

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Waveland City Hall Boardroom, 301 Coleman Avenue, Waveland, MS on May 7, 2013 at 6:30 p.m., to take action on the following matters of city business.

(Tape of meeting for listening available via records request)

ROLL CALL

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

PUBLIC COMMENTS

Re: Mr. Richard Kennedy was present to ask questions and discuss clean-up concerns in his neighborhood.

MAYOR'S REPORT (See EXHIBIT A)

Mayor Garcia commented on the following:

- Carousel Assembly at Civic Center
- Upcoming Bay High School Graduation
- Governor's reappointment of Chuck Gallagher to Hancock County Development Commission
- Mediacom services update
- Donation of safety vests to KWB by Waste Management
- Mickey Lagasse to discuss 2015 Tidelands Funding Application projects

TIDELANDS FUNDS 2015

Re: 2015 Tidelands Funding Application

Mr. Mickey Lagasse addressed Board members to present the 2015 fiscal year Tideland's Funding Application and which projects Board members would like to consider applying for in this round of funding.

Mr. Lagasse offered to send Board members a list of past projects that had not been selected in the past for them to reconsider now. Mr. Lagasse said he has not heard whether 2014 funding has been approved or denied as yet.

PUBLIC COMMENTS (Cont.)

Re: Ms. Joyce Williams, resident of 108 Spanish Cove was present to discuss a blighted property at 105 Spanish Cove, which needs immediate attention. Fire Chief Mike Smith was present to let Ms. Williams and Board members know that repeated attempts have been made to locate the property owner, with no success. He noted that it has to be done correctly providing due process; he and the City Attorney will work together for a resolution to this problem.

AMEND AGENDA

Re: Amend Agenda to hire Mr. Devrinn Jones in the Streets Department

Alderman Stahler moved, seconded by Alderman Geoffrey to amend the agenda to hire Mr. Devrinn Jones in the Streets Department at \$9.00 per hour, pending passage of drug test.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: Hire Mr. Devrinn Jones in the Streets Department

Alderman Stahler moved, seconded by Alderman Kidd to hire Mr. Devrinn Jones in the Streets Department at \$9.00 per hour, pending passage of drug test.

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:

- a. Recognized Mr. Basil Kennedy who updated the Board, telling them that there is now an organization called Waveland's Ground Zero Museum; it's been established to develop and operate a museum to commemorate past hurricanes, educate the public on hurricane preparedness, be a repository for hurricane history and memorabilia for the MS. Gulf Coast area, and such other charitable purposes as the Board may from time to time determine necessary. The museum will be housed in the Waveland Civic Center (Old Waveland School). Mr. Kennedy is the temporary President of the organization. They've set up membership levels available starting at \$20 per year for the museum. He said some of their upcoming tasks will be to develop their long-term leadership, enter into some form of agreement with the City, locate a curator to look after the museum on a daily basis, research available grants, and develop signage regarding its location. He said they are here to work with and promote Waveland and hopefully this will bring people off the highway and into Waveland; this is one of the primary purposes for the museum.
- b. The Carousel is quite a magical thing and we thank Mr. Bill Dentzel (Port Townsend, WA.) for this donation.
- c. Discussed the possibility of smoke testing to be performed by the Public Works Department. City Clerk Planchard said she spoke with Mr. Geoff Clemons at Compton Engineering who said that citywide this would be extremely expensive, but it easily could be done by Public Works personnel on a street by street basis via the purchase of a blower (approx. \$1,500 and smoke canisters for an additional \$2,000). Mr. Anderson addressed the Board telling them that smoke testing is designed more for residential use and not for deep line sewer breaks which is more the City's problem. Mr. Anderson recommended getting quote for cameras to be used to find line breaks underground. Alderman Stahler said they feel that the City is generating a lot of water after rains because there are openings that should be capped. The City has to get a handle on the large amount of water they're dumping into the system.
- d. This Saturday there will be a Volley Ball Tournament on the Beach. There will be teams from all over the South with the *USA Volleyball League*. There will be another Tournament in June.

Re: Alderman Geoffrey:

- a. No Comments

Re: Alderman Lafontaine:

- a. Asked if the insurance coverage in the Civic Center would have to be increased because of the Carousel being assembled and housed there.
- b. Discussed street light outages and the Police Department reporting same so that repairs/replacements could be made. Lt. Cowand said he has been noting street lights that are out, but some poles are not numbered and therefore must use addresses to report outages.
- c. Asked if the Utility Billing date could be changed from the 1st of each month to the 3rd or 4th of each month to accommodate those on a fixed income;

recipients of Social Security checks. Mayor Garcia said that would take an ordinance change and he would get with the City Attorney about this.

