

Minutes
Regular Meeting of March 5, 2019
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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 March 5, 2019 at 6:30 p.m. to take action on the following matters of City business.

ROLL CALL

Mayor Smith noted for the record the presence of Aldermen Richardson, and Piazza, also present City Attorney Rachel Yarborough and City Clerk Mickey Lagasse.

Absent from the meeting was Aldermen Burke and Lafontaine

MAYOR'S REPORT

Re: The Finance tab on web went live Wednesday and both the current and last meetings docket are online.

EVENTS

Re: Approve Ms. Nadine Brown's request to hold the Annual Crawfish Cookoff Friday April 5, 2019

Alderman Richardson moved, seconded by Alderman Piazza to approve a request from Ms. Nadine Brown with C&R's Bar to hold the 12th Annual Crawfish Cook off to benefit Hope Haven. Ms. Brown request Street closure from 50⁺ north of C&R's on Coleman Avenue (by residence) to south of Bourgeois Street at 5 p.m. on Friday April 5th (for set-up) through Saturday April 6th (for the event and clean-up)

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

**** City Clerk Lagasse exited the room**

MLK COMMUNITY CENTER/COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)/PROFESSIONAL SERVICES

Re: Mr. Chris Gouras of Mr. Geoffrey Clemens were present to discuss the MDA Funding Appropriations for the MLK Community Center

Re: Authorize Mayor to sign application regarding CDBG HCCR Funds related to Professional Services

Alderman Richardson moved, seconded by Alderman Piazza to authorize the Mayor to sign the application regarding the CDBG HCCR Funds as discussed with Professional Services for Gouras and Compton being cut in half and Gouras to \$15,000.00 and Compton to \$7,454.50.(EXHIBIT A)

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

MAYOR'S REPORT (CONT.)

Re: This Saturday night the Waveland Civic Association will be holding their Annual St Patrick's Ball and last Saturday night the American Legion Post 77 held their Annual Ball.

CITY ATTORNEY'S COMMENTS

Re: Had no comments

ALDERMEN'S COMMENTS

Re: Alderman Richardson – Had no Comments

Re: Alderman Piazza – Had no comments

PLANNING AND ZONING.(EXHIBIT B)

Re: Amendments to Zoning Ordinance #349

Commissioner Watson made a motion, seconded by Commissioner Harris, to recommend that City staff work with the City Attorney to prepare the ordinance and/or resolution that would incorporate the proposed textual amendments and allow the Commission to take possible action on the appropriate document(s) at their March 25th, 2019 meeting, if possible. Commissioners Adams, Harris, and Watson voted yes. Chairman Meggett declared the motion passed.

Alderman Piazza moved, seconded by Alderman Richardson to recommend that City staff work with the City Attorney to prepare the ordinance and/or resolution that would incorporate the proposed textual amendments and allow the Commission to take possible action on the appropriate document(s) at their March 25th, 2019 meeting, if possible

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

BUILDING DEPARTMENT/BLIGHTED PROPERTIES

Re: Building Inspector Josh Hayes updated the Board on 1410 Superior Street, Property Owner Kelly D. Noonan.

Re: Allow Mr. Kelley Noonan of 1410 Superior Street 15 additional days to complete repairs

Alderman Piazza moved, seconded by Alderman Richardson to take allow 15 additional days for construction 1410 Superior Street as outlined by Board of Mayor and Aldermen.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

CLAIMS

Re: Docket of Claims

Alderman Piazza moved, seconded by Alderman Richardson to approve the Docket of Claims in the amount of \$500,271.82 dated March 6, 2019 as submitted.(EXHIBIT C)

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

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Absent: Burke and Lafontaine

POLICE DEPARTMENT/AGREEMENTS/IT SUPPORT

Re: Approve Agreement with Affordable Computer Solutions to take over IT support

Alderman Richardson moved, seconded by Alderman Piazza to approve an Agreement with Affordable Computer Solutions to take over IT support for the Police Department. We received 2 proposals and this was the lowest and best with proposal be amended to add a termination clause for convenience with 7 days written notice. (\$500 per month, plus costs). **(EXHIBIT D)**

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

POLICE DEPARTMENT/PERSONNEL

Re: Police Chief Mike Prendergast was present to discuss Sgt. Ian Larsen's Promotion as it relates to his salary and approve back pay to date of promotion

Alderman Richardson moved, seconded by Alderman Piazza for Police Chief Mike Prendergast to discuss Ian Larsen's Promotion to Sargent as it relates to his salary, and approve salary retro-activated to December 19, 2018 as budgeted for.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

