

**Agenda
Regular Meeting of
Wednesday December 7, 2022**

1. Pledge of Allegiance
2. Moment of silence
3. Roll Call
4. Mayor's Comments:
 - a. Motion to amend the agenda to include the following:
 - 1) Planning and Zoning Items.
 - 2) Approve payment to Election Commissioners and Poll Workers for the General Election held on December 6, 2022. (Item 8f)
 - 3) Approve payment of invoice submitted by account of Alice Latimer Moseley Museum in the amount of \$250.00 for completion of Grant Match obligation for painting at MLK Park Stage. (Listed as Item 19-f)
5. Aldermen's Comments:
6. Public Comments:

PLANNING AND ZONING

7. **Darren Dueitt, owner of a property on Hoffman Ln.,** parcel #161B-2-02-134.000, has made an application for a Re-subdivision and variances for the new proposed lots. The proposed lot split will create 5 new buildable properties. Proposed parcel A needs a one-hundred (100) variance on the street frontage as it will share an access easement with proposed parcel B. Proposed parcel B needs a fifty (50) feet variance on the street frontage. Proposed parcels C & D do not need any variances because they both meet the requirements set forth in Zoning Ord. #349. Proposed parcel E needs an eighty (80) feet variance on the street frontage.

Commissioner Frater noted that there were multiple individuals in the audience that had questions and wanted to speak about Mr. Dueitt's application. He then made a motion to move Mr. Dueitt to the last item on the agenda in order to get the rest of the applicants done first. Commissioner Adams seconded the motion.

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

8. **Vinnie Bonadona, owner of the property commonly known as, 321 Hillcrest St.,** parcel #161E-0-02-075.000, has made an application of a Conditional Use for an Accessory Structure over 500 square feet. The applicant is requesting to construction an accessory structure of 1,120 square feet to be used for storage.

Mr. Bonadona came forward to explain his application. He stated that the accessory structure will be a 3-car metal building to store his classic car as well as work tools and vehicles. After discussion between the Commission and the applicant, Chairman Meggett called for anyone to come forward to comment on the application. Chairman Meggett noted that no one came forward from the audience.

Chairman Meggett called for a motion. Commissioner Adams made a motion to accept the variance application as written, seconded by Commissioner Frater.

After a unanimous vote of yes by all Commissioners present, Chairman Meggett stated that the application meets all conditions and criteria set forth in section 906.3 of the zoning ordinance (*see below) and declared the motion passed.

9. **Bill Ivey, owner of the property commonly known as 316 Hoffman Ln.,** parcel # 161C-0-02-212.003, has made an application for a variance of one (1) foot from the right-side property line. The request is to be eleven and a half (11.5) feet from the right property line in order to construct a new single family residential home.

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Mr. Ivey came forward to explain his application. Commissioners noted that this property was previously owned by Kenny Monti which came before the Commission to have two live oak trees removed. He was approved with the condition he would plant 9 live oak trees or donate them to the City. Mr. Monti has not done as was stipulated.

Chairman Meggett called for anyone to come forward to comment on this application. Mark and Lori Winklehake, owners of the property commonly known as 314 Hoffman Ln., and Marcie Longo, owner of the property commonly known as 320 Hoffman Ln., came forward to ask about why the house has already started with the foundation before requesting the variance? Mr. Bryan Therolf, resident on Gulfside St., came forward to ask why he was issued a permit if the setbacks did not meet zoning requirements?

Mr. Ivey came forward to reply to all of the questions. After all discussion between the applicant and the Commission, Commissioner Frater made a motion to accept the variance request as written with the condition that Mr. Ivey replace the 9 live oak trees that was required by Mr. Monti. Commissioner Catalano seconded the motion.

After a vote of no from Commissioner Adams, and yes from Commissioners Harris, Frater, and Catalano, Chairman Meggett stated that the application meets all conditions and criteria set forth in section 906.1 of the zoning ordinance and declared the motion passed.

Mr. Ivey requested that it be noted, Commissioner Adams' reason for voting no was due to the stipulation of the trees being a condition of the motion.

*Chairman Meggett added that the reference to the Zoning ordinance for the previous case was not stated and added here that the application meets all conditions and criteria set forth in section 906.3 of the zoning ordinance.

10. **Linda and Michael Hannan, owners of the property commonly known as 136 Lakewood Dr.,** parcel #161B-2- 01-023.000, have made an application for a five (5) feet variance in order to construct a porch addition. The request is for the back corner of the porch to have a 20 feet setback from the rear property line. Mrs. Hannan came forward to explain the application request. Discussion between the applicant and the Commission included the types of shingles, attachment to the existing roof, and posts being used. Chairman Meggett called for anyone from the audience to come forward to make any comment. No one from the audience came forward. Chairman Meggett called for a motion. Commissioner Frater made a motion, seconded by Commissioner Harris, to accept the variance request. Chairman Meggett stated that the application meets all conditions and criteria set forth in section 906.1 of the zoning ordinance.

