

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

PUBLIC HEARING

Re: 555 Brown Avenue, Waveland, Owner Joshua Garcia

Mrs. Yarborough: Are you Mr. Garcia?

Mr. Garcia: Yes.

Mrs. Yarborough: Okay, do you say it 'gar-sha' or 'gar-cia'?

Mr. Garcia: 'gar-cia'.

Mrs. Yarborough: Okay, if you would, just come sit in the front row. If you would Josh, explain a little bit about the property and to your opinion as to better is in the minutes, and in what ways it would be considered a menace.

Mr. Hayes: Originally, this official notice, or the original notice, I'm sorry, in April, it was a dilapidated structure open to the elements, falling in on itself and so on.

Mrs. Yarborough: Well, what exactly was the write up letter, what deficiencies were notice?

Mr. Hayes: Well the structures unsafe, the structure unsound, dilapidated.

Mrs. Yarborough: Did you note any specifics as to how the structure was unsafe and unsound.

Mr. Hayes: Okay, I'm sorry, the entry way is deteriorated and collapsing, the glass windows were broke. Big openings due to moisture penetration exterior, interior walls have deteriorated, beyond the point where the material's falling away creating openings and failing. The roofing material falling away, causing structural aspects to fail. The interior and exterior structures covered in filth due to neglect. The property is overgrown and covered in debris. Because of the open structure and moisture, vermin and insect infestation is imminent and the open structure may have become harbor for babies.

Mrs. Yarborough: Was there any evidence that it was open to vagrants, or were there vagrants present or any evidence.

Mr. Hayes: No, it was difficult to tell, all I could really, literally do is go up and knock on the door, and there was, it was gutted and there were clothes everywhere and stuff, just by looking in. the door's open, so there's a place that vagrants could be.

Mrs. Yarborough: In that letter was sent out in April, is that correct?

Mr. Hayes: Yes.

Mrs. Yarborough: Okay did you get any response from the property owner?

Mr. Hayes: I did, (pause) oh I'm sorry, there was a change of ownership since April, in September, another notification was sent. Mr. Garcia here, and he did respond, shortly after.

Mrs. Yarborough: And was that notice in September where, had there been any improvements since April, by the last owners?

Mr. Hayes: By current owner?

Mrs. Yarborough: By the, well were there any improvements from April to September?

Mr. Hayes: Not that I know of, no I don't think so. There are now.

Mrs. Yarborough: Okay, so in September you sent a letter to the new owner, and did you notice all the same defects, that you did in the April letter?

Mr. Hayes: In September I did, yes.

Mrs. Yarborough: Okay, so you basically sent the April letter in September?

Mr. Hayes: right.

Mrs. Yarborough: Okay to the new owner, and what was the response from the new owner?

Mr. Hayes: he, got a application for a permit, wanted to repair the building. I told him the stipulations; it's currently in flood zone you have to prove that it's not a substantial improvement. He had to submit that documentation and he hasn't done that. And I recently went out there and noticed that there's work being done on the house, so I stopped work.

Mrs. Yarborough: What kind of work's being done?

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Mr. Hayes: Well between the outside paint, door trim replacement, theres a door on there now. It might a door there before, it's just busted in maybe. You want to speak on that for a second? Is he allowed to? (Mr. Garcia)

Mrs. Yarborough: Well, lets finish

Mr. Hayes: Okay.

Mrs. Yarborough: What notice did you give for this public hearing today?

Mr. Hayes: I just gave them notice.

Mrs. Yarborough: Okay did you mail a letter?

Mr. Hayes: Yes!

Mrs. Yarborough: Okay, and did you mail it to what addresses did you mail the letter.

Mr. Hayes: I mailed it to him in Biloxi, and what the Tax Assessors Office says to mail it and to the actual property, both certified.

Mrs. Yarborough: Do you have an Affidavit for this property.

Mr. Hayes: Yea.

Mrs. Yarborough: Okay, is it on One Drive.

Mr. Hayes: I believe so, yea.

Mrs. Fayard: I can go drop it on there if you like.

Mrs. Yarborough: If you just have a copy, I just go through it, thank you. (pause) Okay, its says, so you sent notice of Public Hearing regarding this property at 555 Brown Avenue, Waveland, Mississippi to the current property owner, Joshua Garcia at 555 Brown Avenue, Waveland, Mississippi 39576 and to 630 Bay Cove Drive #305, Biloxi, Mississippi, 39532?

Mr. Hayes: Yes

Mrs. Yarborough: And you sent those registered mail?

Mr. Hayes: Yes.

Mrs. Yarborough: And you also posted notice on the property, is that correct?

Mr. Hayes: Yes.

Mrs. Yarborough: and you posted notice at City Hall, is that correct?

Mr. Hayes: Yes.

Mrs. Yarborough: Okay, and the letters were mailed out on what date?

Mr. Hayes: Which ones?

Mrs. Yarborough: The initial letters. The letters of the Public Hearing, Notice of Public Hearing.

Mr. Hayes: Okay. The Sixth?

Mrs. Yarborough: The Public Notice states 'mail to property owners 10-18-18 and mailed to tax address 10-18-18.

Mr. Hayes: Right, October 18, right, yes.

Mrs. Yarborough: Is that correct? Okay and when was the notice posted on the property?

Mr. Hayes: Same day.

Mrs. Yarborough: So October 18, 2018.

Mr. Hayes: Yes.

Mrs. Yarborough: Alright, and it was posted at City Hall on 10-18-18? Is that correct?

Mr. Hayes: Yes.

Mrs. Yarborough: So, since Mr. Garcia came in and inquired about a permit, has there been any effort to rectify the deficiencies that are noted in your September 14th letter?

Mr. Hayes: I did notice today, that there are some. There's still broken windows, but I think other things have been repaired. But like I said there hasn't been a permit pulled.

Mrs. Yarborough: Okay, and what's labeled as Exhibit F, is this the property that is in question?

Mr. Hayes: the blue house? Yes.

Mrs. Yarborough: Is this picture from today's date?

Mr. Hayes: Yes.

Mrs. Yarborough: November, 6, 2018. And is this an accurate representation of how this property and structure appears today?

Mr. Hayes: Yes.

Mrs. Yarborough: Okay and the notice that's on the door is that a stop work notice?

Mr. Hayes: Right.

Mrs. Yarborough: Okay, and when was that issued?

Mr. Hayes: Today.

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Mrs. Yarborough: Okay, and what was the reason for the stop work notice?

Mr. Hayes: He's repairing without a permit.

Mrs. Yarborough: Okay.

Mr. Hayes: So not permit.

Mrs. Yarborough: do you have any prior pictures of the property from September?

Mr. Hayes: I do. If you need to see them.

Mrs. Yarborough: Yes, I do for compare and contrast. We'll label this EXHIBIT H and this is 4 pictures, so H1, H2, H3 and H4. And when were these pictures taken? They have a date of January 10, 2018.

Mr. Hayes: Yes.

Mrs. Yarborough: Okay and did you take these pictures.

Mr. Hayes: Yes.

Mrs. Yarborough: And do these pictures accurately reflect the way the property and structure appeared January 10th 2018?

Mr. Hayes: Yes.

Mrs. Yarborough: And here's the original, that's today.

Mayor Smith: That's a nice improvement.

