

**CITY OF HARAHAH**  
6437 JEFFERSON HIGHWAY, HARAHAH, LOUISIANA  
**MAYOR AND HARAHAH CITY COUNCIL**  
October 17, 2013

The Mayor and the Council met on the above date for their regular meeting.

**PLEDGE OF ALLEGIANCE**

Following the Pledge of Allegiance, the Mayor called the Meeting to order at 7:30 p.m.

**ROLL CALL**

**Present:** Mayor Mosca, Councilman Baudier, Councilman Chatelain, Councilman Huete, Councilman Landry, Councilman Murray, Municipal Clerk Nicole Lee, City Attorney David Courcelle, Acting Police Chief Butch Adams

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

**SPECIAL PRESENTATIONS**

**Sheila Marriott** employed by Cannon Hospice announced St. Paul's fundraiser.

**Beth**, another member of St. Pauls' said that the fundraiser will be held Sat., Nov. 16 - Benny Grunch will be entertaining; with food from local restaurants included in ticket price of \$15. Silent auction, games for kids. She announced that St. Paul's Church is 77 yrs. old.

**Darlene Schwartz**, Harahan Police Officer said that on Sat. Oct 26<sup>th</sup> from 10 am to 2 pm a Drug take back day will be held at Rite Ad Pharmacy in parking lot and Police Dept. lobby.

A motion was made by **Councilman Chatelain** and seconded by **Councilman Baudier** to suspend the rules for a permit for the Jambalaya Cook Off on Nov. 2, 2013.

**The Mayor** called for a vote. The vote was:

**YEAS:** Baudier, Chatelain, Huete, Landry, Murray

**NAYS:** None

**ABSENT:** None

**MOTION ADOPTED**

The co-coordinator announced that there are 16 teams already signed up, but more are expected.

A motion was made **Councilman Chatelain** and **Councilman Baudier** to introduce the following Resolution.

**The Mayor** called for a vote. The vote was:

**YEAS:** Baudier, Chatelain, Huete, Landry, Murray

**NAYS:** None

**ABSENT:** None

**MOTION ADOPTED**

**Hugh Martin**, a bond attorney explained the resolution.

**The Municipal Clerk** read the following resolution.

A Resolution declaring the intention of the City of Harahan, State of Louisiana, to issue Sewer Revenue Bonds, in one or more series, in an amount not to exceed Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000) for the purpose of paying a portion of the cost of constructing and acquiring additions, extensions and improvements to the wastewater system of said City; and providing for other matters in connection therewith.

**Mr. Martin** explained the process to the Council.

**Councilman Landry** asked about the city's bond rating.

**Mr. Martin** said that Harahan was too small for a rating.

**Councilman Chatelain** wanted to be sure citizens know that this is only a preliminary step and the city has to be approved before the bonds can be sold.

**Mayor Mosca** said that the city has already been approved.

**Councilman Murray** said she didn't know about this before tonight. She asked why is this a preliminary approval only?

**Mayor Mosca** said that DEQ and the state have already approved.

**Mr. Martin** said that the Bond Commission still has to approve the sale and the issue has to meet all the existing laws.

Councilman Murray said this vote is to begin the process only.

Mr. Martin said that the plans have to be finished by the engineers and approved by the bond commission.

Councilman Murray asked who pays for the engineering plans.

Mr. Martin said that the fees come out of the bond.

Councilman Murray asked what happens if the city is not approved.

Mr. Martin said that the lawyers work on a contingency basis, but the city would have to talk to the engineering firm about their fees.

Councilman Murray asked about the amount of money that will be needed to pay the monthly service charge on the bonds.

Mr. Martin said that preliminary figures have been done by engineers and seem to be sufficient to retire the bonds.

Mayor Mosca said he doesn't have the figures but should have them by the Dec. 19<sup>th</sup> public hearing.

Mr. Martin said the size of the loan depends on the bids received. If bids come in lower we can issue less bonds – won't know until engineers have finished.

The Mayor called for a vote. The vote was:

**YEAS:** Baudier, Chatelain, Huete, Landry, Murray

**NAYS:** None

**ABSENT:** None

**MOTION ADOPTED**

Mr. Martin said that the notice will be published in the newspaper as required by law.

