

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 May 3, 2011 to take action on the following matters of city business.

Present at the meeting were Aldermen Ricky Geoffrey serving as Mayor Pro-Tem, Aldermen Stahler, Lafontaine and Kidd.

Also present were City Attorney Gary Yarborough and City Clerk Lisa Planchard

Absent from the meeting was Mayor David A. Garcia due to the invitation from FEMA Headquarters to attend the 2011 National Flood Insurance Program (NFIP) National Flood Conference in New Orleans from May 1-4, 2011.

PUBLIC COMMENTS

Re: Ms. Debbie Smith thanked the Board and gave each member a framed photo she had taken.

MAYOR'S REPORT

Re: Mayor Pro-Tem Geoffrey announced the celebration of Hancock County's Food Pantry's 25th anniversary of service to the community. The celebration will be held Thursday May 5, 2011 at 3: 00 p.m.

Re: Mayor Pro-Tem Geoffrey said Mississippi Blood Services would be holding a blood drive at City Hall on Tuesday May 10th. He also announced the Ribbon Cutting for Hardee's Restaurant on Highway 90 scheduled for Wednesday May 11, 2011 at 10:00 a.m.

Re: Mayor Pro-Tem said that the City would be accepting donations for Smithville, Mississippi and one of our citizen's, Ms. Mary Ladner would be leaving Friday to take the supplies to the people in that area. Alderman Geoffrey also said that the needs list for Smithville would be on the City's website if anyone would like to participate.

COURT DEPARTMENT

Re: Court Clerk Paula Fayard updated the Board with information about Court Collections

Mrs. Paula Fayard gave the Board handouts and added a few more things to the list from her last visit with the Board. She said that (financially) the month of April had not been as good as the previous month, and provided explanation of the handouts. Alderman Lafontaine asked about the content of the letter being sent to those who received tickets prior to Hurricane Katrina and how Court Department is pursuing collections of fines. Mrs. Fayard explained the content, noting that those in arrears would have their driver's license suspended if the overdue court fine is not handled. Alderman Stahler asked about the number of letters that have been sent out. Alderman Lafontaine asked if what he was seeing was correct, that the Court Department had collected \$297.00 since the letters had been sent out. Mrs. Fayard answered yes and that the phone calls had been steadily coming in and explained that, for example, one of the recipients of the letters has passed away and the ex- husband of that individual will be bringing a death certificate. She also noted that one was in Federal prison and another said that he would get the money together and will bring the money in to pay the fine. Alderman Lafontaine asked about the time factor and how long it would be until all of the letters are sent out. Mrs. Fayard said that she hoped it would be by the end of the month.

***At this time Mayor Pro-Tem Geoffrey said that Planning and Zoning had been removed from the agenda earlier in the day at the request of the City Attorney, but the items from Planning and Zoning were being placed back on the agenda and each issue verbally read.**

PLANNING AND ZONING

Re: 517 Meadow Lane, Tish Coker

Tish Coker appeared before the commission with a request for a variance from the required lot frontage and required square footage on her property located at 517 Meadow

Lane in order to convey 20' by 142.3' to the adjoining neighbor. Legal description: Block 2, lots 9 & 19, Jeff Davis Place, City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Brenda McComb to recommend that: In that the applicant's request to reconfigure two adjoining lots is consistent with the intent of the Zoning Ordinance, the Planning & Zoning Commission recommends the Board of Mayor and Aldermen approve the request as submitted with the stipulation that no future side yard setbacks be granted for either lot.

Alderman Stahler moved, seconded by Alderman Lafontaine to approve the request as submitted by the Planning and Zoning Board, subject to adoption of said P&Z minutes at a subsequent P&Z meeting.

City Attorney Gary Yarborough asked Mr. Steve Hand whether this issue complied with Ordinance #349 with a request for a variance on the 100' lot. Mr. Hand said, "Yes, it would improve the issue at hand." Let the Minutes reflect that no one present opposed the variance request, nor did any members of the P&Z Board meeting's audience oppose the variance according to Ms. Brenda McComb.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: 4168 Highway 90, Gary Veglia

Let the Minutes reflect that the Planning & Zoning Board tabled Mr. Veglia's application to Planning and Zoning.

Re: 417 Jeff Davis Avenue, Thomas J. Halverson Sr.

