

**MANDEVILLE CITY COUNCIL MINUTES
FOR THE MEETING OF NOVEMBER 12, 2015**

The regular meeting of the Mandeville City Council was called to order by the Council Chairman at 6:00 p.m. Following the call to order, a moment of silence was observed and the Pledge of Allegiance was recited.

PRESENT: Rick Danielson, David Ellis, Carla Buchholz, Ernest Burguieres, Clay Madden

ABSENT:

ALSO PRESENT: Mayor Villere; Edward Deano, City Attorney; Chief Richard, Chief of Police; David deGeneres, Public Works Director; Frank Oliveri, Finance Director; Louissette Scott, Planning Director

MINUTES:

1. Adoption of the October 22, 2015 Meeting Minutes.

A motion was made by Mrs. Buchholz and seconded by Mr. Burguieres to adopt the minutes of October 22, 2015. There being no further questions or comments, the motion passed 5-0.

PRESENTATIONS:

Mr. Danielson presented a certificate of recognition to Ms. Ellie Picone, Ms. Louisiana Teen USA 2016. Ms. Picone is a student an honor student at Mandeville High and trains in classical ballet.

The Mayor presented the Winter on the Water Contest Winners.

NEW BUSINESS:

Mr. Madden asked if there was no objection to move the introduction of ordinance No. 15-32 to the beginning of the agenda. With no objections from the Council, Mr. Madden read the title of [Ordinance No. 15-32](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO EFFECT THE ANNEXATION OF A PORTION OF GROUND SITUATED IN SECTIONS 38 AND 39, TOWNSHIP 7, SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA, INTO THE CORPORATE LIMITS OF THE CITY OF MANDEVILLE, DESIGNATING AND ASSIGNING THE PROPERTY FOR PURPOSE OF ZONING AS B-2 HIGHWAY BUSINESS DISTRICT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. (Offered by Carla Buchholz, Council District II) A motion was made by Mr. Ellis and seconded by Mrs. Buchholz for its introduction. Ordinance No. 15-32 will be referred to the Planning & Zoning Department.

2. Appointment of a new member to the Mandeville Financial Oversight Committee – 3 year term. Mr. Madden announced the new committee member appointment to the Mandeville Financial Oversight Committee. Mr. Volz will serve a three year term starting January 2016 through December 2018. A motion was made by Mr. Danielson and seconded by Mrs. Buchholz for the appointment to the Financial Oversight Committee. The motion passed 5-0

3. Approval of the Waiver of eating and drinking on the lakefront at the harbor for the Humane Society walk on December 5, 2015, rain date December 12, 2015. A motion was made by Mr. Ellis and seconded by Mrs. Buchholz for the approval of the waiver of eating and drinking at the Harbor on the lakefront for the Humane Society Walk, to be held on December 5, 2015, with rain date of December 12, 2015. Without further comment or questions, the motion passed 5-0.

4. Approval of the OMBA Christmas Past with action on the departmental costs of \$855 on December 12, 2015.

A motion was made by Mr. Danielson and seconded by Mr. Burguieres for the approval of OMBA Christmas Past with action on the departmental costs of \$855 on December 12, 2015. Mr. Danielson asked if the cost was in line with what has been spent in the past, Ms. Scott and Mr. Oliveri replied yes. Mrs. Buchholz stated she attended the special event meeting and they indicated there were no additional increases from last year. Without further comment or questions, the motion passed 5-0.

5. Approval of Task Order No 1 and 2, Water and Sewer Maintenance Contract, A/E Project No. 1401A2, \$58,200.00 (Offered by Rick Danielson, Council-at-Large)

A motion was made by Mr. Danielson and seconded by Mr. Ellis. Mr. Danielson stated task order 1 is for emergency point repairs totaling \$12K and the second task order is for sewer collection totaling \$46K. Mr. deGeneres confirmed task order 1 is just for emergency situations. There being no further discussion, the motion passed 5-0.

6. Adoption of [Resolution No. 15-57](#); A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE APPROVING THE RESTORATION TAX ABATEMENT PROGRAM FOR DENNIS AND KENDRA THOMAS (Offered by Carla Buchholz, Council District II)

Resolution No. 15-57 was read by title by Mr. Madden. A motion was made by Mrs. Buchholz and seconded by Mr. Ellis. Mrs. Buchholz stated this program is to encourage the restoration and preservation of historic homes. As part of the process, it is required that the council approves this application. Mr. Ellis commented we have done this before with the Rohrbough's home. Each property owner must file separately and will have their own resolution. There being no further discussion, the motion to approve Resolution No. 15-57 passed 5-0.

