

**CITY OF HARAHAH
6437 JEFFERSON HIGHWAY, HARAHAH, LOUISIANA
MAYOR AND HARAHAH CITY COUNCIL
APRIL 20, 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, Fire Chief St. Cyr, City Attorney Gilbert Buras; Financial Administrator Linda Lulue, Becky Hammond of Carr, Rigs & Ingram, city auditor.

Mayor's comments:

Mayor Miceli said that the last meeting was very long and this meeting also has a long agenda. She asked that everyone keep in mind the three minute time limit for address the council.

Mayor Miceli said they needed to call a Special Hearing and Public Meeting for Tuesday, May 30, 2017 starting at 5:30 pm to adopt the adjusted millage rate and also roll forward the millage for 2018. She also asked that the agenda be amended to include a late ABO permit.

The Mayor called the Special Hearing & Meeting to be held on Tuesday, May 30, 2017 at 5:30 pm.

Councilman Huete then offered a motion seconded by Councilman Wheeler to change the date of the May meeting to follow the Special Hearing & Meeting scheduled for May 30, 2017.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

The monthly May meeting will not be held on the third Thursday but will follow the Special Hearing & Meeting scheduled for Tuesday, May 30, 2017 beginning at 5:30 pm.

A motion was made by Councilman Johnston and seconded by Councilman Wheeler to amend the agenda under New Business to delete No. 2 and in its place to add a request for a high alcohol content ABO permit for D & C Burgers, LLC.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSED

The Mayor also reported that tentatively the city is out of deficit mode with an approximate surplus of \$25,000. She congratulated everyone who worked so hard to accomplish this goal.

SPECIAL PRESENTATIONS

All comments for the record are recorded on video.

1. Ramelli – Bob Ramelli addressed the council on the current contract and answered questions from the council.

Chief Walker suggested that residents photograph the serial number on their garbage can and Mayor Miceli suggested they also label the can with their name & address.

2. Stuart Consulting – Calvin Hoppmeyer gave an update on the upcoming sewer projects.

3. Proclamation – Fair Housing Month proclamation was issued.

4. Darlene Schwartz, Community Liaison announced the following:

Drug take back day will be held April 29th

May 3rd – 2017 Medicare update – 11 am to 12 pm at Harahan Sr. Center.

Law Enforcement Torch Run – Thurs., May 13 for Special Olympics – T-shirts - \$25 each.

Night Out Against Crime will be held on Oct. 17th with a pre-party held on Oct. 15 at Lafrenier Park.

5. Chief Walker gave the current State of the Harahan Police Department. He also presented certificates of appreciation to two volunteer students. He announced that new signage will be available for Hickory & Sauve Ave. to prevent accidents.

ADDRESS THE COUNCIL

All comments for the record are recorded on the video.

John Reihm

Sheila Markey

Rhonda Bagby

Tommy Budde

Jason Bruzik

Evelyn Reihm

Paula Tassin

Dale Simoneaux

Remy Donnelly

APPROVAL OF MINUTES

A motion was made by Councilman Johnston and seconded by Councilman Baudier to defer the reading & approval of the minutes of the February 16, 2016 meeting to the May 30th meeting.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

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

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

A motion was made by Councilman Johnston and seconded by Councilman Huete to have the minutes of the March 16, 2016 meeting redone and approved at the May meeting.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

COMMUNICATIONS

The Board of Adjustments and Appeals

Chairman, Mr. Kittok addressed the council and said there were only 3 members present at the meeting and he was told after the meeting that an approval needs 3 yeas but that one vote was 2 yeas and 1 nay. He asked Mr. Buras to look up the information. Mr. Buras quoted the statute as a "majority of the members present need to vote in favor". Therefore, the vote was correct.

A motion was made by Councilman Johnston and seconded by Councilman Huete to defer the approval of the minutes of the March 15, 2016 Appeals Board meeting to the May 30th meeting.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

The Planning and Zoning Board did not meet in April.

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; making application to the State Bond Commission in connection therewith; and providing for the matter in connection therewith.

Bond Attorney, Mr. Hugh Martin said that nothing was published that stated the amount of millage – so the council could change it from 5 mills to 3 mills.

A motion was offered by Councilman Johnston and seconded by Councilman Huete to amend the resolution to change from 5 to 3 mills and from \$427,965 to \$256,779 as being collected.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

MOTION PASSED

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

PUBLIC HEARING – 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: None

A motion was offered by Councilman Johnston and seconded by Councilman Huete to vote to approve the Resolution as amended.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

RESOLUTION PASSED AS AMENDED

PROPOSED RESOLUTION NO. 2017 – 6

This Resolution was proposed unanimously by the Council.

A Resolution accepting funds from Jefferson Parish, for the year 2016, in the amount of Seventy-Five Thousand Dollars (\$75,000.00), for the City of Harahan Fire Department for funding the purchase of essential firefighting equipment.

