

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. August 2, 2016 at 6:30 p.m. to take action on the following matters of City business.

PUBLIC COMMENTS

Re: Bryan Frater

ROLL CALL

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

Absent from the meeting was Alderman Bobby Richardson.

MAYOR'S REPORT

Re: First Responders breakfast and lunch was held at the Community Center in Bay St. Louis and was a great event.

Re: The Mayor recognized Brent Anderson who is currently doing a school supplies drive for our local elementary school children in need.

MAYOR'S REPORT ADVERTISEMENTS/SOUTH STREET

Re: Advertise for Construction Services related to South Street Repair

Alderman Lafontaine moved, seconded by Alderman Burke to approve advertising for Construction services related to the necessary repairs associated with South Street.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine and Piazza

Voting Nay: None

Absent: Richardson

TIDELANDS TRUST FUND PROJECT REPORTS/REPORTS-TIDELANDS

Re: Approve Tidelands Trust Fund Project Reports for FY 2014, 2015 and 2016

Alderman Burke moved, seconded by Alderman Piazza to approve the following Tidelands Trust Fund Project Reports, including required signatures, as listed: **(EXHIBIT A)**

- FY2014-P401-4WV in the amount of \$111,400
- FY2015-P501-23WV in the amount of \$160,000
- FY2015-P501-24WV in the amount of \$90,000
- FY2016-P646-4WV in the amount of \$56,250

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

BUDGET MODIFICATIONS/POLICE BUILDING-STATION

Re: Budget Modification No. 11 Grant Number R-118-379-02-HCCR in the amount of \$251,047.77

Alderman Piazza moved, seconded by Alderman Burke to approve Budget Modification No. 11, Grant Number R-118-379-02-HCCR, on the Police Building project. This modification moves \$251,047.77 out of the Contingency budget line item and into the Construction budget line item in anticipation of the last two pay applications submitted by the contractor. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

MEMORANDUM OF UNDERSTANDING/E-VERIFY/PERSONNEL

Re: Memorandum of Understanding with Department of Homeland Security, E-Verify

Alderman Burke moved, seconded by Alderman Piazza to approve Memorandum of Understanding with E-Verify, Employee Verification Division of the U.S. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

ATTORNEY'S COMMENTS

Re: Under Executive Session, please add 503 Meadow Lane under potential and probable Litigation regarding Utility issues.

Re: Mrs. Yarborough read from a pre-pared Memo:

“Last meeting there was question whether the City could somehow donate or sell individually the surplused mobile homes that house the Police Station and other Departments, now that we are not using them anymore, and I know this is a common refrain from me, but when it comes to donations, the City is not allowed to make a donation unless it is statutorily allowed to, under 21-17-5(2). In this circumstance, she said there’s no statutory authority to make a donation or contribution to a private no profit facility, such as WQRZ, consequently the Board must follow MS Code Section 17-25-25 when disposing of Municipal Surplus property. She said that section provides that the specific method in which a Municipality is to utilize in disposing of its surplus personal property. There are two fact scenarios which the Board may consider under that statute given that it’s the Board’s opinion that used mobile homes have little to no value. The first being that the Mobile homes have zero value, and the second being that the mobile homes are valued under \$1,000.00. She said regarding the zero value determination, section 17-25-25 subsection 5 states; *if the Governing authority finds that the fair market value of the personal property is zero and this finding is entered on the minutes of the Authority, then the Governing Authority may dispose of such property in the manner it deems appropriate and in its best interest. But no Official or employee of the Governing Authority shall derive any personal economic benefit. In determining fair market value the Mississippi Supreme Court in the case of Dedeaux Utility vs. the City of Gulfport has defined fair market value as follows: The most probable price as of a specified date in cash or in terms equivalent to cash or in other precisely revealed terms for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to fair sale, with the buyer and seller each acting prudently, knowledgeably and for self-interest and assuming that neither is under undo duress. If it is determined that the personal property has any value above zero, the disposal or donation of the property would be an illegal action prohibited by law. Mrs. Yarborough said she would caution the Board against this avenue of the zero finding of value. Mrs. Yarborough continued to read regarding Municipal surplus property with the value of under \$1,000.00, section 17-25-25, subsection 3 states, where the personal property does not exceed \$1,000.00 in value, the Governing authority by unanimous approval of its members (requires a unanimous vote) may sell or dispose of the property at a private sale. The proceeds of the sale shall be placed in a properly approved depository to the credit of the proper fund.* Mrs. Yarborough explained that basically if the Board finds that the mobile homes have a value of over \$999.99, they may authorize a private sale. She said the value has to: 1) be determined by the Board, but also 2) it has to fit the fact scenario, so the Board cannot make an arbitrary finding that something is worth less than \$1000.00 when it’s obviously worth more. Alderman Lafontaine noted the scrap value would be worth more than \$1000.00 at least. He added, “So basically we need to declare them

