

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Waveland Civic Center, 335 Coleman Avenue, Waveland, MS on April 18, 2012 at 6:30 p.m., to take action on the following matters of city business.

**ROLL CALL**

The Mayor noted for the record the presence of Aldermen Stahler, Geoffrey, Lafontaine and Kidd as well as City Clerk Lisa Planchard and City Attorney Gary Yarborough.

**(Tape of meeting for listening available via records request, in Meeting folder)**

**MAYOR'S REPORT**

**Mayor Garcia commented on the following: (EXHIBIT A)**

- a. Ms. Orinander "Aunt Reader" Richardson was given a certificate today by Mayor Garcia and his Department Heads to commemorate Ms. Richardson's 99<sup>th</sup> birthday.
- b. Saturday was the Annual Hope Haven Crawfish Cook-Off, which was held at Elwood Bourgeois Park sponsored by C&R's, and was a great success. The Mayor mentioned the family friendly environment.
- c. Fire Chief Mike Smith discussed the installation of sirens at the McLaurin St. Police Station, Elwood Bourgeois Park, and on Highway 90 at the old Police Department site. He said the Fire Department can now send out audible alarms and will perform test alarms once/month. Chief Smith also presented a letter by the U.S. Postal Service District Manager denying the City's request to address the annexed area as Waveland with a 39576 zip code, but would offer customers a 39520 zip code with their choice of either using Bay St. Louis or Waveland in their address. Board members agreed this does not make sense. Chief Smith also addressed additional issues regarding the possible changing of the zip codes in the Annexed Area. Mayor Garcia said he will take this issue to Senator Cochran, noting that businesses affected by this using a Bay St. Louis address will affect Waveland Sales tax revenues. **(EXHIBIT A1)**
- d. Mr. Tiger Harris of the Waveland Civic Association discussed the upcoming Fishing Rodeo change of date to Sunday, due to rain prediction for Saturday.
- e. Court Clerk Paula Fayard presented her monthly Court Fines and Fees Report to Board members. **(EXHIBIT A2)**
- f. The City will be receiving a grant to purchase a lawnmower that will work with propane.

**ALDERMEN'S COMMENTS:**

**Re: Alderman Stahler:**

- a. Eggstravaganza held at the Elwood Bourgeois Park was a great success; all of the children had a good time and many civic organizations came together to provide a successful event for the children of Waveland.
- b. The Board received a letter regarding certain signage around the City not being legal. She asked the Board to address our sign ordinance regarding this issue and the City's need to enforce the ordinance; notifying people to pick their signs up or Public Works to pick up their advertising signs that are on public property, which is not legal. Alderman Kidd said the City must enforce the ordinance because many of the signs people have put up are not structurally sound. Mayor Garcia said the letter's complaint is about a certain company doing lawn care and placing signs in front of people's private property. After reviewing the sign ordinance, the Mayor will make a determination what the City needs to do. He said he feels more than certain that the sign cannot be in the public right of way and that is placed along the Highway would be on the State right of way and, therefore, removed by the MS. State Highway Department.
- c. Alderman Stahler asked about monitoring of signs on the highway medians. Mayor Garcia said the City has no right to grant permitting on any City rights of way; that must go through MDOT. The City cannot even grant permission for

individuals to put signage up along Hwy 90 because it is not the City's property, but rather an MDOT right of way.

**Re: Alderman Lafontaine**

- a. Asked about when Claiborne Hill Grocery Store will be opening. Mayor Garcia said it would likely be open before June. He also noted that the owners have hired Police to guard their materials and equipment currently being installed.
- b. Where does the City stand on the citywide grass cutting? Mr. Anderson gave the Board an update of the state of the mowing/trimming equipment. Mr. Anderson recommended the City begin leasing this type of equipment so that it can be traded out for new every 3 years (eliminating repair costs) or purchased over 5 years. He said he would look into the feasibility of doing this once we get past the 4/26/12 budget workshop.

