

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 November 1, 2016 at 6:30 p.m. to take action on the following matters of City Business.

PUBLIC COMMENTS

Re: Rick Poole
Alfred "Tiger" Harris
Raquel Lafontaine

ROLL CALL

Mayor Smith noted for the record the presence of Aldermen Burke, Richardson, Lafontaine and Piazza, along with City Clerk Lisa Planchard and City Attorney Rachel Yarborough.

MAYOR'S REPORT

Re: Thanked Mrs. Raquel Lafontaine and City employees for her and their work with the Halloween Bash

ALDERMEN'S COMMENTS

Re: Alderman Burke

- No comments at this time.

Re: Alderman Richardson

- Commented on the cleanup progress with Citywide Drainage Project noting the areas are looking better

Re: Alderman Lafontaine

- Inquired of Public Works Director Brent Anderson whether the riser rings had been installed in Shoreline yet. Mr. Anderson said the company had sold them since it had been so long and he had to re-order 120- 6" risers. It should take 2 weeks to get them.
- Inquired about advertising for Requests for Proposals from health Insurance Brokers.
- Asked about the voting locations for the Presidential locations. City Clerk Planchard said this election is conducted wholly by the County Circuit Clerk's office; the City has no involvement with this election.
- Asked to amend the agenda to add an Executive Session item for just the Board of Mayor and Aldermen to discuss Annexation.

EXECUTIVE SESSION/ANNEXATION

Re: Amend Agenda to Add an Executive Session to Discuss Annexation.

Alderman Lafontaine moved, seconded by Alderman Richardson to add an Executive Session for just the Board of Mayor and Aldermen to discuss Annexation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

ALDERMEN'S COMMENTS (CONT.)

Re: Alderman Piazza

- Did not have any comments but turned the floor over to Mr. Mickey Lagasse with Compton Engineering to discuss the South Street Repairs Project. Mr. Lagasse said South Street will be closed (via newspaper advertisement) starting November 14, 2016 for 45 days with 75 days to complete the entire project.

DOCKET OF CLAIMS

Re: Claims

Alderman Burke moved, seconded by Alderman Piazza to approve the Docket of Claims (excluding Streets Payroll portion) in the amount of \$251,118.78 dated November 1, 2016 as submitted. **(EXHIBIT A)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

ATTORNEY'S COMMENTS

Re: Discussed the Citywide Sewer Improvements Project Scoring which was addressed at the last Board meeting; Compton was deemed to be the most responsive and highest qualified. Mrs. Yarborough said in discussing the required contract negotiations, they have learned that the scope of work will need to be defined and narrowed down in order of what the project will encompass to begin fair negotiations on the contract. Mr. Mickey Lagasse provided the Board members a handout which lays out the % fees structure, which vary based upon total contract cost. Mrs. Yarborough noted that the handouts provided by Mr. Lagasse are not required by MDEQ, these are samples of what was determined to be a fair and reasonable price in the past. She said what is required under Section 40 USC Section 1104 is that in determining reasonable and fair compensation, the scope, complexity, professional nature, and estimated value of the services to be rendered shall be considered. She said that's why it's part of this procurement process that will really define the scope, so that the Board can determine the estimated value and the complexity of the project to get at that price. Alderman Lafontaine said that this isn't covering additional fees such as surveying and underground locations involved. Mr. Lagasse said that this was Compton's total fees. Mr. Lagasse said the locates would probably be incurred under the Contractor. Alderman Lafontaine said he felt the Board should determine how much work the City is willing to do and set priorities to be worked on. Board members checked with Mr. Duckworth who said he recalled that no more than \$4 to \$5 million should be borrowed to feel comfortable with the payments. Mr. Lagasse said he considers the three highest priorities are the Herlihy force main, the Waveland Ave. retirement line and Meadow Lane; Gladstone will be one that did not get picked up on the cameras, but we know we've got an issue in that lift station. Mr. Anderson (Brent) said his top priorities are Herlihy and Meadow Lane, but Herlihy is much more than adding a force main, it needs some serious work; he added that what it was originally designed for years ago and what it's taking in now are very different, it's taking in 8 to 10 blocks now. He added that this will be an extensive project in the Herlihy area; it can't be done for \$1M, no possible way to do what needs to be done there for that amount. Alderman Burke reiterated that Gladstone has to be corrected, some citizens have sewerage backing up in their homes. Mr. Anderson said this is a piping issue that can be fixed, it's not going to be nearly the cost of these other areas, he said there are some areas of the City that will always require grinder pumps, "You will never ever get the City of Waveland off of grinder pumps; there are certain properties/some people in our City that will be required to put in a grinder pump to even push it out to our system. A grinder system is not a bad system; if you take care and maintain your motors it will last." Alderman Lafontaine asked Ron Duckworth what was the note amount on \$5M. Mr. Duckworth said, "Not having the numbers right in front of me, but it was around \$275K in principal and interest payments which we had already built into the budget, so that was our justification. When the project finishes, \$5M was the most affordable number based on what we have been incurring in expenditures in the past (year or 2); instead of repairing now we're going to have things repaired through the project and we would do away with that expense we were already incurring, \$5M seemed to be the break point." Alderman Lafontaine said, "I know Ron's saying \$5M, hopefully we hear something on the \$1M through the grant funding on November 15 (Hancock County Utility Authority). Mr. Lagasse said he thought Compton needs to give the Board a project list with estimated costs so the Board can determine what's most important. He added if in the end \$5M in the number you can't exceed and that's what you want us to give, then we need to give you a "Burger King Menu" that says what each project will cost so that the Board can make an educated decision based on Compton's estimated costs, which will include a 5% contingency on the construction costs, but it is a public bid for

construction. City Attorney Yarborough recommended that Mr. Anderson review this list before it comes back to the Board for action.

