

## MINUTES

### FOR THE CITY COUNCIL MEETING OF AUGUST 11, 2022

The regular meeting of the Mandeville City Council was called to order by the Council Chairman at 6:00 p.m. followed by roll call.

**ROLL CALL - present:** Jason Zuckerman, Jill McGuire, Rick Danielson, Skelly Kreller, Rebecca Bush

**Also present:** Elizabeth Sconzert, City Attorney, Cara Bartholomew, Planning Director, Keith LaGrange, Public Works Director, Joanna Anderson, HR Director, Kathleen Sides, Finance Director, Mayor Madden

#### MINUTES:

Adoption of the July 18, 2022, Budget Meeting Minutes. A motion was made by Mrs. Bush and seconded by Mrs. McGuire the minutes. With no further comments or questions a vote was taken and the minutes were adopted 5-0.

Adoption of the July 28, 2022, Regular Meeting Minutes. A motion was made by Mrs. Bush and seconded by Mrs. McGuire the minutes. With no further comments or questions a vote was taken and the minutes were adopted 5-0.

Adoption of the August 2, 2022, Budget Meeting Minutes. A motion was made by Mrs. Bush and seconded by Dr. Kreller the minutes. With no further comments or questions a vote was taken and the minutes were adopted 5-0.

#### REPORTS AND ANNOUNCEMENTS:

The mayor presented three proclamations: Carson and Carter Davis who have received their Eagle Scout Ranking, and Pastor Darlene Moore for her contributions to the community.

#### OLD BUSINESS:

1. Discussion of Ordinance No. 22-17; AN ORDINANCE TO APPROPRIATE FUNDS RELATIVE TO AND FOR ADOPTION OF THE CAPITAL IMPROVEMENT BUDGET FOR THE CITY OF MANDEVILLE FOR FISCAL YEAR 2022-2023; AND TO ESTABLISH THE ADMINISTRATION OF EXPENDITURES THEREOF AND TO PROVIDE FOR RELATED MATTERS. Mr. Danielson stated this is the capital budget ordinance. We have moved onto operating and the next work session will be Wednesday August 17th. He explained they have discussed the budget deficit of \$750K and the council wants to present a balanced budget. He has asked the mayor to provide the council will potential cuts so we can achieve a zero-based balanced budget. The mayor stated he will get these to the council tomorrow. If any council member has questions, please send them to Mrs. Sides. The budget is scheduled to be voted upon at the August 25<sup>th</sup> meeting.

2. Discussion of Ordinance No. 22-18; AN ORDINANCE TO APPROPRIATE FUNDS RELATIVE TO AND FOR ADOPTION OF THE OPERATING BUDGET FOR THE CITY OF MANDEVILLE FOR FISCAL YEAR 2022-2023; AND TO ESTABLISH THE ADMINISTRATION OF EXPENDITURES THEREOF AND TO PROVIDE FOR RELATED MATTERS. Mr. Danielson explained this is the operating budget which we started to discuss at last night's work session. There will be another work session Wednesday, August 17th. Mr. Danielson stated the deficit is in the operating budget.

3. Adoption of Ordinance No. 22-20; 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 2022 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). A motion was made by Mr. Zuckerman and seconded by Dr. Kreller. Mr. Danielson explained this is regarding property mills and has nothing to do with the budget deficit.

The mayor explained only the people can raise taxes. He has advertised the mills on the advice of Mr. Grant Schlueter, Bond attorney. This ordinance has general alimony at the same rate we have been collecting. The police mills are at the rate that was renewed at the election last November. He was advised to advertise the police mills to give the council the options to set rates as you want. He foresees the council making changes and Mr. Danielson discussed with the mayor the option to bring general alimony down. Mr. Danielson stated the current mills are 8.86 and the proposed mills are 14.94. He would like to propose to keep the mills at 8.86 and not raise taxes.

