

**MINUTES
FOR THE CITY COUNCIL MEETING OF OCTOBER 13, 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, Keith LaGrange, Public Works Director, Kathleen Sides, Finance Director, Mayor Madden, Cara Bartholomew, Planning Director

MINUTES:

Adoption of the September 22, 2022, Meeting Minutes. A motion was made by Mrs. Bush and seconded by Dr. Kreller. With no further comments or questions a vote was taken and the minutes were adopted 5-0.

REPORTS AND ANNOUNCEMENTS:

Mr. Danielson announced the KMB was recently received the Circle of Excellence award along with a \$500 award to be used for their campaign. This Saturday is the Veteran's expo which will be held at the coroner's office. The fire districts are doing different fire safety talks at various libraries. The Mandeville safety talk will be held 10/26/22 from 4-6pm. Mr. Danielson announced Ms. Scherer, Council clerk, has been named the new LAMSA coordinator. The city has remained very active in this organization.

The mayor announced this Friday is another trailhead concert. He explained the Kiwanis club donates their tips for their children's cause and encouraged residents support.. The last Trailhead concert will be 10/28/22 and LPO is on 10/22/22 starting at 6pm. The mayor will also hold a Traffic Summit, Wednesday 11/16/22 at the Community Center. The new Target is also scheduled to open 10/23/22.

PRESENTATION:

The mayor presented a proclamation for Red Ribbon week. Mrs. Darrah Johnson explained the campaign and their mission to present a unified community for a drug free city. This year's theme is the "World is Better with Me as Drug Free".

OLD BUSINESS:

1. Adoption of Ordinance No. 22-25; AN ORDINANCE FOR THE CITY OF MANDEVILLE AMENDING THE CODE OF ORDINANCE, CITY OF MANDEVILLE, BY AMENDING SEC. 13-3, OBSTRUCTION OF STREET GENERALLY, AND AMENDING SEC. 13-4, OBSTRUCTION OF WALK, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mr. Zuckerman explained this grew out of an issue in Old Mandeville and the use of the public right of way for businesses. The culverting of ditches extends their front yards and swallows up the street right of way, which is depended upon for street parking, etc., this ordinance addresses what is allowed and clarifies this is not a person's private front yard. Many residents have since culverted their ditches and this gives the false sense of a larger private front yard. Several residents have placed things on the edge of their front yard to prevent others from parking. This is primarily an old Mandeville issue. Mrs. McGuire stated it started with an accident because there was a boulder in the public right of way, and it caused a safety hazard. Some people have planted landscape, and this is also not allowed. The ordinance addresses some things you can plant, but you can also apply for a hardship variance for certain items. People must understand this is a public right of way and

safety is a major issue. Mr. Zuckerman stated it is also for parking and many site plans count on street parking for their requirement and over time ditches are filled in and the street parking areas get swallowed up. Mr. Danielson asked can we get into the specifics of what changes from what is currently in place. Mrs. Sconzert stated the existing ordinance does not mention right of way and the MPD was uncomfortable because of lack of clarity. The ordinance also adds to 13-4 the specific exceptions, which are very detailed. Mr. Zuckerman explained the actual right of way varies everywhere and is hard to enforce a specific number. The idea is protecting parking and using the 10ft. gets it out of the street right of way. Ms. Bartholomew stated parking is allowed on the streets in some areas, but parked cars must be able to have other cars go around. Mr. Danielson has received several questions about mailboxes. Ms. Sconzert stated if mailboxes are compliant with the USPS they are allowed. Mr. Danielson stated this went to P&Z, but it now does not have to go why? It mentions the CLURO several times. Ms. Sconzert stated she just references the CLURO provisions, but they are not changing the CLURO. Ms. Bartholomew said the commission does not feel comfortable making recommendations when it does not change the language. Mr. Danielson asked who enforces this. Ms. Sconzert explained Code enforcement and the police will enforce this. First, violators will get a 10-day notice. After that is received, they can either come into compliance or apply for a variance. Mr. Zuckerman stated there is also an avenue to have a person apply for a hold harmless agreement. The mayor stated code enforcement is now under Cpt Kal Miazza and he and Kenny Matthieu will go around and look for violations.

Dr. Kreller asked about the hold harmless agreement. If something is not in compliance, you then would have to go to the city to apply for a variance or sign a hold harmless agreement.

Dr. Walker explained unfortunately this ordinance came about from a few accidents. The pressure created from a lack of parking has created this issue due to granting of variances to businesses. He stated it must end at some time, the granting of these variances needs to stop because the parking is not there. As a result, people are now starting to block the sidewalks, and people are forced to create their own parking spots. Businesses need to start investing in parking banks. With no further comments or questions a vote was taken and the ordinance passed 5-0.

NEW BUSINESS:

1. Approval of the liquor license for Leaky Little Boat, LLC d/b/a Nuvolaris located at 246 Girod St, Mandeville. A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mrs. McGuire explained this is a new owner and they have submitted all the proper paperwork. With no further comments or questions, a vote was taken, and the application was approved 5-0.

