

**MINUTES
FOR THE CITY COUNCIL MEETING OF JULY 11, 2024**

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, Scott Discon, Cynthia Strong-Thompson, Kevin Vogeltanz, Jill McGuire

Absent: None

Also present: Clay Madden, Mayor; Keith LaGrange, Public Works Director; Kathleen Sides, Finance Director; Cara Bartholomew, Planning Director; David LeBreton, City Engineer

Mr. Zuckerman welcomed the new council members.

MINUTES:

Adoption of the June 27, 2024, Regular Meeting Minutes. A motion was made by Ms. Strong-Thompson, seconded by Ms. McGuire. With no further comment the minutes were adopted unanimously.

REPORTS & ANNOUNCEMENTS:

Mr. Zukerman said that the City Council is soliciting resumes for their appointment to the Mandeville Parks and Parkways Commission. Appointment is for a non-qualified position. Applications are due by August 1, 2024.

Mr. Zuckerman asked where those resumes were getting submitted. Ms. Bartholomew said that those applications would be going to Mr. Weiner.

Mayor Madden said he was looking forward to working with the new council. He also said that Keep Mandeville Beautiful, September 28th is the fall cleanup, 9:00am – 12:00pm. October 5th is the next quarterly glass recycling at the community center. The rain date is October 19th.

Mayor Madden introduced the new finance director, Jessica Farno. She will start later in July. She is a CPA with auditing, budgeting, management, and forecasting experience, and will be joining the City from the City's auditing firm.

PRESENTATION:

Ms. Bartholomew said that Alex Carter and Kara Dudek-Mizel from Desire Line are here to give a presentation on the Comprehensive Plan Update.

Ms. Carter said that this will be a high-level presentation about the Comprehensive Plan process, but their door is always open, and this will be the first of many points of communication.

This presentation will go over the goals and objectives. They will talk about the scope of work, the timeline and the outreach that is being prepared. They want to be transparent about this and what will come out of this project.

There are 11 people on staff, and they are all local. They are also supported by Fairway Engineering. Ms. Carter said the planning staff is comprised of people who are former parish or city staff members. They understand public service and want to make sure what they are promoting is easy to move forward with.

There is a lot of expertise on the team. Ms. Carter is a certified planner and there are others on the team as well, there are seasoned historic preservation experts, green infrastructure practitioners, floodplain managers, resilience specialists, and engineers.

A lot of planning progress has been made and they will build on that. They are going to focus looking forward to achieve a longer term vision. This vision statement guides the plan and the strategies and goals for the tasks. They want to promote specificity.

There are a lot of elements in a comprehensive plan which will be pulled into the plan to help the City prioritize projects and advance the overall vision of the City.

They want to be clear and transparent during this process. The plan will be built together. It will start with a community profile which outlines strengths, opportunities, and potential weaknesses.

Ms. Dudek-Mizel said the timeline will be about 14 months total, including 3 months for the plan adoption.

She said that it is important that the community knows that this is happening and there is a level of participation.

There will be a website launch coming up, and engagement will ramp up in August with things like the stakeholder interviews and steering committee and community meetings.

The call for steering committee volunteers opened June 12th and there have been 31 volunteers so far. There is a QR code people can scan to sign up. It will close tomorrow but if you are not on the steering committee there are other ways to be involved.

The plan will be developed in phases guided by the community profile and public engagement. All meetings will be outlined in the engagement plan.

Mr. Zuckerman said the steering committee applications close tomorrow. Ms. Dudek-Mizel said that people could also sign up for project updates if they did not want to be involved with the steering committee.

Mayor Madden said that there will be a steering committee, but also all the meetings will be public so even if people were not chosen, they could still come to the meetings and participate.

Mr. Zuckerman proposed moving the election of council chair before the items of unfinished business and there was no objection.

2. Adoption of Resolution No. 24-37; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE APPOINTING A COUNCIL CHAIRPERSON FOR THE MANDEVILLE CITY COUNCIL FOR THE TERM OF JULY 1, 2024 THROUGH JUNE 30, 2025; AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. (Councilman Zuckerman, At-Large)

Mr. Zuckerman moved to nominate Mr. Discon to serve as chair for the year and Ms. McGuire seconded. With no further comment a vote was taken and the motion passed unanimously

UNFINISHED BUSINESS:

1. Adoption of Ordinance No. 24-17; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO AFFECT THE DEANNEXATION OF A PORTION OF GROUND SITUATED IN GREENSBURG LAND DISTRICT, SECTION 34, TOWNSHIP 7 SOUTH RANGE 11 EAST REMOVING FROM THE CORPORATE LIMITS OF THE CITY OF MANDEVILLE AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. (Councilman Kreller) A motion was made by Mr. Zuckerman and seconded by Ms. McGuire.

Ms. Bartholomew said that they were approach by Banner Ford and Emerald Corner Shopping Center and Banner Ford needed more parking and the reason for the de-annexation is that Banner Ford is not in the City Limits and Emerald Corner is. Emerald Corner came in a couple years ago and revitalized the entire shopping center so this would only change the impervious amount by 1%.

Ms. Strong-Thompson said she thought Banner Ford was in the City Limits. Ms. Bartholomew said it is not. They put in a request for annexation but there were so many non-conforming issues including their sign, which they did not want to lose, so they pulled the application.

Mr. Zuckerman asked what the recommendation was from Planning and Zoning. Ms. Bartholomew said there was not a recommendation, as there was nothing for them to review. Mr. Zuckerman asked if there were any development requirements for that piece of property that would be less restrictive in the Parish compared to being in Mandeville. Ms. Bartholomew said they are planning on straightening out their parking and the Parish actually requires more landscape islands than the City. The piece of property would also be subdivided into Banner Ford.

Mr. Vogeltanz asked what if they changed their mind and wanted to put up a giant monument sign. Ms. Bartholomew said they would not be allowed to under Parish regulations. Mr. Vogeltanz said the Parish could give them a variance. Ms. Bartholomew said this would be in the back of the property where the service workers work so she did not think it would be advantageous. The piece of property is less than 7,000 sqft.

Mr. Vogeltanz said he was not sure why the City would want to de-annex any property. Ms. Bartholomew said normally they would not, this is a 7,000 sqft piece that would straighten out their property line.

Katherine Riecke, Jones Fussell, PO Box 1810 representing Emerald Corner, LLC who own the triangle piece of property. Their hope is that Banner Ford purchases the property and turn it into one legal portion.

Mr. Vogeltanz asked if there was any way for additional parking to be created from the area already in the Parish. Ms. Bartholomew said they are maxed.

Mayor Madden said that Banner Ford was already a part of the City sales tax agreement so them not being in the City Limits did not mean Mandeville was losing out on any sales tax money.

Ernest Burguières, 241 Wilkinson: What he looks for when he sees this is where is the image of the property. There is a survey but what is the problem with putting a google image in. Nobody knows where this is. Let the people know what is happening.

With no further comment a vote was taken and the ordinance was adopted 4-1 with councilmember Vogeltanz voting against.

2. Adoption of Ordinance No. 24-18; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ESTABLISHING PROCEDURES FOR CITY COUNCIL BUSINESS AND COUNCIL CHAMBER DECORUM AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. (Councilman Zuckerman, At-Large) A motion was made by Mr. Zuckerman and seconded by Ms. Strong-Thompson.

Mr. Zuckerman said every new council has to pass rules to operate, and with the departure of the council clerk and new council coming in, he looked at the previous resolutions passed and applied some of the things learned. This was a good opportunity to examine the rules and if anything could be improved upon. Mr. Zuckerman said he sees the council going through and examining each item as there is no way for the council to meet outside of a meeting so the process of creating the rules would happen tonight. This could be modified as much as the council wants.

