

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 5, 2017 at 6:30 p.m. to take action on the following matters of City business.

**PUBLIC COMMENTS:**

- Mr. Clarence (Zeke) Hall
- Mr. Henry Martinez (G.M & R Construction)
- Chad Whitney

**ROLL CALL**

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

**STREETS DEPARTMENT/UTILITY DEPARTMENT/PUBLIC WORKS  
DEPARTMENT/PERSONNEL**

**Re: Transfer Terrance Gerald from Streets Department to Utility Department**

Alderman Burke moved, seconded by Alderman Piazza to transfer Terrance Gerald from Streets Department to Utilities at \$11.00 per hour (to replace Reyland Berry-resigned).

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**PERSONNEL/STREETS DEPARTMENT/PUBLIC WORKS**

**Re: Hire Chris Bennett as Street's Employee**

Alderman Lafontaine moved, seconded by Alderman Burke to hire Chris Bennett as Streets Department Laborer at \$10.25 per hour pending passage of drug test (to replace Terrance Gerald).

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**MAYOR'S REPORT**

Re: Mayor Smith recognized that we currently don't know the track of Hurricane Irma and urged everyone to have their evacuation plans in place.

**PUBLIC APPEARANCE/UTILITY DEPARTMENT**

**Re: Mr. Malcom Lynch** of C.C. Lynch & Associates presented software data on the Smart Board describing the computer data of 3 flow meters for wells; Utility Department .

**ATTORNEY'S COMMENTS**

**Re: City Attorney Rachel Yarborough updated the Board on Letellier Property -Bienville Drive**

Mrs. Yarborough updated the Board on the Bienville drainage issue from 3 months ago. She reminded the Board of their action finding that there was flooding on Bienville due to a collapsed culvert (actually a filled in culvert) that ran through the Letellier property creating road flooding and undermining the passageway and creating a public health/safety hazard. Mrs. Yarborough

said since that time the City has reasonably exhausted all of the negotiations with the property owner and have moved the point of entry for the drainage to the side of the property line and have gone from where the filled-in culvert was all the way to the side yard of the property, which is an unbuildable piece of property. Mrs. Yarborough said the City offered to sod, and offered to repair within a week or two. She said the current request by the property owner is that the City follow that current plan of action as proposed, however they request that the City remove the old culvert that they filled in and then replace their derelict driveway. Mrs. Yarborough said in her opinion the City is not allowed to do this; that would be an inappropriate improvement to a private property and is not necessary based on our original findings. Mrs. Yarborough said based on the City's original findings and in her opinion, the City does not have the authority to make those improvements. Mrs. Yarborough said that since all the other avenues have been exhausted, the City will go through with the formal takings process and will get that started. Mrs. Yarborough said it will take a couple of days to get the appraisal back, make the offer, and then file. She said at the next meeting, the Board can expect to adopt a Resolution making a finding that the taking is required and that the City has followed the statutory requirements to pursue that taking. Mayor Smith said Mrs. Letellier has requested a meeting with Public Works Director Brent Anderson, Mrs. Yarborough, Mickey Lagasse with Compton Engineering and himself. Mrs. Yarborough said we have to do that, however she would prefer to have the appraisal in hand to make a good faith statutory offer of Fair Market Value when we sit down for that meeting. She said at this point the City has made all of the accommodations that the City can make as to how the drainage will flow and how it will access their property. She believes it is the least imposition to their property and the least taking of their property; we're at a point where if we get our appraisal and make that fair market value offer, whatever that appraisal comes back at, then that just 'is what it is'.

**RESOLUTIONS/PINEY RIDGE ROAD-DRAINAGE WORK/STREETS/DRAINAGE**  
**Re: Resolution for Repair to Property around 106 Piney Ridge Road**

Alderman Piazza moved, seconded by Alderman Burke to approve and adopt a Resolution to Approve Certain Repair to Drainage Work to property around 106 Piney Ridge Road.  
**(EXHIBIT A)**

Mrs. Yarborough said that she had created a Resolution under 21-19-13 and 21-37-3.

Mrs. Yarborough to Mr. Anderson: "So you're familiar with 106 Piney Ridge Road, so if you would Brent, just kind of expand and explain to the Board the effects of rainfall on the road and surrounding properties."

Mr. Anderson: "There's a section of this driveway that is collapsed, and is not allowing flow".

Mrs. Yarborough: And when it rains does this blocked culvert cause property flooding to adjacent property owners?

