

**MANDEVILLE CITY COUNCIL MINUTES  
FOR THE MEETING OF MARCH 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, Clay Madden, David Ellis, Carla Buchholz, Ernest Burguieres

**ABSENT:**

**ALSO PRESENT:** Mayor Villere, Captain Ron Ruple; Frank Oliveri, Finance Director; Edward Deano, City Attorney; David deGeneres, Public Works Director; Henry DiFranco, City Engineer; Kim Chatelain, Times Picayune; Betsy Swenson, Tammany West; Faimon Roberts, Advocate; John Walker, St Tammany Farmer

**MINUTES:**

1. Adoption of the February 26, 2015 Regular Meeting Minutes.

A motion was made by Mr. Madden and seconded by Mr. Ellis to adopt the minutes of February 26, 2015. The motion passed 5-0.

**PRESENTATION:**

**OPENING OF THE AGENDA:**

**REPORTS AND ANNOUNCEMENTS:**

1. Report from the Mandeville Financial Oversight Committee – Clay Madden, Council at Large
  - Ordinance No. 13-24, Five Year Forecasting
  - Operating Budget vs. Capital Budget
  - Request resumes for the Council’s consideration for their appointment of an ex-officio citizen member to the MFOC.

Mr. Madden reported that the MFOC will meet on March 18, 2015. The committee had discussed the request for a five year forecasting and an ordinance was passed that would be in effect for this budget year of 2015/2016. He requested the Council Chairman since other communities hold a workshop for forecasting, and suggested holding a workshop in late May or early June for the forecasting to be presented before or at a City Council meeting. Council Member Danielson said a resolution was passed by the City Council laid out the tasks to the committee, and would that be part of the recommendations. Mr. Madden was in agreement.

Secondly, Mr. Madden also said that the budget discussions in the first year of this City Council the Operating budget was reviewed before the Capital budget and since that time the Council had reviewed the Capital budget first. He thought it was smoother reviewing the Operating budget first. The committee had discussed the budget process, he had talked with Mayor Villere, and the Mayor felt it was more conducive to review the Capital budget first. Mr. Burguieres said by reviewing the Operating budget first, you could determine the amount that could allocated to the Capital items.

Mr. Oliveri said the Capital budget contained the most detail for discussion. The City Council could review the Operating budget and the Administration could answer those questions before discussing the Capital items. If there was a Capital budget item to be added, it would affect all of the numbers through the whole budget. Mr. Burguieres said the Capital budget did not use any General Funds, and Mr. Oliveri said it included General Funds. Mr. Oliveri said the General Fund was not the biggest part of the outlay for the Capital budget. Mr. Burguieres asked if the City Council wanted to establish a Trust Fund for retired employees health benefits which were currently not funded, and wanted to add \$500,000 that would come out of the Operating budget. Mayor Villere confirmed that was correct. Mr. Burguieres asked that the \$500,000 would affect the available funds for Capital projects. Mayor Villere confirmed that was correct. He suggested reviewing the Operating budget first if there was the possibility of the

Trust Fund. Mr. Oliveri said if it was known that the Trust Fund would be proposed then it should already be noted as a footnote. Mr. Burguieres handed the proposal to Mr. Oliveri to allow time for it to be worked into the budget because the retired employee benefits were not currently funded and an unfunded balance was growing each year. This way the monies would not be short when the budget cuts down. Mayor Villere said a Trust Fund would be included in the Fund Balance for operating monies. The Trust Fund monies would have to be assigned in the General Fund balance. This could have an effect on later years if the Fund Balance was reduced to the point where it was coming toward that Trust Fund area. An amount would not have to assigned each year, but could be assigned now. Mr. Burguieres was concerned about a growing unfunded mandate each year, but Mayor Villere assured the Council it was not unfunded. Mr. Oliveri said Mr. Burguieres was talking about the footnote under GASB 45 that stated there was a commitment to fund it each year. Mr. Oliveri said it was funded each year. Mr. Burguieres aksed why it was growing each year. Mr. Oliver said the demographics show that with more retirees there was a need for more money to that line item. Mayor Villere said the Trust Fund could be assigned from the Fund Balance as dedicated money to be untouched by any Council. The Trust Fund could reviewed each year based on the revenue projections. Mr. Burguieres said it could be discussed in the next few weeks and decide if it would make a difference in reviewing the Operating or Capital budget first.

