

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 April 20, 2011 to take action on the following matters of city business.

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

Also present were Mayor Garcia, City Attorney Gary Yarborough, City Clerk Lisa Planchard and Court Reporter, Norma Jean Soroe.

PUBLIC COMMENTS

Re: Mrs. Myra Sager requested a letter be sent to Waste Management regarding the constant destruction of her garbage cans. Mayor Garcia asked secretary, Tammy Fayard to contact Waste Management to ask for assistance with this problem; in addition he said that he would bring this up at his his next Solid Waste meeting.

Re: Ms. Debbie Smith came forward to present a photograph to the Mayor and thank Mayor Garcia, her Alderman (Kidd) and the entire Board for the great job they are doing.

MAYOR'S REPORT

Re: Mayor Garcia said that C&R's hosted the 4th Annual Crawfish Cookoff to benefit Hope Haven. He said that over 2500 people purchased tickets to enter the event and the teams boiled over 6,000 pounds of crawfish. The Mayor said that this was his 2nd year to be a judge, and happy to know that over \$30,000 was raised.

Re: The Mayor also mentioned that on Saturday April 9, 2011, Alderman Stahler worked with volunteers who prepared and planted the community garden at the Methodist Church on Vacation Lane; he thanked her for her participation and support in that effort.

Re: Mayor Garcia said that recently Alderman Stahler and Mrs. Elizabeth Register, part of a group of Gulf Coast residents, *The Women of the Storm*, traveled to Washington D.C. to pursue Congressional members in setting aside 80% of the Deepwater Horizon Oil Spill fine to Gulf Coast states and Coastal communities for restoration. Recently the *Women of the Storm*, decided to ask women from Mississippi, Alabama, Louisiana, Florida and Texas to lobby to establish that the 5 states affected by the oil spill receive the funds from the fines collected from BP for violation of the Clean Water Act. The fine money will be set up into a fund and will be designated for Coastal Restoration. Senator David Vitter is working to expedite this effort.

Re: The Mayor told audience members that Mr. Bill Lady gave him a tour of the water/golf park at the corner of Hwy 90 and Hwy 603. He said that Mr. Lady is planning for a Memorial Day weekend opening and further sincerely thanked the Lady family for their investment in the City of Waveland.

Re: Mayor Garcia read and presented each Alderman their Certificate by the Secretary of State of MS. Executive Department recognizing their election to the position of Alderman.

(See EXHIBIT A – Transcript, for Details)

RESOLUTIONS/AGENDA/ WOMEN OF THE STORM

Re: Amend Agenda to approve a Resolution supporting legislation which would designate Clean Water Act fines paid by BP to the Gulf Coast's long term recovery

Alderman Stahler moved, seconded by Alderman Geoffrey to amend the agenda to consider approval of a Resolution supporting legislation which would designate Clean Water Act fines paid by BP to the Gulf Coast's long term recovery.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: Approve Resolution supporting legislation which would designate Clean Water Act fines paid by BP to the Gulf Coast's long term recovery

Alderman Stahler moved, seconded by Alderman Geoffrey to approve a Resolution supporting legislation which would designate Clean Water Act fines paid by BP to the Gulf Coast's long term recovery. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

ALDERMEN'S COMMENTS

Re: Alderman Stahler said that community members gathered on April 9, 2011 to till and prepare a community garden and on April 16th several community organizations and businesses, including the Waveland Fire Department and Waveland Police Department were present to actually plant all of the vegetables/plants.

Re: Alderman Stahler said that she and the Mayor's Secretary, Tammy Fayard attended the Main Street Conference at the Hollywood Casino which addressed events promotion.

Re: The Bay Waveland Main Street Association will hold their Easter Eggstravaganza on April 23 at the Depot in Bay St. Louis. This will be for Waveland and Bay St. Louis' children; the eggs will contain coupons and gift certificates. Events will include face painting and various children's activities. The Waveland Fire Department will be present to serve popcorn.

Re: April 29th will be the American Cancer Society's Relay for Life Event at Hancock Medical Center. *Treasures of the Bay* will participate with their team called *Gilligan's Island* and Alderman Stahler said that she will be portraying *Lovey Howell*.

Re: Alderman Geoffrey asked about drainage areas being correct that are still incomplete. Engineer Bruce Newton said he will check on these areas that are getting 'beat-up'.

Re: Alderman Lafontaine said that there is a dumpster on Bourgeois (almost at the corner of Coleman Avenue) blocking visibility and asked if it could be moved? Mr. Bruce Newton said he would contact the contractor and request that this be done.

