

Agenda
Regular Meeting of
The Board of Mayor & Aldermen
Tuesday, March 7, 2023
6:30 pm.

1. Pledge of Allegiance
2. Moment of silence
3. Roll Call
4. Mayor's Comments:
 - a. Ms. Lana Noonan to discuss plans for a new Seniors Program.
 - b. Walter Anderson Museum of Art to design (by professional artists), present, and install a large-scale steel sculpture in the City of Waveland. Our thanks and appreciation to Mr. Julian Rankin, Executive Director of the Walter Anderson Museum of Art.
5. Aldermen's Comments:
6. Public Comments
7. **BOARD BUSINESS:**
 - a. Ms. Cheryl Thompson, Executive Director of Gulfside Assembly to speak with the Board of Mayor & Aldermen about its 100th Anniversary celebration event.
 - b. Motion to approve holding the 3rd White Linen event on Coleman Avenue Saturday, September 23, 2023, from 6:30 pm – 8:30 pm. City provides barricades, trash cans, and open bathrooms at City Hall. Ms. Mandy Somerhalder will be present to answer questions.
 - c. Motion to approve the Docket of Claims, paid and unpaid, dated March 7, 2023, in the amount of \$
 - d. Motion to discuss lease agreement with Sugar Pop Bakery.
 - e. Motion to discuss the grass cutting contract with Lombardo Industries, LLC. which is due to expire shortly. The City is currently paying \$208,914 per year for this service. Comptroller, Ms. Kim Boushie to present financial data regarding this issue.
 - f. Motion to approve the cost increase of \$1,916.00 on the E-One Pumper firetruck being built (purchased via State Contract), and authorize the mayor's signature on any required documents. Chief Carver will be present to answer questions.
 - g. Motion to authorize a request for Statement of Qualifications for Engineering Services for Federal and State funded projects, to comply with Federal and State procurement regulations
 - h. Planning & Zoning:
 1. **Brent Morreale**, owner of the property commonly known as 1801 Arnold St., parcel #137N-0-35-063.001, has made an application for a variance to split his lot into two (2) lots. This property is currently zoned R-2, Single & Multi-Family Use. Parcel 1, to be addressed as 1801 Arnold St., and Parcel 2, to be addressed as 1803 Arnold St., will both need a 5,000 square feet area variance in order to build a duplex on each parcel. The area required is 8,500 square feet per unit as stated in Zoning Ord. #349. (Tabled from Regular Meeting held 1/23/23.)

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Mr. Morreale came forward to explain his request. Applicant noted that setback variances are not needed as they will be within the requirements. Only the 5,000 sq. ft. variance is needed.

Chairman Frater called for anyone from the audience that would like to comment. Glenn Hood, owner of 1815 Nicholson Ave, came forward in opposition to the request. Mr. Hood stated that he is not in objection to a duplex being put on the property, as is, but is in objection to the creation of 2 non-conforming lots and then requesting a variance for 2 duplexes. Mr. Hood also provided a letter of objection from Mr. Jonathan and Mrs. Sarah Burns, owners of 621 New York St. (from 1.23.23 meeting.) Chairman Frater read the letter for the record.

After all discussion between the Commission and the applicant, Chairman Frater called for a motion. Commissioner Whitney made a motion to accept the variance request with the conditions that the applicant limit the size of the duplex to a maximum of 2,000 sq. ft (1,000 sq. ft. per unit), the erection of a privacy fence, and that all parking come off of Arnold St. Motion was seconded by Commissioner Poindexter.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed in accordance with section 906.1 of the Zoning Ordinance.

2. **Nick Mortenson**, owner of the property commonly known as 709 St. Joseph St., parcel #162A- 0-03-138.000, has made an application for a Conditional Use to have an accessory structure over 500 square feet. The proposed accessory structure will be 864 square feet. The structure will be fifteen (15) feet from the rear property line and ten (10) feet from the side property line which does not require any variances as stated in Zoning Ord. #349 section 716.2.

Mr. Mortenson was not able to attend the meeting. After brief discussion between the Commission, Chairman Frater called for anyone from the audience to come forward for comment. Walter Perez, representing the property owned by the Life Estate of Kathleen Perez on Art St, came forward for clarification on the request. After discussions with the Commission, Mr. Perez stated that he and his family do not have any objections to the Conditional Use request.

After all discussions, Chairman Frater called for a motion. Commissioner Whitney made a motion, seconded by Commissioner Touart to accept the Conditional Use Request.

After a vote of yes by Commissioners Cooper, Whitney, and Touart with Commissioner Poindexter recusing himself, Chairman Frater declared the motion passed in accordance with section 906.3 of the Zoning Ordinance.

