

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 5, 2013 at 6:30 p.m. to take action on the following matters of city business.

ROLL CALL

Alderman Geoffrey, serving as Mayor Pro-Tem noted for the record the presence of Aldermen Stahler, Lafontaine and Kidd, along with City Attorney Gary Yarborough and City Clerk Lisa Planchard. Absent from the meeting was Mayor David Garcia.

CITY CLERK/ADVERTISEMENT

Re: Meeting Notice Advertisement sent to Sea Coast Echo not published by Echo Staff- Error by SCE

Re: City Clerk Planchard noted that the planned advertisement scheduled to run November 16, 2013 was to have been placed in the Sea Coast Echo advising the citizens of the Board meeting change from the 20th to the 19th. Mrs. Planchard further explained that the advertisement was sent to the newspaper on November 7th to run 11/16/13. She said yesterday (Monday morning), her office received an email from Editor Randy Ponder explaining that his staff pulled the wrong ad and did not print the requested advertisement, but the notice had been placed in 5 public locations by 2:30 that Monday to notify the citizens of the meeting to be held 11/19/13. **(EXHIBIT A)**

PUBLIC COMMENTS

Re: Mr. Rodney Davis with Delta Water was present to update the Board about the progress of their assessment work (after 1 month) with the Utility Department. Mr. Davis explained that Kathy (Delta Water's Accountant) has reviewed over 2,000 accounts and verified that all of the zeroes in the BBI billing system are correct and has made sure that all accounts entered as residential and commercial are classified correctly and are being charged that correct rate. Mr. Davis recognized Don (Project Manager), who has gone through about 500 accounts, GPS'd everything for the City, checked that MIU numbers match the address, and the correct reading from the last billing is intact with what has been billed. He said they had found a few that weren't correct, which could be from the previous reading from a few months ago that could have been too low or too high and never caught up. Mr. Davis said it had been noted and it was nothing unusual. He said they are working with Ms. Sherri (Blankenship) to make sure the City is up to date with the right consumption level. Mr. Davis said Kathy had found 600 to 700 accounts that are below the minimum 4,000 gallons usage (of water), which is a red flag to Delta Water staff; 600 out of 2,000 accounts is a lot. Mr. Davis said this project is broken into 3 phases. He said Kathy checks all of the accounts to make sure there are no red flags, he noted of course there have been a few. Alderman Stahler said, "That is a red flag, because 4,000 gallons is a normal." Mr. Davis said yes it is a red flag, but it could be a couple of things causing this; perhaps a meter is reading badly or it could be weekend residents. These 600 customers have addresses at that particular place where their mail is being delivered, which tells them someone should be living there. Delta will check out these 600 meters to find out why they are below the 4,000 gallons. He said Kathy found 300 accounts that are showing zero usage the whole 12 months. He also said it could be an empty lot that has a meter; it could be a few things. Mr. Davis said that once they go back, they will look at every one of these issues and Don (Project Manager) will GPS everything and find the issues related to these accounts while he's working in the field. Mr. Davis said that Don had found 10 to 12 houses that are not in the billing system at all; but when they go to every house and address, they will be able to locate the homes that should be on the billing system. He said they will find every house in Waveland that should be on the billing system. Mr. Davis said out of the 300 accounts showing zero, if there was someone that is using the 4,000 gallons; that could represent an extra ten to twelve thousand dollars to the City per year when they find these that are not currently in the billing system. Mr. Davis said that on the commercial side, they have found a lot of commercial meters that are switched with the irrigation meters in the billing system. He said instead of getting their consumption charged on their sewer; they're sewer becomes zero. Multi unit facilities are being checked and they are finding 5/8" meters that are 2 inch meters in the billing system. Mr. Davis said there were a lot of accounts that didn't

