

CITY OF HARAHAH
6437 JEFFERSON HIGHWAY, HARAHAH, LOUISIANA
MAYOR AND HARAHAH CITY COUNCIL
January 16, 2014

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 Chatelain, Councilman Huete, Councilman Landry, Councilman Murray, Municipal Clerk Nicole Lee, City Attorney David Courcelle, Police Chief Joe Lorenzo

Absent: Councilman Baudier, Fire Chief Todd St. Cyr.

SPECIAL PRESENTATIONS

Penny Lentini sang God Bless America.

ADDRESS THE COUNCIL

Sean Kelley - new owner of Charles Seafood announced that the business will be opening soon.

A motion was offered **unanimously** by the Council to amend the agenda to take up No. 2 of New Business.

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

MOTION PASSED

NEW BUSINESS

2. High Content ABO application for Kelley & S.P.N.B. Inc., dba Charles Seafood, located at 8311 Jefferson Hwy. for Patricia M. Kelley.

A motion was offered **unanimously** by the Council to grant the permit.

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

PERMIT GRANTED

ADDRESS THE COUNCIL

Al Majeau, Elaine Ave., announced he is running for Chief of Police and presented all his qualifications for the job.

Tommie Duffy, Sr. Center Director - gave a report on the latest meeting at the center and invited everyone to come to the center and see what is happening there.

Dale Simoneaux, Macque Dr., announced that St. Rita is having a pulled pork dinner on Sunday, Jan. 26 at 11 am - \$10 a ticket which includes a full dinner with drink and dessert. Children's activities are included - this is a fund raiser for St. Rita's programs.

Tim Walker, West Imperial, announced he is running for Chief of Police and gave all his credentials.

Darlene Schwartz, Sedgefield, announced she is running for Chief of Police. She announced that her signs are ready.

A motion was offered by **Councilman Chatelain** and seconded by **Councilman Landry** to amend the agenda to take up Ordinance 1 for adoption.

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

MOTION PASSED

The following Ordinance was offered by **Councilman Huete** and seconded by **Councilman Landry**.

The clerk read the Ordinance by title only.

1. An Ordinance authorizing the issuance of Four Million Dollars (\$4,000,000) of Taxable Sewer Revenue Bonds, Series 2014, of the City of Harahan, State of

Louisiana, prescribing the form, terms and conditions of said Bonds; providing for the payment thereof; entering into certain other covenants and agreements in connection with the security and payment of said Bonds; selling said Bonds to the Clean Water State Revolving Fund; authorizing the execution of a Loan and Pledge Agreement and other loan documents with the Louisiana Department of Environmental Quality; providing for other matters in connection therewith."

Discussion:

Hugh Martin announced that the La. Bond Commission had given its approval for the sale of the bonds and that the adoption of this ordinance would be the final step.

Mayor Mosca announced that the city has been working on this step for 20 months. This will provide new services for the sewerage plant including relining the sewer pipes; repairing the lift stations; updating the plant and repairing the sink holes that are affecting the lift stations. He asked Mr. Martin about the interest for the first year.

Mr. Martin said there were none for the first year and possibly none for the second year.

Mayor Mosca said the commission determined that the city could pay the loan back without any problem because of the increase in the sewer usage bill.

Councilman Chatelain asked about the process for the evaluation and release of the money.

Mr. Martin said the engineers will evaluate and show the state auditors what is needed and they will release the monies as needed.

Mayor Mosca said that the sink holes that have been repaired and three others that need to be repaired will be paid for by the loan.

Councilman Chatelain said the maintenance will eliminate major problems.

Councilman Murray asked about the interest rate for the term of the loan.

Councilman Huete stated that the loan is based on 20 years.

Mr. Martin agreed and explained that the interest rate could be modified depending on completion of the construction.

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

ORDINANCE PASSED

APPROVAL OF MINUTES

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

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

NAYS: None

ABSENT: None

MOTION APPROVED

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

The Mayor called for a vote. The vote was:

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

MOTION APPROVED

COMMUNICATIONS

BOARD OF ADJUSTMENT AND APPEALS

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

PLANNING & ZONING BOARD

The Planning & Zoning Board did not meet in January.

