

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 20, 2016 at 6:30 p.m. to take action on the following matters of City business.

PUBLIC COMMENTS:

Mr. Harry Patel

ROLL CALL:

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

MAYOR'S REPORT:

- Welcomed back Ms. Yarborough and congratulated she and Gary Yarborough on their beautiful baby girl.
- ~~Motion to authorize the Board to fill in the swimming pool with sand, 111 Mollere Drive, and place a lien on the property for related costs in the instance that it's not filled in by April 16, 2016.~~ Not needed; Pool and hot tub have been filled in – confirmed by Ms. Bernie Cullen
- The CASA event held at the Waveland Veterans Memorial yesterday was very nice and well attended; we thank them for having the event in Waveland.
- Requested the Board consider donating \$200.00 to Hancock High School Band to assist them in attending the Brett Favre induction into the Football Hall of Fame in Canton, Ohio. (Not previously budgeted for)

DONATIONS/BUDGET

Re: Hancock High School Band – Brett Favre Induction into Football Hall of Fame

Alderman Lafontaine moved, seconded by Alderman Richardson to approve a donation to Hancock High School Band in the amount of \$200.00 to assist them in attending the Brett Favre induction into the Football Hall of Fame in Canton, Ohio.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

AMEND AGENDA/CHANGE ORDERS/POLICE BUILDING/CDBG/HMGP/FEMA/GRANTS

Re: Amend Agenda to Consider Change Order #2 – J.O. Collins Contractor, Inc., Police Building Construction

Alderman Burke moved, seconded by Aldermen Lafontaine to amend the agenda to consider approving Agenda Item #27, Change Order #2 – J.O. Collins Contractor, Inc. regarding the Police Building.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: Change Order #2 – J.O. Collins Contractor, Inc., Police Building Construction

Alderman Burke moved, seconded by Alderman Piazza to approve Change Order #2 from J.O. Collins Contractor, Inc. for a *decrease* in the contract amount of \$144,252.76, bringing the revised contract amount down to \$4,605,302.74. **(EXHIBIT AA)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

ATTORNEY'S COMMENTS

Ms. Yarborough said she added a last minute Resolution regarding Authority of Mayor's signature; this is in regard to the Waveland Avenue Sidewalk Project. MDOT is requesting evidence in authority so this Resolution is to lay out our procedures for the Mayor's signature.

RESOLUTIONS/CONTRACTS/AGREEMENTS/WAVELAND AVENUE SIDEWALK PROJECT/SIGNATURE AUTHORITY/MDOT/GRANTS

Re: Resolution of Mayor Signature Authority

Alderman Burke moved, seconded by Alderman Lafontaine to approve 'Resolution Regarding Authority of Mayoral Signature', part of the Waveland Avenue Sidewalk Project contract; the contract must be approved by MDOT before the Board can approve. **(EXHIBIT A)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

PUBLIC COMMENTS/TISH WILLIAMS – CHAMBER OF COMMERCE/SIGN ORDINANCE REVISIONS/ORDINANCES/GROUND ZERO MUSEUM/CIVIC CENTER/MUSEUM

Re: Update from Ms. Tish Williams – Museum Update/ Sign Ordinance Revisions

Ms. Williams addressed the Board to let them know that the business owner members of Sign Ordinance committee have been working on the Ordinance line by line and making revisions they would like to see that would be a good fit for Waveland. She said they have reviewed other coastal city sign ordinances as well as one from Louisiana. Once they complete their final suggested changes they will get with the Planning & Zoning staff to make sure that what they are recommending makes sense. They would then come back to the Board with a final recommendation. She estimated they are currently two months away from this.

She mentioned that the Ground Zero Museum at the Civic Center will have a soft opening the weekend of 5/27/16 and will schedule a grand reopening in June, 2016 (date yet to be determined).

ALDERMEN'S COMMENTS:

Re: Alderman Burke:

- No comments at this time; Alderman Burke said he got with everyone he needed to before the meeting.

Re: Alderman Richardson:

- Harrison County Supervisor, Connie Rocco met with Mayor Smith and others last week; she brought her Parks & Recreation Director who has built several splash pads in Harrison County and McLeod Park. We are trying to get some splash pads in areas around the City and we will try to do as much in house work as we can. They will help us out with materials list and price lists to try & get something for the children this summer.

