

**CITY OF HARAHAH
6437 JEFFERSON HIGHWAY, HARAHAH, LOUISIANA
MAYOR AND HARAHAH CITY COUNCIL
January 21, 2016**

The Mayor and the Council met on the above date for the regular council meeting at 7:30 pm.

PLEDGE OF ALLEGIANCE

The Clerk led the Pledge of Allegiance.

Following the Pledge of Allegiance, the Mayor called the Meeting to order at 7:35 p.m.

ROLL CALL

Present: Mayor Miceli, Councilman Baudier, Councilman Benton, Councilman Huete, Councilman Johnston, Councilman Wheeler, Municipal Clerk represented by Judy Johnson, Fire Chief Todd St. Cyr, Police Chief Tim Walker.

Mayor Miceli made the following announcements:

Taxes are now delinquent, please call City Hall to determine the correct amount owed and the City will be publishing the names of the delinquent property owners in February. She also asked that everyone maintain their property and arrange to have debris removed if it does not fit in garbage can. She announced the change of date for the next Town Hall meeting for citizens with sewer issues. It has been changed to Tuesday, March 22 at 6 pm at City Hall.

SPECIAL PRESENTATIONS

Gilbert Buras was nominated by Mayor Miceli. After a short recess to amend the agreement, a motion to appoint Mr. Buras as City Attorney was offered by Councilman Wheeler 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 IS APPROVED

Bids for the repair of the effluent pumps at the Harahan Wastewater Plant have been awarded to Boland Marine and Industrial, LLC as the lowest responsible bidder with a bid of \$52,750.00.

Mr. & Mrs. Riehms gave a presentation concerning the sand, flies and noise issue along the batture in their neighborhood. Mr. Riehm explained the many problems with pictures and the steps they have taken to get help. He said the sand is everywhere and is ruining their quality of life. He also suggested that breathing in the dust is hazardous to people's health. The mulching & composting operation is breeding flies and the upcoming airport project will exacerbate the problems. He said that the tests conducted by the Corps and DEQ were useless because Wood Materials knew about them in advance. He would like them repeated when Wood Materials is not notified.

Mrs. Riehms thanked the Mayor and said some of the neighbors didn't come to the meeting because of the rain.

Kevin Johnson, CBO of the City said that he had spoken to the Riehms and to the Wood's people. He said he had given Wood Material two weeks to try & correct the problem. There was supposed to be a follow up meeting, but it did not take place because the Riehms had cancelled. He explained the section of the Zoning Ordinance that covers the batture and stated that this was an environmental question.

Councilman Huete interrupted and said she is confused – she is familiar with Ord. 1333 – the zoning ordinance and asked why it was not being enforced. She stated the Riehms are not responsible to attend the meeting.

Councilman Huete addressed Kevin Johnson and said she is not trying to put him on the spot – but she's seen the Riehms' book and asked why he couldn't rectify the problems. She asked if the city had dropped the ball.

Mayor Miceli said she had contacted the DEQ and the Corps to determine the jurisdiction.

Mr. Johnson said the DEQ and the Corps have a file on Woods Materials and there are overlapping jurisdictions on the batture. He said the Corps is responsible for the integrity of the levee and they would be taking this matter up at their next monthly meeting. Mayor Miceli said she had also emailed different agencies for help with this problem. She has a meeting scheduled on January 27th with the DEQ and the Colonel from the Corps about the problems with Wood Materials.

Councilman Wheeler said Mr. Johnson's actions were not acceptable and he should have followed up on the problem.

Councilman Huete thanked the Riehms for their hard work & effort. They have put out flyers to make neighbors aware of the problem and they have over 150 statements of complaint. She said the City could control the batture with the zoning ordinance.

Mrs. Riehms said she contacted the DEQ 6 months ago but did not contact Baton Rouge – but they didn't do anything. She does not want to go back to the DEQ. She said there is only one solution to the problem – move the road closer to the river. She said the Woods people don't care about the neighborhood – she said she would raise \$250,000 and give it to Woods to solve the problem. They want trees not screens to solve the sand problem – screens can be blown over in a storm.

