**MINUTES**

**FOR THE CITY COUNCIL MEETING OF JUNE 24, 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, Elizabeth Sconzert, City Attorney

**MINUTES:**

Adoption of the June 10, 2021, Meeting Minutes.

A motion was made by Mrs. Bush and seconded by Mrs. McGuire to adopt the minutes of June 10, 2021. There being no further questions or a comment, the motion was approved 5-0.

**REPORTS AND ANNOUNCEMENTS**:

Kenny Mathews gave an update on enforcement issues and procedures. He has divided the city into 12 zones for a weekly canvass thus allowing for a quarterly visit of each area. He finds this helpful in spotting ongoing violations. Mr. Mathews also informed the council he works on weekends and discovers numerous violations occurring. When he discovers a violation, a discussion takes place and usually it is resolved in24 hours. Dr. Kreller asked if he sees the need for more help. In other cities they have a full-time person or even a department. Mr. Mathews indicated at the present time everything is running smoothly however the new website will provide for residents to file a complaint and possibly at that time the need for assistance may be revisited. Mr. Mathews provides action every month to the mayor and Planning director. The mayor asked for Mr. Mathews to start coping the council on these monthly reports.

Mr. Danielson has several announcements to make: Some members from Troop 111, St. Timothy’s Church are here to obtain their Merit badge – he welcomed any questions from the group. The Father’s Day Fishing Rodeo was rescheduled to this Saturday from 8am – noon. The city is still accepting application for the Audit firm, deadline is June 30th at 11am; There is the Pollination Program this Saturday at the Trailhead, 4th of July Celebration will be held on Sunday, July 4th with bands, food trucks, and of course fireworks – no rain date. During this time picnicking is allowed. City Hall will be closed on Monday, July 5th due to the holiday. Due to the holiday, the Council’s agenda deadline for their next meeting has been moved up to Wednesday at noon. All items for the next agenda must be sent to Mrs. Sconzert by this Monday to be considered for the next agenda.

Lastly, the Council is soliciting resumes for their appointment to the Mandeville Planning & Zoning Commission. Please send your resume to the attention of: Mandeville City Council Clerk, 3101 East Causeway Approach, Mandeville, LA 70448 or kscherer@cityofmandeville.com. Deadline: Monday, August 2, 2021

**OLD BUSINESS**:

1.Adoption of [Ordinance No. 21-15](https://www.cityofmandeville.com/wp-content/uploads/2021/06/21-15.pdf); AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE APPROVING A CONDITIONAL USE PERMIT FOR THE USE DESIGNATED UNDER CLURO SECTION 6.4.42.3 LODGING (TRANSIENT) SHORT-TERM RENTAL: WHOLE HOUSE RENTAL, LOCATED ON 315 LAFITTE ST., SQ. 11, A PORTION OF LOT 19; ZONED B-3 OLD MANDEVILLE BUSINESS DISTRICT; APPROVING SITE PLAN, FLOOR PLAN, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mrs. McGuire explained this property is across the street from OLL. It is a 2 bedroom with 3 parking spots and was unanimously approved by P&Z. With no questions from the council or the audience a vote was taken, and the ordinance passed 5-0.