surplus and auction them.” Ms. Yarborough said, “You would have to advertise and solicit bids (highest).”

ALDERMEN’S COMMENTS

Re: Alderman Burke – Discussed and cleared his issues with Department Heads prior to the meeting.

Re: Alderman Lafontaine

- Asked if there had been a full month’s reading on the newly installed force main and gravity fed meters yet?
- During a visit to the Business Center today, Alderman Lafontaine said he noticed the sound of loose tin on the roof.
- Inquired about the cost of ‘South Street’. Alderman Lafontaine asked if this will be covered completely under Road/Bridge tax revenue. Mr. Lagasse, “Inaudible”.
- Requested City Hall move forward with setting up the trailers for auction.

Re: Alderman Piazza – Discussed with all the Department Heads prior to the meeting and cleared his questions at that time.

Re: Alderman Lafontaine (Cont.)

- Asked Mr. Anderson about the ditch at the corner of Margie Street and Carroll Street. Alderman Lafontaine said the ditch had been dug a few years ago and is holding water again; it needs to be dug out and requested sand be put in the ditch.

DOCKET OF CLAIMS

Re: Claims

Alderman Lafontaine moved, seconded by Alderman Burke to approve the Docket of Claims (less the Streets Payroll portion) in the amount of \$479,822.94 dated August 2, 2016.

(EXHIBIT D)

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine and Smith

Abstain: Piazza

Voting Nay: None

Absent: Richardson

MINUTES

Re: Minutes of the Regular Meetings of July 5, 2016, July 20, 2016 and Special Meeting of July 22, 2016

Alderman Burke moved, seconded by Alderman Lafontaine to approve the Minutes of the Regular Meetings of July 5, 2016 and July 20, 2016, along with the Minutes of the Special Meeting of July 22, 2016 as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Smith

Abstain: Piazza

Voting Nay: None

Absent: Richardson

PLANNING AND ZONING (EXHIBIT E)

Re: Jason and Ann Lumpkin, 208 Seabrook Drive

Jason and Ann Lumpkin appeared before the commission with a request for a variance of 5' from the required side yard setback and a variance of 10' from the required rear yard setback in order to construct a 468 square foot (18' x 26') Carolina carport cover with a storage room on their property located at 208 Seabrook Drive. Legal description: Lot 1, Lakeside Subdivision, City of Waveland, Hancock County, Mississippi.

Chairman Roger Estopinal asked Jason Lumpkin to explain the nature of the request. Mr. Lumpkin said that he was at the previous meeting and his request for a larger accessory building had been denied. He said the he has downsized the size of his building. Mr. Lumpkin said that he needs a variance of 5' on the side yard setback and a variance of 10' from the rear yard setback----in order to construct a 468 square foot (18' x 26') accessory building. Mr. Lumpkin said that he has a boat, lawn equipment, etc. and needs a place to store them.

