

MINUTES - SEPTEMBER 13, 2017 PUBLIC HEARING AND REGULAR TOWN COUNCIL MEETING

TOWN OF MADISONVILLE

403 ST. FRANCIS STREET

PUBLIC HEARING AND REGULAR TOWN COUNCIL MEETING MINUTES

September 13, 2017

7:00P.M.

I. PUBLIC HEARING:

Call to order Mayor Pelloat

Roll call Wayne C. Morlier, all present

A. Revisions to Ordinance No. 23 and Proposed Ordinance No. 149, Chapter 7, Streets, Sidewalks, Wharves, and Public Way, Section 7.6, 7.6 (a), 7.6 (b), 7.6 (c).

The Proposed Ordinance No. 149 was read by Mr. Morlier. Mayor Pelloat asked if there were any comments. There being no comments Mayor Pelloat requested a motion to close the Public Hearing. Councilman Haddox made a motion to close the Public Hearing, seconded by Councilman Hitzman, all were in favor.

II. REGULAR TOWN COUNCIL MEETING:

Call meeting to order - Mayor Pelloat

Roll Call - Wayne C. Morlier, all present

Invocation – Councilman Haddox

Pledge –Councilman Bounds

1. Approval of August 9, 2017 Minutes

Councilman Bouey made a motion that the August 9, 2017 minutes be approved. Mr. Mahon asked why the reason the Ordinances 143 -148 had to be repassed was no included in the minutes. Mayor Pelloat stated that the reason was mentioned during the prior month's Council Meeting and therefore he did not see why it needed to be

restated. Councilman Haddox seconded the motion, the motion passed with all in favor.

2. Approval of August 23, 2017 Public Committee Minutes

Councilman Bouey made a motion that the August 23, 2017 minutes be approved. Councilman Hitzman seconded the motion and the motion passed with all in favor.

3. Approval of July 2017 Financial Statements

Councilman Hitzman made a motion that the July 2017 Financial Statements be approved. Councilman Bouey seconded the motion and the motion passed with all in favor.

Mayor Pelloat then requested that a motion be made to amend the agenda to add Mr. Ross White of Senator Kennedy's office. Councilman Bouey made a motion. Councilman Doran seconded the motion and the motion passed with all in favor.

Mr. White stated that he is from Senator Kennedy's office and is a resource to address issues in this area. He said that he can be a go between the Town and Senator Kennedy to work to resolve any issues.

4. Public Comment Period: members of the audience will have three (3) minutes to make a statement or express a concern at the outset of the meeting. (Anyone having or expressing a concern tonight may or may not get an answer due to the fact that the council is hearing the concern for the first time. All statements will be considered and everyone will receive an answer in the near future).

· Lisa Condrey Ward – Candidate for District 77 Louisiana House of Representative

Ms. Ward stated she is a lawyer, owner of the Southern Hotel in Covington, business owner, and mother of 3 boys in their 20's. She asked that individuals go to her website to learn more about her and she requested the vote of all those in attendance.

· Tanya Leader – St. Tammany Tourist Commission - 2018 Dragon Boat Races

Ms. Leader requested the use of the riverfront be approved for the 2018 Dragon Boat Races on Saturday, May 12, 2018. In response to Councilman Haddox, Ms. Leader stated there were 30 teams last year. Mayor Pelloat asked what charitable organization would benefit from the event. Ms. Leader stated that in the past it has been Mary Bird Perkins Cancer but a new charitable organization is being considered but she was not

yet able to release its name. Mayor Pelloat stated he met with businesses in the Town and that the Tourist Commission and Ms. Leader have best handled the races. Councilman Haddox made motion to approve, Councilman Doran seconded, and the motion passed with all in favor.

· Lacey Toledano, CEO – St. Tammany West Chamber Update

Ms. Toledano handed out a Membership Brochure on the Chamber. She introduced one of its members in the audience, Mr. Mike Saucier of Gulf States Real Estate, and then gave an update on the Chamber. She stated the Chamber has 1,000 members with a \$700,000 budget. Covington and Mandeville members make up 80% of membership and 85% of members have less than 100 employees. The Chamber is 5 star accredited. Chamber did not support the Parish's Economic Development District tax. Mr. Saucier stated the Chamber does things and his company has been member for 18 years. Ms. Toledano offered her organization's help to the community. Mayor Pelloat stated that the Madisonville community will be calling.

There was a question from the audience regarding infrastructure and getting support from the gas tax. Ms. Toledano stated that drainage is needed more than roads.

Finally, Ms. Toledano spoke about the chamber having started a Political Action Committee (PAC) and that they have 250 PAC members. The Chamber co-endorsed Ms. Lisa Ward and Mr. Mark Wright for District 77 Representative.

