

**Agenda**  
**Regular Meeting of**  
**Tuesday August 2, 2022**

1. Pledge of Allegiance
2. Moment of silence
3. Roll Call
4. Mayor's Comments:
  - a. Motion to sanction the Coleman Avenue Labor Day Event as a City of Waveland event, and authorize Ms. Brenda McComb to act as the Representative of the City during pre-event planning and during the event.
5. Aldermen's Comments:
6. Public Comments:

**PLANNING AND ZONING**

7. **GASTON GALJOUR, OWNER OF THE PROPERTY COMMONLY KNOWN AS 148 FAVRE ST, HAS MADE AN APPLICATION FOR BOTH SIDE YARD SETBACK REQUIREMENTS OF 12' 6" FOR A LOT WITH FRONTAGE OF 50' OR LESS TO HAVE RECORDED ON A PRE-EXISTING HOUSE. THE REQUESTED SIDE YARD VARIANCES ARE FOR 2' 6" ON BOTH SIDES RESULTING IN 10' SIDE YARD SETBACKS. (TABLED FROM THE JULY 20 MINUTES)**

Mr. Galjour was not able to be present for the meeting and no one came forward to comment on the application. The Commissioners noted that this case was brought before the Commissioners before at the June 13<sup>th</sup> meeting where the owner was able to be present and answer questions. Therefore, the commissioners stated that they had all of their questions answered and the previous meeting.

Commissioner Adams asked if anyone would like to make a comment on this case. Althea Boudreaux, owner of 116 & 118 Favre St., came forward in support of the variances.

Commissioner Adams called for a motion to approve the variances which were changed at the previous meeting on June 13, 2022 of 5' on each side. This gives a 7.5' side yard setback on each side. Commissioner Frater moved, seconded by Commissioner Adams.

After a unanimous vote by all commissioners present, Commissioner Adams declared the motion passed.

8. **DONALD DUPLANTIER, OWNER OF THE PROPERTY COMMONLY KNOWN AS 140 ANGEL LN, HAS MADE AN APPLICATION FOR THE TEMPORARY USE OF AN RV DURING NEW CONSTRUCTION. THE RV WILL BE PLACED ON THE PROPERTY AFTER THE FOUNDATION IS IN PLACE PER REGULATIONS OF ORD. #349 SEC 309.5. THE NEW CONSTRUCTION PERMIT HAS BEEN ISSUED.**

Mr. Duplantier came forward to explain his request and answer questions from the Commissioners.

Building and Zoning Clerk, Jeanne Conrad, made a comment that the New Construction permit has been issued but the foundation has not been put in place yet. Commissioner Frater made a comment to reinforce the Zoning Ord. that states the foundation must be in place before the RV can be put on the property.

Commissioner Adams called for anyone who would like to comment on this case. Ann Steinmetz, owner of 128 Favre St., came forward to support the request.

After all discussions, Commissioner Adams made a motion to approve the Temporary Use of an RV during Construction request as written. Commissioner Harris seconded the motion.

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After a unanimous vote by all Commissioners present, Commissioner Adams declared the motion passed.

Commissioner Adams made a comment that this case will be heard at the Board of Mayor and Aldermen meeting on Tuesday, August 2, 2022 in the City Hall Board Room.

9. **MARK HINTERLANG, OWNER OF THE PROPERTY COMMONLY KNOWN AS 214 S. CENTRAL AVE, HAS MADE AN APPLICATION FOR TWO VARIANCES. A FRONT YARD VARIANCE OF THREE (3) FEET IN ORDER TO BE TWENTY-TWO (22) FEET FROM THE FRONT PROPERTY LINE & A REAR YARD VARIANCE OF FOURTEEN (14) FEET IN ORDER TO BE ELEVEN (11) FROM THE REAR PROPERTY LINE.**

Mr. Hinterlang came forward to explain his request to the Commissioners. After discussion between the applicant and the Commissioners, Commissioner Adams called for anyone who would like to comment on this case. No one came forward to comment.

Commissioner Adams called for a motion to approve the variances. Commissioner Frater moved to deny the front variance request but to increase the rear yard variance request by 3' which would be an 8' rear yard setback. Commissioner Adams seconded the motion.

