

**MANDEVILLE CITY COUNCIL MINUTES
FOR THE MEETING OF APRIL 24, 2014**

The regular meeting of the Mandeville City Council was called to order by the Mayor Pro Tem at 7:00 p.m. Following the call to order, a moment of silence was observed and the Pledge of Allegiance was recited.

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

ABSENT:

ALSO PRESENT: Mayor Villere, Captain Ruple; Frank Oliveri, Finance Director; Louissette, Kidd, Planning Director; David deGeneres, Director of Public Works; Laurie Pennison, Assistant City Attorney; Henry DiFranco, City Engineer; Tim Dunn, St. Tammany Farmer; Kim Chatelain, Times Picayune; Faimon Roberts, The Advocate; David Folse, Tammany West

MINUTES:

1. Adoption of the April 10, 2014 Regular Meeting Minutes

A motion was made by Mr. Ellis and seconded by Mr. Burguières for the adoption of the April 10, 2014 regular meeting minutes. Mrs. Buchholz made two amendments: (1) page three, second paragraph, line 15, change Mrs. to Mr. and (2) page four, adoption of Resolution No. 14-13, include a statement made by Mr. Madden that in her absence, she requested that it be read for the record that she was in favor of the Resolution. Mr. Madden asked the Council if there were any objections to the amendments. There being none, the motion to adopt the minutes, as amended, passed 4-0.

REPORTS AND ANNOUNCEMENTS:

1. Sergeant Paul Bourque has accepted a position with the St Tammany School Board and will be retiring from the MPD after nearly 30 years in the police business.

2. National Public Safety Telecommunicators Week was April 13th -- April 19th. Mr. Madden recognized and thanked the MPD dispatchers for their commitment, hard work and professionalism.

3. Patrick Flanagan, of Mandeville High School, was voted the State Student of the Year.

4. Finance Report for the seven month period ending March 31, 2014 by Frank Oliveri: Our governmental funds collected \$13.5 million which is 65% of the budgeted amount. On the expenditure side we spent \$6.8 million out of \$22.5 million budgeted. We have an uncommitted balance in the general fund of \$9.6 million and \$36.7 million total available funds in the restricted funds. The Enterprise Fund is on budget with \$1.8 million in revenue and \$1.6 million in expenditures. Mr. Oliveri stated that the financial tracking sheets, for each public facility, was in progress. He stated that he was currently working on separating the electrical expenditures.

OPENING OF THE AGENDA:

1. Approval of the Special Event Liquor License Application for the Crawfish Cookin for a Cause Event, to be held on May 17, 2014, Mandeville Harbor, 8:00 am to 7:00 pm

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. A motion was made by Mr. Danielson and seconded by Mr. Ellis for the approval of the special event liquor license application for the Crawfish Cookin for a Cause Event, to be held on May 17, 2014, Mandeville Harbor, 8:00 am to 7:00 pm. The motion passed 5-0.

OLD BUSINESS:

1. Adoption of Ordinance No. 14-10, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF MANDEVILLE TO RE-ORDAIN SECTION 11-87, RELATIVE TO SOUNDS EMANATING FROM A VEHICLE, AND TO PROVIDE FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mr. Ellis and seconded by Mr. Burguières for the adoption of Ordinance No. 14-10. Mr. Burguières stated that this was in response to some constituents calling to complain about noise emanating from vehicles, mostly on the lakefront. This adds a little more "teeth" to our existing ordinance. It has been reviewed by our Police Chief and City Attorney resulting in the ordinance before us tonight. The second part of the ordinance addresses vibrations from deep bass sound systems to motorcycles. Mrs. Buchholz asked if there was a timeframe. Mr. Burguières stated no; it prohibits sounds and vibrations 24/7. Mayor Villere stated that he thought this would be difficult to enforce, unless you can track someone and get their license number or vehicle description. He stated that he did not think this would enhance our current ordinance. Mr. Danielson stated that he thought the ordinance provided more details. There being no further questions, the motion to adopt Ordinance No. 14-10 passed 5-0.