**Re: Alderman Kidd**

- a. Asked to have ditch on Amar Street cleaned out.
- b. With regard to holding meetings at the New City Hall, Mrs. Planchard said the seating has yet to be installed as well as the audio/visual system.
- c. Asked for the Library Representative to be present at the next meeting to answer questions about Waveland library hours.
- d. Project Worksheet (PW) closeouts; how is this looking? Mr. Anderson provided and explanation and update of the current open PW's and those in line for closeout.
- e. Can the completion of things such as street signs be subbed out? Mr. Anderson said this PW had already been closed out.
- f. Does the City have job descriptions complete? Mayor Garcia said this is a time consuming task and he and others are still working on this.
- g. How are Audit Reports coming? Ms. Planchard said she had spoken with Ms. Bell who intended to have the 2010 presented to the Board within two weeks.
- h. Is the Fire Station on Coleman Avenue staffed yet? Chief Smith offered explanation of staffing issues and mentioned that substantial completion of the Coleman Avenue station should have been done today.
- i. Have any Firemen come back? Chief Smith informed Board members of his current full-time and part-time status employees. He said the Fire Department has applied for a grant and are hopeful to receive word on this application soon.
- j. Mentioned that the City of Waveland and the County have a difference in how many hours worked is considered part-time employment. City Attorney Gary Yarborough will research this.

**RSVP**

**Re: Claims**

Alderman Geoffrey moved, seconded by Alderman Lafontaine 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 Kidd moved, seconded by Alderman Stahler to approve the Docket of Claims dated April 18, 2012 as submitted by the City Clerk. **(EXHIBIT C)**

001 Fund – 233-274

100 Fund – None

101 Fund – None

102 Fund – 2

124 Fund – 24-30  
125 Fund – 29-31  
126 Fund – 2-3  
200 Fund - 2  
400 Fund – 125-137

During discussion, City Attorney Gary Yarborough noted for the record that release of the Jay Bearden Construction payment in the amount of \$34,524.94 is contingent upon approval of agenda item 10a (i.e. approval of pay request No. 10 from Jay Bearden Construction).

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**REVENUE AND EXPENDITURES REPORT**  
**Re: The Month of March, 2012**

Spread on the minutes the Revenue and Expenditures Report for the Month of March 2012, at this the second meeting of April, 2012 as presented by Comptroller Janet Dudding. (EXHIBIT D)

**PROCLAMATIONS**  
**Re: Goodwill Industries International Week**

Alderman Kidd moved, seconded by Alderman Lafontaine to approve a Proclamation recognizing May 6-12, 2012 as Goodwill Industries International Week. (EXHIBIT E)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**INVOICES/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/CLIMATE CHANGE ADAPTION PROJECT/SEAGRANT/CENTRAL FIRE STATION**  
**Re: Payment of Invoices as submitted by various contractors**

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve the following invoices submitted by various contractors and vendors 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) EXCEPT TO TABLE ITEM a. (EXHIBIT F)

- a. Payment Request No. 10 from Jay Bearden Construction in the amount of \$34,524.94 – Citywide Drainage Improvements Project. (TABLE)
- b. Invoice No. X17326634 from AMEC Earth and Environmental in the amount of \$339.66 – Waveland Climate Change Adaption Project (Sea Grant); Task Order No. 13. (APPROVE)
- c. Invoice # 9354 from Gouras Urban Planning Consultants in the amount of \$10,250.01 – Central Fire Station. (APPROVE)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**AGREEMENTS/TASK ORDERS/HMGP/DRAINAGE IMPROVEMENTS  
PROJECT/CONTRACTS**

**Re: Task Order No. 2 with Pickering Firm, Inc.**

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve Task Order No. 2 with Pickering Firm, Inc. for Professional Services related to the City of Waveland Drainage Improvements HMGP Project 1604-420. This is a 100% grant. Pickering's services shall include engineering design, bidding, and construction inspection services (RPR services) for the drainage infrastructure improvements. Approval shall be pending contract finalization by City Attorney Gary Yarborough. **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**CITY HALL /CITY HALL ANNEX BUILDING**

**Re: Cleaning Service for City Hall**

Alderman Stahler moved, seconded by Alderman Lafontaine to approve hiring Bonds Janitorial Services for the cleaning of City Hall/City Hall Annex Building (lowest, best and most responsive quote).