Mrs. Yarborough: Were you able to make a determination today, what deficiencies still exist regardless of the stop work order?

Mr. Hayes: Well, the house is closed up pretty well now. I have to look inside to see, without right of entry, I can't do that. There were still some broken windows.

Mrs. Yarborough: What about the failing structural aspects, can you not see that from the outside?

Mr. Hayes: No. I think that what I saw before is either covered up or repaired.

Mrs. Yarborough: Contrary to the building code.

Mr. Hayes: I'm not certain I didn't inspect it.

Mrs. Yarborough: Okay.

Mr. Hayes: contrary to Ordinance to have to pull a permit.

Mrs. Yarborough: Right, okay. Have you gotten any response to your stop work order?

Mr. Hayes: No.

Mrs. Yarborough: Is there anything else that you would like to address to the Board on this property?

Mr. Hayes: No.

Alderman Piazza: Now Josh, a stop work order was issued because of no permit.

Mr. Hayes: Right.

Alderman Piazza: Looks like its come a long way, from the pictures that took in January. So, if at all possible if the gentleman would come in tomorrow and purchase the permit, if he hadn't already done so. I like for us to let him continue work on it.

Mr. Hayes: I agree.

Mrs. Yarborough: Is it in a flood zone?

Mr. Hayes: Yes, I m pretty certain.

Mayor Smith: Yes, Brown Avenue.

Mr. Hayes: And we spoke about substantial improvement requirements and comparing the current value as to what these improvements will be, and..

Mrs. Yarborough: You can't anticipate if that will be a problem until he comes to pull a permit, is that correct?

Mr. Hayes: Correct?

Alderman Burke: Any clue what flood zone that might be in Mike or Josh?

Mayor Smith: No without looking at the map. I'm sure it's in a AEA, not sure what the depth level is.

Mr. Hayes: I've looked at the map, I think its AE, pretty certain it's AE.

Alderman Burke: So how high would that probably require to go up?

Mr. Hayes: I don't have that information. I just gave the information to him and wait for him to submit it. To be able to review it.

Mayor Smith: yes, cause there's some changes in the flood plain as it goes toward the tracks.

Alderman Burke: Alright so, lets postpone this, have him pull a permit?

Adlerman Piazza: Yes.

Alderman Burke: Alright, got that Rachel.

Mrs. Yarborough: What's that?

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Adlerman Burke: We're just gonna have him pull permit and go from there.

Mrs. Yarborough: Do y'all wanna hear from him on the record?

Alderman Piazza: What's that Counselor?

Mrs. Yarborough: I asked if you all would want to hear from Mr. Garcia on the record.

Alderman Piazza: Yes, I would like to hear from him.

Mayor Smith: Come on up Mr. Garcia, right there to the mic, thank you.

Mr. Garcia: Hi, yes, right when we got the letter in September, we talked and I started looking for some appraisers. I talked to one in Picayune, Andy Cooper, I have gotten in contact with him, emailed him some pictures, so he can come and take a look at it, we kind of lost contact, and I, we became very busy at work, so we haven't anything to the house, except for change the doors and some of the windows, just to make sure no one gets in again, cause we had like two break-ins. Well the doors were open so they just walked in. so basically we painted outside, changed the doors, some windows and I think, my cousin, my father repaired some of the siding. Other than that, we really haven't had time to come out here to actually..

Mayor Smith: Pull the permit.

Mr. Garcia: Actually, I hadn't see the stop work order. Last time I was at the house was September when I spoke with Josh. My father's been out there, maybe a couple of weeks ago when they painted the house, changed the doors and all of that.

Mayor Smith: Yes, the important part about getting a permit is the ordinance loss. Secondly, you don't want to more than if it's in a flood zone, not knowing the elevation, if you put:

Mr. Garcia: Yes, cause I think right now the value is about 22, so we can spend about 11.

Mayor Smith: yes, cause if you go over that 50% threshold, you've got to bring the whole structure into compliance. You may have to elevate the whole structure.

Mr. Garcia: Yes, the progress kind of stopped when Andy stopped responding to my emails, like I said, I just haven't had time to come out here. The plan was to get the permit first, since we had two break-ins. We kind of got paranoid.

Mayor Smith: You want to get it secured. Yes, certainly the next up should be to to the building department and get a permit. And so that process, makes and it protects you as well as it does the City.

Mr. Garcia: Yes, I know, we actually did the same process in Bay St. Louis and we did everything first. Like I said, here we just kind of got scared. Cause, we had a bunch of stuff stolen. We just want to make sure everything was all good. Yes, I know the process, my Father's a little bit more, not as patient as me. So no, sometimes I wake up and he's not home, he's working on the house. I can show you, once we got the permit, if you let me continue, you know everything will be good. We will get the appraisal done, everything.

Mayor Smith: yes, I think all that is really important is your very next, I wouldn't touch it again, until that..

Mr. Garcia: Yes, like I said the last thing is he just painted because we had some paint left over. Yes, like I said mainly the improvements we did were out of necessity. Just didn't want our stuff getting stolen.

Mayor Smith: Got ya. Okay, any other questions from the Board?

Alderman Piazza: I just like to ask this gentleman, when do you think you would be able to get your permit?

Mr. Garcia: What time..

Alderman Piazza: They open from 8 to 4:30.

Mr. Garcia: I can maybe come around 11, if get some..

Mayor Smith: Tomorrow?

Mr. Garcia: Yes, tomorrow. Yes cause today, I sent everyone home early so I could make the meeting.

Mayor Smith: Okay.

Mr. Garcia: yes, cause I get out kind of late and start work really early, so. Yes, by 11I can come.

Mayor Smith: So, everybody's good with that process of getting a permit and seeing where were at with it and, okay.

Mrs. Yarborough: thank you.

Mayor Smith: Thank you Mr. Garcia.

Mr. Garcia: thank you.

Re: 5065 Tombigbee, Waveland, Jean O. Maisonneuve

Mrs. Yarborough: If you would just state your name and how you're employed.

Mr. Hayes: Josh, how I'm employed?

Mrs. Yarborough: Yes.

Mr. Hayes: City of Waveland, Building Inspector.

Mrs. Yarborough: Okay, as building Inspector if you would just explain to the Board, the circumstances surrounding the 5065 Tombigbee property, as it relates to 21-19-11?

Mr. Hayes: Okay, this is the violation's overgrowth, here's the affidavit.

Mrs. Yarborough: Okay, and you sent them notice to appear to night? Is that correct?

Mr. Hayes: I did yes ma'am.

Mrs. Yarborough: Okay, and you mailed that registered mail to Jean Maisonneuve?

Mr. Hayes: Yes.

Mrs. Yarborough: Okay, and that was mailed to 5065 Tombigbee Street, Waveland, Mississippi, 39576 and..

Mr. Hayes: yes.

Mrs. Yarborough: And to

Mr. Hayes: that's the only known address.

Mrs. Yarborough: Okay, 5065 Tombigbee Street and so you only have one address known, for Mr. and Mrs. Jean Maisonneuve

Mr. Hayes: Correct.

Mrs. Yarborough: Okay and that was mailed October 18th, 2018?

Mr. Hayes: correct.

Mrs. Yarborough: And notice was also posted at the property on October 18th, 2018.

Mr. Hayes: Yes.