2.Adoption of [Ordinance No. 21-16](https://www.cityofmandeville.com/wp-content/uploads/2021/06/21-16.pdf); AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE APPROVING A CONDITIONAL USE PERMIT FOR THE USE DESIGNATED UNDER CLURO SECTION 6.4.42.3 LODGING (TRANSIENT) SHORT-TERM RENTAL: WHOLE HOUSE RENTAL, LOCATED ON 2032 JEFFERSON ST. SQ. 10, LOT 12; ZONED B-3 OLD MANDEVILLE BUSINESS DISTRICT; APPROVING SITE PLAN, FLOOR PLAN, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Mrs. Bush and seconded by Mrs. McGuire. Mrs. McGuire explained this property is a little different from prior STR. The first floor has one bedroom, and the second floor has a large loft with 2 queen beds and 2 twin beds for a capacity of 10 ppl in a 1,700 sq ft home. Mrs. McGuire has several concerns from parking issues to such a large capacity. The property is located near several businesses and parking is already an issue. She also is concerned with the loft type sleeping arrangement it would attract large gatherings such as bachelorette parties instead of a quiet getaway with family. This brings up how to handle enforcement. The council previously denied one property owner two permits on the same parcel because of capacity and parking concerns. She also wonders if they would pass Fire Marshall inspections. During the P&Z work sessions, they discussed some issues and stated if there were complaints you could pull the permit. Mrs. McGuire feels this is an unfair burden on a homeowner who would file a complaint. MS. Bartholomew stated the STR permit runs with the owner not the land. The use runs wit the land so if there ever was a new owner, they would have to apply for the STR permit. Mrs. Bush asked if P&Z addressed some of the same concerns. Ms. Bartholomew stated they did have concerns about parking but did not receive any opposition from the public at their meetings. Mr. Zuckerman raised concerns about if the property meets IRC safety codes such as emergency egress and if the loft could be counted as a sleeping area. His concern is to make sure this is a safe environment. Dr. Kreller agrees with the other councilmembers concerns and feels the loft is almost like a dormitory. He asked if the council can legally reduce the number of occupants. His main concern is the amount of people and safety in the event of a fire. Mr. Danielson asked the owners if they would object to a reduction in people and they were agreeable to a reduction. Mr. Danielson made a motion to limit the capacity to 6 people; this was seconded by Dr. Kreller. With no questions from the council or the audience a vote was taken, and the amendment passed 5-0. Mr. Zuckerman did not see the site plan nor floorplan from Piazza Architecture. He made amotion to delete that reference that stated” floor plan and site plan prepared by Piazza Architecture Planning dated October 14, 2021, and a revised parking plan submitted May 3, 2021; this was seconded by Dr. Kreller. With no questions from the council or the audience a vote was taken, and the amendment passed 5-0. Mr. Danielson asked Ms. Bartholomew to explain the process if approved. Ms. Bartholomew stated the conditional use of 6 ppl caries with the land. If approved, the applicant will apply of ra permit which will be valid until the end of the year and will then be up for renewal next year. If the applicant does not renew on time, they lose their permit. She reminded the council if there are violations or other issues, a permit can be revoked. The first renewal deadline is March of 2022. If this permit gets approved, it will only be for 6 months because all permits are based upon a calendar year. With these two new amendments approved and no further questions from the council or the audience a vote was taken, and the ordinance passed 3-2 (Zuckerman, Danielson, Bush for; McGuire and Kreller against).

3.Adoption of [Ordinance No. 21-18](https://www.cityofmandeville.com/wp-content/uploads/2021/06/ord-21-18.pdf); AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE CREATING SECTIONS 8-21 THROUGH 8-26 OF THE CODE OF ORDINANCES OF THE CITY OF MANDEVILLE; TO REGULATE FIRE ALARM SYSTEMS AND PROVIDE FOR PENALTIES FOR REPEAT FALSE ALARMS AND TO PERMIT ST. TAMMANY FIRE DISTRICTS TO ELECT TO ADOPT THE REGULATIONS SET FORTH HEREIN; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mr. Danielson explained this ordinance is relating to false fire alarms. Chief Kauffman explained Fire District 4 answers calls for false alarms in both incorporated and un-incorporated Mandeville. The City of Mandeville is the only municipality in the Parish that does not address false alarms. Chief explained this would provide consistency for the department. You are allowed 3 false fire alarms calls per year. After the 3rd false alarm, fines will be incurred. This is to mainly encourage residents to maintain their system. The district also has a 5-person appeal board, and he will need to have 3 names from the Council to serve on hat board. To date, the appeal board has not been needed. The mayor stated this is for commercial properties only. With no questions from the council or the audience a vote was taken, and the ordinance passed 5-0.

