

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 October 6, 2015 at 6:30 p.m. to take action on the following matters of City business.

PUBLIC COMMENTS:

- Bernie Cullen

ROLL CALL:

Serving as Mayor Pro-Tem, Alderman Lafontaine noted for the record the presence of Aldermen Burke Richardson and Piazza, along with City Clerk Lisa Planchard and City Attorney Rachel P. Yarborough.

Absent from the meeting was Mayor Mike Smith.

ATTORNEY'S COMMENTS

Re: City Attorney Rachel Yarborough had no comments at this time.

MAYOR'S REPORT

Re: Alderman Lafontaine, serving as Mayor Pro-Tem, updated members of the public on the Mayor's recent surgery and related progress.

Re: Announced the Halloween Bash being held Halloween day (October 31st from 4:00 pm to 7:00 pm) and notified the audience of the upcoming Halloween Planning Meeting set for the 13th of October at 5:45 p.m. Anyone interested in participating on October 31 should call Tammy at City Hall for information.

Re: Mr. Mickey Lagasse with Compton Engineering updated the Board with the progress regarding Sewer Line Inspection, cleaning (including approximately 1600 ft. on Longo Street of heavy cleaning), and installing Lift Station monitors, which are monitoring the flow and indicating where problem areas are.

ALDERMEN'S COMMENTS

Re: There were no comments by the Aldermen.

DOCKET OF CLAIMS

Re: Claims

Alderman Burke moved, seconded by Alderman Piazza to approve the Docket of Claims (less the Streets Payroll portion) in the amount of \$717,881.79 dated October 6, 2015 as submitted.

(EXHIBIT A)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

MINUTES

Re: Minutes of the Regular Meeting of September 16, 2015 and the Blighted Property Public Hearing of September 16, 2015

Alderman Burke moved, seconded by Alderman Richardson to approve the Minutes of the Regular Meeting of September 16, 2015, and the Blighted Property Public Hearing Meeting of September 16, 2015 as submitted.

A vote was called for with the following results:

Voting Yea: Burke and Richardson,

Abstain: Piazza

Voting Nay: None

Absent: None

RSVP

Re: Claims

Alderman Burke moved, seconded by Alderman Richardson to approve the RSVP Claims.
(EXHIBIT B)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

**GROUND ZERO MUSEUM/MUSEUM/CIVIC CENTER/OLD WAVELAND
SCHOOL/BIDS/CONTRACTS/NOTICE OF AWARD/NOTICE TO PROCEED**

Re: Award Ground Zero Museum Construction Bid to DCD Construction, Inc.

Alderman Burke moved, seconded by Alderman Richardson to award Ground Zero Museum Construction bid to the lowest best and most responsive bid of DCD Construction, Inc. in the amount of \$90,280.00 for building and other improvements to the Civic Center Ground Zero Museum; this recommendation by Ms. Allison Anderson, Unabridged Architecture. **(EXHIBIT C)**

Architect, Allison Anderson was present to answer questions by the Board. Mrs. Anderson said if the Board approves tonight, the project will commence tomorrow morning and the deadline is the end of January to close out the project, so they have 90 days to complete the work, approximately the 5th of January to substantial completion. They will then have approximately 2 weeks to finish the punch list.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

Re: Approve Contract with DCD Construction, Inc. in the amount of \$90,280.00 for the Ground Zero Museum

Alderman Burke moved, seconded by Alderman Richardson to approve the contract with DCD Construction, Inc. in the amount of \$90,280.00 for furniture, finishes and equipment to support the use of the Old Waveland School (Civic Center) as the Ground Zero Hurricane Museum; approval shall authorize Mayor's signature on same. **(EXHIBIT D)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

Re: Notice of Award and Notice to Proceed with DCD Construction, Inc. re: Ground Zero Museum

Alderman Burke moved, seconded by Alderman Richardson to approve Notice of Award and Notice to Proceed with DCD Construction, Inc. CR#13234-MC for construction of the Ground Zero Museum at the Civic Center in the amount of \$90,280.00; this approval shall authorize Mayor's signature on documents. **(EXHIBIT E)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

FIRE DEPARTMENT/DONATIONS/AMR
Re: Donation of Cardiac Monitor to Fire Department

Alderman Burke moved, seconded by Alderman Richardson to accept a donation from AMR, Mr. Gregory Doyle, to the City of Waveland Fire Department of one (1) cardiac monitor valued at \$42,000.00, which will be inventoried. **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

BLIGHTED PROPERTY/PUBLIC HEARING
Re: Corner of East and Gordon, Ms. Conchita Garcia Hartel property

Mrs. Yarborough explained that this was the property with the abandoned boat, and at the last minute before the previous blighted properties public hearing, their attorney entered an appearance. She said that Mr. Hartel's Attorney had sent an email to Ms. Cullen on 9/16/15 prior to the Public Hearing requesting that Waveland appropriate funds to remove the boat. She wrote him back and explained that that was unconstitutional and the City was not allowed to do that; the City had continued his hearing until tonight and that it would be discussed tonight. Ms. Yarborough contacted the attorney yesterday, who told her that the property owner had hired someone to remove the boat from his property. Ms. Cullen said she drove by the property and the boat had been removed.

PLANNING AND ZONING (EXHIBIT G)
Re: Robert and Donna Martin, 206 Nicholson Avenue

Robert and Donna Martin appeared before the commission with a request for a conditional use in order to construct a nine hundred square foot accessory structure on their property in addition to the new construction of their residence to be located at 206 Nicholson Avenue. Legal description: Block 6, lots 3 & 4 and lots 46 & 47, E.W. Ullman Subdivision, City of Waveland, Hancock County, Mississippi.

Commissioner Charlotte Watson moved, seconded by Mike Kopke to recommend that the Board of Mayor and Aldermen approve the applicant's request for a conditional use to construct a nine hundred square foot accessory structure on their property in addition to the new construction of their residence to be located at 206 Nicholson Avenue.

Alderman Burke moved, seconded by Alderman Richardson to follow the recommendation of the Planning and Zoning Board and approve the request as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

MEETINGS

Re: Change First November Board Meeting to Wednesday, November 4 from Tuesday, November 3, 2015

Alderman Piazza moved, seconded by Alderman Burke to change the regular meeting of the Board of Mayor and Aldermen from Tuesday, November 3rd to Wednesday, November 4th because of the County and State Elections.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

RSVP/PERSONNEL

Re: New Hire Linda Pitts as RSVP Director

Alderman Richardson moved, seconded by Alderman Piazza to hire Mrs. Linda Pitts as RSVP director in the amount of \$16,800.00 (as budgeted for FY 2016) pending passage of drug test.

A vote was called for with the following results:

Voting Yea: Richardson, and Piazza

Voting Nay: Burke

Absent: None

Re: Linda Pitts as Signatory on RSVP Bank Account(s)

Alderman Burke moved, seconded by Alderman Richardson to approve Mrs. Linda Pitts as signatory on the RSVP Bank Account(s) with First Bank on the RSVP accounts with Mayor Mike Smith.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

ADVERTISEMENT/RENEWAL

Re: Renewal of Advertisement placed in the Bay High Gym

Alderman Piazza moved, seconded by Alderman Richardson to approve renewal of the advertisement to be placed in the Bay High School Gym as requested by the Bay High Hardwood Club. Renewal cost of the sign would be \$100.00 for a 24" x 18" sign, with a \$100.00 renewal fee each subsequent year if the Board should so approve at that time. This advertisement is budgeted for in FY 2016.

City Attorney Rachel Yarborough said this would be in accordance with MS. Code Section 17-3-1 and 17-3-3, which requires the finding that the expenditures for the purpose for advertising and bringing into favorable notice the opportunities, possibilities and resources of the municipality and helpful toward

advancing the moral, financial or other interests of the City; this is a necessary finding if the Board should approve the motion.

