

**MINUTES
FOR THE CITY COUNCIL MEETING OF APRIL 11, 2024**

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

MINUTES:

Adoption of the March 28, 2024, 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 this Friday will be a “music without limits” concert which will be special needs friendly. This Saturday is also Crawfish Cookin for a Cause and Crawfish for the Corps.

UNFINISHED BUSINESS:

1. Adoption of Ordinance No. 24-02; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MANDEVILLE TO REZONE PARCELS A, B, C, & D OF SQUARE 57 OF THE CITY OF MANDEVILLE, ST. TAMMANY PARISH, STATE OF LOUISIANA, FROM B-1 NEIGHBORHOOD BUSINESS DISTRICT TO O – OPEN SPACE/RECREATION DISTRICT; AND PROVIDING FOR FURTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mr. Danielson. Mrs. McGuire explained the city purchased this for greenspace and wants to convert the zoning to open space. With no further comments or questions, a vote was taken, and the ordinance passed 5-0.

2. Adoption of Ordinance No. 24-03; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MANDEVILLE TO REZONE PLOT 12X SITUATED IN SECTION 46 PART OF TRACT C OF THE CITY OF MANDEVILLE, ST. TAMMANY PARISH, STATE OF LOUISIANA, FROM PD PLANNED DISTRICT TO O – OPEN SPACE/RECREATION DISTRICT; AND PROVIDING FOR FURTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Dr. Kreller explained this is to rezone 8 acres in parcel 12X which is along the service road between Old Golden Shores and North Causeway Blvd. The 2024 park and recreational master plan identified this site for its view of the lake and containing 2 plant communities. Which could serve as a sustainable landscaping and coastal restoration through the living shoreline practices. With no further comments or questions, a vote was taken, and the ordinance passed 5-0.

3. Adoption of Ordinance No. 24-04; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MANDEVILLE TO REZONE SQUARES 91 & 92 OF THE CITY OF MANDEVILLE, ST. TAMMANY PARISH, STATE OF LOUISIANA, FROM R-1 SINGLE FAMILY RESIDENTIAL & B-1 NEIGHBORHOOD BUSINESS DISTRICT TO O – OPEN SPACE/RECREATION DISTRICT; AND PROVIDING FOR FURTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mr. Danielson. Mrs. McGuire explained the city purchased this for greenspace and wants to convert the zoning to open space. With no further comments or questions, a vote was taken, and the ordinance passed 5-0.

4. Adoption of Ordinance No. 24-05; AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MANDEVILLE TO REZONE LOTS 7A-1 & 7A-2 OF SQUARE 34 OF THE CITY OF MANDEVILLE, ST. TAMMANY PARISH, STATE OF LOUISIANA, FROM R-1X SINGLE FAMILY RESIDENTIAL EXISTING SMALL LOTS DISTRICT TO O – OPEN SPACE/RECREATION DISTRICT; AND PROVIDING FOR FURTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mrs. McGuire explained this is another piece of property the city purchased on Carroll Street and wishes to convert to open space. With no further comments or questions, a vote was taken, and the ordinance passed 5-0.

