

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 June 6, 2017 at 6:30 p.m. to take action on the following matters of City business.

**PUBLIC COMMENTS:**

- Ms. Myrna Greene with Hancock County Tourism was present to discuss various grants she applies for related to advertising and tourism.

**ROLL CALL:**

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

**MAYOR'S COMMENTS**

**Re: Billboard and Digital Advertising with Lamar Advertising of the Mississippi Gulf Coast**

Alderman Burke moved, seconded by Alderman Piazza to approve billboard and digital advertising with Lamar Advertising of the Mississippi Gulf Coast for \$1,000.00 regarding Destination Waveland.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Mrs. Yarborough noted for the record, "And that is with the usual finding that the advertising will bring the City into a positive light."

**MAYOR'S COMMENTS**

Re: Mayor Smith noted his graduation from the Leadership Class that he has attended over the past year.

Re: Thursday will be a "Think-Tank" meeting for Economic Development; there will be a professional that is volunteering that is willing to do a strategic plan for Waveland free of charge. The Mayor said they will get with the Board and announce a date for a Public meeting related to their findings.

Re: Tomorrow is ground breaking for the walking path that will continue it all the way to the Silver Slipper.

**ATTORNEY'S COMMENTS**

**Re:** With regard to the bid opening for the Waveland Lighthouse and Public Pavilion Project, Mrs. Yarborough discussed a clarification that was issued by Compton Engineering today at 3:30 p.m. today. She said that under the bidding requirements required by State Law, no addendum to bid specifications may issued within 2 working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum. Mrs. Yarborough said, "Although what was issued was labeled a "clarification", it could be argued and an unsuccessful bidder could take the position that it was actually an addendum and challenge any successful and lowest bidder. Mrs. Yarborough said that it was her advice at the time to delay the opening of bids for five working days and hold a special meeting and open those bids so the City can ensure that all the interested/potential bidders received a copy of the clarification and could amend their bids according to those six questions that were clarified. She said in reviewing that clarification, it could have an effect on a submitted bid price, so it was her most conservative advice to reschedule the opening to five days from... so it would actually be next Thursday (June 15, 2017) because they'll have to actually issue a bid opening addendum tomorrow, which will make 5 working days to the date next Thursday.

Alderman Lafontaine moved, seconded by Alderman Piazza to hold a Special Meeting to open bids for the Lighthouse, Pavilion and Bathroom Facility on Thursday, June 15, 2017 at 6:00 p.m.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **ALDERMEN'S COMMENTS**

**Re: Alderman Burke** – No comments at this time

**Re: Alderman Richardson**

- Asked Mrs. Yarborough for an update on the progress made with the “purple plaza”, i.e the Furniture Liquidators Store located on Highway 90 West of Waveland Avenue. Mrs. Yarborough said Litter Control/Blighted Property officer Don Siebenkittel has been working with the property owner to address some of the issues. She said that upon entering the property, there are list of potential Ordinance violations and nuisances. The result of today’s meeting was for each Department Heads present to make a list of the specific violations that they noticed and the specific Ordinance section that it would be in violation of. She said Litter Control Officer, Don Siebenkittel and Building Inspector Bill Carrigee will be conducting a site visit Thursday; there is information to suggest that there were additions to the building that weren’t permitted and there were other obvious zoning issues. She said she thinks it is going to be a lengthy list of violations.
- Discussed the Lacoste car issue on Old Spanish Trail and how the vehicles appear to be moving across the street to Mr. Gary Geoffrey’s convenience store. Mrs. Yarborough said that she told Mr. Siebenkittel to put a time limit on Mr. Geoffrey’s process of the removal of vehicles; the Board did this three months ago.
- Requested Mr. Anderson install more warnings be placed at Nicholson Avenue at McLaurin. He said that people are looking forward to the light at Hwy 90 and don’t notice the flashing light at McLaurin and do not stop at that STOP sign at Nicholson & McLaurin. He suggested we do something to get the attention of drivers not paying attention at that intersection. Chief Allen suggested putting stop signs with flashing red lights, which are at eye level. Mr. Anderson said he would also look into a solution.
- Inquired about Kyle Circle in the Corr Subdivision, cement is getting worse and worse. Mr. Anderson said that legally it’s not the City’s; the subdivision has never been turned over to the City. Mrs. Yarborough said this is probably something we should discuss in Executive Session; she has discussed the City options with the Board, but the residents of Corr Subdivision are welcome to seek separate legal counsel.

