

**City of Harahan
6437 Jefferson Highway
Mayor and Harahan City Council
Council Meeting Minutes**

Date: November 18, 2021

Time: 7:00 P.M.

Mayor Baudier opened the hearing at 7:00 pm.

The Pledge of Allegiance was led by the Clerk.

ROLL CALL

**Present: Councilman Jason Asbill, Councilman Tommy Budde, Councilman Eric Chatelain, Councilman Craig Johnston, Councilman Carrie Wheeler, Mayor Tim Baudier, Fire Chief Todd St. Cyr, Finance Director Todd Tournillon, City Attorney Scott Stansbury, Municipal Clerk Nicole Lee, Deputy Clerk Carrie Heustis
Absent: Police Chief Tim Walker**

MAYOR'S ANNOUNCEMENT/PRESENTATION:

No garbage pickup Thanksgiving Day - those missed will be picked up Saturday.

Motion by Councilman Asbill, seconded by Councilman Wheeler to amend the agenda to add Proposed Ordinance No. 2021-22 to Ordinances for Introduction. An Ordinance providing that the Harahan Municipal Code be supplemented to fix the amount of compensation of the Municipal Officer of the City of Harahan as required by L.R.S. 33:381A.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Asbill, seconded by Councilman Wheeler to approve.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

Mayor Baudier gave his monthly presentation for October 16th through November 18th.

SPECIAL PRESENTATIONS

1. Chief Walker – Current State of the Harahan Police Department.

Assistant Chief of Police, Bryan St. Cyr, said he would address this during the reports.

2. No Limits Play presented by Lauren Knight with Pelican Playgrounds.

APPROVAL OF MINUTES

Reading of the Minutes of the Council Meeting on October 21, 2021.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Budde, seconded by Councilman Chatelain to dispense with the reading of the minutes.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

Approval of the Minutes of the Council Meeting on October 21, 2021.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Asbill, seconded by Councilman Wheeler to approve the minutes.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES/MINUTES APPROVED

COMMUNICATIONS

Reading of the Minutes of the Planning and Zoning Commission Meeting on November 3, 2021.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Asbill, seconded by Councilman Budde to dispense with the reading of the minutes.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

Approval of the Minutes of the Planning and Zoning Commission Meeting on November 3, 2021.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Johnston, seconded by Councilman Asbill to approve the minutes.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

MOTION PASSES/MINUTES APPROVED

RESOLUTIONS

PROPOSED RESOLUTION NO. 2021 – 13

The following Resolution was offered by Councilman Asbill:

A Resolution of the Harahan City Council recognizing the dedicated service of Captain Leo Schultz to the City of Harahan Fire Department.

Councilman Asbill read the resolution in its entirety.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

No Council Discussion.

Motion by Councilman Asbill, seconded by Councilman Chatelain to proceed with the vote of the resolution.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES/RESOLUTION ADOPTED

Mayor Baudier presented a plaque to the family of Captain Leo Schultz.

PROPOSED RESOLUTION NO. 2021 – 14

The following Resolution was offered by Councilman Asbill:

A Resolution of the Harahan City Council authorizing the Mayor to enter into an Interlocal Contract for Cooperative Purchasing with the Houston-Galveston Area Council.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Council Discussion:

1. Asbill

2. Budde

Motion by Councilman Asbill, seconded by Councilman Budde to proceed with the vote of the resolution.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES/RESOLUTION ADOPTED

PROPOSED RESOLUTION NO. 2021 – 15

The following Resolution was offered by Councilman Asbill:

A Resolution ordering and calling a special election to be held in the City of Harahan, State of Louisiana, to authorize the levy of a sales and use tax therein; making application to the State Bond Commission and providing for other matters in connection therewith.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Council Discussion:

1. Asbill

2. Johnston

Fire Chief Todd St Cyr spoke.

Motion by Councilman Asbill, seconded by Councilman Wheeler to proceed with the vote of the resolution.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES/RESOLUTION ADOPTED

PROPOSED RESOLUTION NO. 2021 – 16

The following Resolution was offered by Councilman Wheeler:

A Resolution giving preliminary approval to the issuance of not to exceed Two Million Dollars (\$2,000,000) of Hurricane Recovery Revenue Notes of the City of Harahan, State of Louisiana, and providing for other matters in connection therewith.

Mayor Baudier opened the public hearing.

