

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 October 18, 2017 at 6:30 p.m. to take action on the following matters of City business.

PUBLIC COMMENTS:

- **Melissa Brown**
- **Bryan Theuret**

ROLL CALL:

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

**MAYOR'S REPORT/LIGHTHOUSE PROJECT/PAVILION PROJECT/BIDS/TIDELANDS
Re: Barnard & Sons Construction as Lowest, Best and Most Responsive Bidder for Construction of Lighthouse and Public Pavilion Project**

Alderman Burke moved, seconded by Alderman Lafontaine to **TABLE** approval of Barnard & Sons Construction as the lowest, best and most responsive bidder in the total amount of \$1,946,600.00 (includes all 5 alternates) related to the Waveland Lighthouse and Public Pavilion Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

PUBLIC APPEARANCE/HANCOCK COUNTY PORT AND HARBOR COMMISSION/PORT AND HARBOR COMMISSION

Re: Mr. Bill Cork, Executive Director of the Hancock County Port & Harbor was present to provide the Board of Mayor and Aldermen with a semiannual update. **(EXHIBIT A)**

**PERSONNEL/BUILDING DEPARTMENT/UTILITY DEPARTMENT/PUBLIC WORKS
Re: Approve Pay Raise for Jeanne Conrad (Building Department) and Darryl Antoine (Utility Department)**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve the following pay raises as recommended by Public Works Director, Brent Anderson, as listed (Items a-b):

- Jeanne Conrad annual salary increase to \$25,542.00 (i.e. \$1.00/hour increase) (*not currently budgeted*)
- Darryl Antoine increase from \$11.58/hour to \$12.08/hour (i.e. \$.50/hour increase) (*Note: \$.20/hour of that is not currently budgeted*)

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine and Smith

Voting Nay: Richardson and Piazza

Absent: None

**INSURANCE/CITY HALL/FIRE DEPARTMENT/PERSONNEL/UTILITY DEPARTMENT/PUBLIC WORKS/BUILDING DEPARTMENT/PLANNING AND ZONING/POLICE DEPARTMENT/PARKS AND RECREATION/HUMAN RESOURCES
Re: Approve Health Insurance with Blue Cross Blue Shield (BCBS) & Dental, Vision, Life with 'The Standard'**

Alderman Burke moved, seconded by Alderman Richardson to approve the plan with Blue Cross Blue Shield (BCBS) (with employee contribution of \$40/month; along with Dental, Vision and Life renewal insurance plans with 'The Standard', both for the 12/1/17-12/1/18 term, with required signatures by the Mayor or City Clerk as needed. Representatives of Bancorp South Insurance Services (Stewart,

Sneed & Hughes -James Moody & Veronica Albert) were present to answer questions. Handouts were provided to Board members at meeting.

During discussion Mr. James Moody with Bancorp South Insurance Services (Stewart Sneed and Hughes) discussed the proposed changes noting that the current plan with Humana has a 10.8% renewal increase, however the similar plan with BCBS is a 4.5% decrease from what the City is currently paying. The Mayor suggested that this savings could be passed on to the employees by the City absorbing part or all of the \$40/month employee copay toward their health insurance. Mr. Moody also discussed the selected plans for Vision (VSP plan), Life & Dental Benefits coverage; with 'The Standard', he noted the Dental plan the City has selected (Standard \$2000 Ortho), includes not only children's orthodontics, but a rarely covered plan for adult orthodontics. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**UTILITY DEPARTMENT/PUBLIC WORKS/STREETS DEPARTMENT/PERSONNEL
Re: New Hires Deric Gillum, Chase Byrd, Kermit Lafontaine, Terrance Hess and Walter Johnson
in the Public Works & Streets Departments**

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the following new hires pending passage of drug tests as listed, (Items 1-5):

1. Deric Gillum – Utilities, \$10.00 per hour (1 of 4 new positions budgeted in Utility Dept.)
2. Chase Byrd – Utilities, \$10.00 per hour (1 of 4 new positions budgeted in Utility Dept.)
3. Kermit Lafontaine – Utilities, \$10.00 per hour (1 of 4 new positions budgeted in Utility Dept.)
4. Terrance Hess – Streets, \$10.00 per hour (replacement)
5. Walter Johnson – Streets, \$10.00 per hour (replacement)