Thomas J. Halverson Sr. appeared before the commission for a variance from the required square footage of an accessory structure in order to construct a 35' x 25' accessory building on his property located at 417 Jeff Davis Avenue. Legal description: Part of lot 14, 4th Ward, City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Clarence Harris to recommend to the Board of Mayor and Aldermen that: In that the proposed 835 square feet shed structure is well-sited on a large lot, the Planning & Zoning recommends the Board of Mayor and Aldermen approve the shed as proposed.

Alderman Lafontaine moved, seconded by Alderman Kidd to approve the request as submitted by the Board of Planning and Zoning, subject to adoption of said P&Z minutes at a subsequent P&Z meeting.

City Attorney Gary Yarborough asked Mr. Steve Hand if it is the Planning & Zoning Board's position that Thomas Halverson, Sr. meets the requirements of the variance under Ordinance #349. Mr. Hand answered, yes. Let the Minutes reflect that no one present opposed the variance request, nor did any members of the P&Z Board meeting's audience oppose the variance according to Ms. Brenda McComb.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: 101 Grosvenor Place, William and Amy Ivey

William and Amy Ivey appeared before the commission with a request for a variance from the required front yard setback and a variance from the rear yard setback in order to construct a new residence on their property located at 101 Grosvenor Place. Legal description: lot 25, 60' x 103', Lot 26, SE 20' Grosvenor Place; part of lot 12, 2nd Ward Waveland, City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Brenda McComb to recommend that: Due to the unique configuration of the City's right-of-way abutting the proposed building site, the Planning and Zoning Commission recommends that the Board of Mayor and Aldermen approve a five (5) foot waiver of the front yard setback subject to the following requirement: 1. The Site Plan Review Committee must review and approve the site plan after consultation with Mississippi Power Company; 2. Vehicular access to the property must be at a right angle to Grosvenor Place and access the site on to what is now designated Lot 13; and 3. The unpaved portion of the City's right-of-way shall remain unobstructed, covered only by grass, and be fully accessible to the City.

Steve Hand moved, seconded by Brenda McComb to also recommend that: Due to the configuration and depth of the lot and intended siting of the principal structure, the Board of Mayor and aldermen approve an eight (8) foot waiver of the rear yard setback.

Alderman Stahler moved, seconded by Alderman Kidd to approve the request as submitted by the Board of Planning and Zoning, subject to adoption of said P&Z minutes at a subsequent P&Z meeting. Let the Minutes reflect that no one present at the meeting of the Board of Mayor and Aldermen opposed the variance request. Alderman Stahler did mention that Mr. Lem McCoy, a neighbor, originally opposed the Ivey's request at the Planning & Zoning Board meeting, but once it was explained to him, withdrew his opposition.

City Attorney Gary Yarborough asked Mr. Steve Hand if it is the Planning & Zoning Board's position that William and Amy Ivey meet the requirements of the variance under Ordinance #349. Mr. Hand answered, yes.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: 1004 Shipp Street, Edward A. Moore

Edward A. Moore appeared before the commission with a request for a variance of six (6') feet from the required side yard setback in order to construct an attached carport at this residence located at 1004 Shipp Street. Legal description; Block 24, lots 45-47, Highland Park Subdivision, City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Clarence Harris to recommend that: Given the unique lot constraints and building siting, the Planning & Zoning Commission recommends that; The Board of Mayor and Aldermen approve a six (6') foot variance of the side yard setback to enable the applicant to construct an open carport provided that – except for support posts – the carport be constructed and remain fully open on the side parallel to the property lines.

Alderman Lafontaine moved, seconded by Alderman Stahler to approve the request as submitted by the Board of Planning and Zoning, subject to adoption of said P&Z minutes at a subsequent P&Z meeting.

City Attorney Gary Yarborough asked Mr. Steve Hand if it is the Planning & Zoning Board's position that Edward Moore meets the requirements of the variance under Ordinance #349. Mr. Hand answered, yes. Let the Minutes reflect that no one present

opposed the variance request, nor did any members of the P&Z Board meeting's audience oppose the variance according to Ms. Brenda McComb.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

ALDERMEN'S COMMENTS

Re: Alderman Stahler said there are a few vegetable/plant beds left at the community garden to be adopted. She also recognized Waveland Business, *Treasures of the Bay* for winning top honors at the *Relay for Life* event held Friday night at the walking track in front Hancock Medical Hospital.