A vote was called for with the following results:

Voting Yea: Richardson and Piazza

Voting Nay: Burke

Absent: None

BUILDING DEPARTMENT/CONTRACTS/PERMITS DEPARTMENT
Re: Approve Contract with Carrigee Consulting LLC. for Building Inspection Services

Alderman Piazza moved, seconded by Alderman Richardson to approve contract with Carrigee Consulting, LLC. (Building inspection services) for the period 10/1/15 through 9/30/16; same terms and price as fiscal year 2015. **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

MUNICIPAL COMPLIANCE QUESTIONNAIRE/COMPLIANCE QUESTIONNAIRE/AUDITS
Re: Annual Municipal Compliance Questionnaire, 2015

Alderman Richardson moved, seconded by Alderman Piazza to approve the Annual Municipal Compliance Questionnaire for the Fiscal Year Ending September 30, 2015. **(EXHIBIT I)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

**FIRE DEPARTMENT/CITY HALL/TRANSFER OF ASSETS/ASSETS TRANSFER/
INVENTORY**
Re: Intra-Departmental Transfer of Equipment from Fire Department to City Hall

Alderman Burke moved, seconded by Alderman Richardson to approve Intra-Departmental Transfer of assets from the Fire Department to City Hall Administrative offices, described as the following being listed, (Items a-h):

- a) HP Compaq Pro 4300 computer SN-2UA3170895 to Blighted Properties dept.
- b) Samsung Computer Monitor SN-Z4KCHCLCC02974W to Blighted Properties dept.
- c) Lenovo ThinkPad Laptop Computer SN-MP-316CF 13/03 to the Mayor's office
- d) Samsung Computer Monitor SN-Z4KCHCJD300156A to the Mayor's office
- e) HP Compaq Pro 4300 Computer SN-2UA317087Z to the Mayor's office
- f) Scan Snap S1500 Scanner SN-303752 to the Mayor's office
- g) APC Backup Power Supply SN-380918X06708 to the Mayor's office
- h) WD External Hard Drive SN-WCAU475288873 to the Mayor's office

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

TAX ASSESSOR-COLLECTOR/ASSESSED VALUATION SCHEDULE
Re: Accept 2015 Assessed Valuation Schedule for Taxes Collectible in 2016

Alderman Burke moved, seconded by Alderman Richardson to accept the Assessed Valuation schedule from Tax Assessor/Collector, Jimmy Ladner of Real Property, Personal Property, Public Utility, Motor Vehicles, and Mobile Homes taxes for the Year 2015 to be collected in 2016. **(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

CONTRACTS/UTILITY DEPARTMENT
Re: Terminate Contract Agreement with AMS Collections for Utility Department

Alderman Piazza moved, seconded by Alderman Burke to terminate the contract agreement with AMS Collections for Utility Department delinquent payments/collections and authorize City Attorney to memorialize and forward Notice of Termination and withdrawal of all City of Waveland accounts to AMS Collections.

City Attorney Yarborough noted that there is a 30 day notice for this termination.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

AGREEMENTS/CONTRACTS
Re: Agreement with Healthcare Financial Services, LLC for Utility Collections

Alderman Burke moved seconded by Alderman Richardson to **TABLE** an agreement with (HFS) Healthcare Financial Services, LLC. for collection of delinquent Utility Bills.

During discussion, City Attorney Yarborough requested the Board table this issue; she would like to negotiate the terms with HFS. She said they do a lot of collection services, but much of it is for medical and private hospitals so their contracts are not necessarily tailored to municipal purposes. She said she would like to negotiate the terms so the City comes into compliance with the requirements of MS. Code Section 21-17-1 (6) and OSA Circular No. 12 which requires certain language to be in the contract that is not in there right now. To be clear, there is actually a 30 day notice for the AMS Collections termination, so that contract will still be in effect by the time we actually take a vote on this.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

Re: Interlocal Governmental Agreements for Fiber Optic High Speed Internet

Alderman Burke moved, seconded by Alderman Richardson to **TABLE** an Interlocal Governmental Cooperation Agreement between certain Mississippi Coast Municipalities and Counties (Bay St. Louis, Biloxi, Diamondhead, D'Iberville, Gautier, Gulfport, Long Beach, Moss Point, Ocean Springs, Pascagoula, Pass Christian, and Waveland, Boards of Supervisors for Hancock, Harrison and Jackson Counties) for development of a fiber optic ring for ultra-high-speed broadband, digital data infrastructure for internet service and for related purposes, all to be known as the "Silicon Coast Public Internet".

