

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 November 1, 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.

(Tape of meeting for listening available via records request, in Meeting folder)
MAYOR'S REPORT – (EXHIBIT A)

Re: The Mayor said AMEC and Pickering Engineering will be assisting the City with grant application for a portion of the 20 Million dollars but have been approved by Congress for dredging of drainage ways; this will be an Army Corp. of Engineers Project.
Re: Mayor Garcia mentioned to Board members that he passed out correspondence from the Library and will be getting back with City Attorney, Gary Yarborough about this.

ALDERMEN'S COMMENTS:

Re: Alderman Stahler reminded everyone to vote next Tuesday (November 8, 2011); it is a very important County and Statewide election.

Re: Alderman Lafontaine asked Comptroller Janet Dudding for a financial update which was provided.

Re: Alderman Kidd discussed drainage issues in Idlewood and the need to improve the sound system for Board meetings in the auditorium. Mayor Garcia said he intended to work on it personally before the next Board meeting.

AGENDA

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

Alderman Stahler moved, seconded by Alderman Lafontaine amend the agenda to include the attached Addendum to the 11/01/2011 Regular Agenda.

(EXHIBIT B)

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

CHANGE ORDERS/POLICE DEPARTMENT/PROJECTS/POLICE STATION

Re: Approve Change Order No. 5 to allow an additional 102 days

Alderman Geoffrey moved, seconded by Alderman Kidd to approve change order number five, which would allow an additional 102 days for the completion Police Department project by C. Perry Builders, Inc. **(EXHIBIT C)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

POLICE DEPARTMENT/INSURANCE/PROJECTS/POLICE STATION

Re: One time renewal of Builder's Risk Insurance – City Hall Complex Project

Alderman Kidd moved, seconded by Alderman Stahler to pay unto C. Perry builders, Inc. an amount up to but not exceeding \$12,858.00 for a one-time renewal in January 2012 of builders risk insurance on the Police Department project. Renewal after that fact will not be the responsibility of the City.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

POLICE DEPARTMENT/PROJECTS/POLICE STATION

Re: Submittal for flagpole, fence and toilet accessories recommended by Architect

Alderman Geoffrey moved, seconded by Alderman Stahler to approve and return to C. Perry Builders, Inc. submittal for flagpole, fence, and toilet accessories, which were recommended for approval by architect, Mr. Nofie Alfonso. **(EXHIBIT D)? (ask City Atty)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

RESOLUTIONS/POLICE DEPARTMENT/PROJECTS/POLICE STATION/AGREEMENTS/

Re: Resolution with C. Perry Builders, Inc. for City Personnel to carry out terms of agreement set for in Resolution

Alderman Kidd moved, seconded by Alderman Geoffrey to approve and enter a Resolution with C. Perry builders, Inc., and authorize the Mayor to execute that resolution and to authorize all necessary city personnel to carry out the terms of that agreement. **(EXHIBIT E)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

MINUTES

Re: Meeting of October 19, 2011

Alderman moved Lafontaine moved, seconded by Alderman Geoffrey, to approve the Minutes of the meeting of October 19, 2011 as submitted by the City Clerk. **(EXHIBIT F)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

RSVP

Re: Claims

Alderman Kidd moved, seconded by Alderman Stahler to approve the R.S.V.P. Claims.
(EXHIBIT G)

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. 69453-69545

Spread on the Minutes the Dockets of Claims approved by the Board at their October 19, 2011 Board meeting, being numbered 69453-69545 as submitted by the City Clerk.
(EXHIBIT H)

Re: Approval to Pay Highlighted Invoices on Proposed 11/01/2011 Spreadsheet Docket Schedule

Alderman Stahler moved, seconded by Alderman Kidd to approve Payment of Highlighted Invoices (yellow with letter 'D') listed on the Proposed 11/01/2011 Spreadsheet Docket schedule, as proposed by the City Clerk. **(EXHIBIT I)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

PLANNING AND ZONING (EXHIBIT J)

Re: Gary Veglia, 4168 Highway 90

Gary Veglia appeared before the commission with a request for a zoning change on his property located at 4168 Highway 90. Legal description: S ½ lot 5, (Pt. SW ¼ - SW ¼), City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Tish Ortiz that the Planning & Zoning Commission recommends that the Board of Mayor and Aldermen approve rezoning Parcel Number 138N-2-33-012.001 as Commercial Highway District C-3 subject to the following two provisos:

1. That applicant acknowledge in a manner satisfactory to the City Attorney that applicant has been advised and understands that Waveland law does not permit the use of the parcel as an access road, truck staging area or in any other manner as an accessory use to the nearby scrap metal yard in Hancock County; and
2. The rezoning of Parcel Number 138N-2-23-012.001 to Highway Commercial C-3 shall not take effect unless and until the City of Waveland is satisfied by proof that the parcel has been deed restricted as follow:

“As a requirement for the rezoning of Parcel Number 138N-2-23-012.001 as Commercial Highway C-3 by the City of Waveland, an owner or lessee of Parcel

Number 138N-2-23-012.001 or of a sub-divided portion thereof is hereby restricted from constructing or allowing vehicular access to and from Parcel Number 138N-2-23-012.001 or a sub-divided portion thereof as follows: at any point along Fricke Road; by an access drive from Frontage Road located less than seventy-five (75) feet from the Fricke Road intersection; or by curb cut or the equivalent thereof located along Frontage Road less than one hundred twenty-five (125) feet from the Fricke Road intersection.