- d. The three Coastal Counties have been awarded about \$63,000,000 for coastal restoration from BP. He said that Mr. Chuck Gallagher said if the City could submit projects to him, they would be looking toward Hancock County Development to issue projects. Alderman Lafontaine asked if the City would be willing to try for funding to clean out Dodson's Pond, the marsh by St. Clare Church, and other marshes, which would help the City's drainage. The Aldermen collectively asked Mayor Garcia to submit this to Mr. Gallagher and move forward with this.

Re: Alderman Kidd:

- a. Discussed Economic Development workshop he attended and a Texas group that is interested in the Waveland Business Incubator.
- b. Offered personal family memorabilia left by his Grandfather (who was over Civil Defense at the time of Hurricane Camille) for the Hurricane Katrina Museum.
- c. This Saturday will be the opening day for the Girls Softball.
- d. Reminded everyone of the May 23rd graduation at Bay High School.

MINUTES

Re: Minutes of April 17, 2013

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the Minutes of the Meeting of April 17, 2013 as submitted by the City Clerk.

A vote was called for with the following results

Voting Yea: Stahler Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

RSVP

Re: Claims

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

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay:

Absent: None

DOCKET OF CLAIMS

Re: Claims Nos.

Alderman Kidd moved, seconded by Alderman Geoffrey to approve the Docket of Claims dated May 7, 2013 as submitted by the City Clerk. **(EXHIBIT C)**

001 Fund – 670 to 734
099 Fund – None
100 Fund – None
101 Fund – 18
102 Fund – None
103 Fund – 16 to 18
104 Fund – 3

105 Fund – 25 to 29
124 Fund – 54 to 55
125 Fund – 19 to 24
126 Fund – 20 to 23
127 Fund – 25 to 27
200 Fund – None
400 Fund – 269 to 384
601 Fund – 163 to 218

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PROCLAMATIONS

Re: Proclamation recognizing Goodwill Industries and week of May 5-13, 2013 as Waveland Goodwill Week

Alderman Lafontaine moved, seconded by Alderman Kidd to approve a Proclamation recognizing Goodwill Industries of South Mississippi, Inc. and proclaiming the week of May 5-13, 2013 as Waveland Goodwill Week. **(EXHIBIT D)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

COURT DEPARTMENT

Re: Clerk of Court Rhonda Cummings was present to update the Board on Court collections, fines, and fees (EXHIBIT E)

PLANNING AND ZONING (EXHIBIT F)

Re: Nick Saucier, 208 Old Spanish Trail

Nick Saucier submitted a letter of withdrawal to the commission for his tabled request for a variance from the six foot fence height requirement in order to have a twelve foot fence on the sides and rear of his property to enclose the swimming pool area located at 208 Old Spanish Trail. Legal description: Block 79 lots 15-17, BSL Land & Improvement Co., City of Waveland, Hancock County, Mississippi.

Chairman Roger Estopinal called for a motion on the request.

Mike Kopke moved, seconded by Steve Hand to acknowledge Mr. Saucier's letter of withdrawal.

After a unanimous vote by all members present in favor of the motion, Chairman Roger Estopinal declared the motion carried. **NO ACTION REQUIRED BY BOARD OF MAYOR & ALDERMEN.**

Re: William and Ann Pier, 427 Sears Avenue

William and Ann Pier appeared before commission and were also representing Berry and Michelle Zeeman joint owners, with a request for a variance from the required lot frontage and required lot square footage in order to divide a parcel of land into two parcels. Each parcel would have a lot frontage of 87.5 and consist of 9,625 lot square footage. This property is located at 427 Sears Avenue. Legal description: Block 7, lots 32-38, Anchorage Subdivision, City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Clarence Harris that with respect to this application, the Planning and Zoning Commission fails to find special conditions that create the unnecessary hardship required by Waveland's Zoning Ordinance for the granting of variances. Therefore, the Planning and Zoning Commission recommends the Board of Mayor and Aldermen deny Applicant's request for the lot frontage and lot area variances they seek in order to sub-divide their property.