1. Finance Director Todd Tournillon spoke.

2. Jason Akers with Foley & Judell spoke.

Mayor Baudier closed the public hearing.

No Council Discussion.

Motion by Councilman Asbill, seconded by Councilman Wheeler to proceed with the vote of the resolution.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES/RESOLUTION ADOPTED

ORDINANCES FOR APPROVAL

The following Ordinance was proposed by Councilman Chatelain and seconded by Councilman Asbill:

Proposed Ordinance No. 2021 – 16

An Ordinance approving the Conditional Resubdivision Plat of Lot A-2B-1, Soniat or Tchoupitoulas Plantation Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana into Lot A-2B-1A, Soniat or Tchoupitoulas Plantation Subdivision, and Lots 14 through 23, Colonial Place, Phase 1, all pursuant to a plan made by Ronald

Clement, P.L.S., dated September 16, 2021.

Councilman Asbill moved to suspend the rules and move the public hearing until after the reading of the amended changes.

Motion by Councilman Asbill to amend ordinance to read as follows:

The following Ordinance was proposed by Councilman _____ and seconded by Councilman _____:

PROPOSED ORDINANCE NO. 2021 – 16

An Ordinance approving the Conditional Resubdivision Plat of Lot A-2B-1, Soniat or Tchoupitoulas Plantation Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana into Lot A-2B-1B, Soniat or Tchoupitoulas Plantation Subdivision, and Lots 14 through 23, Colonial Place, Phase 1, all pursuant to a plan made by Ronald Clement, P.L.S., dated September 16, 2021.

WHEREAS, JW Colonial Group, LLC, the owner of Lot A-2B-1, Soniat or Tchoupitoulas Plantation Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana, having petitioned this governing body to resubdivide these lot(s) into Lot A-2B-1A, Soniat or Tchoupitoulas Plantation Subdivision, and Lots 14 through 23, Colonial Place, Phase 1, as shown on the plan of Ronald Clement, P.L.S., dated September 16, 2021; and

WHEREAS, the Planning and Zoning Commission of the City of Harahan at its meeting held on November 3, 2021, recommended conditional approval of said plan of resubdivision; and

WHEREAS, the City Council for the City of Harahan determined that the Conditional Resubdivision Plat of Ronald Clement, P.L.S. shall be approved as a Conditional Plat Plan provided that the further subdivision of lots 14-23, Colonial Place, Phase 1 be restricted from further resubdivision which would create smaller lots and further provided that Lots 14-23 shall have a 40 **45** foot front setback from the property line, a side setback of not less than 15 feet total with no less than 6 feet on either sideline with 5 foot wide sidewalks along Colonial Club Drive, and further provided that newly created Lot A-2B-1A, Soniat or Tchoupitoulas Plantation, be restricted to conditions of Lot A-2B, Soniat or Tchoupitoulas Plantation, as set forth in Ordinance No. ~~1777~~ **1920** and that certain ~~“Development Agreement for Retail Shopping Center and Additional Acreage within the City of Harahan” (the “Development Agreement”)~~ **“Amended and Restated Development Agreement for the Residential and Commercial Redevelopment of the Former Colonial Golf and Country Club” (the “Amended Development Agreement”)**; and

WHEREAS, Ordinance No. 1893 adopted on May 21, 2020 approving the subdivision of Lots 1-8, Colonial Place, Phase 1 by subdivision plat recorded on June 26, 2020 at Instrument No. 12028678, Conveyance Book 3438, page 381, provided for 10 foot wide sidewalks along Colonial Club Drive and the City Council for the City of Harahan determined that such sidewalk width should be reduced to **5 6** feet to conform with Lots 9- 14 **13**, contemplated herein; and

WHEREAS, the developer has now requested that the sidewalks for Lots 1-13, Colonial Place, Phase 1, be further reduced to five (5) feet to conform with Lots 14-23 proposed herein and that the entirety of such sidewalks may be located within the public right of way as permitted by Sections 14-311 and 86-36 of the Harahan Code of Ordinances; and

NOW THEREFORE, BE IT ORDAINED by the Mayor and the City Council of the City of Harahan that:

