

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 September 21, 2016 at 6:30 p.m. to take action on the following matters of City Business.

ROLL CALL

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

Absent from the meeting was Alderman Piazza.

PUBLIC COMMENTS

Re: Mr. Ron Thorp

Re: Raquel Lafontaine

MAYOR'S REPORT

BIDS/SOUTH STREET DRAINAGE IMPROVEMENTS PROJECT

Re: Selection of Bid Award for the South Street Drainage Improvements Project

Alderman Burke moved, seconded by Alderman Richardson to **TABLE** approval of company as the lowest, best and most responsible bid on the South Street Drainage Improvements project in the amount of \$ _____ and based upon recommendation by Compton Engineering.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

**DEPARTMENT OF MARINE RESOURCES (DMR)/CERTIFICATE OF WAIVER/
SOUTH STREET ROADWAY IMPROVEMENTS PROJECT**

Re: Authorize Signature on Certificate of Waiver from DMR for South Street Roadway Improvements Project

Alderman Burke moved, seconded by Alderman Lafontaine to authorize signature on Certificate of Waiver from DMR (letter dated 7/21/16) to fill .37 acre of non-tidal wetlands related to the South Street Roadway Improvements Project. **(EXHIBIT A)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

CONTRACTS/BUILDING DEPARTMENT/CARRIGEE CONSULTING

Re: Contract with Carrigee Consulting, LLC (See motion near end of meeting)

Alderman Lafontaine moved, seconded by Alderman Burke to approve contract with Carrigee Consulting, LLC. (Building inspection services) for the period 10/1/16 through 9/30/17; same terms and price as fiscal year 2016.

Alderman Richardson asked if this could be considered in Executive Session. City Attorney Yarborough said that we can discuss it, but she did know that it would qualify because he's not City personnel, if that's going to be the exemption. No vote was taken for the above motion.

Alderman Burke then moved, seconded by Alderman Richardson to **TABLE** until a preliminary Executive Session is held to see if this issue qualifies for Executive Session.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

MAYOR'S REPORT, cont.

Re: Updated Board on progress of Waveland Avenue Sidewalk Project.

Re: Invited everyone to view the recently purchased new vacuum truck parked in the back parking lot.

ALDERMEN'S COMMENTS

Re: Alderman Burke

- Attended the Mississippi Municipal League PMPDD Legislature Meeting. Senator Tisdale, Representative Bennett and Greg Handy from Gulfport were present and passed out the bills that were coming before them in Session. Alderman Burke said the one (bill) closest to Waveland would be the Small Municipalities Grant (to get more money for it) and the Tax Diversion Plan, where instead of the City getting 18% of the sales tax remitted to the State, the City's portion would be increased to 20%. He said it passed both the House & Senate last year but it died in conference.
- With regard to statewide monies available, Alderman Burke said it is vitally important to have as many Waveland citizens present at any upcoming Hancock County BP Town Hall Meetings to push for the money to stay in the Waveland community and along the Coast.
- Mayor Smith added that it will be an uphill battle to get some of these monies since the State currently has a \$200M shortfall. He noted that tomorrow at 3:30 pm all of the Coast Mayors have a meeting with the Lt. Governor to talk about just the BP funds and he will be at that meeting.

Re: Alderman Richardson

- Acknowledged and thanked Public Works Director Brent Anderson's staff for their grass cutting efforts throughout the City.
- Invited everyone to the Grand Opening of the Splash Pad at the MLK Park on Herlihy Street this Saturday, September 24, 2016.

Re: Alderman Lafontaine

- Inquired how far along Compton is with plans for the Lighthouse (To be constructed between the Veterans Memorial and the Garfield Ladner Memorial Pier). Mr. Mickey Lagasse with Compton Engineering was present to update the Board and presented them with a set of preliminary plans.
- Asked if the line item described as comp time on the Revenues & Expenditures report could be used. Mrs. Planchard said she thought so, it would have to be separated out and coded to the account during payroll input; she would look into it with the Payroll Clerk.

DOCKET OF CLAIMS

Re: Claims

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the Docket of Claims in the amount of \$635,705.39 dated September 21, 2016 as submitted. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

MINUTES

Re: The Minutes of the Regular Meetings of August 17, 2016 & September 6, 2016, along with the Special Meetings of August 23, 2016, August 24, 2016, August 29, 2016 and September 1, 2016

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the Minutes of the Regular Meetings of August 17, 2016 and September 6, 2016 (on DropBox), along with the Special Meetings of August 23, 2016, August 24, 2016 August 29, 2016, September 1, 2016, and September 8, 2016, as submitted by the City Clerk.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

CITY HALL

Re: Appoint Mr. Ron Duckworth as Deputy City Clerk

Alderman Lafontaine moved, seconded by Alderman Richardson to appoint Ron Duckworth as Deputy City Clerk.

