

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Waveland City Hall Board Room 301 Coleman Avenue, Waveland, MS. on January 7, 2013 at 6:30 p.m. to take action on the following matters of city business.

Please let the record reflect the meeting began at 7:15 p.m. due to A Blighted Property Public Hearing prior to the meeting.

ROLL CALL

Mayor Garcia noted for the record the presence of Aldermen Stahler, Geoffrey, Lafontaine and Kidd along with City Attorney Gary Yarborough and Deputy City Clerk Tammy Fayard.

Absent from the meeting was City Clerk Lisa Planchard (illness).

PUBLIC COMMENTS

- Mr. Jeremy Burke discussed revisiting the recent utility bill increase and discussed beautification on Highway 90; the gateway into Waveland.

MAYOR'S REPORT: (EXHIBIT A)

- Mr. Jason Clabo, Area Director (Biloxi office) with Mediacom was present to discuss recent problems with cable reception in Waveland and addressed the software/firmware upgrades being made to their system.
- Senator Cochran met with Coastal Mayors and County Supervisors on Saturday, January 4, 2014 to obtain input from local officials to take back with him back to Washington. Mayor Garcia led much of the discussion at this meeting re: Biggert Waters Act, B/W 12.
- The weather has set the City back on re-surfacing of streets project and smoke testing sewer lines.
- Thanked Mr. Brent Anderson and his staff for their assistance with repairing broken water lines.

ATTORNEY'S REPORT: Mr. Yarborough had no comments.

ALDERMEN'S COMMENTS:

Re: Alderman Stahler:

- Inquired about the start of the Jeff Davis/Gulfside Sewer Project. Mr. Anderson said they should start next week; will use City yard to store their equipment & materials. Mr. Yarborough said he does not see a problem with this (no need for a contract as questioned by Mayor).
- Commented about Mediacom and that citizens are able to choose their own service for cable television if they are not satisfied with their service.

Re: Alderman Geoffrey: Requested representative from Delta Water to attend the next Board meeting. Mayor said Mr. Davis would be contacted to request his presence.

Re: Alderman Lafontaine:

- Asked if they could set up a workshop to have Delta Water, Billing Office Mgr, and Mr. Anderson present to discuss utility billing and rate issues. Requested history of gallons of usage, residential and commercial. Mayor Garcia reminded that the increase was passed to the citizens because HCUA (Utility Authority) and HC Solid Waste passed their increases to the City. He said as far as solid waste the City will not be able to decrease that invoice amount because it's a monthly reoccurring cost, but the Board will have to look at costs vs. revenues to see if the HCUA rates can come down.
- What is the City's plan to repair the various breaks found by smoke testing on private property and rights of way. Mr. Anderson noted that his budget is not sufficient to make the City property repairs; homeowners are responsible from the cleanout up to and into the residence. He requested direction from the Board as to how to proceed.

Re: Alderman Kidd:

- Utility companies coming into Waveland and not obtaining a permit for underground digging/boring damaging underground utilities. He would like an ordinance to address this

issue; no work without a permit, must camera line post work completion to show whether City lines were damaged in the process. If damaged, they must repair immediately.

RSVP

Re: Claims

Alderman Lafontaine moved, seconded by Alderman Stahler to approve the RSVP Claims as submitted. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve the Docket of Claims dated January 7, 2014. **(EXHIBIT C)**

001 Fund – 284 to 333

099 Fund – None

100 Fund – 7 to 8

101 Fund – None

102 Fund – 6

103 Fund – 8 to 9

104 Fund – None

105 Fund – 6

124 Fund – 17

125 Fund – 11 to 12

126 Fund – None

127 Fund – None

200 Fund – 5 to 6

313 Fund - 4 to 5

400 Fund – 127 to 152

601 Fund – None

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

MINUTES

Re: Minutes of the Regular Meeting of December 18, 2013.

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve the Minutes of the Meeting of December 18, 2013 as submitted.