have sewer being charged so they've gone out to verify that there was sewer. There were some that were commercial, but were crossed with residential accounts. Mr. Davis said based on what they have found already in the last five weeks, the revenue will be about \$50,000 per year. Mr. Davis said the next big step is Highway 90, which is what they started today; this is the majority of the commercial customers. He said there may be 6 people in a strip mall and there may be a 2 inch meter, but the City is not currently charging for water usage over 4,000 gallons for that meter. Mr. Davis said this meter needs to be read because the businesses may be using more water, and they should be paying for the water use overage; he feels the commercial side will generate a lot more revenue. He said he found a church with a 2 inch meter that has never been billed. Mr. Davis said they planned to dig that meter up tomorrow to get the billing corrected; it had been billed a 1" meter for 7 years, but that Church has a 1" and a 2" meter; the 2" has never been billed. He said there are also about 30 to 35- 2 inch meters that are not installed; currently those businesses have very old (maybe 30 years) meters, which are not accurate. Mr. Davis asked the Board if they could/would take action to purchase these meters that are needed to replace the old meters to get them in businesses. Aldermen asked about the cost of these meters. City Clerk Planchard said that we can get that price for them. Alderman Kidd inquired about a hole in the back of the old Kmart Building. Mr. Davis said the meter is cut off; it has a copper solder joint and apparently that joint needs to be re-soldered; they will be happy to solder and change out that meter. He said the main goal of Delta is to make the meters ready for "Sarge" to read everything; all of the meters, which will help the City out. Mr. Davis also explained that in the field, they found that someone had placed 1 cast iron lid over the first cast-iron box; making it very difficult to read electronically. He said Don is going around and taking the old Ford cast iron box out and just having the one cast-iron box which reads much better. Mr. Davis said they are GPS'ing, checking the MIU numbers and making sure the reading is matching the last reading that the City read. Alderman Lafontaine asked about 600 meters that are currently reading under 4,000 gallons and maybe needing calibration; what about a family of 4 that is reading over 20,000 gallons and the meter is not moving until the water faucet is turned in the on position, so there's not a leak. Mr. Davis said a family of 4 can use 10,000 of water easily and 20,000 is very possible. He said there are a couple places asked by Mr. Anderson to be tested by Delta and they were correct; they were accurate. Alderman Lafontaine asked how the meters are calibrated. Mr. Davis explained that he has testing equipment that goes through the meter and all through the house; if the house is leaking, it would detect the leak. Mr. Davis said if there are some in the Alderman's ward that they would like tested, Delta would be more than happy to test that meter's calibration, just get him the address. Alderman Lafontaine asked about the 600 under 4,000 gallons; could this be the elderly people or perhaps a single person. Mr. Davis said yes, absolutely, that's why Delta wants to check these meters. He said this gives Delta a benchmark to be able to check other meters that are running. Alderman Lafontaine said the City would like to revise the City's Utility Rates Ordinance; it will need looking at in the future. He said it is the goal of the Board to lower the rates. Mr. Davis said that on average a single person uses 125 to 175 gallons per day (Ex: 150 gallons avg. x 30 days = 4,500 gallons/month) and a family of 2 ½ uses anywhere from four to six thousand gallons per day; this is AWWA standards. He said some of the lower rent areas or the elderly typically would reflect lower usage. Alderman Lafontaine said again they would like to get the average usage of our customers and lower the rates, and perhaps give citizens the choice; if they want to water their yard daily, they would pay more. Mr. Davis said the City's base charge is average, the 4,000 minimum is high; usually Cities are around 3,000 minimum gallons, and the \$1.00 over minimum is very cheap. It's usually anywhere from \$2.50 to \$3.00 per thousand (water and sewer) over the minimum. Mr. Davis again said that he believed when the City starts billing over 4,000 minimum usage for commercial, that is where the City will pick up some revenue. Alderman Lafontaine asked Mr. Davis whether he needed the 2" meters within the next 3 weeks. Mr. Davis said yes, whenever you want to get them, it's just that Delta would like to get them installed, see them in place and get them in the system before they leave Waveland. Alderman Lafontaine asked about a possible completion date being the end of January. Mr. Davis said probably yes. During discussion the Board members asked staff to get quotes on these meters. Mr. Davis thanked Christine, Sherri and Sarge (Michael Washington) for all of the assistance they have given him and what great team players they are.

Re: At this time City Clerk Lisa Planchard introduced new Comptroller, Linda Elias, CPA. to the Board.

MAYOR'S REPORT

Re: Alderman Ricky Geoffrey presented a plaque to Ashman-Mollere Realty staff on their 85th Anniversary in business and years of service to the community of Waveland and Hancock County.

