

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Waveland Civic Center, 335 Coleman Avenue, Waveland, MS on June 22, 2011 at 6:30 p.m., to take action on the following matters of city business

Present at the meeting were Mayor David A. Garcia and Aldermen Stahler, Geoffrey, Lafontaine and Kidd

Also present at the meeting was City Clerk Lisa Planchard and City Attorney Gary Yarborough.

PUBLIC COMMENTS

Ms. Elizabeth Register came forward to present the Board with a bound copy of all of the Resolutions signed by all of the Boards from the Coastal municipalities and County's from Waveland to Pascagoula in support of the Women of the Storm and their efforts to support legislation which would dedicate 80% of Clean Water Act fines paid by BP to the Gulf Coast's long term recovery. Mayor Garcia said Governor Barbour was recently on C-Span promoting this very issue.

Karen Seal Ladner came before the Board to introduce herself as a candidate running for corner under the Democratic ticket.

MAYOR'S REPORT (Exhibit A)

Re: Mayor Garcia gave the Board an update of his recent trip to Philadelphia, Pennsylvania (please see Exhibit A).

Re: The Mayor presented each Board Member with a letter of from Secretary of State, Delbert Hosemann regarding the Public Trust Tidelands Lease Agreement dated 7/17/1997. Mayor Garcia also gave Board Members a copy of the new Agreement to permit the Pier to sell non-perishable concession items; this agreement is renewable annually on a calendar year basis.

Re: The Mayor read aloud a letter received from Mississippi Department of Marine Resources.

Re: The Mayor gave each Board Member a copy of this year's MS State Dept of Health Report of Inspection regarding the City's drinking water supply.

Re: Mayor Garcia gave the Board members a copy of the Chamber of Commerce Nomination Form for outstanding citizens' award and information regarding the upcoming Deep Sea Fishing Rodeo. Mayor Garcia asked that Board members contact his Secretary regarding their nomination for each event.

Re: Mayor Garcia discussed the Mississippi-Alabama Sea Grant Program: See Exhibit A

ALDERMEN'S COMMENTS:

Alderman Stahler thanked the City employees for participating in the Red Beans and Rice Cook-off; she noted that this showed a lot of community spirit. Alderman Stahler also let everyone know of the recent ribbon cutting at *Totally Frosted*, a new bakery in Waveland that has cupcakes, petit fours and all kinds of goodies.

Alderman Geoffrey asked about Roger Lacoste and the ongoing issue at the corner of Margie and Old Spanish Trail; particularly the cars on the lot and on the side of the road. Recovery Manager Brent Anderson said that Mr. Lacoste is in the process of getting rid of all of the cars including the fenced area. Mr. Anderson explained that Mr. Lacoste only has 1 wrecker and is working to get all the cars removed both inside and outside the fence, which will be coming down.

Re: Alderman Geoffrey asked about putting the 4 way stop light at Central & Nicholson and McLaurin at Old Spanish Trail. Mr. Anderson said we have the lights, but we need to get the funding together for the installation of the lights; he said the City actually has 3 to re-install; the electrical service is costly to reinstall.

Alderman Lafontaine asked why the drainage ditches on Marcus Street have to be so big; they are 10' wide and come to the edge of the road. Mr. Anderson said he had not been down there since the liner had been placed in the ditch, but until the ditch work is done on the south side, everything won't be resolved. Mr. Anderson said there are many things that have to be done to solve this drainage problem. Alderman Lafontaine said his

