

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 April 16, 2014 at 6:30 p.m. to take action on the following matters of City business.

ROLL CALL

Alderman Geoffrey acting as Mayor Pro-Tem, noted for the record the presence of Aldermen Lafontaine and Kidd, along with City Clerk Lisa Planchard and City Attorney Gary Yarborough.

Absent from the Meeting were Mayor David A. Garcia and Alderman Lili Stahler

PUBLIC COMMENTS:

Re: Mr. Dewayne Benoit was present to discuss his recent insurance claim against and correspondence he received from the City's insurance company. Mr. Yarborough told Mr. Benoit that the City would not discuss any litigation related to the claim that Mr. Benoit filed against the City. He further advised the Board not to discuss the issue with Mr. Benoit.

Re: Ms. Mikelle Williamson requested placement of a stop sign at the 4 way intersection of Herlihy Street and Waveland Avenue, as had been approved by a prior Board October 20, 2010. Mr. Anderson said he could have it put up very quickly but would have to put up warning signs a short distance in advance to let motorists know of the upcoming stop sign. Alderman Lafontaine asked Chief Allen to work with Mr. Anderson to determine what is best for this intersection, stop sign with flashing light etc. to prevent accidents.

Re: Mr. Danin Benoit attempted to further discuss the insurance claim and asked the Board to explain the protocol for motorists who damage their vehicles on public streets. Mr. Yarborough again said the City could not offer advice; a claim has been submitted, and again asked the Board not to discuss the issue on the record. Mr. Yarborough noted he would not advise Mr. Benoit on how to submit a claim.

MAYOR'S REPORT:

Re: Alderman Geoffrey said that he received an email from Ms. Melinda Tucker of Keep Waveland Beautiful informing the Board of an award given to Dr. Bill Bradford from Keep Mississippi Beautiful.

ALDERMEN'S COMMENTS:

Re: Alderman Lafontaine:

- Inquired about the loaded dump trucks that are using the City's smaller side streets while working on the Jeff Davis/Gulfside contracted project. Mr. Anderson said that he handled this issue earlier in the day with the contractor... for the third time.
- Can the City use the dirt being hauled out on this project for proposed Tennis Courts re: State Farm grant request, if approved. Alderman Kidd agreed with Mr. Anderson that the soil is muck and sand and doubts it can be compacted enough to be used for the tennis courts.
- The Antique Car Club asked if the City would have a problem with Coleman Avenue being lined up with display cars. The event this past Thursday evening was successful by just "word of mouth". Aldermen Kidd and Geoffrey agreed that this should continue. Mr. Anderson said that he would put barricades out, as requested by one of the Car Club Organizers, to ensure safety for the visitors. In addition, trash receptacles will be put out every Thursday for the event.
- The Car Club has also asked about doing an 'Arts Car Show' coordinating their car show with an Art showing in City Hall, which would take about a year to plan.
- Suggested the Board Members get together to discuss the type of venue the City would want to participate in Cruisin' the Coast ©.

Re: Alderman Kidd:

- Choctaw Plaza has a large sign (70 ft. high) with signage pieces hanging off of the pole. Alderman Kidd expressed concern about a portion of the sign hitting someone during the recent heavy wind storms. Mr. Yarborough suggested looking into the possibility of a sign violation and if so, he would notify the owner.
- Spoke with Mr. Anderson about the ditches and possibly renting a machine that will work best for a ditch shaping/cleaning project, with the annexed area ditches to be included. Mr. Anderson said he would research this, but felt personally a track hoe is the best for the job; he would look into other options. He added that culverts set at improper elevations are an additional problem causing the backup of water flow in the ditches.

ATTORNEY'S REPORT:

AMEND AGENDA/LEGAL DEPARTMENT/PURCHASING/HMGP/REAL PROPERTY

Re: Amend Agenda to approve authorizing City Attorney to purchase up to .3 Acres of Wetlands

Alderman Lafontaine moved, seconded by Alderman Kidd to amend the agenda to authorize the City of Waveland Attorney to purchase up to .3 acres of wetlands to facilitate the grant approval for the City of Waveland Drainage Project Phase II, Hazard Mitigation.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

Re: Authorize City Attorney to Purchase up to .3 Acres of Wetlands for HMGP

Alderman Lafontaine moved, seconded by Alderman Kidd to authorize the City of Waveland Attorney to expend up to \$50,000 to purchase .3 acres of wetlands credits for the Hazard Mitigation Grant Program Project 16.04-0420, City of Waveland Drainage Project Phase II, with closing by May 6, 2014.