Councilman Benton asked how we enforce the zoning ordinance.

Councilman Huete said it is simple – just set the time frame for the next step.

Mayor Miceli asked the city attorney to look at 1333 and offer a solution.

Mayor Miceli then asked Ms. Linda Lulue to come to the podium and introduce herself to the council. She is the new CPA for the city.

Ms. Lulue gave her credentials and said she had developed an entirely new budget for the general fund which showed a surplus of \$74,000 for 2015. She explained the line items that the council had changed or eliminated – the accounting maintenance which the council had changed to -0- was actually paying for the city's accounting software maintenance and the amount was actually \$31,440 for 2015. She explained that the travel line item was due to an anomaly that was a one-time event. She said she would have a complete budget ready for the next meeting in the proper format. She said the budget adopted by the council had substantial errors and she did not want to explain to the legislative auditor why

expenditure revenue had been moved to the revenue line. She also said she had not had time to review the sewerage budget but she would have it ready at the next meeting.

Mayor Miceli asked that the council consider deferring the adoption of the sewerage budget until the next meeting.

ADDRESS THE COUNCIL

Mayor Miceli introduced Rebecca Harmann a new Harahan business owner. Ms. Harmann announced that she had purchased Rhea Lana – a children’s consignment shop located in Colonial Shopping Center. They are planning a sale from February 24th thru March 5th.

John Riehms, Renpass said he was researching diseases resulting from inhaling silica dust. He questioned why digging is allowed on the river side of the batture when the river is high but not on the city side. He wants the road moved and trees planted to reduce the sand intrusion into their neighborhood.

Paulette Zeringue, Crislaur said they have owned the home she lives in since the 1920’s. They have enjoyed be benefits of living next to the levee, but now the sand intrusion has negated any outside activity. She approves of progress for the city such as the pump to the river, but the increase in the sand extrusion activity is not progress. She said when the trucks roll over the levee – her house rolls and vibrates also.

Edwin Mayo, Jr. said he owns the batture, but leases it to Wood Materials. He said the pump to the river at Powerline Drive is the cause of some of the sand problems and that Wood Materials has gone above & beyond to appease the community. He enumerated the activities that have been used to relieve the problem. He said the noise from the trucks backing up is mandated for safety. He said there are no horses or stables on the batture.

Denise Bernard, Elodie said that something must be done about the trashy fence on the levee that was put up during the raising of the levee. She said the grass is waist high and needs to be cut. She has called the Levee Board and they have done nothing. She is spending money replacing glass that is broken from the vibrations from the trucks on the levee.

Mike Dawson, Doescher said that there has always been a police presence and when the Mayor & Council met in the backrooms, they worked out their differences. He told the council to do the same and learn to work together.

Darlene Schwartz, representing the HPD announced there is a “drug take back day” coming up in April. She urged the community to check their medicines and to bring their expired or no longer needed drugs in on that day.

Wesley Turner, West Imperial, said that the police presence is okay, but they can’t be everywhere. He said there is speeding on River Road between 6-8 am and 4-6 pm. He said that when the speed trailer was out he counted 36 cars above the 25 mph. He suggested traffic cameras or speed bumps to alleviate the problem.

Councilman Huete said that she and Mr. Turner are neighbors and their kids cross River Road to get to the levee and it is a hazard. She said that the police dept. is shorthanded and court fines are down. She is speaking to District Councilman Johnston to see if he can help.

Councilman Johnston said that a cop sits in the same place on River Road and everyone knows it.

Christian Cancienne, Haroleans said that screens help. He said Magnolia School on Hickory has closed due to the sand problem. He said he could help with DEQ, he said the drains are full of sand even though the street is cleaned every week. He said some of the sand is coming from the trucks not being covered. He suggested police be stationed at the left turn on Hickory Ave to cite those drivers. He offered \$20,000 to help fight the problem.

Dane Doucet, Colonial Club Dr. reminded Mayor Miceli that his family gave her a gift upon her election. He said the city is facing crumbling infrastructure, nuisance issues, sewerage issues, and street problems. He is disappointed that she has changed the appearance of City Hall and eliminated some employees. He said she has been looking in the rear view mirror instead of looking forward. He said the divisiveness between council members and the administration was the result of the unwillingness to give the council the information they need. He has also not seen 1 iota of progress on the Colonial Country Club gold mine. He told the Mayor & Council to “not even think about raising taxes & fees”.