Ms. Sconzert said the intent of adopting a resolution establishing the rules is so that you do not have different rules at each meeting. The problem with a resolution is that it does not have the effect of law and is traditionally temporary and used to express an opinion. Ordinances do have the force of law and are intended to direct and control permanently matters applying to persons and things in general. An issue with a resolution that has troubled Ms. Sconzert is that the resolution is nowhere to be found unless there is access to papervision, which is an antiquated system with limited public access. They also do not give any notice to the public of what to expect, which was the biggest feedback received.

Codifying this as an ordinance is taking it one step further than what the charter wanted, while staying in the spirit of the intent of the charter while placing it in a place that the public can see it. It also allows it to be enforced as a matter of law. The intent of this ordinance is to give more notice to the public and define the expectations of decorum in the council chambers. Abita Springs, Covington, Kenner, Harahan have all adopted rules by ordinance. Covington and Abita Springs have the same language in their charter about adopting rules by resolution. Most of the language in this ordinance was borrowed from other municipalities as there was no need to reinvent the wheel.

Ms. Strong-Thompson said she was a poll commissioner before this and some of the ideas on signage come from her very long history as a poll commissioner where people have the right to vote without something being thrown in their face. Her experience of being on the other side of the podium and having a safe space to speak is what led her to try to give everyone a safe space to speak and form an opinion

without having a threat or any other form of signage. This is a way to have set rules for the public.

Mr. Vogeltanz said he had lots of concerns about this ordinance. His understanding is that the Mandeville City charter is the constitutional document, and the charter says that the rules should be promulgated by resolution. This is an ordinance, not a resolution. Why this would matter is that any ordinance has to be approved or vetoed by the Mayor. The Mayor's office has no business vetoing or approving the internal operating rules of the council. The Mayor is the executive branch, and the council is the legislative branch of the government.

He is concerned that if they choose to do their business in a way that is not permitted by the charter, if that would be an illegally enacted ordinance. If he had to vote on this document and could not make any other change he would change it to a resolution, but he cannot do that. This deserves a full-throated discussion as Councilmember Zuckerman said. Mr. Vogeltanz proposes to table this ordinance and that a special meeting be set for this item.

Mr. Vogeltanz moved to table this ordinance until such a time that the council votes to take it off the table, Ms. McGuire seconded.

Mr. Zuckerman said that he does not agree that the charter requires the rules be passed by resolution. He thinks the spirit of the charter says by resolve of the council establish its own rules. He does not think it precludes it by ordinance. Regarding the mayor being able to veto, that is a good thing. He is not for tabling this ordinance, the council should roll their sleeves up and get it done tonight.

Ms. McGuire said she feels this is more transparent, as it had to be introduced and the public got to read it. With a resolution they do not get that. This is black and white to her; they are here to discuss it. She would be willing to table it but does not see why more time would be needed. The quicker they can be governed by a set of rules the better.

Mr. Discon asked if the two resolutions in the new business section of the agenda should be moved up and discussed together. Ms. Sconzert said that would get complicated as you would be going back between three different documents. Resolution 24-43 also governs internal business so nothing in it is covered by Ordinance 24-18. For ease for the public to follow along, for the ease of the council clerk doing the minutes, and for people to keep order she would recommend keeping it in order.

Claudine Perret, 171 Live Oak: She is concerned that there are three new people who she did not think had a month to discuss anything. With regards to what is posted why are they trying to keep people from the constitutional right to speak at a meeting, that is what she got out of what she read. Why is this being proposed and wanting to be done so quickly. It makes it kind of shady.

Ms. McGuire said that every council member received the rules and had a chance to look it over for a month. Typically, the resolution happens at the first council meeting, and this is the first meeting. Ms. Sconzert said even if it was in resolution form it would still be just as in depth, and if it was a resolution, you would only have one week of notice. With the introduction of the ordinance there was a three-week period. The substance would not have changed.

Larry Grundmann, 301 Mariners Island: What he saw in this is what it did not have with respect to oral

presentations. Mr. Grundmann read a prepared statement which is as follows: If there is some pressing need for the proposed oral comment rules that most of us do not see, then, I wish to make the following suggestions for inclusion in any proposed regulations in addition to Mr. Burguieres' observations contained below. There is no mention of any process for submittal, handling, responses to contained questions, or publication rules for timely written comments, questions and answers (ALL so necessary, especially in cases such as Sucette hearings). Handling, publication, documentation of written submittals for inclusion in proceedings is equally, if not more important, as these usually represent more researched or prepared and/or historically verifiable facts and figures than some spontaneous oral statements about which the draft regulation seems so concerned. Towards the end of the Council's Sucette Hearings, the Clerk of the Council instigated some semblance of organizing such a process. One must wonder if it was memorialized so it could be followed by her successor. And, if the Council is considering such rulemaking for itself, why not add some order to the Planning Commission's process for written submissions. As you may recall, in spite of commitments in the P&Z's Sucette Hearings notices that the Public's Comments would be read and addressed in the proceedings, some 50 pages of timely filed written comments, while reported as distributed and filed for public access, were only later confirmed to be filed in the Planning Director's Files and were not available to the public (much less discussed) until, during the Council Hearings. Then, a Public Information Request was filed that produced those 50 pages that, in turn, were filed with the Council and placed on its website. Some of these comments may have averted hours of wasted time in the Council hearings as questions raised and unanswered in the P&Z phase surfaced and were finally vetted there. Accordingly, if there must be new rules in law, let's not omit this very important element: written submittals, questions and provision of answers in all hearings of the City's agencies.

He thinks they are missing something that should be added in.

Mr. Zuckerman reminded everyone that they are discussion just the motion to table.

Theodore Ralph, 198 Cindy Lou: He would ask that you at least table this for one hour and get through the other business.

Ernest Burguieres, 241 Wilkinson: He sees this ordinance trying to fix a problem that does not exist. He has never seen anyone denied their right to talk. People talk about resolutions being hidden from the public but so are ordinances. Police have always had the right to remove disturbances. The ordinance is a threat to people and it does not have to be that way. The councilmembers in New Orleans all have drivers that are also bodyguards. You are creating complexity where it is not needed.

Mr. Zuckerman asked if Mr. Burguieres was in favor of tabling or not. Mr. Burguieres said he was.

Ms. Strong-Thompson asked if they could push it to the end of the night. Ms. Sconzert said the motion that is pending would have to be amended. Mr. Vogeltanz said his motion was to table until it is taken off the table.

Janet Smith, 1164 Rue Chinon: There are things in this that will need a lot of discussion. She endorses the idea of tabling until another time. This feels like it is being rammed through.

Glen Runyon, 408 Venus: He is in favor of tabling. It is overly complicated. Once it is law there will be unintended consequences as it will have to be enforced. How would this be enforced? A consent agenda

for a small town like this is overkill.

Mr. Zuckerman said this is getting over complicated. They have spent more time discussing if they can discuss what is in the ordinance rather than discussing it. If items are so controversial they can remove them and move on. If they get into it and do not agree on anything then someone can call the question and they can vote to kill it and move on. They are spending almost an hour arguing whether or not to discuss it. They can add things back if needed.

Paul Branch, 531 Dorado: He would rather see it tabled.

Rhonda Alleman, 1413 Rue Bayonne: Spending a lot of time is part of the process. Tabling is a worthy option as it does deserve more time. Moving it to the end after the agenda is complete will mean no one will be here. They should have a special meeting.