Mr. Madden said the reason for discussing this was that the MFOC was discussing the pros and cons of which budget to discuss first. He thought from his experience that the budget process was smoother reviewing the Operating budget first. If it was to change, the Administration should be made aware of it now. Mr. Danielson said this was a report and there would be no decisions. Mayor Villere said last year he had recommended to the Council an assignment in the Fund Balance for emergencies of 20% of the revenue of the General Fund Operating budget. Mr. DeGeneres suggested submitting any requests to Mr. Oliveri at this time so it could be determined what Capital projects could be budgeted. Mr. Madden said Mayor Villere communicated with the Council mid-April for budget requests.

Mr. Madden said Glen Runyon, Ex Officio member appointed by the City Council, had resigned effective the month of March. There was a request for resumes to be included in the March 19<sup>th</sup> and 26<sup>th</sup> journal with an April 2<sup>nd</sup> closing date. The Council would appoint the new member at the April 9<sup>th</sup> meeting so the person could attend the April MFOC meeting. Mr. Madden said he had received two verbal notices from Mr. Runyon and would receive a written resignation.

Ms. Buchholz announced that Friday, March 20<sup>th</sup>, there would be the Leaders Against Litter Program from Lt. Gov. Jay Dardin's office in the Court room from 8:30 to 9:30 a.m.. Keep Mandeville Beautiful was sponsoring the event. There were 40 RSVPs received, including elected and church leaders.

Mr. Danielson announced that two years ago the Frank Shows Legislative Leadership Program began, and C.J. Klein was finishing an Orientation Guide for Council Members. The Council was working with the School Board, and next year's program was being upgraded so that the intern would receive school credit and could be at City Hall during school hours. There was a more detailed curriculum developed, and it would be announced at Mandeville High School this week. Next month applications would be submitted for the City Council to review and have the candidate start in August. The new curriculum would require six hours per week required split between office time and attending Council meetings. Mr. Danielson suggested the candidates see the School to Work Coordinator or himself. A requirement was that the candidate be interested in government and civics.

It was announced that the Trailhead concert was being rescheduled due to the weather. There was a special Dew Drop concert on Wednesday from 6:30-9:00 p.m.

**OLD BUSINESS:**

1. Adoption of Ordinance No. 15-02, AN ORDINANCE AMENDING THE COMPREHENSIVE LAND USE REGULATIONS ORDINANCE, SECTION 2.4, MANDEVILLE PARKS AND PARKWAYS COMMISSION PROVISIONS, SECTION 2.4.7 POWERS AND DUTIES OF THE MANDEVILLE PARKS AND PARKWAYS COMMISSION TO INCLUDE SECTION 2.4.7 (2) i SELECTION AND PLACEMENT OF PUBLIC ART,

AMENITIES AND STRUCTURES PLACED IN CITY PARKS, OPEN SPACES AND RIGHT OF WAYS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Ernest Burguieres, Council District III)

A motion was made by Mr. Burguieres and seconded by Mr. Madden to defer adoption of Ordinance 15-02. Mr. Burguieres said the ordinance was on the Planning and Zoning Commission agenda to expand the responsibilities of the Parks and Parkways Commission for the placement on public property on structures and art. This would be added for their review when requested by the Mayor or City Council. Mr. Burguieres moved to defer the ordinance for two weeks, seconded by Mr. Ellis and with no further public comment, questions or Council discussion, the motion passed unanimously.