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

GROUND ZERO MUSEUM/CIVIC CENTER/OLD WAVELAND SCHOOL/MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY (MDAH)/MUSEUM

Re: Authorize Mayor's Signature on MS. Landmark Permit issued by MDAH

Alderman Burke moved, seconded by Alderman Richardson to authorize the Mayor's signature on the Mississippi Landmark Permit issued by the Board of Trustees of the Department of Archives and History for the (Old) Waveland Elementary School (Civic Center/Ground Zero Museum) MDAH Project #08-028-15. **(EXHIBIT K)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

HMGP/TRANSFER FUNDS/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE PROJECT

Re: Transfer of Funds from HMGP Anticipation Note in the amount of \$303,800.00

Alderman Burke moved, seconded by Alderman Richardson to approve transfer of funds from the HMGP Anticipation Note in the amount of \$303,800.00 to the Depository Bank Account to pay Kappa Development Invoice No. 10 related to the HMGP Citywide Drainage Improvements Project #1604-0420.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

INVOICES/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE IMPROVEMENTS PROJECT/SYCAMORE STREET EMERGENCY SEWER REPLACEMENT/GARFIELD LADNER MEMORIAL PIER REPAIRS PROJECT/PIER REPAIRS PROJECT/FACILITIES PLAN AND RELATED SEWER SERVICES/SEWER DEPARTMENT/POLICE DEPARTMENT BUILDING

Re: Invoices Submitted by Various Contractors

Alderman Burke moved, seconded by Alderman Richardson 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 (if required), as listed (Items a-g:) **(EXHIBIT L)**

- a) Invoice No. 0077456 from Pickering Firm, Inc. in the amount of \$12,068.70 – Citywide Drainage Improvements Project – HMGP Project Grant #1604-420.
- b) Invoice No. 215-045-4 from Compton Engineering in the amount of \$4,200.00 – Sycamore St. Emergency Sewer Replacement.
- c) Invoice No. 213-017-30 from Compton Engineering, Inc. in the amount of \$2,495.00 – Garfield Ladner Pier Repairs Project.
- d) Invoice No. 215-065-1 from Compton Engineering, Inc. in the amount of \$13,575.00 – Facilities Plan and Related Sewer Services.
- e) Pay Application No. 10 from Kappa Development in the amount of \$303,797.82 – Citywide Drainage Improvements Project.
- f) Pay Application No. 2 from J.O. Collins Contractor, Inc. in the amount of \$94,751.87 – Waveland Police Department Building.
- g) Pay Application No. 3 from J.O. Collins Contractor, Inc. in the amount of \$156,246.63 – Waveland Police Department Building.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

COURT DEPARTMENT/REQUESTS FOR CASH REIMBURSEMENTS/EAST JEFF DAVIS SEWER IMPROVEMENTS PROJECT/JEFF DAVIS SEWER CONNECTOR IMPROVEMENTS PROJECT/WEST JEFF DAVIS SEWER IMPROVEMENTS PROJECT/GULFSIDE DRIVE SEWER IMPROVEMENTS PROJECT/POLICE DEPARTMENT/UNMARKED VEHICLES SCHEDULE/PRIVILEGE LICENSES/HUMAN RESOURCES/MUNICIPAL COMPLIANCE QUESTIONNAIRE

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

- a) Certificate of attendance for Court Clerk Rhonda Cummings at the University of Mississippi Law Center-Municipal Court Clerk Statewide Seminar, 9/16-18/2015 **(EXHIBIT M)**
- b) The following listing of City of Waveland unmarked vehicles: **(EXHIBIT N)**
 1. 2010 Nissan Pathfinder 5N1AR18U39C613177
 2. 2008 Expedition 1FMFK165X8LA86694
 3. 2008 Expedition 1FMFK165X8LA86695
 4. 2008 Expedition 1FMFK15518LA15868
 5. 2008 Ford F150 1FTPW14V88FA30459
 6. 2008 Ford F150 1FTPW14V88FA76566
 7. 2008 Ford F150 1FTPW14V28FA76616
 8. 2008 Ford F150 1FTPW14V28FA76675
 9. 2008 Ford F150 1FTPW14VX8FA76732
- c) Requests for Cash Reimbursements: **(EXHIBIT O)**
 1. No. 16, R-109-379-07-KCR in the amount \$23,402.91 – East Jeff Davis Sewer Improvements Project.
 2. No. 17, R-109-379-07-KCR in the amount of \$69,810.03 – East Jeff Davis Sewer Improvements Project
 3. No. 18, R-109-379-07-KCR in the amount of \$51,946.99 – East Jeff Davis Sewer Improvements Project.
 4. No. 19, R-109-379-07-KCR in the amount of \$29,265.11 – East Jeff Davis Sewer Improvements Project.

5. No. 18, R-109-379-06-KCR in the amount of \$14,931.62 – Jeff Davis Connector, Sewer Improvements Project.
 6. No. 19, R-109-379-06-KCR in the amount of \$56,465.71- Jeff Davis Connector, Sewer Improvements Project.
 7. No. 20, R-109-379-06-KCR in the amount of \$469,656.57 – Jeff Davis Connector, Sewer Improvements Project.
 8. No. 21, R-109-379-06-KCR in the amount of \$38,699.89 – Jeff Davis Connector, Sewer Improvements Project.
 9. No. 19, R-109-379-08-KCR in the amount of \$9,264.33 – West Jeff Davis Sewer Improvements Project.
 10. No. 20, R-109-379-08-KCR in the amount of \$665.75 – West Jeff Davis Sewer Improvements Project.
 11. No. 21, R-109-379-08-KCR in the amount of \$122,314.46 – West Jeff Davis Sewer Improvements Project.
 12. No. 22, R-109-379-08-KCR in the amount of \$37,487.65 – West Jeff Davis Sewer Improvements Project.
 13. No. 16, R-109-379-09-KCR in the amount of \$109,536.66- Gulfside Drive, Sewer Improvements Project.
 14. No. 17, R-109-379-09-KCR in the amount of \$9,643.25 – Gulfside Drive, Sewer Improvements Project.
- d) Privilege License Report for the month of September 2015 activity and the Privilege License Report for the fiscal year 10/1/2014 to 9/30/2015, as submitted by Human Resources Director. **(EXHIBIT P)**
- e) The Annual Municipal Compliance Questionnaire for the Fiscal Year Ending September 30, 2015. **(EXHIBIT Q)**

EXECUTIVE SESSION

Re: Potential Litigation regarding Citywide Drainage Improvements Project

Alderman Burke moved, seconded by Alderman Richardson to consider Executive Session to prompt a closed discussion concerning potential litigation regarding the Citywide Drainage Improvements Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

Alderman Richardson moved, seconded by Alderman Burke to enter Executive Session to discuss potential litigation regarding the Citywide Drainage Improvements Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

CONTRACT

Re: Enter into Contract with Mr. Regan Kane for Property Evaluator Services related to the Citywide Drainage Improvements Project

Alderman Burke moved, seconded by Alderman Richardson to enter into a professional services contract with Regan Kane, or another qualified property evaluator, for the purpose of obtaining a waiver evaluation for the condemnation of certain properties contained within the HMGP Citywide Drainage

Improvement Project at a cost of two hundred dollars per parcel. Contract subject to review by City Attorney.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

Re: Grant City Attorney Authority to make Good Faith Offer to Property Owners refusing Right of Entry- Citywide Drainage Improvements Project

Alderman Burke moved, seconded by Alderman Richardson to grant authority for City Attorney to make a good faith offer to property owners refusing Right of Entry regarding the MGP Citywide Drainage Improvement Project with said offer to be in the amount established by the waiver evaluation of qualified property evaluator.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

Re: Condemn and Acquire property by Eminent Domain if necessary – Citywide Drainage Improvements Project

Alderman Burk moved, seconded by Alderman Richardson to approve the following Orders of Condemnation and findings of fact on the presumption that the respective property owner refuses the City's good faith waiver evaluation offer:

Upon Careful consideration, this board has determined it to be in the best interest of the inhabitants of the city of Waveland, through an HMGP Project entitled Citywide Drainage Project, to establish, alter and change the channels of streams or other water course and to clean or clear drainage ditches, creeks or channels, whether on public or private property, and to incur costs and pay necessary expenses in providing labor, materials and supplies in order to prevent erosion where such erosion has been caused or will be caused by such drainage ditches, creeks or channels. Said project will promote the health, comfort and convenience of the inhabitants of the City of Waveland.

