**MINUTES**

**FOR THE CITY COUNCIL MEETING OF APRIL 8, 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 Sticker

**MINUTES:**

Adoption of the March 25, 2021 Meeting Minutes.

A motion was made by Mr. Zuckerman and seconded by Mrs. Bush to adopt the minutes of March 25, 2021. There being no further questions or a comment, the motion was unanimously approved 5-0.

**NEW BUSINESS**

Mr. Danielson asked the council if anyone had an objection to discussing item #3 in New Business first. With no objection, the council proceeded with item 3 in new business.

3. Adoption of [Resolution No. 21-05](https://www.cityofmandeville.com/wp-content/uploads/2021/03/res-2105.pdf); A resolution ordering and calling a special election to be held in the City of Mandeville, State of Louisiana, to authorize the renewal of special taxes therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith. A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mr. Danielson explained this is the renewal of the ad valorem taxes. Mr. Schleuter stated this resolution provides for a call election for the two police mills. Notification has been made to the proper officials and if approved this would be on the October 9, 2021 ballot. The city’s max rate is 5.08 and 3.38 respectively. The city currently charges a rate of 1.44 and 0.94. The first mill produces estimated revenue of $1.145K; while the second mill provides estimated revenue of $762K. Mr. Danielson explained the city has the option to charge the max, reset the current rate or pick any rate in between. The mayor recommends renewing at 5.08 and 3.38 however, charging the residents the current rate of 1.44 and 0.94; this would just protect the max. Mr. Glen Runyon stated the city had about 10 years ago a surplus of $8 million dollars and now it is $20 million with half of this rededicated to the general fund. He suggested if the city goes to the max rate the council should commit to reducing sales tax and give money back to the residents. Mr. Danielson agrees there should be further tax discussions and wants to make sure the residents understand this max rate, if approved by the voters, will set the rate but the city will charge the lower rate of 1.44 and 0.94. With no further questions from the council or the audience, a vote was taken and the resolution was unanimously approved 5-0.

**REPORTS & ANNOUNCEMENTS**: The mayor announced State Rep. Richard Nelson has filed a bill that would name the spot where Captain Liberto was killed as the "Captain Vincent Liberto, Jr., Memorial Overpass.” The temporary tributes are going to be cleared away as Chief Sticker is working with the State Hwy officials and the Liberto family to erect a permanent memorial that that will conform with federal highway regulations and rules for the proper way to display the U.S. flag. Chief explained some of the existing flags are weathered and are not hung in accordance to proper flag etiquette. The City allowed the temporary tributes for an extended period of time because it is a very sensitive issue for the family and the community. The City also wanted to allow residents to show their gratitude and respect for Captain Liberto. The current plan is to erect a memorial that feature a properly illuminated flag, Chief Sticker said that he will be out Monday along with Mrs. Liberto and state highway department workers to begin removing the current memorial items, with the flags being presented to the Liberto family or disposed of according to proper flag guidelines.

**PRESENTATIONS:**

Mr. David Curtis reviewed the Waste Water Treatment Plant Audit results. He reminded the council the lower the score the better. The City’s overall score increased from last year due to a significant increase in system overflows and a slight increase in Plant age. Overall, the treatment plant operated within the effluent permitted discharge limits for 2020. Mr. Curtis recommended adoption of the audit results. Mr. Danielson made a motion to open the agenda, seconded by Dr. Kreller. With no objections, the agenda was opened unanimously 5-0. Mr. Danielson read the resolution which contained the City’s recommended actions; this was seconded by Mrs. Bush. With no further comments or questions, the resolution passed unanimously 5-0.

Mr. Danielson stated last meeting the council listened to concerns from residents regarding sound/noise emanating from vehicles around the Lakefront. Mr. Danielson asked Chief Sticker where we are at this time and what changes we may want to entertain. Chief Sticker updated the Council on the issuance of tickets over the past few years and suggested taking a look at the fee schedules. Some fees may need to be increased along with establishing an escalated fine schedule. Chief stated most of the violations are from males, 18-25yrs of age and increasing the fines for such violations, may help remedy the problem. Mrs. Sconzert addressed the Council on the idea of installing speed bumps in different parts of the City. Upon further research, she finds speed bumps are not only a maintenance issue, but brings up property damage issues.

