

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 May 18, 2016 at 6:30 p.m. to take action on the following matters of City business.

PUBLIC COMMENTS:

- Mr. Bennis Moss
- Mr. Johnny Raffeo

ROLL CALL:

Alderman Lafontaine, serving as Mayor Pro-Tem, noted for the record the presence of Aldermen Burke and Richardson, along with City Clerk Lisa Planchard and City Attorney Rachel Yarborough.

Absent from the Meeting was Alderman Charlie Piazza and Mayor Mike Smith

**MAYOR'S REPORT/PERSONNEL/POLICE DEPARTMENT/STREETS DEPARTMENT/
PUBLIC WORKS**

Re: Approve Pay Increases for Mr. Howard O'Gwin, William Harris, and Chris Ory

Alderman Burke moved, seconded by Alderman Richardson to approve the following raises after their 1 year anniversary, as budgeted.

- a. Howard O'Gwin - \$.30/hr. Raise (Streets)
- b. William Harris - \$.30/hr. Raise (Streets)
- c. Chris Ory - \$.49/hr. Raise (Police)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**MAYOR'S REPORT/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE
PROJECT/PUBLIC COMMENTS**

**Re: Mr. Mark Kidd, Mr. Mike Bell and Pickering Engineer Andy Phelan were present to discuss
the current Citywide Drainage Improvements Project**

Mr. Mark Kidd noted the various drainage project related meetings that he had during his tenure as Alderman. He said the drainage in many areas that have been worked on by Kappa Development are not working properly. Mr. Mike Bell said he has notified several of the appropriate parties regarding his drainage problem and has never received any assistance with the issue. Mr. Kidd said the road near his home is being used as a dumping area for the sand and is now significantly degraded. Mr. Bell explained that what was previously a dry area is now a problem area, very wet, holding water and a breeding ground for mosquitoes. Mr. Andy Phelan with Pickering Engineering discussed the problems and addressed the issues and offered to meet with Mr. Bell at his property. He did tell the Board that Phase I cleanup work has been completed and Kappa is starting on Phase II cleanup. Alderman Lafontaine asked about some of the items that were removed from the Project scope during negotiation. Mrs. Yarborough said at the time when the City took bids, apparently the project came in 10% over the grant funds allotted and that allowed the City to negotiate directly with the Contractor to come within those Grant funds. Mrs. Yarborough said this required some deletions from the project to make it possible to make the negotiations beneficial to both parties. Mr. Brent Anderson noted that a lot of the decisions with regard to the project were made by the previous Mayor or then City Attorney Gary Yarborough. Alderman Lafontaine noted the trouble areas of Vacation Lane and Terrace Avenue. He said if the areas were removed from the project back then, how do we address these problems now? Mr. Anderson said that he's not concerned about the concrete, but is concerned about having everything cleared and grubbed (beyond the concrete ditches) to allow the flow rate to continue because beyond the concrete there is no defined channel for the water to flow through. The flow rate is currently triple what it was previously (before the concrete ditches were installed). Alderman Lafontaine asked whether the City will have to pull permits through DMR (Department of Marine Resources) to get this addressed. Mr. Phelan said he is not sure how far the current project is permitted; he would check on this. Alderman Lafontaine recommended that Mr. Anderson find out what, at this point, is permitted and then get a track-hoe and pull the trees out of the areas affected. Mr. Anderson asked if the area is currently

permitted and falls under the clearing and grubbing line item of the scope; if we stay under that line item and it was originally permitted for this plan, can the contractor clear and grub under that line item. Ms. Yarborough said, "Not if it's outside what's already been approved." Mr. Phelan said that he would ask Chris Nobles with AMEC about Mr. Anderson's question and will look in to adding Dubuc Lane into the current permitted area.

ALDERMEN'S COMMENTS

Re: Alderman Burke

- Had no comments, spoke with everyone he needed to before the meeting.

Re: Alderman Richardson

- Asked Mr. Phelan about the paving progress of Nicholson Avenue. Mr. Phelan said the base coat would be paved within the following week, weather permitting.
- Inquired about the sewerage problems in residential homes during the recent rainfall. Mr. Anderson said the problem is that the homes affected are straight piped into Gulfside; the sewerage plant had a power outage yesterday causing motors to trip. Because of this, both pumps that take in the Waveland inflow were not working so it backed the sewerage all the way to St. Joseph Street. It was not a City issue; it was the power outage at the Utility Authority.
- Discussed an RV on Terrace Avenue with no home on the property. Alderman Richardson expressed concerns about there being a pool and an RV on the property without any residential slab on the property. Building Inspector Bill Carrigee's shall assess this problem.