To accomplish this project, the board finds it necessary to acquire for public use certain property belonging to Jason Bezou or their successors in title and/or other parties interested in said property, as is more particularly described as: Waveland Terrance Block 8, Lots 27 and 28

Being unable to agree with the owner or other parties interested in said property, this Board does hereby declare the described property necessary for public use and orders that action be taken to condemn said property and file suit under the City's eminent domain powers.

The acquisition of the described property as detailed in the project plans is necessary to satisfy the present and anticipated needs in order to accomplish the purpose of the project.

The Board further declares that it will suffer irreparable harm and delay by exercising the right to condemn the subject property through eminent domain proceedings pursuant to Code Sections 11-27-1 through 11-27-51, as opposed to claiming the right of immediate title and possession of said property pursuant to Code Section 11-27-81- through 11-27-91.

A construction contract for the project has been awarded and is in the third phase of completion. Acquisition and access to the above described property is necessary and critical to the continued progress of the Citywide Drainage Project.

Right of entry must be to all right of way property must be forthwith vested in the City of Waveland or the construction project that is the subject of said construction contract will be prevented or significantly impaired.

Upon Careful consideration, this board has determined it to be in the best interest of the inhabitants of the city of Waveland, through an HMGP Project entitled Citywide Drainage Project, to establish, alter and change the channels of streams or other water course and to clean or clear drainage ditches, creeks or channels, whether on public or private property, and to incur costs and pay necessary expenses in providing labor, materials and supplies in order to prevent erosion where such erosion has been caused or will be caused by such drainage ditches, creeks or channels. Said project will promote the health, comfort and convenience of the inhabitants of the City of Waveland.

To accomplish this project, the board finds it necessary to acquire for public use certain property belonging to Aaron Brensike or their successors in title and/or other parties interested in said property, as is more particularly described as: Waveland Terrance Block 8, Lots 29, 30, and 31.

Being unable to agree with the owner or other parties interested in said property, this Board does hereby declare the described property necessary for public use and orders that action be taken to condemn said property and file suit under the City's eminent domain powers.

The acquisition of the described property as detailed in the project plans is necessary to satisfy the present and anticipated needs in order to accomplish the purpose of the project.

The Board further declares that it will suffer irreparable harm and delay by exercising the right to condemn the subject property through eminent domain proceedings pursuant to Code Sections 11-27-1 through 11-27-51, as opposed to claiming the right of immediate title and possession of said property pursuant to Code Section 11-27-81- through 11-27-91.

A construction contract for the project has been awarded and is in the third phase of completion. Acquisition and access to the above described property is necessary and critical to the continued progress of the Citywide Drainage Project.

Right of entry must be to all right of way property must be forthwith vested in the City of Waveland or the construction project that is the subject of said construction contract will be prevented or significantly impaired.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

Re: Exit Executive Session

Alderman Burke moved, seconded by Alderman Piazza to exit Executive Session with action taken.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: None

Note: Alderman Piazza left the Board Room at this time

DOCKET OF CLAIMS

Re: Streets Payroll portion

Alderman Burke moved, seconded by Alderman Richardson to approve the Docket of Claims, Streets Payroll portion only, in the amount of \$13,209.84 as submitted. (EXHIBIT A)

A vote was called for with the following results:

Voting Yea: Burke and Richardson

Voting Nay: None

Recused: Piazza

ADJOURN

Re: Adjourn Meeting at 7:40 p.m.

Alderman Burke moved, seconded by Alderman Richardson to adjourn the meeting at 7:40 p.m.

A vote was called for with the following results:

Voting Yea: Burke and Richardson

Voting Nay: None

Absent: Piazza

The foregoing minutes were presented to Mayor Smith on October 23, 2015.

Lisa Planchard
City Clerk

The Minutes of October 6, 2015 have been read and approved by me on this day the 23rd of October, 2015.

Mike Smith
Mayor

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Intentionally