

**MINUTES
FOR THE CITY COUNCIL MEETING OF JANUARY 12, 2023**

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, Skelly Kreller, Rebecca Bush

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

MINUTES:

Adoption of the December 15, 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:

Mr. Danielson reminded everyone unflocked Christmas trees will start being picked up on January 16th; there is the first landscape summit on January 18th at 6pm in the Community Center; Seedling giveaways are on January 28th at 9am at the Trailhead; Glass recycle and I-shred will be at the Community Center February 14th from 9 – noon; and the Eve parade will roll on February 10th and Krewe du Pooch on February 25th.

The mayor announced City Hall will be closed on Monday, January 16th and the Mayoral blood drive will be on January 17th from 10-4pm at the Community Center.

PRESENTATIONS:

The mayor presented a proclamation to the Mandeville Mustangs who won gold in the Louisiana Special Olympics Volleyball Tournament. This was the first Gold metal win for St. Tammany.

OLD BUSINESS:

1. Adoption 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 Dr. Kreller. Mr. Danielson explained based upon state law if the City has items it no longer needs, they can either donate or exchange via auction. This is an annual event where the city auctions old computers, furniture, equipment and sometimes vehicles. With no further comments or questions, a vote was taken, and the ordinance was approved 5-0.

2. Adoption 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 Dr. Kreller. Mrs. McGuire explained this property will help with reducing density. The property is currently zoned B-1 and was approved by the Planning & Zoning commission to be changed to R-1. With no further comments or questions, a vote was taken, and the ordinance was approved 5-0.

NEW BUSINESS:

1. Approval of Jazzin' on Jefferson (Jefferson Street Pop-up) to be held on Thursdays (January 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 Mrs. McGuire. Mr. Danielson explained this was discussed last month. This is a series of events in the 2000 block of Jefferson St. The Council last month approved around 4 weeks and wanted to hold off on the remaining dates to see if there were any issues. Mrs. Sconzert stated the administration has not heard of any issued from the prior dates. Mrs. McGuire will agree to finish out the rest of this month, but has concerns about the present we are setting and would like to discuss a proper policy especially since there are no limits and this could go on every week. Mrs. Sconzert explained the council has the power to establish limits on the special event. Mrs. McGuire is concerned because there is now retail doing food pop ups, how are businesses regulated, licenses, health concerns, etc. Mrs. Sconzert explained the reason the administration decided to have this as a special event is because of the various permitted uses and they thought it was better to do a coordinated effort. If they start to operate under a different purpose then the council can say this was not the intent. Mrs. McGuire does not feel the council should be the enforcement arm. Neighbors have to have some rights. Not specifically to this permit, but possible cases in the future. The mayor stated the enforcement arms for this issue was determined to fall under a special event which the council approves. Putting this before the council allows it to be vetted and for the council to say if it is wanted. Mr. Danielson feels this deems further discussion about the process, enforcement and even the special event ordinance. Ms. Walker stated there are laws in place and the city has basically given them a variance to not follow their conditional use. B-3 is a residential/business mixed use, not just commercial and those uses granted should be followed. Mrs. McGuire agrees we are giving businesses certain leeway's and not protecting the residents – this is a loophole; we need a better process. The mayor feels the procedures are there. The idea is a special event comes to a public setting and gets vetted and then the council votes yes or no. He also stated the city does have night-time code enforcement. Mr. Zuckerman stated all the businesses are operating in their business hours, not closing the street, but why they did a special event application made sense, but we are going down a rabbit hole and need to further discuss this. Mr. Rohrbough feels this should be limited and asked if they provided proper insurance. The mayor said he is 99.9% sure it came across his email. Residents stated the police were called out about this event even prior to it coming to the council as a special event, and nothing was done. Mrs. Sconzert explained if the public is in harm, call 911. The mayor explained the business may not be able to be shut down that night but they may get a violation later. Residents are to email codeenforcement@cityofmandeville.com to report a problem. With no further comments or questions, a vote was taken, and the application was approved 5-0.