Alderman Lafontaine noted for the record that he is not related to Mr. Kermit Lafontaine.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**INVOICES/CITYWIDE DRAINAGE/DRAINAGE IMPROVEMENTS PROJECT
Re: Payment Application No. 24 from Kappa Development in the amount of \$2,437.50**

Alderman Burke moved, seconded by Alderman Piazza to approve Payment Application No. 24 from Kappa Development in the amount of \$2,437.50 regarding the Citywide Drainage Improvements Project/HMGP as recommended for payment by AMEC Foster Wheeler and Pickering Engineering with the City waiving nothing and reserving all rights. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Re: Pay Application No. 25 from Kappa Development in the amount of \$14,215.11

Alderman Burke moved, seconded by Alderman Richardson to **TABLE** and move to Executive Session Payment Application No. 25 from Kappa Development in the amount of \$14,215.11 regarding the

Citywide Drainage Improvements Project/HMGP as recommended for payment by AMEC Foster Wheeler and Pickering Engineering.

Mrs. Yarborough said the amendments noted in red are probably made by Pickering of what qualified under the grant agreement, or what they believed would be a just claim for payment, however Pickering was not necessarily involved in any negotiations or talks between Kappa and the City of Waveland. Mrs. Yarborough suggested any specific questions about settlement be discussed in Executive Session. Board members agreed to move this topic to Executive Session at the end of the agenda.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Re: Pay Application No. 26 from Kappa Development in the amount of \$12,740.00

Alderman Burke moved, seconded by Alderman Richardson to **TABLE** and move to Executive Session Payment Application No. 26 from Kappa Development; considering the City request from Kappa Development a restocking cost for steel casing pipe and that Kappa Development revise their Pay Application #26 in the current amount of \$12,740.00 to reflect this change.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

POLICE DEPARTMENT/PERSONNEL

Re: Police Chief David Allen discussed the Structure of the Police Department

Mayor Smith recognized Police Chief David Allen. Chief Allen said the Department was in the middle of some movement, noting the resignation of Investigator Chris Ory with Officer Ronald Storey moving up to Domestic Violence Investigator. Jody Richardson recently moved to Narcotics, where Shane Jordan was (went to Hancock County). He noted a couple of requests for hire on the current agenda to fill the positions left by those transfers within the Department. Chief Allen discussed with the Board a detailed description of his duties, including but not limited to daily direction, policies and procedures along with Public Outreach Programs, in house I.T. and software, planning and overseeing the Budget, maintaining the Building as Emergency Operations Center (E.O.C), timesheets and payroll, and overview of the F.T.O. Program (how they are training people). The Chief then provided a description of the Assistant Chief's job duties, which include but are not limited to State Accident Reports, checking and obtaining U.C.R. Stats that are sent to the F.B.I. (Those stats help the Department receive grant funding), administration of the Grants, Standards and Training Packages that are communicated to the State (keeping track of the movement and training of the Officers), maintaining budgetary spreadsheets, ordering supplies for the building and officers, vehicle maintenance, Inventory, and would act as E.O.C. Director during a major event. Patrol Lieutenant does oversight of Patrol. Chief Allen said one move not mentioned was the pending retirement of Lieutenant Mac Cowand and said Officer Erik Castro would be taking over this position upon Lt. Cowand's retirement; he's been training for this position. Chief Allen said that probably in January Officer Castro may have to take a small leave and the Department would keep Lt. Cowand on until Officer Castro's return. Lt. Cowand would retire at that time. He said the Patrol Lieutenant would oversee Patrol, reviews reports, handles shift scheduling, oversees Officer training hours, handles Officer's complaints, receiving and reviewing police applications and background checks, will handle direct liaison with patrol for inventory issues, disciplinary issues, body camera maintenance and review, subpoena acceptance and serving, scheduling of Court Bailiff, assists with the prisoner Court list (transport of prisoners to Court in a timely basis) and assists with Patrol. Chief Allen said there were duties performed by Lt. Cowand that have been moved to the Assistant Chief, allowing the Lt. more time to be on the road. Mayor Smith inquired about time spent on cell phone "dumping". Chief Allen said he has been speaking with the other neighboring police agencies and trying to get them to join ICAC and gave them application for available Grants. He said our Police Department is trying to get them to start doing their own 'dumps'/analysis. Chief Allen added that when

