

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Waveland City Hall Board Room 301 Coleman Avenue, Waveland, MS. on January 5, 2016 at 6:30 p.m. to take action on the following matters of City business.

PUBLIC COMMENTS:

- There were no Public Comments

ROLL CALL:

Mayor Smith noted for the record the presence of Aldermen Burke, Richardson, and Lafontaine along with City Clerk Lisa Planchard and City Attorney Rachel P. Yarborough.

Absent from the Meeting was Alderman Piazza.

MAYOR'S REPORT/CHANGE ORDER/GROUND ZERO MUSEUM/CIVIC CENTER/OLD WAVELAND/SCHOOL/

Re: Change Order request form as part of Change Order No. 1 for Ground Zero Museum

Spread on the Minutes Change Order Request Form, as part of Change Order No. 1 for the Museum Improvements Project approved by the Board of Mayor and Aldermen at their regular meeting of 12/1/15.

FIRE DEPARTMENT/SURPLUS/INTERLOCAL AGREEMENT

Re: Declare Fire Equipment Surplus and Transfer to Three Forks Volunteer Fire Department, Tippah County MS.

Alderman Lafontaine moved, seconded by Alderman Burke to declare surplus and make an intergovernmental transfer, for a fee of \$1.00, the following equipment to the Three Forks Volunteer Fire Department in Tippah County, MS., which was declared a Federal Disaster area after tornadoes devastated parts of North Mississippi. The Three Forks Volunteer Fire Department suffered a total loss and are in need of immediate assistance. (See Exhibit listing assets)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

Re: Intergovernmental Transfer of Fire Equipment assets to Three Forks Volunteer Fire Department, Tippah County

Alderman Burke moved, seconded by Alderman Lafontaine to approve the Intergovernmental Transfer of Assets, for a fee of \$1.00, to the Three Forks Volunteer Fire Department, Tippah County, MS. (See Exhibit listing assets)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

ATTORNEY'S COMMENTS

City Attorney Rachel Yarborough had no comments.

ALDERMEN'S COMMENTS

- **Alderman Burke** announced that the first bonfire permit had been issued. He requested that the \$25 nonrefundable portion of the permit be restricted as 'Miscellaneous- Restricted, Fire Department' for fire department use. He explained that the fee was nonrefundable because the fire department will be responsible to go out and inspect the site the following day to make sure no debris remains and the area is safe. Alderman Burke requested to add a motion after Executive Session to approve this.

RESTRICTED FUNDS/BUDGET/BONFIRE PERMITS/BUILDING DEPARTMENT/FIRE DEPARTMENT

Re: Non-refundable portion of Bonfire Permit to be Restricted for Fire Department use

Alderman Burke moved, seconded by Alderman Lafontaine to add a motion after Executive Session to approve to restrict the nonrefundable portion of bonfire permit fee to Restricted Funds, Fire Department.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

- **Alderman Richardson** noted the corner of Margie Street at Old Spanish trail, Lacoste Garage has become a vehicle junk yard yet again. He said he counted 37 vehicles on that corner last evening. Mayor Smith said the City has taken him to court and he has not complied with the Judge's decision. City Attorney Yarborough said the City can enforce our judgement, which is an agreed judgment, she believes, in Chancery Court. She said the City could also pursue him under 21-19-11 as a nuisance property, and we could also pursue him under our Building code which the City has an International Building Code. The City can additionally pursue him criminally in City Court to enforce that he come into compliance with the code. Aldermen Richardson said we need to do whatever is needed to get this in compliance. City Attorney Yarborough said this could be addressed in Executive Session.
- **Alderman Lafontaine** asked City Attorney where the City stands with awarding the Waveland Avenue Sidewalk Project. Ms. Yarborough said the RFQ evaluation forms have been submitted to MDOT; we are approving our Minutes tonight from 12/7/15 which this Board evaluated the RFQ's, so that will also be forwarded to MDOT. MDOT will then review our procedures and give us information from there. Mayor Smith announced that Compton Engineering is preparing the City a written progress report on the Citywide Sewer Study they are working on. Alderman Lafontaine confirmed with the City Clerk that if an employee leaves employment they must repay the City for any costs incurred in their first 90 days. City Clerk Planchard said she would confirm with Ms. Chevis, Payroll Director, that she is taking this action for those employees.