**Re: Alderman Lafontaine**

- Asked about milling Waveland Avenue. Mr. Anderson said the project was out for bid, but bid price will depend how much of the road will get milled. He said bids should be opened at the first meeting of July.
- Alderman Lafontaine requested a road guardrail on Ulman Street to the left side, at Edna Street. It’s (Ulman) a road that’s never been cut through by the City.
- Discussed the tracking of the reserve funds and the budget funds. Alderman Lafontaine asked if there, “Is a way that we can take our reserve funds, put that into a separate account; take our budget amount, whatever our budget is for the year and put that into a fund. Now the problem is, I know we can’t carry ourselves from October to March whenever we get our ad valorem in because we average \$170,000 in sales tax (per month)...take enough to carry those 6 months with our budget, put it into a separate account. That way we have 2 accounts; we have one that is our budget operating and one that is our cash reserves, (or our reserve fund). That way anything that comes out of that reserve fund has to have Board approval or Resolution or something along those lines. That way we don’t have to constantly, you know, “Ron, what do we have; what do we have”. Because I know it’s all in one, the Operating Fund, but I’d like to see it set aside as two, almost as a, as I would do at home; put it a savings account and if I spend out of it, you know I mean. Basically, you know the Board would approve it. Each month whenever, on the Revenues and Expense Reports, just report that and one of the things that I requested was just a 5 minute monthly discussion. You know we don’t have to get into the whole detail of it, just a 5 minute monthly discussion of it each month”.
- Mrs. Yarborough said, “I know we call our surplus in the general fund, Reserve Fund, but it’s not necessarily what is legally defined as the Reserve Fund because one, it’s not held in a separate account and we don’t necessarily treat it like a Reserve Fund when we make expenditures from it. I know that we had discussed earlier Lisa, Ron & I, when we were going through our last budget amendment reviewing and recommending a formal reserve fund be established. But the Statute that addresses Reserve Fund is 21-35-22 and it has to be established by the Board. Really, I mean, *it’s designated by the governing authorities for deposit in the Municipalities Reserve Fund shall be deposited in a separate Municipal Account established for this purpose. The interest earned in the Municipalities Reserve Fund shall be credited to the*

*Municipalities Reserve Fund.* So basically instead of the interest accruing to the General Fund, it would accrue to the Reserve Fund and then you would have those certain restrictions”.

- Alderman Lafontaine said, “Now, that Reserve Fund under those limitations; can we spend out of that for an emergency situation or something if we have to amend the budget and we have to pull funds from there. Can we do that by taking out of there with Board action?” Ms. Yarborough said, “Right, it would require Board action, but you could use it for, let’s see, capital outlay, election expenses, payment of emergency warrants and interest thereon, and there are other exceptions too that are outside of this statute, but such things as payment of liabilities, so if we were to settle a lawsuit of some sort, you could use your Reserve Funds to pay for those. But you’re only allowed to spend out of that Reserve Fund as it is allowed by Statute”.
- Alderman Lafontaine said he did not believe we should accept the check from Jeremy (Burke) for the reimbursement of advertising for him to participate in a meeting. Mrs. Yarborough said the check is actually not a reimbursement, it is a donation. It should be a motion for the City to accept a donation and so then the Board can vote to decline it. Alderman Lafontaine said we can change that to a motion whenever we get to it on the agenda.