Re: Alderman Lafontaine:

- Trees sitting on roadside along Central Avenue, are they going to be picked up; the city picks up limbs, not trees when they're cut down. Ms. Cullen said it was Mr. Red Henry who cut them down at the Public Works' director's request via a purchase order. She will call Mr. Henry and see when he will pick them up.

- Where do we stand with getting the meters for the apartment complexes and Buccaneer Park? Ms. Planchard said that Richard Thompson came in yesterday morning and ordered one for one of the apartment complexes. Ms. Planchard said the Board will have to ask Mr. Anderson what the holdup is; she added that Delta Water is ordering the meter for Buccaneer Park and will be installing that one.
- Would like a discussion to request 2 flow meters be installed on the force mains going into the Sewerage Treatment plant (to measure the flow going into the plant from Waveland). Mr. Lagasse said he gave the City Attorney a Task Order for about \$54,000 this evening to have this done. She will have to research how this has to be procured. Ms. Yarborough said that her concern is that if Compton were to procure those assets, they going to be assets of the City so the question is, "Do we have to follow the bid process because we anticipate that they will be more than \$50,000." The question will be whether we have to advertise for bids or whether we can approve via service task order through Compton Engineering.
- Where do we stand with the plans for the lighthouse? Mr. Lagasse said we're at about 59% complete with the plans.

EVENTS/VETERANS MEMORIAL/BEACHFRONT

Re: Host 5K run along Beach Blvd Bike Path, July 2, 2016

Alderman Lafontaine moved, seconded by Alderman Richardson to approve hosting a 5K run on July 2, 2016 at 8:00 am starting and finishing at the Veterans Memorial, running along Beach Boulevard bike path.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

DONATIONS/POLICE DEPARTMENT/FUND RAISER/EVENTS/BUDGET/RESTRICTED FUNDS

Re: Accept check in the amount of \$600.00 from 'Fit First LLC' regarding their 'Bring It to the Bay' Law Enforcement fundraiser, which donation shall be restricted for Police Department use. (EXHIBIT B)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

BUILDING DEPARTMENT/SUBDIVISION/PLANNING & ZONING/DISCUSSION

Re: Discuss Rodney Corr Construction Subdivision off St. Joseph Street including Combel, Casey Lane and Kyle Circle

Ms. Christine Gallagher, Building Department Manager, came forward to tell the Board this subdivision had been built in 2 phases; he received final plat approval on June of 2002 and phase 2 was approved May 2003. The contractor was responsible for the warranty period and then the City checks the subdivision before acceptance of the infrastructure and easements. In April 2006, the City Clerk had sent him a letter saying it had been a period of time for his warranty period and it was a request for him to attend a Special Workshop meeting in April 2006. At that time Digital Engineering went out to look at the subdivision and assess needs at the point in time. They found some deficiencies prior to the City acceptance with the dedicated easement, the right of way or the infrastructure; and they made recommendations to the City regarding the ditches and roadway within the subdivision. On April 26, 2006 a letter was sent to the contractor for him to attend the Board meeting of May 2006. Ms. Gallagher said the next correspondence she had was on July 27, 2006; Digital Engineering clarified the responsibility of the contractor prior to the City accepting and a follow-up letter was dated on April 13, 2006. The Board agreed to assist the contractor with the ditch cleaning and reshaping efforts because

