

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 May 1, 2012 at 6:30 p.m., to take action on the following matters of city business

ROLL CALL

Mayor Garcia noted for the record the presence of Aldermen Stahler, Geoffrey, Lafontaine, and Kidd along with City Attorney Gary Yarborough and City Clerk Lisa Planchard.

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

PUBLIC COMMENTS

Re: Debbie Smith applauded the City's great work with getting the budget back in the black and reporting oil needing to be cleaned on the beach.

Re: Alfred "Tiger" Harris reminded everyone of the upcoming Fishing Rodeo.

Re: Mr. Don Saeger filed a complaint about the dumping of trash on Hogan Street and recommended that the City put up signs "If caught dumping, you will be fined". He also asked about the Board putting on 1 mill next year dedicated for street repairs, and asked about future renovation plans for the Veterans Memorial.

MAYOR'S REPORT (EXHIBIT A)

Re: Mayor Garcia commented on the following:

- a. Mayor Garcia thanked the Waveland Civic Association for hosting the Special Needs Children's' Fishing Rodeo, noting that there were 52 participants.
- b. The Mayor reminded everyone of the upcoming CCA (Coastal Conservation Association) fishing rodeo on Saturday; this will be chaired by Mr. Ernie Zimmerman. The Mayor said that he would be out of town and would not be able to attend this event, but hoped the Aldermen would be able to attend.
- c. Mr. Basil Kennedy met with the Mayor today regarding the installation of pet waste stations at our local parks.

ALDERMEN'S COMMENTS:

Alderman Stahler, Ward 1:

- a. May 19th will be Hazardous Waste Day in Hancock County. This is a collection of paint cans, refrigerators, tires and items that "nobody collects"; it will be this Saturday on Longfellow Drive from 8:00 am to 1:00 pm.
- b. The Library held a history of Waveland last Thursday night (April 26, 2012); it was a packed house. Patty Furr, Director of the Library said that for next year (2013), she would like to name April as Waveland history month.

Alderman Geoffrey, Ward 2:

- a. Alderman Geoffrey said he had gotten with the department heads and cleared all of his concerns/questions before the meeting.

Alderman Lafontaine, Ward 3:

- a. Asked Mr. Anderson about whether he had received hard numbers on the additional equipment the public works department is in need of. Mr. Anderson said that he, the Mayor and the City Clerk had been working on this issue all day. Mr. Anderson said he should have hard numbers (for lease purchasing) by Friday and that there were several options within that the City could take; a 3 year and release back or 5 years and the City sell outright. Mayor Garcia said that once the budget is amended, since these items will mostly be state contract, we can move forward to purchase either by state contract or obtaining bids.
- b. Alderman Lafontaine inquired about grass cutting and whether the City had taken possession of the new lawnmower (propane). Mr. Anderson told Board members he intended to start cutting along Hwy 90 tomorrow, but for the most part the equipment is in poor condition and Mr. Kientz with the Streets Department has been patching the equipment together. Mr. Anderson said that he would have 3 prisoners to assist with the cleaning of the cemetery tomorrow. Mr. Anderson also said his staff will be borrowing a mule from the Police Department and spraying the ditches with an environmentally safe, EPA approved weed/grass killer. He

said this will also be used to kill the weeds/grass around fire hydrants and other areas in the City, including inside the concrete ditches.

Alderman Kidd, Ward 4:

- a. Said that he had received another resident complaint (about the road needing work) from Jordan Street, off of Tom Bigbee, and asked Mr. Anderson to check this area. Mr. Anderson said he wished Alderman Kidd had called him today because they were working in that area.
- b. The Veteran's Memorial is not in good shape. Mr. Anderson said there will be a request to advertise for repairs to the Memorial area on the next Board meeting agenda and the County will shortly be bidding out to proceed with their plans to continue the walking path.
- c. The sign ordinance regarding banners and signs in the middle of the Hwy. There are a lot of signs along the Highway; Alderman Kidd asked Mr. Anderson if there was anyone to pick up the old signs. Mr. Anderson said no, but he would collect them as he cuts grass. He said he just does not have the staff to go out daily or weekly to pick up signs.
- d. Had meeting with other two (2) cities and County last evening and spoke with Steve Seymour about the parking bays. The County will be looking back into the feasibility of installing parking bays along the beach; he said hopefully we may be able to get parking bays and the possibility exists that the County may get monies from BP which could provide a match for us (with Tidelands funds) to accomplish this.