A motion was made by Councilman Landry and seconded by Councilman Baudier to go into Executive Session at 7:55 pm to finish the paperwork with Mr. Martin.

The Mayor called for a vote. The vote was:

**YEAS:** Baudier, Chatelain, Huete, Landry, Murray

**NAYS:** None

**ABSENT:** None

**MOTION ADOPTED**

The meeting was called back to order at 8:18 pm.

Mayor Mosca asked Mr. Martin to address the council again.

Mr. Martin read the notice of public hearing which will be published in the Picayune Sunday. Thursday, Nov. 21<sup>st</sup> public hearing.

A motion was made by Councilman Chatelain and seconded by Councilman Landry to amend the agenda to introduce the following ordinance.

The following Ordinance was introduced unanimously by the Council.

The Municipal Clerk read the ordinance by title only.

1. An Ordinance levying a tax of 13.87 mills on each dollar of assessed valuation on all taxable properties in the City of Harahan for the year 2013 and authorizing the Tax Collector to collect the said taxes on all the taxable property within the incorporated limits of the City of Harahan and to otherwise provide with respect thereto.

**ADDRESS THE COUNCIL**

Mayor Mosca called Ashley Cambre to the podium.

Mr. Cambre said he was not addressing the council tonight.

Dale Simoneaux, Maque Dr. announced that the St. Rita Pecan Festival will be held on Nov. 8-10, 2013.

Roy Richardson, S. Gatehouse Dr., Metairie, a former member of the Council. If they had listened to him Colonial would not have bankrupted themselves. He introduced the ordinance that stated the lot size would have to be 75 x 120 ft. The mini-pump to the river study was done at that time that would have a box culvert to collect the rainwater. Commercial Development is out of character for this residential area. To re-zone to Commercial would be an insult to the citizens.

Blaise LeBlanc, said he expected a higher moral ethic from the City Council and emailed the council. He said this project breaches utilitarianism which should be the least harm to the majority instead of doing good. Noise will be an issue – this is air pollution and the EPA should be brought in on this. It is a public health concern which can be substantiated by medical professionals. Safety would be compromised. The council is tasked with safeguarding the citizens.

**Angie Munna**, lifelong resident – won't voice opinion for or against the project. She brought up homestead taxes. She said some don't pay the proper amount. When she rezoned property on Jefferson Hwy. and people signed petitions against it she looked up property taxes on-line and stated that one person who lives on Colonial Club Dr. pays only \$165.26. Need to pay adequate taxes. She searched by address and found the assessed value.

**Terry Valenti**, Colonial Club Dr. received a letter from Mr. Georges. One paragraph says that 2 years ago, he was approached to buy Colonial. He and Mr. Doucet bought and slowed the process. He said they have 5 acres for multi-family venues and will continue development with single family residences. The financial interest is for Mr. Georges and Mr. Ducote not for the citizens of Harahan. He has not been at one meeting – he is not a neighbor. Newspaper said it will be deferred tonight. He stated that flooding, crime, lighting, noise, dust, traffic, higher flood insurance, heat increases, oak tree loss, depreciation of homes, loss of green space, townhouses will be the for the residents and revenues will be for Mr. Georges and Mr. Doucet.

**Angie Munna**, readdressed the board and said that tax records are public record therefore she named Mr. and Mrs. Valenti as the person paying low homestead taxes.

**Ms. Valenti** – responded that she does not know what her assessed value is and that her property value has gone down because of the controversy over Colonial. This project will further destroy property values. They have lived in that house over 30 years and her husband is over 65 which means the assessment is frozen.

**Ashley Cambre** – elderly exemption locks in the assessment at the assessed value at age 65.

**Matt Wellman**, pays his property taxes. The zoning change on Colonial resulted in a lawsuit. Paragraph 10 of that petition set aside the zoning change saying that ordinance is null and void because there was no public necessity and the city had to pay all costs of the lawsuit.