Mr. Yarborough said the City has preliminary approval for 100% funding for \$6.9 million dollars of projects, administration for the State of \$35,050.00 which is 100% funded, but the City has to purchase .3 acres of wetlands by May 6, 2014. The City just received notice last Thursday that this grant had been approved by FEMA. **(EXHIBIT A)**

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

HMGP (HAZARD MITIGATION GRANT PROGRAM)/MEMA/CORRESPONDENCE

Re: Acknowledgement of Preliminary Grant Approval from FEMA to MEMA (Robert Latham)-HMGP Citywide Drainage Improvement Project

Spread on the minutes the April 10, 2014 correspondence from FEMA to Mr. Robert Latham of MEMA with the preliminary approval of the Grant. **(EXHIBIT A)**

MINUTES

Re: Minutes of the Regular Meeting of April 1, 2014.

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the Minutes of the Meeting of April 1, 2014 as submitted.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

RSVP

Re: Claims

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

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

DOCKET OF CLAIMS

Re: Claims

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the Docket of Claims dated April 16, 2014. **(EXHIBIT C)**

001 Fund – 645 to 686
099 Fund – None
100 Fund – 21
101 Fund – None
102 Fund – 20
103 Fund – 17 to 18
104 Fund – None
105 Fund – None
124 Fund – None
125 Fund – 20
126 Fund – 24
127 Fund – 9
200 Fund – None
313 Fund - 13
400 Fund – 246 to 308
601 Fund – None

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

PROCLAMATION/ GOODWILL INDUSTRIES OF SOUTH MISSISSIPPI, INC.

Re: Recognizing Goodwill Week in Waveland May 4-10, 2014

Alderman Lafontaine moved, seconded by Alderman Kidd to approve a Proclamation recognizing Goodwill Industries of South Mississippi, Inc. and proclaiming the week of May 4-10, 2014 as Waveland Goodwill Week. **(EXHIBIT D)**

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

HANCOCK COUNTY STREAM RESTORATION PRESENTATION/STREAM RESTORATION/PROJECTS

Re: Ms. Nancy Depreo with Seymour Engineering discussed the Hancock County Stream Restoration Project – RESTORE ACT

Ms. Nancy Depreo with Seymour Engineering discussed the Hancock County Stream Restoration Project she is presenting to encourage the three cities within Hancock County to partner together with the Hancock County Board of Supervisors for the benefit of all to improve waterways, stream restoration and marsh restoration. This will include, among other things, removing the sedimentation from the streams, enhancing the marsh areas and stabilizing the banks and shorelines. Streams may include bayous, canals and discharge areas; resulting in major waterways that need to be cleaned out to be able to hold more water. She said this would be a collective project with the entire county. Bay St. Louis Councilman, Lonnie Falgout added to Ms. Depreo's comments and the importance of this project as it relates to all of the communities within Hancock County, including improvements to the ecosystem and thus, increases in tourism.

RESOLUTIONS/HANCOCK COUNTY STREAM RESORATION PRESENTATION/STREAM RESORATION/MEMORANDUM OF UNDERSTANDING

Re: Resolution/MOU supporting the submission of Claim for Cost for a Hancock County Stream Restoration Presentation; Funding to be provided through the National Fish & Wildlife Federation (NFWF)

Alderman Lafontaine moved, seconded by Alderman Kidd to approve a Resolution (MOU), given the record for the City of Waveland, to support the submission of a claim for cost for a Hancock County Stream Restoration Presentation with term to be agreed to through a coordinated M.O.U. (Memorandum of Understanding) with Diamondhead, Bay St. Louis, the County and Waveland. **(EXHIBIT E)**

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

WAVELAND CIVIC ASSOCIATION/FISHING RODEO/GARFIELD LADNER MEMORIAL PIER/COAST CONSERVATION ASSOCIATION (CCA)

Re: Civic Association and Coastal Conservation Association to hold a Fishing Rodeo June 20 – 22, 2014

Alderman Kidd moved, seconded by Alderman Lafontaine to approve a request by Mr. Jeremy Burke, the Waveland Civic Association and the Coastal Conservation Association to hold a Fishing Rodeo June 20 thru 22, 2014 and use the parking lot adjacent to Garfield Ladner Memorial Pier, a section of North Beach Blvd, South Beach Blvd and Coleman Avenue; along with permission to sell beer on City Property; i.e. Coleman Avenue rights of way north of Beach Boulevard. **(EXHIBIT F - MAP)**