Commissioner Clarence Harris moved, seconded by Commissioner Charlotte Watson to recommend that the Board of Mayor and Alderman approve the applicant's request for a variance of 5' from the required side yard setback and a variance of 10' from the required rear yard setback in order to construct a 468 square foot (18' x 26') Carolina carport cover with a storage room on their property located at 208 Seabrook Drive.

Alderman Burke moved, seconded by Alderman Piazza to follow the recommendation of the Planning and Zoning Board and approve the request as submitted.

Mrs. Yarborough said for the record, if the Board determines that the applicant has met their burden of proof, the Board is finding necessarily under Section 1002.6 labeled *Variances* that the 9 listed conditions have been met and the Planning and Zoning recommendation of approval and the evidence presented therein satisfied all of those conditions, and that granting of the variance is in the best interest of the City.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

Re: Jason Thornhill, 185 Blue Heron Cove

Jason Thornhill appeared before the commission with a request for a variance of 2' from the required side yard setback and a variance of 1'8" from the required rear yard setback on a 10' x 12' accessory building that construction has already has begun. This property is located at 185 Blue Heron Cove. Legal description: Lot 12, Acadian Bay Subdivision, City of Waveland, Hancock County, Mississippi.

Commissioner Clarence Harris moved, seconded by Commissioner Charlotte Watson to recommend that the Board of Mayor and Aldermen approve the applicant's request for a variance of 2' from the required side yard setback and a variance of 1'8" from the required rear yard setback on a 10' x 12' accessory building that construction has already has begun on his property located at 185 Blue Heron Cove.

Alderman Burke moved, seconded by Alderman Piazza to approve the request as submitted by Planning and Zoning with the condition that he (Mr. Thornhill) has to place gutters on the shed. Alderman Burke noted in the Planning and Zoning minutes that this was discussed, but it was never made part of the P&Z motion. Alderman Burke further added a 60 day installation deadline, until October 2, 2016. Ms. Yarborough added, "And the variance will be rescinded without further action from the Board."

During discussion, Alderman Piazza inquired about the need for gutters. Alderman Burke said it is Blue Heron Cove with small lots and close property lines and gutters would prevent possible flooding. Mr. Thornhill said he will be happy to put the gutters up.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

Re: Jason Thornhill, 112 Pine Ridge Drive

Jason Thornhill representing Richard and Angela Kelly appeared before the commission with a request for a variance of 5' from the required rear yard setback in order to construct a new residence on their property located at 112 Pine Ridge Drive. Legal description: Lot 37, 75' x 83', Pine Ridge Subdivision, City of Waveland, Hancock County, Mississippi.

Commissioner Charlotte Watson moved, seconded by Commissioner John Becker to recommend that the Board of Mayor and Aldermen approve the applicant's request for a variance of 5' from the required rear yard setback in order to construct a new residence on their property located at 112 Pine Ridge Drive.

Alderman Burke moved, seconded by Alderman Piazza to follow the recommendation of Planning and Zoning Board and approve the request as submitted.

Mrs. Yarborough said for the record under the Waveland Zoning Ordinance Section 1002.6, if the Board determines that the applicant has met his burden of proof and is inclined to grant the variance as requested it is necessarily finding, as listed in section 1002.6, those listed conditions have been met and exist and that such variance is in the spirit of the Zoning Ordinance and public safety welfare is secured and substantial justice done by the granting of such variance.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

**Re: Bay-Waveland Housing Authority, Camille Court, 500 Camille Circle
Bob Goza, Architect and Gerrod Kilpatrick, Engineer, representing Bay Waveland
Housing Authority appeared before the commission** with a request for final plat approval on their Residential Planned Development, Camille Court, located at 500 Camille Circle. Legal description: Division of the NE ¼ of the SE ¼, Lot 4-1 & B & 5-A, City of Waveland, Hancock County, Mississippi.

Commissioner Clarence Harris moved, seconded by Commissioner John Becker to recommend that the Board of Mayor and Aldermen **TABLE** the applicant's request for final plat approval on their Residential Planned Development, Camille Court, located at 500 Camille Circle.

