

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 October 1, 2013 at 6:30 p.m. to take action on the following matters of city business.

ROLL CALL

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

Absent from the meeting was Alderman Ricky Geoffrey.

PUBLIC COMMENTS

Re: Mr. Mike Kopke, City of Waveland Representative to the Hancock County Tourism Bureau introduced Ms. Myrna Green who was present to discuss Tourism statistics as they relate to Waveland.

Re: Oscar Crespo, 115 Jeff Davis Avenue asked how water bills are calculated.

Re: Mr. Chad Whitney with Lime Pi Computers presented a power point regarding CSpire's upcoming choice of one Mississippi City to install 1 Gigabit Fiber Internet service citywide... Mr. Whitney has called this the Waveland Fiber Initiative to get citizens and businesses on board to participate and sign up in support.

Re: Mr. Richard Avery, 102 Petit Street expressed his concerns regarding the increased Utility Bills and wanted to know if the City has developed a strategic plan to fix the leaking pipes and address the problems causing the increased utility bills.

Re: Ms. Mikelle Williamson regarding the utility late notices that were mistakenly sent out to ACH auto draft customers.

MAYOR'S REPORT (EXHIBIT A)

Re: Thanked Mr. Willie Moody and Mr. Jeffrey Smith with the Parks and Recreation Department for placing pink ribbons throughout the City in support of Breast Cancer Awareness Month.

Re: Thanked Wal-Mart and Ms. Catherine Poore with Wal-Mart for the donation of the pink ribbons.

Re: Reminded the audience of the upcoming WaveFest this weekend.

Re: Gulfside Assembly will be celebrating their 90th Anniversary Celebration this Saturday. The Mayor was asked to invite Board members and the public to attend.

Re: Recognized Mrs. Bernie Cullen with Team Waveland, Relay for Life Team which is selling T-Shirts for the American Cancer Society.

ATTORNEY'S REPORT:

Re: Requested to Remove Agenda Item Numbers 16 and 19.

ALDERMEN'S COMMENTS:

Re: Alderman Stahler had no comments.

Re: Alderman Geoffrey was absent from the meeting.

Re: Alderman Lafontaine:

- a. Received an email regarding correspondence related to Funds for Urban Forest (trimming trees), and Internet Microwave to be a part the Committed Funds that were allocated at the meeting from the night before; September 30, 2013. Alderman Stahler said that she understood that these were projects that the City started but were not able to complete by Fiscal year end and since they are in the works, they should be completed and paid for via these funds. Alderman Lafontaine asked if anything was budgeted for FY 2014 for trimming trees. Ms. Dudding said \$5,000. Alderman Lafontaine said, "There you go." Alderman Stahler said the City had given a purchase order to Red (Henry) prior to the year end, but he did not get it complete... time ran out, so we moved the money to committed fund to pay this. She said, in addition we will have more trimming to do this year (2014 FY). Mr. Anderson said the City employees can trim the lower branches, but this is for the upper branches that require a bucket truck. Alderman Lafontaine said, "I say we pay it out of the 2014 budget instead of ... last night

we allocated these funds and we prioritized as to 1, 2 and 3. I say we keep our prioritized projects that we sat here last night and did, and these come out of this fiscal 2014 budget". We said we would set the top three projects and said we would get the ball rolling with these, see where we stand financially, then we would come back as a Board and set the next three projects. Alderman Stahler said things such as landscaping and the signage, although in the three top priorities is the utilities, we want to be doing some of these things simultaneously because if this sewer situation takes nine months, I don't want to see us sit there (with other projects not getting done). Ms. Dudding said, "The direction is that we will not be issuing any purchase orders that are not specifically in the budget, out of this commitment, until we get specific direction and I just need direction; this is completely the Board's call, I just need direction."