· Mr. Joey Mahon spoke next and addressed the Public Hearing on July 12, 2017 regarding Ordinances 143 through 148. He stated that only the Mayor and Council supported Ordinance 143, that there was public opposition to the ordinance, that there was no public support for the ordinance, and that public opinions were ignored. Mr. Mahon asked Councilman Haddox that since the Mayor's position is now designated as fulltime would he be willing to accept the position if something prevented Mayor Pelloat from completing his term. Councilman Haddox stated he could not answer that at this time since he would need to look at financial considerations. Councilman Bouey stated there would be a special election within six months and Councilman Hitzman stated that it is not appropriate to respond to hypotheticals. Mr. Mahon then asked the Council if they felt they are properly compensated. There was no reply by the Council.

· Ms. Danielle Guillot of 204-208 Rampart Street spoke next. She stated that she lives on Rampart Street across from Mr. Mahon, that she feels bullied in her home by Mr. Mahon as he has cameras pointed at her home and that he has moved his Rampart

driveway entrance to directly across the entrance to her home thus creating a dangerous situation.

· Mr. Tom Biernatski spoke next and stated he fears for the safety of his little girl given the actions taken by Mr. Mahon and that he is not in compliance with Ordinance 97. He said two other marinas are in compliance. He also stated that he has invested a lot in his property and that Mr. Mahon's actions will have an impact on the value of his home. He asked the Council to require Mr. Mahon move the entrance back to its original place.

· At this time there was open discussion by the Council on statements made by the audience. Councilman Hitzman stated that there were five open committee meetings and public input on Ordinance 143. Councilman Doran stated that the Mayor is grossly under paid as his position is no longer part-time. Councilman Haddox asked Ms. Guillot about considering moving the entrance to her home. She stated that was not possible.

Mr. Mahon then stated he had made appointments with Councilman Doran and that he (Doran) refuses to see him and listen to him as he (Doran) cancels the appointments. Councilman Doran stated he would meet with Mr. Mahon the next day.

Mayor Pelloat stated that the Town's Building inspector and Police Chief found nothing wrong with what Mr. Mahon has done. Mr. Mahon stated that he encourages others to slow down and requested that at this time individuals should bring up anything wrong that he has done with his property.

Mr. Biernatski questioned the change in the size of Mr. Mahon's gate. Mayor Pelloat stated he will find out if this was allowed by the permits department. Unfortunately, Mr. Chatellier is not present due to illness. Mr. Biernatski continued by saying that removal of vegetation by Mr. Mahon will decrease property values and that there is a safety issue by non-compliance with the ordinance requiring an 8 foot fence or 5 foot hedge row. He also stated that DOTD has requirements for entrances to property and that allowing someone to move the entrance is not proper. He asked the Council to not put business over residents.

OLD BUSINESS:

5. Public Hearing October 11, 2017 Proposed Revisions to Height Ordinance regulations -Chapter 10, Article A, Options 1 & 2 discussed at Committee Meeting

Mayor Pelloat asked if there were any questions. Mr. Danner stated that the document in the Council's packets is not the Final Proposed Ordinance that was sent to Mr. Chatellier. Mr. Danner will resend and noted the most significant difference is in reference to the structure above the roof line.

· Mr. Joey Mahon then asked why he was not allowed to speak on those items for which he was on the agenda under the Public Comment Period. Mayor Pelloat stated that he was allowed to speak during the Public Comment period and that the proper time to address those items was at that time. However, Mayor Pelloat stated that he would allow Mr. Mahon to speak to those agenda items.

Mr. Mahon then requested that the barricade at the end of Rampart Street be removed. He referenced prior communications with Mr. Steve Benton and Mr. Zeringue. He stated that a Freedom of Information Act request to the Corps of Engineers did not provide an acknowledgment that the Corps requirements had been completely satisfied. Mr. Mahon then spoke to Chapter 7 of the Town's ordinances regarding no obstruction of Town property. Councilman Hitzman stated this request was made 4 or 5 times and he (Hitzman) asked the city attorney to comment. Mr. Danner stated he had spoken with Mr. Mahon's attorney, Mr. Greenland, provided the Town's position and that Mr. Greenland was to get back with him (Danner). Mr. Mahon stated that Mr. Greenland is no longer his attorney. Mayor Pelloat stated that Mr. Mahon has not presented anything new. Councilman Bounds stated that moving the barricade would be a violation. Councilman Doran stated he was unaware of our attorney involvement in this issue.

Mr. Mahon then addressed the posted first year accomplishments as presented by Mayor Pelloat during the previous Council Meeting. He stated the entrance signs are nice and asked how the Lake Road pavilions were paid for. Mayor Pelloat stated the cost was approved by the previous administration. Mr. Mahon questioned the Rampart Street barricade as an accomplishment. Councilman Haddox stated that the property behind the barricade is wetlands and no one can drive over it. Mr. Mahon stated that residents have a right to walk on the property and that residents turnaround because of the barricade. Councilman Hitzman asked to move on as this topic has been addressed several times during the meeting. Mr. Mahon asked if there were future plans for Rampart Street. Mayor Pelloat responded none as of today.