Alderman Lafontaine moved, seconded by Alderman Piazza to follow the recommendation of the Planning and Zoning Board and **TABLE** the request as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

UTILITY DEPARTMENT

Re: Utility Officer Manager Larry Holland to discuss the necessity of overtime for Meter Reader

Mr. Larry Holland, Utility Office Manager was present to discuss the necessity for Meter Reader Eugene Thomas to work overtime. After lengthy discussion, Alderman Piazza said this cannot

be settled this evening and perhaps a workshop will have to be set; he recommended that the regular Board meeting move forward.

**CITY HALL/PURCHASING/PERSONNEL/COMPTROLLER/FIRE
DEPARTMENT/PARKS AND RECREATIONS/RSVP/FIRE DEPARTMENT/
UTILITIES/PUBLIC WORKS/COURT/POLICE
Re: Approval of 2016-2017 Holiday Schedule**

Alderman Burke moved, seconded by Alderman Lafontaine to approve the 2016-2017 Holiday Schedule. **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

**POLICE DEPARTMENT/PERSONNEL
Re: New Hire - Ray Murphy**

Alderman Piazza moved, seconded by Alderman Burke to approve new hire Ray Murphy as a part-time Patrolman at a rate of \$9.00 per hour, pending passage of drug test.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

**POLICE DEPARTMENT/DEA TASKFORCE/PERSONNEL
Re: Officer William Cotter to transfer to a slot at the DEA Taskforce, effective September 2016**

Alderman Burke moved, seconded by Alderman Lafontaine to approve transfer of Officer William Cotter to a slot at the DEA Taskforce to become effective in September 2016 when the position becomes available. Officer Cotter's salary is to remain the same. Note: This will be an ongoing position through DEA so his position will need to be filled at some later date.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

**TRAVEL/COURT DEPARTMENT/FIRE DEPARTMENT
Re: Court Clerk Rhonda Cummings to attend Judicial College; Firefighter Brandon Lafontaine to attend the Driver Operator 1002 Pumper Course**

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

- a) Court Clerk Rhonda Cummings to attend the Mississippi Judicial College Municipal Court Clerk Conference in Jackson, Mississippi, September 14-16, 2016. Cost to the City will be 2 night's lodging, 2.5 days per diem and travel for Ms. Cummings, all expenses will be reimbursed by the Judicial College.

- b) Firefighter Brandon Lafontaine to attend the Driver Operator 1002/Pumper Course at the MS. State Fire Academy in Pearl, Mississippi August 22 – September 1, 2016. Cost to the City will be use of city vehicle, 8 days per diem for cost of dinner at a rate of \$10.00 per day (\$80.00), and a course fee of \$675.00, which includes lodging, breakfast and lunch. (On Current Docket)

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

**RESOLUTION/SMALL MUNICIPALITIES & LIMITED POPULATIONS GRANT/
GRANT/PORTABLE RESTROOM**

Re: Resolution and Application for MS Small Municipalities and Limited Population Grant

Alderman Lafontaine moved, seconded by Alderman Piazza to approve Resolution and Application, with required signatures, for the MS. Small Municipalities and Limited Population Counties Grant Program; this is an 80/20% match grant, with a maximum of \$150,000 of funds available to purchase a Portable Restroom. Mr. Jason Chiniche was present to answer questions. **(EXHIBIT G)**

Mrs. Yarborough requested to make the grant amount on the Resolution match the motion of \$150,000. Mr. Chiniche said that whatever the grant is awarded for (\$ amount), the match will be 20% by the City.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

**ADVERTISEMENTS/ENGINEERING SERVICES/WASTEWATER IMPROVEMENTS
PROJECT/REQUESTS FOR PROPOSALS/BIDS/CITYWIDE SEWER
IMPROVEMENTS PROJECT**

Re: Advertise for Request for Engineering Proposals for Design Phase and Construction Phase Services related to Sewer (Wastewater) Improvements Project

