

Agenda
Regular Meeting of
Wednesday October 5, 2022

1. Pledge of Allegiance
2. Moment of silence
3. Roll Call
4. Mayor's Comments:
 - a. Open bids for the Veterans Memorial and the Public Works Pole Barn.
 - b. Motion to spread on the minutes the bids received for the Veterans Memorial and Pole Barn were opened and taken under advisement.
 - c. Motion to amend the agenda to add Blighted Property discussion concerning 445 Waveland Avenue (Old Magic Mart) Agenda Item 8.
5. Aldermen's Comments:
6. Public Comments:

BLIGHTED PROPERTY

7. 207 Taranto, Property Owner Tori Lowe (Tabled from the 9-21-2022)
8. 445 Waveland Avenue

PLANNING AND ZONING

9. **John Newman, Representative for Coast Canna-ZenLabs LLC**, has made an application for Conditional Use to have a Medical Cannabis Processing/Extracting Facility at the property commonly known as 118 Auderer Blvd, parcel #138P-0-33-250.001 (Jared Riecke – Current Owner). This will be the same location that the Cultivation Facility will be operated. The property is in the C-3 Highway Commercial Zoning District.

Mr. Newman came forward to explain his request. Mr. Newman stated that this facility will only have the Cultivation and Processing abilities. A Dispensary will not be included at this location which means there will be no civilian access other than employees. Commissioner Bryan Frater asked if there will be a fence. Mr. Newman stated that a fence will not be necessary or practical since the building is secure enough based on the state mandated requirements. They will be having 360-degree video surveillance and alarm system 24/7. Mr. Newman gave a verbal description of the layout of the building and Chairman Meggett requested a physical floorplan to be submitted to the Planning & Zoning Office.

Mr. Rudy Letellier came forward to speak on behalf of the applicant and voice his support for Mr. Newman's business venture.

After discussion between the applicant, Commissioners, and City Attorney, Malcom Jones, Chairman Meggett called for anyone else to come forward and speak for or against the application. No one came forward from the audience. Commissioner Frater asked Zoning Manager, Jeanne Conrad, if anyone contacted the Zoning office in regards to the application. Jeanne Conrad replied that no one sent any responses for or against the application.

Chairman Meggett called for a motion to approve or deny the application. Commissioner Mike Adams made a motion to approve the application as written, seconded by Commissioner Frater. Chairman Meggett stated that the criteria set forth by Section 906.3 of the Zoning Ordinance have been met (see addition below).

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

Agenda

Regular Meeting of Wednesday October 5, 2022

10. **Glennis Neil Jr., owner of the property commonly known as 204 St. Joseph St, parcel #161E-02-214.000**, has made an application for a Conditional Use in order to put two (2) more vacation cottages on his property which is allowed, by right, to have three (3) which are currently being built. This property is located in the CO-2 Coleman Open Zoning District.

Mr. Neal Jr. came forward to explain his request. Chairman Meggett suggested that the Commissioners make a condition to require a five (5) feet side-yard setback since the CO-2 Coleman Open District does not have a side-yard setback requirement. The applicant stated that his site plan in the application positions the cottages five (5) feet from the property lines. The depiction did not specifically state the distance.

After all discussion between the applicant and the Commission, Chairman Meggett called for anyone to come forward to speak for or against the application.

Althea Boudreaux came forward to speak in opposition to the application.

City Attorney, Malcom Jones, suggested a condition that the applicant must meet all drainage requirements set forth by the Building Code Office as part of the application.

After all discussions between the applicant and the Commission, Chairman Meggett called for a motion to approve or deny the application with the five (5) feet side-yard setback requirement and the drainage plan condition suggested by Malcom Jones. Commissioner Mike Adams made a motion to approve the application with the conditions, seconded by Commissioner Frater.

Chairman Meggett stated that application meets all conditions and criteria set forth by Section 906.3 of the Zoning Ordinance have been met. After a unanimous vote by all commissioners present, Chairman Meggett declared the motion passed.