2. Approval of the change order #1 to the 2021 Water & Sewer Maintenance contract with Subterranean to extend the contract duration until 08/25/2023. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson stated this is just to extend the contract for an additional year. Mr. LaGrange stated they have the option to extend as long as the prices remain the same. With no further comments or questions, a vote was taken, and the change order was approved 5-0

3. Approval of the substantial completion of TO6, 2018 Roadway & Drainage Maintenance as of December 15, 2022 in the amount of \$1,250,000.00 A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mr. LaGrange stated this is a ditch and culvert wrap up. CES will

finish the few remaining issues. With no further comments or questions, a vote was taken, and the change order was approved 5-0

4. Approval of the substantial completion of TO2, 2022 Roadway & Drainage Maintenance as of December 13, 2022 in the amount of \$300,000.00. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. LaGrange stated this is for the work at Cambronne and East Causeway. With no further comments or questions, a vote was taken, and the change order was approved 5-0

5. Adoption of Resolution No. 23-01; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO NEGOTIATE A PURCHASE AGREEMENT FOR THE ACQUISITION OF SQUARES 91 AND 92, MANDEVILLE, LOUISIANA; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mrs. McGuire explained the council had several public discussions regarding the purchase of this piece of property. The property is about 13 acres and is zoned B-1 and R-1. The area of B-1 can be made into a shopping center by right while the back lots which are R-1 border a natural habitat and fall under the 5ft contour line. Currently 13 condos could be built on the parcel and because it connects and contains part of the watershed for the city, she feels it is best to take out of commerce. The budget was passed which earmarked the purchase of the whole parcel. The mayor wants to purchase a portion of it, not all. In 2014, there was an AG opinion that asked the question “ if the mayor required to spend the funds appropriated for a particular project in the city’s capital budget?”. The opinion states that pursuant to the Mandeville Charter and the provisions of the Local Government Budget Act, the mayor, must execute the authorizations set forth in the authorized budget including the expenditure of funds for specific line-item appropriations. Mrs. McGuire is aware there is an appraisal for the property and wants to move forward with the process to purchase. Mr. Zuckerman agrees this is an important piece of property. He said these effects the residents downstream in Mandeville. The city has purchased pieces on Florida and by the cemetery in the past to take out of commerce for the same reasons. The mayor stated there was confusion on his part and he will buy the whole property. He has signed a contract with a broker who will look at this piece along with the other 2 pieces of property by the Trailhead and the west side. The broker will contact the sellers of all 3 and if this one comes back, it will be purchased first. Mrs. McGuire stated the other 2 pieces of property were not specific in the budget like this piece. She does not know why we need to loop in a broker and tie the three properties together. Mr. Burguiere is glad to see this agreement and feels buying green space is a good investment. Mrs. Rohrbough asked if this would increase our CRS discount? Mr. Abbey stated the site has a lot of potential. Mr. Bernard agrees and is happy to see another watershed preserved and suggested the city get with the parish to coordinate and connect the swales from the parish to the city to protect the corridors. Mr. Runyon explained the other 2 properties were not earmarked in the budget and he does not understand how the administration feels the money is there. The mayor stated they were discussed in 2020, however not specifically earmarked. Mr. Runyon believes that at the end of the fiscal year, if the money is not used it has to be reallocated, and we did not do that. The mayor stated and we have over a million dollars encumbered from prior years. Mr. Zuckerman explained if the city finds it wants to buy this property or others and we need more funds, we can always do a budget adjustment. Mr. Runyon is just trying to understand the process. He feels you cannot “encumber” monies that do not have a contract of some type. Mrs. Sides explained in this year’s budget they did request \$200K for land acquisition. What was also in prior years appropriation, we have carried over. Mr. Runyon stated you cannot just roll the money over if there is no contract or letter of intent; that money goes away unless you re-budget it. We need to follow the budgeting process.

