

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. on April 3, 2012 at 6:30 p.m. to take action on the following matters of city business.

ROLL CALL

Mayor Pro Tem Ricky Geoffrey noted for the record the presence of Aldermen Stahler, Lafontaine, and Kidd along with Acting City Attorney Rachel Perniciaro Yarborough and City Clerk Lisa Planchard. Absent from the meeting were Mayor Garcia and City Attorney Gary Yarborough, who were in Jackson, MS. on official city business.

PUBLIC COMMENTS:

Ms. Myra Sager – concerns about Hogan Street dump

Mr. Mike Kopke – reminder of Eggstravaganza Saturday at the Elwood Bourgeois Park

(Tape of meeting for listening available via records request, in Meeting folder)

MAYOR'S REPORT

Mayor Pro-Tem Geoffrey commented on the following: (EXHIBIT A)

- a. Remind everyone of the upcoming events –
 1. The Eggstravaganza, Easter Egg Hunt will be held at the Elwood Bourgeois Park this Saturday from 10 to 12 noon.
 2. C&R's and Hope Haven will hold its annual Crawfish Cookoff on April 14, 2012 also at the Elwood Bourgeois Park.
- b. Thank you to everyone who came out for recent Central Fire Station and City Hall Complex ribbon cuttings; with a special thanks to Mr. Scott Blackwell for the wine and cheese provided for the City Hall ribbon cutting, Mr. & Mrs. Frank Golemi for providing the 'Fire Department' replica cake, and 'Imagine That' for the use of the beautiful potted plants for the opening.
- c. Reminded everyone that the City Hall will be moving next Wednesday and if all goes well, offices should be ready for business by Monday, April 16th; also the Police Department has moved to Coleman Avenue next to the Library.
- d. Our sympathies go out to Mr. Clarence Harris of the Planning and Zoning Commission for the loss of his wife recently.

ALDERMEN'S COMMENTS:

There were no comments presented

MINUTES

Re: Minutes of the Meeting of March 21, 2012 and the Special Meeting of March 26, 2012

Alderman Lafontaine moved, seconded by Alderman Kidd to approve the Minutes of the Meeting of March 21, 2012 and the Special Meeting of March 26, 2012 as submitted by the City Clerk. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Other: Alderman Geoffrey acting in capacity of Mayor Pro-Tem/not voting

RSVP

Re: Claims

Alderman Kidd moved, seconded by Alderman Stahler to approve the RSVP Claims as submitted. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Other: Alderman Geoffrey acting in capacity of Mayor Pro-Tem/not voting

DOCKET OF CLAIMS

Re: Claims Nos.

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the Docket of Claims dated April 3, 2012 as submitted by the City Clerk. **(EXHIBIT D)**

001 Fund – Claims No's 173-230

100 Fund – None

101 Fund – Claim No. 5

102 Fund – None

103 Fund – Claim No. 1

124 Fund – Claim No's 24-29

125 Fund – Claim No's 25-28

400 Fund – Claim No's 113-124

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Other: Alderman Geoffrey acting in capacity of Mayor Pro-Tem/not voting

PROCLAMATION/CHILD ABUSE PREVENTION MONTH

Re: Proclamation recognizing the month of April as Child Abuse Prevention Month

Alderman Lafontaine moved, seconded by Alderman Stahler to approve a proclamation recognizing the month of April as Child Abuse Prevention and Awareness Month. **(EXHIBIT E)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Other: Alderman Geoffrey acting in capacity of Mayor Pro-Tem/not voting

PLANNING AND ZONING (EXHIBIT F)

Re: Table the request from Richard and Sandra Ribes, 811 N. Beach Blvd and John and Martha Mc Morrrough, 704 S. Beach Blvd.

Richard and Sandra Ribes were not able to appear before the commission with their request for approval to remove a live oak tree from their property located at 811 N. Beach Boulevard.

Legal description: Pt of lot 17, 97 x 161.8, 1st Ward, City of Waveland, Hancock County, Mississippi.

Brenda McComb moved, seconded by Tish Ortiz recommends that the Board of Mayor and Aldermen table the request as submitted.

John and Martha Mc Morrourh appeared before the commission with a request for a variance of two and a half feet from the required setback on each side yard setback.

This property is located at 704 S. Beach Boulevard. Legal description: Lot 114 A, 3rd Ward, City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Tish Ortiz in that there are unique circumstances affecting the site, the Planning and Zoning Commission recommends the Board of Mayor and Aldermen approve as submitted the Applicant's request for two side yard variances each of two and one-half (2 ½)feet each to allow set-backs of ten feet each, on two (2) conditions: 1. that the Building Official approve a drainage plan for the property that ensures that all roof and surface water drain within the Applicant's property; and 2. that the variance is valid only for this Applicant.