5. Adoption of Ordinance No. 24-06; AN ORDINANCE OF THE CITY OF MANDEVILLE MODIFYING ARTICLE III – FOWL AND RABBITS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. McGuire and seconded by Mr. Danielson. Mr. Danielson explained this ordinance came about to address issues and concerns from people in the city regarding roosters and chickens. He explained the council cannot propose laws without a discussion, so the ordinance was written to discuss the issue and find a reasonable solution to any issue. It is currently written to limit chickens and prohibit roosters. There are municipalities who have a total ban on fowl, others limit chickens and roosters based upon size of property, and some address it through their nuisance regulations. He has spoken to people both for and against the ordinance. This is to start a discussion, find a reasonable solution and move forward. Mrs. Bush said there is an issue in the mayor's court regarding this. Mrs. Sconzert stated it has been resolved. Numerous residents spoke in favor of keeping the ordinance as it is currently written and addressing any issue through the current nuisance/noise ordinance. They explained how it is a learning tool for children, teaching self-sufficiency, sharing with your neighbors, etc. Other residents discussed rooster collars, how to control your chickens, talking to the LSU Ag Center, and possible civil action solutions. Mrs. Sconzert explained the process of filing a noise complaint to let residents know it is not a short process. The code enforcement officer must build a case which can be a long process. The way the ordinance is currently proposed helps the city shorten any enforcement issues. This ordinance takes away any judgement calls regarding noise level. Mrs. McGuire explained it might take a while to determine if the chicken is male or female so that puts the burden on the officer also a rooster protects the hens. The case before the city might be because they have more than one rooster. She has also heard about numerous rogue roosters – what do we do about that? She does not feel this ordinance helps the issue, could the nuisance ordinance be used instead? Mr. Zuckerman thinks this is the wrong approach, it is a nuisance issue. He sees a lot of enforcement problems if we put a number on chickens. What do we do with people who have more than the number on the ordinance. He thinks this is a neighbor issue. Mrs. Sconzert stated there are 2 separate nuisance ordinances, both could be used. Mrs. McGuire said it could be handled with eh nuisance ordinance and possibly increase the fine for this violation. Mrs. Bush feels we are overreaching, where do we stop, she cannot support this. Mr. Danielson said we are not a rural community. He never felt the ordinance was the perfect solution but was needed for a productive discussion. Mr. Danielson made a motion to table the ordinance until we can review the nuisance ordinance and if needed make amendments. If the nuisance ordinance can handle everything then this ordinance would be withdrawn. This was seconded by Mrs. McGuire. Mr. Zuckerman feels it is the wrong approach and does not want to table the ordinance, it could just be re-introduced. Mrs. Bush agrees. Mrs. Sconzert said the nuisance ordinance covers certain things. The ultimate question is do you want to limit the number of hens/roosters. If you do, then you need this ordinance to establish a bright line rule. If you do not want a limit then, issues can be covered in the nuisance ordinance. Several residents were in agreement with letting the nuisance ordinance handle the issue. With no further comments or

questions, a vote to table the ordinance failed 0-5. With no further comment on the ordinance, a vote was taken, and the ordinance failed 0-5.

6. Adoption of Ordinance No. 24-07; AN ORDINANCE FOR THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AMEND ORDINANCE NUMBER 23-27, THE OPERATIONS BUDGET OF THE CITY OF MANDEVILLE AND FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mr. Danielson explained this is to update exhibit H in the budget to reflect the audited numbers. Currently exhibit H is dated Aug 24, 2023, prior to the end of the fiscal year. He has been discussing for several months updating this for actual numbers. The administration wanted to wait until they had audited the numbers. The audit has been completed and this would update exhibit H to the audited numbers. The only changes were the fund balances end of year per Mrs. Sides. Fund balance is \$900K more than budgeted and EOY 2023 a drop of \$6 mill in general fund, but increase in other line items, where these transfers, or what did that include. Mrs. Sides stated the only change was the end of year row. This does reflect transfers. Mr. Zuckerman stated the general fund balance is down from \$23.1 to \$17.2 and it included FEMA reimbursements that we are not going get this year- this is a big piece. There are increases in the restricted funds, and the total excess fund balance grew almost \$1 million. Mrs. Sides explained the numbers constantly change and depend upon the date you want to look at. Mr. Zuckerman does not know what we gain from rewriting history, it does not change the money we have, and he does not understand the purpose. We will do a new exhibit H in the new budget cycle. Mr. Danielson stated exhibit H is budgeted numbers and these are just making them actuals and it is good to look at actual numbers. Mr. Zuckerman does not see the needed key notes or explanations that provided the road map for where the numbers came from. Mr. Danielson explained this came from the administration. Mrs. Bush asked if this had been done in prior years. She would be comfortable if this was done on schedule. Mrs. Sides stated no, but the finance monthly report can be used with exhibit H to get the unaudited fund balance. Several residents would like the council to adjust back to the audited figures of August 31st and make it official, so the numbers are clear to our constituents. Mr. Danielson made a motion to add the fund summary dated March 18, 2024; seconded by Dr. Kreller. With no further comments or questions, a vote was taken, and the motion passed 5-0. Mr. Zuckerman made a motion to change the word "is" to "was" in the 3rd "whereas" clause; seconded by Mr. Danielson. With no further comments or questions, a vote was taken, and the motion passed 5-0. Mr. Zuckerman has no problem adding an update but not replacing what we considered for exhibit H. Mrs. Bush asked if this could be added on the website. Mrs. Sides can add this to the website. A resident stated why not add this, it is for transparency and accountability to the public. Mrs. McGuire feels it would be confusing to replace this when they are starting a new budget in a few months. Mr. Zuckerman agrees and will publish the revision, but not change the exhibit in the budget ordinance. Mr. Danielson called the question, seconded by Mrs. Bush. The call the question failed 4-1 (McGuire against) Mrs. McGuire wants this available to the public before a vote on the ordinance. Mrs. Sides will put it on the audit tab with a note updated exhibit H. With no further comments or questions, a vote was taken, and the ordinance failed 2-3 (McGuire, Zuckerman, Bush against).

