

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 June 2, 2015 at 6:30 p.m. to take action on the following matters of City business.

**PUBLIC COMMENTS:**

- Bryan Frater
- Alfred "Tiger" Harris

**ROLL CALL:**

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

**MAYOR'S REPORT/BID/CIVIC CENTER/GROUND ZERO MUSEUM/MUSEUM  
Re: Award Unabridged Architecture Best and Most responsive RFP/Bid for Museum  
Components of the Civic Center**

Alderman Burke moved, seconded by Alderman Piazza to approve and award Unabridged Architecture (UA) as the best and most responsive RFP/Bid for Architectural and Engineering Services related to the Museum Components of the Civic Center, with the stipulation that UA demonstrate commitment to achieve Section 3 goals and requirements by meeting with City and MDA representatives within 30 days of contract approval to receive technical assistance.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**Re: Introduction of Mr. Bob Conrad with Mississippi Natural Inc.: Discuss leasing the City's  
Natural Gas System**

Mr. Bob Conrad introduced himself and said his company, Mississippi Natural Inc., is a public utility company in the State of MS. Mr. Conrad said they have facilities in Collinsville, MS., Brandon, MS., Como, Ms., and Hattiesburg, MS. They have two sister companies; Mid-South Boring and Piping which focuses on natural gas pipeline construction and their engineering consulting company is called Mid-South Engineering Consultants which focuses on natural gas pipeline design and engineering. Mr. Conrad said he had been meeting with the Mayor and his staff to explain what he can offer and would like to pursue that with the City. His operations manager, Trent Johnson also came and met with Mr. Dwight Haskell, the City's gas operator. He said he realizes it's early in the process, but just wanted to come by and introduce himself to the Board and take questions. Alderman Lafontaine said he was pleased that the City and Mr. Conrad were meeting.

**RSVP**

**Re: TABLE absolving RSVP Program**

Alderman Piazza moved, seconded by Alderman Burke to **TABLE** absolving the City of Waveland's sponsorship of RSVP.

Mrs. Yarborough said she had been working on this issue to gather paperwork, which has uncovered very little evidence in the minutes; her concern is when the grant would expire and does not want the City to take any affirmative action that would prematurely stop that grant process. She does not want the City in any way to be penalized. She requested more time to do the research into Federal regulations that govern RSVP.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**MAYOR'S REPORT (Cont.)**

- The Mayor provided Board members with the written estimate from Compton Engineering for the Lighthouse/Bathroom Facilities.

**CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE IMPROVEMENTS PROJECT/INVOICES/AMEND AGENDA**

**Re: Amend Agenda to Approve Payment Application No. 6 from Kappa Development in the amount of \$318,370.61 from Agenda Item 17.C and Transfer Related funds.**

Alderman Piazza moved, seconded by Alderman Burke to move Agenda Item 17.C. under the Mayor's Report. This motion is for approval of Payment Application No. 6 from Kappa Development. (Ref: subsequent motion)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

Alderman Lafontaine moved, seconded by Alderman Piazza to approve Payment Application No. 6 from Kappa Development in the amount of \$318,370.61 – Citywide Drainage Improvements Project. **(EXHIBIT A)**

During discussion, Aldermen Piazza asked Mr. Chris Nobles with AMEC when the trees would be taken out of the ditch. Mr. Nobles said he would have to get with Pickering Engineering who will get with the contractor about this.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**MAYOR'S REPORT (Cont.)**

- Mayor Smith announced that Waveland has won the \$50,000 *Red, White and You* contest through Destination America, the Discovery Channel and USA Today. The Mayor thanked Mrs. Donna Estopinal for her winning submission. Mayor Smith noted that through this nationwide contest, only two cities across the nation received this honor. He noted this is a huge bump for Waveland with National recognition; "Now is our chance to shine". He politely asked property owners along Coleman Avenue and the Beach to please clean their property and cut the grass in preparation of this 4<sup>th</sup> of July Celebration. This is the second time Waveland has received national recognition; "Last time it was for a disaster, this time it's for a party!" He added that there will be a large fireworks show, food, vendors and a nationally known musical performer.

**CITY ATTORNEY'S COMMENTS:**

City Attorney Yarborough had no comments.

**ALDERMEN'S COMMENTS:**

**Re: Alderman Burke**

- Discussed/requested obtaining an appraisal of the Gas System at such time a potential sale would present itself.

**Re: Alderman Richardson:**

- Thanked Mr. Anderson for his seeing to the maintenance of ditches near Combel Street.