concern is the fact that these 10' wide ditches are holding water and look like a lake through that area. Mr. Anderson said actually if you follow that whole canal, you could have a drought for 2 years and have water in these ditches. The canal starts up there and goes on through Marcus Street, Farrar and Vacation Lane; they still are not functioning completely until we get all that done; it's a work in progress said Mr. Anderson. He said the repairs are being done in parts and pieces; it is being addressed but until all of the work is done, there will be ponding. Alderman Lafontaine said it seemed as if the water is being taken from one location and moving it to another. Mr. Anderson said they are working to correct other ditches and canals so that they will all be tied to flow and drain, but it takes funding and time. He said one positive is that there will be about 1000' foot of line that will be left over they can put in another project. This can't happen overnight and again, this is a work in progress; they're repairing 40 years of ditch problems in the past 7 months. Alderman Lafontaine asked about the liner being placed in the Waveland Avenue ditches and wanted to know how this will be cleaned. Mr. Anderson said a jetter will clean this; concrete is pumped under the liner; a high pressure jetter is used. Alderman Lafontaine asked Mr. Anderson about Waveland Avenue and the fact that it is holding water. Alderman Lafontaine said he had just spoken with Engineer Bruce Newton about this. He said the contractor will be starting the final walkthrough in the coming week and there are areas such as this that will need to be addressed. He said he requested that the engineer go back out and shoot levels because he could not believe it's not draining, but they will address this. Alderman Lafontaine said he's no engineer, the road is flat; from the curve north on Waveland Avenue there is no crown to the road in 4 places where the road is holding water. Mr. Anderson said the surveyors show that it is not flat and there is a slight curvature. He said he didn't know if the road would ever not be full of water. Alderman Lafontaine offered to take photos during the next rain event. Mr. Anderson said there would be a walk through next week and he would address this and invited Alderman Lafontaine to attend. Mayor Garcia asked Mr. Anderson to update the Board about the area at the corner of Highway 90 near the *Circle K*. Mr. Anderson said that he spoke with Neill Schaffer Engineers at the Water and Sewer Board meeting; they have assured him they will speak with Necaise Brothers Construction to come back in a build the base of the road back up, also take care of the lip going onto the concrete apron of Hwy. 90 to prevent the ponding occurring there. Necaise Brothers will be responsible for stripping the road in question as well. Alderman Kidd said he stopped by when the engineers were there and there is nowhere for the water to go; as the water is coming off of the Highway, perhaps a drainage or swell should be placed there to help the drainage. Mr. Anderson said the answer is for the asphalt to be raised, not to add fill, which he already addressed with the engineers. Mr. Anderson said it will be taken care of.

Re: Alderman Lafontaine said that he and Mark (Alderman Kidd) attended the Mississippi Rural Water Class and he has a lot of questions he would like to ask Mr. Anderson. Mr. Anderson asked Alderman Lafontaine to call him and he'll show him how the wells and chlorinators work; how the system works. Mayor Garcia asked Board members to refer to their handout from the MS. State Dept of Health with respect to water drinking water supplies, which is about well inspections. Mayor Garcia recommends that everyone to *emergencymanagement.com* and take the NIM's Classes 100, 200 and 300 levels online, with the exception of 300 & 400 level courses which are in a classroom setting; 800B can be taken online also. The Mayor said that he had just completed several of the upper level online classes. The Mayor said he asked all Department Heads to work on their NIMS certification. As a requirement for local communities, if there is a natural disaster and the Department Head is not NIMS compliant, the City could suffer from their not being certified.

Re: Alderman Lafontaine congratulated Janita Cole for her completion of the Hancock County Leadership Class.

Re: Alderman Kidd discussed Mr. Mike Bell's sewage problems and the fact that they (Digital Engineering) wanted a \$9,000 Change Order related to this. Mr. Kidd told Mr. Anderson at that particular meeting they 'Digital' said they would take care of the problem with no Change Order on this. Mr. Anderson said he wasn't here and can't tell them legally, if it's not in their contract, that they have to do it. Mayor Garcia said they (Digital Engineering) agreed to do it, with the exception... the only problem they had is that they would not tie into his home based upon the fact that Mr. Bell's grinder pump is under his carport and encased in concrete, but they (Digital) agreed to run his service up

to that point in the yard where he could then take the responsibility and tie in, which Mr. Bell agreed to do. Mayor Garcia said that he agrees with Alderman Kidd that now they (Digital Engineering) are saying they (Digital Engineering) are not going to do it, but it is in the minutes that they will do this. Mr. Anderson said they didn't say they weren't going to do it. They said it's 400 ft. of gravity line that will be have to be pinpoint gravity to tie back in, a little over \$9,000 to tie him back in to a gravity line. Alderman Kidd said it was per unit. Mr. Anderson said he didn't want to speak out, but it's somewhat after the fact when it started being addressed. Mr. Anderson said all he can do is put the Change Order in front of the Board, he's only the messenger. Mayor Garcia said Mr. Bell agreed to remove the grinder pump on his own and at his expense tie into the gravity fed system and that was the agreement that was reached that meeting night. Anderson said the way things stand now is there will have to be remobilization of equipment; he can get them to perform the work and we can put the Change Order in front of the Board. Mayor Garcia said he is not trying to put anybody on the spot, but their equipment was still in the area and they were still working when this issue first came up several months ago, and not their going to charge us to re-mobilize equipment to come in and do this when at that meeting that night, it was resolved that they would take care of this issue, and for some reason or another it fell off their plate, not ours. Alderman Kidd said the City shouldn't pay any more for this; the contractor is still here and we still have money that we're over, items still on the punch list to be done. He said the next issue with Mike Bell is the issue of meters. In 2004, the City Public Works Dept. told Mr. Bell that he would have to have an 1 1/2 " meter to get water pressure to his house because he lived so far back; Mr. Bell incurred the expenses to purchase this meter. Kidd felt that Mr. Bell should not be paying double for his water what Alderman Kidd is paying for his residence, just because of what the City told him. Alderman Kidd said that Mr. Bell has been trying to get in touch with someone for about 3 weeks and feels frustration. Alderman Kidd asked if this was something that the City could look into. Mayor Garcia said that he met with Mr. Bell earlier in the day, and had a copy of Mr. Bell's bill to discuss with Gary Yarborough after the meeting. The Mayor said it is not only the issue of the amount of his water bill, but he's also being charged at commercial rates for his sewer usage because he has a 1.5" water meter, but his is a residence. Mayor Garcia said he pulled the Ordinance and the City certainly understands that Mr. Bell is not running a commercial business there; it is his residence. Mayor Garcia read from the Ordinance (All meter sizes not otherwise stated). He further stated that in his opinion Mr. Bell's home is residential and not commercial, and is serving one home and live so far off the street that they need a 1 1/2 "meter to get the volume of water to their property, why couldn't his situation be classified as 'all meter sizes not otherwise stated' and go to the residential rate. Mayor Garcia deferred the question to Mr. Yarborough. City Attorney Yarborough said he would have to further look at this issue. Alderman Stahler asked about Rudy's (Letillier) meter. Mayor Garcia said he had spoken with Rudy as well, this is the same situation. The Ordinance reads "all meter sizes not otherwise stated". We should not have our residential customers, because they have a large house or have a long distance they have to run, paying commercial rates because of they have a 1.5" meter. Mayor Garcia said the argument he is making is that the citizens should pay residential and not commercial, noting that he is not the Attorney.