After a unanimous vote by all Commissioners present, Commissioner Adams declared the motion passed.

Commissioner Adams made a comment that this case will be heard at the Board of Mayor and Aldermen meeting on Tuesday, August 2, 2022 in the City Hall Board Room.

10. **SUE JOHNSON, OWNER OF PROPERTY PARCEL #138M-0-33-088.002, HAS MADE AN APPLICATION FOR VARIANCES IN ORDER TO SPLIT HER PARCEL INTO TWO (2) NON-CONFORMING BUILDABLE PROPERTIES. THE VARIANCES ARE FOR THE STREET FRONTAGES AS WELL AS SQUARE FOOT REQUIREMENTS OF ZONING ORD. 349 SEC 701: AREA, YARD, & HEIGHT REQUIREMENTS FOR R-1 SINGLE FAMILY RESIDENTIAL DISTRICT. SHE IS REQUESTING SEVENTY-FIVE (75) FEET FRONTAGE & 7,500 SQUARE FEET OF AREA ON BOTH PROPERTIES.**

The applicant was not present for the meeting. After a brief discussion between the Commissioners, Commissioner Adams called for anyone to speak on the case. No one came forward. Commissioner Harris asked if the Commissioners should table or continue the application request in order for the applicant to be present for the meeting. City Attorney, Malcolm Jones, made a comment that the Commissioners can make a motion on the application without the applicant present. It is not a requirement that the applicant be present for the meeting.

Commissioner Adams made a motion to approve the Variance request as written. Commissioner Frater seconded the motion.

After a vote of YES from Commissioners Adams and Frater with a vote of NO from Commissioner Harris, Commissioner Adams declared the motion passed.

Commissioner Adams made a comment that this case will be heard at the Board of Mayor and Aldermen meeting on Tuesday, August 2, 2022 in the City Hall Board Room.

11. **JARED RIECKE, OWNER OF THE PROPERTY COMMONLY KNOWN AS 118 AUDERER BLVD, HAS MADE A CONDITIONAL USE APPLICATION FOR THE PROPOSAL OF A MEDICAL CANNABIS CULTIVATION FACILITY. THE USE OF THE BUILDING WILL BE A PARTNERSHIP BETWEEN COAST CANNA DISPENSARY & COAST CANNA-ZENLABS PROCESSING CENTER.**

John Newman, representative of ZenLabs and potential partner with Jared Riecke, owner of the building for the proposed Cultivation Facility, came forward to explain the request.

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Discussion was held between Mr. Newman and the Commissioners. After the Commissioners' questions, Commissioner Adams called for anyone who would like to comment on this case. Ann Steinmetz, owner of 128 Favre St., and Bob Martin came forward to ask questions and clarifications on the request.

After all discussions were completed, City Attorney Malcolm Jones suggested a condition in order to control any odor from the facility by requiring the use of an activated carbon filter system.

Commissioner Adams made a motion to approve the conditional use application as written with the condition that an activated carbon filtration system be required. Commissioner Frater seconded the motion.

After a vote of YES by Commissioners Adams and Frater and a vote of NO by Commissioner Harris, Commissioner Adams declared the application meets all conditions and criteria set forth in the zoning ordinance section 906.3 and the motion passed.

Commissioner Adams made a comment that this case will be heard at the Board of Mayor and Aldermen meeting on Tuesday, August 2, 2022 in the City Hall Board Room.

Commissioner Adams called for any additional comments from the Commissioners. Commissioner Frater made a comment about how there is no application fee in the Zoning Ordinance for Conditional Use applications and asked about repercussions for violators. Mr. Jones replied with a few examples of ways to enforce codes and conditions.

