

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 February 2, 2016 at 6:30 p.m. to take action on the following matters of City business.

ROLL CALL:

Mayor Smith noted for the record the presence of Aldermen Burke, Richardson, Lafontaine and Piazza along with City Clerk Lisa Planchard and Attorney Zach Butterworth filling in for the City Attorney Rachel Yarborough.

Absent from the Meeting was City Attorney Rachel Yarborough.

PUBLIC COMMENTS:

- There were no Public Comments.

MAYOR'S REPORT

- Nereids Parade was wonderful and enjoyed by a very large crowd. Commended Litter Control Don Siebenkittel, Public Works employees, and the Keep Waveland Beautiful group for their work in getting the Highway cleaned in just one day after the parade. Mayor Smith said it's the first time in 29 years that he can remember that it's been completely cleaned in one day.
- There have been three Town Hall Ward Meetings (Wards 1, 2, & 3). The Mayor said they have been very positive and gives an opportunity to let our Citizens know about the good things happening in Waveland. (No quorum at these informal gatherings)

PLANNING AND ZONING/APPOINTMENTS/PERSONNEL

Re: Resignation of Planning & Zoning Commissioner Jay Fountain

Spread on the Minutes resignation letter from Mr. Jay Fountain from the Planning & Zoning Commission effective Friday, January 29, 2016 and replace with Alderman Jeremy Burke's (Ward 1) appointment of John Becker effective same date.

PUBLIC WORKS/PERSONNEL

Re: Authorize Public Works Director Brent Anderson to hire Streets Laborer (replace Brad Esteve)

Alderman Lafontaine moved, seconded by Alderman Burke to authorize Public Works Director Brent Anderson to hire 1 new employee in Streets Department at \$10.00 per hour pending passage of drug test (to replace Brad Esteve, resigned 2/1/16...See 'Spread on the Minutes' near end of meeting minutes.

Note: Subsequent hire made at end of this meeting.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

AMENDMENTS/INVOICES/TASK ORDERS/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE IMPROVEMENTS PROJECT/CONTRACTS

Re: Amendment No. 1 to Task Order No. 2 –Citywide Drainage Improvements Project

Re: Pay Request No. 14 –Kappa Development, Citywide Drainage Improvements Project

Alderman Lafontaine moved, seconded by Alderman Piazza to approve Amendment 1 to Task Order No. 2 (Task Order #2 originally approved 4/18/12 by Board), as submitted by Pickering Firm, Inc., and approve Pay Request No. 14 from Kappa Development as listed, (Items a & b):

- a) Amendment 1 – Extends Construction Inspection Services for the Citywide Drainage Improvements Project for four (4) additional months, in the amount of \$57,470.00. (Tabled at the 1/5/2016 Meeting). **(EXHIBIT A)**

- b) Pay Request No. 14 from Kappa Development in the amount of \$60,095.72 – Citywide Drainage Improvements Project. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

MINUTES

Re: Extension Request for Minutes Submittal of 1/20/16, 1/21/16, 1/25/16 and 1/27/16

Alderman Richardson moved, seconded by Alderman Lafontaine to extend the deadline (beyond 30 days if needed) for the following sets of minutes (because of so many additional Board meetings in the month of January), 1/20/16, 1/21/16, 1/25/16 and 1/27/16.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

TRAVEL/CITY HALL

Re: Travel for Mayor Mike Smith and Alderman Richardson to Jackson, MS.

Alderman Lafontaine moved, seconded by Alderman Burke to approve travel for Mayor Mike Smith and Alderman Bobby Richardson to Jackson, MS. February 10, 2016, including lodging and per diem for each for 1 night. City vehicle will provide transportation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

GRANT ANTICIPATION NOTE/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE PROJECT/FUNDING/FINANCING

Re: Approve moving forward with obtaining Grant Anticipation Note to complete Citywide Drainage Project

Alderman Lafontaine moved, seconded by Alderman Richardson to approve contacting legal and banking representatives to move forward with obtaining a Grant Anticipation Note to complete the Citywide Drainage Improvements Project (same as what was paid off 12/30/15), to specifically provide funding in anticipation of HMGP funds to be reimbursed to the City for project costs, currently approximate 5 month delays. Note: Project has received a POP extension to 9/1/16 (see agenda item 'Spread on the Minutes' near end of meeting minutes)

