

**THE FOLLOWING MINTES WERE ADOPTED AT THE JULY 9, 2015 MEETING OF
THE MANDEVILLE CITY COUNCIL MEETING
MANDEVILLE CITY COUNCIL MINUTES
FOR THE MEETING OF JUNE 25, 2015**

The regular meeting of the Mandeville City Council was called to order by 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, Carla Buchholz, David Ellis, Ernest Burguieres

ABSENT:

ALSO PRESENT: Chief Rick Richard, Frank Oliveri, Finance Director, Laurie Pennison, Assistant City Attorney; David deGeneres, Public Works Director, Louissette Scott, Planning Director, Michael Lauer, Kim Chatelain, Times Picayune, Advocate

MINUTES:

1. Adoption of the June 11, 2015 Regular Meeting Minutes.

A motion was made by Mr. Burguieres and seconded by Mr. Ellis to adopt the minutes of May 28, 2015. The motion passed 5-0.

PRESENTATION:

Mrs. Pat Brister, St. Tammany Parish President, gave an update to the Council regarding projects in progress with the Parish. Mrs. Brister congratulated Netchex for their decision to make their headquarters here in the Parish. She stated "They are a great example of a community partner and will continue to have a positive economic impact on the Parish". The Parish is a finalist in Phase 2 of the National Resiliency Program which provides from \$1 - \$500 million dollars in grant money. If they are the recipient of any money it will be incorporated with the parish's flood protection, infrastructure and economic development projects. Mrs. Brister spoke about the plan for the old State hospital which the parish purchased at the full appraisal price by the state. The original plan was to sell the hospital to another entity and sell a strip of land to Pelican Park. Their new concept is to turn the property into a behavioral health campus. There is a 62K sq. ft. building that they would like to make a one stop shop for behavioral health issues. Mrs. Brister said "many people do not have the transportation to seek some necessary medical aid and several judges in the 22nd judicial court feel some of their defendants need some type of assistance instead of them being sentenced jail time". This type of campus would assist those citizens and provide them with the treatment they need and possibly cannot access. The parish already has a public health millage and some of this money may be redirected to this site. The campus will still have the hospital along with the two alternative schools currently operating on site.

Nick Sims from the Silver Jackets, made a presentation to discuss their partnership with the City for flood risk alternatives. In this program, they will evaluate where the City stands and will use the City's flood study from 2014 to provide recommendations for flood protection. This four phase stud includes: evaluation of structure and inventory, benefit cost ratios analysis, final report, and options available with other programs. Mrs. Buchholz asked if the study would include the area from the Causeway to Galvez. Mr. Sims stated no, it only looks at the areas provided on the original request. Mr. Sims said the final time frame to present to the City is October. Mr. Danielson asked if the Silver Jackets could come back for another meeting since they were not advertised as a presentation to the public. Mr. Sims agreed to come back and also recommended a town hall meeting after the final report is completed.

REPORTS AND ANNOUNCEMENTS:

Mr. Danielson wanted to recognize the following as graduates of leadership St. Tammany: Mayor Villere, Chief Richard and Laurie Pennison.

Mr. Madden presented a Certificate of Recognition to Sgt. Fred Fath for his completion of the FBI National Academy.

Mr. Danielson discussed the loss of Sgt. Holloway, from the NOPD, and wanted to congratulate Detectives Jason Readeau and Detective Vaughn Whitehead from our Police Department, who partnered with the NOPD in the investigation of his case.

Mr. Danielson also wanted to remind everyone of the 4th of July celebration on the Mandeville Lakefront and encouraged all to enjoy the festivities.

Mr. Danielson asked the Council if they could move up on the agenda two items: Resolution 15-37 and La Herradura. Ms. Bonnett has another meeting to attend and he would like to accommodate her. With no objection, the items were presented for discussion.

NEW BUSINESS:

1. Approval of liquor license for La Herradura Restaurant LLC. Restaurant to be located at 643 Lotus Drive, Mandeville. A motion was made by Mr. Madden and seconded by Mr. Ellis for its introduction. Mr. Danielson stated this is for the liquor license for a new Mexican restaurant on W. Causeway and Lotus Drive. With no further discussion, the motion passed 5-0.

2 Adoption of Resolution No. 15-37; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO APPROVE A COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE CITY OF MANDEVILLE AND NORTSHORE COMMUNITY FOUNDATION, INC.; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Rick Danielson, Council at Large)

Resolution No. 15-37 was read by title by Mr. Danielson. A motion was made by Mrs. Buchholz and seconded by Mr. Madden for its introduction.

