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Meeting of September 7, 2010
Regular Meeting
6:30 P.M.

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Waveland Civic Center at 335 Coleman Avenue, Waveland on September 7, 2010, at 6:30 p.m., to take action on the following matters of city business.

Present at the meeting were Aldermen Stahler, Geoffrey, Piazza and Schmitt

Also present was City Attorney Gary Yarborough, City Clerk Lisa Planchard, and Court Reporter, Norma Jean Soroe.

Court Reporter Transcribed Minutes Exhibit A

MAYOR'S REPORT

Re: There were no comments presented by Mayor Longo

See Exhibit A

ALDERMEN'S COMMENTS

Re: There were no comments presented by the Aldermen

(See Transcript)

MINUTES

Re: Meeting of August 18, 2010

Alderman Stahler moved, seconded by Alderman Geoffrey to approve the minutes of the Meeting of August 18, 2010 and the transcript of the Court Reporter thereto, as presented by the City Clerk.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, and Schmitt

Voting Nay: None

Abstain: None

Absent: Piazza

RSVP

Re: Claims

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

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, and Schmitt

Voting Nay: None

Abstain: None

Absent: Piazza

DOCKET OF CLAIMS

Re: Claims Numbers 66319-66472

Alderman Schmitt moved, seconded by Alderman Geoffrey to approve the Docket of Claims as submitted by the City Clerk being numbered **66319-66472. (EXHIBIT C)**

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A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, and Schmitt

Voting Nay: None

Abstain: None

Absent: Piazza

BUSINESS INCUBATOR/HANCOCK COMMUNITY DEVELOPMENT FOUNDATION

Re: Hancock Community Development Foundation to manage the Business Incubator

Alderman Stahler moved, seconded by Alderman Geoffrey to approve management of Incubator by the Hancock Community Development Foundation. This will allow program income to be used for operations, pending contract review and submittal by City Attorney Gary Yarborough.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

ORDINANCE/PLANNING AND ZONING

Re: Remand amendment to Planning and Zoning

Alderman Geoffrey moved, seconded by Alderman Piazza to defer to Planning and Zoning to consider an amendment to Ordinance No. 349, *Section 405.11 (A)(9).*", regulating political signs, to read "No such signs shall be erected before qualifications of said election or referendum."

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

FIRE DEPARTMENT/BUILDING DEPARTMENT

Re: Authorize Fire Department and Building Department to inspect properties for health and safety violations

Alderman Stahler moved, seconded by Alderman Geoffrey to authorize the Fire Department to inspect the following properties in Ward 1 for health and safety violations, due to numerous complaints of rats and lack of care:

- a. 124 Lakeside (at Central)
- b. Southern Frosted Foods (on Central)
- c. Old Sav-a-Center (Hwy 90 and 603)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

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Absent: None

PROCLAMATIONS/NATIONAL PREPAREDNESS MONTH/FIRE DEPARTMENT

Re: September 2010 as National Preparedness Month

Alderman Geoffrey moved, seconded by Alderman Schmitt to proclaim September 2010 as National Preparedness Month. This creates the opportunity for every resident of Waveland to prepare their home, businesses, and communities for any type of emergency from natural disasters. **(EXHIBIT D)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

PUBLIC WORKS

Re: Refund Mrs. Darlene Underwood \$51.40

Alderman Piazza moved, seconded by Alderman Geoffrey to approve a refund in the amount of \$51.40 to Mrs. Darlene Underwood due to over payment on her closed water account.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

COURT DEPARTMENT/TRAVEL

Re: Paula Fayard to the Statewide Seminar for Mississippi Court Clerks

Alderman Stahler moved, seconded by Alderman Schmitt to approve travel for Court Clerk Paul Fayard to attend the Fall Statewide Seminar for Mississippi Municipal Court Clerks; cost to the City is one night lodging, fee of \$88.31. No registration, per diem or travel cost.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

ANIMAL SHELTER/TRAVEL

Re: Animal Shelter Director Dina Allen to Kansas City denied

Alderman Stahler moved, seconded by Alderman Schmitt to approve travel for Animal Shelter Director Dina Allen and to attend the NACA Level 3 Training Academy for certification - Kansas City, MO from October 4-8, 2010. Cost to the City will be Registration for both, lodging at a rate of \$95.88 per night per person (6 nights) and per diem, for a total cost of \$2,655.56. A City vehicle will provide transportation. Animal Control Officer should have this training to prevent liability to the City. Both individuals will be euthanasia certified a requirement at the Shelter.

