

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in Regular Session at the Waveland City Hall Boardroom, 301 Coleman Avenue, Waveland, Mississippi, on May 22, 2024 at 6:30 p.m. to take action on the following matters of City business.

ROLL CALL

Mayor Trapani noted for the record the presence of Alderman Aime-Gamble, Richardson, Lafontaine and Clark along with City Clerk, Lisa Planchard and City Attorney Ronnie Artigues.

MAYOR'S COMMENTS

AMEND AGENDA/BOARD BUSINESS/CONSENT AGENDA/MAYOR'S COMMENTS

Re: Amend and finalize agenda with the addition of items 4 (c), 7 (i), 8 (m, n, o)

- a. Alderman Lafontaine moved, seconded by Alderman Richardson to amend and finalize the agenda with the addition of Item 4 (c) under Mayor's Comments, Item 7 (i) under Board Business, and Items 8 (m, n and o) under Consent Agenda.

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

HOUSE OF REPRESENTATIVES, BRENT ANDERSON/DISTRICT 122 STATE REPRESENTATIVE – BRENT ANDERSON/LEGISLATIVE UPDATE

Re: Legislative Update

- b. House of Representatives, District 122 Representative Brent Anderson was present to give a legislative update.

Mr. Anderson thanked the Board for having him. He briefly explained a few projects he set out to accomplish for the City, and did. One of them was the Inner-City Sewer Project, securing \$4 million dollars in GOMESA Funds. This will be going towards the largest portion of the city, where some residents are still on grinder pumps, and hopefully getting this section of the city off the pumps. Gulf Coast Restoration Funds (GCRF) Funds were not granted this year due to a few issues with the State last year. He had \$1 million dollars moved to the Kiln-Waveland Cutoff Road Improvements Project. This has been an issue for many years now, not just for Waveland but for the County itself. This money will allow a lot of the problems to be fixed. We did receive \$250k in Tidelands Funds for the Pagodas, once the Pier gets going. There is also several years of Tidelands Funds that have been saved to accomplish more projects. Mr. Anderson also wanted to remind the Board that last year the Capital Expense Fund had \$250k. Mayor Trapani asked Mr. Anderson if they will be receiving another \$250k or will the \$1 million include that? Mr. Anderson responded with no, adding that the \$250k was for a few sewer improvements as well as covering some of the upcoming costs of the sewer improvement projects. Mr. Anderson mentioned that during this past election his goal was to make sure Waveland was taken care of, and has been able to accomplish this and he will continue to do so next year. Mayor Trapani asked Mr. Anderson if the GCRF funds will be back next year? Mr. Anderson let him know that it's supposed to be. Alderman Richardson inquired about the funding of grants that can help with the City's sidewalk project. Mr. Anderson said he will

take a look into this and see what he can find. The Board thanked Mr. Anderson for all his hard work, dedication and efforts he puts forth to help and improve the City of Waveland.

**PUBLIC WORKSHOPS/MEETINGS/STORM WATER MANAGEMENT PROGRAM/MS. DEPARTMENT OF ENVIRONMENTAL QUALITY/MUNICIPAL SEPARATE STORM WATER SYSTEM PROGRAM (MS4)/COMMUNITY RATING SYSTEM (CRS)/FEMA-NFIP/NATIONAL FLOOD INSURANCE PROGRAM (NFIP)-FEMA
Re: Public Workshop on Thursday, June 13, 2024**

- c. Alderman Clark moved, seconded by Alderman Richardson to hold a Public Workshop on Thursday, June 13, 2024 at 11:00 a.m. in the City Hall Board Room to discuss the following: **(EXHIBIT A)**
- 1) Storm Water Management Program as required by MS. Dept. of Environmental Quality as part of the Municipal Separate Storm Sewer System (MS4) Program;
 - 2) Community Rating System (CRS) for FEMA's National Flood Insurance Program (NFIP). Contractors, developers and the general public are invited to attend to learn about these programs.

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

MAYOR'S COMMENTS CONTINUED

- Mayor Trapani made an announcement that the Elwood Bourgeois Park Playground Equipment has been repaired. We just have to wait for the concrete to harden and Willie (Moody) will be taking down the barricades on Friday.
- The Lighthouse Pavilion parking lot has been restriped and painted, as was budgeted for.
- Had an A/C repairman come look at the AAON Unit at the Ground Zero Museum. He informed me that it was working until about 3:30 p.m. today and then stopped. There is an electrical board within the unit that is shot. He does not think it will work, and if it does, he does not know how long it will last. The good news is, the architect and the engineer came back with the same results saying the AAON System does not have to be replaced. There are other systems that can be purchased to fix this problem, saving about \$75k.
- The two TVs (behind the Board members) in the Board Room are now up and working. They are able to be synced to any USB drives in case anyone has any presentation they would like to have so the audience can view. The Smartboard on the side wall is outdated and no longer works so the Mayor would like to replace the Smartboard with a new large TV (on the side wall), also for the audience to view.