DOCKET OF CLAIMS

Re: Claims

Alderman Burke moved, seconded by Alderman Richardson to approve the Docket of Claims in the amount of \$871,146.37 dated January 5, 2016 as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

MINUTES

Re: Minutes of the Meeting of December 7, 2015 – Blighted Property Public Hearing

Alderman Burke moved, seconded by Aldermen Richardson to approve the minutes of the meeting of December 7, 2015 (Blighted Property Public Hearing) as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

PLANNING AND ZONING

Re: 503 St. Joseph Street, Terry ad Candace Duvielh

Terry and Candace Duvielh appeared before the commission with a request for a conditional use in order to construct a 26' x 36' open carport structure on their property. They are also requesting a variance of 1' from the required height of 15' in order for the structure to be 16' in height. This property is located at 503 St. Joseph Street. Legal description: Part of lot 63 ex. Housing Authority, 4th Ward, City of Waveland, Hancock County, Mississippi.

Commissioner Jay Fountain moved, seconded by Commissioner Charlotte Watson to recommend that the Board of Mayor and Alderman approve the applicant's request for a conditional use in order to construct a 26' x 36' open carport structure on their property and a variance of 1' from the required height of 15' in order for the structure to be 16' in height

Alderman Lafontaine moved, seconded by Alderman Burke to follow the recommendation of the Planning and Zoning Board and approve the request as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

Garrett Garcia appeared before the commission with a request for a variance of 1.50' from the required side yard setback on the south side and a variance of 2.50' on the north side in order to construct a new residence on his property located at 136 S. Beach Boulevard. Legal description: Lot 87B, 40' on Beach Boulevard x 429', 2nd Ward, City of Waveland, Hancock County, Mississippi
(TABLED, NO ACTION NECESSARY OR TAKEN BY BOARD OF ALDERMEN)

Chairman Roger Estopinal called for a motion on the request. Commissioner Charlotte Watson made a motion to recommend that the Board of Mayor and Alderman approve the applicant's request for a variance of 1.50' from the required side yard setback on the south side and a variance of 2.50' on the north side in order to construct a new residence on his property at 136 S. Beach Boulevard provided that the overhang will be reduced by 6". Commissioner Jay Fountain recused himself for personal reasons. The motion died for a lack of a second and tabled until the next Planning & Zoning meeting since all of the zoning commissioners were not present.

Judith Landreneau appeared before the commission with a request for a variance of 4' on the west side from the required side yard setback in order to construct a new residence on her property located at 128 S. Beach Boulevard. Legal description: Lots 25B & 26, Five Oaks Place, City of Waveland, Hancock County, Mississippi

Chairman Roger Estopinal called for a motion on the request. Commissioner Charlotte Watson moved, seconded by Jay Fountain to recommend that the Board of Mayor and Alderman approve the applicant's request for a variance of 4' on the west side from the required side yard setback in order to construct a new residence on her property located at 128 S. Beach Boulevard.

Alderman Lafontaine moved, seconded by Alderman Burke to follow the recommendation of the Planning and Zoning Board and approve the request as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

Morgan Favre and Ray Wesson appeared before the commission with a request for a conditional use for a 34'7" x 24' accessory structure that will be attached by a breezeway to her residence. She is also requesting a variance of 10' from the required side yard setback in order to be 5' at the closet point on the side yard setback and a variance of 10' from the required rear yard setback in order to be 15' from the rear yard setback. This property is located at 618 N. Central Avenue. Legal description: Part of lot 41, 1st Ward, City of Waveland, Hancock County, Mississippi

Commissioner Jay Fountain moved, seconded by Charlotte Watson to recommend that the Board of Mayor and Alderman approve the applicant's request for a conditional use for a 34'7" x 24' accessory structure that will be attached by a breezeway to her residence and to recommend approval for a variance of 10' from the required side yard setback in order to be 5' at the closet point on the side yard setback and a variance of 10' from the required rear yard setback in order to be 15' from the rear yard setback.