**Daniel Flynn** referred to Mr. Leblanc's comments – the moral object should be adhered to. The lack of morals started at the federal level and now it has trickled down to this city. He asked the council to consider. He said that some starter homes have become rental properties and caused more crime in the area. The council needs foresight and that the commercialization of this area will be the end of Harahan. There are no plans – just pie in the sky numbers. Lot sizes should be larger in this area. Upscale homes would generate \$850,000 in taxes each year – not possible sales tax. The plans call for a "maybe"

**Councilman Landry** said he agrees that homes would bring in more money – but it is not "new" money.

**Mr. Flynn** said that most city planners admit that sales taxes don't make the city stable – it's how you spend the money. Development there is commercial and what happens if you can't get the tenants – will multi-family go there. You have moral obligation to represent us – not the developer. How do you know what is morally right – the answer – ask if it is good. To achieve the object – if the method is bad – then it is evil. Think long and hard before you make a decision. Put city on right track with upscale residences.

**Mary Landry**, Glenwood Ave. said that the City annexed property that was supposed to solve the city financial problems. It did not do the job – the property is vacant and has been empty for years. She said there are 32 vacant commercial properties in city. She met with Mayor Mosca about property taxes on vacant commercial property – he admitted that the city gets \$0 from empty commercial property.. She said it is curious that the council would allow this commercial when the existing property cannot be kept rented. She said most of the new homes are larger homes along Glenwood and Colonial Club Dr. that will be assessed at higher values. Commercial opens up safety issues and crime increases. There is no potential for commercial property and we don't want more boarded up properties. It won't be supported by the people of Harahan if it is rezoned to commercial. We don't need this commercialization.

**APPROVAL OF MINUTES**

A motion was made by Councilman Baudier and seconded by Councilman Murray to dispense with the reading of the minutes of September 19, 2013 Council Meeting.

The Mayor called for a vote. The vote was:

YEAS: Baudier, Chatelain, Huete, Murray

NAYS: None

ABSENT: Landry

**MOTION APPROVED**

A motion was made by Councilman Murray and seconded by Councilman Huete to approve the minutes of the September 19, 2013 Council Meeting.

The Mayor called for a vote to approve the minutes. The vote was:

YEAS: Baudier, Chatelain, Huete, Murray

NAYS: None

ABSENT: Landry

**MOTION APPROVED**

**COMMUNICATIONS**

**BOARD OF ADJUSTMENT AND APPEALS**

The Board of Adjustments and Appeals did not meet in September.

**PLANNING & ZONING BOARD**

A motion was made by Councilman Chatelain and seconded by Councilman Huete to dispense with the reading of the minutes of October 2, 2013.

The Mayor called for a vote. The vote was:

YEAS: Baudier, Chatelain, Huete, Murray

NAYS: None

ABSENT: Landry

**MOTION APPROVED**

A motion was made by Councilman Huete and seconded by Councilman Murray to accept the minutes of October 2, 2013.

The Mayor called for a vote. The vote was:

YEAS: Baudier, Chatelain, Huete, Murray

NAYS: None

ABSENT: Landry

**MOTION APPROVED**

**RESOLUTIONS**

The following Resolution was offered unanimously by the council.

The clerk read the following resolution.

2. A Resolution respectfully requesting assistance from Jefferson Parish Councilman Paul Johnston, District 2, for improvements to Grove Ave.

The Mayor called for a vote. The vote was:

YEAS: Baudier, Chatelain, Huete, Murray

NAYS: None

ABSENT: Landry

**MOTION APPROVED**

A motion was offered by Councilman Murray and seconded by Councilman Huete to amend the agenda to take up New Business, specifically the appointment of an Interim Police Chief.

The Mayor called for a vote on the amendment. The vote was:

YEAS: Baudier, Chatelain, Huete, Murray

NAYS: None

ABSENT: Landry

**MOTION APPROVED**

A motion was offered by Councilman Murray and seconded by Councilman Huete to appoint Joe Lorenzo as Interim Police Chief pending an election on April 5<sup>th</sup> to elect a new Police Chief.

The Mayor called for a vote on the amendment. The vote was:

YEAS: Baudier, Chatelain, Huete, Murray

NAYS: None

ABSENT: Landry

**MOTION APPROVED**

Chief Lorenzo was sworn in by Mayor Mosca and addressed the audience.