MINUTES

Re: Meeting of April 3, 2012

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve the Minutes of the Meeting of April 3, 2012, as submitted by the City Clerk.

(EXHIBIT B)

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

RSVP

Re: Claims

Alderman Kidd moved, seconded by Alderman Geoffrey to approve the R.S.V.P. Claims.

(EXHIBIT C)

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims Nos.

Alderman Stahler moved, seconded by Alderman Geoffrey to approve the Docket of Claims dated May 1, 2012 as submitted by the City Clerk. **(EXHIBIT D)**

001 Fund – 279 to 328

100 Fund – None

101 Fund – None

102 Fund – None

103 Fund – None
124 Fund – 24 to 33
125 Fund – 33 to 40
126 Fund – 2 to 4
400 Fund – 140 to 166

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**HANCOCK COUNTY TOURISM BOARD/TOURISM/PUBLIC APPEARANCE
Re: Mr. Mike Kopke: Eggstravaganza and Tourism efforts in Waveland**

Mr. Mike Kopke, with the Hancock County Tourism Board updated Board members on tourism efforts, including a proposed multiple (Hancock, Harrison and Jackson County's) entity Tourism 'UberBoard' having members from each entity represented on that Board (with a total of 15 representatives), the need to start competing against other tourism markets, grants available for events and advertising, etc. He further explained that Hancock County's 2% 'buy-in' to be represented on the Board is approximately \$96,000 per year, which is paid for in Hancock County by the hotel/motel tax that is collected. Mr. Kopke also thanked Waveland for the Eggstravaganza and said they wished to move the event to Coleman Avenue next year, also noting that 5,000 eggs were not enough this year and will have more for next year.

**HANCOCK HOUSING RESOURCE CENTER/PUBLIC APPEARANCE
Re: Mrs. Rhonda Rhodes, Executive Director of the Hancock Housing Resource Center: Activities, 2011 & Programs for 2012**

Mrs. Rhonda Rhodes was present to provide a report on the Hancock Housing Resource Center's activities for 2011 and inform the Board of new programs for 2012. Mrs. Rhodes notified the Board of different free services offered to the Community. Mrs. Rhodes mentioned that she formerly worked as a grant writer and would be happy to assist the City, time allowing, with free grant writing/application assistance.

**ADVERTISEMENT
Re: Advertisement in Hancock Today Publication**

Alderman Stahler moved, seconded by Alderman Geoffrey to approve advertisement in the Hancock Today publication for a 4"x 3" ad at a cost of \$575.00.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**CONTRACT/CENTRAL FIRE STATION
Re: Amendment No. 4 to agreement with Camp, Dresser and McKee**

Alderman Geoffrey seconded by Alderman Lafontaine to approve Amendment No. 4 to the Agreement with Camp, Dresser and McKee (CDM Smith) for the Central Fire Station, for a fee not to exceed \$5,867.00, pending corrections to document.

(EXHIBIT E)

Mr. Yarborough said that he was fine with the contract; there were however, a few typographical errors (with the company's name and Amendment # within the document) that needed to be corrected.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

INVOICES/PAY REQUESTS/CITY HALL AND CITY HALL ANNEX/FIRE STATION/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/CENTRAL FIRE STATION/WATER SYTEM EXTENSION – ANNEXED AREA/WAVELAND CLIMATE CHANGE ADAPTION/SEAGRANT

Alderman Stahler 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 sources, as submitted by Recovery Manager, Brent Anderson, and listed (Items a-e), except to **Table Item b.**

(EXHIBIT F)

- a. Pay Application No. 15 from DNP, Inc. in the amount of \$140,704.08 – City Hall and City Hall Annex and Fire Station.
- b. ~~Payment Request No. 10 from Jay Bearden Construction in the amount of \$34,524.94 – Citywide Drainage Improvements Project. – **TABLE**~~
- c. Invoice number 212-024-1 from Compton Engineering in the amount of \$1,984.00 – Central Fire Station Training Facility.
- d. Invoice No. 702-34-31 from Digital Engineering in the amount of \$2,577.38 – Water System Extension for Annexed Area.
- e. Invoice # X17326688 from AMEC Environmental & Infrastructure, Inc. in the amount of \$91.80 – Waveland Climate Change Adaption (*SEAGRANT*).