Re: Alderman Lafontaine:

- Requested an Executive Session regarding Police Department Personnel.

ATTORNEY'S COMMENTS

Re: Requests an Executive Session regarding potential litigation with Kappa Development

RSVP

Re: Claims

Alderman Burke moved, seconded by Alderman Richardson to approve the RSVP Claims as submitted.
(EXHIBIT A)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

DOCKET OF CLAIMS

Re: Claims

Alderman Richardson moved, seconded by Alderman Burke to approve the Docket of Claims in the amount of \$1,055,209.94 dated May 18, 2016 as submitted.
(EXHIBIT B)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

MINUTES

Re: Minutes of the Regular Meeting of May 3, 2016

Alderman Burke moved, seconded by Alderman Richardson to approve the Minutes of the Regular Meeting of May 3, 2016 as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

DEEP SEA FISHING RODEO

Re: Ms. Baylie Cornfoot as City's Representative

Alderman Richardson moved, seconded by Alderman Lafontaine to name Miss Baylie Cornfoot as the City's Mississippi Deep Sea Fishing Rodeo Princess and add a City stipend of \$150.00 for the advertisement. **(EXHIBIT C)**

Mrs. Yarborough said if the Board approves, it is finding Under Section 17-3-01 that the representation of Miss Bailey Cornfoot in the Mississippi Deep Sea Fishing Rodeo will be in the form of an advertisement for the City of Waveland that will bring favorable notice the opportunities, possibilities and resources to the Municipality.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

ADVERTISING/HANCOCK TODAY

Re: Annual Advertisement in the Hancock Today Magazine (Motion failed)

Alderman Richardson moved, seconded by Alderman Lafontaine to approve a _____ size Advertisement in the Hancock Today Magazine and Buyer's guide for 2016, size and related costs to be determined by the Board.

Mrs. Yarborough said if the Board does find that this is an appropriate expenditure, they're making the necessary finding that the expenditure is for the purpose of advertising and bringing into favorable notice the opportunities, possibilities and resources to the Municipality under MS. Code Section 17-3-1 and 17-3-3.

A vote was called for with the following results:

Voting Yea: None

Voting Nay: Burke, Richardson, and Lafontaine

Absent: Piazza

PERSONNEL/MECHANIC/STREETS DEPARTMENT/PUBLIC WORKS

Re: New Hire John Montgomery as City Mechanic (to replace Kenny Kientz upon retirement)

Alderman Burke moved, seconded by Alderman Richardson to approve new hire, Mr. John Montgomery as City Mechanic (to replace Kenny Kientz upon retirement) at a rate of \$17.00 per hour pending passage of drug test, as recommended by Public Works Director, Brent Anderson.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

POLICE DEPARTMENT/TOWING ROTATION/WRECKER ROTATION

Re: Big Boy Towing to Wrecker Rotation List

Alderman Burke moved, seconded by Alderman Richardson to **TABLE** adding Big Boy Towing to the Waveland Police Department wrecker rotation list as recommended by Police Chief. (Tabled from May 3, 2016 Meeting).

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**POLICE DEPARTMENT/POLICE STATION-BUILDING/INTERNET SERVICE/
CONTRACTS**

Re: Contract with CSpire to Provide Internet at new Building

Alderman Burke moved, seconded by Alderman Lafontaine to **TABLE** considering/approving a request to contract with CSpire to provide internet at the new Police Department Building/Station.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

POLICE DEPARTMENT

Re: Officer Phillip Pavolini to attend the Hancock County Sheriff's Office Academy

Alderman Burke moved, seconded by Alderman Richardson to approve Officer Philip Pavolini's attendance at the Hancock County Sheriff's Office Academy for a State required refresher course beginning June 14th, 2016. Cost to the City will be use of a City vehicle and a course fee of \$900.00 (as budgeted), which will be reimbursed upon Officer Pavolini's completion of the course.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

COURT DEPARTMENT

Re: Purging Court Records

Alderman Richardson moved, seconded by Alderman Burke to **TABLE** approving purging the following files submitted by the Clerk of Court, Rhonda Cummings:

- a) 2006-2010 Tickets Only
- b) 2000-2005 Purge Tickets and Criminal Cases
- c) 1999 and prior (Tickets & Criminal Cases) to be purged due to Hurricane Katrina Damage.