Note: Subsequent to the Planning & Zoning Board meeting, Mr. & Mrs. Mc Morrourh (applicant) requested that their issue be tabled, according to Mr. Steve Hand, who was present at the Board meeting.

Alderman Kidd moved, seconded by Alderman Lafontaine to Table the two (2) above requests; that of Mr. and Mrs. Ribes and Mr. & Mrs. McMorrough.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Other: Alderman Geoffrey acting in capacity of Mayor Pro-Tem/not voting

Re: Waveland Housing Authority, 500 Camille Circle

Bay Waveland Housing Authority appeared before the commission with a request for approval of a Conceptual Plan for a Residential Planned Development that will consist of 30 single family homes located at 500 Camille Circle (162H-0-03-018.000) and is zoned R-1 Single Family.

Legal description: Div NE ¼ of SE ¼ Lot 4-1 & B & 5-A, Section 3-9-14, City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Brenda McComb in that the proposed Camille Court Planned Residential Project fully conforms to the requirements of the R-1 Zoning District in which it is located and to the intent and requirements of the Zoning Ordinance with respect to planned residential developments, the Planning and Zoning commission recommends the Board of Mayor and Aldermen approve the applicant's conceptual plan subject to one condition. This condition is that the Applicant include in its Preliminary Plat submission a plan for the maximum feasible preservation of the site's twelve (12) existing Live Oaks during and after construction of the proposed project.

As requested on advice of the City Attorney, motion shall include a reservation of rights by the Board of Mayor and Aldermen to all rights allowed it in the review of the preliminary and final plat review, and review of the conditional use application, as well as any future modifications or denials the Board may deem appropriate under the facts of the future hearings required. Otherwise, I recommend that the Board make clear that the

project still requires preliminary plat and final plat submittal, with public hearings on both, and that the Board has not approved the item until approval, if any, of preliminary plat and final plat, and conditional use; in addition that the Board clarify that the Housing Authority's plan is not R-1 compliant, even with conceptual plan approval.

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the above recommendation of the Planning & Zoning Board with the requested additional motion wording by City Attorney Gary Yarborough.

According to acting City Attorney, Rachel Perniciaro, "They still would require a conditional use, a preliminary plat, a final plat; all of this requires a Public Hearing. So basically this conceptual plan is, if the Board were to approve it, basically saying, we're all on the same plan, on the same page as the concept. But there are still more procedural hurdles to overcome to get final approval. I've seen the letter that they proposed that the City sign and the letter states that it's their position that it was being complied with the R-1 as set up in the ordinance. I don't believe and I don't believe its Gary Yarborough's position that that's correct at this time. There is still much more to do on the project before the City can sign the letter." Mr. Steve Hand presented his position on this issue. Ms. Perniciaro said she felt the current letter would be more appropriate after the preliminary plan is approved. Ms. Perniciaro said the Public Hearing would get input from adjacent property owners to make sure that their due process has been preserved and make sure they have shared with the Board in the consideration of this issue. She said there is still a possibility this issue could be denied or that maybe there would not be enough room in the subdivision in the way the property could be sub-divided. Mr. Hand again commented on Ms. Perniciaro remarks. Ms. Perniciaro told Mr. Hand that she did not necessarily disagree with his comment; however she would not place "as much weight" on the conceptual plan. She didn't know if it locked the Board (of Aldermen) into 30 (# of units). She explained there may be future changes that would reflect a change in the number of units due to possible issues with oak trees, etc... There are issues like this that could come later, Ms. Perniciaro said. Again, Mr. Hand commented on Ms. Perniciaro's explanation. Ms. Perniciaro said she didn't know what the Ordinance required for a Public Hearing, but she knew the City Attorney stated that he would be willing to have a special meeting in order to move forward with this request. Mrs. Ladner said these two standard letters from the MS. Home Corporation would not commit the City to anything. Ms. Perniciaro said that is not how she read the letters and recommending considering these letters at another time. Mrs. Ladner said this is a standard letter from the Mississippi Home Corp. that is part of the application; if the letters are not in the packet, they will not accept the application. Ms. Perniciaro read from a prepared letter by City Attorney Gary Yarborough with his recommendations/clarifications relating to this issue, which clarification is included in the motion above.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Other: Alderman Geoffrey acting in capacity of Mayor Pro-Tem/not voting

TRAVEL/CITY HALL/FIRE DEPARTMENT/MML
Re: Travel for City Officials – MML Annual Conference

Alderman Stahler moved, seconded by Alderman Lafontaine to approve travel for the following listed (Items a-c):

- a. Mayor David A. Garcia, Aldermen Lili Stahler, Ricky Geoffrey, Shane Lafontaine, and Mark Kidd to attend the 81st Annual Mississippi Municipal League Conference in Biloxi, Mississippi, June 25-27, 2012. Cost to the City will be a fee of \$235.00 per person.

