

The Mayor and Council of the City of Abbeville met for a committee meeting on July 19, 2022 at 5:15 P.M., at the regular meeting place, the Council Meeting Room located at 101 North State Street, Abbeville, Louisiana, with the Honorable Roslyn R. White, Mayor, presiding.

Members Present: Council Members Carlton Campbell, Terry Broussard, Brady Broussard, Jr., Francis Touchet, Jr., Mayor Pro-Tem and Tony Hardy

Members Absent: None

Also Present: Ike Funderburk, City Attorney
Steve Moosa, Accounting Consultant & CPA
Jude Mire, Fire Chief
Lieutenant Todd O'Bryan
Chris Gautreaux, Public Works Director
Ann Hardy, Municipal Employees Civil Service Director
Stewart Head, Electrical Department Superintendent
Gene Sellers, Engineer
Kim Touchet, Engineer
Tommy Picard, Park Director-QSA
Gerald Gaspard, American Legion
Pastor Lane Payne
Pastor Steve Delino

Mayor White stated we are here for an Ordinance and a Finance Committee meeting. She asked if there were any comments from the public on any agenda item. There were none.

Mayor White stated that the first committee to meet is the Ordinance Committee chaired by Councilman Tony Hardy. She turned the floor over to Councilman Hardy. Councilman Hardy stated that the Ordinance Committee is meeting to discuss a proposed ordinance to amend Section 2-9, Designation of municipal officers and appointment of same. The amendment is to change (1) from Administrative Assistant to Council and City Attorney to Administrative Assistant to Council.

Mr. Funderburk asked to be recognized. He stated that the proposed ordinance, if passed, will mark the first time in 32 years that a City of Abbeville City Council has acted to diminish the quality of legal services to the City. Preceding mayors and councils have grappled with the cost of legal services and have made strategic moves to reduce the cost while increasing the quality of the legal services. These bodies consolidated risk management with the other duties of the City Attorney, thereby saving the City approximately \$100,000 a year. Other councils put a cap on the amount of time an attorney could charge to the City, further reducing inefficiency and cost. Then on December 2, 2014, the council created a "Legal Department" for the City thereby consolidating the city attorney and city prosecutor positions and hired him as a fulltime, unclassified city employee. Resolution No. 14-35 states in part, that in addition to salary and benefits, "the City shall provide the Legal Department/City Attorney with... staffing to do and perform all of the tasks assigned and duties incumbent on this office". At that meeting one Councilman is reported to have said, "This is a huge endeavor for the City of Abbeville. This is a positive step... This will save the City \$30,000 to \$50,000 per year. This is a step in the right direction". Another Councilman echoed his evaluation of the situation. In less than two months, he will celebrate 51 years practicing law. In all of those year, he has had staff to perform the many ministerial and office administration duties that, if performed by him, would take him away from his obligation to perform legal services to the best of his ability. Does the City really want to pay him to perform the duties of a staff member instead of being available to do his job? Do you want to pay him almost \$.85 per minute to file papers? Do you really know what he does? Let's do a review. As general counsel for the City, he provides informed advice on issues concerning local government laws, prepare documents, attend meetings and for/with the Mayor and Council Members, Chiefs of Fire and Police Departments,