Re: Alderman Lafontaine said that he had been contacted by citizen, Eddie Zimmerman about getting fishing reefs (through the Department of Marine Resources) along the beach at Monroe Street, the Municipal Pier, and Lafitte Street and would like a letter of support from the City endorsing this idea. All of the reefs are below water and will be no cost to the City if approved by DMR.

Re: Alderman Lafontaine said that he noticed an ad in the local paper for part-time Police Officers and asked why he did not know about this prior to the advertisement being placed. Mayor Garcia said that this is day-to-day operations and he makes decisions concerning those matters. Chief James Varnell said that he is down to one part-time employee and needs that staff to fill in for officers during their vacations and or out sick. City Clerk Planchard added that there are no benefits associated with these positions and we only call them as needed to fill open shifts.

Re: Alderman Kidd said that 2 weeks ago he went to 712 South Beach and was shown a drainage problem by the resident. Alderman Kidd that since the resident had lived at this location for many years, he kindly educated Mr. Kidd on this ongoing drainage problem. This resident verbally gave permission to the City to go on his property and make drainage corrections.

Re: Alderman Kidd said that he went to visit 911 dispatch center, noting that he did not realize that they were currently in a trailer. He said that he would like to see a permanent building for these employees given the upcoming storm season. Chief Varnell said that it will probably be 2 years before they start building a structure for E911, which will be housed in the E.O.C.

Re: Alderman Kidd said that he had spoken with Bruce Newton regarding S.H. Anthony work. Mr. Newton said that he would keep the Board updated on this.

Re: Alderman Kidd also mentioned that he has received calls from residents in the annexed area as to when grass cutting will start. Mayor Garcia said the City is continually cutting grass, but are limited to 2 bush hogs City wide.

For the Record Mayor Garcia wished to make clear that he had received e-mails about Mr. Kidd's visit to E-911. Mayor Garcia said that he recommended Alderman Kidd go to visit E-911 and reiterated that this is a Board of transparency.

MINUTES

Re: Meeting of April 5, 2011

Alderman Stahler moved, seconded by Alderman Kidd, to approve the minutes of the regular meeting of April 4, 2011 including the transcript of the Court Reporter thereto, as presented by the City Clerk. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Abstain: Geoffrey

Voting Nay: None

Absent: None

R.S.V.P.

Re: Claims

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the R.S.V.P. Claims. **(EXHIBIT D)**

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 Nos. 68312-68444

Alderman Stahler moved, seconded by Alderman Lafontaine to approve the Docket of Claims being numbered 68312-68444, as submitted by the City Clerk. **(EXHIBIT E)**

During discussion Aldermen Lafontaine and Kidd asked questions about several docket payment items and were answered satisfactorily by Ms. Joy Normand, Purchasing Clerk. (See Transcript Exhibit A for details)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

REVENUES AND EXPENSES

Re: The Month of March 2011

Spread on the Minutes the Statement of Revenues and Expenditures for the month of March 2011, as presented at this, the second meeting of April 2011 by Comptroller Tom Worrel. **(EXHIBIT F)**

BIDS/MOBILE GENERATORS/FIRE DEPARTMENT

Re: Take Generator Bids under Advisement

Alderman Stahler moved, seconded by Alderman Kidd to accept and take under advisement the bid(s) opened this evening at 6:00 pm for Mobile Generators, 140 Kw Trailer Mounted; selection pending review of and approval by Recovery Manager Brent Anderson, Fire Chief Mike Smith and City Attorney Gary Yarborough. **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

BIDS/OUTDOOR SIREN WARNING SYSTEMS/FIRE DEPARTMENT

Re: Take Outdoor Siren Warning Systems Bids under Advisement

Alderman Geoffrey moved, seconded by Alderman Kidd to accept and take under advisement the bid(s) opened this evening at 6:00 pm for Outdoor Siren Warning Systems; selection pending review of and approval by Recovery Manager Brent Anderson, Fire Chief Mike Smith and City Attorney Gary Yarborough. **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

ORDINANCES/BUILDING DEPARTMENT

Re: Adoption of Ordinance No. 357 - TABLED

Alderman Geoffrey moved, seconded by Alderman Lafontaine to table Ordinance No. 357 adopting and amending the City of Waveland Building Code Fee Schedule, pending the corrections sited in red on the Draft copy provided to the Board.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CONTRACT/PEDESTRIAN PATHWAY

