

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, MS. on July 18, 2018 at 6:30 p.m. to take action on the following matters of City business.

#### **PUBLIC COMMENTS**

**Re: Mr. Ralph Black** – Presentation of proposed internet service. Mrs. Yarborough notified Mr. Black that if he wished to rent space on the water tower, he would have to submit a formal proposal to the Board to include the proposed lease, the amount he is willing to pay for the lease, his proposal to give City Hall free internet instead of a lease fee he would pay to the City. Ms. Yarborough explained to Mr. Black that the City currently leases space to other service providers so he would have to check to make sure that his proposal does not interfere with their equipment.

#### **ROLL CALL**

Mayor Smith noted for the record the presence of Aldermen Burke, Richardson, Lafontaine and Piazza, along with Acting City Attorney Gary Yarborough and Deputy City Clerk Tammy Fayard.

#### **MAYOR'S REPORT**

**Re: Tactical Diversion Task Force Agreement with DEA**

Alderman Burke moved, seconded by Alderman Lafontaine to **TABLE** approval of the Tactical Diversion Task Force Agreement with the Gulfport DEA Drug Enforcement Administration New Orleans Field Division, and authorize the Mayor's signature thereon.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **WAVELAND AVENUE SIDEWALKS PROJECT/ADVERTISEMENTS**

**Re: Advertise for the Bids for Waveland Avenue Sidewalk Project**

Alderman Piazza moved, seconded by Alderman Richardson to approve advertising for bids for Waveland Avenue Sidewalk Project, contingent upon receiving MDOT official notice.

Alderman Lafontaine asked about the timeline for the bidding and mobilization. Engineer Jason Chiniche said once he receives the official notification from MDOT to authorize us to advertise, we will get the advertisement to the Clarion Ledger (we have to publish in a statewide newspaper) and to the Sea Coast Echo (local paper). Those ads will run once a week for 2 consecutive weeks and then we'll receive bids about 2 weeks after that; so roughly about a month until we receive bids, so probably the end of August or early part of September we'll receive bids. We can run in the Sun Herald as well. It takes about 10 to 14 days for MDOT to approve the bid package once we have all the information from the contractor; then they'll send a concurrence letter back to the City to say that they have authorized the City to award the contract, and that will take roughly 10 to 14 days. At that point the City can award the contract and approve the Notice to Proceed to the Contractor. About 2 weeks after this, mobilization should be going, so we're probably looking at October before we actually start breaking ground.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**MAYOR'S REPORT**

- The Mayor said that he would be leaving Sunday (August 22, 2018) for Washington D.C. to discuss FEMA de-obligation(s) related to Hurricane Katrina.
- Lowes has agreed to donate the lumber and paint for the Gazebo at the Towne Green; in addition they will plant the flowers around it. Eagle Scouts will build it with their parents and Garrett Garcia of Garcia & Sons will oversee the construction.

**ATTORNEY'S COMMENTS**

**Re: MLK Community Center Project (Grant Administrator)-** Mrs. Yarborough said she had discussions with MDA regarding the cost of Grant administration services; and that is not included in the grant total. MDA stated they could either give us more money through the grant process or they would supply a grant administrator through the MDA, which would probably be Lynn Powers, who handled the Waveland Police Building grant, so either way if the Board would like a grant administrator on that project, it's not necessarily at this point provided for through those funds. However, if you all would like to proceed with that we can do it by simple acquisition methods, which would not require publication, and would be much quicker. So, if that is how the Board would like to proceed we can either 1) Authorize City Attorney to request from MDA funds for a grant administrator and authorize procurement under a simple acquisition procedure for the MLK Community Center Project, or 2) not have a Grant Administrator.