Alderman Piazza moved, seconded by Alderman Lafontaine to advertise for Requests for Proposals for Professional Engineering Services for Design Phase Services and Construction Phase Services related to the Wastewater System Improvements Project.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

**ADVERTISEMENTS/ENGINEERING SERVICES/WASTEWATER IMPROVEMENTS
PROJECT/REQUESTS FOR PROPOSALS/BIDS/CITYWIDE SEWER
IMPROVEMENTS PROJECT**

Re: Advertise for Request for Engineering Proposals for Testing during Construction related to Sewer (Wastewater) Improvements Project

Alderman Lafontaine moved, seconded by Alderman Piazza to advertise for Request for Proposals for Professional Engineering Services for Testing during Construction for the Wastewater System Improvements Project.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

**WATER POLLUTION CONTROL REVOLVING FUND LOAN PROGRAM/SRF
LOAN/CITYWIDE SEWER IMPROVEMENTS PROJECT/MISSISSIPPI
DEPARTMENT OF ENVIRONMENTAL QUALITY (MDEQ)/SEWER DEPARTMENT
Re: Federal/State Procurement Certification (MDEQ) regarding the Water Pollution
Control Revolving (SRF) Fund Loan Program- Citywide Sewer Improvements Project**

Alderman Burke moved, seconded by Alderman Piazza to approve Federal/State Procurement Certification Form by MDEQ, and authorize signatures, for applying for the Water Pollution Control Revolving Fund Loan Program as it relates to the Citywide Sewer Improvements Plan; presented by Compton Engineering. **(EXHIBIT H)**

Mrs. Yarborough said this form would only be for future procurements.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

**LEASES/LEASE PURCHASES/RESOLUTIONS/HANCOCK BANK
Re: Lease Purchase Financing Resolution with Hancock Bank for Lease of one Vacuum
Truck**

Alderman Burke moved, seconded by Alderman Lafontaine to **TABLE** authorization and required signatures on the Lease Purchase Financing Resolution, the Governmental Lease Purchase Agreement, Attachments to the Lease Agreement and Legal Opinion of Counsel, with Hancock Bank for One (1) new Vacuum Truck in the amount of \$149,986.00; 60 monthly payments in the amount of \$2,647.99 per month @ 2.29% interest.

Mrs. Yarborough said under 31-7-13, subsection E, its required the City go out for 2 competitive written bids for the financing. Mrs. Yarborough said she didn't know if that had been done. Mrs. Planchard said it had not been done. Alderman Burke asked if the motion could be contingent on a second quote. Mrs. Yarborough advised against this because both bids should be considered before a decision is made.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

**CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE
PROJECT/INVOICES/CSX TRANSPORTATION
Re: Invoice #9038746 from CSX Transportation**

Alderman Burke moved, seconded by Alderman Lafontaine to **TABLE** Invoice #9038746 in the amount of \$1,374.75 submitted by CSX, for work performed during the Citywide Drainage Project as listed, reserving all rights, contractual or otherwise against Kappa Development and requiring corresponding reduction of the total amount on Kappa Development's Payment Request No. 20.

Mrs. Yarborough asked, "Mrs. City Clerk was this invoice forwarded to Pickering to be presented to CSX"? Mrs. Planchard said, "Yes it was". Mrs. Yarborough asked, "Do you know what date that was forwarded"? Mrs. Planchard said, "That was May 24, 2016". Mrs. Yarborough asked, "And have you confirmed with Pickering that that was presented to Kappa for payment"? Mrs. Planchard said, "Yes, I keep copies of their emails, for when they send them over to them". Mrs. Yarborough asked, "And did Pickering confirm by email that they had presented it"? Mrs. Planchard said, "Yes". Mrs. Yarborough asked, "And to date from your information from CSX, has Kappa paid that invoice of \$1,374.75"? Mrs. Planchard said, "No, no". Mrs. Yarborough asked, "Is that overdue"? Mrs. Planchard said "Yes it is". Mrs. Yarborough asked, "And when did you confirm that that amount was still due"? Mrs. Planchard said, "That was just before the last Board Meeting". Mrs. Yarborough asked if there was anyone from Pickering tonight (present at the meeting). Mrs. Yarborough said that since it had been so long since the City had updated whether the amount is outstanding or not, Kappa has an invoice on this agenda; if they (Kappa) paid the invoice, she didn't want to unrightfully dock them the payment from CSX. Mrs. Planchard said that she could contact Barbara with CSX regarding this issue. Mrs. Yarborough said that the current motion is to approve the Kappa pay application; the city can't remove that from their invoice if it's not confirmed that it's still due.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

