

**THE FOLLOWING MINUTES WERE ADOPTED AT THE SEPTEMBER 10, 2015
MEETING OF THE MANDEVILLE CITY COUNCIL.
MANDEVILLE CITY COUNCIL MINUTES
FOR THE MEETING OF AUGUST 27, 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 prayer was given by Father Mark Lomax, followed by the Pledge of Allegiance.

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

ABSENT:

ALSO PRESENT: Mayor Villere, Assistant Police Chief Ron Ruple; Edward Deano, City Attorney; David deGeneres, Public Works Director; Frank Oliveri, Finance Director; Gretchen McKinney, Human Resources Director; Kim Chatelain, Times Picayune; Faimon Roberts, Advocate; John Walker, St. Tammany Farmer

MINUTES:

1. Adoption of the August 4, 2015 Budget Session Meeting Minutes.

A motion was made by Mrs. Buchholz and seconded by Mr. Burguieres to adopt the minutes of August 4, 2015. There being no further questions or comments, the motion passed 5-0.

2. Adoption of the August 10, 2015 Budget Session Meeting Minutes.

A motion was made by Mr. Ellis and seconded by Mrs. Buchholz to adopt the minutes of August 10, 2015. There being no further questions or comments, the motion passed 5-0.

3. Adoption of the August 13, 2015 Regular City Council Meeting Minutes.

A motion was made by Mr. Danielson and seconded by Mr. Ellis to adopt the minutes of August 13, 2015. There being no further questions or comments, the motion passed 5-0.

PRESENTATIONS:

The Mayor presented a certificate of appreciation to Ms. Lillie Mae Hungerford, owner of Band's Food Store for 71 years of business in our community. Band's has been an institution here in Mandeville and the meeting place for many residents over the years.

REPORTS AND ANNOUNCEMENTS:

Mr. Danielson introduced Sean Peterson and Joe Molina who will be the legislative interns for the City Council for this school term. This is the third year of this program and the first year in which students will be given school credit for their work here at City Hall. Joe is a senior at MHS, honor student and member of the lacrosse team. Sean is also a senior at MHS, honor student and drum major in the band. They will be working around 6 hours a week with the Council learning about the legislative process, researching topics, and attending City meetings.

OPENING OF THE AGENDA:

Mr. Madden announced one item for the opening of the agenda: Ordinance No. 15-25, AN ORDINANCE OF THE CITY OF MANDEVILLE TO PROVIDE FOR A MORATORIUM ON THE ISSUANCE OF A PERMIT FOR DEMOLITIONS AND RELOCATIONS IN THE HISTORIC PRESERVATION DISTRICT COMMISSION IN THE IN THE CITY OF MANDEVILLE AND TO PROVIDE FOR RELATED MATTERS. Mr. Madden asked for a motion to open the agenda, made by Mr. Ellis and seconded by Mr. Burguieres. Mr. Madden asked if any councilman had an objection to the opening – a vote was taken all in favor of opening the agenda 5-0. Mr. Burguieres

stated this is extension of a prior ordinance that expired on June 30, 2015. The historic district had a moratorium on relocation and demolitions in the historic district until a study could be done which was just received by the City. The City is requesting more time for public input and evaluation of this study. Mrs. Buchholz asked a procedural question to Mr. Deano. "Because it was an ordinance that expired, we cannot extend the old ordinance that is why we have to create a new one". Mr. Deano confirmed this is the process to be followed. Mr. Madden stated the ordinance will be voted on at the next meeting, September 10, 2015.

Mr. Madden asked the Council if he could do new business first then do old business. With no objections, we proceeded to new business.

NEW BUSINESS:

1. Appointment of the members to the Bicycle and Pedestrian Committee.

Mr. Madden announced the names of the applicants of the Bicycle and Pedestrian Committee. All of the applicants will be referred to the Planning Department. If there are more citizens interested in joining the committee, applications are still being accepted. Mr. Danielson moved to accept all names and refer the list to Planning and Zoning, seconded by Mr. Burguieres. Without further discussion or comments, the motion passed 5-0.

2. Approval of the Special Event Liquor License Application for Our Lady of the Lake Roman Catholic Church, 312 Lafitte Street, Mandeville, 70448, Festival of the Lake, to be held on October 16, 2015, 5:00 – 11:00 pm; October 17, 2015, noon to 11:00pm, and October 18, 2015 from 11:00am to 5:00pm, with no rain date.

A motion was made by Mr. Ellis and seconded by Mrs. Buchholz. Mrs. Buchholz stated OLL went through the special event process and was recommended to the council, but there is an ordinance and possible veto on the table regarding special events that could potentially effect this application. She asked Mr. Deano if they passed this license and if the veto was overturned would it prevent OLL from having their function. Mr. Deano said there would now be a law that prohibits an activity that we previously approved. There would be some legal issues and possible liabilities. She asked Mr. Deano what he recommends. Mr. Deano said you can pass a permit contingent on the activity of the veto but it becomes very complicated. Mr. Burguieres stated if the ordinance does not affect OLL then there is no problem. Mr. Deano stated you cannot grandfather anyone in because the ordinance was already voted on. Mr. Burguieres believes the ordinance was a lakefront issue and does not apply to OLL. Mr. Deano could not confirm because he did not have the ordinance with him, but stated you cannot select who the ordinance would/would not apply to. Mrs. Buchholz is in favor of the festival but not sure how to proceed and stated it must be handled properly. Mr. Danielson wanted to comment that he feels all the Councilman agree that if there is a vote to override the veto it has to be at the September 10th meeting. It is his ordinance and he has discuss why he feels it is important, but to make it simple he wanted to state that he has no intention today or at the next meeting to override the veto. Since it is his ordinance, he decides if it goes back on the agenda, and he is not going to put it on the agenda, so the veto stands and will have no impact on the OLL festival or any other future festivals. He said the council will go back and look at the recommendation of the special events and parks and parkways committees and come back with amendments. He would also like to work at an agreeable time, with the MFR committee, to discuss any miscommunications between them. Mrs. Buchholz stated she was not aware of this so she is now comfortable with approving the OLL special event. Without further comments or discussion, the special event liquor license was approved 5-0. Father Mark wanted to announce that this is the 125th school year for OLL and invited all to attend the celebration. Also, this Saturday, OLL will hold a hurricane memorial mass at 4pm followed by a reception in the cafeteria, all are invited.

3. Approval of the Waiver of eating and drinking on the lakefront on September 11, 2015, rain date September 12, 2015, from 6 p.m. to 9:30 p.m. for the American Cancer Society Gleaux Run.

A motion was made by Mrs. Buchholz and seconded by Mr. Ellis. Ms. Smith stated there will be no music or food at the Gleaux Run. Registration is free for all veterans and active duty members in honor of 911. There will be a 1 mile fun run along with a 5K run and awards. Without further comments or discussion, the waiver of eating and drinking on the lakefront was approved 5-0.

4. Approval of the Waiver of eating and drinking on the lakefront on October 18, 2015, no rain date, from 7 a.m. to noon for the Gulf Coast Event Group ½ marathon.

A motion was made by Mrs. Buchholz and seconded by Mr. Ellis. Without further comments or discussion, the waiver of eating and drinking on the lakefront was approved 5-0.

5. Acceptance of Lift Station 19 Replacement, Substantial Completion & Balancing Change Order in the amount of \$11,451 (Offered by Carla Buchholz, Council District II).

A motion was made by Mrs. Buchholz and seconded by Mr. Danielson. Mr. deGeneres said this is located in front of MHS in the back of Weldon Park, and the station is on-line. Mr. Ellis wanted to confirm that this was still within the budgeted amount of the project. Mr. deGeneres confirmed it was still within budget. There being no further discussion or questions, the motion to accept the substantial completion and balancing change order for Lift Station 19 passed 5-0.

6. Approval of Lift Station 21 Replacement, Change Order No. 1 in the amount of \$101,495.68. (Offered by Carla Buchholz, Council District II).

A motion was made by Mrs. Buchholz and seconded by Mr. Danielson. Mrs. Buchholz wanted to amend the change order. Since its advertisement, the City has been able to negotiate a lower price. She would like to make a motion to change the amount to \$74,569; seconded by Mr. Burguières. All those in favor – the amendment passed 5-0. Back to the approved amendment. There being no further discussion or questions, the motion to approve change order No. 1 for Lift Station 21 as amended passed 5-0.

OLD BUSINESS:

1. Adoption of [Ordinance No. 15-18](#); AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ADOPTING THE JOB POSITION DESCRIPTION FOR THE POSITION TITLE OF SUPERINTENDENT-UTILITIES AND PLANT OPERATOR WITHIN PUBLIC WORKS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Rick Danielson, Council-At-Large)

Ordinance No. 15-18 was read by title by Mr. Madden. A motion was made by Mr. Ellis and seconded by Mr. Danielson. Mr. Danielson said this is all part of Mr. deGeneres' reorganization plan for the Public Works department. This is a reclassification of two separate positions. Mr. deGeneres said they have found out that their original requirement for certifications were too restrictive so they have lowered the standards with the ability of the employee to get all certifications within 6 months. Mr. Ellis wanted to make sure this was not at any additional costs. Mr. deGeneres stated this was just changing the title and a reallocation on the water side. Without further comments or questions, roll was called. Ordinance No. 15-18 passed 5-0.

2. Adoption of [Ordinance No. 15-19](#); AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO ACQUIRE A SERVITUDE OF PASSAGE INCLUDING THE RIGHT TO CONSTRUCT AND MAINTAIN DRAINAGE IMPROVEMENTS AND DRAINAGE SYSTEM THEREON AND FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Rick Danielson, Council-At-Large)

Ordinance No. 15-19 was read by title by Mr. Madden. A motion was made by Mr. Danielson and seconded by Mrs. Buchholz. Mr. Danielson said this is drainage servitude on Casey Drive. There is an island with about 8 houses that are collecting water in their rear yards. Basically, this servitude would add a drain to allow the water to be collected and bring it towards the street. Mr. Ellis asked the Mayor if this was the same issue that he and the Mayor looked at a couple of years ago. The Mayor replied yes. The Mayor said he rarely entertains back yard drainage issues but there were a number of yards dumping into one collected area and there was no way to get the water out in a normal passage. He and Mr. Ellis tried to work with the homeowners over the past few years, but making a servitude in between two properties seemed to be the best solution for the 8 properties. Mr. Burguieres asked Mr. deGeneres if he could include the contour lines on future surveys. Mr. deGeneres agreed to provide those in the future. Without further comments or questions, roll was called. Ordinance No. 15-19 passed 5-0.

3. Adoption of [Ordinance No. 15-20](#); AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AUTHORIZE THE ACQUISITION OR OWNERSHIP OF THE LIFT STATION PRIVATELY OWNED BY MARINER'S ISLAND CONDOMINIUM ASSOCIATION, AND TO ACQUIRE A SERVITUDE OF PASSAGE INCLUDING THE RIGHT TO CONSTRUCT AND MAINTAIN SEWER LINES THEREON AND FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Carla Buchholz, Council District II)

Ordinance No. 15-20 was read by title by Mr. Madden. A motion was made by Mrs. Buchholz and seconded by Mr. Danielson. Mrs. Buchholz said this project has been going on for several years with the question of where the property lines lie. The Mariners Association has committed to take care of all requirements of the lift station for it to be in compliance prior to the City taking it in. Mr. deGeneres stated the lift station was not at City standards when the development was brought into the City. They have meet with the association and the association has agreed to make the necessary changes, but wanted this ordinance approved first before they start working on the improvements. Once the improvements are made it will come back to the City for approval. Mr. Pulaski has met with the contractor and has a list of items needed to be done and as soon as this is approved, a work order will be issued. Mr. Burguieres wanted to make a motion to have a list of what has to be done before the City agrees to take it in; seconded by Mr. Danielson. Mr. Deano said once you put conditions on a servitude it created title issues, the City has already signed a cooperative endeavor agreement with Mainers Village that addresses those improvements. Mr. Burguieres asked if Mr. Deano is comfortable with that agreement – yes- then he will withdraw his motion and change it to supplement the ordinance with the CEA; seconded by Mr. Danielson. Without further comments or questions, roll was called for the amendment. The vote passed 5-0. Without further comments or questions, roll was called for the adoption of the amendment ordinance. Ordinance No. 15-20 passed 5-0.

PUBLIC COMMENT:

FINANCE REPORT:

Mr. Oliveri reported as of the period ending July 31, 2015 we have collected \$20.8 million or 92.58% of the budgeted revenue. We have spent \$16.2 million of the \$22.5 million budgeted which is about 72.15%. The general fund balance is \$12.2 million of which we have committed funds of \$2.0 million for Capital Outlay which gives a remaining uncommitted fund balance of \$10.2 million. The money from BP (\$1.6million) was posted in August. We have \$9.2 million as a carryover into this year for construction projects.

PROJECTS IN PROGRESS (STATUS REPORT):

CAPITAL ROADWAY MAINTENANCE PROJECT
TASK ORDER 3

- Asphalt roadway work complete.
- Drainage and concrete work in progress on Carol Street.

TASK ORDER 4

- Working on preliminary documents.

RAPATEL WATER TOWER

- Coatings complete.
- Electrical subcontractor installing cables and equipment.

LIFT STATION 21

- Contractor currently working to get the new station running on Monday.
- Demolition of old stations and roadwork remains.
- Projected schedule
 - Week of Aug 31 – start up new station; complete tie in and service connections
 - Week of Sept 7 – Demolition of LS 20 and old LS 21
 - Week of Sept 14 – continue demolition and all miscellaneous items
 - Week of Sept 21 – roadwork including soil cement, asphalt, and driveway aprons
 - Sept 30 – Contract end date

DEW DROP FIRE SUPPRESSION

- Minor electrical work remaining prior to final completion.

LIFT STATIONS 22, 23 & 33

- Project expected to begin in late August/early September due to lead time of materials.

OLD GOLDEN SHORES WATERLINES

- Notice to proceed issued for 9-1-15.

LAFAYETTE STREET DRAINAGE

- Contracts completed. Pre-construction meeting scheduled for 9-8-15

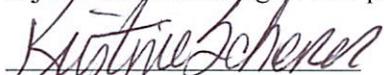
PAUL CORDES PLAYGROUND EQUIPMENT

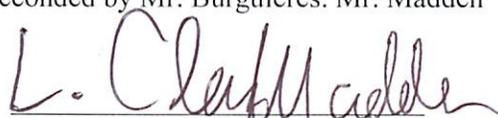
- Preparing contractual paperwork. Also they have resurfaced the tennis and basketball courts.

City Hall roof should be finished next week. Mr. Ellis asked about the status of Girod Street parking. Mr. deGeneres said they are still waiting on servitude agreements, once the surveys are done then negotiations can begin. He is not sure of a timeline, possibly next month. Mr. Danielson asked about Dalwill crosswalks. Mr. deGeneres said there is an issue with servitude agreements being signed so they cannot move forward at this time. Mr. Danielson asked about the cables on Hwy 22. Mr. deGeneres said this is the state doing their traffic counts, not the City. Hopefully, Mr. Brooks will provide the City with traffic count information so the City can use this information for Port Marigny along with a CEA for the parish, state and RPC.

ADJOURNMENT:

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


 Kristine Scherer
 Council Clerk


 Clay Madden
 Council Chairman