**Re: Alderman Lafontaine:**

- Inquired about bathroom accommodations for the *Red, White and You* Fourth of July event. Mayor Smith said all this would be discussed at an upcoming logistics meeting with Destination America staff; “Whatever part they need us to play in this event, we’ll certainly do that”.
- Requested the City developing a citywide golf cart policy, except on Hwy 90 or Hwy 603. Alderman Lafontaine said the City would have to establish restrictions, driver would require a driver’s license, cart be street legal, have insurance, etc. The Mayor said the City of Bay St. Louis just had a local and private passed for their City through the last legislative session and recommended Waveland follow their path; Mayor Smith likes the idea and feels it would be good for Waveland. City Attorney Yarborough is researching the law and said the City can adopt as an ordinance; she will get started on this.

**Re: Alderman Piazza**

- Alderman Piazza said he had all of his questions answered earlier, thank you.

**RSVP**

**Re: Claims**

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

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**DOCKET OF CLAIMS**

**Re: Claims**

Alderman Lafontaine moved, seconded by Alderman Burke to approve the Docket of Claims dated 06/02/2015 as submitted and recuse Alderman Piazza from the payroll portion of the docket related to Maconnelly Piazza. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**MINUTES**

**Re: Minutes of the Special Meeting of May 7, 2015 and the Minutes of the Regular Meeting of May 20, 2015**

Alderman Lafontaine moved, seconded by Alderman Burke to approve the Minutes of the Special Meeting of May 7, 2015 and the Minutes of the Regular Meeting of May 20, 2015 as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**STREETS/MINOR ASPHALT OVERLAY-SPOT REPAIR/BIDS/WARREN PAVING, INC.**

**Re: Approve and Award Bid to Lowest, Best & Most Responsive Bidder, namely Warren Paving, Inc.**

Alderman Burke moved, seconded by Alderman Piazza to approve and award the Minor Asphalt Overlay/Spot Repair Bid to the lowest, best and most responsive bidder; namely, Warren Paving, Inc. By approving, the Board is making the finding that the bid price is reasonable for the market and that other companies were given the opportunity to bid.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**PLANNING AND ZONING (EXHIBIT D)**

**Re: 216 Blue Heron Cove, Keith Johnson**

**Keith Johnson appeared before the commission** with a request for a variance of fourteen feet from the required rear yard setback in order to construct a covered porch on his property located at 216 Blue Heron Cove. Legal description: Lot 20, Acadian Bay Subdivision, City of Waveland, Hancock County, Mississippi.

Jay Fountain moved, seconded by Mike Kopke to recommend that the Board of Mayor and Aldermen approve the request to allow for a variance of fourteen feet from the required rear yard setback.

Alderman Burke moved, seconded by Alderman Lafontaine to follow the Planning and Zoning Commission and approve the request as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**Re: 700 Block of N. Beach & 100 Block of Lakeview Drive: Garrett and Jason Garcia, Garcia & Sons, LLC.**

**Garrett and Jason Garcia, Garcia & Sons, LLC, appeared before the commission** with a request to divide a parcel of land that is 4.95 acres +/- into four large lots. Lot 1: 199' of road frontage on Lakeview Drive, size .49 acres. Lot 2: 125' of road frontage on N. Beach Blvd, size .49 acres. Lot 3: 100' of road frontage on Lakeview Drive, size .51 acres. Lot 4: 100' of road frontage on Lakeview Drive, size 3.48 acres. This parcel of land that they own is located in the 700 block of N. Beach Boulevard and the 100 block of Lakeview Drive. Legal description: Lots 26, pt. of 28A, B, & C, Lot 30A, B & C, 1st Ward, City of Waveland, Hancock County, Mississippi.

Jay Fountain moved, seconded by Clarence Harris to recommend that the Board of Mayor and Aldermen approve the request to divide a parcel of land that is 4.95 acres +/- into four large lots. Lot 1: 199' of road frontage on Lakeview Drive, size .49 acres. Lot 2: 125' of road frontage on N. Beach Blvd, size .49 acres. Lot 3: 100' of road frontage on Lakeview Drive, size .51 acres. Lot 4: 100' of road frontage on Lakeview Drive, size 3.48 acres.

Alderman Burke moved, seconded by Alderman Lafontaine to follow the Planning and Zoning Commission and approve the request as submitted.