**CITYWIDE DRAINAGE PROJECT/DRAINAGE PROJECT/HANCOCK BANK/LOAN/
Re: Payment of Current Balance in full to Hancock Bank for Principal & Interest on the
HMGP Anticipation Note related to Citywide Drainage Improvements Project**

Alderman Burke moved, seconded by Alderman Piazza to approve payment of current balance in full at 8/3/16 of Loan No. 66000157925 to Hancock Bank in the amount of \$884,886.58 for the Principal (\$882,392.52) and Interest (\$2,494.06) on the Grant Anticipation Note, Series 2016, for Citywide Drainage Project. **(EXHIBIT I)**

During discussion, Mr. Duckworth (Comptroller) said this takes the line of credit down to zero, but it is still active if we were to need to access it later.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

**INVOICES/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE
PROJECT
Re: Payment of Request No. 20 from Kappa Development in the amount of \$45,427.23**

Alderman Burke moved, seconded by Alderman Lafontaine to approve Payment Request No. 20 from Kappa Development in the amount of \$45,427.23 regarding the Citywide Drainage Improvements Project/ HMGP. **(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

INVOICES/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/DRAINAGE PROJECT/LIFT STATION CENTRAL & LAKEWOOD/FACILITIES PLAN-SRF AND RELATED SERVICES/CITYWIDE SEWER IMPROVEMENTS PROJECT/STORMWATER PHASE II PROGRAM

Re: Payment of invoices submitted by Various Contractors

Alderman Lafontaine moved, seconded by Alderman Piazza to approve payment of the following invoices submitted by various contractors to be placed in line for payment consideration contingent upon receiving funding from grant sources (if required) as listed, (Items a-f): **(EXHIBIT K)**

- a) Invoice No. 0079118 from Pickering Firm, Inc. in the amount of 6,896.40 – Citywide Drainage Project.
- b) Invoice dated June 20, 2016 from Architect Nofie Alfonso in the amount of \$5,035.00 – Police Station-Building.
- c) Invoice #215-069-2 from Compton Engineering in the amount of \$3,960.00 – Drainage Improvements South Street.
- d) Invoice #216-029-2 from Compton Engineering in the amount of \$150.00 –Lift Station-Central and Lakewood.
- e) Invoice #215-065-17 from Compton Engineering in the amount of \$6,497.51 – Facilities Plan/SRF and related Services (Citywide Sewer Improvements Project)
- f) Invoice #216-021-4 from Compton Engineering in the amount of \$6,890.00 – Phase II Storm water Program.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

CASA/BUDGET FY 2017

Re: Budget Request from CASA for FY2017 Budget

Alderman Lafontaine moved, seconded by Alderman Burke to **TABLE** approval of FY 2017 budget to include donation of \$5,508.00 for funding to CASA.