ALDERMEN'S COMMENTS

Re: Alderman Aime-Gamble

- Asked the Mayor if he could get in contact with Mississippi Power about the light poles located on Coleman Avenue to see if they could do 1 of 2 things; either give us the name of where they purchased the brackets that are currently on the poles or if they would like to just donate the brackets to us.
- Mentioned the idea of repairing and repaving a section of Old Spanish Trail starting at the city limits sign (east end of the city) on Old Spanish Trail to Nicholson Avenue. The road is terrible and it's a high trafficked area. The dip where the manhole was patched over is in very bad shape. If this can just be put as a top priority when it comes to budgeting for paving projects. Mayor Trapani informed them that when the time comes to budget, that is when the Aldermen have the chance to add projects to their wards.

Re: Alderman Richardson

- Inquired about getting a more visible 'No Parking Inside' sign for the MLK Park on Herlihy. The one that is currently there is outside of the gate and to the side, and cars are still parking inside the park.

Re: Alderman Lafontaine

- Mentioned he has been receiving a lot of calls about some building issues, such as silt fencing, rocks, hard surfacing, culverts and the issue of stop work orders. He asked if these things were being enforced to everyone? Riding around he said he's seen a lot of these things occurring that do not have stop work orders and are actively being worked on. What is the actual code? If this is something that hasn't been enforced in the past, before issuing stop work orders, "Could we constantly have a code update like other cities have done in the past; as of this date, these codes are being enforced." If it wasn't enforced prior and now all of a sudden people are getting stop work orders, then that's coming out of the contractors, or homeowner if self-contracted, pocket that were not bid on. Building Official, Chris Carter came before the board to explain that this is a current ordinance in place; it's a land disturbance type ordinance. MS. DOT has also put out some Stormwater Regulations and other ways to prevent stormwater runoff. This Ordinance has been in place much longer than Mr. Carter has been here. He said he cannot answer to previous enforcement, as he was not here, noting he's been in the construction industry for 30 years. He said, "The concept of keeping your dirt on your property is probably the most elementary part of building a house". He explained what the city is dealing with right now is that there is no enclosed storm drainage across the city, only ditches, so when contractors are building houses there is dirt, grass, mud and dirt that gets tracked out onto the road and through the neighborhood, then you have to drive in that dirt and mud. We put the rock pad down to inhibit that dirt from coming out onto the road so residents don't have to drive through the mud. When we get heavy rain, this causes 'sheet erosion', all that dirt and mud to flow into the ditches causing the public works department to have to go back through and dig out the ditches. He said that this is something that should not be happening; this is a cost that's being passed on the city, in his opinion. Alderman Lafontaine inquired about this particular code being enforced prior to him taking this job? Chris informed Alderman Lafontaine that he is unaware if this was being enforced or not, but has since been enforcing this code. Alderman Lafontaine said that this Ordinance has not been enforced in the past, so now when this gets enforced, where does the cost fall. Chris stated the cost would fall on the contractor. This is one the most elementary concepts of construction, including fencing and for the sediment. Alderman LaFontaine said he feels we should give the contractors a notice of the code enforcement implementation. Mr. Carter said he will do whatever the board directs him to do; he's just giving the reasoning behind the actions that he's taken. He said the

Building Department has actually put a pamphlet in with the permit package as of 2 months ago, so any permit that's been issued within the last 1.5 to 2 months, we have a signed copy of that land disturbance instruction sheet by the contractor; he signed that copy at the time he got his permit agreeing that, "I'll do these things". Mr. Carter said he'd be happy to pull all the permits for the last couple of months and see what we've got.

Alderman Lafontaine asked, "What about all the ones that don't have silt fencing up and are actively building?" Mr. Carter said, "I'm working my way through them all now. I'm one man and doing the best I can." He explained that Josh Hayes has other duties; they are trying to split duties. Mayor Trapani explained that Josh has been more focused on code enforcement on the Highway and within neighborhoods. Mr. Carter said this time he issued 15 stop work orders for various code violations. Alderman Richardson mentioned that he would like to see this handled differently; instead of shutting them down right away, give them a warning about the violation and a couple of days to fix these certain violations. If it is still not up to standard, then proceed with the stop work order. Chris informed the Aldermen that this is what the stop work order is for. It stops all work other than getting the component fixed. Alderman Richardson asked if before the dirt is brought in to the site, do they have to get an inspection? Chris said, "It is now; I have just instituted that". He said that we will issue Land Development permits first, then when all erosion control is done an inspection will be done by the Building Department. After that has been approved is when the building permits can be pulled. Alderman Lafontaine said he would like to see a date set to implement these codes that are now being enforced so the contractors will know to include this cost in their bids. Mayor Trapani said, "Pick a date." A date was not given. Alderman Aime-Gamble said, "The ones that have been issued since they've been here should stand like they are; they already signed documents stating that they're going to do all that, prior to, so to give people who are already on notice an additional 30 days; I think that if we're going to do something like that, it needs to be for those people, for those permits who did not receive that paperwork prior to whenever it was when this started. If they signed your (Mr. Carter) document, maybe 6 or 8 weeks ago, so those people know what they have to do already, right? So, I don't think we have to make that across the board for people that are already on notice. If we're going to give time, give time to those people who weren't".