RESOLUTIONS

The following resolution was offered **unanimously** by the Council.

1. A Resolution respectfully requesting assistance from Jefferson Parish Councilman Paul Johnston, District 2, for improvements to the below named streets (see resolution).

Discussion:

Mayor Mosca thanked Councilman Johnston for his prior help.

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

RESOLUTION PASSED

The following resolution was offered by Councilman Murray.

The clerk read the resolution in its entirety.

- 2. A Resolution calling for the Mayor and/or City Clerk of the City of Harahan to contact the Louisiana State Legislative Auditor's Office requesting a Special Audit of the City of Harahan's Finances, Governmental Bid Laws, Contracts and awarding of Contracts, Expenditures, Policies and Procedures, Employee compensation, The Fair Labor Standards Act, Laws of the Lawrason Act, Laws of the State of Louisiana, Government Accounting Standards and OMB Circular A-133, FEMA Rules and Regulations governing the Emergency Disaster and Recovery Plan, Louisiana Legislative Laws, Rules, Best Practices, to see that all laws pertaining to the City of Harahan are being followed properly and in accordance with all rules and laws governing said city.**

Discussion:

Councilman Landry - none

Councilman Chatelain - questioned some of the wording and said it was redundant. He wants to amend the resolution to leave some of the wording out.

A motion was offered by Councilman Chatelain and seconded by Councilman Murray to amend the resolution to leave out all the Whereas' except No. 1.

Councilman Chatelain said that an audit is done every year and the legislative auditor approves the audit.

Mayor Mosca objected to the deficit alluded to in the resolution and said there is no deficit in spite of over spending. The deficit was taken care of by a vote in December, 2012. The city received a payment from FEMA for Katrina and another one for Isaac. He suggested that the annual audit be done in March and any questions be given to the auditor at that time and the council can wait for his answers and give him further directions.

Councilman Chatelain said that he agrees that the city overspent and took money from the sinking fund to balance the budget.

Councilman Huete questioned the numbers that Councilman Murray had in the resolution. She shares Ms. Murray's concern about the overspending. She understands that the city can request the audit but the state may take a year to complete it.

Mayor Mosca said that the percentages are questionable, but the council has the responsibility to balance the budget.

Councilman Huete said that by the end of the year, after moving monies around in the line items, the budget is balanced.

Mayor Mosca said he explained the sink holes to the auditor; spent the money to fix them and replenished the money from another fund.

Councilman Murray said that there are a myriad of things that need to be examined. She said the city is under audit for the police dept. and the council didn't know what was going on, but she wants to be proactive. If something is wrong, she wants to know and let the citizens know also. She would like the bad publicity city has received recently to be corrected. She approves of the amendment.

Mayor Mosca said the Dept. of Labor is investigating the police dept. and will do the fire dept. after that. He said that the Dept. claims that the federal regulations supersede the local laws. He recommended that the federal audit and normal audit be done in March for the state and then proceed.

Councilman Murray said this is a good thing and will promote transparency in city government.

Mayor Mosca said the state will not do anything with FEMA or federal regulations. He said the city will have to hire a separate auditor to do the audit. He said the reputable firm that does the city audit is not going to risk their reputation by giving a flawed report.

Councilman Landry said that the auditor comes in and takes over and no work can get done during the audit.

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

RESOLUTION AS AMENDED PASSED

ORDINANCES FOR APPROVAL (PUBLIC HEARING)

The following Ordinance was introduced unanimously by the council.

The Clerk read the Ordinance in its entirety.

2. An Ordinance adopting a Budget for the Sales Tax Fund for the City of Harahan, Louisiana for the Fiscal Year ending December 31, 2014.

The Mayor opened the public hearing.

No one spoke.

The Mayor closed the public hearing.

Discussion:

None

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

ORDINANCE PASSED

The following Ordinance was introduced by Councilman Landry and seconded by Councilman Huete.

The clerk read the Ordinance in its entirety.

3. An Ordinance adopting the Annual Budget of Revenues and Expenditures for the Sewerage Department for the Fiscal Year ending December 31, 2014 for the City of Harahan, Louisiana.

