor called for a vote, it was a follows:  
YEAS: Baudier, Benton, Huete, Johnston, Wheeler

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**NAYS: None**

**JOHNSTON/HUETE**

**ORDINANCE AMENDED**

**A motion was offered by Councilman Johnston and seconded by Councilman Wheeler to open the Public Hearing.**

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

**YEAS: Baudier, Benton, Huete, Johnston, Wheeler**

**NAYS: None**

**MOTION PASSED**

**NO ONE SPOKE**

**A motion was offered by Councilman Johnston and seconded by Councilman Wheeler to close the Public Hearing.**

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

**YEAS: Baudier, Benton, Huete, Johnston, Wheeler**

**NAYS: None**

**MOTION PASSED**

**COUNCIL DISCUSSION**

**Mayor Miceli said they have applied for a PDM grant to improve the wind rating all the public buildings in the city. The door was included in the grant. If we get the grant, we can pay for the door from it.**

**A motion was offered by Councilman Johnston and seconded by Councilman Baudier to adopt the ordinance as amended.**

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

**YEAS: Baudier, Benton, Huete, Johnston, Wheeler**

**NAYS: None**

**ORDINANCE APPROVED AS AMENDED**

**PROPOSED ORDINANCE 2017-5**

**The following Ordinance was proposed by Councilman Baudier and seconded by Councilman Huete.**

**The City Clerk read the Ordinance by title only.**

**An Ordinance to amend and re-ordain Ordinance No. 53, Sewerage District No. 1 of the City of Harahan, and the Harahan Municipal Code, Chapter 90, Article II, Division 2, USER CHARGES, Section 90-58. - Schedule of charges, providing for a change of user charges for services rendered by the said Sewerage District.**

**Ms. Lulue started her comments concerning this ordinance, but Councilman Baudier offered the following motion.**

**Councilman Baudier offered a motion to defer the ordinance., seconded by Councilman Baudier. He said he will have all the documentation at the next meeting.**

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

**YEAS: Baudier, Benton, Huete, Johnston, Wheeler**

**NAYS: NONE**

**ABSENT: NONE**

**ORDINANCE DEFERRED**

**ORDINANCES FOR INTRODUCTION - NONE**

**OLD BUSINESS**

**NEW BUSINESS**

**1. Harahan Athletic Association Rental/Lease Agreement.**

**Mr. Buras made suggestions concerning the agreement and the insurance.**

**Mr. Chatelain said he contacted Daul Insurance and they said the Assoc. doesn't need additional insurance if a city employee is there.**

**Mr. Buras said the Assoc. does need additional insurance. He will rewrite the agreement.**

Mayor Miceli said that when Mr. Buras finishes the draft of the agreement he will forward it to Mr. Chatelain.

**2. Recycling**

Councilman Benton spoke to Phoenix Recycling concerning a subscription service for recycling.

Councilman Wheeler gave the results of her conversation with Rameli. Mayor Miceli reported that over 400 homeowners had extra cans and were not being charged for them but the city was being charged by the contractor.

Councilman Baudier asked about the cans on Colonial Country Club property.

Mayor Miceli said that Ramelli had an agreement with Mr. Georges to use that as a staging area.

Councilman Wheeler said there was a pre-bid conference at city hall and Calvin Hoppmeyer was there to oversee the meeting. He asked for bids on garbage only.

**NEW BUSINESS**

1. Ms. Judy Roman, on behalf of St. Rita, is requesting assistance in planning the annual May Crowning Procession on Sunday, May 7, 2017, after the 11:30 a.m. Mass. She's requesting the City to provide barricades, and a Police escort around the block.

Mayor Miceli said she has notified the maintenance dept. concerning the barricades.

Chief Walker said a detail has been arranged for this event.

A motion was made by Councilman Johnston seconded by Councilman Huete to grant the request.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

**ADDRESS THE COUNCIL**

All comments for the record are recorded on the video.

Tommy Budde Stoneleigh

Jason Bruzik – Stoneleigh

Eric Chatelain – Colonial Club.

**SECRETARY'S REPORT**

Secretary's Report for February \$736,665.14.

**PAY BILLS**

Bills paid in January, 2017 –

Total expenditures \$250,916.81.

**REPORTS**

Chief Walker thanked Councilman Johnston for the \$180,000 for 8 new police cars.

**ADJOURN**

Motion was made by Councilman Johnston and seconded by Councilman Wheeler to adjourn at 11:58 pm.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

**MEETING ADJOURNED**

**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.; 24<sup>th</sup> JDC, Case 744-961, Div. "I"**
2. **Suzanne K. Scalise vs. City of Harahan LA, Anne Gordon, Louise Slayden, Ronald Gordon, Gail Gordon; 24<sup>th</sup> 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, 24<sup>th</sup> 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:**