Mr. Danielson stated the NCF has assisted the City in obtaining over \$300K in grants and sponsorships such as the LPO and the 4th of July since 2007. They are a formal 501C3 and they are allowed to accept donations that they City might otherwise not be able to accept. They do not write the grants but help find opportunities and partner with the City.

Mr. Burguieres asked Ms. Bonnett if she can come to the council meetings and let them know what she is working on and how the City would go about pursuing that opportunity. Ms. Bonnett said their intent is to inform the City and the Council of such opportunities. Mr. Burguieres asked to amend the resolution to include once NCF sees an opportunity; they inform the council what they are working on and let the council provide input. The Mayor thinks this limits the relationship with the NCF. Ms. Pennison stated that every new project will have its own cooperative endeavor agreement so the council will be aware of what the NCF is working on.

Mr. Burguieres requested to amend his motion to include an email to the Council clerk of potential prospects and then she can distribute the email to the council to see if a bigger discussion is needed. The Mayor stated this should go to him first and then the council. Mrs. Buchholz stated: "What she believes Mr. Burguieres amendment is about, is communication to make sure everyone is on the same page". With no further discussion on the amendment a vote was taken and the amendment to provide an email to the Council clerk passed 5-0. Mr. Danielson wanted to remind the council that the NCF contract is \$15,000 per year for three years and they

can provide updates to the administration every 6 months. Mr. Madden asked if that is a firm 3 year contract or can it be renewed annually. Mr. Danielson said we proposed for 3 years and if nothing goes on then the contract can be adjusted. The Mayor said in the contract the NCF has to provide an annual report and it also includes a 30 day cancellation period if either party is not satisfied. They felt they needed 3 years to see what can be developed instead of a one year contract. Mr. Madden asked, "What was the time frame when they provided us the \$300K?" Mr. Madden has received comments from his constituents and just wanted to make sure that figure was well above the \$15K annually we would pay them. Mr. Danielson stated in the past 7 years, the NCF has provided the City with \$300K so he feels they have proven to be a benefit to the City. With no further discussion, the amended Resolution No. 15-37 passed 5-0.

OLD BUSINESS:

1. Adoption of Ordinance No. 15-10, AN ORDINANCE OF THE CITY OF MANDEVILLE LEVYING AND IMPOSING TAXES ON PROPERTY SUBJECT TO TAXATION IN THE CITY OF MANDEVILLE, STATE OF LOUISIANA, FOR THE YEAR 2015 IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE VII, SECTION 23(B) AND (C) OF THE 1974 LOUISIANA CONSTITUTION AND R.S. 47:1705 (B) (1) AND (2). (Offered by David Ellis, Council District I)

Ordinance No. 15-10 was read by title by Mr. Danielson. A motion was made by Mr. Madden and seconded by Mr. Ellis for its introduction. Mr. Ellis stated this resolution is designed to give some money back to the citizens from the rededication of the sales tax. He is in full support of giving money back, however he would like to make a motion to amend the amount from 3.57 to the full 7.34. This does not include anything related to the police, this is only for the general fund purpose. A motion was made by Mr. Ellis and seconded by Mr. Madden. Mr. Oliveri stated that the ad valorem tax dedicated for the police only raised \$1.4 million and their budget is \$6 million. Their money comes from the general fund, so when you reduce the millage, you are also reducing the amount of money in the general fund to them and other departments in the City. This will impact the police department and the rest of the administration. Mr. Burguieres stated the changes will have to be made in the budgeting of the general fund and it will be the choice of Mr. Ellis to not affect the police items. The burden is on the administration and the council to choose where to spend our money. Mr. Oliveri said the purpose of moving this tax to the City's general fund is to reduce the burden on the City and to go to zero is not responsible, you can always decide to give more back next year, but to increase the millage is very hard. Mrs. Buchholz said that if we measure for a year the smaller roll back, we can see what happens and then make more adjustments if necessary in the following year. Mr. Ellis stated that we moved from a \$10 million surplus to currently a \$11 million surplus. Mr. Oliveri stated this does not include the capital outlay projects, we need to keep \$4.7 out of the \$11 million. Mr. Ellis said, "Here is his concern: we are looking at a possible 15% increase in employee salaries proposed by the Civil Service Board last week and we had a \$2.5 million city expansion project proposed a month ago, which he did not support. Where is this money going to come from? The tax payers have a choice of either City Hall renovation or more money back." Mr. Madden inquired about the proposed salary increase from the Civil Service Board. Mr. Madden asked if the 15% raise proposed by the Civil Service Board is supported by the administration. The Mayor said he is proposing a \$1k and 2.5% increase for the employees and that would amount to approximately \$400K. His intent is to raise the bottom end of the scale and give those off the scale a chance for a raise. The Civil Service Board 15% increase amounts to \$1.2 million a year, so basically your money is gone and your sustainable revenues are blown. There are a lot of issues that are on the table and are not resolved yet, so a further reduction is dangerous. Mr. Burguieres would like to