Mrs. Yarborough said the Record Retention rule states that the time for retention begins to accrue once their (fine) is paid or disposed of, so if there is not a final disposition in the case or if the City has even the opportunity to collect on those cases, the city should retain those records for proof. Mrs. Yarborough said she knows there is a contract with AMS to collect the old outstanding fines, however if those letter attempts are unsuccessful, the City has the option to pursue those old debts in Civil Court

and the City would need those files to pursue that. Mrs. Yarborough said it would be easier of Ms. Cummings was present.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

BUDGET FY 2016

Re: Amend the FY 09/30/2016 Budget

Alderman Burke moved, seconded by Alderman Richardson to approve FY 09/30/2016 Amended Budget as submitted. **(EXHIBIT D)**

During discussion, Mrs. Planchard discussed the water tower located behind City Hall on Hughes Street; an additional \$50,000 estimate was added to the amended budget as this request was just mentioned earlier today by Mr. Anderson. Mr. Anderson said he can't say for sure \$50,000, it's just a rough guess from earlier quotes from several years ago that ranged from \$18,000 to \$30,000. Mr. Anderson said the Tower must be brought into compliance with the State Health Department; he presented the Board with various options to bring the tower into compliance, but at the same time will have to work with the vendors that lease space on the Tower with antennas. He said he is awaiting some quotes to demo the water tower; he also has some quotes from Engineers to see if the dome can be removed from the tower and replace it with a platform. Mr. Anderson said he recommended to the Mayor today that perhaps one of the tower or phone companies (leasing space at the top of the tower) may want to come in and put a 100' collapsible antennae tower by leasing the property from the City. He said this way we would be in compliance. To determine structural soundness, the City would have to hire a tank engineer. Mr. Anderson said he had the name of one of the tower companies and would leave the related negotiations to the City Attorney. Mr. Lafontaine recommended that the City contact the current leasing companies leasing space to see if they would want to put up an antennae off of the platform. Mrs. Planchard provided further explanation of the updated amended budget.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

RESOLUTIONS/MML/CONFERENCE/EVENTS

Re: Mayor Mike Smith as Voting Delegate, Alderman Shane Lafontaine as First Alternate, and Alderman Jeremy Burke as Second Alternate for the MML Elections at the Annual Conference

Alderman Burke moved, seconded by Alderman Richardson to approve Resolution appointing Mayor Mike Smith as Voting Delegate, Alderman Shane Lafontaine as the First Alternate Voting Delegate, and Alderman Jeremy Burke as the Second Alternate Voting Delegate representing the City of Waveland for MML elections at the upcoming Annual MML Conference in Biloxi, MS. **(EXHIBIT E)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

SOUTH STREET-BROWN STREET REPAIRS/AGREEMENTS/CONTRACTS

Re: Agreement for Professional Engineering Services with Compton Engineering- South Street/Brown Avenue Road Repairs

Alderman Burke moved, seconded by Alderman Richardson to approve an Agreement for Professional Engineering Services with Compton Engineering for services related to South Street/Brown Avenue road repairs (elevate the road), including Attachment A. **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

TASK ORDERS/SOUTH STREET-BROWN AVENUE PROJECT

Re: Exhibit 1- Task Order Request, South Street/Brown Avenue Road Repairs

Alderman Richardson moved, seconded by Alderman Burke to approve Exhibit 1-Task Order Request from Compton Engineering in the amount of \$47,800.00 to perform Engineering Services related to the South Street/Brown Avenue road repairs. (Amend Capital Projects-Streets (313 Fund) budget as required) **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

TASK ORDERS/FLOW METERS

Re: Exhibit 1, Task Order 6 with Compton Engineering regarding the Citywide Sewer Improvements

Alderman Burke moved, seconded by Alderman Lafontaine to approve Exhibit 1, Task Order 6 with Compton Engineering in the amount of \$11,000.00 for engineering services related to the installation of (2) 12 inch flow meters and meter vaults, Citywide Sewer Improvements. (Amend Sewer Dept. budget (400-726) as required) **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

DEPOSITORY/POLICE DEPARTMENT BUILDING/DAVIS BACON ACT/C. PERRY BUILDERS/LEGAL ISSUES

Re: Payment and Release of \$458.64 Payment to Sub Contractors – Police Building

Alderman Burke moved, seconded by Alderman Richardson to approve the payment and release of \$458.64 from the City's Escrow account to the Depository to pay certain sub-contractor employees associated with the Police Department Project. Said payment is necessary due to a grant audit finding that C. Perry failed to abide by the wage determination established by the Davis Bacon Act regarding the project. This payment is made with a reservation of all rights, contractual or otherwise, and the City of Waveland waives nothing. **(EXHIBIT I)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