it comes to narcotics, those are things that affect us directly and the phone dumps are critical to solving these cases. He added that they don't do this all the time, it's maybe an average couple of hours a month at the most but the intel they get and the fact that they're helping to put away drug dealers who sell in our Walmart and our apartment complexes; the amount of good is well worth it. Alderman Lafontaine asked where do you draw the line in assisting other agencies; this becomes a manpower issue and City dollars are paying for these services that are for other agencies, and we don't charge them. Mrs. Yarborough said there is probably an Interlocal Agreement with the Task Force and a lot of jurisdictional case sharing between Sheriff's office and Waveland, which goes hand and hand with the sharing of information of case files. She said she did not think that it was outside of public policy or law to share information and work time on caseloads, but she did not think Waveland would necessarily bear any outright costs of an investigation perhaps in Gulfport, but she thought there is a courtesy of, 'if we have equipment we lend it to them and they would probably do the same.' Chief Allen said currently they are working on using the 'Shoot, No Shoot Simulator' in Pass Christian. He said the Board may have overestimated the amount of hours spent doing this type of work. He believes that our outreaches, not only the Intel, but the parent and teacher outreaches that the Police Department performs directly affects all of us in Waveland. He said to keep in mind that our officer does not only work cases in Waveland, sometimes we get a County investigator/officer to come over and work the task force; "it's a round robin of who's on call that night". Chief Allen said we borrow their (Sheriff's Department) canine's quite a bit and their DUI unit quite a bit, they transport people for us on occasion. Alderman Lafontaine said that we're doing things for everybody around us and our department, and in his opinion doesn't have the staff, unless it's only taking 2 hours a month, to do this. He added that if it's taking more than that, it's taking away from protecting and serving the citizens of Waveland. Investigator Sekinger said that last year he calculated (when he was doing vehicle maintenance) his time getting just oil change purchase orders. He said he spent more time getting oil change purchase requisitions than they spent dumping cellphones; he offered Board members to come sit down with him and he would show them how a cellphone dump works; a typical phone that is brought to him may take 15 to 20 minutes to dump; that's all. Investigator Sekinger said that he attended a class offered by Secret Service to learn how to use the equipment and in return received about \$40,000.00 of equipment from the Secret Service for free; the only condition was that if they needed him to do a case for them using that equipment we would have to do it. He said that in about 1.5 years, he's only been asked maybe 3 times to do cases for the Secret Service; it was a great return on investment. Chief Allen said when he and Investigator Sekinger go to the ICAC (Crimes against Children) conference each year, the Attorney General's office pays approximately \$8,000 for them to attend that; it's fully reimbursable. He said that the skill sets they learn there they use here on other cases. Mayor Smith asked if other agencies assist with our domestic calls at night. Chief Allen said yes, they absolutely do assist if the City needs assistance. Chief Allen said if they hear of a dangerous situation in the Bay or with the Sheriff's Dept., Waveland will assist as well; they have a great working relationship between the three agencies. Alderman Lafontaine asked about back-up during the day. Chief Allen said Investigators fall under his command because of his experience; allowing more time for the Assistant Chief to perform his duties. Alderman Lafontaine asked about in-house oil changes. Investigator Sekinger said he spoke with the in-house mechanic, who said he couldn't do the oil changes for less than the current rate at the Oil Change facility. Purchasing Clerk Rachel Cullen said she didn't think the mechanic could do the oil changes because he is busy with equipment repairs on all the other vehicles and Streets/Utility equipment. City Clerk Lisa Planchard brought up the request by the Police Department to have Police Department vehicle oil changes performed by Fuelman approved businesses and billed by Fuelman in an effort to save time. Ms. Yarborough said this would require a Fuelman policy approval by the Board.

PERSONNEL/POLICE DEPARTMENT

Re: New Hire Emily Dawson as Full-time Police Officer

Alderman Lafontaine moved, seconded by Alderman Piazza to hire Emily Dawson for full time patrol-Police Department, at \$14.61 per hour pending passage of drug test, effective 11/1/17. She would replace Ronald Storey who was promoted to investigations.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Re: New Hire Matthew Roberts as Part-time Police Officer

Alderman Burke moved, seconded by Alderman Piazza to hire Matthew Roberts as part time at \$9.00 per hour pending passage of drug test, effective 11/1/17.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

ATTORNEY'S COMMENTS

Re: Alderman Burke – Cleared all questions prior to the meeting and had no comments at this time.