During discussion and with regard to Item b, Mr. Anderson said the contractor still has not cleaned the property in question on Waveland Avenue and he spoke personally with that contractor today to let him know that until such time the property is cleaned, this payment will be held.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**POLICE DEPARTMENT/TOWING ROTATION/WRECKER SERVICE
Re: Place Corvettes, LLC on towing rotation**

Alderman Kidd moved, seconded by Alderman Stahler to **TABLE** request to add Corvettes LLC to the vehicle towing rotation list for the City of Waveland.

Mr. Yarborough said the City does not currently have an endorsement showing the City will receive notification of cancellation of Insurance nor have we had Mr. Feola bring his equipment to be inspected by Waveland Police Department. Mr. Yarborough also asked Mr. Feola about the office address on the certificate of insurance. Mr. Feola said the address is listed in Kiln, Mississippi. Mr. Yarborough said the address listed on the Secretary of State's website is in Picayune, Mississippi. Mr. Yarborough said at this time Corvette's LLC had not procedurally complied with all of the requirements to be classified for enrollment onto the list (towing list). There is still a specific requirement of

the business being within one mile of the city limits of Waveland. He said the Secretary of State has his address listed as Picayune, MS.; otherwise it is the Kiln, which ostensibly does not meet that requirement, otherwise he would have to be a Waveland resident which, I think you are a Picayune resident. Mr. Feola said, "No sir, we have several offices. The office that is within a block (of the City limits of Waveland) is at 210 9th St., which is right next door to Big Dog's Towing. Mr. Yarborough asked if he had a Business License in Waveland. He said, "No, he does not have a business license in the City of Waveland but does have business license for 9th St., which is in Bay St. Louis." Mr. Yarborough recommended the Board table this issue providing time for Mr. Feola to obtain the necessary documentation. Mr. Yarborough informed Mr. Feola he would have to provide documentation that this actually is a business and isn't an address because otherwise we don't have any information to say whether or not you are complying with the Ordinance. Mr. Yarborough recommended that Mr. Feola fill out a records request at City Hall and get a copy of the Ordinance to allow Mr. Feola the opportunity to obtain the documentation needed for the City to proceed with his request. Mr. Yarborough said without the information necessary, he believed the Board could table this issue. Mr. Bennis Moss with Moss Towing then came forward to address the Board regarding Mr. Feola's ability to locally store towed vehicles. Mr. Feola then provided answers to these issues. Alderman Kidd said he works nearby and noticed for the most part, there was not an attendant on duty during working hours at the 9th St. address.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

POLICE DEPARTMENT/GRANTS/CLICK OR TICKET GRANT
Re: Grant Application for the "Click It or Ticket" program

Alderman Kidd moved, seconded by Alderman Lafontaine to approve application for the "Click it or Ticket" Grant to cover up to \$5,000.00 in overtime pay for Waveland Police Department officers related to this grant. **(EXHIBIT G)**

Mr. Yarborough said there were some modifications given to City Clerk Planchard regarding Mr. Russell's status; noting that the paperwork now reflects the Officer as a Patrolman. Chief Hurt stated there would be road blocks set up throughout the City to catch those not wearing seat belts and/or speeders. The Chief said that he had been and will be warning the citizens through newspapers articles about upcoming check points for speeders.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

POLICE DEPARTMENT/SURPLUS PROPERTY/INVENTORY
Re: Declare items Surplus as submitted by Police Chief Kenny Hurt

Alderman Lafontaine moved, seconded by Alderman Kidd to declare the following items from the Waveland Police Department surplus (Items a-h): **(EXHIBIT H)**