Re: Contract with David Rush Construction

Spread on the minutes the contract between the City of Waveland and David Rush Construction. **(EXHIBIT I)**

**REQUESTS FOR CASH REIMBURSEMENTS/WATER SYSTEM EXTENSION,
ANNEXED AREA/SANITARY SEWER SYSTEM IMPROVEMENTS, WEST/
CITYWIDE DRAINAGE IMPROVEMENTS**

Spread on the minutes the following Requests for Cash Reimbursements, as reviewed and approved by Tom Worrel, Comptroller, listed (Items a-c):

- a. #R118-379-06-HCCR in the amount of \$35,340.57 – Water System Extension-Annexed Area.
- b. #R-379-03-HCCR in the amount of \$21,087.12 – Sanitary Sewer System Improvements - West.
- c. #R-118-379-07-HCCR in the amount of \$210,228.42 – Citywide Drainage Improvements.

ENGINEER'S REPORT

Re: Mr. Bruce Newton and Mr. Forrest Forest Forbes updated the Board on current Projects

CHANGE ORDERS/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT

Re: Approval of Change Order No. 1 - TABLED

Alderman Stahler moved, seconded by Alderman Geoffrey to table approval of Change Order No. 1 from Jay Bearden Construction, Inc. in the amount of \$34,790.02 for the Citywide Drainage Improvements Project, as submitted by Digital Engineering.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CHANGE ORDERS/PEDESTRIAN PATHWAY

Re: Change Order No. 1

Alderman Kidd moved, seconded by Alderman Lafontaine to approve Change Order No. 1 from David Rush Construction, LLC. in the amount of \$342,060.00, continuing the Pedestrian Pathway through bid "add alternate" section included in the original bid, as recommended by Compton Engineering. The alternate section is from Waveland Avenue to Vacation Lane and is 2,750 feet long along the existing seawall. Costs are to be reimbursed by Tidelands Grant funds. **(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

AGENDA/COMPTON ENGINEERING/PEDESTRIAN PATHWAY

Re: Amend the agenda to approve RPI fees with Compton Engineering –Pedestrian Pathway

Alderman Stahler moved, seconded by Alderman Lafontaine to consider amending the agenda to approve RPI (Resident Project Inspector) fees in the amount of \$45,833.33, as presented by Compton Engineering, concerning the Pedestrian Pathway additional paving to Vacation Lane. **(EXHIBIT K)** (100% paid by Tidelands funds)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: Approve RPI Fees to Compton Engineering- Pedestrian Pathway

Alderman Geoffrey moved, seconded by Alderman Kidd to approve RPI (Resident Project Inspector) fees in the amount of \$45,833.33, as presented by Compton Engineering, concerning the Pedestrian Pathway additional paving to Vacation Lane. (100% paid by Tidelands funds)

(EXHIBIT L)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

INVOICES/SEWER SYSTEM NORTH OF THE RAILROAD TRACKS/PROGRAM MANAGEMENT, BUILDINGS & FACILITIES/WATER AND SEWER EXTENSION, ANNEXED AREA/2009 CDBG SEWER SYSTEM EXTENSION

Re: Approval of Payment to Digital Engineering

Alderman Kidd moved, seconded by Alderman Geoffrey to approve the following invoices as submitted by Digital Engineering and recommended for payment by Recovery Manager Brent Anderson, as listed (Items a-d): **(EXHIBIT M)**

- a. Invoice No. 702-17-40 in the amount of \$15,013.95 – Sewer System Reconstruction North of the Railroad Tracks.
- b. Invoice No. 702-23-39 in the amount of \$13,421.05 – Program Management, Buildings and Facilities.
- c. Invoice No. 702-34-20 in the amount of \$28,757.24 – Water System Extension - Annexed Area.
- d. Invoice No. 702-32-22 in the amount of \$15,189.00 – 2009 CDBG Sewer System Extension.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

INVOICES/HMGP DRAINAGE PROJECT/CENTRAL FIRE STATION/PEDESTRIAN PATHWAY/SEWER SYSTEM EXTENSION PROJECT – ANNEXED AREA/FIRE STATION – HIGHWAY 90/COLEMAN AVENUE STREET IMPROVEMENTS PROJECT/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT PHASE II

Re: Approval of payments to various contractors

Alderman Geoffrey moved, seconded by Alderman Stahler to approve payment of the following invoices as submitted by various contractors and recommended for payment by Recovery Manager, Brent Anderson, as listed (Items a-j) excepting Item i:

(EXHIBIT N)

