

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 December 3, 2013 at 6:30 p.m. to take action on the following matters of city business.

PUBLIC COMMENTS

The Mayor welcomed 2 students to the Board meeting; Miss Celeste Harris and Ms. Jessie Lee who were from Mississippi Gulf Coast Community College to observe governmental procedures as a school assignment.

ROLL CALL

Mayor Garcia noted for the record the presence of Aldermen Stahler, Geoffrey, Lafontaine and Kidd along with City Attorney Gary Yarborough and City Clerk Lisa Planchard.

MAYOR'S REPORT: (EXHIBIT A)

Re: Recognized Mr. Von Gomel with Gulf Coast Underground (GCU) to discuss smoke testing, which is currently being done throughout the City. The Mayor passed out a copy of the smoke testing door hanger; and noted that he has a press interview the following day as a pre-cursor to the beginning of the smoke testing. The Mayor said that he was concerned about safety to the citizens and learned that there is no toxicity associated with this product. Mr. Anderson said they would start where a lot of the problems were, basically starting at Herlihy St and working toward Waveland Avenue getting the side streets as they move forward; then work their way north through all of the blocks up to Old Spanish Trail. Mr. Anderson said they would concentrate on the north side of the railroad tracks for several reasons; the system south of the tracks is all new, in addition this would allow him to repair any of the lines (north side) in advance of street paving which is currently working north of the tracks. Mr. Gomel said his crew could probably cover between 5,000 and 6,500 feet per day; this would take approximately three to four weeks. Mr. Gomel and Mr. Anderson said there would be side streets that are in need of testing and would work this area like a "rib cage" off of Herlihy St. Alderman Lafontaine asked if the smoke would cause damage if it got into a home. Mr. Gomel said it may scare them a little bit, but it is perfectly safe. Alderman Lafontaine said that when he had spoken with the State about this testing, he was told if it seeped in the home, it would be a good thing for the home owner because it would let them know sewer gases were getting into their house. Mr. Gomel said he would put the door hangers out a day in advance of his crews moving forward; they do not smoke test where there has not been a door hanger. The Mayor said there were advertisements being placed in the newspaper as well, notifying citizens. City Clerk Planchard noted that she had this notice put on the City's website. Alderman Lafontaine expressed concerns about calls for smoke testing vs. actual fire issues and staffing issues related to First Responders. Chief Allen addressed the issue and said they would coordinate with staff regarding the smoke testing and would notify dispatch (E-911) of this testing.

Re: Thanked Mrs. Raquel Lafontaine and Mayor's Secretary Tammy Fayard for their work with the Festival of Lights. Mrs. Fayard read from a list thanking the various vendors and volunteers for their assistance with this event. Mayor Garcia also explained the process for retrieving the Santa photos through the City website.

Re: On Monday, work resumed on the Citywide Paving Project and should continue, weather permitting. They recognized several complaints from citizens re: the preliminary process of patching the roads prior to paving overlay (citizens are under the incorrect assumption that this is all that will be done); letting citizens know this is the correct process that is being done and when it's complete the full overlay will go over the patched layer. Alderman Lafontaine asked about a time frame for work. Mr. Anderson said the City replaced a large cross over culvert on Herlihy St., which was being done first; they finished St. Joseph today and will be moving up Herlihy starting tomorrow. He discussed potential problems with the rain and said the pavers (Huey Stockstill) would be bringing the equipment to roll out the asphalt, which should go quickly once they start. Mayor Garcia said the rough area at St. Joseph and Jeff Davis will remain as is because the upcoming project (Jeff Davis/Gulfside, 4 Corp. of Engineers projects) sited for that area will address the paving once the utility construction is complete. Mr. Anderson addressed the Jeff Davis Gulfside Sewer and Paving Project saying that it would not begin until January 2nd. Mr. Anderson said he felt that due to the upcoming Christmas Holidays, it would not be advantageous to the residents in the area to start before. Alderman Stahler said it is four projects but will be treated as one project. Mr. Anderson added that sewer work will be worked lowest to highest elevation first; since Jeff Davis' elevation splits, they will start sections 1 & 2 first coming backwards and meeting in the middle. Alderman Geoffrey asked about when the Gulfside Drive area would be done. The Mayor said the Contractor has 240 days to complete the contract. Mr. Anderson said the

Contractor was anticipating working 2 crews on both streets at the same time. Mr. Yarborough asked about the permit for the Pier project. Mr. Anderson said 'Anthony' had gotten the permit from the County and the T-pole is set. Mrs. Planchard discussed her phone call this morning with MEMA representative, Eric Church, who said it is still in the hands of FEMA, he has not heard back from them yet; he is well aware of the upcoming deadline, as is MEMA Director, Larry Bowman. They are watching this closely and 'gently reminding FEMA, but will not push' as Mr. Church said. Mr. Yarborough said the contract was 120 days for substantial completion, 30 days for closeout; so we're looking at 5 months once we get started.

Re: The Mayor discussed an email from Ms. Tish Williams with the Hancock County Chamber of Commerce inviting the Board to the 'Partners for Stennis' quarterly meeting Dec. 4, 2013 at Infinity Science Center.

Re: Monday, December 2, 2013 the Mayor said that he and Mr. Yarborough attended the Hancock County Board of Supervisors dedication of the Hancock County Courthouse Family Master Courtroom in memory of Judge Gerald C. Gex.

ATTORNEY'S REPORT: Mr. Yarborough had no comments.

ALDERMEN'S COMMENTS:

Re: Alderman Stahler:

Re: Christmas at the Carousel will be Sunday from 5 p.m. to 8 p.m. and Santa will be present as well. This will be the first year and hopefully we will build on this event every year.

Re: Will not be able to attend the Hancock County Utility Authority meeting so asked the Mayor to attend. He confirmed that he would attend. Alderman Kidd asked about the vote related to the loan for the Utility Authority. Alderman Stahler said this had not been voted on; the HCUA Board only discussed the issue. She said they did discuss the possibility of Diamondhead connecting to the Hancock County Utility Authority system.

Re: The Mayor and Alderman Stahler said they would be attending a re-location meeting at the Chamber of Commerce to discuss a new campaign to get people to move to Hancock County and get the real estate market engines going again, NFIP issues will be discussed.

Re: Alderman Geoffrey: No comments

Re: Alderman Lafontaine:

Re: Alderman Lafontaine said he asked to have some historical revenue and expenditure numbers put together on the gas system; it's not something that he wants to jump into, but wants to look at these numbers. These numbers show us that it's costing us more money that we're taking in to run our gas operations. It appears that many residents did not return to using the City's Gas service and he requested that the Mayor get with the department heads to discuss the origin of these numbers. He noted that some other cities have, in the past, had people come in and purchase the gas systems and actually be able to lower the rates to the customers. Alderman Lafontaine noted that what he sees with these numbers are that people didn't build back with gas, they seem to have gone all electric; currently the City only has 163 gas customers. He said it's just not enough customers to keep the system whole. He'd like the Board to look at the numbers and the Department Heads to get with the Mayor to see how these numbers came about. He added that if this system is just costing the City money and people are not coming back with gas he just doesn't see it making any money anytime in the future. Comptroller Linda Elias learned that about 6 to 12 gas customers came on last year, which was primarily through new construction. Alderman Stahler said she'd like to get some numbers as to what the City could get for the system. Alderman Lafontaine said the money that is being paid to the Utility Authority could possibly be reduced. He asked Comptroller Elias if she would review the numbers submitted. Mrs. Elias said the numbers are actual from the General Ledger from those past years listed. She said the revenues and expenditures are actual, noting the only estimate was the % of Public Works salaries attributable to gas related work. Mrs. Elias discussed the 2011 numbers and why there may have been an increase in revenue. Alderman Kidd asked about the number of gas companies in the area. Mr Anderson said there is 1 major company. The Mayor noted the City pays for the storage of natural gas monthly. Mr. Anderson added that the gas is being stored in Louisiana. Alderman Stahler said that even before the storm the City had been losing money on the gas system, and that's when we did have a lot of people on gas; this is not just a Katrina thing where people built back with electric. She said, "When we had everybody that used gas, it wasn't any better." Mr. Yarborough said that he would call 'Jim' in Long Beach to see what they do, and perhaps also Gulfport... and get back with the Board. Mayor Garcia said we'd try to have something for the Board to discuss this further at the next Board meeting.

Re: Alderman Kidd:

Re: Asked Mr. Anderson if Public Works was still cutting grass. Mr. Anderson said no, they are working on other areas that needed to be caught up.

Re: Discussed damage to graves done during another citizen's funeral services. Riemann's Funeral Home would repair these damages.

Re: Spoke with Mr. Charles regarding the movie theater repairs and told Alderman Kidd that they hope to get going on the repairs very soon. Mayor Garcia said he and Alderman Geoffrey met with the brother that's over this project last week, but he did not give them an indication of when they would be starting the repairs.

CITY ATTORNEY'S REPORT

Re: There will be one item added to Executive Session, pending litigation related to Emson.

MINUTES

Re: Minutes of the Regular Meeting of November 19, 2013.

Alderman Stahler moved, seconded by Alderman Geoffrey to approve the Minutes of the Meeting of November 19, 2013 as submitted.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims

Alderman Lafontaine moved, seconded by Alderman Stahler to approve the Docket of Claims dated December 3, 2013. **(EXHIBIT B)**

001 Fund – 175 to 230

099 Fund – 1

100 Fund – 2 to 3

101 Fund – None

102 Fund – 4

103 Fund – 5

104 Fund – 1 to 2

105 Fund – 15

124 Fund – 14 to 16

125 Fund – 8 to 9

126 Fund – 11 to 12

127 Fund – 4

200 Fund – None

400 Fund – 79 to 101

601 Fund – 55

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, 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 C)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

RSVP/WAVELAND BUSINESS CENTER/

Re: Ms. Mary Turcotte to request that RSVP be granted a change in office locations to the Waveland Business Center

Mrs. Turcotte requested space at the Waveland Business Center because of the mold issue causing her to be consistently sick over the past year. Alderman Lafontaine asked about the amount of floor space needed. Mrs. Turcotte said she would like the same space as she currently has. Alderman Kidd said probably the 579 sq. ft office space would be the best suited of the two office spaces remaining. Alderman Stahler said she would be meeting with Civic Center Architect Allison Anderson to discuss re-working the air conditioners with dehumidifiers and trying to solve the mold and mildew problem in that building. She said she has spoken with MDA about this and they seemed agreeable. Alderman Stahler also said that Ms. Anderson would be assisting her in writing the specs for the grant to get this done. Alderman Lafontaine asked if Mrs. Turcotte could move into City Hall. Mr. Anderson said the area in question is currently filled with city storage. Mrs. Planchard suggested the City move Ms. Turcotte into the Business Center office, then surplus the furniture and equipment upstairs in City Hall storage, thus clearing that space; then allow Mrs. Turcotte to house RSVP in City Hall; giving the City time to make the necessary repairs to the Civic Center to cure the mold problem. Board members collectively agreed to allow her to move into the 579 sq. ft. office (Unit A3). When Mayor Garcia asked whether a formal motion was needed for this action, City Attorney Yarborough said no, it was not needed. During further discussion, Police Chief Allen said he had a lot of old equipment being stored in the Civic Center that also needs to be surplus.

PLANNING AND ZONING (EXHIBIT D)

Re: City of Waveland, 335 Coleman Avenue

The City of Waveland presented a letter to the commission with a request to set up a Katrina Cottage that has been donated by MEMA to use as an exhibit at Waveland's Ground Zero Museum. The cottage will be located on the south side of the Civic Center located at 335 Coleman Avenue. Legal description: Lots 1-13 Combel Subdivision of lot 52, City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Clarence Harris that the Planning and Zoning Commission recommends that the Board of Mayor and Aldermen grant the City of Waveland an exception to the ownership, use limits, and deadlines set forth in Ordinance No. 338 to allow a Mississippi Alternative Housing Unit (MAHP Unit) to be placed on the grounds of the Waveland Civic Center at 335 Coleman Avenue, subject to the following conditions:

1. the MAHP Unit shall be used solely as an exhibit of the Ground Zero Museum and shall not be re-purposed or re-located within the Waveland city limits without the e
2. approval of the Board of Mayor and Aldermen after a noticed Planning and Zoning Commission public hearing and a recommendation by the Commission to the Board;
3. the exhibited MAHP Unit shall not have operable plumbing nor be connected to municipal water or sewer service unless water service is required for fire suppression purposes; and
4. to the extent feasible, the exhibited MAHP Unit shall be sited and accessed in such a way as to respect the architecture of the historic Waveland School Building, reinforce the separateness of the Unit from the School building, and maximize Civic Center parking spaces.

The Planning and Zoning Commission also recommends the Board of Mayor and Aldermen note the extraordinary benefit of FEMA trailers in Waveland's initial post-Katrina recovery and request that the Ground Zero Museum Board of Directors explore ways to recognize the essential role FEMA trailers played in Waveland's recovery.

Alderman Lafontaine moved, seconded by Alderman Kidd to accept the use request as approved and with the conditions provided by the City of Waveland Planning and Zoning Commission, meeting dated November 25, 2013.