Alderman Kidd moved, seconded by Alderman Stahler to accept the recommendation of the Planning and Zoning Board to deny the request as submitted.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: Jacques Marist, 200 Block of Petite Drive

Jacques Maraist appeared before the commission with request for a wavier from the requirement that an accessory building can only be built on a lot with a principal structure. This property is located in the 200 block of Petite Drive. Legal description: Lots 28 & 30, Cline Estates Subdivision, City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Mike Kopke that with respect to this application, the Planning and Zoning Commission finds that special conditions exist that create the unnecessary hardship required by Waveland's Zoning Ordinance for the granting of variances. Specifically, the Hancock County Assessor's policies prevent Applicant from assembling adjoining properties across Subdivision boundaries. Therefore, the Planning and Zoning Commission recommends the Board of Mayor and Aldermen approve Applicant's

Alderman Stahler moved, seconded y Alderman Kidd to accept the recommendation of the Planning and Zoning Board and approve the request as submitted.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

DELTA WATER, INC./PROPOSAL/PUBLIC WORKS

Re: Discuss Proposal for Citywide Audit and Negotiate Scope of Work and Pricing with Delta Water, Inc.

Alderman Geoffrey moved, seconded by Alderman Stahler to discuss a proposal from Delta Water, Inc. to perform a citywide utility audit and at this time enter negotiations for scope of work and pricing. The citywide utility audit, if contract is subsequently approved, shall include detection of and corrections to billing related problems both in the field and office, while providing GPS of all water and gas meters throughout the City, with the goal to substantially increase revenues without increasing rates. **(EXHIBIT G)**

Mr. Nick Walter and Mr. Rodney Davis offered lengthy explanation of what their company could provide the City. Mayor Garcia also offered lengthy discussion regarding this matter. Tape for listening to discussion available upon request.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

***9:18 p.m. The Board Recessed for a brief break**

***9:26 p.m. The Board Reconvened; Alderman Geoffrey left the meeting for the evening during the break.**

Re: Mr. Brent Anderson, Public Works Director was present to discuss the proposed streets paving project.

STREETS/ADVERTISING/PAVING PROJECT

Re: Advertise for Engineering RFQ's

Alderman Lafontaine moved, seconded by Alderman Stahler to advertise for request for qualifications (RFQ's) for engineering services related to the Streets Paving Project.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

Re: Mr. Vince Altese with Pickering Engineering was present to provide Board members with an update on the Citywide Drainage Improvements Project.

Mr. Altese provided Board members with an update of progress related to the Citywide Drainage Improvements Project.

CITY HALL/CONTRACTS/AGREEMENTS/MOWREY ELEVATOR COMPANY

Re: Contract with Mowrey Elevator for the City Hall

Alderman Kidd moved, seconded by Alderman Stahler to approve the maintenance agreement with Mowrey Elevator Company for the elevator located at the City Hall Complex, 301 Coleman Avenue at a cost of \$195.00 per month, contingent upon approval by City Attorney Gary Yarborough. This is a full service agreement according to Mr. Ernie Poley with Mowrey Elevator Company. **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

FIRE STATION/CONTRACTS/AGREEMENTS/KONE INC. ELEVATOR

Re: Maintenance Agreement with KONE, INC. for the Central Fire Station Elevator

Alderman Kidd moved, seconded by Alderman Stahler to approve the maintenance agreement with KONE, Inc. for the elevator located at 427 Highway 90, Central Fire Station at a cost of \$275.00 per month, contingent upon City Attorney review. **(EXHIBIT I)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

**COURT DEPARTMENT/SOFTWARE/ PURCHASING DEPARTMENT
Re: Waive Purchasing limitation of \$15,000.00 for the Purchase of Court Software**

Alderman Kidd moved, seconded by Alderman Stahler to authorize waiving the Board's purchasing limitation of \$15,000 for formal quotes and follow §31-7-13, Miss. Code Ann., for the purchase of Court software from Delta Computer Systems, Inc.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

**PURCHASING/DELTA COMPUTER SYSTEMS/COURT DEPARTMENT
Re: Delta Computer Systems Software as Sole Source Provider for Court Software**

Alderman Kidd moved, seconded by Alderman Stahler to accept Delta Computer Systems Inc. as sole source provider of software being proposed for the Waveland Municipal Court Office. The proposed software: Municipal Court Management System, Imaging Workstation License, Accounting System Interface and the Import Modification are all basic enhancements to the Delta Software currently being utilized by the City.
(EXHIBIT J)