Alderman Lafontaine moved, seconded by Alderman Richardson to follow the recommendation of the Planning and Zoning Board and approve the request as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

BUSINESS CENTER/MS. POWER REBATE/REFUNDS
Re: Discuss potential MS. Power Refund to Tenants at Business Center

Alderman Lafontaine moved, seconded by Alderman Burke to discuss the Mississippi Power Refund to those tenants at the Business Center who are potentially eligible (to be determined by City Attorney) vs. rolling over refund back to Mississippi Power to apply against future invoices.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

BUDGET/DEPOSITS/REVENUE/MS. POWER REFUND/REFUNDS
Re: Deposit MS. Power Refund check in General Fund

Alderman Burke moved, seconded by Alderman Richardson, to deposit the MS. Power Refund check in the amount of \$29,101.08 (Total refund less the franchise fees received from mid-2013 through mid-2015) into the General Fund.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**TRAVEL/TRAINING/CITY HALL/CONTINUING EDUCATION/UTILITY DEPARTMENT
Re: Mayor Smith and Alderman Richardson to MS. Rural Water Association Training**

Alderman Lafontaine moved, seconded by Alderman Burke to approve travel for Mayor Mike Smith and Alderman Bobby Richardson to attend the January 11, 2016 Mississippi Rural Water Association 2016 in Jackson Mississippi. Cost to the city will be a registration fee of \$75.00, 1 night lodging each, and use of City vehicles.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**RESOLUTIONS/PROPERTY TAX ASSESSMENT/BLIGHTED PROPERTY
Re: 1096 Atlantic Street**

Alderman Lafontaine moved, seconded by Alderman Richardson to adopt Resolution assessing taxes to the following property owners' for property clean-up work performed under Mississippi Code Ann. 21-19-11, 1096 Atlantic Street (Pool Filling) in the amount of \$918.00.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**RESOLUTIONS/BP OIL SPILL/DEEPWATER HORIZON OIL SPILL/OIL SPILL
Re: Resolution Requesting Legislature to Appropriate % of \$750M to Coastal Counties**

Alderman Lafontaine moved, seconded by Alderman Richardson to **TABLE** until the 1/14/16 Board Meeting at 6:30 pm, a Resolution To Join With Coast Cities And Counties in Requesting the Legislature to Appropriate at Least 80% of the \$750 Million in Economic Damages From the Deepwater Horizon Oil Spill to the Local Governments of the Three Coast Counties To Be Used For Strategic, Economic Development As Determined By A Consensus of Those Local Governments, To Create New Jobs and Permanently Expand the State's Tax Base From Sales, Income And Gaming Taxes Generated From Mississippi Coast Businesses.

During discussion, City Attorney Yarborough suggested that the City make some amendments to the Resolution to add language regarding what we agree with, and strike that language that we disagree with.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**POLICE STATION BUILDING PROJECT/PROPOSALS/SERVICE INSPECTION
PROPOSAL/QUOTES/GENERATOR**

Re: Service Inspection Proposal for Generator from TAW Power Systems – Police Station Building

Alderman Lafontaine moved, seconded by Alderman Richardson to **TABLE** Service Inspection Proposal from TAW Power Systems in the amount of \$11,435.29 to replace hoses, belts, thermostat, water pump, block heater Change oil, filter fuel filters, air filter and battery, conditioned on attorney review of Terms and Conditions warranty once received from TAW. Note: The Police building generator evaluation of 12/1/15 was successful and, therefore, now only service and inspection are needed.

During discussion, Comptroller Ron Duckworth explained the need for this proposal and called Paul Mitchell, Waggoner Engineering by phone to answer some of the Board's questions, noting that this price covers the City with warranty through the end of 2016. Ms. Yarborough said that the warranty is not mentioned in the proposal, nor has she seen the Terms and Conditions.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**POLICIES/SECTION 3 CORRECTIVE ACTION PLAN/FEDERAL FUNDING/GRANTS/
CITY POLICY**

Re: Section 3 Corrective Action Plan as City Policy for Compliance required with Federal funding

Alderman Burke moved, seconded by Alderman Richardson to approve Section 3 Corrective Action Plan, with required signatures, as City Policy noting the City of Waveland will do all it can to abide by Section 3 should it apply for and receive Federal Funding.