most of that was debris from Hurricane Katrina. She said other issues from the previous letter that the contractor agreed to address prior to the City acceptance were the roadway joints, some surface cracks that needed to be cleaned and sealed, concrete patch in Phase I, some damage to some asphalt, and some drainage issues at the entrance by St. Joseph Street. She said that Digital Engineering indicated in their letter that they would do a follow up upon the City's request once the issues were addressed by the contractor. At that point there was no further correspondence with the contractor. Ms. Gallagher said as far as she knew nothing was ever submitted to the City that those items were taken care of. The Mayor asked whether the City has any recourse with this. Ms. Yarborough said this will be reviewed under the prior ordinance because our subdivision ordinance was adopted in 2010 and it was limited to subdivisions that were adopted thereafter. If this was approved in 2002 we would have to refer to the ordinance that was in effect at that time; however, in her experience Ms. Yarborough said, with subdivision ordinances and a warranty period there's usually a bond required, but she would assume that the bond has probably expired. Ms. Yarborough said that at this time there is no obligation by the City to maintain the streets because it's not been accepted as a public road from what she knows so far, however there might be some circumstances where the City has actually maintained the road (she does not know that for a fact). As to the applicant, this might be better discussed in Executive Session. Alderman Lafontaine asked about the ditches and that some of them have actually been fenced in by the residents'. Ms. Yarborough said she would have to look at their easements and what was required to put up a fence when their fence was erected...usually it's required that you not build a fence that would obstruct the City right of way, and there is an assumed right of way on natural drainage. Ms. Yarborough said the way she understands, the City did formally adopt it, just not the streets and the utilities. She added that you would not be able to sell those lots until the final plat is approved and the Board approved the final plat; it's been accepted, just not the infrastructure. The Board agreed this should be added to Executive Session.

**SOLID WASTE/GARBAGE COLLECTION/UTILITY DEPARTMENT/DUMPSTERS/
CONTRACTS/AGREEMENTS/HANCOCK COUNTY SOLID WASTE AUTHORITY
Re: Discussion about newly adopted bid by the Hancock County Solid Waste Authority**

Alderman Burke updated the Board with information about the recently adopted bid by Hancock County Solid Waste for Trash Collection, Dumpsters and Recycling services. He said they accepted a bid from Team Waste, a Biloxi company. He discussed some of the rates, with garbage collection fees of \$9.34 per household per month (\$8.34 + \$1.00 bulky pickup fee). He further discussed dumpster costs and recycling, mentioning that the contract begins May 1st and the first routes will be starting May 2, 2016 in Waveland. A recycling receptacle will be placed in the back parking lot of City Hall.

PROCLAMATIONS

Re: April as National Child Abuse Prevention Month

Alderman Lafontaine moved, seconded by Alderman Piazza to approve a Proclamation recognizing April as National Child Abuse Prevention Month. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: April as Fair Housing Month

Alderman Piazza moved, seconded by Alderman Burke to approve a Proclamation recognizing April as Fair Housing Month. **(EXHIBIT D)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

**TIDELANDS/APPLICATIONS/PROPOSALS/DMR/BEACHFRONT/LIGHTHOUSE/
RECREATION/COMFORT STATION**

Re: Application to DMR for FY2018 Tidelands Funding

Mr. Lagasse explained that it's that time of the year for the Board to select projects they would like to pursue to submit FY2018 Tidelands applications for. Mr. Lagasse said that the City will be receiving approximately \$400,000 (\$300K – Lighthouse & \$100K – Comfort Station) for the last application submitted to help the City build the lighthouse and provide bathroom facilities on the beach; this will bring the City's Tidelands funds to about \$840,000. After discussion, Board members agreed that the projects they would like to submit for this year are: 1) Lighthouse 2) Boat launch jettied out {with sheet pile that matches the Veterans Memorial} @ St. Joseph Street 3) Boardwalk for handicapped visitors/residents from the walking path to water's edge {this may also work for kayak access} and 4) Small pavilions along the beach.

Re: Accept Donation of Services by Compton Engineering to Prepare the 2018 City of Waveland Tidelands Funding Proposal

Alderman Piazza moved, seconded by Alderman Burke to accept the donation of services offered by Compton Engineering to prepare the 2018 City of Waveland Tidelands Funding Proposal at no cost to the City.

During discussion, City Attorney Yarborough said that this donation or acceptance thereof is in no way acceptance or any implication of a promise of future services to Compton Engineering. Mr. Lagasse explained that the reason this would be a donation is because most of these items Compton has already applied for, so it's a matter of changing the date and check for application compliance; it's no real work to update the application and resubmit it to DMR. He said Compton could not justify any cost in the short amount of time it would take to prepare.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: Authorize Compton Engineering to prepare the City of Waveland FY 2018 Tidelands Funding Proposal

Alderman Burke moved, seconded by Alderman Lafontaine to authorize Compton Engineering to prepare the City of Waveland FY 2018 Tidelands Funding Proposal. **(EXHIBIT E)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

ORDINANCES/GOLF CARTS/RESOLUTIONS

Re: Resolution for Golf Cart/Low Speed Vehicle – Tabled; See later in these Minutes for Approval

Alderman Burke moved, seconded by Alderman Richardson to approve and adopt the Resolution for Golf Cart/Low Speed Vehicle for the City of Waveland.

