**MINUTES**

**FOR THE CITY COUNCIL MEETING OF SEPTEMBER 9, 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, Keith LaGrange, Director Public Works, Cara Bartholomew, Dir. of Planning, Kathleen Sides, Finance Director, Elizabeth Sconzert, City Attorney, and Chief Schleim

**REPORTS AND ANNOUNCEMENTS**:

Mr. Danielson announced the governor has established new election dates. Our tax renewal date is November 13th, and the prior November election will now be December 11th.

Mr. Danielson also wanted to remind everyone in a few days this will be the 20th anniversary of 911 and for everyone to remember the almost 3,000 people who lost their lives. 72 police officers and over 300 fire fighters. Please remember to thank your first responders and military members not just on Patriots Day but always. He would also like to remember a local Mandeville resident, Mr. Lou Williams. Mr. Lou was 53 yrs. old and served on the P&Z commission and he was one of the victims of the 911 towers. There is a memorial for him in Beau Rivage Park.

Mrs. Bush thanked the administration and city workers, police department, public works for all of their service during this storm. Mr. Zuckerman and Mrs. McGuire expressed their gratitude as well.

The mayor announced the KMB clean up this weekend will be moved into the fall and the Market will not take place this weekend.

**OLD BUSINESS**:

1.Adoption of Ordinance No. 21-19; AN ORDINANCE TO APPROPRIATE FUNDS RELATIVE TO AND FOR ADOPTION OF THE CAPITAL IMPROVEMENT BUDGET FOR THE CITY OF MANDEVILLE FOR FISCAL YEAR 2021-2022; AND TO ESTABLISH THE ADMINISTRATION OF EXPENDITURES THEREOF AND TO PROVIDE FOR RELATED MATTERS. A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Dr. Kreller stated during the storm the police lost 3 vehicles and they were the back up to other vehicles in the department. He would like to discuss to add 3 vehicles to the budget for police. Mrs. Bush asked if that would be a FEMA reimbursement. Dr. Kreller thinks FEMA will reimburse but they need the vehicles now. Mrs. Sides stated they will be going through damage through insurance and FEMA, so this does not need to be done now. Mr. Danielson stated that would apply for any other storm related supplies or damage. Mr. Burguieres thought the city should start to think about the burying of power lines in the next budget. There were a few technical changes that needed to be made on the original ordinance. Mr. Zuckerman made a motion to ad the word “renewed” in line #2 and the word “current” in line #7; this was seconded by Mrs. Bush. With no further comments or questions a vote was taken and the motion passed 5-0. Back to the amended ordinance, with no further comments or questions a vote was taken and the ordinance passed 5-0.

2. Adoption of Ordinance No. 21-20; AN ORDINANCE TO APPROPRIATE FUNDS RELATIVE TO AND FOR ADOPTION OF THE OPERATING BUDGET FOR THE CITY OF MANDEVILLE FOR FISCAL YEAR 2021-2022; AND TO ESTABLISH THE ADMINISTRATION OF EXPENDITURES THEREOF AND TO PROVIDE FOR RELATED MATTERS. A motion was made by Mrs. McGuire and seconded by Mrs. Bush. Mr. Zuckerman made a motion to add $5 million to line item 010-100-000-49900 “emergency expense” to cover emergency expenditures from Ida that will likely be reimbursed by FEMA.; seconded by Mrs. Bush. The mayor stated the emergency plan was nearing completion and they were set to have their drill on Aug 31. The hurricane came so the consultants and staff have been on hand during this fiscal year. The $5 million is so we can spend money this year in association with IDA. With no further comments or questions a vote was taken and the motion passed 5-0.

Back to the ordinance as amended. Dr. Kreller wanted to discuss salaries, his question was regarding the executive secretary and if we passed the budget, it would include the $10K raise and we have not gotten the AG opinion back or salary survey back, he feels it can go back to the original amount. If an opinion comes back, it could possibly have legal implication if we tried to reduce this. He wants it so to go back to the prior budgeted amount of $73K. Dr. Kreller made a motion to amend the executive secretary salary to $71,782.62 (Mrs. Sides will verify the amount) If the AG opinion is not in the council favor it goes back to the new amount; second by Mr. Danielson. Mrs. Bush feels she does not think this is the time to cut city employees salaries, it sends the wrong message given what’s gone on this past week. Dr, Kreller is not trying to cut any one’s salary, he is waiting for the AG opinion and the salary survey. This position stimulated the AG opinion, he wants to wait for those two items to come back – he is not trying to cut someone’s salary Mr. Zukerman feels we have had extensive discussion on salaries and regarding the AG opinion, it’s premature to make a change when we don’t have it back. Once it comes back, we can then take action at that time. Mrs. McGuire does not agree with isolating one person with not getting the 2.5% raise. The biggest reason to vote for the AG is for transparency purposes and to get the question answered if the mayor needed to come back to the council. She has not heard any negative comments for any raise this year. She is ok with this. Mrs. Bush just clarified the AG opinion is not binding. Dr. Kreller has had several residents mentioning this raise but it is transparency so that is why he asked the AG to give an opinion. It is not singling one person out; it just happens to be the executive secretary. He just wanted to know if the mayor had to go back to the council. Mrs. Sconzert stated the transparency occurred during this budget process, so this is the time to approve the proposed salary, and this was approved last meeting. To say you want to wait for the AG opinion is mudding the waters.