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

11. **Cindi & Gregory Poindexter, owners of the property commonly known as 105 Venus St.,** parcel #162A-0-03- 122.000, have made an application for the temporary use of an RV during new construction of their primary home. The RV will be allowed temporary occupancy for 180 days. The applicants have also made a request for a variance on the maximum height requirement for an accessory structure to house the RV. The request is for a one (1) foot variance in order to have the accessory structure height at sixteen (16) feet in height.

Mr. Gregory Poindexter came forward to explain his request. He clarified that they may not need the camper anymore and withdraws his application. He also stated that the variance needed for the mean height of the accessory structure is 3" instead of 1'.

After a brief discussion between the applicant and the Commission, Chairman Meggett called for anyone in the audience who would like to come forward to comment on the application. No one from the audience came forward.

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Commissioner Frater made a motion to accept the variance request, seconded by Commissioner Adams. Chairman Meggett stated that the application meets all conditions and criteria set forth in section 906.1 of the zoning ordinance.

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

12. **Julie & Todd Navarro, owners of the property commonly known as 120 Favre St., parcel #161M-0-11-063.000, have made an application for multiple variances on the property in order to construct a new single family residential home. The requests are five (5) feet variances from the front and rear yard setbacks and two and a half (2.5) feet variances on both side yard setbacks. The new setbacks will be twenty (20) feet from the front and rear property lines and ten (10) feet from both side property lines.**

****Mr. and Mrs. Navarro were not present for the meeting. After a discussion between the Commission and a few members of the audience, the Commissioners decided to move this item and the next item to the end of the agenda, after Mr. Dueitt's application, in order to try and get the applicants to phone conference in for the meeting. Commissioner Frater moved, seconded by Commissioner Catalano, to move the two Navarro application to the end of the agenda. After a unanimous vote of yes by all Commissioners present, Chairman Meggett declared the motion passed.**

13. **Julie & Todd Navarro, owners of the property commonly known as 302 Fink St., parcel # 162K-0-10-134.000, have made an application for multiple variances on the property in order to construct a new single family residential home. The requests are five (5) feet variances from the front and rear yard setbacks and two and a half (2.5) feet variances on both side yard setbacks. The new setbacks will be twenty (20) feet from the front and rear property lines and ten (10) feet from both side property lines.**

****Moved to the end, after Mr. Dueitt's application. See above for motion.**

14. **Bernard Construction, representative Shane Bernard, owner of the property commonly known as 101 N Beach Blvd., parcel # 161E-0-02-127.000, has made an application for a variance on the front setback requirement for a beach front property and a variance request for the minimum parking space requirement for a lounge/bar. The setback request is for a forty-two (42) feet variance in order for the front of the structure to be eight (8) feet from the front property line. This is to preserve a line oak tree on the property. The parking space request is to have ten (10) parking spaces under the structure. This meets the parking requirements for the condos but not for the lounge/bar. This is due to the parking bays on Coleman Ave. allowing for public parking.**

Mr. Bernard came forward to explain his requests. He clarified that these are conceptual drawings. His request is to allow for expansion if needed. A question about where the setback measurement on the building is located. Does the setback from the property line go to the first foundation column or does it go to the edge of the building where the lounge/bar is located. This question arises from the uncovered pool area at the front of the building.

After all discussions between the Commissioners and the applicant, Chairman Meggett called for anyone from the audience to come forward with their comments.

Althea Boudreaux, owner of the property commonly known as 220 Coleman Ave., came forward with a question of how tall the building will be. Mr. Bernard stated that the bottom member under the building will be at 27' above sea level. The building above that measurement will be 30' in height. This gives the total building a 67' height from grade to the roof pitch.

Mary Beth Cooper, owner of the property commonly known as 102 S Beach Blvd., came forward to explain her concerns about this big project being put on such a small lot. Her main concerns include parking for patrons and delivery trucks as well as beachgoers.

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Chairman Meggett stated that, after talking with Mayor Mike Smith, the City has bought a piece of property off of Terrace Ave. and Arlington St. which is a short walk to the proposed condos and Mayor Mike stated that he would like to see the City use that property to build a parking structure. This would solve the parking issue for the condos.

Rachel Knight, president of Hancock County Tourism, came forward to comment on the application stating that this project will be good for Waveland's economy and growth.

Chairman Meggett called for anyone else to come forward and comment on this application. Mrs. Althea Boudreaux came forward to make an additional comment agreeing with Mrs. Cooper about the parking issues with Coleman Ave.