Prior to motion being voted, Alderman Lafontaine noted that the timing of this request is very early; the Board had not yet been presented with the 2017 budget to be able to make a determination. Mrs. Yarborough said under 21-19-46, CASA is one of the non-profit organizations that the City is allow to donate cash to; another would be Main Street Association that the City could make contributions to. These organizations are listed under MS. Code Section 21-19-46.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

BUILDING PERMITS/PRIVILEGE LICENSE/REQUEST FOR CASH REIMBURSEMENTS/POLICE STATION-BUILDING

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

- a) Building Permits Report for the Month of July 2016 given at this the first meeting of August, 2016. **(EXHIBIT L)**
- b) Privilege License Report for the Month of July 2016 as submitted. **(EXHIBIT M)**
- c) Request for Cash Reimbursement No. 31 in the amount of \$286,082.70, Grant No. R-118-379-02-HCCR, Police Building. **(EXHIBIT N)**
- d) Request for Cash Reimbursement No. 32 in the amount of \$59,625.04, Grant No. R-118-379-02- HCCR, Police Building. **(EXHIBIT O)**

EXECUTIVE SESSION

Re: Pending Litigation and Probable litigation

Alderman Lafontaine moved, seconded by Alderman Piazza to consider Executive Session to discuss Gohres Realty LLC v COW- pending litigation, HMGP Citywide Drainage Improvements Project- potential and probable litigation; also City of Waveland vs. CDM - pending litigation, 503 Meadow Lane probable and potential litigation regarding utility issues, and Final Plat Consideration of Camille Court.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

Alderman Piazza moved, seconded by Alderman Burke to enter Executive Session to discuss Gohres Realty LLC v COW- pending litigation, HMGP Citywide Drainage Improvements Project- potential and probable litigation; also City of Waveland vs. CDM -pending litigation, 503 Meadow Lane probable and potential litigation regarding utility issues, and Final Plat Consideration of Camille Court.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

LEGAL ISSUES/SETTLEMENTS/GOHRES REALTY/MEADOW LANE (509)

Re: Accept Preliminary Counter Offer of Gohres Realty

Alderman Piazza moved, seconded by Alderman Burke to preliminarily accept the counter offer of Gohres Realty pending approval of written settlement and release agreement.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

Re: Authorize City Attorney to Offer Settlement – 509 Meadow Lane

Alderman Lafontaine moved, seconded by Alderman Burke to authorize City Attorney to offer settlement to homeowner Jeremy Compretta at 509 Meadow Lane.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

Re: Authorize City Attorney to hire Appraiser related to ROE's – Citywide Drainage Improvements Project

Alderman Lafontaine moved, seconded by Alderman Piazza to grant City Attorney authority to hire an appraiser to provide appraisal services related to all remaining ROE's regarding the Citywide Drainage Improvements Project.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

Re: Authorize Attorney Gary Yarborough to pay Retainer to Jason Chiniche & Bill Carrigee for Expert Testimony related to City of Waveland v CDM Smith.

Alderman Lafontaine moved, seconded by Alderman Piazza to authorize Attorney Gary Yarborough to pay \$1500 retainer each to Jason Chiniche and Bill Carrigee for legal opinions as expert witnesses for work related to the case, City of Waveland v CDM Smith.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

EXIT EXECUTIVE SESSION

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

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine, and Piazza

Voting Nay: None

Absent: Richardson

Let the Minutes reflect that Alderman Piazza left the Board Room at this time.

DOCKET OF CLAIMS

Re: Claims – Streets Payroll Portion

Alderman Lafontaine moved, seconded by Alderman Burke to approve the Docket of Claims, Streets Payroll portion only, in the amount of \$14,861.83 as submitted. (EXHIBIT D)

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine and Smith

Voting Nay: None

Absent: Richardson and Piazza

ADJOURN

Re: Adjourn Meeting at 9:31 p.m.

Alderman Burke moved, seconded by Alderman Lafontaine to adjourn the meeting at 9:31 p.m.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine and Smith

Voting Nay: None

Absent: Richardson and Piazza

The foregoing minutes were presented to Mayor Smith on August 19, 2016.

Lisa Planchard
City Clerk

The Minutes of August 2, 2016 have been read and approved by me on this day the 19th of August, 2016.

Mike Smith,
Mayor

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