Al Theriot, Oakland said he lives a block away from the Sahara Desert when the wind is from the south. Now there's talk about enlarging the pits and operating until 10 pm. He said this is Harahan's No. 1 problem.

Sandy Lemoine, Haroleans, owner of La. Home Buyers Agency – a new business in Harahan said she is constantly pressure washing her house because sand is a major problem. She asked that the quality of life in Harahan be protected. She said property values are going down because of this problem.

Deborah Smith, Oak Ave. congratulated the Council on appointing a City Attorney. She also noted that the past officials' pictures are back on the wall and hopes the collaborative effort continues into 2016.

Suzanne Lebaron, Elaine Ave. asked that the road behind the batture be moved. She said the main problem is the trucks that are not covered and sand is coming off of them when they come over the levee. She said the quality of life in this area is nil and that if property values go down, so will property taxes. She asked if an environmental study had been done on the impact of the sand pits. She said the clearing out of the trees is forcing the coyotes, raccoons & possums into the neighborhoods.

April Lopez, Ravan congratulated the city for appointing a city attorney. She also said that residents should not have to be involved in the sand pit issue – the laws should be enforced, especially the speeding on River Road.

The Mayor closed Address the Council.

APPROVAL OF MINUTES

A Motion to dispense with the reading of the minutes of the December 30, 2015 Special Meeting was offered by Councilman Wheeler and seconded by Councilman Johnston.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION APPROVED.

A Motion to approve the minutes of the December 30, 2015 Special Meeting 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

MOTION APPROVED.

COMMUNICATIONS

The Planning & Zoning Board did not meet in January.

A motion to dispense with the reading of the minutes of the December 16, 2016 Appeals Board Meeting 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

MOTION APPROVED.

A motion to accept the minutes of the December 16, 2016 Appeals Board Meeting 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

MOTION APPROVED.

RESOLUTIONS – None

ORDINANCES FOR INTRODUCTION

The following Ordinance is introduced by Councilman Huete.

- 1. An Ordinance amending Ordinance No. 1797 to allow Individual City of Harahan Council Members to place items of business on the agendas of regular and/or special meetings of the City of Harahan.**

ORDINANCES FOR APPROVAL (Public Hearing)

The following Ordinance was introduced by Councilman Benton and seconded by Councilman Johnston.

- 1. An Ordinance adopting the Annual Budget of Revenues and Expenditures for the Sewerage Department for the Fiscal Year ending December 31, 2016 for the City of Harahan, Louisiana.**

The Mayor asked Ms. Lulue to speak on this ordinance.

Ms. Lulue said she had not had a chance to work on this budget and asked that the Council withdraw it.

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A motion was offered by Councilman Benton and seconded by Councilman Baudier to withdraw the ordinance.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

ORDINANCE WITHDRAWN

A motion to amend the agenda to take up Ordinance 3 first was made by Councilman Johnston and seconded by Councilman Benton.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

AGENDA AMENDED

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

The Mayor called a 5 minutes recess to inform Mr. Buras about the situation.

After some discussion, Mr. Buras suggested a motion to override the veto should be deferred until the next meeting.

A motion was made by Councilman Huete and seconded by Councilman Baudier to defer the override vote until the next regular meeting.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

VOTE DEFERRED

The Mayor asked Ms. Lulue to speak on this ordinance.

Ms. Lulue said there is a problem with the way the Council amended this ordinance. It does not balance and surplus revenue is not created by eliminating expenditures. She said she is developing a new ordinance for the budget and will be ready at the next meeting to present it.

A motion to withdraw Ordinance No. 2 was offered by Councilman Benton and seconded by Councilman Wheeler.

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

ORDINANCE WITHDRAWN

OLD BUSINESS - None

NEW BUSINESS

Selection of new Mayor Pro Tem for 2016

A motion was offered by Councilman Baudier and seconded by Councilman Huete to appoint Councilman Johnston as Mayor Pro Tem for 2016.