2. Adoption of Ordinance No. 15-03, AN ORDINANCE TO ACQUIRE DONATED PROPERTY BY THE CITY OF MANDEVILLE AND TO PROVIDE FOR RELATED MATTERS (Offered by David Ellis, Council District I)

A motion was made by Mr. Ellis and seconded by Ms. Buchholz to adopt Ordinance 15-03. Mr. Ellis said he had discussed the issue with Mr. Deano to limit the liability for the property owners. The City had approved the servitude and had no additional liability, but since the property owners had donated their property they should not have any liability. Mr. Burguieres asked if there was a rule that a survey must be attached. Mr. Danielson stated this was for a cross walk and not a construction project. Mayor Villere said the survey was attached to the original servitude when it was adopted. Mr. Deano said the City Council adopted the servitude with the survey attached about a month ago and some of the property owners were concerned about liability. They donated the property to the City to remove the property owner liability and not increase the City liability. Mr. Burguieres said he was not opposed to the project, but would vote against it because the survey should be attached as a matter of course. Mr. Ellis said there was a property description in the ordinance and agreed it would be beneficial to have the survey attached in the future. Mr. Danielson said the crosswalk was for the residents of Rouquette Lodge to have safe passage to the shopping center. Mr. Madden said Rouquette Lodge had requested this passage for three years and commended Mr. Ellis and the Administration for getting it to the Council. With no further public comment, questions or Council discussion, the motion passed 4-1 with Mr. Burguieres voting against the ordinance.

**NEW BUSINESS:**

1. Approval of the waiver of eating and drinking on the lakefront for the following events:

- CROP Hunger Walk, Saturday, April 18, 2015, 2:00 to 5:00 pm, no rain date
- Crawfish Cookin' for a Cause, Saturday May 16, 2015, 10:00 am to 8:00 pm, May 17, 2015 rain date
- Mandeville Family Reunion Picnic, Sunday, May 24, 2015, 6:00 am to 8:00 pm, May 25, 2015 rain date

A motion was made by Mr. Ellis and seconded by Mr. Burguieres for the approval of the waiver of eating and drinking on the lakefront for the three special events. Kirt Frosch spoke as one of the five committee members for the Mandeville Family Reunion Picnic stated this was the fourth year for the event. It was well attended with an increased number of participants each year. More information could be found at their website – mandevillereunion.com. Ms. Buchholz said it was a good event. Mr. Madden was glad for their Facebook presence, and said there was another group named I lived in Mandeville When. Mr. Frosch said they were associated with that group. With no further public comment, questions or Council discussion, the motion passed 5-0.

2. Approval of the Special Event Keep Mandeville Beautiful Spring Clean Up, waiver of \$1,730 of City costs for Public Works, waiver of eating and drinking on the lakefront, to be held on Saturday, April 18, 2015, 9:00 am to noon, no rain date

A motion was made by Ms. Buchholz and seconded by Mr. Ellis to waive the \$1,730 Public Works Department cost and waive the eating and drinking requirement on the lakefront for the event. Ms. Buchholz said this was an annual

event that well attended with 400-500 volunteers that provided beautification and litter pickup. With no further public comment, questions or Council discussion, the motion passed 5-0.

3. Adoption of Resolution No. 15-10, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ESTABLISHING A PROCUREMENT COMMITTEE TO REVIEW EXISTING PROCUREMENT POLICIES AND PROCEDURE AND CONSIDER AND DRAFT PROCUREMENT POLICY AND PROCEDURE UPDATES AND /OR IMPROVEMENTS FOR THE CITY OF MANDEVILLE AND MAKE RECOMMENDATIONS TO THE CITY COUNCIL FOR ADOPTION BY ORDINANCE OF SAME (Offered by Ernest Burguieres, Council District III)

