

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

Date: April 15, 2021

Time: 7:00 P.M.

Mayor Baudier opened the meeting at 7:00 pm.

The Pledge of Allegiance was led by the Clerk.

ROLL CALL

Present: Councilman Asbill, Councilman Budde, Councilman Chatelain, Councilman Johnston, Councilman Wheeler, Mayor Baudier, Police Chief Walker, City Attorney Scott Stansbury and City Clerk Nicole Lee

Absent: Finance Director Todd Tournillon

Motion by Councilman Asbill, seconded by Councilman Johnston to amend the agenda to move Executive Session ahead of Special Presentations.

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/AGENDA AMENDED

Motion my Councilman Asbill, seconded by Councilman Budde to remove David G. Trepagnier v. The Harahan City Council, 24th JDC, Docket No. 814-065, Div. "L" from pending litigation.

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

Motion by Councilman Asbill, seconded by Councilman Johnston to add Deano Bonano, Jefferson Parish Councilman, District 2 to the agenda as Special Presentations No. 2.

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

Motion by Councilman Asbill, seconded by Councilman Budde to enter into Executive Session at 7:02 p.m. to discuss all pending litigation:

- 1. Wood Materials LLC, Wood Resources LLC v. City of Harahan, 24th JDC, Case 761-783, Div. "K"**
- 2. Gulf Coast Underground v. City of Harahan, 24th JDC, Docket No. 801282, Div. "J"**

3. Michael Wright v. City of Harahan, et al, US District Court, Civil Action No. 19-13529, Sect. F(5)
4. Mary Erler v. City of Harahan and Veolia Corp and ABC Ins. Co., 24th JDC, Case 757-888, Div. "F"
5. Ronald Lightell v. Harahan Police Dept. and City of Harahan, Civil Action No. 20-cv-672
6. Brandon J. Venegas v. Harahan Police Dept. and City of Harahan, 24th JDC, Case 802-181, Div. "K"

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

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

Mayor and Council returned from Executive Session at 7:12 p.m. and meeting resumed.

SPECIAL PRESENTATIONS

1. Chief Walker – Current State of the Harahan Police Department.
2. Deano Bonano, Jefferson Parish Councilman, District 2.

APPROVAL OF MINUTES

Reading of the Minutes of the Council Meeting on March 18, 2021.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Chatelain, seconded by Councilman Johnston to dispense with 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 March 18, 2021.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Chatelain, seconded by Councilman Johnston 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 April 7, 2021.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Chatelain, seconded by Councilman Asbill to dispense with 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 April 7, 2021.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Chatelain, 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

ABSENT: None

MOTION PASSES/MINUTES APPROVED

RESOLUTIONS

The following resolution was offered unanimously by the Council:

PROPOSED RESOLUTION NO. 2021 – 3

A resolution authorizing and instructing the Planning and Zoning Commission of the City of Harahan to hold a public hearing on the potential adoption of an Amended and Restated Development for the Residential and Commercial Redevelopment of the former Colonial Golf & Country Club (the “Amended and Restated Development Agreement”).

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

COUNCIL DISCUSSION:

- 1. Asbill**
- 2. Budde**
- 3. Wheeler**
- 4. Chatelain**

Motion by Councilman Budde, seconded by Councilman Wheeler to re-open the public hearing.

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

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

PUBLIC HEARING:

- 1. Tommy Hughes**
- 2. Mike Amedeo**
- 3. Justin Schmidt**

Mayor Baudier closed the public hearing.

COUNCIL DISCUSSION:

- 1. Asbill**

Motion by Councilman Wheeler, seconded by Councilman Asbill to call for a five-minute recess at 7:41 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

Mayor and Council returned from recess at 7:12 p.m. and meeting resumed.

Motion by Councilman Asbill to amend paragraph 42 on page 5 to add:

“Additionally, Owner shall maintain a construction service road with ingress and egress on Jefferson Highway for the primary purpose of infrastructure installation. Owner shall require all infrastructure construction vehicles, deliveries and operations to use this construction road. Enforcement, however, shall be against individual violators and not Owner.”

Motion by Councilman Asbill, seconded by Councilman Johnston to amend Paragraph 15 on page 3 to read "Section 3," rather than "Section 1."

Councilman Asbill called Mr. Edward Suffern to the podium to confirm amendments.

