

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Waveland Civic Center, 335 Coleman Avenue, Waveland, MS. at 6:30 p.m., on March 1, 2011 to take action on the following matters of city business.

Present at the meeting were Mayor Garcia and Aldermen Stahler, Geoffrey, Lafontaine and Kidd.

Also present were City Attorney Gary Yarborough, City Clerk Lisa Planchard and Court Reporter Mandy Schmitt.

PUBLIC COMMENTS

Re: Ms. Connie West thanked the Public Works Department for help with a sewer problem she had the evening before on Music Street. Ms. West also mentioned that a neighbor had 2 coyotes on their property and all residents are very concerned; there are a total of 12 pets missing so far in their neighborhood. She said that this is very serious and something needs to be done, with special concern for children and pets.

Re: Mrs. Brenda McComb told the Board about a missing sign on Hickory Street. Public Works Director Dwight Haskell made note of the missing sign. Mrs. McComb also asked about the FEMA violations and wanted to know where the City stood the the compliance deadline. Mayor Garcia said that there was 20 or more turned over to the Court (because of non-compliance) and that we are on schedule with 29 days to go.

MAYOR'S REPORT

Re:

TAX ABATEMENT FOR COLEMAN AVENUE BUSINESS

Re: Tax Assessor, Jimmy Ladner was present to discuss the issue of Tax Abatement for Coleman Avenue and Waveland Cutoff corridor businesses. Mr. Ladner discussed State Statute 17-21-5 that handles abatement. The idea of the tax abatement is to bring in targeted types of businesses. Mr. Ladner said the Board should customize their ordinance to include such business requirements as a dollar requirement or the number of employees they will hire to meet qualifications, the number of years the abatement will be provided; either 1 year at a time, or example: up to 7 years. If it were 1 year at a time, the business would have to ask for exemption every year, which is not as enticing to a business. He recommended the Board not make the rules very broad to benefit them to the fullest. He also told the Board he was not here either in favor or opposed, but rather to answer questions. He noted that there are cities across the Coast that have implemented tax abatement for a specified section of their City and are producing different levels of success. Pass Christian has not been successful, but Biloxi has. He did say that one of them most important factors is making sure that all business are treated in an equitable manner, avoiding inequitable situations that may involve competitors to the business applying for exemption. The City could target types of businesses, such as grocery stores that would not be in competition with current businesses in the City. The tax exemption will only affect the millage charged by City of Waveland and not the School District millage. He said there are currently no tax exempt districts anywhere in Hancock County. Mr. Ladner recommended the City create a very strict Ordinance if they choose to pursue this and interview customers before granting the tax exempt status. Meridian Mississippi is a great place to look at for further information on the Tax Abatement. He also recommended that City officials contact Mr. George Lewis, MML Director, as a source of information.

ANIMAL SHELTER

Re: Supervisor Lisa Cowand was present to discuss building plans for the County's Animal Shelter. Ms. Cowand said the Animal Shelter is getting under way with the proposed building, designed by Digital Engineering, will be 82.1' x 44.9' having had significant input by Dr.'s Moore & West, Veterinarians. There is a \$500, 00.00 budget to build the 3,200 square foot building which will allow for expansion in the future. There will be prefab runs; an isolation room for cats, a horse area, quarantine area, reception area, utility room and the noise and odor quality will be excellent. She said that Friends

of the Animal Shelter are 'on board'. Mrs. Cowand also noted the bid would be opened at the second March meeting of the Board of Supervisors and she would love to have the City of Waveland on board with this project. The elevation of the property is 21.67' which will not have flooding issues. The shelter will accommodate 18-20 cages for dogs and cats, with 16 of the kennels inside, providing 8 on each side which will lead outside. When Board members asked Supervisor Cowand when their shelter would be complete, she said that Digital Engineering could elaborate more on this.

MAYOR'S REPORT (CONT.)

NEREIDS PARADE

Re: Chief Varnell addressed the Board with the police/arrest statistics from the Nereid's Parade the previous weekend, estimating a crowd of approximately 15,000 in attendance and noting that he felt everything went very well.