**OLD BUSINESS**:

1.Adoption of [Ordinance No. 21-04](https://www.cityofmandeville.com/wp-content/uploads/2021/03/ord-21-04.pdf): AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO REZONE LOTS 15 AND 16, SQUARE 51, BEING 820 LAMARQUE ST., CITY OF MANDEVILLE, ST. TAMMANY PARISH, STATE OF LOUISIANA, FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO B-1, NEIGHBORHOOD BUSINESS DISTRICT; AND PROVIDING FOR FURTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mrs. McGuire explained the propertied within this block were zoned B-2 prior to the 1993 rezoning process. The properties with frontage on Hwy 190 were zoned B-1 while the remaining properties were zoned R-1. This property was developed with a metal building as single family residential loft with the remaining as an art studio space. The owner is requesting the property be zoned B-1 and has the recommendation of the Zoning Commission. Mr. Zuckerman attended the zoning meetings and agrees with their decision. With no further questions from the council or the audience a vote was taken and the ordinance unanimously passed 5-0.

2.Adoption [of Ordinance No. 21-08;](https://www.cityofmandeville.com/wp-content/uploads/2021/03/ord-21-08.pdf)AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ADOPTING THE JOB CLASSIFICATION, POSITION DESCRIPTION, AND PAY SCALE FOR THE POSITIONS OF DIRECTOR OF ADMINISTRATION, AND GRANTS AND CONTRACT ADMINISTRATOR, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mr. Danielson. Mr. Danielson stated this was introduced two weeks ago and the mayor made a presentation explaining his reorganization plan. The mayor is requesting a deferral until the next meeting. He has new questions and concerns about the reorganization plan were brought to his attention by a few residents. Those concerns may require the ordinance to be tweaked, although he didn’t say specifically what the concerns are nor which residents raised them. Mr. Danielson stated the ordinance has to be voted upon within 30 day soft its introduction and a deferral of two weeks would still meet that requirement. Mr. Danielson made a motion to defer for 2 weeks; this was seconded by Mr. Zuckerman. Dr. Kreller does not understand why the mayor is only now hearing feedback when residents have been constantly contacting him with concerns about the ordinance for weeks. He stated at their weekly lunch meeting, the mayor was pushing for the approval and is now asking for a deferral. Dr. Kreller asked what their concerns are. The mayor doesn’t know why the constituents waited until the day before the scheduled vote to express their views. Again, the mayor is not saying who the constituents are nor what concerns they have. Mr. Lyons is opposed to the change. He does not hear anything new from the mayor and wonders why these constituents get more time than others. Mr. McVicker said the mayor should be able to manage the city without adding more high level administrators and expanding the size of government. He feels this proposal lowers the bar of what we can expect of our mayors in the future. Mrs. Smith feels the mayor is working hard to create a more effective city government and he deserves the opportunity to do that. Former Councilman Pulaski is concerned a new revised ordinance will not give the citizens enough time to review and suggested the council vote this ordinance down and then the mayor can introduce a new one. The mayor stated he is not sure if he will make changes. If there are significant changes he will ask the council to withdraw the current ordinance and introduce another at the next meeting. Mr. Danielson explained if the mayor makes structural changes to the ordinance does that constitute an amendment per the charter. Mrs. Sconzert stated yes that would be an amendment and all amendments to the ordinance must be approved by the mayor. The council cannot make changes the mayor did not agree to. Mrs. McGuire stated a lot of people came tonight to speak about this and we have to vote at the next meeting. There will not be enough time for residents to digest if they were not at this meeting or heard about the changes. Some residents may not have the opportunity to speak in two weeks. The mayor stated if someone is here they can comment but if there are significant changes it will be reintroduced. The mayor stated he will make a new presentation if there are new changes. Mr. Danielson explained if the mayor comes back with significant changes, this ordinance due to the time restrictions would have to be voted down at the next meeting. Mrs. McGuire asked then why don’t we vote it down tonight. The mayor said because he is not sure of the changes if any until he speaks with these residents. Mr. Danielson explained if the deferral does not pass then the council will continue with the discussion of the ordinance and vote for an adoption. With no further questions from the council or the audience a vote was taken and the deferral passed 4-1 (Zuckerman, McGuire, Danielson, Bush for; Kreller against).

