

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

Date: October 15, 2020

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, Fire Chief St. Cyr (arrived at 7:15 p.m.), Finance Director Todd Tournillon, City Attorney Scott Stansbury and City Clerk Nicole Lee

Motion by Councilman Asbill, seconded by Councilman Chatelain to add New Business No. 3 to the agenda – High Content ABO application for Dock Quick Stop, located at 1927 Hickory Ave. for Suresh Dhanenkula.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed 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

Motion by Councilman Asbill, seconded by Councilman Budde to add New Business No. 4 to agenda – High Content ABO application for Dock Quick Stop, located at 1927 Hickory Ave. for Shirisha Yarlaga.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed 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

Motion by Councilman Asbill, seconded by Councilman Chatelain to add Proposed Ordinance No. 2020-24 to the agenda under Ordinance for Introduction - An ordinance implementing a hiring freeze for Harahan Police Department of the City of Harahan, in accordance with LSA-R.S. 33:423.2.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed 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

Motion by Councilman Asbill, seconded by Councilman Wheeler to add New Business No. 5 to agenda - Remove and appoint City Magistrate.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed 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

Motion by Councilman Budde, seconded by Councilman Johnston to add Executive Session to agenda - All pending litigation.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed 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

SPECIAL PRESENTATIONS

1. Candidates

Chick Foret and Jason Ural spoke.

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

APPROVAL OF MINUTES

Reading of the Minutes of the Special Meeting on August 25, 2020.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Asbill, 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 Special Meeting on August 25, 2020.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Budde, seconded by Councilman Chatelain 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

Reading of the Minutes of the Council Meeting on September 17, 2020.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Johnston, 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 Council Meeting on September 17, 2020.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Wheeler, 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

COMMUNICATIONS

No Communications.

RESOLUTIONS

The following resolution was offered by Councilman Wheeler:

PROPOSED RESOLUTION NO. 2020 – 11

A resolution implementing a Hiring Freeze for all City of Harahan departments, excluding the Harahan Police Department.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Councilman Wheeler withdrew the resolution.

The following resolution was offered by Councilman Wheeler:

PROPOSED RESOLUTION NO. 2020 – 12

A resolution implementing a Hiring Freeze for Harahan Police Department of the City of Harahan, in accordance with LSA-R.S. 33:423.2.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Councilman Wheeler withdrew the resolution.

ORDINANCES FOR APPROVAL

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

PROPOSED ORDINANCE NO. 2020 – 16

An Ordinance amending the Harahan Code of Ordinances by the addition of Article IV- Electronic Enforcement to Chapter 50- Motor Vehicles.

Mayor Baudier opened the public hearing.

1. Judy Johnson

2. Al Morella

3. Mark Hutchinson

4. Eddie Gregory

Mayor Baudier closed the public hearing.

Motion by Councilman Asbill, seconded by Councilman Budde to defer the ordinance.

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

YEAS: Asbill, Budde, Chatelain, Johnston

NAYS: Wheeler

ABSENT: None

MOTION PASSES/ORDINANCE DEFERRED

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

PROPOSED ORDINANCE NO. 2020 – 17

An Ordinance amending the Harahan Code of Ordinances by the addition of Article V- Golf Carts to Chapter 50- Motor Vehicles And Traffic.

Mayor Baudier opened the public hearing.

PUBLIC HEARING:

1. Judy Johnson

2. Eddie Gregory

3. Evelyn Riehm

Mayor Baudier closed the public hearing.

COUNCIL DISCUSSION:

1. Asbill
2. Budde
3. Chatelain

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

Delete Line 48 – “Signalized Intersection at Jefferson Highway and Hickory Avenue.”

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

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/ORDINANCE AMENDED

Motion by Councilman Budde, seconded by Councilman Johnston to amend the ordinance as follows:

Line 70 – Change “3 or more” to “2 or more.”

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

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

YEAS: Asbill, Budde, Johnston, Wheeler

NAYS: Chatelain

ABSENT: None

MOTION PASSES/ORDINANCE AMENDED

Motion by Councilman Johnston, 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, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES/ORDINANCE ADOPTED WITH AMENDMENTS

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

PROPOSED ORDINANCE NO. 2020 – 18

An Ordinance amending the City of Harahan Code of Ordinances by the addition of Sections 86-64.1 & 86-64.2 to Chapter 86-Subdivisions; to adopt and set impact fees for developments within the City of Harahan; to provide for improvement of public capital facilities required to serve the development.

Mayor Baudier opened the public hearing.

PUBLIC HEARING:

1. Danny McKearan

Mayor Baudier closed the public hearing.

COUNCIL DISCUSSION:

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

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

- Under Section 86-64.1 Section (d), add Sub Section ii – “If an inspection was not conducted by a City Inspector before demolition and/or renovations began, an assumption shall be made that the structure had fifteen (15) pre-existing fixture units, and shall pay the calculated impact fee for any additional fixture units installed.”

