

City of Harahan
6437 Jefferson Highway
Mayor and Harahan City Council
Council Meeting Minutes
August 16, 2018

9/20/18
The August 16, 2018 Minutes
prepared by Ms. Judy Johnson
were not approved by the
Council.
VOTE: 1 yea, 4 nays
Nicole Yee, City Clerk

Date: August 16, 2018

Time: 7:30 pm

Mayor Miceli opened the Meeting at 7:33 pm

PLEDGE OF ALLEGIANCE – The City Clerk led the pledge of allegiance.

The City Clerk called the roll.

In Attendance were:

Mayor Miceli, Councilman Baudier, Councilman Benton, Councilman Huete, Councilman Johnston, Councilman Wheeler, Police Chief Walker; City Attorney Gilbert Buras, City Clerk Nicole Lee, Fire Chief St. Cyr

Absent: Linda Lulue

MAYOR'S COMMENTS:

I am pleased to announce that our financial administrator, Ms. Linda Lulue has received an award from the Government Finance Officers Association for the 4th year in a row for the Distinguished Budget Presentation Award for her work for St. John Parish.

The Mayor asked for a motion to amend the agenda.

A motion to amend the agenda to add City Engineer, Calvin Hoppmeyer as number 1 under Special Presentations was made 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

The Mayor announced that a request that had come in the Friday before the meeting, but was not added to the agenda, so she asked for a motion to amend the agenda to add Clayton Cangelosi concerning a first responders benefit as No. 3 under Special Presentations and move the Current State of the Harahan Police Department to No. 4 A motion was made by Councilman Johnston seconded by Councilman Benton to amend the agenda as stated.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

The Mayor asked for a motion to add Proposed Ordinance No. 2018-18 under Ordinances for Introduction and to send the Ordinance to the Planning & Zoning Board for their review.

A motion was made by Councilman Benton seconded by Councilman Johnston to amend the agenda as stated.

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 Johnston seconded by Councilman Baudier to amend the agenda to add a low content alcohol beverage permit for Smoked, as No. 5 under New Business.

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

The Mayor asked for a motion to add Resolution No. 2810-10 concerning a donation from Jefferson Parish to the Harahan Recreation Dept. under Resolutions.

A motion was offered by Councilman Wheeler, seconded by Councilman Johnston to amend the agenda as stated.

**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 Johnston seconded by Councilman Wheeler to go into Executive Session at 7:36 pm.

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

The meeting was called back to order at 7:41 pm.

SPECIAL PRESENTATIONS

1. City Engineer, Calvin Hoppmeyer

Councilman Wheeler questioned the wording of Resolution No. 2018-9 which was deferred at the July meeting stating that the money had already been spent. An amendment in the wording was recommended.

Mr. Hoppmeyer then explained the Tyler St. asphalt repair is piggy backing on the Parish contract. The job is 3 blocks long – 1st block is higher than the rest of the street and has to be lowered along with repositioning the manhole covers; Blue Flash was called out to deal with the roots from large oak trees – but it was determined that an additional pipe will be needed to reroute the drain around the oak tree, but the price is included in the bid. This will hopefully fix the drainage issue and lowering the street should eliminate ponding.

He stated that the sewer work is 99% complete – that Ames has gone through the video tapes to guarantee that the work was done correctly. The contractor has not asked for an additional payment, but some will be held back to fix problems that may be found. This is reimbursable by the state. Ames did the inspections by video – they re-videoed what they could not find. A punch list of 20 items was given to the contractor. There is still work for them to do with specific pipe repairs. Keeping a better eye on them – full time inspection is expensive. DEQ came in and checked that all the work is being done correctly and that the contract was fulfilling the contract correctly. Tests & inspections were done.

Councilman Johnston asked if the asphalt company is different from the contractor for the sewerage contract.

Mr. Hoppmeyer answered that Barriere is doing the asphalt street.

Councilman Baudier asked if Mr. Bill Laderer's problem had been solved.

Mr. Hoppmeyer said that most of the work was done, but a phone pole will need to be replaced. There will be a reimbursement issue there.

Councilman Wheeler asked if there are written reports for the punch list.