Re: Alderman Kidd asked about the street light outages in the Annexed Area. Mr. Anderson recommended calling the Public Works Department to report outages.

Re: Alderman Kidd thanked Fire Chief Mike Smith for helping some handicapped individuals with needed assistance. He also thanked Mr. Anderson for all the hard work he's been doing.

MAYOR'S REPORT (Cont.)

Re: Mayor Garcia asked to add another comment under the Mayor's report. The Old Derussy dealership will be opened in July. They will first open with a used car dealership and work toward getting the franchise of a new dealership. The Mayor said there will be two new dollar stores coming to Waveland; he could not release the names of the business due to confidentiality issues. Mr. Anderson said he had received the plans on both of the buildings. Alderman Kidd added there will be sushi restaurant coming to Waveland.

MINUTES

Re: Meeting of June 7, 2011 and May 18, 2011

Alderman Geoffrey moved, seconded by Alderman Stahler to approve the minutes of the regular meeting of June 7, 2011 and the minutes of the regular meeting of May 18, 2011 (as tabled from the June 7, 2011), both as presented by the City Clerk. **(EXHIBIT B)**

During discussion City Attorney Gary Yarborough noted corrections to the June 7, 2011 minutes. City Clerk wrote the needed corrections and assured they will be appropriately corrected in the Minutes. City Clerk Planchard noted the June 7th meeting was a particularly long and difficult meeting to understand, if individuals do not get close to the microphone, it is very difficult to hear and transcribe from the tape recorder. There were no corrections to May 18, 2011 minutes.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

RSVP

Re: Claims

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the R.S.V.P. Claims. **(EXHIBIT C)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims Nos. 68762-68869

Alderman Geoffrey moved, seconded by Alderman Kidd to approve the Docket of Claims being numbered 68762-68869, as submitted by the City Clerk. **(EXHIBIT D)**

Aldermen Lafontaine and Kidd asked questions about several docket items; their questions were answered to their satisfaction by Ms. Joy Normand.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

REVENUES AND EXPENDITURES

Re: The month of May, 2011

Spread on the minutes the Statement of Revenues and Expenditures for the month of May 2011 at this, the second meeting of June, 2011, as presented by Comptroller, Tom Worrel. **(EXHIBIT E)**

During discussion Alderman Lafontaine questioned the amount of Police overtime. Chief Varnell it is a result of having to cover shifts for officers on vacation, out sick and being

understaffed. Alderman Lafontaine said that the Department ran \$11,000 in overtime over the past 2.5 months and for that we can almost get a full-time officer. Alderman Lafontaine added that overtime is getting out of hand and there appears no way to get caught up. Chief Varnell said he would speak with Mr. Tom Worrel tomorrow and report back to the Board. Alderman Kidd said if the Police Department continues to run over payroll budget every month, the City will have to look into hiring some part-time Police Officers. Mayor Garcia said he plans to begin review of the police applications and call for interviews next week. The Mayor stated that the problem with hiring full time employees that Alderman Lafontaine suggested is that this will cost the City upwards of 40.5% of benefits on top of the base hourly rate; it is more efficient to hire part-time employees. Mayor Garcia, using the Fire Department as an example for using part-time employees in lieu of full time, stated that this keeps benefit costs down and provides for time off for the full-time employees with no overtime usage. Mayor Garcia asked Chief Varnell to come forward for further discussion of this issue. Chief Varnell said that he did not have details and would have to speak to Comptroller Tom Worrel. Alderman Kidd asked about the budget overage in the Streets Department. City Clerk Planchard noted the budget had been planned as if many of the street lights would be turned off this fiscal year. She explained that the original plan was to take a survey and note all street lights south of the tracks where there were no home built back and turn those lights off. Mayor Garcia reminded the Board that it was their decision to have the streets lights turned back on upon the advice from city electrician. The Mayor then said that this is something the police officers could make note of during their rounds on night shifts, i.e. which lights could be turned off without much security impact.