#### **Alderman Piazza**

- Discussed a ditch on Market Street that he and the Mayor went out and looked at. He said prior to Katrina it had a concrete bottom and shoulders; when Katrina came through it was torn up. Alderman Piazza said he got letters from all the property owners for ROE’s and would like to have the ditch closed up and catch-basins put in; and let the property owners maintain it. That way the City does not have to go in and clean it. Alderman Lafontaine asked how far, how long of catch basins is Alderman Piazza talking about. Mr. Anderson said that it would be about 120 ft. Mayor Smith indicated that this ditch drains to the pond and out past Judy English’s old property (Beach Blvd). Mrs. Yarborough explained that if the Board is required to get Rights of Entry (R.O.E.) from adjacent property owners and it’s not necessarily an improvement only to public property, it requires Board approval. She said this has to be after certain facts are found to be established by the Board. Mrs. Yarborough said if it is causing a drainage problem that affects more than the adjacent property owners, the Board can make the finding that the improvement to the private property or to the drainage channel is required because it would promote the health, comfort and convenience of the inhabitants of the Municipality. She further explained that it would have to make the finding that it would be to the benefit of more than just the adjacent, or one property owner; it has to be more of a benefit than just to one property. She reminded the Board that the ‘corner stone’ of expenditures of public money is that you can only spend public funds for public benefit. There has to be a benefit to the public at large. She said that necessary in that finding is that there is more benefit to the public than just one person. Mrs. Yarborough to Mr. Anderson: “If the proposed work was done as Alderman Piazza suggests, would that alleviate any street flooding or alleviate any drainage issues that affect more than just the adjacent properties owners or one property owner”?
- Mr. Anderson: “It’s sort of similar to, (inaudible) it don’t flood nearly as bad as Bienville, but it would eliminate some roads going through the catch basins sort of the similar design. I’m assuming it would eliminate some of that, but it’s only, you know, that one property, there so”.
- Mrs. Yarborough: “So, it would eliminate road hazards, or...”
- Mr. Anderson: “It’s sort of in the same similar design which has a catch basin on one side of the road”.
- Mrs. Yarborough: “What’s a catch basin”.
- Mr. Anderson: “It’s a grate for the water to fall into and goes under the road instead of across it and then it hits that ditch and then just travels on out”.
- Mrs. Yarborough: “So, what Alderman Piazza is proposing is that... what did you say, 120 linear feet of...”
- Alderman Piazza: “120 linear feet, yes”.
- Mrs. Yarborough: “Is it culvert”.
- Mr. Piazza: “Culvert”.
- Mr. Anderson said its broken concrete at this point, the question is to install culvert and catch basins.
- Mrs. Yarborough: “Is that the only avenue necessary that would alleviate that drainage problem, or first, is there a drainage problem”?
- Mr. Anderson: “Yes, there’s some road ponding caused by it”.
- Mrs. Yarborough: “And what would be the most efficient way to alleviate that road ponding”?
- Mr. Anderson: “My two options to Charlie (Alderman Piazza) were either culvert or subsurface, or go back and re-concrete the ditch as it was to its original state”.
- Mrs. Yarborough: “And, would either of those methods alleviate the road ponding that is causing a safety hazard at that spot”?
- Alderman Piazza: “I’d say yes it would”.

Mrs. Yarborough: "Okay, would you (Mr. Anderson) say yes, it would"?

Mr. Anderson: "Yes".

Mrs. Yarborough: "So basically what I would suggest, this has to be done by resolution, kind of in that order, with the findings, that, you know there exists a health and safety hazard, that the crumbling of the concrete ditching is causing road pooling, and as such, as proposed for a 120 linear feet of culvert along this ditching on this drainage way, would alleviate said safety hazard. Therefore the Board finds that it necessary and appropriate and would promote the health comfort and convenience of the inhabitants of the City of Waveland to have such ditching".

Mr. Anderson: "It's causing some erosion on that south side towards that house, so that's why I propose a subsurface drain through there".

Mrs. Yarborough: "So it would also alleviate erosion".

Mr. Anderson: "Yes".

Mrs. Yarborough: "Okay, so I think it fits possibly two prongs if the Board were to make those findings of fact that would make it possible to make those improvements. Who are the affected property owners"?

Mr. Anderson: "I don't know".

Alderman Piazza: "Morris, DiCostantino, Cunningham and Dufrene".

Mrs. Yarborough: "And you have their ROE's."

Alderman Piazza: "Yes, I do."

Ms. Yarborough: "I mean like formally, or do you need me to write something up"?

Alderman Piazza: "No, I got handwritten letters from these people".

Mrs. Yarborough: "I would suggest that, I mean it's required, that there be a Board finding by Resolution, which has to be in writing. I could probably craft one before we leave here if it's what you would want and then you can vote on it and review it".

Alderman Piazza: "Yea, let's do it."