A motion was made by Mr. Burguieres and seconded by Mr. Ellis to adopt Resolution 15-10. Mr. Burguieres said the resolution grew out of Command Construction's bid on Girod Street and discussed what was and was not in the request for contracts. As part of the discussion, he had mentioned the AIA Agreement was used by public entities on the south shore. The low bidder must then fill out a second agreement that would allow the Administration and City Council to know of all disputes and know if the contractor was qualified. He thought it would nice on a periodic basis to have a committee, Administration and any City Council Members review any changes in the law and contractor procedures that would be beneficial to the City to meet a couple of times a year to update the process. Mr. Madden said the resolution stated that the Committee must meet at least once. Mr. Burguieres said he had an Attorney General letter that said it was an approved document to use for streets, drainage and structures so there was no impediment to using it. Ms. Buchholz said the main focus would be to incorporate the AIA contract. Mr. Burguieres said it would be to have a committee to bring to light things that might be useful to tracking the bidding process. Ms. Buchholz was concerned about the members being knowledgeable about procurement and what it would to get a citizen up to speed. Mr. Burguieres said he would include Cathy Williams, Purchasing Clerk for the City, and two citizens who would bring their experience. He would also ask the City Attorney and Public Works Director to attend. Ms. Buchholz asked whether the meetings would be day or evening, and Mr. Oliveri said it would be day meetings unless the City Council authorized the over time. Mr. Burguieres wanted to get the committee established and then determine meeting times. Mr. Oliveri said no one had asked to see the City policies and how they compared with the Legislative Auditors best recommendations. Mr. Burguieres had looked at the City policies with Command Construction. He had been told that the AIA document could not be used in Mandeville contracts. He felt the AIA contract would improve the protection to the City requiring a successful bidder to divulge any claims or litigation and have more information to make an informed decision. Mr. Oliveri asked who would make that determination if they were responsible.

Henry DiFranco, City Engineer, asked to first clarify that AIA documents were not used for public works projects, just architectural projects. Mr. Burguieres said the Attorney General disputed that. Mr. DiFranco said he said it could be used for architectural project. Mr. Burguieres said it could be used for streets and drainage. Mr. DiFranco did not think it was a relevant document. Mr. Burguieres said that could be discussed at the meeting and Mr. DiFranco could also attend. Mr. DiFranco said Public Works bid laws were defined and many hours were spent to use the equivalent document for engineering. Mr. Danielson asked if the AIA was an example. Mr. DiFranco said the City already used the equivalent. Mr. Burguieres said the City could look at both documents to determine if they were equivalent. The Attorney General said Mandeville could use the document in public works projects. Mr. Burguieres felt the City could always improve on what they do and Mr. DiFranco was in agreement to that. Mr. Burguieres was talking about the committee and the document was an example

Mayor Villere said Mandeville followed the State of Louisiana bid laws, procurement laws of Louisiana in using state contract licensed contractors and opportunities. There was a qualified person handling purchasing who was in constant contact with the Attorney General with any questions. There were Legislative Auditors and the annual auditor sampled the procurement opportunities to make sure were following the state law. He did not see a need for the committee. If Mr. Burguieres or anyone had a question in reference to a project, the City could research and provide information, and ask the City Attorney for an opinion. Getting a matched meeting schedule could be a problem. Ms. Buchholz asked Mayor Villere if the current agent was trained in the position, and it was answered that she was certified. The certification included annual education, NGIPp training, and annually attended the conference with the Legislative Auditor for updates. Ms. Buchholz had attended several LMA meetings regarding

procurement which was beneficial. She was questioning if appointed members would be up to speed on practices. There were no specific resume requirements in the resolution and would not support it.

Mr. Deano said this topic would bear some examination and it would be helpful to have a better understanding. It was a complicated that the City Charter stated that contracts were made under state law and under Administrative and Council policy. The Attorney General's opinion said that Council policy that could be used was what was not been taken by the State or the Charter and then the Council could regulate. The last time was Mr. Ellis' regulation of disclosure of campaign contributions. There was a narrow field that would be helpful if everyone understood how that worked. His problem with resolution was to establish another public body would not serve the City well. There would be money, notices, more public officials, and as Ms. Buchholz said this expertise was members go to seminars or invite speakers. The Council could ask questions of the expert. He suggested as a best way, like budget special meetings, have the types of people to provide the information to allow for a broader view and develop expertise in the legislative body. There were conflicts in policy to be hammered out by the Council and not a committee. The public needed to hear from their public representatives. His suggestion was that the Council develops that expertise. He suggested this could be before the MFOC. Mr. Burguieres said his idea was to have two citizen members with citizen employees to provide an opportunity to discuss and for the public to offer their observations. Mr. Deano suggested doing it in a Council meeting. Mr. Burguieres said the MFOC allowed for more discussion and then it could be brought to the Council for public discussion. Mr. Deano said to segregate different areas of legislative responsibility into different committees was not a good idea as his personal opinion. Mr. Ellis asked Mr. Burguieres to consolidate this into the MFOC as a discussion topic. Mr. Burguieres was not opposed, but he would like Cathy Williams be included. She would benefit by the discussions to get different ideas. There would be a discussion of what other communities did. He did not envision more than three meetings. One of the issues was the comparison with the AIA contracts. The Command Construction bid award was controversial. Mr. Deano said this was not about Command Construction, and Mr. Burguieres said it was about it for him. Mr. Deano said you would be creating a new public new public. He could get a broader view of the topic by having experts come to the Council and attend seminars. Would there be a filtered viewpoint or if the Council was a more active participant. Mr. Burguieres said the same argument was made about the MFOC and that was not the case. There was feedback and you could vet ideas. If it did not work, then the committee could be disbanded. Mayor Villere felt there was no need for a committee to do that. Mr. Danielson two months ago he talked with Ms. Williams about a special meeting to discuss public bid law. He suggested that could be the next step. He appreciated the goal but with a discussion then the Council could discuss expanding the scope of the MFOC in working with the administration. Mr. Burguieres was in agreement to deferring the resolution until a special meeting to see how it worked out.