The mayor said, "So the motion on the table is to give a grace period until July 1st to continue to enforce the silt fencing requirements." Alderman Lafontaine said he'd really like us to have a meeting with the contractors to let them know this ordinance hasn't been enforced in the past, but this is coming up and we're going to start enforcing this on X date; you've got to give somebody some kind of a notice; this is affecting homeowners and contractors that have bid on jobs. Alderman Aime-Gamble asked Mr. Carter if he was aware that they had not been enforcing this ordinance. Mr. Carter said, "No ma'am, I was told that this had been being enforced, at least the silt fencing component of it had been being enforced." He said he was told that enforcement has been ongoing, but he's seen no evidence of it.

The Board decided to invite all the local contractors building in Waveland to the Public Workshop that will be taking place in the City Hall Board Room on June 13, 2024, this will then give the Contractors an opportunity to be informed of the codes. Alderman Lafontaine said, "Give a notice and enforce it to everyone."

PUBLIC COMMENTS

- **Bryan Frater** – Briefly spoke about the Short-Term Rental Ordinance mentioning that it appears to be written that insurance is optional. City Attorney said that that is correct; it is optional, some owners self-insure which is their right.
- **John Ramono** – Wanted to know where the number of 75 short term rentals in the Ordinance for Waveland came from, as there seems to already be more than

that. Alderman Aime-Gamble explained that the number had been increased to 150. Mr. Ramono also asked about enforcement. City Building Official, Chris Carter said he was still working on a plan for that. He also asked whether an occupancy tax will be charged by the city. Mr. Artigues said, "No." Mr. Ramono was concerned about vacant lots being used as RV parks. Mayor Trapani assured him that this will not be allowed again; they will be removed. The mayor said, "We're not allowing anyone to camp on property, whether they own it, got permission to use it, whatever the case may be; we have too many campgrounds right down Beach Blvd." Mr. Romano said their plans are to run a 5-star short-term rental; it will be in the upper 1% of all B&B's.

BOARD BUSINESS:

DOCKET OF CLAIMS/DEPOSITORY BANK ACCOUNT/BANK ACCOUNTS
Re: Approve the Depository Docket of Claims, paid and unpaid, dated May 22, 2024

- a. Alderman Lafontaine moved, seconded by Alderman Richardson to approve the Depository Docket of Claims, paid and unpaid, dated May 22, 2024 in the amount of \$540,725.95. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

DOCKET OF CLAIMS/OPERATING UTILITIES BANK ACCOUNT/BANK ACCOUNTS
Re: Approve the Operating Utilities Docket of Claims, paid and unpaid, dated May 22, 2024

- b. Alderman Aime-Gamble moved, seconded by Alderman Clark to approve the Operating Utilities Docket of Claims, paid and unpaid, dated May 22, 2024 in the amount of \$190,733.86. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

SOUTHERN COLONIAL CONSTRUCTION/PAY APPLICATIONS/ART STREET GRAVITY SEWER IMPROVEMENTS PROJECT/IMPROVEMENTS PROJECTS-ART STREET GRAVITY SEWER
Re: Approve payment to Southern Colonial Construction, Pay Application #1 – Art Street Gravity Sewer Improvements Project

- c. Alderman Clark moved, seconded by Alderman Richardson to approve payment to Southern Colonial Construction, Pay Application #1, in the amount of \$68,757.15 on the Art Street Gravity Sewer Improvements Project. **(EXHIBIT D)**

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

**GULF PRIDE PAVING, LLC/PAY APPLICATIONS–FINAL/RUBY, TYLER, FOY STREET REPAIRS PROJECT/PROJECTS-RUBY, TYLER, FOY STREETS
Re: Approve payment to Gulf Pride Paving, LLC, Pay Application #2–Final: Ruby, Tyler, Foy Street Repairs Project**

- d. Alderman Lafontaine moved, seconded by Alderman Richardson to approve payment to Gulf Pride Paving, LLC, Pay Application #2-Final, in the amount of \$9,957.85 on the Ruby, Tyler, Foy Street Project. **(EXHIBIT E)**

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

**CERTIFICATE OF SUBSTANTIAL COMPLETION-RUBY, TYLER, FOY STREETS/GULF PRIDE PAVING, LLC d.b.a. GEOPAWE, LLC/RUBY, TYLER, FOY STREET REPAIRS PROJECT/PROJECTS-RUBY, TYLER, FOY STREETS
Re: Approve and authorize Mayor’s signature on the Certificate of Substantial Completion with Gulf Pride Paving, LLC dba GeoPave, LLC regarding Ruby, Tyler, Foy Streets Repairs Project**

- e. Alderman Clark moved, seconded by Alderman Aime-Gamble to approve and authorize Mayor’s signature on the Certificate of Substantial Completion dated March 22, 2024 with Gulf Pride Paving, LLC. dba GeoPave, LLC. regarding the Ruby, Tyler, Foy Street Project. **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

**PROCLAMATIONS/LOCAL EMERGENCIES/BUILDING DEPARTMENT/GULF GROVE APARTMENTS/OAK PARK APARTMENTS/BLIGHTED PROPERTIES/CONDEMNED BUILDINGS
Re: Ratify Proclamation by the Mayor of the Existence of a Local Emergency in and for the City of Waveland – Gulf Grove & Oak Park Apartments**

- f. Alderman Aime-Gamble moved, seconded by Alderman Lafontaine to ratify Proclamation by the Mayor of the Existence of a Local Emergency in and for the City of Waveland finding that there is a shortage of affordable housing creating a threat of safety, health, welfare and peril to persons without shelter or living arrangements, which threats are exacerbated by the developing and pending need to condemn existing, occupied, but uninhabitable dwellings (specifically in the “Gulf Grove” and “Oak Park” properties) in the City of Waveland, posing potentially perilous health and safety living conditions within Waveland. **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

City Attorney Ronnie Artigues noted that this was necessary in order to work with other governmental agencies or organizations to help people with the move.

**CERTIFICATE OF DEPOSIT/PEOPLE'S BANK/TRANSFER FUNDS/FUNDS –
TRANSFER, BANKING/CITY INVESTMENT FUNDS BANK ACCOUNT/BANK
ACCOUNTS-PEOPLE'S**

**Re: Close the Certificate of Deposit #301117 at the People's Bank and Transfer the
balance to the 'City Investment Funds' bank account**

- g. Alderman Clark moved, seconded by Alderman Aime-Gamble to close the Certificate of Deposit #301117 at People's Bank, authorize the City Clerk to carryout same, and transfer the balance of \$20,416.62 to the 'City Investment Funds' bank account which is currently earning approximately 5%; the CD is only earning .28%. This motion had previously been approved (2/21/24) and subsequently rescinded (3/5/24); the understanding of the information received was incorrect and should not have been rescinded. **(EXHIBIT H)**

During discussion Alderman Lafontaine asked what account this was? Comptroller Robert Fertitta informed them this was a savings account that was part of the General Fund but it is a separate bank account. There was no further discussion.

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

**ADOPTIONS/ADVERTISEMENTS: SHORT-TERM RENTALS/SHORT-TERM
RENTAL ORDINANCE/ORDINANCE – SHORT-TERM RENTALS**

Re: Adopt, Approve and Advertise Short-Term Rental Ordinance

- h. Alderman Aime-Gamble moved, seconded by Alderman Richardson to replace the current draft, that states the cap of 150 Short-Term rentals allowed to be permitted, and to change the wording to read that it is 5% of the number of habitable residential structures within the City of Waveland and to adopt, approve and advertise the Short-Term Rental Ordinance. **(EXHIBIT I)**

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

During discussion, Alderman Aime-Gamble informed the Board she went to the County and had them pull up the GIS system to see how many developed properties are in the City of Waveland. There are currently 3,061 properties developed, and of this at least 61 are commercial leaving an estimate of 3,000 residential. This includes commercial and residential. If this was done by percentage instead of a hard number, when more properties are developed and the city grows, the Short-Term Rentals will then be able to grow as well. Alderman Clark agreed that he did like the idea of a percentage more than a hard number. Alderman Clark asked City

Attorney, Ronnie Artigues, if there was a way to enforce this plan and will this open up the opportunity for people to lie when the city starts limiting the number of Short-Term Rentals? Mr. Artigues said that yes, this can be enforced. Alderman Clark added that the reality is, people are planning to build summer homes and then rent them out when they are not using them; so are we hindering people from even considering Waveland a place to build? Alderman Aime-Gamble answered by saying that if you have a neighborhood with nothing but Short-Term Rentals in it, this could also inhibit the people wanting to build their permanent residence here as well. Alderman Richardson agreed with the percentage. Mayor Trapani added that the Board addressed this a few meetings ago and the city is giving everyone in Waveland an opportunity to sign up initially, and if we had 100 people sign up, that we wouldn't let anyone else get an application until that number dropped below the 75 number 'at that time'. "We're giving everyone out there right now who's invested their money in a dwelling that they were planning on renting out on a short-term basis, giving them the opportunity to sign up initially."

Alderman Aime-Gamble said that Air B&B has 33 properties listed in Waveland, and VRBO has about 50. There will be some overlap with certain websites posted to, and other websites as well. Alderman Richardson asked how the city would police the Short-Term rentals that did not post an advertisement? The Board agreed it will be difficult to manage those that advertise and manage their properties personally. Ronnie said that the city is not singling out any particular company or website, it will be uniform and it will apply whether it's on single owner renting it out or... all Short-Term Rentals will be treated the same under the Ordinance, regardless whether it's AirBNB, VRBO. Alderman Lafontaine asked how they could keep track of percentage? Ronnie said this is termed 5% of habitable residential structures, and that at the end of each month they would be able to check the Building Permits and go on to the GIS System and pull up all of those habitable properties in Waveland. This website takes about 5 minutes to check this. Ronnie let the Board know he would make these changes in the Ordinance. Alderman Aime-Gamble addressed the issue to not being able to have homestead exemption for Airbnb's, saying if you are living in your house and you rent out one room, you still have the right for homestead exemption. Ronnie informed the Board to keep in mind that the City does not have the authority to process Homestead Exemptions, this will be filed through the Tax Assessor/Collector and they will follow the rules applicable to the Homestead Exemption.