Mr. Yarborough advised the Board of an email he received from Mr. Raymond Carter (Secretary of State's Office) stating there will be no use or sale of alcohol on leased premises from the Secretary of State. Mr. Burke said they were intending for beer/alcohol sales on Coleman Avenue rights of way closer to beach blvd, as opposed to further north by the Business Center. Mr. Yarborough said anything south of Beach Boulevard is leased to the City, including the parking lot so beer/alcohol may not be sold/used there. Chief Allen recommended they hire of an off duty Police Officer for this event, especially since there will be alcohol. Mr. Yarborough told Mr. Burke the City will need their Certificate of Insurance naming the City of Waveland as an additional insured before the event.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

AMERICAN CANCER SOCIETY/RED BEANS AND RICE COOK-OFF

Re: City to Participate in Red Beans and Rice Cook-Off to Benefit American Cancer Society

Alderman Lafontaine moved, seconded by Alderman Kidd to approve participation in the Annual Red Beans and Rice Cook-off on Monday April 21, 2014. Cost to the City would be \$100 registration fee along with additional supplies cost.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

KEEP WAVELAND BEAUTIFUL/RESTRICTED FUNDS/DONATIONS
Re: Accept Restricted Funds Donation from Keep Waveland Beautiful

Alderman Kidd moved, seconded by Alderman Lafontaine to accept 'in the Minutes' the Restricted Funds Donation from Keep Waveland Beautiful in the amount of \$72.00. Actual funds were received 3/24//2014. **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

VOLLEYBALL TOURNAMENT/COMFORT STATION/PURCHASING
Re: Rental of Comfort Stations for Volleyball Tournament

Alderman Kidd moved, seconded by Alderman Lafontaine to approve rental of comfort station and portolets for the upcoming Volleyball Tournament to be held May 10, 2014: (Not currently budgeted) **(EXHIBIT H)**

- a. Johnny Potts in the amount of \$1,100.00 – Comfort Elite III Portolet
- b. Joey Boudin in the amount of \$125.00 for handicapped bathroom.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

**INTERLOCAL COOPERATION AGREEMENT/AGREEMENTS/SCENIC BYWAY/
CONTRACTS/INTERLOCAL AGREEMENT**
Re: Interlocal Agreement with Hancock County Municipalities

Alderman Lafontaine moved, seconded by Alderman Kidd to approve an Interlocal Cooperation Agreement (MOU) between Hancock County, Bay St. Louis, and Waveland to address, in a coordinated manner, the construction enhancements of the Beach Boulevard Scenic Byway in Historic Bay St. Louis and in Waveland. **(EXHIBIT I)**

Mr. Yarborough said this is an M.O.U. for improvements on Beach Boulevard designating it as a scenic by-way and it's needed to facilitate the County getting the grant funds from M.D.O.T. The County would do the work and hire the workers required.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

WATER SYSTEM EXTENSION ANNEXED AREA MASTER METER CONNECTION PROJECT/BIDS

Re: Approve & Award Hensley R. Lee Contracting, Inc. as Lowest, Best and Most Responsive Bid

Alderman Kidd moved, seconded by Alderman Lafontaine to approve and award Hensley R. Lee Contracting, Inc. as the lowest, best and most responsive bid in the amount of \$195,700.00 for the Water System Extension Annexed Area Master Meter Connection Project, as recommended by Digital Engineering. (EXHIBIT J)

Mr. Yarborough said, if approved, the Board is making the finding that Hensley R. Lee Contracting, Inc. is the lowest, best and actual bidder pursuant to 31-7-13 and are deeming all informalities to have not affected the price or the competitiveness of the bid. All they had was a minor calculation modification; otherwise the bid was in order.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

VETERANS MEMORIAL/BEACH FACILITY IMPROVEMENTS PROJECT/CHANGE ORDERS

Re: Approve Change Order No. 3 from David Rush Construction – Veterans Memorial

Alderman Lafontaine moved, seconded by Alderman Kidd to approve Change Order No. 3 from David Rush Construction, and submitted by Compton Engineering, in the amount of \$11,482.00 to fill the existing fountain with reinforced concrete to serve as flagpole foundation and install brick pavers to add aesthetic value. (EXHIBIT K)

Mr. Yarborough said the Board is making a finding that it's within the scope of the project and necessary and incidental commercial and reasonable to the project.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