Mrs. Suzanne Bertoniere, owner of the property commonly known as 229 N Beach Blvd., came forward to ask a question about if the parking structure the city plans to construct will be free or paid parking. Chairman Meggett stated that he didn't know the specifics.

Mr. Bernard stated that he would be very interested in a partnership with the City to construct and use of a parking structure.

After additional comments from the Commissioners, Chairman Meggett called for a motion. Commissioner Catalano made a motion to accept the variance as written, seconded by Commissioner Adams. Chairman Meggett stated that the application meets all conditions and criteria set forth in section 906.1 of the zoning ordinance.

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

15. **Darren Dueitt, owner of a property on Hoffman Ln.**, parcel #161B-2-02-134.000, has made an application for a Re-subdivision and variances for the new proposed lots. The proposed lot split will create 5 new buildable properties. Proposed parcel A needs a one-hundred (100) variance on the street frontage as it will share an Page 5 of 7 access easement with proposed parcel B. Proposed parcel B needs a fifty (50) feet variance on the street frontage. Proposed parcels C & D do not need any variances because they both meet the requirements set forth in Zoning Ord. #349. Proposed parcel E needs an eighty (80) feet variance on the street frontage.

Mr. Dueitt was not present for the meeting. Chairman Meggett and the Commissioners discussed and made clarifications about the description. Chairman Meggett called for anyone from the audience to come forward to comment on the application.

John Ascherl, owner of the property commonly known as 226 Hoffman Ln., came forward for clarification on what a variance actually means and what the applicant is asking for on each proposed property.

After discussions between the Commissioners, the audience, and Zoning Manager, Jeanne Conrad, Chairman Meggett asked if anyone else would like to come forward to comment.

Amy Doescher, owner of the property commonly known as 336 Terrace Ave., representing Mr. and Mrs. Bergeron, owners of the property commonly known as 609 N Beach Blvd., read an email into the minutes for Mr. and Mrs. Bergeron opposing the application for re-subdivision. Their opposition is due to the risk of increase traffic and there is plenty of room for development as the properties are split today. Ms. Doescher stated that she is also in apposition to this application for the same reasons given by the Bergeron's.

John and Stefanie Ascherl, came forward again for discussion with the Commissioners. After all discussion and clarifications, the Ascherl's declared they are in opposition to the application due to lack of fire hydrant and increase in traffic.

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Althea Boudreaux came forward to comment about the width of the streets on Hoffman Ln. as well as her residency on Angel Ln. The streets are too narrow and the water and sewer lines are not run correctly.

After all discussions, Chairman Meggett called for any of the Commissioners to make a motion. Commissioner Frater made a motion, seconded by Commissioner Adams to accept the variances as corrected.

After a vote of yes by Commissioners Adams and Frater, and a vote of no by Commissioners Harris and Catalano, Chairman Meggett broke the tie with a vote of no. The recommendation is to deny the application.

16. **Julie & Todd Navarro, owners of the property commonly known as 120 Favre St.,** parcel #161M-0-11-063.000, have made an application for multiple variances on the property in order to construct a new single family residential home. The requests are five (5) feet variances from the front and rear yard setbacks and two and a half (2.5) feet variances on both side yard setbacks. The new setbacks will be twenty (20) feet from the front and rear property lines and ten (10) feet from both side property lines.

Mr. and Mrs. Navarro were not present for the meeting and they did not reply to the email that was sent by Zoning Manager, Jeanne Conrad to call in if they were available.

Chairman Meggett called for anyone to come forward to speak for or against the application.

Althea Boudreaux, owner of the property commonly known as 116 Favre St., asked for clarification on where the measurement for the variance starts. Mrs. Boudreaux read the email she sent to Zoning Manager, Jeanne Conrad for the record. She also stated that this property was brought before the Commission 3 months ago.

After all discussions between the Commission and the audience, Chairman Meggett called for a motion. Commissioner Frater made a motion to deny the front and rear variance requests but to accept the side-yard Page 6 of 7 variance requests with the condition that the owners install gutters to help with stormwater drainage to the ditches. Commissioner Adams seconded the motion.

After a vote of yes by Commissioners Adams and Frater, with a vote of no by Commissioners Harris and Catalano, Chairman Meggett broke the tie with a vote of yes. Chairman Meggett stated that the application meets all conditions and criteria set forth in section 906.1 of the zoning ordinance and declared the motion passed.

17. **Julie & Todd Navarro, owners of the property commonly known as 302 Fink St.,** parcel # 162K-0-10-134.000, have made an application for multiple variances on the property in order to construct a new single family residential home. The requests are five (5) feet variances from the front and rear yard setbacks and two and a half (2.5) feet variances on both side yard setbacks. The new setbacks will be twenty (20) feet from the front and rear property lines and ten (10) feet from both side property lines.