During discussion, City Attorney Yarborough told the Board that they had adopted a Resolution for Golf Carts in July 2015. Mayor Smith said they will use the 2015 Resolution and make a few changes. Ms. Yarborough said that in accordance with that 2015 Resolution, we are affixing a proposed Ordinance for the Legislature to review; basically what we have to do is propose to them that 1) we support this legislation and 2) here is what we propose to adopt for an Ordinance for your review. She is currently reviewing the edits from Chief Allen and Alderman Burke which she will then write up and send to Board members to review. She said this is basically affixing an Exhibit to a prior Resolution; we want it

to be right. Alderman Lafontaine recommended tabling at this time. Ms. Yarborough said our Ordinance basically mirrors Bay St. Louis' and she read some of the high points of the Ordinance.

Alderman Burke moved, seconded by Alderman Richardson to **TABLE** approval and adoption of the Resolution for Golf Cart/Low Speed Vehicle for the City of Waveland.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims

Alderman Burke moved, seconded by Alderman Lafontaine to approve the Docket of Claims (less the Streets Payroll portion) in the amount of \$1,184,666.99 dated April 20, 2016 as submitted.

(EXHIBIT F)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

MINUTES

Minutes of Regular Meeting April 5, 2016

Alderman Burke moved seconded by Alderman Piazza to approve the Minutes of the Regular Meeting of April 5, 2016 as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

EMPLOYEE HANDBOOK/EMPLOYMENT/HR/PERSONNEL/VACATIONS

Re: Amend language re: "You will be paid for a maximum of 56 accrued vacation hours upon termination of employment."

Alderman Lafontaine moved, seconded by Alderman Burke to amend to clarify certain ambiguous language of the City's Employee Handbook, bottom of page 9 under the Section entitled "Vacations". The handbook shall read "You will be paid for a maximum of 56 accrued vacation hours upon termination of employment." **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

CONTRACTS/AGREEMENTS/SERVICE AGREEMENT/WASTE MANAGEMENT/ DUMPSTERS

Re: Cancel Service Agreement with Waste Management of MS, Inc. for Dumpster at City Hall

Alderman Burke moved, seconded by Alderman Lafontaine to **CANCEL** 3 year Service Agreement with Waste Management of Mississippi, Inc. for rent of 1- 8 yard Dumpster in the amount of \$134.12 per month at City Hall (back lot). This is a monthly savings of \$36.88 over prior year. City Attorney to send cancellation letter. **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

**INVENTORY/PURCHASES/FIRE DEPARTMENT/MS. STATE WIRELESS COMMISSION/
RADIOS**

Re: Purchase 10 APX 1000 Portable Model 2 Radios – Fire Department

Alderman Burke moved, seconded by Alderman Richardson to approve purchase of 10 new APX 1000 Portable Model 2 Radios in the amount of \$19,839.30 for the Fire Department; State contract MSWIN#3429; this shall be contingent upon MS. State Wireless Commission approval. This cost will be reimbursed through the MS State Wireless Commission monies, if approved and designated for Waveland. This will require a budget amendment to expenditures and revenues to reflect related expense and reimbursement. **(EXHIBIT I)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

**BIDS/ADVERTISEMENTS/INVENTORY/VACUUM TRUCK/SEWER
DEPARTMENT/BUDGET**

Re: Advertise for Bids to Purchase of (1) Vacuum Truck – Sewer Department

Alderman Burke moved, seconded by Alderman Richardson to **TABLE** approval to advertise for bids for the purchase of 1 new Vacuum Truck for the Sewer Department. Financing for same has already been included in the FY 2016 Budget.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

RESOLUTIONS/LEASE PURCHASES/INVENTORY/POLICE DEPARTMENT

Re: Resolution to Authorize the Lease Purchasing for One Vehicle – Police Department