Mayor Garcia recommended to the Board that they not hire this janitorial service as he would help maintain the public areas while each employee will maintain their individual offices.

Alderman Stahler moved, seconded by Alderman Lafontaine to **WITHDRAW** this item from the agenda.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**CITY HALL/ CITY HALL ANNEX/FIRE STATION- COLEMAN  
AVENUE/CENTRAL FIRE STATION/MUNICIPAL COMPLEX**

**Re: Rebel Sound to Monitor Buildings Alarm Systems**

Alderman Stahler moved, seconded by Alderman Geoffrey to hire Rebel Sound Systems, Inc. for alarm monitoring services; City Hall Municipal Complex, Fire Station Coleman Avenue and Central Fire Station- Hwy 90 at an annual fee of \$210.00 each.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, and Kidd

Voting Nay: Lafontaine

Absent: None

**DOWNTOWN SIDEWALK IMPROVEMENTS PROJECT/REQUEST FOR CASH REIMBURSEMENTS/CENTRAL FIRE STATION/COLEMAN AVENUE FIRE STATION/FIRE DEPARTMENT/MISSISSIPPI DEVELOPMENT AUTHORITY**

**Re: Closeout Review by MS Development Authority**

**Re: Request for Cash Reimbursement – Waveland Central Fire Station**

**Re: Certificate of Substantial Completion for Coleman Avenue Fire Station**

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

- a. Results of Close-Out Review March 9, 2012 by Ms. Development Authority; CDBG Project #R-109-379-03-KCR (Downtown Sidewalk Improvements Project). **(EXHIBIT H)**
- b. Requests for Cash Reimbursements, as listed (Items 1):
  1. #R-103-379-01-KCR in the amount of \$98,372.01 – Waveland Central Fire Station. **(EXHIBIT I)**
- c. Certificate of Substantial Completion for the Coleman Avenue Fire Station-BDA, PLLC. **(EXHIBIT J)**

**SURPLUS PROPERTY/CITY HALL**

**Re: Declare two (2) First Data Credit Card Machines as surplus property**

Alderman Stahler moved, seconded by Alderman Geoffrey to declare, as surplus property, two (2) First Data FD100 credit card machines, formerly used by the Animal Shelter and the Utility Department.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**AGREEMENTS/CONTRACTS/HAZARD MITIGATION GRANT PROGRAM/MEMA/ HMGP/ HAZARD MITIGATION PLAN UPDATE**

**Re: HMGP Hazard Mitigation Plan Update**

Alderman Geoffrey moved, seconded by Alderman Stahler to approve the Hazard Mitigation Grant Program Agreement with MEMA for \$60,000, of which HMGP will fund 75% (\$45,000) and the City will match with in kind service for the other 25% (\$15,000). This agreement is for the Local Hazard Mitigation Plan Update. **(EXHIBIT K)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**BUSINESS INCUBATOR/BUDGET MODIFICATION**

**Re: Budget Modification submitted by Gouras Urban Planning Consultants**

Alderman Lafontaine moved, seconded by Alderman Kidd to approve the following Budget Modification:

- a. #R-109-379-04-KCR, Budget Mod. #8-Business Incubator **(EXHIBIT L)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**PERSONNEL/PAYROLL**