Re: Alderman Lafontaine said that he took some time on Thursday and rode with Public Works Director Brent Anderson. He asked about the property at the corner of Margie Street and Old Spanish Trail. Mr. Anderson said Court for the property owner would be held on May 21, 2011. Alderman Lafontaine said that during his ride with Mr. Anderson, he noticed a lot of street signs had been stolen, and asked if the citizens would be on the look out for possible thefts and if they notice street signs being removed, please write down the tag numbers of vehicle(s) involved and call the Police. Alderman Lafontaine asked for heightened patrols on Waveland Avenue, until this problem has subsided. Alderman Lafontaine said that he noticed some of the shoulders of Waveland Avenue roadway washing out. He met with Norm, who works with Digital Engineering, to determine which contractor is responsible. Mr. Anderson agreed and added it might be the Hemphill project.

Re: Alderman Kidd asked about street signs in Ward 4 and when would they be put out. Mr. Anderson said that he would not put them out until the contractors are gone. They are put together, but with the big trucks turning corners and such it would not be a good idea to put out these signs until the risk of them being hit by heavy trucks is removed. Alderman Kidd asked about S.H. Anthony and will they be replacing grass in the citizen's yards for the areas where they worked. Mr. Anderson said the punch list is in place, but it is hard to enforce punch list items until the contracts are complete. Anderson added that he can not tell S.H. Anthony which property to address with grass replacement until they've worked through their entire punch list. Mr. Anderson said this will be done before they (S.H. Anthony) get their last payment. Alderman Kidd said the manholes on Waveland Avenue are being dug up. Mr. Anderson told the Board that the city was not happy with this construction situation. Alderman Kidd asked what the main issue with this project is. Mr. Anderson said basically it is the south Mississippi dirt. He said that in fact the Public Works Administrator in Long Beach is having the same trouble. He said the manholes in Waveland were originally placed in the ditches. Now the weight of the manholes in the center of the street is causing the manhole to sink, which is pushing the dirt up around it and causing the road to sink around it. Mr. Anderson said that he is not an Engineer and can only tell the Board what he is told. Anderson also said they are researching this to make sure that there is no fault of the contractors. Alderman Kidd said that he gets a lot of phone calls about this matter. Mr. Anderson said it cost the contractor and the City money every time they go back to repair something. He said they will do the best they can with it.

MINUTES

Re: Meeting of the Regular Meeting of April 20, 2011 and the Recessed Meeting of April 25, 2011

Alderman Stahler moved, seconded by Alderman Lafontaine to approve the minutes of the Regular Meeting of April 20, 2011 (which was recessed) and the reconvened meeting of April 25, 2011 and to include the transcripts of the Court Reporter thereto, as submitted by the City Clerk

(EXHIBIT A)

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

RSVP

Re: Claims

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

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims numbers 68189-68311

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the Docket of Claims, as submitted by the City Clerk and being numbered as **68189-68311**.
(EXHIBIT C)

During discussion Alderman Lafontaine questioned docket #68447 for wristbands for Chris Johnson for the Pier. Purchasing Clerk Joy Normand said he purchases those personally and is reimbursed because the company requires use of a Visa online (cheapest price) and the City then reimburses Mr. Johnson. Alderman Lafontaine also asked about docket #68463, why City cell phones account number 001-040-605 is up to \$400.00. He said from December to March the cell phone bills are increasing each month. Mrs. Planchard said that there were several phones that should have been cut off a couple of months earlier and Cellsouth failed to correct the account. She said that she analyzes the bills each month and there is approximately \$175.00 that will be credited to the next month's bill because of a Cellsouth error. Mayor's Secretary, Tammy Fayard said that there will be 2 more phones that should be removed from the bill this month; she said definitely one, but more than likely, two because of two police employees turning in their city phones. Mrs. Planchard noted that Alderman Staler reimburses the City for the use of her cell phone bill. Mrs. (Tammy) Fayard said that Mrs. Planchard could attest the fact that it has been requested that no one use the information service on the phone (1-411), as each employee with a cell phone now has been given an 800 number to call should they need assistance. This was a problem, and Cellular South also wrote those charges off for the City. Planchard subsequently researched the bill and learned that 5 City phones are being charged monthly to the above referenced G/L account. Alderman Kidd said that his questions were answered and did not have further questions about the docket.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