Re: Alderman Richardson

- Inquired about the criteria for needing and receiving a Privilege License. Alderman Richardson described a car lot on Highway 90 that appear to be using their dealership inappropriately; he noticed a car turned upside down being worked on out in the open. Mrs. Yarborough said the Privilege License is really just a tax so that would have no requirements tied to it. Any issues of the property being used inconsistently with what the license is for would go through Planning and Zoning.

Re: Alderman Lafontaine – Cleared all questions prior to the meeting and had no comments at this time.

Re: Alderman Piazza – Cleared all questions prior to the meeting and had no comments at this time.

DOCKET OF CLAIMS

Re: Claims

Alderman Piazza moved, seconded by Alderman Lafontaine to approve the Docket of Claims (**EXHIBIT D**) in the amount of \$935,580.25 dated October 18, 2017 as submitted and Invoice #145 from Affordable Restaurant Service & Equipment in the amount of \$557.19 (**EXHIBIT E**). Note: Includes bond payments and overtime payroll related to Hurricane Nate.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

MINUTES

Re: Minutes of the Regular Meeting of October 3, 2017, the two Special Meetings of October 3, 2017 and the two Special Meetings of October 6, 2017

Alderman Burke moved, seconded by Alderman Richardson to approve the Minutes of the Regular Meeting of October 3, 2017, the Minutes of the two Special Meetings of October 3, 2017 (Regional Hazard Mitigation Plan-Public Hearing) and Waveland Library Board of Trustees, and the two Special Meetings, by teleconference) of October 6, 2017 (8:30 a.m. and 5:00 p.m. - Hurricane Nate) as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

COURT DEPARTMENT

Re: Rhonda Cummings, Clerk of Court was Present to Discuss Court Fines Collections

Court Clerk Rhonda Cummings was present to explain and answer questions regarding Court Collections. Alderman Lafontaine said that during budget discussions we had just completed submitting the 2014 delinquent ticket/fines for collections and asked if that was true. Ms. Cummings said yes and explained why she is prevented from sending any further fines to collections. Ms. Cummings said they have 2 years to go back on a Court case for non-compliance, i.e. they have to keep it open 2 years so she does not turn anything over to collections for 2 years. She said once the case is placed in collections, the City can't go back on the case. Ms. Planchard said, "So you're waiting for 2017 to end before you submit 2015, is that correct"? Mrs. Cummings said that is correct. Mrs. Cummings said that currently she is prohibited by the State to turn in any cases to suspend any driver's license because of recent litigation related to Court fines and fees. Alderman Lafontaine said, "We can't suspend driver's licenses?" Ms. Cummings said, "Nobody in the State of MS. can because DPS has a lawsuit against them. If you don't have a driver's license, you can't go to work, you can't pay your fines, so..." City Attorney Yarborough said it's the new wave of lawsuits that have been trickling down from the Federal Court for what they call debtors prison, and what it is, is they say, the same reason that you have to have an attorney appointed before you put somebody in jail for misdemeanor. The same reason you have to give preliminary hearings; it used to be that it was felony charges and if you intended to give jail time as a sentence, but if you anticipate that somebody is going to spend a substantial amount of time in jail or they can't make bail, you have to appoint them an attorney even for a misdemeanor. Alderman Lafontaine said, "Here we go again with the criminals having more rights than the law abiding citizens". Ms. Yarborough said the theory is that if you can't afford to pay your court fine then you shouldn't be punished by having your license revoked because you aren't capable to pay. Ms. Cummings added, "And if you can't afford to pay you fines, we can't keep you in jail". Ms. Yarborough said it's a temporary injunction until final resolution. Alderman Lafontaine asked when this got put into place. Ms. Cummings said that Biloxi got sued and they had to throw out thousands of cases. Ms. Yarborough said it's probably DPS's policy to not suspend licenses until the lawsuit is settled. Ms. Cummings said it's probably been going on about a year. Ms. Yarborough said that she thought Judge Mauffray has the authority to make the determination that somebody can pay but is not, and then suspend their driver's license by order; whether he would do that or not is within his discretion. The lawsuit is based on automatic suspension without any consideration to whether somebody can pay or not; they say that is unconstitutional and doesn't take into consideration if somebody is unable to pay. Ms. Cummings said if they fail to appear in court she can suspend them and she does.