Comptroller, Ron Duckworth, came forward and explained the need for this to Board members. Mr. Duckworth said he is requesting approval of a new grant anticipation note in the amount of \$3,000,000 for the purpose of assuring adequate cash flow to complete this project, the City will only draw on the note as needed to pay invoices and construction pay applications approved by the Board and then repay the note plus interest when reimbursements are received from HMGP. He said due to the delay of the completion of this project, he recommended that the term be 24 months which should be an adequate amount of time to complete the project and perform all closeout requirements.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

MAYOR'S REPORT (CONT.)

Re: Employee of the Month

Police Officer Leanna Dunnigan selected as Employee of the Month for the month of January 2016. Officer Dunnigan was present and came forward to accept her award from the Mayor, Board and Police Chief David Allen.

ATTORNEY'S COMMENTS

Re: Attorney Zach Butterworth stated that he was present ad hoc on behalf of City Attorney Rachel Yarborough who is out on maternity leave at this time.

ALDERMEN'S COMMENTS

Re: Alderman Burke:

- Spoke with his Department Heads prior to the Meeting and cleared all of his issues.

Re: Alderman Richardson:

- Discussed the positive response of the Town Hall Meetings and feels this is a "good thing going"

Re: Alderman Lafontaine:

- Alderman Lafontaine concurred with Alderman Richardson's comments and looks forward to having more Town Hall Meetings.

Re: Alderman Piazza:

- Announced the Ward 4 Meeting would be coming up Monday night at 6 p.m. at Rogers Sports Bar & Grill.

DOCKET OF CLAIMS

Re: Claims

Alderman Lafontaine moved, seconded by Alderman Piazza to approve the Docket of Claims (less the Streets Payroll portion) in the amount of \$411,616.07 dated February 2, 2016 as submitted.

(EXHIBIT C)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

MINUTES

Re: Meeting Minutes of January 5, 2016 and the Special Meeting Minutes of January 14, 2016

Alderman Burke moved, seconded by Alderman Lafontaine to approve the Minutes of the Regular Meetings of January 5, 2016 and the Special Meeting Minutes of January 14, 2016 (Blighted Property Hearing) as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

ORDINANCES/ANNEXATION

Re: Ordinance 367 Enlarging, Extending and Defining Corporate Boundaries of Waveland

Alderman Piazza moved, seconded by Alderman Lafontaine to approve Ordinance 367 enlarging, extending, and defining the corporate limits and boundaries of the City of Waveland, Hancock County, Mississippi; specifying the improvements to be made in the annexed territory and the municipal or public services to be rendered therein; and for other purposes related thereto. **(EXHIBIT D)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

BANK DEPOSITORY BIDS/BIDS/HANCOCK BANK

Re: Hancock Bank as Bank Depository for the City of Waveland, 1/1/16 through 12/31/17

Alderman Lafontaine moved, seconded by Alderman Piazza to approve Bank Depository Bids from Hancock Bank for the period covering 1/1/2016 – 12/31/2017, 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, the very small difference in interest rate and services offered, was the best and most responsive proposal.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

PLANNING AND ZONING (EXHIBIT E)

Alderman Richardson moved, seconded by Alderman Piazza to follow the recommendations of the Planning and Zoning Board and approve all items, **A-F** below as submitted.

Re: Garrett Garcia, 136 S. Beach Blvd.

A) Garrett Garcia appeared before the commission with a tabled request for a variance of 1.50' from the required side yard setback on the south side and a variance of 2.50' on the north side in order to construct a new residence on his property located at 136 S. Beach Boulevard. Legal description: Lot 87B, 40' on Beach Boulevard x 429', 2nd Ward, City of Waveland, Hancock County, Mississippi

Commissioner Mike Kopke made a motion, seconded by Clarence Harris, to recommend that the Board of Mayor and Alderman approve the applicant's request for a variance of 1.50' from the required side yard setback on the south side and a variance of 2.50' on the north side in order to construct a new residence on his property at 136 S. Beach Boulevard.

Re: George and Shannon Arch, 736 S. Beach Blvd.