CAROUSEL

Re: Main Street Association to raise funds for housing and care of the carousel

Alderman Stahler moved, seconded by Alderman Geoffrey to authorize City Attorney Gary Yarborough to prepare a Memorandum of Agreement between the City of Waveland and the Bay Waveland Main Street Association, a 501(c)(3), for the Bay Waveland Main Street Association to develop, organize, execute fund raising initiatives and to receive said funds for completion of a City of Waveland approved carousel pavilion and for future maintenance, operation, and sustaining the Carousel of the Olympic Sea, donated to the City of Waveland by the Port Townsend (WA) Carousel Association. The Carousel of the Olympic Sea venue will be located on Coleman Avenue, City of Waveland property between the Waveland Civic Center and the Waveland Library.

Mrs. Jennifer Kopke told the Board she and Alderman Stahler went to Meridian, MS. Approximately 2 weeks prior to visit their 100 year old carousel. She said once we get it going, there would be a Carousel Foundation (a 501(c)(3) that would allow funds to operate on its own and maintain a staff, but this would be more of a sightseeing venue than a usable carousel. It would be rented for parties rather than rides; however the City will own and operate the carousel and not the Main Street Association. Ms. Kopke told Board members that by next year, they hope to have a plan implemented along with a grand opening thereafter. Alderman Lafontaine asked if there would be a permanent building. Mrs. Kopke said, "yes". Alderman Stahler said that she had met with Library Director Patty Furr, who expressed her excitement for having the carousel housed next to the Library and would love to work with the funding for the building. City Attorney Yarborough asked where the actual carousel pieces are. Mayor Garcia said in secure storage in the Civic Center, but the carousel housing is in safe keeping of Ted Longo. Yarborough asked who the contact person is for the Bay Waveland Main Street Association. Ms. Kopke said that Nancy Moynan is President, and that Mike Kopke and Lili Stahler are on the Board.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

BAY-WAVELAND HOUSING AUTHORITY/APPOINTMENTS

Re: Appoint Mr. Charles Gallagher as the City's representative to the Bay Waveland Housing Authority Board

Alderman Stahler moved, seconded by Alderman Kidd to appoint Mr. Charles Gallagher as Waveland's representative to the Bay – Waveland Housing Authority.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

ADVERTISEMENT

Re: Advertisement in Hancock Today issue of the Sea Coast Echo

Spread on the minutes advertisement in the Sea Coast Echo, Hancock Today issue at a cost of \$575.00

DONATIONS

Re: \$7,000.00 from the Steel Magnolia Professional Women's Golf Organization

Spread on the minutes a donation in the amount of \$7,000.00 received from the Steel Magnolias Professional Women's Golf Organization, Jackson, MS, as restricted for planting trees along Coleman Avenue. **(EXHIBIT F)**

BIDS/PURCHASING/STREETS DEPARTMENT

Re: Hardie's Trucking as lowest Bid for Dirt, Sand and Gravel Bid

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve and accept Hardie's Trucking and Equipment, Inc. as lowest and most responsive bidder for the Dirt, Sand and Gravel Bid as recommended by Public Works Director, Brent Anderson. City Attorney Gary Yarborough said he has reviewed the bid and it was advertised pursuant to statute. Mr. Yarborough asked Mr. Anderson the purposed for the advertisement, whether it was for a specific purpose. Mr. Anderson said it was not, it was only to provide the City the option of choosing a lower quote and receiving better price for materials than on an as needed basis. Note: only bid received

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

OFFICE OF STATE AUDITOR/POLICIES

Re: Adoption of the Emergency Accountability Plan for Local Governments

Alderman Kidd moved, seconded by Alderman Lafontaine to adopt the Office of the State Auditor 'Emergency Accountability Plan for Local Governments' as written (specifically for the bid/quote \$ cutoff amounts) for the City of Waveland's plan in the event of emergencies. **(EXHIBIT G)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

GARFIELD LADNER MEMORIAL PIER/PIER

Re: Discussion regarding usage of the Pier by Bay-Waveland Middle School Students - TABLED

Discuss approving a request from the Bay-Waveland Middle School for free admission and use of the Municipal Pier for an after-school program during the 2011-2012 school year. There would be approximately 15 students and 15 adults every Tuesday, Wednesday and Thursday from 4:00 p.m. to 5:30 p.m. that would be using the pier.