Alderman Lafontaine moved, seconded by Alderman Kidd to approve the request as recommended by the Planning and Zoning Commission.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

Re: Herbert Dubuisson representing Dorian M. Bennett, 403 N. Beach Boulevard
Herbert Dubuisson representing Dorian M. Bennett appeared before the commission with a request to remove three live oak trees on his property located at 403 N. Beach Boulevard. Legal description: Part of lot 23 A, 2nd Ward, City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Brenda McComb to recommend that the Board of Mayor and Aldermen table the request so that additional information is provided and addressed by the applicant's arborist on each of the three trees individually.

Alderman Geoffrey moved, seconded by Alderman Stahler to approve the request as recommended by the Planning and Zoning Commission.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

RESOLUTION/TOURISM BOARD

Re: Approve Resolution Regarding the 2% Tourism Tax (bed tax on motel rooms)

Alderman Lafontaine moved, seconded by Alderman Stahler to approve a Resolution to the Mississippi Legislature requesting that the repealer date regarding the 2% tax (bed tax on motel rooms) for the Hancock County Tourism Bureau be returned to July 1, 2015 from March 1, 2012. Representatives from the Tourism Commission were present to discuss and answer questions. **(EXHIBIT K)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

INSURANCE/

Re: BCBS Health Renewal Proposal for 2012 implementing Tobacco Free Workplace

Alderman Stahler moved, seconded by Alderman Lafontaine to approve the BCBS proposal effective 12/1/2012; same benefits as for 2011, but the rate for Tobacco Free. The lower rate produces savings that amount to approximately 15%. The share to be paid by each employee shall be reduced to 35% instead of the current 50% match, or \$30.19 to each employee per month (\$362.28/year). This motion saves the City of Waveland approximately \$15,500 annually in health insurance premiums paid. Also approve the Letter of Understanding committing City of Waveland property as Smoke Free/Tobacco Free. (EXHIBIT L)

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

GAS LINE PERMIT

Re: Beach Blvd. Gas Line permit prepared by CDM

Alderman Kidd moved, seconded by Alderman Geoffrey to approve gas line permit as prepared by Camp, Dresser and McKee, Digital Engineering, Inc. and Hemphill Construction, contingent on final approval by Hancock County Board of Supervisors. (EXHIBIT M)

A vote was called for with the following results:

Yea: Stahler, Geoffrey, and Mayor Garcia (To break tie)

Nay: Lafontaine, Kidd

Absent: None

WATER SYSTEM EXTENSION/PROJECTS

Re: Approve Setting Substantial Completion date as 9/30/2011 for the Water Mains only

Alderman Geoffrey moved, seconded by Alderman Kidd to approve recommendation (reference the letter by Digital Engineering) to set the substantial completion date, of the water mains only, regarding the Water System Extension as September 30, 2011. (EXHIBIT N)

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

INVOICES/TIDELANDS/PEDESTRIAN PATHWAY /HMGP/ DRAINAGE/ CENTRAL FIRE STATION/POLICE STATION

Re: Consider Invoices as submitted by various contractors

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the following invoices submitted for payment by various 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: as listed (Items a-e): (EXHIBIT O)

- a. Invoice No. 201-150-31 from Compton Engineering in the amount of \$310.00 – Tideland's Semi-Annual DMR report preparation and submittal.

- b. Invoice No. 209-088.005-10 from Compton Engineering in the amount of \$4,600.00–Waveland Bike Path.
- c. Invoice X17326196 from AMEC Earth and Environmental in the amount of \$98.25 – HMGP, Ap for Drainage.
- d. Invoice No. 1006-18 from GM&R in the amount of \$244,043.00 – Central Fire Station.
- e. Pay Request No. 16 from C. Perry Builders in the amount of \$113,139.30 – Police Station.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

CHANGE ORDERS/POLICE STATION
Re: C. Perry Builders Change Order No. 4

Alderman Stahler moved, seconded by Alderman Geoffrey to approve Change Order No. 4 - REVISED, at the request of Digital Engineering, from C. Perry Builders in the amount of \$67,226.32 for the Waveland Police Station and also to increase the contract time by 90 days (Tabled from the September 21, 2011, October 4, 2011 and October 19, 2011 meetings) **(EXHIBIT P)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

BUDGET MODIFICATIONS/CITY HALL AND CITY HALL ANNEX/CENTRAL FIRE STATION/SANITARY SEWER SYSTEM IMPROVEMENTS, WEST
Re: Consider Budget Modifications as submitted by Gouras Urban Planning

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve the following Budget Modifications as submitted by Jimmy G. Gouras Urban Planning Consultants as listed, (Items a-c): **(EXHIBIT Q)**

- a. R-109-379-02-KCR, Budget Modification No. 10 - City Hall and City Hall Annex.
- b. R-118-379-01-HCCR, Budget Modification No. 3 – Central Fire Station.
- c. R-118-379-03-HCCR, Budget Modification No. 4 – Sanitary Sewer System Improvements, West.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

ADJOURN
Re: Adjourn meeting at 8:42 p.m.

Alderman Lafontaine moved, seconded by Alderman Kidd to adjourn the meeting at 8:42 p.m.

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Meeting of November 1, 2011
6:30 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 November 18, 2011.

Lisa Planchard
City Clerk

The Minutes of November 1, 2011 have been read and approved by me on this day the 18th day of November, 2011.

David A. Garcia
Mayor

