

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 August 20, 2014 at 6:30 p.m. to take action on the following matters of City business.

ROLL CALL

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

Absent from the Meeting was Mayor David A. Garcia and City Attorney Gary Yarborough.

PUBLIC COMMENTS:

Re: Mr. Jeremy Burke discussed the Mediacom Franchise agreement currently on the agenda. He expressed his opinion that this company is not very reputable and felt the City should not welcome a company that ‘does bad business’. Aldermen Kidd and Stahler stated their discontent based on their personal Mediacom service experience they had in the past. Alderman Stahler stated that this is a non-exclusive franchise agreement for Mediacom to use the right-of-way. She added that, “If you don’t like Mediacom, get rid of it. I did. All the citizens have a choice of having it (Mediacom) or not.” Alderman Lafontaine asked Mrs. Yarborough if this was a sole source provider. Mrs. Yarborough said she did not believe they are a sole source. Alderman Stahler said, “No, because we have the same contract with U-Verse.”

MAYOR’S REPORT (EXHIBIT A)

Re: City Clerk Lisa Planchard read from a statement from the *Main Street Association* noting the dissolution of the *Bay-Waveland Main Street Association*. Alderman Stahler said that Bay-Waveland Main Street was dissolved in 2013 and has been inactive for over 1 year; she was on the Board 2 years ago. She said she felt the membership cost (approximately \$2500/year) was too expensive for what the City needs to do right now. Alderman Stahler added that Bay St. Louis is applying on their own, and therefore, if Waveland wanted to become a Main Street we should apply on our own.

Re: Alderman Geoffrey requested an update from Brent Anderson regarding the Pier and the Police Station building. Mr. Anderson said with regard to the Pier, the City received an e-mail from Washington D.C. requesting the City not contact the agencies involved in making a decision in funding the pier; the City would receive a response by August 31, 2014. The City, therefore, will wait until August 31, 2014 for information. With regard to the Police Station building, Mr. Anderson said there was a meeting this week with the engineer, architect, contractors, bonding company, attorneys, and hazard mitigation representatives regarding the re-construction of the Police Station. They went through the whole punch list that was prepared by the bonding company and walked through the building. The contractor was given 2 weeks to give a full response to the punch list. He added that they hope construction will resume by late September. Mr. Anderson also provided the Board with an update of the construction on the Jeff Davis/Gulfside Sewer and Road Paving Project saying the project is back on schedule. Alderman Kidd requested Public Works clean the area around the job site of the Police Station on McLaurin Street.

ATTORNEY’S COMMENTS

There were no comments by Attorney Rachel Yarborough.

ALDERMEN’S COMMENTS

Alderman Stahler:

- August 28, 2014 will be the First Responders’ Sliders Cook-Off. She said there would be free Sno-balls, Cokes and \$3 sliders with approximately 10 teams cooking.
- Discussed the bulk head at the corner of Nicholson Avenue and Beach Boulevard is fading and asked if the Board agreed with re-painting that wall. No vote was taken but Alderman Stahler did ask to reflect in the minutes this discussion and said that volunteers are lined up to start working.

Alderman Lafontaine:

- Mentioned that Brent Anderson and his crews are still dying the water lines for leaks.
- Discussed the amendment to Ordinance #349 which changed the time which a candidate may put signs out, from 60 to 90 days in advance of the primary election; he requested that the Ordinance be amended and brought back down to 60 days prior to the election. He asked what would be enforced the day of the election with regard to signage along Coleman Avenue and Central

Avenue. Mr. Anderson said he had received complaints regarding the election/candidates signs being placed in the rights-of-way. Alderman Kidd said there is not the man-power to remove all of the signs that have been placed in the 'right of way'. Mr. Anderson said that we have an ordinance in place and should enforce it. Board members agreed to follow the Ordinance and that Public Works Director Brent Anderson shall assign one 'neutral' employee who will retrieve illegally placed signs, call the candidate to notify them, and take the sign(s) to the yard; candidates can pick them up from there. Ms. Mikelle Williamson came forward to discuss illegally placed political signs and noted various candidates violating same. Mr. Anderson explained that signs can be placed on private property, just not in the right-of-way. Also noted was that City of Waveland buildings sit on City of Waveland property and the City can place City related signs on the City property. Alderman Lafontaine said that the main point is that we need to get this straightened out and basically, 'follow the Ordinance'.

Alderman Kidd:

- Said Mayor Les Fillingame of Bay St. Louis called him to let him know that Bay St. Louis could no longer maintain the grass cutting on Highway 603, west side down Hwy 603 from Waveland-Kiln cutoff toward Hwy 90. Mr. Anderson said Waveland has been cutting this grass and is currently maintaining all of the grass on the right-of-way that belongs to Waveland. Mr. Anderson said the City's property line goes up to the right-of way; the right-of-way up on Hwy. 603 belongs to the City of Bay St. Louis. Mr. Anderson said, "We cut and maintain what belongs to the City of Waveland."
- Noted culvert drainage problems in the area of 1101 & 1107 Waveland Avenue. Mr. Anderson said he discussed this issue with the home owner. He said the culvert had been placed without a permit and is the wrong size; too small.
- Inquired about the road in front of the theatre.