MINUTES

Re: Minutes of the Special Meetings of October 13, 2016 -5:30 pm, October 13, 2016 - 6:00 pm, and the Minutes of the Special Meeting of October 24, 2016

Alderman Piazza moved, seconded by Alderman Burke to approve the Minutes of the Special Meetings of October 13, 2016 (5:30 pm), October 13, 2016 (6:00 pm) and the Special Meeting of October 24, 2016 as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

PUBLIC WORKS/UTILITIES/LIFT STATION MISSION SYSTEM AND FLOW METER **Re: Public Works Administrator discussed the Lift Station Mission System and Flow Meter Modem**

Public Works Director Brent Anderson was present to discuss the Lift Station Mission System and Flow Meter Modem. Mr. Anderson said it is close to time to renew the lift station mission system, (originally approved last year). He said this would maintain all 52 readers on the lift stations and to hook into the City's network, which will allow us to start monitoring at a total cost \$16,675.00. Mr. Anderson said if the Board approves this it will allow another 365 days on monitoring on every lift station. He added that until we can get some of this major work done, this is needed so as not to short change any area of the City where there may be a problem; we've have not run this for a full year as yet and need the data. Alderman Lafontaine said he felt it was absolutely necessary to monitor every single lift station; the information is used to determine if we have major infiltration in areas, etc... He said the City owns the equipment. Mr. Anderson also discussed the two flow meters and the gravity meter located on the sewer lines going into the Hancock County Utility Authority plant (the 3 new meters the City installed); he would like to purchase the two modems that go with those meters which would allow computer access to them to provide the City with a data log of information. He said this would read the meters live-time, create graphs, create charts, the Mayor & Board can have access to it to see what the meters are doing. Mr. Anderson asked for motions to approve. Board members asked that these placed on the next regular meeting and the City Attorney review in the meantime.

PERSONNEL/PUBLIC WORKS/STREETS DEPARTMENT

Re: Approval to hire an employee to take Martin "Brad" James place in the Streets Department

Alderman Lafontaine moved, seconded by Alderman Piazza to hire an employee (to replace Martin "Brad" James (Resigned)) in the Streets Department at \$10.00 per hour pending passage of drug test.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

PERSONNEL/UTILITY DEPARTMENT/PUBLIC WORKS

Re: Approve Pay Increase for Utilities Supervisor – Richard Thompson

Alderman Lafontaine moved, seconded by Alderman Richardson to approve pay increase to \$14.24 per hour for Mr. Richard Thompson, Supervisor-Utilities.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

**SCHOOL BOARD CONSOLIDATION/BAY-WAVELAND SCHOOL DISTRICT/
APPOINTMENTS**

Re: Appoint Rhonda Aime-Gamble and Brenda McComb to represent Waveland on the School District Consolidation Committee

Alderman Piazza moved, seconded by Alderman Lafontaine to appoint the following 2 individuals to the 90 day Committee for School District Consolidation, as presented by Mr. Ron Thorp: Rhonda Aime-Gamble and Brenda McComb.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

INVOICES/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/CSX

Re: Approval of Invoice No. 9039817 from CSX

Alderman Lafontaine moved, seconded by Alderman Richardson to approve Invoice 9039817 in the amount of \$5,896.02 due 10/25/16 submitted by CSX for work performed during the Citywide Drainage Improvements Project as listed, reserving all rights, contractual or otherwise against Kappa Development. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

**CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE IMPROVEMENTS
PROJECT/INVOICES**

Re: Pay Application No. 23 from Kappa Development-Citywide Drainage Improvement Project

Alderman Lafontaine moved, seconded by Alderman Richardson to **TABLE** approval of Payment Application No. 23 from Kappa Development in the amount of \$10,510.42 (\$16,406.44 -\$5,896.02 paid to CSX) regarding the Citywide Drainage Improvements Project/HMGP, which amount considers deduction of CSX Invoice No. 9039817.

During discussion Mrs. Yarborough said she did not recall seeing a recommendation letter from AMEC (Steve Stewart). Mrs. Planchard confirmed that one had not been received. Mrs. Yarborough said to note that there is no letter of recommendation related to pay application #23 from AMEC. She also noted some discrepancies, saying when we had our special meeting to reconvene the recessed meeting, Mr. Frank Parker from Pickering showed up at that meeting and stated that Kappa had submitted a Request for Change Order for days, however in their (Pickering) cover letter on this invoice, they wrote that there is no outstanding request for days.