## **PROCLAMATIONS**

### **Re: Presentation of Proclamation Congratulating the Vancleave Live Oak Choctaw as Native American Tribe**

Mayor Smith made a presentation of a Proclamation commending and congratulating the Vancleave Live Oak Choctaw for their effort in establishing recognition as a Native American Tribe.

## **DOCKET OF CLAIMS**

### **Re: Claims**

Alderman Richardson moved, seconded by Alderman Piazza to approve the Docket of Claims (excluding the Streets Payroll portion) in the amount of \$393,458.67 dated June 6, 2017 as submitted. **(EXHIBIT A)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

## **MINUTES**

### **Re: Minutes of Regular Meeting of May 17, 2017**

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the Minutes of the Regular Meeting of May 17, 2017.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, & Lafontaine

Abstain: Piazza

Voting Nay: None

Absent: None

**Re: Special Meeting - Minutes of May 11, 2017**

Alderman Richardson moved, seconded by Alderman Burke to approve the Minutes the Special Meetings of May 11, 2017.

A vote was called for with the following results:

Voting Yea: Richardson, Lafontaine & Smith

Abstain: Burke & Piazza

Voting Nay: None

Absent: None

**Re: Special Meeting - Minutes of May 12, 2017**

Alderman Burke moved, seconded by Alderman Richardson to approve the Minutes of the Special Meeting of May 12, 2017.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Abstain: Burke and Lafontaine

Voting Nay: None

Absent: None

**Re: Special Meeting – Minutes of May 25, 2017**

Alderman Burke moved, seconded by Alderman Lafontaine to **TABLE** approval of the minutes of Mayor 25, 2017.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine &

Abstain: Piazza

Voting Nay: None

Absent: None

**BOARD MEETINGS**

**Re: Change July 4, 2017 Meeting Date to July 5, 2017**

Alderman Burke moved, seconded by Alderman Lafontaine to change the July 4, 2017 meeting to July 5, 2017 due to the Fourth of July Holiday. (Note: There is a bid opening already advertised for July 5, 2017 opening re: Resurfacing Garden Lane).

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**BUILDING DEPARTMENT/PERSONNEL**

**Re: Building Department Manager, David Draz to sign Purchase Requisitions**

Alderman Lafontaine moved, seconded by Alderman Richardson to approve David Draz, Building Department Manager, to sign Purchase Requisitions.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**AGREEMENTS/POLICE DEPARTMENT/AUCTIONS/SURPLUS PROPERTY**  
**Re: Approve Agreement with Jeff Martin Auctions, Inc. and Authorize Mayor's Signature thereon**

Alderman Piazza moved, seconded by Alderman Burke to approve an Agreement, including Mayor's signature, with Jeff Martin Auctions, Inc. for the Auction and Sale of one Black 2008 Ford Expedition 1FMFK16588LA86693. This vehicle was declared surplus and approved to be auctioned by the Board at their meeting of 4/19/17. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**POLICE DEPARTMENT/PURCHASING/INVENTORY**  
**Re: Approve immediate Purchase of 4 new Ford Explorers for Police Department**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve immediate purchase from surplus funds of 3 new Ford Explorers, at \$32,918.00 each, from the General Fund (total of \$98,754.00) and 1 vehicle out of NTF Fund at a cost of \$32,918 plus the cost of the radios and striping installs for all 4 vehicles, i.e. a total of \$35,922.00 from the NTF fund ( $\$32,918.00 + 3,004.00 = \$35,922.00$ ). (Vehicles are State Contract) **(EXHIBIT C)**

Investigator Sekinger explained that with as old as the police fleet is, and with these 4 new vehicles this year, we really should replace 3 per year to keep the fleet so that it does not get in such a state of disrepair as we currently are. He added that this will cycle every vehicle out about every 5 years.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**FIRE DEPARTMENT/TRANSFER OF EQUIPMENT/PARKS & RECREATION DEPARTMENT/INVENTORY**  
**Re: Transfer of one 2005 Ford Excursion from the Fire Department to the Parks and Recreation Department**

Alderman Piazza moved, seconded by Alderman Richardson to approve the transfer of one 2005 Ford Excursion VIN# 1FMNU41S65EB52677 from the Fire Department to the Parks and Recreation Department.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**CITY HALL/PURCHASING/CONTRACTS**

**Re: Cancel Sharp Copy Machine Contract (Serial number MXM314N) in Mayor's Office**

Alderman Burke moved, seconded by Alderman Richardson to cancel Sharp copy machine (Serial number MXM314N) Contract #8200017781 in Mayor's offices, savings of \$1539 annually.  
**(EXHIBIT D)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**PERSONNEL/POLICE DEPARTMENT/FIRE DEPARTMENT/PUBLIC WORKS/STREETS DEPARTMENT**

**Re: New Hires, Officer Brandon Farmer (Full-Time Police), Mr. Austin Sellers (Full-Time Police Officer), Mr. Austin Clark (Part-Time Firefighter), Mr. Gerald Christmas (Street's Department), Mr. Terrance Gerald (Street's Department)**

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the following new hires, pending passage of drug tests, as listed (Items a-e):

- a) Officer Brandon Farmer as a full time Police Officer at a rate of \$14.41 per hour effective June 7, 2017
- b) Mr. Austin Sellers for a new full time Police Officer position at a rate of \$13.39 per hour effective June 7, 2017. (Not Currently Budgeted).  
During discussion, Chief Allen said he and the Comptroller researched and the Police Department budget is currently under budget sufficient to absorb this position without negative impact to that budget. Mr. Duckworth said that through 9/20/17, total personnel costs for this employee should be approximately \$13,000.
- c) Mr. Austin Clark as a part-time Firefighter at a rate of \$9.00 per hour. Mr. Clark is a certified Firefighter and will not require training.
- d) Mr. Gerald Christmas in the Street's Department at a rate of \$10.00 per hour (to replace recent termination).
- e) Mr. Terrance Gerald in the Street's Department at a rate of \$10.00 per hour.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**POLICE DEPARTMENT/PURCHASING**

**Re: Purchase 2 Portable Breath Testers (Intoximeters) and 8 new Tasers (Axon)**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve the purchase of the following for the Waveland Police Department, using NTF Funds, as listed: (Items a-b) **(EXHIBIT E)**

- a) 2 new Portable Breath Testers from Intoximeters at a total of \$952.50. All of the Department PBT's are broken and are hindering the Department's ability to do DUI's.
- b) 8 new Tasers from AXON enterprises, Inc. (former Taser International), at a total cost of \$9,886.88. This is replace broken Tasers and have enough available for all Officers. (Sole Source Provider letter uploaded to OneDrive).

Mrs. Yarborough said that on the sole source issue, b) above, Police Chief David Allen submitted a letter certifying that the Tasers; *Axon Enterprises is the only seller of Taser type products, and that the Waveland Police Department currently uses Taser Brand Products exclusively and that they have software that's compatible only with that data of the device usage, and that would make the process of retaining and storing Taser usage data unnecessarily complicated if they were to use another product.*

Chief Allen added that Axon is Taser, they just changed their name. Mrs. Yarborough said under the mandates of the public bid laws in 31-7-13(M), subsection 8, *the requirement that there be 2 competitive requested bids should be considered waived due to the item only being available from one source and that this is a non-competitive item.* Mrs. Yarborough added that if the Board approves this expenditure, it's necessarily making those findings. She submitted a letter from Axon Enterprises as an Exhibit, as well as a letter from Axon Enterprises indicating that they are a sole source provider. (Exhibit E above)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **TRAVEL/FIRE DEPARTMENT/TRAVEL**

##### **Re: Firefighter Tim Burchett to Mississippi State Fire Academy for Fire Inspector Class**

Alderman Piazza moved, seconded by Alderman Lafontaine to approve travel for Firefighter Tim Burchett to the Mississippi State Fire Academy June 19-29, 2017 for the Fire Inspector class 1031-I. Cost to the City will be \$885.00 for the class (which includes lodging, breakfast and lunch), \$80.00 per diem for evening meals and use of a City vehicle.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/MDEQ COMPLIANCE/EUSTIS ENGINEERING/DRAINAGE IMPROVEMENTS PROJECT**

##### **Re: Mayor's signature on the Allowable Cost Certification from MDEQ**

Alderman Piazza moved, seconded by Alderman Lafontaine to approve Mayor's signature on the Allowable Cost Certification form re: MDEQ compliance with Eustis Engineering related to the Citywide Sewer Improvements Project. **(EXHIBIT F)**