YEAS: Baudier, Benton, Huete, Wheeler

NAYS: None

ABSENT: None

ABSTAIN: Johnston

MOTION PASSES

Harahan Elementary School is requesting a parade permit for their annual Mardi Gras parade on February 5, 2016.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

ADDRESS THE COUNCIL

Mr. Remy Donnelly, attorney for Wood Materials said the company wants to be a good neighbor but there are many variables to be considered. He said the road can't be moved because a permit from the Corps of Engineers would be needed to do that. He said a meeting would be held at the Senior Center on Wednesday, January 27, 2016 to discuss options with the citizens.

John Riehms, Renpass asked for a time line to address the situation with the batture. He suggested that the Corps be pressured to act.

The Mayor said that a meeting with the Corps had been rescheduled and that Harahan's ordinances need to be upheld.

Mrs. Riehm said that they had wasted 4 months working with DEQ and they did nothing. She said they deserve a better quality of life and she is aggravated that she is just now finding out about the zoning ordinance. She intimated that the upcoming airport project will only exacerbate the problem.

Denise Bernard said she has been calling the Corps of Engineers for the past 6 months to have them remove some rickety debris left over from raising the levee. She was told that the Corps can't move it yet – but she wants the city to pressure the Corps to move it.

Tommy Budde, Stoneleigh congratulated the council for standing for election and he is happy they are beginning to address the sand issue and he would like them to stop the speeding on River Road. He lives near a bend in the road and he fears backing out of his driveway. He also urged the council to contact the EPA about the chemical odors coming from the batture.

Fire Chief St. Cyr said to contact the fire department the minute the odors are detected because they have equipment that could help.

The Mayor also said to email a complaint to city hall to start a paper trail.

Dane Doucet, Colonial Club Dr. said his daughter lives on River Road and the speeding on the street is terrible. He also said that Imperial Woods and the ramps on the levee also have speeders. He said mobile cameras should be installed and they would not catch Harahan resident – they would catch the cab drivers cutting through the neighborhood along with New Orleans residents using the streets as a cut through to the airport.

Chief Walker said that his department is down 5 officers.

REPORTS

Chief Walker gave his report for December, 2015 and for the entire year of 2015.

Chief St. Cyr gave his report for December, 2015 and welcomed Mr. Buras and Ms. Lulue to the Harahan "family".

Councilman Baudier congratulated the Riehms on the great job they have done and wished everyone a Happy Mardi Gras.

Councilman Huete said that the new experts should help create a different tone to the meeting. She also requested an agenda for the executive meeting. She suggested that Mr. Johnson come and discuss Ordinance 1333 and that Ms. Lulue attend the meeting to answer questions. She also suggested that traffic cameras be put on the agenda.

Councilman Johnston thanked the Mayor for putting the past officials' pictures back on the side walls. He also thanked his colleagues for elected him as Mayor Pro Tem for 2016 and announced a pulled pork dinner at St. Rita School on Sunday, Jan. 31 from 10:30 am – 2 pm for a cost of \$10. Drive up will be available.

Councilman Wheeler thanked Mr. Buras for his help and wished everyone a Happy Mardi Gras.

Councilman Benton said she is excited and relieved that we now have a city attorney and a new CPA.

Mayor Miceli said she is looking forward to a better 2016 because we have a city attorney and new CPAs who have worked very hard at getting the budget ready. She thanked Kevin Johnson for his help with the batture issues. She thanked Councilman Baudier for serving as Mayor Pro Tem in 2015 and said she is looking forward to working with Councilman Johnston in 2016. She thanked all the city hall employees for their help researching, mailing and accepting tax payments.

ADJOURN

A motion was made by Councilman Wheeler and seconded by Councilman Johnston to adjourn at 9:15 pm.

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

YEAS: Baudier, Benton, Huete, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

EXECUTIVE SESSION - None

LAWSUITS

A. The following matter involving pending litigation may be considered:

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. **Susanne 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.**

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

Judy Johnson, Acting Clerk

Tina Miceli, Mayor