A vote was called for with the following results:

Voting Yea: Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Abstain: Stahler

Absent: None

COURT DEPARTMENT (EXHIBIT D)

Re: Re: Court Clerk Rhonda Cummings update the Board on Court Collections

- The bill from the Jail has decreased.
- Court fines and fees are down; usually, the receipt of income taxes refunds will allow for a greater number of payments to Court on fines.
- Gets small glitches in the software, but Delta is great with getting things fixed right away.
- Discussed Delta software progression ease to E-Tickets and that Delta is great with reports.
- D. Henry, HR Director mentioned how wonderful the Delta Court software ties to the Delta receipts software at City Hall.

COURT DEPARTMENT/POLICE DEPARTMENT/PERSONNEL

Re: Name Officers Besse, King, Cotter and Robin as Deputy Court Clerks

Alderman Geoffrey moved, seconded by Alderman Stahler to appoint the following as Deputy Court Clerks authorizing them only to sign each other's tickets and affidavits:

- a. Eddie Besse
- b. David King
- c. William Cotter
- d. Steven Robin

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

PARADES/EVENTS/MARDI GRAS

Re: Nereid's to present its Annual Mardi Gras Parade

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve the request from Krewe of Nereid's to present their annual Mardi Gras Parade on Sunday, February 23, 2014. Mrs. Mary Turcotte, Parade Commissioner will be present to discuss. The parade route will be the same as last year. (West bound in the east bound lane, beginning in Bay St. Louis, MS).

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

BANK DEPOSITORY BIDS/HANCOCK BANK/BIDS

Re: Name Hancock Bank as Depository for the period covering 1/1/2014 – 12/31/2015

Alderman Kidd moved, seconded by Alderman Stahler to approve Bank Depository Bids from Hancock Bank for the period covering 1/1/2014 – 12/31/2015, in accordance with MS Code Section 27-105-353, 27-105-363 and 27-105-355, et. Sec., Mississippi Code 1972 (Annotated). Hancock Bank's bid was not the highest interest rate, but based on the totality of circumstances and services offered, was the best and most responsive proposal. Hancock Bank offers a security measure called Positive Pay that The First Bank does not offer. (EXHIBIT E)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

PLANNING AND ZONING (EXHIBIT F)
Re: Christopher and Cheryl O' Sullivan, 100 Block of St. Joseph Street

Planning & Zoning: Christopher and Cheryl O'Sullivan appeared before the commission with a request for a variance of 12.5' from the required rear yard setback in order to construct a new residence on their property located in the 100 block of St Joseph Street. Legal description: Part 63B, 2nd Ward Waveland, City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Mike Kopke that based on the unique, small size of Applicant's parcel, the Planning and Zoning Commission recommends the Board of Mayor and Aldermen approve Applicant's request for a 12.5 foot rear yard setback variance for their un-numbered lot (Parcel Number 161M-0-02-012.000) in the 100 block of St. Joseph Street. The Commission also finds that the current Zoning Ordinance (349) fails to include a provision in the previous Zoning Ordinance (233, as amended), which allowed a zero rear yard setback for lots in the CO-1 zoning district, which face St. Joseph Street and are less than 90 feet deep. The Commission feels this zero set back requirement was omitted from the current Zoning Ordinance in error and should be restored by amendment to Ordinance 349.

Alderman Geoffrey moved, seconded by Alderman Stahler to follow the recommendation of the Planning and Zoning Board and approve the request as submitted.