- a. Invoice No. X17325715 from AMEC Earth and Environmental in the amount of \$3,533.61 – HMGP Drainage Project – **Paid on current docket.**
- b. Invoice No. 0068341 from Pickering Engineering in the amount of \$44,506.00 for professional services, December 2010 – Drainage Basin Engineering Study - **Paid on current docket.**

- c. Invoice No. 0068492 from Pickering Engineering in the amount of \$44,506.00 for professional services, January 2011 - Drainage Basin Engineering Study - **Paid on current docket.**
- d. Pay Application No. 12 from GM&R in the amount of \$223,723.00 – Central Fire Station.
- e. Pay Estimate No, 4 from David Rush Construction in the amount of \$110,088.38 – Waveland Pedestrian Pathway.
- f. Payment Request No. 11 from Reynolds, Inc. in the amount \$88,942.22 – Water System Extension – Annexed Area.
- g. Payment Request No. 16 from CDM in the amount of \$8,983.00 – Fire Station Highway 90.
- h. Pay Request No. 15 from CDM in the amount of \$8,749.30 – Fire Station Highway 90.
- i. Payment Request No. 11 from Lane Construction Co. in the amount of \$235,714.51 – Coleman Avenue Street Improvements.- THIS ITEM TABLED (see below) (EXHIBIT O)**
- j. Payment Request No. 2 from Jay Bearden Construction, Inc. in the amount of \$210,228.42 – Citywide Drainage Improvements, Phase 2.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: Payment Request No. 11, Lane Construction, Coleman Avenue Street Improvements - TABLED

Alderman Stahler moved, seconded by Alderman Geoffrey to table payment of the following invoice as submitted by Lane Construction Co. (Note: The invoice was submitted for the incorrect amount \$235,714.51 and will be corrected to \$228,514.52 and resubmitted for a subsequent meeting.)

- i. Payment Request No. 11 from Lane Construction Co. in the amount of \$235,714.51 – Coleman Avenue Street Improvements.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**SANITARY SYSTEM IMPROVEMENTS WEST/WATER SYSTEM IMPROVEMENTS PROJECT – ANNEXED AREA/POLICE STATION
Re: Payment of Invoices from Jimmy Gouras Urban Planning Consultants**

Alderman Lafontaine moved, seconded by Alderman Kidd to approve the following invoices as submitted by Jimmy G. Gouras, Urban Planning Consultants, as listed (Items a-e): **(EXHIBIT P)**

- a. Invoice #9090 in the amount of \$1,966.04 – Sanitary Sewer System Improvements West (January 30, 2011 invoice)
- b. Invoice #9091 in the amount of \$1,966.04 – Sanitary Sewer System Improvements West (February 28, 2011 invoice)
- c. Invoice 9092 in the amount of \$1,966.04 – Sanitary Sewer system Improvements West (March 2011 invoice)
- d. Invoice # 9093 in the amount of \$6,583.33 – Water System Improvements Annexed Area.

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- e. Invoice #9077 (Jan. 30, 2011 invoice- not previously received) in the amount of \$2,437.50 – Police Station, **Paid on current docket.**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

TRAVEL/CITY HALL

Re: Mayor Garcia to Attend the 2011 National Flood Insurance Conference in New Orleans, Louisiana

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve travel for Mayor David Garcia to attend the 2011 National Flood Insurance Conference in New Orleans, Louisiana from Monday May 2 - Wednesday May 4, 2011. This is hosted by the FEMA- National Flood Insurance Program; hosts have waived the Mayor's \$380 registration fee. Cost to the City will be reimbursement for the cost of parking, per diem for 3 days, and use of a City vehicle.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Personnel matters in all Departments

Alderman Geoffrey moved, seconded by Alderman Lafontaine to consider Executive Session to discuss Personnel Issues, all Departments.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Alderman Stahler moved, seconded by Alderman Geoffrey to enter Executive Session to discuss Personnel issues, all Departments.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Alderman Kidd moved, seconded by Alderman Geoffrey to come out of Executive Session with no action taken.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

RECESS MEETING

Re: Recess meeting at 10:26 p.m.

Alderman Geoffrey moved, seconded by Alderman Lafontaine to recess the meeting at 10:26 pm. until the Board shall reconvene on Monday April 25, 2011 at 6:30 pm. at the Waveland Civic Center.

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 May 6, 2011

Lisa Planchard
City Clerk

The Minutes of April 20, 2011 have been read and approved by me on this day the 6th day of May, 2011.

David A. Garcia
Mayor

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