

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 July 2, 2013 at 6:30 p.m. to take action on the following matters of city business.

ROLL CALL

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

MAYOR'S REPORT

PERSONNEL/UTILITY DEPARTMENT

Spread on the Minutes the following:

Re: Termination of Mr. Darryl Antoine, Utility Department

Spread on the Minutes termination of Darryl Antoine effective 6/23/2013.

PERSONNEL/STREETS DEPARTMENT

Re: Termination of Mr. Edward Jones, Streets Department

Spread on the Minutes the termination of seasonal Streets employee, Edward Jones, effective 6/28/13.

PERSONNEL/STREETS DEPARTMENT

Re: Hire one Seasonal Streets Employee for grass cutting

Alderman Lafontaine moved, seconded by Alderman Geoffrey to hire one seasonal employee at the rate of \$8.50 per hour (to replace Mr. Edward Jones) pending passage of drug test. (Name shall be spread on the minutes of the regular meeting of 7/18/13)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

UTILITY DEPARTMENT/PERSONNEL

Re: Hire Mr. Eugene Thomas as a Utility Employee

Alderman Geoffrey moved, seconded Alderman Stahler to hire Eugene Thomas as utility laborer at a rate of \$10.25 per hour (to replace Darryl Antoine) pending passage of drug test.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CITY HALL/FIRE DEPARTMENT/POLICE DEPARTMENT/RSVP/COURT DEPARTMENT/PUBLIC WORKS/BUILDING DEPARTMENT

Re: Friday July 5, 2013 as Holiday, so proclaimed by Governor Bryant

Alderman Kidd moved, seconded by Alderman Stahler to approve Friday, July 5, 2013 as holiday, so proclaimed by Governor Phil Bryant on 5/28/13.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**STREETS DEPARTMENT/CAPITAL OUTLAY/PURCHASING/ INVENTORY/
AMEND AGENDA/PUBLIC WORKS**

**Re: Amend Streets Department, Capital Outlay to purchase 2 Kubota Tractors
with Side Mowers**

Alderman Kidd moved, seconded by Alderman Lafontaine to amend Streets Department Capital Outlay by \$101,046.94 to allow for purchase of 2 Kubota tractors with side mowers. See subsequent motion to approve purchase.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

MAYOR'S COMMENTS: (EXHIBIT A)

- a. Waveland Municipal Judge P.J. Mauffray issued the Oath of Office to newly appointed Police Chief, David Allen. The Mayor thanked all who attended.
- b. The Mayor thanked Fire Chief Mike Smith, Assistant Fire Chief Tony Mallini, Firefighters Casey Piazza, Norman Loustalot, and Mike Monju for installing U.S. flags on the light poles on Highways 90 and 603 in advance of the 4th of July holiday.
- c. Thanked the volunteers from NAVAL OCEANOGRAPHIC from Stennis Space Center for providing Willie (Moody) and Jeffery (Smith) with assistance in cleaning and repairing equipment at the Elwood Bourgeois Park (Central Avenue).
- d. The Magnolia Marker has been replaced at the Pirate House on Beach Boulevard and the post installed for same in front of the Civic Center as of today. The Mayor thanked Streets Supervisor Kenny Kientz and Firefighters Tim Burchett and Mike Monju for helping with those projects.
- e. The Mayor thanked Rick Ricktein who hosted the USA Beach Volleyball tournament on the beach at Terrace and Beach Boulevard Saturday, June 22nd, 2013. The event brought in teams from Mississippi, Louisiana, Alabama and Florida. Thanked Alderman Stahler and Hancock County Tourism for welcoming the teams and their families to Waveland.
- f. Congratulations to the Sea Coast Echo Newspaper whose staff members recently won 8 first place plaques. Reporter Dwayne Bremer won the Bill Minor Award for the most in depth investigation in journalism. Reporter Jace Ponder earned 2 first place awards, including the best spot news story about a robbery in old town Bay St. Louis, and best feature story on the Lazy Magnolia Brewery. Staff writer Joseph Gex, II won a first place award for the best Sports News story, and Mr. Randy Ponder and Mr. Geoffrey Belcher won first prize for overall best Newspaper design.
- g. Congratulate Bay High Steppers on their 5th consecutive win at the Universal Dance Association Competition in Panama City Beach, Florida, June 11-14, 2013.
- h. Fire Chief Mike Smith gave a brief report on the Safety Fair.
- i. Thank you to the volunteers from Christian Life Church and Hancock County Resource Center who assisted with some of the blighted property, Veterans Memorial, and Waveland cemetery clean-ups.
- j. Wish everyone a happy and safe 4th of July.