Mr. and Mrs. Navarro were not present for the meeting and they did not reply to the email that was sent by Zoning Manager, Jeanne Conrad to call in if they were available.

Chairman Meggett called for anyone to come forward to speak for or against the application.

Gary Dauphin, owner of the property commonly known as 423 Waveland Ave. and the owners of the property adjacent to the side of 302 Fink St., came forward to oppose the application for the front and side variances. He stated that he has no objection to the rear variance request as it does not affect his property to the side.

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After all discussions between the Commission and the audience, Chairman Meggett called for a motion. Commissioner Frater made a motion to deny the front yard variance and to accept the side-yard and rear variance request. Commissioner Adams seconded the motion.

After a vote of yes by Commissioners Adams and Frater, and a vote of no by Commissioners Harris and Catalano, Chairman Meggett broke the tie with a vote of no. The recommendation is to deny the application.

KEEP WAVELAND BEAUTIFUL

18. Mr. Bryan Therolf with Keep Waveland Beautiful
 - a. Litter and Realtor Signs
 - b. Tree Planting through the month of November
 - c. Tahiti Daffodil bulb donation by the Bay Waveland Garden Club
 - d. 500 bulbs planted by KWB at Library, Town Green, Ground Zero Museum and City Hall.
 - e. Hancock Chamber Byways signage, Highway 90.

CONSENT AGENDA

19. Motion to approve the following Consent Agenda being listed Items a- f:
 - a. Approve the Utility refund claims in the amount of \$4,4110.00 as submitted.
 - b. Approve the minutes of the Regular Meeting of November 1, 2022, as submitted.
 - c. Approve a request from various Departments in the City of Waveland to hold a parade that would block the roads from Nicholson Avenue and Beach Boulevard to Coleman Avenue and Movie Night at the Town Green on December 17, 2022.
 - d. Approve a request from Public Works Manager, Bo Humphrey to attend the MGNA (Mississippi Natural Gas Association) Tradeshow in Brandon Mississippi January 24-26, 2023. Cost to the City will include lodging for 2 nights at a cost of 129.00 per night, 3 days per diem, a membership fee in the amount of \$250.00 and use of a City vehicle.
 - e. Approve amending the Holiday Schedule and recognizing the Governor's Proclamation recognizing December 23, 2022 as a Holiday.

END CONSENT AGENDA

20. Motion to approve the Docket of Claims paid and unpaid in the amount of \$1,207,291.73 dated December 7, 2022, as submitted.
21. Motion to approve application for Mississippi Municipal & County Water Round 2 Infrastructure Grant, and authorize the Mayor's signature thereon.
22. Motion to approve a request from Police Chief Mike Prendergast to apply for the Seatbelt Grant through the Department of Public Safety and authorize the Chief and Mayor's name thereon.
23. Approve a request from Ms. Kristen Tusa to discuss the Fall Festival and request the use of Coleman Avenue on October 14, 2023.
24. Motion to approve a quote from Lewis Electric in the amount of \$1,300.00 for the connection of the stars on Nicholson Avenue.
25. Motion to approve invoice 3653 submitted by Lombardo Industries in the amount of \$17,409.50.

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26. Motion to approve Invoice 22-002-0042 from Chiniche Engineering & Surveying in the amount of \$1,000.00-City GIS Maintenance.
27. Motion to approve Invoice 22-002-0052 from Chiniche Engineering & Surveying in the amount of \$6,085.00 – Drainage Design.
28. Motion to approve Invoice 22-002-0025 from Chiniche Engineering & Surveying in the amount of \$13,043.75.
29. Motion to discuss the proposed renewal of the Healthcare Reimbursement account and possible Budget Amendment.
30. Motion to approve Task Order Request number 222-033.004 from Compton Engineering in an amount not to exceed \$20,750.00 (hourly) for Permitting services for the proposed gas main bore by horizontal directional drilling methods beneath the Jourdan River within the Highway right-of-way (ROW) on the east side of MS 603.
31. Motion to approve the following close-out documents for the Waveland Beach Handicap Access, as recommended by Compton Engineering:
 - a. Substantial Completion Certificate
 - b. Final Payment Application and Certificate Signature Page.
 - c. Payment Application & Final
 - d. Contract Completion Certificate.
 - e. Recommendation for Final Acceptance of Contract
 - f. Final Completion Inspection Report
 - g. Final Waiver of Lien
 - h. Consent of Surety to Final Payment
 - i. Change Order No. 1 (Summary Change Order)
32. Attorney's Comments
33. Motion to enter a closed session to discuss
34. Motion to enter an executive session to discuss
35. Motion to come out of executive session.
36. Adjourn