Sean Perret, 171 Live Oak: He is against tabling it. You should just vote it down and come back with a new ordinance. Get rid of the stuff that should not be there and come back with a new ordinance.

Mr. Zuckerman said they have had this for a month and know what they think about each item, but they cannot get to that point yet. He thinks this process can move quickly but they are still stuck on discussing if they can discuss it.

Mr. Vogeltanz said this is a lot and not something that should be done in a regular meeting.

Mr. Vogeltanz called the question on the motion to table, Mr. Zuckerman seconded, and a vote was taken with the motion to call the question passing 3-2 with council members Zuckerman and Strong-Thompson voting against.

Mr. Zuckerman asked when this would be tabled to. Mr. Vogeltanz said that according to Roberts Rules the motion is tabled indefinitely until a majority moves to take it off the table.

Mr. Discon asked if he could request a special meeting. Ms. Sconzert said that he could request a special meeting or at the end of the meeting any member could move to take it off the table.

Mr. Zuckerman said it is a little troublesome that in the four years on the council they have never not discussed an ordinance, and he hopes that this is not a precedent that if they disagree on something they will move to table instead of discussing it.

Ms. Sconzert pointed out that they previously voted on the call the question, and still needed to vote on the motion to table. Ms. Myers called the roll for the motion to table, which passed 3-2 with council members Zuckerman and Strong-Thompson voting against.

3. Adoption of Ordinance No. 24-19; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO GRANT A NON-EXCLUSIVE FRANCHISE AGREEMENT TO UNITI FIBER GULFCO, LLC, FOR THE PURPOSE OF CONSTRUCTING AND MAINTAINING A FIBER-OPTIC TRANSMISSION LINE WITHIN CERTAIN PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF MANDEVILLE, LOUISIANA AND TO PROVIDE FOR RELATED

MATTERS IN CONNECTION THEREWITH. (Councilman Zuckerman, At-Large) Ms. Strong-Thompson said that she had to recuse herself due to her day job. Ms. Sconzert said there was no participation in discussion, deliberation, or voting. A motion was made by Ms. McGuire and seconded by Mr. Vogeltanz.

Ms. Sconzert said the City had an existing franchise agreement with Southern Light and Uniti Fiber has stepped into the role of Southern Light and by charter an ordinance is needed to adopt any franchise agreement.

Ren Clark, 420 Carroll: What money does the City get. Ms. Sides said franchise taxes. Mr. Clark asked how much. Ms. Sides said she could not say for this one vendor but could say annually.

Ms. Sconzert said that it is a formula, so it is based on what services they are providing so it ranges from year to year and vendor to vendor.

Mr. Vogeltanz asked if this agreement was in perpetuity. Ms. Sconzert said franchise agreements are typically in perpetuity. She added that there is a State franchise agreement as well, but it does not have as much protection as the City franchise agreement does.

Ms. Sides said that franchise taxes are about \$1,000,000 annually.

With no further comment a vote was taken and the ordinance was adopted 4-0 with council member Strong-Thompson having recused herself.

NEW BUSINESS:

1. Discussion of the 2025 Budget Hearings Schedule.

Mr. Zuckerman said there were some dates picked and they just needed to be confirmed. He believed that there was a conflict with one of the dates. Mr. Discon said he had July 17th written down. Mr. Zuckerman said that was the one with the conflict. Mayor Madden said that was the date of the STMA dinner.

Mr. Discon said the meeting on July 17th was canceled. The other dates were July 30th and 31st, August 7th and 21st. Mr. Zuckerman said all were at 6:00pm. He said that based on experience they should schedule five meetings. Ms. Sides said she was out August 7th, and she did not know if the council wanted Ms. Farno to do it during her first five days. Mr. Discon said that was probably fine. Ms. Sides said she personally did not think it was fine as Ms. Farno did not know what was going into this budget, and Ms. Sides would only have two days with her before she left.

Mr. Zuckerman asked if everyone was good with July 30th and 31st and there were no objections. Mayor Madden reminded the council that Ms. Farno would start on July 31st. Mr. Zuckerman said that Ms. Sides would be there with her for that.

Mr. Discon asked if the August 21st date was good and there were no objections.

Mayor Madden asked if there was a reason for not doing it the week of August 12 – 16. Ms. Strong-Thompson said she would be out and flying back on August 14th.

Mayor Madden asked if there was a council meeting on August 15th, Ms. Bartholomew said there was a Historic District meeting that night.

Ms. McGuire said they could have budget meetings before a regular meeting. Mr. Zuckerman said he would like to see one before July 30th. Mr. Discon suggested July 22nd. Ms. McGuire and Ms. Sides both said they would be out.

Mayor Madden said they could do it at 5:00pm before the next three council meetings. Ms. Strong-Thompson asked if they would do one before the July 25th meeting. Ms. McGuire said she would be out for that meeting so she could not make the budget meeting either.

Mr. Zuckerman asked if anyone was available next week. Ms. Bartholomew said there is a Historic District meeting on July 18th. Ms. McGuire asked if they could meet at the community center or somewhere else. Ms. Bartholomew said the only problem is that there is only one A/V system so one meeting would not be able to be recorded if they were at two separate places.

Mr. Zuckerman asked about July 15th and Ms. McGuire said she would be out. Mr. Zuckerman asked about July 16th and Mayor Madden said that was the Lake Lots thing. Mr. Zuckerman asked about July 17th and Mayor Madden said that was the STMA dinner. Mr. Zuckerman said they discussed the 18th, and they would not be doing it on a Friday so next week was out.

Ms. McGuire asked if they could do it on the 18th before the Historic District meeting, like at 4:00pm. Mr. Zuckerman said there were interviews next week.

Mr. Zuckerman asked about the week of the 22nd; Ms. McGuire said she was out the whole week. Ms. Sides said she would be out Monday – Wednesday. Ms. Strong-Thompson asked if a super majority was needed for the budget meetings, Mr. Zuckerman said it was not, but he was trying to accommodate everyone for discussion.

Ms. Strong-Thompson said it would be hard to do that as it is the summer and said that at some point Ms. McGuire could write her comments down and participate by proxy. Ms. Strong-Thompson suggested July 25th before the meeting. Mr. Zuckerman said that if that is the earliest they can meet then everyone should start working on this and meet with Ms. Sides ahead of time.

Mr. Discon asked what time that would be, Mr. Zuckerman said it would be at 5:00pm. Mr. Discon asked if they could do 4:00pm, Mr. Zuckerman said it would be tough for the public to get there. Mr. Discon asked if everyone was in agreement with that and there were no objections. Mr. Zuckerman said that should be enough to get started.

Mr. Discon asked if they wanted to pick something in August real quick. Ms. Strong-Thompson said she gets in at 3:00pm on the 14th so she could do that day. Ms. McGuire said she was out on the 14th.

Mr. Zuckerman suggested August 20th, and everyone was in agreement.

Mr. Discon asked what the dates are. Ms. Sconzert said they were July 25th at 5:00pm, July 30th and 31st at 6:00pm, and August 20th and 21st and 6:00pm.

Mayor Madden asked what the reasoning was for not doing one the week of August 12 – 16. Mr. Zuckerman said someone was out. Mayor Madden said the reason for not being able to do one on the 15th was Historic District and said they could just go across the street. Ms. Bartholomew said she would be unable to record the meeting.

Ms. Sides reminded everyone that there was a quarterly budget meeting on July 24th at 6:00pm. Mayor Madden said they are to discuss the current year budget.