The Mayor asked if the discussion could be tabled until the Meeting of July 5, 2011 so that Parks and Recreations Director Chris Johnson could be present, along with a Bay Waveland program representative.

CITY HALL/TRAVEL

Re: Mayor Garcia to Washington D.C. with City Attorney for 2 PW Appeals

Alderman Stahler moved, seconded by Alderman Kidd to travel to Washington D.C. to meet with FEMA representatives regarding the City's two (2) PW Appeals currently pending. In attendance on July 11, 2011 along with Mayor Garcia will be Mr. Ernest Abbott (the City's attorney in D.C representing Waveland in the appeals), and City Attorney Gary Yarborough. Cost to the City for the Mayor will be air travel, maximum 3 days lodging and 3 days per diem. Note: City Attorney's travel, lodging etc. approved at an earlier meeting.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

FIRE DEPARTMENT/TRAVEL

Re: Firefighter Mike Monju to travel to the MS. State Fire Academy for Fire Inspector Course

Alderman Kidd moved, seconded by Alderman Lafontaine to approve travel for Firefighter Mike Monju to attend the Mississippi State Fire Academy for the Fire Inspector 1031-1 course July 11-12, 2011. Cost to the City is \$780.00 course fee and 10 days per diem (evening meals only). A city vehicle will be used for transportation. Mayor Garcia noted that this course is fully reimbursable.

The Mayor said this is fully reimbursable.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

GAS DISTRIBUTION LINE

Re: Approve Permit Application for Use and Occupancy Agreement between City of Waveland and Hancock County Board of Supervisors - TABLED

Alderman Geoffrey moved, seconded by Alderman Lafontaine to table approval of the Permit Application for Use and Occupancy Agreement between the City and Waveland and Hancock County Board of Supervisors for the Construction or Adjustment of a Utility Within Road or Highway Right of Way, specifically installation of a Natural Gas Distribution Line in the Hancock County right of way along Beach Boulevard, as submitted by CDM and pending approval by City Attorney Gary Yarborough and Compton Engineering, Mickey Lagasse. **(EXHIBIT H – 3 exhibits)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**AMEC EARTH AND ENVIRONMENTAL/ TASK ORDER/HAZARD
MITIGATION/18 PARCELS**

Re: Amend Task Order No. 11

Alderman Kidd moved, seconded by Alderman Stahler to amend AMEC's Task Order No. 11 period of performance for services (Completion of Hazard Mitigation Grant Program (HMGP) Project Grant Application(s) for Acquisition and Demolition of Improvements Located on up to Eighteen (18) Parcels of Real Property) to extend the task order in time. Extending the task order will allow AMEC time to complete Task Order No. 11 and follow application through grant award. There will be no increase in contract cost. This task order changes the date of performance from June 1, 2011 to December 31, 2011. **(EXHIBIT I)**

During discussion, Alderman Stahler asked whether the fee to AMEC is paid by HMGP. Mayor Garcia said, "yes".

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**AMEC EARTH AND ENVIRONMENTAL/ TASK ORDER/HAZARD
MITIGATION/DRAINAGE PROJECT**

Re: Amend Task Order No. 12

Alderman Lafontaine moved, seconded by Alderman Geoffrey to amend AMEC's Task Order No. 12 period of performance for services (Preparation of Hazard Mitigation Grant Program (HMGP) Application for Drainage Projects) to extend the task order in time. Extending the task order will allow AMEC time to complete and follow application through grant award. There will be no increase in contract cost. This task order changes the date of performance from June 1, 2011 to December 31, 2011. **(EXHIBIT J)**

During discussion, Mayor Garcia said this project is looking very good for approval, seven FEMA representatives have signed off on it, but now will be forwarded to FEMA in D.C. for approval.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

CENTRAL FIRE STATION/CONTRACT
Re: Contract Amendment No. 3 with CDM

Alderman Geoffrey moved, seconded by Alderman Kidd to approve Contract Amendment No. 3 with CDM in the amount of \$31,611.00 for the Central Fire Station Building Project on Highway 90, providing for review and approval by City Attorney, Gary Yarborough. **(EXHIBIT K)**