A motion was offered by Councilman Huete and seconded by Councilman Johnston to amend the number to the actual figure of \$74,950.00.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

MOTION PASSED

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

PUBLIC HEARING – 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 PASSED

COUNCIL DISCUSSION: None

A motion was offered by Councilman Johnston and seconded by Councilman Wheeler to adopt the amended Resolution.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

RESOLUTION PASSED AS AMENDED

PROPOSED RESOLUTION NO. 2017-7

This Resolution was offered unanimously by the Council.

A Resolution accepting funds from Jefferson Parish, for the year 2017, in the amount of Seventy-Five Thousand Dollars (\$75,000.00), for the City of Harahan Fire Department for funding the purchase of essential firefighting equipment.

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 PASSED

PUBLIC HEARING 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 PASSED

COUNCIL DISCUSSION: Councilman Johnston thanked Councilman Paul Johnston.

A motion was offered by Councilman Benton and seconded by Councilman Johnston to vote to approve the Resolution.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

RESOLUTION PASSED

PROPOSED RESOLUTION NO. 2017-8

This Resolution was proposed unanimously by the Council.

A Resolution accepting funds from Jefferson Parish, for the year 2017, in the amount of One Hundred Eighty Thousand Dollars (\$180,000) for the City of Harahan Police Department for the purchase of new vehicles to be used as police vehicles.

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

PUBLIC HEARING

Chief Walker said the money is going towards the purchase of 8 new cars that are on order with additional funds. He thanked Councilman Paul Johnston.

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 PASSED

COUNCIL DISCUSSION: Councilman Johnston thanked Councilman Paul Johnston.

A motion was offered by Councilman Johnston and seconded by Councilman Benton to vote to approve the Resolution.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

RESOLUTION PASSED

PROPOSED RESOLUTION NO. 2017-9

This Resolution was proposed unanimously by the Council.

Cooperative Endeavor Agreement by and between the City of Harahan and the Harahan Athletic Association.

A motion was offered by Councilman Wheeler and seconded by Councilman Johnston 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

PUBLIC HEARING – No one spoke.

A motion was offered by Councilman Johnston and seconded by Councilman Baudier 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: Councilman Johnston affirmed that Mr. Chatelain is okay with the Resolution.

A motion was offered by Councilman Johnston and seconded by Councilman Baudier to vote to approve the Resolution.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

RESOLUTION PASSED

PROPOSED RESOLUTION NO. 2017-10

This Resolution was proposed unanimously by the Council.

A resolution accepting the donation of a 2008 Ford Crown Victoria VIN #2FAFP74V68X137323, from Jefferson Parish to the City of Harahan Police Department.

A motion was offered by Councilman Johnston and seconded by Councilman Baudier 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

PUBLIC HEARING No one spoke.

A motion was offered by Councilman Baudier and seconded by Councilman Johnston 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: Councilman Johnston thanked Councilman Paul Johnston.

A motion was offered by Councilman Johnston and seconded by Councilman Baudier to vote to approve the Resolution.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

RESOLUTION PASSED

PROPOSED RESOLUTION NO. 2017-11

This Resolution was proposed unanimously by the Council.

A resolution accepting the donation of a 2008 John Deere Gator, VIN #W04X2SD031511; and a 2002 Genie Man Lift, VIN #TMZ-34119, from Jefferson Parish to the City of Harahan for use by the Harahan Fire Department.

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 PASSED

PUBLIC HEARING – 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 PASSED

COUNCIL DISCUSSION: Councilman Johnston thanked Councilman Paul Johnston.

A motion was offered by Councilman Johnston and seconded by Councilman Baudier to vote to approve the Resolution.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

RESOLUTION PASSED

PROPOSED RESOLUTION NO. 2017 – 12

This Resolution was proposed unanimously by the Council.

A resolution accepting the donation of a 2008 Ford Ranger, VIN #1FTYR14U58PB07835 from Jefferson Parish to the City of Harahan for use by the Harahan Maintenance Department.

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

PUBLIC HEARING No one spoke

A motion was offered by Councilman Baudier and seconded by Councilman Johnston 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: Councilman Johnston thanked Councilman Paul Johnston.

A motion was offered by Councilman Johnston and seconded by

Councilman Baudier to vote to approve the Resolution.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

RESOLUTION PASSED

ORDINANCES FOR APPROVAL

ORDINANCE NO. 1824 (Vetoed)

This Ordinance was proposed 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)

A motion was offered by Councilman Johnston and seconded by Councilman Baudier 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

PUBLIC HEARING – No one spoke.

A motion was offered by Councilman Baudier and seconded by Councilman Johnston 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: Becky Hammond of Carr, Rigs and Ingram and Linda Lulue explained the ordinance to the council.

A motion was offered by Councilman Johnston and seconded by Councilman Huete to vote to uphold the veto.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

VETO UPHELD

PROPOSED ORDINANCE NO. 2017 – 5 (Deferred)

This 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.