CITYWIDE DRAINAGE/DRAINAGE/EXTENSIONS-POP/HMGP

Re: Request to MEMA to extend Period of Performance for City-Wide Drainage Improvements Project

Alderman Burke moved, seconded by Alderman Richardson to approve a request to MEMA to extend the Period of Performance for the City of Waveland City-Wide Drainage Project Hazard Mitigation Grant Program (HMGP) Project until January 1, 2017. **(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

CITYWIDE DRAINAGE PROJECT/DRAINAGE PROJECT/EXTENSIONS/CONTRACTS

Alderman Burke moved, seconded by Alderman Richardson to approve a contract extension request with AMEC Foster Wheeler Environment & Infrastructure, Inc. for the HMGP Citywide Drainage Improvements Project (HMGP Project #1604-0420), contingent on City Attorney approval. **(EXHIBIT K)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

CONTRACT/FLOW METERS/METER VAULTS/PAYMENT AND PERFORMANCE BONDS

Re: Contract with DNA Underground for Installation of Flow Meters and Meter Vaults

Alderman Burke moved, seconded by Alderman Richardson to approve contract with DNA Underground for installation of 2 Flow Meters and Meter Vaults for \$41,979 plus the cost of Payment and Performance Bonds, which shall not exceed an additional \$2,100.00. Execution of the contract shall be conditioned on the acceptance of and contingent on the acceptable evidence of a performance and payment bonds provided by the Contractor to the City; appropriate insurance and execution of contract by the Contractor. **(EXHIBIT L)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**INVOICES/DRAINAGE IMPROVEMENTS PROJECT/CITYWIDE DRAINAGE/
EMERGENCY SEWER REPAIR/LIFT STATION REPAIR-EMERGENCY/STORMWATER
COMPLIANCE/FACILITIES PLAN/CITYWIDE SEWER IMPROVEMENTS PROJECT/
SEWER IMPROVEMENTS/LIGHTHOUSE-OUTDOOR RECREATION PLAN TIDELANDS
Re: Payment of Invoices by Various Contractors**

Alderman Burke moved, seconded by Alderman Richardson to approve payment of the following invoices submitted by various contractors to be placed in line for payment consideration contingent upon receiving funding from grant sources (if required) as listed (Items a, c, e & f). **(EXHIBIT M)**

- a) Invoice No. 0078667 from Pickering Firm, Inc. in the amount of \$32,183.20 - Citywide Drainage Improvements Project/HMGP. (Tabled from May 3, 2016 Meeting).
- b) ~~Payment Application No. 1 from DNA Underground in the amount of \$188,397.26 for Emergency Lift Station Repairs re: Sewer lines, Central @ Lakeside.~~ See separate motion below.
- c) Invoice No. 216-021-2 from Compton Engineering in the amount of \$1,320.00 for the Stormwater Compliance and Implementation.
- d) ~~Invoice No. 216-023-1 from Compton Engineering in the amount of \$1,910.00 for the Annexation Water study.~~ **REMOVED**
- e) Invoice No. 215-065-15 from Compton Engineering in the amount of \$72,106.04 for the Facilities Plan and Related Services- Citywide Sewer Improvements (SRF).
- f) Invoice No. 215-068-8 from Compton Engineering in the amount of \$4,700.00 for the Lighthouse/Outdoor Recreation Plan-Tidelands.

Mrs. Yarborough said that with regard to the Citywide Drainage Improvement's Project, the City contractually speaks to the Contractor through Pickering Engineering. Mr. Andy Phelan with Pickering said they have been speaking to the contractor about cleaning the mess related to the Citywide Drainage Improvements Project and it appears Kappa has been cleaning up. Alderman Lafontaine asked about the list of deficiencies. Mr. Phelan said Pickering had given the Contractor a list of deficiencies re: the ditches, but have not provided the contractor a list of roads in need of repair.