Planning and Zoning Commission, attends meetings for all other board and commissions as may be required. He assists the hiring authority when conducting disciplinary actions. He serves with the insurance committee, electrical power committee, which will be extremely important in the next year, and other committees as may be required. He assists all department heads as needed. In the area of civil litigations, he files suits to collect money that is owed to the City. He files suits to enforce ordinances and he defends cases where there is no insurance coverage for it. As risk manager he oversees all the workers' compensation and general liability claims and collaborates with the defense attorneys that are hired by our insurance companies to make sure that our City is properly defended. He asserts claims for damages that are not covered by the City's property insurance. He is the ethics liaison officer. That requires certification by the Louisiana board of Ethics. You are required to have one. He is also the ethics trainer and records curator. This requires certification by the Louisiana Board of Ethics too. He is the sexual harassment trainer and the records curator for that too. This is mandated by the State Legislative Auditor. He investigates sexual harassment charges. Thank God we haven't had any. He is the alternate delegate for the City at LEPA meetings. He reviews all applications for alcohol permits, special event permits, sign and billboard permits and he makes recommendations to the Council thereon. In addition, he is the City prosecutor. He is a special assistant district attorney, appointed by the District Attorney. He reviews all criminal charges submitted by Abbeville Police Department for prosecution. He appears in City Court as required to prosecute those cases. Do you any idea what his paraprofessional did? In the area of risk management, she handled the day-to-day workers' compensation intake, filed the claims for workers' compensation with LWCC, coordinated with employees, supervisors, assigned adjuster and medical providers to get the goods and services that are necessary. She documents and communicates during the course of every claim. With regard to general liability, she was the person who takes in every claim, files the claim with RMI, gathers the evidence statements from claimants, employees and any third-party witnesses. She documents and communicates during the course of the claim. She coordinated the settlement of the claim and obtains releases from all claimants. He oversees this but she was hands on. As administrative assistant to the City prosecutor she coordinates all criminal charges received by APD and filed with City Court. She maintained records taken by the City prosecutor. She communicated with both the defendant and the victim and also communicated with APD and City Court as needed. She ordered background checks, accident report and performed due diligence as requested by the City prosecutor and the City Council. As the administrative assistant to the City attorney, she prepared information packets for pre-disciplinary hearings. She prepared legal documents as instructed by the City attorney. She assisted in coordinating ethics and sexual harassment training. She took in and filed claims on damages to City property caused by third parties. She assisted in litigation to enforce ordinances and collect monies due to the City. She performed research as requested by the City attorney including public records, social media, online internet sites, etc. She would trouble shoot technology issues for the City attorney. Assume for just a moment that you are an administrator or a department head who has an administrative assistant who has helped you to succeed with your assigned duties. Ask yourself a couple of questions. Can I succeed without their help? Can I do his or her job and my job and maintain quality control? That is what you are asking him to do. Bless your heart, you are willing to pay him 85 cents per minute to do that. That is not good use of public funds. You should be spending that money on me to do legal for you. He is not asking the Council to hire someone who will be exclusively to assist him. He is merely asking to maintain the status quo. Please do not amend Section 2-9. Please allow him to continue to do the job he was hired to do for the City. Councilman Touchet stated that we are not saying that we don't need someone to assist Ike. He is saying that our City Council Secretary is someone that needs to focus their work on these five people that we depend on for certain things to happen. He was very disappointed when we got an assistant and we were not the focus of what should have been. We are the governing body that has been elected by the people. His point is to take the legal aspect away from this employee is that we have other options. We can do just as Ike stated and put it on him. We can tell Ike to pay for his own secretary. We have other unclassified employees that we appoint that we can assign these duties to. We no longer want the legal aspect tied to our secretary. What we decide as far as who takes on the responsibilities of the legal aspect is completely up to the City Council. He wants to make sure what happened to Mayor White, when she was a Councilwoman, and Councilwoman Broussard won't happen again. Things were not followed up with them because the focus was not on the Council. He needs to be reminded of events. He has a full-time job and he was not reminded of certain things that happened or were going to happen. He needs someone to look after the best intentions of the Council and their constituents. We have a resolution that was adopted in 2014 and we will have to amend that at the next City Council meeting and we will have to have a decision about all of this too. Ike stated that there are 5 unclassified employees with the City