NEW BUSINESS:

1. Discussion – An Update on the Hwy 190 Widening Project with DOTD

Allison Schilling, DOTD District Administrator, Lacey McKaskill, DOTD Project Engineer, and Kelly Commander, Command Construction gave the City Council a progress report on DOTD's Hwy 190 Widening Project in the City of Mandeville. Ms. Schilling spoke on behalf of DOTD. The asphalt contractor will start laying asphalt from Lonesome Road the Meadow Brook on April 28th. The traffic will then be shifted onto the west bound bridge on May 3rd. Then the demolition and construction of the east bound bridge will begin. The contractor anticipates that the work on the east bound bridge will take four months. During that time the contractor will continue constructing drainage and base for the west bound lanes from Meadow Brook, through Asbury, to the end of the project. Final project completion is targeted for November. All lanes are anticipated to be open one month prior to November, with the last month (October-November) dedicated to incidental items and clean up along-side the roads. There are two main subcontractors involved, one for the bridge and the other for asphalt. Any delays due to weather are added to the contract towards the end of the project. DOTD has agreed with the contractor for some additional days for additional work that has been added by DOTD by change orders. DOTD is still in negotiation with contractor on extra work for the right turn lane at Meadow Brook and some of the median openings that were added to address some of the concerns of the businesses in the area. DOTD has addressed the concerns about the piles of debris with the contractor. There are two onsite DOTD supervisors every day and one DOTD project engineer handling the project from the office. The Asbury intersection will be cut down three feet to remove the super elevation out of the roadway plus an additional two feet to construct the base of the roadway. Another additional phase was added on the east bound section of the project where the roadway is 1.3' higher than the existing roadway, which resulted from an error in the plans. In order to tie it in, some of the roadway will have to be removed in the east bound direction, adding a little more time to the project. DOTD cannot dictate the means and methods of how the project is accomplished. However, the contractor will be penalized \$5,000 per day beyond the contracted project finish date, adjusted for holiday time, bad weather conditions and variances/additions to the contract.

Ms. Commander stated that they were addressing the removal of debris on a daily basis. The temporary pile of debris at Asbury could not be removed due to weather conditions and will be removed as soon as allowable. The project is divided into phases and the scope of work of each phase dictates the number of workers needed on site. Currently, all of the efforts are towards getting the asphalt down.

Business owners Steve Boos, Mark Benfatti, Beth Siemen, Robert Mitchell, Steven Creech, Chris Pierce and Ira Webber expressed their concerns regarding loss of business, project delays, safety issues due to changing traffic patterns, change orders due to errors, piles of debris, lack of communication and information from DOTD, and the appearance of insufficient number of workers on site. Overall, the complaint was that there appeared to be a lack of accountability and a lack of a sense of urgency by the contractor/DOTD and City officials. Mr. Ira Webber asked if DOTD could renegotiate the contract to add funding in order to move the completion date up. Mr. Ray Siemen asked the Council to request that DOTD find funding to buy man hours so the project could move faster 24/7.

Ms. Desi Romani, Meadowbrook resident, reported on safety issues and traffic delays related to the entrance way of Meadowbrook subdivision. Mr. James Person, Cherry Creek resident, confirmed that landscaping, along the fence of Cherry Creek, would be replaced, addressed concerns about curbing cuts, asked for clarification regarding the design of the westbound and eastbound exit out of the subdivision, and requested a summary of all variances since the project was presented in a public hearing last spring. He asked what kind of accountability do citizens have with respect to the promised project timeline.

Ms. Schilling stated that DOTD has an 800 number for questions, comments and updates. DOTD has agreed to hold a public meeting, on the last Thursday of each month at 8:00 a.m. at City Hall to report on the progress of the project. The City and DOTD agreed to publish the progress reports of the monthly meetings along with any variances on their website. DOTD has a Facebook page for the project which provides status reports weekly. To receive email alerts, enroll through the DOTD website under MYDOTD. Projects can be searched by parish or by specific area. DOTD agreed to post a general timeline of specific jobs (i.e. asphalt for the next four weeks) citizens can anticipate through the completion of the project. Also there are electronic message boards on each end of the project to communicate traffic changes. DOTD agreed to look into posting additional signage regarding traffic lane changes within the project area. The accountability for citizens – that is the \$5,000 per day fee beyond the agreed contract finish date. DOTD will follow up on where those funds go and if they are encumbered.

Mr. Burguieres stated that the Council should consider crafting a resolution, for consideration at the next regular Council meeting, to ask DOTD if there was a process or the ability to increase funding on this project for the addition of more man hours.

2. Discussion – Strategies and Areas of Focus on the 2014/2015 budget process for referral to the Mandeville Financial Oversight Committee for additional review and possible recommendation back to the City Council

A motion was made by Mr. Danielson and seconded by Mrs. Buchholz to defer the discussion to the May 8, 2014 regular council meeting. The motion to defer passed 5-0.