A vote was called for with the following results, motion fails.

Voting Yea: Burke

Voting Nay: Richardson and Lafontaine

Absent: Piazza

ADVERTISEMENTS/REQUEST FOR QUALIFICATIONS/BIDS/RFQ's/AUDITING SERVICES

Re: Advertise for RFQ's for Auditing Services of City's Financials

Alderman Lafontaine moved, seconded by Alderman Burke to advertise for RFQ's for annual Auditing Services of the City's financials.

Mrs. Yarborough said the City would not take price bids, the City will take RFQ's and negotiate once the evaluations are done.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

SURPLUS/FIRE DEPARTMENT

Re: Declare Mobile Home Surplus

Alderman Burke moved, seconded by Alderman Richardson to declare the following ~~three~~ assets as surplus property and approve to advertise for bids for the sale of same, as listed (Items a):

- a. Trailer, Mobile Home (single wide), 2005- Bar Code 1032858 (formerly Fire Stn.-Gulfside Dr.)

- ~~b. Trailer, Mobile Home (double wide), 2006 Bar Code 1238215 (Serial #011-06-816-22699A) & Bar Code 1238216 (Serial #011-06-816-22699B) (formerly Police Station-Coleman Ave)~~
- ~~c. Trailer, Mobile Home/Modular Office (double wide), 2006 Bar Code 1238566 (Serial #G800570-B) & Bar Code 1238567 (Serial #G800570-A) (formerly Animal Shelter-Gulfside Dr.)~~

During discussion, Alderman Lafontaine asked whether we had already done this a couple meetings ago. City Clerk Planchard said, "We did not have possession of the single wide trailer yet; I was waiting on FEMA to get me the paperwork on that. We finally got that and I was waiting to get them all (3) together/ do it all at the same time to declare them surplus and advertise for bids." Ms. Yarborough said that she did not see any harm in doing it twice, but she thought that we have at least surplus two of them. Mrs. Yarborough said, "Under 17-25-25 if the Board does declare these Mobile Homes as surplus, it's making the necessary finding that they have ceased to be used for public purposes and that it's in the best interest of the City of Waveland that said pieces of personal property be surplus. And now there are restrictions on how we can dispose of this personal property also. Mrs. Yarborough said she didn't know if it had to necessarily be addressed at the time of surplus, but those restrictions need to be followed."

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

**LITIGATION/LEGAL ISSUES/AT&T REPAIR BILLING LITIGATION/
SETTLEMENT/REPAIR BILLING LITIGATION**

Re: Mayor's Signature on any AT&T Repair Billing Litigation Claim Form

Alderman Lafontaine moved, seconded by Alderman Burke to approve the Mayor's signature on any AT&T Repair Billing Litigation Claim Form(s) to be paid a settlement in the amount of \$134.23 related to the terms of the Court's final judgment and order for Repair Billing Litigation Claims. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

FLOW METERS & METER VAULTS/CLOSE-OUT FORMS/WATER DEPARTMENT

Re: Close-Out Forms related to the Installation of Flow Meters & Meter Vaults

Alderman Lafontaine moved, seconded by Alderman Richardson to **TABLE** approval of the following Close-Out Forms related to the Installation of Flow Meters & Meter Vaults and signatures thereon as required as listed, (Items a-i):

- a. Substantial Completion Certificate
- b. Final Payment Application and Certificate Signature Page
- c. Payment Application/Invoice No. 2 & Final to DNA Underground LLC in the amount of \$2,203.95.
- d. Contract Completion Certificate
- e. Recommendation for Final Acceptance of Contract
- f. Final Completion Inspection Report
- g. Final Waiver of Lien
- h. Consent of Surety to Final Payment
- i. Contractor's Affidavit of Release of Liens & Waiver of Lien

During discussion, City Attorney Yarborough asked for a Letter by Compton Engineering certifying that the work had been done and that they recommend final payment. Mr. Lagasse was present and came forward to get the closeout documents to review them for such information.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

**INVOICES/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/SUBDIVISION REVIEW/LIGHTHOUSE, OUTDOOR RECREATION/TIDELANDS/CITYWIDE SEWER IMPROVEMENTS PROJECT/SEWER IMPROVEMENTS PROJECT
Re: Payment of Invoices Submitted by Various Contractors**