A motion was offered by Councilman Baudier and seconded by Councilman Johnston to defer the Ordinance to the May 30th meeting with a meeting to be scheduled with the DEQ prior to the May 30th meeting.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

MOTION PASSED

Councilman Baudier said he will contact the DEQ to request their attendance.

ORDINANCES FOR INTRODUCTION

The following Ordinance was introduced by Councilman

The City Clerk read the Ordinance by title only.

PROPOSED ORDINANCE NO. 2017 – 6 (Police Department)

An Ordinance amending Ordinance No. 1822, the annual Budget of Revenues and Expenditures for the Fiscal Year ending December 31, 2017 for the City of Harahan, Louisiana.

FAILED FOR LACK OF INTRODUCTION

PROPOSED ORDINANCE NO. 2017-7

The following Ordinance was introduced by Councilman Benton

The City Clerk read the Ordinance by title only.

An Ordinance amending Ordinance No. 1806, the Annual Budget of Revenues and Expenditures for the Fiscal Year ending December 31, 2016 for the City of Harahan, Louisiana.

PROPOSED ORDINANCE NO. 2017 – 8 (Blighted Property)

The following Ordinance was introduced by Councilman Johnston

The City Clerk read the Ordinance by title only.

An Ordinance amending Ordinance No. 1822, the annual Budget of Revenues and Expenditures for the Fiscal Year ending December 31, 2017 for the City of Harahan, Louisiana.

PROPOSED ORDINANCE NO. 2017 – 9

Mayor Miceli explained the Ordinance's purpose before it was read.

The following Ordinance was introduced by Councilman Benton

The City Clerk read the Ordinance by title only.

An Ordinance to amend and re-ordain Section 78-31(a) Section 78-32 and Sections 78-44 of the Harahan Municipal Code to provide for the collection of solid waste and refuse by the city or contractors selected by it, to provide for the imposition of charges for the collection, removal, disposal and recycling of solid waste and refuse and to otherwise provide with respect thereto.

OLD BUSINESS - NONE

NEW BUSINESS

1. Appeals Board and Planning & Zoning Board nomination.

Mayor Miceli said this is under consideration and asked that any nominations be emailed to her for consideration.

2. D & C Burgers, LLC dba Desi Vega's Prime Burgers & Shakes, located at 1640 Hickory Ave. is requesting a high content Alcoholic Beverage License.

Mayor Miceli asked if Chief Walker had received final approval from the state's records clerk.

Chief Walker said it has not come back.

A motion was offered by Councilman Wheeler and seconded by Councilman Baudier to grant the permit.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

PERMIT GRANTED

3. St. Rita Dads' Club is respectfully requesting permission to:

- **Block Bourg St. from Imperial Woods Dr. to Ravan during the hours of operation for the 4th annual St. Rita Dads' Club Crawfish Cook-off. The Cook-off will be held on Saturday, May 20, 2017 from 9 am to 11 pm.**
- **Sell beer at the Cook-off on Saturday, May 20, 2017 from 4 pm to 10 pm**

Mayor Miceli asked if Chief Walker and Chief St. Cyr had any comments or concerns about this event as it affects their respective departments.

Both said they have no issues.

A motion was offered by Councilman Johnston and seconded by Councilman Baudier to grant approval for both requests.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSED

ADDRESS THE COUNCIL

All comments are recorded on the video.

Evelyn Riehm, Rypass

Jason Bruzik, Stoneleigh

Tommy Budde, Stoneleigh

Terry Valenti, Colonial Club Dr.

Kim Hasney, OK Ave.

Robert Johnston, Riverside Dr.

SECRETARY'S REPORT

Secretary's Report for March, 2017

Total revenue: \$576,853.28

REPORTS

Chief Walker – gave his stats for the month of March.

Chief St. Cyr – gave his reports for the month of March. He also stated that he hired one fireman and will hire the second one in the near future. Their fish fry was a great success – Councilman Wheeler directed traffic. Station software which had been inoperative for 6 years has been replaced and is being installed.

Councilman Huete – no report

Councilman Baudier – addressed several citizens' comments. He also said he is working with Chef Giovanni – to open a high-end restaurant in Harahan.

Councilman Johnston – announced the St. Rita's Dad's Club Crawfish Cookoff on May 20 from 4 pm until 10 pm

Councilman Wheeler announced her daughter is graduating high school next month.

Councilman Benton – no report

Mayor Miceli – said that she and the council represent all citizens and believes the nasty rhetoric needs to stop. She said the city has conquered many financial problems and is rebuilding its financial base.

PAY BILLS

Bills paid in March 2017 –

Total expenditures \$352,062.38.

EXECUTIVE SESSION

ADJOURN

Motion was made by Councilman Johnston and seconded by Councilman Wheeler to adjourn at 11:55 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.; 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: