

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 September 21, 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.

MAYOR'S REPORT

(Tape of meeting for listening available via records request, in Meeting folder)

Mayor Garcia thanked all of the volunteers who have so generously donated their time and expertise to assist with office work at City Hall. He also mentioned that Father Cuddy (St. Claire Catholic Church) will hold a special mass dedicated to the City of Waveland City leaders. **(EXHIBIT A - ADDENDUM)**

AGENDA

Re: Amend Agenda to include Addendum

Alderman Stahler moved, seconded by Alderman Kidd to amend the agenda to include Agenda Item 9A, 9B, 9C and add Item (i), (j), (k), (l), (m) to Agenda Item #14; also add Item #22A.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

ALDERMEN'S COMMENTS

Re: Alderman Stahler announced that 30 engraved bricks have been ordered for the Civic Center to be installed soon; she also thanked all of the volunteers for their continued efforts to assist with work.

Re: Alderman Lafontaine also thanked all of the volunteers and said he appreciated all of their help. He also mentioned his *ride along* with a Police Officer. Alderman Lafontaine noted his concerns stemming from press coverage related to the current staffing situation in the Police Department and requested that the media be asked to no longer publicize the personnel shortage at the Police Department because of safety/crime concerns.

Re: Alderman Kidd asked Recovery Manager Brent Anderson about Mr. Lloyd Ernest, 1027 Amar Street and his driveway being dug up by contractors. Mr. Anderson said he would look into this.

GULF REGIONAL PLANNING COMMISSION

Re: Mr. David Taylor was present to provide explanation of the services provided by GRPC

Mr. David Taylor of GRPC provided explanation and answered questions as to what exactly GRPC provides for the annual appropriation fee.

MINUTES

Re: Minutes of August 16, 2011 and August 26, 2011

Alderman Stahler moved, seconded by Alderman Geoffrey to approve the minutes of the meeting of August 16, 2011 and the minutes of the special meeting of August 26, 2011 as submitted by the City Clerk. **(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. 69145-69210 – Docket presented September 6, 2011

Spread on the Minutes the Docket of Claims approved by the Board at their last September 6, 2011 Board meeting, being numbered 69145-69210, as submitted by the City Clerk. (EXHIBIT C)

RSVP

Re: Claims

Alderman Geoffrey moved, seconded by Alderman Kidd to approve the RSVP Claims as submitted. (EXHIBIT D)

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: Approve Payment of highlighted invoices on Docket spreadsheet

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve payment of highlighted invoices (yellow with letter 'D') listed on the proposed 9/21/2011 Docket spreadsheet, as proposed by the City Clerk. (EXHIBIT E)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

HEALTH INSURANCE/PUBLIC APPEARANCE

Re: Ms. Dianne Moore with Fox Everett Insurance Co. discussed possible health insurance plan options available to the City.

2010 CENSUS/REDISTRICTING

Re: Mr. Mike Slaughter of Slaughter and Associates discussed options regarding redistricting as a result of the 2010 Census. It was discussed that since the City of Waveland does not have an election until 2014, perhaps the City should consider contacting Mr. Slaughter next summer/fall to discuss redistricting requirements.

CITY HALL & CITY HALL ANNEX/INVOICES/CDBG

Re: Invoice #9 from DNP –two payments for \$17,979.76 each

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve two payments regarding Invoice #9 (payment approval previously made by the Board) to DNP, Inc. (City Hall/City Hall Annex Project) each in the amount of \$17,979.76 (total of 35,959.52) for which CDBG funding has been received via check from State of MS. Dept. of Finance. (EXHIBIT F)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**DRAINAGE IMPROVEMENTS PROJECT/CDBG/DIGITAL
ENGINEERING/INVOICES**

Re: Approval to pay Invoice 702-35-16 submitted by Digital Engineering

Alderman Geoffrey moved, seconded by Alderman Kidd to approve Invoice No. 702-35-16 in the amount of \$14,425.62 to Digital Engineering - Drainage Improvements Project - for which CDBG funding has been received via check from State of MS. Dept. of Finance. **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CDBG/CITYWIDE DRAINAGE IMPROVEMENTS/INVOICES

Re: Approval to pay Request No. 6 submitted by Jay Bearden Construction

Alderman Stahler moved, seconded by Alderman Geoffrey to approve Pay Request No. 6 from Jay Bearden Construction, Inc. in the amount of \$174,180.60 – Citywide Drainage Improvements Project – Phase 2 for which CDBG funding has been received via check from State of MS. Dept. of Finance. **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**DOCKET CLEARING BANK ACCOUNT/PAYROLL CLEARING BANK
ACCOUNT/HOME INVESTMENT PARTNERSHIP BANK ACCOUNT**