Re: Alderman Geoffrey (Serving as Mayor Pro-Tem) introduced amended motions as presented. At this time Mr. Yarborough also introduced a Resolution related to the lease/purchase of a Fire Truck

AMEND AGENDA/RESOLUTIONS/FIRE DEPARTMENT/PURCHASES

Re: Amend Agenda to Rescind Approval of the Purchase of Fire Truck

Alderman Kidd moved, seconded by Alderman Stahler to amend the agenda to rescind (from the Board meeting of 11/5/13) approval of the purchase of an E-One HP 78 Ladder Truck at a cost of \$691,853.00 for the Fire Department as requested by Fire Chief Mike Smith. Chief Smith proposes the City to make down payment of \$250,000.00 with insurance rebate monies and Fire Proposal Fund and finance the balance through Hancock Bank at 2.49%, 10 years Capital Lease of \$441,853.00 to be paid by using State Fire insurance rebate monies and gaming revenues.

Re: Amend Agenda to Approve the Purchase of E-One HP78 Ladder Truck (revised cost)

Alderman Kidd moved, seconded by Alderman Stahler to amend the agenda to approve the purchase of an E-One HP 78 Ladder Truck at a cost of \$702,853.00 for the Fire Department as requested by Fire Chief Mike Smith. Chief Smith proposes the City to make down payment of \$250,000.00 with insurance rebate monies and Fire Proposal Fund and finance the balance through Hancock Bank at 2.49%, 10 years Capital Lease of \$452,853.00 to be paid by using State Fire insurance rebate monies and gaming revenues.

Re: Amend Agenda to Approve Resolution to Lease Purchase Fire Dept. Ladder Truck

Alderman Kidd moved, seconded by Alderman Stahler to amend the agenda to approve a Resolution authorizing and approving the form of and execution of a lease purchase agreement between the City of Waveland and Hancock Bank for the purpose of financing the purchase of a ladder truck and related matters, pending review by City Attorney.

During discussion, Ms. Elizabeth Thomas said the interest rate is for 2.49% for 10 years and Hancock Bank has agreed that the annual payment shall come due after the City has receives their State Fire Insurance rebate and Gaming revenues.

A vote was called for all three of the above motions to amend the agenda with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

RESOLUTIONS/FIRE DEPARTMENT/PURCHASES

Re: Rescind Approval (from the Board meeting of 11/5/13) of the Purchase of Fire Truck

Alderman Lafontaine moved, seconded by Alderman Kidd to rescind (from the Board meeting of 11/5/13) approval of the purchase of an E-One HP 78 Ladder Truck at a cost of \$691,853.00 for the Fire Department as requested by Fire Chief Mike Smith. Chief

Smith proposes the City to make down payment of \$250,000.00 with insurance rebate monies and Fire Proposal Fund and finance the balance through Hancock Bank at 2.49%, 10 years Capital Lease of \$441,853.00 to be paid by using State Fire insurance rebate monies and gaming revenues.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

Re: Purchase of E-One HP78 Ladder Truck (revised cost)

Alderman Kidd moved, seconded by Alderman Stahler to approve the purchase of an E-One HP 78 Ladder Truck at a cost of \$702,853.00 for the Fire Department as requested by Fire Chief Mike Smith. Chief Smith proposes the City to make down payment of \$250,000.00 with insurance rebate monies and Fire Proposal Fund and finance the balance through Hancock Bank at 2.49%, 10 years Capital Lease of \$452,853.00 to be paid by using State Fire insurance rebate monies and gaming revenues.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

Re: Resolution to Lease Purchase Fire Dept. Ladder Truck

Alderman Lafontaine moved, seconded by Alderman Stahler to approve a Resolution authorizing and approving the form of and execution of a lease purchase agreement between the City of Waveland and Hancock Bank for the purpose of financing the purchase of a ladder truck and related matters, pending review by City Attorney.
(EXHIBIT A-1)

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

ATTORNEY'S COMMENTS

Re: Requested the removal of agenda number 16.

ALDERMEN'S COMMENTS:

Re: Alderman Stahler:

- a. Earthworks replaced 3 damaged palm trees at the Beach & Coleman Avenue.
- b. Last week, with the help from Mississippi Forestry Commission, 34 fruit trees were planted for the Edible Orchard behind the Gex Park for children to pick.

