**MINUTES**

**FOR THE CITY COUNCIL MEETING OF AUGUST 26, 2021**

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, Rebecca Bush, Skelly Kreller

**Also present:** Mayor Madden, Keith LaGrange, Director Public Works, Cara Bartholomew, Dir. of Planning, Kathleen Sides, Finance Director, Elizabeth Sconzert, City Attorney, and Chief Schleim

Mr. Zuckerman asked for a moment of silence to remember those lives which were lost overseas last night.

**MINUTES:**

Adoption of the August 12, 2021, Meeting Minutes.

A motion was made by Mrs. McGuire seconded by Mrs. Bush to adopt the minutes of August 12, 2021. There being no further questions or a comment, the motion was approved 5-0.

**REPORTS AND ANNOUNCEMENTS**:

The mayor announced there will be 2 police mills up for a vote at the October 9th election. He encouraged all to support the police mills. The mayor explained they will be monitoring the storm which is approaching the Gulf and will make an announcement tomorrow. Sandbags will be located with the Parish at Koop Dr.

Mrs. Bush announced Mr. Ren Clark’s last P&Z meeting was last week. She has enjoyed serving with him and wanted to thank him for his service.

Mr. Zuckerman informed the public the Re-Leaf Program is on the city’s website and is starting to accept applications for their fall tree give away.

**PRESENTATION**:

Several members of the “Stand Up St. Tammany” community gave a presentation in opposition of the proposed casino project in Slidell. They urged the council to sign a resolution in opposition of this project.

Mr. Zuckerman asked if we could move the budget ordinances last on the agenda. With no objections, we continued with old business.

**OLD BUSINESS**:

3. Adoption of [Ordinance No. 21-22](https://www.cityofmandeville.com/wp-content/uploads/2021/08/ord-21-22.pdf); AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE DECLARING CERTAIN ITEMS AS SURPLUS AND NO LONGER NEEDED FOR CITY USE; AUTHORIZING THE MAYOR TO EXCHANGE OR DONATE SURPLUS ITEMS; AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mr. Zuckerman explained this auction is done every year for items no longer needed by the city. With no further questions from the council or the audience a vote was taken, and the ordinance passed 5-0

4.Adoption of [Ordinance No. 21-26](https://www.cityofmandeville.com/wp-content/uploads/2021/08/ord-21-26.pdf); AN ORDINANCE OF THE COUNCIL OF THE CITY OF MANDEVILLE AMENDING SECTION 14-10 OF CHAPTER 14 OF THE CITY OF MANDEVILLE CODE OF ORDINANCES AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mrs. Bush explained this is in conjunction with last meeting resolution. This ordinance will allow for the revocation of business licenses under certain situations. Ms. Avery discussed the issue with the 2 massage parlors and how this ordinance came to light. Mr. Danielson wanted to make sure everyone realized this is not to target any single business. This is for illegal or illicit activity not for a violation of regular business activities. Mrs. McGuire also stated the city would have to have reasonable evidence to enforce a revocation. With no further questions from the council or the audience a vote was taken, and the ordinance passed 5-0

**NEW BUSINESS:**

1.Approval of the liquor license for [Pyre BBQ](https://www.cityofmandeville.com/wp-content/uploads/2021/08/Pyre-Liquor.pdf) to be located at 2020 Woodrow St., Mandeville. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mrs. McGuire explained this is the 2nd location for Pyre BBQ and it will be in the former Rieger’s location by the Trailhead. With no further questions from the council or the audience a vote was taken, and the approval passed 5-0.

2.Approval of the special event and liquor application for [St. Ann Wine Bar’s Labor Day](https://www.cityofmandeville.com/wp-content/uploads/2021/08/st-ann-labor-day-weekend.pdf) Event, Friday, Saturday, & Sunday, September 3, 4, and 5, 2021 from 5pm – 11:00pm to be located at 22 St. Ann. Request approval for alcohol and music in the parking lot and extended hours outdoors until 11:00pm. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Dr. Kreller explained this i like the events done in the past. They are requesting for an extension of outdoor music to 11pm. With no further questions from the council or the audience a vote was taken, and the approval passed 5-0.