PUBLIC APPEARANCE/DISCUSSION/RSVP

Re: Mr. Trent Favre and Mrs. Mary Turcotte (RSVP Director) appeared before the Board with an explanation of the Excel by 5 Program

Mrs. Turcotte thanked the Board for allowing them to be present to speak about the Excel By 5 program. Mrs. Turcotte then introduced Mr. Trent Favre, President of the Steering Committee for Excel by 5. Mr. Favre said that he works at a law firm in Gulfport and is a resident of the Kiln. He said that this is a children's program that deals with early childhood education as well as their health and well being. Mr. Favre said that he was the Chair of the Chamber for 3 years and has participated in Leadership Mississippi focusing in early childhood education and the Masters program through the Gulf Coast Business Council. He said the Excel by 5 Program was formed in Pascagoula and is a program which provides a process through which the City or Community can get certified as a child friendly community. It identifies gaps in Community resources such as health or education and it encourages collaboration among cities and throughout the county creating a synergy between volunteerism and various parts of the community. It will promote economic development, saying that Hancock County and Bay St. Louis have joined in with this organization and continue to support it. Mr. Favre said there are no financial obligations to the City of Waveland and the goal of Excel By 5 is to challenge each child to reach his or her potential. He said that Ms. Cathy Wilson with the Hancock County School Board is the certification manager. He added that this endeavor is to help the entire county. Alderman Kidd asked about funding for this organization. Mr. Favre said that they have to raise their own money. He noted that Chevron sponsors the City of Pascagoula, however Mr. Favre said that he is working on grants to help with funding for Hancock County. Alderman Kidd asked about working with other programs such as baseball or YMCA to try to help. Mr. Favre said the job is to market all that the program has to let a person know all that is available. He said before you go into an establishment you don't know what to expect when you walk in, but networking is a way to connect information and can promote a healthy relationship. Alderman Lafontaine asked about the difference between passing the Resolutions and a City being certified. Mr. Favre said the Resolution is a way to get all of the Municipalities on board. Since this is a state program, there is a check list of things for a municipality to do, such as holding a town meeting to explain the program, establishing bylaws, etc... Alderman Lafontaine asked about the certification and whether it is considered all of Hancock County. Mr. Favre said the area was approved to apply as a whole. Alderman Stahler asked about the role of RSVP. Mrs. Turcotte said they are planning to offer volunteers to help with summer reading programs, free lunch program and have volunteers go into the school and read to the children. She said they will be showing new mothers how to do things for their newborn/child, without being patronizing.

RESOLUTIONS

Re: Approve Resolution commending and endorsing the goals of Excel By 5

Alderman Stahler moved, seconded by Alderman Kidd to approve a Resolution commending and endorsing the goals and purposes of the *Excel By 5* certification process in Hancock County which improves the learning opportunities of all pre-school children.
(EXHIBIT D)

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

ORDINANCES/BUILDING DEPARTMENT

Re: Approve Ordinance No. 357

Alderman Kidd moved, seconded by Alderman Lafontaine to approve Ordinance No. 357 adopting and amending the City of Waveland Building Code Fee Schedule.
(EXHIBIT E)

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

ANIMAL SHELTER/PURCHASING/TRAVEL
Re Reimburse Jessica Rothe Mileage

Alderman Lafontaine moved, seconded by Alderman Stahler to reimburse Kennel Technician, Jessica Rothe for mileage use of her personal vehicle in the amount of \$26.32. On Easter Sunday (employee holiday), Ms. Rothe drove to the D'Iberville Pet Smart to retrieve an ill cat (that was up for adoption) and take it back to the Animal Shelter.