look at the salary scale and see what positions are out of line instead of moving everyone up. Mr. Madden stated the current rollback would provide \$680K back to the citizens, and to roll it to zero would be \$1.4 million. Mr. Danielson suggested we roll back the millage a little more but not all the way down. The council can take a look a year from now and see what is needed. The council needs to look at things such as the Port Marigny project that is on the horizon. Mr. Burguieres said he still wants to look at the sales tax issue and Mr. Danielson asked if there were any more questions regarding the amendment from Mr. Ellis. Mr. Ellis moved to close. Mr. Danielson asked if there were any more questions and called a vote on Mr. Ellis amendment to take the 3.57 down to 0. With no further questions, a vote was taken and failed 3-2. (Mr. Burguieres, Mrs. Buchholz, Mr. Danielson against; Mr. Ellis, Mr. Madden for).

Mr. Danielson proposed to adjust the millage from 3.57 to 2.57 and evaluate it in a year and see if a change is needed. Mr. Danielson made a motion to reduce the millage from 3.57 to 2.57 and was seconded by Mr. Madden. Mr. Madden believes in property tax reduction and sees the benefit in keeping it the same, but would like the number to be lower. The Mayor said the rededication of the sales tax provided the city with \$2.6 million back onto the general fund. If you reduce the millage to what is proposed that is 680K back to the taxpayers, there is also the unknown question surrounding the inventory tax. That is \$120K so you are looking at a possible \$800K from the \$2.6 million. There are some big money items still on the table and we can't deplete our sustainable revenue. We cannot take the City from being cash rich to being cash poor. It is easier to tell the citizens we can give them more money back later than to say we need to take money back. Not all of the sales tax money goes into the general fund, last year we put about \$80K into the general fund. We are putting more money into the general fund this year only because of the rededication of the sales tax. Mr. Oliveri stated that the values are still changing and are not final until August. Mr. Haydel asked why everyone is arguing over \$680K when we supposedly have more than enough money. He appreciated Mr. Ellis's amendment and recommends the council approve it. The Mayor said to the council you can make a change but just don't go down to zero with one millage. If you eliminate it you don't have the opportunity to increase it. Mrs. Buchholz agreed that we need to have a conservative approach and not go down to zero. She stated "We need to be careful and going to zero is not wise". He cautions a drop too far. Mr. Danielson stated this proposed reduction will bring \$800K to the citizens and as long as we don't lose the inventory tax, we should be in good shape for other projects. With this new amendment it would bring about \$150 back to a property owner with a home value of \$250K. We do have a fiscal responsibility to our citizens and he feels comfortable with this reduction. Without any further discussion or comments, a vote was taken to amend the millage from 3.57 to 2.57. The vote passed 5-0. Mr. Madden asked when can we re-address this next year. The Mayor said it would be the same time next year. We would advertise about 30 days prior to the vote around the end of next June beginning of July. Reminder next year is a re-assessment year, but they do not expect any substantial differences in Mandeville. Mr. Danielson feels that they can take it down even lower next year.

With no further discussion on this ordinance, a final vote was taken on the amended Ordinance No. 15-10. The vote passed 5-0.