- b. Mr. Anderson offered discussion about the top priority items approved to be purchased at the previous night's meeting. Mr. Anderson said they lined seven manholes along St. Joseph St. today; he's coming in the end of next week to get the City a quote to line additional manholes. He currently has three with bad leaks, one at the Beach & Coleman, one on Waveland Avenue @ the Beach and the last on Waveland @ *Our Shopping Center*. During their repair, they found a manhole on Turner St. leaking and taking in ground water causing the road to sink around it. Mr. Anderson said the particular company he uses to line the manhole does it all, camera, smoke test, vacuum, seal and line it, which of course he said the City may have to bid it out if we had large repairs that had to be done. He said the lining of manholes & wet wells is a service and we've been doing a couple at a time. Mr. Anderson said with advertising, taking bids and awarding we're probably looking at 3 to 4 months, not necessarily on the smoke testing, but on the repairs. Ms. Dudding said her concern was that if these are large enough repairs, the City needs to be doing a debt or applying for State assistance through a State grant for the replacements. City Attorney Yarborough added that any quotes have to be faxed to City Hall in writing. Mr. Anderson said he would provide the City Clerk with the specifications and at least 2 companies' names (that provide all these services). City Clerk Planchard said, "We will do it, we will handle it from there." Ms. Dudding reiterated that staff's direction is that we will not cut any purchase orders for anything else on the list, unless it's specifically budgeted in the 2014 FY budget, until we get specific approval from the Board by vote.
- c. Asked Mrs. Cullen and Chief Smith to check into declaring the old "*Majik Market*" building on Sears Avenue as blighted and work toward having it removed/demolished.

Re: Alderman Kidd:

- a. Had the opportunity to see the LED Signs today and will ask for information/quotes to be sent to the City. We probably will be looking at a 5x10 and 5x12 sign. Mayor Garcia said that he would speak with Mr. King with MDOT to "get the ball rolling" related to the placement of signage and permitting.

MINUTES

Re: Minutes of the Special Meeting of September 30, 2013

Alderman Stahler moved, seconded by Alderman Kidd to approve the Minutes of the Special Meeting of September 30, 2013 as submitted.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: Geoffrey

RSVP

Re: Claims

Alderman Stahler 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, Lafontaine, and Kidd

Voting Nay: None

Absent: Geoffrey

**MUNICIPAL COMPLIANCE QUESTIONNAIRE FY 2013/FY 2013 BUDGET/
CITY HALL/AUDITS**

Re: Municipal Compliance Questionnaire for FY 9/30/2013

Alderman Lafontaine moved, seconded by Alderman Kidd to approve the annual Municipal Compliance Questionnaire for FY 9/30/2013. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: Geoffrey

PROCLAMATION/FIRE DEPARTMENT

Re: Proclaiming Fire Prevention Week as October 6-10, 2013

Alderman Stahler moved, seconded by Alderman Lafontaine to approve a Proclamation declaring October 6-10, 2013 as Fire Prevention Week. **(EXHIBIT D)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: Geoffrey

INVENTORY/HANCOCK COUNTY HUMAN RESOURCE CENTER/RSVP

Re: Transfer of Van to Hancock County Human Resource Center

Alderman Kidd moved, seconded by Alderman Lafontaine to consider a request from Ms. Lora Mederos with the Hancock County Human Resource Center to declare surplus and transfer the City's RSVP 15 Passenger 2006 Ford Econoline Van, Vin #1FBSS31L36HB34657 to their Agency to support their Senior and Children Care Programs at a cost of \$10.00. **(EXHIBIT E)**

Mr. Yarborough said that State Statute 17-15-1 allows Counties and Municipalities to create County Resource Agencies. Hancock County Resource Agency was created under that Statute. He said Code Section 31-7-13 allows the provision of a donation for less than fair market to a Governing Authority. Mr. Yarborough said 31-7-1 defines it an Authority as one of an Agency created by Statute, which the Resource Center is. By voting yes, the Board is making a finding which states that the van is no longer used for Municipal Purposes and that it would benefit the taxpayers of the State of Mississippi to declare the vehicle surplus and donate the van to this Agency for less than fair market value. Mr. Yarborough said he has to have a value to draft an agreement to makes those findings of

fact for the donation. Alderman Kidd recommended a \$10.00 amount; other Board members agreed.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: Geoffrey

CONTRACTS/DELTA WATER/PUBLIC WORKS
Re: Delta Water, Inc.

Alderman Kidd moved, seconded by Alderman Stahler to **TABLE** hiring Delta Water, Inc. and approve the related contract, pending City Attorney review.

