

MINUTES

FOR THE CITY COUNCIL MEETING OF DECEMBER 15, 2022

The regular meeting of the Mandeville City Council was called to order by the Council Chairman at 6:00 p.m. followed by roll call.

ROLL CALL - present: Jill McGuire, Rick Danielson, Skelly Kreller, Rebecca Bush, Jason Zuckerman

Also present: Elizabeth Sconzert, City Attorney, Kathleen Sides, Finance Director, Mayor Madden, Cara Bartholomew, Planning Director

MINUTES:

Adoption of the November 17, 2022, Meeting Minutes. A motion was made by Mrs. Bush and seconded by Dr. Kreller. With no further comments or questions a vote was taken and the minutes were adopted 5-0.

REPORTS AND ANNOUNCEMENTS:

The mayor announced tomorrow, December 16th, is a free movie night at the Trailhead starting at 6pm. Also, the Market will have extended hours this Saturday from 9am – 3pm. The market will be closed on Saturday, December 24th and Saturday, December 31st. On January 12th from 5pm – 6pm there will be an open house for the presentation of the City Hall Renovation project in the Council Chambers. On January 18th there will be the 1st Landscape Summit at the Community Center.

Mr. Danielson invited everyone to attend the Wreaths Across America at 11:30am this Saturday at the Mandeville Cemetery. Each year wreaths will be placed on the graves of all our fallen Veterans. Also, January 4th will be our first budget planning meeting for the year, held in the Council chambers.

PRESENTATION:

Chief Schliem presented Dispatcher Vicki McCain with a plaque upon her retirement after serving 28 years with the MPD. Vicki is the first point of contact for emergencies and will be sorely missed.

OLD BUSINESS:

1. Adoption of Ordinance No. 22-28; AN ORDINANCE FOR THE CITY OF MANDEVILLE ADOPTING SECTION 13-6 THROUGH SECTION 13-9 OF THE CODE OF ORDINANCES, FORMERLY RESERVED, FOR THE LOCATION/PLACEMENT OF PUBLIC AND PRIVATE UTILITIES IN CITY RIGHTS-OF-WAY AND THE PROCEDURE. A motion was made by Mrs. McGuire and seconded by Mrs. Bush. Mr. Danielson explained the purpose of this ordinance is to provide a process for utility companies doing business in Mandeville. It covers the procedure for obtaining a permit and what is expected of the utility company once the permit is granted. With no further comments or questions a vote was taken and the ordinance passed 5-0.

2. Adoption of Ordinance No. 22-29; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE CREATING SECTION 2.9 OF THE CODE OF ORDINANCES OF THE CITY OF MANDEVILLE; TO ESTABLISHING THE POLICIES AND PROCEDURES OF MAYOR'S COURT; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Mrs. McGuire and seconded by Mrs. Bush. Mr. Danielson explained the city has always followed state law regarding Mayor's Court, but this just brings it to the local level. Mrs. Sconzert added this also addresses issues for trial settings which was never established. With no further comments or questions a vote was taken and the ordinance passed 5-0.

3. Adoption of Ordinance No. 22-30; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AMEND NUMEROUS SECTIONS OF THE MANDEVILLE CODE OF ORDINANCES RELATIVE TO FEES, FINES AND PENALTIES SET FORTH THEREIN AND ADOPTING APPENDIX C TO THE CODE OF ORDINANCES TO SERVE AS A FEE SCHEDULE FOR THE CITY OF MANDEVILLE AND TO PROVIDE FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Dr. Kreller and seconded by Mr. Zuckerman. Mr. Danielson explained fees in general had not been reviewed for a while. This establishes a new policy and adjusts our fees, so they are in line with other surrounding municipalities. The fees also establish a stronger penalty for repeat offenders. Mrs. Sconzert explained currently fees are in all different sections of the Code of Ordinances and the CLURO. When changes are made, sometimes other areas are missed. By establishing one appendix for everything, it will make updates easier. She hopes to review fees on a yearly basis. With no further comments or questions a vote was taken and the ordinance passed 5-0.

