

**Agenda
Regular Meeting of
Tuesday June 7, 2022**

1. Pledge of Allegiance
2. Moment of silence
3. Roll Call
4. Mayor's Comments:
 - a. Presentation to Lowe's
 - b. Police Lieutenant Chad Dorn to discuss the need for Body Cameras and the potential for the Grant for the same.
5. Aldermen's Comments:
6. Public Comments:
 - a. Mr. Donald Thomas

BLIGHTED PROPERTY

7. Sleep King Building, 209 Highway 90, Haydel Investments LLC
8. 0 George Lane

KEEP WAVELAND BEAUTIFUL

9. Mr. Bryan Therolf with Keep Waveland Beautiful to discuss the following issues.
 - a. Least Tern Nesting Area North Beach
 - b. Business Incubation Building – Exterior Renovation
 - c. Gex Park – Site plan, porticos,

PLANNING AND ZONING

10. **Michael Prendergast, owner of the property commonly known as 131 Dogwood Dr,** made an application to the commission requesting a variance to the fence requirement that a privacy fence must be sloped down to three (3) feet. The request is to continue the six-foot privacy fence down to five (5) feet starting from the twenty-five (25) foot front setback line and continue to the front property line.

Mr. Prendergast was not able to attend the meeting as he was out of town. Chairman Jim Meggett asked if there was anyone present to comment on the case. No one came forward to comment. Chairman Meggett made a comment that he is the adjacent neighbor to the requested fence and he has no problem with it. Chairman Meggett asked for a motion to approve the variance request. Commissioner Harris moved, seconded by Commissioner Watson to approve the variance as written.

After a unanimous vote by all commissioners present in favor of the motion, Chairman Jim Meggett declared the motion passed.

11. **James Thornton, owner of the property commonly known as 801 Carroll St,** came before the Commission to request a conditional use for an accessory structure over 500 square feet. The request is to increase the size of his garage of 480 square feet. He is requesting to add 1,000 square feet for a total building size of 1,480 square feet. No setback variance needed.

The applicant gave a brief summary of his plans for the accessory structure and it was revealed that the additional accessory structure height was going to be higher than what the zoning ordinance allows. Attorney Malcom Jones suggested that the commissioner vote on the size only since the height was not in the application. If the applicant wishes to increase the height of the accessory structure addition, then he will have to make a new application for that variance request. Chairman Jim Meggett called for a motion to approve the conditional use of an accessory structure over 500 square feet. Commissioner Frater moved, seconded by Commissioner Watson to approve the conditional use of an accessory structure over 500 square feet as written.

Agenda
Regular Meeting of
Tuesday June 7, 2022

After a unanimous vote by all commissioners present, Chairman Jim Meggett declared the motion passed.

12. **Chris Genin, owner of the property commonly known as 239 Pine Ridge Dr**, came before the commission to request a rear-yard setback variance for an accessory structure of twenty-one (21) feet, resulting in a setback of four (4) feet. The applicant is also requesting a side-yard variance of ten feet, five inches (10' 5"), resulting in a side-yard setback of 4 feet, seven inches (4' 7").

The applicant stated that the variance is being requested because of an old shed being damaged from Zeta and was torn down to be replaced. He stated that a section of the slab foundation for the accessory structure is pre-existing. The applicant added six feet (6') to the front of the slab, increasing the length towards the front property line, in order for a larger accessory structure to be put in the same place as the previous accessory structure. After a brief discussion between the commissioners and the applicant, Chairman Jim Meggett called for any public comments on the case. Mr. Donald Thomas, owner of the property at 324 Sandy St., behind the applicant's property, came before the commissioner in opposition to the variance request at 239 Pine Ridge Dr. Mr. Thomas gave a lengthy presentation on why he believes the variance request should not be approved and supplied presentation packets to all of the Commissioners present as well as City Attorney Malcom Jones and Building & Zoning Clerk, Jeanne Conrad.

After all clarifications and discussions between the commissioners, the applicant, Mr. Jones, and Mr. Thomas, Chairman Jim Meggett called for a motion to approve the variances as written. No motion was made.

Commissioner Bryan Frater made a recommendation to approve variances of five feet (5') from the rear and side property lines with the extended slab based on the most current survey provided by Duke Levy and Associates. Commissioner Watson seconded the motion with Commissioner Frater's recommendation.

After a unanimous vote to approve the recommendation by Commissioner Frater, Chairman Meggett declared the motion passed.

13. **Michael McDonald, owner of the property commonly known as 802 Waveland Ave**, made an application for a conditional use for the construct of an accessory structure of less than 500 square feet. The purpose of the conditional use is because there is no house on the property. Building Codes, Subdivision Ord. and Zoning Ord. do not permit an accessory structure to be placed on a residential property until building plans are approved and the foundation for the residence is in place and approved by inspection.

The applicant notified Commissioner Watson that he would not be able to attend the meeting as he was under the impression his case would be on the June 13th meeting and not this one. The Commissioners agreed at the suggestion of Attorney Malcom Jones to continue this case on the June 13th Meeting and to send out new notices with the new date. Chairman Jim Meggett called for a motion to continue this case to the June 13th meeting. Commissioner Frate moved, seconded by Commissioner Harris to continue to the case as suggested.

After a unanimous vote by all commissioners present, Chairman Meggett declared the motion passed.

14. **Kerri Pelligren, leasing the property commonly known as 305 N Beach Blvd**, with the permission of the property owner, Larry Tomlinson, came before the board with a conditional use request for the development of a "Wedding Venue" on the property. This is a commercial business activity and requires a conditional use under Section 601.2(H) – "Uses not anticipated in this ordinance which is otherwise consistent with the goals for and requirements of the district."