3. Approval of the nomination of the reappointment of MR. MIKE PIERCE TO THE MANDEVILLE PLANNING AND ZONING COMMISSION, TO SERVE A NEW SEVEN YEAR TERM PURSUANT TO THE CLURO SEC. 2.1-2.2.8. MR. PIERCE'S CURRENT TERM EXPIRES ON AUGUST 31, 2024 A motion was made by Ms. Strong-Thompson and seconded by Mr. Zuckerman.

Ms. Bartholomew said that Mr. Pierce has been on the Commission for four years and is a wonderful commissioner.

With no further comment a vote was taken and the nomination passed 5-0.

4. Adoption of Resolution No. 24-38; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ENDORSING THE APPLICATION OF LISA KEIFFER, LLC FOR THE PARTICIPATION IN THE RESTORATION TAX ABATEMENT PROGRAM APPLICATION PROJECT ID 20220545-RTA. (Councilwoman McGuire) A motion was made by Ms. McGuire and seconded by Ms. Strong-Thompson.

Ms. McGuire said this was a program that whenever you restore a historic building you can apply for a tax abatement credit that freezes the taxes for a certain number of years.

Thomas Keiffer, 219 Marigny: The program is administered through the Louisiana Economic Development Agency and as a local authority the council is called to approve or disapprove the request to participate. It freezes the tax assessment on the structure itself so that the improvements are not taxed for five years. If the resolution is approved it goes to the Board of Commerce and Industry for review and approval.

With no further comment a vote was taken and the resolution was adopted 5-0.

5. Adoption of Resolution No. 24-39; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO EXECUTE AMENDMENT NO. 2 TO THE ENGINEERING CONSULTING AGREEMENT WITH DIGITAL ENGINEERING & IMAGING, INC. TO ALLOW FOR ADDITIONAL CAPACITY FOR DIGITAL ENGINEERING TO EXPEDITE DRAINAGE, WATER, SEWER MODELS AND MINOR DESIGN PACKAGES FOR NEIGHBORHOOD IMPROVEMENTS AS LISTED IN THE CAPITAL BUDGET AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. (Councilman Zuckerman, At-Large) A motion was made by Ms. McGuire and seconded by Mr. Zuckerman.

Mr. LaGrange said this is a request for an increase to Digital's cap. There will be no additional funds from the general fund. They are finding themselves up against the monthly cap so this allows some more freedom and allow for more work to get out quicker.

Ms. Strong-Thompson asked what the current cap was and what was being requested. Mr. LaGrange said it was currently at \$35,000 and he was requesting it go to \$50,000.

Mr. Vogeltanz asked if the rates would be going up as well. Mr. LaGrange said it would be increasing the rates from their original contract back in 2020.

Mr. Vogeltanz said when it was originally inked their highest billing was \$191 an hour and if they approve this it would be \$250 an hour and asked if that was standard. Mr. LaGrange said there are DOTD audited rates that they compare against, and there is a DOTD audit conducted every year.

Mr. Vogeltanz asked if the higher billing rates would offset the increase. Mr. LaGrange said there will be some offset, but it will not be a complete offset.

With no further comment a vote was taken and the resolution was adopted 5-0.

6. Adoption of Resolution No. 24-40; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO EXECUTE AMENDMENT NO. 1 TO THE LAWYER-CLIENT AGREEMENT WITH BLUE WILLIAMS, LLC AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. (Councilman Zuckerman, At-Large) A motion was made by Mr. Zuckerman and seconded by Ms. McGuire.

Ms. Sconzert said that at the execution of the contract the rate was tied to the Attorney General fee schedule, which had been in place since 2016. In 2024 the new Attorney General established a new fee agreement which has been authorized for any interest in legal council by the State and has been piggybacked by a number of municipalities and Parish Governments.

Mr. Vogeltanz asked if Blue Williams was charging in accordance with the old fee schedule. Ms. Sconzert said that was correct. Mr. Vogeltanz said the new fee schedule increases based on the number of years of experience and asked if Ms. Sconzert has been practicing for more than 10 years. Ms. Sconzert said that was correct so there would be a rate increase.

Mr. Vogeltanz asked how much was spent last year. Ms. Sconzert said she did not have that number off the top of her head but they have come in under budget every year. She added that there is a new associate that she can offset some of this work with who falls in the under three year category.

Mr. Vogeltanz asked what was being charged under the old fee schedule. Ms. Sconzert said it was \$225. Mr. Vogeltanz said this would be a 50% increase. Ms. Sconzert said it was going from \$225 to \$350 so it was around that.

Mr. Vogeltanz wanted to say for the record, which he stated was not being written down anywhere, that

Blue Williams did not promulgate this, and it was the Attorney General which he understands. He asked if there was a rough idea of what was spent with Blue Williams as he is trying to understand how much this would increase.

Ms. Strong-Thompson asked if there was a monthly cap. Ms. Sconzert said there was not, there was a cap on how much she and David Parnell could work. Ms. Sconzert said that a lot of the time they spend on contracts could be offset at a lower rate with the associate.

Mr. Vogeltanz asked what was spent with Blue Williams in the last year that they had the full number. Mr. Vogeltanz asked how many people at Blue Williams were providing legal services to the City. He asked if it was Ms. Sconzert, Mr. Parnell, the new associate and asked if there was a paralegal. Ms. Sconzert said the paralegal does very little as there is not a lot of need for a paralegal.

Mr. Zuckerman said that the numbers for the year to date is \$367,700. Mr. Vogeltanz asked if that was the year to date for this year. Ms. Sides said that Mr. Zuckerman was looking at the legal total. Ms. Sconzert said some of that would be settlement payments and for civil service.

Mr. Vogeltanz asked if this agreement was terminable by will. Ms. Sconzert said she served at the pleasure of the Mayor and the council. Mr. Vogeltanz said he wanted to understand if they were locking the City in to any long-term agreements.

Mr. LaGrange said all public works contracts are required by law to have a termination not for cause. Ms. Sconzert said hers was the same.

Ms. Sides said that fiscal year 2023 was \$345,000 and fiscal year 2024 to date is \$273,000. Mr. Vogeltanz asked if that was with Blue Williams, Ms. Sides said that was with Blue Williams alone.

Mr. Vogeltanz asked how much was budgeted for Blue Williams and if the City would run out of money for them if this was approved. Ms. Sides said that they would be over budget for legal this year, but there were things that came up that were not budgeted for, mainly Sucette.

With no further comment a vote was taken and the resolution was adopted 5-0.

7. Adoption of Resolution No. 24-41; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR OF THE CITY OF MANDEVILLE TO EXECUTE AMENDMENT NO. 1 TO THE LAWYER-CLIENT AGREEMENT WITH MICHAEL F. WEINER, ATTORNEY AT LAW, LLC AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. (Councilman Zuckerman, At-Large) A motion was made by Ms. McGuire and seconded by Ms. Strong-Thompson.

Ms. Sconzert said that Michael Weiner serves as assistant city attorney and handles civil service issues. This would make it so he gets the new AG rates as well. Ms. Sconzert said the agreement was terminable.

Mr. Vogeltanz asked how much was spent, Ms. Sconzert said it was significantly less as the issues are so specific and unique.

Mr. Vogeltanz asked if Mr. Weiner was in the audience, Ms. Sconzert said he was not as he was celebrating the birthday of his son but was apologetic and grateful for the opportunity that the council would consider it.