NEW BUSINESS:

1. Approval of the special event permit for the Krewe of Eve Mardi Gras Parade to be held on Friday, February 21, 2025, at 7pm (see map). Contingent upon MDP's increase of public portables throughout the route along with Police and Public Works Detail. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Zuckerman stated this is Eve's annual parade and all paperwork is in order. With no further comments or questions, a vote was taken, and the permit was approved 5-0.

2. Approval of the special event and liquor permit for LaCarreta of Mandeville's Cinco de Mayo to be held on Sunday, May 5, 2024, from 6-10pm to be located at 1200 N. Causeway Approach. Contingent upon ATC special event liquor permit approval and Police Detail. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Dr. Kreller explained this is for LaCarreta's annual Cinco de Mayo festivities. The parking lot will be closed and used for seating and live music which will end at 10pm. With no further comments or questions, a vote was taken, and the permit was approved 4-0 (McGuire absent).

3. Approval of the special event permit for the Pride Parade to be held on Saturday, June 1, 2024, from 4-7pm with a rain date of Saturday, June 8, 2024, from 4-7pm (see map). Contingent upon route and police detail approval. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Jeremy Thompson and Mel Manuel discussed the organization and their plans for their pride parade which will be family friendly and along the same route as the dog parade. Mrs. McGuire stated on the website the parade is listed from 5-6pm so could the parade time on the application be shortened. The concern is the length of street closures, would they be ok with 1 ½ hrs. The criteria in Article V, sec 11-136.10 section (8) "If the event is a parade, that the parade route meets with its approval and the parade is scheduled to move along its route from its point of origin to its point of termination expeditiously and without unreasonable delays". Jeremy Thompson said they did a mock walk and would be no more than an hour. They are ok with 5-6pm. Mrs. McGuire questioned 11-136.1 (2) The mayor's office and the council, as the law may require, shall grant the permit if it is found that: The event will not require the diversion of so great a number of police officers to properly police the event and the areas contiguous thereto so as to deprive the remainder of the municipality of normal police protection; Mrs. McGuire said the application has 150 in attendance. She feels it will be more since they are a group of 1900. How many people will march, and this is Northshore's first pride parade including about 5 groups and other groups can join. Are they expecting 1900 to march? She is concerned if the special events committee-based officers on 150 people or a city parade? It's advertised as a tri-parish? She thinks it will be a great turnout and wants to make sure the city is covered for safety for everyone. Captain Cal Miazza believes this is enough for up to 1,000 people; it is for enforcement and the safety of the marchers. Jeremy Thompson feels this would be a good turnout. They participated in the Abita Springs Push Mow, and they had about 65 people in the parade. Mrs. McGuire said they do not require barricades but is it better to have them for safety. Captain Cal Miazza feels they do not need barricades because they will have an officer and his car at each intersection. Mrs. Bush asked if there was a page for indemnity. Mrs. McGuire said that would be a contingency within 30 days. Mrs. McGuire asked if they would be planning on having floats or is it strictly walking? Jeremy Thompson explained they plan on having vehicles (flatbed trailer) and not floats mainly for older members. Mrs. McGuire asked #7 The event is not being held for the sole purpose of advertising any commercial product, service, cause or goods and the event is not designed for private profit. Mrs. Sconzert said the event is not applicable. Mrs. McGuire stated on the website it looks like they are asking for donations to participate. She asked Ms. Casborne is this allowed on the lakefront, or if it is considered a fundraiser on public property. Mrs. Casborne stated it is allowed, like Krewe du Pooch. Mrs. McGuire wanted to make sure because donations are going towards expenses and advertisement of billboard on Hwy 190 featuring a happy pride message and after party. Mrs. McGuire is fine if it goes towards the cost of the parade but going to other areas. The clerk stated this is not in the council's purview. Chief Schliem stated they are confident enough police will be in attendance. Several residents spoke in favor, and some against, the approval of the parade. Several wanted assurances of a family friendly parade. Councilman-elect Kevin Vogeltanz stated the council must approve this permit under the first amendment. Once the city allows someone to parade on the lakefront, they are bound to let everyone parade as long as they abide by the rules. However, he feels the website has two different parades. The city wants a

