

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 June 20, 2012 at 6:30 p.m., to take action on the following matters of city business.

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

ROLL CALL

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

PUBLIC COMMENTS

Re: Mike Kopke with Hancock County Tourism told Board members that 9 benches for Coleman Avenue have been sold and are on order through Hancock Tourism. He also said there is a possibility of placing the Carousel inside the Civic Center depending upon height requirements.

MAYOR'S REPORT (EXHIBIT A)

Re: Mayor Garcia commented on the following:

- a. Sunday, June 17, 2012 the City received a Certificate of Registration in recognition of the Live Oaks on Nicholson Avenue from The Garden Clubs of Mississippi. Mayor Garcia deferred the discussion to Alderman Stahler.

ALDERMEN'S COMMENTS:

Alderman Stahler:

- a. The Society D'Arbour registers Mississippi oak trees. We have 13 qualify oak trees on Nicholson Avenue to be registered by the City. Nicholson Avenue property owners have adopted trees with a name plaque on their oak tree which they have adopted. These trees are a minimum of 100 years old.

Alderman Geoffrey:

- a. Attended the Juneteenth festival event at Martin Luther King Park with Mayor Garcia this past weekend and thanked Parks Director Willie Moody, Public Works and other employees for getting the park looking so nice.

Alderman Lafontaine:

- a. Asked for an update as to when Board members can receive their May 2012 Revenues and Expenditure Report. Mrs. Planchard said she sent an email out Monday explaining that Ms. Dudding (Comptroller) has been in Chicago for continuing education and this will be presented on the 1st meeting in July.
- b. Inquired about progress with the Organizational Chart. Mrs. Planchard said that Chief Hurt was still working on his part and we hope to have something to present by the first July meeting.
- c. Inquired about the status of the grass cutting throughout the City. Alderman Lafontaine asked if it would be more feasible to lease equipment now to keep the grass cut. Mr. Anderson offered explanation regarding the shortage of man power and working equipment. Alderman Stahler asked about the number of Streets employees needed to get the grass cut on a regular basis. Mr. Anderson said there are 200 miles of streets/ditches in the City and as of right now he only has 2 Streets employees to keep up with the grass. He said he would need at least 2 more Streets employees to help keep up with Streets jobs, including ditches, install culverts, grass cutting, patch holes in streets, work on equipment, etc...

Alderman Kidd:

- a. Has received positive comments about how nice the cemetery looks.
- b. The building (Civic Center) needs to have the air conditioners serviced, filters changed.
- c. Hurricane Camille Memorial plaque, would like it put back up. Mayor Garcia mentioned that the City is working on having irrigation installed the length (both sides) of Coleman Avenue to support the planting of trees down the Avenue. He said once this is installed, the City will be putting the plaque back up.

- d. Received a complaint about drainage near the Railroad Lounge during heavy rain events; asked if Public Works can do something to improve this. Mr. Anderson said his crew would look at this issue.
- e. Announced funeral arrangements for Mrs. Dianne Saucier Schwartz.

COURT DEPARTMENT

Re: Court Clerk Paula Fayard updated Board members with the status of court fines, collection rate and #'s of tickets written. **(EXHIBIT B)**

MINUTES

Re: Meeting of June 5, 2012

Alderman Stahler moved, seconded by Alderman Geoffrey to approve the Minutes of the Meeting of June 5, 2012 as submitted by the City Clerk.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, and Kidd

Nay: Lafontaine

Absent: None

DOCKET OF CLAIMS

Re: Claims Nos.

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the Docket of Claims dated June 20, 2012 as submitted by the City Clerk. **(EXHIBIT C)**

001 Fund – 447-485
100 Fund – None
101 Fund – None
102 Fund – None
103 Fund – 3
105 Fund – 12-14
124 Fund – None
125 Fund – 52-53
400 Fund – 233-255
601 Fund - 148

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Kidd and Lafontaine

Nay: None

Absent: None

RSVP

Re: Claims

Alderman Lafontaine moved, seconded by Alderman Stahler to approve the RSVP Claims and Check #16011 in the amount of \$913.94 (tabled from the June 5, 2012 meeting) as submitted by Mary Turcotte with RSVP. **(EXHIBIT D)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

WAVEFEST/EVENTS

Re: Change Date for Wavefest

Alderman Kidd moved, seconded by Alderman Lafontaine to change the date of Wave Fest to Saturday October 6, 2012 from Saturday, October 20, 2012.

