

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Waveland Civic Center, 335 Coleman Avenue, Waveland, MS. on December 9, 2010 at 6:30 p.m., to take action on the following matters of city business.

Present at the meeting Aldermen Stahler, Geoffrey, Lafontaine and Kidd.

Also present was City Attorney Gary Yarborough, City Clerk Lisa Planchard and Court Reporter, Norma Jean Soroe.

MAYOR'S REPORT

Re: Mayor Garcia thanked everyone for their vote and support and confidence shown by electing him as Mayor, noting he looks forward to serving each and everyone and working with the new Board. Mayor Garcia also thanked everyone for attending this evening and participating in their government. The Mayor added that during his campaign, he listened with open ears to the concerns and suggestions on making Waveland a better place and moving it forward. He said that he had meetings with City Attorney Gary Yarborough and Alderman Geoffrey, along with department heads that lasted most of the day. Mayor Garcia said he is working on many issues and hopefully Monday night during a workshop he could be more prepared on the reports and tell the citizens more about all that had goes on during the day.

Mayor Garcia told the audience that beginning Saturday, beginning December 11, 2010 he would be available on Saturdays from 9:00 a.m. to 12:00 noon; thereafter he will be in the office on the second and fourth Saturday, also from 9:00 to noon unless meetings arise or conflict with that schedule. He said he would also schedule after hours meetings to accommodate those of you that do have to work strange working hours.

The Mayor then announced that the Festival of Lights will be held Saturday, December 18, 2010b and will begin promptly at 5:00 p.m. with the lighting of the Christmas tree and the arrival of Santa. City Hall employees will be serving hot cocoa and cookies.

Mayor Garcia mentioned that he and the Board will be holding a workshop/special meeting on Monday at 6:00 pm to have all engineers, contractors, architects, etc. currently working on City building projects to address the Board, allowing the Board to have an opportunity to ask questions and understand their working process, invoicing and change orders.

(See Exhibit A - Transcript for Details)

OATHS OF OFFICE

Re: Record the Oaths of Office of the Board of Mayor and Aldermen

Spread on the Minutes the following Oaths of Office: **(EXHIBIT B)**

1. Mayor David A. Garcia
2. Alderman Lili Stahler, Ward 1
3. Alderman Ricky Geoffrey, Ward 2
4. Alderman Shane Lafontaine, Ward 3
5. Alderman Mark Kidd, Ward 4

ALDERMEN'S COMMENTS

Re: Alderman Stahler said that she is delighted to be serving under Mayor David Garcia for the next 4 years and glad have another 4 years to serve.

Re: Alderman Geoffrey said that he feels the same way, adding that he glad to be elected for another four years and welcomed the new Board members.

Re: Alderman Lafontaine thanked those who voted for him and plans to give a 100% percent effort over the next 4 years.

Re: Alderman Kidd said that he is excited to be Ward 4 Alderman, noting there is much work ahead and that everyone look at each other as family and friends, working together on projects, since there is so much to accomplish.

PUBLIC COMMENTS:

Re: Mr. Mike Kopke said "Good Luck"

ELECTION 2010

Re: Election Results of the December 7, 2010 General Election

Spread on the Minutes the Official Results of the 12/7/10 General Election, as certified by City of Waveland Election Commissioners and Registrar of Voters. **(EXHIBIT C)**

APPOINTMENTS/CITY HALL/FIRE DEPARTMENT/POLICE DEPARTMENT/COURT DEPARTMENT

Re: Approve appointments as submitted by Mayor David Garcia

Alderman Geoffrey moved, seconded by Alderman Kidd for Mayor Garcia to appoint the following:

- a. City Clerk – Lisa B. Planchard
- b. Deputy City Clerk -Tammy Fayard
- c. Registrar of Voters – Lisa B. Planchard
- d. Deputy Registrars of Voters – Tammy Fayard, Rhonda Cummings
- e. Fire Chief – Mike Smith
- f. Assistant Fire Chief – Tony Mallini
- g. Police Chief – James Varnell
- h. City Attorney – Gary Yarborough
- i. Court Clerk – Paula Fayard
- j. Mayor Pro-Tem – Ricky Geoffrey