Mrs. Rohrbough feels this has been discussed and she understands the question, but how can you isolate that person over a legal issue. She feels it should be addressed after the AG opinion comes in. Dr. Kreller is not singling one person out, but it is also about the exhibit’s validity. Mr. Danielson stated he wishes the salary survey was here and then a lot of adjustments will have to be made. He understands everyone’s position- it’s a tough spot.

With no further comments a vote was taken on the motion and the motion failed 1-4 (Kreller for).

Mr. Danielson made a motion to delete the HR position from Exhibit D, there was a duplication; seconded by Mrs. McGuire. With no further comments a vote was taken on the motion and the motion passed 5-0. With no more changes to the ordinance, and no more questions, a vote was taken, and the ordinance passed 5-0

3. Adoption of [Ordinance No. 21-27](https://www.cityofmandeville.com/wp-content/uploads/2021/08/21-27.pdf); AN Ordinance for THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AMEND ORDINANCE NUMBER 20-13, THE OPERATING BUDGET OF THE CITY OF MANDEVILLE AND FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Mrs. McGuire and seconded by Mrs. Bush. Mr. Danielson explained this is to bring the budget into the 5% required by state law. With no more changes to the ordinance, and no more questions, a vote was taken, and the ordinance passed 5-0

**NEW BUSINESS**:

1.Approval of the special event and liquor application for [Fresh Junkie Production](https://www.cityofmandeville.com/wp-content/uploads/2021/09/half-marathon.pdf) LLC’s Northshore Half Marathon & 10 Miler, Sunday, October 10, 2021 starting at 7:00am at Fontainebleau State Park. A motion was made by Mrs. McGuire and seconded by Mrs. Bush. Mrs. McGuire this is a repeat event. We would like to make a condition due to the storm and condition of the roads and staffing of the police detail. If the lakefront can be cleaned up the city has no objection to the event. Mrs. Casborne has discussed this with the applicant, and he is aware of the condition. The mayor is concerned about the debris piles, and we don’t know if they will be cleaned up before the event occurs. This will be determined by the Police Chief and Public Works 2 weeks prior. They could also bring back a new route. Mrs. McGuire made a motion to approve based upon the advice of the Police Chief and Public Works; seconded by Mr. Zuckerman. With no further comments or questions, a vote was taken, and the motion was approved 5-0. Mr. Burguieres asked if they could notify the residents of street closures- this is on the city’s website under miscellaneous items. Mr. Zuckerman suggested coordination with the police department. With no further comments or questions, a vote was taken, and the application was approved 5-0.

2.Approval of [Task order #1](https://www.cityofmandeville.com/wp-content/uploads/2021/09/task-order-1.pdf), Wastewater Treatment Plant Sludge Removal in the amount of $115,732.15 for Professional Services. Total budgetary Cost is $1,484,712.15 A motion was made by Dr. Kreller and seconded by Mrs. Bush. Mr. LeGrange stated this was for Curtis Environmental to provide services for testing in addition to anything relating to sludge removal. They will help manage and assist with the overall treatment process. With no further comments or questions, a vote was taken, and the task order was approved 5-0.

3.Approval of [Change Order #2](https://www.cityofmandeville.com/wp-content/uploads/2021/09/change-order-2.pdf), Effluent Valve Replacement. This is for an additional 120 calendar days for the project. There is no dollar change. A motion was made by Mrs. McGuire and seconded by Mr. Danielson. Mr. LeGrange explained the valves came in, but the spool pieces have not arrived. The contract amount is the same but needing more days. With no further comments or questions, a vote was taken, and the task order was approved 5-0

4.Adoption of [RESOLUTION NO. 21-41](https://www.cityofmandeville.com/wp-content/uploads/2021/09/res-21-41.pdf); 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 FAIRWAY CONSULTING + ENGINEERING FOR THE GOLDEN GLEN WATER SYSTEMS REPLACEMENT PROJECT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Dr. Kreller and seconded by Mrs. Bush. Dr. Kreller explained this is to replace the old water infrastructure and all tie ins. The original cost was $137K and was amended to $147 and total fee is $285,594. This is the design bidding and admin services, not for installation of the water system. Mr. LeBreton explained the biggest change is the cost has doubled due to the new methods of construction needed. With the amount of trees, they changed this to a different design which changed the cost. This will cause a lot of traffic but in the end, it is the best solution. Mr. Catalanato explained material prices are increasing and their fee was based on a prior method and construction cost. With no further comments or questions, a vote was taken, and the task order was approved 5-0