Alderman Kidd said it is basically this is an additional 155 days to the original contract amount, which he does not have a problem with. Mr. Ben Benvenuti with CDM spoke regarding this issue. He said that this amendment is for the re-design of the driveway and the additional construction management time based on the original contract time and the change orders given to the contractor. Mr. Yarborough said, "GM&R was given 76 days for extension; do you know the reason for the other days as far as the length of the contract". Mr. Benvenuti said he does not, but will get back to Mr. Yarborough on that. Mr. Yarborough further explained that there were about 70 days for GM&R as far as change orders and the length of the contract. He said this is apparently the amount of days actually needed to fulfill the work and there may be substantially more than that. Mr. Benvenuti said, "I think it's because of the original contract time, you know the original contract from CDM regarding construction management versus the contract time given to the contractor". Mr. Benvenuti said that he could get further information about this for the Board. Alderman Lafontaine asked if this was negotiated during the contract, why wasn't it put into the contract. Mr. Benvenuti said that is his assumption. Alderman Lafontaine said, "No, that's what the amendment says; to me I just don't understand why it wasn't added while it was being negotiated, or was it." Mr. Benvenuti did not answer. Mayor Garcia asked about the approval of the driveway by MDOT. Mr. Anderson said when the original was done, there was a different design for the driveway, however there had to be a change to allow for use of the MDOT turning lane and turning radius, along with the fall on the driveway to allow for the lowest elevation of the 'potential' ladder truck. Mayor Garcia asked Fire Chief Mike Smith about the height of the ground to the fuel tank. Chief Smith said yes all things were considered including the height of the ground, in fact they allowed more than was required. Mr. Anderson said they used all measurement specifications for the truck, saying a couple of people sat down to make sure the clearance was correct. Chief Smith said that only a 4" clearance was necessary, however they allowed a 9" clearance, noting that it would be better to have a little more than necessary. Mr. Anderson said they would take advantage of having more clearance than was called for, to insure no problems in the future. Mr. Anderson said the City will have to have a ladder truck in the future, and the current clearance will allow for this addition to the Fire Department. Mayor Garcia asked if this had been approved for payment by MDA. Mr. Anderson said there had been pre-approval of all of the Change Orders, he just needs Board approval to move forward. The Mayor said he knew it was very complicated to get the median cut to allow for the turning radius of the Fire Trucks. Mr. Anderson said he has tried 3 times and been denied by MDOT. Mayor Garcia and Mr. Anderson assured Board members that there are funds exceeding the contract amount and funding for this would not be a problem.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

COMPROLLER/BUDGETARY
Re: Transfer of funds in General Fund line items

Alderman Geoffrey moved, seconded by Alderman Stahler to table moving \$2,200 from Line item: Hospitalization (Streets-General Fund) and \$2,000 from Line item: Operating

(Streets – General Fund) to Line Item: Gas & Oil (Streets – General Fund) in the amount of \$4,200.00. (All within same department, same fund)

Alderman Lafontaine had questions as to the line item chosen to transfer funds from. Mr. Tom Worrel was not in attendance at the meeting (vacation), therefore, Alderman Stahler asked if the Board would table this pending Comptroller Tom Worrel's return. Mr. Anderson expressed his concern for waiting. Mrs. Planchard said it would be fine; she did not foresee Mr. Anderson going 10% over (in the next 2 weeks) this summary budget item as adopted by the Board.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

MUNICIPAL PROJECT'S REPORT

Re: Recovery Manager, Brent Anderson (Mr. Bruce Newton unable to attend)

Mr. Anderson introduced Mr. Mickey Lagasse with Compton Engineering. Mr. Lagasse explained Tidelands Funding (by year) broken out by 'amounts spent and amounts available' (**SEE EXHIBIT L**). Mr. Lagasse said he had requested on DMR a breakdown by year of amounts spent and how those amounts corresponded with the Tidelands Grant year because he did not have that much detailed information since Hurricane Katrina. City Clerk Planchard told Mr. Lagasse she had prepared such a schedule for the years 1997-2002 and had re-obtained a copy after Katrina, had it in her file and would get that to him tomorrow. During his report, Mr. Lagasse said the County voted to make the extension of the walking path toward the Silver Slipper their top priority. Mr. Anderson then came forward and updated the Board on current projects in the City of Waveland. He said that about 80 easements had been obtained in the annexed area and they will begin to install water services that were approved related to that project. His hope is to have all of the new customers on line by September 2011 in the annexed area. Mayor Garcia asked about Mr. Anderson's providing newly connected citizen's with information informing them of the reasons they will be connected into City Water and repercussions of their not connecting at this time. He noted one particular citizen who wishes to be connected into the water system, but is allergic to chlorine; he would be willing to provide information from his doctor stating such, and is willing to sign documentation certifying that if he ever sells his property, the individual/entity who purchased that property would incur the expense of connecting that household to City water system. Mr. Yarborough said that he would prepare something to have this gentleman sign acknowledging that he will comply with what the City has asked of him. Mr. Kidd provided Mr. Yarborough with the necessary contact information for this citizen. Mr. Anderson then proceeded with information about Huey Stockstill paving on Kiln-Waveland Cutoff road and the ditching work that remains to be worked on. He said the sidewalks are moving well along Waveland Avenue. Anderson also told Board members that with regard to the S.H. Anthony project, Waveland West Water and Sewer punch list, that contractor was given 30 days to complete it as of last week. Alderman Lafontaine asked Mr. Anderson if S.H. Anthony was ever able to track down any of the grinder pumps they removed (as discussed in a prior meeting). Mr. Anderson said they said they have no idea where those grinder pumps were; last he knew they down by Pecan Ridge St. Mayor Garcia recommended to the Board that if they have any questions of Mr. Anderson they call him during the week instead of spending so much time in the meetings on these issues that can be resolved during the week.