Re: Alderman Lafontaine:

- a. Discussed smoke testing and requested the company representative to be present at the next meeting to discuss concerns. Mrs. Planchard said that Mr. Anderson would be meeting with the Representative tomorrow (Wednesday). She will be placing a public notice in the newspaper advising citizens of the upcoming smoke testing. Alderman Kidd said there should be a cap on the cost of the smoke testing. Mrs. Planchard said there was an estimated cap of \$110,000 on that

purchase order by former Comptroller Dudding on the Project Worksheet. Mr. Anderson said it should not come in that high.

Re: Alderman Kidd:

- a. STOP sign down on Wood Street.
- b. Request from City to have MDOT fill in the ditches at Highway 90 and Highway 603 in front of Walgreens and Coast Inn.

MINUTES

Re: Minutes of the Meeting of November 3, 2013

Alderman Lafontaine moved, seconded by Alderman Stahler to approve the Minutes of the meeting of November 5, 2013.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

RSVP

Re: Claims

Alderman Stahler moved, seconded by Alderman Kidd to approve the RSVP Claims as submitted. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims

Alderman Kidd moved, seconded by Alderman Lafontaine to approve the Docket of Claims dated November 19, 2013. **(EXHIBIT C)**

- 001 Fund – 128 to 174
- 100 Fund – None
- 101 Fund – None
- 102 Fund – None
- 103 Fund – 4
- 105 Fund – 5
- 124 Fund – None
- 125 Fund – 6 to 7
- 126 Fund – 9
- 127 Fund – 3 to 10
- 200 Fund – 4
- 313 Fund – 2
- 400 Fund – 56 to 78

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

REVENUES AND EXPENDITURES REPORT

Re: The Month of October, 2013

Spread on the minute's the Revenues and Expenditures Report for the month of October 31, 2013, presented at this the second meeting of November, 2013 by Janet Dudding, CPA. (EXHIBIT D)

PERSONNEL/PUBLIC WORKS DEPARTMENT/STREETS DEPARTMENT

Re: Change Employment Status of Markele Benton to full-time

Alderman Lafontaine moved, seconded by Alderman Kidd to ratify moving Mr. Markele Benton from part-time to full-time effective October 1, 2013 (with the budgeted increase in pay from \$8.50 to \$9.00 per hour) as approved via adoption of the September 30, 2014 budget.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

BUSINESS INCUBATOR/ UNABRIDGED ARCHITECTURE/ARCHITECTS

Re: Unabridged Architecture –Energy Tax Allocation Form, Primary Designer

Alderman Kidd moved, seconded by Alderman Stahler to confirm Unabridged Architecture as the primary 'Designer' for the Business Incubator Project and authorize Mayor's signature on the 179D Energy Tax Allocation form making Unabridged eligible for federal tax benefits. (EXHIBIT E)

During discussion Alderman Kidd said that he knew of several issues with this building and inquired whether the most recent problems were corrected. Mrs. Planchard said they are almost finished with the men's bathroom (handicapped accessibility) and have completed the sheet rock, leaving only painting to be done. Mrs. Planchard said that Aaron Wilkenson is still working to get the strobe lights installed; he is waiting on a part to an electrical panel.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

PERSONNEL/TRAVEL/TRAINING/PRIVILEGE LICENSES

Re: Travel: Personnel Director Donna Henry to Jackson, Mississippi

Alderman Kidd moved, seconded by Alderman Lafontaine to approve travel for Personnel Director Donna Henry to attend the MMCCA Winter Educational Conference in Jackson, Mississippi for educational classes related to privilege licenses, transient vendor licenses and amusement permits. Cost to the City will be a registration fee of \$160.00, lodging for 2 nights at a cost of \$110.00 per night, 2 days per diem and use of a City vehicle. (EXHIBIT F)

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

CITY HALL/CIVIC CENTER/CONTRACTS

Re: Bonds Cleaning as Cleaning Service for City Hall and Civic Center

Alderman Stahler moved, seconded by Alderman Lafontaine to approve Bonds Cleaning Service as lowest, best and most responsive bidder for the cleaning of City Hall and the Civic Center. Monthly Cost for bi-weekly cleaning of City Hall - \$425, and \$275 per month cost for bi-weekly cleaning of the Civic Center. **(EXHIBIT G)**