Councilman Murray thanked the officers who put their names up for the Chief's job.

The Chief took his seat by the Council.

The following Resolution was offered unanimously by the Council.

The Clerk read the following Resolution.

3. A Resolution of the city of Harahan, Louisiana ordering a Special Primary Election to be held on April 5, 2014 and a Special General Election to be set for May 3, 2014.

The Mayor called for a vote on the amendment. The vote was:

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

**MOTION APPROVED**

**ORDINANCES FOR APPROVAL (PUBLIC HEARING)**

The following Ordinance was introduced by Councilman Baudier and seconded by Councilman Chatelain.

1. An Ordinance approving the re-subdivision of 50 Berkely Ave., Lots 37 and half of 38, Square F, Riverside Park Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana, made by Gilbert, Kelly & Couturie, Inc., dated February 26, 2013. (P & Z Board deferred)

The Municipal Clerk read the ordinance in its entirety.

Mayor Mosca stated that the Zoning Board had deferred the matter, but the council could vote on it tonight.

The Mayor opened the public hearing.

No one spoke.

The Mayor closed the public hearing.

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

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

**ORDINANCE APPROVED**

A motion was introduced by Councilman Baudier and seconded by Councilman Chatelain to defer the following ordinance.

The Municipal Clerk read the Ordinance in its entirety.

2. An Ordinance approving the Re-subdivision of Part of Tract A-2 and Tract A-3, Soniat or Tchoupitoulas Plantation into Lot(s) A-2A and A-2B, Soniat or Tchoupitoulas Plantation, City of Harahan, Parish of Jefferson, State of Louisiana, made by JW Colonial Group, LLC, dated July 12, 2013.

The Mayor called for a vote to defer. The vote was:

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

**ORDINANCE DEFERRED**

A motion was offered by Councilman Baudier and seconded Councilman Chatelain to defer the following ordinance.

The Municipal Clerk read the ordinance by title only.

3. An Ordinance approving the Re-zoning of Lot 2-2A, Soniat or Tchoupitoulas Plantation, city of Harahan, Parish of Jefferson, State of Louisiana, from R-1A to C-1, made by JW Colonial Group, LLC, dated July 12, 2013.

The Mayor called for a vote to defer. The vote was:

YEAS: Baudier, Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

**ORDINANCE DEFERRED**

**ORDINANCE FOR INTRODUCTION (FIRST READING)**

The following Ordinance was offered by Councilman Landry

1. An Ordinance to amend Ordinance No. 961, Ordinance No. 1176, Ordinance No. 1299, Ordinance No. 1306, Ordinance No. 1420, Ordinance 1431 and Ordinance No. 1676 to establish fees to be charged for all functions in the City of Harahan for which police details are required.

**OLD BUSINESS**

**Mayor Mosca** said there was old business about hiring an attorney to consult on the Colonial Club project.

**NEW BUSINESS**

A motion was made by **Councilman Landry** and seconded by **Councilman Baudier** to allow the Harahan Elementary Annual Mardi Gras Ball be held at Harahan Gym, Saturday, February 8 or 15<sup>th</sup> from 7:00 pm until 10:00 pm without the usual rental fee as requested by Principal Viola Benjamin-Callier.

**The Mayor** called for the vote. The vote was:

**YEAS:** Baudier, Chatelain, Huete, Landry, Murray

**NAYS:** None

**ABSENT:** None

**MOTION APPROVED**

A motion was made by **Councilman Murray** and seconded by **Councilman Huete** to hold a Budget hearing on Monday, Nov. 11<sup>th</sup> at 7 pm.

**The Mayor** called for a vote. The vote was:

**YEAS:** Baudier, Chatelain, Huete, Landry, Murray

**NAYS:** None

**ABSENT:** None

**MOTION APPROVED**

A motion was made by **Councilman Baudier** to defer the matter of the increase in traffic ticket fines until the new Chief has time to investigate the matter.

**The Mayor** called for a vote. The vote was:

**YEAS:** Baudier, Chatelain, Huete, Landry, Murray

**NAYS:** None

**ABSENT:** None

**MOTION APPROVED****ADDRESS THE COUNCIL**

**Gary Culour** – Sedgefield asked if the Colonial project good or bad for Harahan. Petitions are being passed but perhaps it should be put to a vote of the people.