MINUTES

Re: Minutes of August 5, 2014

Alderman Lafontaine moved, seconded by Alderman Kidd to approve the Minutes of the Meeting of August 5, 2014 as submitted.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

RSVP

Re: Claims

Alderman Kidd 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, Lafontaine, and Kidd

Voting Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims

Alderman Stahler moved, seconded by Alderman Lafontaine to approve the docket of Claims dated August 20, 2014 as submitted. **(EXHIBIT C)**

099 Fund – None
100 Fund – 30 to 33
101 Fund – 16
102 Fund – 31 to 33
103 Fund – 34 to 35
104 Fund – None
105 Fund – 17 to 18
124 Fund – None
125 Fund – 31 to 32
126 Fund – 34 to 35
127 Fund – 16
200 Fund – None
313 Fund – 22
400 Fund – 479 to 499
601 Fund – None

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

COURT/COURT FINES-COLLECTIONS/BUDGET

Re: Monthly Report of Court Fines/Collections

Although Court Clerk Rhonda Cummings was not present to provide explanation of monthly report of Court Fines/Collections, she did provide Board members with copies of that report. **(EXHIBIT D)**

CITY HALL/CONTRACTS/AGREEMENTS/CIVIC CENTER

Re: Terminate Current month-to-month Cleaning Service with Bonds Cleaning Services

Alderman Stahler moved, seconded by Mark Kidd to terminate the current month-to-month cleaning service with Bonds Cleaning Services (no written contract or agreement exists).

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

PARKS AND RECREATION/HUMAN RESOURCES

Re: Amend Job Descriptions for Willie Moody and Jeffrey Smith – Parks & Recreation

Alderman Kidd moved, seconded by Alderman Kidd to amend job description for Parks and Recreation Director Willie Moody and Parks and Recreation employee Jeffrey Smith to include ‘Janitorial Services’ at City Hall and Civic Center.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

PURCHASING/CITY HALL

Re: Tammy Fayard to sign Purchase Requisitions

Alderman Lafontaine moved, seconded by Alderman Stahler to approve Mayor's Secretary/Deputy City Clerk Tammy Fayard to sign Purchase Requisitions.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

POLICE DEPARTMENT/PERSONNEL

Re: Move Officers Eric Castro and Edward Hursey to full time positions

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the following related to the Police Department, as recommended by Chief David Allen:

- a. Officer Eric Castro from part-time to full-time position at a rate of \$14.00 per hour.
- b. Hire Edward Hursey as a full-time Police Officer at a rate of \$13.00 per hour pending passage of drug test.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

MEDIACOM/LEGAL DEPARTMENT

Re: Authorize City Attorney to Negotiate and Draft Franchise Agreement with Mediacom

Alderman Stahler moved, seconded by Alderman Lafontaine to authorize the City Attorney to negotiate and draft the annual Franchise Agreement between the City of Waveland and Mediacom Southeast LLC. (Completed agreement shall come back before the Board for approval).

Attorney Rachel Yarborough said she would make note of Section 3.8 on Page 4 when addressed by Aldermen Lafontaine that the cost related to this section should be on the contractor, not the City.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

MURAL/MISSISSIPPI ARTS COMMISSION GRANT MURAL

Re: Committed Funds to be used for Mississippi Arts Commission- Grant for Mural (Donations amount)

Alderman Lafontaine moved, seconded by Alderman Stahler to **TABLE** \$9,000 to be paid from committed funds as the amount of funds that were to be raised for the Mississippi Arts Commission - Grant for Mural. (Tabled from the August 5, 2014 meeting).

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

MUNICIPAL LANDSCAPING/ADVERTISING/BIDS/MLK PARK/HERLIHY PARK
Re: Advertising for Bids for Washingtonia Palm Trees (Landscaping) and Discussion of Stage Roof Construction at MLK Park

Alderman Stahler moved, seconded by Alderman Kidd to **TABLE** the following, as listed (a&b):

- a. Advertising for bids for 100, 6' to 8' Washingtonia Palm trees for municipal landscaping purposes.
- b. Discussion of construction of stage roof at MLK Park on Herlihy Street. Bid was approved 7/16/14 Board meeting pending contract preparation by City Attorney Gary Yarborough.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

BUSINESS CENTER/INCUBATOR/BUTLER SNOW, ATTORNEYS/LEASE AGREEMENTS/ CONTRACTS

Re: Amend Paragraph 5 to Butler Snow Lease Agreement for Business Center

Alderman Lafontaine moved, seconded by Alderman Kidd to amend paragraph 5 of the contract with Butler Snow for lease of the Business Center, requesting month to month leasing of space; as approved by Attorney Yarborough. **(EXHIBIT E)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