Mr. Yarborough said he received a contract, but the contract did not have any prices included in it; the agreement can't be approved without a price in it. Mr. Yarborough said as of the meeting start time he had not received a response to his email and the Board can't approve a contract without a price. Alderman Lafontaine asked if the issue could be placed on the agenda for an upcoming Special Meeting. The Board members requested setting a special meeting for Monday, October 7, 2013 at 6:30 pm to approve the bids recently opened (except the Pier repairs bid) along with approval of this contract.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

ADVERTISEMENT/CITY HALL/BUSINESS CENTER/CIVIC CENTER
Re: Advertise/Obtain Quotes for Janitorial Services

Alderman Lafontaine moved, seconded by Alderman Kidd to advertise/obtain quotes for janitorial services for City Hall, Business Center and Civic Center.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

WAVELAND BUSINESS CENTER/LEASES/BUSINESS INCUBATOR/
CONTRACTS
Re: Modify Bill Laprime Lease Agreement, Business Center

Alderman Stahler moved, seconded by Alderman Lafontaine to authorize City Attorney Gary Yarborough to modify the Business Center lease agreement with Bill Laprime to credit the rental payment each month for a total of the expenditures he had to incur to make repairs in order to open his café; receipts totaled \$1,368.11. **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

CONTRACTS/BUILDING DEPARTMENT/AGREEMENTS

Re: Bill Carrigee Contract Amended to Increase Contract Amount

Alderman Lafontaine moved, seconded by Alderman Stahler to approve the annual contract (2013/2014) between Carrigee Consulting, LLC. and the City of Waveland for professional services, building department; also authorize Mayor's signature pending approval by City Attorney Gary Yarborough. **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

CAROUSEL OF THE SEA/AGREEMENTS

Re: Carousel Rental Agreement

Alderman Kidd moved, seconded by Alderman Stahler to approve Carousel Rental Agreement. **(EXHIBIT H)**

Mr. Yarborough said that he drafted the agreement such that a person will be hired to work during parties is included in the rental price and rules. Staffing: there will be a carousel operator; once the City has it fenced in there will have to be someone there making sure people are abiding by the rules. Alderman Stahler said we had discussed the issue regarding the staffing of the Carousel during operation and would perhaps be an off duty uniformed policeman or fireman. This will be included in the rental price. Alderman Lafontaine read from the agreement whereby, "The City of Waveland may assign additional staff based on a number of factors including the date, time and size of the event." If more than one staff member required, Mr. Yarborough said we could limit their use and Alderman Stahler said additional staff members would be at the renters cost. Chief Allen said he could either schedule an officer or make it an off duty type job. Mayor Garcia said that the renter will be paying these fees.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

TRAVEL/CITY HALL/PURCHASING/POLICE DEPARTMENT

Re: Travel for Mayor's Secretary Tammy Fayard, Purchasing Clerk Paula Tully, Police Chief David Allen and Police Investigator Matt Sekinger

Alderman Lafontaine moved, seconded by Alderman Kidd to approve travel for the following:

- a) Purchasing Clerk Paula Tully and Deputy City Clerk/Mayor's Secretary Tammy Fayard to attend the Mississippi Municipal Service Company Basic Understanding of Workers Compensation and Municipal Liability October 16, 2013 in Ocean Springs, Mississippi. The only cost to the City will be use of a City Vehicle.
- b) Police Chief David Allen and Investigator Matt Sekinger to Jackson Mississippi October 15 - 17, 2013 for Cellebrite Certification training at the Attorney General's Office. Cost to the City will be lodging for 2 nights each

at a cost of \$190.18, 3 days per diem each and use of a City Vehicle. (The Attorney General's Office will pay the tuition of \$1,800.00 for each).

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

PERSONNEL/STREETS DEPARTMENT/FIRE DEPARTMENT

Re: New Hires, Mr. Phillip Ladner (Streets Department)/ Mr. Gary Gros, Mr. Justin Fia and Mr. Shawn Moran (Fire Department)

Alderman Lafontaine moved, seconded by Alderman Kidd to hire the following as listed, pending passage of drug test: (Items a – b)

- a) Mr. Phillip Ladner as a Laborer in the Streets Department at a rate of \$9.00 per hour, as recommended by Public Works Director Brent Anderson.
- b) Mr. Gary Gros, Mr. Justin Fia and Mr. Shawn Moran as Part-time Firefighters at a rate of \$9.00 per hour, as recommended by Chief Mike Smith. Note; Mr. Gros has already attended the Academy.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: Geoffrey