**Mayor Mosca** said he is in favor of doing that – but the duty is the government's.

**City Attorney Courcelle** said that you can't zone by ballot according to a Supreme Court ruling.

**Mary Landry** – disappointed that council voted to defer and not to vote it down. Master plan by Mr. Villavaso said this would be spot zoning – and the residents should have the most say so. The people who are immediately affected should have the say so. This is aggravation to the citizens. Help us maintain the health, safety and quality of life of Harahan.

**Councilman Chatelain** said that a letter was passed out – with his phone number and Councilman Landry's and he got more calls in favor of the project than against.

**Mary Landry** read what the law says that people immediately impacted should have the strongest voice. Harahan is pie shaped – that's why businesses fail here.

**Mr. Villavaso** said that UNO did the study with grants.

**Mary Landry** said that meetings were held all over Harahan and the citizens liked Harahan residential, not more commercial. It would lower the quality of life in Harahan. She said that the Pump to the River does nothing for South Side of Jefferson Hwy. which is still a barricade.

**Councilman Landry** said he has not told anyone how he feels about this project. North side of the hwy. would like to have their streets fixed. He represents all of Harahan. It's his job to look at the project and all the studies in a non-biased way.

**Mayor Mosca** asked Mr. Villavaso about the Master Plan.

**Mr. Villavaso** said he conducted the Master Plan – new master plan adopted – Dec. 2010.

**Councilman Murray** spoke about the first Master Plan in 2002 – many meetings were held. She voted to defer the Colonial matter because

she only received the study yesterday from Mr. Villavaso and hadn't had time to read it.

**Councilman Huete** asked about a paragraph on page 3 concerning drainage. 1995 flood insurance put the country club in AE classification. The drainage impact analysis removed it from AE –

**Mr. Villavaso** said the issue needs to be addressed before final approval. This is a palette of information – Myer Engineering has to give final approval. Zoning bd. denied approval. Harahan's subdivision code is best in parish. Subdivision process is separate from Zoning process. Issue needs to be addressed.

**Councilman Murray** asked about application from developer. 1 or 2 separate applications.

**Mr. Villavaso** said that the Council can not rezone property that doesn't exist. Property must be re-subdivided first. Most communities combine them together. Each action has different standards and time lines. Order is a matter of convenience. The should be considered as one matter.

**Councilman Murray** said the subdivision must be first. Chapter 86 – is the subdivision ordinance. Some exemptions – under 5 acres or no street. Over 5 acres and zoning must be under zoning ordinance. Absolute process in Chapter 86 – each body has a duty in the process. She said a plat plan is called for – did they provide a plat plan.

**Mr. Villavaso** plat plan is a survey.

**Councilman Murray** – a preliminary plat plan was submitted. Did they provide a sewerage plan? She has not received it. She asked Mr. Charlet about it.

**Mayor Mosca** said that the city will mandate what the sewerage plan would be.

**Councilman Murray** said it is evident that we need more information and studies.

**Mr. Villavaso** suggested that the city get Meyer Engineers involved.

**Councilman Murray** – asked Mr. Villavaso to meet with her.

**Councilman Huete** asked the same – the proposed development site satisfies the subdivision requirements. She asked that the recommendation is that it satisfies the city requirements.

**Mr. Villavaso** said that it meets the requirements, but the council still has the responsibility to protect the safety of the city.

**Councilman Landry** said they just follow the rules.

**Mr. Villavaso** stated that the health, safety and welfare of the community should come first.

**Councilman Landry** asked about the cost of the impact analysis of drainage study.

**Mr. Villavaso** said it should cost about \$25-\$30,000. The city should have insurance to back up his opinion.

**Councilman Landry** asked that Meyer Engineers look at it.

**Mr. Villavaso** – Meyer not unbiased – looking for best interest of Harahan. There are “holes” that need to be addressed – his report may or may not agree with city's report.