**Re: Grant Mayor authority to hire a Payroll/Personnel Clerk**

Alderman Geoffrey moved, seconded by Alderman Stahler to grant the Mayor authority to hire a Payroll/Personnel Clerk at an annual salary of \$25,000 pending passage of drug test. Position will be advertised.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, and Garcia **(To Break Tie Vote)**

Voting Nay: Lafontaine and Kidd

Absent: None

**PUBLIC WORKS/PURCHASING/EQUIPMENT/STREETS DEPARTMENT**

**Re: Purchase of a Bobcat 60" zero radius propane lawnmower**

Alderman Lafontaine moved, seconded by Alderman Geoffrey to authorize purchase of one (1) Bobcat 60" zero radius commercial propane lawnmower at State Contract price in the amount of \$9,450.00 from Davis Lawnmower & Chainsaw, pending receipt of \$2,500.00 grant from MS. LP Association. **(EXHIBIT M)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**BUILDING DEPARTMENT/PLANNING AND  
ZONING/COMPTROLLER/BUDGET**

**Re: Authorize Cash (bank) Drawers**

Alderman Kidd moved, seconded by Alderman Geoffrey to authorize funding of two (2) Building/Zoning cash (bank) drawers, each in the amount of \$100.00 to provide each cashier separate till funds to make change, as recommended by State Audit and Accounting Guide and City Auditors. **(EXHIBIT N)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**UTILITY DEPARTMENT/COMPTROLLER/BUDGET**

**Re: Authorize Cash (bank) Drawer**

Alderman Geoffrey moved, seconded by Alderman Kidd to authorize funding of one (1) Utility cash (bank) drawer in the amount of \$200.00 to provide each cashier separate till funds to make change, as recommended by State Audit and Accounting Guide and City Auditors. **(EXHIBIT O)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**PUBLIC WORKS/STREETS DEPARTMENT/POLICE DEPARTMENT  
Re: List of stolen property from Streets Department Barn**

Spread on the Minutes the list of stolen property from 322 Gulfside Drive Streets Barn; 4/5/12. A Police Report was filed and the City's Insurance Company was notified.  
**(EXHIBIT P)**

**\*Note for the record – Alderman Geoffrey left the meeting at this time.**

**EXECUTIVE SESSION**

**Re: Contractual Issues, Pending Litigation and Personnel issues**

Alderman Lafontaine moved, seconded by Alderman Kidd to consider Executive Session for contractual issues related to the Business Incubator, pending litigation related to BP, the Police Station, Sewer North Project, Leaners and Hangers, and the Pier, along with personnel issues related to the Utility Department.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

Alderman Kidd moved, seconded by Alderman Lafontaine to enter Executive Session for contractual issues related to the Business Incubator, pending litigation related to BP, the Police Station, Sewer North Project, Leaners and Hangers, and the Pier, along with personnel issues related to the Utility Department.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

**LEANERS AND HANGERS/LITIGATION/HURRICANE KATRINA/LEGAL ACTIONS**

**Re: Authorize City Attorney to file the necessary claims regarding Leaners and Hangers**

Alderman Lafontaine moved, seconded by Alderman Stahler to authorize the City Attorney to file any claims necessary against TCB, R.W. Beck and any other parties and interests concerning Leaners and Hangers.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

**EXECUTIVE SESSION**  
**Re: Exit with Action taken**

Alderman Kidd moved, seconded by Alderman Lafontaine to exit Executive Session with action taken.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

**ADJOURN**  
**Re: Adjourn meeting 10:50 p.m.**

Alderman Kidd moved, seconded by Alderman Lafontaine to adjourn the meeting at 10:50 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

The foregoing minutes were presented to Mayor Garcia on May 18, 2012.

\_\_\_\_\_  
Lisa Planchard  
City Clerk

The Minutes of April 18, 2012 have been read and approved by me on this day the 18<sup>th</sup> day of May, 2012.

\_\_\_\_\_  
David A. Garcia  
Mayor

LEFT  
BLANK  
INTENTIONALLY