Mrs. Yarborough: Okay, and it was also posted at City on October 18, 2018?

Mr. Hayes: Yes.

Mrs. Yarborough: And have you had any communications with Mr. and Mrs. Maisonneuve?

Mr. Hayes: No.

Mrs. Yarborough: Okay, and is overgrowth the only concern regarding this property?

Mr. Hayes: yes.

Mrs. Yarborough: Are there any structures on the property?

Mr. Hayes: There is, a mobile home.

Mrs. Yarborough: Okay. And how is this overgrowth a menace to the public, health, safety and welfare in the City of Waveland?

Mr. Hayes: Well it's a violation of International Code to be over 16 inches tall. It harbors vermin, ultimately, it will cause more moisture on a structure and cause it to fail as well. And it's ugly, I guess.

Mayor Smith: Unsightly.

Mrs. Yarborough: Is this a property that's gotten neighborhood complaints?

Mr. Hayes: Currently I don't know the origin of complaints, but it's getting complaints.

Mrs. Yarborough: Okay. Alright is there any other information you would like to give to the Board regarding this property?

Mr. Hayes: No ma'am.

Mrs. Yarborough: Nothing further from me.

Alderman Lafontaine: I have nothing.

Mayor Smith: No questions?

Mrs. Yarborough: In your opinion, does this property, in order to come into compliance with the international property codes, and to rectify the menace require a City action to clear the over growth and vegetation on the property?

Mr. Hayes: It needs action.

Mrs. Yarborough: that's what I asked. So that's your opinion, is that it needs action.

Mr. Hayes: I'm not trying to tell anybody what to do, no, but it needs to be cut whether it's by in house or a contractor.

Alderman Burke: Can I make a motion, or is the property owner here?

Mr. Hayes: to come into compliance, yes it needs to be cut by somebody.

Mrs. Yarborough: Okay, are there any other interested parties besides the property owner?

Alderman Burke: Can I make a motion that we have the grass cut?

Mrs. Yarborough: So you, would, are..

Alderman Burke: Deem it a menace.

Mrs. Yarborough: A menace to the health, safety and welfare of the City of Waveland, and I don't know if you can do this in house or not, but, do you want to give 30 days or.

Alderman Burke: No do it.

Mrs. Yarborough: Just action and reserve the right to re-enter the property for 1 year.

Alderman Lafontaine: yes, I'll second Jeremy's motion.

Re: Board Order to cut grass at 5065 Tombigbee to re-enter the property within in 1 year

Alderman Burke moved, seconded by Alderman Lafontaine to order the grass cut at 5065 Tombigbee Street, as it is a menace to the health, safety and welfare to the City of Waveland and reserve the right to re-enter the property within 1 year.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Re: 518 Turner Street, Waveland, Owner Ken Huffaker

Mrs. Yarborough: If you would just state your name and how you're employed.

Mr. Hayes: Josh Hayes, Building Inspector, City of Waveland.

Mrs. Yarborough: Okay, and as the City Building Inspector, if you would explain to the Board your knowledge of 518 Turner Street, and your communications with that property owner.

Mr. Hayes: No communication, violations are overgrowth, inoperable, unlicensed vehicles and accumulation of rubble and garbage all cited from the International property maintenance code.

Mrs. Yarborough: Okay and, when was the last time you gave a written letter describing the deficiencies to the property owner? September 14th?

Mr. Hayes: Let me check, yes.

Mrs. Yarborough: Okay, did you get a response from that September 14th letter?

Mr. Hayes: No.

Mrs. Yarborough: and so was there any improvement in the property from that September 14th letter?

Mr. Hayes: I think I did notice a little improvement, along the side of the property. Not sure what side it is, but, I think there was some boats removed.

Mrs. Yarborough: Okay, how many inoperable vehicles are on this property.

Mr. Hayes: Assuming they're inoperable, they're unlicensed, a few. I know there's one parked across the street there. There's a motorhome. It looks to be another vehicle or two. If the homeowner was willing to communicate and, we could investigate if they were operable or licensed.

Mrs. Yarborough: Okay, but you've not seen any license? Have they moved to your knowledge, since September? Has the motor home moved?

Mr. Hayes: No.

Mrs. Yarborough: And it doesn't have a license plate.

Mr. Hayes: It does, but it's expired. It's a different state, as well.

Mrs. Yarborough: And the vehicle that you reference across the street, is that the red truck?

Mr. Hayes: Yes.

Mrs. Yarborough: Okay and is that license expired?

Mr. Hayes: It looks to be yes.

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Mrs. Yarborough: Do you not know if it's expired or not?

Mr. Hayes: I'd have to reference the picture you have.

Mrs. Yarborough: I can't see so, it might just be me. Is that Mr. Huffaker's property also?

Mr. Hayes: I'm not certain.

Mrs. Yarborough: Are you certain that, that's his truck?

Mr. Hayes: I'm not certain.

Mrs. Yarborough: And the Mercedes in this picture, to your knowledge, is that licensed?

Mr. Hayes: I'm not certain.

Mrs. Yarborough: Okay and the white truck, is that one licensed?

Mr. Hayes: I don't have that picture, is it in the affidavit?

Mrs. Yarborough: yes, it's kind of adjacent to the RV.

Mr. Hayes: I'm not sure, that's a

Mrs. Yarborough: And your reference boats, but I don't see any.

Mr. Hayes: There were two of them that were removed. I got pictures from July.

Mrs. Yarborough: Okay, and when you reference an accumulation of rubble, where is that in your picture of exhibits?

Mr. Hayes: Some of that may have been removed as well.

Mrs. Yarborough: Okay.

Mr. Hayes: This was in June, where it has covered cars and other things like that accumulation of things everywhere.

Mrs. Yarborough: Okay, so has that improved since June?

Mr. Hayes: The first picture in June shows that.

Mrs. Yarborough: Okay.

Mr. Hayes: A lot of it still exists.

Mrs. Yarborough: Okay, so these pictures that are attached to your affidavit, these are from November 6, 2018?

Mr. Hayes: Yes.

Mrs. Yarborough: Okay, do these pictures accurately reflect how the property and structure appears today?

Mr. Hayes: it does.

Mrs. Yarborough: is it still your opinion that this property should be deemed a menace according to the accumulation of rubble and garbage overgrowth and weeds and inoperable motor vehicles.

Mr. Hayes: Yes.

Mrs. Yarborough: And is it your opinion that action should be taken to rectify these hazards and nuisances?

Mr. Hayes: It is my opinion, yes.

Mrs. Yarborough: Okay. Do you have any other statements you would like to make to the Board?

Mr. Hayes: I don't.

Alderman Burke: Rachel, could you pass the picture down from today?

Mr. Hayes: I would like to add something. Typically in this situation when someone resides in the home, I would rather approach this with communication and being there to knock on the door being there and talking to them, and ultimately if nothing's done issue them a citation, which I've tried on 3 separate occasions with Officers, and no one came to the door. That's why I'm approaching it this way.

Alderman Burke: Rachel, what, I know we went through this before, if their licensed vehicle, you can have 1 unlicensed vehicle that's not currently update tag, if you have two, what's the definition of the junkyard?

Mrs. Yarborough: Well, that's where you're going? I'll read it to you. Got it tagged.