**NEW BUSINESS:**

1. Approval of the special event and liquor application for [St. Ann Wine Bar](https://www.cityofmandeville.com/wp-content/uploads/2021/06/st-ann-july-9th.pdf) , Friday, July 9, 2021 from 5pm – midnight to be located at 22 St. Ann. Request approval for alcohol and music in the parking lot and extended hours outdoors until 11:00 pm. A motion was made by Dr. Kreller and seconded by Mr. Zuckerman. Dr. Kreller explained this is an event confined to the parking lot. The Wine Bar will be having outdoor music which will stop at 10pm. This is like an event they hosted in May. With no further questions from the council or the audience a vote was taken, and the event application passed 5-0.

2.Approval of the substantial completion of [TO#4, 2018 Roadway & Drainage Maintenance](https://www.cityofmandeville.com/wp-content/uploads/2021/06/Trans-Pkg-to-COM-Sub-Comp-TO4-2101A12-060321.pdf) Contract A/E Project No. 1801A02 as of June 3, 2021 in the amount of $541,686.67. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mr. Danielson stated this is for some drainage improvements in Old Golden Shores, Magnolia Ridge Wes. St. Ann Dr. and Old Golden Shores. With no further questions from the council or the audience a vote was taken, and the substantial completion passed 5-0.

3.Approval of [Task Order #6, 2018 Roadway & Drainage](https://www.cityofmandeville.com/wp-content/uploads/2021/06/to6-Roadway.pdf) Maintenance Contract A/E Project No. 1201A12, formerly 1801A02 in the NTE amount of $800,000.00. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mr. Danielson explained this includes the cleaning of ditches and culverts around the city. With no further questions from the council or the audience a vote was taken, and the task order passed 5-0.

4.Approval of [change order #2, work order #2 for the Erosion Control](https://www.cityofmandeville.com/wp-content/uploads/2021/06/wwtp-CO2.pdf) for WWTP Levees, A/E Project No. 2101A09, formerly 1701A06 in the amount of $1,245,000.00 to bring the new total to $1,845,000.00. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mr. Danielson stated this is for the erosion protection on the levees around the ponds. Mr. LeGrange stated they added the refortification for ponds 2 and 3 since the company extended their original pricing. With no further questions from the council or the audience a vote was taken, and the change order passed 5-0.

5.Approval of the [Amendment of Task Order #1](https://www.cityofmandeville.com/wp-content/uploads/2021/06/bulkhead-repair.pdf), Bayou Castine Bulkhead Repair, A/E Project No. 2101A01, formerly No. 1801A08 in the amount of $13,557.50 for a total resident inspection cost of $43,557.50. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mr. Zuckerman explained this was a reconciliation of the residential inspection services. With no further questions from the council or the audience a vote was taken, and the amended task order passed 5-0.

6. Adoption of [Resolution No. 21-24](https://www.cityofmandeville.com/wp-content/uploads/2021/06/RES-21-24.pdf); A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF MANDEVILLE AND THE LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT IN CONNECTION WITH STATE PROJECT NO. H013406 AND FEDERAL PROJECT H013406 FOR A BICYCLE/PEDESTRIAN PATHWAY ALONG WEST CAUSEWAY APPROACH STARTING AT THE MANDEVILLE PEDSTRIAN WESTSIDE CONNECTION AND ENDING AT MONROE STREET AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. McGuire and seconded by Mrs. Bush. Mr. Danielson explained this is to install 2,000 linear feet of bicycle/pedestrian pathway from the bridge down the service road to the intersection of Monroe and Causeway. Mr. Zuckerman asked if the project design has been completed and if it has gone to the Parks & Parkways Commission. Mr. Discon stated he has walked the project and some safety concerns have been addressed- he is pleased with the project so far. Dr. Kreller asked about the width, surface material and striping of the path. Mr. Lebreton stated the path is 8’ wide, concrete and currently not containing any striping. The reason it is with DOTD is to grant an exception because the current standard is 12’ wide. Mrs. McGuire is concerned if legally you can have a bike/pedestrian path 8’ wide. Mr. LeBreton explained this is one of the reasons it is called a path which turns into a sidewalk. Dr. Kreller discussed safety concerns with bikes, skateboards, and walker on the path, especially on the Lakefront. Mr. LeGrange stated he is currently looking at widening the path along the Lakefront. Without further questions or comments, a vote was taken, and the resolution passed 5-0.