Ms. Yarborough, City Attorney said she had a conference with MDA and discussed was the need for the Corrective Action Plan as a City Policy due to the history of Section 3 and its enforcement with grant funds. She said the City has taken note and put into place many of these policy requirements that are listed in this Corrective Action Plan. She said she is fine with the language and the policy requirements and noted that the City is taking steps to comply with Section 3.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**CITY HALL/COMPUTER HARDWARE/MAINTENANCE AGREEMENT/CONTRACTS/IBM
SERVER**

Re: Maintenance Contract Renewal Quote with HiComp for the IBM Server/ Power 720 8202 E4C in the Server Room at City Hall

Alderman Lafontaine moved, seconded by Alderman Richardson to approve Maintenance Contract Renewal Quote with HiComp in the amount of \$2,924.39 for the IBM Server/Power 720 8202 E4C Serial #5E78R for the term of one (1) year through December 28, 2016.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

SURPLUS PROPERTY/FIRE DEPARTMENT/INVENTORY

Re: Declare Fire Department unused vehicles as Surplus Property

Alderman Richardson moved, seconded to Alderman Burke to declare surplus property and approve surplus property as requested by the Waveland Fire Department, Fire Chief Tony Mallini. This equipment is no longer in use by the City of Waveland, and listed, (Items a-e). By approving the Board is necessarily finding that the list of property has ceased to be used for public purpose and further the property must be disposed in accordance with Code Section 17-25-25.

- a) 1976 Pierce Fire Engine, VIN# 1284514930
- b) 1972 Hahn Fire Engine, VIN# HC5431577446
- c) 1988 E-One Custom Fire Engine, VIN# 1F9PBAA82J1037
- d) 1985 Ford Grumman Fire Engine, VIN# 1FDNF82K9FVA09112
- e) 1994 Ford E 350 Ambulance, VIN# 1FDKE30M4RHB56762

During discussion, Chief Mallini said he hoped to get these to auction or highest bidder.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

CHANGE ORDERS/GROUND ZERO HURRICANE MUSEUM/CIVIC CENTER/MUSEUM/GRANTS

Re: Change Order No. 2, Ground Zero Hurricane Museum – DCD Construction

Alderman Lafontaine moved, seconded by Alderman Richardson to approve Change Order Number 2, including required signatures, submitted by DCD Construction for the Ground Zero Hurricane Museum additional repairs to the mechanical system, including replace a leaking stepper valve at a new location, and recharge the circuit with refrigerant in the amount of \$1,308.00.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

AMENDMENTS/TASK ORDERS/CONTRACTS/PROJECTS/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT

Re: Amendment 1 to Task Order No. 2 – Pickering Firm re: Citywide Drainage Improvements Project

Alderman Burke moved, seconded by Alderman Lafontaine to **TABLE** Amendment 1 to Task Order No. 2 (Task Order #2 originally approved 4/18/12 by Board), as submitted by Pickering Firm, Inc. being listed (Item a):

- a) **Amendment 1 (to Task Order No. 2)** - Extends Construction Inspection Services for the Citywide Drainage Improvements Project for four (4) additional months, in the amount of \$57,470.00

During discussion, City Attorney Yarborough explained that this amendment and change is to coexist with 5 change orders that did not make tonight's agenda. The Change Orders contemplated were submitted in late December by Pickering to the Mayor and the City Attorney only; the City Clerk did not

receive the email so the 5 change orders did not make the agenda. Ms. Yarborough recommended the Board have a workshop on those change orders; this amendment is conditioned on approval of those 5 change orders, she therefore recommends this be tabled.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

BUDGET MODIFICATIONS/CENTRAL FIRE STATION/CDBG/GRANTS/PROJECTS
Re: Budget Modification No. 10, Central Fire Station Project, R-118-379-01-HCCR

Alderman Burke moved, seconded by Alderman Richardson to approve Budget Modification No. 10, R-118-379-01-HCCR, Central Fire Station Project – This modification reduces the total CDBG funds needed for this project.