**REQUEST FOR PROPOSALS/PRE-DISASTER CONTRACTS &
SERVICES/PROPOSALS – PRE-DISASTER/ADVERTISEMENTS**

**Re: Advertise/authorize Request for Proposals for Pre-Disaster placement
contracts and services**

- i. Alderman Aime-Gamble moved, seconded by Alderman Clark to advertise/authorize for Requests for Proposals for Pre-Disaster placement contracts and services, including debris monitoring, removal and administration.

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

PLANNING & ZONING:

Re: TABLE corrected Minutes of Planning & Zoning dated March 25, 2024

1. Alderman Richardson moved, seconded by Alderman Clark to TABLE corrected Minutes of Planning & Zoning Commission's meeting dated March 25, 2024.

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

During discussion Alderman Lafontaine asked the mayor if by tabling this, would it hold anyone up from proceeding with their plan? Alderman Aime-Gamble told him that everything has already been handled. City Attorney, Ronnie Artigues agreed and added that this was all handled at the last meeting.

Re: Mr. Rhett Phillips, owner of the property commonly known as 124 Sarah's Ln.

2. Spread on the Minutes Mr. Rhett Phillips, owner of the property commonly known as 124 Sarah's Lane, Parcel #161F-0-02-112.000 has withdrawn his appeal of the rejection of his application to remove a live oak tree from the above referenced property. **(EXHIBIT J)**

Re: Ashley Mayley & Jeremy Yarber, owners of the Property commonly known as 509 Hogan St.

3. Discuss request by Ms. Ashley Mayley and Jeremy Yarber, owners of the property commonly known as 509 Hogan Street, to access the south parcel (currently under contract to sell) of her property, via the city right of way beginning at the cul-de-sac at the west end of Chagnard Street. **(EXHIBIT K)**

Jeremy Yarber came before the Board and explained that about 5 or 6 months ago he had his parcel split into 2 parcels. One is in front of Hogan and the other facing what is called either 'Chris' or 'Fifth' as it is written in the road easement. They listed the property for sale. It is now under contract pending that the buyer under contract can gain access to the property. There seems to be some road frontage or easement that is not available. City Attorney, Ronnie Artigues informed the gentleman that there are two options for access. At the time it was sub-divided there was a platted, but unopened public road or right-of-way for a road. It is not constructed, only platted and available to be constructed. He informed the gentleman that there are two options for access; if you don't want to do the work on the existing right-of-way to city standards, provide your own private easement to get to the property. It will only have to be wide enough to effectuate ingress and egress, or if you don't want to provide an easement across the front part of the property to get to the back of it, you can access it through the city easement. The city is not under any obligation to construct a road just for one parcel. The owner can construct a road on the easement with the City's permission, but will have to meet the Engineer's and Building Departments specifications for that road. Mr. Yarber said he wouldn't want to give up a portion of his easement. Ronnie said if he didn't want to give up a portion of easement to a property he sold, then that was up to him, but the buyers would be stuck to take care of this. Mr. Yarber stated that there was no physical access for them to even get to it. Ronnie said there was access, also stating that he knew when he divided this property what the options were to gain access. Its incumbent upon the purchaser or the seller what the two options are, not the city's. Ashley Mayley came forward and asked if the

woman buying their land, if they were to clear that drive on Chris St. and she gravel it, would this be allowed? Ronnie said as long as the Board, Engineer and Building Department were comfortable with the construction details. Ms. Mailey then asked if that section of the road were cleared, would the city be able to bring in utilities. Ronnie said that the City can bring utilities in whether they construct a road or not. Mr. Yarber said this was a resident that was not looking for the whole road access just to the property. Alderman Lafontaine asked Mr. Yarber what services he had? Jeremy informed them he had an agreement with Coast Electric Power Company as well as other utilities. Ronnie then said they would need their construction or design expert to meet with the City to work out the specs. The City Building Department, Engineer and Fire Department will all be involved in this, so they should choose who to present this. Alderman Richardson mentioned that everything they are doing prior needs to be looked into, where/how you will access the sewer and water. Public Works manager, Bo Humphrey said that the closest point would be on Chagnard St. Mr. Artigues added that they do have a right-of-way, how far they are away from it he does not know, but there is a right-of-way available. Ronnie lastly recommends that they have their construction person to meet with the City Engineer, Building Official and Bo Humphrey. The owners, Jeremy Yarber and Ashley Mayley agreed.

BLIGHTED PROPERTIES: (Building Official, Chris Carter to discuss)

Re: Lance Ryan – 207 Hunter Hollow

1. Lance Ryan, owner of the property commonly known as 207 Hunter Hollow. This was held in abeyance from 5/7/24 Board meeting.