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

- a) Invoice #N20121965 from AMEC Foster Wheeler in the amount of \$5,815.34 – HMGP Citywide Drainage Improvements Project. **(EXHIBIT D)**
- b) Invoice #216-042-2 from Compton Engineering in the amount of \$658.80 – City of Waveland subdivision review. **(EXHIBIT E)**
- c) Invoice #215-068-12 from Compton Engineering in the amount of \$1,880.00 – Construction of Lighthouse, Outdoor Recreation - Tidelands. **(EXHIBIT F)**
- d) Invoice #216-021-6 from Compton Engineering in the amount of \$ 5,590.00 – Phase II Stormwater Program Plan. **(EXHIBIT G)**
- e) Invoice #215-065-19 from Compton Engineering in the amount of \$10,340.95 – Facilities Plan and Related Services (SRF), Citywide Sewer Improvements. **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

TRAVEL/CITY HALL

Re: Travel to Hattiesburg CCMC Program for City Clerk Lisa Planchard and Deputy City Clerk Lisa Planchard

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the following travel as listed (Item b):

- ~~a) Motion to approve travel for City Clerk Lisa Planchard to attend the 2016 Master Municipal Clerk and Committee Session September 26-28, 2016 in Raymond, MS. Ms. Planchard was selected to serve as MMCCA Co-Chair to Mentoring Committee. Cost to the City will be a registration fee of \$75.00, lodging for 3 nights, per diem for 2 days and use of a city vehicle. **REMOVED**~~
- b) Motion to approve travel for City Clerk Lisa Planchard and Deputy City Clerk Tammy Fayard to attend the 2016 Fall Session of the Certified Municipal Clerks, Tax Collectors and Deputies (CMCC) Program October 19-21, 2016 in Hattiesburg MS. for continuing education. Cost to the City will be a registration fee each of \$200.00, lodging each for 2 nights, 2 days per diem each and use of a city vehicle.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

**FLOW METERS & METER VAULTS/CLOSE-OUT FORMS/WATER DEPARTMENT
Re: Close-Out Forms related to the Installation of Flow Meters & Meter Vaults**

Alderman Burke moved, seconded by Alderman Lafontaine to Untable and Approve the following Close-Out Forms related to the Installation of Flow Meters & Meter Vaults and signatures thereon as required as listed, (Items a-i):

(EXHIBIT I)

- a. Substantial Completion Certificate
- b. Final Payment Application and Certificate Signature Page
- c. Payment Application/Invoice No. 2 & Final to DNA Underground LLC in the amount of \$2,203.95.
- d. Contract Completion Certificate
- e. Recommendation for Final Acceptance of Contract
- f. Final Completion Inspection Report
- g. Final Waiver of Lien
- h. Consent of Surety to Final Payment
- i. Contractor's Affidavit of Release of Liens & Waiver of Lien

Mrs. Yarborough said she had just received the Certificate of Substantial Completion from Mr. Lagasse who reviewed the close out file and it is signed by the Staff Engineer James Buras that the work has been performed in accordance with the contract documents. Mrs. Yarborough added that the Substantial Completion Certificate is basically a final acceptance of this project; she said it is acceptable to her and that Compton has endorsed it.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

**ORDINANCES/COURT DEPARTMENT/POLICE DEPARTMENT
Re: Approve Ordinance 368, Crime Stoppers Assessment of \$2.00**

Alderman Burke moved, seconded by Alderman Lafontaine to approve Ordinance 368, Crime Stoppers Assessment of \$2.00 per moving violation assessment to be collected in cases processed through Waveland Municipal Court for distribution to MS. Department of Public Safety, Division of Crime Stoppers. **(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

**ORDINANCES/TAX ABATEMENT/CENTRAL BUSINESS DISTRICT
Re: Ordinance Number 369**

Alderman Lafontaine moved, seconded by Alderman Richardson to **TABLE** approval of Ordinance Number 369 Tax Abatement Ordinance for the Central Business District, in accordance with MS. Code Ann. Section 17-21-5, as amended, excluding School District taxes,

and urging the Hancock County Board of Supervisors to provide for Exemptions qualified by the City of Waveland.

After lengthy discussion about particulars of the Ordinance, Board members agreed to table this issue until they could be provided a map to see the area involved and develop more questions for the next meeting. Mayor Smith said he would get with the Economic Group to get their recommendations and he will put the map together.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

**PERMITS DEPARTMENT/BUILDING DEPARTMENT/SOFTWARE AGREEMENTS/
AGREEMENTS/CONTRACTS**

Re: Annual Use License for Permits and (Building) Inspections fee with MDCCI-Permit (Mark Dykes Computer Consulting, Inc.)

