**MINUTES**

**FOR THE CITY COUNCIL MEETING OF SEPTEMBER 23, 2021**

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:** Jason Zuckerman, Jill McGuire, Rick Danielson, Rebecca Bush, Skelly Kreller

**Also present:** Mayor Madden, Cara Bartholomew, Dir. of Planning, Elizabeth Sconzert, City Attorney, and Chief Schleim

**MINUTES:**

1. Adoption of the August 26, 2021, Regular Meeting Minutes. A motion was made by Mrs. Bush and seconded by Mrs. McGuire to adopt the minutes. With no further comments or questions a vote was taken and the minutes were adopted 5-0.

2.Adoption of the August 29, 2021, Emergency Meeting Minutes. A motion was made by Dr. Kreller and seconded by Mrs. Bush to adopt the minutes. With no further comments or questions a vote was taken and the minutes were adopted 5-0.

3.Adoption of the September 9, 2021, Regular Meeting Minutes. A motion was made by Mrs. Bush and seconded by Mrs. McGuire to adopt the minutes. With no further comments or questions a vote was taken and the minutes were adopted 5-0.

**REPORTS AND ANNOUNCEMENTS**:

The mayor announced OMBA has moved their Sip and Stroll due to the storm to October 16th.

He also explained, LPO which is set for Sat October 23rd, will be shortened to 6-7:30pm due to covid. There will not be any Mandeville Live Concerts for the Fall but possibly will have pop ups in late Fall. The Christmas event sponsored by OMBA will be the first Saturday in December. The Mandeville Market will remain temporarily closed.

Recycling will be restored on Tuesday, October 5th.

Capt. Liberto’ s memorial update: The mayor explained we are waiting on Cleco who will be working with the sign company. The estimated completion date is November.

Mrs. Rhinehart with Daughters of the American Revolution announced the Tomb of the Unknown Soldier replica will be coming to the St. Tammany Courthouse on October 12-14, 2021, from 10am to 7pm. This is the first time the replica is coming to the Parish.

**PRESENTATION:**

Mr. Chris Masingill, CEO, St. Tammany Corporation discussed how the Casino project was developed and its potential for the area. He also discussed how Peninsula Pacific Entertainment was selected for this project. Currently, there are 15 gaming licenses in the state. He discussed the economic analysis of the $329 million in capital investments and wanted to make sure host agreement had the highest net revenue coming back into the community. He wanted to make sure they had an agreement which included the support of small businesses, invests in public safety and to fund a major $35 million sports complex in the Parish. The funding of this secondary project is a first in the gaming community. This will go before the voters in the fall.

Mr. David, V.P. of P2E, the Developer of Camellia Bay, discussed the background of P2E. They have engaged the community to help with the naming and other aspects of the Casino Resort. The Casino will be 500,000 sq ft and will include: luxury hotel, pool, 50 slip marina, numerous bars, and restaurants, 200,000 sq ft of meeting space along with a 1,500-capacity indoor venue and 8,000-person outdoor amphitheater. The company is committed to public safety and will construct and staff a Sheriff’s outpost on the property. Security and Safety is their number one responsibility. The Host Community Agreement is a contractual agreement that binds both parties. This vote approves the relocation of only one of LA’s 15 gaming licenses to the specific location described on the ballot. If the voters approve this measure, they are saying yes to a single, land-based resort on a specific piece of land south of Slidell along Lake Pontchartrain.

**OLD BUSINESS**:

1. Adoption of [Ordinance No. 21-39](https://www.cityofmandeville.com/wp-content/uploads/2021/09/ord-21-39.pdf); AN ORDINANCE OF THE COUNCIL OF THE CITY OF MANDEVILLE AMENDING SECTION 2-8 OF CHAPTER 2 OF THE CITY OF MANDEVILLE CODE OF ORDINANCES AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and second by Mrs. McGuire. Dr. Kreller explained. “On November 21, 2019, the city council voted and passed ordinance 19-33, relative to the compensation of the mayor of Mandeville. This ordinance dealt with the city’s home rule charter, section 3-04 compensation, which states, “the council may, by ordinance, increase the salary of the mayor”.3-04 also states, “the council shall specify by ordinance the employee benefits to be provided the mayor”. Although section 3-04 used the word, “employee” in reference to the mayor, however the mayor is not a full-time employee of the city, but a “full time elected official”! “Big difference “The 5 members of the city council are also “elected officials”, the only difference is that we are part-time and not full-time officials. The council voted unanimously (5-0) to create a new section of chapter 2 of the code of ordinances. Section 2-8, which includes 2 important changes:

1.annual salary of $94,500

3.mayor may participate in the municipal employee retirement system (MERS) provided to other eligible municipal employees, except, that the mayor will be responsible for contributing the employee percentage due for retirement benefits.

 I want to remind my colleagues on the council and the public that the vote to amend chapter 2 with a new section – 2-8 was a unanimous vote (5 ayes, 0 nays).5 ayes included councilmembers: Ellis, Keller, Sica, Pulaski, and Madden.

All members of the city council on November 21, 2019, knew what they voted on!”

Mr. Danielson stated he was clear where he stands on this issue. This is a 10% contribution so his recommendation is to phase that back in over a 3 yr. period and it will be full in 3 years. He stated we are waiting on a salary survey, if you go back to the full amount now, that basically accounts to a 10% pay raise, while we are giving eligible employees a 2.5% increase of pay. He recommends 1/3 added each year. Mr. Zuckerman feels we debated this previously and Mr. Danielson’s amendment did not pass. Mr. Danielson stated they were basically told 5 people made a mistake and now we should have a 10% pay raise for the mayor. Mr. Danielson made a motion to have 1/3 funded this year and add 1/3 each year; seconded by Dr. Kreller.

Mrs. Bush asked when we are going to receive the salary survey. The mayor does not feel the salary survey has anything to do with this issue. He stated the administration should have the survey presented to the city and the public at the second meeting in October. After this, the committee will review and recommend any adjustments to the civil service board. Mrs. McGuire explained the proposed amendment issue was the mayor “may” participate, not “shall” like other municipalities. Covington has all employees and the mayor pay their employee share. She feels this needs to be tweaked but her question is eventually he will get the full retirement, and this would result in a 10% raise. Mr. Danielson stated his motion is more to phase this back in, not go from 0 to 100%. Dr. Kreller stated there is no business that pays 100% of retirement; cities around the community the mayor pays his portion. He agrees with phasing in the retirement. Mrs. Bush stated this would affect the employee’s portion. The mayor explained the former council did not know at the time that the mayor had to participate in MERS and Mrs. Sides is not here to answer any questions. Mr. Danielson stated the mayor pays 100%, it is not burden to the other employees if his is changed; it is a bookkeeping issue. Mrs. Sconzert stated even if we phase this in, the section has to be changed to replace the word “may” to “shall” and to remove “that the mayor will be responsible” and replace it with “the City will be responsible” for contributing the employee percentage due for retirement.”

Mrs. McGuire stated the mayor is an employee, the city would be singling out one employee and she does not agree with this. Secondly, the other ordinance specifically stated $94,500 salary for the term. She voted against the raise, but she feels if she votes against the retirement then the mayor’s salary is $94,500 minus the retirement. Mr. Zuckerman feels we need to put this issue to rest. Mr. Danielson stated with Ord 19-33 the previous council did single out an employee and that same ordinance that set the pay also stated the mayor will be responsible for contributing the employee percentage due for retirement benefits. The mayor stated it also does not state the mayor has to participate in retirement. Mr. Danielson commented further the retirement is always a reduction to base salary.

Mrs. Rohrbough stated the previous council made an error and that has caused confusion. A complete fix is to make a new ordinance for the next mayor’s term and pay the full amount for the mayor. Mr. Zuckerman agreed a new ordinance will have to be created for the next mayor’s term.

Mr. Pulaski stated the former council did understand. They had a full compensation package and did a survey but this mayor’s salary plus benefits even if he contributed to MERS put him in line with others. They did not make a mistake; they may have not been informed. Mrs. McGuire stated the council did expect the mayor to pay his portion and looked at the total package not just MERS. They were looking at this from a mayor’s standpoint.