During discussion, Alderman Lafontaine asked if the \$13,200+ being reduced by the Budget Modification can be requested by Change Order and finish up the Hwy 90 Fire Department Training Facility. City Attorney Yarborough said it could and she would contact and submit that to Lyn Powers who would do a secondary budget modification, a change order would probably be disallowed at this late date on this project because basically what we're doing is deobligating that amount at the end of the project; this is a final budget modification. She said from her experience it is much easier for them to transfer funds from one project to another than to create a new project. Chief Mallini will put together a list of needs to complete the training facility.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

TIDELANDS/BEACH PAVILION/SPLASH PAD/PARKS AND LEISURE/LIGHTHOUSE
Re: Tidelands Public Trust Fund Project Reports, 2014 and 2015

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the following Tidelands Public Trust Fund Project Reports, including required signatures, being listed (Items a-c):

- a) City of Waveland Open Air Pavilion with Lights FY2015-P501-24WV in the amount of \$90,000.00.
- b) City of Waveland Parks and Leisure (Splash Pad Interactive Play) FY2015-P501-23WV in the amount of \$160,000.00.
- c) City of Waveland Parks and Leisure FY2014-P401-4WB in the amount of \$111,400.00/

During discussion, Alderman Lafontaine noted, "All the funds are being allocated towards the Lighthouse, I know we have to list them as individual projects, but at one point it will all be combined for one big project."

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**INVOICES/TIDELANDS/LIGHTHOUSE/OUTDOOR RECREATION/FACILITIES PLAN
AND RELATED SERVICES/CITYWIDE SEWER FACILITIES PLAN/SEWER
IMPROVEMENTS/SRF LOAN/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT
Re: Payment of Invoices**

Alderman Burke moved, seconded by Alderman Richardson to approve the following invoices submitted by various contractors and recommended to be placed in line for payment consideration contingent upon receiving funding from grant sources, if required, as listed (Items a-e):

- a) Invoice #215-068-3 from Compton Engineering in the amount of \$4,700.00 - Design of Lighthouse, Outdoor Recreation (Tidelands)
- b) Invoice #215-068-2 from Compton Engineering in the amount of \$575.00 – Environmental Specialist and Design Tech. for Lighthouse, Outdoor Recreation (Tidelands).
- c) Invoice #215-065-6 from Compton Engineering in the amount of \$109,800.00 – Waveland Facilities Plan Related Services.
- d) Invoice #215-065-5 from Compton Engineering in the amount of \$1,271.25 – Waveland Facilities Plan Related Services, Sewer Improvements, SRF loan related.
- e) Pay Application No. 13 from Kappa Development in the amount of \$201,582.73 – Citywide Drainage Improvements Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**INVOICES/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/CSX INVOICE
RE: Invoice No 9037209 from CSX – Citywide Drainage Improvements Project**

Alderman Richardson moved, seconded by Alderman Lafontaine to **TABLE** the following item, as listed:

- a) Invoice No. 9037209 from CSX in the amount of \$1,006.00 for CE&I Services for CSX60990 Concrete Lining of related areas – Kappa Development-Citywide Drainage Improvements Project.

During discussion, City Attorney Yarborough said that on any CSX related service invoice regarding the Citywide Drainage Improvements Project, contractually the contractor is supposed to pay CSX for any associated fees or invoices. She suggested that the City table this and forward to Pickering Engineering for them to forward to Kappa for consideration under Section 16.3H. At this time City Clerk Planchard handed the original invoice to Mr. Andy Phelan, of Pickering Engineering, who was in the audience.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**HUMAN RESOURCES/PERSONNEL/RESIGNATIONS/UTILITY DEPARTMENT
Re: Resignation of Emily Lafontaine as Utility Clerk effective 1/1/16**

Spread on the Minutes the resignation of Utility Clerk Emily Lafontaine effective January 1, 2016.