Mr. Chris Carter, Building Official came forward to let Board members he was at the location this afternoon and there has been no progress at all since the last Board meeting. He noted that he spoke with Mr. Ryan in his yard 2 weeks ago from today, and Mr. Ryan assured him he would have everything done by that Friday; so, there is no progress that he can see has been made. Mr. Carter requested the Board's permission to proceed with all code enforcement measures, including daily citations with fines for up to \$1,000/day per violation, as set by the Municipal Court Judge, until we get him to comply with the ordinance. This is for the dormers, which is the only remaining issue to be corrected.

Alderman Aime-Gamble moved, seconded by Alderman Richardson to move forward with citations, as requested by Building Official, Chris Carter.

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

Alderman Aime-Gamble mentioned that this case has been being pushed back on 3 or 4 Board meetings now; this Board has given the homeowner every opportunity to fix the violations and she feels that the Board should move forward with the citations. She did add that if Mr. Ryan receives the citation and fixes the issue before it goes to Court, this Board has the option to withdraw the citation.

Re: Paula Knight – Parcel #162F-2-04-098.000

2. NOTICE OF PUBLIC HEARING - Paula Knight (life estate), owner of the Property Commonly known as 1127 Amar Street, Parcel #162F-2-04-098.000.

(EXHIBIT L)

Chris Carter, Building Official stated that this property has been dealt with by Code Enforcement long before he took his position as Building Official. He has references that go back to June of 2021, when the blighted property enforcement started, including violations like cutting the grass, pick up the yard, that sort of thing; it's only gotten progressively worse. Mr. Carter read a statement from the neighbors on Amar St. expressing their concern of safety, property value, and peace. City Attorney, Ronnie Artigues asked the Building Official what the status of the property and the violations are. Chris informed Ronnie that the violations were for numerous unlicensed vehicles in the yard, RV campers, and considerable amounts of rubbish scattered throughout the yard. The automobiles have recently been removed by city order, but the rubbish still remains. Ronnie clarified that some of the violations that Chris is in the middle of remain open. Chris stated that was correct. Mr. Clifford Knight came before the Board to give his side of the situation saying his property was stolen. Mr. Knight explained there is no rubbish in the yard, and the vehicles that were taken off his property did have titles in his name, claiming his vehicles and trailer that were taken wrongfully. Mr. Knight also expressed how he felt about not being able to talk about his side of the story before his property was taken before the Board agreed upon the decision. City Attorney, Ronnie Artigues corrected Mr. Knight explaining that what he understands when Mr. Knight is saying Mr. Carter 'stole his vehicles' is that the Building Official proceeded to have Mr. Knight's vehicles towed consistent with the Ordinance pursuant to the cleanup violations. Mr. Artigues said that what was done as part of the enforcement duties, Mr. Carter had the cars towed after he has already known that this has been going on? Mr. Carter said, "Correct". Mr. Artigues said that what Mr. Carter did was have these towed to bring Mr. Knight into compliance according to the statute. Ronnie let Mr. Knight know that if he feels aggrieved by this, he can take recourse. Mr. Knight said he just wants his trailer and vehicles back. Mr. Artigues explained to Mr. Knight that part of Mr. Carter's duties as the Code Enforcement officer is to enforce Code violations in ongoing complaints that he has had notice of for years, adding that Mr. Carter has jurisdiction under the State Statute.

Ronnie said if he has a court date for this matter tomorrow morning, then he can bring everything up to the Judge at that time.

Building Official, Chris Carter requested the Board to adjudicate this property as a menace to the public health, welfare & safety of the community on the remaining violations. Mr. Artigues suggested to Mr. Carter to attend the municipal court proceeding that is scheduled for tomorrow and let's resolve those issues, and then we can come back on additional violations that may need to be deemed, and give him the opportunity on the other issues to appear, and we can set it for the next meeting. Mr. Artigues suggested we get through tomorrow's Municipal Court hearing with the Prosecutor and the Judge on the current issue, then we can put on the agenda, give him notice again, of the additional and separate violations that you want adjudicated as a menace and let's present those at the next meeting, giving him an opportunity to address those issues separately because clearly, he was here to address just the vehicles, and he's walked out.

Re: Rita Adams Netto – 9011 Danube Street

3. NOTICE OF PUBLIC HEARING – Rita Adams Netto, owner of the property Commonly known as 9011 Danube Street, Parcel #138M-0-33-431.000.
(EXHIBIT M)

Alderman Clark moved, seconded by Alderman Lafontaine to hold this particular notice of hearing tonight in abeyance until resolution of the June 6, 2024 hearing before the Municipal Court Judge. Depending on the outcome of this court date, this shall be placed on the Board of Mayor & Aldermen agenda of June 19, 2024.