INVOICES/CITY HALL-CITY ANNEX/FIRE STATION ON COLEMAN AVENUE/BEACH FACILITY IMPROVEMENTS PROJECT/CITY WIDE OVERLAY AND PAVEMENT PROJECT/BEACH VOLLEYBALL FACILITY PROJECT/GARFIELD LADNER PIER REPAIRS PROJECT

Re: Payment of Invoices Submitted by Various Contractors

Alderman Lafontaine moved, seconded by Alderman Stahler 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-g): **(EXHIBIT I)**

- a) Invoice No. 18 from BDA, PLLC in the amount of \$11,490.09 - City Hall/City Hall Annex and Fire Station on Coleman Avenue; recommended for payment by Digital Engineering.
- b) Pay Application No. 19 from DNP in the amount of \$3,308.07 – City Hall/City Hall Annex and Fire Station on Coleman Avenue; as recommended for payment by Digital Engineering.
- c) Pay Application No. 20 from DNP in the amount of \$28,971.56 – City Hall/City Hall Annex and Fire Station on Coleman Avenue; as recommended for payment by Digital Engineering.
- d) Invoice 213-016-4 from Compton Engineering in the amount of \$4,725.00 – Waveland Beach Facility Improvements Project.
- e) Invoice 213-061-1 from Compton Engineering in the amount of \$24,000.00 – Citywide Overlay and Pavement Project.
- f) Invoice 213-058-2 from Compton Engineering in the amount of \$4,050.00 – Beach Volleyball Facility Project.
- g) Invoice 213-017-7 from Compton Engineering in the amount of \$7,500.00 – Garfield Ladner Pier Repairs Project.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: Geoffrey

BIDS/GARFIELD LADNER PIER REPAIRS PROJECT/WAVELAND BEACH VOLLEYBALL FACILITY/CITYWIDE ROAD OVERLAY PROJECT/BEACH FACILITY IMPROVEMENTS-VETERANS MEMORIAL/PARKING BAYS/PEDESTRIAN PATHWAY/VETERANS MEMORIAL/MISCELLANEOUS IMPROVEMENTS

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

- a) Bids for the following were accepted prior to this meeting and were taken under advisement until they can be reviewed an recommendation made at next regular meeting of the Board of Mayor and Aldermen:
 1. Garfield Ladner Pier Repairs Project.
 2. Waveland Beach Volleyball Facility.
 3. Citywide Road Overlay Project.
 4. Waveland Beach Facility Improvements-to include Veterans Memorial, Parking, Pedestrian Pathway and Miscellaneous Improvements.
- b) Request for Cash No. 46 #R118-379-06-HCCR in the amount of \$800.00 – Water System Improvements Annexed Area.
(EXHIBIT J)

MISSISSIPPI RURAL WATER ASSOCIATION/RURAL WATER/UTILITY DEPARTMENT

Re: Mississippi Rural Water Association Delinquent Account Collection Program

Alderman Stahler moved, seconded by Alderman Kidd to authorize accepting Mississippi Rural Water Association (MSRWA) Water Utility Data Base (WUDB) delinquent account collection program's terms of service and executing same, subject to the removal of the indemnification Law, subject to indemnification clause removal from the contract by City Attorney. **(EXHIBIT K)**

Mr. Yarborough said the contract has an indemnification clause which he will speak to with MSRWA; this will have to be removed because the City is not permitted to do that by Statute.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: Geoffrey

UTILITY DEPARTMENT/BUDGET/UNCOLLECTIBLE ACCOUNTS

Re: Delinquent Accounts Written off to Uncollectible Accounts

Alderman Lafontaine moved, seconded by Alderman Kidd authorize writing delinquent utility accounts to allowance for uncollectible accounts. (Two lists attached as Exhibits) **(EXHIBIT L)**

Mr. Yarborough said this does not need approval due to it being daily operations. Alderman Lafontaine requested Board approval.

A vote was called for with the following results:

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: Geoffrey

ADJOURN

Re: Adjourn meeting at 9:03 p.m.

Alderman Lafontaine moved, seconded by Alderman Kidd to adjourn the meeting at 9:03 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 October 16, 2013.

Lisa Planchard
City Clerk

The Minutes of October 1, 2013 have been read and approved by me on this day the 16th day of October, 2013.

David A. Garcia
Mayor

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