

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 21, 2011 at 6:30 p.m. to take action on the following matters of city business.

Present at the meeting were Mayor David A. Garcia and Aldermen Stahler, Geoffrey, Lafontaine and Kidd.

Also present at the meeting was Deputy City Clerk Tammy Fayard and City Attorney Gary Yarborough.

Absent from the meeting was City Clerk Lisa Planchard who was on vacation.

ROLL CALL

Mayor Garcia asked to let the record reflect the presence of all 4 ward's Aldermen along with Deputy City Clerk Tammy Fayard and City Attorney Gary Yarborough.

MAYOR'S REPORT – (EXHIBIT A)

(Tape of meeting for listening available via records request, in Meeting folder)

Re: Mayor Garcia presented a plaque to Mr. William Henry for his 31 years of service to the City. The Mayor also took this opportunity to thank everyone involved with the tree planting project and asked Alderman Stahler to provide an update on the project. He noted handouts given to the Board and asked the Board to set a special workshop with the Keep Waveland Beautiful Committee to discuss blighted properties; the workshop was set for January 10, 2012.

ALDERMEN'S COMMENTS

Re: Alderman Stahler recognized the donation of trees from the Urban Forestry Council and discussed the location of the recently planted trees. Alderman Stahler also said Recovery Manager Brent Anderson was invaluable assisting as backhoe operator.

Re: Alderman Geoffrey asked Mr. Anderson about Ms. Polly Chester's drainage issues on Duthu Street and the broken water line on Spanish Cove. Mr. Anderson said the ditches on Duthu are filled with water and have slime in them. He said the locate for Spanish Cove is what they were waiting for to repair the line.

Re: Alderman Lafontaine asked about the culvert on Margie Street by the S-Curve. Mr. Anderson said she will be putting in her own culvert and has to move the grinder line.

Re: Alderman Lafontaine also inquired about meter changes. Mr. Anderson said it was going well. Mayor Garcia also commented on the issue with Ms. Chester

Re: Alderman Kidd said that he spoke with Mike Bell (who spoke with Mr. Bruce Newton regarding 'sinking ground') and, in fact had photographs of the sinking ground. Mr. Kidd also said the survey at Mr. Craig Lafontaine's house had not been done.

Alderman Kidd also asked for the road to be repaired by the old "Our Shopping Center" that was otherwise damaged during the water line construction project.

MINUTES

Re: Minutes of December 6, 2011

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve the minutes of the meeting of December 6, 2011 as submitted by the City Clerk. **(EXHIBIT B)**

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 No's 69684-69759 – Docket presented December 6, 2011

Spread on the Minutes the Docket of Claims approved by the Board at their last November 1, 2011 Board meeting, being numbered 69684-69759 as submitted by the City Clerk. (EXHIBIT C)

DOCKET OF CLAIMS

Re: Approve Payment of highlighted invoices on Docket spreadsheet

Alderman Kidd moved, seconded by Alderman Lafontaine to approve Payment of Highlighted Invoices (yellow with letter 'D') listed on the proposed 12/21/2011 Docket schedule, as submitted by the City Clerk.
(EXHIBIT D)

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 Geoffrey moved, seconded by Alderman Stahler to approve the RSVP Claims as submitted. (EXHIBIT E)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**CHANGE ORDER/CITY HALL – CITY HALL ANNEX/FIRE STATION-
COLEMAN AVENUE**

Re: Change Order 9 from DNP, Inc.

Alderman Kidd moved, seconded by Alderman Geoffrey to approve Change Order 9 from DNP, Inc. in the amount of \$30,842.76 for an increase of 92 calendar days in construction time – City Hall/City Hall Annex and Fire Station; approval shall be contingent upon MDA's approval. (EXHIBIT F)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

**TIDELANDS FUNDS/PEDESRIAN PATHWAY/INVOICES / CHANGE
ORDERS/PUBLIC APPEARANCES**

**Re: Engineer Jimmy Catt – Discuss Closeout Package, Waveland Pedestrian
Pathway**

Engineer Jimmy Catt with Compton Engineering and Mickey Lagasse, also with Compton Engineering, were present to discuss issues related to Tidelands Funds, specifically the Pedestrian Pathway including: A) Closeout Package including Contractor Pay Estimate #8 and Change Order #2 and B) the DMR Notice of Completion packet.