ALDERMEN'S COMMENTS:

Re: Alderman Stahler:

- a. Asked if there has been an update on the construction repairs of the Garfield Ladner Memorial Pier. Mayor Garcia said he has not heard anything yet; the City's correspondence has been forwarded to FEMA for review (to determine if they will grant more money to the City to do the repairs). Mr. Yarborough said it's been approximately 1.5 to 2 months since our letter was mailed.
- b. We have discussed smoke testing underground lines; are we going to be doing smoke testing? Mayor Garcia said we are going to try and do this ourselves. Mr. Brent Anderson said he already has prices on smoke testing and on putting cameras in the lines to find breaks/leaks. Alderman Stahler said it's just that she's very concerned about the City's Utility Authority bills being so high. Mr. Anderson said he had about 3 or 4 breaks that City employees will not be able to repair because they are so very deep; one is 17' deep. On St. Joseph he said we should be able to do 2 of the 3 breaks. He said he has about 7 breaks that he is currently aware of in the City. Mr. Anderson said a smoke test is only good for shallow breaks where it can rise from an open pipe; if no break in the pipe, the smoke will make it past that and come out of the next manhole.
- c. Will be conducting a 'Your Town Waveland' workshop based on the workshop that Alderman Stahler attended in April 2013. She said she has a nice cross section committee from all of the 4 wards and hopes to have something presented to the Board at the first meeting in August.

Re: Alderman Geoffrey:

No comments at this time.

Re: Alderman Lafontaine:

- a. Requested using a Selection Committee to review and choose the Engineer/Program Manager for the Street Paving Project. City Attorney Yarborough said, "We don't have to because it's not a FEMA project; its city funded, so it's the Board's decision." Mr. Anderson said he will try to sit down Monday, perhaps with Aldermen Kidd and Stahler to choose the best, lowest and most responsive bidder.
- b. Informed Mr. Anderson of a leaking water valve at the corner of Margie and Sycamore Streets.
- c. Asked Mr. Anderson if someone could cut the grass on Sharon Street.
- d. Asked to have all doors to Board Room unlocked for meetings.

Re: Alderman Kidd:

- a. Are the Fuelman and Hardware Store accounts caught up? Ms. Dudding said, "Yes, we've paid everything that we had due. I'm still researching, with Paula's help, AT&T".
- b. Noticed the ditch cleaning work that's been done off of Sears and Roberts Streets; much appreciated and hopefully this will help the drainage in this area.
- c. Alderman Kidd said that he, Alderman Stahler and Mayor Garcia attended an economic development class the past Wednesday with the Pegasus Group, discussions which primarily focused on the hospital and benefits to Bay St. Louis and Waveland. Alderman Kidd said, "There would be pluses and minuses for us, but it was great to listen to the presentation."

Alderman Stahler (comments continued)

- a. Provided the Board and audience members with the building report, which building valuation totaled \$1,800,000.00 for the month of June 2013. She said she will be providing Board members with this each month.

MINUTES

Re: Minutes of Special Meeting of June 11, 2013

Alderman Geoffrey moved, seconded by Alderman Stahler to approve the Minutes of the Special Meeting of June 11, 2013 as submitted by the City Clerk.

A vote was called for with the following results

Voting Yea: Stahler, Geoffrey and Garcia (to Break tie)

Abstain: Lafontaine and Kidd

Voting Nay: None

Absent: None

RSVP

Re: Claims

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

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims Nos.

Alderman Lafontaine moved, seconded by Alderman Kidd to approve the Docket of Claims dated July 2, 2013 and the supplemental Docket of Claims dated July 2, 2013 as submitted by the City Clerk. **(EXHIBIT C)**

001 Fund – 875 to 941

099 Fund – 16 to 17

100 Fund – None

101 Fund – 22

102 Fund – 7

103 Fund – None

124 Fund – None

125 Fund – 37 to 43

126 Fund – None

127 Fund – None

313 Fund – 7

400 Fund – 425-503

601 Fund – None

650 Fund – None

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

REDISTRICTING PROGRESS:

Mayor Garcia asked Aldermen Kidd and Stahler if they had an opportunity to discuss this issue. Alderman Stahler told Mayor Garcia that she told Alderman Kidd whatever changes he wanted to do would be fine with her; she will represent whatever people are assigned to her ward. Alderman Kidd said it will be difficult to change the lines; he has not come up with another idea for the issues that exist. Alderman Kidd said he would look at the proposal again and let the Board know, but that changes between wards 1 and

4 will then affect wards 2 and 3. Mayor Garcia said, "Yes, if you would please, because I need an answer ASAP because Mike Slaughter continues calling and I want to have a solution when I call him... he charges you every time you call. I'm waiting on a decision so I can return his phone call. Ok, so you all will continue working on that and try to get a resolution on that." Alderman Kidd said, "Yes."

PUBLIC WORKS/PURCHASING/STREETS/INVENTORY

Re: Purchase of 2 Kubota M108SH Tractors with Tiger TM60-C Side Mount Mowers

Alderman Lafontaine moved, seconded by Alderman Kidd to approve the purchase of 2 Kubota M108SH, 2WD, non cab ROPS tractors with Tiger TM60-C mid-mount side mowers with 60" head, complete mounted to tractor at a State Contract cost of \$50,523.47 each, total of \$101,046.94 to be paid for with BP Funds.

During discussion, Mr. Anderson said it should take 45 to 50 days for delivery from date of order.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PURCHASING/PERSONNEL

Re: New Hire: Mrs. Paula Tulley as Purchasing Agent/Accounts Payable Clerk

Alderman Geoffrey moved, seconded by Alderman Kidd to hire Mrs. Paula Tulley as Purchasing Agent/Accounts Payable Clerk at an annual salary of \$21,800.00 per year, pending passage of drug test.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

COURT DEPARTMENT/TRAVEL

Re: Court Clerk Rhonda Cummings to attend the Municipal Court Clerks Seminar

Alderman Kidd moved, seconded by Alderman Geoffrey to approve travel for Court Clerk Rhonda Cummings to attend the Municipal Court Clerks Statewide Seminar in Jackson, Mississippi on September 11-13, 2013. Cost to the City will be 4 days per diem, 3 nights lodging at a rate of \$85.00 per night and use of a City vehicle.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**CAROUSEL OF THE OLYMPIC SEA/DONATIONS/INVENTORY/
AGREEMENTS/CONTRACTS**

Re: Agreement: Transfer of Ownership for the Carousel of Olympic Sea

Alderman Geoffrey moved, seconded by Alderman Stahler to approve the transfer of ownership agreement regarding the Carousel of the Olympic Sea from the Port Townsend Carousel Association, Washington and Mr. Bill Dentzel, III. to the City of Waveland, pending review and approval of agreement by City Attorney. **(EXHIBIT D)**

Mr. Yarborough noted for the Board that a value of \$100,000.00 is being set and they are requiring the City through the agreement to insure the Carousel for a value of \$100,000.; by voting this the Board is agreeing that this is \$100,000 piece of property. This will be added to Property Insurance/Contents on the Civic Center building.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**ADVERTISING/JEFF DAVIS-GULFSIDE SEWER, STREET PAVING PROJECT
Re: Invoice from Sea Coast Echo (#105097-00)**

Alderman Geoffrey moved, seconded by Alderman Geoffrey to approve invoice from Sea Coast Echo (#105097-00) in the amount of \$567.00 for advertising related to the Jeff Davis/Gulfside Sewer/Paving Projects (Notice for Early Public Review of a Proposal to Support project in 100 Yr. Floodplain) which was submitted for advertisement by the Hancock County Board of Supervisors as grantor. **(EXHIBIT E)**

Alderman Stahler inquired whether the City is only responsible for 75% of this invoice, or should the City pay the entire invoice and bill the County for the 25% they will have to reimburse the City. Mayor Garcia said Mr. Chris Gouras needs to start attending our Board meeting to explain these things if the Board should have questions.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**W.G. YATES CONSTRUCTION COMPANY, INC/SETTLEMENT
AGREEMENT/AGREEMENTS/LEGAL: DISMISS APPEAL-YATES/
BLIGHTED PROPERTIES/PUBLIC HEARING/OATHS OF OFFICE/POLICE
DEPARTMENT/COURT DEPARTMENT/STATEMENTS OF ECONOMIC
INTEREST/PROFESSIONAL MANAGEMENT SERVICES-STREETS PAVING
PROJECT/STREETS PAVING PROJECT**