11. **Mr. Malcom Jones stated that the motion for the previous application for Mr. Newman needed to be amended** to include the criteria from Section 906.3 of the Zoning Ordinance have been met. Commissioner Adams moved, seconded by Commissioner Frater to amend the motion for John Newman's application at 118 Auderer Blvd. Medical Marijuana Processing Facility (see noted above). **(Amend the Commissioners vote to include criteria from Section 906.3.**

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

12. **Frederick Harris, owner of the property commonly known as 209 Piney Ridge Rd parcel #162Q-1-10-016.000**, has made an application for a Conditional Use for an Accessory Structure over 500 sq ft and an application for a three (3) foot Variance for the structure to be placed seven (7) feet from the left side-yard property line in order to utilize the existing driveway. The proposed accessory structure will be 720 sq ft.

Mr. Harris came forward to explain is request. After discussion between the applicant and the Commission, Chairman Meggett called for anyone to come forward and speak for or against the application. No one came forward from the audience.

Chairman Meggett stated that the conditions and criteria from Sections 906.1 for Variances and 906.3 for Conditional Uses of the current Zoning Ordinance have been met. Chairman Meggett called for a motion of the application as written. Commissioner Frater moved, seconded by Commissioner Harris to approve the application for variance and conditional use.

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

Agenda
Regular Meeting of
Wednesday October 5, 2022

13. **John Komidor, owner of the property commonly known as 102 Seabrook Dr,** parcel # 161B-2-01-019.001, has made an application for a Conditional Use for an Accessory Structure over 500 sq ft and an application for a five (5) foot Variance for the structure to be placed five (5) feet from the left side-yard property line. The proposed accessory structure will be 936 sq ft. **(See Number 14)**

The applicant was not able to attend the meeting, however, Zoning Manager Jeanne Conrad stated that per her conversation with the applicant, he would be listening to the Live Stream on YouTube for any questions. The commissioners had a couple of questions and asked that the applicant contact the Zoning Manager to call into the meeting. In the meantime, the commissioners decided to put this item to the end of the meeting while they waited for the applicant's contact.

14. **Toby Scelson, owner of the property commonly known as 222 Sandy St.,** parcel #162J-0-10-211.000, has made an application for the Temporary Use of an RV during New Construction. The RV will be used as temporary occupancy while the primary dwelling is being constructed. Approval will allow the RV to be occupied for 180 days for these purposes.

The applicant was not able to attend the meeting. Mr. & Mrs. Lemoine, uncle and aunt of applicant, came forward on behalf of the applicant to explain the request. After questions and discussion between the representatives and the commission, Chairman Meggett called for anyone to make a comment for or against the application. No one came forward. Chairman Meggett asked Zoning Manager Jeanne Conrad if anyone contacted the zoning office. Ms. Conrad replied that two letters of support were sent to the office via email.

Chairman Meggett then called for a motion. Commissioner Frater moved to approve the application for the Temporary use of an RV during Construction, seconded by Commissioner Adams.

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

15. **Jason & Melissa West, owners of the property commonly known as 804 Combel St,** parcel #162A-0-03-074.000, have made an application for a Conditional Use for an Accessory Structure over 500 sq ft. This structure will be placed on their property behind the primary structure, parcel #162A-0-03-090.000. The use of the structure will be storage.

Applicant was not able to attend the meeting nor had a representative to explain the request or answer questions. During discussions by the Commission, it was stated that the property needs to be cleaned up per the International Property Maintenance Code. This structure will help with that and the condition for the application is to get the property in compliance with the IPMC. Zoning Manager Jeanne Conrad clarified that the zoning of the parcel would not have to be rezoned for this use because of what is stated in the Zoning Ord. #349 that an owner of two or more properties may put an accessory structure on a lot without a primary structure as long as there is continual frontage, common ownership, and a primary structure on the other lot. After all discussions, Chairman Meggett called for a motion to approve with the condition stated. Commissioner Adams moved to approve the application with the condition stated, seconded by Commissioner Frater.