ADVERTISEMENTS/BUSINESS CENTER/WAVELAND BUSINESS CENTER

Re: Advertise to Lease Entire Waveland Business Center

Alderman Burke moved, seconded by Alderman Richardson to authorize publication under 21-17-1 once each week for three (3) consecutive weeks, the intention of the City to lease the whole of the Waveland Business Center and to accept sealed competitive bids for the leasing; also authorize City Attorney to send letters to tenants that the City intends to rent the Business Center as a whole, possibly January 1, 2018 forward.

Alderman Burke said he would like to see subletting allowed. Ms. Yarborough said that would be a Lease language issue. Alderman Lafontaine said he would like some sort of permitting or licensing related to what type of business moves in. Alderman Burke said that regardless they would need a privilege license to do business, and with Zoning, things are allowed by rights, so if they want to put something else in there, they would have to go through Planning & Zoning. Alderman Lafontaine said he wanted to make sure that whoever subletted or operated any kind of business in any capacity would require a privilege license. Attorney Yarborough said, "You could also say that any subletting is subject to Board approval". Mayor Smith said he liked that idea better, as did Aldermen Richardson. Alderman Richardson asked Ms. Yarborough if the current leases could remain month to month right now until we have a successful bid awarded. She said, "Yes".

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

PLANNING AND ZONING/S&H CARWASH/AMEND AGENDA

Re: Removal of One Live Oak Tree on Property at 445 Highway90

Alderman Burke moved, seconded by Alderman Lafontaine to consider a mitigation plan or removal of the Live Oak Tree on the property commonly known as 445 Hwy 90, regarding the P&Z issue with S&H Carwash dba Pit Stop Carwash.

Engineer on the Project, David Beard with David Laine Beard & Associates, Inc. from West Monroe, Louisiana was present to discuss the issue. He said there was a comment made that the trees weren't shown on the site plan; they were shown on the landscape plan and they had a topographic survey done by a licensed surveyor. The issue was found when they started doing the layout that the tree was shown in the wrong location. Mr. Beard said they've looked at several alternatives and they've tried to save as many trees as possible on this site. They did not anticipate this issue, noting their trying to look into other possibilities to no avail; this limits the further use of the property for possibly another business. Mr. Beard said the owners are willing to provide 10-2" diameter caliber live oak trees, or an equivalent number of larger caliber trees to the City to be planted at the City's discretion. Mayor Smith asked if it was the opinion of Mr. Beard that there is no other way around this issue, other than to remove the tree. Mr. Beard said they have determined this is the best option for that business and then a potential business on the other part of the lot. The Mayor said it is his and the Board's position to welcome new business into the City. Mrs. Yarborough said, "So you have a motion to amend to accept or to approve the permit to remove one live oak tree on the property commonly known as 445 Highway 90, and accept the mitigation plan as it is proposed by property owner to donate 10-2" caliber live oaks trees to the City of Waveland".

Re: Amend to Accept or to Approve the Permit to Remove one Live oak tree at 445 Highway 90

Alderman Burke moved, seconded by Alderman Lafontaine to amend to accept or to approve the permit to remove one live oak tree on the property commonly known as 445 Highway 90, and accept the mitigation plan as it is proposed by property owner to donate 10-2" caliber live oaks trees to the City of Waveland.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine

Voting Nay: Piazza

Absent: None

**PURCHASING/UTILITY DEPARTMENT/PUBLIC WORKS/STREETS DEPARTMENT/
FINANCING/BUDGET**

Re: Obtain Financing Quotes to Purchase 2 New Holland Tractors

Alderman Piazza moved, seconded by Alderman Burke to obtain financing quotes to purchase 2 New Holland Tractors (State Contract) in the total amount of \$172,452.78. Note: Approval for purchase shall come back before the Board once financing quotes have been received.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

POLICE DEPARTMENT/PERSONNEL/HUMAN RESOURCES

Re: Move Sgt. Ronald Storey from Patrol to Domestic Violence Investigator and Patrolman Steven Robin to Patrol Sergeant

Alderman Richardson moved, seconded by Alderman Lafontaine to approve the following changes within the Waveland Police Department as listed, (Items a-b):

- a) Move Sergeant Ronald Storey from Patrol Domestic Violence Investigator (to replace Chris Ory who has resigned effective 10/20/17) keeping his same rate of pay, (\$15.63/hr.) effective 10/21/2017
- b) Move Patrolman Steven Robin to Patrol Sergeant at a rate of \$15.63 (to replace Ronald Storey).