During discussion Mrs. Yarborough asked if this went through the subdivision process. Mr. Roger Estopinal said this went through Planning and Zoning, where a public hearing was held. Mr. Estopinal said there were no complaints presented by neighbors. Mrs. Yarborough asked if Mylar's or surveys showing the new plats were provided. Mr. Garcia came forward with the plans/drawings. Mrs. Yarborough asked Mr. Anderson if he had reviewed the plans submitted by Mr. Garcia. Mr. Anderson said no he had not. Mrs. Yarborough asked whether this request was currently part of a subdivision. The contractor said no. Mrs. Yarborough asked if the request met all of the requirements of the zoning district. Mr. Estopinal stated that it meets all of the requirements of Planning and Zoning and no complaints had been submitted by surrounding property owners.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**GRANTS/CIVIC CENTER/EXTENSION REQUESTS/CIVIC CENTER/MUSEUM  
RE: City Attorney to Request Extension of Time for the Period of Performance from Funding Sources for Museum Components of Civic Center project**

Alderman Burke moved, seconded by Alderman Lafontaine to grant City Attorney authority to request an extension of time for the period of performance from funding sources on the Civic Center/Museum Project Grant ID #R-103-379-01-KCR.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE PROJECT/FUND TRANSFER/TRANSFER FUNDS/DEPOSITORY ACCOUNT  
Re: Transfer of Funds to cover Kappa Development Invoice No. 6 for the Citywide Drainage Improvements Project**

Alderman Lafontaine moved, seconded by Alderman Burke to approve transfer of funds from the HMGP Anticipation Note in the amount of \$319,000.00 to the Depository Bank Account to pay Kappa Development Invoice No. 6 related to the HMGP Citywide Drainage Improvements Project #1604-0420.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**INVOICES/GARFIELD LADNER MEMORIAL PIER REPAIR PROJECT/PUBLIC WORKS/EMERGENCY SEWER REPAIRS/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE PROJECT  
Re: Payment of Invoices Submitted by Various Contractors**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve the following invoices submitted by various contractors and recommended to be placed in line for payment consideration contingent upon receiving funding from grant sources (if required), as listed (Items a & b):  
**(EXHIBIT E)**

- a) Invoice No. 213-017-26 from Compton Engineering, Inc. in the amount of \$4,990.00 – Garfield Ladner Memorial Pier Repair Project.
- b) Invoice No. 215-032-2 from Compton Engineering, Inc. in the amount of \$1,732.50 – Emergency Sewer Repairs, Design Work (Sycamore Street between Edna and Dicks Streets)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**INVOICES/JEFF DAVIS-GULFSIDE SEWER REPAIRS AND PAVING PROJECT**  
**Re: Payment of Invoices No. 14 and No. 15 submitted by Hensley R. Lee Contracting – Jeff Davis/Gulfside Sewer Repairs Paving Project**

Alderman Lafontaine moved, seconded by Alderman Richardson to consider payment of the following invoices from Hensley R. Lee Contracting, Inc. as listed (Items a & b): **(EXHIBIT F)**

- a) Payment Request No. 14 from Hensley R. Lee Contracting, Inc. in the amount of \$81,286.85 – Jeff Davis/Gulfside Sewer Repairs and Paving Project.
- b) Payment Request No. 15 from Hensley R. Lee Contracting, Inc. in the amount of \$39,992.49 – Jeff Davis/Gulfside Sewer Repairs and Paving Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**POLICE DEPARTMENT/PERSONNEL**  
**Re: Pay Increase in the amount of \$.67/hour for Officers David King and Steven Robin**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve a pay increase of \$.67/hour for Officers David King and Steven Robin for successful completion of their 6 month post Academy probation period; this increase is budgeted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**POLICE DEPARTMENT/TRAVEL**  
**Re: Chief David Allen and Assistant Chief Mike Prendergast to the MS. Association of Chiefs of Police Conference in Biloxi, MS.**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve travel for Police Chief David Allen and Assistant Police Chief Mike Prendergast to attend the Mississippi Association of Chiefs of Police Conference and Tradeshow June 16-19, 2015 in Biloxi, Mississippi. Cost to the City will be a registration fee of \$325.00 each and use of a City vehicle.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**AGREEMENTS/COURT DEPARTMENT/DELTA COMPUTER SYSTEMS**

**Re: Approve Quote from Delta Computer Systems, Inc. to Facilitate Electronic Transfer of Criminal Case Data to Administrative Office of Courts**

Alderman Lafontaine moved, seconded by Alderman Burke to approve Quote#-MSJC005112015 and enter agreement with Delta Computer Systems, Inc., in the amount of \$875.00, for Software License Fee and Monthly Maintenance Fee of \$25.00 to allow the Court to facilitate electronic transfer of criminal case data to the Administrative Office of Courts (AOC), which has been mandated by the State. This is currently not budgeted. **(EXHIBIT G)**

Ms. Cummings presented the monthly Court Fines/Collections report to the Board members.  
**(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**RESOLUTION/MML/DELEGATES**

**Re: Name Mayor Mike Smith, Alderman Shane Lafontaine and Alderman Jeremy Burke Voting Delegates for the Annual MML Conference**