3. **The City of Waveland Building & Zoning Department is making a request for the consideration of revising the current Zoning Ordinance #349.** The revision will be to change the side-yard setbacks for non-conforming lots in Section 713.3, Side Yard, as stated in Ordinance #349. The revision will be in section 713.3C and the new wording will state “For a lot of record, which qualifies pursuant to Section 402.3 as legally non-conforming and which measures sixty (60) feet or less in width, the Zoning Official is authorized to grant a variance of side yard minimum footage to allow a side yard setback of ten (10) feet. Said action may be taken without notice to or action by the Planning and Zoning Commission or the Board of Mayor and Aldermen.”

Jeanne Conrad, Zoning Official for the City of Waveland, came forward to explain the Building & Zoning Department request. (See audio for discussions.)

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Commissioner Whitney made a motion to approve the amendment to the Zoning Ordinance, seconded by Commissioner Poindexter.

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

4. **Chairman Frater called for any comments from Commissioners and staff. Chairman Frater opened discussion about the Zoning Ordinance requirement for the maximum size of Accessory Structures.** Chairman Frater made a request to amend the Zoning Ordinance for the maximum size of Accessory Structures to be based on the size of the property.

The sizes would be as follows:

500 sq. ft. for all properties up to 8,500 sq. ft. in lot size,

750 sq. ft. for properties 8,501 sq. ft. to 12,500 sq. ft. lot size,

1,000 sq. ft. for properties 12,501 sq. ft. to 15,000 sq. ft.

15,001 sq. ft. properties will be allowed up to 1,500 sq. ft. accessory structure.

Any request for accessory structure over 1,500 sq. ft. will be required to submit a Conditional Use request.

After all discussion between the Commission, Chairman Frater called for a motion. Commissioner Whitney made a motion to Amend the Zoning Ordinance as suggested by Chairman Frater, seconded by Commissioner Cooper.

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

5. **Chairman Frater opened a discussion concerning Short-Term Rentals for the City of Waveland.** Mayor Trapani was in the Audience and gave comments throughout the discussion.

After all discussions between the Commission, Mayor Trapani, and Zoning Official, Chairman Frater called for a motion. Commissioner Touart made a motion to charge Short-Term Rentals/AirBnB/VRBO properties with the required Privilege License in addition to an initial permit fee of \$200.00, a \$100.00 annual renewal fee and \$500.00 violation fee for each violation occurrence. Commissioner Poindexter seconded the motion.

After additional discussions, Chairman Frater called for the vote. With a vote of yes by Commissioners Cooper, Poindexter, and Touart, a vote of no by Commissioner Whitney, Chairman Frater declared the motion passed.

6. **Chairman Frater then opened a discussion for a proposed Amendment to the Protected Tree Ordinance.** His suggested amendment is in section 5 paragraph D; "At the time the applicant applies for an approved removal permit to cut down a protected tree, said applicant will place on deposit to the City of Waveland an amount equal to the sum of \$250.00 per the number of trees determined in Section 5 paragraph C. Said deposit or any part therein shall be refunded to the applicant upon proof of any replacement determined by the Building Official. The applicant shall have 1 year from the date of the removal permit to request reimbursement or forfeit said right."

After discussions with the Commission and Zoning Official, Jeanne Conrad, Commissioner Whitney made a motion to accept the change to the Protected Tree Ordinance with the clarification that the City replant the trees. The applicant will pay the fee for each tree to be replanted and negate the refund process. Commissioner Poindexter seconded the motion.

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

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i. Motion to discuss the Resolution by the City of Waveland Regarding the Mississippi Municipality and County Water Infrastructure Grant Program (MWCI) approved at the last Board meeting. Board to discuss the commitment of 100% of the ARPA grant funds to this project (described in paragraph 3 of the Resolution).

j. Motion to approve the Insurance Proposal presented by Betz Rosetti and Associates for the City's Auto and Inland Marine (equipment) renewal policy at a cost of \$78,160.00 for the term 3/18/23 to 3/18/24.

k. Motion to approve written request by Mayor Trapani to Hancock County Tax Assessor's office that they submit to the City of Waveland monthly, the Road & Bridge payments vs. one annual payment.

l. Motion to acknowledge receipt and accept the Fiscal Year 2021 Audit as prepared by TMH CPA's and Consulting Firm, which shall be sent to the MS. State Audit Department and other required Governmental Agencies.

BLIGHTED PROPERTY

1) Re: 415 Surf Street/ Parcel 162K-0-10-041.000

Mr. Josh Hayes to discuss blighted property regarding this location.

2) Re: 310 Hwy 90/ Parcel 138J-2-34-011.000

Mr. Josh Hayes to discuss blighted property regarding this location.