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

FIRE DEPARTMENT/PERSONNEL/HUMAN RESOURCES/PERSONNEL

Re: New Hire Mr. Leslie Doug Crosby as a Part-Time Firefighter

Alderman Burke moved, seconded by Alderman Richardson to approve new hire, Mr. Leslie Doug Crosby, as a part time Firefighter at a rate of \$9.00 per hour, pending passage of drug test. Mr. Crosby is a certified Firefighter/Paramedic and meets all Minimum Standards required to backfill shortages due to vacations, sick leave and other special events.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

PURCHASING/FIRE DEPARTMENT/INVENTORY

Re: Approve Purchase of 2 High-water Vehicles from Mississippi Forestry Commission

Alderman Piazza moved, seconded by Alderman Richardson to approve the purchase of 2 high-water vehicles from the Mississippi Forestry Commission at a cost of \$100.00 each, (\$200 basic cost is budgeted for) to aid emergency personnel in potential evacuations or high water rescue in the event of a bad weather event. *Insurance and painting of vehicles is not currently budgeted.*

Aldermen Burke verified that these vehicles will not be used other than in an emergency event.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

INTERDEPARTMENTAL TRANSFER/FIRE DEPARTMENT/CITY HALL/INVENTORY

Re: Transfer of 1 Motorola XTS 5000, 800 mhz handheld radio from Fire Department to Mayor Smith

Alderman Lafontaine moved, seconded by Alderman Burke to approve Interdepartmental Transfer of one (1) Motorola XTS 5000, 800 mhz handheld radio, Fire Dept. Inv. #080-2660, SN-721CFT1380, from the Waveland Fire Department to Mayor Smith.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

TRAVEL/POLICE DEPARTMENT/CITY HALL/PERSONNEL/PURCHASING

**Re: Travel for Officer Storey to Harrison County Law Enforcement Training Academy
Re: H.R. Director April Chevis and Purchasing Clerk Rachel Cullen to Delta Computers User Update Meeting**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve travel for the following, as listed (Items a-b):

- a) Officer Ronald Storey to Harrison County Law Enforcement Training Academy (Detective Level 1), October 30th – November 3rd, 2017. Cost to the City will be a fee of \$495.00 and use of a City vehicle.
- b) H.R. Director April Chevis and Purchasing Clerk Rachel Cullen to a Delta Computers User Meeting Jackson/Flowood, Mississippi, November 15, 2017. Cost will include 1 night lodging each, one day per diem each and use of a City vehicle, as budgeted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**REQUEST FOR QUALIFICATIONS/CITYWIDE SEWER IMPROVEMENTS PROJECT/
CONTRACTS/SRF LOAN/MDEQ/BIDS/RFQ'S/ADVERTISEMENTS/SEWER DEPARTMENT
Re: Award Eustis Engineering for Construction Materials Testing Services- Citywide Sewer
Improvements Project**

Alderman Burke moved, seconded by Alderman Richardson to approve and award the RFQ (Request for Qualifications) for Construction Materials Testing- Engineering to Eustis Engineering and approve the contract with same, including Mayor's signature, regarding the Citywide Sewer Improvements Project (SRF CW80788-014) (Wastewater Upgrades). Contract has been with MDEQ awaiting approval for Water Pollution Control Revolving Loan Fund participation...SRF. **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**INVOICES/LIGHTHOUSE PROJECT/STORMWATER PROGRAM/CRS
COORDINATION/CITYWIDE SEWER IMPROVEMENTS PROJECT/SEWER
IMPROVEMENTS PROJECT/SURVEY-CLINE ESTATES
Re: Approve payment of invoices submitted by various Contractors**

