

**THE FOLLOWING MINUTES WERE ADOPTED AT THE MAY 14, 2015 MEETING OF THE  
MANDEVILLE CITY COUNCIL.  
MANDEVILLE CITY COUNCIL MINUTES  
FOR THE MEETING OF APRIL 23, 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, David Ellis, Carla Buchholz, Ernest Burguieres

**ABSENT:**

**ALSO PRESENT:** Mayor Villere, Chief Rick Richard, Frank Oliveri, Finance Director, David Cressy, Assistant City Attorney; David deGeneres, Public Works Director, Louissette Scott, Planning Director, Gretchen McKinney, Director of Human Resources, Kim Chatelain, Times Picayune, Advocate

**MINUTES:**

1. Adoption of the April 9, 2015 Regular Meeting Minutes.

A motion was made by Mr. Ellis and seconded by Mr. Burguieres to adopt the minutes of April 9, 2015. The motion passed 5-0.

**REPORTS AND ANNOUNCEMENTS:**

The Mayor presented Sean Noel, a student at Mandeville Junior High, and Top Youth Volunteer in Louisiana for 2015 with a proclamation for his outstanding service to the community and the Veterans of Mandeville and the surrounding communities.

Megan Gouzy, Director of Keep Mandeville Beautiful, presented the KMB Anti-Litter Art Contest Awards.

Mr. Danielson recognized John Endres and Marlaine Peachey who were celebrating their fifteenth year anniversary with the City. Also recognized was Capt. Ron Ruple who will be celebrating his twenty-fifth year anniversary with the City on Monday.

Melissa Bordelon, Director of Programs and Events at St. Tammany Chamber West, spoke about Leadercast. Leadercast Live is a one-day leadership event broadcast LIVE from Atlanta to hundreds of locations around the world. This will be held on May 8, 2015 at the Movie Tavern from 8-4pm. Cost is \$120.00 per person. Their focus is to create positive change in the world and how we think about leadership. They want us give ideas on how to motivate leaders and encourage new leaders. Their theme this year is "The Brave Ones", what inspires leaders to make good decisions in their workplace and communities. Key speakers are: Rudy Guliani, Malala Yousafzai, Ed Catmull, Andy Stanley, CMDR Denver and many others. Mr. Danielson asked the Mayor and Mr. Oliveri if we had the money to send some employees to this training session. Mr. Oliveri will look at this on Monday.

Mr. Danielson has received the AG opinion that was requested a few months ago in regards to the execution of the capital budget. He has a copy of the opinion for all council members to review. Basically the two questions asked were answered. First question: Is the Mayor required to spend the funds appropriated for a particular project in the City's Capital Budget? The opinion states that the mayor must execute the authorizations set forth in budget including the expenditure of funds for specific line item appropriations. The mayor cannot ignore an appropriation if there is not authority to do so and cannot frustrate the intent of the appropriation.

Second question: May the Council, in either the Capital or Operating Budget, condition the appropriation of a line item on the Mayor's expenditure of funds appropriated for a particular project? The Opinion

states that the Council may condition, or otherwise make the appropriation contingent upon the completion of the project. The Mayor would like to have the City Attorney discuss the results with the council at the next meeting, it can be misinterpreted. Mr. Burguieres commented that Mandeville has made more requests than any other city in the state, the questions are very complex, and it is resulting in many communities requesting copies of the opinions from the AG. This is a positive statement and good reflection of the City.

### **OLD BUSINESS:**

1. Adoption 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 ACRE 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, Councilman District I)

Ordinance No. 15-05 was read by title by Mr. Danielson. A motion was made by Mr. Ellis and seconded by Mr. Madden. This is Ziggy's snowball stand on Hwy 22. They have gone through the P & Z process, will have some buildings to be demolished, and rebuilt as a small strip center. There being no further discussion, a motion was made by Mr. Danielson to vote. Roll was called and the adoption of Ordinance No. 15-05 passed 5-0.

2. Adoption of Ordinance No. 15-08 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO EFFECT THE ANNEXATION OF LOT X CONTAINING 0.31 ACRES AND A PARCEL OF GROUND CONTAINING 0.38 ACRES IN SQUARE 113, TOWN OF MANDEVILLE, ST. TAMMANY PARISH, LOUISIANA 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 Ernest Burguieres, Councilman District III)

Ordinance No. 15-08 was read by title by Mr. Danielson A motion was made by Mr. Burguieres and seconded by Mrs. Buchholz. This is going to be Pelican Pointe Car Wash owned by Mr. Ronnie Bonner. They are requesting to be annexed into the City and will be a benefit to the City by receiving more tax money. There being no further discussion, a motion was made by Mr. Danielson to vote. Roll was called and the adoption of Ordinance No. 15-08 passed 5-0.