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

16. **John Komidor, with the application for a Conditional Use of an Accessory structure over 500 sq ft** called into the meeting via Zoning Manager, Jeanne Conrad's personal phone to answer questions from the commission. The applicant stated that the setback

Agenda
Regular Meeting of
Wednesday October 5, 2022

request of the structure on the application has changed. He provided an updated site plan via email to Zoning Manager, Jeanne Conrad. The new variance request is 3.5' from the left side-yard, resulting in 6.5' from the left side-yard property line instead of the original 5' request. It was also stated that the height of the structure might need a variance as well. The Commission decided to vote on the application presented and if the applicant needed another variance for the height of the structure, he will have to submit another application.

Chairman Meggett called for a motion with a change in the variance request to 3.5', resulting in being 6.5' from the left side-yard property line and a conditional use of an accessory structure over 500 sq ft. The accessory structure will be 936 sq ft.

Commissioner Frater moved, seconded by Commissioner Harris to approve the revised variance request and the conditional use application submitted.

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

KEEP WAVELAND BEAUTIFUL

17. Mr. Bryan Therolf with Keep Waveland Beautiful

- a. City Hall landscape irrigation
- b. Studio Waveland landscape irrigation
- c. Protected Tree Ordinance
- d. Hwy. 90 Signage
- e. Hancock County Coastal Cleanup Oct.15; 8:00 - 11:00am

CONSENT AGENDA

18. Motion to approve the following Consent Agenda being listed Items a- e
- a. Approve the Utility refund claims in the amount of \$8,005.00 as submitted.
 - b. Approve the minutes of the Regular Meeting of September 6, 2022, as submitted.
 - c. Spread on the minutes the Mississippi Municipal Compliance Questionnaire.
 - d. Approve the City of Waveland's participation in the Annual Casa Red Bean Cookoff. Cost to the City will be \$100.00, by approving the Board recognizes that the event will bring favorable notice to the resources and opportunities of the city and meets criteria as required by statute
 - e. Approve travel for Blighted Property/Building Clerk Hannah McCraney to attend the Floodplain Mangers Class in Byram, Mississippi, October 24-28, 2022. Cost to the City will be 5 nights lodging at \$130.00 per night, 5 days per diem at \$46 per day, \$600 for testing and use of a City vehicle.

END CONSENT AGENDA

19. Motion to approve the Docket of Claims paid and unpaid in the amount of \$676,802.39 for Fiscal Year Ending September 30, 2022 dated October 4, 2022, as submitted.
20. Motion to approve the Docket of Claims paid and unpaid in the amount of \$265,969.08 for Fiscal Year Ending September 30, 2023 dated October 5, 2022, as submitted.
21. Motion to approve a request submitted by Mrs. Linda Pitts to close Coleman Avenue from the Bourgeois Fire Station to Arlington Street for a celebratory event for Mayor Mike Smith.
22. Motion to authorize the City Clerk to advertise for repair/construction of the Garfield Ladner Memorial Pier.

Agenda
Regular Meeting of
Wednesday October 5, 2022

23. Motion to approve Payment Application # 4 from Twin L. Construction in the amount of \$49,883.75 as recommended by Compton Engineering.
24. Motion to approve Invoice 22-002-0034 from Chiniche Engineering & Surveying in the amount of \$2,031.25 – Drainage Topo Survey.
25. Motion to approve Invoice 22-002-0041 from Chiniche Engineering & Survey in the amount of \$500.00 – GIS Planning.
26. Motion to approve Worker Order No. 22-002-005 from Chiniche Engineering & Surveying for Watershed Evaluation and Conceptual Drainage Design in an amount not to exceed \$90,250.00 and authorize the Mayor's signature thereon.
27. Motion to spread on the minutes the removal of Ms. Rachel Knight from the Hancock County Tourism Board and replace the appointment with _____.
28. Motion to approve a Resolution authorizing the use of Unmarked being listed items a-c:
 - a) 1GNLDCDEC7LR168496 2020 Chevrolet Tahoe.
 - b) 3C6RR6K68MG563154 2021 Ram 1500 Classic.
 - c) 3C6RR6K6XMG563155 2021 Ram 1500 Classic
29. Attorney's Comments
30. Motion to enter a closed session to discuss
31. Motion to enter an executive session to discuss
32. Motion to come out of executive session.
33. Adjourn