During discussion, some Board members questioned being able to buy into the *Cruisen*© event. Mr. Kopke with the Tourism Commission said he thought it's about \$20,000 to \$25,000 to obtain a *Cruisen*© venue, if it is granted. He said Hancock County Tourism pays \$20,000.00 as a sponsor. Mr. Kopke asked the City to think about giving money to Hancock County Tourism for advertising in the upcoming year's budget to promote Waveland in such things as *Cruisen*© the Coast.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

ORDINANCES/NOISE ORDINANCE/PUBLIC APPEARANCE/WORKSHOPS/AGENDAS/MEETINGS

Re: Mrs. Nadine Brown - Discuss issues with the current Noise Ordinance #340

Ms. Nadine Brown addressed Board members regarding issues related to the City's current Noise Ordinance #340 and that her business is in a commercial zone, but is having problems with a nearby resident. Board members agreed to further this discussion at a public workshop.

ORDINANCES/ PUBLIC WORKS/CULVERT ORDINANCE/WORKSHOPS/AGENDAS/MEETINGS

Re: Discussion related to issues with culverts as it affects drainage

Recovery Manager Brent Anderson discussed issues pertaining to culverts and how changing the 'Culvert Ordinance' could affect the City's drainage problems, noting that the City must be very careful with changes made to this Ordinance. Upon completion of Mr. Anderson's comments the Board decided to continue the discussion at an upcoming Special Workshop.

Re: Workshop to be held on July 10, 2012 to discuss Ordinances

Alderman Geoffrey moved, seconded by Alderman Kidd to schedule a Workshop on July 10, 2012 at 6 p.m. to discuss the Noise and Culverts Ordinances.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

WAVE FEST/MISSISSIPPI ALHOLIC BEVERAGE CONTROL DISTRICT 5/ EVENTS

Re: Grant Authority for Mayor to Sign Letter to MS. ABC

Alderman Geoffrey moved, seconded by Alderman Lafontaine to grant authority for Mayor to execute correspondence to Mississippi Alcoholic Beverage Control-District 5 to

support a request for authorization for the sale of beer during the Annual Wave Fest. The sale of beer shall be sold in the parking lot adjacent to the Garfield Ladner Memorial Pier. **(EXHIBIT E)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

FIRE DEPARTMENT/BIDS/FIRE DEPARTMENT TRAINING FACILITY AND DRAFTING PIT

Re: Construction Bids Received Prior to Meeting for the Fire Department Training Facility and Drafting Pit

Spread on the minutes that construction bids for the Waveland Fire Department Training Facility and Drafting Pit were received and taken under advisement until they can be reviewed.

Note: These bids were received by 6:00 pm this evening at 301 Coleman Avenue and opened immediately thereafter at 335 Coleman Avenue (Civic Center), preceding the regular Board of Mayor and Aldermen meeting.

BAY-WAVELAND HOUSING AUTHORITY

Re: Appoint Housing Authority Board Representative

Alderman Stahler moved, seconded by Alderman Lafontaine to appoint Linda Penrose as Waveland's Representative on the Bay-Waveland Housing Authority Board for the term of 7/13/2012 – 7/13/2016 (4 year term). Note: Ms. Penrose is currently serving on this Board.

Mayor Garcia said that he spoke with the Housing Authority chairman and was told this position was not appointed by the Mayor or Board, but rather by the other members of the Housing Authority Board.

Alderman Stahler moved, seconded by Alderman Lafontaine to **withdraw the motion** to appoint Linda Penrose as Waveland's Representative on the Bay-Waveland Housing Authority Board.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

DEEP SEA FISHING RODEO

Re: Miss Katie Mallini to Represent the City

Alderman Stahler moved, seconded by Alderman Geoffrey to name Miss Katie Mallini as the City's representative to compete in the Deep Sea Fishing Rodeo pageant.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

**WATER QUALITY REPORT/ UTILITIES/ PUBLICATIONS/
ADVERTISEMENTS**

Spread on the minute's advertisement of the annual Utilities Water Quality Report.