(Mrs. Yarborough asked that item b) is considered outside of the list of a-f, Aldermen Burke and Richardson agreed as 1st and 2nd on motion.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

EMERGENCY SEWER REPAIR/LIFT STATIONS/CENTRAL @ LAKESIDE LIFT STATION REPAIR

Re: Pay Application No. 1 from DNA Underground in the amount of \$188,397.26 for Emergency Lift Station Repairs; Central Avenue at Lakeside Drive

Alderman Burke moved, seconded by Alderman Burke to consider paying (Item b) Payment Application No. 1 from DNA Underground in the amount of \$188,397.26 for Emergency Lift Station Repairs re: Sewer lines, Central Avenue @ Lakeside Drive. **(EXHIBIT N)**

Mrs. Yarborough said this is a special finding that will need an explanation in the record. She said this was an emergency expenditure by the Utilities Department. Mr. Anderson said his staff located a lift station at Central and Lakeside Drive which was sinking. He said it was actually separating which would have allowed the stand pipes to break and which would have then allowed sewerage possibly at night being unknown to start pumping, which would be in violation of the DEQ Stormwater Act, not counting the health and care of the citizens that live in that area. This station actually effects two to three hundred residents; it pumps the main sewerage from a large portion of that South side to the Nicholson lift station. He said after the findings that were made, we determined that we had to do this under emergency repair due to the structural stress and the complications that were going to arise on the pipes. Throughout this we've logged photos; we actually contacted Compton Engineering to come do an initial assessment, which their letter is in this packet I'm going to present to the Mayor and Board with a letter indicating what work had to be performed, why we had to perform it, and we also have a secondary letter after the work was performed, from Compton saying it was performed correctly. Mr. Anderson said, "But under the emergency repair, we had no choice but to do the work, it was a lot of work, it was continuous work of nearly 9 days. It was from asphalt roads all the way to relining the wet well, rebuilding the vault box, re-pouring the curb and gutters. So that's really the justification of the invoice on this project." Mr. Anderson said he met with the insurance company on this project. He said, "I've met with the insurance Company's Engineer on this project; they are addressing the issues. So from this point on for my recommendation; I was out there on this project roughly 85 to 90% of the time that he was actually working, I recommended under the work that was performed for the City and

the amount of work, that we pay this invoice to DNA Underground. The job was done correctly, it's no issue to this day and point in time. It was just one of those things we had to do to prevent a lot of serious issues and problems through many, many agencies as well as our citizens." Alderman Lafontaine asked if it looked like the insurance agency would accept this claim. Mr. Anderson said, "We are going to try to make a phone call again in the morning and speak with them, we haven't yet; since I met with their Engineer. They flew an Engineer actually in from Minnesota or somewhere. Since I've met with him on site, Shane, that's roughly been about two and half weeks now. I haven't heard back from him, he hasn't contacted the City Hall, cause I gave him the information on it. So were going to try to make contact back with them tomorrow." Alderman Burke asked if there is a reason why there not paying it? Mrs. Planchard said, we just haven't heard back. Mr. Anderson added, "I don't believe they've said they're not paying. I'm not going to speak for the insurance company. They didn't have an issue with the claim amount, they want to make sure they cover their P's & Q's as well. I met with the adjuster first, he didn't have any issues, he somewhat knew what he was talking about. Then like I said to second that, they went as far as bringing their own independent Engineer in, actually Compton's Engineer was out there as well with us, and he seemed to be real justified on what the issue was and how it was called. It was a structural issue and about 26 ½ foot down." Mr. Lagasse said he thought John (with Compton) and the other engineer had had conversations. Mrs. Yarborough asked if the repair contract had not been entered what would have been the consequences to the City and its citizens. Mr. Anderson said we would have probably dumped ungodly amounts of raw sewerage into the, first it would have went first to curb and gutter, straight to the Bay because that's where that outfall that it sits on goes straight to the Gulf; so we would have dealt with many issues with DEQ, the State and many other people probably. Mrs. Yarborough asked, "Public Health"? Mr. Anderson said, "Yes, and as far as there would have been above ground contamination to citizens, children, properties, sewer and it was to that point where the separation of the valve vault and the wet well was about to rip the stand pipes in half. Actually, I think Bobby (Alderman Richardson) spent many countless nights while it was bored out there and working. Bobby came to hang out with us, got a good idea of just what was going on out there. To answer your question, Mrs. Yarborough, it would have been a catastrophic event for the City, it would have been a whole lot more than \$188,000, I can 100% assure that. If it would have separated with unbeknown to us fixing it." Mrs. Yarborough asked if it would have caused an outage of sewerage services for parts of the City. Mr. Anderson said, "Yes it would. It would have affected roughly two to three hundred customers." Mrs. Yarborough asked how long they (Customers) would have gone without Utilities, sewerage utilities at least." Mr. Anderson said, "A lot longer than the 9 days that it took us to repair it. The cleanup alone probably, if it had been that amount of sewer, we would have probably ended up evacuating that area until we got proper clean-up and release from DEQ on the property, the stormwater system, so yes it could have been extremely catastrophic." Mrs. Yarborough asked as a result of this expenditure, have you prepared a letter to the Board in supporting documentation. Mr. Anderson said, "I have, yes I have it here and I'll present this to the Mayor. It's a letter signed by me with the work, pictures, contract invoice, P.O. (Purchase Order) and complete package that we can present this." Mrs. Yarborough asked if we could spread this on the minutes please. Mrs. Planchard said, "I will." Mrs. Yarborough said in accordance with the procedures dictated by MS. Code Section 31-7-13(k), approval of the invoices of finding by the Board that an emergency as defined by MS. Code Section 31-7-1 existed and that the delay necessary in competitive bidding would have been detrimental to the immediate preservation of public health. Mrs. Yarborough further explained that it would be basically a finding that an emergency existed and that an emergency repair contract was unavoidable. Alderman Lafontaine asked about the lift station at Rue de LaSalle. Mr. Anderson said he actually received quotes earlier in the day and will be presenting the quotes (to purchasing dept.) in the morning, and is roughly \$4,800.00. Mr. Anderson said that on that one they are going to build a 3 foot retaining wall around it to backfill and divert the water; it was originally set too low. He added that the base of it is set below the road.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

