

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 October 4, 2011 at 6:30 p.m., to take action on the following matters of city business.

Present at the meeting were Mayor David A. Garcia and Aldermen Stahler, Geoffrey, Lafontaine and Kidd

Also present at the meeting was City Clerk Lisa Planchard and City Attorney Gary Yarborough.

MAYOR'S REPORT

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

Re: Mayor Garcia read a correspondence to and from MDA regarding the de-obligation of funds for the Lighthouse/Waterfront Project. **(EXHIBIT A)**

Re: The Mayor also read a letter from Bay-Waveland School Superintendent Dr. Rebecca Ladner regarding the current positive ranking of the School District.

ALDERMEN'S COMMENTS: Available via tape upon records request submitted.

Re: Alderman Stahler reminded everyone of the upcoming Coastal Cleanup and Wave Fest to take place on October 15, 2011.

Re: Alderman Geoffrey asked Recovery Manager, Brent Anderson to write a letter to Mr. Lacoste regarding the accumulation of cars at the corner of Margie Street and Old Spanish Trail

Re: Alderman Lafontaine asked Recovery Manager if the County was still assisting with grass cutting throughout the City and if Mr. Anderson was able to contact the railroad (CSX) to clean their property along the railroad tracks.

Re: Alderman Lafontaine also inquired who the contractor was staging equipment at the corner of Waveland Avenue and the railroad tracks. Mr. Anderson said that it is Sumrall Construction.

Re: Aldermen Lafontaine additionally asked whether the City could renegotiate its franchise fees with its vendors; MS. Power, Coast Electric, AT&T and Mediacom; especially AT&T for using the City's rights of way with underground wiring.

Re: Alderman Kidd asked Engineer Bruce Newton about the core samples taken from Waveland Avenue and Old Spanish Trail. Mr. Newton said that he will address this during his update of City projects.

Re: Alderman Kidd also asked if the lights at the Municipal Pier were being shut off at night. Mayor Garcia explained that they are on an auto shut off at midnight when the Pier is locked each night.

AGENDA

Re: Amend regular meeting agenda to include Addendum Agenda items herewith

Alderman Geoffrey moved, seconded by Alderman Kidd to amend agenda to include Agenda items 25-29, and remove agenda items #20 and #23.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

MINUTES

Re: Meeting of August 23, 2011, August 30, 2011, September 6, 2011 and September 14, 2011

Alderman moved Stahler moved, seconded by Alderman Geoffrey, to approve the Minutes of the Meetings of August 23, 2011 (special meeting recessed), August 30, 2011 (special meeting reconvened), September 6, 2011 and September 14, 2011 (special meeting), as submitted by the City Clerk. Note: Minutes of August 17, 2011 have been

requested to be removed by Alderman Lafontaine and re-listened to for certain verbiage re: budget issues. **(EXHIBIT B)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**RSVP
Re: Claims**

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve the R.S.V.P. Claims. **(EXHIBIT C)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**DOCKET OF CLAIMS
Re: Claims Nos. 69211-69354 and 69355-69357**

Spread on the Minutes the Dockets of Claims approved by the Board at their September 21, 2011 Board meeting, being numbered 69211-69354 and 69355-69357, as submitted by the City Clerk. **(EXHIBIT D)**

Re: Approval to Pay Highlighted Invoices on Proposed 10/04/2011 Spreadsheet Docket Schedule

Alderman Stahler moved, seconded by Alderman Lafontaine to approve Payment of Highlighted Invoices (yellow with letter 'D') listed on the Proposed 10/04/2011 Docket schedule, as proposed by the City Clerk.

During discussion, the City Clerk mentioned that RFC#50 on Project R-103-379-01-KCR had been received in the amount of \$44,723.38 which is a reimbursement to the City for prior funds expended (i.e. local funds) and shall be used toward the general fund portion of 10/4/11 docket expenses. **(EXHIBIT E)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**MUNICIPAL COMPLIANCE QUESTIONNAIRE/BUDGET FY 09/30/2011
Re: Annual Municipal Compliance Questionnaire for year ending 9/03/2011**

Alderman Stahler moved, seconded by Alderman Kidd to approve the Annual Municipal Compliance Questionnaire for year ending 9/30/2011. **(EXHIBIT F)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**GULF REGIONAL PLANNING COMMISSION/DUES/APPROPRIATIONS
Re: Annual Appropriation**