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

- a) The Settlement Agreement and General Release between the City of Waveland and W.G. Yates & Sons Construction Company, Inc. **(EXHIBIT F)**
- b) The Parties of W.G. Yates Construction and the City of Waveland Joint Motion to Dismiss Appeal with Prejudice, as executed June 21, 2013. **(EXHIBIT G)**
- c) Prior to this Board Meeting, a Public Hearing related to blighted property issues for the properties at 612 Central Avenue and 105 Spanish Cove was held at 5:30 pm.
- d) The following Oaths of Office:
 1. David Allen as Police Chief **(EXHIBIT H)**
 2. Rhonda Cummings as Court Clerk **(EXHIBIT I)**
 3. Anitra Freeman as Deputy Court Clerk **(EXHIBIT J)**

- e) Requests for Statements of Qualifications for Professional Engineering and Project Management Services related to the City of Waveland Streets Paving Project were accepted by their deadline of 4:00 July 2, 2013 and were opened at 6:00 pm. immediately prior to this meeting. They have been taken under advisement until they can be reviewed and a recommendation made.

INVOICES/GARFIELD LADNER MEMORIAL PIER/HURRICANE ISAAC REPAIRS/DRAINAGE IMPROVEMENTS PROJECT/HMGP DRAINAGE IMPROVEMENTS PROJECT

Re: Invoices Submitted for Payment by Various Contractors

Alderman Geoffrey moved, seconded by Alderman Geoffrey 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, as submitted by Recovery Manager, Brent Anderson as listed, (Items b-c): **(EXHIBIT K)**

- a) Invoice 213-017-3 from Compton Engineering, Inc. in the amount of \$10,000.00 – Garfield Ladner Memorial Pier Project.
- b) Invoice #213-017-4 from Compton Engineering, Inc. in the amount of \$5,000.00 – Garfield Ladner Memorial Pier Project.
- c) Invoice #X17327915 from AMEC Environment & Infrastructure, Inc. in the amount of \$1,334.05 – Drainage Improvements Project – HMGP.

Mr. Mickey Lagasse with Compton Engineering was present to answer questions about their invoices submitted. Mr. Yarborough said that Compton Engineering should refrain from any additional work on the Garfield Ladner Memorial Pier repairs, pending notification from the City of Waveland and FEMA.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

AGREEMENTS/WATER SYSTEM, ANNEXED AREA- MASTER METER CONNECTION PROJECT

Re: Agreement No. 2 – Digital Engineering, Water System Extension-Annexed Area, Master Meter Connection Project

Alderman Stahler moved, seconded by Alderman Geoffrey to approve Engineering Agreement No. 2 between the City of Waveland and Digital Engineering for Professional Services related to the Water System Extension, Annexed Area – Master Meter Connection Project No. 702-40-WAMM, contingent upon review and approval by City Attorney, with an increase of \$33,842.60.

Mr. Yarborough questioned the necessity of this agreement. He said it is not a Construction Amendment and does not need to meet the standard of a Change Order. Mr. Yarborough said as far as modifying the Engineering agreement, Digital Engineering did not supply the City with anything, and recommended tabling the issue and request Digital Engineering to appear at the next meeting.

Motion died for lack of action.

Re: Table Approval of Agreement No.2, Water System Extension-Annexed Area, Master Meter Connection Project pending explanation/appearance by Digital Engineering

Alderman Stahler moved, seconded by Alderman Geoffrey to **TABLE** approval of Engineering Agreement No. 2 between the City of Waveland and Digital Engineering for

Professional Services related to the Water System Extension, Annexed Area – Master Meter Connection Project No. 702-40-WAMM, contingent upon review and approval by City Attorney, with an increase of \$33,842.60, pending an explanation by Digital Engineering or Ms. Michele Moore of Gouras Urban Planning.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

ADJOURN

Re: Adjourn meeting p.m. 7:35 p.m.

Alderman Geoffrey moved, seconded by Alderman Kidd to adjourn the meeting at 7:35 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Garcia on August 9, 2013.

Lisa Planchard
City Clerk

The Minutes of July 2, 2013 have been read and approved by me on this day the 9th day of August 2013.

David A. Garcia
Mayor

This Area left
Blank
Intentionally