**Re: Close Docket Clearing, Payroll Clearing and Home Investment Bank Account;
pay claims directly from fund affected and create a new payroll Account**

Alderman Kidd moved, seconded by Alderman Geoffrey to close Docket Clearing Bank Acct #037051603 and pay claims directly from fund affected; in addition, close the Payroll Clearing Bank Acct #037051611 and reopen a new Payroll Clearing Bank Account, also close the Home Investment Partnership Bank Acct #043130436 (program closed); all at the recommendation of the Office of the State Auditor.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

HANCOCK COUNTY TOURISM BUREAU BOARD/APPOINTMENTS

Re: (a) Appoint Mr. Mike Kopke as Aldermen's appointee to the Hancock County Tourism Development Bureau

Alderman Lafontaine moved, seconded by Alderman Kidd to approve appointing Mr. Mike Kopke as the Aldermen's appointee to the Hancock County Tourism Development Bureau Board. This will be a 3 year term appointment.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

HOLIDAY SCHEDULE/PERSONNEL

Re: (f) Approval of Holiday Schedule

Alderman Stahler moved, seconded by Alderman Lafontaine to TABLE approval of the Holiday Schedule through the end of calendar year, 2011 as presented by the City Clerk; as stated by MS. Code Section.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**REQUESTS FOR CASH REIMBURSEMENTS/CENTRAL FIRE STATION/
HARBOR, LIGHTHOUSE AND BOATLAUNCH/DOWNTOWN SIDEWALKS
IMPROVEMENTS PROJECT/PERSONNEL/CITY HALL/COURT
DEPARTMENT/PUBLIC WORKS/PUBLIC WORKS/ANIMAL SHELTER/
RSVP/POLICE DEPARTMENT/HOLIDAY SCHEDULE**

Re: Requests for Cash Reimbursements

Re: Holiday Schedule through the end of calendar year 2011

Re: Continuation of 15% pay cut across the board and 50% match for all health insurance

Re: Resignation of Officer Howard O'Gwin

Spread on the minutes the following as listed (Items b-e, g-m)

a. (Voted Separately)

b. RFC #R-118-379-01-HCCR in the amount of \$177,349.00 – Central Fire Station. **(EXHIBIT I)**

c. RFC #R-118-379-04-HCCR in the amount of \$12,239.55 – Harbor, Lighthouse, Boatlaunch**(EXHIBIT I)**

d. RFC #R-118-379-07-HCCR in the amount of \$65,634.86 – Drainage Improvements Project**(EXHIBIT I)**

e. RFC #R-109-379-03-KCR in the amount of \$58,655.50 – Downtown Sidewalk Improvements Project**(EXHIBIT I)**

f. (Voted Separately)

g. Continuation of the across the Board ten percent pay decrease to all employees and the fifty percent match by all employees toward health insurance.

h. Resignation of Howard O'Gwin, Jr. from the Police Department effective 9/30/2011.

i. Spread on the Minutes, RFC #R-118-379-04-HCCR in the amount of \$32,539.20 – Harbor, Lighthouse, Boatlaunch **(EXHIBIT I)**

- j. Payment Request for Reimbursement #6 from Compton Engineering for the MS. Tidelands Trust Fund in the amount of \$147,806.59 regarding the Waveland Pedestrian Pathway/David Rush Construction Invoice #6. **(EXHIBIT J)**
- k. Payment Request for Reimbursement #7 from Compton Engineering for the MS. Tidelands Trust Fund in the amount of \$110,763.94 regarding the Waveland Pedestrian Pathway/David Rush Construction Invoice #7. **(EXHIBIT K)**
- l. Payment Request for Reimbursement #8 from Compton Engineering for the MS. Tidelands Trust Fund in the amount of \$11,155.00 regarding the Waveland Pedestrian Pathway/Compton Invoices #209-088.005-8 (\$9,100), #201-150-30 (\$975.00), and #201-150-29 (\$1080.00). **(EXHIBIT L)**
- m. Payment Request for Reimbursement #8 from Compton Engineering for the MS. Tidelands Trust Fund in the amount of \$14,555.00 regarding the Waveland Pedestrian Pathway/Compton Invoices #209-088.005-7 (\$13,900), and #209-043-2 (\$655.00). **(EXHIBIT M)**

INVOICES/POLICE STATION/CENTRAL FIRE STATION/HMGP DRAINAGE PROJECT/HMGP 18 PARCEL PROJECT/WATER SYSTEM EXTENSION – ANNEXED AREA/DOWNTOWN SIDEWALK IMPROVEMENTS PROJECT/ 2009 CDBG SEWER SYSTEM EXTENSION PROJECT/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/PEDESTRIAN PATHWAY PROJECT
Re: Payment of Invoices as submitted by various contractors