ALDERMEN'S COMMENTS

Re: Aldermen Stahler said that she is currently working with David Kopke (Bay St. Louis City Clerk) to analyze the Animal Shelter fees due by Bay St. Louis to the City of Waveland.

Re: Alderman Geoffrey asked about the accumulation of cars at the corner of Old Spanish Trail and Margie Street. Recovery Manager Brent Anderson said that he went by to see the owner, noting the more he speaks to the owner the more cars the owner brings in. He said this will definitely become a court issue, as the property owner is ignoring City instruction. The letters are being sent out certified mail; Mr. Anderson will certify the citation once the letters are sent, putting this issue in the municipal court and Judge Mauffrey hands. Mr. Geoffrey asked for an update of the Magnolia property revitalization project. Mr. Anderson said they have moved over 700 truck loads of fill in 6 days. All of the fill material and dirt is out now and the Corps of Engineers is pleased with the work performed. Mr. Anderson said that while he has the excavator rented for the next couple days, he will do some much needed ditch work in that area and should be complete by Thursday. Furthermore, 125 (3') or 500 (approx. 12") trees are coming and have to be planted. Mr. Haskell will be responsible for this. Mayor Garcia recommended that this be a part of the Great American Cleanup day scheduled for March 19, 2011.

Re: Alderman Lafontaine mentioned that CSX cut the grass along the railroad tracks east, but asked whether they will cut the grass west. Mr. Haskell said that he has not heard back from CSX regarding this as yet. Mr. Lafontaine also noted that after the heavy rain the city had recently, there is still significant standing water covering the road at the intersection of Waveland Avenue and Hwy. 90. Mayor Garcia said he noticed that sod had been recently laid around the old Bank at that corner and may be adding to our drainage problems. Mr. Anderson said that Neil Schaffer, Contractors were doing that job and he will contact them about this issue.

Aldermen Lafontaine asked when the proposed amended budget will be on the Board meeting. Mayor Garcia said that he, the City Clerk, Comptroller, and City Attorney have to meet and work on this, but that he wants to have accurate numbers to give the Board. Mr. Lafontaine asked how court fines are coming along.

City Clerk Planchard said she did not have that information; Ms. Paula Fayard would have to provide that. Chief Varnell said that he is working with Judge Mauffrey to develop a work plan for persons to work off their court fines. Mayor Garcia said once that plan is developed, he and City Attorney Yarborough would like to review it.

Re: Alderman Kidd said that he met with Mr. David Pitalo and Alderman Lafontaine regarding how the Wastewater plant works and how money could be saved. Mr. Kidd asked whether the City owns a street sweeper. Mayor Garcia answered affirmatively, but is old and in poor condition, with continual needed repairs, but does have a vacuum system on it, which Mr. Haskell was unaware of. The sweeper was donated to the City after Hurricane Katrina. Alderman Kidd asked that if at all possible, he would like to see it used in the Idlewood Subdivision neighborhood. Mr. Kidd also said he spoke with Mr. Colin Freeman, ACO (Animal Shelter) regarding 4 to 5 coyotes near the Brown St. area. Mr. Freeman called Wildlife and Fisheries and learned that they do not come out and trap these animals and that he (Mr. Freeman) can not trap them unless he is a licensed trapper; he is not. Mr. Thrash (Wildlife & Fisheries) further said the only way to trap the coyotes is with leg traps or snares, which the City does not own or have access to. Thrash did provide a phone number to USDA Wildlife Services who will trap the animals at a rate

charge; that number was 662-325-3014. Animal Shelter employees will give this phone number out to interested residents. Mr. Kidd told audience members that S.H. Anthony contractors are currently cleaning in Ward 4 regarding drainage. He also noted that he has been working on the proposed football field (old public housing site on Waveland Avenue), including possible funding and associated costs to the City. He also mentioned to audience members that he has had requests for the minutes and agendas to be added to the website, but Ms. Fayard's computer is currently problematic and being assessed by the City's IT personnel to determine if it should be repaired or replaced.