** (NOTE: Item shall be revisited at a subsequent meeting after the Mayor has had an opportunity to meet further with Compton Engineering to discuss options related to the above issue)

KEEP WAVELAND BEAUTIFUL/PUBLIC APPEARANCES

Re: Ms. Melinda Tucker with Keep Waveland Beautiful was present and updated the Board of Aldermen re: same

CITY HALL/PURCHASING

Re: Approve Windstream quote for T-1 bundle

Alderman Stahler moved, seconded by Alderman Lafontaine to approve Windstream quote for T-1 Bundle (City Hall Complex) for \$734.07 per month. (Note: for a 3 year term with cancellation for cause provision) **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, and Kidd

Voting Nay: Lafontaine

Absent: None

PERSONNEL/CITY HALL/POLICE DEPARTMENT/FIRE DEPARTMENT/ANIMAL SHELTER/COURT DEPARTMENT /PUBLIC WORKS

Re: One time pay period change to bring all pay periods in synch

Alderman Stahler moved, seconded by Alderman Geoffrey to approve a one-time pay period change to bring all pay periods to a 25 December 2011 pay period ending date.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: Approve bi-weekly pay period schedule beginning with the pay period after December 25, 2011

Alderman Kidd moved, seconded by Alderman Geoffrey to approve a citywide bi-weekly pay period schedule beginning with the pay period beginning after 25 December 2011, a Sunday, with pay day set for the Wednesday following the Sunday pay period.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, and Kidd

Voting Nay: Lafontaine

Absent: None

CONTRACTS/COURT DEPARTMENT/UTILITIES DEPARTMENT/ PERSONNEL

Re: Approve software contract

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve software contract with BBI for Court, Utility, Meter Reading, Budgetary and Payroll at a cost of \$6060.00. Note: No hardware contract. **(EXHIBIT I)**

Note: Mr. Lafontaine noted (at meeting of 1/3/2012 where these minutes were ratified, that approval was conditionally approved on if BBI would not give a 6 month contract. It was subsequently learned by City Clerk Planchard (1/4/2012) that BBI does not provide partial year contract provisions; that Cities purchase only the unit(s)/software module(s) they want for upcoming contract 1 year term. This was discussed with each Board member who each verbally authorized City Clerk Planchard to sign the contract and purchase the proposed software modules presented to them at the meeting of 12/21/2011.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CONTRACTS/TELEPHONES/CELLPHONES
Re: Table approval of contract for Cellular Service

Alderman Kidd moved, seconded by Alderman Stahler to **TABLE** cellular phone contract with (Cellular South, Inc. or Verizon Wireless: see quotes) for a period of _____ year(s).

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

CHANGE ORDERS/2009 CDBG SEWER SYSTEM EXTENSION PROJECT/BUSINESS INCUBATOR
Re: Consider Change Orders for Approval

Alderman Stahler moved, seconded by Alderman Kidd to approve the following Change Orders, as submitted by various contractors and recommended for approval by Recovery Manager Brent Anderson, as listed: (Items a-b) **(EXHIBIT J)**

- a. Change Order 4 from S.H. Anthony in the amount of \$2,117.88 for final justification of the quantities - 2009 CDBG Sewer System Extension Project.
- b. Change Order 2 from Benchmark Construction proposing an increase in contract time of 381 days – Business Incubator.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

TIDELANDS/PEDESTRIAN PATHWAY/BUSINESS INCUBATOR/CENTRAL FIRE STATION/REVENUES AND EXPENSE REPORT/APPOINTMENTS/CITY HALL/PERSONNEL/PURCHASING/CHANGE ORDER/MDA/BUSINESS INCUBATOR

Re: Request for Cash Reimbursements

Re: The Month of November 2011 – Revenue and Expense Report

Re: Certificate of Substantial Completion for the Business Incubator

Re: Re-appoint Mr. Charles Gallagher to the Port and Harbor Commission term to coincide with new Governor's term

Re: Resignation of Ms. Joy Normand from the Purchasing Department
Re: Denial letter received from MDA regarding the Central Fire Station's 3rd floor