Mr. Zuckerman stated he is looking at what makes sense now. All full-time employees have their retirement paid and he does not want to single one person out.

Mr. Zuckerman asked for a vote on the motion; the motion failed 2-3(McGuire, Zuckerman, Bush against)

Mrs. McGuire feels she needs more time to research but she is comfortable with changing this from “may” to “shall”

Mr. Danielson stated this ordinance has 2 parts: the “may” to “shall” and then the mayor “will be responsible”

Mr. Danielson made a motion to amend 2-08 to state the mayor shall participate….and the mayor will be responsible; this was seconded by Dr. Kreller. The mayor stated if this passes it keeps everything as it is currently, so you are not dealing with the error. Mrs. Rohrbough corrects the language legally but changes the intent of the prior council. Dr. Kreller stated we are trying to understand the intent of the prior council, it was a unanimous vote. The mayor stated no one said the mayor had to participate- it was not known. A vote was taken, and the motion failed 2-3 (McGuire, Zuckerman, Bush)

Mrs. McGuire made amotion to defer the vote on the ordinance to the October 14th meeting; seconded by Mr. Danielson. Mr. Danielson stated there is a lot of confusion, we do not know the intent of the prior council, but the other employees need to be taken care of as well. He has no problem deferring this. Mr. Zuckerman feels the council needs to use their judgement, but he is comfortable with a vote tonight. Mrs. Bush agrees with Mr. Zuckerman. Mrs. McGuire stated she was looking at this from the budget perspective and this meeting has brought in several factors.

A vote for the deferral passed 3-2 (Zuckerman and Bush against)

**NEW BUSINESS**:

1. Approval of special event and special event liquor license application for the Winter land at the Shops, on Friday, Saturday, and Sunday, December 10th thru 12th, 2021. To be located at 1200 W Causeway Approach from 9am to 9pm. A motion was made by Mrs. Bush and seconded by Mr. Danielson. Dr. Kreller explained this will be in the parking lot of Caretta’s on W. Causeway. They contracted a firm out of Texas to set up an ice-skating rink on one side of the parking lot and the other side of the parking lot will be with food trucks. There will be a charge for ice skating around $20-$30. There will be a 35 ft willow tree as the focal point of the event. With no further comments or questions, a vote was taken, and the application was approved 5-0.

2. Adoption of Resolution No. 21-43; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING TRAVEL EXPENSES FOR MAYOR CLAY MADDEN AND POLICE CHIEF TODD SCHLIEM TO ATTEND THE 2021 POLICE WEEKEND IN WASHINGTON, D.C. FROM OCTOBER 13-17, 2021, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Mrs. Bush and seconded by Mr. Danielson. The mayor explained this was to be held in 2019, then moved because of covid. This will be the dedication of Capt. Liberto’s name to be added on the wall. Mr. Danielson asked about the cost of the travel. The mayor is not sure, probably around $3K. With no further comments or questions, a vote was taken, and the task order was approved 5-0

**PUBLIC COMMENT:** none

**PROJECTS IN PROGRESS (STATUS REPORT):**

**1. Effluent Pump Station** (2101A04)**–** Construction

a. DNA Underground, LLC @ $176,700.00

b. Change Order for bypass pumping - $32,100.00 Approved.

c. Equipment on order. Expected delivery – Pushed to August 17th.

d. Scheduled to mobilize on August 27th and begin work August 30th.

e. Waiting on pipe spool-end of September.

f. Change Order for additional 120 days approved – new substantial completion date 01/30/22

**2. Sunset Point Restrooms** (2101A05) **–** Construction

a. Awarded to BSD Construction LLC - $234,696.00

b. Pre-construction Meeting held 6/15/21

c. Starting date delayed until City permit is obtained. (V-zone designation)

d. Moved building out of VE zone.

e. Waiting on approval and final permit and concurrence from contractor on building location.