Alderman Burke: It's one thing to have a lot of cars, but..

Mrs. Yarborough: That's really a Zoning issue..

Mr. Hayes: If I may..

Mrs. Yarborough: It kind of intertwines with ours.

Mr. Hayes: Yes, currently the way I cited in the notice, International Property maintenance code, it doesn't distinguish that it's one or 10 or 20 or nothing. So one vehicle is a violation.

Mrs. Yarborough: so under our zoning ordinance is defined under 02.53 *'as a parcel of land upon which the principle or accessory use is the accumulation of used discarded or worn out materials or manufactured products or junk cars, any of which may or may not be reusable or saleable. This definition does not include storage of operational vehicles'*. So just even just one inoperable vehicle, even if it's even if you can re-use or re-sell it, it's still really a junk yard. Now what y' all deem to be junk, you're the finders of fact in this, so. Yes.

Alderman Burke: And then, what, and I know we changed it 3 years ago, 2 years ago about having. Understand having an RV in the yard. You know where else you going to store besides, you can't live in it, you can't stay in it or basically at your house, can you.

Mrs. Yarborough: right, no, its not, I mean by definition it's a recreational temporary use vehicle, so you wouldn't hook it up or have anybody live in it or operational at your home.

Alderman Burke: Stay in it.

Mr. Hayes: They're still required to be road ready, licensed.

Mrs. Yarborough: Insured

Mr. Hayes: operable. typically distinguish recreational vehicles you don't live in, don't hook up to sewer. You can charge it and run water to it, if you got permanent sewer to it, somebody's staying in it.

Alderman Burke: And even if it's not, you just, you can't

Alderman Lafontaine: The only thing on that ordinance, if its' someone new building a house, they have an active permit, that part of it has been changed. If they are actively working on the house.

Mrs. Yarborough: And those were temporary permits for 6 months, and they had to request an extension on Board review.

Alderman Lafontaine: Correct.

Mr. Hayes: they still have to go through the process and request permission.

Mrs. Yarborough: That's right. Is there any evidence that somebody's living in this RV?

Mr. Hayes: Not that I know of. There are vehicles that are parked there, but other than that, I don't know.

Mrs. Yarborough: Okay.

Mr. Hayes: It's really too overgrown to tell.

Alderman Burke: Yes, well granted, it needs to be cut, but I guess the other thing is, if it's not, if the RV's not operable, if it's not road ready.

Mrs. Yarborough: Then it could be considered part of a junk yard.

Alderman Burke: Yes, Which I can tell by the picture, moving the boats helped significantly, moving the RV would probably help it tremendously.

Mr. Hayes: One of the big intentions, the main, the intention of the International property and maintenance code is to keep property maintained, because of unsightly issues, because of ultimately people want their neighborhoods to look nice. People get confused about why it's illegal to have an inoperable vehicle, if you're working on it, an inoperable vehicle when you're home. But if it's unsightly, it's noticeable and it's out there, and instead of in a garage working on it, out of sight.

Mayor Smith: Okay any further questions from the Board before we call Mr. Ken up? Alright, Mr. Ken.

Mr. Huffaker: I sure would. So my name's Ken Huffaker, 518 Turner Street. I just like to address the Board. So you're violating me or trying to on a vehicle I don't own, on a red pickup truck that is licensed, belongs to somebody else, belongs to an employee of mine, who parks across the street, he's always in my work truck. So he don't hardly ever drive his own car you know? He's kind of thankful that I'm paying the bill for him to get all around town and everything else, so he leaves his truck sit right there. The lady that owns the property, she didn't seem to have a property with him having to sit there. It's licensed, and it drives, it's actually gone today, cause he let somebody borrow it cause he said, hey, can I lend out my truck. I said it's your truck, I don't care who what ya do with it.

Mayor Smith: But that's not on your property anyway.

Mr. Huffaker: Right it never was, but obviously he thought it was my property.

Mr. Hayes: I just said it wasn't.

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Mr. Huffaker: Not that's not what you said. And it's inoperable, I guess I need to start taking him with me when I go to buy a vehicle since he can look from the street and tell what vehicles are inoperable or the condition of them and everything else. Now, I work, early in the morning, I leave, you know the white truck that he didn't know if it had a tag on it or not, it's not current, it's got a big name on it. I drive it everyday. So if it wasn't licensed, I guess I would have gotten a ticket wouldn't I. You know, now he says he's been to the house 3 times. Now I'm not sure, I guess the City can afford a business card? Correct? I'm sure he's got one. Maybe, if not, if he's been to the house three times, and if he's knocked on the door, wouldn't it be the proper thing to do hey call me, we've got some issues.

Mrs. Yarborough: Mr. Huffaker, did you get notice of tonight's meeting by mail?

Mr. Huffaker: By mail, no. I got it when he put the post in the you know, when I got home, actually my wife got to it. I was actually working.

Mrs. Yarborough: what's a good mailing address for you?

Mr. Huffaker: 518 Turner Street. Yes, you know I got a letter stating that you know, I'll back up. I am guilty of one thing. My lawnmower did break. I've addressed Jeremy about it and I've addressed the Mayor about it when they came out and dug the ditch, they left a bunch of dirt. They dug everybody else's ditches, hauled it away. They never bothered to haul ours away. So I'm trying to cut grass, you know I'll take the blame, I'm mowing, I hit the big ole pile rocks and stuff in there, I tear my mower up. I'm like why I'm not buying a new mower right now, too busy. So I did let me grass go. You know from back in June or whatever. I bought a new mower. I keep my grass cut, you know I have certain areas, we cut a bunch of trees down a while back. At the time I thought it was a great idea. But it let too much sun in, you know, you can hear the people drive by, so I was like I'm going to let these bushes and all kind of grow back up in the front here, shade the house, make the noise, trying to make the noise barrier, whatever. Planted some bamboo what's the city do, have I been to you about my bamboo? They come by bushhog it down, hey why y'all bushing, you know you don't go down on Longo where it's out over the road and bush it hogged down. So okay that's you know I'm guilty of that, I didn't even cut the grass for a while. We keep our grass cut now.

Mrs. Yarborough: So your grass is, you maintain that your grass is cut.

Mr. Huffaker: Yes, our grass is cut. You know there is an area there that is a little mound that you go behind, you know back behind. You know he's wrong, the motor home, now he's right about the tag is expired but it's not out of state, it's a Mississippi tag.

Mrs. Yarborough: Did..Okay.

Mr. Huffaker: I've had..

Mrs. Yarborough: But it's expired.

Mr. Huffaker: Yes it is expired, you know I'm not going to say, I'm not going to tell you it's not expired. It is expired. You know I mean, I don't have.

Mrs. Yarborough: Is it operable? Is the mobile home operable?

Mr. Huffaker: Yes, it's fine? You know I mean, it needs a battery, you know, put a battery in it, but I don't have time. I'm working. You know I don't have time, you know to go, you know it's like unfortunately I had little boat there, and one of my neighbor's actually bugged me and bugged me. I said yes, I'll sell ya the boat. Sold him the boat. So then I was like well, I got another boat there, I'm going to start taking Sunday's off so I can go fishing do whatever. I took the, you know I took, you know I took the boat, it's actually down at the shop getting tune up. You know it's licensed, if you bothered to look at it. You know.