**Mr. Villavaso** said that a traffic study needs specialized training and would cost between \$15-\$20,000.

**Councilman Landry** said that the council owes the developer their time.

**Councilman Huete** said that the studies are interesting, but the council must make the decision.

**Mr. Villavaso** gave the development history of the project.

**Councilman Murray** said this is the first time the council has had a proposal or application.

**Mr. Villavaso** said there were 2 actions over the 12 year history – Ord. 1333 rezoned the property to to POR; the lawsuit rezoned the property back to R-1.

**Mayor Mosca** asked if the project will decrease or increase of flood insurance premiums.

**Mr. Charlet** said that FEMA is considering a new flood insurance map for Jefferson Parish which should be ready in 90 days. The city will have to adopt new map to continue in Federal flood program. FEMA is proposing to change all property on the south side of Jefferson Hwy. to the X

zone. Special flood hazard area requires flood insurance. In X – it will be optional – premiums should go down. Repetitive losses – rates may not go down.

Councilman Chatelain asked what impact on flood insurance rates will the Colonial project have.

Mr. Charlet said none – the point to reduce insurance rates – open space will not affect insurance rates. He stated that he is certified in a number of areas and has 35 years experience.

Councilman Murray asked if the city has made any suggestions to FEMA.

Mr. Charlet – FEMA did the hydraulic studies; he thinks Pump to the River will help South Side of Jefferson Hwy.

Councilman Murray asked how long the city has to offer any objections

Mr. Charlet stated that that period had already ended.

Councilman Murray asked if the new FEMA map has the Colonial property as a holding area no. 48.

Mr. Charlet said it does not.

Councilman Murray said that Mr. Charlet said Colonial is a holding pond area.

Mr. Charlet said he did not say that – but the golf course retained water and could release it slowly. Not intended as a retention area for any neighborhood.

Councilman Murray – what is the drainage flow of the neighborhood.

CRS report – has open space in your report – has 81 acres of open space.

Mr. Charlet said it is open space from the levee to the highway.

Councilman Murray asked if the property was designated as open space could we get the points for FEMA. The river batture is considered POR.

Mr. Villavaso said that not all of the batture area is zoned POR, it's split.

Melinda Doucet said she put together a chart on assessments and homestead taxes based on \$200,000 - \$750 annually between Jefferson and Harahan. River Ridge has a higher assessment value.

Chief Lorenzo gave his report for Sept., 2013.

He gave a Life Saving award to Officer Melissa Yaeger for rendering assistance in New Orleans to mother and daughter who were shot.

He presented Officer Ronald Lightell an award for chasing down a suspect. He received a Class C commendation.

#### SECRETARY'S REPORT

Secretary's report for September, 2013.

Revenues \$230,413.18.

#### PAY BILLS

The Council paid the bills for September, 2013 in the amount of \$484,151.99.

#### REPORTS

Huete – no report

Murray – call her about Colonial.

Baudier – Pecan Festival at St. Rita's – I will give anyone a fair hearing.

Chatelain – call me and I'll address any problem.

Mosca – cut through red tape – call me if light is out. Individual wanted to put a video poker truck stop across river in neighborhood.

Neighbors were against it – but council voted for it. Matt Wellman – was the man – and Mr. Wellman has filed recall petition against Mayor Mosca. Criticized for handling of Isaac clean up. He “blow dried the streets”. He is arguing with FEMA about payment – contract to clean up – he hired 3 so city could be cleaned up quicker. Contractor agreed to accept whatever FEMA approved. FEMA is arguing about price – doing survey with average of their payments in area and will pay the average. Now FEMA only pays 75% of the bills.

Landry – no report.



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

**1. D Stop Prop LLC vs. Harahan City of, Board of Adjustments and Appeal of the City of Harahan, Case: 729-152 Div: "N".**

**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:**

**ADJOURN**

**A motion was offered by Councilman Murray and seconded by Councilman Baudier to adjourn at 10:35 p.m.**

**The Mayor called for a vote. The vote was:**

**YEAS: Baudier, Chatelain, Huete, Landry, Murray**

**NAYS: None**

**ABSENT: None**

**MOTION APPROVED**

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**Provino Mosca, Mayor**

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**Nicole Lee, Municipal Clerk**