(See Exhibit A – Court Reporter Transcript for Details)

MINUTES

Re: Meeting of the Special Meeting February 10, 2011 and the Regular Meeting of February 16, 2011

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve the minutes of the Special Meeting of February 10, 2011 and Regular meeting of February 16, 2011, and to include the transcripts of the Court Reporter thereto, as submitted by the City Clerk

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

RSVP

Re: Claims

Alderman Stahler moved, seconded by Alderman Kidd to approve the RSVP Claims.
(EXHIBIT B)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims numbers 67993-68054

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve the Docket of Claims, as submitted by the City Clerk and being numbered as **67993-68054**.
(EXHIBIT C)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

ADVERTISEMENTS/UTILITY DEPARTMENT/PUBLIC WORKS

Re: Advertise for collection of delinquent Utility payments

Alderman Kidd moved, seconded by Alderman Geoffrey to approve advertising for collection of delinquent Utility payments (over 90 days).

After discussion, the Board agreed that they would prefer to wait until Public Works Office Manager; Crystal Cato has drafted the collections policies and procedures manual.

Alderman Kidd moved, seconded by Alderman Lafontaine to **TABLE** advertising for collection of delinquent Utility payments until the first April, 2011 meeting.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

QUIT CLAIM DEED

Re: Approve Mayor's signature on Quit Claim Deed for Mr. Robert Richards

Alderman Stahler moved, seconded by Alderman Geoffrey to approve Mayor's signature on Quit Claim Deed to Mr. Robert Richards, for a portion of lot 14 all as shown on the Quit Claim Deed reported thereto (attached.) **(EXHIBIT D)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PLANNING AND ZONING:

Re: Deny the removal of the tree located at 301-307 Coleman Avenue/City Hall Complex

The Planning & Zoning Commission recommends that the Board of Mayor and Aldermen deny the request to remove a Live Oak tree at 301-307 Coleman Avenue; and further recommends the Board hire an Arborist to guide the Board in determining the best course of action for the tree. **(EXHIBIT E)**

Alderman Geoffrey moved, seconded by Alderman Stahler to accept the recommendations of the Planning and Zoning Board to deny removal of the oak tree.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PARKS AND RECREATIONS DEPARTMENT/MARTIN LUTHER KING PARK

Re: Stage to be built by volunteers at the Martin Luther King Park on Herlihy Street

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve the building of a stage by volunteers at the Martin Luther King Park on Herlihy Street. There shall be absolutely no cost to the City and this project must meet Municipal Building Codes.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CIVIL SERVICE BOARD

Re: Resignation of Mr. Alfred Harris

Spread on the minutes the resignation of Mr. Alfred Harris from the Civil Service Board.

Re: Mr. Paul Pitts to serve as Mayor's appointee

Spread on the minutes the Mayor's appointment of Mr. Paul Pitts to the Civil Service Board.

MAGNOLIA REVITALIZATION PROJECT

Re: Reject all bids related to the Magnolia Revitalization Project

Alderman Geoffrey moved, seconded by Alderman Stahler to reject all bids from the January 19, 2011 bid opening related to the Magnolia Revitalization Project regarding removal and disposal of 8500 cu. yards of fill material.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: Advertisement placed to haul dirt from the Magnolia Condominium site

Spread on the minutes that the City of Waveland has placed advertisement to interested MDOT certified commercial haulers to take 8500 cubic yards of dirt fill material (at their cost) from Magnolia Revitalization site, so as to become compliant with Corps of Engineers wetlands requirements. City Employees shall perform the digging and loading functions, i.e. instead of accepting hauling bid (bid opening of 1/19/11) for a minimum of \$23,375.00. Cost to the City shall be rental of 1 track hoe for 2 weeks, approximately \$4,500.00. **(EXHIBIT F)**

TRAVEL/CITY HALL

Re: City Clerk Lisa Planchard and Deputy City Clerk Tammy Fayard to attend the April 2011 Clerk's Certification Class

Alderman Stahler moved, seconded by Alderman Geoffrey to approve travel for City Clerk Lisa Planchard and Deputy City Clerk Tammy Fayard to attend the April, 2011 Clerk's certification on April 14th and 15th in Hattiesburg, Mississippi. Cost to the City will be lodging for one night (Mrs. Planchard and Mrs. Fayard will share a room), and cost of one registration fee in the amount of \$75.00 (the City has a credit from the February session (Special Mtg. called, Planchard unable to attend)). A City vehicle will provide transportation. No per diem is requested by Planchard or Fayard.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