3.Adoption of [Ordinance No. 21-09](https://www.cityofmandeville.com/wp-content/uploads/2021/03/ord-21-09.pdf); AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO ACQUIRE A LEASE FOR THE MANDEVILLE DEPARTMENT OF MOTOR VEHICLES OFFICE AND FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Mr. Danielson explained this is the renewal of the lease with the DMV. With no further questions from the council or the audience a vote was taken and the ordinance unanimously passed 5-0.

**NEW BUSINESS:**

1. Approval of the substantial completion of the [Fire District 04 Station 42 Warning Signs](https://www.cityofmandeville.com/wp-content/uploads/2021/03/FD-4.pdf) A/E Project No. 2101A02 as of March 19, 2021 in the amount of $28,400.00. A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. Dr. Kreller explained this is for new signals outside the Fire Station on Hwy 22. With no further questions from the council or the audience, a vote was taken and the substantial completion was unanimously approved 5-0.

2. Approval of the substantial completion of [TO#3, 2018 Roadway & Drainage Maintenance](https://www.cityofmandeville.com/wp-content/uploads/2021/03/Trans-Pkg-to-COM-Sub-Comp-TO3-2101A12-030821.pdf) Contract A/E Project No. 1801A02 as of March 3, 2021 in the amount of $551,936.53. A motion was made by Mrs. McGuire and seconded by Mr. Zuckerman. Mr. Danielson explained this is the substantial completion for work on Heavens Dr., the Shadows, and various other drainage and sidewalk repairs. With no further questions from the council or the audience, a vote was taken and the substantial completion was unanimously approved 5-0.

4. Adoption [of Resolution No. 21-13;](https://www.cityofmandeville.com/wp-content/uploads/2021/03/res-21-13.pdf) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE PROCLAIMING APRIL 8, 2021 AS MAYORS’ MONARCH PLEDGE DAY TO SUPPORT AND CELEBRATE MONARCH CONSERVATION. A motion was made by Mrs. Bush and seconded by Mr. Zuckerman. The mayor explained this is in participation of the National Wildlife Federation’s Mayor’s Monarch Pledge. Several pollinator friendly plants will be planted in the city’s butterfly garden in the upcoming week. With no further questions from the council or the audience, a vote was taken and the resolution was unanimously approved 5-0.

5. Adoption of [Resolution No. 21-14](https://www.cityofmandeville.com/wp-content/uploads/2021/03/res-21-14.pdf); A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE CONFIRMING THE CITY ATTORNEY’S APPOINTMENT FOR ASSISTANT CITY ATTORNEY. A motion was made by Mrs. McGuire and seconded by Mr. Zuckerman. Mr. Danielson explained Mrs. Pennison has served as an Assistant City Attorney for the city in the past and worked on the K Construction lawsuit. This is currently pending in the District Court and Mrs. Sconzert feels it is best that Mrs. Pennison continues to work on this case for the city especially since she is still the listed attorney on record. With no further questions from the council or the audience, a vote was taken and the resolution was unanimously approved 5-0.

6. Introduction of [Ordinance No. 21-06](https://www.cityofmandeville.com/wp-content/uploads/2021/03/ord-21-06.pdf); AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AFFECT THE ANNEXATION OF A PORTION OF GROUND IN SECTION 45, TOWNSHIP 8 SOUTH, RANGE 11 EAST, ST. TAMMANY PARISH, LOUISIANA ADJACENT TO GOLDEN SHORES SUBDIVISION, SECTION A, SQ 5, LOT 86A, INTO THE CORPORATE LIMITS OF THE CITY OF MANDEVILLE, DESIGNATING THE PROPERTY FOR PURPOSES OF ZONING AS A R-1, SINGLE FAMILY RESIDENTIAL DISTRICT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. A motion was made by Mr. Zuckerman, seconded by Mrs. McGuire. Mr. Danielson stated this will be referred to Planning & Zoning.