SECTION 1. The Conditional Resubdivision Plat of Lot A-2B-1, Soniat or Tchoupitoulas Plantation Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana, made by Ronald Clement, P.L.S., dated September 16, 2021, resubdividing Lots into Lot A-2B-1A, Soniat or Tchoupitoulas Plantation Subdivision, and Lots 14 through 23, Colonial Place, Phase 1, City of Harahan, Parish of Jefferson, State of Louisiana is hereby approved as a Conditional Resubdivision Plat; provided, however, that the further resubdivision of Lots 14-23, Colonial Place, Phase 1, into smaller lots shall be prohibited and further provided that Lots 14-23 shall have a 40 **45** foot front setback from the property line, a side setback of not less than 15 feet total with no less than 6 feet on either sideline with 5 foot wide sidewalks along Colonial Club Drive, and further provided that newly created Lot A-2B-1A, Soniat or Tchoupitoulas Plantation, be restricted to conditions of Lot A-2B, Soniat or Tchoupitoulas Plantation, as set forth in Ordinance No. ~~1777~~ **1920** and the **Amended Development Agreement**.

SECTION 2. That said Conditional Plat Plan of Ronald Clement, P.L.S., dated September 16, 2021, shall not be recorded in the office of the Clerk of Court for the Parish of Jefferson until a Final Plat Plan is approved.

SECTION 3. The Mayor of the City of Harahan is authorized and empowered to affix his signature to the said plan of resubdivision, and to execute any and all documents necessary to fully implement this Ordinance.

SECTION 4. If any provision of this ordinance is held to be invalid or otherwise enforceable by the final judgement of a court of competent jurisdiction; such invalidity shall not affect the validity of any of the remaining provisions of this ordinance that may be given effect without the invalid provision; and to this end the provisions of this ordinance are hereby declared to be severable.

SECTION 5. All ordinances or parts of ordinances which are or may be in conflict with this ordinance are hereby repealed; provided, however, this ordinance shall not abrogate, modify or repeal the terms of Ordinance No. 1777 1920 and the **Amended** Development Agreement except to the extent such ordinances or the **Amended** Development Agreement are in direct conflict with the terms of this subdivision ordinance, which are or may be in conflict with this ordinance are hereby repealed.

SECTION 6. Should any provision of this ordinance be declared invalid or unenforceable by final judgement of a court of competent jurisdiction such declaration shall not affect those provisions hereof that may be given effect without the invalid or unenforceable provision.

SECTION 7. For purposes of clarity, and in connection with the future review and interpretation of the **Amended** Development Agreement, any reference to Lot A-2B shall hereinafter mean and include Lot A-2B-1A.

SECTION 8. That the sidewalk required under Ordinance No. 1893 adopted on May 21, 2020 approving the subdivision of Lots 1-8, Colonial Place, Phase 1 by subdivision plat recorded on June 26, 2020 at Instrument No. 12028678, Conveyance Book 3438, page 381, which provided for 10 foot wide sidewalks along Colonial Club Drive is hereby modified and amended to provide that the sidewalk width for Lots 1-8, Colonial Place, Phase 1 be and is hereby reduced to 6 feet to conform with Lots 14-23 created herein. **and which sidewalk was reduced to a 6 foot wide sidewalk as established by Ordinance No. 1921 adopted on June 29, 2021 approving the subdivision of Lots 9-13, Colonial Place, Phase 1 and such ordinances are hereby further modified and amended to provide that the sidewalk width for Lots 1-8, Colonial Place, Phase 1 and Lots 9-13, Colonial Place, Phase 1, be and are hereby reduced to 5 feet to conform with Lots 14-23 created herein.**
SECTION 9. Therefore, the sidewalk for Lots 1-23, Colonial Place, Phase 1, shall be five (5) feet and may be located within the public right of way as permitted by Sections 14-311 and 86-36 of the Harahan Code of Ordinances.

The Ordinance having been considered by section and as a whole, a vote was taken and the vote was as follows:

YEAS:
NAYS:
ABSENT:
ABSTENTION:

This Ordinance was declared adopted on this ____ day of _____, 2021, to become effective immediately upon the signature of the Mayor or upon the expiration of the time period without the signature of the Mayor.

Timothy Baudier, Mayor

Nicole Lee, City Clerk

Mayor Baudier opened the public hearing.

1. Danny McKearan
2. Ashley Ruh
3. Maurizio Francescon

Mayor Baudier closed the public hearing.