3. Approval of Task Order No. 2, 2013 Roadway Maintenance Contract, \$1,128,000, Barriere Construction Co.

A motion was made by Mr. Ellis and seconded by Mrs. Buchholz for the approval of Task Order No. 2, 2013 Roadway Maintenance Contract, for \$1,128,000, Barriere Construction Co. Mr. deGeneres stated that this was the second task order under the roadway maintenance agreement with Barriere Construction. He added that he sent an email to all Council members to request if there were more streets that needed to be added to the scope of work. These are all the streets that were a part of the original budget. We plan to address drainage on Cedarwood, provide additional curbing on Heavens Drive and replace concrete panels in the City. The first task order covered asphalt roads. Mr. Madden requested that future task orders and change orders be offered by a council member on the

agenda. The Administration agreed. The motion to approve Task Order No. 2 passed 5-0.

4. Adoption of Resolution No 14-18, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR TO EXECUTE THE LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES ALLIGATOR EGG COLLECTION PERMIT FOR 2014; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mrs. Buchholz and seconded by Mr. Burguieres for the adoption of Resolution No. 14-18. Mr. Madden explained that this allowed for Walls Alligator Farm to collect alligator eggs on City of Mandeville property. This permit is issued annually. There being no questions the motion to adopt Resolution No. 14-18 passed 5-0.

5. Adoption of Resolution No 14-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ACCEPTING THE BIDS FOR THE RAPATEL STREET WATER TOWER PROJECT, A/E PROJECT NO. 712-36 AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE RESPONSIBLE BIDDER; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mrs. Buchholz and seconded by Mr. Danielson for the adoption of Resolution No. 14-19. Mr. Danielson stated that the City received one responsible bid at \$2.8 million which is all inclusive of the water tower and distribution system. The original budget was approximately \$3.0 million with grant funding from the State of \$2.5 million. Caldwell Tanks, Inc. was the only bidder. Mr. Burguieres asked if the City was going to get a maintenance contract. Mr. DiFranco stated that it will be evaluated separately; the City would like to shop for a maintenance contract. Mr. Ellis stated that the price came in higher than the other towers this particular company has installed. Mr. DiFranco stated that this tank was much larger and the bid came in at the engineer's cost estimate. Mr. Ellis asked how the bidding process worked. Mr. Oliveri stated that it was put out for public bid electronically, so the bid went out nationwide. Question was called by Mrs. Buchholz and seconded by Mr. Burguieres. The motion passed 5-0. There being no further discussion, the motion to adopt Resolution No. 14-19 passed 5-0.

6. Adoption of Resolution No 14-20, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO URGE AND REQUEST THE STATE OF LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT (DOTD) TO CONDUCT A COMPREHENSIVE CORRIDOR STUDY OF LA HWY 22 FROM THE SIGNALIZATION OF MARINA BEAU CHENE TO THE SIGNALIZATION INTERSECTION OF DALWILL DRIVE AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mr. Ellis and seconded by Mr. Danielson for the adoption of Resolution No. 14-20. Mr. Ellis stated that this is what DOTD requested from the Council with regards to getting further study to hopefully figure out a solution for this potential bottleneck area on Hwy 22. Two portions have already been addressed, from Dalwill Drive all the way in and from Marine Beau Chene and out. Mr. Madden asked if DOTD came to the Council. Mr. Ellis stated that he initiated this study. The Dalwill Drive project, which starts in September, will still leave us with one lane headed east. The Marine Beau Chene project focuses on the west side. This Resolution pushes DOTD to move forward to address the potential one lane bottle neck area. Mr. Danielson stated that at some point, maybe through the budget process, we need to consider a full transportation study for the entire City. There being no further discussion, the motion to adopt Resolution No. 14-20 passed 5-0.

7. Adoption of Resolution No. 14-21, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR PRO TEM TO EXECUTE AN AGREEMENT WITH POSTLETHWAITE & NETTERVILLE, APAC FOR THE PURPOSE OF CONDUCTING A FINANCIAL AUDIT FOR THE CITY OF MANDEVILLE AS OF AND FOR THE YEARS ENDING AUGUST 31, 2014 AND AUGUST 31, 2015 AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mrs. Buchholz and seconded by Mr. Danielson for the adoption of Resolution No. 14-21. Mr. Danielson stated that the City has used Postlethwaite & Netterville for the past three years. We have an opportunity to extend the contract for two more years. One item that the IG Task Force made a recommendation on was that all municipalities be required to rotate their auditor every five years. This Resolution follows that thought process. Mr. Madden stated that his concern was that this Council would have only seen one auditor during their four year term. Mr. Danielson stated that if we rotate too fast, it could be detrimental to the process. Mr. Ellis stated that he would like to see a separation of duties, between the Administration and the Council, in the process of picking the auditor. This is not an administrative function; this is purely a legislative function. He added that he would like to see the Council get more involved with the bidding process. Mayor Villere stated that the decision making process should have started in February or March, so we are under a time constraint. Mayor Villere explained the process of how the last auditor was chosen. Mr. Oliveri added that the Legislative Auditor requires that an auditor be engaged prior to the end of the fiscal year. Mr. Ellis stated that his proposal would be to extend this current contract for one year and then re-evaluate the bidding process and start earlier in February. Mrs. Buchholz clarified that the Administration and the RFP review committee have the expertise and the Council would have to learn that process before taking it on. Mr. Oliveri stated that ultimately the Administration is in charge of the RFP bidding process but the Council awards the contract based on presentations by bidders and review committee recommendations. There was further discussion on the bidding and scoring process. A motion was made by Mr. Burguieres and seconded by Mr. Ellis to amend Resolution No 14-21 to extend the contract for one year only, through August 31, 2014. Mr. Danielson stated that five years was an industry standard and he did not have a problem with the Resolution as stated. Mr. Ellis stated that he was in favor of one year because it gives the Council flexibility to change. A motion was made by Mr. Danielson and seconded by Mrs. Buchholz to call the question on