Mrs. Yarborough: Well, so you still have a boat?

Mr. Huffaker: Yes:

Mrs. Yarborough: It's not on your property though?

Mr. Huffaker: No it's at the repair shop getting the carburetor rebuilt.

Mrs. Yarborough: Okay.

Mr. Huffaker: you know the Mercedes, I'm paying. To me it's like I ask myself, well you're not really smart cause I go out and buy, I bought the Mercedes a while back. I've had the car probably 5 or 6 years. I bet I drive the car maybe once or twice a month. I'm paying car note on it, I'm paying full coverage insurance. I pay for the tag, I never drive the thing.

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Mrs. Yarborough: So how many home vehicles do you have, associated with your house, that are operable?

Mr. Huffaker: Well I've got 5 people living in the house and everybody in the house has a car.

Mrs. Yarborough: so you have like vehicles. So you have the white truck, the Mercedes, the.

Mr. Huffaker: Personally I have three. I've got the big white van, I've got my Mercedes and I've got a Porsche that I keep there, it's sitting by the gray trailer, that's got the tarp. It's a convertible, you know. I keep it covered up, unless somebody.

Mrs. Yarborough: So the Porsche is operable?

Mr. Huffaker: Yes. I just that's another one.

Mrs. Yarborough: Is it tagged and licensed?

Mr. Huffaker: I have not time, I pay insurance for it, it's paid for. I'm paying you know insurance for it and I have no time to drive it. I wish, you know I wish I did.

Mrs. Yarborough: So what about your white truck? That's just your work truck.

Mr. Huffaker: No I have, that's it three. I have three, my wife has a car, my two daughters have cars, and my daughter's boyfriend has a vehicle.

Mrs. Yarborough: so that's six. But you said that have, I don't have the, that's six not including your white truck.

Mr. Huffaker: Okay.

Mrs. Yarborough: So do you have six or seven?

Mr. Huffaker: So I mean, I have a Mercedes, a Porsche and a white van. My wife has a van, and I have, my daughter, I have two daughters, they both have cars. Now the one daughter doesn't live at home right now cause she's away in college. One's going to college local, ones going to college away.

Mrs. Yarborough: So you have two vans, a Mercedes, a Porsche.

Mr. Huffaker: No, well yes, okay. Yes, two vans.

Mrs. Yarborough: A daughter with a car who has a boyfriend with a car, and then a white truck.

Mr. Huffaker: Yes.

Mrs. Yarborough: and a mobile home.

Mr. Huffaker: that nobody lives in. it just you know, we used to go camping. That's something else I should sell too.

Mrs. Yarborough: and a boat.

Mr. Huffaker: you know eventually, but I'm not going to sell it right now.

Mrs. Yarborough: So you have nine vehicles, nine operable vehicles, you have a van a Mercedes, a Porsche, a daughter with a boyfriend who drives a car, a wife with a van, a daughter with a car, a white truck, a mobile home and a boat.

Mr. Huffaker: I got six vehicles over there, I mean unless you want to count my Harley. I got a Harley too.

Mrs. Yarborough: Yes, you've got a lot of vehicles.

Mr. Huffaker: yes I do. That's what I do with my money

Mrs. Yarborough: No, I'm just trying to clear the record of what is operable and what's not.

Mr. Huffaker: Everthing, everything runs, everything runs. There is not anything, the only thing that is not licensed right now is the motor home. It's expired.

Mrs. Yarborough: and it doesn't run.

Mr. Huffaker: It does run, if you put a battery in it. And don't tell me oh, I'm allowed to go get a battery and put a battery in a vehicle, you know.

Mrs. Yarborough: you are and that would make it operable. But at this point it's inoperable.

Mr. Huffaker: Yes, you know, I'm allowed to put a battery in it or you know for all I know something could have a flat tire, does that mean it's inoperable?

Mr. Hayes: Correct.

Mr. Huffaker: You know, I don't think so, for all I know, you can air a tire up.

Mrs. Yarborough: You don't think I can air a tire up.

Mr. Huffaker: No I said, I can air a tire up. I'm sure you can, it's pretty easy.

Mrs. Yarborough: I can yes.

Mr. Huffaker: I mean it's just ridiculous that, you know we go through this over and over again, you know and you come to the same conclusion everytime.

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Mrs. Yarborough: well since, September what efforts have you made to rectify any deficiencies that you recognize like cutting your grass.

Mr. Huffaker: I cut the grass, I cut the grass. Like I said I don't know what their talking about debris. Now my wife loves plants, so you know she works at Lowes so she brings home, you know I kid her, she brings home all the half dead plants and she's got plants. She's got this crazy plant, you thing set up there. You know she places them, you know here and there and does what ever. That's her fun. That's not me. If that makes her happy, then you know what, she's not bugging me. You know any of the guys up here will know, if you can make your wife happy, that's a good thing.

Alderman Piazza: If moma ain't happy then nobody's happy

Mr. Huffaker: I'm like then let her have her plants and let her do what she wants to do, you know, I'm alright with that. You know my pleasure, I spend my money on my Harley, my two cars that I don't even drive hardly. You know.

Mrs. Yarborough: Is there anything else, you'd like to tell the Board?

Mr. Huffaker: you know I mean, I'll go get a, I'll go put a sticker back on the motor home, if that makes everybody happy, you know but I mean there's nothing. You know, my it doesn't make any sense, but you know in a few months we're just gonna come back and do the same thing. But hey, here around the corner from me the guy's got two boats over there, he's got a fifth wheel camper. I've been in Waveland, what 5 years, that fifth wheel ain't moved since I been here.

Mrs. Yarborough: Would you like to make a complaint on them.

Mr. Huffaker: No, cause I don't really, no I'm not. That's not me. I can go through the whole neighborhood to get to me house, he has to drive by houses that are terrible. I don't ever see a notice plastered in their yard.

Mrs. Yarborough: It's an ongoing operation. That's why there are 4 or 5 other properties on the agenda tonight.

Mr. Huffaker: right. But, you see what I'm saying? It's like its always comes back to, somebody don't like, you know, hell so what would happen if I go out and sell my Mercedes and my Porsche and go buy a Ferrari. So, what the f--- he's got a Ferrari, he can't have that.

Mrs. Yarborough: Then we write you up.

Mr. Huffaker: Exactly.

Mrs. Yarborough: I'm joking.

Mr. Huffaker: I know you are, its what I'm saying it's like, it makes no sense. People right across the street from me, he's got two trailers, a boat in his yard, you know, he took a tarp and covered over the front part of his garage to hide his stuff. So it's like okay, well we don't say nothing about that. I don't care, he's a nice guy. I don't care what he does in his place.

Mrs. Yarborough: So in this section where you're talking about, your cutting down some trees and your trying to let the natural vegetation try to build a barrier, is that where you're talking right here?

Mr. Huffaker: Yes, right here and around here, cause we've cut down a whole bunch of trees right here. You know the limbs were falling and stuff and I was like you know, I don't you know. I just didn't want the damage and is afraid that were going to have damage to the house.

Mrs. Yarborough: Now I'm going to take stab and say that when the building official is referencing kind of this debris its, its kind of all up in there. Is that all in there or have you cleaned that up, its kind of cart parts and.

Mr. Huffaker: No, actually, the boats gone, that's actually, it was a tarp

Mrs. Yarborough: yes, this was in June.