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

DEPOSITORY/CITY HALL

Re: Mayor David Garcia, City Clerk Lisa Planchard and Mayor Pro-Tem, Ricky Geoffrey to act as signatories on the depository accounts

Alderman Stahler moved, seconded by Alderman Kidd to approve David A.Garcia as Mayor, Lisa Planchard as City Clerk and Alderman Ricky Geoffrey as the (3) three primary signatories on the depository accounts; Sharon Jacobi and James Varnell are signatories on (2) ancillary accounts each related to their Departments (Note: two signatures are required for each check written). **(EXHIBIT D)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

MINUTES

Re: Regular Meeting of November 17, 2010 and the Special Meeting and the Special Meeting of December 2, 2010

Alderman Geoffrey moved, seconded by Alderman Stahler to approve the minutes of the Regular meeting of November 17, 2010 and to include the transcript of the Court Reporter, thereto. Also approve the minutes of the Special meeting of December 2, 2010, both sets as presented by the City Clerk. **(EXHIBIT E)**

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 Lafontaine moved, seconded by Alderman Kidd to approve the RSVP Claims.
(EXHIBIT F)

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 Numbers 67283-67442

Alderman Stahler moved, seconded by Alderman Kidd to approve the Docket of Claims, as submitted by the City Clerk, being numbered **67283-67442**, except numbers 67306, 67307 and 67339. **(EXHIBIT G)**

During discussion Alderman Lafontaine questioned Item No. 67302 for Advance Collision related to the repair of a Ford Escape in the amount of \$2,853.00. City Clerk Lisa Planchard explained that an 18 wheeler hit a transformer causing damage to the vehicle at the Animal Shelter and noting that the City had to pay for the repairs and will be reimbursed by insurance of the other driver. Alderman Lafontaine then questioned Docket No. 67306 and 67307 from AMEC. Mrs. Planchard stated that the City had hired AMEC to prepare applications for and perform grant management related to Hazardous Mitigation Projects for drainage and the acquisition of 18 parcels of property which were considered repetitive loss properties. Alderman Lafontaine said his concern was not for what the item was for, but why was the item listed on the docket and current agenda, both to be approved for payment. Mayor Garcia recognized Recovery Manager Brent Anderson who recommended that Alderman Lafontaine check the invoice number listed on the agenda with the invoice number attached to the docket number invoice. Mr. Anderson also explained that he would explain more at the Monday special meeting. Alderman Lafontaine then inquired about Docket No. 67313 for Benchmark Construction (Business Incubator). Mr. Anderson said that he had checked on this yesterday and had a meeting about it as well. He said this payment had been approved on the last agenda and subsequently was scheduled for payment on the current docket. Alderman Lafontaine also questioned Docket No. 67339 from Compton Engineering related to the Harbor, Boat launch and Lighthouse Project (and on the current docket). The Board agreed to discuss this item further Monday night at the Special meeting. Alderman Lafontaine questioned docket items 67394, 67397 and 67405, all of which explanation was provided to grant payment. Alderman Kidd then questioned docket item no. 67406 to Nicholas Haas. City Attorney explained this monthly expense for public defender fees.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

INVOICE/DOCKET/AUDIT: Fiscal Year 09/30/08

Re: Invoice from Wright, Ward, Hatten and Guel

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve payment of an invoice from Wrightm Ward, Hatten and Guel in the amount of \$29,705.00 – Audit, Fiscal Year 09/30/2008 (includes financial and single audits). Jennifer Bell, CPA was present to discuss, also noting that she anticipates beginning the 9/30/09 audit shortly after the new year begins and expects to have it completed by May 2011.

(EXHIBIT H)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CITY HALL

Re: Mayor John Thomas Longo to purchase his former City phone at fair market value

Alderman Stahler moved, seconded by Alderman Kidd to approve former Mayor John Thomas Longo to purchase his city cell phone. The Board declared this property as surplus and is selling to the former mayor at a cost of \$49.00 (i.e. this was what the City paid for the phone).