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

Building Official, Chris Carter, informed the Board that this property is essentially the same situation as the previous property discussed, not as bad in shape, but still has unlicensed vehicles, and general rubbish all over the property. Building Official, Chris Carter is requesting the Board to adjudicate this property as a menace to the public health, welfare & safety of the community on the violations. Notice was served on May 02, 2024 for this hearing tonight. In accordance with State Statute, the Building Official did have 3 vehicles towed off the property, as well as a flat bed trailer. The current violations are for exposed appliances and furniture sitting in the backyard, general trash throughout the yard. This property does not have any electricity. Mr. Carter and a Waveland Police Officer personally inspected this property. Chris informed the Board that she has also been charged with theft of Utility from the Power Company. Alderman Richardson asked the Building Official if the property was given a violation notice prior to the vehicles being towed? Chris said, "Absolutely", they were given notice. Mayor Trapani asked if there was a court date set for this property? Mr. Carter said he was not aware of any. Ms. Netto came before the Board explaining she has been living at 9011 Danube St. for approximately 2 years. She said the yard was originally a mess but she had bought a utility trailer and two storage units that had gone up for auction, causing stuff to be everywhere. She said she cleaned it up; it did take her longer to clean everything up due to her spraining her ankle and doing all of this by herself. She explained she does have solar power electricity and is currently trying to sell the property because she does not intend on staying there. She presented her code violations she received in April, she that she had a court date and Judge Mauffray gave her an extension until June 6, 2024 to get everything cleaned up. She presented photographs that show the work she has done so far cleaning up the property. She stated the trailer that was towed away was registered with a tag, and she was borrowing this trailer. She told the Board she asked Mr. Carter when he was there if he could show her his authority to adjudicate this property. When the tow company showed up, she also did not get to show them any proof of ownership or explain anything. City Attorney, Ronnie Artigues explained to Mrs. Netto that what she is talking about with regard to a vehicle requiring a tag is a completely separate issue from what we have here. He said that whether a car has a tag or not, there's a difference between what's allowed under the zoning ordinance on the number of cars you can keep in a yard. Her court case on June 6th is regarding these issues and is a continuance of a prior court date. Mr. Carter was not previously aware of this court date.

Mr. Artigues recommended to make a motion to hold this particular notice of hearing tonight in abeyance until such time the Municipal Court can adjudicate the same issues. It can then be put back on the agenda for the Board of Mayor & Aldermen to address the issue. Ronnie stated that if this is pending in court already, you don't want to adjudicate this if it is currently pending before Judge Mauffrey for the same issue. Alderman Aime-Gamble asked how they would know if this was the same charge, the same issue? Ronnie informed her that he would be pulling the file and confirming the reference number between the two cases.

CONSENT AGENDA

Re: Consent Agenda Items listed (a-o)

Alderman Clark moved, seconded by Alderman Aime-Gamble to approve the following Consent Agenda items as numbered Items (a-o):

A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

MINUTES

Re: Minutes of the Board of Mayor and Aldermen meeting dated May 7, 2024

- a. Minutes of the Board of Mayor and Aldermen meeting dated May 7, 2024.

PROMOTIONS/POLICE DEPARTMENT/HUMAN RESOURCES/PAYROLL DEPARTMENT

Re: Promote Officer Nathaniel Stanton to Police Lieutenant

- b. Hire/Promote/Transfer/Resignations/Pay Change of the following for various positions as listed: **(EXHIBIT N)**
1. Promote Officer Nathaniel Stanton to Police Lieutenant at a salary of \$52,100.85, as budgeted for that position.

TRAVEL/TOLL FEES/FIRE DEPARTMENT/HURRICANE CONFERENCE/CONFERENCES/FLORIDA DEPARTMENT OF TRANSPORTATION

Re: Approve toll fee payment to Florida Dept. of Transportation for Fire Chiefs travel to the Hurricane Conference

- c. Approve toll fee payment in the amount of \$8.46 to the Florida Dept. of Transportation for Fire Chief, Tommy Carver's travel to the Hurricane Conference in Orlando, FL. in April. **(EXHIBIT O)**

FIRE DEPARTMENT/FIRE OFFICER 1021-1-11/FIRE ACADEMY/MS. STATE FIRE ACADEMY/TRAINING/TRAVEL

Re: Approve Lt. Eric Janssen to attend the Fire Officer 1021-1-11 at the MS. State Fire Academy

- d. Approve Lt. Eric Janssen to attend the Fire Officer 1021-1-11 at the MS. State Fire Academy from June 17-27, 2024. Cost to the City will be a course fee of \$615.00, use of a city vehicle, 8 days per-diem of \$224.00 (\$28/day x 8 days) for evening meals only, and covering of his shift while at class. **(EXHIBIT P)**

FIRE DEPARTMENT/BASIC FIREFIGHTER 1001-1-11 COURSE/MS. STATE FIRE ACADEMY/TRAVEL/TRAINING

Re: Approve Recruit Firefighter Scott Tartavouille to attend the Basic Firefighter 1001-1-11 course at the MS. State Fire Academy

- e. Approve Recruit Firefighter Scott Tartavouille to attend the Basic Firefighter 1001-1-11 course at the MS. State Fire Academy from June 2-25, 2024. Cost to the City will be a course fee of \$500.00, use of a city vehicle, per-diem of \$784.00 (\$28/night x 4 nights x 7 weeks) for evening meals only, and covering of his shift while at class. **(EXHIBIT Q)**

BUILDING DEPARTMENT/2024 BUILDING OFFICIALS ASSOCIATION SUMMER CONFERENCE/CONFERENCES/TRAVEL

Re: Approve Building Official, Chris Carter to attend the 2024 Building Officials Association Summer Conference

- f. Approve Building Official, Chris Carter to attend the 2024 Building Officials Association Summer Conference in Gulfport, MS. from June 10 – 14, 2024.