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

**COURT DEPARTMENT/AGREEMENTS/CONTRACTS/PURCHASING/DELTA
COMPUTER SYSTEMS, INC.
Re: Purchase Agreement with Delta Computer Systems, Inc.**

Alderman Stahler moved, seconded by Alderman Kidd to authorize execution of purchase agreement with Delta Computer Systems, Inc. for Waveland's Municipal Court office for a cost not to exceed \$19,800.00, which includes Delta conversion costs stated at a maximum of \$5,000.00. **(EXHIBIT K)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

**POLICE DEPARTMENT/SURPLUS PROPERTY/INVENTORY
Re: Place 1991 International Ambulance Back into Police Inventory**

Alderman Kidd moved, seconded by Alderman Lafontaine to approve a request from Chief Kenny Hurt removing one 1991 International Ambulance VIN # 1MTSLNPM9MH359962 from surplus property and place back into Police Inventory. **(EXHIBIT L)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

POLICE DEPARTMENT/TRAVEL

Re: Ratify Travel for Investigators to Florida for Prisoner Extradition

Alderman Lafontaine moved, seconded by Alderman Kidd to ratify travel approval for Investigator Eddie Peterson and Investigator Matt Sekinger on April 29, 2013 to Brevard County, Florida to obtain a prisoner for an Embezzlement Warrant. Cost for the trip included 2 days per diem, per diem (food costs) for Mr. Woodard for return trip, lodging for 1 night for Investigators Peterson & Sekinger and use of a City vehicle.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

TRAVEL/COURT DEPARTMENT

Re: Travel for Court Clerk Rhonda Cummings to the Municipal Court Clerk Summer Program

Alderman Kidd moved, seconded by Alderman Lafontaine to approve travel for Court Clerk Rhonda Cummings to attend the Municipal Court Clerk Summer Program from July 15-16, 2013. Only cost to the City will be use of a City vehicle. **(EXHIBIT M)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

INVOICES/COLEMAN AVENUE IMPROVEMENTS PROJECT/CDBG/HMGP DRAINAGE IMPROVEMENTS PROJECT/CLIMATE CHANGE ADAPTION-SEA GRANT/WATER SYSTEM EXTENSION,ANNEXED AREA – MASTER METER CONNECTION/CENTRAL FIRE STATION/TRAINING FACILITY/GARFIELD LADNER MEMORIAL PIER REPAIRS/EAST JEFF DAVIS SEWER SYSTEM IMPROVEMENTS PROJECT/WEST JEFF DAVIS SEWER SYSTEM IMPROVEMENTS PROJECT/JEFF DAVIS CONNECTOR SEWER AND PAVING PROJECT/GULFSIDE STREET SEWER AND PAVING IMPROVEMENTS PROJECT

Re: Payment of Invoices to Various Contractors

Alderman Kidd moved, seconded by Alderman Stahler to approve the following invoices submitted by various contractors and vendors and recommended to be placed in line for payment consideration contingent upon receiving funding from grant source, as listed (Items a-l): **(EXHIBIT N)**

- a. Invoice dated 4/29/2013 from Earth Works Design, Inc in the amount of \$29,000.00 – Install Sprinkler System and Landscaping of Coleman Avenue; Coleman Avenue Improvements Project (CDBG)
- b. Invoice X17327750 from AMEC Environment & Infrastructure, Inc. in the amount of \$665.54 – Waveland HMGP Drainage Improvements Project.
- c. Invoice X17327749 from AMEC Environment & Infrastructure, Inc. in the amount of \$14,786.44 – Waveland Climate Change Adaptation (Sea Grant).
- d. Invoice X17327758 from AMEC Environment & Infrastructure, Inc. in the amount of \$32,210.16 – HMGP Local Hazard Mitigation Plan Update.
- e. Invoice No. 702-40-03 from Digital Engineering in the amount of \$2,465.00 – Water System Extension for Annex Area, Master Meter Connection
- f. Invoice 212-024-9 from Compton Engineering in the amount of \$4,060.00 – Central Fire Station Training Facility.
- g. Invoice 213-017-1 from Compton Engineering in the amount of \$10,000.00 – Garfield Ladner Memorial Pier Repairs.
- h. Invoice 213-017-2 from Compton Engineering, Inc in the amount of \$1,632.50 – Garfield Ladner Memorial Pier Repairs.
- i. Invoice 702-37-04A from Digital Engineering Inc. in the amount of \$503.00 – East Jeff Davis Sewer System Improvements Project. (P.O. #1136)
- j. Invoice 702-36-04A from Digital Engineering Inc. in the amount of 625.00 – West Jeff Davis Sewer System Improvements Project. (P.O. #1135)
- k. Invoice 702-38-04A from Digital Engineering Inc. in the amount of \$697.70 – Jeff Davis Connector Sewers and Paving Project. (P.O. #1137)
- l. Invoice 702-39-04A from Digital Engineering Inc. in the amount of \$474.50 – Gulfside St. Sewer and Paving Improvements Project. (P.O. #1138)