- a. 2005 Ranger Bay Boat SN:RNG6N121E404 MOD:2300 Bay
SK#134673 donated
- b. 2005 Yamaha 250 boat motor SN:6P2X1007092 donated
- c. Ranger Trail Boat Trailer SN:4WRBA242661110312 MOD:AF5400
2300 donated

- d. Ambulance IH IN:1HTSLNPM9MH359962 donated
- e. 2005 White Crown Victoria VIN: 2FAFP71W15X169802 (unit #802)
MILES: 55,308
- f. 2005 White Crown Victoria VIN: 2FAFP71WO5X169791 (unit #791)
MILES: 61,208
- g. 2005 White Crown Victoria VIN: 2FAFP71W15X169797 (unit #797)
MILES: 60,932
- h. Fifth Wheel Camper VIN: Is not identifiable (Camper was donated post Katrina and used by former Police Chief as his office)

Mayor Garcia said that he had a discussion with the City Attorney regarding items a-c, noting the need for possibly an appraisal or professional estimate to determine the actual value of these three items in question. Chief Hurt said he has no need for this boat, but rather needs 2 small aluminum boats that can get into the bayous and evacuate citizens if necessary. Chief Hurt will get Board members a plan for disposal of these assets. Attorney Yarborough said that even if the Board wants to do an Interlocal Distribution of Assets, you have to make sure there's a finding of fact on the record (inaudible) later.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

CDBG/DRAINAGE IMPROVEMENTS PROJECT/REQUEST FOR CASH REIMBURSEMENTS/CITY HALL AND CITY HALL ANNEX/FIRE STATION/COLEMAN AVENUE IMPROVEMENTS PROJECT/CIVIC CENTER/LIBRARY/FIRE STATION/ATTORNEY GENERAL/INTERLOCAL AGREEMENT/TAX COLLECTION

Re: Results of Monitoring visit for CDBG Project #R-118-379-07-HCCR

Re: Request for Cash Reimbursements

Re: Attorney General's Opinion regarding Interlocal agreement pertaining to collection of delinquent taxes

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

- a. Results of Monitoring visit from April 4, 2012 for CDBG Project #R-118-379-07-HCCR: Drainage Improvements Project. **(EXHIBIT I)**
- b. The following Request for Cash Reimbursements as submitted by Jimmy G. Gouras, Urban Planning: **(EXHIBIT J)**
 - 1. #R-109-379-02-KCR in the amount of \$15,348.80 – City Hall and City Hall Annex, Fire Station Coleman Avenue
 - 2. #R-103-379-01-KCR in the amount of \$8,337.60 – Civic Center, Library, Fire Station, Coleman Avenue.
- c. MS. Attorney General Opinion regarding the Interlocal Agreement between Hancock County and the City of Waveland concerning collection of delinquent taxes. **(EXHIBIT K)**

EXECUTIVE SESSION

Re: Contractual Negotiations re: Magnolia Business Alliance

Alderman Stahler moved, seconded by Alderman Kidd to consider going into Executive Session to discuss contractual negotiations related to the Magnolia Business Alliance contract.

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 Lafontaine to go into Executive Session to discuss contractual negotiations related to the Magnolia Business Alliance contract.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CONTRACT/AGREEMENTS/BUSINESS INCUBATOR

Re: Authorize City Attorney and Mayor to sign Agreement Related to Business Incubator

Alderman Stahler moved, seconded by Alderman Kidd to authorize City Attorney and Mayor to sign agreement for Magnolia Business Alliance to only pay Utilities and Insurance unless rent received does not exceed that amount with that period to be for a time of up to 12 months, contingent on an option out penalty of \$24,999.00.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Come out of session

Alderman Kidd moved seconded by Alderman Geoffrey to come out of Executive Session with action taken.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

ADJOURN

Re: Adjourn meeting at 9:24 p.m.

Alderman Geoffrey moved, seconded by Alderman Kidd to adjourn the meeting at 9:24 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 May 18, 2011.

Lisa Planchard
City Clerk

The Minutes of May 1, 2012 have been read and approved by me on this day the 18th day of May, 2012.

David A. Garcia
Mayor

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