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A vote was called for with the following results:

Voting Yea: None

Voting Nay: Stahler, Geoffrey Piazza and Schmitt

Absent: None

Re: Approve Animal Control Officer Colin Freeman to Kansas City, MO for Training

Alderman Stahler moved, seconded by Alderman Schmitt to approve travel for Animal Control Officer Colin Freeman to attend the NACA Level 3 Training Academy for certification - Kansas City, MO from October 4-8, 2010. Cost to the City will be Registration for both, lodging at a rate of \$95.88 per night per person (6 nights) and per diem, for a total cost of \$2,655.56. A City vehicle will provide transportation. Animal Control Officer should have this training to prevent liability to the City. Both individuals will be euthanasia certified a requirement at the Shelter.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

FIRE DEPARTMENT/BUILDING DEPARTMENT/TRAVEL

Re: Assistant Fire Chief Mike Smith Sr. and Recovery Manager Brent Anderson to Washington D.C. on behalf of Waveland Elementary School

Alderman Stahler moved, seconded by Alderman Schmitt to approve travel for Court Recovery Manager Brent Anderson and Assistant Chief Mike Smith to Washington D.C. for FEMA arbitration, on behalf of Waveland Elementary School. There will be no cost to the City; the Bay-Waveland School Board will pay for all expenses.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

BUDGET MODIFICATIONS/COLEMAN AVENUE/FIRE STATION/CITY HALL AND CITY HALL ANNEX/DOWNTOWN SIDEWALKS/BUSINESS INCUBATOR/POLICE STATION/WATER SYSTEM PROJECT ANNEXED AREA/BUILDING DEPARTMENT

Re: Approve Budget Modifications (EXHIBIT E)

Alderman Schmitt moved, seconded by Alderman Geoffrey to approve the following Budget Modifications, as recommended by Michele Moore, Jimmy Gouras Urban Planning Consultants; (items a-g):

- a. #R-109-379-01-KCR (\$0 net change) for Round 1 –Coleman Avenue, Fire Station, Civic Center and Library.
- b. #R-109-379-02-KCR (\$0 net change) for Round II City Hall and City Hall Annex Project.
- c. #R109-379-03-KCR (\$0 net change) for Round 1 Downtown Sidewalks.
- d. #R109-379-04-KCR (\$0 net change) for Round III Business Incubator.
- e. #R-118-379-02-HCCR (\$0 net change) for HCLTF Police Station.

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- f. #R-118-379-06-HCCR (\$0 net change) for Round 1 Annexed Area Water System.
- g. #R101-06-016-I (\$0 net change) for the Building Inspector's Grant.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

REQUESTS FOR CASH/BUSINESS INCUBATOR/ST. JOSEPH-TERRACE AVENUE/CIVIC CENTER/LIBRARY/FIRE STATION ON COLEMAN AVENUE/CENTRAL FIRE STATION/SANITARY SEWER SYSTEM IMPROVEMENTS WEST/HARBOR, LIGHTHOUSE, BOAT LAUNCH/WATER AND SEWER SYSTEM IMPROVEMENTS ANNEXED AREA/CITY HALL AND CITY HALL ANNEX/DRAINAGE IMPROVEMENTS PROJECT/POLICE STATION

- Spread on the minutes the following Requests for Cash ; (items a-l):**(EXHIBIT F)**
- a. #R-109-379-04-KCR in the amount of -\$3,975.00- Business Incubator.
 - b. #R-109-379-03-KCR in the amount of \$5,952.00 – St. Joseph Street/Terrace Avenue
 - c. #R-109-379-03-KCR in the amount of \$4,909.03 – St. Joseph Street/Terrace Avenue
 - d. #R-103-379-01-KCR in the amount of \$80,471.80 – Civic Center, Library, Fire Station, Coleman Avenue.
 - e. #R-118-379-01-HCCR in the amount of \$169,892.00 – Central Fire Station.
 - f. #R118-379-03-HCCR in the amount of \$28,915.82 – Sanitary Sewer System Improvements West.
 - g. #R-118-379-04-HCCR in the amount of \$76,385.35 – Harbor, Lighthouse, Boat Launch.
 - h. #R118-379-06-HCCR in the amount of \$840,652.74 – Water and Sewer System Improvements Annexed Area.
 - i. #R-109-379-02-KCR in the amount of \$48,963.95 – City Hall and City Hall Annex
 - j. #R-118-379-07-HCCR in the amount of \$34,846.91 – Drainage Improvements Project.
 - k. #R-118-379-02-HCCR in the amount of \$0.00 – Police Station (match only)
 - l. #R-103-379-01-KCR in the amount of (\$3,054.00)- Civic Center, Library, Fire Station, Coleman Avenue.

PAY REQUESTS/EASEMENT COORDINATION/BUSINESS INCUBATOR/CENTRAL FIRE STATION/LIBRARY

Re: Approve pay requests/invoices as submitted by various contractors (EXHIBIT G)

Alderman Schmitt moved, seconded by Alderman Stahler to approve the following Pay Requests/Invoices as recommended by Recovery Manager Brent Anderson; (items a-d) as listed on the agenda:

- a. Invoice Number 10-0224 in the amount of \$585.00 from Duke Levy and Associates - Waveland Easement Coordination
- b. Invoice No. 7 in the amount of \$6,684.00 from Unabridged Architecture-Waveland Business Incubator.
- c. Pay Request No. 1006-04 in the amount of \$169,892.00 from GM&R Construction Inc. Central Fire Station.

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- d. Pay Request No. 13 in the amount of \$77,358.50 from Construction Services, Inc – Library.