Mr. Huffaker: that was a tarp that was over the back of the boat. there's no car parts there, there, there never was any carparts there. You know there is a, you know, if I'm no mistaken this right here, all this right here is bags of mulch. Like I said my wife works at lowes and you know all the busted bags, she brings all them home for really cheap.

Mrs. Yarborough: I do too.

Mr. Huffaker: So if anybody needs mulch, come on buy, maybe I'll sell them to you.

Mayor Smith: Alright, y'all have any questions for Mr. Huffaker?

Alderman Lafontaine: I think he about covered all of it.

Mayor Smith: Yes I think so too.

Mr. Huffaker: You know my thing is like I said from, you know, it doesn't seem like communication's a real strong thing around here. You now like I said, I never met this guy, never talked to him, I'm home, I leave early in the morning, I come home in the evenings. You know anybody else that needs me, you know they drop the business card off or something, and say hey call me or what ever, not a problem, I'll call ya. I don't have a problem with that.

Mrs. Yarborough: And I think I remember you from last time, I think we had the problem, cause your address was still in Ohio.

Mr. Huffaker: Right, so you had everything.

Alderman Burke: But these are sent to Turner Street.

Mr Huffaker: Right, so I got one in June or September, whenever it was.

Mrs. Yarborough: September

Mr. Huffaker: You know I got that one, I got it I looked at it and I said one, you know I mean, some of this stuff the way you word everything, is like you know inoperable, blah, blah, blah, all these cars, you know, they don't run. I'm like well how does he know? You know its like my thing is, you know, I'm going to drive by Mayor's house and say oh he's got an inoperable car over there?

Mrs. Yarborough: Well that's why we have the hearing.

Mr. Huffaker: you don't really know unless I stop by knock on his door and say Mayor does that car run? You know, then if comes out and says yes, it does run. Okay we're good.

Mrs. Yarborough: Well that was kind of the purpose of the letter and the hearing.

Mr. Huffaker: You know, okay, you send a letter, but that doesn't so I have to take time out of my day to go chase him down.

Alderman Burke: I'd call the number that was on top on the page.

Mr. Huffaker: Oh trust me, I've done that, Ive come down here. I had to renew, here's another one, I had to renew my business license. I came for three days, I came, walked in, oh she's not here right now, she'll be back in a couple hours. I came back in a couple of hours, she didn't come. Now I find out, poor girl, not her fault, she got sick. But you know what I mean, back to the communications things. Evertime I came in to renew my license, she's not here, she's not here and then finally, I'm sorry, she's been out sick. So it's like, you guys don't even communicate in the building.

Alderman Burke: We're talking about this right now, not about a business license.

Right but we're talking about the communications, where you guys don't communicate.

Alderman Burke: But we're talking about this right now, not about a business license.

Mr. Huffaker. Right, but we're talking about the communications. Where you guys don't communicate. It's like when I come to talk to you about things that are going on, I'll check into it, I'll take care of it, I'll look into it, but it theres no, nothing ever happens.

Mrs. Yarborough: Well Mr. Huffaker, I'll say that we, you admit that you got the letter from September, and you're here tonight at public hearing.

Mr. Huffaker: And I, right, I cut the grass, you know, started, you know, I was like okay, and like I said, the little green boat, didn't need it, so I'll sell it. Sold it to my neighbor around the corner, you know maybe when I get home, I should run around the corner and tell him maybe he might need to get rid of it, maybe ya'll be looking for the green boat around the corner.

Mayor Smith: So Josh, you've seen some difference since the original letter.

Mr. Hayes: yes, so can I come here and talk.

Mayor Smith: Absolutely, please. So we can get this resolved.

Mr. Hayes: ultimately, the building department looks to gain compliance on the properties. That takes communication between us and the homeowner. Which you know with these letters we tried communication with him. And I'll be glad to work with him every step of the way if you like to set up a time, I would like to come to check the vehicles to make sure they do run and they are licensed or the over growth isn't there or rubbish isn't there. I did leave notice with Police Officers when we came, so all of this did happen.

Alderman Lafontaine: We'll set up a date and time.

Mayor Smith: Yes, so we can get it resolved Mr. Huffaker.

Mr. Huffaker: Like I said, I'll go get a tag for the motor home.

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Mr. Hayes: If you see on the note originally, it says fourteen days from the date of that letter, please contact us, we'll be glad to come out and see if the vehicles run. That was the communication I was trying to get.

Mayor Smith: So you have the phone number, so we.

Mr. Huffaker: No I don't have it, I mean.

Mr. Hayes: It's on top of the letter.

Mr. Huffaker: I don't have the letter. I filed thirteened it pretty much after I read what, you know.

Mrs. Yarborough: Why don't you give him your copy Josh?

Mr. Huffaker: Do you have a business card.

Mr. Hayes: Upstairs in my office.

Alderman Burke: Can we table this until next meeting, so they can get everything.

Mayor Smith: So they can get together, so yes, lets do that.

Mrs. Yarborough: Why don't we get an update from Josh next meeting.

Alderman Lafontaine: yes, lets do that. Table it and just set up a date and get together.

Mrs. Yarborough: Unless you want to come back.

Mr. Huffaker: No, you cutting into my work time.

Mayor Smith: Alright, Mr. Ken, so the plan is, Josh going to give an update in the next two weeks, and in that time you all get together and communicate.

Alderman Burke: So if there's grass that needs to be cute and he says, you might want to comply with it, or else we're going to have to address it as a Board action. Like those are the kind of things to expedite so you don't have to come back up here. If the cars aren't running figure out what to do with them, because a quarter acre lot is not meant to be a parking lot in a neighborhood.

Mr. Huffaker: How many you have living in your house?

Alderman Burke: Four.

Mr. Huffaker: Do they all have vehicles?

Alderman Burke: Everybody that can drive.

Mr. Huffaker: Okay, so does mine. They're all parked in the driveway, none of them are parked, you know in the yard.

Mayor Smith: Alright, Mr. Ken, so we're gonna table this until you and Josh can get together, before the next two weeks. Okay. Thank you Mr. Ken.

Re: TABLE action on 518 Turner Street

Alderman Burke moved, seconded by Alderman Lafontaine to TABLE action on 518 turner Street.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

PUBLIC COMMENTS

Re: Raquel Lafontaine – Thanked the Board and City Departments for their assistance with the recent Halloween Bash.

ROLL CALL

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

MAYOR'S REPORT

Alderman Lafontaine moved, seconded by Alderman Piazza to approve a request from Destination Waveland/Chuck Underwood to block Coleman Avenue from 3 p.m. Friday December 16th to on or about 8 p.m. December 17th, 2018 for the Annual Christmas Bazaar and Waveland Christmas Festival.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**INVOICES/UTILITY DEPARTMENT/EMERGENCY REPAIR/LILAC STREET
EMERGENCY REPAIR**

**Re: Approve invoice from DNA Underground for Emergency By-Pass Repair on
Lilac Street**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve Invoice MP7191 from DNA Underground LLC in the amount of \$20,637.50 – Emergency By-Pass Repair on Lilac Street.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**UTILITY DEPARTMENT/MISSISSIPPI DEPARTMENT OF
TRANSPORTATION (MDOT)**

**Re: Correspondence from MDOT approval copy of Supplemental Engineering
Agreement.**

Alderman Lafontaine moved, seconded by Alderman Richardson to approve to spread on the minutes correspondence receive from Property Management officer Dale Greer with Mississippi Department of Transportation (MDOT) noting the approved copy of the Supplemental Engineering Agreement, submitted by Compton Engineering in the amount of \$82,303.63.