**HUMAN RESOURCES/PERSONNEL/NEW HIRES/UTILITY DEPARTMENT
Re: Ms. Lisa Ladner as Utility Clerk**

Alderman Burke moved, seconded by Alderman Richardson to hire Ms. Lisa Ladner as Utility Clerk at a salary of \$21,950.00 per year as budgeted, pending passage of drug test.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

INVENTORY/TRANSFER OF ASSETS/INTRADEPARTMENTAL TRANSFERS/CITY HALL/CITY ATTORNEY'S OFFICE

Re: Transfer Brother Wireless Printer from Attorney's office to Mayor's Office

Alderman Burke moved, seconded by Alderman Richardson to transfer one Brother HL-2275DW wireless printer, Serial No. U63532M2N448965, from the Attorney's office to the Mayor's office in City Hall.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

EXECUTIVE SESSION

Alderman Richardson moved, seconded by Alderman Burke to consider Executive Session to prompt a closed discussion regarding 111 Mollere Drive - Nuisance Property, Potential Litigation – Lacoste Property, Personnel Issues - Parks, and Pending Litigation - Michael H. Carmichael & Nancy S. Carmichael Living Trust vs. City of Waveland.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

Alderman Burke moved, seconded by Alderman Richardson to enter Executive Session to 111 Mollere Drive - Nuisance Property, Potential Litigation – Lacoste Property, Personnel Issues - Parks, and Pending Litigation - Michael H. Carmichael & Nancy S. Carmichael Living Trust vs. City of Waveland.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

Alderman Burke moved, seconded by Alderman Richardson to exit Executive Session with no action taken.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**BUDGET/RESTRICTED FUNDS/FIRE DEPARTMENT/BUILDING DEPARTMENT/
BONFIRE PERMITS**

Re:

Alderman Burke moved, seconded by Alderman Richardson to approve to restrict the nonrefundable portion of bonfire permit fee to Restricted Funds, Fire Department.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**BLIGHTED PROPERTY/PUBLIC HEARING AND NOTICE/NUISANCE
PROPERTY/PROPERTY CLEANUP**

Re: 111 Mollere Drive

Alderman Lafontaine moved, seconded by Alderman Richardson to set aside the Code Section 21-19-11 finding from 12/1/15 regarding 111 Mollere Drive to reset for notice and a public Hearing in February 2016.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**LEGAL ISSUES/NUISANCE PROPERTY/OLD SPANISH TRAIL/LACOSTE PROPERTY/
COURT DEPARTMENT**

Re: Grant City Attorney Authority to Enforce Chancery Court order regarding Roger Lacoste Property on Old Spanish Trail

Alderman Burke moved, seconded by Alderman Lafontaine to grant the City Attorney blanket authority to enforce the Chancery Court order that Roger Lacoste agreed upon regarding his properties at the corner of Margie Street and Old Spanish Trail and use any other avenues of State, Local, or Federal code enforcement.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**SETTLEMENT AGREEMENT & GENERAL RELEASE/AGREEMENTS/MUTUAL
EASEMENT FOR ENCROACHMENTS DOCUMENTS/ GENERAL RELEASE/
CARMICHAEL PROPERTY/ BEACH BOULEVARD LITIGATION/LEGAL ISSUES**

Re: Mayor to Sign Settlement Agreement & General Release re: Michael H. Carmichael and Nancy S. Carmichael Living Trust

Alderman Burke moved, seconded by Alderman Richardson to authorize the Mayor to sign the Settlement Agreement & General Release regarding Cause No. C2301-14-0378 & Cause No. 14-0458 for the Michael H. Carmichael and Nancy S. Carmichael Living Trust.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

Re: Mayor to Sign the Mutual Easements for Encroachments Documents regarding the Michael H. Carmichael & Nancy S. Carmichael Living Trust

Alderman Burke moved, seconded by Alderman Richardson to authorize the Mayor to sign the Mutual Easement for Encroachments Documents for the Michael H. Carmichael and Nancy S. Carmichael Living Trust.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

ADJOURN

Re: Adjourn Meeting at 8:34 p.m.

Alderman Burke moved, seconded by Alderman Richardson to adjourn the meeting at 8:34 p.m.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

The foregoing minutes were presented to Mayor Smith on April 24, 2015.

Lisa Planchard
City Clerk

The Minutes of April 7, 2015 have been read and approved by me on this day the 24th of April, 2015.

Mike Smith
Mayor

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