Mayor Madden said that he only met Michael Weiner one time when serving on the council but has dealt with him more often as Mayor but the one who deals with him the most is Joanna Anderson. Michael is unbelievably an asset and a value to the City with what he does for the employment law aspect. You cannot get a better, more knowledgeable attorney to handle it. They do not see him all the time, but when they do they know they are getting the best that there is for the City. He is very valuable to the City.

With no further comment a vote was taken and the resolution was adopted 5-0.

8. Adoption of Resolution No. 24-42; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ACCEPTING THE BIDS FOR THE LIFT STATIONS A & 27 IMPROVEMENTS PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE APPARENT LOW BIDDER, SUBTERRANEAN CONSTRUCTION, LLC. AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH. (Councilman Zuckerman, At-Large) A motion was made by Ms. Strong-Thompson and seconded by Mr. Zuckerman.

Mr. LeBreton said the amount was under the estimate of the engineer, so they are asking for approval to go forward with construction.

Ms. Strong-Thompson asked when the expected start date was. Mr. LeBreton said that was tricky. The electrical panel has been an issue for all the lift stations and has taken anywhere from 4-6 months to come in.

With no further comment a vote was taken and the resolution was adopted 5-0.

9. Adoption of Resolution No. 24-43; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ESTABLISHING PROCEDURES FOR CITY COUNCIL BUSINESS AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Councilman Zuckerman, At-Large) A motion was made by Ms. McGuire and seconded by Mr. Zuckerman.

Mr. Zuckerman said this was a resolution dealing with internal council procedure. The first item requires a council member to offer items on the agenda. This is something that is practiced and is just being put down in black and white.

The second item is that items need to be sent to the city attorney for review before the item is added to the agenda. This is something that is done in practice that is just being written down.

The third item is the deadline for submittals for items to be included on the agenda is Monday, the week before the meeting at noon. This is again something that is done in practice. Ms. Strong-Thompson thought this was also due to the St. Tammany Farmer. Mr. Zuckerman said this was Monday at noon, the deadline for the Farmer is Thursday at 2:00pm.

The fourth item is that the council chair will review and determine the final agenda. This is what is done now. The second part, which is that the council chair should not unreasonably deny or delay any item offered by any council member from being placed on the agenda, is something that Mr. Zuckerman feels strongly about. This was added because he believes that any council member should have the opportunity to offer what they want to offer on the agenda and to have a discussion on it.

The fifth item is that no council member shall engage in non-council related business during a meeting.

The sixth item is that no council member shall send or receive text messages or emails, communicate with the public, other members of the council, the administration, or public via electronic means during council meetings. These meetings are intended to be open to the public and texting back and forth is not appropriate. Council members receiving communications of a personal or urgent nature on electronic devices shall notify the Presiding Officer so they can be excused to address such items.

Ms. Strong-Thompson thinks this is a matter of just putting things in black and white.

Mr. Vogeltanz said that for number six he cannot stop people from texting him. If someone texts him, what can he do about that. Ms. McGuire said he could have his phone on do not disturb, not look at the messages. She has to use her phone sometimes to look at her emails if her computer dies, but just do not look at any texts.

Mr. Zuckerman said the issue is that these meetings are broadcast live and there will be people outside the meeting texting council members. Comment is meant to be public comment. The intent is to not text back and forth with someone outside of the meeting.

Mr. Vogeltanz asked if a family member texted him about something if he would have to ask the chair for permission to read the text as that is what number six says. Mr. Zuckerman said he just explained what the intent was, if it is too strongly worded then they can change the wording.

Mr. Discon said in that situation why not just put for emergency, these rules are not unreasonable.

Mr. Vogeltanz said he would like to offer an amendment to number six. He moved to add an introductory clause that would read: With the exception of purely personal communications and then continue to read “no council member shall send or receive text messages or emails, communicate with the public, other members of the council, the administration, or public via electronic means during council meetings” and then strike the remaining sentence that reads: “council members receiving communications of a personal or urgent nature on electronic devices shall notify the Presiding Officer so they can be excused to address such items”.

He does not want it to be that if his wife asks him something about their daughter he have to alert everyone and be excused to address it. Ms. McGuire seconded the amendment.

Ms. Strong-Thompson asked that the amendment be read out. Mr. Vogeltanz said that he proposes to amend number six to read: “With the exception of communications of a purely personal nature, no council member no council member shall send or receive text messages or emails, communicate with the public, other members of the council, the administration, or public via electronic means during council meetings.”

Ms. Strong-Thompson said her biggest concern with that is part of this says you will not be on your phone during this and if it says purely personal then you could be texting your wife the grocery list.

Ms. McGuire said she was having an issue with the wording being personal. None of them should be chatting with family or friends during a meeting.

Mr. Zuckerman said he will not quibble over the wording as the intent is clear. He would think that if any member received a personal message that they needed to address, they would excuse themselves for a moment. There is a reason he added this. Mr. Vogeltanz asked what the reason was. Mr. Zuckerman said that he has witnessed council members texting during meetings.

Ernest Burguières, 241 Wilkinson: Two things that are missing. The first is the penalty for receiving a text, and the second is how this will be enforced. Mr. Zuckerman said if Mr. Burguières wanted a consequence perhaps this should be an ordinance rather than a resolution.

Mr. Discon said that Mr. Zuckerman made a good point, that this rule is here for the purpose of policy. They are not looking for punishment, this is more of an oath for the council members.

Rhonda Alleman 1413 Rue Bayonne: She agrees with this, but wanted to see if anyone knows about an AG opinion why texting is ok. Ms. Sconzert said the opinion is about if a council person is allowed to text, and the caveat was that the council had not adopted a resolution and policy about texting and since they did not it was allowed. That is why there is a resolution.

Sean Perret, 171 Live Oak: Does texting leave you open to public records? Mr. Zuckerman said it did. Mr. Perret said that there were text messages that were requested during a records request.

Mr. Vogeltanz repeated his amendment which was: "With the exception of communications of a purely personal nature, no council member no council member shall send or receive text messages or emails, communicate with the public, other members of the council, the administration, or public via electronic means during council meetings" and then the last sentence is struck.

With no further comment a vote was taken on the amendment which failed 1-4 with council members Zuckerman, McGuire, Strong-Thompson, and Discon voting against.

Larry Grundmann, 301 Mariners Island: He wanted to make sure the ability to make amendments to ordinances and things was not constrained by this. Mr. Zuckerman said it was not. This was before public notice was posted, not for amendments on the floor.

Ernest Burguières, 241 Wilkinson: What is missing from this that he would like to be added is a summary of the resolution be put forth so the public can be informed. He would like four things added to this resolution: a brief introductory paragraph accompanying the resolution or ordinance explaining what it is, if a resolution or ordinance affects a piece of real estate a google maps image be added, the finance and public works agenda be placed on like regular agenda items along with all attachments.

Mr. Zuckerman said it seems like those were things that could have been discussed if they had discussed the ordinance. Mr. Zuckerman said these were things to deal with internal rules.

Ms. Strong-Thompson called the question, Mr. Zuckerman seconded. A vote was taken on the motion to call the question which passed 5-0.

With no further comment a vote was taken on the adoption of the resolution which passed 5-0

At this moment a recess was called at 8:34pm

The council reconvened at 8:40pm

Mr. Vogeltanz moved to take item number 11, resolution 24-45, before item number 10, resolution 24-44. Ms. Strong-Thompson seconded, and the motion passed unanimously.