Alderman Burke moved, seconded by Alderman Piazza to approve the Resolution to Authorize the Lease Purchasing for One Vehicle (2016 Charger) for the Police Department and Directing Officers to Execute Lease Purchase Agreement with Hancock Bank and All Other Related Documents. **(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: Lafontaine

Absent: None

Re: Authorize signature(s) on all Lease Purchase Closing Documents with Hancock/Whitney Bank for the Lease Purchase of one Police Vehicle (2016 Charger)

Alderman Burke moved, seconded by Alderman Piazza to approve and authorize signature(s) on all Lease Purchase Closing Documents with Hancock/Whitney Bank for the Lease Purchase of one Police Vehicle in the amount of \$27,041.00, interest rate of 2.24% for 60 months. **(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: Lafontaine

Absent: None

RESOLUTIONS/APPLICATIONS/SURPLUS PROPERTY/PURCHASES/APPLICATIONS/MS. OFFICE OF SURPLUS PROPERTY

Re: Resolution with the Mississippi Office of Surplus Property regarding Purchase of any Available Assets

Alderman Burke moved, seconded by Alderman Lafontaine to approve Resolution, including required signatures, with the Mississippi Office of Surplus Property regarding purchase of any available assets offered through that State Department if the City considered a purchase. **(EXHIBIT K)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

INVOICES/CSX RAILROAD/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE/ STREETS/CONTRACTS/EXECUTIVE SESSION

Re: CSX Invoices – Citywide Drainage Improvements Project

Alderman Lafontaine moved, seconded by Alderman Piazza to **TABLE** until after Executive Session to approve the following invoices submitted by CSX, for work performed during the Citywide Drainage Project as listed, (Items a-d): *Note: See additional motion & vote after Executive Session.*

- a) Invoice No. 9037678 in the amount of \$556.00 (\$588.62 with late fees)
- b) Invoice No. 9037209 in the amount of \$1,006.00 (\$1031.83 with late fees).
- c) Invoice No. 9038229 in the amount of \$2,552.06.
- d) Invoice No. 9037974 in the amount of \$18,017.81+ \$49.68 late fees

During discussion, City Attorney Yarborough told Board members that these invoices are actually billed to the City of Waveland in regards to the Kappa Project (Citywide Drainage Improvements Project). In the special conditions of the Contract, Kappa is responsible for any invoices related to construction in the CSX rights of way that we are invoiced. We are to forward those invoices to Kappa, which we have done by giving them to Pickering to forward and beginning in November 2015, CSX gave us almost like an overview of what they estimated the overall costs to be, which were \$33,000+. The first invoice was in March 2016 and we've been forwarding those to Kappa and they have not been paying those invoices. Contractually their progress payment requests are to be denied until they are paid; however at this point CSX has sent us a letter stating that 1) they're charging us some late fees and some interest. She added that if there is not an immediate payment made, they are threatening to void the contract and any services associated, so that will certainly have an effect on the overall Citywide Drainage Project. Ms. Yarborough said she emailed Frank Parker with Pickering on Monday to request any certification that Kappa has presented to them in their prior progress payment request to the City. He states he has none and that Kappa is not calling him back. She said the last she heard from him (Mr. Parker) today is that the person he needed to speak to is out of the office and should be back tomorrow. Ms. Yarborough added that as it stands now we have these four invoices; as to what our obligations are and our recourses

are with Kappa, I would suggest that we discuss in Executive Session because that's certainly a project that is headed for potential litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

ORDINANCES/GOLF CARTS/RESOLUTIONS

Re: Resolution for Golf Cart/Low Speed Vehicle *(Tabled earlier in Meeting)*

Alderman Burke moved, seconded by Alderman Richardson to **Approve** and adopt the Resolution for Golf Cart/Low Speed Vehicle for the City of Waveland. **(EXHIBIT L)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

INVOICES/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE/STREETS

Re: Invoice #N20121256 from AMEC Foster Wheeler Environment & Infrastructure, Inc. in the amount \$26,725.66 – Citywide Drainage Improvements Project