Alderman Burke moved, seconded by Alderman Richardson to approve Resolution appointing Mayor Mike Smith as first 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. **(EXHIBIT I)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**PERSONNEL/COMPTROLLER/GULFSIDE SEWER AND PAVING PROJECT/WEST JEFF DAVIS SEWER IMPROVEMENTS PROJECT/JEFF DAVIS CONNECTOR PROJECT/EAST JEFF DAVIS PROJECT/POLICE DEPARTMENT/STREETS DEPARTMENT/JEFF DAVIS-GULFSIDE SEWER AND PAVING PROJECT**

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

- a. Resignation of Comptroller Linda Elias effective June 2, 2015.
- b. Request for Cash submitted by Gouras & Associates: **(EXHIBIT J)**
  1. RFC#15 in the amount of \$8,823.47 – Gulfside Sewer and Paving Project.
  2. RFC#16 in the amount of \$109,536.66 – Gulfside Sewer and Paving Project.
  3. RFC#18 in the amount of \$7,613.40 – West Jeff Davis Sewer Improvements Project.
  4. RFC#19 in the amount of \$9,264.33 – West Jeff Davis Sewer Improvements Project.
  5. RFC#18 in the amount of \$14,931.62 – Jeff Davis Connector Project.
  6. RFC#19 in the amount of \$56,465.71 – Jeff Davis Connector Project.
  7. RFC#16 in the amount of \$23,402.91 – East Jeff Davis Sewer Improvements Project.
  8. RFC#17 in the amount of \$69,810.03 – East Jeff Davis Sewer Improvements Project.
- c. Resignation of Police Officer Benjamin Bowden effective July 5, 2015.

**STREETS DEPARTMENT/PERSONNEL**

**Re: Hire Mr. James Thomas as Streets Department Laborer**

Alderman Piazza moved, seconded by Alderman Lafontaine to hire James Thomas as Streets Department laborer at \$10.00 per hour pending passage of drug test.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**EXECUTIVE SESSION**

Alderman Lafontaine moved, seconded by Alderman Piazza to consider Executive Session to prompt a closed discussion regarding personnel issues, City Hall.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

Alderman Lafontaine moved, seconded by Alderman Burke to **deny** entering Executive Session; the issue at hand does not qualify for Executive Session.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**CITY HALL/PERSONNEL/COMPTROLLER**

**Re: Open discussion regarding the Resignation of Comptroller Linda Elias**

Alderman Piazza moved, seconded by Alderman Richardson to discuss Personnel Issues in City Hall.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**Discussion:**

The Mayor opened the floor for discussion regarding the resignation of Ms. Linda Elias, who offered to continue to work as an independent contractor to continue her more complex duties and train her replacement once approved. Mayor Smith said that it's going to take a while; she's very good at what she does. Ms. Elias said she's trying to help with the transition; she said she would really like to see the City find a qualified person so she would rather stay and help than hire someone without the qualifications. Alderman Lafontaine expressed concerns about entering into an agreement with Ms. Elias to work as an independent contractor because of a past issue with an employee, which had been addressed in a prior audit. Ms. Yarborough said she thought the issue was because she worked remotely and before she could comment, would have to read the audit report. Mrs. Yarborough said if the Board were to choose this direction, the Board would have to enter into a contract with Mrs. Elias.



**EXECUTIVE SESSION**

**Re: Personnel Issues, City Hall**

Alderman Lafontaine moved, seconded by Alderman Richardson to consider Executive Session to prompt a closed discussion regarding personnel issues, City Hall.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: Piazza

Absent: None

Alderman Lafontaine moved, seconded by Alderman Richardson to enter Executive Session for Personnel Issues in City Hall.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: Piazza

Absent: None

Motion to exit Executive Session with no action taken.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Lafontaine

Voting Nay: Piazza

Absent: None

**PUBLIC COMMENT**

- Mikelle Williamson

**CONTRACTS/CITY HALL/LEGAL DEPARTMENT/COMPTROLLER**

**Re: City Attorney to Negotiate Contract with Linda Elias**

Alderman Burke moved, seconded by Alderman Richardson to approve authority for the City Attorney to negotiate terms of a sub-contractors agreement with Linda Elias concerning training of a new City Comptroller and continuation of accounting for federal and state grant sources and the outstanding GO Bond and any conditions or terms appropriate.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: Lafontaine

Absent: None

**ADJOURN**

**Re: Adjourn Meeting at 8:26 p.m.**

Alderman Burke moved, seconded by Alderman Lafontaine to adjourn the meeting at 8:26 p.m.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Smith on June 19, 2015.

\_\_\_\_\_  
Lisa Planchard  
City Clerk

The Minutes of June 2, 2015 have been read and approved by me on this day the 19<sup>th</sup> of June 2015.

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Mike Smith  
Mayor

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