11. Adoption of Resolution No. 24-45; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE OPPOSING THE SCOPE OF WORK DESCRIBED BY LAKE LOT DEVELOPMENT CO., LLC AND LAKE CLUB, LLC SUBMITTED TO THE LOUISIANA DEPARTMENT OF ENERGY AND NATURAL RESOURCES, OFFICE OF COASTAL MANAGEMENT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Councilman Vogeltanz and Councilwoman Thompson) A motion was made by Ms. McGuire and seconded by Ms. Strong-Thompson.

Mr. Vogeltanz said there are two entities that have filed a costal use permit which seeks to do some development work to fill and bulkhead some property adjacent to Lewisburg which is west of Mandeville. The request is to truck in approximately 20,000 cubic yards of fill to build up seven new lots of land, and ultimately subdivide and build homes on the property.

The entities say they are interested in building their own homes, not commercial development. He has received lots of comments from constituents. According to the permit application instead of barging the material in, they are bringing their trucks through the Old Golden Shores neighborhood. He cannot see that driving, what he would imagine, thousands of dump truck trips cause a threat to the health, safety, and well fare for the neighborhood. It is a pedestrian neighborhood filled with families. ‘=

The City does not owe a duty to a development outside of City Limits. To the extent that there is any inconvenience or threat to public safety to residents he feels compelled to offer this resolution and be opposed to the project and not support the issuing of this permit.

Ms. Strong-Thompson said that the Sanctuary abuts wetlands, and one lot has already been filled in, with the Chinchuba Waterway moving closer to the mouth of the Tchefuncta River and scouring has occurred in the Preserve. There is a lot of impact too as Chinchuba is a major drainage way from I-12 down. There is another issue which is due to the area this is in, there are several historic sites that could be damaged permanently.

Ms. McGuire went out and saw this by boat. There are already two lots with a bulkhead that they want to extend. She agrees with councilwoman Strong-Thompson that while this may be for only eight residents the amount of dirt brought is enough for a whole subdivision.

Mr. Vogeltanz asked how many cubic yards of material could fit in an average dump truck. Mr. LaGrange said an 18-wheeler would be about 18 and the smaller trucks would be about 8. Mr. Vogeltanz said if 18,000 cubic yards were needed it would take 1,000 dump trucks and 2,000 trips as they have to come in and come out through Old Golden Shores.

Mayor Madden said that he loved when council members co-author items and wanted to commend Ms. McGuire for going out when this is not in her district. He put in a letter of opposition when he first became mayor. He resubmitted his letter of opposition in late 2023 and will remain opposed to this project.

Ms. Strong-Thompson said that even if they barged the fill in, the damages of creating the bulkhead will have a significant impact.

Jim Bradford, 5 Cherokee Lane: He is here to answer any questions the council may have. The project involves seven lots of record, but only five residents. They are trying to reclaim property that has gone into Lake Pontchartrain. The reason for trucking in the fill rather than by barge is due to cost. The project, as designed, is low impact, and they have preserved most of the wetlands on the site. The original site was much larger, but they made it smaller after meeting with constituents that live in the area.

They will use appropriate trucks, not 18 wheelers, at appropriate hours and speeds. They are asking for the right to develop this property as allowed by the constitution. They do not believe this will be a detriment to the community but will be an enrichment.

Mr. Vogeltanz said he has looked at the property by boat and land, and the Crosby property next door is for sale. Why not buy the undeveloped land next door. Mr. Bradford said they own the property and want to develop it like anyone else. They have a right and they believe they are exercising that right responsibly. That shoreline is eroding and behind it is pristine cypress wetland. If this shoreline disappears, that wetland will die. In their mind this development will protect that.

Mr. Vogeltanz said he read that it would cost approximately \$1,000,000 to truck in the fill and that there was a bid from a barge company that bid at \$2,000,000. Mr. Bradford said he did not remember what the number was, but it was an order of magnitude larger than trucking.

Mr. Vogeltanz asked if Mr. Bradford gave any credence to the hydrology and counter expert reports that were submitted by the Lewisburg residents. Mr. Bradford said he has a lot of confidence in the Neel-Schaffer report and the conclusion that neither the 100-year storm or storm surge would result in an increase in flooding behind their development. They think what they are doing is good for the community with respect to that particular issue.

Mr. Vogeltanz said his last question was if any credence was given to the concerns from the residents of Old Golden Shores about the dump truck trips through the neighborhood and that there would be some safety risk. Mr. Bradford said that he would concede that if an additional truck drives down a street, it increases the risk versus not having a car down the street. What is important is that if someone drives a dump truck down a street they follow all the rules.

Mr. Vogeltanz asked if there was a timeline for the filling, dredging, and excavating work. Mr. Bradford said they would do that as quick as possible as that would be the most disruptive to the community. Mr. Vogeltanz asked what the engineers were saying to expect. Mr. Bradford said you could do the math. Take

900 loads and divide it into the number of days. Mr. Vogelanz asked if they could only do one load a day. Mr. Bradford said that if you have five trucks they could make 4-5 trips a day so there would be about 40 trips a day divided by 900 would give you the amount of days. If you do more than that it would go faster.

Tracy Elsensohn, 1379 Valmont Street: Her family has been in Lewisburg since before it was established. If you bring in all this fill it will create an issue in Chinchuba Creek. How can they bring in fill and build on it. Who will fix the roads in Lewisburg if the trucks damage them. Mr. Bradford said they put up a bond for the roads if they damage them. Ms. Elsensohn said her concern is the drainage and the damage to the property.

Theodore Ralph, 198 Cindy Lou: The lake is destroying the marsh, and it is happening now. That kind of erosion was not going on before Mr. Crosby filled in his lots. The argument is that this will make things stronger and better, and it may for a short time. Mother nature follows the law of physics. No one can say for sure what will happen with the erosion if this is built, but mother nature will find equilibrium.

Claudine Perret, 171 Live Oak: She lives on the corner of Copal and Live Oak. In the last two weeks she has noticed a tremendous number of dump trucks going down her road. It was enough of her house shaking to see what was going on. She counted 11 trucks in one day, 17 trucks in another day, and 27 in the third day. It was enough to wake up a two-year-old. What will happen to the street and houses. It brings concern to her. There are 32 homes in the main strip they would have to go down and she can barely make the turn without cutting the curb on someone's property. How will they fit in.

Paul Branch, 531 Dorado: When dealing with these dump trucks how much impact will there be on the houses and street. How will that be compensated to the homeowners.

David Lawton, 220 Fountain Street: Mandeville has a huge watershed that goes through it and an incredible amount of water goes into it. It will be a significant problem adding bulkheads and limiting the flow coming out. They are not stopping the erosion, if anything they are moving it next door. It is important that Mandeville protects its watershed. If anything happened to it, it would be horrible.

Mr. Vogelanz said that he has a basic philosophy when it comes to building or zoning and that is if you have to get permission from the government to do something with your land, then you need to make sure you are not inconveniencing the other people who were already there. He has sympathy for Mr. Bradford, but the problem seems to him to be that there is an applicant wanting to do something that is not normally allowed. If this would not inconvenience anyone, he would say go for it.

The problem is that this property is not in the City of Mandeville and there will be inconvenience for the people in District II. It is not clear to him that there will not be significant erosion to City of Mandeville property and that there would not be increased drainage and flooding problems. If there was any risk to the City he could not see where anyone on the council would not vote in favor of the resolution.

Mayor Madden said that wanted to commend the group of citizens taking people out in the boat to see this for themselves. He does not agree that this would be an added benefit to the community.

Ms. Strong-Thompson said that a vote for this resolution is saying they are against the project, and a vote against shuts down the proposal.

With no further comment a vote was taken and the resolution was adopted 5-0.