During discussion, Alderman Lafontaine said, "You know, we don't allow anybody to have a, just like with the trailer at the P.D., I voiced my opinion whenever we moved the P.D. into there. We don't allow citizens to have them; I see no point in the City having them. So you know, I still feel the same way."

Alderman Stahler noted that MEMA has agreed to pay for the installation of the cottage. Mr. Basil Kennedy, President of the Hurricane Katrina Ground Zero Hurricane Museum said he was present to learn whether his group had a favorable possibility of bringing in this property. He said that he had spoken with Zoning Commissioner (Steve) Hand regarding this project and had full intention in making sure the City and the Planning Commission are completely informed with what they are doing as they get to this. He said he understood the objection about the Katrina cottages and the problems that some residents had in Waveland about them, but he thinks that if they're going to have a true Hurricane Museum, that the Katrina cottage was an integral part of the transition from FEMA trailer to getting back home and it's a very important part of the history that we need to be telling people about our past. He said it would not be used for anyone to live in, but the cottage is something that happened.

Mr. Kennedy said one of the first exhibits was a pictorial history of the Waveland School in the City of Waveland and they tried to show people how important the School has been in Waveland's history and that it's endured many hurricanes over the years. They are planning an exhibit next year showcasing artwork related to the Hurricane. They have received some exhibit items from USM that they had collected. He noted that Mr. Bill Lady donated 7 televisions that they will be able to show videos within the museum. Mr. Kennedy said they intend to make the cottage as unobtrusive when they place it on the property, actually placing it near the back south side of the school, not taking away from the school. He said they also hope to get a FEMA trailer to show the housing transition. Alderman Kidd asked about the elevation of the cottage.

Mr. Kennedy said he knows the school elevation is 19' and thought the elevation had to be 20 feet. Mayor Garcia said he thought the elevation there is 15.8'. Mr. Kennedy said that would be good, we're only looking at needing about 4' of rise on it; they're actually hoping they don't have to install that yet, but they're researching that. Mr. Hand said he does not know whether the 'Park model' which is being installed there is even a handicapped unit, so there would be no point in installing a ramp if there's no access for handicapped persons. He said, if it is not handicapped, you don't send that person up the 5 feet to view something that is not accessible. Mr. Hand said their concern was to not have the cottage look like a temporary addition to the school; he provided the Board with information regarding the ramp sizes that coincide with building a handicapped accessible ramp. He said in June 2, 2009 the Board, at that time, passed an Ordinance recognizing the very limited use, if any, of the cottages. Alderman Kidd said that he would like to see plans of how it was going to be set up, and was concerned that it doesn't make the school look bad. He said he was against the idea until he saw the one set up at the MS. State Fire Academy as a display which enticed him to have something here in Waveland, but his primary concern is not making the school look bad. Alderman Lafontaine said his point is that the previous administration passed an ordinance against them not allowing people to live in them with the ones that were already grandfathered in, now how to address it if someone comes forward and says they purchased 5 of these Cottage Units, and they then go to a tax sale and buy parcels that just went back to the State for a tax sale and put 5 FEMA cottages on those parcels; how do you address that? Alderman Stahler said it was simple, because no one was going to live in this unit; it's an exhibit and that's part of the restriction. Mr. Hand said the catch on the 5 units would be that they're owner occupied, because in Ordinance 388 it requires owner occupied and covenants that the owner must sign; that's why Planning & Zoning said they would waive the ownership requirement. Mr. Kennedy said they would prefer to leave the wheels on the unit (Park Model), which will be 12' x 40', for quick evacuation. The Mayor said that was made very clear by the Director of MEMA that the wheels can't be left on it and it has to be elevated to the 'DFIRMS'.

Mr. Yarborough asked if anyone was present to oppose the application for the use submitted. Mr. Alfred "Tiger" Harris was present to address the issue. Mr. Harris read from a prepared statement opposing the cottage. Mr. Yarborough asked if anyone else had a comment for or against this issue. Mr. Yarborough asked to let the record reflect that no other comments besides Mr. Harris'. Alderman Stahler said she had spoken with Christopher Fields (MEMA) to get the specifications for the cottage