Mayor Pelloat addressed the pavilions at the end of Lake Road by saying the rails were installed by the Town Maintenance crew. The rails were reclaimed material from the

State DOTD for a cost of less than \$200. Mr. Doran intervened and asked to table some of Mr. Mahon's questions and statements to the next meeting.

Mayor Pelloat and Councilman Hitzman stated they would like to allow his statement.

Mr. Mahon stated that the Town is losing money on Friends, citizens of Madisonville are leaving, a new recorder was installed but not turned on and therefore if used would have preserved the Council meetings. In wrapping up, Mr. Mahon stated he made a Public Information Request for the twelve months of Mayor Pelloat's term and told the cost was over \$2,000.

Mr. Biernatski stated that Mr. Mahon's gas meter is outside of the fence with nothing to protect it. Therefore, it could be a hazard and needs to be looked at.

6. NEW BUSINESS:

7. Adoption of Revisions to the following Ordinance:

Ordinance No. 149, Chapter 7, Streets, Sidewalks, Wharves, and Public Way, Section 7.6, 7.6 (a), 7.6 (b), 7.6 (c).

Mayor Pelloat asked if there is a motion to accept Ordinance 149 that was read and considered during the public hearing. Councilman Bouey made a motion, Councilman Haddox seconded, and the motion passed with all in favor.

8. Monthly Department reports:

Engineering

Mr. Joe Harmon stated the Pine Street project is 38% complete and recommended approval of the contractor's invoice. It was noted that the Town received and deposited \$100,000 from Coquille Parks and Recreation toward the project.

Councilman Doran made a motion to approve payment, Councilman Bouey seconded, and the motion passed with all in favor.

Police Department

Chief David Smith reported the amount of tickets, arrests, patrol miles and complaints handled. Chief Smith stated that of the new six radar guns, not all are functioning; only two working. Mayor Pelloat asked why and Chief Smith responded that they must be calibrated. Mayor Pelloat stated he did not know this and what is status of old

handheld radar guns. Chief Smith responded he did not know. Councilman Doran stated that the radar guns need to be used and that the majority of the tickets were issued by two officers; 38 by Paul Quatrevingt and 3 by Mike Kast. Mayor Pelloat asked who is required to make the radar guns operational. Chief Smith stated that sometimes they bring them to Mandeville or Covington and that they have had them for 3 or 4 months. Chief Smith then said part of the problem is the police units and that some aren't worth fixing and therefore they don't know what units to put the radar guns in. Mayor Pelloat stated that there are not going to be any new cars so let's get the radar guns in the cars that we do have. Chief Smith stated the person that installs them is not available. Councilman Bounds asked Chief Smith what he recommends. The Chief stated it depends on what cars they will keep. Mayor Pelloat asked the Chief to answer if the following cars were operational and if they were going to be kept: Ryan, Shawn, Mike, the Chief's, Paul, and Jimmy. The Chief said they are operational but there are issues with the cars.

Maintenance

Public Works Director, Kyle Matthews, stated they added 21 new customers, working on Pine Street project, and installed subsurface drainage on Pine Street. He continued by saying Tangipahoa Water District installed new filters two weeks ago in the Village of Bocage and therefore the water should be clearer. He then stated that on Monday, September 18, 2017 the maintenance staff would be flushing the water system and there could be discoloration or low water pressure. Therefore, signs will be put out and notices would be sent to businesses and restaurants. Finally, Mr. Matthews stated that Cedar Street in front of the old Capital One Bank building would be patched and that the whole block will be overlaid.

Permits Department

No report was given as the Building and Flood Plain Administrator was not present due to illness.

Town Attorney

Mr. Danner reported that he handled 15 matters, including printing and mailing contract with Mele Printing, Pine Street Ball Park project, Bailey lawsuit, cancellation of gas contract, Friends of the Cemetery, employee garnishment, new meter reading contract,

Mayor's court, proof and writing of ordinances, and a number of conferences with the Mayor on assorted items.

9. Comments by Council

There were no comments by any Councilmen.

10. Mayors' Report to Council

Mayor Pelloat stated that the Project at the playground is moving along well, has been a smooth process, completion expected on schedule, each day the site is cleaned and that it has been a very good experience up to this point. He then reminded the Council that there will be a Public Committee Meeting on Wednesday, September 27, 2017 at 7pm in Council Chambers. Someone from the audience asked about the proposed height ordinance being published and Mayor Pelloat responded that the proposed height ordinance may be obtained from Town Hall or seen on the Town's website.

Mr. Mellencamp then made a comment that the Town's gas department did a great job taking care of his gas leak by the Town's meter. The Mayor agreed.

11. Adjournment

Motion made by Councilman Bouey to adjourn, seconded by Councilman Haddox, and motion passed with all in favor.

/s/ _____

Wayne C. Morlier, Town Clerk