10. Adoption of Resolution No. 24-44; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE ESTABLISHING CERTAIN RULES OF PROCEDURE FOR CITY COUNCIL MEETINGS AND PUBLIC COMMENT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH (Councilman Vogelanz) A motion was made by Mr. Vogelanz and seconded by Mr. Zuckerman.

Mr. Vogelanz said the reason he drafted this resolution is that he saw the ordinance that was tabled earlier and was not pleased with it. He proposed this resolution to be a basic set of rules to give the chair the authority to make the type of decisions he has been making tonight, it also sets Roberts Rules of Order 12th Edition as the official parliamentarian set of rules to govern the meeting, and it secures the rights audience members and the public to speak their peace and have their freedom of expression. He did move to table the earlier ordinance, and he would be fine to table this.

Ms. Strong-Thompson moved to table this resolution so that the two could be put together. Ms. McGuire seconded the motion.

Mr. Zuckerman said he was not going to move to table this as anything on the agenda deserves to be discussed and debated and then voted up or down. He has no significant issues with what is in this resolution as most, if not all, is in ordinance 24-18. He sees no reason to table this and thinks they could move forward with it.

Mr. Discon asked if they could adopt the resolution and then at a later date turn some of the stuff into an ordinance. Mr. Zuckerman said they could supersede the resolution with an ordinance.

Ernest Burguieres, 241 Wilkinson: It is almost 10:00, this should be tabled and then move on to other stuff.

A vote was taken on the motion to table and the motion failed 2-3 with council members Zuckerman, Vogelanz, and Discon voting against.

Mr. Zuckerman asked how an alternate chairperson would be designated. He asked if that was by vote of the council, or if the chair designates a replacement. There is also nothing indicating when a chairperson is appointed. By tradition it alternates between the two at-large each year.

Mr. Zuckerman said that in the absence of the chair the other at-large would be the presiding officer. Mr. Discon asked if they could add that the chair alternates each year. Mr. Zuckerman said he suggested it be done by a vote each year in ordinance 24-18 as there may be a reason that someone cannot be chair. He was looking to clear that up in ordinance 24-18.

Mr. Vogelanz said that the reason a lot of this language exists is he is parroting out of the City Charter. It says that in the absence of the chair, the council shall designate one of the other members as its presiding officer. Mr. Zuckerman said he brought it up as it was an issue recently.

Mr. Zuckerman moved to add a provision that in accordance with the charter a vote will be taken each

year at the first meeting in July for the purpose of electing a council chairman. Mr. Vogeltanz seconded the motion.

Mr. Vogeltanz asked if that would be a new bullet point. Mr. Zuckerman said it would be and could be put down as number 12.

Glen Runyon, 408 Venus: What is the order of precedence between a charter and an ordinance if there is a conflict. Ms. Sconzert said it would go charter, then ordinance and a resolution does not fall into that. Mr. Runyon said that the council could not pass something in conflict with the charter. There is specific language that says this is the way you do it, unless you change the charter. The charter will take precedence.

Mr. Zuckerman said this is not changing the charter. Mr. Vogeltanz said the last paragraph of this resolution says "When in conflict with these Council Rules, any applicable federal law, Louisiana state law, or Mandeville ordinance prevails".

Mr. Vogeltanz asked Mr. Zuckerman to repeat the exact sentence. Mr. Zuckerman said that it would read "In accordance with the charter a vote will be taken each year at the first meeting in July for the purpose of electing a council chairperson.

With no further comment a vote was taken on the amendment, which passed 5-0.

Mr. Zuckerman said for item 7-A, the resolution in the past has had extension of time by majority vote so this would be a deviation from what the council has previously passed. Mr. Zuckerman moved to have it read by simple majority of the council in lieu of his or her good faith discretion. Ms. Strong-Thompson seconded.

Mr. Vogeltanz said he hates passing rules no one follows. He has never seen the council take a vote when someone runs out of time.

Brian Rhinehart, 712 Carondelet: He presently chairs the Zoning Commission and agrees with what Mr. Vogeltanz said.

Mr. Zuckerman said he was convinced and would vote against it.

With no further comment a vote was taken and the amendment failed 0-5 with all council members voting against it.

Mr. Zuckerman said that public comment at the end of the agenda is limited to items unrelated to agenda items. This requires the public to speak on agenda items during the public comment period of the item and not at the end of the meeting after the vote has taken place.

Mr. Discon asked what number this was, Mr. Zuckerman said it was 7-B.

Mr. Zuckerman moved to, after the words on any, add on "any non agenda item" and delete the word matter. Ms. Sconzert said that would comply with Louisiana Revised Statute 42:19. Mr. Vogeltanz

seconded the motion.

With no further comment a vote was taken on the amendment which passed 5-0.

Mr. Zuckerman said on 7-C this allows people to defer their 3 minutes and at the end states no member of the audience may speak on any item of business for more than nine minutes without the permission of the Chairperson.

Mr. Vogeltanz said that this happened during the Sucette meetings and allows people to donate their time. He did not want 50 people to donate their time and allow someone to speak for 2 hours so he came up with an arbitrary limit.

Mr. Zuckerman said that makes sense to him, the only thing he would propose is that once it gets to nine minutes it goes to a vote of the council. Mr. Vogeltanz said he would second that. Mr. Zuckerman moved to, after the words without, delete the permission of the Chairperson and insert the words without a majority vote of the council. With no further comment a vote was taken on the amendment which passed 5-0.

Mr. Zuckerman had a question about item 8 which said, "Any such written comment must not be longer than five letter-sized pages in length" and asked what the idea behind the 5 letter sized pages was if they were allowing written comment to be submitted.

Mr. Vogeltanz said it was an arbitrary unit of measure in case there was a situation where someone wanted to submit the Encyclopedia Britannica and now it has to be included in the record somewhere. In the legal world there is a page limit when briefing the court.

Mr. Vogeltanz said that halfway through number 9 it says "Any person who does so may be ordered removed from the meeting by either (1) the Chairperson or (2) upon affirmative vote of any four Council members" which needs to say any non-council person as technically the way it is written would allow the removal of a council member.

Mr. Vogeltanz thinks that the chairperson could make a member of the executive staff leave as they are not the council. No offense to the City directors that are here.

Mr. Vogeltanz said the amendment he would make is that at the second full sentence, it would read: any non-council member person. Mr. Zuckerman seconded the motion.

With no further comment a vote was taken on the amendment which passed 5-0.

Mr. Zuckerman said it is amazing how much work can be done when they roll up their sleeves and do it.

Larry Grundmann, 301 Mariners Island: They have dipped their toes into the written aspects. He has submitted rationale why they need to deal with the written aspects. He suggests you take it out and wait on the written aspects.

Mr. Vogeltanz asked if he was proposing no limit at all. Mr. Grundmann said he was saying do not just address this one issue on written submissions. Wait and put it in where it was suggested. There is a big need for other written submission rules.

Mr. Zuckerman moved to delete the sentence "Any such written comment must not be longer than five letter-sized pages in length". Ms. McGuire seconded the motion.

Glen Runyon, 408 Venus: Are you talking about written submissions that go into the minutes. Mr. Vogeltanz said he is talking about written submissions to be included in the record of public comment. Mr. Runyon asked if that was the minutes. Ms. Bartholomew said it does not go into the minutes, it goes into the record.

Mr. Runyon asked how a written document goes into the minutes. Ms. Sconzert said that once it is submitted to the council clerk it is distributed to the members of the council. The minutes just summarize what is discussed during the meeting.