Mr. Schlueter stated you can levy the full amount or any portion of the mills. If you levy all 3 mills at the full rate, the total mills rate would naturally be larger. General alimony can be reduced to 0.40 and police mills can be at the proposed rate. You will need to focus on 2023 to protect the general alimony tax because 2024 is a reassessment year. Because if there is an increase in property tax, the reduction in the rate will be of the 0.40 but it produces the same amount. There is a provision that if there is a reduction you can go through a roll forward procedure and it requires a supermajority of the council to reinstate a higher rate. He gave a recap of total mills charged:

2012/2013/2014 – 15.8

2015 – 11.03

2016 – 10.31

2017 – 9.31

2018/2019/2020/2021 – 8.86

Mrs. Bush stated there is confusion of what was proposed and if it was required that we advertise the maximum mills as proposed? Mr. Schlueter stated he is not involved with what is placed on the agenda, but the proposed maximum rates were used with no increase in general alimony. The council can determine what they want to charge. If property taxes go up in 2024, your mills go down. If we go to the 0.4 and a special assessment is called, we don't go back up. There has to be a statewide reassessment. It however is extremely rare, and he does not anticipate this. However, if this did happen you can do a roll forward and pass a higher mill for general alimony with a super majority. But this is a very slim chance. Mrs. Bush stated there is a constitutional amendment on the ballot, but the likelihood of its passage is very slim.

Mr. Danielson explained this is managing the millage rate based upon state law. The administration listed the police maximum mills on the agenda however, we are not required to use the max mills.

Mr. Zuckerman does not want to increase taxes and he is aware the voters approved the max police mills in November. Are we required to levy the maximum police mills. Mr. Schlueter stated no, they are not required. Mr. Zuckerman asked Mrs. Sides if we did not levy the maximum what impact will have. Mrs. Sides explained all 3 mills go into the general fund. Police currently brings \$540K towards police expenses which are almost \$11 million. THE general fund covers the remainder of the police expenses. Mr. Zuckerman stated we could keep the overall mills and it would not have an impact on funds. Mr. Schluter stated the police are underfunded with the mills, but all their monies come from the general fund.

Mr. Danielson made a motion to amend the general alimony to 0.40, keep police at 5.08 and 3.38. This would keep the total mills at 8.86; this was seconded by Mr. Zuckerman. Mrs. Sides was under the impression you have to levy the max at collect at least once.

Mr. Burguieres stated this is the same collection of monies, just changing the mills. If you needed more money next year, it could be raised next year. The city does not need more money so an increase is not necessary.

Mr. Ted Ralph wanted to clarify the police budget is \$11 million. Mrs. Sides stated \$10 million is in operating and \$1 million is capital.

Mrs. Rohrbough feels lowering the general alimony is dangerous. She would rather reduce police mills. Mrs. Zuckerman explained all the money goes into the general fund, so it does not really matter their individual numbers if we keep the total at 8.86 which brings in around \$2.05 million.

Mr. Zuckerman asked if we kept the proposed/advertised mills, what is the increase. Mrs. Sides stated the increase would be an additional \$60.80 per \$100K home value.

Mr. Schlueter stated all three mills go to reassessment in 2024. You will face this same issue next year.

With no further comments or questions, a vote was taken, and the amendment passed 5-0. Mr. Danielson asked for any more questions on the amended ordinance. The revised ordinance is again keeping taxes the same with no increase. With no further comments or questions, a vote was taken, and the amendment passed 5-0

4. Adoption of Ordinance No. 22-21; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AUTHORIZE THE EXECUTION OF AN ACT OF SERVITUDE OF PASSAGE BY THE CITY OF MANDEVILLE IN FAVOR OF MJJ&B PROPERTIES, LLC, AND AN ACT OF SERVITUDE OF PASSAGE BY THE CITY OF MANDEVILLE IN FAVOR OF EAST CAUSEWAY DEVELOPMENT GROUP, LLC. A motion was made by Mr. Zuckerman and seconded by Dr. Kreller. Ms. Bartholomew explained this is the right-of-way by Donahue Favrot. Their servitude runs behind the community center. This is just moving the servitude to the actual road they use. It is just a housekeeping issue. With no further comments or questions, a vote was taken, and the ordinance passed 5-0.