During discussion, Alderman Lafontaine asked why the City needed a second Engineering firm on this project. Mr. Mickey Lagasse, with Compton Engineering, explained that when they first started proposing the project, Compton had asked a different testing company to give them (Compton) a certification of what the materials testing should cost on that, which has to be sent to MDEQ. The City advertised for RFQ's and after the interviews, under the Federal guidelines, a different company was chosen by the City, so we had to basically pull that same form, pull it back and submit this one with a stamp from Eustis Engineering, which is going to be the firm the City selected via the RFQ's. City Attorney Yarborough said, "We have preliminarily picked them for testing, we've not entered into a contract yet; we're waiting on MDEQ".

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **TASK ORDERS/CITYWIDE SEWER IMPROVEMENTS PROJECT**

##### **Re: Task Order Request from Compton Engineering related to Citywide Sewer Improvements Project**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve Task Order Requests from Compton Engineering related to the Citywide Sewer Improvements Project, as listed (Items a-b):

- a) Exhibit 1, Task Order 1 in the amount of \$8,000.00 for surveying along Edna Street (SRF). **(EXHIBIT G)**
- b) Exhibit 1, Task Order 2 in the amount of \$4,500.00 for 1,000 LF of 8” Sewer Lines using CCTV, (SRF). **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**INVOICES/LIGHTHOUSE-OUTDOOR RECREATION PROJECT/TIDELANDS/STORM-WATER PLAN DEVELOPMENT & INSTALLATION/CITYWIDE SANITARY SEWER IMPROVEMENTS PROJECT/SEWER IMPROVEMENTS PROJECT/DRAINAGE INFRASTRUCTURE PROJECT/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT**  
**Re: Invoices Submitted by Various Contractors**

Alderman Burke moved, seconded by Alderman Richardson to approve the following invoices submitted by various contractors and recommended to be placed in line for payment consideration, contingent upon receiving funding from grant sources (if required) as listed, (Items a-d):

- a) Invoice No. 215-068-22 from Compton Engineering in the amount of \$9,400.00 – Lighthouse/Outdoor Recreation Project- Tidelands.
- b) Invoice No. 216-021-14 from Compton Engineering in the amount of \$10,080.00 – Phase II Stormwater Plan Development & Installation.
- c) Invoice No. 216-056-9 from Compton Engineering in the amount of \$15,108.75 – Citywide Sanitary Sewer Improvements Project.
- ~~d) Invoice No. 0079987 from Pickering Firm, Inc. in the amount of \$2,298.80 – Drainage Infrastructure Design, Bidding and Construction.~~

During discussion, City Attorney Yarborough told Board members that with regard to the Citywide Drainage Improvements Project, we still have Phase IV, and in Phase III we have the crossing at Vacation Lane. As a point of clarification, Comptroller Ron Duckworth added that this invoice from Pickering was an invoice that ‘taps out’ their contract and it was one that had never been sent to the City. It dates back to December 2016, so we were made aware of this the early part of last week, so we’re just trying to clean this up. It was their error, we have never received the invoice. Attorney Yarborough said, “It’s actually for 300+ hours and they’re only being paid for what was left in their contract”.

With further discussion Alderman Lafontaine said he would like to discuss item d) in Executive Session.

**INVOICES/DRAINAGE IMPROVEMENTS PROJECT/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/EXECUTIVE SESSION**  
**Re: Amend Agenda to Move Item 23(d), Pickering Invoice No. 0079987 to Executive Session**

Alderman Lafontaine moved, seconded by Alderman Piazza to amend the agenda to move item (d), Pickering Invoice No. 0079987 to Executive Session..