2. Adoption of Ordinance No. 15-11; AN ORDINANCE: REPEALING THE EXISTING COMPREHENSIVE LAND USE REGULATIONS ORDINANCE AND ADOPTING A REVISED COMPREHENSIVE LAND USE REGULATIONS ORDINANCE THAT INCLUDES REFORMATTING THE ENTIRE ORDINANCE; ESTABLISHING A CONSISTENT NUMBERING SYSTEM; UPDATING DEFINITIONS; REPLACING ZONING PERMITS WITH SPECIAL USE PERMITS; MODIFYING THE GRADING, FILL AND FOUNDATIONS SUPPLEMENT TO ADDRESS DISTINCT ISSUES IN THE DRAINAGE OVERLAY DISTRICT

AND OTHER AREAS OF THE CITY; MODIFYING THE TOWN CENTER DISTRICT TO ADDRESS PARKING, RESIDENTIAL USES AND RESIDENTIAL DENSITIES; INCORPORATING THE CITY'S HISTORIC DISTRICT REGULATIONS; REORGANIZING AND CLARIFYING THE SIGN CODE; CORRECTING VARIOUS ERRORS AND OMISSIONS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Carla Buchholz, Council District II)

Ordinance No. 15-11 was read by title by Mr. Danielson. A motion was made by Mrs. Buchholz and seconded by Mr. Danielson for its introduction. Mrs. Buchholz stated this is just a continuation of the CLURO revisions and discussion. Mr. Danielson said we have had two additional public meetings, and there are several changes recommended from Planning and Zoning. He asked Mr. Lauer to clarify any questions that need to be addressed and hopefully after the Council can vote. Mr. Lauer wanted to start with the clarification in the petition process. There seemed to be some misunderstanding of the wording and he would like to read the new recommendation: 4.3.1.1 "Any owner may petition the Planning Commission to make a recommendation to the City Council regarding any amendment to the CLURO text". Mr. Lauer stated this does not take 50% of the population and once a petition is submitted to the Planning and Zoning Commission it still can be forwarded to the Council. The other issues were a concern over the 6" limitation of fill to natural grade regarding parking; along with the flow of natural drainage and who has the expertise to make those decisions. Mr. Lauer wanted the Council to know that last week, the Supreme Court rendered a decision in the case of Reed et al. v. Town of Gilbert, Arizona that could impact the validity of the draft sign regulations. Prior to this case, the position of the 5th Circuit was that functional distinctions between classes of signs were valid. This enabled the City to distinguish between several types of temporary signs, including construction project signs, election signs, real estate signs and roadside vendor signs. This case does not appear to have significant impact on any of the draft's regulations addressing permanent signs, with the possible exception of drive-through menu boards. In his opinion, the Council should consider the following options: 1. Defer adoption of the revisions to Chapter 10 (Sign Regulations) pending legal review; 2. Proceed with adoption based on the Council's hearing deliberations, but plan to make necessary modification following legal review. Regardless of the option chosen by the Council, in conducting my review of the draft sign ordinance, I noticed three edits that are necessary to reflect an earlier decision to split tables 10.5.2 and 10.5.3. Table 10.5.3 should be labeled "On Premises Signs allowed for non-residential uses in residential zoning districts". Items 3 and 4 in Table 10.5.3 should begin with "In addition to the signs allowed in Table 10.5.2".

Mr. Madden asked a procedural question, "Can we table on some amendments and vote on certain amendments or are we going to vote on the whole ordinance tonight?" Mr. Danielson said we must vote on the whole package, but we can always amend items later. On items that the Council has questions on, we can come back even months later and discuss. Mr. Lauer stated, "That is correct, there is never a perfect ordinance and it can always be tweaked".

Mr. Danielson asked if there were any questions regarding the proposed changed in 4.3.1.1. to read "Any owner of property within the City of Mandeville may petition the Planning Commission to make a recommendation to the City Council regarding any amendment to the CLURO text. The Council may consider any such petition regardless of the recommendation of the Planning Commission. Mr. Waller stated that he sent the council an email with an attorney's opinion. One person can come in and petition anything because of the constitution. The CLURO was adopted in 1993 the way it is written currently. If over 50% of the people want something changed it is more powerful. If one person comes for a petition for a change, its one guy and you can choose to ignore that person. The CLURO needs to stay exactly the way it is with a majority