(EXHIBIT L)

**INVOICES/WATER SYSTEM EXTENSION – ANNEXED AREA/DOWNTOWN
SIDEWALK IMPROVEMENTS PROJECT/CITYWIDE DRAINAGE
IMPROVEMENTS PROJECT/PEDESTRIAN PATHWAY/CENTRAL FIRE
STATION/POLICE STATION/CITY HALL AND CITY HALL ANNEX**

**BUILDINGFIRE STATION – COLEMAN AVENUE/LIBRARY/PUBLIC WORKS
BUILDING RENOVATION/AMEC EARTH AND ENVIRONMENTAL/HAZARD
MITIGATION/18 PARCEL HMGP PROJECT/DRAINAGE HMGP PROJECT
Re: Payment of Invoices submitted by various contractors**

Alderman Geoffrey 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 a-n): **(EXHIBIT M)**

- a. Payment Request No. 13 from Reynolds, Inc in the amount of \$81,870.65 – Water System Extension – Annexed Area.
- b. Payment Request No. 1 from Sumrall’s Construction Co., Inc in the amount of \$50,655.43. – Downtown Sidewalk Improvements Project.
- c. Payment Request No. 4 from Jay Bearden Construction, Inc in the amount of \$125,486.92. – Citywide Drainage Improvements Project.
- d. Contractor Pay Estimate No. 6 from David Rush Construction in the amount of \$147,806.59 – Waveland Pedestrian Pathway.
- e. Pay Request No. 17 from CDM in the amount of \$6,344.30 – Central Fire Station.
- f. Pay Request No. 18 from CDM in the amount of \$5,914.05 – Central Fire Station.
- g. Invoice No. 209-088.005-6 from Compton Engineering in the of \$19,900.00 – Waveland Pedestrian Pathway.
- h. Pay Request No. 12 from C. Perry Builders in the amount of \$176,695.25 – Police Station.
- i. Pay Application No. 8 from DNP, Inc in the amount of \$342,578.08 – City Hall, City Hall Annex and Fire Station - Coleman Avenue.
- j. Final Pay Request from Construction Services, Inc. in the amount of \$2,212.30 – Library Building Project.
- k. Invoice No. M09098.03 from Gulf States Engineering (GSE) in the amount of \$7,017.64 – Public Works Building Renovation.
- l. Invoice #X17325900 from AMEC Earth and Environmental in the amount of \$693.83 – HMGP Drainage Project. **On current Docket.**
- m. Invoice #X17325899 from AMEC Earth and Environmental in the amount of \$136.13 – HMGP Application for 18 parcels. **On current Docket.**
- n. Pay Request No. 14 from GM&R in the amount of \$110,874.00 – Central Fire Station, Highway 90.

Alderman Lafontaine asked about when the Public Works building (item k) was bid out. Mr. Anderson said it has not been bid out; this is the first bill from the Engineer for the design, which had been contracted for some time prior to the current Board’s election to office. Mayor Garcia gave a brief explanation of the issue with this building; saying that the original plans were for a ‘Taj Mahal’ which he quickly stopped and requested downscaled plans.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**INVOICES/DIGITAL ENGINEERING/SEWER SYSTEM RECONSTRUCTION
NORTH OF THE RAILROAD TRACKS/2009 CDBG SEWER SYSTEM
EXTENSION PROJECT/PROGRAM MANAGEMENT, BUILDINGS AND
FACILITIES/DOWNTOWN SIDEWALK IMPROVEMENTS PROJECT/
WATER SYSTEM ESTENSION FOR ANNEXED AREA/CITYWIDE
DRAINAGE IMPROVEMENTS PROJECT
Re: Approval of invoices submitted by Digital Engineering**