AUDITS/WRIGHT, WARD, HATTEN AND GUEL/CITY HALL/CONTRACTS

Re: Annual Audit Engagement Letter with Wright, Ward, Hatten & Guel, CPA'S

Alderman Lafontaine moved, seconded by Alderman Kidd to approve annual Audit Engagement Letter with Wright, Ward, Hatten and Guel, CPA's and authorize required signatures thereon, for the fiscal year ending September 30, 2014. **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

INVOICES/WATER SYSTEM EXTENSION-ANNEXED AREA MASTER METER CONNECTION PROJECT/JEFF DAVIS CONNECTOR SEWER IMPROVEMENTS PROJECT/EAST JEFF DAVIS SEWER SYSTEM IMPROVEMENTS PROJECT/W. JEFF DAVIS SEWER SYSTEM IMPROVEMENTS PROJECT/JEFF DAVIS-GULFSIDE SEWER IMPROVEMENTS PROJECT/HMGP PROPERTY ACQUISITION PROJECT/PROPERTY ACQUISITIONS/HMGP/BEACH FACILITY IMPROVEMENTS PROJECT/VETERANS MEMORIAL PROJECT/DEMOLITION & DEBRIS REMOVAL

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

- a. Invoice No. 702-40-11 from Digital engineering in the amount of \$4,500.00 – Water System Extension - Annexed Area/Master Meter Connection Project.
- b. Invoice No. 702-38-13A from Digital Engineering in the amount of \$1,043.71 – Jeff Davis Connector Sewer and Paving Project.
- c. Invoice No, 702-37-13A from Digital Engineering in the amount of \$14,556.15 – E. Jeff Davis Sewer System Improvements Project.
- d. Invoice No. 702-36-14A from Digital Engineering in the amount of \$15,012.65 – W. Jeff Davis Sewer System Improvements Project.
- e. Invoice No. 7 from Hensley R. Lee Contracting, Inc. in the amount of \$149,861.55– Jeff Davis & Gulfside Street, Sewer Improvements Project.
- f. Payment Request No. 1 from Hensley R. Lee Contracting, Inc. in the amount of \$73,847.30 – Water System Extension –Annexed Area Master Meter Connection.
- g. Invoice No. X17328994 from AMEC Environment & Infrastructure in the amount of \$11,366.48 – HMGP Property Acquisition Project.
- h. Payment Application No. 9 from David Rush Construction, LLC in the amount of \$67,048.64– Waveland Beach Facility Improvements Project (Veterans Memorial).
- i. Invoice 1975 from Morreale Construction, LLC in the amount of \$5,300.00 – Demolition and Debris removal of 203 Terrace Avenue (HMGP Property Acquisition Project).

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

PERSONNEL/PURCHASING/POLICE DEPARTMENT/REQUEST FOR CASH REIMBURSEMENTS/FIRE STATION-COLEMAN AVENUE/REVENUES AND EXPENDITURS REPORT

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

- a. Resignation of Ms. Carol Cheney as Purchasing Agent effective August 11, 2014.
- b. Resignation of Officers Eddie Besse, effective August 14, 2014 and Wesley Lossett, effective June 9, 2014.
- c. Request for Cash Reimbursement #64, Contract No. R-103-379-01-KCR-01 in the amount of \$33,190.63 – Civic Center, Library, Fire Station/Coleman Avenue Street Improvements. **(EXHIBIT H)**
- d. The Revenues and Expenditures Report for the month of July 2014, presented by Comptroller Linda Elias at this the second meeting of August 2014. **(EXHIBIT I)**

EXECUTIVE SESSION

Re: Potential Litigation, Utility Department

Alderman Lafontaine moved, seconded by Alderman Stahler to consider Executive Session to prompt a closed discussion regarding Potential Litigation, Utility Department.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

Alderman Lafontaine moved, seconded by Alderman Kidd to enter Executive Session regarding Potential Litigation, Utility Department.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

Alderman Kidd moved, seconded by Alderman Lafontaine to exit Executive Session with no action taken

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

**LAMBERT STREET WELL/LEGAL DEPARTMENT/PUBLIC WORKS/AGREEMENTS/
CONTRACTS/UTILITIES**

Re: City Attorney to Execute Agreement with Greiner Drilling to Remove Well from Lambert St.

Alderman Kidd moved, seconded by Alderman Lafontaine to authorize City Attorney Gary Yarborough to execute an agreement with Greiner Drilling to remove the Lambert Street Well. **(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

ADJOURN

Re: Adjourn Meeting at 7:29 p.m.

Alderman Kidd moved, seconded by Alderman Lafontaine to adjourn the meeting at 7:29 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Garcia on September 5, 2014.

Lisa Planchard
City Clerk

The Minutes of August 20, 2014 have been read and approved by me on this day the 5th day of September, 2014.

David A. Garcia
Mayor