**MISSISSIPPI DEVELOPMENT AUTHORITY (MDA) FUNDS/GRANTS/GRANT ADMINISTRATOR/MARTIN LUTHER KING COMMUNITY CENTER/ ATTORNEY'S COMMENTS**

**Re: Authorize City Attorney to request from MDA, Funds for Grant Administrator & Authorize Procurement**

Alderman Burke moved, seconded by Alderman Lafontaine authorize City Attorney to request from MDA, Funds for Grant Administrator, and authorize procurement under a small acquisition procedures for the Martin Luther King Community Center Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

During further discussion, the City Attorney said there's about \$20,000 allotted to oversight for A&E services. That also falls under the small purchase requisition procedures. It would be less time consuming to authorize the City Attorney to request from MDA allowance to follow those procedures, which at this time, they've given us a pre-clearance. All we need is a formal motion from the Board to allow the City Attorney to request those procedures be followed.

**Re: Authorize City Attorney to Request MDA Procedures for Small Purchase Requisition Procedures for A&E Services be followed re: the MLK Community Center Project**

Alderman Lafontaine moved, seconded by Alderman Richardson to authorize City Attorney to request MDA procedures for small purchase requisition procedures for A&E Services be followed for the Martin Luther King Community Center Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**HIGHWAY 90 LIGHTING & UTILITY RELOCATION  
PROJECT/GRANTS/MDOT/ATTORNEY'S COMMENTS**

**Re: City Attorney discussed Change Orders needed for Street Light Cost and one for Utilities regarding this project- Hwy 90 Lighting & Utility Relocation Project**

Mrs. Yarborough said upon sending the application, we did an estimate of costs regarding the Street Light work to be in the amount of \$280,624.35. The successful bid, however, came in at \$314,919.01. She said MDOT is requesting that the City request a Change Order/Grant Adjustment in this amount so they have a direct cost of what that lighting project is going to be. Mrs. Yarborough said if the Board would recall, we actually had to execute 2 applications on that project; one for lighting and one for utilities, so it's really 2 change orders. One would be in the amount of \$34,294.66 (lighting) and then the Change Order regarding water works/utility would be \$17,390.84. This will also have repercussions on how we work agenda item #20 (approving Lamey Electric). If you are in agreement, if we could have two separate motions on those change orders...

**CHANGE ORDERS/HWY 90 LIGHTING PROJECT/STREET LIGHTS WORK-HWY  
90/MISSISSIPPI DEPARTMENT OF TRANSPORTATION (MDOT)/GRANTS**

**Re: Request Change Order #1 to MS. Department of Transportation for Street Light Work Costs-Highway 90 Lighting Project, in the amount of \$34,294.66**

Alderman Lafontaine moved, seconded by Alderman Richardson to request Change Order #1 to Mississippi Department of Transportation regarding the Street Light Work Costs-Highway 90 Lighting Project, in the amount of \$34, 294.66. **(EXHIBIT A)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**CHANGE ORDERS/MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
(MDOT)/WATER WORKS, UTILITY COSTS-HWY 90/ HWY 90 LIGHTING  
PROJECT/GRANTS**

**Re: Change Order #1 regarding Original Water Works Utility Costs for Roadway Light Project in the amount of \$17,390.84**

Alderman Lafontaine moved, seconded by Alderman Piazza to request Change Order #1 regarding the original Water Works Utility costs for the MDOT Roadway, Hwy 90 Lighting Project in the amount of \$17,390.84. **(EXHIBIT B)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**LIGHTING AND UTILITY RELOCATION PROJECT/MISSISSIPPI DEPARTMENT  
OF TRANSPORTATION (MDOT)**

**Re: Name Lamey Electric, LLC as lowest, best and most responsive bidder for Highway 90 Lighting and Utility Relocation Project**

Alderman Burke moved, seconded by Alderman Richardson to approve and award Lamey Electric, LLC as the lowest, best and most responsive bidder for the Hwy 90 Lighting and Utility Relocation Project in the amount of \$364,625.85. Due to uncertainties in MDOT Construction

schedule for installation the Traffic signals, Compton also recommended awarding Alternate #1 in the amount of \$19,175.00, contingent on MDOT's approval. **(EXHIBIT L)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**WARD'S RESTAURANT KILN, MISSISSIPPI/UTILITIES/MISSISSIPPI  
DEPARTMENT OF TRANSPORTATION/GAS DEPARTMENT  
Re: City Attorney discussed Installation of Gas Lines at Ward's Hamburger Restaurant**

Mrs. Yarborough said there is a Ward's Restaurant being built in the Kiln which is requesting a gas extension under Hwy 603 so MDOT has requested, since it is our gas service, that we request a permit from MDOT to bore under the Highway (603). She said she just got this application right before the meeting so if we could just approve it contingent on Attorney review and approval.

**Re: Authorize Permit Request to MDOT to Bore under Highway 603 Regarding Ward's Hamburger Restaurant Gas Service**

Alderman Lafontaine moved, seconded by Alderman Piazza to authorize a permit requesting construction of pipeline along, or across State Highway 603.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**ALDERMEN'S COMMENTS:**

**Re: Alderman Burke**

- Spoke with City Attorney and Mayor prior to the meeting, and cleared his questions; no comments at this time.

**Re: Alderman Richardson**

- Discussed bathroom issues on the Pier and the distance from the Pier to the Lighthouse bathrooms. Alderman Richardson requested the City build new bathrooms on the Garfield Ladner Memorial Pier or potentially place portable bathrooms thereon.
- Discussed Corr Subdivision and expressed concern for the citizens that are paying ad valorem taxes and cannot get repairs to the subdivision. Mrs. Yarborough said that she hired Compton Engineering to review issues in the Subdivision. She said the findings would be discussed in Executive Session this evening.

**Re: Alderman Lafontaine**

- Happy to see mobilization to begin construction on the Bourgeois Park bathrooms has started. Alderman Richardson also inquired about repair to the splash pad control panel and whether that had been changed out yet. Mr. Anderson will check on it.

**DOCKET OF CLAIMS**

**Re: Claims**

Alderman Burke moved, seconded by Alderman Lafontaine to approve the Docket of Claims in the amount of \$607,025.77 dated July 18, 2018 as submitted. **(EXHIBIT C)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **MINUTES**

##### **Re: Special Meeting of June 26, 2018**

Alderman Burke moved, seconded by Alderman Piazza to approve the Minutes of the Special Meeting (Public Hearing) of June 26, 2018 as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **INSURANCE/PERSONNEL/CITY HALL**

##### **Re: Mr. James Moody with Bancorp South provided a brief update on Health Insurance.**

#### **ORDINANCE/BUILDING DEPARTMENT**

##### **Re: Approve Ordinance No. 375- Updated 2018 International Building Codes**

Alderman Burke moved, seconded by Alderman Piazza to approve Ordinance No. 375, An Ordinance for the Adoption of the Family of International Building Codes for the City of Waveland, including the following as listed and all penalties and related issues thereto: (Items a-k) **(EXHIBIT D)**

- a) International Building code, 2018 Edition
- b) International Residential Code, 2018 Edition
- c) International Mechanical Code, 2018 Edition
- d) International Plumbing Code, 2018 Edition
- e) International Fuel Gas Code, 2018 Edition
- f) International Private Sewer Disposal Code, 2018 Edition
- g) International Swimming Pool Code, 2018 Edition
- h) International Existing Building Code, 2018 Edition
- i) International Property Maintenance Code, 2018 Edition
- j) NFPA 70 National Electric code, 2017 Edition
- k) International Fire Code, 2018 Edition

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

#### **FINANCIAL REPORT/COMPTROLLER**

##### **Re: Provided the Monthly Financial Report for June 2018. (EXHIBIT E)**

#### **RESOLUTIONS/GULF REGIONAL PLANNING COMMISSION/**

##### **Re: Approve Resolution to Request GRPC open a Position on their Board for Waveland Appointee, Ms. Ann McCauley**

Alderman Burke moved, seconded by Alderman Piazza to approve a Resolution to request that Gulf Regional Planning Commission open one of the available positions on their Board and the

Board of Mayor and Aldermen appoint Anne McCauley to that position as the City of Waveland representative. **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