Mr. Anderson: "It does result in ... it backs up; it's a slow process"

Mrs. Yarborough: "And, would fixing this collapsed culvert only be beneficial to the property owner at Piney Ridge or would it be beneficial to surrounding property owners and the City of Waveland at large"?

Mr. Anderson: "It would benefit the surrounding areas".

Mrs. Yarborough: "Are these repairs in your opinion necessary"?

Mr. Anderson: "Yes"

Mrs. Yarborough: "And those repairs include cleaning and re-culverting certain property and replacing the driveway"?

Mr. Anderson: "Yes".

Mrs. Yarborough: "Okay, and will replacing that address issues of erosion and flooding and any road sheeting"?

Mr. Anderson: "Yes".

Mrs. Yarborough: "So, with that information, if the Board makes the finding that it agrees that this current situation is a health safety hazard, and that these repairs are necessary to the Public Welfare to correct dangerous road conditions and protect and preserve the roadway. So that is basically the findings in this resolution and if you adopt this resolution those are the factual findings that you're making as spoken by Mr. Anderson".

Alderman Lafontaine asked if the homeowner would be providing the culvert or would the City pay for it? Mrs. Yarborough said that under this Resolution, it would be the City of Waveland;

but as always with the culvert issues, there are more ways to ‘skin a cat’. She said she thinks that we do have a lot of derelict culverts in the City that are causing drainage backup and flooding in the streets. The central question is always, is it just a benefit to the property owner or is it in fact correcting a dangerous condition, but if it is a dangerous condition then we could also proceed under 21-19-11 which then requires the property owner to replace it or we could remove it, but we would not be obligated to replace it”. This is more of an emergent/expedient way to deal with a safety issue. Alderman Lafontaine said he understood, but he knows of several that could be on the next agenda for the City to replace at the City’s expense; how is this one different from all the others we have. Mrs. Yarborough said that is why it requires a Board finding, because it has to be a collective action; that’s been the issue with these collapsed culverts. She said that there are probably 500 properties that may meet this criteria, but it’s up to the Board what kind of precedent you want to set to address these issues. Mr. Anderson said these collapsed culverts are the number one problem with our drainage; he’s been saying that for years, he said. Ms. Yarborough added that each case needs to be presented to the Board with findings made, and each are fact intensive. She said that the concern is that you’re not spending public funds for the benefit of one property owner, so there has to be the additional finding that the repair work will benefit the City drainage system as a whole and not just to the benefit of the property owner and any benefit received to the property owner is secondary to the overall improvement to the City drainage.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **BLIGHTED PROPERTIES/DAY’S FRONTIER PROPERTY**

**Re: City Attorney discussed correspondence from Asst. Fire Chief Tommy Carver regarding the old “Day’s Frontier Property at 552 Highway 90”**

Mrs. Yarborough discussed the old “Day’s Frontier” Property at 552 Highway 90. Mrs. Yarborough said she received a letter from Assistant Fire Chief Tommy Carver noting that the building is not in compliance with the Fire Code. She said we need an additional letter from the City’s Building Official with an expert opinion as to the stability of the structure and any building code violations need to be formally presented to the property owner so that we can take action. Once we have those letters in place, the City can set a Public Hearing with two weeks’ due process notice of corrections, and then take action from there. She said from what she could gather this has been ongoing for years and there has been no movement from the property owner. Mayor Smith said a portion of the Building is in a Flood Plain, which means the whole building would have to be brought into compliance, which would be very costly. This would be a “win-win” for the City if the building could be removed.

#### **ALDERMEN’S COMMENTS**

**Re: Alderman Burke** – No Comments; said he cleared all of his questions prior to the Board meeting.

**Re: Alderman Richardson**

- Commended everyone from Hancock County that served meals to first responders in Texas after Hurricane Harvey, including Mickey Lagasse, Cami Cornfoot, Tony Mallini and Brent Anderson among others.
- Inquired about Corr Subdivision. Ms. Yarborough said they will be meeting tomorrow with Mr. Corr about that issue.