**NEW BUSINESS:**

1. Appointment of two commissioners to the Parks & Parkways Commission. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson explained there were 3 applicants. Mrs. Winstead and Mrs. Kervin discussed their experience with the Council. Mrs. Abbey was out of town. Mr. Danielson made a motion to nominate Mrs. Winstead for the technical position; seconded by Dr. Kreller. With no further comments or questions, a vote was taken, and the motion was approved 5-0. Mr. Danielson made a motion to nominate Mrs. Kervin for the non-technical position; seconded by Dr. Kreller. With no further comments or questions, a vote was taken, and the motion was approved 5-0.

2. Approval of the special event– Sunset Symphony on the Lake. Saturday, October 22, 2022 – 5:30 p.m. – 8:00 p.m. with a rain date of Sunday, October 23, 2022. Location: Lakeshore Drive (Stage positioned between Coffee & Carroll Streets). Requesting waiver of Food and Drink

ordinance on the Lakefront. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. The mayor added the Greater New Orleans Youth will be added to the schedule. With no further comments or questions, a vote was taken, and the application was approved 5-0.

3. Approval of the special event – Kelly Kicking Cancer Gala “Who’s Got Talent”. Saturday, October 21, 2022 – 7:00 p.m. – 11:00 p.m., to be located at Benedicts. Permit requested to apply for ATC Special Events Liquor Permit – Event held on private property. A motion was made by Dr. Kreller and seconded by Mrs. McGuire. Dr. Kreller explained the state requires a permit since the liquor has been donated. Mrs. Grace Kapola explained there have 2 events to raise funds for brain cancer. Those who wish to participate in the talent competition have until September 1<sup>st</sup> to register. Mr. Danielson stated Kelly was a local and collegiate soccer player, and the Foundation was created in her honor. With no further comments or questions, a vote was taken, and the application was approved 5-0.

4. Approval of the special event -Our Lady of the Lake Church – Blessing of the Mandeville Cemetery Wednesday, November 2, 2022 – 6:00 p.m. – 9:00 p.m. to be located at the Mandeville Cemetery. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Tassin explained this is a beautiful event, blessing the graves in the Mandeville cemetery and encouraged all to attend. With no further comments or questions, a vote was taken, and the application was approved 5-0.

5. Approval of the special event A Rhea of Hope – Oktoberfest, Saturday, September 24, 2022 – 4:00 p.m. – 9:00 p.m. to be located at the Mandeville Trailhead. City Permit requested to apply for ATC Special Events Liquor Permit. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mrs. Rhea had to move her event last year due to covid. Last year she raised over \$10K for “bile duct cancer research” Her goal this year is to raise \$20K. With no further comments or questions, a vote was taken, and the application was approved 5-0.

6. Resolution No. 22-32; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MANDEVILLE AND FAIRWAY CONSULTING AND ENGINEERING, LLC, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. LaGrange stated this is a standby contract for post disaster monitoring services. There was a selection committee and Fairway was chosen. With no further comments or questions, a vote was taken, and the motion passed 5-0.

7. Introduction of Ordinance No. 22-22; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE REAPPORTIONING THE CITY COUNCIL DISTRICTS ESTABLISHED BY THE CITY CHARTER IN ACCORDANCE WITH THE POPULATION OF THE CITY OF MANDEVILLE REPORTED AS A RESULT OF THE 2020 FEDERAL CENSUS; DEFINING THE DISTRICTS CREATED AS A RESULT THEREOF; SUBMITTING THE SAID DISTRICTS FOR REVIEW BY THE UNITED STATES DEPARTMENT OF JUSTICE; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson explained this will be discussed and voted upon at our next meeting. Mr. Burguieres asked if they could get a copy of the proposed map on the city website.

**PUBLIC COMMENT:** none

**ADJOURNMENT:**

Mrs. Bush made a motion to adjourn the meeting, seconded by Mr. Zuckerman. Mr. Danielson adjourned the meeting at 7:45 p.m.

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Kristine Scherer  
Council Clerk

  
Rick Danielson  
Council Chairman