B) George and Shannon Arch, with contractor Mike Felter, appeared before the commission with a request for a variance of 5' from the required side yard setback on the west side in order to construct a new residence on their property located at 736 S. Beach Boulevard. Legal description: Block 2 lots 3 and part of lot 4 C, D #7555, Anchorage Subdivision, City of Waveland, Hancock County, Mississippi

Commissioner Charlotte Watson moved, seconded by Mike Kopke to recommend that the Board of Mayor and Alderman approve the applicant's request for a variance of 5' from the required side yard setback on the west side in order to construct a new residence on their property located at 736 S. Beach Boulevard.

Re: Martha Chambers, 518 Fell Street

C) Martha Chambers, along with Greg Landreau, appeared before the commission with a request for a variance of 7.2' from the required side yard setback and a variance of 6.2' from the required rear yard setback in order to convert a metal accessory building into a rental house. This property is located at 518 Fell Grass Street. Legal description: Lots 7 & 8, Grass Acres Subdivision, City of Waveland, Hancock County, Mississippi.

Commissioner Mike Kopke moved, seconded by Charlotte Watson to recommend that the Board of Mayor and Alderman approve the applicant's request for a variance of 7.2' from the required side yard setback and a variance of 6.2' from the required rear yard setback in order to convert a metal accessory building into a rental house provided that it meets all applicable building codes for the City of Waveland.

Re: James and Aileen Greishaber, 130 S. Beach Boulevard

D) James and Aileen Greishaber appeared before the commission with a request for a variance from the required side yard setback of 3' on the east side yard setback and 1' on the west side yard setback in order to construct a new residence on their property located at 130 S. Beach Boulevard. Legal description: Lot 85A, Five Oaks Place, City of Waveland, Hancock County, Mississippi.

Commissioner Clarence Harris moved, seconded by Charlotte Watson to recommend that the Board of Mayor and Alderman approve the applicant's request for a variance from the required side yard setback of 3' on the east side yard setback and 1' on the west side yard setback in order to construct a new residence on their property.

Re: Waveland Dental Center, 110 Auderer Blvd.

E) Waveland Dental Center/Dr. Hal Jones (No one was present to represent) request for a variance of 12' from the required sign height in order to have a sign with the overall sign height of 32'. This property is located at 110 Auderer Boulevard. Legal description: Part of lot 8, Section 33-8-14, City of Waveland, Hancock County, Mississippi.

Commissioner Mike Kopke moved, seconded by Commissioner Clarence Harris to recommend that the Board of Mayor and Alderman TABLE the applicant's request since no one was present to discuss the request.

Re: Andrew Lazzara, 500 Block of Highway 90

F) Andrew Lazzara, with Avanti Properties, LLC, appeared before the commission with a partial zoning change on parcels 138Q-0-34-003.02 and 138Q-0-34-003.000. The parcels front on Highway 90 and are zoned C-3 but portions of these parcels are zoned R-1. Therefore they are requesting that the entire parcels be changed to C-3. The property in question is located in the 500 block of Highway 90 adjacent to Wal-Mart Drive. Legal description: Part of the NE ¼ of SW ¼, lot 6 A, B & C, Section 34-8-14 Waveland Annex, City of Waveland, Hancock County, Mississippi.

Commissioner Clarence Harris moved, seconded by Mike Kopke to recommend that the Board of Mayor and Alderman approve the applicant's request for a partial zoning change on parcels 138Q-0-34-003.02 and 138Q-0-34-003.000. The parcels front on Highway 90 and are zoned C-3 but portions of these parcels are zoned R-1. Therefore they are requesting that the entire parcels be changed to C-3. The commission also recommends that the development must have a six foot fence that separates commercial from the adjacent residential property. The property in question is located in the 500 block of Highway 90 adjacent to Wal-Mart Drive.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

EVENTS/DESTINATION WAVELAND/AGREEMENTS

Re: Fourth of July Destination Waveland Event

Re: Category 6 LLC Agreement for Fourth of July Destination Waveland Event

Alderman Richardson moved seconded by Alderman Burke to **TABLE** the following:

- a) The City of Waveland's Fourth of July Destination Waveland Proposed event on Saturday July 2, 2016. Mr. Charlie Cornelius to discuss.
- b) An agreement with Musical Group, Category 6 LLC, with the City of Waveland providing entertainment on Saturday July 2, 2016 for the Fourth of July Destination Waveland Event at a cost of \$3,500.00. Mr. Charlie Cornelius to discuss.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

DEPARTMENT OF ENVIRONMENTAL QUALITY/MDEQ/CITYWIDE SEWER IMPROVEMENTS PROJECT/SEWER IMPROVEMENTS PROJECT/FACILITIES PLAN/ENGINEERING

Re: Correspondence with MDEQ, Ranking Citywide Sewer Improvements Facilities Plan

Alderman Lafontaine moved, seconded by Alderman Richardson to ratify Mayor's letter submitting MDEQ Request for Ranking the proposed Citywide Sewer Improvements Facilities Plan to facilitate additional growth in the City by repairing and improving existing system, as prepared by Compton Engineering. **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

INVOICES/CASA/CASA (COURT APPOINTED SPECIAL ADVOCATES FOR CHILDREN)/REQUESTS FOR FUNDS/DONATIONS

Re: CASA Request for Funds/Invoice

Alderman Lafontaine moved, seconded by Alderman Richardson to **TABLE** Invoice/Request for Funds from CASA (Court Appointed Special Advocates for Children) in the amount of \$5,040.00 for FY2016, as budgeted for.

During discussion, Alderman Burke requested this be tabled until he could request and review CASA's budget before the Board takes action.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

**CITYWIDE GENERAL SIDEWALK PLAN/GULF REGIONAL PLANNING COMMISSION/
Re: Correspondence from Mayor to Kenneth Yarrow, GRPC Requesting 80/20 Match Funding
for Citywide General Sidewalks Plan**

Alderman Lafontaine moved, seconded by Alderman Burke to approve Mayor Smith writing Gulf Regional Planning Commission, Planning Manager Kenneth Yarrow requesting 80%/20% match funding for a general Sidewalk Plan throughout the City of Waveland on the north side of the railroad tracks. **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

**POLICE DEPARTMENT/PURCHASING/BODY CAMS/NTF FUNDS/RESTRICTED FUNDS
Re: Purchase 15 New Police Uniform Body Cams**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve the purchase of 15 new body cams from Watch Guard for the Police Department in the amount of \$12,753.75 (lowest quote). (Funds are available in the NTF Fund- to amend for same).

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

**POLICE DEPARTMENT/PERSONNEL
Re: Increase .67 per hour for completion of 6 months of service – Officer Leanna Dunnigan**

Alderman Burke moved, seconded by Alderman Lafontaine to approve a .67 cent per hour pay increase (as budgeted) for Officer Leanna Dunnigan for successful completion of 6 month probation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

**TRAVEL/CITY HALL
Re: Reimburse Alderman Richardson for Lodging during Legislative Day at MML**

Alderman Burke moved, seconded by Alderman Lafontaine to reimburse Alderman Richardson the amount of \$117.72 for one night lodging (Cabot Lodge, Jackson, Mississippi) to attend the Oath of Office Ceremony for Governor Phil Bryant. (This was related to the MML Midwinter Conference/Legislative Day).

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

TRAVEL/TRAINING/LITTER CONTROL/POLICE DEPARTMENT

Re: Litter Control Don Siebenkittel to Solid Waste Training, Jackson, Mississippi

Re: Lt. Mac Cowand to Handgun/Shotgun Training, Pass Christian, Mississippi

Alderman Lafontaine moved, seconded by Alderman Piazza to approve travel for the following as listed (Items a&b):

- a) Don Siebenkittel to Solid Waste officer training provided by MDEQ February 17th and 18th, 2016 in Jackson Mississippi. Cost to the City would be one night lodging at \$99.54, per diem for one day and use of a city vehicle. There is no course fee.
- b) Lieutenant Mac Cowand to Handgun/Shotgun Instructors Training April 11-15, 2016 in Pass Christian, Mississippi. Cost to the City would be a course fee of \$595.00 and \$25.00 range fee. Chief Allen will be present to answer questions.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

INVOICES/POLICE STATION-BUILDING/CITYWIDE DRAINAGE PROJECT/DRAINAGE PROJECT/TIDELANDS/CITYWIDE SEWER IMPROVEMENTS PROJECT/SEWER PROJECT/LIGHTHOUSE - OUTDOOR PROJECT

