

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 19, 2016 at 6:30 p.m. to take action on the following matters of City Business.

**ROLL CALL**

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

Absent from the Meeting was Mayor Smith

**PUBLIC COMMENTS**

**Re:** Mr. Harrison Bowman

**MAYOR'S REPORT**

**Re:** Mayor Pro-Tem Alderman Lafontaine did not have any comments at this time.

**ALDERMEN'S COMMENTS**

**Re: Alderman Burke**

- Lt. Governor Tate Reeves will be at Diamondhead City Hall for a town hall meeting to discuss issues with the Deepwater Horizon - British Petroleum (BP) Funds

**Re: Alderman Richardson**

- Had no comments at this time.

**Re: Alderman Piazza**

- All of his questions had been answered last week

**ATTORNEY'S COMMENTS**

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

**DOCKET OF CLAIMS**

**Re: Claims**

Alderman Burke moved, seconded by Alderman Piazza to approve the Docket of Claims, excluding the Streets Payroll portion, in the amount of \$849,201.32 dated October 19, 2016 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: Meeting of October 4, 2016**

Alderman Burke moved, seconded by Alderman Richardson to approve the Minutes of the Regular meeting of October 4, 2016 as submitted.

A vote was called for with the following results:

Voting Yea: Burke, and Richardson

Abstain: Piazza

Voting Nay: None

Absent: None

Mrs. Yarborough noted for the record that the abstention vote will count toward the majority.

**BAY-WAVELAND SCHOOL DISTRICT/CONSOLIDATION OF SCHOOL DISTRICTS/  
PUBLIC APPEARANCE**

**Re: Mr. Ron Thorp** discussed his proposal for Consolidation of School Districts

Mr. Ron Thorp was present to discuss his plan for Consolidation of the School Districts and the City's participation in a 90 day committee to analyze potential cost savings related to his proposal.

**DESTINATION WAVELAND/FESTIVAL OF LIGHTS**

**Re: Festival of Lights to be presented by Destination Waveland, Mr. Charlie Cornelius discussed**

Alderman Piazza moved, seconded by Alderman Burke to approve a request submitted by Destination Waveland to hold the Annual Festival of Lights on Friday December 2, 2016. Mr. Charlie Cornelius to discuss.

During discussion, Mr. Cornelius said that on November 18 & 19, 2016 would be the Third Annual Christmas Bazaar held at the Civic Center/Museum. He added that with the Festival of Lights and Santa, lighting of the tree, there will be a Club Car parade starting at 6:00 pm, with an award given out to the best decorated related to the Festival of Lights scheduled for December 2, 2016 at 6:00 pm. There will also be choral groups performing from each one of the schools in the County. MAPP will also provide a choral group to perform. The Bar & Grill on Coleman, along with Dunk's Southern Buffet will be the food vendors. He said, "There shouldn't be any need to ask for money; if there is a need, the Destination Waveland special account (restricted funds) has some money in it that should be able to handle anything that we might want to do. He said Ms. Nora Wikoff and Ms. Kathy Pinn have been charged with coming up with decoration ideas.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

**TOURISM**

**Re: Mrs. Myrna Greene**, Director of Hancock County Tourism was present to update the Board on the latest tourism information and statistics.

**BIDS/SAND, LIMESTONE AND FILL DIRT BID/PUBLIC WORKS/PURCHASING/  
STREETS**

**Re: Approve Bean Excavating as Lowest, Best and Most Responsive Bid for Sand, Limestone and Fill Dirt**

Alderman Piazza moved, seconded by Alderman Richardson to approve Bean Excavating & Dirt as lowest, best and most responsive bidder for the Sand, Limestone & Fill Dirt Bid.

**(EXHIBIT B)**

Mrs. Yarborough asked how long the bids were good for. Mr. Anderson said, "One year." Mrs. Yarborough asked if the City enters into a contract with the company for a minimal \$ amount or whether it is a stable price for the year. Mr. Anderson said that the City does not enter a contract and it is just a stable price for the year. Mrs. Yarborough said for the record, "Because there is not a minimum requirement of buying, if there comes a secondary vendor that has a lower price, the City is not bound to Bean Excavating."

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

**FIRE DEPARTMENT/CONTRACTS/AGREEMENTS**

**Re: Approve Maintenance Agreement with Ray C. Weaver Mechanical Contractors, Inc. for maintenance of HVAC System at Fire Station on Highway 90**

Alderman Burke moved, seconded by Alderman Piazza to approve a Maintenance Agreement and return air installation with Ray C. Weaver Mechanical contractors Inc. Agreement is for the term of one year for quarterly maintenance on the air conditioner at the Central Fire Station Highway 90 and Station 1, Coleman Avenue in the amount of \$1,900.00. In addition to the quarterly maintenance, Ray C. Weaver Mechanical Contractors Inc. is proposing to fabricate, furnish, and install filter rack, and filter access for 5 existing, ducted fan coils at Central Fire Station (not installed at construction) in the amount of \$1,000.00 (Repairs are included in a separate Proposal), pending amendments to be provided by City Attorney.

Mrs. Yarborough said this motion is actually for 2 separate contracts, the first being for the service agreement for the period of one year. She said it requires the City pay within 30 days, which is not what is required by law, by law it is 45 days. Mrs. Yarborough said that verbiage should be amended. She also noted that he proposed an interest rate which is different than what law requires the City to pay for a late fee. She said it renews annually, although objectionable by the City Attorney, is allowed by law. Mrs. Yarborough said the Board could approve the request pending the changes she recommends and her amendments written and signed by Mr. Weaver and the Mayor.

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/LIBRARY/FIRE STATION/  
COLEMAN AVENUE STREET IMPROVEMENT PROJECTS/BUDGET  
MODIFICATIONS**

**Re: Budget Modification 17 (Final) #R-103-379-01-KCR**

Alderman Piazza moved, seconded by Alderman Burke to approve Budget Modification 17 (Final), #R-103-379-01-KCR - Civic Center, Library, Fire Station Coleman Avenue Street Improvements Project, Museum; these changes reduce the amount of the KCDBG budget and de-obligates unneeded funds.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

**INVOICES/PHASE II STORM WATER/STORM WATER/CITYWIDE SEWER  
PROJECT/SRF SEWER PROJECT/TIDELANDS/LIGHTHOUSE OUTDOOR  
RECREATION/SOUTH STREET DRAINAGE IMPROVEMENTS  
PROJECT/DRAINAGE IMPROVEMENTS SOUTH STREET**

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-e):

- a) Invoice No. 216-021-7 from Compton Engineering in the amount of \$1,200.00 – Phase II Storm Water Program
- b) Invoice No. 215-065-20 from Compton Engineering in the amount of \$4,280.00 – Facilities Plan and Related Services – SRF for Citywide Sewer Project
- c) Invoice No. 215-068-14 from Compton Engineering in the amount of \$1,880.00 – Lighthouse Outdoor Recreation, Tidelands.
- d) Invoice No. 215-068-13 from Compton Engineering in the amount of \$3,770.00 Lighthouse, Outdoor Recreation, Tidelands.
- e) Invoice No. 215-069-4 from Compton Engineering in the amount of \$750.00 – Drainage Improvements, South Street Repairs Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

**PERSONNEL/UTILITIES DEPARTMENT/STREETS DEPARTMENT**

**Re: Termination of Mr. Phillip Ladner, Mr. Frank King to Utilities Department from Streets Department, and new hire Mr. Brad Esteve**

Alderman Burke moved, seconded by Alderman Piazza to hire and make the following changes within the Public Works/Utilities/Streets Department, due to the termination of Mr. Phillip Ladner:

- a) Mr. Frank King to move to Utilities laborer from the Streets Department at a rate of \$11.50 per hour (to fill Mr. Ladner's open position)
- b) New Hire Mr. Brad Esteve to Streets Department at a rate of \$10.00 per hour, pending passage of drug test.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

**CITY HALL/TRAVEL**

**Re: Board of Mayor and Aldermen to attend 2016 MML Mid-Winter Conference**

Alderman Burke moved, seconded by Alderman Piazza to approve travel for the Board of Mayor and Aldermen to the 2017 MML Mid-Winter Legislative Conference to be held January 10-12, 2017 in Jackson, MS. Costs for each will be lodging, registration of \$135.00, per diem for 2.5 days and use of a city vehicle (if required).

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

**COURT DEPARTMENT/PERSONNEL/UTILITIES DEPARTMENT/REVENUES AND EXPENSES/RSVP/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT**

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

- a) Court Collections Report for the month of September 2016.
- b) Termination of Phillip Ladner from the Utilities Department effective 10/10/2016.

- c) Revenues & Expenditures for the month of September 2016 and this, the second meeting of October 2016.
- d) Transfer RSVP payroll funds from the RSVP Bank Account to reimburse the Depository Bank Account in the amount of \$18,157.46 for the period 4/1/16 through 9/30/16.
- e) FEMA letter dated October 18, 2016 re: Approval of POP Extension Deadline of March 31, 2017 for 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

### **EXECUTIVE SESSION**

#### **Re: Potential and Probable Litigation**

Alderman Piazza moved, seconded by Alderman Burke to prompt a closed door discussion regarding C. Perry v the City of Waveland, pending litigation and Oak Park Mississippi Properties, LLC, Gulf Shore Properties, LLC and Waveland Properties, LLC, pending litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

#### **Re: Enter Executive Session**

Alderman Burke moved, seconded by Alderman Piazza to enter Executive Session to discuss C. Perry v the City of Waveland, pending litigation and Oak Park Mississippi Properties, LLC, Gulf Shore Properties, LLC and Waveland Properties, LLC, pending litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

### **LEGAL DEPARTMENT/EXECUTIVE SESSION/UTILITY DEPARTMENT**

#### **Re: Authorize City Attorney to file Collection Suit against Oak Park Mississippi Properties, LLC, Gulf Shore Properties, LLC and Waveland Properties, LLC**

Alderman Burke moved, seconded by Alderman Piazza to authorize City Attorney to file a collection suit against Oak Park Mississippi Properties, LLC, Gulf Shore Properties, LLC and Waveland Properties, LLC, pending litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Piazza

Voting Nay: None

Absent: None

**EXECUTIVE SESSION**

**Re: Exit Executive Session with action taken**

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

**\*\*Alderman Piazza exited the meeting at this time.**

**DOCKET OF CLAIMS**

**Re: Claims –Streets Payroll Portion only**

Alderman Burke moved, seconded by Alderman Richardson to approve the Streets payroll portion of the Docket dated 10/19/2016 in the amount of \$15,344.21.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

**ADJOURN**

**Re: Recess Meeting at 7:40 p.m.**

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

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

The foregoing minutes were presented to Mayor Smith on November 4, 2016.

---

Lisa Planchard  
City Clerk

The Minutes of October 19, 2016 have been read and approved by me on this day the 4<sup>th</sup> day of November, 2016.

---

Mike Smith  
Mayor