Alderman Geoffrey moved, seconded by Alderman Lafontaine 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 sources, as submitted by Recovery Manager, Brent Anderson: (as listed items a-i, k-n, and p-v) Note: Items (j) and (o) voted separately. **(EXHIBIT N)**

- a. Invoice No. 9220 from Jimmy G. Gouras Urban Planning Consultants in the amount of \$2,437.50 – Police Station.
- b. Pay Application No. 1006-17 from GM&R in the amount of \$121,869.00 – Central Fire Station.
- c. Invoice No. 19 from GM&R in the amount of \$35,843.90 – Waveland Fire Station.
- d. Invoice No. X17325961 from AMEC in the amount of \$800.91 – HMGP Drainage Project
- e. Invoice No. X17325960 from AMEC in the amount of \$586.76 – 18 Parcel Project
- f. Pay Request No. 15 from Reynolds, Inc in the amount of \$51,084.54 – Water System Extension-Annexed Area.
- g. Pay Request No. 16 from Reynolds, Inc. in the amount of \$76,619.39 – Water System Extension – Annexed Area
- h. Payment Request No. 3 from Sumrall's Construction Co. Inc., in the amount of \$51,842.33 – Downtown Sidewalk Improvements Project. **(On Current Docket, funds received).**
- i. Payment Request No. 4 from Sumrall's Construction Co. Inc., in the amount of \$54,424.00 – Downtown Sidewalk Improvements Project.
- j. **(voted separately below)**
- k. Payment Request No. 7 from Jay Bearden Construction, Inc. in the amount of \$55,095.30 – Citywide Drainage Improvements Project.
- l. Payment Request No. 7 from David Rush Construction in the amount of \$110,763.94 – Waveland Pedestrian Pathway, Tidelands funding related.
- m. Payment Request No. 10 from DNP, Inc. in the amount of \$242,369.98 – City Hall/City Hall Annex, Fire Station Coleman **(partial payment of \$3214.37 On Current Docket)**
- n. Invoice No. 702-23-44 from Digital Engineering in the amount of \$4,006.00 – Program Management for Buildings and Facilities.
- o. **(voted separately below)**

- p. Invoice No. 702-03-101 in the amount of \$1,285.00 for commercial plan review of Dollar General and Family Dollar store plans
- q. Invoice No. 702-33-25 from Digital Engineering in the amount of \$4,231.50 – Downtown Sidewalk Improvements
- r. Invoice No. 702-34-24 from Digital Engineering in the amount of \$24,579.90 – Water System Extension Annexed Area
- s. Invoice No. 702-34-25 from Digital Engineering in the amount of \$24,798.28 – Water System Extension Annexed Area.
- t. Invoice No. 702-35-18 from Digital Engineering in the amount of \$10,739.38 – Citywide Drainage Improvements Project **(On Current Docket, funds received)**
- u. Invoice No. 702-35-19 from Digital Engineering in the amount of \$10,539.56 – Citywide Drainage Improvements Project
- v. Invoice No. 209-088.005-7 from Compton Engineering in the amount of \$13,900.00 – Waveland Bike Path

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: Invoices tabled until the October 4, 2011 meeting to allow for Engineer Bruce Newton to be present (items (j) and (o))

Alderman Lafontaine moved, seconded by Alderman Kidd to **TABLE** approval of the following:

- j. Payment Request No. 14 from S.H. Anthony, Inc. in the amount of \$58,111.93 – 2009 CDBG Sewer System Extension Project.
- o. Invoice No. 702-03-99R (Revised) in the amount of \$1512.50 for project management (tabled from several prior meetings)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CONTRACTS/POLICE STATION/CDBG FUNDING

Re: Amendment No. 1 (by Nofie Alfonso) to the Architectural Agreement on the Police Station regarding geotechnical work

Alderman Stahler moved, seconded by Alderman Geoffrey to approve Amendment No. 1 to the Architectural Agreement between Nofie Alfonso and the City of Waveland for geotechnical work in the Police Station, pending review by City Attorney Gary Yarborough; all funds will be reimbursed through CDBG grant funding. **(EXHIBIT O)**

During discussion Mr. Yarborough recommended the Board deny the Amendment as the contract provides for geotechnical service.