Alderman Lafontaine 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 (Item a-f):

- a) Invoice 215-068-23 from Compton Engineering in the amount of \$15,000.00-Lighthouse Project. **(EXHIBIT G)**
- b) Invoice 216-021-18 from Compton Engineering in the amount of \$1,200.00 – Phase II Stormwater Program. **(EXHIBIT H)**
- c) Invoice 216-054-11 from Compton Engineering in the amount of \$500.00 - CRS Coordination (September 2017 services Invoice) **(EXHIBIT I)**
- d) Invoice 216-056-14 from Compton Engineering in the amount of \$4,320.00 – Citywide Sanitary Sewer Improvements Project. **(EXHIBIT J)**
- e) Invoice 216-056-15 from Compton Engineering in the amount of \$3,188.75 – Citywide Sanitary Sewer Improvements Project. **(EXHIBIT K)**
- f) Invoice 217-004.004-3 from Compton Engineering in the amount of \$832.50 – Survey of Lot 14 Cline Estates (Letellier property) **(EXHIBIT L)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**PERSONNEL/POLICE DEPARTMENT/PROCLAMATIONS/NATE-HURRICANE/
HURRICANE NATE/NATE-TROPICAL STORM/TROPICAL STORM NATE/REVENUE
AND EXPENSE REPORT**

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

- a) Resignation of Investigator Chris Ory as full-time Domestic Violence Investigator effective 10/20/17 and transfer to part-time position effective same date.
- b) Proclamation of Existence of a Local Emergency for Tropical Storm Nate, commencing on or about 7:00 am on October 6, 2017. **(EXHIBIT M)**
- c) Emergency Declaration from FEMA (3393-EM_ to provide Category B (Emergency Protective Measures) Federal Assistance for Hurricane Nate. **(EXHIBIT N)**
- d) Revenues and Expenditures for the month of September 2017 at this, the second meeting in October 2017. **(EXHIBIT O)**

EXECUTIVE SESSION

Re: Potential and Probable Litigation

Alderman Burke moved, seconded by Alderman Piazza to consider Executive Session to prompt a closed discussion regarding potential and probable litigation with Kappa Development regarding the HMGP Citywide Drainage Project and to include Invoice # 25 and Invoice #26.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Alderman Burke moved, seconded by Alderman Richardson to enter Executive Session regarding potential and probable litigation with Kappa Development regarding the HMGP Citywide Drainage Project and to include Invoice # 25 and Invoice #26.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**CITYWIDE DRAINAGE PROJECT/DRAINAGE PROJECT/LEGAL DEPARTMENT/
SETTLEMENTS/LEGAL ISSUES**

Re: Settlement with Kappa Development- Citywide Drainage Improvements Project

Alderman Richardson moved, seconded by Alderman Burke to approve settlement with Kappa on these principal terms, final payment amount of \$260,000.00 and Kappa agrees to substantial completion date of December 1, 2017 and final closeout by February 28, 2018, contingent upon Attorney's approval.

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
IMPROVEMENTS PROJECT**

Re: Pay Application No. 25 from Kappa Development in the amount of \$14,215.11

Alderman Burke moved, seconded by Alderman Richardson to approve Payment Application No. 25 from Kappa Development in the amount of \$14,215.11 regarding the Citywide Drainage Improvements Project/HMGP as recommended for payment by AMEC Foster Wheeler and Pickering Engineering with the City waiving nothing and reserving all rights. **(EXHIBIT P)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Re: Pay Application No. 26 from Kappa Development

Alderman Burke moved, seconded by Alderman Richardson to **TABLE** Payment Application No. 26 from Kappa Development and follow the recommendation of Pickering Engineering to return the invoice to Kappa Development to obtain the restocking cost of the steel casing pipe and adjust the current Invoice amount of \$12,740 to reflect that change.

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 Piazza moved, seconded by Alderman Burke 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

ADJOURN

Adjourn Meeting at 9:33 pm

Alderman Burke moved, seconded by Alderman Richardson to adjourn the meeting at 9:33 pm.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Smith on November 10, 2017.

Lisa Planchard
City Clerk

The Minutes of October 18, 2017 have been read and approved by me on this day the 10th day of November, 2017.

Mike Smith
Mayor

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