Mrs. Yarborough said by approving this the Board is making a finding of fact in regard to the purchase and the repair contract and any delay in competitive bidding would have a detriment to the health and welfare of the City.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

WAVELAND AVENUE SIDEWALKS PROJECT/INVOICES

Re: Invoice 16-0109 from James J. Chiniche

Alderman Lafontaine moved, seconded by Alderman Piazza Invoice 16-0109 from James J. Chiniche, PA, Inc. in the amount of \$2,718.29 – Waveland Avenue Sidewalks Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

HEALTH INSURANCE/AGREEMENTS

Re: Business Associate Agreement with Infinisource Benefits Service for COBRA

Alderman Burke moved, seconded by Alderman Lafontaine to approve the Business Associate Agreement and the Infinisource Benefit Services agreement with Infinisource Benefit Services moving our COBRA from United Health Care, and authorize Mayor's signature thereon (this Agreement submitted by Ms. Robin Digiacomio with BXS)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

ATTORNEY'S COMMENT

Pre: Presented with no Public Comments

ALDERMEN'S COMMENTS

Re: Alderman Burke

- 202 Old Spanish Trail – Requested this property be placed back on blighted property list if work does not continue.
- Requested a definitive work plan be established for 467 Highway 90 Property.
- Discussed creation of savings account to replace broken vehicles.

Re: Alderman Richardson

- Discussed Hotel at 467 Highway 90. Expressed concern for the property owners spending money that not be a benefit to the owner.

Re: Alderman Lafontaine

- Discussed changed the time and date of moving the meeting of November 21, 2018 to November 20, 2018 as well as the meeting set for Election day December 4, 2018 to Wednesday December 5, 2018.
- Discussed the money reimbursement to the City that could be designated for a bond payment.
- Met with a gentleman that previously worked for the City, that would be happy to take the current employees to show them where the old valves are out.
- Inquired about a House Bill that had recently been passed for the replacement or repair of certain Utility Repairs/Replacement within the City.

Alderman Piazza

- Received a phone call about the conditions of the bathrooms located at the local park regarding profane conditions left by homeless people and abuse by individuals.

PLANNING AND ZONING

Re: A.J. Boudreaux, 2016 Sandy Street

A.J. Boudreaux, owner of the property commonly known as 206 Sandy St., Legal Description: Pt. 2 & All of 3 & 4, Blk. 1, Hickey Subdivision, is requesting a Conditional Use for an accessory building containing more than five hundred (500) square feet as provided for in Section 601.2 (F) in the current Zoning Ordinance. The purpose of the request is to allow the construction of a seven hundred and fifty (750) square foot accessory building (storage for boat, garden equipment and miscellaneous tools).

Commissioner Watson made a motion to recommend approval of the conditional use to allow an accessory building of seven hundred and fifty (750) square feet. Commissioner Adams seconded the motion. Chairman Meggett called for a vote.

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

Mrs. Yarborough said if the Board is making the recommendation for approval, it is making necessary finding under Section 906.1c.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Re: Janine and Michael Walsdorf, 115 Pine Ridge Drive

Janine and Michael Walsdorf, current owners of property commonly known as 115 Pine Ridge Dr., Legal Description: Lots 46 & 47, Pine Ridge Subdivision Section 701.5 – Minimum Rear Yard for R-1 Single Family Residential District required twenty-five (25) feet. The variance request is to allow an eighteen (18) foot rear yard requiring a variance of seven (7) feet from the required rear yard. The purpose of the variance request is to allow the owners to build a single family residence on their property.

Commissioner Adams made a motion to recommend approval of the variance as requested.

Mrs. Yarborough said if the Board is making the recommendation for approval, it is making necessary finding under Section 906.1c.

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

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Re: Dana and Susan Hooper, Aiken Street

Dana & Susan Hooper, current owners of property on Aiken St (Parcel # 161B-2-01-068.000)., Legal Description: Lot 6, part of Lot 7, part of Lot 8, Block 1, Gayle Aiken Subdivision, are requesting a variance from the City of Waveland Zoning Ordinance, Section 701.5 – Minimum Rear Yard for R-1 Single Family Residential District required twenty-five (25) feet. The variance request is to allow a thirteen (13) foot rear yard requiring a variance of (twelve) feet from the required rear yard. The purpose of the variance request is to allow the owners to allow preservation of a large live oak tree in the middle of the lot and build their single family residence on their property.

Commissioner Adams made a motion to recommend approval of the variance as requested.

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

Mrs. Yarborough said if the Board moves to accept the request, it is doing so under the 906.1c that the applicant met those requirements for a variance request.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Re: Stephen Hartel Jr., 204 S. Beach Blvd.

Stephen Hartel, Jr., current owner of the property commonly known as 204 S. Beach Blvd., Legal Description: PT 94, PT 98, PT 103. All 100 & 102, 2ND Ward, Waveland, MS, Hancock County, Parcel #161M-0-11-079.000, is requesting the following variances: Variances from the current Zoning Ordinance, Article VII, Section 701., Minimum Lot Width – 100 feet, The purpose of the variance request is to allow the creation of 3 lots fronting on S. Beach Blvd and 1 lot fronting on Favre Street shown on the survey as Parcel “A”, Parcel “B”, Parcel “C” and Parcel “D”. Parcel “A” as proposed would have a lot width of 92.95 feet requiring a variance of 7.05 feet. Parcel “B” as proposed would have a lot width of 93 feet requiring a variance of 7 feet. Parcel “C” as proposed would have a lot width of 93 feet requiring a variance of 7 feet. Parcel “D” as proposed would have a lot frontage width of 20 feet on Favre Street requiring a variance of 80 feet.

Stephen Hartel, Jr., current owner of the property commonly known as 204 S. Beach Blvd., Legal Description: PT 94, PT 98, PT 103. All 100 & 102, 2ND Ward, Waveland, MS, Hancock County, Parcel #161M-0-11-079.000, is requesting a review and recommendation for a Final Plat that would divide the property into four (4) Lots. As shown on the proposed Final Plat.

Commissioner Watson made a motion to recommend approval of the variances as requested and the Final Plat.

Mrs. Yarborough explained that the purpose of the Planning and Zoning Hearing was to take evidence at that time. If the Board so chooses, they can listen to more evidence at this time. Mr. Jim Meggett spoke on this issue.