7. Adoption of [Resolution 21-25](https://www.cityofmandeville.com/wp-content/uploads/2021/06/21-25-res.pdf); A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE RECOMMENDS THAT THE ADMINISTRATION ESTABLISH AND DISCUSS ADDITIONAL PROCEDURES IN PREPARATION OF THE CITY BUDGET. A motion was made by Mrs. McGuire and seconded by Mrs. Bush. Mr. Danielson explained the council members wanted to start a list to submit to the administration about items they wish to see and discuss during the budget sessions. Most of the items have already been presented to the mayor. There are repeat items and some new discussion items. The council wanted to make sure the administration would have this before the budget was distributed. Of course, everything will be discussed during our budget workshops. Without further questions or comments, a vote was taken, and the resolution passed 5-0.

8. Adoption of Resolution No. 21-26; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE CONFIRMING THE RECOMMENDATION OF A REVIEW OF THE CITY’S SIGN CODE BY THE PLANNING AND ZONING COMMISSION AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. McGuire and seconded by Dr. Kreller. Mr. Danielson explained this is a follow up from the recommendations of P&Z. This is for a review of the full sign ordinance and the recommendation to hire a professional consultant to assist. Mr. Zuckerman explained there have been recent legal decisions that might conflict with our codes. This will be part of the short-term wok program. Dr. Kreller reinstated this is just for a review of the entire sign code not one specific sign. Mr. Mike McGee and Mr. Mark McAdams represent the Shell gas station at Monroe/Causeway. They are having difficulties with funding reimbursement due to the ban on electronic signs. Mr. Danielson explained currently, their sign is not in compliance. Once a review of the entire sign code has been completed, regulations may or may not change. Mr. Zuckerman agreed and stated regulations may even be more restrictive. Mr. Burguieres did not understand the reason for the resolution and felt there was an ulterior motive. Mr. Danielson reiterated this is just confirming the recommendation from P&Z to review the entire sign code in the CLURO. Mr. Zuckerman made a motion to delete the first ‘Whereas” in the resolution and add the words” both legal and design/planning” of the City’s sign code; this was seconded by Mrs. McGuire. Without further questions or comments, a vote was taken, and the amendment passed 5-0. With the resolution now being amended and with there being no further questions or comments, a vote was taken, and the resolution passed 5-0.

9.Adoption of [Resolution No. 21-27](https://www.cityofmandeville.com/wp-content/uploads/2021/06/res-21-27.pdf); A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO EXECUTE A MAINTENANCE AGREEMENT BETWEEN THE CITY OF MANDEVILLE AND THE STATE OF LOUISIANA DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT, OFFICE OF ENGINEERING (DOTD) FOR MOWING AND LITTER PICKUP FOR THE FISCAL YEAR ENDING JUNE 30, 2022 AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. McGuire and seconded by Mrs. Bush. Mr. Danielson explained this is an annual contract with DOTD and they reimburse the city. Without further questions or comments, a vote was taken, and the resolution passed 5-0.

10.Adoption of [Resolution No. 21-28](https://www.cityofmandeville.com/wp-content/uploads/2021/06/21-28-res.pdf); A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO EXECUTE A COOPERATIVE ENDEAVOR AGREEMENT BETWEEN THE CITY OF MANDEVILLE AND OZONE MUSIC EDUCATION FOUNDATION, INC.; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH .A motion was made by Mrs. McGuire and seconded by Dr. Kreller. Mr. Danielson explained this is an agreement with the Ozone Foundation to use the Trailhead for its 3rd annual festival this November. The festival provides free entertainment from artists all over the country. There are educational workshops, concerts, food, and entertainment for everyone. Mrs. McGuire stated the foundation also gives free instruments to those in need. Without further questions or comments, a vote was taken, and the resolution passed 5-0.