7. Approval of the Mayor's appointment to the Historic Commission, Ms. Laura Kilcer Vanhuss. Mr. Madden announced the new committee member appointment to the Historic Commission. A motion was made by Mr. Ellis and seconded by Mrs. Buchholz. The Mayor stated Ms. Vanhuss has come highly recommended. Mr. Danielson stated she is the director of Oak Alley. There being no further discussion, the motion to approve the Mayor's appointment passed 5-0.

8. Adoption of [Resolution No. 15-59](#); A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE INTERGOVERNMENTAL AGREEMENT WITH TIFFANY LANES TO BE PROVIDED CITY WATER AND SEWERAGE SERVICES OUTSIDE THE CITY LIMITS PURSUANT TO ORDINANCE NUMBER 14-50; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by David Ellis, Council District I)

Resolution No. 15-59 was read by title by Mr. Madden. A motion was made by Mr. Ellis and seconded by Mrs. Buchholz. Mr. Ellis stated he has some additional language added to the resolution to have Tiffany Lanes annex into the City within 180 days and include the attached intergovernmental agreement. Mrs. Buchholz seconded the motion. Without further comments or questions, the amendments to the resolution passed 5-0. There being no further discussion, the motion to approve the amended Resolution No. 15-59 passed 5-0.

9. Adoption of [Resolution No. 15-60](#); A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MANDEVILLE AND RICHARD C. LAMBERT CONSULTANTS, LLC FOR PROFESSIONAL ENGINEERING SERVICES FOR THE GALVEZ CANAL BERM IMPROVEMENTS PROJECT IN THE AMOUNT OF \$87,130.00; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Carla Buchholz, Council District II)

Resolution No. 15-60 was read by title by Mr. Madden. A motion was made by Mrs. Buchholz and seconded by Mr. Danielson. Mrs. Buchholz stated this is regarding the Galvez Canal. Part of the side walls are failing so this resolution allows the hiring of an engineering firm to determine the best way

to resolve this problem. Mr. Danielson said this was in the budget and will address erosion and storm surge issues. There being no further discussion, the motion to approve Resolution No. 15- 60 passed 5-0.

10. Adoption of [Resolution No. 15-61](#); A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ACCEPTING THE AMENDMENT #1 TO THE CONTRACT FOR REVIEW OF PORT MARGINY TRAFFIC IMPACT ANALYSIS AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT TO THE CONTRACT WITH THE DIGITAL ENGINEERING AND IMAGING, INC. AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Carla Buchholz, Council District II)

Resolution No. 15-61 was read by title by Mr. Madden. A motion was made by Mr. Ellis and seconded by Mrs. Buchholz. Mrs. Buchholz stated currently there is a “not to exceed amount” for the firm analyzing the traffic study. This project has exceeded so this is the additional amount to continue the completion of the traffic study. The Mayor said this would enable the City to continue to evaluate and get as much information out to the public so everyone can have a better understanding of traffic as it relates to this project. There being no further discussion, the motion to approve Resolution No. 15- 61 passed 5-0.

11. Adoption of [Resolution No. 15-62](#); A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE APPROVING A DEDUCT CHANGE ORDER AND THE CERTIFICATE OF SUBSTANTIAL COMPLETION FOR THE CONTRACT EXECUTED BETWEEN THE CITY OF MANDEVILLE AND MAGNOLIA CONSTRUCTION CO., LLC, TO RELOCATE LIFT STATION NUMBER 21 AND IMPROVEMENTS THEREON; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by David Ellis, Council District I)

Resolution No. 15- 62 was read by title by Mr. Madden. A motion was made by Mr. Ellis and seconded by Mrs. Buchholz. Mr. Ellis stated this is a deduction of around \$90K. Mr. deGeneres stated the City has added about 10K for additional sodding and a fence. Mr. Ellis thanked them for their assistance and working with the affected neighbors. There being no further discussion, the motion to approve Resolution No. 15-62 passed 5-0.

12. Adoption of [Ordinance No. 15-27](#); AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE USE OF ADMINISTRATION OFFICES AND A&E SERVICES AS DEFINED UNDER CLURO SECTIONS 6.4.1 AND 6.4.17 RESPECTIVELY FOR THE GRAY CASUALTY AND SURETY COMPANY LOCATED IN SECTION 42, T8S, R11E, ZONED PLANNED COMMERCIAL DISTRICT (PCD), APPROVING SITE PLAN AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by David Ellis, Council District I)

Ordinance No. 15-27 was read by title by Mr. Madden. A motion was made by Mrs. Buchholz and seconded by Mr. Ellis. Mr. Ellis stated there are some amendments made to this ordinance from the Planning and Zoning. He appreciates the work with the owners and the city. Mr. Burguieres wanted to state he is recusing himself from this vote because his wife works for a subsidiary of the company. Mr. Ellis read the amendments On Page 1 at Line 30 after the word (Enclosed) add the following language: “for the use as administrative offices, facilities support and automotive repair for the company’s fleet maintenance; and, WHEREAS, the existing buildings will be used for administrative office space, storage fleet maintenance and personnel; and, WHEREAS, the existing go-cart track will be demolished and converted to green space reserved for future development; and, WHEREAS, proposed new construction of Building 4 to contain 4,410 square feet to house the fleet maintenance facility and valuable assets storage will include interior insulation on rear and side walls for the purpose of noise mitigation to a STC (Sound transmission class) of a minimum of 50 decibels. WHEREAS, this fleet vehicle maintenance will be for the use of company vehicles only and not for public use and will operate from 8:30-5:30 M-F; and, WHEREAS, a new 10’ wall to provide

additional buffering and sound mitigation is proposed to be constructed 30' from the rear property line and extending to both side property lines (250') maintaining the existing 30' buffer in its natural state and the existing wooden fence will be repaired and maintained. The new wall will serve as an added protection from any noise and site lines for the adjacent subdivisions; and, WHEREAS, approval of a landscape plan will be deferred to the time of permitting and will be required to be approved prior to occupancy; and WHEREAS, existing parking spaces will be resurfaced and restriped and the remainder of the required parking spaces will be indicated on the plan as a "Parking Bank"; and Mrs. Scott stated the only additional language is to approve the additional revision date of 10/20/15. Mr. Ellis moved to approve the ordinance with all amendments that were read, this was seconded by Mrs. Buchholz. There being no further discussion, the motion to approve the amendments to Ordinance No. 15-27 passed 5-0. Mrs. Scott wanted to advise the Council all the recommended changes have the support from the Planning & Zoning Board and did have public hearings. Mr. Ellis stated Fountainbleau subdivision was pleased with the changes. There being no further discussion to the amended ordinance, the motion to approve Ordinance No. 15-27 passed 4-0 with 1 abstention.

13. Adoption of [Ordinance No. 15-29](#); AN ORDINANCE AMENDING THE COMPREHENSIVE LAND USE REGULATIONS ORDINANCE, SECTION 5.1.15 UNSAFE BUILDINGS, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. (Offered by Carla Buchholz, Council District II)

Ordinance No. 15-29 was read by title by Mr. Madden. A motion was made by Mrs. Buchholz and seconded by Mr. Danielson. Mrs. Buchholz stated this is changing the wording "to the general public". This was supported by the Planning Commission per Mrs. Scott. Mr. Burguières asked what prompted this. Mr. Deano said the City was called regarding a landlord/tenant dispute over an interior defect. The wording of the CLURO had to change because the City is not to get involved in tenant/landlord disputes, only if it is a matter of safety to the general public. Mr. Deano said this change takes it away from a tenant complaint to making the building unsafe to the public. There being no further discussion, the motion to approve Ordinance No. 15-29 passed 5-0.

14. Adoption of [Ordinance No. 15-30](#); AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO EFFECT THE ANNEXATION OF LOT 87 SQUARE 5A 0.12 ACRE PARCEL OF GROUND SITUATED IN SECTION 45, T8S, R11E, TOWN OF MANDEVILLE, ST. TAMMANY PARISH, LOUISIANA INTO THE CORPORATE LIMITS OF THE CITY OF MANDEVILLE DESIGNATING AND ASSIGNING THE PROPERTY FOR PURPOSES OF ZONING AS R1, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Carla Buchholz, Council District II)

Ordinance No. 15-30 was read by title by Mr. Madden. A motion was made by Mrs. Buchholz and seconded by Mr. Danielson. Mrs. Buchholz said this property is in Old Golden Shores, it would now create a double front and allow the builder to build his home. Ms. Scott stated there were some amendments to add from the Planning & Zoning Board, they are: "this property will become a double frontage lot and will require an additional ten (10) foot strip of land, meeting the requirements of a vegetative buffer to the rear of the lot and dedicated to the City as a servitude or right-of-way for installation of protective screening. Such vegetative buffer shall not be fenced into the lots but remain open to view from the adjacent street to buffer the rear yard of the lot to the street" Mrs. Scott also changed the legal description and to add the property is assigned a zoning designation of R1 and be assigned to Council district 2 and the title (lot87) needs to be removed, it is the front of the lot and not including the back portion that is being added. Mrs. Buchholz made a motion to adopt these amendments, seconded by Mr. Ellis. There being no further discussion, the motion to approve the amendments to Ordinance No. 15-30 passed 5-0. There being no further discussion regarding the amended ordinance, the motion to approve the amended Ordinance No. 15-30 passed 5-0.

PUBLIC COMMENT:

Mr. Ellis wanted to thank the Council interns and the Council Clerk for their work on the presentation of the agenda and the active links for supplementary information on the agendas. Mr. Ellis stated this

effort supports the council's promise more than three years ago for a more transparent government.

Mr. deGeneres stated the light that was out at Causeway has been fixed. Mrs. Buchholz asked if the timing will be the same. Mr. deGeneres said there was a short in the timing mechanism and it will go back to the old schedule.

PROJECTS IN PROGRESS (STATUS REPORT):

CAPITAL ROADWAY MAINTENANCE PROJECT

TASK ORDER 3

- Drainage and concrete work in progress.

TASK ORDER 4

- Drainage and concrete work in progress – sidewalks on Heavens Dr. meeting is next week. Mr. Ellis asked when is the meeting and was the info sent to the residents. The Mayor stated the meeting is on the 18th at Public Works. Mr. deGeneres said everyone on Heavens Dr. was sent out a letter. Mr. Ellis asked in the future if he could be informed because it is in his district and he did not get an email about the meeting. The Mayor asked if he has a problem – Mr. Ellis just asked in the future if he can be notified, the Mayor said it was on e-briefs on the city's web page.

TASK ORDER 5

- Asphalt paving work in progress, Jackson paving complete, paving Marigny today

RAPATEL WATER TOWER

- Startup re-scheduled until first week in December due to minor correction in electrical and mechanical systems. Treatment will be next week.

LIFT STATION 21

- Substantial completion & deductive change done tonight

DEW DROP FIRE SUPPRESSION

- Project on hold, Mr. Mitchell, project coordinator on leave

LIFT STATIONS 22, 23 & 33

- Lift Station 22 start-up conducted 11-12-15 so 22 is complete
- Contractor will move to LS 23 next

OLD GOLDEN SHORES WATERLINES

- Contractor installing water mains; 25% complete, pressure tests done next week. Mr. Madden asked the timeline for project completion – February.

LAFAYETTE STREET DRAINAGE

- Headwall and pipe installation are complete.
- Contractor working on new concrete junction box; completion 2-3 weeks out depending upon weather. Mr. Burguières asked about the pond. Mr. deGeneres said they are working on plans to get a developmental permit to fill it in and swale it into the canal. It will have no impact on the local drainage; it looked like a man-made pond.

PAUL CORDES PLAYGROUND EQUIPMENT

- DPW preparing site
- Expect installation to begin 11-20-15

PUBLIC WORKS EQUIPMENT SHELTER

- Concrete foundation work in progress about 26% complete.

Mr. Danielson inquired about the Chateau Village lift station. Mr. deGeneres said they are putting a few things together and are working with a few residents on the relocation.

Mr. Burguières asked Mr. deGeneres about an email sent regarding the ditches on Lafayette. Mr. DeGeneres said he went out and did not see a problem. There was a blockage years ago, but that was fixed. Mr. Burguières wanted to know if the City has a map of where all the underground pipes are in

the area so you can see the flow of water. Mr. deGeneres said they have a drainage map of where the water runs and where the equalization pipes are located.

Mr. Ellis questioned the status of the ditches on W. Causeway. Mr. deGeneres stated they are still doing drainage work and estimate to be finished December 1st. The crosswalk to the Church is done and Mr. Ellis asked when the stop light/pedestrian crossing was going to be installed. Mr. deGeneres said the lights were not in the proposal so they are not on the table.

Mr. Madden wanted to remind everyone there is only one meeting in December and it will be held on December 10th. Winter on the Water and OMBA will be held on December 12th. He encouraged all to support the local vendors during the holidays. Also, don't forget to vote on November 21st.

ADJOURNMENT:

Mr. Burguieres made a motion to adjourn the meeting, seconded by Mr. Ellis. Mr. Madden adjourned the meeting at 7:10 p.m.

Kristine Scherer
Council Clerk

Clay Madden
Council Chairman