Mayor Baudier opened the public hearing.

PUBLIC HEARING:

- 1. Tommy Hughes**
- 2. Danny McKearan**

Mayor Baudier closed the public hearing.

Mayor Baudier called for the vote to accept amendment, the vote was as follows:

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

Councilman Asbill withdrew his first amendment.

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

YEAS: Asbill, Chatelain, Johnston, Wheeler

NAYS: Budde

ABSENT: None

MOTION PASSES/RESOLUTION ADOPTED AS AMENDED

The following resolution was offered unanimously by the Council:

PROPOSED RESOLUTION NO. 2020 – 4

Resolution accepting the Municipal Water Pollution Prevention Environmental Audit Report for the period of January 1, 2020 to December 31, 2020, and to inform the Louisiana Department of Environmental Quality that the following actions were taken and additional actions will be taken by the City of Harahan.

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 Budde to amend the resolution to approve Todd Tournillon's financial analysis to complete Section 8.

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

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 AS AMENDED

ORDINANCES FOR APPROVAL

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

PROPOSED ORDINANCE NO. 2020 – 25

An Ordinance approving the Preliminary Resubdivision Plat of Lot A-2B-1, Soniat or Tchoupitoulas Subdivision, City of Harahan, Parish of Jefferson, State of Louisiana into Lot A-2B-1A, Soniat or Tchoupitoulas Plantation Subdivision, and Lots 9 through 14, Colonial Place, Phase 1, all pursuant to a plan made by Ronald Clement, P.L.S., dated September 24, 2020.

Mayor Baudier opened the public hearing.

PUBLIC HEARING:

- 1. Danny McKearan**

Mayor Baudier closed the public hearing.

COUNCIL DISCUSSION:

- 1. Asbill**

2. Budde
3. Chatelain
4. Johnston

Motion by Councilman Asbill, seconded by Councilman Chatelain to amend the ordinance to add the map that defines the 40 acres of property, as an attachment, and adding at the end of Section 7 "The 40 acre parcel designated as 40 acres as set forth on the attached plan showing 40 acres prepared by Ronald Clement, P.L.S., dated August 5, 2019, is recognized and confirmed as the 40 acres reference at Section 3(B) of the development agreement, and designated for limited residential development."

Mayor Baudier opened the public hearing.

PUBLIC HEARING:

1. Danny McKearan
2. Edward Suffern
3. Justin Schmidt

Mayor Baudier closed the public hearing.

Motion by Councilman Asbill, seconded by Councilman Chatelain to proceed with the vote on the amendment.

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

YEAS: Asbill, Chatelain, Johnston, Wheeler

NAYS: Budde

ABSENT: None

MOTION PASSES

COUNCIL DISCUSSION:

1. Johnston
2. Asbill
3. Budde
4. Chatelain

City Attorney Scott Stansbury spoke.

Mayor Baudier spoke.

Motion by Councilman Asbill, seconded by Councilman Chatelain to amend the ordinance after Section 8 to add Section 9 to read as follows:

"Section 9: In the event that lots 9 through 14 are granted final plat approval, JW Colonial Group, LLC shall pay \$100,000.00 to the City of Harahan the advanced impact payment within 30 days of such final approval. The advanced impact payment shall be credited to property owners' impact fees up to and including an identical aggregate amount at the time individual lot owners within the former Colonial Golf Course property apply for a building permit.

Mayor Baudier opened the public hearing.

PUBLIC HEARING:

2. Tommy Hughes
3. Justin Schmidt

Mayor Baudier closed the public hearing.

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

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

YEAS: Asbill, Chatelain, Johnston, Wheeler

NAYS: Budde

ABSENT: None

MOTION PASSES

Mayor Baudier opened the public hearing.

1. Terri Valenti
2. Danny McKearan
3. Tommy Hughes
4. Dr. Foster Wade
5. Susan Benton

Councilman Johnston spoke.

Mayor Baudier closed the public hearing.