Mr. Hoppmeyer said they have the computer punch list and all the video tapes – and Ames is reviewing the information.

Jack Atchley, Tyler St. – asked about the 800 block of Tyler – he lives in the 900 Block of Tyler. He asked about the low street where he lives – he doesn't want it lowered more.

Mr. Hoppmeyer answered him and explained how it will be done & said his block would not be lowered.

Councilman Johnston asked how much of the \$4 million loan is left.

Mr. Hoppmeyer said there is about \$1 million left, and the design & rerouting of station 6 will use all of that & maybe more. He said that Station 8 equipment is brand new with 3 fully operational pumps.

Councilman Johnston asked how will the sewer plant be affected by the assisted living facility being built.

Mr. Hoppmeyer said they are building their own pump station that will tie in on Norton St. and then be routed to station six which will then pump directly to the plant. Another pump station will have to be developed for the other areas of the property as it is developed. Sewer improvements have eliminated infiltration of rainwater and that helps immensely. If needed, the sewerage plant could be altered in the future. Chief St. Cyr facetiously said the fire station could be moved to increase the capacity of the sewerage plant.

Mr. Hoppmeyer then joked he could put them back at the Royland station.

Councilman Benton ask what can be done to increase capacity at the plant.

Mr. Hoppmeyer said that at the moment there was no need – the relining of the pipes had helped by eliminating the infiltration of ground water.

Chief Walker asked about the proposed renovations to the exterior of city hall and the police complex.

Mr. Hoppmeyer said that the \$500,000 grant would provide a new roof for City Hall and the gym, along with doors/windows for the Sr. Center & the gym. He said the city hall work would be bid out this year. The Streetscapping Grant of \$300,000 would provide pedestrian access on Jeff. Hwy. with improved cross walks for schools; and include some drainage improvement. To cover the open ditches would cost about \$4 million, but that's really the state's job since it is a state highway. We need statements that there will be no environmental impact from these improvements. Councilman Baudier said that the new development at Colonial is paying for their sewerage improvements and asked if we could lean on them for more money. He suggested we push them for every penny.

Mayor Miceli said that JW Colonial took responsibility for the cost during the negotiation.

Councilman Wheeler said we had paid for the doors at the maintenance dept. and asked if we would get the money back.

Mr. Hoppmeyer said that the money would be considered part of our matching funds and we would be credited for it.

2. Darlene Schwartz, Community Liaison

A candidate meet & greet will be held on August 24 from 6 pm-7 pm at Soniat Playground.

The Kamp's annual event for the La. Boxer Rescue will be held Sat., Oct. 6 from 11 am – 4 pm. This is a family event and the \$15 admission includes food; silent auction; & a costumed pet contest. Raffle tickets cost will be announced.

Soniat Playground is holding a clean up on Sat., Oct. 13 from 7:30 to 10:30 am. Bring gloves, bags, and wear closed toes shoes.

Trunk or Treat will be held on Fri. Oct 26th at Soniat Playground from 6:30 to 8:30 pm. The cost is \$2 per child. If you would like to participate with a decorated vehicle, the cost is \$75.

Drug Take Back Day will be held Sat., Oct. 27th at the Rite Aid (Walgreens) & Police Dept. office from 10 am – 2 pm.

Oct. will also have the National Night Out Against Crime at St. Rita's & the Halloween Bash in Imperial Woods Subdivision.

Mayor Miceli introduced Mary Schlesinger, John Kennedy's assistant – she has “adopted” Harahan. She thanked Sen. Kennedy for their help in the city- and guiding us with the odor issue.

3. Clayton Cangelosi, First Responders Benefit report. He said the Heros in Action event was a success and would be even better next year. He thanked Councilman Baudier for the shirts he donated and thanked all elected officials for attending. They are planning a golf tournament in the spring when it's cooler for the week after Mardi Gras. The final breakdown will come in later, but he presented a check to the fire dept. for \$250 and to the police dept. for \$1250.