that had been requested by Mr. Hand. Alderman Kidd asked if the Museum Board would make sure there were no chemicals or formaldehyde present in the unit. Mr. Kennedy said he would look into it, but felt confident the State would not allow the units to be sent out with these kinds of problems. Mr. Kennedy said he has no problem providing a plat plan, but the primary purpose of this request tonight is to get from the Board a sense of, "Yes, we can do it, we're going to find a way to do this" so they can proceed because this is going to be something of an expensive proposition to someone to get the Board a full-scale drawing and the plat plan. He said, "And I want to make it clear to you, all we're trying to do is get people into downtown Waveland; that's what this is all about. It's trying to get people to come here and come back to downtown Waveland and see that we're down here and that Waveland is alive and well. It's a beautiful place and we just need to get people here to see it." Alderman Lafontaine asked about the expenses and who will be paying for all of this. Alderman Stahler said, "MEMA". Mayor Garcia said the Board could table this, pending conversation with Mr. Allen Young to get the specs. Alderman Stahler the Museum Board does not want MEMA to go out on a limb and spend money and do this without the support of the City. She said she did not feel it was right; they've offered the gift and then they said they would place it and elevate it, do whatever was needed. The Museum Board just wanted to know that they don't go through all of this and then the City says, "No, we don't want it. I don't think that's right. I think this is quite a gift." Mr. Yarborough said, "Just so we know what is before the Board, what we have before the Board is a question for the allowance of the use of placing a, we have used terms loosely, I don't know what to call it. The ordinance we have, Ordinance No. 338, and what's before the Board, we have 2 issues that are applicable. *One is whether it is a use permitted by Ordinance number 349 is a C-02 District, is under a municipal lot. There is one question of whether it is a use that is allowed under Ordinance 349 as a Municipal exhibit under a Municipal lot. And as C-02 District, there is allowed use for Municipal purposes. Ordinance No. 338 prohibits "Definition Section A "MAHP Unit" defined as a Park Model Unit or a Mississippi Cottage provided under the auspices of the Mississippi Alternative Housing program and originally provided pursuant to the Mississippi Housing Alternative Housing Pilot Program." On the record before us is now my understanding that this was provided under the pilot program for housing but was a donation from MEMA for a cottage. So the other question before you in your consideration is, so first whether it's an allowed use in the C-02 as a Municipal Building for an exhibit. Secondly, whether as defined by ordinance number 338, used for a Pilot Housing Program to be prohibited. Ordinance number 338 only prohibits a use; it is for a Housing Program. So those are the 2 questions before you. If you approve it, you are saying it is not for a Housing Program and it is a use permitted under C-02 in Ordinance 349; if you reject it, you're making the opposite finding. And it's for the use permitted as with any other, they would still have to pull a permit, comply with Building Codes and setbacks and the other issues required by the Building Department. The Question before us is allowing for the use as requested by Planning & Zoning."* Mr. Alfred Harris asked about 'on the 49, is it because it's being used on Public Land'. Mr. Yarborough said "District C-02 allows a use for Municipal Building if they're making the finding that it's a Municipal Building being placed on Municipal Property, it is by Ordinance an allowed use." Alderman Kidd asked again how the building would be positioned on the property. Mr. Kennedy said the Museum Board has no intention of placing the building there without having it pass through the proper authorities to have that done. He said that the idea is again, knowing that we're going to be able to do it, if we can please the people that we have to please to get it there. He said they don't want to offend anybody with this, which is not our intention to do that. Alderman Lafontaine asked about the additional cost and inquired about the time frame of placing the building. Mr. Kennedy said they're at the mercy of the State of Mississippi so he would not be able to try and answer that question. Alderman Stahler said they had not gone to the State yet because they didn't want to go any further without the City's approval and support. Alderman Lafontaine noted discussion from the previous meeting regarding the Civic Center maintenance budget is gone and expressed concerns for upcoming utility bills, insurance and repair and maintenance. Mr. Yarborough said the question before the Board is one of use; it's the City's permit request; the City requesting of itself its own permit. The Board could have an affirmative vote yea or nay for this use and an affirmative vote, at some later time, on a location, height, etcetera for the permit to be requested by the City of the City. Alderman Lafontaine asked if the Board could vote for whether or not they would allow it to be there and then later the Board could go back to vote what the permit specifications will be. Mr. Yarborough stated the following as the motion on the floor:

Motion to accept the use request as approved and with the conditions provided by the City of Waveland Planning and Zoning Commission, meeting dated November 25, 2013.