Councilman Murray asked why the budget does not show a balanced budget – It shows more income than expenditures and asked if the difference shouldn't be in a line item as explanation.

A motion was made by Councilman Murray and seconded by Councilman Landry to defer the ordinance for clarification.

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

ORDINANCE DEFERRED

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

The clerk read the Ordinance in its entirety.

4. An Ordinance to amend Ordinance No. 1046, to define "term" of office, which any elected official of the City of Harahan, State of Louisiana, may serve.

Discussion:

None

A motion was offered by Councilman Landry and seconded by Councilman Chatelain to defer the ordinance as the body had not been written.

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

ORDINANCE DEFERRED

ORDINANCE FOR INTRODUCTION (FIRST READING)

None

OLD BUSINESS

The Mayor announced that on November 21, 2013 the Council had voted to amend the ordinance for police detail fees, but a part of the ordinance was omitted and will have to be rectified.

NEW BUSINESS

1. 2014 Mayor Pro Tem

A motion was offered by Councilman Chatelain and seconded by Councilman Huete to appoint Councilman Landry as Mayor Pro Tem for 2014.

Discussion:

None

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

MOTION PASSED

2. High Content ABP Application to add a new member to the business Dock Quick Stop, located at 1927 Hickory Ave., for Mohammed Thabta.

A motion was offered **unanimously** by the Council to grant the permit.

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: None

MOTION PASSED

3. Reappointments – Shane Crochet and Lawrence “Paul” Jouet, Jr., board of Adjustments and Appeals.

A motion was offered by **Councilman Landry** and seconded by **Councilman Huete** to reappoint the above persons.

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

MOTION PASSED

4. Low Content ABO application for Fastway Fuel Mart, located at 6492 Jefferson Hwy. for Mahmoud Alkhatib.

A motion was offered **unanimously** by the Council to grant the permit.

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

MOTION PASSED

ADDRESS THE COUNCIL

None

SECRETARY’S REPORT

Secretary’s report for December, 2013.

Revenues \$175,155.07.

PAY BILLS

The Council paid the bills for December, 2013 in the amount of \$380,140.18.

REPORTS

Councilman Landry announced the pulled pork dinner at St. Rita’s on January 26th.

Councilman Baudier said that tickets for the event are being sold at the church office as well as in the back of church.

Councilman Murray said Mardi Gras is coming up and wished everyone a safe holiday.

Councilman Huete – no report.

Chief Lorenzo announced the police stats for the month of December.

He also announced that 6 mils will be on the ballot in April dedicated to the police dept. He asked that everyone sign up for text alerts from the dept. He also mentioned the audit that the dept. is currently undergoing. The Labor Dept. said the department is in violation of the way they pay for comp time and overtime. In regard to the recent news story concerning Capt. Butch Adams he said that one of the allegations is completely false and that the other allegation may have been an oversight by Capt. Adams. The second allegation is still under investigation.

Mayor Mosca said that for the last 25 years, the city has subsidized the police dept. and passage of the millage is very important.

Mayor Mosca called Rena Sanders to the podium and asked about the number of hurricanes we are trying to get compensation from FEMA to reimburse the city’s expenditures for repairs.

Ms. Sanders said the city is still arguing with FEMA about the amount the city needs to receive. She recounted that Hurricanes Katrina, Rita and Isaac are still being discussed.

Mayor Mosca asked what she thinks is the reason for the delay.

Ms. Sanders replied that there are numerous regulations with which the city needs to comply. She said they are asking for cancelled checks from 2005 and 2008 – but by 2008 the banks had stopped giving cancelled checks back.

Mayor Mosca said the clean up after a hurricane is the main objective of the city. He said that Harahan was the first city back up and running after Isaac.

EXECUTIVE SESSION

None

ADJOURN

A motion was made by **Councilman Landry** and seconded by **Councilman Murray** to adjourn at 9:20 pm

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

YEAS: Chatelain, Huete, Landry, Murray

NAYS: None

ABSENT: Baudier

MOTION PASSED

Provino Mosca, Mayor

Nicole Lee, Municipal Clerk

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

1. D Stop Prop LLC vs. Harahan City of, Board of Adjustments and Appeals 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:**