A motion was made by Mr. Burguieres to defer the resolution to a special meeting with Ms. Williams and the Administration to discuss procurement issues, seconded by Mr. Ellis. Mr. Oliveri said the meetings had every procurement officer in the state and they learn the best practices and brought it back. Mr. Danielson said Ms. Williams' reputation as a procurement official in the state comes back. The date would be held before the end of May. Mr. Ellis was in agreement to including the date in the motion. With no further public comment or questions or Council discussion, the motion passed 5-0.

4. Adoption of Resolution No. 15-11, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ACCEPTING THE BIDS FOR THE LIFT STATION 22, 23 AND 33 IMPROVEMENTS PROJECT, PEC PROJECT NO. 11093.01 AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by David Ellis, Council District I)

A motion was made by Mr. Ellis and seconded by Ms. Buchholz to adopt Resolution 15-11. The scope of work was to completely rehabilitate the lift stations. There were nine bids submitted and Godfried, LLC of Covington was the lowest responsible bid. Mr. DeGeneres said as a result of an Evaluation Study, and the lift stations needed to be rehabilitated with new mechanical equipment. Lift Station 21 was unique by looking at the area and determined in the study of being able to remove two lift stations and replace it with one. The decision was based on a study by Principal Engineering through a grant. Most of the lift stations would be in the same location unless they could not

fit. With no further public comment, questions or Council discussion, the motion passed 5-0.

5. Adoption of Resolution No. 15-12, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO CHANGE THE REGULAR CITY COUNCIL MEETING OF THURSDAY, APRIL 23, 2015, 6:00 PM TO THURSDAY, APRIL 30, 2015, 6:00 PM AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Clay Madden, Council at Large)

A motion was made by Mr. Madden and seconded by Mr. Burguières to withdraw Resolution 15-12, seconded by Mr. Burguières. There was a Child Abuse Awareness concert at Chenier the night of the Council meeting. There were conflicts with the reschedule date so the City Council would meet on their scheduled date and then attend the concert. With no further public comment, questions or Council discussion, the motion passed 5-0.

6. Adoption of Resolution No. 15-13, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ACCEPTING THE BIDS FOR THE STORM DRAIN CHECK VALVE INSTALLATION PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Ernest Burguières, Council District III)

A motion was made by Mr. Burguières and seconded by Mr. Ellis to adopt Resolution 15-13. Mr. Burguières said the resolution would be to install the balance of the check valves in the sea wall. Mr. Danielson said the check valves would help drainage more than protection. Mr. DeGeneres said the installation would be tearing up the lakefront to install the drain connections. It was the intent to be complete before storm season. The cleanup would take place at the end of the contract so they could finish by June 1<sup>st</sup>. The project would begin as soon as the contracts were signed and recorded. The Council approved the valve procurement at the last meeting so the order could be placed since there was a wait time of eight weeks for delivery. Mr. Danielson asked where the construction would begin with the Family Reunion picnic in May. Mr. DeGeneres said that would be determined at the preconstruction meeting. With no further public comment, questions or Council discussion, the motion passed 5-0.