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

PERSONNEL/RESIGNATIONS/POLICE DEPARTMENT/PUBLIC WORKS DEPARTMENT/REQUEST FOR CASH REIMBURSEMENTS/CENTRAL FIRE STATION/JEFF DAVIS-GULFSIDE SEWER SYSTEM IMPROVEMENTS PROJECTS/EAST JEFF DAVIS SEWER SYSTEM IMPROVEMENTS PROJECT/WEST JEFF DAVIS SEWER SYSTEM IMPROVEMENTS PROJECT/JEFF DAVIS CONNECTOR SEWER AND PAVING PROJECT/GULFSIDE STREET SEWER AND PAVING IMPROVEMENTS PROJECT

Spread on the minute's the following as listed: (Items a-c)

- a. The resignation of Officer Christopher Allen effective April 16, 2013; last day is April 30, 2013.
- b. Resignation of Mr. David Gill from the Waveland Public Works Department, effective April 17, 2013 with last day of work May 2, 2013.
- c. The following Request for Cash Reimbursements as listed, (Items 1-3):
 1. #R-118-379-01-HCCR, RFC #41 in the amount of \$3,787.00 – Central Fire Station, submitted by Jimmy Gouras Urban Planning Consultants, Inc. **(EXHIBIT O)**
 2. #R-118-379-01-HCCR. RFC #42 in the amount of \$7,440.00 – Central Fire Station, submitted by Jimmy Gouras Urban Planning Consultants, Inc. **(EXHIBIT P)**
 3. Request for Cash Reimbursement #4 submitted by Chris Gouras & Associates in the total amount of \$2,300.29 for the Jeff Davis/Gulfside Sewer Improvements Projects, as allocated by project: **(EXHIBIT Q)**
 - East Jeff Davis Sewer Improvements for \$503.00, R-109-379-07-KCR

- West Jeff Davis Sewer Improvements for \$625.00, R-109-379-08-KCR
- Jeff Davis Connector Project for \$697.79, R-109-379-06-KCR
- Gulfside St. Sewer & Paving Project for \$474.50, R-109-379-09-KCR

4 #R-118-379-01, RFC #40, **AS CORRECTED** in the amount of \$172,027.90 for the Central Fire Station, submitted by Jimmy Gouras Urban Planning Consultants, Inc. (**EXHIBIT R**)

BUDGET MODIFICATIONS/CENTRAL FIRE STATION
Re: Approve Budget Modification No. 6, R-118-379-01-HCCR

Alderman Lafontaine moved, seconded by Alderman Kidd to approve Budget Modification No. 6, R-118-379-01-HCCR, as submitted by Michele Moore of Gouras Urban Planning Consultants for the Waveland Central Fire Station. (**EXHIBIT S**)

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

PERSONNEL/POLICE DEPARTMENT
Re: Move Officer Benjamin Bowden from a Part-Time to a Full-Time Position

Alderman Lafontaine moved, seconded by Alderman Stahler to move Officer Benjamin Bowden from part-time to a full-time position at a pay rate of \$13.00 per hour, as recommended by Police Chief Kenny Hurt. In addition the Chief asked for retroactive pay for Officer Bowden to April 30th as he has been acting in a full-time capacity since the resignation of Officer Christopher Allen.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

ADJOURN
Re: Adjourn meeting 10:17 p.m.

Alderman Kidd moved, seconded by Alderman Lafontaine to adjourn the meeting at 10:17 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

The foregoing minutes were presented to Mayor Garcia on May 24, 2013.

Lisa Planchard
City Clerk

The Minutes of May 7, 2013 have been read and approved by me on this day the 24^h day of May 2013.

David A. Garcia
Mayor

LEFT
BLANK
INTENTIONALLY