

**City of Harahan  
6437 Jefferson Highway  
Mayor and Harahan City Council  
Council Meeting Minutes  
July 27, 2017**

**Date: July 27, 2017**

**Time: 7:30 pm**

**Mayor Miceli opened the Meeting of July 27, 2017 at 7:30 pm.**

**The City Clerk called the roll.**

**In Attendance were:**

**Mayor Miceli, Councilman Baudier, Councilman Benton, Councilman Huete, Councilman Johnston, Councilman Wheeler, City Clerk Nicole Lee, Police Chief Walker, City Attorney Gilbert Buras and City CPA Linda Lulue.**

**Absent: Fire Chief St. Cyr**

**Mayor Miceli thanked the employees of Entergy for raising \$1 million to assist Seniors and low income families with their bills. She announced that on June 20, 2017 the city received a Governor's Office of Homeland Security Grant for Pre-Disaster Mitigation in the amount of \$522,562.50 with a non-federal share of \$174,187.50 for a total amount of \$696,750.00. This will allow storm proofing municipal buildings against wind damage. The Mayor announced that due to changes in operation and the necessity to fund line items for a complete year there are several ordinances up for first reading tonight.**

**A motion to amend the agenda to add nominations for the Police Advisory Committee as No. 6 under New Business 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**

**ABSENT: None**

**AGENDA AMENDED**

**A motion to amend the agenda to add Calvin Hoppmeyer as No. 3 under New Business was offered by Councilman Johnston, seconded by Councilman Wheeler.**

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

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

**NAYS: None**

**ABSENT: None**

**AGENDA AMENDED**

**SPECIAL PRESENTATIONS**

**1. Darlene Schwartz, Community Liaison**

**She thanked NOLA Church for coming on July 15<sup>th</sup> to Royland Park to clean and spruce up the park. Ms. Schwartz, Mayor Miceli and the members of NOLA Church worked together. NOLA Save then agreed to adopt the park once a month for a clean up. Councilman Wheeler & the Mayor provided food. Next month there will be a presentation to the pastor of NOLA Church and NOLA Serve. She also stated Ms. Elaine Bankston of River Ridge Ace Hardware donated \$300 worth of materials. She showed the plaque that will be presented to Ms. Bankston. There is a spaghetti dinner at KC home on Aug. 12 from 5-8 pm \$10 a plate to benefit Metairie Animal Shelter. She also announced that 400 David Dr. is accepting electronic waste materials - i.e. computers, cell phones.**

**2. Current State of the Harahan Police Department - Chief Walker questioned the audit results because it announced that the dept. was over budget then came back and said it was under budget by \$75,000. He complained about the mistakes in audit and again said he didn't receive financial information. He complained about the length of the audit - 103 pages. He said that former audits were much shorter.**

The Mayor added that previous budgets did not follow the law. There are rules that must be followed.

Chief Walker called the audit a fiction novel. He has made complaints to a state board about CRI and the city finance director. His budget was over \$2 million for 2016. He said the dept. is under budget but the amount is in question. He claims the dept. is over \$200,000 under budget. He said that 4 employees left the dept. but the city still paid their health insurance by \$21,000.

Mayor Miceli said that the city is being reimbursed by those employees.

He also announced he is running for re-election.

3. Calvin Hoppmeyer, City Engineer explained the situation with lift station 8. The Ames Group is designing the repairs and should have costs next week. He is meeting with Veolia to see if a bypass of the pump is possible. Pump station 6 is being designed to take some of the overflow from Station 8 so the city will have 2 lift stations pumping sewerage to the station. If station 8 fails – overflow will have to go “somewhere else” which will have to be reported to the EPA. He said the station has been leaking for a long while.

Councilman Johnston asked the cost.

Mr. Hoppmeyer said the approximate cost would be \$150 - \$200,000 with the cost of the by-pass to come next week. He said the excavation work would be done prior to the actual bypass effort.

Mayor Miceli asked if station 8 fails how long would the citizens be without sewerage service.

Mr. Hoppmeyer said possibly 36 – 48 hours without service but most of the houses are higher than the pipes but there are some areas where they would get sewerage in their homes.

Councilman Johnston said if the prep work is done early – the money spent would not be reimbursable. The loan money is available – but if it breaks tomorrow – it is not reimbursable.

Councilman Wheeler asked if pump trucks could take the overflow.

Mr. Hoppmeyer said a fleet of trucks would be needed. We are trying to stay ahead of the problem because there will be fines if it overflows.

Councilman Johnston said he and Councilman Baudier with Eric Chatelain had looked at ditches that were clogged.

Mr. Hoppmeyer said that there are several pipes under Jeff. Hwy. that hold the water until there is a rush of water. When the sediment settles – it solidifies.

Councilman Johnston asked about street and sidewalk repairs.