**3. Trailhead Splash Park Replacement** (2101A06) - Construction

a. Awarded to Francise Horticultural Services, Inc. - $231,098.65

b. Notice of Award sent 6/3/21

c. Contract signed 6/9/21 – Contracts received 6/22/21

d. Pre-construction Meeting held 6/25/21

e. Notice to Proceed – 7/6/21

f. Started demolition of concrete – 7/19/21

g. Material (embeds) from Vortex is in, working on final manifold placement.

h. Contractor formed up splashpad.

**4. Wastewater Treatment Plant - Erosion Control Project** (2101A09) – Construction

a. Change Order to increase contract amount to $1,845,000.00 approved by Council 6/24/21.

b. Task Order #2 approved by the Council 6/24/21 - $1,475,705.00.

c. Pre-construction meeting held 8/12/21.

d. Notice to Proceed-8/25/21.

e. Contractor submitting RFI’s in and moving sheeting on to site to begin work. Waiting on concrete mats.

**5. Monroe @ East Causeway Intersection & Traffic Control Improvements** – Bidding

a. Bid Date – 9/22/21

b. Addendum #1 issued due to Hurricane Ida to postponed original bid date of 9/8/2021

c. Addendum #2 issued to distribute pre-bid conference meeting minutes and question responses.

e. Apparent Low Bidder is Kort’s Construction Services - $268,586.00 – awaiting all 10-day documents

**6. 2018 Roadway Maintenance Contract** (2101A12) - Construction (Subterranean)

a. T.O. 4 99% Complete – Substantial Completion

 1. Substantial Completion approved by Council 6/24/21.

 2. Certificate of Substantial Completion routed for signature.

b. T.O. 5 56% Complete - $790,000.00

 1. Drainage improvements in Fontainebleau Subdivision.

 2. Sidewalk improvements on Monroe Street.

 3. Various concrete panel replacements.

 4. Various asphalt surface patching.

c. T.O. 6 – Ditch Cleaning and Culvert Cleaning - $800,000.00

 1. Approved by Council 6/24/21.

 2. Contracts signed by Mayor – 7/16/21.

 3. Started 8/11/21-Purple Martin Lane-The Sanctuary.

 4. ON HOLD DUE TO DEBRIS PICKUP

The mayor gave updates on storm recovery. The debris contractor explained we are at 40% of debris pick up. Today they started construction debris pick up. They have not seen too many white goods and that will be the last pick up. They also have started to deal with hangers in trees in the right of ways. We are on track to be completed in the next few weeks.

Mr. Zuckerman stated on the east side of town, they have large, uprooted trees. Will the debris contractors fix these large holes? The mayor stated if the tree is on city property, they will take care of the issue. If it is on private property, it’s the homeowner’s responsibility.

Mrs. McGuire stated there are still large piles of green debris (seaweed) along the Lakefront and she feels any areas that have nuisance flooding, but that area needs to be addressed. She wants to prevent any further issues. The mayor explained they will work on the weekends and should be around the Lakefront this weekend. Also, many residents complained the instructions about debris pick up came a week or so late and many have already done their piles. What happens to the mixed piles? The mayor stated they are looking at options for post debris contractors, but they have to be separated for the debris to be picked up. The mayor stated we have, since Labor Day, doubled the number of trucks. Mrs. McGuire would like a map to know where the trucks are working. Mr. Plia stated it is hard to give a timeline because that depends upon the debris in that area.

Mr. Pulaski asked about the debris pick up from the Mandeville Pier that wound up along Mariner’s Village property. The mayor is looking at this issue.

Mrs. Rohrbough has little picked up in her area. The trucks with the cranes are too large and do not fit in Old Mandeville with the existing tree canopies. Numerous limbs cannot be picked up because they are under trees and the crane could not get the debris without damaging existing trees.

Mr. Charles Guinchard stated one problem is the seaweed piles include tons of debris from the lake and it cannot be separated.

**ADJOURNMENT:**

Mr. Danielson made a motion to adjourn the meeting, seconded by Mrs. McGuire. Mr. Zuckerman adjourned the meeting at 8:20p.m.

/s/ /s/

Kristine Scherer Jason Zuckerman

Council Clerk Council Chairman