requesting a change because then you pretty much have to respond to that petition. Mr. Burguières said his understanding is that while you can now have only one person to make a petition it does not deny you from getting that 50% majority either. It just makes a petition available for those with less than 50%. You can do it on your own, but of course it is much more persuasive if you have 50%. Mr. Madden asked then why is it even necessary, if it can be done either way? Mrs. Buchholz asked what is the argument for making the change? Mr. Lauer said it is just to clarify that they will hear anyone for a text amendment, not just 50% of the people. Ms. Pennison asked the council keep their comments to the CLURO topic and not the litigation that Mr. Waller has brought against the City. Mr. Madden asked if there is a litigation against the City why are we looking to make a change, it could affect the case. Can we just wait until the legal case is over? Mr. Pennison stated this would not change the legal case. The language proposed would actually make it less burdensome for someone to make a petition. She reminded the council and if further discussion is to be made on his matter it needs to go into executive session. Mr. Madden said why is this needed? Mr. Waller said this was never an issue and now it is an issue. Mrs. Buchholz wanted to clarify what Mr. Waller is proposing is to leave the wording the same and basically not to make it easier for the public and keep it as burdensome for the public. He said correct you are just making it harder for the zoning commission. They have all the control. Mr. Danielson asked Mr. Waller if you have a text issue and you do not get support from 50% of your neighbors, you can now come and petition. Mr. Waller said he can do that today, this is just redundant, and people will come in every week with a petition. If he comes in with a petition for 50% it forces you to do your job and not leave it alone. Mr. Burguières agrees that is should be left alone and can be tweaked at a later date if necessary and Mr. Lauer stated this is just a clarity issue.

Mr. Burguières made a motion to delete the section and leave it alone; this was seconded by Mr. Madden. Mr. Madden does not see a need for the change and due to the legal situation he wants to leave it alone and we can always change it later. Mr. Ellis asked Mr. Lauer if he knows in other communities if this is needed. Mr. Lauer said he is always in favor of clarity. As written you need 50% for a petition, although he does not think they would deny hearing anyone's petition. There is no serious damage either way. Ms. Pennison said if legally you can clarify the section it can avoid any future litigation. Mr. Madden called the question. Without further discussion and comment, Mr. Danielson asked for a vote to delete the recommended changes to 4.3.1.1. The vote passed 5-0 to leave the section as is and not adopt the changes.

The next item to discuss is fill issues. Mr. Burguières asked if there was language to include regardless of the fill you have you cannot go against the natural drainage as stated in State law. Mr. Lauer said they can reference the Civil Code in the changes. Mr. Burguières asked instead of just referencing the State Civil Code, can just insert the actual text, it is only about 6 lines. Mr. Burguières made an amendment to include the State Civil Code text in the body of the CLURO, this was seconded by Mr. Ellis. Mr. Mitchell said to make sure you do not make it too prescriptive so no one can build. Mr. Burguières said he just wants people to be aware they have to also follow state law, it is just for further guidance. This code has not changed in decades. Without further discussion or questions, Mr. Danielson asked for a vote to add the text of the state civil code in the context of the CLURO. The motion passed 5-0 to add the State Civil Code text.

Now back to the fill ordinance as amended. Mr. Burguières asked if the sub areas A and B and the fill area stops at Monroe Street and does not go to Florida. He recommends deleting the sub areas and having it encompass the entire Historic District from Florida to Bayou Castine to Lakeshore and Galvez. Mrs. Buchholz has a concern about those changes, she is not against it, but she has heard from constituents north of Monroe and addressed their concerns based upon

our public hearings. If Mr. Burguieres wants to make changes, she feels it is not fair for them not to be able to weigh in on the concept.. Mr. Danielson agrees with Mrs. Buchholz and stated it can be revisited at a later date where the public can be informed and given an opportunity to speak. Mr. Mitchell said the idea is not to disturb or inhibit but a lot of this undermines the Historic District. It changes proportion of buildings and you will almost have to go to a camp type construction. He objects to the 6", people basically cannot use the underside of their house. If you have any landscaping it will trap water under the house. Mrs. Buchholz asked what is the magic number? Mr. Mitchell said 24" is really the max under the roof shed area of the house as the FEMA Bulletin #5 states. The import thing is not to disturb your neighbors, but what if all your neighbors drain across you. Mr. Burguieres said he wants the city to look at the natural drainage of a property and not just to try and get it to drain to the street. The Mayor said you need to see where a property is going to be in relation to the street. Mr. Danielson asked with all the public hearings that took place, where did the 6" come from? Mr. Brown said it came from the form board that controls where the concrete goes (2x6 board), then you add sod and it ends up with a net zero. Mr. Ellis asked if this will have an effect on property values? Mrs. Scott said no. Mr. Madden stated we can continue to amend the CLURO and appreciates the process but a decision needs to be made.