4. Current State of the Harahan Police Department

Chief Walker – introduced his attorney, Steve Petit. Mr. Petit said he had filed a public records lawsuit against the Mayor. He obtained invoices for a few people; all invoices paid by Mayor. He is not sure if it was gross overbilling or a mistake. He wants to match documents to public records. He said Chief Walker is determined to make this a transparent investigation and that he will continue the investigation to find out what's going. We are going to get the records – gross overbilling – not paid until 6-7 months later. Questions – call the chief. The hearing is next week.

Chief Walker asked citizens call the station if there is any suspicious activity, anything out of character – call them – let them do their job. He stated that tonight's first reading of Ord. 2018-14 is for \$6,500 – to pay increase in premiums for all employees. He reminded everyone that schools are open – watch for school zones.

ADDRESS THE COUNCIL

Amanda Calogero, attorney running for office.

David Arceneaux, Haroleans.

Terri Valenti, Colonial Club.

Rhonda Bagby, Generes.

William Wallace, River Ridge.

Andrew Case, Colonial

Fire Chief St. Cyr

Councilman Wheeler

Chief St. Cyr

Andrew Case – Colonial

Jason Bruzik, Stoneleigh

Hermine Anderson, 124 Coventry Ct.

Richard Johnson, Riverside Dr

John Rhiem, Renpass

Evelyn Rhiem, Renpass

Tommy Budde, Stonleigh

Mae Jean Cazenave, Oak Ave

Lisa Giardino, Hickory

Terri Valenti, Colonial Club

Tim Walker, West Imperial

APPROVAL OF MINUTES

Councilman Johnston offered a motion to dispense with the reading of the minutes of the July 19, 2018 council meeting 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

Councilman Johnston offered a motion to approve the minutes of the July 19, 2018 council meeting seconded by Councilman Benton.

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

YEAS: Benton, Johnston

NAYS: Baudier, Huete, Wheeler

ABSENT: None

MOTION FAILS

Councilman Wheeler pointed out that Councilman Benton had been absent at the last meeting, however was included on one of the votes. The correction will be made to the minutes that were not approved by the council.

COMMUNICATIONS

The Board of Adjustments and Appeals did not meet in July, 2018.

The Planning & Zoning Board did not meet in August, 2018

RESOLUTIONS

PROPOSED RESOLUTION NO. 2018-9 – Deferred July 19, 2018

A Resolution for Community Development Block Grant Disaster Recovery (CDBG-DR) Infrastructure Program Funding.

This Resolution was offered unanimously by the Council.

The City Clerk read the Resolution in its entirety.

Councilman Benton offered an amendment to change the verbage in Section 1, line 25 to delete the words “is able to” and the word “commit” and insert the words “has committed” 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 Wheeler offered a similar amendment for Section 1, line 14 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

PUBLIC HEARING - None

COUNCIL DISCUSSION - None

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

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

The Mayor called for a short recess.

The meeting was called back to order at 9:42 pm.

RESOLUTION 2018-10

The following Resolution was offered by Councilman Wheeler.

A Resolution requesting that funds previously made available to the City of Harahan from Jefferson Parish in Resolution 2018-585 in the amount of \$70,000.00 for the benefit of the Recreation Department to provide funding for upgrades and improvements to Wilcox Field at Harahan Playground be re-directed by Jefferson

Parish to a cooperative endeavor agreement between Jefferson Parish and the Harahan Athletic Association for the same purpose.

The City Clerk read the Resolution in its entirety.

OPEN HEARING - None

COUNCIL DISCUSSION None

A motion was offered by Councilman Wheeler and seconded by Councilman Johnston to approve.

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

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: Benton

ABSENT: None

RESOLUTION PASSES

ORDINANCES FOR APPROVAL

PROPOSED ORDINANCE NO. 2018 – 8 – Deferred July 19, 2018

The City Clerk said she has not received an ordinance from Jefferson Parish.

This ordinance was offered by Councilman Johnston and seconded by Councilman Wheeler.

An Ordinance to place a “Do not enter when flooded” sign on West Imperial Dr.

OPEN HEARING - none

A motion to defer was made 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

MOTION PASSES

PROPOSED ORDINANCE NO. 2018-9

The following Ordinance was proposed by Councilman Baudier, seconded by Councilman Johnston.