**KEEP WAVELAND BEAUTIFUL**

12. Mr. Bryan Therolf with Keep Waveland Beautiful

**CONSENT AGENDA**

13. Motion to approve the following Consent Agenda being listed Items a-

- a. Approve the Utility refund claims in the amount of \$3,965.00 submitted.
- b. Spread on the minutes that Terrance Gerald, hired at the meeting of July 5, 2022, chose not to take the offer of employment with the City.
- c. New Hire Mr. Thomas McPherson as a Locator at a rate of \$14.50 per hour, pending passage of drug test. Mr. McPherson has gas certifications.
- d. Spread on the minutes the resignation of Officer Jody Richardson, effective July 25, 2022.
- e. Spread on the minutes the resignation of Zoning Clerk Dave Draz, effective August 24, 2022.
- f. Approve a request from Building Official Josh Hayes to name Ms. Jeanne Conrad as the Clerk for Permits, Building Inspections, Zoning Clerk and CRS Coordinator at a rate of \$18.10 per hour.
- g. Name Ms. Kyleigh Seale as Deputy City Clerk.
- h. Approve Ms. Kyleigh Seale as a signatory on the City's various bank accounts.
- i. Motion to authorize the City Clerk to open City of Waveland RSVP account with People's Bank.

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- j. Implement internal controls concerning Fuelman and authorize Department Heads to approve all Fuelman invoices, and recommend all fuel purchases be made within the City of Waveland.
- k. Spread on the minutes correspondence from the Ground Zero Museum Board, supporting the installation of EV stations at the Building.
- l. Consider rescinding award of bid dated April 20, 2022, to Coastal Development and Construction LLC for construction of Public Works Pole Barn due to issues of advertisement for bids. (It was discovered after the advertisement for bids was properly published that the advertisement was not also posted on the Miss Contract Procurement website by the former City Clerk as required by the State purchasing laws. The contractor had not previously commenced work because the City was waiting on FEMA approval for the improved project, which was recently received, before it authorized the engineer to issue a notice to proceed.) And Spread on the minutes correspondence from City Attorney Malcom Jones to Compton Engineering concerning the Public Works Pole Bank Construction bid.
- m. Consider approving re-advertising for the Public Works Pole Barn.
- n. Approve a Resolution creating the "Mississippi Law Enforcement and Firefighter Premium Pay Program." The bill was signed into law under Mississippi House Bill 1542 establishing Hazard pay for First Responders efforts during Covid-19 pandemic.
- o. Motion to approve election expense in the amount of \$7,000.00 for supplies, advertising and the training of staff, commissioners and poll workers. This was not fully budgeted for.

**END CONSENT AGENDA**

- 14. Motion to approve the Docket of Claims paid and unpaid in the amount of \$1,634,813.41 dated August 2, 2022, as submitted.
- 15. Public Works Manager Bo Humphrey to discuss Monroe and Carroll Streets.
- 16. Motion to approve a Service Change Request from TEC for the installation of two antenna extenders at the Ground Zero Museum at a cost of \$175 each for the cabling, \$350 one time installation fee, and a month charge of \$17.50 per month and authorize the Mayor's signature thereon.
- 17. Motion to approve naming DNA Underground, LLC as the lowest, best and most responsive quote in the amount of \$57,152.00 for the to work with and assist the Public Works Department to uncover an existing manhole that has been paved over on the westside of Monroe Street and the northwest corner of the intersection with Carroll Street.
- 18. Motion to approve Invoice# 22-002-002 from Chiniche Engineering & Surveying in the amount of \$1,843.00 – Jackson Marsh.
- 19. Motion to approve Invoice 22-003-002 from Chiniche Engineering & Surveying in the amount of \$9,866.00,
- 20. Motion to approve Work Order No. 22-002-004 from Chiniche Engineering & Surveying for GIS Coordination in an amount not to exceed \$2,500.00 and authorize the Mayor's signature thereon.
- 21. Motion to approve a request from the Ground Zero Museum to purchase from Lowes, 1 Asheville Shed being 10 ft x 16ft in the amount of \$5,429.00. The shed will be used to store various items used during Holidays.

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22. Motion to consider approving and ratifying engagement letter with Wright, Ward, Hatten and Guel for special accounting services to assist in preparation for audit, and authorize the Mayor's signature thereon.
23. Motion to increase the dumpster pickup at the Lighthouse 2 times per week at a cost of \$150.00 per week.
24. Consider termination of employment of Brennan Robinson for misconduct as recommended by Supervisor Bo Humphrey, effective July 27, 2022.
25. Attorney's Comments
26. Motion to enter a closed session to discuss
27. Motion to enter an executive session to discuss
28. Motion to come out of executive session.
29. Adjourn