- b. Mayor David A. Garcia and Fire Chief Mike Smith to attend the AFMM 2012 Spring conference at the Palace Casino Resort, Biloxi, MS, May 9-11, 2012. Cost to the City will be a registration fee of \$100.00 per person and use of a City vehicle. Mayor Garcia needs CFM hours to maintain certification as National Certified Floodplains Manager. May 20, 2012 mailing deadline for reduced rate registration.
- c. Mayor David A. Garcia, Aldermen Lili Stahler, Ricky Geoffrey, Shane Lafontaine and Mark Kidd to attend the '*Basic Community Economic Development: Practical Tools for Elected Officials*' on April 24, 2012 at the University of Southern Mississippi in Hattiesburg, Mississippi. This course will offer two CMO elective credits for elected officials.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Other: Alderman Geoffrey acting in capacity of Mayor Pro-Tem/not voting

BUILDING DEPARTMENT

Re: Refund of Demolition Permit issued for property located at 4184 Arctic Street

Alderman Lafontaine moved, seconded by Alderman Kidd to approve refund in the amount of \$100.00 for a demolition permit issued to Coastal Services LLC; property located at 4184 Arctic Street.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Other: Alderman Geoffrey acting in capacity of Mayor Pro-Tem/not voting

RSVP/PERSONNEL

Re: Resignation of Mrs. Jane Clayton

Spread on the minutes the resignation of Mrs. Jane Clayton, due to budget cuts, as Volunteer Coordinator for RSVP.

RSVP/PERSONNEL

Re: Request for a \$1,700.00 annual pay increase for the Director of Hancock County RSVP

Alderman Stahler moved, seconded by Alderman Lafontaine to approve an increase in pay of \$1,700 annually for the Director of Hancock County RSVP to compensate for the added job responsibilities due to the resignation of Mrs. Clayton.

A vote was called for with the following results:

Voting Yea: Stahler

Voting Nay: Lafontaine and Kidd

Absent: None

Other: Alderman Geoffrey acting in capacity of Mayor Pro-Tem/not voting

Motion fails

INVOICES/CENTRAL FIRE STATION

Re: Invoices as submitted by various contractors

Alderman Lafontaine moved, seconded by Alderman Kidd to approve the following invoices submitted by various contractors and vendors and recommended to be placed in line for payment consideration contingent upon receiving funding from grant sources, as submitted by Recovery Manager Brent Anderson, and listed (Items a-b). **(EXHIBIT G)**

- a. Pay Request No. 25 from CDM Smith in the amount of \$4,810.00 – Central Fire Station.
- b. Partial Retainage Release Pay Application 1006-24RET-A in the amount of \$88,122.00 – Central Fire Station.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Other: Alderman Geoffrey acting in capacity of Mayor Pro-Tem/not voting

MISSISSIPPI DEVELOPMENT AUTHORITY/BUSINESS INCUBATOR/PUBLIC WORKS/FIRE STATION/COLEMAN AVENUE- LANDSCAPING

Re: Letter from Mr. Stacey McEachern of MDA Disaster Recovery regarding funding of various projects

Spread on the minutes the letter received from Mr. Stacey McEachern of MDA Disaster Recovery regarding the following funding request issues: the Waveland Business Incubator, Replacement of damaged lift station near the intersection of Herlihy and Tabor Streets, Road work in Idlewood Subdivision and McLaurin Street, Paving road work in area annexed by the City after Hurricane Katrina, Funding to install an elevator at the Coleman Avenue Fire Station, and Landscaping of Coleman Avenue. **(EXHIBIT H)**

FIRE DEPARTMENT/GRANT

Re: Authorize Letter of Commitment by Mayor in support of SAFR Grant for the Fire Department

Alderman Lafontaine moved, seconded by Alderman Stahler to authorize Letter of Commitment by Mayor David A. Garcia in support of, and application for, the FY2011 Staffing for Adequate Fire and Emergency Response (SAFR) Grant.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Other: Alderman Geoffrey acting in capacity of Mayor Pro-Tem/not voting

PUBLIC WORKS

Re: Update by Recovery Manager, Brent Anderson

Mr. Anderson updated Board members regarding resolution of water issues and Fire protection issues in the annexed and other adjacent areas.

ADJOURN

Re: Adjourn meeting 7:48 p.m.

Alderman Kidd moved, seconded by Alderman Stahler to adjourn the meeting at 7:48 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Other: Alderman Geoffrey acting in capacity of Mayor Pro-Tem/not voting

The foregoing minutes were presented to Mayor Garcia on May 4th, 2012.

Lisa Planchard
City Clerk

The Minutes of April 3, 2012 have been read and approved by me on this day the 4th day of May, 2012.

David A. Garcia
Mayor

LEFT

BLANK

INTENTIONALLY