Mr. Lauer said there are two issues we are dealing with: 1. Keep 6" natural grade and 2. What is the process by which to provide relief by variance process or if the city engineer can grant an exception to get positive drainage. Mr. Burguieres requested to amend that the city engineer is entitled to grant exceptions to get positive drainage on a lot on a case by case drainage and keep 6" natural grade, this was seconded by Mrs. Buchholz. Without further discussion or questions, a vote on the amendment was made. The vote passed 5-0 to adopt the amendments requested.

Next on the agenda is signs. Mr. Lauer said first we need to see if we want to do anything regarding the Supreme Court ruling on temporary signs. Mr. Danielson requested to leave the ordinance as proposed and we can gather more information at a later date. The second issue is the prohibition of electronic messaging signs whether we leave the ban as is or do we provide for small ones to be erected or do we exempt some small signs from the amortization. Mr. Danielson stated the recommendation as listed is to ban electronic signs and include an amortization of 5 years. Mr. Madden is in favor of this recommendation. Mrs. Buchholz asked the EMCs with sign faces of thirty (30) square feet in area that are located one hundred (100) feet or less from the nearest public right-of-way is that what we are looking at. Mr. Lauer said those are recommended changes available but the Planning and Zoning recommendation is the total ban, it was just red lined to show options. The Mayor said if you ban all electronic signs such as Canes, Walgreens, and CVS all that have been here, they will have to go through the amortization process for removal. The option to allow some signs without the movement and limited change of message and gas stations would be something the Council should consider. Mr. Madden wanted to clarify that the Mayor's recommendation would go against the recommendation of P&Z. The Mayor said he believes those signs were not what the P&Z were trying to regulate. The option presented before you was thought of after the process was over. The larger signs are intrusive to the public. Mr. Madden said the process went through several months of hearings and this would negate their process. Also, this can be adjusted at a later date so he wants to uphold the P&Z recommendation. Mr. Ellis feels the people have spoken loudly on this issue. Ms. Pennison expressed her concerns with the amortization schedule. Some of these signs are very large and they cost a lot of money and she has a concern with the short amortization. She said they should be cautious about taking away landowners rights and listening to public input that could result in possible legal action. Some things that were banned such as flashing, dimness, etc. are safety issues. Mr. Burguieres asked why these comments were not brought to

the Planning and Zoning commission and just addressed now. She was not involved in that process and does not know if that was addressed by the legal department but she has discussed this with Mr. Lauer and Mrs. Scott. Mr. Lauer said the process is set for someone to be compensated for 5 yrs. with the amortization. Mr. Coogan said the City just issued a permit for someone that has a sign with a 10 yr. warranty so to amortize it for 5 years is a loss for that owner. There is a state statute and if this is passed the City will have a price tag to pay if it has to be removed. He has a large sign but it is based on the linear front footage, the bigger the footage, the larger the sign. He followed the code and if this passes he will sue the City. Mrs. Fabre-Smith wanted to remind the council the intent of the CLURO was to maintain the look and feel of our City. There are pages of sign regulations established before the electronic signs, but these signs just don't fit in. The EMC covers a huge amount of signs and the little signs can easily be traded and upgraded. She recommends the total ban of electronic signs. Mr. Burguières wanted the Council to know there is a difference between amortization, which is a tax issue, and a warranty period. Mr. Danielson said there was one issue that kept coming up and that was of enforcement. He does not have a problem with the simple signs and he appreciates the Planning and Zoning recommendations, but his recommendation is to leave the ban and make changes later on and change the amortization period to start January 1, 2016. In going forward, there will still be no new EMCs. Mr. Burguières said he agrees and the CLURO can change within those 5 years where we can extend the amount or make more changes.

Mr. Danielson made a motion to amend the amortization period to start on January 1, 2016, his was seconded by Mrs. Buchholz. Mr. Ellis stated we should keep it simple and then tweak if necessary later, he feels we are going in the right direction. Mrs. Rourbough stated she was at almost all of the meetings and it just boiled down to no EMC, it does not match the ambiance of the city. Mr. Madden said he has talked to his constituents and 98% want a total ban, this is a quality of life issue.

Without further discussion or questions, a vote was taken to amend the amortization start date to January 1, 2016. The amendment passed 5-0.