Mr. Hoppmeyer said that some streets are higher than the sidewalks – i.e. VFW Blvd. Trying to mill and overlay without regard to drainage is not smart. They are trying to design a positive flow to eliminate “birdbaths” of water. The project is expected to cost \$328,000, but they are trying to keep it under \$300,000 including design. He said that Veolia is reviewing the sewerage situation and getting designs done – trying to be proactive. Veolia may be asking for a task order. There are trying to avoid the custom fittings and are trying to go back to conventional fittings. The pump will continue to leak and has been leaking for 50 years. The interruption will start at 11 pm to have the least amount of flow in the pipe – they have backup pumps to help. The intent is to not inconvenience the citizens with the down time.

#### **ADDRESS THE COUNCIL**

**Councilman Tim Baudier**

**Carla Tassin**

**Andrew Banks**

**Charlie Ernst**

**Bryan Whittle**

**Provino Mosca**

**John Rhiem**

**Evelyn Rhiem**

**Rhonda Bagby**

**Eric Chatelain**

**Jason Bruzik**

**Manuel Adams**

**Jean-Marie Murphy**

**APPROVAL OF MINUTES**

**Councilman Benton offered a motion to dispense with the reading of the minutes, seconded by Councilman Johnston.**

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

**YEAS: Benton, Huete, Johnston**

**NAYS: Baudier, Wheeler**

**ABSENT: None**

**MOTION PASSES**

**Councilman Benton offered a motion to approve the minutes.**

**Motion fails for lack of a second.**

**COMMUNICATIONS**

**Board of Adjustments and Appeals**

**The Board of Adjustments and Appeals did not meet in June, 2017.**

**Planning and Zoning Board**

**The Planning and Zoning Board did not have a quorum for the July 5, 2017 meeting.**

**RESOLUTIONS**

**PROPOSED RESOLUTION NO. 2017-17**

**The clerk read the Resolution in its entirety.**

**This Resolution was proposed unanimously by the Council.**

**A Resolution accepting funds from Jefferson Parish, in the amount of Eight Thousand Dollars (\$8,000.00), for the City of Harahan Recreation Department, for funding to purchase essential equipment. Capital Budget**

**The Public Hearing was opened.**

**No one spoke.**

**The Public Hearing was closed.**

**Council Discussion: None**

**Motion by Councilman Johnston, seconded by Councilman Baudier to approve the Resolution.**

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

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

**NAYS: None**

**ABSENT: None**

**MOTION PASSES**

**ORDINANCES FOR APPROVAL**

**PROPOSED ORDINANCE NO. 2017 – 13**

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

**The Ordinance was offered by Councilman Benton and seconded by Councilman Johnston. – Deferred from June.**

**An Ordinance to amend the Capital Budget for the year 2017 of the City of Harahan by increasing funds to Line 341-4-115-40900 (Highways and Street Maintenance) for street repairs. (\$150,000)**

**The Public Hearing was opened.**

**PUBLIC HEARING**

**No one spoke**

**The Public Hearing was closed.**

**COUNCIL DISCUSSION:**

**A motion was offered by Councilman Johnston and seconded by Councilman Baudier to defer to next month.**

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

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

**NAYS: Benton**

**ABSENT: None**

**ORDINANCE DEFFERED TO AUGUST**

**PROPOSED ORDINANCE NO. 2017 – 14**

The clerk read the ordinance by title only.

The Ordinance was offered by Councilman Benton and seconded by Councilman Johnston.

An Ordinance to amend the Capital Budget for the year 2017 of the City of Harahan by increasing funds to Line 341-4-115-40900 (Highways and Street Maintenance) for drainage improvements. (Donelon, Macque & Sedgefield)

The ordinance was withdrawn by Councilman Benton.

**PROPOSED ORDINANCE NO. 2017 – 15**

The Mayor announced that Councilman Wheeler notified her that she wishes to withdraw this ordinance.

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. (Harahan Police Department)

Councilman Wheeler said she was waiting for figures from the auditor – she withdrew the ordinance.

**ORDINANCES FOR INTRODUCTION (First Reading)**

**PROPOSED ORDINANCE NO. 2017-16**

The clerk read the proposed Ordinance by title only.

The ordinance was proposed by Councilman Baudier.

An Ordinance approving the Re-zoning of 6915 Jefferson Highway, Lots B-4, B-5, B-6 and D-1-A, Tract C, Soniat Plantation Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana, from R-1 to C-1.

Michael Amedeo from Zoning Bd. said that this was heard in May and deferred until the June meeting. The June meeting was not advertised and the June and July meetings did not have a quorum of the board members present. The board thought they could send it to the council in order to not delay the owner anymore to not keep the owner waiting.

However, state law states that the board must make a recommendation either for or against or a “no recommendation” to the council – so the case will be heard in August.