Mr. Yarborough said the issue related to the Zoning Ordinance 349 is not before the Board at this time just for clarity. Mr. Yarborough asked if the applicant was present, he asked to note for the record the applicant was not present. Mr. Yarborough asked Commissioner Steve Hand if it was the finding of the Planning and Zoning Commission that the submission met the requirements of section 9 of Ordinance 349 for a variance. Mr. Hand said yes it did, and discussed the findings. Mr. Yarborough asked why don't we do a Waveland application and handle it that way. Mr. Hand said 1101 allows P&Z to go forward with just the Board of Aldermen. Mr. Yarborough said that we could do it through the Board; if the Board wants to do it this way we can do it through a Board application for a modification to the Zoning Ordinance. City Attorney Yarborough suggested that for the next agenda (1/22/14) for discussion the Board should decide whether or not they want to submit or consider this application and we can go from there.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

Re: Wallace Bourgeois, 805 Combel Street

Application still in Planning and Zoning - No recommendation made by P&Z; therefore, no motion was necessary or made by the Board of Mayor & Aldermen.

~~Wallace Bourgeois appeared before the commission with a request for a variance from the required side yard setback in order to construct a new carport 24' x 20' and a side and rear yard setback as well as a conditional use in order to construct a 24' x 40' garage that will be attached to the carport on his property located at 805 Combel Street, Legal description: Lots 489-492, Gulfside Sites Subdivision, City of Waveland, Hancock County, Mississippi.~~

~~Steve Hand moved, seconded by Mike Kopke that the Planning and Zoning Commission recommends that the tabling of Applicant's request to allow Applicant and Zoning Official to explore alternatives to the carport/storage building as proposed.~~

BIDS/DEMOLITION OF 2 BUILDINGS/ GARFIELD LADNER MEMORIAL PIER

Re: Award Bid for the Demolition of Two Buildings on the Garfield Ladner Memorial

Alderman Stahler moved, seconded by Alderman Geoffrey to approve and award DCMS, Inc. as the lowest best and most responsive bidder in the amount of \$14,500.00 for the demolition of the two structures on the Garfield Ladner Memorial Pier, as reviewed by City Attorney Gary Yarborough.
(EXHIBIT G)

During discussion, Mayor Garcia made clear with the contractor that they will only be taking down the four walls on each to make the structures look like pagodas once the work is complete. Mayor Garcia requested that all of the bathroom fixtures, stainless urinals, sinks etc. be removed and used as replacements in bathrooms at the parks as needed. Ice machine will also be removed and transferred to Parks & Recreation Department for their use.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

SURPLUS PROPERTY/RSVP

Re: Declare Surplus Items (RSVP)

Alderman Lafontaine moved, seconded by Alderman Kidd to declare the following RSVP items as surplus property, as recommended by Hancock County RSVP Director, Mary Turcotte and listed, (Items a-g): **(EXHIBIT H)**

- a) Wheelwriter 15 Typewriter II-GB834
- b) Sharp EL-1801PIII adding machine 6D182442.
- c) Gateway Computer, Monitor VX930, mouse, keyboard, MU190009A0001169 (monitor) and 0028400358 (computer).
- d) Hewlett Packard Business Inkjet 1100 Printer.
- e) Brother Fax Machine Fax575.
- f) Gateway Computer, Monitor, Keyboard, Mouse, GT5400E (Computer) and 900 W (monitor).
- g) Dell Computer all in 1, wireless mouse, wireless keyboard, KV24C-92WGG866MP (computer), M756C (mouse), H787C (keyboard)

During discussion, Mr. Turcotte said the Police Department had requested the computers to use the hard drives for data storage.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

TRAVEL/CMCC/CITY HALL

Re: Travel for City Clerk Lisa Planchard to 2014 Spring Session of the CMCC Certification Program

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve travel for City Clerk Lisa Planchard to attend the 2014 Spring Session of the CMCC Certification Program, continuing education, for City Clerks February 12-14, 2014. Cost to the City would be a registration fee of \$200.00, lodging for 2 nights, 3 days per diem and use of a City vehicle.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

**TIDELANDS/BIANNUAL REPORTS FOR TIDELANDS FUNDING
Re: Tidelands Biannual Reports for FY2013-P115 & FY2011-P111**

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve the Tidelands Biannual Reports for FY2013-P115 in the amount of \$129,480.00 and FY2011-P111 in the amount of 662,149.40; authorize Mayor's signature on each. **(EXHIBIT I)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