5.Adoption of [Resolution No. 21-42](https://www.cityofmandeville.com/wp-content/uploads/2021/09/res-21-42.pdf); 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 DUFRECHE- PERKINS & ASSOCIATES,LLC FOR MASTER PLANNING/ DETAILED PLANTING DESIGN FOR THE FLORIDA STREET CORRIDOR AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Dr. Kreller and seconded by Mrs. Bush. Dr. Kreller explained this is regarding the consulting of the FLA project. The fee is $46K with construction cost of $406K. Ms. Bartholomew stated this was approved as one project and they are just phasing this, so it all goes well before they start the next phase. Mrs. McGuire stated they wanted to make sure the materials and construction went well before they proceeded further down the highway. If they needed changes, they could make them before starting the next phase. With no further comments or questions, a vote was taken, and the task order was approved 5-0

6.Introduction 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. McGuire and seconded by Dr. Kreller. Mr. Zuckerman explained this is regarding the retirement contribution for the mayor and this will be voted upon at the next meeting.

7. Adoption of [Ordinance No. 21-40](https://www.cityofmandeville.com/wp-content/uploads/2021/09/ord-21-40.pdf); AN EMERGENCY ORDINANCE OF THE CITY OF MANDEVILLE RATIFYING AND ADOPTING THE MAYOR’S TEMPORARY WAIVER OF ALL LOCAL PERMIT FEES ASSOCIATED WITH RESIDENTIAL AND COMMERCIAL BUILDING PERMITS REQUIRED FOR REPAIR OF STORM DAMAGE ARISING FROM AND DIRECTLY ASSOCIATED WITH HURRICANE IDA AND TO PROVIDE FOR RELATED MATTERS. A motion

was made by Mrs. McGuire and seconded by Mrs. Bush. Ms. Bartholomew express this is to waive fees for people doing recovery from Ida and is only for 60 days. This does not include new construction. Permits are still required. With no further comments or questions, a vote was taken, and ordinance passed 5-0

Discussion and Update of Storm Related Recovery Issues from Hurricane Ida.

Mr. Zuckerman wants to keep this simple and dedicate specific meetings for further discussions. The mayor wanted to give a few updates. The mayor tried to give the public information via Facebook, email blasts and drive by’s. There will be an announcement in the next water bill. Tree permit need is to protect the resident and the city, there is not fee. Electrical permits – no fees. Cleco has very few houses without power. Internet services are spotty. Debris removal started this week, and they are working by zones. They expect a second pass throughout the city. Reminder to not put debris in bags, they will not pick those up. The mayor thanked the directors, police, and public works for their efforts this past week. FEMA assistance and the Baptist Church has been a great help to the residents.

The Debris Contractors have been removing trees in the streets and hanging over the right-of-way. Then they will go to construction debris and then white goods. All 12 crews are focused on vegetative debris removal at this time. Parks and Public Property trees that have fallen on private property they will cut at the right of way line. The debris goes out of the city and then gets permitted to a landfill.

Dr. Kreller wanted to express the gratitude to the Missouri Baptist Church for their service to the residents. This is including debris removal, tree cutting, serving meals to the residents.

Mr. Danielson explained there was a large house fire in Weldon Park due to the storm and residents in the area are asking for donations for: men’s XXl tops, 40-42 waist pants, and shoe size 10. Any donations would be appreciated and can be dropped off at City Hall or the Baptist church on Hwy 190.

**PUBLIC COMMENT:**

Mr. Naquin lives on Devon drive and the storm debris is worse than Katrina. The pine trees do not belong with a south wind. He would like the trees in the city right of way to come down.

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

* 1.**Bayou Castine Seawall Repair** (2101A01)– Close out.
* a. Gill’s Crane Services - $922,224.00
* b. Substantial completion approved by Council.
* c. Change Order No. 1 approved by Council for $77,590.00.
* d. Total Cost - $999,814.00
* e. Dirt and sod repair – 7/10/21
* f. Retainage to be paid - $49,965.70
* **2. Lift Station 12 & 24** (2101A03)**–** Close out
* a. Subterranean Construction, LLC @ $588,230.00
* b. Substantial Completion – May 6, 2021, Approved and registered with Clerk of Court.
* c. Change order No.1 - $58,572.00 Approved and registered with Clerk of Court.
* d. Total Price - $646,802.00
  1. e. Retainage to be paid - $32,204.48-processed 8/18/21.

**3. 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.

* 1. e. Waiting on pipe spool-delivery date September 20th.
* **4. 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 permit.
* **5. 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. Project on pause, waiting on material (embeds) from Vortex.
* h. Scheduled delivery, first week of September. Contractor formed up splashpad.

**6. 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.
* **7. 2018 Roadway Maintenance Contract** (2101A12) - Construction
* 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 45% 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.

**ADJOURNMENT:**

Mr. Zuckerman made a motion to adjourn the meeting, seconded by Mrs. McGuire. Mr. Danielson adjourned the meeting at 7:45p.m.

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Kristine Scherer Jason Zuckerman

Council Clerk Council Chairman