7. Adoption of Resolution No. 15-14, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE INTERGOVERNMENTAL AGREEMENT WITH PELICAN POINTE CAR WASH 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 Rick Danielson, Council Chairman)

A motion was made by Mr. Burguières and seconded by Ms. Buchholz to adopt Resolution 15-14. A carwash was proposed at the corner of Highway 59 and Florida Street. The project was granted a permit in the Parish, but the owner was instructed to contact the City for water and sewer hook up. The recently adopted ordinance required any requests be forwarded to the City Council. The owner was agreeable to annexing into the City. At this time, they would be required to pay 1.5 times the City rate and it would be reduced when the annexation was adopted. Many businesses were connected to City sewer to have the Highway 190 project move forward. Impact fees were paid to the Parish, but they would have to pay them to the City. Mr. Madden confirmed that the project had been approved through the Parish, and Mr. Danielson said they found out about the water and sewer at the end of the process. Mayor Villere said the project had been reviewed by the Design Review Committee and the City had reviewed the Landscape Plan. The request was to authorize their connection to City services. The City was requesting the Parish to review the Landscape Plan under the City's requirements and tweak the site with more screening of the services. Mr. DeGeneres reiterated that the owner did not know to make the services request from the City. Mr. Burguières asked if the zoning was approved for a carwash and it was answered that it was. Mr. Madden asked if there was any control over the use, and Mr. Danielson answered that it was a permitted use. Mr. DeGeneres said there was a location on Highway 21 if the Council wanted to see what the project would look like. Vaughan Sollberger said the DOTD setbacks would only allow a small building. With no further public comment, questions or Council discussion, the motion passed 5-0.

8. Approval of Change Order No. 2, Isaac Recovery-Fire Hydrant Replacement Project, PW CMA004F, in the

additive amount of \$21,300.94 (Offered by Rick Danielson, Council Chairman)

A motion was made by Ms. Buchholz and seconded by Mr. Madden to approve Change Order No. 2. The project required additional pipes and equipment. Mr. Burguières complimented Mr. DeGeneres for accommodating the businesses on the cut off of water. Mr. Burguières said knowing in advance was good so he could send out an email. With no further public comment, questions or Council discussion, the motion passed 5-0.

9. Discussion: How and when citizens can utilize section 4.3.1.1 of the CLURO (Offered by Ernest Burguières, Council District III)

Mr. Burguières said he had received a copy of a letter from the Law of Michael Tift which seemed to suggest that the citizens could petition a change in the land use regulations. He was asked by Denny Perschall to bring it up as a discussion item because there was no response. Mr. Deano said he had written a letter on Dennis Thomas, Planning Commission Chairman, on this issue. The CLURO section took into consideration that the difference between regulations and zoning classifications. The regulations in the zoning classification were part of the legislative process with public hearings. There was a distinction about how to achieve changes in the classifications or changing the regulations in a classification. The changes of classifications in a regulations was a legislative function. It was changing an ordinance and a section of the law. The classification that a property owner had changed the zoning and the map. The CLURO section provided three methods to request any changes to a classification or a regulation. The City Council could do either one, and Mr. Burguières asked without going to the Planning and Zoning Board. Mr. Deano said the request must be approved by the Planning and Zoning Commission to change the classifications or the zoning. The City Council could initiate the rezoning. The City Council could initiate the change in regulations as a legislative function. The second provision was by a petition by the property owners of a change to the classification to the reclassification of a zoning district. The citizen could request a rezoning with a sufficient number of requests. Mr. Burguières asked if the B-3 district citizens wanted to exclude commercial, could they make that request. Mr. Deano said no, they could ask to be a different zoning district. They could not change the law but could change which laws applied to their property. The second one was by initiative, which required a large amount of signatures. The citizens by ordinance could change the regulations but not the zoning of someone else's property. Ms. Buchholz pointed out that number six referred to the Community Appearance Commission, which was no longer in existence.