great parade, they are legally entitled to parade, and so long as it's classy it's allowed. The community does not allow the overly display of sexual preference. Mrs. Bush asked if they need additional police the applicant must agree. Chief Schliem stated from public/physical safety, they are confident and do not anticipate a hate group. He has officers blocking intersections and has extra officers on shift to handle any incident. If it gets too big, he has a good relationship with the sheriff's office. Captain Miazza stated if the organization wants more officers, they can work with the police to accommodate. Mrs. McGuire explained we just want to make sure we are prepared for worst case scenario. They are good at marketing, and she wants to just make sure the police feel they can handle this. Mrs. McGuire wants to limit the time from 5-6pm. Mr. Danielson asked if they want to march at 5pm, do they need to set up early? Mrs. McGuire wanted it to be clear the parade is 1 hour and reminded them there was no food and drink on the lakefront. Any afterparty involving food and alcohol needs to not be on the lakefront. Mr. Danielson explained the special events and applicants did their job. He hopes they have good weather, more people come, and it's a kickoff for an annual event. He stated Mandeville is not only family friendly, but they care, they're welcoming, and they are inclusive. With no further comments or questions, a vote was taken, and the permit was approved 5-0.

4. Approval of Task Order #5 Substantial Completion as of February 28, 2024, for the 2022 Roadway & Drainage Maintenance Contract in the amount of \$500,000. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Zuckerman explained this was for culvert, drainage and concrete rehab and replacement. With no further comments or questions, a vote was taken, and the substantial completion was approved 5-0.

5. Approval of Change Order #3 for the 2022 Asphalt Maintenance Contract to extend the contract period of one additional calendar year and an additional \$1 million for a total contract price of \$4 million. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson explained this is to continue asphalt work throughout the city. With no further comments or questions, a vote was taken, and the change order was approved 5-0.

6. Adoption of Resolution No. 24-13; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ACCEPTING THE BIDS FOR UPGRADES TO LIFT STATIONS NO. 42 AND NO. 43, MANDEVILLE CITY PROJECT NO. 212.22.001 AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE APPARENT LOW BIDDER COMMAND CONSTRUCTION, LLC. AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mrs. Bush explained this is for Lift stations 42 and 43. Command Construction and the lowest bid and was under the budgeted amount by 13%. With no further comments or questions, a vote was taken, and the resolution was approved 5-0.

7. Adoption of Resolution No. 24-14; 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 COMPLIANCE ENVIROSYSTEMS, LLC FOR THE SANITARY SEWER EVALUATION STUDY PROJECT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. Mr. Zuckerman stated this resolution was withdrawn.

8. Adoption of Resolution No. 24-15; 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 OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Dr. Kreller explained this is to add a new expiration date of one year (April 14, 2025) due to scope revisions and grant opportunities as requested by the administration. With no further comments or questions, a vote was taken, and the resolution was approved 5-0.

9. Adoption of Resolution No. 24-16; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING TRAVEL EXPENSES FOR MAYOR CLAY MADDEN TO ATTEND THE 2024 NATIONAL PLANNING CONFERENCE IN MINNEAPOLIS, MINNESOTA FROM APRIL 13 - 16, 2024 AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Zuckerman explained this is for the APA conference which the mayor is attending. With no further comments or questions, a vote was taken, and the resolution was approved 5-0.

10. Introduction of Ordinance No. 24-08; AN ORDINANCE FOR THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AMEND ORDINANCE NUMBER 23-17, 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. Zuckerman explained this will be voted upon at the next meeting.

PUBLIC COMMENT:

Mr. Adam Brown discussed the incident at the DMV this past week.

PROJECTS IN PROGRESS:

Mr. LaGrange reviewed the project report with the Council.

ADJOURNMENT:

Mrs. McGuire made a motion to adjourn the meeting, seconded by Mrs. Bush. Mr. Zuckerman adjourned the meeting at 9:45 p.m.



Kristine Scherer
Council Clerk



Rick Danielson
Council Chairman