NEW BUSINESS:

1. Approval 2023 City Council schedule of regular meetings. A motion was made by Dr. Kreller and seconded by Mrs. McGuire. Mr. Danielson explained the Council meetings must be voted upon and advertised prior to the upcoming year. Council meetings are held on the 2nd and 4th Thursday of the month except for the months of November and December. Those two months, the meeting is held on the 3rd Thursday of the month due to the holidays. Mr. Danielson also stated this does not include any budget or special meetings the council will establish. With no further comments or questions, a vote was taken, and the meeting dates were approved 5-0

2. Approval of the special event Mande Milkshakers – King’s Day Parade to be held on Saturday, January 7, 2023 – 2:00 p.m. with a rain date of Sunday, January 8, 2023 - 2:00 p.m. To be located on Lakeshore Drive (Girod Street to Lafitte to the Trailhead). Contingent upon receiving special event liquor permit from ATC and receipt of the Certificate of Insurance naming the City of Mandeville additional insured. A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mr. Danielson stated this is the annual kick off for the New Year. With no further comments or questions, a vote was taken, and the special event was approved 5-0

3. Approval of the Our Lady of the Lake (OLL) – Stands for Life – Life Chain Event to be held on Saturday, January 21, 2023 – 1:00 p.m. – 2:00 p.m. The Life Chain will be throughout Mandeville (see Map). Contingent upon route approval. The chain must not block highway or intersections and participants must stand behind the sidewalk as to not obstruct pedestrian use. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mr. Danielson stated this is the 2nd year this event will take place. Mr. John Lodge with the Knights of Columbus explained this is to raise awareness for prolife. Last year they had over 65 attendees and he is hoping for more this year. With no further comments or questions, a vote was taken, and the special event was approved 5-0

4. Approval of the OMBA/City of Mandeville – Krewe du Pooch Parade, to be held on Saturday, February 25, 2023 – 12:00 p.m. To be located on Lakeshore Drive (Marigny to Coffee Street, see map). Requesting police detail and public works fees waived. Also, contingent upon receiving special event liquor permit from ATC and receipt of the Certificate of Insurance naming the City of Mandeville additional insured. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson explained this is the annual dog parade and will start at Marigny and end

on Coffee Street. With no further comments or questions, a vote was taken, and the special event was approved 5-0

5. Approval of Jazzin' on Jefferson (Jefferson Street Pop-up) to be held on Thursdays (December 22, 29th, January 5, 12, 19, & 26) – 5:00 pm. - 8:00 pm. Location: 2000 Block of Jefferson Street. Request approval of pop-up food tents. Contingent upon receiving a Certificate of Insurance naming the City of Mandeville additional insured. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Captain Miazza asked if this would be on the street or held on private property. Mr. Danielson stated this would all be on private property. The 2000 block covers Cameo, Nuvolaris, Grapeful Ape, and Sweet Olive. Mr. Patrick explained this is to consolidate specials on the same night and everyone is on their own property. There is no police presence required. Mrs. Sconzert stated they can request police presence but there will be no open containers on the street. The boutique will stay open late. Mrs. McGuire asked if they are not blocking the street and pop-up tents are on private property why a special event permit? Mrs. Sconzert explains that depends upon the conditional uses of the property and your occupational license. Because this has multiple properties with multiple types of licenses, they felt a special event permit was needed so everyone is on the same page. Mrs. McGuire said pop up tents are allowed on your private property with a special event permit? Mrs. Sconzert stated it is on a case-by-case basis and depends upon the nature of your business. Someone asked about live music if it is allowed. Mrs. McGuire stated a condition was put upon her business regarding live music. Ms. Bartholomew stated it depends if your business is subject to a conditional use or special use. Special use just goes to the planning commission, conditional use goes to both planning and the council. A retail operation is permitted by right, so they just have to follow the noise regulations. Mr. Patrick stated his goal is to promote their businesses and just do all specials on the same day. Mr. Danielson stated there are 6 dates planned so maybe go through the first few and have a contingency that we reserve the right to ask for police presence. Chief Schleim explained they are not using barricades or in the street, so he does not see the role for the police. Let's see how the first one goes. If there is a problem, they can just call the police department and they will dispatch someone to the area. Dr. Kreller stated if there was a problem, the city could revoke any future dates. Mrs. McGuire's concern is using the special events permit for events being held weekly. She is not opposed to the intent. A special event is normally for one event, not multiple weeks. She feels we need to research other legislation for pop up tents and food trucks. She is worried other businesses will start doing the same thing and every night becomes a special event. She would like to approve the first few dates, but she has some concerned citizens. She would like to revisit this in January with pop up tents, food trucks, etc. Mrs. Sconzert said special events are approved by the council so they can determine what they want the events to look like. Everything is on a case-by-case basis. Mr. Patrick feels like their business was being singled out at the last council meeting. Mr. Danielson explained he does not believe they are being singled out. Anyone can come speak at public comment and the council does not know the issue they are discussing. He feels they are doing the proper procedure and maybe there is a further discussion to be had for events like this. This is in a mixed-use district. The council does not meet again until January 12th. He would like to approve the first four and then discuss the remaining at the next Council meeting. That way they will see if there were any issues that need to be addressed or if everything was fine. Ms. Gene Sparkman said there are too many things going on that are not being enforced. This event happened last week and again tonight. She stated having something every Thursday is not a special event, it's a business model. Jefferson street is not all businesses, there are more residents on this block. Who is going to police them walking down the street? Mr. Zuckerman said we have events all down Girod Street with no problem. Let's get a few going and see what happens. Ms. Downs stated there are 6 residences on this block and 1 short term rental. Why does this have to be every Thursday night. Mr. Danielson made a motion to approve the