**Re: Alderman Lafontaine**

- Mentioned that the City does currently have meters on all of our 52 lift stations that show amounts of rainfall processing through those stations.
- Discussed his being emphatically against the hiring of a new Building Inspector and his concerns with doing same. He noted that the complaints we are currently getting are coming from those people who don’t know how to build to code. We will have

complaints no matter who our Building Inspector is. The first thing those folks expect will be for the Building Inspector to be their general contractor, showing up 6 and 7 times to do an inspection and wonder why they fail. Our inspector is not there to tell them how to build, their contractor should know their job and build to code. Alderman Lafontaine said he hopes our City does not get to the point where this is a political thing where we don't want complaints on the inspector because of the inspector shutting the job down as opposed to costing every taxpayer in the City money having the inspector running back and forth out to a job 6 and 7 times playing general contractor instead of doing his job as Building Inspector. He said at the last Board meeting the Board said they wanted someone that would show homeowners how to do this and show how contractors how to do that... that is not the Building Inspector's job. Alderman Richardson said he does not want the Inspector to show a contractor how to do anything; they should know how to do it already. Alderman Lafontaine added that if it's documented that people are building and they're not passing code, he does not want an inspector that's going to walk through there, turn his head and walk out because he's afraid that he's going to get a complaint and lose his job. Alderman Lafontaine added, "In my opinion, we probably have the best inspector in the State of Mississippi." Mayor Smith said, "We do". Alderman Lafontaine added, "We went from a building department that was costing us \$350,000 each year to a building department that is costing us \$180,000, \$184,000 to be exact this year. How can you go wrong? Call around and see what the other cities are paying for their Building departments because you know what, right now a lot of people are looking at the City of Waveland to do the exact same thing that we are doing, that we're fixing to vote on and possibly change." Mayor Smith said he hears about most of the complaints and that it's not that the resident or contractor is angry about the issue they are being failed on, but rather the attitude or the perceived attitude of the building official.

**Re: Alderman Piazza** – No Comments; said he cleared all of his questions prior to the Board meeting.

#### **DOCKET OF CLAIMS**

##### **Re: Claims**

Alderman Lafontaine moved, seconded by Alderman Burke to approve the Docket of Claims, {excluding Transaction #172655 to Joey Boudin's Hauling in the amount of \$949.05 (duplicate payment) and Transaction #172656 in the amount of \$500.00 to Lime Pi Digital} in the amount of \$452,118.14 dated September 5, 2017 as submitted. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **MINUTES**

**Re: Minutes of August 16, 2017, Special Meetings of August 10, 2017 (COG), August 10, 2017 (Budget Discussion 1<sup>st</sup> Draft), August 15, 2017 (HCUA) and August 21, 2017 (Budget Discussion 2<sup>nd</sup> Draft)**

Alderman Burke moved, seconded by Alderman Lafontaine to approve the Minutes of the Regular Meetings of August 16, 2017 and Minutes of the Special Meetings of August 10, 2017 (COG Meeting), August 10, 2017 (Budget Discussion -1<sup>st</sup> Draft), August 15, 2017 (HCUA) and August 21, 2017 (Budget Discussion - 2<sup>nd</sup> Draft).

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**ORDINANCES/UTILITY DEPARTMENT**

**Re: Approval of Ordinance 371.1**

Alderman Burke moved, seconded by Alderman Lafontaine to approve Ordinance No. 371.1 Amending Section ii Subsection A of Ordinance Number 371, to increase the minimum fees to be charged and collected for garbage services. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**HANCOCK COUNTY LIBRARY/LIBRARY/BAY-WAVELAND LIBRARY/  
RESOLUTIONS**

**Re: Approval of “Renewed and Amended Agreement to Continue the Hancock County Library System”**

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the “Renewed and Amended Agreement to continue the Hancock County Library System” and authorize Mayor’s signature thereon. **(EXHIBIT D)**

During discussion, Mrs. Yarborough said that she had worked with other Attorneys (County & Library) on this. She said the body of the document, in essence, is the same as the Interlocal Agreement, however this agreement is extending the 1991 Library Services contract so we’re not going to have those issues of PERS or re-employment, a lot of these issues would have been an issue if we had done it the Interlocal agreement route. What is required under Code Section 39-3-8 which is the Statue that we’re continuing this under, is that we populate a Subsidiary Advisory Board to our already established Board of Trustees for the Joint County/City Public Library System. Mrs. Yarborough said Waveland will have its own separate Board of Trustees, and you each will be an appointment to that Board, so you are just appointing yourselves to this Advisory Board that will then enter into the Agreement also. All the issues and terms that we had spoken of previously are the same; the Trustee members, the length, the appointments, all the meat and substantive issues remain the same. She added that Gary, Trent and I have worked on the formalities and the structure of it.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**Re: Resolution Appointing Members to the City of Waveland Library Board of Trustees –Waveland Board of Mayor and Aldermen**