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

- a. Request for Cash Reimbursements as listed (Items 1-3):
 1. Tidelands Project Number FY2011-P112, Tidelands pay request #12 in the amount of \$9,100.00 – Waveland Pedestrian Pathway. **(EXHIBIT K)**
 2. R-109-379-04-KCR, #27, in the amount of \$2,506.00 – Business Incubator. **(EXHIBIT K)**
 3. R-118-379-01-HCCR, #28, in the amount of \$239,080.97 – Central Fire Station. **(EXHIBIT K)**
- b. Spread on the minutes the Revenue and Expense Report for the month of November, 2011 presented at this, the second meeting of December, 2011 as presented by Comptroller Janet Dudding. **(EXHIBIT L)**
- c. Spread on the minutes approval of the Certificate of Completion for the Waveland Business Incubator and signatures thereon. **(EXHIBIT L)**
- d. Spread on the minutes the re-appointment of Mr. Charles Gallagher to the Port and Harbor Commission for a term to coincide with Governor Elect Phil Bryant. **(EXHIBIT M)**
- e. Spread on the minutes the resignation of Ms. Joy Normand effective December 15, 2011.
- f. Spread on the minutes denial by MDA of Change Order #6 from GM&R regarding redesign of Central Fire Station third floor. **(EXHIBIT N)**

CENTRAL FIRE STATION/HMGP/ HMGP Ap FOR DRAINAGE/WATER SYSTEM EXTENSION – ANNEXED AREA/INVOICES/PAY REQUESTS

Re: Payment of invoices from various contractors

Alderman Geoffrey moved, seconded by Alderman Lafontaine 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-e): **(EXHIBIT O)**

- a. Pay Application No. 20 from GM&R in the amount of \$235,611.00 – Central Fire Station.
- b. Invoice X16326349 from AMEC Earth and Environmental in the amount of \$397.10 – Task Order #12, HMGP Ap for Drainage.
- c. Invoice # S0232848 from AMEC Earth and Environmental in the amount of \$75.89 – Task Order #12, HMGP Ap for Drainage.
- d. Invoice #X17326196 from AMEC Earth and Environmental in the amount of \$98.25 – Task Order #12, HMGP Ap for Drainage.
- e. Invoice No. 702-34-28 from Digital Engineering in the amount of \$14,862.13 – Water System Extension-Annexed Area.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

2009 CDBG SEWER SYSTEM EXTENSION/INVOICES/PAY REQUESTS

Re: Payment of invoices from various contractors

Alderman Geoffrey moved, seconded by Alderman Lafontaine to **TABLE** the following invoice submitted by SH Anthony, Inc. for payment consideration contingent upon receiving funding from grant sources, as submitted by Recovery Manager, Brent Anderson and listed: (Item a)

- a. Payment Request No. 15 (Final) from S.H. Anthony, Inc. in the amount of \$84,274.03 – 2009 CDBG Sewer System Extension.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Discuss personnel issues, City Hall and potential litigation Police Department.

Alderman Lafontaine moved, seconded by Alderman Geoffrey to consider going into Executive Session to discuss personnel issues, City Hall and potential litigation Police Department.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Alderman Geoffrey moved, seconded by Alderman Stahler to go into Executive Session to discuss personnel issues, City Hall and potential litigation Police Department.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

With no positive or negative action taken, Alderman Kidd moved seconded by Alderman Geoffrey to come out of Executive Session.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

AMENDA AGENDA/HOLIDAY SCHEDULE/PERSONNEL/CITY HALL/FIRE DEPARTMENT/POLICE DEPARTMENT/PUBLIC WORKS/COURT DEPARTMENT/ANIMAL SHELTER

Re: Amend agenda to adopt the Governor's Holiday Schedule

Alderman Geoffrey moved, seconded by Alderman Stahler to amend the agenda to include the Christmas and New Year's holidays proclaimed by Governor Barbour.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Re: Adopt the Holiday Schedule as proclaimed by Governor Haley Barbour

Alderman Geoffrey moved, seconded by Alderman Stahler to adopt the proclaimed Christmas and New Year's holiday schedule proclaimed by Governor Barbour.
(EXHIBIT P)

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, and Kidd

Voting Nay: Lafontaine

Absent: None

ADJOURN

Re: Adjourn meeting at 10:32 p.m.

Alderman Lafontaine moved, seconded by Alderman Geoffrey to adjourn the meeting at 10:32 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 January 5, 2012.

Lisa Planchard
City Clerk

The Minutes of December 21st, 2011 have been read and approved by me on this the 5th of day of January, 2012.

David A. Garcia
Mayor

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