Alderman Stahler moved, seconded by Alderman Geoffrey to approve the FY Annual Appropriation of funding in the amount of \$2,937.00 to Gulf Regional Planning Commission. (Tabled from the September 21, 2011 meeting)

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**CITY HALL/PERSONNEL/COURT DEPARTMENT/PUBLIC WORKS
DEPARTMENT/RSVP/POLICE DEPARATMENT/FIRE DEPARTMENT/
ANIMAL SHELTER
Re: Holiday Schedule for FY 2011-2012**

Alderman Geoffrey moved, seconded by Alderman Stahler to approve the Holiday Schedule (including November 25,2011) for FY 2011-2012 **(EXHIBIT G)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**COMPTROLLER/BANK ACCOUNTS: BOND AND INTEREST ACCOUNT,
PARKS AND RECREATION, LIBRARY, DISASTER RECOVERY/HANCOCK
BANK/
Re: Rescind approval 4 previously approved bank accounts**

Alderman Stahler moved, seconded by Alderman Kidd to rescind approval to open (4) new bank accounts for separation of funds: City Bond & Interest, Parks and Recreation, Library and Disaster Recovery.

Comptroller Janet Dudding provided reasoning for rescission and answered questions of the Board.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**COMPTROLLER/BANK ACCOUNTS: DEPOSITORY/CDBG/DOCKET
CLEARING/PAYROLL CLEARING/ HANCOCK BANK
Re: New Accounts/Consolidating Bank Accounts into Depository, CDBG Bank
Account, Docket Clearing, Payroll Clearing**

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve consolidating the City's bank accounts at Hancock Bank to one (1) "Depository" account, one (1) non-interest bearing "CDBG" bank account, one (1) "Docket Clearing" account and one (1) "Payroll Clearing" account, as recommended by Comptroller Janet Dudding and discussed with Office of the State Auditor and Municipal Auditors with Wright, Ward, Hatten & Guel.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

COMPTROLLER/BANK ACCOUNTS/HANCOCK BANK/POSITIVE PAY
Re: Implementation of "Positive Pay" for all City Bank Accounts

Alderman Lafontaine moved, seconded by Alderman Kidd to approve implementing "Positive Pay" for all City's bank accounts at no cost to the City; as recommended by Comptroller Janet Dudding. (EXHIBIT H)

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

CONTRACTS/COMPTON ENGINEERING/PARKING BAYS
Re: Contract with Compton Engineering for Parking Bays along Beach Blvd.

Alderman Stahler moved, seconded by Alderman Geoffrey to approve a contract between the City of Waveland and Compton Engineering for Professional Services related to the preparing of construction documents and project oversight for the Installation of parking Bays along Beach Blvd.

During discussion, City Attorney Gary Yarborough noted that no "Exhibit A" to the contract had been received.

A vote was called for with the following results:

Yea: None

Nay: Stahler, Geoffrey, Lafontaine, and Kidd

Absent: None

AGREEMENTS/CONTRACTS/POLICE STATION
Re: Amendment No. 1 to the Architectural Agreement with Nofie Alfonso

Alderman Stahler moved, seconded by Alderman Geoffrey to approve the Revised Amendment No. 1 in the amount of \$16,181.62 to the Architectural Agreement with Nofie Alfonso for the Police Station for the necessary materials testing during construction (P.S.I. Co.). The original request, which referenced geotechnical work, was denied at the September 21, 2011 meeting. Approval of such amendment is contingent upon approval by CDBG and their approval to pay. (EXHIBIT I)

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

REQUEST FOR CASH REIMBURSEMENTS/DOWNTOWN SIDEWALK IMPROVEMENTS/WATER SYSTEM EXTENSION – ANNEXED AREA/2009 CDBG SEWER SYSTEM EXTENSION (SEWER IMPROVEMENTS WEST/CENTRAL FIRE STATION

Re: Punch List submitted for substantial completion for Downtown Sidewalk Improvements Project

Re: Request for Cash Reimbursements

Spread on the minutes the following, as listed (Items a, b (1-4)):