A vote was called for with the following results:

Voting Yea: None

Voting Nay: Stahler, Geoffrey, Lafontaine and Kidd

Absent: None

AGREEMENTS/BUILDING DEPARTMENT/CONTRACTS

Re: Approve Professional Services Agreement with Carrigee Consulting for the term 10/1/2011-9/30/2011

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve Professional Services Agreement with Carrigee Consulting for the term of 10/1/2011-9/30/2012 for consulting and inspection services related to residential and commercial building projects, as budgeted for in the 9/30/12 adopted budget, contract pending review and approval by City Attorney Gary Yarborough. **(EXHIBIT P)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CHANGE ORDERS/WATER SYSTEM EXTENSION - ANNEXED AREA

Re: Approve Change Order No. 4 to install chlorination system at water tank and furnish six flushing valves

Alderman Kidd moved, seconded by Alderman Lafontaine to approve Change Order No. 4 to Reynolds, Inc. in the amount of \$37,627.64, as recommended by Mr. Bruce Newton of Digital Engineering and Public Works Director, Brent Anderson for the Water System Extension -Annexed Area Project; Change order to Install chlorination system at water tank at Hwy 90 and furnish six flushing valves on hydrants (can be moved around the City to flush water lines). **(EXHIBIT Q)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CHANGE ORDERS/POLICE STATION

Re: Change Order No. 4 - Police Station

Alderman Stahler moved, seconded by Alderman Kidd to **TABLE** approval of Change Order No. 4- REVISED, from Nofie Alfonso, Architect, who is recommending the change order from C. Perry Builders in the amount of \$105,600.16 on the Waveland Police Station.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CHANGE ORDERS/CITY HALL AND CITY HALL ANNEX PROJECT

Re: Change Order No. 7 - replacing unsuitable soil

Alderman Geoffrey moved, seconded by Alderman Kidd to approve DNP, Inc. Change Order No. 7 – REVISED (Tabled from last meeting because of Bourgeois St. address error) for an additional \$23,842.24 for replacing unsuitable soil for the new parking lot

and an increase of 7 calendar days in construction time – City Hall/City Hall Annex Project. (EXHIBIT R)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PURCHASING

Re: Approve bill of sale to City of Jonesboro Arkansas for vehicles donated to the City post Hurricane Katrina

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve payment of a Bill of Sale to the City of Jonesboro Arkansas in the amount of \$10.00 for receipt of the following vehicles donated immediately following Hurricane Katrina in 2005. This is the least amount of money Jonesboro said they could accept, as listed (Items a-e):

(EXHIBIT S)

- | | |
|---------------------------------|-------------------|
| a. 1993 Ford Crown Vic | 2FACP71W4PX144737 |
| b. 1993 Ford Crown Vic | 2FACP71W5PX144732 |
| c. 1997 Ford Crown Vic | 2FALP71W6VX152402 |
| d. 1997 Ford Crown Vic | 2FALP71WXVX152404 |
| e. 1978 Ford C8000 Pumper Truck | D8ODVBB4442 |

During discussion, City Attorney Gary Yarborough noted that this payment is less than the fair market value of the 5 vehicles for which the City received the benefit from.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

RESOLUTIONS/TAX ANTICIPATION LOAN

Re: Approve Resolution to approve the issue of a Tax Anticipation Loan

Alderman Stahler moved, seconded by Alderman Lafontaine to approve RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF WAVELAND, MISSISSIPPI (THE "CITY"), TO ISSUE A TAX ANTICIPATION NOTE, SERIES 2011 (THE "NOTE") OF SAID CITY IN THE MAXIMUM PRINCIPAL AMOUNT OF FOUR HUNDRED NINETY SIX THOUSAND DOLLARS (\$496,000) TO RAISE MONEY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2012; APPROVING AND RATIFYING THE ACTION OF THE MAYOR IN NEGOTIATING THE SALE OF THE NOTE; APPROVING THE FORM OF AND EXECUTION OF THE NOTE; AND AUTHORIZING THE EMPLOYMENT OF PROFESSIONALS IN CONNECTION WITH THE ISSUANCE OF THE NOTE. (EXHIBIT T)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Potential Litigation related to contractors and Personnel Issues - City Hall, Police Department

Alderman Lafontaine moved, seconded by Alderman Geoffrey to consider going into Executive Session to discuss potential litigation related to contractors and personnel issues, City Hall and Police Department, Agenda Item #13.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Alderman Lafontaine moved, seconded by Alderman Geoffrey to go into Executive Session to discuss potential litigation related to contractors and personnel issues, City Hall and Police Department, Agenda Item #13.

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 Stahler moved, seconded by Alderman Geoffrey 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: Set salary of Acting Police Chief, David Allen

Alderman Geoffrey moved, seconded by Alderman Kidd to set the annual salary of the Acting Police Chief, David Allen at \$41,600.00.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CITY HALL/PERSONNEL

Re: New Hire, Ms. Janet Dudding - Comptroller

Alderman Geoffrey moved, seconded by Alderman Stahler to appoint Mrs. Janet Dudding as Comptroller at the annual salary of \$55,000.00.

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 at 10:35 p.m.

Alderman Lafontaine moved, seconded Alderman Kidd to adjourn the meeting at 10:35 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 October 21st, 2011.

Lisa Planchard
City Clerk

The Minutes of September 21, 2011 have been read and approved by me on this the 21st day of October, 2011.

David A. Garcia
Mayor

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