3. Adoption of Ordinance No. 15-09 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ADOPTING THE JOB CLASSIFICATION, POSITION DESCRIPTION, AND PAY SCALE FOR THE POSITION OF ASSISTANT CHIEF WITHIN THE POLICE DEPARTMENT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. (Offered by Rick Danielson, Council at Large)

Ordinance No. 15-09 was read by title by Mr. Danielson A motion was made by Mrs. Buchholz and seconded by Mr. Madden. This ordinance was approved by the Police Civil Service board. This is not a new position it is just a reclassification and an approval for the pay matrix. There being no further discussion, a motion was made by Mr. Danielson to vote. Roll was called and the adoption of Ordinance No. 15-09 passed 5-0.

### **NEW BUSINESS:**

1..Approval of waiver to eating and drinking on the lakefront for water stations for the 15<sup>th</sup> Street Flyers/Methodist Children's Home Run/Walk on Saturday, October 17, 2015 from 8:00 a.m. to 1:00 p.m., no rain date. This is a benefit for the Methodist Children's Home.

There being no further discussion or questions, A motion was made by Mr. Madden and seconded by

Mrs. Buchholz for the Approval of waiver to eating and drinking on the lakefront for water stations for the 15<sup>th</sup> Street Flyers/Methodist Children's Home Run/Walk on Saturday, October 17, 2015 from 8:00 a.m. to 1:00 p.m., no rain date. The motion passes 5-0.

2. Approval of waiver of eating and drinking on the lakefront for water stations for the 15<sup>th</sup> Street Flyers/Northshore Kiwanis Run/Walk on Saturday, October 3, 2015 from 8:00 a.m. to 1:00 p.m., no rain date. This is the 3<sup>rd</sup> annual run and benefits project graduation. All monies are split between Mandeville, Fontainebleau, and Slidell High. Last year they raised over \$6500. There being no further discussion or questions, A motion was made by Mrs. Buchholz and seconded by Mr. Burguières for the Approval of waiver of eating and drinking on the lakefront for water stations for the 15<sup>th</sup> Street Flyers/Northshore Kiwanis Run/Walk on Saturday, October 3, 2015 from 8:00 a.m. to 1:00 p.m., no rain date. The motion passes 5-0.

3. Approval of waiver of eating and drinking on the lakefront for water stations for the 15th Street Flyers Summer Series on June 3, June 17, July 15 and July 29, 2015 from 6:00 to 8:00 p.m., no rain date. This benefits Old Mandeville Historic District, Police and Fire Department, and the Dew Drop. This is during the week, so the course has been shortened and they are aware of the traffic concerns that have been addressed. There being no further discussion or questions, A motion was made by Mr. Ellis and seconded by Mrs. Buchholz for the Approval of waiver of eating and drinking on the lakefront for water stations for the 15th Street Flyers Summer Series on June 3, June 17, July 15 and July 29, 2015 from 6:00 to 8:00 p.m., no rain date. The motion passes 5-0.

4. Approval of waiver of eating and drinking on the lakefront for the American Cancer Society's Relay for Life of West St. Tammany/ Hope Fest on May 9, 2015 from 12:00 pm to 9 pm, no rain date. This is a combination of a walk and festival. There will be walking, but this will be more of a food/music fest. There being no further discussion or questions, A motion was made by Mr. Burguières and seconded by Mr. Ellis for the Approval of waiver of eating and drinking on the lakefront for the American Cancer Society's Relay for Life of West St. Tammany/ Hope Fest on May 9, 2015 from 12:00 pm to 9 pm, no rain date. The motion passes 5-0.

5. Approval of the appointment for the ex officio member of the Mandeville Financial Oversight Committee. (Offered by Clay Madden, Council at Large). This is the replacement for Mr. Runyon's position. All vacant positions are publically advertised and only one applicant was received. This appointment would be for Mr. Bill Haacke. Mr. Haacke has over 40 years of experience as a CPA and will be a great addition. There being no further discussion or questions, A motion was made by Mr. Madden and seconded by Mr. Ellis for the approval of the appointment for the ex officio member of the Mandeville Financial Oversight Committee. The motion passed 5-0.

6. Approval of the substantial completion & final balancing change order for the Isaac Recovery Fire Hydrant replacement project (Offered by Rick Danielson, Council at Large). This is the completion of 128 fire hydrants that were damaged for a total cost of about \$622K. There being no further discussion or questions, A motion was made by Mr. Madden and seconded by Mrs. Buchholz for the approval of the substantial completion & final balancing change order for the Isaac Recovery Fire Hydrant replacement project. The motion passed 5-0.

7 Adoption of Resolution No. 15-22, 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 2015; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Rick Danielson, Council at Large)

Resolution No. 15-22 was read by title by Mr. Danielson A motion was made by Mrs. Buchholz and seconded by Mr. Burguières for the adoption of Resolution No. 15-22. This is the renewal primarily for the Deninger Tract. They collect up to 630 eggs and the City received between \$10-17 per egg collected in the months of June and July. There being no further discussion or questions, the motion to adopt Resolution No. 15-22 passed 5-0.