- Line 48 - strike out “operation, maintenance, and”

- Line 58 – strike out “maintenance and”

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing

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

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES/ORDINANCE AMENDED

Motion by Councilman Chatelain to defer ordinance.

Motion fails for lack of second.

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

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

YEAS: Asbill, Budde, Johnston

NAYS: Chatelain, Wheeler

ABSENT: None

MOTION PASSES/ORDINANCE APPROVED WITH AMENDMENTS

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

PROPOSED ORDINANCE NO. 2020 – 22

An Ordinance amending the City of Harahan Code of Ordinances Sec. 78-42 relative to solid waste collection and appropriate times to place and remove containers from the curb, and declaring trash containers left at the curb for prolonged periods of time to be a nuisance.

Mayor Baudier opened the public hearing.

PUBLIC HEARING:

1. Mae Jean Cazenave

Mayor Baudier closed the public hearing.

COUNCIL DISCUSSION:

1. Chatelain

2. Asbill

3. Chief Walker

4. Budde

Motion by Councilman Asbill, seconded by Councilman Johnston 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

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

PROPOSED ORDINANCE NO. 2020 – 23

An Ordinance to amend Ordinance No. 1875, to sell property owned by the City of Harahan, providing for the procedure to be utilized pursuant to the provisions of L.R.S. 33:4712, et. seq. which provides for the sale, exchange or lease of property by a municipality.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

COUNCIL DISCUSSION:

1. Budde

2. Wheeler

3. Asbill

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

Line 28 – Add “\$15,000.00” in blank under Section 1.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

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/ORDINANCE AMENDED

Motion by Councilman Johnston, 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, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES/ORDINANCE ADOPTED WITH AMENDMENTS

ORDINANCES FOR INTRODUCTION (FIRST READING)

The following ordinance was proposed by Councilman Asbill:

PROPOSED ORDINANCE NO. 2020 – 24

An ordinance implementing a hiring freeze for Harahan Police Department of the City of Harahan, in accordance with LSA-R.S. 33:423.2.

OLD BUSINESS

No Old Business.

NEW BUSINESS

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

Todd Tournillon gave budget update.

COUNCIL DISCUSSION:

1. Wheeler

2. Approval of temporary “no parking” signs along Doescher Dr. and Stoneleigh Dr. beginning on October 31, 2020 at 3:00 p.m. until November 1, 2020 at 3:00 a.m.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

COUNCIL DISCUSSION:

1. Asbill

Motion by Councilman Asbill, seconded by Councilman Budde to approve signs.

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

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

3. High Content ABO application for Dock Quick Stop, located at 1927 Hickory Ave. for Suresh Dhanenkula.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

No Council Discussion.

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

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

YEAS: Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

ABSTENTION: Asbill

MOTION PASSES/ABO APPROVED

4. High Content ABO application for Dock Quick Stop, located at 1927 Hickory Ave. for Shirisha Yarlagadda.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

No Council Discussion.

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

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

YEAS: Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

ABSTENTION: Asbill

MOTION PASSES/ABO APPROVED

5. Remove and appoint City Magistrate.

COUNCIL DISCUSSION:

1. Johnston

2. Asbill

3. Budde

4. Chatelain

Motion by Councilman Asbill, seconded by Councilman Budde to call for a 5 minute recess at 8:37 p.m.

Meeting resumed at 8:44 p.m.

Motion by Councilman Chatelain, seconded by Councilman Budde to appoint Mr. Warren A Forstall, Jr. as the temporary interim Magistrate pending a legal opinion.

Mayor Baudier opened the public hearing.

No one spoke.

Mayor Baudier closed the public hearing.

Motion by Councilman Chatelain, seconded by Councilman Budde to proceed with the vote.

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

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

ABSTENTION: None

MOTION PASSES

ADDRESS THE COUNCIL

1. Al Morella

2. Cesar Fonseca

3. Tab Henderson

4. Judy Johnson

5. Allen Brocato

6. Terry Power

SECRETARY'S REPORT

Secretary's report for September, 2020

Total revenue \$260,537.00

REPORTS

Police Chief Walker

Fire Chief St. Cyr – no report

Councilman Asbill

Councilman Budde – no report

Councilman Chatelain

Councilman Johnston

Councilman Wheeler – no report

Mayor Baudier

PAY BILLS

Bill's paid in September, 2020

Total expenditures \$644,988.09

EXECUTIVE SESSION

Motion by Councilman Wheeler, seconded by Councilman Chatelain to enter into Executive Session at 9:24 p.m. to discuss all pending litigation.

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

YEAS: Asbill, Budde, Chatelain, Johnston, Wheeler

NAYS: None

ABSENT: None

MOTION PASSES

Meeting resumed at 9:41 p.m.

ADJOURN

Motion by Councilman Asbill and seconded by Councilman Johnston to adjourn the meeting at 9:41 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/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 Erier 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"**

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