3.Approval of the [KMB Fall Citywide Clean-Up](https://www.cityofmandeville.com/wp-content/uploads/2021/08/Keep-Mandeville-Beautiful.pdf) on Saturday, September 18, 2021 from 9:00am – noon to be located at the Lakefront Gazebo. Requesting waiver of food and drinks on the Lakefront. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. The mayor explained this is an annual event and distribution will be at the Lakefront. With no further questions from the council or the audience a vote was taken, and the approval passed 5-0.

4.Approval of the [Constable Fundraiser for Natalie Russo Witman](https://www.cityofmandeville.com/wp-content/uploads/2021/08/Witman-Campaign-fund.pdf) on Sunday, September 12, 2021 from noon–3:00pm in the parking lot of Seafood2Geaux/Happy Feet Nail Spa, 3845-3847 Hwy 22, Mandeville. Requesting tent set up in the parking bay. A motion was made by Mrs. Bush and seconded by Mr. Danielson. Ms. Witman explained with covid, she is requesting to be allowed to have tents outside for her campaign fundraiser. With no further questions from the council or the audience a vote was taken, and the approval passed 5-0.

5.Adoption of [Resolution No. 21-40](https://www.cityofmandeville.com/wp-content/uploads/2021/08/Artovia-Packet.pdf); 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 ARTOVIA, LLC AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Dr. Kreller explained this is for the West Causeway Approach Pedestrian Path from Sandra Lee to Monroe St and the Monroe Street/E. Causeway Intersection. The W. Causeway portion involves construction of approximately 1,400' of 6' wide concrete sidewalk and 500’ of 8’ wide shared use path along West Causeway Approach from Sandra Lee Drive to Monroe Street. While the Monroe St area will consist of an additional left turn lane and right turn lane on the E. Causeway southbound approach and traffic signal timing/phasing modifications. Mr. LeBreton explained the resident Inspection services are required to monitor the construction contractor and quantities installed Combining these would allow for a smooth flow if projects ran consecutively, but if they run concurrently, the respective proximities allow for them to be managed by one firm. With no further questions from the council or the audience a vote was taken, and the resolution passed 5-0

7. Introduction of [Ordinance No. 21-27](https://www.cityofmandeville.com/wp-content/uploads/2021/08/21-27.pdf); AN Ordinance for THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AMEND ORDINANCE NUMBER 20-13, 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 Mr. Danielson. Mr. Danielson explained this is just to balance the budget for the end of the fiscal year. This must be done when revenue is less than 5% of what is budgeted. This will be voted upon at the next meeting.

8.Discussion and Adoption of Ordinance No. 21-19; AN ORDINANCE TO APPROPRIATE FUNDS RELATIVE TO AND FOR ADOPTION OF THE CAPITAL IMPROVEMENT BUDGET FOR THE CITY OF MANDEVILLE FOR FISCAL YEAR 2021-2022; AND TO ESTABLISH THE ADMINISTRATION OF EXPENDITURES THEREOF AND TO PROVIDE FOR RELATED MATTERS. A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mr. A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mrs. Sides reviewed the proposed changes for the capital budget which include:

**General government-**

1. Change shoreline protection and flood control (eastside of the city) to $250k, add footnote that this is for consulting fees to assist in the assembly of

2. Add line item for ravine aux coquille bank stabilization in the amount of $300k

1. Land acquisition – add footnote to earmark monies for the purchase of land for the cemetery expansion

**STREETS**

1.Add $100k for design and survey of sidewalk on southside of E. Causeway from Monroe St. to the butterfly garden. This would include 2 crossovers: Community Center and New Golden Shores