**RESOLUTION/DONATIONS/TRANSFER OF ASSETS/CALHOUN COUNTY
Re: Resolution Authorizing Transfer of Vehicle to Calhoun County, Mississippi**

Alderman Stahler moved, seconded by Alderman Geoffrey to approve the Joint Resolution between the City of Waveland and Calhoun County, Mississippi Sheriff's Department for the Intergovernmental Transfer of Assets, namely one (1) 2005 Crown Victoria VIN 2FAFP71W15X169797 and authorize appropriate City personnel to carry out duties to comply with the transfer of the car pursuant to that agreement. Note: Declared surplus property at previous meeting of the Board. **(EXHIBIT F)**

During discussion Alderman Kidd noted his phone call to the Sheriff of Calhoun County and their need for this vehicle.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

**DONATION/HANCOCK COUNTY SHERIFF'S DEPARTMENT/POLICE
DEPARTMENT**

Re: Donation of Two (2) Police Vehicles to Hancock County Sheriff's Department

Alderman Stahler moved, seconded by Alderman Kidd to **TABLE** donation of the following items to the Hancock County Sheriff's Department (Items a-b), pending negotiations by City Attorney Gary Yarborough with County Attorney Ronnie Artigues for an Inter Governmental Transfer of these vehicles. Note: Declared surplus property at prior meeting of the Board.

- a. One 2005 Crown Victoria 2FAFP71W15X169791
- b. One 2005 Crown Victoria 2FAFP71W15X169802

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

SURPLUS/POLICE DEPARTMENT/INVENTORY

Re: Surplus Water Damaged Vehicles from Hurricane Katrina

Alderman Lafontaine moved, seconded by Alderman Geoffrey to declare the following Hurricane Katrina water damaged seized and forfeited vehicles as surplus property:

- | | |
|--------------------------|------------------------|
| a. 1999 Dodge Single Cab | VIN 1B7HC16X3X5265398 |
| b. 1997 Chrysler Sebring | VIN 4C3AU42N7VE148913 |
| c. 1997 Mazda 626 LX | VIN 1YVGF22COW5711137 |
| d. 1998 Chevrolet S10 | VIN 1GCCS1444W8210153 |
| e. 1999 Toyota 4 Runner | VIN JT3HN86ROYO268233 |
| f. 2002 Chevrolet C15 | VIN 2CGCEC19V221356488 |

Mr. Yarborough asked Chief Hurt if he found that these vehicles were abandoned vehicles and not being used for Municipal purposes. Chief Hurt said, "Yes, they were under water and not used".

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

**DIGITAL ENGINEERING/WATER SYSTEM PROJECT/ CONTRACTS/
AGREEMENTS**

Re: Discuss Proposed Water System Project

Motion to discuss proposed water system project related to work contemplated under Digital Engineering's service proposal.

Mr. Yarborough said this was a follow up on the item due to a list of questions submitted by MDA. He stated that he felt this would be considered a new project (rather than a change order) and would follow up with MDA to try to give the Board an answer on each item at the next regular meeting. This was intended just for discussion this evening because the item was tabled at the last meeting.

No Motion was made or seconded by Board members; no action taken.

**LEGAL /BRITISH PETROLEUM (BP) CLAIM/DEEPWATER HORIZON OIL
SPILL OF 2010/LITIGATION/CONTRACTS**

Re: Litigation Agreement with State of Mississippi

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve Litigation Agreement between the State of Mississippi and the City of Waveland's cooperating agreement related to the City's BP Claim. **(EXHIBIT G)**

Mr. Yarborough said this was to facilitate the agreement where they will pay for expert's services costs.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

CONTRACTS/HANCOCK COUNTY UTILITY AUTHORITY

Re: Amendment to Wastewater Service Contract

Alderman Stahler moved, seconded by Alderman Kidd to **TABLE** Amendment to Wastewater Amended and Restated Service Contract with regard to costs based flow.