Alderman Lafontaine moved, seconded by Alderman Piazza to adopt the Resolution Appointing Members to the City of Waveland Library Board of Trustees. The City of Waveland Board of Mayor and Aldermen approves and ratifies Charles Piazza, Shane Lafontaine, Bobby Richardson, Jeremy Burke and Mike Smith, as the Trustees of the Municipal Library Board of Trustees to serve one, two, three four, and five years respectively, beginning the date of this appointment, with the Board of Trustees authorized to consider joint Library agreements under Miss. Code Ann. Section 39-3-8. **(EXHIBIT E)**

During discussion, City Attorney Yarborough said that this Board and the terms are required and established as required by 39-3-15 (1)(A).

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **MEETINGS/SPECIAL MEETINGS/LIBRARY**

The Board discussed and agreed to set a Special Meeting of the City of Waveland Library Board of Trustees for September 20, 2017 at 6:15 pm. No Motion was necessary or taken.

#### **QUOTES/PURCHASING/JEFF DAVIS TO RAILROAD TRACKS DITCH CLEANING Re: Approve quote from Black Diamond Construction for cleaning sloped ditch from Jeff Davis to Railroad Tracks**

Alderman Burke moved, seconded by Alderman Piazza to approve a quote from Black Diamond Construction for cleaning approximately 1000 linear feet of sloped ditch from Jeff Davis to Railroad Tracks in the amount of \$11,825.00. *Not Currently Budgeted.* **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **CONTRACTS/RESURFACE GARDEN LANE PROJECT**

##### **Re: Contract with LandShaper, Inc. to Resurface Garden Lane Project**

Alderman Burke moved, seconded by Alderman Richardson to approve and authorize Contract between the City of Waveland and Land Shaper, Inc., including required signatures, for the 'Resurface Garden Lane' Project. **(EXHIBIT G)**

Mrs. Yarborough said that in her opinion the City should enter into a formal contract on any utility or construction contract that is over \$5,000 so apparently a Purchase Order was issued before we considered this contract tonight, and they began work. She said she knows there was an additional issue of a submitted Change Order #1, however that's been withdrawn; that's not going to be considered on this scope of work. Ms. Yarborough explained that's why Garden Lane proceeded prior to this formal contract entry; the Contractor has signed it, however the Board has not approved this yet and that is because a Purchase Order (P.O.) was issued when their quote was accepted by the Board and that's been the plan of action in the past is that once a low quote was obtained, they would issue a P.O. and work would begin. She said she has reviewed and disagreed with that process so she's now going to inform anybody that's involved what her new requirements will be; it will be any public construction project as defined by law. Mr. Lagasse did tell Board members that the actual amount of base asphalt to fill the holes is going to be lower and will probably be reflected in the contract coming in less than originally quoted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**GRANTS/DOMESTIC VIOLENCE GRANT APPLICATION/DEPARTMENT OF JUSTICE (DOJ)/POLICE DEPARTMENT**

**Re: Application for the 2017-2018 DOJ Domestic Violence Grant Application; Police Department**

Alderman Burke moved, seconded by Alderman Piazza to approve application with, including required signatures on the 2017-2018 DOJ Domestic Violence Grant Application; City Match portion \$8,167.00, DOJ portion \$24,502.00. **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**MEMA DISTRICT 9 REGIONAL HAZARD MITIGATION PLAN/PUBLIC HEARING/HAZARD MITIGATION/DISTRICT 9/HMGP**

**Re: Adoption of MEMA District 9 Regional Hazard Mitigation Plan and set Public Hearing for October 3, 2017**

Alderman Piazza moved, seconded by Alderman Lafontaine to approve adoption of the MEMA District 9 Regional Hazard Mitigation Plan and set public hearing related to same for October 3, 2017 at 6:00 pm. (Uploaded to OneDrive, 1533 pages) **(EXHIBIT I)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**PERSONNEL/BUILDING DEPARTMENT**

**Re: Hire Josh Hayes as Building Inspector and CRS Coordinator**

Alderman Burke moved, seconded by Alderman Piazza to hire Mr. Josh Hayes as Building Inspector at an annual salary of \$45,000.00, pending passage of drug test.