**POLICE**

1.Revised budget with additional breakdown forthcoming from the administration

 A) Vehicle replacement - $229,175

 B) Outfitting 7 new vehicles - $174,415

 C)Bullet Proofing existing fleet - $90,000

 D)Bullet Proofing new vehicles - $21,000

 D)Police shields $48,000

 E) Motorcycles – 23 new vehicles @$25K - $75.000

Dr. Kreller requested to not pass this ordinance until all the changes have been made and are presented to the council for review. He suggested a vote at the next meeting. Mr. Zuckerman suggested voting on the changes tonight and then the overall budget at the next meeting. The mayor suggested calling a special meeting on Monday. Dr, Kreller explained he did not want to rush especially with a possible storm in the Gulf. He stated we did this last year and did not pass the budget until first meeting in September. Mr. Danielson made a motion to accept the changes presented for the capital budget; this was seconded by Mr. Zuckerman. With no further questions from the council or the audience a vote was taken, and the amendments passed 5-0. Dr. Kreller made a motion to defer the vote on the ordinance until the September 9th council meeting; this was seconded by Mr. Danielson. Mrs. Bush stated we can operate on 50% of last year’s budget and she does not see any damage. We also did the same thing last year. Dr. Kreller that we should take our time, review all the changes have been made then vote. Mr. Burguieres agreed with Dr. Kreller. He explained the public should be able to look at the proposed new budget and with the storm approaching and changes not being made, he does not want to rush as well.

With no further questions or comments, the motion to defer passed 5-0.

9. Discussion and Adoption of Ordinance No. 21-20; AN ORDINANCE TO APPROPRIATE FUNDS RELATIVE TO AND FOR ADOPTION OF THE OPERATING BUDGET FOR THE CITY OF MANDEVILLE FOR FISCAL YEAR 2021-2022; AND TO ESTABLISH THE ADMINISTRATION OF EXPENDITURES THEREOF AND TO PROVIDE FOR RELATED MATTERS. A motion was made by Mrs. McGuire and seconded by Mr. Danielson. Mr. Zuckerman asked Mrs. Sides to review the operating changes to date

 **EXHIBIT B**

1. Under 10100 - general government:
	* EE retirement to be removed from ‘student worker” under 10100 - general government and sewer department
	* “Clerk 1” and “clerk” will be merged, and total count will be “3”
	* HR director reduce salary to reflect a 2.5% increase
	* Add notation for when directors receive their increase (anniversary date or other date established)

**EXHIBIT C**

* 1. Mayor phone allowance reduce to $600/year

**EXHIBIT D**

1. General - all emergency expenses will be consolidated to a single line item and description changed to “emergency preparedness”
2. Change description of 10100-44100 from “banquets” to “community events”
3. Change description of 10100-46000 from “council meeting fees” to “city council pay”
4. Add cell phone allowance for council clerk and 2 police captains
5. Change office supplies 10100-43000 to $25,000
6. Emergency preparedness plan amount changed to $55,000
7. Add “emergency pay” line item of $50,000 for a distribution of $500 per employee

Mr. Danielson would like to have all the employee salary exhibits divided out into separate exhibits. The exhibits will be divided into the following:

Exhibit B – all civil service employees and the HR director

Exhibit C – council clerk and executive secretary

Exhibit D – directors with the notation of their date of increase

Exhibit E – mayor compensation package

Exhibit F – council

Exhibit G – will become the new exhibit “D” will all the individual funds. This would be easier to manage. Mr. Danielson made this motion to divide exhibit B into the above; this was seconded by Dr. Kreller. With no further comments or questions, a vote was taken and the amendment to the exhibit B passed 5-0.