Alderman Lafontaine asked if this was an animal that the City had dropped off at Pet Smart© for adoption. Shelter Director Dina Allen said this is a part of a litter that had been dropped off about a week prior. She said in order to participate in the Adoption program at Pet Smart, the Shelter must remove the sick animal and take it back to the Shelter immediately. Director Allen said because of Ms. Rothe being considered the Assistant Shelter Director at the time, it fell into her area of responsibility because the Shelter Director was out of town at the time.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

TRAVEL/POLICE DEPARTMENT/FIRE DEPARTMENT/CITY HALL
Re: Travel for City employees

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

- a. Computer Forensic Investigator David Allen to Jackson, Mississippi on Tuesday May 10 for a Cyber Forensic class held at the FBI's office in Jackson. Cost to the City will be the use of City vehicle.
- b. Computer Forensic Investigator David Allen to San Jose', California Tuesday May 17 – Friday May 20, 2011 for The Internet Crimes Against Children (ICAC) National Conference. Attorney General's office will pay for airfare and lodging. The only upfront cost to the City will be 4 days per diem, which will also be reimbursed by the Attorney General's Office.
- c. Lt. James Butcher to Hattiesburg, Mississippi from Monday, May 9 – Thursday, May 12, 2011 for the International Property Maintenance Code Course and the Legal Aspects of Code Administration Course. Cost to the City will be per diem for lunch for 4 days, \$50.00 for course fees, and use of a City vehicle; no lodging is required. Regular course fees are \$250; however MEMA will fund the \$200 balance of the course fees to the City.
- d. City Attorney to travel to Washington D.C. to meet with MEMA representatives and Mr. Ernest Abbott, the City's PW Appeals attorney to discuss two appeals currently pending; leaners and hangers and ditch cleaning appeal.
- e. City Clerk Lisa Planchard to attend the Public Sector Risk Management Forum on May 5th, 2011 in Gulfport, Mississippi at the Lyman Community Center. Only cost to the City will be use of the City vehicle.
- f. City Clerk Lisa Planchard to attend the Mississippi Municipal Service Company Advanced Techniques in Claims Management workshop on May 24, 2011. Only cost to the City will be use of the City vehicle.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

EVENTS/WAVEFEST

Re: Table discussion and approval of setting WaveFest date and Committee

Alderman Stahler moved, seconded by Alderman Kidd to set the date for WaveFest. WaveFest will be **Sunday** September 4, 2011 and will be held on Coleman Avenue. WaveFest will be organized and run by a Committee with the Mayor appointing a person to serve as Chairman, one representative from each Ward, appointed by the Alderman of that Ward, Coleman Avenue property owners, and a representative from the Waveland Civic Association, Waveland Community Coalition and Bay-Waveland Main Street Association.

During discussion Alderman Lafontaine asked about the cost of paying the bands and such for events. He said that he would like to check into the details a little more, however the date was fine. Alderman Geoffrey asked the Board if that is how they felt. Alderman Stahler said that if Alderman Lafontaine would like to table the issue of the committee that would be acceptable. Alderman Lafontaine said that he would like to speak to the Committee about the dates. Scott Blackwell, a well known local artist and founder of Wavefest stood up before the Board to say that he had started this event and explained the reasoning behind the Labor Day weekend event date. Mr. Blackwell said the reason behind moving the date is to avoid storm season and have cooler weather. He said that he is happy with the idea of moving the venue to Coleman Avenue and placing the bands at the south end of Coleman, that way traffic can flow on Beach Boulevard. Mr. Blackwell asked the Board to make sure there are no other events happening (in neighboring cities) at the same time and asked the Board to make sure the event shows that the City in a positive light. Alderman Lafontaine asked to have the event to tie in the Pier, but was concerned about construction. Mrs. Kathy Pinn explained that she was the partner with Scott Blackwell at the beginning of the event over 10 years ago. She said that she agreed with moving the date away from Labor Day due to the weather, and liked the idea of Community groups participating in the Wave Fest. She commended the Waveland Coalition for continuing Wave Fest after Hurricane Katrina. She mentioned that fund raising problems have been alleviated due to the large sponsors; it has taken 10 years to get the festival to this level. Alderman Kidd said that one problem would be a conflict with Cruisin the Coast©. Alderman Stahler said one of the reasons for using Labor Day weekend is that the event would tie in with the Labor Day Fire Works. Mrs. Pinn said a suggestion would be to have a meeting with the interested parties and then come back to the City for discussion. Alderman Stahler suggested there could be a group meeting of the Coleman property owners. Mr. Mike Kopke endorsed the recommendation to have the Coleman Avenue property owners participate in a committee. Alderman Lafontaine asked if the committee would be a committee to appoint a committee. Alderman Geoffrey asked if perhaps the Board should table the entire issue until the next meeting. Mrs. Nadine Brown asked if someone from each organization should be a part of a meeting and then come before the Board to talk about who should be on the committee.