### **PROCLAMATIONS**

**Re: Proclaim August 1, 2018 as les Moineaux Day in Waveland for Choir performing at St. Clare Church**

Alderman Burke moved, seconded by Alderman Piazza to approve a Proclamation for the French Boys' Choir 'Les Moineaux' that will be performing at St. Clare Church, Summer 2018.  
**(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**PURCHASING/POLICE DEPARTMENT/DEA NARCOTICS AGENTS/NTF FUND**  
**Re: Purchase of 2 External Vest Carriers from Slidell Army Surplus for NTF and DEA Narcotics Agents**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve the purchase of two external vest carriers from Slidell Army Surplus for our NTF and DEA Narcotics Agents in the total amount of \$325.30 from the NTF Fund.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**CONTRACTS/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/  
DRAINAGE IMPROVEMENTS PROJECT/WOOD ENVIRONMENTAL/AMEC  
ENVIRONMENTAL**

**Re: Approve Contract Extension through December 31, 2018 with Wood Environmental & Infrastructure for the Citywide Drainage Improvements Project**

Alderman Lafontaine moved, seconded by Alderman Richardson to approve contract extension through December 31, 2018 with Wood Environmental & Infrastructure Solutions, Inc. (formerly AMEC Foster Wheeler) on the City of Waveland Citywide Drainage Project, including Mayor's signature thereon. Master Services Agreement originally dated 7/19/12 attached. **(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**INVOICES/FOURTH OF JULY EVENT/DESTINATION WAVELAND FOURTH OF JULY/EVENTS**

**Re: Invoice #2018028 to 'Big Noise' for Operation of Sound System during Fourth of July Event**

Alderman Lafontaine moved, seconded by Alderman Richardson to pay Invoice #2018028 to Big Noise (Aaron Lee) in the amount of \$1,600.00 for running the sound systems for the Ross Grisham Band during the Destination Waveland Fourth of July event. **(EXHIBIT I)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**AGREEMENTS/DELTA SOFTWARE/CITY HALL/PERSONNEL/PURCHASING**

**Re: Approve Computer Software Support Agreement Addendum with Delta Computer Systems**

Alderman Piazza moved, seconded by Alderman Burke to approve the Computer Software Support Agreement Addendum, including required signatures, with Delta Computer Systems in the amount of \$2,560.00 monthly for the 10/1/18 – 9/30/19 fiscal year; this covers all of the various departmental software's used. **(EXHIBIT J)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**TRAVEL/POLICE DEPARTMENTS/COURT DEPARATMENT/CITY HALL/PERSONNEL/PURCHASING/ELECTIONS**

**Re: Sergeant David King, Sergeant Matthew Roberts & Officer Adam Penton to Biloxi, MS for Field Training**

**Re: Court Clerk Rhonda Cummings to Municipal Court Clerks Annual Conference**

**Re: City Clerk Lisa Planchard, Deputy Clerks Ron Duckworth, April Chevis, Rachel Cullen, Election Commissioners and Executive Committee Members to Jackson, Mississippi for training**

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

- a) Sergeant David King, Sergeant Matthew Roberts and Officer Adam Penton to Biloxi, Mississippi for the Field Training Officer Certification at the Harrison County Law Enforcement Training Academy, July 30-August 1, 2018. Cost to the City for each will be \$100.00 course fee and use of a City vehicle.
- b) Court Clerk Rhonda Cummings to attend the Municipal Court Clerks Annual Conference in Jackson Mississippi September 12-14, 2018. (All lodging, travel and meals are paid for by The Judicial College).
- c) City Clerk Lisa Planchard, Deputy City Clerks Ron Duckworth, April Chevis, and Rachel Cullen, Election Commissioners Brenda McComb, Albert Jeanfreau and Debbie Mason, one Republican Party Executive Committee Representative, John Ohman and one Democratic Party Executive Committee Representative, Alfred "Tiger" Harris to Secretary of State's Office, Jackson MS. for a July 31<sup>st</sup>, 2018

Mandatory Election training. Cost to the City will be lodging, per diem, mileage (for those taking their own vehicles), and a City vehicle.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**SOUTH MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT PROJECT (SMPDD)/AGREEMENTS/SSAI SCSEP HOST AGENCY AGREEMENT/CONTRACTS  
Re: Approve SSAI SCSEP Host Agency Agreement Contract Continuation to June 30, 2019**