Alderman Stahler noted discussion from earlier in the day saying the Authority is working toward a single agreement to be entered into by several parties vs. one agreement per entity, thus the reason to table the motion this evening.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

**TASK ORDERS/AGREEMENTS/CONTRACTS/HAZARD MITIGATION
GRANT PROGRAM (HMGP)/DRAINAGE IMPROVEMENTS PROJECT
Re: Task Order No. 1 and Master Service Agreement with AMEC Environment
and Infrastructure, Inc.**

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve Task Order No. 1 with AMEC Environment and Infrastructure, Inc. for Project Management services related to the HMGP (Hazard Mitigation Grant Program) Drainage Improvements Project; Project No: DR-1604-MS-0420 and approval after review by City Attorney Gary Yarborough, of a new Master Services Agreement, to be written by AMEC specifically for this project. **(EXHIBIT H)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

**HAZARD MITIGATION GRANT PROGRAM/ AGREEMENTS/ CONTRACTS/
MEMA/PROPERTY ACQUISITIONS PROJECT
Re: Hazard Mitigation Grant Program Agreement with MEMA - Property
Acquisitions Project**

Alderman Lafontaine moved, seconded by Alderman Geoffrey to **TABLE** the Hazard Mitigation Grant Program Agreement with MEMA in the amount of \$933,911.00 for the Waveland Properties Acquisition Project; Project No: DR-1604-MS-340.

Mayor Garcia mentioned that he sent an appeal letter to Mr. Robert Latham (MEMA Director) because the agreement does not reflect items in the original application which was approved by MEMA; should be a 100% grant.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

**REQUEST FOR PROPOSALS/ADVERTISEMENT/HAZARD MITIGATION
PLAN UPDATE/HMGP
Re: Advertise for RFP's to Update the City's Hazard Mitigation Plan**

Alderman Kidd moved, seconded by Alderman Geoffrey to advertise for RFP's from qualified professional firms for the purpose of updating the City's Hazard Mitigation Plan.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

CHANGE ORDERS: CITY HALL/ CITY HALL ANNEX, MUNICIPAL COMPLEX

Re: Change Order No. 12

Alderman Lafontaine moved, seconded by Alderman Kidd to approve Change Order 12 submitted by BDA, PLLC in the amount of \$63,666.23 – City Hall/City Hall Annex (fill dirt and toilet partitions) as presented by Digital Engineering and reviewed by Recovery Manager, Brent Anderson. Approval shall be contingent upon MDA approval.

(EXHIBIT I)

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

Re: Change Order No. 13: Item No. 1

Alderman Lafontaine move, seconded by Alderman Kidd to approve Item 1 of Change Order 13 in the amount of \$18,657.07 for additional internal & external security cameras, contingent upon approval by MDA. **(EXHIBIT J)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, and Garcia (to break tie vote)

Nay: Lafontaine, Kidd

Absent: None

Motion passes

Re: Change Order No. 13: Item No. 2

Alderman Lafontaine moved, seconded by Alderman Kidd to approve Item 2 of Change Order 13 in the amount of \$35,721.46 to furnish and install new security access control system at City Hall/City Hall Annex building, contingent upon approval by MDA.

A vote was called for with the following results:

Yea: Stahler, Geoffrey

Nay: Lafontaine, Kidd and Garcia (to break tie vote)

Absent: None

Motion fails

INVOICES/SEA GRANT/HMGPP/CLIMATE CHANGE ADAPTION/SEAGRANT/ DRAINAGE IMPROVEMENTS PROJECT/HAZARDOUS MITIGATION GRANT PROGRAM

Re: Invoices Submitted by Various Contractors and Vendors

Alderman Kidd moved, seconded by Alderman Lafontaine 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&b) **(EXHIBIT K)**

- a. Invoice X17326838 from AMEC Environment & Infrastructure, Inc. in the amount of \$697.68 – Climate Change Adaption (SeaGrant – incorporates sea level rise into the City's Hazardous Mitigation Plan).