Alderman Lafontaine asked how many applications had been received and how many interviews had been done. Mayor Smith said he knew of at least 3 applications and there had been no interview; he spoke with him on the phone several times. Alderman Lafontaine expressed his concern if Mr. Hayes goes on vacation or has an illness; who will fill in for him when he's out. He said he felt Public Works Administrator/Building Official Brent Anderson would be the only other person qualified to step in during this time, but did not think that Mr. Anderson had time, given his commitments to the Utility & Streets Departments. Alderman Richardson said he believed Mr. Anderson could find the time to do some inspections since he has men that he has appointed as Streets Supervisor and Utility Supervisor who work for him. Alderman Lafontaine said if we're going to spread it out, the fire department can help with some of the safety inspections. Mr. Anderson said he would do what needs to do to get it done if this person is out, but if for some reason, this hire is not working out he will have a discussion with the Mayor. Mr. Anderson said if he can pull the load he'll work with him, but if it gets bad he'll be the first to say this isn't working out. Mayor Smith said if Mr. Hayes doesn't work out, then by Brent being where he's at, we can fix that. He added that of the few applications received, there were hardly any certified building inspectors. Mr. Henry Martinez came forward and asked the Board to consider the following: Instead of getting rid of the most qualified knowledgeable person of code, construction etc... and to hire somebody to 'see if it works out'; he added "We don't even have a backup plan if that gentleman has to be gone for 8 days due to sickness or family

problem. We just cross train somebody just to go look at houses. You can't just cross train somebody; this takes years to develop the qualifications to go inspect a job according to code. I think it's a mistake; if you all want to do what you want to do, then have some certain plan how you're going to backup this person if something happens to them." Alderman Lafontaine asked how well does anyone know him; has anyone done any kind of a reference check on his prior employment. Mayor Smith said that probably of everyone in the room he knows Josh better; as Fire Chief he taught Josh 'CRS' and he was just getting involved in it then. He added, "Why did he leave Bay St. Louis, why did he leave Long Beach; I can't answer those questions". Mr. Anderson said that Mr. Hayes definitely knows CRS. Alderman Richardson said that could be a cost savings to us, he did train under Bill Carrigee and got his certifications through Bill while he was at Bay St. Louis.

A vote was called for with the following results:

Voting Yea: Burke, Richardson & Piazza

Voting Nay: Lafontaine

Absent: None

**PERSONNEL/POLICE DEPARTMENT**  
**Re: Hire Mr. Don Gray as Part-time Police Officer**

Alderman Piazza moved, seconded by Alderman Burke to hire Mr. Don Gray as a part-time Police Officer 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, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**PERSONNEL/POLICE DEPARTMENT**  
**Re: Promotion of Officer Eddie Hursey to Patrol Sergeant**

Alderman Lafontaine moved, seconded by Alderman Piazza to promote Officer Eddie Hursey to Patrol Sergeant at a rate of \$15.63 per hour.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**TRAVEL/CITY HALL/POLICE DEPARTMENT/NARCOTICS TASK FORCE**  
**Re: Mayor Mike Smith to Hattiesburg, Mississippi for True South Basic Economic Development Course and to Tunica, Mississippi for MML Fall Board of Directors Meeting**  
**Re: Officer Jody Richard to Camp Shelby for Basic Narcotics Investigation School and Police Chief David Allen to Instructors Certification Course in Jackson, Mississippi**

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

- a) Mayor Mike Smith to attend the True South Basic Economic Development Course in Hattiesburg, September 11-14, 2017. Cost to the City will be lodging for 3 nights, 3 days per-diem and use of a City vehicle.

- b) Mayor Mike Smith to attend the MML Fall Board of Directors Meeting in Tunica, Mississippi September 29, 2017. Cost to the City will be lodging for 1 night, 1 day per diem and use of a City vehicle.
- c) Officer Jody Richardson to attend the Basic Narcotics Investigation School at Camp Shelby, September 18-29, 2017. Cost to the City will be use of a City vehicle, lodging & meals provided.
- d) Police Chief David Allen to attend the Instructors Certification Course at the Police Academy in Jackson, Mississippi, September 10-14, 2017. Cost to the City will be use of a City vehicle. (Chief Allen must check in by 4:00 pm on 9/10/17)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**POLICE DEPARTMENT/SURPLUS PROPERTY**

**Re: Motion Failed to Declare Police Vehicle VIN# 2FAHP71V59X143869 as Surplus**

Alderman Burke moved, seconded by Alderman Richardson to declare one (1) 2009 Ford Crown Victoria VIN# 2FAHP71V59X143869 (Police Car that had been in an accident) as surplus. (Vehicle will be used for parts on other vehicles). Insurance Payment (less salvage value) to the City will be \$4,300.00.