Mrs. Sides stated per the charter, “an appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned. The purpose of any such appropriation shall be deemed abandoned if one (1) year passes without any disbursement from or encumbrance of the appropriation. ” With no further comments or questions, a vote was taken, and the resolution passed 5-0.

PRESENTATION:

The mayor wanted to explain how we got to the City Hall project. The prior administration proposed a renovation and addition however, it was pro bono and he has nor records of any bids or quotes and the budget number was just a guess. He has hired an architect and is moving forward. The mayor has formed a citizen committee however when Ida hit, the Police Chief stated they needed a new building for police and public workers to sleep. The mayor has hired a different architect to work on the police building. Then in the last budget he added a new public works building so that the city can do on site boil advisory testing. Now, prices have changed and he feels all 3 buildings need to be upgraded and it will be costly. This meeting is to discuss design for City Hall, not to discuss price. After the process of all 3 buildings are done, he will come to the council with final prices and the mayor, council , and citizens will make a decision of what will be one, the order and costs to be paid. The designs have gone through the design review process and will continue, if another workshop is needed.

Mr. Justin Greenleaf gave a presentation of the City Hall Renovation and Expansion project. The existing city hall building is 10,605 sf and the proposed addition is 7,705sf. There are 21 live oaks on the property which will remain. There are currently 75 seats in the Council Chamber and the new design will hold 160, with additional standing room. There are 64 parking spaces on site and the new design will hold 125 parking spaces.

Mr. Bernard asked if the building could be LEAD. Mr. Greenleaf stated it would be very costly.

Mr. Branch asked if we could consider using more impermeable materials.

Mr. McVicker stated the city does not have the money for this; where is the money coming from.

Mrs. Alleman feels more input is needed. She was part of the citizens committee and they never really saw the designs until July when the designs were already done.

Mrs. Rohrbough has some concerns: maintenance of the floor to ceiling windows, waste of money to join an old building with a new one, too close to the street, too modern. She would have liked to have the citizens presented with 2-3 designs instead of just one.

Dr. Kreller knows we are not to discuss money at this time, but how much do you expect costs to be? Mr. Greenleaf stated \$200-250sf. for renovation, and \$300-350sf. for new construction. This building would be somewhere between \$4.5 and \$5 million based upon decisions made. Dr. Kreller explained the process for many projects goes through design review. He was on the 3 zoom design review meetings and at the last meeting, there have been some conflicting statements. They did not approve this, but they did make several recommendations. This design presented is the same one displayed in the 3rd zoon session- why no changes? Mr. Greenleaf stated there are always suggestions made however decisions are made between the owner and the architect chosen to design the building. Mr. Zuckerman stated design review does not approve anything, they make recommendations. This is a process with a lot of input and its impossible to incorporate all recommendations. Mr. Greenleaf explained the first two meetings all had the common threads of less glazing, at the third meeting, there was the request to put the glazing back. Everyone has conflicting opinions, also, two of the other architects on design review competed for the job against him and did not get it. There is other background information that makes his job more difficult.

The mayor stated design review is still in the review process but he made the decision to keep it at this point. He reiterated this has been a public process with the community and the open house was prior to this meeting. He does expect some tweaks to be made.

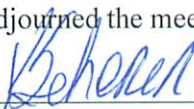
Mr. Danielson asked what are the next steps. Mr. Greenleaf said they are 15-20% complete at this time. Once they get to 30%, they will hire a general contractor through CMAR and work to continue the design.

PUBLIC COMMENT: none

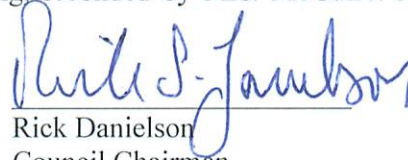
PUBLIC WORKS UPDATE: Mr. LaGrange reviewed the projects to date.

ADJOURNMENT:

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



Kristine Scherer
Council Clerk



Rick Danielson
Council Chairman