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

ANIMAL SHELTER/CITY HALL

Re: Transfer one 2006 Navy Blue Dodge Truck from City Hall to Animal Shelter

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve transferring one (1) 2006 Navy Blue Dodge Ram truck, VIN# 1D7HU18N46J112760 from City Hall to the Animal Shelter for the Animal Control Officer's use.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

EVENTS/PARADES

Re: Krewes of Nereids and Hancock to present their annual Mardi Gras Parade

Alderman Stahler moved, seconded by Alderman Geoffrey to approve a request from the Krewes of Nereids and Hancock to present their annual Mardi Gras parade on February 27, 2011. (Motion tabled by Board at November 3, 2010 meeting to be presented to new Board for action). Both Krewe's shall provide Certificates of Insurance prior to parading in the city limits. Ms. Sue Ashman was present and said that this was the 44th year for the Nereids parade in the City of Waveland.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

HOLIDAY SCHEDULE/PERSONNEL

Re: Declare the Holiday Schedule for the 2010-2011 year

Spread on the Minutes the Holiday Schedule for the fiscal year 2010-2011, as approved by the Board of Mayor and Aldermen. (EXHIBIT I)

**PLANNING AND ZONING
(EXHIBIT J)**

Re: Alfred Reynolds, 229 Gulfside Street

Tabled request for Alfred Reynolds for a variance of 10' from the required side yard setback in order to construct a 30' x 14' accessory structure and a variance of 2 ½' from the required side yard setback in order to construct a 10' x 20' accessory structure on his property located at 229 Gulfside Street. Legal description: Lots 253-256, Gulfside Sites Subdivision, City of Waveland, Hancock County, Mississippi.

Commissioner Steve Hand said that at the regular meeting of the Board of Mayor and Aldermen on November 3, 2010, the Board of Mayor and Aldermen voted to amend and approve the following: To encourage the relocation to the rear yard a ten by twenty foot shed located in the east, side yard of 229 Gulfside Street, which shed was permitted in error by the City, and encourage storage structure consolidation in the rear yard, The Board of Mayor and Aldermen hereby approves variances to allow three sheds in the rear yard, which sheds may be sited as close as ten feet to the rear property line and five feet to a side property line.

Zoning Official Steve Hand stated that this issue did not need to be brought before the Board of Mayor and Alderman as it was approved at the last meeting and Mr. Reynolds discussed the issues with staff and Alderman Geoffrey who helped him come to a solution.

City Attorney Yarborough stated that for a matter of record only, this issue did not need to be placed on the 12/9/10 agenda of the Board of Mayor and Aldermen.

Re: Robert and Betty Richards, Jr, 133 Dane Road

Robert and Betty Richards, Jr. appeared before the commission with a request for a variance of 15' from the required rear yard setback in order to place a modular home on their property located at 133 Dane Road. Legal description: Lots 15 & 16, part of lot 14, Block 1; Jeff Subdivision, City of Waveland, Hancock County, Mississippi

Steve Hand moved, seconded by Mary Beth Denney to recommend the following: To provide for the retention of two Large Oak trees on the property at 133 Dane Road while providing adequate space for the construction of the planned residence, the Planning and Zoning Commission recommends that the Board of Mayor and Aldermen grant the applicants a variance to allow a rear yard setback of ten feet, provided that the live oaks are fully protected during construction and that no further variances will be granted for the project.

Alderman Stahler moved, seconded by Alderman Geoffrey to approve this issue and follow the recommendation of the Planning and Zoning Board.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

HANDBOOK/PERSONNEL

Re: Amend the Employee Handbook, Paragraph 3, 'CITY VEHICLES AND OTHER CITY OWNER PROPERTY'

Alderman Kidd moved, seconded by Alderman Lafontaine to amend the Employee handbook, Paragraph 3 under the heading of CITY VEHICLES AND OTHER CITY-OWNED PROPERTY to read as following: **(EXHIBIT K)**

A City vehicle driven by a city employee/city official is to be used exclusively for City business. No personal use of the city vehicle is permitted. No one is allowed as a passenger in the vehicle other than another city employee or government official **without the express written request to and approval by the Mayor.** A City issued fuel card is for the express use of the City vehicle and may not be used to fuel a personal vehicle or any other vehicle than the one assigned to the employee/official. Cost of travel use of personal vehicle for authorized City business will be reimbursed, with Board pre-approval, upon receipt of Expense Report (with attached receipts) stating the purpose of use, date and mileage to and from event/business location.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CONTRACTS/AGREEMENT, BBI

Re: Annual Software Maintenance Agreement

Alderman Kidd moved, seconded by Alderman Geoffrey to approve Annual Software Maintenance Agreement with BBI, Inc., including required signatures. Renewal of the software agreement includes, unlimited toll-free telephone assistance, unlimited modem support, free program enhancements and free after hours phone support. City Attorney Yarborough said he is in agreement with the terms of the contract language and there is a 12/31/10 renewal date.