8. Adoption of Resolution No. 15-23, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE COUNCIL CHAIRMAN 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 YEAR ENDING AUGUST 31, 2015 AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Offered by Rick Danielson, Council at Large)

Resolution No. 15-23 was read by title by Mr. Danielson A motion was made by Mr. Madden and seconded by Mrs. Buchholz for the adoption of Resolution No. 15-23. This would be their 5<sup>th</sup> year with the City. There has been good communication with them over the past 4 years and there is no conflict with the firm doing both the enhanced audit and our regular audit. Best practices states you should keep a firm no longer than 5 years. There being no further discussion or questions, the motion to adopt Resolution No. 15-23 passed 5-0.

9. Adoption of Resolution No. 15-24, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE RECOMMENDING TOPICS TO BE REVIEWED AND RESEARCHED BY THE MANDEVILLE FINANCIAL OVERSIGHT COMMITTEE WITH COMMITTEE RECOMMENDATIONS TO BE CONSIDERED FOR INCORPORATION INTO THE 2015/2016 OPERATING AND CAPITAL BUDGET ORDINANCES (Offered by Ernest Burguieres, Councilman District III)

Resolution No. 15-24 was read by title by Mr. Danielson A motion was made by Mr. Burguieres and seconded by Mr. Madden for the adoption of Resolution No. 15-24. This is regarding the retired employee health trust fund. The council would be voting to send this to the MFOC for review and recommendations. If approved, the recommendation from the MFOC should be back for the first meeting in June. A motion was made by Mr. Danielson to amend the resolution to include a deadline to have the MFOC's recommendation back to the Council by the June 11, 2015 Council meeting. Motion was seconded by Mr. Burguieres. The adjusted amendment passed 5-0. There being no further discussion or questions, the motion to adopt Resolution No. 15-24 as amended passed 5-0.

### **FINANCE REPORT**

During the first seven months we have collected \$14 million in budgeted operating revenue and spent \$9.6 million including \$1.8 million in capital expenditures. He has added a column on the spreadsheet to show FY 2014 annual actual so you can see where we are to date. For example, we have collected \$21.8 million in revenues and spend \$16.8 million so far. Question was raised about distribution of sales tax funds. Mr. Oliveri has added a graph to show the distribution.

### **PUBLIC COMMENT:**

Mr. Madden asked the Mayor if we could have the budget workshop in May at the 2<sup>nd</sup> May council meeting. The Mayor said they should have a forecast before the second May meeting along with the millage rates they are looking to charge next year.

Mr. Burguieres asked Mr. Oliveri if he can have the sales tax analysis information available for the May 28<sup>th</sup> meeting. He wants to see what would happen if we reduced the sales tax in the City to match the Parish.

Mr. Madden asked Mrs. Scot when the CLURO amendments were going to come back to the Council. She stated it is expected to be introduced at the May 14<sup>th</sup> meeting and adopted if not further questions at the May 28<sup>th</sup> meeting.

Mr. Ellis wanted to thank Victoria Kinchen for her service at the City especially with the Civil Service Board; she has taken a position with the City of Kenner.

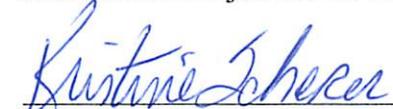
**PROJECTS IN PROGRESS (STATUS REPORT):**

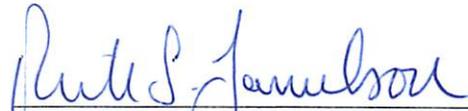
1. Capital Roadway Maintenance Project – doing culver replacement and 2<sup>nd</sup> round of culvert replacement.
2. Lotus Drive/Village Lane Drainage Project – final walk through was done today, they have 30 days to do substantial completion list. There are liquidated damages to be adjusted to the final price.
3. Rapatel Water Tower- steel erection complete, paint 1<sup>st</sup> week in May
4. Fire Hydrant Replacement Project
5. Lift Station 21 Relocation – 35% complete
- 6- Dew Drop Fire Suppression – waiting on Fire Marshall for final inspection
7. Lift Station 19 Relocation- 70% complete
8. Lift Stations 22, 23 & 33- equipment ordered, start date in June
9. Girod Street Overlay Improvements – completion date June 9, they are ahead of schedule
10. West Causeway Approach Pathway Project – engineer working on plans
11. Storm Drain Check Valves – waiting for all valves to be delivered, installing as they are received  
Girord Street lighting project – project may be out by June for review  
Hwy 22 project has been delayed until next year due to plan issues with utilities to at least February of next year.

Until 8pm tonight is the Exchange Club Concert. There are three Fridays left in the Mandeville Concert Series. Also, the Exchange has another concert this Sunday in Madisonville at Hooked Up.

**ADJOURNMENT:**

Mr. Danielson adjourned the meeting at 7:30 p.m.

  
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Kristine Scherer  
Council Clerk

  
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Rick S. Danielson  
Council Chairman