Alderman Lafontaine asked which line item this will be paid out of. Ms. Planchard said it would be paid out of Civic Center R&M and City Clerk R&M; she said this was not originally budgeted; it's desperately needed. She thinks a way we can pay this is the 30% budgeted increase/savings on the health insurance (actual came in at a 3.67% decrease from current rates). Mr. Lafontaine said his concern is that there is \$4,000 budgeted for the Civic Center, with the cost of \$275/mth.; that only leaves \$700. Ms. Planchard said that is also spent because if we pay for Earthworks Design (later in agenda) out of there too, that will wipe that account out. Ms. Planchard said we can amend the budget later. Mr. Lafontaine reminded everyone of the several issues we've had with the air conditioning in the building. Mr. Lafontaine asked how many quotes we got. Ms. Planchard said that there were only two received and the second was double the cost of the first. Mr. Lafontaine said that was his only concern, he knows it needs to be done, but R&M does not have enough funds in it because the A/C gives us problems every summer. Alderman Kidd asked whether they should approve and just pay out of R&M until they have to amend the budget. Alderman Stahler said she that was probably their best recourse because it's filthy. Planchard said City Hall cleaning would be posted to R&M under sub dept. of City Clerk; this also will have to be amended later. She said we could ask them for quotes for once a month, but didn't know how clean the building would be. Alderman Stahler said that originally they requested weekly cleaning, but thought that was too much.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

TIDELANDS/SECRETARY OF STATE/WATER SYSTEM EXTENSION PROJECT – ANNEXED AREA/CDBG/PROJECTS

Re: Tidelands Application/Water System Extension Project-Annexed Area Including Signatures and Payment of \$150.00

Alderman Lafontaine moved, seconded by Alderman Kidd to approve Tidelands Application, including required signatures with the Secretary of State's Office, State of Mississippi and payment in the amount of \$150.00 to be enclosed with the application for boring and installing a 12" buried water main under Four Dollar Bayou, Section 40, Township 85, Range 14W in the County of Hancock, Mississippi. This is related to the Water System Extension-Annexed Area Project. **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

**EVENTS/CHRISTMAS AT THE CAROUSEL/CIVIC CENTER/CAROUSEL/
COMMITTED FUND**

Re: Purchase Motor Parts/Labor - Carousel

Alderman Lafontaine moved, seconded by Alderman Kidd to prioritize and purchase approximately \$600 of parts plus approximately \$600 electrician labor/materials to install the Carousel motor at the Civic Center in preparation for the Christmas Carousel event; to be paid from the Committed Fund. Alderman Stahler discussed.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

**COLEMAN AVENUE LANDSCAPING IMPROVEMENTS /EDIBLE URBAN
GARDEN/GEX PARK/DONATIONS-RESTRICTED**

**Re: Payment to Earthworks Design in the amount of \$1,575.00 for Coleman Avenue
Landscaping Improvements**

Alderman Kidd moved, seconded by Alderman Stahler to approve payment to Earthworks Design the amount of \$1,575.00 from Restricted Donations (landscaping for Coleman Avenue) account #099-999-740 for ground preparation, sprinkler system and planting of approximately 40 trees at the Edible Urban Garden/Gex Park. Alderman Stahler discussed.

City Clerk Planchard told Board members that 4 Magnolia Markers requested by the Mayor have been ordered; one (Blue Star Memorial) of which is associated with and will be paid through the Veterans Memorial PW ISAAC Repairs; these cost about \$1,700 to \$1,800 each. The Magnolia Marker for the 'Old School' will probably be paid for from the Civic Center budget since that is where it will be placed.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

**ADVERTISEMENTS/PROJECTS/WATER SYSTEM EXTENSION-ANNEXED
AREA PROJECT/CDBG**

**Re: Authorize Advertisement for Construction Bids-Water System Extension-
Annexed Area Project**

Alderman Stahler moved, seconded by Alderman Kidd to authorize Digital Engineering to advertise the CDBG Funded Project "Water System Extension-Annexed Area, Master Meter Connection Project".