Mr. Lauer said the next issues are technical issues: 5.2.2 is to correct the reference to the National electric code and 9.1.1.14 handicapped spaces should refer to ADA requirements. Mr. Danielson made a motion to include those amendments, it was seconded by Mr. Burguières. Mr. Brown said there are some references to older codes in article 5 but there is a general section that adopts for the city the current code mandated for enforcement by the state. Even though it may say a different version we are enforcing the current code. With no further discussion, a vote was taken to add the two amendments. The vote passed 5-0.

Mr. Danielson called for any additional items regarding CLURO. Mr. Burguières wants to include in article 7.5.10.2 to add a section three to say, "If a project involves a structure listed in the Mandeville Historic District then an approval of concept will be required from the Historical District commission to receive an application for a building or zoning permit. The zoning commission may approve the establishment of buildings with ground floor areas greater than 3,000 square feet as a variance if it finds that". Mrs. Scott said the processes are different for the Zoning and Historic Commissions and his recommendation would delay people's applications. The Historic District Commission cannot approve or deny a permit. Mrs. Scott recommends this should all go before a public hearing. Mr. Madden said this should all be discussed in a separate ordinance and if so is there another CLURO round 3? Mrs. Scott said this CLURO amendment completes everything that was discussed in the short term work program. Mrs. Scott said there is a short term work program meeting next Tuesday and these items can be discussed at that time. Mr. Danielson said this Tuesday is a joint meeting with the Planning and Zoning Commission, the City Council, and the Historic District. This is a public meeting and we can add this to the agenda to discuss these steps. Mr. Burguières has a list of items that he wants to address next

week and discuss with the Historic District Commission. He also wants to make a recommendation that any time someone wants to change a restaurant into a bar or tavern it must get approval from the Council and change it from a special use permit to a conditional use permit. Mr. Madden seconded the motion. Mrs. Buchholz asked if these changes are only for the B-3 district. Mr. Burguieres said yes. Ms. Pennison recommended that since these issues have never been brought up before a public hearing she would recommend that there not be a vote and go through the Planning and Zoning Board first. Mr. Danielson agreed and thought for communication purposes, they should be discussed next week. Mr. Burguieres decided to withdraw his amendment, seconded by Mr. Madden. He has other amendments he wants to discuss regarding the B-3 district (section 7.5.10; Section 7.5.10.5, Section 7.5.10.6) and site triangles issues in the B-3 district. He would like to discuss all of these items at the short term work program joint meeting. Mr. Lauer said he is not aware of any problems with the site triangles, maybe tables are in the site triangle area, but there is nothing wrong with the site triangle area itself.

Without further discussion or comments, Mr. Danielson thanked Mr. Lauer, the Planning and zoning commission and the public all of their work and valued comments. Mr. Danielson made a motion to adopt the CLURO as amended, roll was called and Ordinance No. 15-11 was approved 5-0 as amended.

NEW BUSINESS:

1. Adoption of Resolution No. 15-35; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE APPOINTING A COUNCIL CHAIRMAN FOR THE MANDEVILLE CITY COUNCIL FOR THE TERM OF JULY 1, 2015 THROUGH JUNE 30, 2016; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Rick Danielson, Council at Large)

Resolution No. 15-35 was read by title by Mr. Danielson. A motion was made by Mrs. Buchholz and seconded by Mr. Danielson for its introduction. Mr. Danielson stated he would like to nominate Councilman Madden as the Council Chairman for the next year. They have been rotating this position for the past 3 years. Mr. Madden accepted the nomination and congratulated Mr. Danielson on a great job and looks forward to the next year. Without further discussion from the floor, a vote was taken and Resolution No. 15-35 passed 5-0.

2. Adoption of Resolution No. 15-36; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AWARDDING THE ST. TAMMANY FARMER AS THE CITY OF MANDEVILLE'S OFFICIAL JOURNAL FOR JULY 1, 2015 THROUGH JUNE 30, 2016 (Offered by Rick Danielson, Council at Large)

Resolution No. 15-36 was read by title by Mr. Danielson. A motion was made by Mr. Madden and seconded by Mrs. Buchholz for its introduction. This is just a renewal to approve The Farmer as our official journal. Without further discussion from the floor, a vote was taken and Resolution No. 15-36 passed 5-0

3. Adoption of Resolution No. 15-38; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MANDEVILLE AND DIGITAL ENGINEERING & IMAGING, INC FOR THE PORT MARIIGNY TRAFFIC IMPACT ANALYSIS IN THE AMOUNT OF \$9,663.00; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

(Offered by Carla Buchholz, Council District II)