MINUTES

Re: Approve Minutes of February 20, 2019

Alderman Richardson moved, seconded by Alderman Piazza to approve the minutes of the Regular Meeting of February 20, 2019 as submitted.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

CITY HALL/FLOODPLAIN MANAGERS/BUILDING DEPARTMENT/AMEND AGENDA

Re: Approve City Clerk's Membership in the Association of Floodplain Managers of Mississippi

Alderman Piazza moved, seconded by Alderman Richardson to approve Membership for City Clerk Mickey Lagasse in the Association of Floodplain Managers of Mississippi for 2019 in the amount of \$75.00..**(EXHIBIT E)**

A vote was called for with the following results:

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Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

Re: Amend Agenda to add Josh Hayes as a member of Floodplains Managers of Mississippi

Alderman Richardson moved seconded by Alderman Piazza to amend the agenda to add Josh Hayes as member in the Floodplains Mangers of Mississippi for 2019 in the amount of \$75.00

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

Re: Act and Approve adding Josh Hayes as a member in the Floodplains Managers of Mississippi for 2019

Alderman Richardson moved, seconded by Alderman Piazza to act and approve adding Building Inspector Josh Hayes as a member in the Floodplains Managers of Mississippi for 2019 in the amount of \$75.00.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

AGREEMENTS/CITY HALL

Re: TABLE approval of Agreement with PATH Company related to energy efficiencies

Alderman Piazza moved, seconded by Alderman Richardson to ~~approve~~ TABLED an Agreement with PATH Company LLC.to provide audit results of energy Efficiencies at all City Buildings/Facilities, and approve the Mayor's signature thereon.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

ADVERTISEMENTS/BAY HIGH SCHOOL SOFTBALL FIELD

Re: Approve Advertisement in the form of a Sign to be placed at the Bay High Softball Field

Alderman Richardson moved, seconded by Alderman Piazza to approve advertisement requested by the Bay High School with sign to be placed in the Bay High Softball Field. Cost of the sign would be \$200.00 for a 4' x 8' sign, with a \$100.00 renewal fee each subsequent year. This advertisement is budgeted for FY 2019. And authorize the Mayor to sign a check to the Bay High School Athletic Account and not as the packet attachment says. . **(EXHIBIT F)**

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Mrs. Yarborough said if the Board finds and approves this advertisement, it is finding that the advertisement will be helpful toward advancing the moral, financial and other interests of the City of Waveland and that the purpose for the advertising is bringing into favorable notice, the opportunities, possibilities and resources of the City in accordance with §17-3-1 and §17-3-3.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

TRAVEL/CITY HALL

Travel for Mayor and City Clerk to Jackson for Legislative Meeting related to BP Funds

Alderman Richardson moved, seconded by Alderman Piazza to approve travel for the Mayor and City Clerk to travel to Jackson, Mississippi on March 12th and 13th, 2019 for Legislative meetings directly related to BP Funds, two pilot programs for subsurface drainage, Facade Grant Program for Highway 90 and Economic Development Funding for Coleman Avenue. Cost to the City will be for each lodging for 1 night and use of a City vehicle.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

NOTICE TO PROCEED/WAVELAND AVENUE SIDEWALKS PROJECT

Re: Approve Notice to Proceed for Waveland Avenue Sidewalks Project

Alderman Piazza moved, seconded by Alderman Richardson to approve Notice to Proceed for the Waveland Avenue Sidewalks Project, as submitted by Jason Chiniche, PA. **(EXHIBIT G)**

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

RENEWALS/INSURANCE-BUILDING/LIGHTHOUSE AND PUBLIC PAVILION/CITY HALL/POLICE BUILDING/CIVIC CENTER/PUBLIC WORKSBUILDING/BUILDINGS-CITY/BETZ-ROSETTI

Re: Approve Insurance Extension from Betz and Rosetti for Insurance Extension

Alderman Richardson moved, seconded by Alderman Piazza to approve Insurance Extension from Betz Rosetti and Associates in the amount of \$4,522.73..**(EXHIBIT H)**

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

Re: Approve Renewal for all Property and Buildings

Alderman Richardson moved, seconded by Alderman Piazza to approve the 2019-2020 Premium Renewal for all property and buildings belonging to the City of Waveland in the amount of \$128,686.06 this includes an increased cost in the amount of \$3,738.72 which includes a \$500,000.00 policy for the newly constructed Lighthouse..(EXHIBIT I)