An Ordinance approving the re-subdivision and re-zoning of Lots 1-8, Square B, Jefferson Park Manor Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana, made by Gilbert, Kelly & Couturie’, Inc., dated May 4, 2018.

The Mayor announced that the Planning & Zoning Bd. had approved this action with deed restrictions.

PUBLIC HEARING:

Stephen Petit – attorney for owner – he is fine with the restrictions.

Tommy Budde – deed restrictions were requested on lot 5A and the Zoning Board approved the action provided those deed restrictions were accepted by the owner. Councilman Wheeler said the deed restrictions will be included.

COUNCIL DISCUSSION: A motion was offered by Councilman Johnston seconded by Councilman Wheeler to add to Section 5: “Subject to deed restrictions on Lot 5-A”.

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

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: Benton

ABSENT: None

MOTION PASSES

A motion was offered by Councilman Wheeler to adopt the ordinance as approved by the Planning & Zoning Board including the deed restrictions, seconded by Councilman Johnston.

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

YEAS: Baudier, Huete, Johnston, Wheeler

NAYS: Benton

ABSENT: None

ORDINANCE ADOPTED

PROPOSED ORDINANCE 2018-10

This Ordinance was introduced by Councilman Benton seconded by Councilman Johnston.

An Ordinance to amend and re-enact Ordinance No. 1457, specifically, Section 1, whereas the City wishes to protect the City and its Contractural Magistrate and Judge so that fair-compensation is incurred and paid as due.

OPEN HEARING

COUNCIL DISCUSSION – Councilman Wheeler said she sent an email to City Attorney Buras. Because Councilman Benton was absent at the meeting the Mayor can not bring forth the ordinance. Need to bring back up at First Reading.

Councilman Benton offered a motion to amend the agenda to add the Ordinance to Ordinances for Introduction; seconded by Councilman Wheeler.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

PROPOSED ORDINANCE 2018-11 (Internet Service Off Sight Backup Cox)

This Ordinance was introduced by Councilman Benton seconded by Councilman Johnston.

This proposed ordinance is serving as providing the Council with written notification as mandated by LSA-R.S. 39:1310, “that when there has been a change of operation upon which the original adopted budget was developed, the governing authority shall adopt a budget amendment in an open meeting to reflect such change.”

A motion was offered by Councilman Benton seconded by Councilman Johnston to move the Ordinance to First Reading.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

PROPOSED ORDINANCE 2018-12

This Ordinance was introduced by Councilman Baudier, seconded by Councilman Wheeler.

An Ordinance to establish provisions with respect to the distribution of solicited and unsolicited print matter, and otherwise providing with respect thereto.

PUBLIC HEARING – None

COUNCIL DISCUSSION - None

A motion was made to defer by Councilman Baudier, seconded by Councilman Wheeler.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

PROPOSED ORDINANCE 2018-13 (Tyler)

This Ordinance was introduced by Councilman Benton seconded by Councilman Johnston.

An Ordinance relating to asphalt repairs around the City of Harahan to be performed during the Fiscal Year ending December 31, 2018.

Motion by Benton seconded by Wheeler to move to First Reading.

A second motion by Benton seconded by Johnston was made to move all 3 ordinances 2018-10-11-13 to first reading.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

ORDINANCES FOR INTRODUCTION (First Reading)

This Ordinance was offered by Councilman Baudier

PROPOSED ORDINANCE NO. 2018-14

An Ordinance to amend Ordinance No. 1841, the annual Budget of Revenue and Expenditures for Fiscal Year ending December 31, 2018, for the Police Department for the City of Harahan, Louisiana (Health Insurance)

PROPOSED ORDINANCE NO. 2018-15

This Ordinance was offered by Councilman Baudier

An Ordinance to amend Ordinance No. 1841, the annual Budget of Revenue and Expenditures for Fiscal Year ending December 31, 2018, for the Police Department for the City of Harahan, Louisiana (Forensic Audit)

PROPOSED ORDINANCE NO. 2018-16

This Ordinance was offered by Councilman Baudier

An Ordinance to amend Ordinance No. 1841, the annual Budget of Revenue and Expenditures for Fiscal Year ending December 31, 2018, for the Police Department for the City of Harahan, Louisiana (Purchase Order 086720)