permit for only the dates of 12/22, 12/29, 1/5 and 1/12; The remaining two will be reviewed at the January 12th Council meeting; this was seconded by Mrs. Bush. With no further comments or questions, a vote was taken, and the amended permit was approved 5-0.

6. Approval of Change Order #2, Lift Stations 35 and 38 Rehabilitation for the addition of 60 calendar days and the addition of 485' of 4" conduit and 4 junction boxes, for a decrease in contract amount of \$26,480. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mrs. Bush explained this is to increase the contract time from 240 calendar days to 300 calendar days. Also, there is a cost increase of \$26K due to the addition of conduit and junction boxes for Cleco. With no further comments or questions, a vote was taken, and the change order was approved 5-0

7. Approval of Change Order #1, Lift Stations 16 and 26 Rehabilitation for the addition of well point and exploratory excavations and rectifying final quantities for a decrease in contract amount of \$37,512. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson explained this adds a well point needed to get the lift station in the ground due to unforeseen ground water conditions. This also rectifies final quantities used during construction. With no further comments or questions, a vote was taken, and the change order was approved 5-0

8. Approval of the Substantial Completion of Lift Stations 16 and 26 Rehabilitation as of November 16, 2022. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson stated all that remains are a few punch list items. Mr. Glen Runyon asked if the city has started monitoring all the lift stations with the SCATA monitoring system. Mr. LeGrange explained they are going to bid out the software in January and hope to start monitoring in mid-March/April. With no further comments or questions, a vote was taken, and the substantial completion was approved 5-0

9. Approval of Adoption of Resolution No. 22-50; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO AMEND THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MANDEVILLE AND NEEL- SCHAFFER, INC. FOR THE MANDEVILLE LAKEFRONT WETLANDS RESTORATION PROJECT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Mrs. Bush and seconded by M. Zuckerman. Dr. Kreller explained this amendment revised the scope of work for the project. The new scope removes the pathway along Lakeshore Dr, Removes the bridge across the Galvez Canal to Lakeshore Dr, and removes the pathway and lighting on the berm. The reduction of the scope and cost also will reduce the engineering fees for bid and award phases. There is no net change in total fees for the contract. Mr. Zuckerman stated this brings the project back to the original intent which was only a wetland restoration project. The final design will come back to the council before it goes out to bid. This is budgeted at \$2.9 million. Mr. Deano explained the Green Fund has a CEA with the city and it grants public access via foot traffic to the wetlands. He would like the council to consider adding a natural shoreline in the front of the berm, like a beach. He also wanted to make clear, any property reclaimed goes to the city, not the Green Fund. With no further comments or questions, a vote was taken, and the resolution passed 5-0.