TIDELANDS FUNDS/GARFIELD LADNER MEMORIAL PIER/MARINA IMPROVEMENTS/PEDESTRIAN PATHWAY

Re: Approve Mayor's signature on the Tidelands Grant Agreements for the Pier and Pedestrian Pathway

Alderman Stahler moved, seconded by Alderman Kidd to approve Mayor's signature on the Tidelands Grant Agreements, each in the amount of \$150,000.00 for the FY2011-P111 Waveland Pier/Marina Improvements Project and the FY2011-P112 Beach Blvd. Pedestrian Pathway Project. **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

BUDGET MODIFICATIONS

Re: Approve Budget Modifications presented by Jimmy Gouras Urban Planning Consultants

Alderman Stahler moved, seconded by Alderman Geoffrey to approve the following Budget Modifications submitted by Jimmy Gouras Urban Planning Consultants:

- a. #R-109-379-02-KCR with no increase or decrease – City Hall and City Hall Annex Project.
- b. #R-118-379-02-HCCR with no increase or decrease – Police Station.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

REQUESTS FOR CASH REIMBURSEMENTS/CIVIC CENTER/LIBRARY/FIRE STATION/COLEMAN AVENUE/SANITARY SEWER SYSTEM IMPROVEMENTS WEST/CITY HALL AND CITY HALL ANNEX/HARBOR LIGHTHOUSE, BOAT LAUNCH/CENTRAL FIRE STATION

Spread on the minutes the following Requests for Cash Reimbursements, as listed (Items a-e):

- a. #R-103-379-01-KCR in the amount of \$259,732.81 – Civic Center, Library, Fire Station, Coleman Avenue.
- b. #R-118-379-03-HCCR in the amount of \$208,819.56 – Sanitary Sewer System Improvements West.
- c. #R-109-379-02-KCR in the amount of \$2,650.46 – City Hall and City Hall Annex.
- d. #R-118-379-04-HCCR in the amount of \$61,856.95 – New Harbor, Lighthouse, Boat Launch.
- e. #R-118-379-01-HCCR in the amount of \$211,075.00 – Central Fire Station.

INVOICES/HMGP DRAINAGE IMPROVEMENTS/HMGP 18 PARCEL PURCHASE PROJECT/PEDESTRIAN PATHWAY/TIDELANDS FUNDS
Re: Approval of invoices as submitted by various contractors

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Meeting of March 1, 2011
6:30 P.M.

Alderman Stahler moved, seconded by Alderman Geoffrey to approve invoices submitted by various contractors and recommended for payment by Recovery Manager Brent Anderson, as listed (Items a – d):

- a. Invoice No. X17325565 from Amec Earth and Environmental in the amount of \$233.57 – 18 Parcel HMGP Project.
- b. Invoice No. X17325566 from Amec Earth and Environmental in the amount of \$642.42 – HMGP Drainage Project.
- c. Pay Estimate No. 2 from David Rush Construction in the amount of \$38,664.93 – Waveland Pedestrian Pathway.
- d. Invoice No. 201-150-26 from Compton Engineering in the amount of \$1,480.00 – Tidelands Report – Preparation and submittal of semi-annual Report to DMR.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PUBLIC COMMENTS

Re: Ms. Brenda McComb requested that, as a Planning & Zoning Board member, whenever the City has placed an issued on the P&Z agenda for consideration, someone, perhaps Mr. Brent Anderson should be present at their meetings to explain the request.

Re: Mr. Don Sager asked why Hardies Restaurant filled in the drainage ditch during construction. Mr. Dwight Haskell was present and will look into this issue.

ADJOURN

Re: Adjourn meeting at 8:12 p.m.

Alderman Kidd moved, seconded by Alderman Geoffrey to adjourn the meeting at 8:12 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Garcia on March 18th, 2011.

Lisa Planchard
City Clerk

The Minutes of March 1, 2011 have been read and approved by me on this day the 18th day of March, 2011.

David A. Garcia
Mayor