7. Introduction of [Ordinance No. 21-10](https://www.cityofmandeville.com/wp-content/uploads/2021/03/ord-21-10.pdf); AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE REVOKING THE DEDICATED PORTION OF MONROE STREET BETWEEN LAMARQUE AND FOY STREETS IN ACCORDANCE WITH THE LEGAL DESCRIPTION AND SURVEY PREPARED BY RANDALL W. BROWN & ASSOCIATES DATED OCTOBER 11, 2019; DECLARING THAT PORTION OF STREET AS SURPLUS AND NO LONGER NEEDED FOR CITY USE; DISPOSING OF THAT PORTION OF STREET AT PUBLIC SALE; AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS; AND DESIGNATING THE PROPERTY FOR THE PURPOSES OF ZONING R-1 SINGLE FAMILY RESIDENTIAL DISTIRCT, AND PROVIDING FOR OTHER MATERS IN CONNECTION THEREWITH. A motion was made by Mrs. McGuire, seconded by Mrs. Bush. Mrs. McGuire explained she is withdrawing the ordinance at the request of the applicant and it will be introduced at a later date.

8. Introduction of [Ordinance No. 21-11](https://www.cityofmandeville.com/wp-content/uploads/2021/03/ORD-21-11.pdf); AN Ordinance for the City of Mandeville prohibiting extended parking of motor vehicles along a portion of General pershing street, square 46, lying between lafitte street and girod street, for any period of time longer than six (6) hours on all days, INCLUDING HOLIDAYS, establishing penalties for violation thereof and providing for other matters in connection therewith. A motion was made by Mr. Zuckerman, seconded by Mrs. McGuire. Mr. Danielson stated this will be placed on the next agenda.

9. Introduction of [Ordinance No. 21-12](https://www.cityofmandeville.com/wp-content/uploads/2021/03/ORD-21-12.pdf); AN Ordinance for the City of Mandeville prohibiting parking of motor vehicles along that portion of christian court located in woodstone subdivision, establishing penalties for violation thereof and providing for other matters in connection therewith.A motion was made by Mr. Zuckerman, seconded by Mrs. Bush. Mr. Danielson stated this will be placed on the next agenda.

**PUBLIC COMMENT:**

Mr. Runyon discussed the efficiency study he conducted for the city and how it relates to the reorganizational ordinance.

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

1. **1. 2018 Roadway Maintenance Contract-**See attached worksheets.
   1. **2. Bayou Castine Seawall Repair** a. Walk through held today.
   2. b. Contractor to address punch list items.
   3. **3. FD4 Station 42 Warning Signs** a. Awaiting certificate of clear lien.
   4. **4. Lift Stations 12 & 24 -** Awarded. a. Subterranean Construction, LLC @ $588,230.00
   5. b. Notice to Proceed, 10/01/20.
   6. c. LS 24 (Starbucks), Pavement remediation 100% complete.
   7. d. LS 12 (Shell Station), Control panel installed, awaiting Cleco to energize.
   8. **5. Effluent Pump Modifications** a. DNA Underground LLC, Contractor; $176,700
   9. b. Pre-construction meeting held March 31st.
   10. c. Notice to Proceed was issued April 5th; Contract time: 180 days
   11. **6. Sunset Point Restrooms** a. Bids to be received in early May
   12. **7. Splash Pad Trailhead** a. Bids to be received in early May

**ADJOURNMENT:**

Dr. Kreller made a motion to adjourn the meeting, seconded by Mrs. Bush. Mr. Danielson adjourned the meeting at 8:20p.m.

/s/ /s/

Kristine Scherer Rick Danielson

Council Clerk Council Chairman