Mrs. Yarborough noted there is no representative from AMEC, Pickering or KAPPA present. She did add that there is no requirement by the contract documents that AMEC give a letter of recommendation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

BUDGET MODIFICATION/POLICE DEPARTMENT/POLICE BUILDING/FEMA/HMGP

Re: Budget Modification #12 (Final), #R-118-379-02-HCCR

Alderman Lafontaine moved, seconded by Alderman Burke to approve Budget Modification #12 (Final) #R-118-379-02-HCCR; this modification de-obligates \$850,773.17 of KCDBG funds and increases match funding from HMGP by \$67,604.46 and other sources by \$1,795,589.00 in preparation of this close-out for the Police Station/Building. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: Closeout Documents, Police Building #R-118-379-02-HCCR

Alderman Piazza moved, seconded by Alderman Burke to approve the following Close-out documents, including required signatures, related to the Police Building Project #R-118-379-02-HCCR, as listed (Items a-h): **(EXHIBIT D)**

- a) Recipients Closeout Checklist
- b) Certificate of Completion
- c) Recipient Performance Certification Report
- d) Ethnic Beneficiary Information
- e) Outstanding Claimants List
- f) Inventory and Program Income Form
- g) Certification of Recipient Compliance
- h) Agreement Relative to Close out of the Mississippi Development Authority-Disaster Recovery Division Grant Programs

Mrs. Yarborough said what the City is saying through its approval here is that the funds were spent in compliance with the terms of the grant.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

SPREAD ON THE MINUTES

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

- a) Privilege License Report for the month of October, 2016. **(EXHIBIT E)**
- b) Building Permits Report for the month of October, 2016. **(EXHIBIT F)**
- c) Resignation of Martin "Brad" James from the Streets Department effective November 4, 2016

- d) Request for Cash Reimbursement No.33 (Final) in the amount of 4164,105.01 regarding the Police Building Project No. R-118-379-02-HCCR, to include required signatures as needed. **(EXHIBIT G)**
- e) Transfer RSVP payroll funds from the RSVP Bank Account to reimburse the Depository Bank Account in the amount of \$18, 682.59. (Correction from October 19, 2016 Agenda which stated original amount was \$18,157.59)
- f) RFQ's for Professional Financial Auditing Services were opened at 6:00 pm immediately prior to this meeting prior to the meeting and taken under advisement.
- g) Notice to proceed, South Street Project. **(EXHIBIT H)**

EXECUTIVE SESSION

Re: Gulf Shores Properties, LLC, Oak Park Mississippi Properties, LLC, and Waveland Properties, LLC.

Alderman Burke moved, seconded by Alderman Lafontaine to consider Executive Session to prompt a closed discussion regarding GULF SHORE PROPERTIES, LLC, OAK PARK MISSISSIPPI PROPERTIES, LLC, and WAVELAND PROPERTIES, LLC vs City of Waveland, pending litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Alderman Lafontaine moved, seconded by Alderman Richardson to approve entering Executive Session regarding GULF SHORE PROPERTIES, LLC, OAK PARK MISSISSIPPI PROPERTIES, LLC, and WAVELAND PROPERTIES, LLC vs City of Waveland, pending litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

LEGAL ISSUES/EXECUTIVE SESSION

Re: Grant City Attorney Authority to file Counter Claims

Alderman Lafontaine moved, seconded by Alderman Piazza to grant express authority to City Attorney to file counter claims regarding overdue amounts on all three properties listed for above and discussed in Executive session.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: Grant City Attorney Authority to Request Court to Allow City to Terminate Service of Three Properties Listed for and Discussed in Executive Session

Alderman Lafontaine moved, seconded by Alderman Richardson to grant the City Attorney express authority to request that the Court allow the City of Waveland to terminate service for the three properties listed for above and discussed in Executive Session.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: Exit Executive Session

Alderman Lafontaine moved, seconded by Alderman Richardson to exit Executive Session with action taken.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

EXECUTIVE SESSION/ANNEXATION

Re: Discuss Annexation

Alderman Richardson moved, seconded by Alderman Lafontaine to consider Executive Session to prompt a closed discussion regarding annexation.

Note: City Attorney R. Yarborough is not part of this Executive Session.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Alderman Lafontaine moved, seconded by Alderman Richardson to enter Executive Session to prompt a closed discussion regarding annexation.

Note: City Attorney R. Yarborough is not part of this Executive Session.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: Exit Executive Session

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

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

NOTE: ALDERMAN PIAZZA LEFT THE BOARD ROOM AND MEETING AT THIS TIME.

DOCKET

Re: Streets Payroll Portion only

Alderman Burke moved, seconded by Alderman Richardson to approve the 11/1/16 Docket of Claims, Streets Payroll Portion only, in the amount of \$16,118.52. **(EXHIBIT A)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

ADJOURN

Re: Adjourn Meeting at 8:27 p.m.

Alderman Lafontaine moved, seconded by Alderman Burke to adjourn meeting at 8:27 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 18, 2016.

Lisa Planchard
City Clerk

The Minutes of October 19, 2016 have been read and approved by me on this day the 18th day of November, 2016.

Mike Smith
Mayor