Mr. Danielson made a motion to remove the contract/grants position; this was seconded by Dr. Kreller. Mrs. McGuire stated her understanding is the position should remain in house to have someone watch over contracts and grants, not to write grants. The mayor stated that is correct and if needed, they can outsource a grant writer person. Mr. Zuckerman sees this as more of a contract’s manager, purchasing agent which is more suited in house. Mr. Danielson asked if the current job description has set aside a portion for seeking grants. If this is more of an overseeing/managing position he feels better about the in-house position. The mayor stated the position for an inhouse grants person is not full time so that is why he is combining the contract person with the grants position. Most of the work is management and compliance. Mr. Zuckerman stated hi sonly concern is the salary for this specific skill set, is it too low. The mayor stated the salary could be increased depending upon the applicant. Dr. Kreller feels the compliance can be done in house and the grants positions can be outsourced. He believes the contract person will be spending too much time making sure the city complies and will not have enough time to search for grants. Mr. Danielson will withdraw his motion to eliminate the position. Mr. Burguieres stated the council is voting on a position when they do not even have a copy of the job description on hand.

Mr. Danielson made a motion in Exhibit “E” to freeze the cell phone for the mayor and freeze the salary for this year. He would also like to amend the retirement plan and add the city picking up 1/3 of the amount each year so that by the end of year 4 the city is picking up the entire retirement contribution; this was seconded by Dr. Kreller. Dr. Kreller would like to keep the salary of the mayor at $94,500 for the entire term. Mrs. McGuire agrees with the cell phone and the salary, but not the retirement. He feels the mayor is a full-time employee and should have the same benefits as all full-time employees. Mr. Zuckerman and Mrs. Bush agrees.

Mr. Danielson withdrew his original motion. Mr. Danielson made a motion to set the mayor’s cell phone to $600 per year; this was seconded by Dr. Kreller. Without further questions or comments, a vote was taken, and the motion passed 5-0.

Mr. Danielson made a motion to set the mayor salary to $94,500 for the next fiscal year; this was seconded by Dr. Kreller. Mrs. McGuire reached out to a former councilman who offered the ordinance and discussed the 2.5% increase. Each year if there was a 2.5% increase it kind of undoes what the prior council did. The biggest thing is this charter change went to a vote of the people and that is why she does not want to touch this for the term. Mr. Zuckerman is not sure the intent was to freeze. The mayor is understanding the salary, the retirement is what he is more concerned about. This year we are getting a salary survey and that should provide more information for classified and non classified employees. Mr. Burguieres feels the 2.5% is for classified employees on the civil service plan. There were prior discussions about how the 2.5% for salaried personnel is much larger than that of a 2.5% increase for a civil service employee. He agrees with the current salary of $94,500. Mrs. McGuire read the prior ordinance which stated the salary for the “next term” of office is $94,500. Without further comments or questions, a vote was taken, and the motion passed 5-0.

Mr. Danielson made a motion over the next three years to increase the city’s contribution to the mayor’s MERS by 1/3 per year. This fiscal year the city would pay 1/3 of the retirement. The mayor disagrees with this and feels the prior council did not understand the retirement portion of the ordinance and this would just correct the error. He wishes for the city to pay the full retirement since he is a full-time employee. Mr. Danielson stated the prior council, of which the mayor was apart of, voted upon the ordinance and by making this 1/3 adjustment each year, it will correct itself over a period. The mayor would like to do it all at once. Mr. Zuckerman agrees with the mayor. The mayor stated the finance and HR department were not consulted with the prior ordinance. Mr. Danielson made a motion to have the city pay 1/3 of the mayor’s employee contribution to retirement which would be $3150; this was seconded by Mrs. McGuire. With no further questions a vote was taken, and the motion failed 2-3. The mayor stated he will have the city attorney revise the original ordinance and present at the next meeting.

Mrs. McGuire made a motion to amend to ordinance 21-20 section 3 to read directors and mayors salaries and supplements are listed as Exhibit “c, d, e” notwithstanding any other provision in this budget there shall beno additional increase for base salary and supplemental income. With no further questions a vote was taken and was approved 5-0.

Mrs. Sides read the changes to exhibit “D’ which will now be referred to as Exhibit “G”. Mr. Danielson made amotion to accept the changes; seconded by Mrs. Bush. With no further questions or comments, the changes in exhibit “g” were approved 5-0.

Dr. Kreller made a motion to defer the voting of the operating ordinance until the next meeting on September 9th; this was seconded by Mrs. Bush. Without further comments or questions, a vote was taken, and the deferral passed 5-0.