Councilman Huete said she received a letter from the applicant Kevin Marrone. Patrick Peppo, Planning & Zoning Bd. member also commented that the board has had no training this year and they don’t know the law. He asked that the city attorney or regulatory director attend the meeting. He stated the owner wants it rezoned because it is next to commercial.

Mayor Miceli said the board members need to be placed legally and a building official will be coming to the meetings. She asked for information from city attorney.

City Attorney Buras Gilbert said that 4 hours of training is required. He said that he as contacted several lawyers to provide training. He said that the city has a Master Plan and the board should use that for direction.

Mayor Miceli said the board has 5 spots open and nominations have been sent to the council for their approval.

Councilman Baudier said that the Mayor wants to control the zoning board to shut down progress on Colonial Country Club. The council wants to nominate their own members.

Attorney Buras would not comment about that remark, but did state that the City might need a home rule charter.

Mr. Amedeo wants clarification from Attorney Buras about the nomination procedure. Attorney Buras said the zoning law is contained in two sections of state law and that RS 33:03 states that the Mayor nominates and the council confirms the nomination.

**Councilman Huete said the city should roll out the red carpet for Mr. Marrone and not keep him waiting.**

**The Mayor called a recess at 10:48 pm**

**The meeting was called back to order at 11:04 pm**

**PROPOSED ORDINANCE NO. 2017-17**

**The Clerk read the Ordinance by Title only.**

**This Ordinance was proposed by Councilman Benton.**

**As mandated by LSA - R.S. 39:1305, to fund for the projected complete year of Computer Supplies and Expense for the Administrative Department, this is 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. 2017-18**

**The Clerk read the Ordinance by Title only.**

**This Ordinance was proposed by Councilman Benton.**

**As mandated by LSA - R.S. 39:1305, to fund for the projected complete year of Office Supplies for the Recreation Department, this is 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. 2017-19**

**The Clerk read the Ordinance by Title only.**

**This Ordinance was proposed by Councilman Benton.**

**As mandated by La. R.S. 39:1311, to adjust beginning fund balances to actuals per the 2016 audit, this is 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. 2017-20**

**The Clerk read the Ordinance by Title only.**

**This Ordinance was proposed by Councilman Benton.**

**As mandated by La. R.S. 39:1310, to fund for the change in operations and as mandated by LSA - R.S. 39:1305, to fund for the projected complete year, which has occurred due to replacing the Certified Building Official position for the remaining year of Salaries – Other Subcontractors for the Regulatory Department, this is 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. 2017-21**

**The Clerk read the Ordinance by Title only.**

**This Ordinance was proposed by Councilman Benton.**

**As mandated by La. R.S. 39:1310, to fund for the change in operations and as mandated by LSA - R.S. 39:1305, to fund for the projected complete year, due to addressing the City's 2016 Audit Report findings regarding lack of segregation of duties and internal controls, hereby requiring the increase of Salaries and Related Expenses for the Court Department, this is 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. 2017-22**

**The Clerk read the Ordinance by Title only.**

**This Ordinance was proposed by Councilman Benton.**

**As mandated by LSA - R.S. 39:1305, to fund for the projected complete year of Health Insurance for all departments in the General Fund, this is 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. 2017-23**

The Clerk read the Ordinance by Title only.

This Ordinance was proposed by Councilman Benton.

As mandated by La. R.S. 39:1310, to fund for the change in operations which has resulted in improving the City's ability to track garbage fees for the Sanitation Department, this is 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. 2017-24**

The Clerk read the Ordinance by Title only.

This Ordinance was proposed by Councilman Benton.

As mandated by La. R.S. 39:1310, to fund for the change in operations necessitated by the City no longer charging residents for recycling services for the Sanitation Department, this is 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. 2017-25**

The Clerk read the Ordinance by Title only.

This Ordinance was proposed by Councilman Benton.

As mandated by LSA - R.S. 39:1305, to fund for the projected complete year of Training for the Administrative Department, this is 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. 2017-26**

The Clerk read the Ordinance by Title only.

This Ordinance was proposed by Councilman Wheeler.

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. (Civil Service Department)

**OLD BUSINESS**

**1. Civil Service College List Board Members' terms expiring July 29, 2017.**

The Mayor stated that Ms. Windhorst has agreed to be re-nominated for a term of on the Civil Service Board.

Motioned by Councilman Wheeler seconded by Councilman Huete to confirm Ms. Windhorst.

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

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

**NAYS: None**

**ABSENT: None**

**MOTION PASSES**

The Mayor also re-nominated Glen Landry for a term on the Civil Service Board.

Motion by Councilman Johnston seconded by Councilman Wheeler to confirm Mr. Landry.