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

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

MINUTES

Re: Minutes of October 11, 2018

Alderman Lafontaine moved, seconded by Alderman Piazza to approve the Minutes of the Special Meeting of October 11, 2018, as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine & Piazza

Abstain: Richardson

Voting Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims

Alderman Lafontaine moved, seconded by Alderman Piazza to approve the Docket of Claims in the amount of \$812,186.65 dated November 6, 2018 as submitted.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

PARADES/EVENTS

Re: Krewe of Nereids to present it's annual Mardi Gras Parade on Sunday February 24, 2019

Alderman Lafontaine moved, seconded by Alderman Piazza to approve a request from the Krewe of Nereids to present its annual Mardi Gras Parade on Sunday, February 24, 2019.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

PUBLIC WORKS/UTILITY DEPARTMENT/PERSONNEL

Re: New Hire Ms. Erin Johnson as Utility Clerk

Alderman Richardson moved, seconded by Alderman Piazza to approve new hire Ms. Erin Johnson as Utility Clerk at a salary of \$23,400.00 per year (\$11.25 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

PROJECT MANAGEMENT INSTITUTE/KATRINA SCULPTURE

Re: Authorize Mr. John Ascherl on behlf of MS Gulf Coast Chapter of Project Management Institute to preserve and clean Katrina Sculpture

Alderman Burke moved, seconded by Alderman Richardson to authorize Mr. John Ascherl on behalf of the Mississippi Gulf Coast Chapter of the Project Management

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Institute to (PMIMGC) to preserve (clean, treat and preserve) the Katrina sculpture at the intersections of Highway 90 and Highway 603.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

CITY HALL/PURCHASING

Re: Authorize Deputy City Clerk Tammy Fayard to sign Purchase Requests

Alderman Burke moved, seconded by Alderman Richardson to authorize Deputy City Clerk Tammy Fayard to sign Purchase Requests.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

ORDINANCE/STREETS DEPARTMENT

Re: Authorize immediate approval of Ordinance 376 of No Through Truck Routes

Alderman Burke moved, seconded by Alderman Richardson to approve Ordinance 376 related to the creation of *No Through Truck Routes* in the City of Waveland to include Garden Lane, Emelda, Fell Grass and St. Anthony.

Mrs. Yarborough said by the Board adopting this Ordinance, it would be a detriment to the City and must be adopted without the 30 day waiting period after advertising.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

RESOLUTIONS/PORT BIENVILLE RAILROAD NORTH-SOUTH RAILROAD

Re: Approval of Resolution in support of Port Bienville North-South Railroad

Alderman Burke moved, seconded by Alderman Piazza to approve a Resolution *in Support of the Draft Environmental Impact Statement for the Port Bienville Railroad's North-South Railroad Connector Between Port Bienville and Nicholson, Mississippi*, 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

BANK ACCOUNT/RSVP/COMPTROLLER
Re: Transfer of funds from RSVP to Depository

Alderman Burke moved, seconded by Alderman Richardson to approve transfer of funds from RSVP bank account in the amount of \$14,339.03 to the Depository Bank Account to reimburse that bank account for expenses paid between the period of 4/1/18 to 7/30/18.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

FIRE DEPARTMENT
Re: TABLE approval of purchase of Body Worn Cameras

Alderman Piazza moved, seconded by Alderman Richardson to TABLE approval Standard Operating Guideline regarding Body Worn Cameras (BWC) for Firefighters working for the Waveland Fire Department to help deter possible lawsuits and assist with training. (TABLED from the October 17, 2018 meeting)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

CONTRACTS/MARTIN LUTHER KING COMMUNITY CENTER
Re: Approve Contract Amendment No. 1 with Compton Engineering for MLK Community Center

Alderman Piazza moved, seconded by Alderman Richardson to approve Contract Amendment No.1 between The City of Waveland and Compton Engineering for Services and Reimbursable Expenses related to the Construction of the MLK Community Center in the amount of \$32,297.87, authorize Mayor's signature thereon.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

INVOICES/UTILITY DEPARTMENT/WARDS RESTAURANT/MLK COMMUNITY CENTER LIGHTHOUSE AND PUBLIC PAVILION CONSTRUCTION/SANITARY SEWER IMPROVEMENTS PROJECT/CITYSIDE SIDEWALK STUDY/NICHOLSON/HIGHWAY 90 LIGHTING RELOCATION PROJECT/MDOT/HERLIHY STREET SANITARY SEWER IMPROVEMENTS PROJECT/MEADOW LANE SANITARY SEWER IMPROVEMENTS PROJECT/6TH STREET AREA, GLADSTON STREET AREA AND WAVELAND CUTOFF AREA SANITARY SEWER IMPROVEMENTS PROJECT/PHASE II STORMWATER PROGRAM
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-n):

- a) Invoice 218-045-1 from Compton Engineering in the amount of \$2,082.50 – MDOT Permit/Wards Gas Line.
- b) Invoice 218-047-2 from Compton Engineering in the amount of \$4,525.00 – MLK Community Center
- c) Invoice 217-095-19 from Compton Engineering in the amount of \$4,000.00 – Waveland Lighthouse and Public Pavilion Construction.
- d) Invoice 217-095-20 from Compton Engineering in the amount of \$212.50- Waveland Lighthouse and Public Pavilion Construction.
- e) Invoice 216-056-29 from Compton Engineering in the amount of \$36,245.50 – Sanitary Sewer Improvements Project.
- f) Invoice 216-060-12 from Compton Engineering in the amount of \$2,005.09 – Citywide Sidewalk Study.
- g) Invoice 217-043-12 from Compton Engineering in the amount of \$691.09 – Nicholson Avenue Improvements Project.
- h) Invoice 217-059-8 from Compton Engineering in the amount of \$13,951.15 – Highway 90 Lighting Relocation Project.
- i) Payment Application #1 from DNA Underground, LLC in the amount of \$220,316.74 – Herlihy Street Sanitary Sewer Improvements Project.
- j) Payment Application #1 from DNA Underground, LLC in the amount of \$88,415.55 – Meadow Lane Sanitary Sewer Improvements Project.
- k) Payment Application #1 from Gulf Coast Underground, LLC in the amount of \$44,159.09 – 6th Street Area, Gladstone Street Area and Waveland Cutoff Area Sanitary Sewer Improvements Project.
- l) Pay Application #9 from Barnard & Sons Construction, LLC in the amount of \$233,574.13 – Waveland Lighthouse and Public Pavilion Project.
- m) Invoice 216-021-26 from Compton Engineering in the amount of \$4080.00 – Phase II Stormwater Program.
- n) Invoice 16071 from Eustis Engineering in the amount of 23,624.06 – Lighthouse and Public Pavilion Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**TIDELANDS/GRANTS/PIERS AND STRUCTURES
REMOVAL/REMOVAL-PIERS AND STRUCTURES/MLK COMMUNITY
CENTER/BUILDING PERMITS REPORT**

Alderman Burke moved, seconded by Alderman Richardson to spread on the minutes the following, as listed (Items):

- a) The Tideland's Grant Award for FY2019 in the amount of 200,000.00- Removal of Derelict Piers and Structures.
- b) Correspondence from Executive Director Joe Spraggins notifying the City of a Tideland's Grant Award in the amount of \$200,000.00 for the removal of Derelict Piers and Structures along the Beach Front.
- c) Proof of Publication for Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain and Wetlands related to the MLK Community Center.

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Regular Meeting of November 6, 2018
6:30 p.m.

d) Building Permits Report for the month of October, 2018.

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 8:53 p.m.

Alderman Burke moved, seconded by Alderman Richardson to adjourn the meeting at 8:43 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 December 7, 2018.

Tammy L. Fayard
Deputy City Clerk

The Minutes of the Regular Meeting of November 6, 2018 have been read and approved by me on this, the 7th day of December 2018.

Mike Smith
Mayor