

**MINUTES  
FOR THE CITY COUNCIL MEETING OF FEBRUARY 9, 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, Mayor Madden

**MINUTES:**

Adoption of the January 26, 2023, 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 the Eve parade will roll tomorrow and roads will close at 6pm. This Monday there will be a traffic meeting for the LSU project at the Community Center at 6pm; Krewe du Pooch parade is Saturday February 25<sup>th</sup> from noon – 5pm. Finally, the 2<sup>nd</sup> annual policeman's ball will be March 17<sup>th</sup> at the Fleur de Lis Center. Also, the Dew Drop concerts will begin on February 25<sup>th</sup> and the first spring trailhead concert will be March 25<sup>th</sup>. The Council chambers will begin their AV renovations on March 6<sup>th</sup> thru March 22<sup>nd</sup>. During this period all meetings will be held at the Community Center.

**OLD BUSINESS:**

1. Adoption of Ordinance No. 23-01; AN ORDINANCE FOR THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AMEND ORDINANCE NUMBER 22-17, THE CAPITAL BUDGET OF THE CITY OF MANDEVILLE AND FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson explained this is an adjustment for the Safety study, police motorcycles and street sweeper for an additional \$94,986. Also, for the natural waterway debris removal and SSES for an additional \$970K. Mr. Danielson asked if these numbers were in addition to the dollars already proposed in the budget. Mr. LaGrange stated yes, the Safety study will be now \$190K and the additional \$870K for the waterway debris removal will be a 90% refund from the USDA however the city has to budget the entire amount up front. With no further comments or questions, a vote was taken, and the ordinance passed 5-0.

2. Adoption of Ordinance No. 23-02; AN ORDINANCE FOR THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AMEND ORDINANCE NUMBER 22-18, THE OPERATING BUDGET OF THE CITY OF MANDEVILLE AND FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson explained this is for a variety of items in the general fund and enterprise fund expenditures. He asked Ms. Bartholomew about the Planning request for street trees if this was for a certain project. Ms. Bartholomew explained this is the last round of trees to replace those lost in IDA. Parks & Parkways would like to finish phase 2 of the Florida street beautification project and this will have to be rebid sometime in March. At that time, she anticipates a need for another budget adjustment. Dr. Kreller would like to see phase 2 completed this fiscal year so next budget cycle can include Phase 3 of the project. With no further comments or questions, a vote was taken, and the ordinance passed 5-0.

**NEW BUSINESS:**

1. Discussion about the re-activation of the Mandeville Financial Oversight Committee and the solicitation for committee members.

Mr. Danielson explained in 2013 the MFOC was created to assist the council and administration with the financial needs of the city. The committee has been dormant for the past few years and with a lot of new capital projects on the horizon, he thought it would be a good time to re-activate the committee. If the council agrees, the next step would be to advertise for members. There are a total of 7 members: 3 citizens with financial backgrounds, 1 from the administration, 2 council members and 1 additional citizen. The member from the administration and the additional citizen are non-voting members. Mr. Danielson explained the ordinance lays out certain tasks however, additional duties can be assigned via resolution.

Mr. Zuckerman agrees with the need for input, but he has some concerns about reviving the committee as currently written because the 8 specific tasks and deadlines currently in 18-02 & 03 have nothing to do with long term financial forecasting but lays out very specific other tasks and deadlines. He feels we need specific guidance and not sure how that group can contribute with the duties aligned. There might be some different avenues to explore. If the committee is revived, that entire section of the code of ordinances would have to be rewritten to align with what Mr. Danielson proposed. Mr. Zuckerman is also concerned that a group of 7 volunteers would likely not be equipped to provide the sort of long-term financial forecasting that we were discussing, especially if it was beyond the capabilities of our own finance department, and that we should consider seeking a firm to do that for us instead of reviving this old committee. Mr. Danielson's thoughts were to revive this committee and have them on "standby" if the Council needs advice on anything. Mr. Zuckerman commented this is not the way the ordinance is written. The ordinance would have to be re-written to modify the tasks and include "tasked by resolution". Mr. Danielson feels the finance department is busy with audit and budget, and the MFOC can provide research and further study, exam and digest the assigned tasks so they can provide recommendations. Mr. Zuckerman questioned whether or not they could even find 7 people with the expertise in long term government financial forecasting for the committee to be able to provide meaningful input. Mr. Zuckerman's concern is that the committee makeup as written in the Code of Ordinances provides for several members that have no financial background, some appointed by the administration, some by the council, and some ex-elected members and as such, had the potential to be more of a group that would more likely simply be representing political positions or interests rather than able to provide long term financial forecasting. He does not want a political sideshow. Mr. Danielson does not feel that would be an issue. He would like to get with Mr. Zuckerman to discuss amending the MFOC ordinance for the next meeting.

Mr. Runyon explained he was a non-voting member of the MFOC, and the committee assisted with tightening up some budgetary issues and provided some valuable recommendations that were put into place. He suggested the ordinance have some standing responsibilities and then other tasks assigned via resolution.

2. Discussion about the special event process and procedures.

Mr. Danielson explained he has asked the administration to review the special event procedures with the council, so everyone has a better understanding of the process and if improvements need to be made.