****City Clerk Lagasse left the meeting during discussion regarding the Lighthouse and Public Pavilion.**

****Mr. Lagasse returned prior to vote**

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

DRUG SCREENING/CITY HALL/POLICE DEPARTMENT/FIRE DEPARTMENT/COURT DEPARTMENT/UTILITY DEPARTMENT/PUBLIC WORKS DEPARTMENT/FIRE DEPARTMENT/PURCHASING/HUMAN RESOURCES/PERSONNEL

Re: Accept a proposal from Certified Medical Testing (CMT) for Drug Screening

Alderman Piazza moved, seconded by Alderman Richardson to ~~consider~~accept a proposal from Certified Medical Testing (CMT) to provide testing for new employees and random drug screens as needed. This is a Waveland business and have requested consideration. .(EXHIBIT J)

Mrs. Yarborough requested that CMT submit a proposal on how they will perform their neutral selection drug test to make sure they are in compliance with State Law and D.O.T. requirements.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

STORMWATER ADMINISTRATION

Re: Approve Small Municipal Separate Storm Sewer System General Permit Application

Alderman Piazza moved, seconded by Alderman Richardson to approve the Small Municipal Separate Storm Sewer System (MS4) General Permit application for the year of 2018, and authorize the Mayor's signature thereon.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

INVOICES/WAVELAND AVENUE SIDEWALK PROJECT

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Re: Approve Payment of Invoice 16-01010 from James J. Chiniche, PA, Inc. in the amount of \$6,176.67

Alderman Richardson moved, seconded by Alderman Piazza to approve Invoice 16-01010 from James J. Chiniche, PA, Inc. in the amount of \$6,176.67- Waveland Avenue Sidewalk Project and recommended to be placed in line for payment consideration, contingent upon receiving funding from grant sources (if required). **(EXHIBIT K)**

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

****City Clerk Lagasse exited the room**

COMPTON ENGINEERING

~~Spread on the minutes the completed Citywide Sidewalk Project as presented by Compton Engineering John Studstill will be present at the March 20th meeting to discuss.~~

GULF REGIONAL PLANNING COMMISSION (GRPC)/CITYWIDE SIDEWALKS STUDY

Re: Authorize Compton Engineering to complete applications to GRPC for Sidewalk Study

Alderman Richardson moved, seconded by Alderman Piazza to allow Compton Engineering to complete ~~and submit~~ applications to Gulf Regional Planning Commission for 2 new sidewalk projects based on the need outlined in the sidewalk study. If approved it will require a 20% match for each project. (No cost for submittal.

Project 1. Margie St. subsurface drainage and sidewalks, proposed funding will be 80% TIP funding and 20% State Funds. This project could be potentially be fully funded 100% through outside funds however if not the City would be responsible for 20% in the 2019/2020 Budget.

Project 2. St. Joseph St. will be a sidewalk project only, proposed funding will be 80% TIP funding and 20% local match funds. If project application are approved we would need to budget the match in the 2019/2020 budget.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

STORMWATER PROGRAM/LIGHTHOUSE AND PUBLIC PAVILION PROJECT/SANITARY SEWER IMPROVEMENTS PROJECT/HERLIHY STREET SEWER IMPROVEMENTS PROJECT/ MEADOW LANE SEWER IMPROVEMENTS PROJECT/ GLADSTONE STREET SEWER IMPROVEMENTS PROJECT/KILN WAVELAND CUTOFF SANITARY SEWER IMPROVEMENTS PROJECT/HIGHWAY 90 UTILITY RELOCATION PROJECT/CITYWIDE SIDEWALK PROJECT

Re: Invoices submitted by various Contractors

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Alderman Richardson moved, seconded by Alderman Piazza 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-G):

- A) Invoice 216-021-30 from Compton Engineering in the amount of \$5,160.00 – Phase II Stormwater Program. **(EXHIBIT L)**
- B) Invoice 215-068-28 from Compton Engineering in the amount of \$1,200.00 – Lighthouse and Public Pavilion Project..**(EXHIBIT M)**
- C) Invoice 215-068-29 from Compton Engineering the amount of \$8,040.00 - Lighthouse and Pavilion Project **(EXHIBIT N)**
- D) Invoice 216-056-34 from Compton Engineering in the amount of \$37,633.75 - Sanitary Sewer Improvements project (Herlihy Street, Meadow Lane, Gladstone Street, Kiln-Waveland Cutoff, 6th Street, and Edna Street) **(EXHIBIT O)**
- E) Invoice 216-056-35 from Compton Engineering in the amount of \$656.25 – Sanitary Sewer Improvements Project.**(EXHIBIT P)**
- F) Invoice 217-059-13 from Compton Engineering in the amount of \$1,751.04- Highway 90 Utility Relocation Project..**(EXHIBIT Q)**
- G) Invoice 216-060-16 from Compton Engineering in the amount of \$10,020.51 – Citywide Sidewalk Project. **(EXHIBIT R)**