the amendment. The motion passed 5-0. The motion to amend passed 3-2, with Mrs. Buchholz and Mr. Danielson voting against. The motion to adopt Resolution No. 14-21, as amended, passed 5-0.

8. Adoption of Resolution No 14-22, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE CITY OF MANDEVILLE AND MARINER'S ISLAND CONDOMINIUM ASSOCIATION FOR THE PURPOSE OF OPERATING AND MAINTAINING SEWER PIPE LINES AND A LIFT STATION; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

A motion was made by Mrs. Buchholz and seconded by Mr. Burguieres for the adoption of Resolution No. 14-22. Mrs. Buchholz stated that this Resolution addresses a situation that has been up for discussion since she served on the Council. The condo homeowner association has requested that the City take on their lift station. They have used their own funding to bring it up to City standards and to provide a two year maintenance bond. There being no discussion or questions, the motion to adopt Resolution No. 14-22 passed 5-0.

9. Introduction of Ordinance No. 14-11, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE WITH RESPECT TO PARCEL P-7-1, CONSISTING OF 1.0 ACRES ZONED AS PCUD, PLANNED COMBINED USE DISTRICT, LOCATED IN NORTH CORPORATE VILLAGE, SAID PROPERTY SITUATED IN SECTION 46, T85, R11E, CITY OF MANDEVILLE, IN ST. TAMMANY PARISH, LOUISIANA; APPROVING THE SITE PLAN, THE CONCEPTUAL LANDSCAPE PLAN AND CONCEPTUAL ARCHITECTURAL ELEVATIONS; AND PROVIDING FOR FURTHER MATTERS IN CONNECTION THEREWITH

Ordinance No. 14-11 was read by title by Mr. Madden. A motion was made by Mrs. Buchholz and seconded by Mr. Ellis for its introduction. The Ordinance will be referred to the Planning & Zoning Commission.

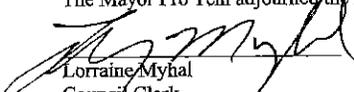
PUBLIC COMMENT:

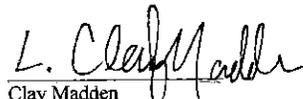
PROJECTS IN PROGRESS (STATUS REPORT):

1. Capital Roadway Maintenance Project – Drainage and sidewalk work is in progress on Carroll Street under Task Order No. 1. Task Order No. 2 was approved this evening.
2. Girod Street Landscaping & Lighting Project, Phase III – The plan is moving forward with DOTD.
3. Monroe Street Sewer Lift Station – The electrical work is complete and we are waiting on Cleco to install a new service.
4. Tyler Thomas Park Restrooms - The slab and walkways have been constructed. Construction on the building itself will begin next week.
5. Hurricane Isaac Water Meter Replacement Project – The contractor is replacing the non-standard sized meters. The project is 83% complete.
6. Community Center Rehabilitation – The drive through has been completed.
7. Hurricane Isaac Pile Cap Replacement Project – The pre-construction meeting has been held and the contracts have been executed. Construction will begin on May 1, 2014. The pile caps will be built offsite and then brought into the harbor.
8. Lotus Drive/Village Lane Drainage Project – The materials are on site. The contractor is saw cutting driveways on Village Land South.
9. West Beach Playground – The contracts are being drawn up.
10. Isaac Recovery Bridge Replacement – The contracts have been executed. A conditional notice to proceed was issued for April 10, 2014. The replacement bridge is being made offsite.

ADJOURNMENT:

The Mayor Pro Tem adjourned the meeting at 9:20 p.m.


Lorraine Myhal
Council Clerk


Clay Madden
Mayor Pro Tem