CONSENT AGENDA

8. Motion to approve the following Consent Agenda being numbered Items (a-u):
- a. Minutes of the Regular meeting of February 22, 2023
 - b. Accept the Privilege License Report for the month of February 2023 as presented by Ms. Jeanne Conrad
 - c. Accept the Building Permits Report for the month of February, 2023 as presented by Ms. Jeanne Conrad
 - d. Accept the Ground Zero Visitor Report for the month of February, 2023 as presented by Linda Aiavolasiti
 - e. Accept the Community Service Board Report for the months of January, 2023 and February, 2023 as presented by Mr. George Coatney, Beautification Department
 - f. Correct salary of Janita Cole as HR Manager/Events Coordinator to an hourly rate of \$ 18.33 (\$38,000 annually) which is currently paid by a grant until current grant terminates 3/31/23; thereafter \$15.87 per hour (\$33,000 annually) going forward, with review of possible pay increase with upcoming budget amendment
 - g. Approve Kyleigh Seale to sign Purchase Requisitions. Purchasing Agent or City Clerk (if Purchasing Agent is absent) currently have authority to issue and sign Purchase Orders
 - h. Approve Lt. Eric Janssen and Firefighter Travis Bradshaw to attend the Firefighter Intervention Rescue Survival Techniques (FIRST) class at the MS. State Fire Academy March 20-23, 2023. Cost to the City will be a course fee of \$365.00 for each student, \$28 a day per diem for 4 days (\$112 each x 2), a total of \$224.00. Breakfast and lunch are provided at the academy. They will be using a City vehicle for travel.

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- i. Approve scheduling of the City of Waveland 'WAVEFEST' Labor Day event to be held on Sunday, September 3, 2023
- j. Approve the services quote from Big Noise Productions, LLC, in the amount of \$1,850.00 for the WAVEFEST Labor Day event to be held Sunday, September 3, 2023. This is this same price as last year. Vendor understands he can not be paid until after services are rendered
- k. The following Invoices from Compton Engineering:
 1. Invoice #221-019-20,21,22 in the amount of \$3,855.00 dated 1/31/23 for the 'Waveland Multiple Projects Directed to Hurricane Zeta' project which includes on this invoice: Garfield Ladner Memorial Pier, Veterans Memorial Project, and the Public Works Pole Barn
- l. Resignation of Gabrielle Lauga from the Police Department effective March 14, 2023
- m. Resignation of Chad Dorn from the Police Department effective March 8, 2023
- n. Mr. Bo Humphrey to attend the MS. Natural Gas Association 44th Annual Conference in Orange Beach, Alabama Wednesday, July 12 through Friday July 14, 2023. Cost to the City will be a registration fee of \$450.00, lodging for 2 nights at \$249.00 per night, 3 days per diem, and use of a City vehicle.
- o. Spread on the Minutes termination of the following part-time personnel for inactivity, having not worked for the City in years. They are eligible for re-hire and did not leave on bad terms. This is purely an action required to clean up the Payroll Department files
- p.
 1. Spread on the Minutes the Mississippi Tidelands Trust Fund Program Amended Application for Project Number FY23-P626-05. This Project Summary reflects the \$120,000 that was approved for reallocation at the 2/22/23 Board Meeting moving the funds from FY23-P626-05 (Marina Planning & Design) to FY20-P646-01 (Handicap Accessible Walkway and Ramp to Water)
 2. Spread on the Minutes the Mississippi Tidelands Trust Fund Program Amended Application for Project Number FY20-P646-01. This Project Summary reflects the \$120,000 that was approved for reallocation at the 2/22/23 Board Meeting moving the funds from FY23-P626-05 (Marina Planning & Design) to FY20-P646-01 (Handicap Accessible Walkway and Ramp to Water)
- q. Spread on the Minutes the resignation of Necaccia Phifer from the Police Department effective 12/31/22.
- r. Approve opening a new bank account at Peoples Bank titled 'Wal-Mart Grant' for the Police Department to be able to receive and restrict grant funds in the amount of \$5,000.00. This shall authorize Mayor Jay Trapani, City Clerk Lisa Planchard, Mayor Pro-Tem Shane Lafontaine, and Comptroller Kim Boushie as signatories on the account. Ms. Boushie needs to be a signatory, according to Peoples Bank management, to perform bank account transfers as needed for her job.
- s. Spread on the Minutes the Revised Parade Route for the St. Patrick's Parade to be held 3/18/23. 'Parade will start at Bienville Drive and Beach Blvd, run along Beach Blvd. to Coleman Avenue, turn right on Coleman Avenue to Central Avenue, then left along Central Avenue to Waveland Avenue where the parade will disband at Elwood Bourgeois Park'
- t. The following individuals are no longer employed with the City of Waveland:
Gabrielle Jordan, effective 1/30/23
Brett McKay, effective 2/28/23

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- u. Approve the following invoices from Hancock County Solid Waste Authority:
Invoice #1174 in the amount of \$42,916.50 for February residential waste collection &
Invoice #1178 in the amount of \$390.00 for February service, dumpsters

END CONSENT AGENDA

- 9. Motion to consider entering a closed session to discuss
- 10. Motion to enter an executive session to discuss
- 11. Motion to come out of executive session with/without action taken.
- 12. Adjourn