**RESOLUTIONS/MISSISSIPPI MUNICIPAL LEAGUE/CITIZENS FOR ECONOMIC
DEVELOPMENT ACT/CEDA**

Re: Resolution Requesting Introduction and Passage of Bill entitled "Citizens for Economic Development Act"

Alderman Geoffrey moved, seconded by Alderman Kidd to approve Resolution requesting the introduction and passage of a bill entitled "Citizens for Economic Development Act" (CEDA) allowing citizens of a municipality the option of voting on the imposition of a local sales tax to provide implementation and completion of special projects in the municipality which would enhance the quality of life of local citizens and improve economic development opportunities. **(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

**INVOICES/CITYWIDE ROAD OVERLAY PROJECT/BEACH FACILITY IMPROVEMENTS
PROJECT (VETERANS MEMORIAL)/VETERANS MEMORIAL PROJECT/HMGP/
DRAINAGE IMPROVEMENTS PROJECT**

Re: Payment of Invoices as Submitted by Various Contractors

Alderman Kidd moved, seconded by Alderman Geoffrey to approve the following invoices submitted by various contractors and recommended to be placed in line for payment consideration contingent upon receiving funding from grant sources, as submitted by Recovery Manager, Brent Anderson and listed (Items a-c): **(EXHIBIT K)**

- a. Pay application #1 from Huey Stockstill, Inc. in the amount of \$48,814.85, Citywide Road Overlay Project.
- b. Pay application #1 from David Rush Construction, LLC. In the amount of \$34,554.87, Waveland Beach Facility Improvements (Veterans Memorial) Project.
- c. Invoice #X17328416 from AMEC Environment & Infrastructure, Inc. in the amount of \$2,185.44, HMGP Drainage Improvements Project.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

BIDS/GAS UTILITY SYSTEM/DONATIONS/PARKS AND RECREATIONS/PUBLIC HEARING/BLIGHTED PROPERTY/WORKSHOP/FIRE DEPARTMENT/RATING BUREAU – STATE OF MISSISSIPPI/SECRETARY OF STATE/TRANSFER OF LAND/326 NICHOLSON AVENUE

Spread on the minutes the minutes the following as listed, (Items a-e):

- a) Bid opening for the City of Waveland’s Gas Utility System purchase including all lines, meters, pumps and other assets of the system was held prior to this meeting.
(Note: No Bids were Received).
- b) Donation of 5, 22x33 banners by Lightening Quick Signs to be used to cover the two softball fields in the evenings. The estimated value of the donation is \$1,200.00.
- c) Prior to this meeting a Public Hearing was held to discuss the blighted property issue at 521 Jeff Davis Ave. In addition, a workshop was conducted to also discuss additional properties at 207 Hunter Hollow, 509 Meadow Lane, 409A Wainwright and 445 Waveland Avenue. (Also See Blighted Property Public Hearing meeting folder, January 7, 2014: 521 Jeff Davis Avenue)
- d) Letter from MS. State Rating Bureau dated 12/19/13 Accepting Test Results on new Fire Pumper Truck recently purchased. **(EXHIBIT L)**
- e) Letter from Secretary of State dated 12/26/13 acknowledging the processing of the City’s Request for transfer of land from the State (326 Nicholson Ave.) to the City of Waveland to be used as a park. Once the processing is complete, the Sec. of State will forward the Deed to the City. **(EXHIBIT M)**

ADJOURN

Re: Adjourn Meeting at 8:51 p.m.

Alderman Kidd moved, seconded by Alderman Geoffrey to adjourn the meeting at 8:51 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Garcia on January 24, 2014.

Lisa Planchard
City Clerk

The Minutes of January 7, 2014 have been read and approved by me on this day the 24th day of January, 2014.

David A. Garcia
Mayor

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