- b. Invoice 00071035 from Pickering Firm, Inc. in the amount of \$36,421.00 – Drainage Infrastructure Design, Bidding and Construction, HMGP Drainage Improvements Project No. DR-1604-MS-0420.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

**REQUEST FOR CASH REIMBURSEMENTS/CENTRAL FIRE STATION/
PERSONNEL/ANIMAL SHELTER/POLICE DEPARTMENT/FIRE
DEPARTMENT**

**Re: Request for Cash Reimbursements submitted by Jimmy Gouras and Associates
Re: Resignations of Travis Smith (Animal Shelter), Michael W. Prendergast (Police
Department)
Re: Return of Firefighter Justin Valentine from Military Service in Iraq**

Spread on the minutes the following:

- a. Request for Cash Reimbursement #R-118-379-01-HCCR in the amount of \$88,122.00 – Central Fire Station. **(EXHIBIT L)**
- b. Resignation of Travis Smith from the Animal Shelter effective 6/8/12.
- c. Resignation of Michael W. Prendergast from the Police Department effective 6/4/12.
- d. Firefighter Justin Valentine has returned from military service in Iraq and returned to full-time duty effective 6/12/12 at his hourly rate of \$10.46.

**GRANTS/POLICE DEPARTMENT/MISSISSIPPI OFFICE OF HIGHWAY
SAFETY PROGRAM, FY2013**

**Re: Ratify Grant Application submitted to the Mississippi Office of Highway Safety
Program for the FY 2013 Enforcement Program**

Alderman Geoffrey moved, seconded by Alderman Stahler to ratify grant application submitted to The Mississippi Office of Highway Safety Program for the FY2013 Enforcement Program. **(EXHIBIT M)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

CITY HALL/TRAVEL

**Re: Travel for City Clerk Lisa Planchard and Deputy City Clerk Tammy Fayard to
Municipal Clerks Certification Program in Hattiesburg, MS.**

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve travel for City Clerk Lisa Planchard and Deputy City Clerk Tammy Fayard to Hattiesburg, Mississippi on August 16 and 17, 2012 for the Summer Session of the Certification Program for Municipal Clerks, Tax Collectors and Deputies. Cost to the City will be a registration fee of \$75.00 each and lodging.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

PARKS AND RECREATIONS/PURCHASING

Re: Authorize Parks and Receptions Director Willie Moody to sign Purchase Requisitions

Alderman Geoffrey moved, seconded by Alderman Lafontaine to authorize Parks and Recreation Director, Willie Moody to sign Purchase Requisitions.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

TIDELANDS FUNDS

Re: Reallocation of Existing Funds; 2010, 2011 and 2012

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve Tidelands Reallocation of Funds Request forms for FY2010-P416 in the amount of \$100,000, for FY 2011-P112 in the amount of \$102,149.40, for FY 2012-P212 in the amount of \$150,000 and FY 2012-P224 in the amount of \$160,000.00 as prepared by Compton Engineering. All of the above funds are being reallocated into FY 2011-P111 (currently approved for \$150,000) for a total available of \$662,149.40. Note: 2013 Tidelands amounts have not been awarded yet. **(EXHIBIT N)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

Re: Approve three (3) 2014 Tidelands Requests for Funding Applications for FY2014

Alderman Kidd moved, seconded by Alderman Geoffrey to approve three 2014 Tidelands Requests for Funding Applications: FY2014 in the amount of \$150,000 (for up to 15 pagoda structures), FY2014 in the amount of \$250,000 (for a wide range of leisure activities that utilize the sand beach), and FY2014 in the amount \$150,000 (for addition of exterior light sources to the beach). **(EXHIBIT N)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

EXECUTIVE SESSION

Re: Potential Litigation-Reynolds and Personnel issues, all Departments

Alderman Lafontaine moved, seconded by Alderman Kidd to consider going into Executive Session to discuss potential litigation related to Reynolds Construction and personnel issues, all departments.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Alderman Stahler moved, seconded by Alderman Lafontaine to go into Executive Session to discuss potential litigation related to Reynolds Construction and personnel issues, all departments.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Come out of session

With no positive or negative action taken, Alderman Kidd moved seconded by Alderman Geoffrey to come out of Executive Session.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

ADJOURN

Re: Adjourn meeting at 10:04 p.m.

Alderman Lafontaine moved, seconded by Alderman Kidd to adjourn the meeting at 10:04 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Garcia on July 6, 2012.

Lisa Planchard
City Clerk

The Minutes of June 20, 2012 have been read and approved by me on this day the 6th day of July, 2012.

David A. Garcia
Mayor