Cost to City will be \$350.00 (\$250.00 registration + \$100.00 membership dues)
plus use of City vehicle. **(EXHIBIT R)**

**INVOICES/ENTITIES/AGENCIES/CONTRACTORS/ENGINEERS/
ENGINEERING SERVICES/CHINICHE ENGINEERING &
SURVEYING/JEFF DAVIS DRAINAGE IMPROVEMENTS/CITYWIDE
DRAINAGE IMPROVEMENTS/HWY 90 SEWER EXTENSION PROJECT/
ARPA SEWER IMPROVEMENTS PROJECT/LEAD SERVICE LINE
INVENTORY PROJECT/PROJECTS – ARPA, HWY 90 SEWER
EXTENSION, JEFF DAVIS DRAINAGE IMPROVEMENTS, LEAD
SERVICE LINE INVENTORY**

**Re: a. The following invoices from various Entities/ Agencies/ Contractors/
Engineers, etc.:**

g. The following invoices from various Entities/ Agencies/ Contractors/
Engineers, etc.: **(EXHIBIT S)**

1. Invoice #22-002-00511 from Chiniche Engineering & Surveying dated 05/14/24 in the amount of \$1,199.00 for engineering services related to the Jeff Davis Drainage Improvements (Citywide Drainage Improvements).
2. Invoice #22-002-0154 from Chiniche Engineering & Surveying dated 05/14/24 in the amount of \$2,373.00 for engineering services related to the Hwy 90 Sewer Extension Project.
3. Invoice #22-002-0195 from Chiniche Engineering & Surveying dated 05/14/24 in the amount of \$20,890.95 for engineering services related to the ARPA Sewer Improvements Project.
4. Invoice #22-002-0202 from Chiniche Engineering & Surveying dated 05/14/24 in the amount of \$1,979.00 for engineering services related to the Lead Service Line Inventory Project.

**BUILDING DEPARTMENT/PRIVILEGE LICENSE REPORT/REPORTS
Re: Privilege License Report for the month of April 2024**

h. Spread on the Minutes the Privilege License report for the month of April,
2024. **(EXHIBIT T)**

**BUILDING DEPARTMENT/PERMIT REPORT/REPORTS
Re: Permits Report for the month of April 2024**

i. Spread on the Minutes the Permits Report for the month of April, 2024.
(EXHIBIT U)

**GROUND ZERO MUSEUM/CIVIC CENTER/VISITOR COUNT
REPORT/REPORTS**

Re: Visitor Count Report for the month of April 2024

j. Spread on the Minutes the Visitor Count report, as submitted by the Ground
Zero Museum Board, for the month of April, 2024. **(EXHIBIT V)**

**POLICE DEPARTMENT/COMMUNITY SERVICE REPORT/REPORTS
Re: Community Service Report for the month of April 2024**

k. Spread on the Minutes the Community Services Report for the month of April,
2024. **(EXHIBIT W)**

**COURT DEPARTMENT/COURT STATISTICS REPORT/REPORTS
Re: Court Statistics Report for the month of April 2024**

- l. Spread on the Minutes the Court Statistics Report for the month of April, 2024.
(EXHIBIT X)

FUND BALANCES/REPORTS

Re: City of Waveland's Fund Balances at April 30, 2024

- m. Spread on the Minutes the City of Waveland Fund Balances at April 30, 2024.
(EXHIBIT Y)

**REVENUES/EXPENDITURES/REVENUE & EXPENDITURES
REPORT/REPORTS**

Re: Revenues & Expenditures Report dated April 30, 2024

- n. Spread on the Minutes the Revenues & Expenditures Report dated April 30, 2024.
(EXHIBIT Z)

**PUBLIC WORKS DEPARTMENT/TRAVEL/TRAINING/CONFERENCES/MS.
NATURAL GAS ASSOCIATION 45TH ANNUAL CONFERENCE**

**Re: Approve correction in lodging cost for Bo Humphrey, Public Works Manager
to attend the MS. Natural Gas Association 45th Annual Conference**

- o. Approve correction in lodging cost for Bo Humphrey, Utility Manger, to attend the MS. Natural Gas Association 45th Annual Conference in Orange Beach, AL. Lodging was originally approved at a cost of \$807.00 on 5/7/24 by the Board, however rooms at that hotel were sold out upon calling and had to book another hotel. Cost amended to \$1,254.08.
(EXHIBIT Z-1)

END CONSENT AGENDA

ADJOURN

Alderman Aime-Gamble moved, seconded by Alderman Richardson to Adjourn the meeting at 8:04 p.m.

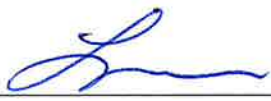
A vote was called for with the following results:

Voting Yea: Aime-Gamble, Richardson, Lafontaine and Clark

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Trapani on June 05, 2024.



Lisa Planchard
City Clerk

The Minutes of May 22, 2024 have been read and approved by me on this day the 5th day of June, 2024



Jay Trapani
Mayor