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**INVOICES/LIGHTHOUSE-OUTDOOR RECREATION PROJECT/TIDELANDS/STORM-WATER PLAN DEVELOPMENT & INSTALLATION/CITYWIDE SANITARY SEWER IMPROVEMENTS PROJECT/SEWER IMPROVEMENTS PROJECT**

Alderman Burke moved, seconded by Alderman Richardson to approve the following invoices submitted by various contractors and recommended to be placed in line for payment consideration, contingent upon receiving funding from grant sources (if required) as listed, (Items a-c): **(EXHIBIT I)**

- a) Invoice No. 215-068-22 from Compton Engineering in the amount of \$9,400.00 – Lighthouse/Outdoor Recreation Project- Tidelands.
- b) Invoice No. 216-021-14 from Compton Engineering in the amount of \$10,080.00 – Phase II Stormwater Plan Development & Installation.
- c) Invoice No. 216-056-9 from Compton Engineering in the amount of \$15,108.75 – Citywide Sanitary Sewer Improvements Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**INVOICES/DRAINAGE IMPROVEMENTS PROJECT/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/EXECUTIVE SESSION**  
**Re: Move Item 23(d), Pickering Invoice No. 0079987 to Executive Session**

Alderman Lafontaine moved, seconded by Alderman Piazza to move item (d), Pickering Invoice No. 0079987 to Executive Session.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**PERSONNEL/STREETS DEPARTMENT/HOLIDAY SCHEDULE/CITY HALL/FIRE DEPARTMENT/PARKS AND RECREATION/UTILITY DEPARTMENT/POLICE DEPARTMENT/COURT DEPARTMENT/RSVP/PRIVILEGE LICENSE REPORT/BUILDING DEPARTMENT/BIDS/LIGHTHOUSE, BATHROOM, & PUBLIC PAVILION/PLANNING & ZONING BOARD/ZONING**

Spread on the minutes the following, as listed: (Items a-i, excluding d)

- a) Resignation of Mr. Chris Bennett (Streets Dept) effective May 19, 2017 from the Streets Department.
- b) Termination Mr. Ronnie Powell (Streets Dept) effective May 16, 2017 from the Streets Department.
- c) Resignation of Maconnelly Piazza (Streets Dept) effective May 15, 2017 from the Streets Department.
- d) ~~Check submitted by Alderman Jeremy Burke for reimbursement of advertisement re-teleconferenced Meeting of May 17, 2017. REMOVED~~
- e) Governor Bryant's Holiday Proclamation authorizing the closure of Mississippi Government Offices on Monday July 3, 2017 in observance of the Fourth of July Holiday. **(EXHIBIT J)**
- f) Building Permits Activity Report for the month of May, 2017. **(EXHIBIT K)**
- g) Privilege License Activity Report for the month of May, 2017. **(EXHIBIT L)**
- h) Bids for the Waveland Lighthouse, Bathrooms & Public Pavilion were not opened at 6:00 pm, but rather handed back unopened to each bidding company's representative. Bids are to be readvertised for submittal and opening at a future time and date.
- i) Mayor's appointment of Mr. Jim Megget as Chairman of the Planning and Zoning Commission.

**DONATIONS**

**Re: Donation by Alderman Burke for Cost of Advertisement of Teleconferenced Meeting**

Alderman Lafontaine moved, seconded by Alderman Piazza to amend the agenda to accept a donation check submitted by Alderman Jeremy Burke for reimbursement of advertisement re: teleconferenced Meeting of May 17, 2017.

A vote was called for with the following results:

Voting Yea: Burke

Voting Nay: Richardson, Lafontaine & Piazza

Absent: None

**CONTRACTS/FIREWORKS/EVENTS**

**Re: Contract with Big Pop Fireworks for July 1, 2017 Event**

Alderman Piazza moved, seconded by Alderman Lafontaine to approve contract with Big Pop Fireworks, for the 1st of July celebration, including revisions by City Attorney. **(EXHIBIT M)**

During discussion, City Attorney Rachel Yarborough said that Mr. Chancellor with Big Pop Fireworks needs the Pier closed from mid-morning until after the fireworks display.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**GARFIELD LADNER MEMORIAL PIER/PIER/EVENTS**

**Re: Close Garfield Ladner Memorial Pier, July 1, 2017 from 10 a.m. until after Fireworks Display**

Alderman Lafontaine moved, seconded by Alderman Richardson to close the Garfield Ladner Memorial Pier on July 1, 2017 from 10 a.m. until after Fireworks Display.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**POLICE DEPARTMENT/EVENTS**