Mr. Harris asked if this would go back to the Planning and Zoning. Mr. Yarborough said no sir; it would go to the Building Department for their review of a plan. He said the only question was for the necessity of a use because there was a question of whether it's allowed by right, and because when

there's a question of whether it's allowed by right, you have to go outside the Building Department through the Planning & Zoning Commission for its review. The question here that was presented was if it was allowed by right and if the Board approves it, it is approved as an exception and outside the scope of Ordinance 338 and is allowed by Ordinance 349. If the Board rejects this, then the determination is that it is not within that scope. Alderman Lafontaine asked about the clarity of the motion, which broken down is yes to accept, and no rejects their recommendation. Mr. Yarborough said a yes vote would be to accept the recommendation and a no vote would be to reject the Planning and Zoning Recommendation. Mayor Garcia asked if the Board was ready to vote the motion. Board members said yes.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey and Kidd

Voting Nay: Lafontaine

Absent: None

UTILITY DEPARTMENT/PUBLIC WORKS/PERSONNEL

Re: Appoint Richard Thompson to the Position of Utility Supervisor

Alderman Geoffrey moved, seconded by Alderman Lafontaine to appoint Richard Thompson to the position of Utility Supervisor at an hourly rate of \$11.24 per hour.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

COAST CHLORINATOR/MISSISSIPPI DEPARTMENT OF HEALTH/DEPARTMENT OF HEALTH/CONTRACTS/UTILITY DEPARTMENT/PUBLIC WORKS

Re: Contract with Coast Chlorinator to Provide Water Operations Compliance

Alderman Stahler moved, seconded by Alderman Geoffrey to approve contract with Coast Chlorinator for all services related to water operations and compliance related thereto, in part the Mississippi Department of Health, subject to contract review by City Attorney. City must appoint certified water operator by December 10, 2013 with Ms. Dept. of Health. **(EXHIBIT E)**

During discussion, Mr. Anderson reminded the Board that the utility employees have to work under a certified operator to receive their certification. He said Coast Chlorinator will be training our guys; our employees will work under them to get certified. Mr. Anderson said, as a department head, he went and took the test and passed it, but because he worked over the City's certified operator, and not under the City's certified operator, he could not be certified. Mr. Anderson said that working under Coast Chlorinator will count for him to become certified; there is no doubt about this contract; it has to be done for one year until our employee(s) can get certified. He said Coast Chlorinator will not be running the system; they will perform the readings, testing's, quarterly and annual reports and required advertisements. Mr. Anderson said the City of Waveland employees will be checking the wells and change the chlorine bottles. Coast Chlorinator will be coming two days per week; this will keep the City compliant with the State. Mr. Anderson said the ad for the position of Utility Supervisor had been advertised for a month with only 3 applicants received and virtually none that were certified. Alderman Lafontaine said he thinks this will solve the problem of not having anyone water certified within the City. The Mayor said this group will be working with the City regarding the new fluoride system on the wells. Alderman Kidd asked Mr. Yarborough if he had reviewed the contract. Mr. Yarborough said he had not, but would review it. Mr. Anderson expressed concerns about the gas system and the need for a certified operator because of a report that is due in January to the Public Service Commission and said that he is seeking direction from the Board on this issue. Mr. Anderson then asked if they wanted him to try and find a gas operator to hire. Alderman Lafontaine said we've already tried. Alderman Stahler said if the City is losing money on the gas system what will tip the scales is if the Board knows what the City

would receive to get out of the gas business. Mr. Anderson said you'd have to hire an appraiser to come in to tell us what the system is worth. Alderman Stahler suggested having the appraisal done sooner rather than later. Alderman Lafontaine asked whether the City would be obligated to reach out to any of the companies that have contacted us (about the gas system) in the past. Mayor Garcia asked whether the City would have to bid this. Mr. Yarborough said the question is: Is there more than one source, is there more than one company; is it a sole source issue or are there multiple companies. He said we can submit a request for proposals and appraisals if there are multiple companies, and like it is with anything you can reject them all. He said if it is a sole source issue it's different. Mr. Anderson said if the City shows that it's moving forward, he believes the Public Service Commission will give us 6 months to get the certified gas operator issue solved. Mr. Anderson said 5,000 hours of gas service experience is required to qualify to take the test for certification and get licensed. Alderman Lafontaine said, "The gas issue is now the issue that we're facing and I just think that if we just look at these numbers, look at all of the options we have there, it may work out for the best of us to get rid of the system and it may not. Look at what they have to offer us and the citizens." Mr. Planchard asked if there were any city's that have sold their system so she could get a sample advertisement. Mayor Garcia said, "Hattiesburg". Alderman Lafontaine asked about how long it would take for a company to evaluate our system and give us a proposal. Mr. Yarborough said it would not take long; you'd have it in a couple of weeks. Alderman Lafontaine said that by next meeting we should have something. Mr. Yarborough said, "Depending on how long it takes to get out the requests. I'm just saying if we know who to send it to we can send it out immediately, but if we're going to advertise it, it's going to take longer." City Clerk Planchard asked, "That's the problem; are we going to have to advertise." Board members expressed their desire to advertise to request proposals for possible gas system acquisition.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