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

FIRE DEPARTMENT/FIRE STATION/CERTIFICATE OF SUBSTANTIAL COMPLETION/TRAINING FACILITY AND DRAFTING PIT

Re: Authorize Signatures on Certificate of Substantial Completion for Waveland Fire Department Training Facility & Drafting Pit

Alderman Lafontaine moved, seconded by Alderman Kidd to accept, approve and authorize signatures on the Certificate of Substantial Completion for the Waveland Fire Department Training Facility & Drafting Pit as recommended by Compton Engineering. **(EXHIBIT I)**

Assistant Fire Chief Tony Mallini said that everything appears to be complete.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

INVOICES/PAY APPLICATIONS/GM&R/CHANGE ORDERS/TRAINING FACILITY AND DRAFTING PIT/CONTRACTS/CONTRACT COMPLETION CERTIFICATE/FINAL ACCEPTANCE/WAIVER OF LIEN

Re: Substantial Close-Out Items: Training Facility and Drafting Pit, Central Fire Station

Alderman Lafontaine moved, seconded by Alderman Stahler to approve and authorize signatures on the following documents with GM&R Construction (received through and recommended for closeout by Compton Engineering) related to the Waveland Fire Department Training Facility and Drafting Pit: Close-out, Items as listed (a-h, excluding g): **(EXHIBIT J)**

During discussion, Mrs. Planchard asked if payment could be held pending the delivery of a plaque for the Fire Station; City personnel have tried for months to get this delivered and installed. Mr. Yarborough said the City still has the retainer; item b is a contract ending change order, if approved the Board is making a finding of fact that is not intended to subvert the bid laws of 31-7-13 and is necessary to the project.

Assistant Fire Chief Tony Mallini informed the Board about leaking windows and windows separating from the window sill in the Central Fire Station building. Mr. Yarborough told Asst. Chief Mallini to let Compton Engineering know about this problem; he also sent Mr. Mickey Lagasse an email immediately. Alderman Lafontaine asked about the retainer amount. Mr. Yarborough said it's about \$5,500 (but is for the Drafting Pit, not the building). Alderman Lafontaine expressed concerns about approving this motion because of the presented complaints. Mr. Yarborough said CDM was the engineer on the Fire Station building. He added that the only other option the City has is to reject the reduction of retainage. Asst. Chief Mallini said the work on the drafting pit is complete, but GM&R has not been back to repair the damage to the ground/ruts in the ground that they promised they would. Mr. Lafontaine said, "So that's the \$5,500 that we have (in retainage)." Mr. Yarborough said for the record the building may be out of warranty, which started at Substantial Completion. Mallini said that Mr. Hank (GM&R) had come by to look at the windows, said he would send someone out to look at it next week, but said, "next week never comes." Planchard said the Fire Department moved into that building in April 2012. Mr. Yarborough said, "That may be way out of warranty." Planchard said, "Maybe we're going to have to hire someone to repair the windows." Mr. Mallini said he sent emails long before April of 2013 to GM&R notifying them of the window leak problem; he said he would make sure of this though. Mr. Yarborough said he would get with Mr. Mallini on this.

- a) Final Pay Application No.'s 1302-4 in the amount of \$11,048.14 & 1302-RET (aka: 1302-5) in the amount of 8328.43 from GM&R for a total due

- of \$14,163.29; i.e. Payment Application & Certificate Signature Page (Final Payment); Applications No. 4&5. **(EXHIBIT J1)**
- b) Change Order No. 1 to replace 2 specified monitors be replaced with one custom fabricated monitor and a more secure man way closure which was custom fabricated which all resulted in a reduction of \$47.00 to the contract cost. **(EXHIBIT J2)**
 - c) Contract Completion Certificate **(EXHIBIT J3)**
 - d) Recommendation for Final Acceptance of Contract **(EXHIBIT J4)**
 - e) Final Completion Inspection Report **(EXHIBIT J5)**
 - f) Final Waiver of Lien **(EXHIBIT J6)**
 - ~~g) Request of Reduction of Retainer (moved to separate motion)~~
 - h) Consent of Surety to Final Payment **(EXHIBIT J8)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

Re: Request of Reduction of Retainer (Deny)

Alderman Lafontaine moved, seconded by Alderman Kidd to deny Request of Reduction of Retainer. **(EXHIBIT J7)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