Alderman Burke moved, seconded by Alderman Richardson to approve Annual Use License for Permit and Inspections fee with MDCCI-Permit MD (Mark Dykes Computer Consulting, Inc.) Invoice #164-674 in the annual amount of \$1,300.00. This is software for the Building Department which includes free upgrades and telephone support. **(EXHIBIT K)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

**CITY HALL/NICHOLSON AVENUE IMPROVEMENTS PROJECT/MISSISSIPPI
DEPARTMENT OF TRANSPORTATION (MDOT)**

Re: Authorize Mayor to correspond with Mr. David Seyfarth with MDOT regarding Nicholson Avenue Improvements

Alderman Lafontaine moved, seconded by Alderman Burke to authorize Mayor Mike Smith, as Chief LPA Official, to write Mr. David Seyfarth with Mississippi Department of Transportation (MDOT) notifying MDOT of the City's intention to activate project design and construction improvements on Nicholson Avenue. **(EXHIBIT L)**

During discussion, Mr. Lagasse said the intention of this is that it will be about a 3 year process to get this all done using the City's Road & Bridge money as match.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

**HANCOCK COUNTY RESOURCE AGENCY/APPOINTMENTS/CITY HALL/
REIMBURSEMENTS/LEGISLATIVE PLANNING MEETING-GULFPORT/COURT
DEPARTMENT/TRAVEL/ZONING ORDINANCE REVIEW COMMITTEE/
REVENUES AND EXPENDITURES/REQUEST FOR PROPOSALS/ENGINEERING
SERVICES/BIDS/CITYWIDE SEWER IMPROVEMENTS PROJECT/SEWER
IMPROVEMENTS PROJECT**

Spread on the Minutes the following being listed (Items a-g):

- a) Mayor's appointment of Mrs. Maureen Anderson to the Hancock County Resource Agency.
- b) Reimbursement to Alderman Jeremy Burke in the amount of \$22.68 for travel related to his attendance at the 2016 MML Legislative Planning Meeting in Gulfport, Mississippi. **(EXHIBIT M)**
- c) Court Collections Report for the month of August 2016. **(EXHIBIT N)**
- d) The following appointments to the Zoning Ordinance Review Committee (voluntary positions) as follows:
 - 1) John Becker – Ward 1
 - 2) Charlene Black – Ward 2
 - 3) Buddy Bourn – Ward 3
 - 4) Mickey Lagasse – Ward 4
 - 5) Bill Carrigee as Advisor
 - 6) Christine Gallagher Zoning Official
- e) Revenues and Expenditures Report for August 2016 at this, the second meeting of September 2016. **(EXHIBIT O)**
- f) RFP's for Engineering Services, Construction Materials related to the Citywide Sewer Improvements Project were opened immediately prior to this regular meeting and taken under advisement.
- g) RFP's for Engineering Services, Design and Construction Phase Services related to the Citywide Sewer Improvements Project were opened immediately prior to this regular meeting and taken under advisement.

EXECUTIVE SESSION

Re: Executive Session

Alderman Burke moved, seconded by Alderman Richardson to close the open meeting for preliminary determination of the necessity of an Executive Session regarding agenda Item #4c - Carrigee Consulting, LLC.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

Mayor Smith announced that the issue related to Agenda Item #4c did not qualify for Executive Session.

CONTRACTS/BUILDING DEPARTMENT/CARRIGEE CONSULTING

Re: Untable motion re: Contract with Carrigee Consulting, LLC

Alderman Lafontaine moved, seconded by Alderman Burke to Untable motion to approve contract with Carrigee Consulting, LLC. (Building inspection services) for the period 10/1/16 through 9/30/17; same terms and price as fiscal year 2016.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

CONTRACTS/BUILDING DEPARTMENT/CARRIGEE CONSULTING

Re: Approve Contract with Carrigee Consulting, LLC.

Page _____
Meeting of September 21, 2016
6:30 p.m.

Alderman Lafontaine moved, seconded by Alderman Burke to approve contract with Carrigee Consulting, LLC. (Building inspection services) for the period 10/1/16 through 9/30/17; same terms and price as fiscal year 2016. **(EXHIBIT P)**

A vote was called for with the following results:

Voting Yea: Burke and Lafontaine

Voting Nay: Richardson

Absent: Piazza

ADJOURN

Re: Adjourn Meeting at 8:02 p.m.

Alderman Richardson moved, seconded by Alderman Burke to adjourn the meeting at 8:02 p.m.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

The foregoing minutes were presented to Mayor Smith on October 7, 2016.

Lisa Planchard
City Clerk

The Minutes of September 21, 2016 have been read and approved by me on this day the 7th day of October, 2016.

Mike Smith
Mayor