The applicant gave a brief summary of her plans for a "tented wedding venue" on the property. She stated that she has a plan of multiple phases which include the possible

Agenda
Regular Meeting of
Tuesday June 7, 2022

construction of cottages to be used during wedding venues and the anticipated construction of her and her husband's permanent residence on the property. The conditional use request is only for the right to use the property for this type of business since it is not cited in the current zoning ordinance. City Attorney Malcom Jones said that when the applicant is ready to begin her phases of constructing structures to be used for the business venture, she will have to submit a business plan with structure layout and parking. After a discussion between the commissioners, the applicant, and Attorney Malcolm Jones, Chairman Jim Meggett called for anyone who wanted to comment on the case. No one came forward to comment. Attorney Malcom Jones made a suggestion to approve the conditional use request with the conditions that the events be over no later than 11:00pm and that they maintain 2 entrances, one on N. Beach Blvd and the other on Central Ave. in order to help traffic move more efficiently. Chairman Meggett called for a vote on the conditional use request as recommended by Attorney Malcom Jones. Commissioner Watson moved, seconded by Commissioner Frater to approve the use of a "Wedding Venue" only.

After a unanimous vote by all commissioners present, Chairman Meggett declared the motion passed.

- 15. Kathryn and Michael Perito, owners of the property commonly known as 110 Whispering Pines Dr.,** came before the commission to request a rear-yard variance of ten feet (10') resulting in a rear-yard setback of fifteen feet (15'). The purpose is to make additions to their residence in order to add 2 rooms and a covered deck at the rear of the house.

After a brief discussion between the commissioners and the applicant, Chairman Jim Meggett called for any public comments on the case. No one came forward to comment. Chairman Meggett called for a motion to approve the variance of ten feet (10') on the rear yard setback. Commissioner Frater moved, seconded by Commissioner Harris to approve the rear yard variance.

After a unanimous vote by all commissioners present, Chairman Meggett declared the motion passed.

- 16. Jude and Celeste Foto, owners of the property commonly known as 127 Market St.,** came before the commission to request a variance of ten feet (10') from the rear yard setback resulting in a fifteen-foot (15') setback from the rear property line.

The owners were not present for the meeting. Chairman Jim Meggett called for any questions or any public comments on the case. No one had any questions or any comments from the public. Chairman Meggett called for a vote to approve the variance request of ten feet (10') from the rear setback requirement resulting in a fifteen-foot (15') rear yard setback. Commissioner Watson moved, seconded by Commissioner Frater to approve the variance as written.

After a unanimous vote by all Commissioners present, Chairman Meggett declared the motion passed.

CONSENT AGENDA

17. Motion to approve the following Consent Agenda being listed Items a-l.
- a. Approve Ordinance 380 adopting the newly Redistricted lines.
 - b. Approve the Utility refund claims in the amount of \$3,440.00as submitted.
 - c. Approve the minutes of the Regular Meeting of May 3, 2022, as submitted.
 - d. Approve the minutes of the Special Meeting of May 25, 2022, as submitted.
 - e. Consider naming Building Official Josh Hayes as Storm Water Manager.

Agenda
Regular Meeting of
Tuesday June 7, 2022

- f. Consider amending the Holiday Schedule to reflect the Juneteenth Holiday as Monday June 20, 2022, the original schedule noted Friday June 17, 2022.
- g. Approve authorizing Comptroller Kim Boushie to act as Tidelands Coordinator.
- h. Motion to authorize Comptroller Kim Boushie to sign Purchase Requests.
- i. Motion to authorize the Waveland Police Department to open a checking account for the deposit of all Community Outreach Funds and approve Police Chief Mike Prendergast and Assistant Police Chief Phillip Pavolini as signatories on the same.
- j. Consider adopting Order setting general election and primary election dates for 2022 and commencing time period for candidates to qualify for office with a qualifying deadline of August 5, 2022.
- k. Consider adopting ordinance amending Ordinance No. 373, Section III(B) increasing the rate for residential and commercial garbage services from \$9.98 to \$16.50 effective July 1, 2022.
- l. Approve Invoice # 22-0023 from Chiniche Engineering & Surveying in the amount of \$3,115.00 – Drainage Data Gathering Engineering Services.

END CONSENT AGENDA

- 18. Motion to approve the Docket of Claims paid and unpaid in the amount of \$858,266.97 dated June 7, 2022, as submitted.
- 19. Motion to approve the following Close-Out Documents and authorize the Mayor's signature thereon:
 - a. Final Construction Estimate LPA-001 and LPA-002 (4 with original signature)
 - b. Statement of liquidated Damages Form LPA-724
 - c. MDOT Maintenance Release Letter to LPA
 - d. LPA Maintenance Release Letter to Contractor.
 - e. Consent of Surety to Final Payment
 - f. Consent of Contractor to Final Payment.
 - g. Project Engineering/Architect's Affidavit.
 - h. State of Materials & Tests.
 - i. OCR-482-LPA Form with Quantity Report.
 - j. Project Engineer/Architects Project Diary.
 - k. Copy of All Supplemental Agreements and Quantity Adjustments.
 - l. Final Construction Engineering Estimate.
- 20. Motion to approve an Agreement with Southern Mississippi Planning & Development District (SMPDD) to act as a Host Agency Partner in the Senior Community Service Employ Program (SCSEP). The SCSEP Program provides Job Training for older workers, authorize the Mayor's signature thereon.
- 21. Attorney's Comments
- 22. Motion to enter a closed session to discuss
- 23. Motion to enter an executive session to discuss
- 24. Motion to come out of executive session.
- 25. Adjourn