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

CHANGE ORDERS/HERLIHY STREET SANITARY SEWER IMPROVEMENTS PROJECT

Re: Approve Change Order #6 from DNA Underground for Herlihy Street Sanitary Improvements Project

Alderman Piazza moved, seconded by Alderman Richardson to approve Change Order #6 from DNA Underground for the Herlihy Street Sanitary Sewer Improvements Project to increase the original scope of work to include necessary and incidental work for the relocation of waterline to south side of the Street. The requested Change Order #6 increases the contract price by \$348,655.00 Additionally, Change Order #6 is requesting an increase of 45 contract days relating to the proposed scope of work..**(EXHIBIT S)**

Mrs. Yarborough: so in your opinion and the opinion of Compton, this proposed construction change is necessary under the circumstances, is that correct?

Mr. (James) Buras: Absolutely.

Mrs. Yarborough: To serve the purpose of the City of Waveland.

Mr. (James) Buras: Yes.

Mrs. Yarborough: Did the change and the relocation of the water line, is that necessary and incidental to the original scope of the contract.

Mr. (James) Buras: Yes.

Mrs. Yarborough: And why is that so?

Mr. (James) Buras: Because, we found out now that the subsurface conditions don't match what we thought they were previously, the water line is closer to the sewer line than originally expected.

Mrs. Yarborough: Okay, are there other issues with that water line that requires replacement?

Mr. (James) Buras: Yes, the water line is old and corroded.

Mrs. Yarborough: Okay and how is that presented itself to construction?

Mr. (James) Buras: It keeps busting and they have multiple waterline failures, so they have to go out there and do, flush the waterline and put out all the.

Mrs. Yarborough: so it makes the City's water unsafe to drink for residents, is that correct?

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Mr. (James) Buras: Correct.

Mrs. Yarborough: And is it also causing a delay to the contract, of sorts?

Mr. (James) Buras: Yes

Mrs. Yarborough: And under that contract, would this delay due to undisclosed subsurface issues a possibility to penalize the City monetarily?

Mr. (James) Buras: The delay?

Mrs. Yarborough: Yes.

Mr. (James) Buras: Yes. I think it would because of your contract or SRF Loan would be, it would cause you to go over your contract completion date.

Mrs. Yarborough: And why is the proposed increase in cost commercially reasonable.

Mr. (James) Buras: His prices are from what we see are the going rate for all of our other projects going on, he's actually got cheaper prices for a lot of those items. Because he's already on site, he doesn't have any mobilization costs.

Mrs. Yarborough: In your opinion, is it more efficient and a logical extension of the contract to include this modified scope of work and would it be cost effective to grant this Change Order?

Mr. (James) Buras: Yes.

Mrs. Yarborough: Okay and could you anticipate, if we went out, would it be more expensive to.

Mr. (James) Buras: Absolutely.

Mrs. Yarborough: To bid this out to another party. So in your opinion, the construction changes are necessary. Commercially reasonable and not made to circumvent the Public Purchasing Statutes.

Mr. (James) Buras: Correct.

Mrs. Yarborough: And they're necessary and incidental to the original scope of the contract.

Mr. (James) Buras: Yes.

Mrs. Yarborough: So, to the Board, if the Board is considering granting the Change Order, it's necessary under 31-7-163 subsection g, that the standard for granting a Change Order requires that you make the findings that the modifications to the original contract are necessary would better serve the City of Waveland and it's citizens that the change order is necessary under the circumstances without necessity for further public bids and that such changes is made in a commercially reasonable manner and made to circumvent the Public Purchasing Statutes, that the proposed changes is necessary and incidental to the original scope of the contract.

Mr. (James) Buras: I concur.

Mrs. Yarborough said for the record, the Board also discussed this Change Order at the Special Meeting from the 19th.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

Absent: Burke and Lafontaine

****Mr. Lagasse reentered the meeting.**

PUBLIC COMMENTS

Re: Mrs. Brenda McComb

Mr. Alfred "Tiger" Harris

ADJOURN

Re: Adjourn the meeting at 7:39 p.m.

Alderman Piazza moved, seconded by Alderman Burke to adjourn the meeting at 7:39 p.m.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza & Smith

Voting Nay: None

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Absent: Burke and Lafontaine

The foregoing minutes were presented to Mayor Smith on April 4, 2019.

James M. Lagasse
City Clerk

The Minutes of the Regular Meeting of March 5, 2019 have been read and approved by me on this, the 4th day of April.

Mike Smith
Mayor