Alderman Kidd moved, seconded by Alderman Geoffrey to approve the following invoices submitted by Digital Engineering and recommended for payment by Recovery Manager, Brent Anderson (Items a-f): **(EXHIBIT N)**

- a. Invoice No. 42 in the amount of \$14,462.70 – Sewer System Reconstruction North of the Railroad Tracks.
- b. Invoice No. 24 in the amount of \$4,675.60 – 2009 CDBG Sewer System Extension Project.
- c. Invoice No. 41 in the amount of \$7,613.50 – Program Management/Buildings and Facilities.
- d. Invoice No. 22 in the amount of \$4,166.40 – Downtown Sidewalk Improvements Project.
- e. Invoice No. 22 in the amount of \$28,467.60 – Water System Extension for Annexed Area.
- f. Invoice No. 16 in the amount of \$14,425.62 – Citywide Drainage Improvements Project.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**GOURAS URBAN PLANNING/CENTRAL FIRE STATION/POLICE STATION
Re: Approval of Invoices submitted by Jimmy G. Gouras Urban Planning
Consultants, Inc.**

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 (items a&b): **(EXHIBIT O)**

- a. Invoice No. 9138 in the amount of \$6,583.33 – Central Fire Station.
- b. Invoice No. 9161 in the amount of \$2,437.50 – Police Station.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**REQUESTS FOR CASH/CIVIC CENTER/LIBRARY/FIRE STATION,
COLEMAN AVENUE/CENTRAL FIRE STATION/CITYWIDE DRAINAGE
IMPROVEMENTS/CITY HALL AND CITY HALL ANNEX/POLICE STATION**

Spread on the minutes the following Request for Cash Reimbursements, as reviewed and approved by Tom Worrel, Comptroller, as listed (Items a-f): **(EXHIBIT P)**

- a. #R103-379-01-KCR in the amount of \$0 (Match Only) – Civic Center, Library, Fire Station, Coleman Avenue.
- b. #R-103-379-01-KCR in the amount of \$32,866.55 – Civic Center, Library, Fire Station, Coleman Avenue.
- c. #R-118-379-01-HCCR in the amounts of \$37,379.05 and 58,846.33 (total \$96,225.38) Central Fire Station.
- d. #R-118-379-07-HCCR in the amount of \$210,711.09 – Citywide Drainage Improvements.
- e. #R-109-379-02-KCR in the amount of \$0 (Match Only) – City Hall and City Hall Annex.
- f. #R-118-379-02-HCCR in the amount of \$109,466.33 – Police Station.

PUBLIC COMMENTS

There were no public comments.

EXECUTIVE SESSION

Re: Personnel issues, Police and Public Works Departments

Alderman Stahler moved, seconded by Alderman Geoffrey to consider going into Executive Session to discuss personnel issues, Police and Public Works Department.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Alderman Geoffrey moved, seconded by Alderman Stahler to go into Executive Session to discuss personnel issues, Police and Public Works Department.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

With no positive or negative action taken Alderman Kidd moved, seconded by Alderman Lafontaine to come out of Executive Session.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

POLICE DEPARTMENT/PERSONNEL

Re: New Hire, Mr. Mike Prendergast as Patrol Officer

Alderman Kidd moved, seconded by Alderman Lafontaine to hire Mr. Mike Prendergast as a Patrol Officer at a rate of \$13.50 per hour pending passage of drug test, as recommended by Chief James Varnell. Mr. Prendergast was previously laid off do to budget cuts.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

UTILITIES DEPARTMENT/PUBLIC WORKS DEPARTMENT/PERSONNEL

Re: New Hire, Mr. Darryl Antoine as Laborer

Alderman Geoffrey moved, seconded by Alderman Kidd to hire Mr. Darryl Antoine for the Utilities Department, laborer position at a rate of \$10.25 per hour pending passage of

drug test, as recommended by Public Works Director, Brent Anderson. Mr. Antoine was previously laid off do to budget cuts.

Mr. Anderson asked about Mr. Antoine's return and his benefits. Mr. Yarborough said, "He is a new hire".

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

Re: New Hire Mr. Richard Thomas as a part-time Laborer

Alderman Geoffrey moved, seconded by Alderman Lafontaine to hire Mr. Richard Thompson as part – time employee (Streets laborer) at a rate of \$10.00 per hour pending passage of drug test and proof of valid driver's license. This is a current vacant position in the amended budget.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

ADJOURN

Re: Adjourn meeting at 11:05 pm.

Alderman Geoffrey moved, seconded by Alderman Lafontaine to adjourn the meeting at 11:05 pm.

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 July 22, 2011.

Lisa Planchard
City Clerk

The Minutes of June 22, 2011 have been read and approved by me on this day the 22nd day of July, 2011.

David A. Garcia
Mayor