Re: Payment of Invoices submitted by various Contractors

Alderman Burke moved, seconded by Alderman Richardson 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 (if required), as listed (Items a-g): **(EXHIBIT H)**

- a) Pay Application No. 7 from J.O. Collins Contractor, Inc. in the amount of \$370,785.21 – Police Station/Building.
- b) Invoice #N20120721 from AMEC Foster Wheeler Environment & Infrastructure in the amount of \$9,720.01 – Citywide Drainage Improvements Project.
- c) Invoice from Architect Nofie Alfonso in the amount of \$5,035.00 (on current docket) – Waveland Police Station/Building.
- d) Invoice No. 214-062-3 in the amount of \$2,200.00 from Compton Engineering – Tidelands reporting
- e) Invoice No. 215-065-7 in the amount of \$10,425.00 from Compton Engineering – Citywide Sewer Improvements Facilities Plan.
- f) Invoice No. 215-065-8 in the amount of \$3,802.50 from Compton Engineering – TV and Clean Sewer lines, Citywide Sewer Improvements Plan.
- g) Invoice No. 215-068-4 in the amount of \$1,880.00 from Compton Engineering – Design of Lighthouse, Outdoor Recreation area.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

SPREAD ON THE MINUTS/CITY HALL/STATEMENTS OF ECONOMIC INTEREST/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE PROJECT/PERSONNEL DEPARTMENT/STREETS DEPARTMENT/PUBLIC WORKS/PRIVILEGE LICENSES

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

- a) Alderman Lafontaine's Statement of Economic Interest for 2015. **(EXHIBIT I)**

- b) Correspondence from FEMA, Region IV approving the extension for Period of Performance for 6 months on the HMGP Citywide Drainage Improvements Project to September 1, 2016. This POP extension was due to excessive rain delays, right-of-entry approvals and CSX Railroad Crossing at Highway 90 approval. **(EXHIBIT J)**
- c) Privilege License Issuance Schedules for the month of December 2015 and January 2016. **(EXHIBIT K)**
- d) Resignation of Brad Esteve from Streets Department effective February 1, 2016.

During discussion, City Clerk Planchard thanked Alderman Lafontaine for submitting his Statement of Economic Interest and asked the other Board members to go online to complete theirs and provide her a copy to include in a subsequent set of Minutes.

AMEND AGENDA/MINUTES/STREETS DEPARTMENT/PUBLIC WORKS

Re: Amend Agenda to hire Laronne Lewis, Sr. – Streets Laborer

Alderman Lafontaine moved, seconded by Alderman Burke to amend agenda to hire Laronne Lewis, Sr. as Streets Laborer at a rate of \$10.00 per hour, pending passage of drug test.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: Hire Mr. Laronne Lewis, Sr. - Streets Laborer

Alderman Lafontaine moved, seconded by Alderman Burke to hire Mr. Laronne Lewis, Sr. as Streets Laborer at a rate of \$10.00 per hour, pending passage of drug test.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Executive Session to Discuss Potential Litigation, Caveats of Annexation

Alderman Richardson moved, seconded by Alderman Burke to consider Executive Session to prompt a closed discussion regarding potential litigation, caveats of annexation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Alderman Piazza moved, seconded by Alderman Burke to discuss potential litigation, caveats of annexation

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Alderman Burke moved, seconded by Alderman Richardson to exit Executive Session with no action taken.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Note to Minutes: Alderman Piazza recused himself and left the room at this time.

DOCKET OF CLAIMS

Re: Docket of Claims – Streets Payroll Portion only

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the Docket of Claims, Streets Payroll portion only, in the amount of \$15,749.53 as submitted. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine

Voting Nay: None

Absent: None

Recused: Piazza

ADJOURN

Re: Adjourn Meeting at 7:49 p.m.

Alderman Lafontaine moved, seconded by Alderman Burke to adjourn the meeting at 7:49p.m.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

The foregoing minutes were presented to Mayor Smith on February 19, 2016.

Lisa Planchard
City Clerk

The Minutes of February 2, 2016 have been read and approved by me on this day the 19th of February, 2016.

Mike Smith
Mayor