Mrs. Yarborough said because this vehicle is still being used for parts (as needed) it is not appropriate to declare the vehicle as surplus at this time. Ms. Yarborough said we should surplus it once it's been stripped and we don't have any other use for the vehicle because when you make the finding that we're surplus an asset, you're making the finding necessarily that it's not being used for a City purpose.

A vote was called for with the following results:

Voting Yea: None

Voting Nay: Burke, Richardson, Lafontaine & Piazza

Absent: None

**CONTRACTS/MISSISSIPPI DEPARTMENT OF TRANSPORTATION (MDOT)/  
NICHOLSON AVENUE PEDESTRIAN IMPROVEMENTS PROJECT/AGREEMENTS**

**Re: Preliminarily Approve Contract with Compton Engineering for Nicholson Avenue Pedestrian Improvements Project**

Alderman Burke moved, seconded by Alderman Piazza to preliminarily approve Contract between Compton Engineering and the City of Waveland (LPA) for the Nicholson Avenue Pedestrian Improvements Project, Project No. STP-9136-00(004) LPA/107516-701000. LPA will not sign at this time, but rather forward to MDOT for review and concurrence. Once MDOT concurs, LPA will receive two original contracts back to request contract signatures at that time.  
**(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**INVOICES/PARKS AND RECREATIONS/ELWOOD BOURGEOIS PARK/CITYWIDE  
SANITARY SEWER IMPROVEMENTS PROJECT/SRF LOAN/STORMWATER  
PROGRAM – PHASE II**

**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 #1017 from Black Diamond Construction in the amount of \$9,665.00 for plumbing, construction, and installation of the Splash Pad at Elwood Bourgeois Park. **(EXHIBIT K)**
- b) Invoice No. 217-042-1 from Compton Engineering in the amount of \$9,800.00 – Engineering services related to Resurfacing Garden Lane **(EXHIBIT L)**
- c) Invoice No. 216-056-12 from Compton Engineering in the amount of \$28,415.00 – Citywide Sanitary Sewer Improvements Project/SRF. **(EXHIBIT M)**
- d) Invoice No. 216-054-7 from Compton Engineering in amount of \$500.00 –CRS Coordination for July 2017. **(EXHIBIT N)**
- e) Invoice No. 216-021-16 from Compton Engineering in the amount of \$4,620.00 – Phase II Stormwater Program, July 2017 services. **(EXHIBIT O)**

**PERSONNEL/UTILITY DEPARTMENT/COURT DEPARTMENT/BUILDING  
DEPARTMENT/PRIVILEGE LICENSE**

Spread on the minute's the following as listed, (Items a-e):

- a) Resignation of Mr. Reyland Berry from the Public Works Utility Department effective September 8, 2017.
- b) Declaration of Local Emergency - Hurricane Harvey. **(EXHIBIT P)**
- c) Court Clerk Rhonda Cummings and Deputy Court Clerk Anitra Freeman's Certificates of attendance at the Mississippi Municipal Court Clerk's Association Summer Seminar, July 24-25, 2017 in Biloxi, Mississippi. **(EXHIBIT Q)**
- d) Building Permits Report for the Month of August, 2017. **(EXHIBIT R)**
- e) Privilege License Report for the Month of August, 2017. **(EXHIBIT S)**

**EXECUTIVE SESSION**

**Re: Potential and Probable Litigation**

Alderman Piazza moved, seconded by Alderman Burke to consider Executive Session to prompt a closed discussion regarding potential and probable litigation regarding the lease of space in the City's Business Center to Dunk's Southern Buffet and Mississippi Vacation Properties, LLC.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**Re: Enter Executive Session**

Alderman Richardson moved, seconded by Alderman Burke to enter executive Session regarding potential and probable litigation regarding the lease of space in the City's Business Center to Dunk's Southern Buffet and Mississippi Vacation Properties LLC.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**Re: Exit Executive Session with no action taken**

Alderman Piazza moved, seconded by Alderman Burke to exit Executive Session with no action taken.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**ADJOURN**

**Adjourn Meeting at 9:07 pm**

Alderman Lafontaine moved, seconded by Alderman Piazza to adjourn the meeting at 9:07 pm.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Smith on September 22, 2017.

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

The Minutes of September 5, 2017 have been read and approved by me on this day the 22<sup>nd</sup> day of September, 2017.

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