AMEND AGENDA/ADVERTISE/ GAS SYSTEM ACQUISITION

Re: Amend Agenda to Advertise to Request Proposals for Possible Gas System Acquisition

Alderman Lafontaine moved, seconded by Alderman Geoffrey to amend the agenda to advertise to request proposals for possible gas system acquisition through means required by law.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

Re: Advertise to Request Proposals for Possible Gas System Acquisition

Alderman Lafontaine moved, seconded by Alderman Geoffrey to advertise to request proposals for possible gas system acquisition through means required by law.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

PURCHASING/PUBLIC WORKS

Re: Public Works Office Manager, Larry Holland to Sign Purchase Requisitions

Alderman Lafontaine moved, seconded by Alderman Stahler to approve Mr. William Larry Holland, Public Works Office Manager, to sign Purchase requisitions.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

BLIGHTED PROPERTIES/WORKSHOP

Re: Reschedule Blighted Property Workshop to Tuesday January 7, 2014

Alderman Geoffrey moved, seconded by Alderman Kidd to reschedule the Blighted Property Workshop (for four properties and a public hearing for 521 Jeff Davis) for 6:00 pm immediately preceding the regular meeting of Tuesday, January 7, 2014.

Mrs. Bernie Cullen said this would be for the 4 properties submitted in the binder previously and have a public hearing regarding the 521 Jeff Davis Avenue blighted property. Mrs. Cullen said that property was supposed to be demolished and no further work had been done. Alderman Stahler said she had requested a blighted properties procedural timeline from Ms. Cullen and suggested that selected properties be submitted quarterly for hearing before the Board for action. Ms. Cullen said she would work on that for the Board and staff. Mayor Garcia asked if any of these appeared on the Repetitive Loss List. Chief Smith said no.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

PURCHASING/UTILITY DEPARTMENT/WATER METERS

Re: Purchase 20, 2" Neptune Electronic Water Meters and 3, 1" Electronic Meters

Alderman Lafontaine moved, seconded by Alderman Kidd to approve purchase of 20, 2" (\$544.00 each) and 3, 1" (\$271.00 each) Neptune electronic water meters for a total of \$11,693.00 from Consolidated Pipe & Supply Co, Inc., subject to approval of location list of meters of Mr. Anderson.

Mr. Anderson said that he had requested Delta provide him with a list of where these meters will go. He said he told Mr. Davis he would not purchase them until he knew where they were going; we don't want to store meters. Mrs. Planchard said she will call Mr. Rodney Davis with Delta Water and that the City would only order what is needed based upon purchase approval by Mr. Anderson.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

**FIRE DEPARTMENT/RESCIND MOTION/TRAINING FACILITY AND DRAFTING
PIT/RETAINER/REQUEST FOR REDUCTION OF RETAINER**

Re: Rescind original motion of November 19, 2013 related to the Request for Reduction of Retainer (Dies for lack of Action)

Motion to rescind Motion regarding the approval of Consent of Surety to Final Payment related to the Waveland Fire Department Training Facility and Drafting Pit, originally approved at the November 19,

2013 meeting. This directly relates to the Request for Reduction of Retainer, which was denied at the 11/19/13 meeting.

During discussion, City Clerk Planchard explained that on the motion from the last meeting, the Board denied the Request for Reduction of Retainer, but approved the Consent of Surety to Final Payment. When she was reading the Request for Reduction of Retainer, it says, "The Surety on the Contract bond (see attached), which is the Surety, approves the above request. So if we approve the Surety, it's saying we're approving the Request for Reduction of Retainer. That's when the bells and whistles; if you're going to deny one, you need to deny both."

Attorney Yarborough asked what is the issue left pending on the drafting pit at the Fire Station. Planchard said that Asst. Chief Mallini said at the last meeting, there are ruts and gouges in the ground that were left by the contractor and needed to be repaired. Mr. Anderson said there's nothing at that site that is at issue. Planchard asked, "So we can go ahead and approve the Request for Reduction now?" Mr. Yarborough said, "I think if everything's done you don't rescind it and just approve the Reduction of the Retainer."