11.Adoption of [Resolution No. 21-30](https://www.cityofmandeville.com/wp-content/uploads/2021/06/res-21-30.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 HIGH TIDE CONSULTANTS, LLC AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Dr. Kreller. Mr. Danielson explained this is for the design work, permitting, construction administration and resident inspection for Lift Station #4 with a NTE of $70,848. Lift Station #4 is located on Foy and Claiborne. Without further questions or comments, a vote was taken, and the resolution passed 5-0.

**PUBLIC COMMENT:**

Mr. Lyons asked about the land acquisition discussion on the council budget resolution. The council explained they want to set aside money to purchase land that needs to be taken out of commerce for green space, drainage issues or for the use of parks.

Mr. Toomey discussed noise issues he is having in Old Golden Shores. He stated there are a lot of traffic noises from modified equipment on vehicles and suggested the city consider raising the fines for those violations. The mayor stated the city is aware of the problems and have been reviewing the fine schedule. They will present their recommendations to the Council at a future meeting.

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

1. **1. Bayou Castine Seawall Repair** (2101A01) – Close out.
	1. a. Gill’s Crane Services - $922,224.00
2. b. Substantial completion approved by Council.
3. c. Change Order No. 1 approved by Council for $77,590.00.
4. d. Total Cost - $999,814.00
5. e. Dirt and sod repair - Scheduled for the week of June 21st. (Delayed due to tropical disturbance last weekend).
6. f. Retainage - $49,965.70
7. **2. FD4 Station 42 Warning Signs** (2101A02) – Close out.
8. a. Subterranean Construction LLC @ $28,400.00
9. b. Substantial Completion approved April 9, 2021, and registered with the Clerk of Court
10. c. Retainage - $2,840.00
* **3. Lift Stations 12 & 24** (2101A03) **–** Close out
* a. Subterranean Construction, LLC @ $588,230.00
* b. Substantial Completion – May 6, 2021, Approved and registered with the Clerk of Court.
* c. Change order No.1 - $58,572.00, Approved and registered with the Clerk of Court.
* d. Total Price - $646,802.00
* e. Retainage to be paid - $32,04.48

**4. 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 - mid July.

**5. 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. Need to adjust flood zone via LOMA or move building.

* e. Proposed flood zone is in public comment, so earliest start is August 11, 2021.
1. **6. Trailhead Splash Park Replacement** (2101A06) - Construction
2. a. Awarded to Francis Horticultural Services, Inc. - $231,098.65
3. b. Notice of Award sent 6/3/21.
4. c. Contract signed 6/9/21, Contracts received 6/22/21.
5. d. Pre-construction Meeting - TBD
6. **7. 2018 Roadway Maintenance Contract**
7. a. T.O. 4, 99% Complete – Substantial Completion
8. 1. Drainage improvements on Cindy Lou Place
9. 2. Drainage improvement on Magnolia Ridge West.
10. 3. Drainage improvement on Live Oak St.
11. 4. Installed sidewalk on St. Ann
12. 5. Installed new street panels in New Golden Shores.
13. 6. Misc. pavement work and drainage repair.
14. b. T.O. 5, 29% Complete - $790,000.00
15. 1. Drainage improvements in Fontainebleau Subdivision.
16. 2. Sidewalk improvements on Monroe Street.
17. 3. Various concrete panel replacements.
18. 4. Various asphalt surface patching.
19. c. T.O. 6, Ditch Cleaning and Culvert Cleaning - $800,000.00

**ADJOURNMENT:**

Mrs. Bush made a motion to adjourn the meeting, seconded by Mrs. McGuire. Mr. Danielson adjourned the meeting at 8:35p.m.

/s/ /s/

Kristine Scherer Rick Danielson

Council Clerk Council Chairman