Re: Supporting Documentation Related to Emergency Lift Station Repair; Central Avenue at Lakeside Drive

Spread on the minutes the receipt of Supporting documentation and information presented to the Board by Mr. Brent Anderson as it relates to the emergency repair of the lift station at Central Avenue and Lakeside Drive. **(EXHIBIT O)**

**CONTINUING EDUCATION/MISSISSIPPI MUNICIPAL SERVICE COMPANY/CITY HALL/
STREETS DEPARTMENT/PERSONNEL/REVENUES AND EXPENDITURES REPORT**

Re: Spread on the Minutes

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

- a) City Clerk Lisa Planchard, Deputy City Clerk Tammy Fayard and Personnel Director April Chevis' attendance certificates from the Mississippi Municipal Service Company HR Risk Management Training held April 20, 2016. **(EXHIBIT P)**
- b) Frank King at \$10.00 per hour pending passage of drug test to fill the open Streets laborer position, approved to fill at a prior Board meeting.
- c) Statement of Revenues and Expenditures for the month of April 2016 at this, the second meeting of May 2016. **(EXHIBIT Q)**

EXECUTIVE SESSION

Re: Police Department Personnel and HMGP Project re: Contracts (Citywide Drainage Project) for Probable Litigation

Alderman Burke moved, seconded by Alderman Richardson to prompt a closed door discussion regarding Police Department Personnel and the HMGP Project re: Contracts (Citywide Drainage Project) for probable litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

Re: Enter Executive Session

Alderman Burke moved, seconded by Alderman Richardson to enter Executive Session regarding Police Department Personnel and the HMGP Project re: Contracts (Citywide Drainage Project) for probable litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

**CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE PROJECT/LEGAL
ISSUES/CONTRACTS/EXECUTIVE SESSION**

Re: Authorize City Attorney to send Notice of Contract Obligations to Pickering & Kappa Development

Alderman Burke moved, seconded by Alderman Burke to authorize City Attorney to send Article 16 Notice of Contract obligations to Pickering and Kappa Development.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: None

Absent: Piazza

PERSONNEL/LITTER CONTROL/POLICE DEPARTMENT/EXECUTIVE SESSION

Re: Disciplinary Action - Litter Control Officer

Alderman Lafontaine moved, seconded by Alderman Richardson to suspend Don Siebenkittel for 5 days without pay for failure to follow order of the Board. Mayor to determine consecutive days to be suspended, prepare disciplinary action form and present to Mr. Siebenkittel.

A vote was called for with the following results:

Voting Yea: Richardson, and Lafontaine

Voting Nay: Burke

Absent: Piazza

Re: Exit Executive Session

Alderman Burke moved, seconded by Alderman Richardson Exit executive Session with action taken.

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 8:47 p.m.

Alderman Burke moved, seconded by Alderman Richardson to adjourn the meeting at 8:47 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 June 10, 2016.

Lisa Planchard,
City Clerk

The Minutes of May 18, 2016 have been read and approved by me on this day the 10th of June, 2016.

Mike Smith,
Mayor