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 offered by Councilman Wheeler seconded by Councilman Huete to amend the agenda to move number 5 under New Business to no. 1

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

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

**NAYS: None**

**ABSENT: None**

## **MOTION PASSES**

### **NEW BUSINESS**

#### **1. Governing Authority appointment for Civil Service Investigation on 8/7/17.**

**Mr. Credo spoke about the proposed investigation to be conducted on August 7, 2017. They want to know who will represent the Mayor.**

**Attorney Buras said this is an open meeting and any member of the council can attend. He asked if Mr. Credo is saying that the mayor is not the appointing authority.**

**Mr. Credo said that certain witnesses will be sequestered so city won't have anybody there. He said the unclassified workers are witnesses that have been subpoenaed to testify.**

**Attorney Buras said that the mayor controls the unclassified work force/**

**Mr. Credo said the unclassified workers are witnesses that will bring information to the board. He said the city should have someone in attendance since the Mayor may be sequestered. He thought that someone might be appointed.**

**Attorney Buras said he will be attending the meeting representing the city.**

**A motion was made by Councilman Huete and seconded by Councilman Baudier to appoint Councilman Wheeler to represent the City.**

**Mr. Baudier called for a vote.**

**Yeas: Baudier, Johnston, Huete**

**Nays: Benton**

**ABSTAIN: Wheeler**

**MOTION PASSES**

#### **2. Appeals Board and Planning and Zoning Board nominations and appointments.**

**Councilman Baudier said that members must have 4 hours of training or they can't vote.**

**Attorney Buras said they need training – but that doesn't affect the vote.**

**Councilman Wheeler said that she tried & there was never a power struggle before – she wants the council to have a person for each of them on the board.**

**The Mayor called a Special meeting for 5:30 pm on August 9<sup>th</sup> to handle Planning & Zoning nominations & appointments.**

**Notice was waived.**

**2. The Jefferson Chamber is seeking permission to allow the Tour de Jefferson bike ride to pass through the City on September 10, 2017. The bike ride will start at 7:30 a.m. and finish at 4:00 p.m. in Jefferson Parish at Lafreniere Park, passing through the City of Harahan.**

**Chief Walker questioned closing the streets for the duration since they are state highways and a parish road.**

**Motion was offered by Councilman Johnston and seconded by Councilman Huete to grant permission.**

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

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

**NAYS: None**

**ABSENT: None**

**MOTION PASSES**

#### **3. Planning and Zoning Board.**

**This was deferred until the special meeting – put on Special Meeting**

**Michael Amedeo said there are problems at meetings with people arguing with the board. We need to stop people from cursing at the board.**

**Chief Walker said just call next door or call before to notify him.**

**4. Brandy Boudreaux is requesting permission to hold a block party on Saturday, August 19, 2017 from 6:00 p.m. to 11:00 p.m. on Elodie Ave. from Riverside Dr. to 45 Elodie Ave. She is also requesting that the street be blocked off.**

**Chief Walker said all arrangements have been made for this event.**

**Motion was offered by Councilman Johnston and seconded by Councilman Huete to grant permission.**

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

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

**NAYS: None**

**ABSENT: None**

**MOTION PASSES**

**6. Nominations for the Police Advisory Committee**

**The Mayor asked the Chief if he has the 2 members names appointed by the Police Dept. for the record?**

**Chief Walker said that Leo Savoie and Jason Bruzik had been appointed by his department.**

**A motion was made to nominate Ed Krause by Councilman Wheeler and seconded by Councilman Johnston.**

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

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

**NAYS: None**

**ABSENT: None**

**MOTION PASSES**

**Councilman Benton said she has not decided on a nomination yet.**

**A motion was made to nominate Tim Baudier by Councilman Baudier and seconded by Councilman Johnston.**

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

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

**NAYS: None**

**ABSENT: None**

**ABSTAIN: Baudier**

**MOTION PASSES**

**A motion was made to nominate Carlo Ferrara 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**

**ABSENT: None**

**MOTION PASSES**

**A motion was made to nominate Westley Turner by Councilman Huete and seconded by Councilman Johnston.**

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

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

**NAYS: None**

**ABSENT: None**

**MOTION PASSES**

**ADDRESS THE COUNCIL**

**Tommy Budde, Stoneleigh**

**Jason Bruzik, Stoneleigh**

**SECRETARY'S REPORT**

**Secretary's report for June, 2017**

**Total revenue \$504,531.88.**

**REPORTS**

**Chief Walker read his statistics for June, 2017**



**PAY BILLS -**

**Bill's paid in June, 2017**

**Total expenditures \$359,825.62**

**EXECUTIVE SESSION**

**ADJOURN**

**A motion was offered by Councilman Johnston seconded by Councilman Baudier to adjourn the meeting at 11:59 p.m.**

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

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

**NAYS: None**

**ABSENT: None**

**MOTION PASSES**

**MEETING ADJOURNED AT 11:59 p.m.**

**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:**