**CHANGE ORDERS/BEACH FACILITY-VETERANS MEMORIAL PROJECT
Re: Change Order No. 1, David Rush Construction - Veterans Memorial Project**

Alderman Lafontaine moved, seconded by Alderman Kidd to approve Change Order No. 1 from David Rush Construction regarding the Waveland Beach Facility/Veterans Memorial Project. This CO represents a \$500.00 decrease to the contract cost: City has already purchased the Blue Star Memorial sign that was to be replaced. **(EXHIBIT K)**

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

**INVOICES/WEST JEFF DAVIS SEWER SYSTEM IMPROVEMENTS
PROJECT/EAST JEFF DAVIS SEWER SYSTEM IMPROVEMENTS
PROJECT/JEFF DAVIS SEWER CONNECTOR SEWERS AND PAVING
PROJECT/GULFSIDE SEWER AND PAVING PROJECTS/BUSINESS
CENTER/BUSINESS INCUBATOR/CITYWIDE DRAINAGE IMPROVEMENTS
PROJECT**

Re: Payment of Invoices to various contractors

Alderman Kidd moved, seconded by Alderman Stahler 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 source, as listed (Items a-f):

(EXHIBIT L)

- a) Invoice No. 702-36-06A (PO # 1135) from Digital Engineering in the amount of \$1,119.25 – W. Jeff Davis Sewer System Improvements Project.
- b) Invoice No. 702-37-06A (PO # 1136) from Digital Engineering in the amount of \$904.75 – E. Jeff Davis Sewer System Improvements Project.
- c) Invoice No. 702-38-06A (PO # 1137) from Digital Engineering in the amount of \$1,251.25 – Jeff Davis Sewer Connector Sewers and Paving Project.
- d) Invoice No. 702-39-06A (PO # 1138) from Digital Engineering in the amount of \$852.50 – Gulfside Sewer and Paving Projects.
- e) Invoice #9445 dated August 30, 2012 from Jimmy Gouras Urban Planning in the amount of \$5,000.00 – Waveland Business Center (Incubator). (Request for Cash Reimbursement approved on October 2, 2012). Invoice had never been received.
- f) Invoice 0073822 from Pickering Engineering in the amount of \$3,311.00 – Citywide Drainage Improvements Project-HMGP

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

AMEND AGENDA/EVENTS/FESTIVAL OF LIGHTS

Re: Amend Agenda: Payment of \$500 Fee to Department of Revenue for Festival of Lights to have Vendors

Alderman Lafontaine moved, seconded by Alderman Kidd amend the agenda to approve payment to the Department of Revenue for a onetime fee for the Festival of Lights to be able to have vendors. Mr. Jeremy Burke said a municipality can't file and collect sales tax, it would have to be an individual or organization. He discussed the possibility of using a local 501C-3 non-profit organization to collect and submit the taxes. The Board asked Mr. Yarborough to call the State Tax Commission and inquire about the legalities involved in this request. Mr. Burke agreed to serve as collection agent.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

EVENTS/FESTIVAL OF LIGHTS

Re: Payment of \$500 to Department of Revenue for Festival of Lights to have Vendors

Alderman Lafontaine moved, seconded by Alderman Kidd to approve payment to the Department of Revenue for a onetime fee for the Festival of Lights to be able to have vendors. Mr. Jeremy Burke agreed to serve as collection agent.

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Personnel Issues, Utility Department

Alderman Kidd moved, seconded by Alderman Lafontaine to consider Executive Session to prompt a closed discussion regarding Personnel Issues, Utility Department.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

Alderman Stahler moved, seconded by Alderman Lafontaine to enter Executive Session regarding Personnel issues, Utility Department.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

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

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

ADJOURN

Re: Adjourn meeting at 9:03 p.m.

Alderman Kidd moved, seconded by Alderman Lafontaine to adjourn the meeting at 9:03 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine and Kidd

Voting Nay: None

Absent: Geoffrey

The foregoing minutes were presented to Mayor Garcia on December 6, 2013.

Lisa Planchard
City Clerk

The Minutes of November 19, 2013 have been read and approved by me on this day the 6th day of December, 2013.

David A. Garcia
Mayor

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