Mrs. Sconzert reviewed the policies and procedures and explained what classifies a "special event" within the city. Mrs. McGuire has concerns when the city has a "special event" on private property. In many cases, the "event" allows the business to deviate from their regulations issued from Planning & Zoning. In the case of Jazzin on Jefferson, these businesses are doing a "special event" every week- in her mind not only is that not a special event, but it gives a big loophole to their conditional use. She also feels, "special events" are mainly for non-profits. She attended the OMBA

business meeting and there were discussions about having a monthly business event in Old Mandeville for everyone. This would erase the need for business to apply for special event permits and would keep all businesses on the same schedule- one time a month. She would like to see something like this with a limit to be established. Dr. Kreller asked if this would hinder businesses and could we place a limit on the events. Mrs. Sconzert stated you can place restrictions on the number of events and agreed that a “special event” permit allows a business to do things they are not allowed to do. Mr. Charles is on the OMBA board and explained the board is looking into planning all business events but not allowing them to go out of their scope outlined by the city. Mrs. Walker understand the process; however, the Grateful Ape is having a function tonight without a permit. She also stated amplified music is a problem. Both problems she would like addressed. Mr. Runyon stated the process needs to be simplified. If the event does not meet the requirements, then it gets shut down with the administration and does not even need to go to the council.

Mrs. McGuire will work on making some changes to the special event ordinance.

3.Re-appointment of Shelly Winstead as a commissioner on the Parks & Parkways Commission. Term to expire August 31, 2030. A motion was made by Dr. Kreller and seconded by Mr. Zuckerman. Ms. Bartholomew explained Ms. Winstead was fining an unexpired term and would like to be reappointed. Danielson made a motion to correct the spelling of Ms. Winstead’s last name; seconded by Mrs. McGuire. With no further comments or questions, a vote was taken, and the correction was made. With no further comments a vote was taken and the appointment was approved 5-0.

4.Approval of the substantial completion for the Wastewater Treatment Plant Headworks Covers, Project No. 212.21.012 as of January 20, 2023. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. LaGrange explained the only thing left are a few punch list items. Without further comments or questions, a vote was taken, and the application was approved 5-0.

5.Approval of Task Order #1 Substantial completion of the 2022 Roadway & Drainage Maintenance Contract, Project No. 700.22.003 as of January 30, 2023. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. LaGrange stated this is the close out for TO1 and they are currently in TO3. With no further comments or questions, a vote was taken, and the application was approved 5-0.

6. Approval of Change Order for fence replacement due to Hurricane Ida in the amount of \$21,340. A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mr. LaGrange stated this is the fence replacement around the city from Hurricane Ida. With no further comments or questions, a vote was taken, and the application was approved 5-0.

7.Adoption of Resolution No. 23-03; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MANDEVILLE AND HOLLAND & KNIGHT, LLP AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson explained this goes back to the panhandling issue. Can this be tackled, changed, what can we do about the issue. The mayor explained panhandling has increased the past few years. He has been advised there is not much we can do about this because it is federally protected. He created the Mandeville Cares Fund encouraging people to donate online. Several residents present to him of other ordinances other cities have adopted. Many of these cites have been sued for such ordinances. He has decided to hire a subject matter expert to see what the city

can do. He would like to reinvigorate the Mandeville Cares Fund and possibly have clothing and food drives at the Trailhead.

Mr. Danielson asked what is the estimated cost? Mrs. Sconzert stated the cost is \$5,000 for the white paper proposal. Ms. Walz would be able to tell us what is happening now and if she can provide any input. Mr. Danielson wonders if we would be able to find an answer, we might just be paying Ms. Walz to say there is nothing we can do. Mrs. Sconzert stated that is a possibility, but at least we have exhausted all options. Mrs. McGuire stated the only way to solve this problem is to stop giving money to the panhandlers. The mayor stated having the knowledge of what other cities have tried is beneficial. Dr. Kreller said no city has found the magic bullet, so what is the purpose. Why do we have to hire a firm instead of getting a few law clerks to do the research. He does not want to spend \$5K for nothing. He also has researched that the signs we have around the city are unconstitutional. Mrs. Bush stated this is why we have subject matter experts. Mr. Zuckerman agrees it is a large enough issue citywide. He has heard from many constituents wanting us to explore every option to try to address this issue which has been growing rapidly. He feels it is very common for professionals to have a peer review by specialists in their field and that this proposal may provide some insight not currently published as she has been actively litigating these cases across the country. For these reasons, he feels \$5K was a reasonable expenditure. Kreller stated he offered an ordinance regarding safety issues and Mrs. Sconzert thought it was not going to solve anything. Mr. Danielson made a motion to amend the resolution to place a \$5K cap on the agreement unless a new resolution came back to the council for approval; this was seconded by Mrs. McGuire. With no further comments or questions, a vote was taken, and the motion passed 4-1 (Kreller against). Back to the now amended resolution. With no further comments or questions, a vote was taken, and the resolution passed 4-1 (Kreller against).

8. Introduction of Ordinance No. 23-03; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MANDEVILLE TO REZONE A PORTION OF BLOCK 69 & 70 OF THE CITY OF MANDEVILLE, ST. TAMMANY PARISH, STATE OF LOUISIANA, FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO B-1 NEIGHBORHOOD BUSINESS DISTRICT; AND PROVIDING FOR FURTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mr. Danielson explained this will be discussed and voted upon at the next meeting.

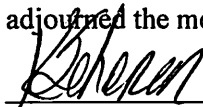
**PUBLIC COMMENT:** none

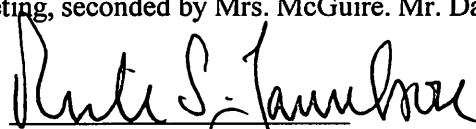
**PUBLIC WORKS REPORT**

Mr. LaGrange review the status of all capital projects.

**ADJOURNMENT:**

Mr. Zuckerman made a motion to adjourn the meeting, seconded by Mrs. McGuire. Mr. Danielson adjourned the meeting at 8:00 p.m.

  
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Kristine Scherer  
Council Clerk

  
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Rick Danielson  
Council Chairman