CHANGE ORDERS/BUSINESS INCUBATOR/SEWER SYSTEM RECONSTRUCTION N. OF THE RAILROAD TRACKS/LIBRARY
Re: Table approval of Change Orders

Alderman Schmitt moved, seconded by Alderman Geoffrey to table the following Change Orders; (items a-d) as listed on the agenda:

- a. Change Order No. 2 from Benchmark Construction in the amount of \$17,663.00 – Business Incubator. This is a correction; original amount submitted and approved was for \$12,787.00
- b. Change Order No. 5 in the amount of \$22,249.69 from Reynolds Inc. – Sewer System Reconstruction North of the Railroad Tracks.
- c. Change Order No. 6 from Construction Services Inc. for a 38 day extension- Waveland Library.
- d. Change Order No. 3 from Benchmark Construction in the amount of \$7,920.00 – Business Incubator.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

CONTRACTS/CDBG/SEWER SYSTEM EXTENSION
Re: Approve Amendment No. 2 for 2009 CDBG Sewer System Extension

Alderman Stahler moved, seconded by Alderman Schmitt to approve Amendment No. 2 between Digital Engineering and the City of Waveland for Professional Services for 2009 CDBG Sewer System Extension in the amount of \$58,445.00. **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

CONTRACTS/SEWER SYSTEM RECONSTRUCTION N. OF THE RAILROAD TRACKS
Re: Approve Amendment No. 2 for Sewer System Reconstruction N. of the Railroad Tracks (EXHIBIT I)

Alderman Stahler moved, seconded by Alderman Schmitt to approve Amendment No. 2 between Digital Engineering and the City of Waveland for engineering services for the Sewer System Reconstruction North of the Railroad Tracks in the amount of \$58,320.00.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

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SURPLUS

Re: Approve naming 2003 Ford Crown Victoria VIN#2FAFP71W03X114819

Alderman Geoffrey moved, seconded by Alderman Schmitt to approve naming 2003 Ford Crown Victoria Vin #2FAFP71W03X114819 as surplus.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Personnel Issues – Police Department and Potential Contract Negotiations as they relate to Insurance

Alderman Piazza moved, seconded by Alderman Schmitt to consider going into Executive Session to discuss Personnel issues, Utility, Parks, Police and Pier Departments and ongoing litigation related to Magnolia Condominiums, potential litigation business incubator contract amendment and contract regarding the Garfield Ladner Memorial Pier Concessionaire.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

Alderman Schmitt moved, seconded by Alderman Geoffrey to approve going into Executive session to discuss Personnel issues, Utility, Parks, Police and Pier Departments and ongoing litigation related to Magnolia Condominiums, potential litigation business incubator contract amendment and contract regarding the Garfield Ladner Memorial Pier Concessionaire.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey Piazza and Schmitt

Voting Nay: None

Absent: None

With no positive or negative action taken Alderman Schmitt moved, seconded by Alderman Piazza to come out of Executive session.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Piazza and Schmitt

Voting Nay: None

Absent: None

GARFIELD LADNER MEMORIAL PIER/BAIT SHOP AND CONCESSIONAIRE
Re: No action taken related to the concessionaire

Discuss the Garfield Ladner Municipal Pier Bait shop and concessionaire.

PUBLIC WORKS/PARKS AND RECREATIONS/UTILITY
DEPARTMENT/PARKS AND RECREATIONS

Re: George Jones Terminated from the Utility Department

Re: Steven Latham's resignation for the Parks and Recreations Department

Alderman Piazza moved, seconded by Alderman Geoffrey to approve the following resignations and/or terminations:

- a. Mr. George Jones termination from the Utility Department.
- b. Mr. Steven Latham's resignation from the Parks and Recreations Department

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Piazza and Schmitt

Voting Nay: None

Absent: None

POLICE DEPARTMENT/PERSONNEL

Re: Approve .50 Cent pay increase for Officer Tamas Fillippi

Alderman Stahler moved, seconded by Alderman Piazza to approve a .50 cent per hour pay increase for Officer Tomas Fillippi, as scheduled. He has completed the Mississippi Law Enforcement Officer's training Academy required by State Minimum Standards.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Piazza and Schmitt

Voting Nay: None

Absent: None

PARKS AND RECREATIONS DEPARTMENT/PERSONNEL

Re: Transfer of Thomas "Gabe" Stockfleth from part-time to full-time

Alderman Geoffrey moved, seconded by Alderman Schmitt to transfer Mr. Thomas "Gabe" Stockfleth from a part-time position at the Garfield Ladner Municipal Pier to a full-time position in the Parks and Recreations Department; this will replace Mr. Steven Latham. Mr. Stockfleth's rate of pay will remain the same at \$7.50 per hour.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Piazza and Schmitt

Voting Nay: None

Absent: None

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ADJOURN

Re: Adjourn meeting at 8:03 p.m.

Alderman Schmitt moved, seconded by Alderman Piazza to adjourn the meeting at 8:03 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Longo on September 24, 2010.

Lisa Planchard
City Clerk

The Minutes of September 7, 2010 have been read and approved by me on this day the 22nd day of September, 2010.

John Thomas Longo,
Mayor

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