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the SSAI SCSEP Host Agency Agreement Contract Continuation to June 30, 2019 with South Mississippi Planning and Development District (SMPDD) for the provision of clerical services at City Hall, and authorize Mayor's signature thereon. There is no cost to the City. **(EXHIBIT K)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY/ MDEQ/  
CITYWIDE SANITARY SEWER IMPROVEMENTS PROJECTS/HERLIHY/SRF CITY  
WIDE SEWER IMPROVEMENTS PROJECTS/HERLIHY STREET AREA SANITARY  
SEWER IMPROVEMENTS/MEADOW LANE SANITARY SEWER  
IMPROVEMENTS/6<sup>TH</sup> STREET GLADSTONE STREET AREA/WAVELAND CUTOFF  
AREA SANITARY SEWER IMPROVEMENTS PROJECTS/SEWER  
DEPARTMENT/BIDS/LOANS/AMENDMENTS  
Re: Approve and authorize Mayor's signature on the MDEQ Bid Package & Loan  
Amendment Request for Sanitary Sewer Improvements Projects**

Alderman Piazza moved, seconded by Alderman Richardson to approve and authorize Mayor's signature, on the MDEQ Bid Package and Loan Amendment Request for the SRF Citywide Sanitary Sewer Improvements Projects; including the Herlihy St. Area Sanitary Sewer Improvements, the Meadow Lane Sanitary Sewer Improvements, and the 6<sup>th</sup> Street, Gladstone Street Area, Waveland Cutoff Area Sanitary Sewer Improvements. **(EXHIBIT M)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**COURT DEPARTMENT/REVENUES AND EXPENDITURES  
REPORT/PERSONNEL/POLICE DEPARTMENT/CITYWIDE SEWER  
IMPROVEMENTS**

Alderman Burke moved, seconded by Alderman Lafontaine to spread on the minutes the following as listed, (Items a-e):

- a) Court Statistics for the Month of June 2018, at this the second meeting of July 2018. **(EXHIBIT N)**
- b) Revenues and Expenditures Report for the Month of June 2018 at this, the second meeting of July 2018. **(EXHIBIT O)**
- c) Resignation of Part-time Officer Eddie Peterson, effective July 11, 2018.
- d) Resignation of Part-time Officer Don Siebenkittel effective July 11, 2018.
- e) The reviewed and approved (by MDEQ) Professional Services Contract (Design & Construction Phase) with Compton Engineering, Inc. for the Citywide Sewer Improvements Project SRF C280788-01. **(EXHIBIT P)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

### **EXECUTIVE SESSION**

#### **Re: Consider Entering Executive Session- Potential Litigation**

Alderman Burke moved, seconded by Alderman Piazza to prompt a closed discussion regarding potential litigation concerning Corr Contracting Subdivision compliance with City ordinances and regulations.

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 litigation concerning Corr Contracting Subdivision compliance with City ordinances and regulations.

***City Attorney asked to note for the record the presence of Mr. Mickey Lagasse from Compton Engineering who will be included in Executive Session..***

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

### **BUILDING DEPARTMENT/CORR SUBDIVISION**

#### **Re: Accept Final Plat and Approve Phase II of Corr Subdivision**

Alderman Lafontaine moved, seconded by Alderman Burke to accept the final plat and approve Phase II of Corr Subdivision.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Page \_\_\_\_\_  
**Regular Meeting of July 18, 2018**  
**6:30 p.m.**

Voting Nay: None

Absent: None

**Re: Exit Executive Session**

Alderman Burke moved, seconded by Alderman Richardson to exit Executive Session with action taken.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**ADJOURN**

**Re: Adjourn the meeting at 8:23 p.m.**

Alderman Piazza moved, seconded by Alderman Burke to adjourn the meeting at 8:23 p.m.

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 August 24, 2018.

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Lisa B. Planchard  
City Clerk

The Minutes of the Meeting of July 18, 2018 have been read and approved by me on this, the 24th day of August, 2018.

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Mike Smith  
Mayor

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