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

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

YEAS: Asbill, Chatelain, Johnston, Wheeler

NAYS: Budde

ABSENT: None

MOTION PASSES/ORDINANCE ADOPTED AS AMENDED

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

PROPOSED ORDINANCE NO. 2021 – 8

An Ordinance authorizing the approval, adoption, and execution of that certain Amended and Restated Development Agreement for the Residential and Commercial Redevelopment of the Former Colonial Golf & Country Club by and between JW Colonial Group, LLC and the City of Harahan. *(A full copy of the Proposed Amended Development Agreement is available for public inspection at Harahan City Hall and on the city website www.harahanla.gov)*

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

COUNCIL DISCUSSION:

- 1. Asbill**
- 2. Johnston**
- 3. Wheeler**

Motion by Councilman Asbill, seconded by Councilman Wheeler to amend the ordinance as follows:

Line 145 – Delete Roman Numeral “I” and add Roman Numeral “III.”

Line 49 – Change “Mortgage Office” to read “Mortgage and Conveyance Office.”

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

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

Motion by Councilman Asbill, seconded by Councilman Chatelain to defer 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 AMENDED AND DEFERRED

The following ordinance was proposed by Councilman Wheeler and seconded by Councilman Johnston:

PROPOSED ORDINANCE NO. 2021 – 9

An Ordinance approving Franchise Agreement Renewal with Entergy Louisiana, LLC.

Mayor Baudier opened the public hearing.

- 1. Patrick Hamby on behalf of Entergy Louisiana**

COUNCIL DISCUSSION:

- 1. Budde**
- 2. Asbill**
- 3. Johnston**

Motion by Councilman Asbill, seconded by Councilman Johnston to defer 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 DEFERRED

ORDINANCES FOR INTRODUCTION (FIRST READING)

The following ordinance was proposed by Councilman Asbill:

PROPOSED ORDINANCE NO. 2021 – 10

An Ordinance amending the City of Harahan Code of Ordinances Appendix A, Section XIX-Planning and zoning commission relative to membership of the Planning & Zoning Commission.

OLD BUSINESS

1. Appointment of City Magistrate.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Mayor Baudier nominated Warren A. “Chip” Forstall, Jr. as City Magistrate.

Councilman Budde spoke.

Motion by Councilman Chatelain, seconded by Councilman Wheeler to approve the nomination and appointment.

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

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

NEW BUSINESS

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

Todd Tournillon – absent.

2. Re-setting the April 7, 2021 Planning and Zoning Commission Meeting.

Councilman Asbill withdrew New Business No. 2.

3. Planning and Zoning Commission member removals, nominations and appointments.

Mayor Baudier opened the public hearing.

PUBLIC HEARING:

1. Mike Amedeo

2. Maurizio Francescon

Mayor Baudier closed the public hearing.

COUNCIL DISCUSSION:

1. Johnston

Mayor Baudier nominated Gawain Grilletta and Patrick Peppo.

Motion by Councilman Asbill, seconded by Councilman Wheeler to approve Nominations and appointments.

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

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

ADDRESS THE COUNCIL

1. Chief Todd St. Cyr

2. Dane Doucet (hand delivered letter to be read at meeting)

3. Mike Amedeo

SECRETARY'S REPORT

Secretary's report for March, 2021

Total revenue \$610,889.00

REPORTS

Police Chief Walker

Fire Chief St. Cyr – no report

Councilman Asbill

Councilman Budde

Councilman Chatelain

Councilman Johnston

Councilman Wheeler

Mayor Baudier

PAY BILLS

Bill's paid in March, 2021

Total expenditures \$703,075.29

EXECUTIVE SESSION

Executive Session was addressed at the beginning of the meeting.

ADJOURN

Motion by Councilman Johnston and seconded by Councilman Asbill to adjourn the meeting at 9:37 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. Gulf Coast Underground v. City of Harahan, 24th JDC, Docket No. 801282, Div. "J"
3. Michael Wright v. City of Harahan, et al, US District Court, Civil Action No. 19-13529, Sect. F(5)
4. Mary Erler v. City of Harahan and Veolia Corp and ABC Ins. Co., 24th JDC, Case 757-888, Div. "F"
5. Ronald Lightell v. Harahan Police Dept. and City of Harahan, Civil Action No. 20-cv-672
6. Brandon J. Venegas v. Harahan Police Dept. and City of Harahan, 24th JDC, Case 802-181, Div. "K"
7. David G. Trepagnier v. The Harahan City Council, 24th JDC, Docket No. 814-065, Div. "L"

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: Nicole Lee
Nicole Lee, City Clerk