10. Adoption of Resolution No. 22-51; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO AMEND THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MANDEVILLE AND J.V. BURKES & ASSOCIATES, INC. FOR LOUISIANA HIGHWAY 22/ HIGHWAY 190 INTERSECTION IMPROVEMENTS PROJECT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mr. Danielson explained this is for additional design services work at the request of the

LADOTD that resulted in increases in the final construction costs of \$208K. The scope added traffic signalization items, drainage items, temporary pavement markings and construction plan, additional signage and required nighttime work. The estimated line items increased from the original 26-line items to 98. With no further comments or questions, a vote was taken, and the resolution passed 5-0.

11. Introduction of Ordinance No. 22-31; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE DECLARING CERTAIN ITEMS AS SURPLUS AND NO LONGER NEEDED FOR CITY USE; AUTHORIZING THE MAYOR TO EXCHANGE OR DONATE SURPLUS ITEMS; AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson stated this will be voted upon at our next meeting

12. Introduction of Ordinance No. 22-32; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MANDEVILLE TO REZONE LOT 11, SQUARE 82 OF THE CITY OF MANDEVILLE, ST. TAMMANY PARISH, STATE OF LOUISIANA, FROM B-1 NEIGHBORHOOD BUSINESS DISTRICT TO R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND PROVIDING FOR FURTHER MATTERS IN CONNECTION THEREWITH A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mr. Danielson stated this will be voted upon at our next meeting

PUBLIC COMMENT:

The mayor wanted to say that the CRS program has earned the residents a 25% savings in flood insurance. Prior years we were at 23%.

Mr. Brian Rhinehart has a concern about bags not being picked up with the garbage. When and how does that get picked up. Mr. Madden stated right now they pick up everything. Mr. Rhinehart says it's not just him, but multiple people. Mr. LeGrange stated there is a new contract and if you have more garbage than cans, you need more cans. They need to do a better job of relaying this information. they will only pick up cans. There are also bulk pick-up days. Mr. Madden stated when they renewed the garbage system, the education is on the trash company, not the city. He will share this information with the residents on the water bill and social media. As of now, they should pick up everything.

Mr. Toomey stated the past two garbage pickups, garbage and recycle were put in the same truck. Secondly, there is a lot of erosion on the sidewalk by Trey Yuen. Mr. LeGrange stated this is on the contractors to do list. Also, there are exposed wires on the corner of Sandra Lee and W. Causeway.

Mr. Paul Branch would like to discuss the underuse of Neighborwoods and the adjacent pond. Mr. Danielson explained this is a part of the Recreational Master Plan and there is also a separate project for this in the budget.

Ms. Johanna Miner stated she had a meeting with the mayor on 10/17. She would like the support of the council to stop child exploitation because there is pornography and pedophilia in all the St. Tammany parish libraries. She would like to be on the agenda and have Mandeville do something like the Slidell Council.

She does not know why the casino was able to be on the agenda with both sides present and her group cannot get on the agenda. Mr. Danielson explained while he was not on the council at that time, he believes, the casino was on the agenda because it was a voting matter for the residents.

Mr. David Cogle read a statement in support of the Library Accountability Project. He asked the Mandeville Council to support the Parish Council to fix this issue restricting certain books to children.

Ms. Kelly LaRocca, Director of St. Tammany Parish Library, stated the library has different ways for parents to guide their children's literary choices. They have recently adopted a resolution that places challenged material behind the desk until a decision has been made.

FINANCE REPORT:

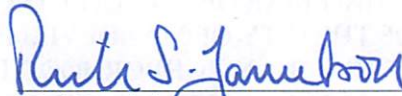
Mrs. Sides reviewed the financials for the 3-month period ending November 30, 2022. The city has been obligated around \$6.5 million from FEMA. This will go to GOSEP and then 80% will come through direct deposit. Mr. Danielson wants to discuss at the January meeting what we will do with those funds. Mrs. Sides explained we budgeted the revenues already; this is not extra money. Mr. Glenn Runyon asked if we could get a internet sales tax trend report for the January meeting.

ADJOURNMENT:

Mr. Zuckerman made a motion to adjourn the meeting, seconded by Mrs. Bush. Mr. Danielson adjourned the meeting at 8:25 p.m.



Kristine Scherer
Council Clerk



Rick Danielson
Council Chairman