Mr. Madden asked Mr. Deano specifically about the businesses around the Trailhead and their petition. He read that they asked to defeat the moratorium which was done. The other issue was about the square footage in the Town Center. He wanted to accommodate the property owners and felt it was strong that 75-80% of the businesses had wanted this. He had met with Lorraine Chotin, who sent him to Ms. Kidd who said the issue would be addressed by Mr. Lauer in the CLURO meetings in late March. He asked about the timeframe for those meetings. Mayor Villere said a special meeting was scheduled for March 25<sup>th</sup> to discuss the Short Term Work Program items of which the Town Center was one of the items. He could not guarantee what issues would be gotten to that night. Mr. Madden wanted to see the issue expedited, and not have it continue until the fall. He asked if the issue was not discussed on March 25<sup>th</sup>, was there another meeting date scheduled.

Denny Perschall, Acadian Millworks owner, said he had heard what the City was going to do it for two years. The petition was submitted 4.5 months ago and asked why the second part of it was not addressed. He had received a letter from Mr. Deano and it appeared that he and Mr. Tift were in conflict of opinions. He did not know what was the next step, but he wanted to see the issue move. In good faith, the owners had signed the petition. If the deadline for discussion was March 25<sup>th</sup>, he could in agreement but the discussion was beyond that date he was not comfortable with that. Ms. Buchholz asked Ms. Spranley what topics were to be discussed. Ms. Spranley said at this time fill and signage were to be discussed and it was not known what other topics could be discussed. There was a second tentative meeting date of April 15<sup>th</sup>.

Ms. Buchholz requested Ms. Spranley to notify Ms. Kidd that the City Council wanted the Town Center to be addressed at the Marsh 25<sup>th</sup> meeting. Mr. Madden said he would attend the meeting and hoped an ordinance would be on the April agenda. Mr. Perschall said Mr. Deano could make the determination without the Planning and

Zoning Commission. Mr. Deano said the City Council could introduce an ordinance referring it to the Planning and Zoning Commission for recommendation and have it returned to the City Council for approval. Mr. Danielson said since the CLURO meetings were beginning. Mr. Perschall said he had a business there for 15 years, and the live work could not be done again. He did not know where the 3,000 square foot requirement came from, and he asked to have proof of it. Mr. Madden said his research with the APA showed they did not recommend any minimum in a Town Center designation. The City of Covington had a 1,500 square foot requirement and he hoped to meet in the middle. It was decided to have the Planning and Zoning Commission hold public hearings and make a recommendation.

Mike Waller, Town Center property owner and developer, said there was no response from anyone to the petition. He was told two years ago that the City would deal with the square footage later. He had been hearing the same response since he moved to Mandeville.

10. Introduction of Ordinance No. 15-05, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO EFFECT THE ANNEXATION OF A 0.33 ACRES TRACT OF LAND DESIGNATED AS PARCEL ONE AND A 0.37 ACE TRACT OF LAND DESIGNATED AS PARCEL TWO LOCATED IN SECTION 54, T7S, R11E, INTO THE CORPORATE LIMITS OF THE CITY OF MANDEVILLE DESIGNATING AND ASSIGNING THE PROPERTY FOR PURPOSES OF ZONING AS B-2 HWY BUSINESS DISTRICT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by David Ellis, Council District I)

A motion was made Mr. Ellis and seconded by Ms. Buchholz to introduce Ordinance 15-05. The ordinance was referred to the Planning and Zoning Commission for recommendation.

11. Introduction of Ordinance No. 15-06, AN ORDINANCE FOR THE CITY OF MANDEVILLE ADOPTING BUDGET ADJUSTMENT NO. 2, FISCAL YEAR 2014-2015 BUDGET, AND TO PROVIDE FOR RELATED MATTERS (Offered by Carla Buchholz, Council District II)

A motion was made by Ms. Buchholz and seconded by Mr. Ellis to introduce Ordinance 15-06.

## **FINANCE REPORT**

### **PUBLIC COMMENT:**

Mr. Burguires asked when the air condition replacement for City Hall was scheduled. Mr. DeGeneres said it was determined to be more of a purchase of equipment so there must be a bid document and advertisement. Mr. Burguires asked if it would take 30 days and Mr. DeGeneres was hopeful it would be before then. He was also working on the roof replacement. Mr. Burguires requested to clean the rust stains in the front of the building. Mr. DeGeneres said they had tried to remove it and no chemical worked on removing it. The only solution was to remove it or recap it.