**Re: Shoreline Baptist Church Block Party Tombigbee & Kiln Waveland Cutoff, Friday June 9, 2017**

Alderman Piazza moved, seconded by Alderman Richardson to approve Shoreline Baptist Church (at Tombigbee & Kiln-Waveland Cutoff) to hold a Vacation Bible Study Block-Party on Friday, June 9, 2017 from 5:00 pm to 8:00 pm. No roads will be closed.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**RESOLUTIONS/PUBLIC WORKS/UTILITY DEPARTMENT/STREETS DEPARTMENT/  
PURCHASING/MARKET STREET CATCH BASIN REPAIR**

**Re: Resolution Regarding Market Street Culvert/Catch Basin Repair**

Alderman Lafontaine moved, seconded by Alderman Piazza to accept the Resolution regarding Market Street at a cost not to exceed \$2,000.00. **(EXHIBIT N)**

During a phone call by the City Attorney to Mr. Anderson during the meeting, he said this is for materials and that the work will be done by City employees and it would not be anything that would have to be bid.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **EXECUTIVE SESSION**

##### **Re: Consider Executive Session**

Alderman Piazza moved, seconded by Alderman Lafontaine to consider Executive Session to prompt a closed discussion regarding personnel issues in Public Works, Meter Reader, pending litigation regarding Digital Engineering and CDM Smith, along with probable litigation regarding the Citywide Drainage Improvements Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

##### **Re: Enter Executive Session**

Alderman Richardson moved, seconded by Alderman Burke to approve entering Executive Session regarding Personnel issues in Public Works, Meter Reader, pending litigation regarding Digital Engineering and CDM Smith, along with probable litigation regarding the Citywide Drainage Improvements Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson & Lafontaine

Voting Nay: None

Absent: Piazza

#### **GARFIELD LADNER MEMORIAL PIER/LITIGATION/LEGAL DEPARTMENT/PIER**

##### **Re: Authorize Yarborough Law Firm to Make Counter offer to Digital Engineering regarding Garfield Ladner Memorial Pier**

Alderman Lafontaine moved, seconded by Alderman Richardson to authorize Yarborough Law Firm to make Counter Offer to Digital Engineering regarding Garfield Ladner Memorial Pier Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

##### **Re: Approve Mayor's Signature on Terms Agreeable to Attorney Gary Yarborough regarding CDM Litigation**

Alderman Piazza moved, seconded by Alderman Lafontaine to authorize and approve Mayor's signature on terms agreeable to Gary Yarborough regarding CDM Litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**PERSONNEL/UTILITY DEPARTMENT/METER READER**

**Re: Mr. Eugene Thomas Suspended Without Pay until Resolution of Internal Investigation**

Alderman Lafontaine moved, seconded Alderman Richardson to authorize Mayor to suspend Mr. Eugene Thomas without pay until resolution of internal investigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**Re: Exit Executive Session**

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

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

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

**Re: Invoice 0079987 from Pickering Firm, Inc. in the amount of \$2,298.80**

Alderman Lafontaine moved, seconded by Alderman Burke to approve payment of Invoice No. 0079987 from Pickering Firm, Inc. in the amount of \$2,298.80 – Citywide Drainage Improvements Infrastructure Design, Bidding and Construction.

**(EXHIBIT P)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**CONTRACTS/UTILITY DEPARTMENT/METER READING**

**Re: Approve Contract with Delta Water, LLC to read meters for the month of June**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve Contract with Delta Water LLC. for meter reading services for the month of June, 2017 only at a cost of \$2,833.34. **(EXHIBIT Q)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

*Note: Alderman Piazza excused himself from the Board meeting at this time.*

**DOCKET OF CLAIMS**

**Re: Streets Portion only**

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the Docket of Claims dated June 6, 2017 (Streets Payroll portion only) in the amount of \$13,634.59.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, & Lafontaine

Voting Nay: None

Absent: Piazza

**ADJOURN**

**Adjourn Meeting at 9:16 pm**

Alderman Richardson moved, seconded by Alderman Burke to adjourn the meeting at 9:16 pm.

A vote was called for with the following results:

Voting Yea: Burke, Richardson & Lafontaine

Voting Nay: None

Absent: Piazza

The foregoing minutes were presented to Mayor Smith on June 23, 2017.

\_\_\_\_\_  
Lisa Planchard  
City Clerk

The Minutes of June 6, 2017 have been read and approved by me on this day the 23<sup>rd</sup> day of June, 2017.

\_\_\_\_\_  
Mike Smith  
Mayor

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