VETERANS MEMORIAL/BEACH FACILITY IMPROVEMENTS PROJECT/PARKING PROJECT/PEDESTRIAN PATHWAY/MISCELLANEOUS IMPROVEMENTS/CONTRACTS/AMENDMENTS

Re: Amendment No. 1 to the Contract with Compton Engineering – Veterans Memorial

Alderman Kidd moved, seconded by Alderman Lafontaine to approve Amendment No. 1 to the contract with Compton Engineering for Construction of Waveland Beach Facility Improvements – to include Veteran's Memorial, Parking, Pedestrian Pathway and Miscellaneous Improvements. (EXHIBIT L)

Mr. Yarborough said he reviewed this and is fine with the terms of the amendment.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd
Voting Nay: None

Absent: Stahler

REVENUE AND EXPENSE REPORT/MS. DEPARTMENT OF ARCHIVES AND HISTORY/OLD WAVELAND SCHOOL/CIVIC CENTER/GROUND ZERO MUSEUM/EASTER EGG HUNT/PERSONNEL/POLICE DEPARTMENT/REQUEST FOR CASH REIMBURSEMENT/CENTRAL FIRE STATION HIGHWAY 90/WATER SYSTEM ANNEXED AREA MASTER METER CONNECTION PROJECT

Spread on the minutes the following as listed: (Items a- f)

- a. Revised February 2014 Revenue and Expense Report. **(EXHIBIT M)**
- b. The Revenues and Expense Report for the month of March 31, 2014, presented at this the second meeting of April 2014 by Comptroller Linda Elias. **(EXHIBIT N)**
- c. The MS. National Register of Historic Places Review Board, through the MS. Department of Archives and History, has approved the “Old Waveland Elementary School” for nomination to the National Register of Historic Places. **(EXHIBIT O)**
- d. The personal purchase of 1,826 Easter Eggs by Mayor David A. Garcia for the 2013 Easter Egg Hunt.
- e. The Resignation of Officer Christopher “Jarrell” Perez effective April 11, 2014.
- f. Request for Cash Reimbursement as submitted by Ms. Lyn Powers with the Horne Group, LLP:
 1. #R-118-379-01-HCCR in the amount of \$320.00 – Central Fire Station Highway 90. **(EXHIBIT P)**
 2. #R-118-379-06-HCCR in the amount of \$6,076.00 – Water System Annexed Area Master Meter Connection Project. **(EXHIBIT Q)**

INVOICES/W.JEFF DAVIS SEWER SYSTEM IMPROVEMENTS/E.JEFF DAVIS SEWER SYSTEM IMPROVEMENTS PROJECT/WATER SYSTEM EXTENSION MASTER METER CONNECTION PROJECT/WATER SYSTEM EXTENSION MASTER METER CONNECTION PROJECT/MARCIE LANE TOPOGRAPHICAL SURVEY/BEACH FACILITY IMPROVEMENTS PROJECT/VETERANS MEMORIAL/GARFIELD LADNER MEMORIAL PIER REPAIRS PROJECT/PIER/BEACH VOLLEYBALL FACILITY/VOLLEYBALL FACILITY/CITYWIDE ROAD OVERLAY ANDPAVEMENT PROJECT

Re: Payment of invoices by various contractors

Alderman Kidd moved, seconded by Alderman Lafontaine 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 source, as listed (Items a - k): **(EXHIBIT R)**

- a. Invoice No. 702-36-11A from Digital Engineering in the amount of \$9,819.55 –W. Jeff Davis Sewer System Improvements.
- b. Invoice No. 702-37-09A from Digital Engineering in the amount of \$5,382.80 – E. Jeff Davis Sewer System Improvements Project.
- c. Invoice No. 702-40-10 from Digital Engineering in the amount of \$1,000.00 - Water System Extension Master Meter Connection Project.
- d. Invoice 214-004.010-1 from Compton Engineering in the amount of \$786.00 – Marcie Lane Topographical Survey. (Note: not a designated construction project; normal city business)
- e. Invoice 213-016-13 from Compton Engineering in the amount of \$4,500.00 – Waveland Beach Facility Improvements Project (Veterans Memorial).
- f. Invoice 213-017-12 from Compton Engineering in the amount of \$1,243.75- Garfield Ladner Memorial Pier Repairs Project.
- g. Invoice 213-017-13 from Compton Engineering in the amount of \$3,500.00 – Garfield Ladner Memorial Pier Repairs Project.
- h. Invoice 213-058-10 from Compton Engineering in the amount of \$1,350.00 – Beach Volleyball Facility.
- i. Invoice 213-058-11 from Compton Engineering in the amount of \$3,080.00 – Beach Volleyball Facility.
- j. Invoice 213-061-9 from Compton Engineering in the amount of \$200.00 – Citywide Road Overlay and Pavement Project.