**Dies for lack of a motion*

Re: Request for Reduction of Retainer for Training Facility and Drafting Pit

Alderman Lafontaine moved, seconded by Alderman Stahler to approve Request for Reduction of Retainer by GM&R related to the Central Fire Station Training Facility and Drafting Pit. (Also reference Board minutes of 11/19/13) **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

BUDGET MODIFICATIONS/WATER AND SEWER IMPROVEMENTS PROJECT – ANNEXED AREA

Re: Budget Modification #11 for Water and Sewer Improvements Annexed Area Project

Alderman Kidd moved, seconded by Alderman Geoffrey to approve Budget Modification Number 11, #R-118-379-06-HCCR, Water and Sewer Improvements – Annexed Area Project. **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

INVOICES/CITYWIDE OVERLAY AND PAVEMENT PROJECT/STREETS/BEACH VOLLEYBALL FACILITY/VOLLEYBALL FACILITY/GARFIELD LADNER MEMORIAL PIER/WAVELAND BEACH VOLLEYBALL FACILITY

Re: Payment of Invoices as Submitted by Various Contractors

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve the following invoices submitted by various contractors and vendors and recommended to be placed in line for payment consideration contingent upon receiving funding from grant sources, as submitted by Recovery Manager, Brent Anderson, and listed (Items a-d): **(EXHIBIT H)**

- a) Invoice number 213-061-3 from Compton Engineering in the amount of \$4,500.00 – Citywide Overlay and Pavement Project.
- b) Invoice 213-058-3 from Compton Engineering in the amount of \$937.50 – Waveland Beach Volleyball Facility.

- c) Invoice 213-017-9 from Compton Engineering in the amount of \$5,000.00 – Garfield Ladner Pier Repairs.
- d) Invoice 213-016-6 from Compton Engineering in the amount of \$5,000.00 – Waveland Beach Facility Improvements.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

CITY HALL/ALDERMEN/CONTINUING EDUCATION/BIDS/PUBLIC WORKS/STREETS
Re: Bids for Knuckle Boom Truck were Opened Prior to Meeting
Re: Aldermen Kidd and Mayor Garcia's completion of Municipal Official's Courses

Spread on the Minutes the following being listed: (a-c)

- a) CMO Graduate Certificates for Mayor David A. Garcia's completion of the 2 following courses 'Advanced Level' and 'Professional Development'. **(EXHIBIT I)**
- b) Basic Graduate Certified Municipal Officials Course for Alderman Mark Kidd. **(EXHIBIT I)**
- c) Spread on the Minutes that Bids for the Knuckle Boom Truck were opened prior to the meeting and were taken under advisement until such time they can be reviewed and recommendation made to the Board.

POLICE DEPARTMENT/FIRING RANGE/CONTRACTS
Re: Contract with Selex Galiled, Inc. for use of Firing Range

Alderman Stahler moved, seconded by Alderman Geoffrey to approve contract between City of Waveland and Selex Galiled, Inc. for use of firing range by police department use. **(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Voting Nay: None

Absent: None

*Prior to Executive Session Alderman Lafontaine asked for an balance of remaining funds in the Committed Fund so that at the next meeting they can see what the Board will need to come up with for purchasing the knuckle boom truck.

EXECUTIVE SESSION
Re: Contractual Issues - Software, Pending Litigation – Emson, and Personnel issues - City Hall

Alderman Lafontaine moved, seconded by Alderman Geoffrey to consider Executive Session to prompt a closed discussion regarding contractual issues, Utility Software; Pending Litigation regarding Emson v. City of Waveland, and Personnel issues - City Hall.

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 Geoffrey to enter Executive Session regarding contractual issues, Utility Software; Pending Litigation regarding Emson v. City of Waveland, and Personnel issues - City Hall.

A vote was called for with the following results:

Voting Yea: Stahler, and Lafontaine

Voting Nay: None

Absent: Kidd

Alderman Kidd moved, seconded by Alderman Geoffrey 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 9:23 p.m.

Alderman Kidd moved, seconded by Alderman Geoffrey to adjourn the meeting at 9:23 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Lafontaine, and Kidd

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Garcia on December 20th, 2013.

Lisa Planchard
City Clerk

The Minutes of December 3, 2013 have been read and approved by me on this day the 20th day of December, 2013.

David A. Garcia
Mayor

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