Mr. Runyon asked if the only way to get something into the minutes was to have a council person read it at the meeting. Ms. Sconzert said they would have to agree to that.

Mr. Runyon said that at one time they were publishing the minutes in the farmer and wondered if this was a cost issue. Ms. Sconzert said it was not.

With no further comment a vote was taken on the amendment which passed 5-0.

With no further comment on the resolution a vote was taken, and the resolution was adopted 5-0.

12. CONSIDERATION OF WHETHER TO MOVE FORWARD WITH A PROPOSED ZONING AMENDMENT FROM B-1 NEIGHBORHOOD BUSINESS DISTRICT TO R-2 TWO FAMILY RESIDENTIAL DISTRICT FOR THE PROPERTY BEARING MUNICIPAL ADDRESS: 294 OAKWOOD, AFTER DENIAL BY THE PLANNING AND ZONING COMMISSION IN CASE Z24-06-06. Under CLURO Art. 4.3.1.2.4, the Council has to make a final yea or nay vote on any proposed Zoning Amendment. (Councilman Vogeltanz) A motion was made by Ms. McGuire and seconded by Mr. Zuckerman.

Ms. Bartholomew said the property is currently zoned B-1 and they requested to make it multi family and the Commission unanimously denied the request. It is up to the council if they want to pick up the appeal.

Mr. Vogeltanz said that Planning and Zoning recommended no, and they have to vote to accept the referral. Ms. Sconzert said that there is a missing link in the CLURO where there is a denial. If you wanted to introduce an ordinance in favor of the rezoning you would have to vote to go against the Commission recommendation.

Mr. Vogeltanz asked what they were voting to do. Ms. Bartholomew said if they wanted to go against the recommendation of the Planning Commission you would have to vote to pick this up and then someone would have to agree to sponsor it and place it on the next agenda.

Mr. Vogeltanz asked if they agree with the recommendation to deny they should vote no. Ms. Bartholomew said that is correct.

Ms. McGuire said the adjacent properties are B-1 and R1-X so it would be introducing a new zoning. Ms. Bartholomew said it was not contiguous to any R-2 so the Commission felt it was spot zoning. Ms. McGuire said it is along Hwy 190 which is all B-1 and no residential. If the council agrees with Planning and Zoning they would vote against this.

With no further comment a vote was taken to consider moving forward which failed 0-5 with all council members voting against.

13. Introduction of Ordinance No. 24-20; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE AUTHORIZING THE MAYOR TO DEDICATE AND RE-NAME THE STREET KNOWN AS "AVENUE C", TO "REV. LEO P. EDGERSON DR." AND PROVIDING FOR FURTHER MATTERS IN CONNECTION THEREWITH. (Councilwoman McGuire) A motion was made by Ms. McGuire and seconded by Mr. Zuckerman.

Ms. McGuire said this was just introduced and would be voted on at the July 25th meeting.

14. Introduction of Ordinance No. 24-21; AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF MANDEVILLE TO AMEND SECTION 2-8(A) OF THE CODE OF ORDINANCES FOR THE CITY OF MANDEVILLE FOR THE PURPOSE OF CODIFYING THE METHOD IN WHICH THE SALARY OF THE MAYOR IS ESTABLISHED. (Councilman Zuckerman, At-Large) A motion was made by Ms. McGuire and seconded by Mr. Zuckerman.

Mr. Discon said that this has been introduced.

PUBLIC COMMENT:

Tracy Elsensohn, 1379 Valmont Street: She thought this was a budget meeting. She wanted to bring attention to the cemetery. There is no room to bury anyone and it needs to be addressed. The drainage there is horrible. Stop paying people to cut the grass and use the money to take care of these issues. When will the lot on the corner of Montgomery and Foy be bulldozed and used for cemetery land. When will the new mausoleum be built. This situation needs to be addressed.

Claudine Perret, 171 Live Oak: She wanted to remind everyone about the Jambalaya Cookoff on Sunday for Captain Liberto. It is a \$10 entry fee and will be from 12:00pm – 5:00pm. She also asked why there were so many things on the agenda. Who picks that. If they know something will take a long time who decides how many items are on the agenda. When the agenda is being planned out that should be taken into consideration.

Mr. Zuckerman said you cannot anticipate what will draw so much attention. The council chair sets the agenda and sometimes there are time sensitive items that need to go on. He did not expect this much controversy over the rules stuff. Sometimes it does not work out as planned.

Glen Runyon, 408 Venus: He has two comments. There is a process of introducing an ordinance to approve the tax assessment and asked when that was due to the assessor. Ms. Sconzert said it was not until

October. Mr. Runyon said that was usually done by now. Ms. Sconzert said that the assessor was late giving the information this year. Ms. Sides said that this year was a reassessment year.

Mr. Runyon asked if the rates were staying the same. Ms. Sides said the ordinance has not been written yet. Ms. Sconzert said that the advertisement requirements are different as it is a levying of a tax. No matter if you are raising or lowering you have to have a lot more notice. Mr. Runyon said this was just the notice of the hearing, Ms. Sconzert said that was correct.

Mr. Runyon said the second issue is the budget was put on the website and it is not complete. Two things are missing. There used to be a composite budget, and now there are multiple exhibits. The missing elements are the position salary exhibit which lists the number of employees and the proposed salaries so there has not been a complete budget that has been given to the public.

He said there was some discussion about meeting with the finance director to get some questions answered. The problem with that is these are public meetings. They are supposed to be public workshop meetings. The public would not get the benefit of any side conversations.

Lastly the ordinance for the five-year forecast has not been submitted yet. A CPA firm was hired to do the forecast. That should be part of the distribution before you start a workshop.

PROJECTS IN PROGRESS REPORT:

Mr. LaGrange said the harbor field completion is still on schedule for mid-August.

For Lift stations 3 and 39, the tops were poured for lift station 3 and the panels should be in mid-August so they are hoping to have that completed within the 180 calendar days.

Lift stations 42 and 43, the notice to proceed will be issued for August 1st, and it should be completed around March 2025.

Lift station 4, there was a construction meeting this week and they hope to issue the conditional notice to proceed once they get the schedule from the contractor, and they know about when the panels will be delivered.

Golden Glen water line main rehab, the preconstruction meeting was held this week, and they anticipate the notice to proceed to be issued on the 29th of this month. They are in the process of sending this information to the HOA.

Fontainebleau force main repair, they are scheduling the preconstruction meeting now. That is a 120-calendar day project.

Lift station 13, 18, and 37, those are 180-day construction. They are scheduling the preconstruction meeting now.

Lift station A and 27, the contracts were approved tonight so they will schedule the preconstruction meeting. That is 180 days.

With all the lift stations the notice to proceed is based on when they think the panel delivery will be. They give them a conditional notice so they can start ordering materials and then a hard notice to proceed will be issued once there is a rough estimate of when the panels will be delivered.

2022 roadway and drainage maintenance, they met with the Fontainebleau HOA to go over the pond repairs. They will start another task order when they get 2025 funds.

2021 Water and sewer maintenance, this is up for rebid. It is being advertised now and will open August 7th.

2022 asphalt maintenance, they are getting the next task order ready for when they get FY 2025 money.

2022 striping maintenance, the council has the information in their packet of where they will go once they get the 2025 budget. Lakeshore is one of the big ones with restriping and refreshing all the parking stops and cross walks.

ADJOURNMENT

Ms. McGuire made a motion to adjourn the meeting, seconded by Mr. Zuckerman. The meeting was adjourned at 10:27 p.m.



Alex Weiner
Interim Council Clerk



Scott Discon
Council Chairman