- a) Submitted punch list submitted and recommended for substantial completion by Digital Engineering noting the completion of the Downtown Sidewalk Improvements Project. This list was created during a walk-thru inspection held 9/13/2011. **(EXHIBIT J)**
- b) Requests for Cash Reimbursements (Items 1-4):
 1. R-109-379-03-KCR in the amount of \$50.00 – Downtown Sidewalk Improvements. **(EXHIBIT K)**
 2. R-118-379-06 HCCR in the amount of \$101,417.67 – Water System Extension – Annexed Area. **(EXHIBIT K)**
 3. R-118-379-03-HCCR in the amount of \$58,111.93 – 2009 CDBG Sewer System Extension (i.e., Sewer Improvements West). **(EXHIBIT K)**
 4. R-118-379-01-HCCR in the amount of \$12,258.35 – Central Fire Station **(EXHIBIT K)**

INVOICES/2009 CDBG SEWER SYSTEM EXTENSION PROJECT/PUBLIC WORKS/SEWER AND WATER PROJECTS/WATER CERTIFICATE/CENTRAL FIRE STATION/BUSINESS INCUBATOR/PEDESTRIAN PATHWAY/LIBRARY/HMGP DRAINAGE/HMGP 18 PARCELS

Re: Payment to various Contractors

Alderman Geoffrey moved, seconded by Alderman Stahler to approve the following Invoices submitted by various contractors and vendors and recommended to be placed in line for payment consideration (except Item d- tabled) contingent upon receiving funding from grant sources, as submitted by Recovery Manager, Brent Anderson: (as listed items a-c and e-j)

- a) Payment Request No. 14 from S.H. Anthony, Inc. in the amount of \$58,111.93 – 2009 CDBG Sewer System Extension Project. Reference Agenda Item #18(b)(3) above. (Tabled from the September 21, 2011 meeting) **(EXHIBIT L)**
- b) Invoice No. 99-R from Digital Engineering in the amount of \$1,512.50 – Professional Services for the following: **(EXHIBIT M)**
 1. Misc. Projects – Locate gas valves on Sarah’s Lane.
 2. Misc. Projects – located permits for Sewer and Water project.
 3. Misc. Water Project – docs for water certificate.
- c) Pay Request No. 20 from CDM in the amount of \$4,592.19 - Professional Engineering Services - Central Fire Department. **(EXHIBIT M)**
- d) **TABLE** Payment Application No. 14 from Benchmark Construction Corporation in the amount of \$118,320.15 – Business Incubator. Approval shall be pending Gouras Urban Planning (CDBG Grant Administrator) obtaining payroll data that is required by them prior to payment.
- e) Invoice No. 209-088.005-9 from Compton Engineering in the amount of \$4,800.00 – Waveland Pedestrian Pathway (Bike Path) **(EXHIBIT M)**
- f) Invoice Number 726 from Bolton-Dunn in the amount of \$2,913.71 – Library. **(EXHIBIT M)**

- g) Invoice No. S0232848 from AMEC in the amount of \$75.89 – HMGP Ap for Drainage (Task Order No. 12). **(EXHIBIT M)**
- h) Invoice S0232847 from AMEC in the amount of \$171.50 – HMGP for 18 Parcels (Task Order No. 11). **(EXHIBIT M)**
- i) Invoice No X17326116 from AMEC in the amount of \$1,307.20 – HMGP Ap for 18 Parcels (Task Order No. 11) **(EXHIBIT M)**
- j) Invoice No. X17326117 from AMEC in the amount of \$129.43 –HMGP Ap for Drainage (Task Order No. 12) **(EXHIBIT M)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

CHANGE ORDER/CENTRAL FIRE STATION

Re: Change Order No. 5 from GM&R for extension of 39 days to contract

Alderman Geoffrey moved, seconded by Alderman Kidd to approve Change Order No. 5 from GM&R Construction Company in the amount of \$106,777.00 and the contract time to be extended by 39 days for the Central Fire Station, Project #R-118-379-01-HCCR. **(EXHIBIT N) & (EXHIBIT R. HEATH 9/19/11 LETTER)**

Mr. Yarborough asked Mr. Martinez if felt the requested Change Order was reasonable, justified and necessary to the Project. Mr. Martinez said, “Yes”.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