After discussion, the Board moved to table the issue.

Alderman Stahler moved, seconded by Alderman Kidd to table setting the date for WaveFest and establishing a Committee for WaveFest.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

**REQUESTS FOR CASH REIMBURSEMENT/WATER SYSTEM EXTENSION –
ANNEXED AREA/POLICE STATION/CITY HALL & CITY HALL ANNEX**

Spread on the minutes the following Requests for Cash Reimbursement as submitted by Jimmy G. Gouras Urban Planning Consultants, Inc.; as listed (Items a-d):

- a. #R-118-379-06-HCCR in the amount of \$88,942.22 – Water System Extension, Annexed Area.
- b. #R-118-379-06-HCCR in the amount of \$6,583.33 – Water System Extension, Annexed Area.
- c. #R-118-379-02-HCCR in the amount of \$2,437.50 – Police Station.
- d. #R-109-379-02-KCR in the amount of \$4,653.66 – City Hall & City Hall Annex.

**CHANGE ORDER/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT
Re: Approve Change Order No. 1 from Jay Bearden Construction**

Alderman Lafontaine moved, seconded by Alderman Stahler to approve 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, (Tabled from meeting of April 20, 2011). **(EXHIBIT F)**

During discussion Alderman Lafontaine said that he had spoken with Jeffrey Wilson of Digital Engineering, and was feeling more confused than he was prior to the conversation. Alderman Lafontaine asked Public Works Director, Brent Anderson to explain the issue to him. Alderman Lafontaine repeated his conversation with Mr. Wilson and asked for an explanation related to the culvert placement. Mr. Anderson said the original culvert and the placement was changed from a box culvert to a round, saying that it worked out because someone had donated the round culverts to the City. He said that by using the donated culverts, this allows for drainage improvements in other areas using the box culverts where they are more suited. Alderman Lafontaine asked about the \$8,000.00 labor charge due to the difference in the culvert size going from 42” culverts to 36” culverts the City had on hand. Mr. Anderson said the labor was already included in the cost of the original contract that included the 42’s. Alderman Lafontaine said, “So the labor with the 42” culverts moves over to another project using the box culverts.” Mr. Anderson said, “Right”. The Change Order is in place to allow for placement in another location. If the culverts would not have been in the yard to use, the city would have had to purchase more arch pipe. He said the City has saved a considerable amount of money by being able to use the pipe we had plus now we’re able to go fix another drainage location. Alderman Lafontaine asked about the \$34,000.00 Change Order being carried over to another project. Mr. Anderson said in all, the Board would be getting 2 more drainage locations for the cost, which will include the City getting culverts, labor and matting to install the culverts. Anderson said the City is actually getting 4 drainage locations instead of the 2 original locations (because the City had the culverts on hand). Attorney Gary Yarborough offered explanation of the line items 126 saying it is a line item we are deducting; the labor of 66 was to put back in place of the item they deducted, but only include the cost of the labor for that line item, not the actual item. This was apparently the number negotiated by Digital Engineering with Jay Bearden because it was part of the line item; they weren’t deducting items. City Attorney Yarborough asked if these items were going to be used on other projects. Mr. Anderson said, “Not other projects... other locations in this project”. Mr. (Brent) Anderson said there are several other areas where surveys and environmental studies have been completed in this particular contract, so if we get some extra funds we can increase this drainage project to make it as large as we possible can. He said they are trying to tie in this project with another hazardous mitigation drainage project as well, if MDA is agreeable to this. Mr. Anderson explained that the philosophy of the new MDA Director is if the City does not spend the money, MDA will find somewhere for it to be spent. Mr. Yarborough said for the record the motion does not include the change order for 4 days construction time listed in the documents that Bruce submitted.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

COLEMAN AVENUE STREET IMPROVEMENTS/PEDESTRIAN PATHWAY/TIDELANDS REPORTS & FUNDS/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT

Re: Approval of invoices as submitted by various contractors

Alderman Stahler moved, seconded by Alderman Lafontaine to approve the following pay requests as submitted by various contractors and recommended for payment by Recovery Manager Brent Anderson (Items b-d),:

- a. **Payment Request No. 11 from Lane Construction Co. in the amount of \$228,514.52 – Coleman Avenue Street Improvements. (Tabled from meeting of April 20,2011) (Tabled – See below motion)**
- b. Invoice No. 209-088.005-4 from Compton Engineering in the amount of \$3,800.00 – Pedestrian Pathway.
- c. Invoice No. 201-150-27 from Compton Engineering in the amount of \$305.00 –Preparation and Submittal of Semi-Annual Tidelands Report to DMR.
- d. Invoice No. 14 from Digital Engineering in the amount of \$10,338.50 – City Wide Drainage Improvements Project.

During discussion Alderman Lafontaine asked if someone had spoken with the contractor regarding the fence issue regarding Item a. Mr. Yarborough said Mayor Garcia was attempting to get in contact with the property owner. Mr. Yarborough said that Mayor Garcia was out of town at conferences this week; he had however, spoken with Mr. Wayne and Shannon with Lane Construction in hopes of schedule a meeting to discuss then fence issue further. He said that Mayor Garcia asked to have this issue tabled until the next meeting.

Alderman Stahler moved, seconded by Alderman Kidd to approve the following pay requests as submitted by various contractors and recommended for payment by Recovery Manager Brent Anderson (Items b-d), **Tabling Item a .**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

WATER SYSTEM – ANNEXED AREA/POLICE STATION/CITY HALL AND CITY HALL ANNEX/CIVIC CENTER/LIBRARY/FIRE STATION

Alderman Lafontaine moved, seconded by Alderman Stahler to approve the following Invoices submitted by Jimmy G. Gouras Urban Planning Consultants, Inc and recommended for payment by Recovery Manager Brent Anderson, as listed (Items a-d):

- a. Invoice No. 9116 in the amount of \$6,583.33 – Water System Improvements, Annexed Area. (February, 2011 invoice)
- b. Invoice No. 9115 in the amount of \$2,437.50 – Police Station. (February, 2011 invoice)
- c. Invoice No. 9114 in the amount of \$4,653.66 – City Hall and City Hall Annex. (January 2011 invoice)
- d. Invoice No. 9129 in the amount of \$5,529.17 – Civic Center, Library, Fire Station and Coleman Avenue. (November 2010 invoice)

During discussion Mr. Yarborough asked Mr. Anderson to contact Mr. Gouras' office.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

**CONTRACTS/DOWNTOWN SIDEWALK IMPROVEMENTS PROJECT –
PHASE 3**

Re: Approve contract with Sumrall's Construction Company

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the contract and Notice to Proceed between the City of Waveland and Sumrall's Construction Company for the Downtown Sidewalk Improvements Project – Phase 3, in the amount of \$269,253.70, as reviewed and approved by City Attorney Gary Yarborough.

(EXHIBIT G)

During discussion Mr. Anderson explained if the board approves this motion, the project will begin Monday May 16, 2011. Alderman Lafontaine asked how many days the contractor had to complete the job. Mr. Anderson said 120 days, pending the Board's approval this evening.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

BUILDING DEPARTMENT/PERSONNEL

Re: Personnel Layoffs effective May 6, 2011

Spread on the Minutes the layoffs resulting from budgetary decisions related to the amended budget as follows (layoffs effective May 6, 2011)

Building Department: Eliminating of position with employee:
Building Inspector (full time), Walter Damiens
Building Inspector (part time), Manual Maurigi
Permits Clerk, Sherry Blankenship

EXECUTIVE SESSION

Re: Personnel matters in the Public Works Department

Alderman Stahler moved, seconded by Alderman Kidd to consider Executive Session to discuss Personnel Issues in the Public Works Department.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

Alderman Kidd moved, seconded by Alderman Lafontaine to enter Executive Session to discuss Personnel issues in the Public Works Department,

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

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

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

ADJOURN

Re: Adjourn meeting at 8:30 p.m.

Alderman Kidd moved, seconded by Alderman Stahler to adjourn the meeting at 8:30 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 20, 2011.

Lisa Planchard
City Clerk

The Minutes of May 3, 2011 have been read and approved by me on this day the 20th day of May, 2011.

David A. Garcia
Mayor

**THIS PAGE
LEFT
INTENTIONALLY**