**PUBLIC COMMENT:**

**FINANCE REPORT**: Mrs. Sides will present the financials at the next meeting.

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

* 1.**Bayou Castine Seawall Repair** (2101A01)– Close out.
* a. Gill’s Crane Services - $922,224.00
* b. Substantial completion approved by Council.
* c. Change Order No. 1 approved by Council for $77,590.00.
* d. Total Cost - $999,814.00
* e. Dirt and sod repair – 7/10/21
* f. Retainage to be paid - $49,965.70
* **2. Lift Station 12 & 24** (2101A03)**–** Close out
* a. Subterranean Construction, LLC @ $588,230.00
* b. Substantial Completion – May 6, 2021, Approved and registered with Clerk of Court.
* c. Change order No.1 - $58,572.00 Approved and registered with Clerk of Court.
* d. Total Price - $646,802.00
	1. e. Retainage to be paid - $32,204.48-processed 8/18/21.

**3. Effluent Pump Station** (2101A04)**–** Construction

a. DNA Underground, LLC @ $176,700.00

b. Change Order for bypass pumping - $32,100.00 Approved.

c. Equipment on order. Expected delivery – Pushed to August 17th.

d. Scheduled to mobilize on August 27th and begin work August 30th.

* 1. e. Waiting on pipe spool-delivery date September 20th.
* **4. Sunset Point Restrooms** (2101A05) **–** Construction
* a. Awarded to BSD Construction LLC - $234,696.00
* b. Pre-construction Meeting held 6/15/21

c. Starting date delayed until City permit is obtained. (V-zone designation)

* d. Moved building out of VE zone.
* e. Waiting on approval and permit.
* **5. Trailhead Splash Park Replacement** (2101A06) - Construction
* a. Awarded to Francise Horticultural Services, Inc. - $231,098.65
* b. Notice of Award sent 6/3/21
* c. Contract signed 6/9/21 – Contracts received 6/22/21
* d. Pre-construction Meeting held 6/25/21
* e. Notice to Proceed – 7/6/21
* f. Started demolition of concrete – 7/19/21
* g. Project on pause, waiting on material (embeds) from Vortex.
* h. Scheduled delivery, first week of September. Contractor formed up splashpad.

**6. Wastewater Treatment Plant - Erosion Control Project** (2101A09) – Construction

* a. Change Order to increase contract amount to $1,845,000.00 approved by Council 6/24/21.
* b. Task Order #2 approved by the Council 6/24/21 - $1,475,705.00.
* c. Pre-construction meeting held 8/12/21.
* d. Notice to Proceed-8/25/21.
* **7. 2018 Roadway Maintenance Contract** (2101A12) - Construction
* a. T.O. 4 99% Complete – Substantial Completion
	+ 1. Substantial Completion approved by Council 6/24/21.
	+ 2. Certificate of Substantial Completion routed for signature.
* b. T.O. 5 45% Complete - $790,000.00
	+ 1. Drainage improvements in Fontainebleau Subdivision.
	+ 2. Sidewalk improvements on Monroe Street.
	+ 3. Various concrete panel replacements.

4. Various asphalt surface patching.

* c. T.O. 6 – Ditch Cleaning and Culvert Cleaning - $800,000.00
	+ 1. Approved by Council 6/24/21.
	+ 2. Contracts signed by Mayor – 7/16/21.

3. Started 8/11/21-Purple Martin Lane-The Sanctuary.

Mr. Danielson asked if the city would consider allowing temporary signs due to covid. Some businesses have had their “now hiring” signs removed from the right of way. The mayor stated he has not heard from any businesses requesting this, but he and Cara will talk to Kenny.

**ADJOURNMENT:**

Mr. Zuckerman made a motion to adjourn the meeting, seconded by Mrs. McGuire. Mr. Danielson adjourned the meeting at 8:45p.m.

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Kristine Scherer Jason Zuckerman

Council Clerk Council Chairman