Alderman Lafontaine moved, seconded by Alderman Richardson to approve Invoice #N20121256 from AMEC Foster Wheeler Environment & Infrastructure, Inc. in the amount \$26,725.66 – Citywide Drainage Improvements Project, to be placed in line for payment consideration contingent upon receiving funding from grant sources (if required). **(EXHIBIT M)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

SPREAD ON THE MINUTES:

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

- a) Contract with Compton Engineering for Phase II Stormwater Program Services and Implementation, approved at Board meeting of 3/16/16 & subject to Attorney review, was reviewed and approved for Mayor's signature by City Attorney (Contract Exhibited in Minutes of 3/16/16).
- b) Louis Moore (did not qualify) & Corey Richardson (took employment elsewhere) approved for hire at the 4/5/16 Board Meeting for the Streets Department were not hired.
- c) Statement of Revenues and Expenditures for the month of March 2016 at this, the second meeting of April 2016. **(EXHIBIT N)**

NEW HIRES/STREETS DEPARTMENT/PERSONNEL

Re: 2 Full-Time Employees – Streets Department

Alderman Lafontaine moved, seconded by Alderman Burke to hire 2 full time employees for the Streets Department to replace James Thomas (resigned) & David Gill (terminated); positions are currently being advertised.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Consider Executive Session

Alderman Lafontaine moved, seconded by Alderman Burke to consider Executive Session to prompt a closed discussion regarding Ghores Realty vs City of Waveland-pending litigation, Rodney Corr Subdivision-perspective litigation, and Citywide Drainage Improvements Project-perspective litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: Enter Executive Session

Motion to approve entering Executive Session regarding Ghores Realty vs City of Waveland-pending litigation, Rodney Corr Subdivision-perspective litigation, and Citywide Drainage Improvements Project-perspective litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

LEGAL ISSUES/LITIGATION

Re: Counter Offer – Ghores Realty v. City of Waveland

Alderman Lafontaine moved, seconded by Alderman Burke to approve City Attorney to negotiate a settlement agreement regarding the pending lawsuit of Ghores Realty vs. City of Waveland.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: Exit Executive Session

Alderman Lafontaine moved, seconded by Alderman Burke to exit Executive Session with action taken.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: CSX Invoices – Citywide Drainage Improvements Project

Alderman Piazza moved, seconded by Alderman Burke to **APPROVE** the following invoices submitted by CSX, for work performed during the Citywide Drainage Project as listed, reserving all rights, contractual or otherwise against Kappa Development and requiring corresponding reduction of the total amount on Kappa Development's next Progress Payment, (Items a-d): **(EXHIBIT O)**

- a) Invoice No. 9037678 in the amount of \$556.00 (\$588.62 with late fees)
- b) Invoice No. 9037209 in the amount of \$1,006.00 (\$1031.83 with late fees).
- c) Invoice No. 9038229 in the amount of \$2,552.06.
- d) Invoice No. 9037974 in the amount of \$18,017.81+ \$49.68 late fees

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Note: Alderman Piazza recused himself from the Board Room at this time.

DOCKET OF CLAIMS

Re: Streets Payroll Portion of Claims

Alderman Burke moved, seconded by Alderman Lafontaine to approve the Docket of Claims, Streets Payroll portion only, in the amount of \$13,893.45 as submitted. **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Recused: Piazza

Absent: None

**SEWER IMPROVEMENTS/ENGINEERING/APPLICATION/LOANS/MDEQ/SRF/CITYWIDE
SEWER IMPROVEMENTS PROJECT/SEWER DEPARTMENT**

Re: Submit Application for the SRF Loan with MDEQ for Citywide Sewer Improvements

Alderman Burke moved, seconded by Alderman Lafontaine to authorize Compton Engineering to submit the application for the SRF Loan with MDEQ for Citywide Sewer Improvements, with a cap of \$8,000,000, but all expenditures shall be pre-authorized by the City of Waveland.

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 8:32 p.m.

Alderman Lafontaine moved, seconded by Alderman Burke to adjourn the meeting at 8:32 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 May 6, 2016.

Lisa Planchard,
City Clerk

The Minutes of April 20, 2016 have been read and approved by me on this day the 6th of May, 2016.

Mike Smith,
Mayor

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