of Abbeville. He is one of them, the Mayor's professional assistant is another one, the Council's professional assistant is one of them, Charlene Beckett is one of them and Allie Horton is the fifth one. Charlene already does a lot of jobs for the City. You don't have a large pool of people to look through to try and find someone to assist the City by making sure the legal services continue. He is not here to throw sticks in the spokes but he is here to make sure that the quality of representation does not suffer by this action. Mayor White stated that she would challenge this Council and herself, if the Council chooses to move forward with amending this ordinance, that we bring a recommendation forward. Councilwoman Broussard stated that Ike does need an assistant but she is not for having that assistant tied to the City Council secretary. The former assistant that we had was rude when she wanted to be. If you tried to correct her, she went to shelter with Ike. She remembers asking for something her first year here and it took her six months to get it to her. She thought that was very disrespectful because you can't just work for the Council members that you feel you want to work for. She remembers then Councilwoman White and her entering the Council Secretary's office one day and another Councilman was sitting in there and she was rude. She had to ask then Councilwoman White to ignore that and they stepped out. She understands that Ike needs an assistant and she is for that. She is not for that assistant being tied with them. She supports Ike having an assistant however. We need to figure that out so we can continue with the legal services that we provide. Mayor White stated that when she was a Councilwoman, she had trouble with the administrative assistant. Whether that was a flaw of that person or whether now knowing the workload she was carrying, it obviously wasn't working. She wasn't able to execute both sides of the agreement. It was a full load. Ike stated that everybody that works in City Hall has at least a full load and some have more than a full load. Mayor White stated that separating the two is the right decision. She supports the Council with this. What she is saying is that we will have an even more difficult discussion about what are we going to do with those additional duties and who will assume those and what the cost might be. She wants the Council to spend some time discussing this. Councilman Touchet stated that we can add additional duties to someone who is unclassified, like our digital media assistant, but we don't have to pay her more money. We can just assign those duties to her. If she doesn't like it, she can go find another job. He stated that what Councilwoman Broussard and Mayor White went through with the previous administrative assistant is very disturbing to him. We should have fired the last administrative assistant but it was hidden behind Ike, like this person belonged to him. This City Council Secretary will represent the five of us and it should be in the best interest of them and their constituents. We will come up with a solution. We could say to our attorney that he should handle the duties based upon the salary we give him. At the next meeting, he will bring some amounts in which the salaries that we are paying are not the same as we paid back then. It has increased and we need to think about that. Councilwoman Broussard stated that she does not think that our attorney should be filing. Councilman Touchet stated that there are plenty of attorneys that work and they hire their own legal secretary based upon what they get paid. Councilman Campbell stated that he will study this situation before he makes an informed decision. This is all new to him.

-01 introduced by Mr. Francis Touchet, Jr. and seconded by Mr. Brady Broussard, Jr. to recommend to the City Council at their meeting scheduled for August 2, 2022, to adopt an ordinance to amend Section 2-9, Designation of municipal officers and appointment of same, to change (1) from Administrative Assistant to the Council and City Attorney to Administrative Assistant to the Council. The motion carried unanimously.

Mayor White stated the next committee is the Finance Committee chaired by Councilman Touchet. She turned the floor over to Councilman Touchet. Councilman Touchet stated that we are here for our quarterly update of budget expenses and revenues. This is for the second quarter. He asked Mr. Steve Moosa to present the report. Mr. Moosa stated that on a monthly basis, you are provided a detail of the general ledger budget to actual report by the accounting department to review. You can always ask questions about that at any time. Mr. Moosa presented the quarterly recap of the revenues. Sales tax revenues for the first six months of 2022 is about \$3,046,978 and in 2021 it was about \$2,872,401. We had budgeted \$2,625,000 so you are ahead of budget by 16.1%. The water revenue is 1.6% ahead of budget and the sewer revenue is about .5% ahead of budget. The electrical revenues are behind budget 3.2%. We had budgeted electrical revenue of \$1,950,000 however the revenue is \$1,888,093. However, we have recently seen an increase in KWH sold so this will probably improve over the next six months. The total of all revenue is ahead of budget by 5.8%. The second report was the payroll budget analysis. Currently the General Fund budget for payroll is ahead of budget by 4.6% and the Utility System Fund budget for payroll is overbudget by 3.2%. The third report is the expenditure budget analysis. The expenses for the General Fund are ahead

of budget by 1.8% and the Utility System Fund budget is overbudget by 2.9%. Some of these expenses in the Utility System Fund are due to the vandalism at Felicity Substation at the very end of last year. Those expenses were paid in 2022. Some of those expenses have been reimbursed by insurance but those are shown as revenue. The final report is cash balances as of June 30, 2022. Cash totals are higher but that is due to the ARPA funds received. We will receive another ARPA payment in the fall.

There being no further business to discuss, Mayor White declared this meeting adjourned.

ATTEST:

APPROVE:

Kathleen S. Faulk
Secretary-Treasurer

Roslyn R. White
Mayor