Charles Goodwin, Lakeshore Drive resident, asked under the CLURO if citizens in a district did not want another instance like Rest A While to occur, how to do that. He would like to keep it as residential as possible, and restrict the abundance of businesses. Mr. Deano said he could answer hypothetically that 50% of the surrounding property owners could request a change of zoning, and initiate it by a petition. The property owners would talk to a Council member to introduce the ordinance. The ordinance would be referred to the Planning and Zoning Commission for public hearings with a recommendation to the City Council for action. Mr. Madden said hypothetically the citizens of the lakefront would not like to see any more bars. He suggested getting 51% of the entire zoning classification to sign a petition or have a Council member sponsor an ordinance to a different zoning. Mr. Deano said there were limitations on the regulations. Mr. Madden asked specifically about the undeveloped property on the western corner of Carroll Street and Lakeshore Drive if citizens could request to rezone that property. Mr. Deano said he could not tell if there could be a request from the citizens to rezone someone else's property. There could be the creation of a new zoning classification.

Mr. Goodwin suggested on the AIA contract as an interim to extract the language that was most appealing, bring that to the Council and ask the Administration to include that language.

**PROJECTS IN PROGRESS (STATUS REPORT):**

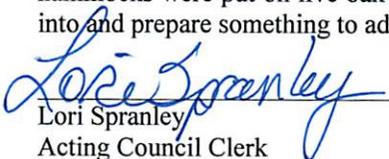
1. Capital Roadway Maintenance Project - 35% complete because of rain delays
2. Girod Street Landscaping & Lighting Project, Phase III – Kyle and Associates was working on the plans. Mr. Burguieres said that the Planning and Zoning Commission had recommended constructing additional parking spaces. He wanted to make sure the project worked with the proposed parking spaces.
3. Lotus Drive/Village Lane Drainage Project - the last run of pipe was being installed but there were rain delays
4. Rapatel Water Tower- steel fabrication was in progress, but the painting was rain delayed
5. Fire Hydrant Replacement Project - 95% complete. Working for completion in the next week. The City required the yellow color and the Fire Department placed their color to the top.
6. Fire Suppression System for Dew Drop - complete. The big ugly pipe was sticking up as the state required it to be above ground. It included the backflow prevention device and inside sprinklers
7. Lift Station 21 Relocation - construction was underway. The old lift station will be removed after the new one was finished
8. Lift Station 19 Relocation - 25% complete
9. Girod Street Overlay Improvements - Claiborne Street was now being worked for drainage. There were rain delays, and the crew was working on the weekend to catch up to stay on schedule. Mr. Burguieres asked about the gridding and overlay. That had already occurred, but there was one problem with the old patch on Madison Street. The new tap had failed so this area was left to cure out and would be addressed at the end of project. There was a small dip.
10. West Causeway Approach Pathway Project – the contracts were signed and were waiting to be recorded to start
11. LA Highway 22 – was still in contract

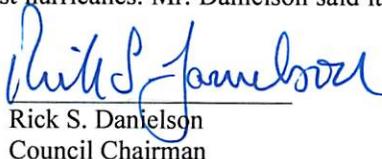
Mr. Burguieres asked about being contacted to discuss capital projects. Mr. DeGeneres said they were evaluating the roads and would be in contact. He wanted to determine costs for the budget and if there were no funds, he would notify the Council before the budget was complete.

**ADJOURNMENT:**

A motion was made by Mr. Burguieres and seconded by Mr. Ellis to adjourn the meeting. The motion passed 5-0.

Ann Haveman asked if anyone had complained about the hammocks being hung on the lakefront trees. She had called the police. It was becoming a community of them and she did not want to damage the tree limbs. Many of the hammocks were put on live oak tree limbs that were damaged by past hurricanes. Mr. Danielson said it would look into and prepare something to address it.

  
Lori Spranley  
Acting Council Clerk

  
Rick S. Danielson  
Council Chairman