Council Discussion:

1. Asbill
2. Budde

Motion by Councilman Asbill, seconded by Councilman Wheeler to adopt amendments.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

AMENDMENTS ADOPTED

Motion by Councilman Chatelain, seconded by Councilman Asbill to proceed with the vote of the ordinance.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES/ORDINANCE ADOPTED

ORDINANCES FOR INTRODUCTION (FIRST READING)

The following Ordinance was proposed by Councilman Wheeler:

PROPOSED ORDINANCE NO. 2021 – 17

An Ordinance amending Ordinance No. 1909, the annual Budget of Revenues and Expenditures for the Fiscal Year ending December 31, 2021 for the City of Harahan, Louisiana.

The following Ordinance was proposed by Councilman Wheeler:

PROPOSED ORDINANCE NO. 2021 – 18

An Ordinance adopting the annual Budget of Revenue and Expenditures for the Fiscal Year ending December 31, 2022 for the City of Harahan, Louisiana.

The following Ordinance was proposed by Councilman Chatelain:

PROPOSED ORDINANCE NO. 2021 – 19

An Ordinance authorizing the Mayor of the City of Harahan to execute an agreement with the Board of Trustees of the Municipal Employees' Retirement System.

The following Ordinance was proposed by Councilman Asbill:

PROPOSED ORDINANCE NO. 2021 – 20

An Ordinance providing for the creation of a new Accrued Liabilities Committed Fund Balance within the General Fund of the City of Harahan Budget and providing for the funding and policies of the Fund.

The following Ordinance was proposed by Councilman Chatelain:

PROPOSED ORDINANCE NO. 2021 – 21

An Ordinance authorizing the issuance and sale of not exceeding Two Million Dollars (\$2,000,000) of Hurricane Recovery Revenue Notes of the City of Harahan, State of Louisiana, and providing for other matters in connection therewith.

The following Ordinance was proposed by Councilman Asbill:

PROPOSED ORDINANCE NO. 2021 – 22

An Ordinance providing that the Harahan Municipal Code be supplemented to fix the amount of compensation of the Municipal Officer of the City of Harahan as required by L.R.S 33:381A.

OLD BUSINESS

No Old Business.

NEW BUSINESS

1. Todd Tournillon, Finance Director – monthly financials with budget to actual comparisons.

Mr. Tournillon presented the City's financials for the month of October.

Motion by Councilman Asbill, seconded by Councilman Budde to amend the agenda to add New Business No. 6 – Appeals Board discussion.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

No Council Discussion.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

2. 2022 Holidays

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Asbill, seconded by Councilman Johnston to approve.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

3. 2022 Council Meeting Dates

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Wheeler, seconded by Councilman Budde to approve.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

4. Call for a special meeting for 2022 Budget Hearing on Monday, December 6, 2021, at 6:00pm, and waive notice of meeting

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Johnston, seconded by Councilman Wheeler to approve.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

5. Request from St. Rita for the City to provide barricades and/or a Police escort for a Eucharistic Procession from the Colonial Clubhouse to St. Rita Church. The Procession is tentatively scheduled for Sunday, November 21, 2021 or Sunday, November 28, 2021 after 11:30 a.m. Mass depending upon the repair status of St. Rita Church.

Ms. Judy Roman called today to let us know that the Procession will be on Sunday the 21st.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Johnston, seconded by Councilman Budde to approve.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSEDNT: None

MOTION PASSES

6. Appeals Board Discussion.

ADDRESS THE COUNCIL

No one addressed the Council.

SECRETARY'S REPORT

Secretary's report for October, 2021

Total revenue \$448,016.00

REPORTS

Police Chief Walker was absent. Assistant Chief Bryan St Cyr gave the monthly statistics for the Harahan Police Department for the month of October.

Fire Chief St. Cyr – No report

Councilman Asbill

Councilman Budde

Councilman Chatelain

Councilman Johnston

Councilman Wheeler

Mayor Baudier

PAY BILLS

Bills paid in October, 2021

Total expenditures \$1,658,586.70

EXECUTIVE SESSION

No Executive Session.

ADJOURN

Motion by Councilman Johnston and seconded by Councilman Wheeler to adjourn the meeting at 8:52 p.m.

Mayor Baudier called for the vote, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES/MEETING ADJOURNED

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"**
- 2. Michael Wright v. City of Harahan, et al, US District Court, Civil Action No. 19-13529, Sect. F(5)**
- 3. Mary Erler v. City of Harahan and Veolia Corp and ABC Ins. Co., 24th JDC, Case 757-888, Div. "F"**
- 4. Ronald Lightell v. Harahan Police Dept. and City of Harahan, Civil Action No. 20-cv-672**

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:

Submitted by: _____

Carrie Heustis, Deputy City Clerk