(EXHIBIT L)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: Annual Hardware Agreement

Alderman Geoffrey moved, seconded by Alderman Kidd to approve the Annual Hardware Agreement with BBI, Inc., including required signatures, for scheduled equipment to include on-site service, installation of hardware, preventative maintenance, initial maintenance and support, and extended maintenance and support. City Attorney Yarborough said he is in agreement with the terms of the contract language and there is a 12/31/10 renewal date. **(EXHIBIT M)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CIVIC CENTER

Re: Community Education to hold classes in the Civic Center

Alderman Stahler moved, seconded by Alderman Lafontaine to approve Community Education use of the Civic Center at no charge. Classes include Yoga and Chair Caning. **(EXHIBIT N)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

BUILDING DEPARTMENT

Re: Refund Mr. Nathan Turnquist for Change of Occupancy fee

Alderman Geoffrey moved, seconded by Alderman Kidd to approve a refund in the amount of \$25.00 to Mr. Nathan Turnquist for Change of Occupancy fee. Mr. Turnquist never occupied the building.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

PERSONNEL/COMPTROLLER/UNEMPLOYMENT

Re: Mississippi Department of Employment Security, Payment

Alderman Kidd moved, seconded by Alderman Lafontaine to approve Mississippi Department of Employment Security Payment Agreement: \$78,724.02 for 1st, 2nd, and 3rd quarter 2006 unemployment benefits. This shall be paid in 3 equal installments of \$26,241.34 with the first payment due 12/31/10 (on current docket), 2nd due 3/31/11 and third due 6/30/11. Comptroller, Tom Worrel was present to explain the necessity to pay this invoice. Alderman Lafontaine asked about the appeals process for unemployment claims. Mr. Worrel offered explanation. **(EXHIBIT O)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

REQUESTS FOR CASH REIMBURSEMENTS/CENTRAL FIRE STATION/HARBOR, BOATLAUNCH AND LIGHTHOUSE

Spread on the minutes the following Requests for Cash Reimbursements (RFC's) (as listed, Items a-c): **(EXHIBIT P)**

- a. #R-118-379-01-HCCR in the amount of \$6,174.16 - Central Fire Station.
- b. #R-118-379-01-HCCR in the amount of \$160,557.51 – Central Fire Station.

6:30 p.m.

- c. #R-118-379-04-HCCR in the amount of \$24,183.70 – Harbor, Boat launch, and Lighthouse.

ELECTION 2010/PUBLIC WORKS

Re: Resignation of Crystal Cato as Deputy Registrar of Voters

Alderman Geoffrey moved, seconded by Alderman Kidd to approve the resignation of Ms. Crystal Cato as Deputy Registrar of Voters. **(EXHIBIT Q)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CITY HALL/TRAVEL

Re: Board of Mayor and Aldermen: 2011 Mid-Winter MML Conference in Jackson, MS

Alderman Stahler moved, seconded by Alderman Lafontaine to approve travel for the Board of Mayor and Aldermen to attend the 2011 Mid-Winter Legislative Conference in Jackson, Mississippi from January 25-27, 2011. Cost to the City will be a registration fee of \$125.00 per person, lodging \$109.00 per night per person, 3 days per diem, and reimbursement for travel.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

RECESS MEETING

Re: Recess meeting at 7:45 p.m.

Alderman Geoffrey moved, seconded by Alderman Kidd to recess the meeting at 7:45 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Garcia on December 28, 2010.

Lisa Planchard
City Clerk

The Minutes of December 9, 2010 have been read and approved by me on this day the 28th day of December, 2010.

David A. Garcia,
Mayor