- k. Invoice 213-061-10 from Compton Engineering in the amount of \$2,750.00 – Citywide Road Overlay and Pavement Project.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

STREETS DEPARTMENT/PERSONNEL/PUBLIC WORKS

Re: Josh Bell's Employment Status Corrected from Full-time to Seasonal

Alderman Kidd moved, seconded by Alderman Lafontaine to correct Josh Bell's employment status, originally hired for Streets Department Laborer on April 1, 2014 Minutes, from full-time employee to seasonal employee at \$9.00 per hour pending passage of drug test, as recommended by Public Works Director Brent Anderson.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: None

STREET DEPARTMENT/PUBLIC WORKS/PERSONNEL

Re: Hire 2 Seasonal Employees for Streets Department Laborer positions

Alderman Kidd moved, seconded by Alderman Lafontaine to hire 2 seasonal employees for Streets Department Laborer positions at \$ 9.00 per hour pending passage of drug test, as recommended by Brent Anderson Public Works Director.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: None

PERSONNEL/UTILITY DEPARTMENT/ BUILDING DEPARTMENT/ZONING

Re: Hire 1 Part-time Employee in the Utility Department Office – Utility, Zoning & Permits Clerk

Alderman Kidd moved, seconded by Alderman Lafontaine to hire 1 part-time employee in Utility Department Office at \$10.25 per hour pending passage of drug test. (Utility, Zoning & Permits Clerk)

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

STREETS DEPARTMENT/UTILITY DEPARTMENT/PERSONNEL/PUBLIC WORKS

Re: Hire 1 full-time Employee in Streets Department

Alderman Lafontaine moved, seconded by Alderman Kidd to hire 1 full time employee in Streets Department at \$9.00 per hour (to replace Philip Ladner who transferred to Utilities) pending passage of drug test, as recommended by Brent Anderson Public Works Director.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

ADVERTISEMENTS/BIDS/HERLIHY PARK/MLK PARK
Re: Advertise for bids to Construct a Roof over Stage at Herlihy Park

Alderman Lafontaine moved, seconded by Alderman Kidd to advertise for bids for construction of a roof over the stage at Herlihy Park.

During discussion, Ms. Tammy Fayard told Board members that Parks Director Willie Moody informed her that Mr. Bill Carrigee would be writing the specs for this project. Although not currently budgeted for, the Board agreed to advertise, receive bids and evaluate availability of funds at that time.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

EXECUTIVE SESSION
Re: Pending Litigation, Waveland Professional Plaza and Personnel Issues in Police Department

Alderman Lafontaine moved, seconded by Alderman Kidd to consider Executive Session to prompt a closed discussion regarding personnel Issues in the Police Department and pending litigation regarding Waveland Professional Plaza.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

Alderman Lafontaine moved, seconded by Alderman Kidd to enter Executive Session to discuss personnel Issues in the Police Department and pending litigation regarding Waveland Professional Plaza.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

Alderman Lafontaine moved, seconded by Alderman Kidd to exit Executive Session with no action taken.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

**WAVELAND PROFESSIONAL PLAZA/PROFESSIONAL PLAZA/LEGAL DEPARTMENT
Re: City Attorney to Resolve & Settle Waveland Professional Plaza Lawsuit**

Alderman Lafontaine moved, seconded by Alderman Kidd to authorize City Attorney to resolve Waveland Professional Plaza Lawsuit for payment in the amount of \$90,000.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

ADJOURN

Re: Adjourn Meeting at 8:56 p.m.

Alderman Lafontaine moved, seconded by Alderman Kidd to adjourn the meeting at 8:56 p.m.

A vote was called for with the following results:

Voting Yea: Lafontaine, and Kidd

Voting Nay: None

Absent: Stahler

The foregoing minutes were presented to Mayor Garcia on May 9, 2014.

Lisa Planchard
City Clerk

The Minutes of April 16, 2014 have been read and approved by me on this day the 9th day of May, 2014.

David A. Garcia
Mayor

**This Area
Left
Blank
Intentionally**