2. Approval of the special event liquor license for Heart Gift Foundation – Toss for the Heart Cornhole Tournament to be held on Sunday, November 6, 2022, to be located at 1 Sanctuary Blvd. Mandeville. A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mr. Danielson explained this has become an annual event and benefits kids brought in from other countries for heart surgery. With no further comments or questions, a vote was taken, and the application was approved 5-0.

3. Approval of the Winter on the Water Santa Street & Boat Parade to be held on Saturday, December 3, 2022 – 4:00 p.m. – 7:00 p.m. with a rain date of Sunday, December 4, 2022. To be located on Lakeshore Drive (Harbor to Gazebo- see map) with a request to lift the Food and Drink ordinance. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson explained this is the annual event. With no further comments or questions, a vote was taken, and the application was approved 5-0.

4. Approval of the St. Ann Wine Bar -Outdoor Concert to be held on Friday, November 11, 2022, from 5:00 p.m. – 10:00 p.m. Located at 22 St. Ann, Suite 2. A motion was made by Mrs. Bush and

seconded by Mrs. McGuire. Dr. Kreller explained all paperwork is in order and this is one of their annual concerts, Chase Tyler Band. With no further comments or questions, a vote was taken, and the application was approved 5-0.

5. Approval of Change order for Lift Stations 35 and 38 for the addition of 60 calendar days A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mrs. Bush explained this is not a change in price but adding 60 days. This is at Rue Bayonne and West Approach Lift Stations. With no further comments or questions, a vote was taken, and the change order was approved 5-0.

6. Adoption of Resolution No. 22-40; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ADOPTING THE ST TAMMANY PARISH HAZARDS NOTIFICATION AND REPORTING PLAN REVISED THROUGH JUNE 2022. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mr. Danielson explained this is so the city can continue to earn points for citizen discounts and follows the same guidelines set out by the Parish. With no further comments or questions, a vote was taken, and the resolution passed 5-0.

7. Adoption of Resolution No. 22-41; 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 GREENLEAF ARCHITECTS, APAC, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Dr. Kreller and seconded by Mrs. McGuire. Mr. Zuckerman explained this is a standard form of agreement for the City Hall project based on an estimated construction cost of \$6.3 million and adds the CMAR language. This helps us to add CMAR into the design phase. The construction manager brings a contractor on board, and they work with the design and engineering team to get the project within a budget, so it is not a surprise when it goes out to bid. The cost is based with an estimate and then gets adjusted once the actual costs get determined. Usually around 60% is when the city decides if they want to go to with CMAR project or go a different route. Mr. Zuckerman wanted to know how the statement of probable cost was arrived. Mr. LeGrange stated \$2.6 million is for this room renovation. Then the new building is \$2.5 million based upon different elements of the building. Then there is parking and utilities, etc. The ranges per square foot is higher due to the smaller renovation. IF this is approved then the first step is to do the RFQ for the contractor 60-90 days on getting one on board. Then they will work together and come up with a true cost budget then the city will have to decide on construction. With no further comments or questions, a vote was taken, and the resolution passed 5-0.

8. Adoption of Resolution No. 22-42; 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 COMPLIANCE ENVIROSYSTEMS, LLC, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Zuckerman explained this I a standby contract and will only be used in the event of a declared emergency. This is required by FEMA and GOSEP. Mr. Danielson asked what the term of the contract is. Mrs. Sconzert stated the term of this is 3 years with an option to renew. With no further comments or questions, a vote was taken, and the resolution passed 5-0.

9. Introduction of amended 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 Dr. Kreller and seconded by Mrs. McGuire. Mr. Danielson stated this has gone to P&Z and will come back to the council for adoption at the November meeting.

10. Introduction of Ordinance No. 22-27; AN ORDINANCE FOR THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AMEND ORDINANCE NUMBER 22-18, THE OPERATING BUDGET OF THE CITY OF MANDEVILLE AND FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Danielson stated this will come back to the council for adoption at the next meeting.

11. Mr. LaGrange, Public Works Director, gave a presentation regarding fill in the City of Mandeville. He discussed what is allowable and the process for residents who do not comply with the regulations. He suggests if a resident has a question regarding fill, they speak to the Public Works department before starting their project. Residents must apply for a permit and then it goes to Cliff to review and have any discussions with the resident before it is approved. All enforcement regarding fill goes through the Public Works department.

PUBLIC COMMENT:

Mr. Toomey is concerned about the overflowing dumpster at 107 Sandra Lee. He placed a call about this on Friday, and it is still there. Ms. Bartholomew explained they had a mix up with the street name and she will get this looked at tomorrow.

PROJECTS IN PROGRESS REPORT:

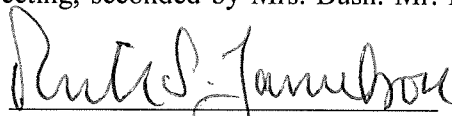
Mr. LaGrange explained the speed signs are about 6 weeks out while the flashing signs should be here in 2 weeks. The construction on Cambronne will begin around the 2nd week in November.

ADJOURNMENT:

Mr. Zuckerman made a motion to adjourn the meeting, seconded by Mrs. Bush. Mr. Danielson adjourned the meeting at 8:00 p.m.



Kristine Scherer
Council Clerk



Rick Danielson
Council Chairman