CHANGE ORDERS/2009 CDBG SEWER SYSTEM EXTENSION PROJECT

Re: Change Order No. 3 – S.H. Anthony

Alderman Kidd moved, seconded by Geoffrey to approve Change Order No. 3 from S. H. Anthony (2009 CDBG Sewer System Extension Project) in the amount of \$8,863.35, cost associated with adding 2 new items to the contract; also authorize City Attorney Gary Yarborough to draft a letter to MDA/CDBG. Approval of Change Order shall be contingent upon CDBG approval to fund. **(EXHIBIT L)**

Mr. Yarborough asked Mr. Newton if he felt the Change Order was necessary and within the project as originally bid. Mr. Newton said, “Yes”.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

ORDINANCES/UTILITY DEPARTMENT/PUBLIC WORKS

Re: Approve Ordinance No. 358 amending Ordinance No. 356 to reflect Utility Rates and Charges

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve Ordinance 358 Amending Ordinance No. 356 to amend Ordinance 356's Rates and Charges for the Water and Gas System of the City of Waveland, Hancock County, Mississippi. **(EXHIBIT O)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

RECREATION FUND/GENERAL FUND/BUDGET 9/30/2012
Re: Combine Recreation Fund into General Fund

Alderman Lafontaine moved, seconded by Alderman Geoffrey to close the Recreation fund and combine into the General Fund in accordance with the 9/30/2012 Budget.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

RESOLUTION/MEMA/FEMA/PROJECT WORKSHEETS/
Re: Revised Resolution related to advanced funding for repayment of PW's

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the Revised Resolution of the Board of Mayor and Aldermen of the City of Waveland, Mississippi to MEMA/FEMA related to advanced funding and repayment for PW's; this replaces the original Resolution adopted 9/6/2011. **(EXHIBIT P)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

RESOLUTION/HAZARD MITIGATION GRANT PROGRAM/POLICE STATION
Re: Resolution with Hazard Mitigation Grant Program (HMGP) re: advance of funds for Police Station

Alderman Geoffrey moved, seconded by Alderman Stahler to approve a resolution with Hazard Mitigation Grant Program (HMGP) regarding funds for the City of Waveland Police Station Construction. **(EXHIBIT Q)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

INVOICES/PEDESTRIAN PATHWAY/TIDELANDS

Re: Payment of invoices to Compton Engineering and David Rush Construction

Alderman Kidd moved, seconded by Alderman Geoffrey to add the following docket project payments for which funds have been received (or will be received within a few days), after which checks shall be released, as listed (Items a-f): **(EXHIBIT R)**

- a. Pay Estimate No. 7 from David Rush Construction in the amount of \$110,763.94 – Waveland Pedestrian Pathway.
- b. Invoice No. 209-043-2 from Compton Engineering in the amount of \$655.00 – Tidelands Application.
- c. Invoice No. 209-088.005-7 from Compton Engineering in the amount of \$13,900.00 – Pedestrian Pathway (Waveland Bike path).
- d. Invoice No. 201-150-29 from Compton Engineering in the amount of \$1,080.00 – Tidelands Report: Preparation and submittal of Semi-Annual Tidelands report to DMR.
- e. Invoice No. 201-150-30 from Compton Engineering in the amount of \$975.00 – Tidelands Report – Preparation and submittal of Semi-Annual Tidelands report to DMR.
- f. Invoice No. 209-088.005-8 from Compton Engineering in the amount of \$9,100.00 – Pedestrian Pathway (Waveland Bike Path).

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

WAVELAND PROFESSIONAL PLAZA/PROPERTY TAXES/FEMA
Re: Payment of property taxes in the amount of \$13,687.32 for the property currently occupied by the City Offices at 407 Highway 90

Alderman Stahler moved, seconded by Alderman Lafontaine to approve and pay to Waveland Professional Plaza the amount of \$13,687.32 (property taxes for 2009 & 2010) and submit for reimbursement from Mr. Mike Womack, MEMA.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

ADJOURN
Re: Adjourn meeting at 10:13 p.m.

Alderman Geoffrey moved, seconded by Alderman Stahler to adjourn the meeting at 10:13 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 October 21, 2011.

Page _____
Meeting of October 4 2011
6:30 P.M.

Lisa Planchard
City Clerk

The Minutes of October 4, 2011 have been read and approved by me on this day the 21st day of October, 2011.

David A. Garcia
Mayor