Resolution No. 15-38 was read by title by Mr. Danielson. A motion was made by Mrs. Buchholz and seconded by Mr. Danielson for its introduction. Mrs. Buchholz stated this is to authorize the Mayor to hire a consultant to review the traffic study that was done by the developers of the Port Marigny project. The City will spend these dollars to review the traffic study that was paid for by the developers of Port Marigny. This saves the City money because we did not have to spend money on our own independent traffic study. The Mayor said Digital Engineering will review the traffic study and grade the roads and make sure that any recommendations addressed do not degrade the road. Also, if we need to add assistance, we should be able to get all the information required and give Digital a little more latitude. Mrs. Buchholz asked when can we expect the study to start? The Mayor replied we should see a cooperative endeavor agreement in the end of July sometime in August. They need to select someone, and they would hopefully start in September to do the traffic analysis. Mr. Kirt Evans, CEO of Digital Engineering, stated their intent is to evaluate the project and the study will go to ¼ mile around the area. Mr. Madden asked if this would include the area to the Causeway from Monroe. Mr. Evans will look for what they call relief valves, they will look at all major feeders even if they are more than ¼ mile. Mr. Evans will give periodic reports through the Mayor's office and they will be forwarded to the Council. Mr. Ellis asked if there were other alternatives that could offer relief. He is very concerned about that spot, he wants to make sure we are looking at as many considerations as possible. Mrs. Buchholz said the development is on Monroe and it only has back access through the Mariners Village area. She wants to make sure all of these issues will be studied. Mr. Reinhart asked how do the citizens get a copy of the study? He would like to see the impact study and then the results of the study. Mrs. Scott said it will be introduced by the Council and the study will include the full study, it will also be available on the web site. Without further discussion from the floor, a vote was taken and Resolution No. 15-38 passed 5-0.

4. Introduction of Ordinance No. 15-13; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE DECLARING CERTAIN VEHICLES AS SURPLUS AND NO LONGER NEEDED FOR CITY USE; AUTHORIZING THE MAYOR TO EXCHANGE OR DONATE SURPLUS VEHICLES; AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Clay Madden, Council at Large)

Ordinance No. 15-13 was read by title by Mr. Danielson. A motion was made by Mrs. Buchholz and seconded by Mr. Danielson for its introduction. Ordinance No. 15-13 will be discussed and voted on at the next council meeting on July 9, 2015.

FINANCE REPORT:

Mr. Oliveri said the City is on target. Capital outlay projects are on schedule and they only have a few bids out at this time.

PUBLIC COMMENT:

No other public comments were made.

PROJECTS IN PROGRESS (STATUS REPORT):

1. Capital Roadway Maintenance Project – asphalt roadway work complete. Culvert and driveway replacement in progress.
2. Lotus Drive/Village Lane Drainage Project – close-out process continuing.

3. Rapatel Water Tower- painters have completed exterior blast and prime application. Control building in progress.
4. Lift Station 21 Relocation – contractor currently working to get the new station running.
5. Dew Drop Fire Suppression – Wire and conduit installed.
6. Lift Station 19 Relocation- New station up and running. Contractor currently dismantling old station. Site restoration and ditch work remain.
7. Lift Stations 22, 23 & 33- Construction expected to begin in early August.
8. Girod Street Overlay Improvements – substantially complete as of June 5.
9. Storm Drain Check Valves – 29 of 29 valves complete. Only site restoration work remains.

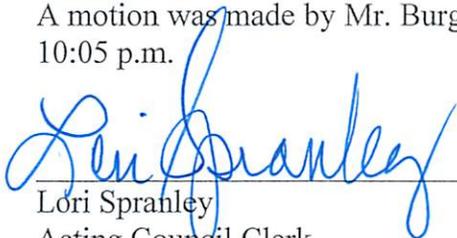
Mr. Danielson wanted to set the meeting dates for the budget workshop sessions. After a discussion, the sessions will be held on the following dates:

July 7, 2015 at 6pm
July 27, 2015 at 6pm
August 4, 2015 at 6pm
August 10, 2015 at 6pm (if needed)

The budget will be introduced by ordinance on July 9, 2015. All budget sessions are open to the public, will be advertised and posted on the web site.

ADJOURNMENT:

A motion was made by Mr. Burguieres and seconded by Mr. Danielson to adjourn the meeting at 10:05 p.m.



Lori Spranley
Acting Council Clerk



Clay Madden
Council Chairman