PROPOSED ORDINANCE NO. 2018-17

This Ordinance was offered by Councilman Baudier

An Ordinance to amend Ordinance No. 1841, the annual Budget of Revenue and Expenditures for Fiscal Year ending December 31, 2018, for the Police Department for the City of Harahan, Louisiana. (AC)

PROPOSED ORDINANCE NO. 2018-18

This Ordinance was offered by Councilman Benton

An Ordinance to amend Ordinance 1333, Harahan Zoning Ordinance, Section XVII – C. Substandard lots of record.

Ordinances 2018-10, 11 & 13 were moved to Ordinances for Introduction during the meeting.

The City Clerk read each Ordinance by Title only for introduction.

PROPOSED ORDINANCE NO. 2018-10

PROPOSED ORDINANCE NO. 2018-11

PROPOSED ORDINANCE NO. 2018-13

OLD BUSINESS – NONE

NEW BUSINESS

1. Monthly Financials with Budget to Actual Comparisons

Motion to defer by Councilman Wheeler seconded by Councilman Johnston to the special meeting and require that Linda and CRI be present.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

2. Low Content ABO application for The Fox House, LLC, located at 6231 Jefferson Hwy., for Karen Dittmann Francis.

The Mayor asked Chief Walker if all requirements had been met.

Chief Walker said yes but they were still waiting on fingerprints from the state.

COUNCIL DISCUSSION

A motion was offered by Councilman Wheeler to grant the permit, 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

3. St. Rita Pecan Festival Committee is requesting permission to:

- **Sell beer and wine at the annual St. Rita Pecan Festival Bingo on Friday, October 5, 2018 from 5:00 pm until 11:00 pm.**
- **Sell beer and wine at the annual St. Rita Pecan Festival on Friday, November 9, 2018 from 8:00 pm until 12:00 am, Saturday, November 10, 2018 from 12:00 pm until 11:00 pm and Sunday, November 11, 2018 from 12:00 pm until 9:00 pm.**
- **Block Bourg St. from Imperial Woods Dr. to Ravan Ave. during the hours of operation for the St. Rita Pecan Festival (November 9-11, 2018).**

COUNCIL DISCUSSION

A motion was offered by Councilman Benton to grant permission to all of the above, seconded by Councilman Wheeler.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

4. Special meeting to be called for Wednesday, August 22, 2018 at 7:30 pm for Proposed Ordinances No. 2018-14, 2018-15, 2018-16 and 2018-17 2018-10-11-13 with Linda Lulue required to be present.

COUNCIL DISCUSSION

Chief Walker – the AC is going out & Ms. Lulue suggested a special meeting to take this up.

A motion was offered by Councilman Wheeler seconded by Councilman Johnston to approve this action.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

5. A low alcohol content permit for Smoked, 6626 Jefferson Hwy. for Steven B. & Maureen C. Mock.

The Mayor asked Chief Walker if all requirements had been met.

Chief Walker said it was approved pending fingerprints.

A motion to grant the permit was offered by Councilman Johnston and seconded by Councilman Benton.

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

None

SECRETARY'S REPORT

Secretary's report for July, 2018

Total revenue \$488,743.01

REPORTS

Chief Walker read his statistic report for July, 2018.

Chief St. Cyr - none

Councilman Huete – no report

Councilman Johnston – no report

Councilman Baudier – thanked everyone for getting involved.

Councilman Benton – no report

Councilman Wheeler – no report

Gilbert Buras – introducing ordinances – title only - no bills shall be introduced by title only – must be written in full. The House uses Mason's Manual of Legislative Process instead-

Mayor Miceli

PAY BILLS

Bill's paid in July, 2018

Total expenditures \$435,577.68

EXECUTIVE SESSION - None

ADJOURN

A motion was offered by Councilman Wheeler and seconded by Councilman Johnston to adjourn at 10:17p.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 10:17p.m.

A. The following matter involving pending litigation may be considered

(Court, Case, Number, Parties):

1. 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: