

**MANDEVILLE CITY COUNCIL MINUTES
FOR THE MEETING OF JANUARY 8, 2015**

The regular meeting of the Mandeville City Council was called to order by the Mayor Pro Tem 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, Clay Madden, David Ellis, Carla Buchholz, Ernest Burguières

ABSENT:

ALSO PRESENT: Mayor Villere, Chief Richard; Frank Oliveri, Finance Director; Laurie Pennison, Assistant City Attorney; David deGeneres, Public Works Director; Henry DiFranco, City Engineer, Gretchen McKinney (arrived at 6:50 pm), Personnel Director; Kim Chatelain, Times Picayune; Betsy Swenson, Tammany West; Faimon Roberts, Advocate; John Walker, St Tammany Farmer

MINUTES:

1. Adoption of the December 18, 2014 Regular Meeting Minutes.

A motion was made by Mr. Ellis and seconded by Mr. Burguières for the adoption of the December 18, 2014 regular meeting minutes. The motion passed 5-0.

2. Adoption of the December 17, 2014 Special Meeting Minutes

A motion was made by Mrs. Buchholz and seconded by Mr. Burguières for the adoption of the December 17, 2014 special meeting minutes. The motion passed 5-0.

PRESENTATIONS:

OPENING OF THE AGENDA:

1. Adoption of Resolution No 15-03, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING TRAVEL EXPENSES FOR THE KMB DIRECTOR, MEGAN GOUZY, TO ATTEND THE KEEP AMERICA BEAUTIFUL (KAB) NATIONAL CONFERENCE IN WASHINGTON, DC FROM JANUARY 27-29, 2015 AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mrs. Buchholz and seconded by Mr. Burguières to open the agenda for the above item. The motion to open the agenda passed 5-0.

REPORTS AND ANNOUNCEMENTS:

OLD BUSINESS:

1. Adoption of Ordinance No. 14-50, AN ORDINANCE TO AMEND AND REORDAIN SECTION 17-30 OF THE MANDEVILLE CODE OF ORDINANCES TO REGULATE THE MOVING OF CITY SEWER AND WATER SERVICE TO PROPERTIES LOCATED OUTSIDE THE CITY OF MANDEVILLE AND TO PROVIDE FOR RELATED MATTERS

A motion was made by Mr. Ellis and seconded by Mr. Burguières for the adoption of Ordinance No. 14-50. Mr. Ellis stated that this Ordinance gives the City a little more control over annexations issues. After a brief description of the Ordinance, a motion was made by Mr. Ellis and seconded by Mr. Madden to amend Ordinance 14-50 by adding the following language at line #52 to read "e. The provisions of this section shall not apply to those properties presently connected to City Water and Sewer Service. However, the provisions of this section shall apply to enhanced Water and Sewer Services provided to such property." Mr. Ellis stated that this protects those businesses outside City limits who are currently receiving City water and sewer services. The motion to amend passed 5-0. Mr. Ellis stated that he would like to defer the adoption of the Ordinance for two weeks in order to discuss with and receive feedback from the Parish. Mayor Villere disagreed and did not feel it was a matter of discussion with the Parish; this did not involve District III sales tax funds. A motion was made by Mr. Ellis and seconded by Mr. Madden to defer the adoption of Ordinance No. 14-50 to the next regular Council meeting. The motion to defer passed 5-0.

2. Adoption of Ordinance No. 14-51 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ADOPTING THE POSITION TITLE CHANGE ON THE POLICE PAY SCALE FOR THE POSITIONS OF PERSONNEL DIRECTOR AND PERSONNEL ASSISTANT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mr. Ellis and seconded by Mrs. Buchholz for the adoption of Ordinance No. 14-51. Mr. Danielson stated that this was a housekeeping item for the HR department to change position titles, to reflect the Home Rule Charter changes from the last election, from Personnel Director and Personnel Assistant to Human Resources Director and Human Resources Assistant. There being no further discussion, the motion to adopt Ordinance No. 14-51 passed 5-0.

3. Adoption of Ordinance No. 14-52 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ADOPTING THE JOB CLASSIFICATION, POSITION DESCRIPTION, AND PAY FOR THE

POSITION OF ELECTRICAL TECHNICIAN WITHIN THE ADMINISTRATION AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mrs. Buchholz and seconded by Mr. Ellis for the adoption of Ordinance No. 14-52. Mr. Danielson stated that our electrician left the City about one year ago. This change strengthens the position and will assist with recruitment. There would be a cost savings for this type of work to be done in house. Mr. deGeneres stated that he worked with HR to tailor the position description to the equivalent of a lineman position with CLECO. The pay scale is competitive with that position as well. There being no further discussion, the motion to adopt Ordinance No. 14-51 passed 5-0.

4. Adoption of Ordinance No. 14-53- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ADOPTING THE JOB CLASSIFICATION, POSITION DESCRIPTION, AND PAY FOR THE POSITION OF SUPERINTENDENT UTILITIES, SUPERINTENDENT BUILDINGS AND GROUNDS, AND SUPERINTENDENT OPERATIONS AND MAINTENANCE WITHIN THE ADMINISTRATION AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mr. Burguières and seconded by Mrs. Buchholz for the adoption of Ordinance No. 14-53. Mr. Danielson stated this would clean up three positions in DPW which, over time, would go down to two positions with increased responsibility. Mr. deGeneres stated that when the Superintendent of the Water Department retired, the positions were reevaluated. This will be part of an overall organizational change to take place over the next couple of years. There being no further discussion, the motion to adopt Ordinance No. 14-53 passed 5-0.

5. Adoption of Ordinance No. 14-54, AN ORDINANCE OF THE CITY OF MANDEVILLE RELATIVE TO THE REMOVAL AND DISPOSAL OF JUNKED MOTOR VEHICLES, TO AMEND AND RE-ORDAIN SECTIONS 10-84 AND 10-97 AND 10-98 OF THE MANDEVILLE CODE OF ORDINANCES AND TO PROVIDE FOR RELATED MATTERS.

A motion was made by Mr. Madden and seconded by Mr. Burguières for the adoption of Ordinance No. 14-54. Mr. Madden stated that this Ordinance came as a result of different meetings with homeowner association groups over the last year. Code enforcement issues are the main concern across the board, with junked cars at the top of the list. This piece of legislation tightens those rules to improve our overall quality of life. Mr. Burguières asked how a junked car was defined. Chief Richard stated that the definition was covered under a separate, already existing Ordinance. Any potential violations could be referred to the Mayor's office or the Police Department. Mayor Villere stated that this was a concern brought to the City Attorney by Chief Richard. He disagreed that it has anything to do with homeowner association groups. A motion was made by Mr. Madden and seconded by Mr. Burguières to change line #19 from "public and public property" to "public and private property". The motion to amend Ordinance No 14-54 passed 5-0. Mr. Edward Green, 434 Girod Street, stated that he had an issue and concern with junked cars on private property. Antique cars do not have an inspection sticker and might not be restored for years. Also, someone on hard times might have to put their car up if they cannot afford insurance. He cautioned how we look at this and how it will be enforced. Chief Richard stated that there was a 10 day window and time notifications to handle those situations; the police will not just start towing cars. This addresses long term problems that people do not want to remedy. Mr. Kenny Booth, 221 Walnut Street, stated that his subdivision was having a rash of vehicles with no plates. Last year about ten vehicles were towed. Some lots have four or five cars without plates in their front yard. He added that he brought the matter before the Planning Department and the Police which has brought us to this point. Mr. Madden thanked Mr. Booth for bringing the matter to his attention. There being no further discussion, the motion to adopt Ordinance No 14-54 passed 5-0.

6. Adoption of Ordinance No. 14-55, AN ORDINANCE TO AMEND THE HISTORIC SURVEY OF LOUISIANA PREPARED BY SALLY REEVES DATED FEBRUARY 4, 2009 BY ADDING THERETO CERTAIN ACCESSORY STRUCTURES LOCATED AT 2525 LAKESHORE DRIVE

A motion was made by Mr. Burguières and seconded by Mr. Madden for the adoption of Ordinance No. 14-55. Mr. Burguières stated that this Ordinance would add the carriage house at 2525 Lakeshore Drive onto Mandeville's Historic Survey prepared by Sally Reeves. Ms. Kidd stated that the Historic District Preservation Commission did recommend that the structure be included on the historic survey. There being no further discussion, the motion to adopt Ordinance No. 14-55 passed 5-0.

NEW BUSINESS:

1. Approval of Liquor License Application for EJC Enterprises, LLC dba Super Latino Mini Market, 2186 Florida Street, Mandeville, LA 70448, Member Emma Pasin-Corado

A motion was made by Mr. Burguières and seconded by Mr. Ellis for the approval of the liquor license application for EJC Enterprises, LLC dba Super Latino Mini Market, 2186 Florida Street, Mandeville, LA 70448, Member Emma Pasin-Corado. The motion passed 5-0.

OPENING OF THE AGENDA:

1. Adoption of Resolution No 15-03, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING TRAVEL EXPENSES FOR THE KMB DIRECTOR, MEGAN GOUZY, TO ATTEND THE KEEP AMERICA BEAUTIFUL (KAB) NATIONAL CONFERENCE IN WASHINGTON, DC FROM JANUARY 27-29, 2015 AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mrs. Buchholz and seconded by Mr. Ellis for the adoption of Resolution No. 15-03. Mrs. Buchholz stated that the annual conference would provide valuable training and networking experiences for Ms. Gouzy who was a new director. Our KMB director does not usually attend this conference every year. There being no questions, the motion to adopt Resolution No. 15-03 passed 5-0.

NEW BUSINESS:

2. Approval of Task Order No 3, 2013 Roadway Maintenance Contract, \$1,681,000.

A motion was made by Mrs. Buchholz and seconded by Mr. Madden for the approval of Task Order No. 3, for the 2013 Roadway Maintenance Contract in the amount of \$1,681,000. Mr. Danielson stated that this task order includes 27 projects in all three districts. Projects include panel replacements, overlay projects, and cross walks. Mrs. Buchholz asked why Katherine Parkway was not included on the projects list; was there a need for any work. Other streets in the same subdivision have been included. Mr. deGeneres stated that he would double check the road software to verify the rating and conditions on Katherine Pkwy and get back to Mrs. Buchholz. The cross walk at Dalwill will be started once all the signatures are obtained on the servitudes. The motion passed 5-0.

3. Adoption of Resolution No. 14-65, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ACCEPTING THE BIDS FOR THE GIROD STREET INTERSECTION IMPROVEMENTS PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE LOWEST RESPONSIVE AND RESPONSIBLE BIDDER; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mr. Burguières and seconded by Mr. Ellis for the adoption of Resolution No 14-65. Mr. DiFranco gave a power point presentation on the purpose of the project, the scope of work and the public bidding process. The initial Girod Street project was completed fifteen years ago by the State. Since then the City has taken over maintenance and catch basins at two intersections are in need of repair. The drainage improvements and mill & overlay are included in the base bid. The alternate bids include decorative pavers. The project was publically bid and the City received two bids. The City opted to hold a mandatory pre-bid conference. The bids were reviewed by the City Engineer and the City Engineer recommends award of the contract to the responsive and responsible lowest bidder. There was discussion on who determines the responsibility of a bidder. Mr. Burguières asked who determines a history of problems. Mayor Villere stated that if the City does not have first-hand knowledge of problems, it cannot be used to disqualify a bidder. Mr. Burguières recommended using an additional step, provided by the American Institute of Architects and approved by the State, for public bids like this. Mr. DiFranco stated that the City has adopted and uses engineering contracts for public works projects; the AIA is for architectural projects. Mr. Burguières stated that under AIA contracts, the apparent low bidder completes a second form which lists all claims or problems they have had in other areas. We may not know what problems a bidder may have without asking. Mr. DiFranco stated that he did not know if we can do that; that is a legal question. We already have affidavits in our bid package. Mr. Burguières asked if our package asks if a bidder has been debarred. Mr. DiFranco disagreed; he stated that we do not have the authority to do that. Ms. Pennison stated that she has already provided legal analysis of this issue through a memorandum. And the answer is no. There was further discussion on public bid law requirements vs. requests for proposals. Mr. Burguières stated that this was not a black and white issue and strongly recommended that this City investigate this AIA requirement in order to protect itself from problems. Ms. Pennison stated that it has been referred to the legal department and we have looked into it. Mr. DiFranco continued to disagree; "you are not comparing apples to apples." After further discussion, Mr. Danielson directed discussion to details of the project and contract. Mr. DiFranco stated that the contract was for 120 days with work being completed intersection by intersection. The mill & overlay portion will take a few days and be completed first. Daily clean-up is required by contract. DPW and a resident inspector from Principal Engineering will be on site to inspect the job. All concerns, comments and requests during the project should go through the Mayor's office. Mrs. Buchholz asked that the Council be notified in writing of any delays. Mr. deGeneres stated that he would keep the Council informed of the progress. Many details are worked out during the pre-construction conference, such as the location of the staging area. Replanting the landscaping is not a part of the contract; it will be the City's responsibility. Mr. DiFranco stated that there was no significant shrubbery noted. Mr. Danielson requested public notification of the construction schedule or timeline once negotiated. Construction will take place from 7:00 am to 7:00 pm. Mr. Glen Runyon, 408 Venus Drive, asked what was the trigger for holding a mandatory pre-bid conference. Mr. deGeneres stated that a majority of DPW projects have a mandatory pre-bid conference. Mr. Runyon asked if any bidders were disqualified for not showing up to the pre-bid meeting. Mr. DiFranco stated that five or six came to the meeting but only two submitted bids. He added that there were no triggers; just the City's discretion. Mrs. Buchholz asked if the City could get guarantees that there will be no delays. Mr. DiFranco stated that it was up to us to enforce the contract. Mr. Commander stated that the contract does provide for liquidated damages but he cannot guarantee due to unforeseen issues that may arise. Unforeseen issues will be handled through plan changes and change orders. Command Construction would perform all of the work with the exception of laying asphalt. It will only require two or three pieces of equipment which will be stored at the staging area each night. Mr. Burguières asked if Command Construction would be willing to increase their damage fees to the City for any issues within their control. Mr. Commander stated that he would be happy to follow what the contract outlines but not beyond that amount. Mr. Charles Goodwin, 2075 Lakeshore Drive, recommended waiting on the award of contract until the pending matters and litigation with the State are resolved. If Command is found negligent, it goes against the grain of the normal citizen to reward bad performance. He added that the street appears to be in good shape; there are no commanding reasons to complete these improvements immediately. The City can legally reject the bids under LRS 38:2214 if the public entity determines not to build the proposed public work within twelve (12) months of the date of the public opening and reading of the bids. Mr. DiFranco and Ms.

Pennison both stated that the improvement project was necessary for safety reasons; the back-up of water creates a hazard for walkers and drivers. She stated that the contract allows for multiple ways for the contract to be terminated for no cause at all, with a thirty day notice. And there are other provisions with just cause. This was provided to the Council in their legal memorandum. Mr. Commander gave the Council a quick description of his background. Command Construction does 30 million per year in business; with the average project size from one to five million. He added that he was never disbarred; he was disqualified from bidding new work with the State until that project on Hwy 190 was completed. It was disputed and they are currently in litigation with the State. Mr. Burguières asked how many lawsuits has Command Construction been involved with in the last five years, outside of workers comp disputes. Mr. Command stated two, with contracting parties; most for none payment. A motion was made by Mr. Madden and seconded by Mr. Burguières to amend the scope of work to include parking spaces in the 500 & 600 block of Girod Street. Mr. Pennison stated that it can be amended to the extent it can be a change order. The bid is within budget. The scope of the change is very minor. Mr. Burguières asked what the trigger mechanism was to add a change order vs. rebid the project. At what point would you have to rebid? Ms. Pennison stated within the budgetary constraints – with the money they have been allotted. Mayor Villere stated that we have not determined the number of spaces, the location of the spaces or budgeted for them and cautioned against amending the scope of work. Mr. DiFranco stated that we are in the planning stages of adding the parking spaces. Mr. Burguières pointed out that the parking spaces have been budgeted. He asked at what point (dollar figure) can we reject all bids, rewrite the scope of work to include parking and re-advertise. Ms. Pennison stated that the addition of parking spaces is not a substantial change in order to trigger rebid. It has to be substantial. Mr. deGeneres stated that basically it is to redesign the project – this is not a redesign of the project. The Mayor and Mr. Burguières disagreed on whether the potential parking spaces have been conceptually located and identified. Mr. deGeneres confirmed that they have been budgeted for. Mr. Burguières asked – would this be a substantial change in the scope. Ms. Pennison stated no. There was additional debate on whether the change of the scope to add parking spaces was a substantial change or not. Mr. DiFranco did not think it was a substantial change. Mr. Burguières stated that because the contract was not yet awarded, the scope could be amended to include the additional parking. Ms. Pennison cautioned the Council of finding ways to disqualify a bidder of a public works contract because you could bring on a lawsuit. Mr. Ed Green asked the Administration and Council why the project only includes two out of three intersections on Girod Street. He encouraged the Council to add the corner of Madison and Girod into the scope of the whole project. Mr. Danielson stated that something like that could be considered as a change order. Ms. Donna Plata, 611 Girod Street, petitioned the Council for additional parking spaces north of Monroe. She stated that if the project could all be done at one time, it would minimize disruption to the businesses on Girod. This was originally requested in writing during August of 2013. Mayor Villere stated that when the project was initially designed, two intersections were picked due to their drainage issues. He claimed that he did not receive information from Mr. Burguières on potential parking spaces north of Monroe. Mr. Danielson stressed that the City of Mandeville was not involved with the Hwy 190 project and the details of the contract. The delay issues are hearsay and there were other parties involved in the project to include DOTD, engineers, and sub-contractors. Mr. Burguières stated that if we did disqualify the low bidder we would have to offer an informal public hearing to give everyone the opportunity to air their concerns and complaints and give Command the opportunity to respond. Other entities have done this. Ms. Pennison stated that in order to have a hearing you must first have just cause; we do not have just cause. The fact that there were problems with the Hwy 190 project is not just cause. There was further discussion about the issues around the Hwy 190 project. Mr. Burguières disagreed and stated that an informal hearing would flush out issues. Ms. Pennison stated that we do not have any evidence; you need evidence in order to have just cause. Mr. Burguières asked if they have a property right on the contract that has not been accepted. Ms. Pennison stated yes. Mrs. Buchholz asked if the parking spaces could be added to the contract through a change order. Mayor Villere stated that the parking spaces are a separate project in a separate location and it would be against the public bid laws to change the scope of work through an amendment or change order. It should be addressed individually by itself and not connected with this project. Mr. Madden asked – what is the dollar amount that triggers a rebid, that question has gone unanswered. Mr. DiFranco stated that it is completely irrelevant to where we are in the process right now. “Change order” is not even a part of the language that we should be discussing. Ms. Pennison recommended that the Council respond to the bid that is currently in place. Then let the Legal Department do the research to see if the parking spaces could be added as a change order or should be bid separately. Mrs. Buchholz recommended that the project to add parking spaces be coordinated with the lighting and landscaping project that is currently in progress and under review with DOTD. Mr. Ed Green emphasized the need to include the third intersection at Madison and Girod in the project; it does not make sense to concrete two intersections and leave one with asphalt. After additional debate on whether the initial scope of work could be altered, the motion to amend Resolution No 14-65 to add parking spaces on Girod Street north of Monroe failed 2-3, with Mr. Danielson, Mrs. Buchholz and Mr. Ellis voting against. A motion was made by Mr. Danielson and seconded by Mrs. Buchholz for the approval of the base bid plus alternate one for a total cost of \$398,160. The motion passed 4-1, with Mr. Burguières voting against. Mr. Goodwin stated that he was in favor of including alternate two. Mr. deGeneres stated that the third intersection is within the scope of the project and they would put together a cost estimate for a change order to bring before the Council. The Legal Department will research if the parking spaces can be added as a change order. There being no further questions, the motion to adopt Resolution No. 14-65, with base bid and alternate one, passed 3-2, with Mr. Burguières and Mr. Madden voting against.

4. Adoption of Resolution No. 15-01, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE RECOMMENDING ITEMS TO BE REVIEWED AND RESEARCHED BY THE MANDEVILLE FINANCIAL OVERSIGHT COMMITTEE WITH COMMITTEE RECOMMENDATIONS TO BE CONSIDERED FOR INCORPORATION INTO THE OPERATING BUDGET AND CAPITAL BUDGET

A motion was made by Mr. Ellis and seconded by Mr. Madden for the adoption of Resolution No. 15-01. Mr. Danielson stated that the budget process begins with the Administration. From a planning standpoint, the Council would like to research what should be included in the budget document or excluded early in February before the

budget work sessions begin this summer. Some of this is dictated by State law and best practices of GFOA. This resolution suggests some budget items for further research. After their research, the Finance Committee would make their recommendations to the Council. Mrs. Buchholz asked if other related items could be added to the list. Mr. Danielson stated that these were suggested topics for research but not all inclusive; the committee recommendations would then have to be adopted by the Council. There being no further discussion, the motion to adopt Resolution No. 15-01 passed 5-0.

5. Adoption of Resolution No. 15-02, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ESTABLISHING PROCEDURES ON HOW ORDINANCES, WITH RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION, ARE PLACED ON THE REGULAR COUNCIL MEETING AGENDAS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mr. Burguières and seconded by Mr. Danielson for the adoption of Resolution No. 15-02. Mr. Burguières stated that sometimes items are placed on our Council agenda that have not yet been voted on by the Planning and Zoning Commission. This procedure would require that the Planning and Zoning Commission vote to make a recommendation before the item appears on the Council agenda. Ms. Kidd stated that sometimes that time delay makes a huge difference for some applicants. It is already four to six weeks out from the time it is introduced as an ordinance. She recommended that if the Council was not ready to vote on the matter, to defer the vote to a future meeting. Mr. Madden stated that basically the Council has 48 hours to react to a P&Z ruling which may or may not be enough time to prepare to vote at the Council meeting. If there are recommendations to amend the Ordinance, then 48 hours is not enough time. Ms. Kidd stated that under those conditions, it makes sense to defer the vote on the Ordinance. However, routinely, there are no amendments. She added that the Council still holds a public hearing on the issue and invites the public to continue discussions on the matter. Mrs. Buchholz stated that she agreed and added that the Ordinance was still fresh with constituents if discussed two days after a P&Z recommendation was issued. Mayor Villere stated that the P&Z agenda and Council agenda are sent to the public on e-briefs; there is plenty enough opportunity for public notice and discussion. There being no further questions, the motion to adopt Resolution No. 15-02 passed 3-2, with Mr. Danielson and Mrs. Buchholz voting against.

6. Introduction of Ordinance No. 15-01, ORDINANCE FOR THE CITY OF MANDEVILLE TO ENACT A TWELVE MONTH MORATORIUM ON ADDING OUTSIDE FILL TO THE FOUNDATION OR BASE OF A STRUCTURE IN THE OLD MANDEVILLE HISTORIC DISTRICT OF THE CITY OF MANDEVILLE AND TO PROVIDE FOR RELATED MATTERS

Ordinance No. 15-01 was read by title by Mr. Danielson. A motion was made by Mr. Burguières and seconded by Mr. Danielson for its introduction. The ordinance was referred to the Planning and Zoning Commission for recommendation.

PUBLIC COMMENT:

PROJECTS IN PROGRESS (STATUS REPORT):

1. Capital Roadway Maintenance Project – Some asphalt patching and punch list items remain on Task Order No. 2. Task Order No. 3 was approved this evening.
2. Girod Street Landscaping & Lighting Project, Phase III – A new project manager from DOTD has asked for additional changes on the plans.
3. Lotus Drive/Village Lane Drainage Project – The contractor s working in the drainage servitude to install drainage pipe. The estimated completion date is January 31st. DPW is questioning if they will be able to finish on time. If not, they will pursue liquidated damages.
4. Rapatel Water Tower – Erection of steel is in progress.
5. Fire Hydrant Replacement Project – The project is 75% complete.
6. Fire Suppression System for Dew Drop -- The contractor is resolving comments on the shop drawings with the State Fire Marshal.
7. Lift Station 21 Relocation -- Notice to proceed was issued as of February 2, 2015.
8. Lift Station 19 Relocation – Notice to proceed was issued as of January 5, 2015. The contractor has mobilized and relocated the electrical.
9. Girod Street Overlay Improvements – The acceptance of bids and award of the contract was approved this evening.

NEW BUSINESS:

7. Executive Session - Report on litigation:
Markovich – Diamond Properties vs. City of Mandeville, et al
USDC – Eastern District filed on November 6, 2013. Case Number 13-5122 Section B- John Carter Nielson Firm, City of Mandeville, and Laurie Pennison; Robert Reich, for Markovich

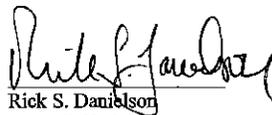
A motion was made by Mr. Danielson and seconded by Mr. Ellis to suspend the regular meeting to move into executive session. Mr. Danielson invited the Council, Ms. Pennison and Mayor Villere to attend the executive session. The motion to suspend the meeting and move into executive session passed 5-0. A motion was made by Mr. Burguieres and seconded by Mr. Ellis to reconvene the meeting. The motion to reconvene passed 5-0. Mr. Danielson stated that no vote was taken during the session.

ADJOURNMENT:

Mr. Danielson adjourned the meeting at 9:00 p.m.



Lorraine Chasin
Council Clerk



Rick S. Danielson
Council Chairman