

**Minutes**  
**Regular Meeting of June 4, 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 June 4, 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 Burke, Richardson, and Piazza, also present City Attorney Rachel Yarborough and City Clerk Mickey Lagasse.

Absent from the Meeting was Alderman Lafontaine

**ADVERTISEMENTS/MAYOR'S REPORT**

**Re: Advertise in the 2019 Hancock Today Circular**

Alderman Richardson moved, seconded by Alderman Piazza to discuss/approve taking an ad with Hancock Today in the amount of \$275.00.

Mrs. Yarborough noted for the record, if the Board approves the amount and advertising, it is doing so in accordance with §17-3-1 and §17-3-3 and is necessarily making the finding that the print advertisement is a newspaper or magazine and will be helpful towards advancing moral, financial or other interests of the City and bringing into favorable notice the opportunities, possibilities and resources of the City of Waveland.

A vote was called for with the following results:

Voting Yea: Richardson, Piazza and Smith

Voting Nay: Burke

Absent: Lafontaine

**MAYOR'S REPORT**

- **The Mayor said that he and the Board attended a Ground Breaking for the MLK Community Center at 5:30 prior to the meeting, adding that construction would begin June 10th**
- **Mayor and City Clerk Mickey Lagasse attended a meeting to discuss the Bonnet Carre Spillway, noting the zero salinity in the Bay of St. Louis effecting the wildlife off the shores of the Gulf Coast.**
- **The Mayor discussed the BP Funds being given to the Coast.**
- **Mrs. Bernie Cullen and Mr. Jim Meggett of Keep Waveland Beautiful are working with a volunteer group from Tennessee. The group have been working on beautification projects around Coleman Avenue.**
- **MAPP group recently held a sand sculpting contest.**
- **The Mayor recognized Mr. David from Lowes' Home Improvement Store for their donations of supplies to complete projects at the newly created Town Green.**

**EVENTS/VETERANS DAY/CHRISTMAS DAY**

**Re: Mrs. Kristen Tusa was present to discuss holding a Veterans Day Parade and Christmas Parade**

**ATTORNEY'S COMMENTS**

**Re: Requested an Executive Session to discuss continuing nuisance properties belonging to Roger Lacoste and Herbert LeBourgeois for 1101 Old Spanish Trail, 535 Highway 90, 539 Highway 90 and a parcel at the southeast corner of Margie Street being 138Q-0-34-094.000**

**ALDERMEN'S COMMENTS**

**Re: Alderman Burke**

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- **Inquired about the removal of Trinity Investments from the agenda. Mrs. Yarborough said this is 2 different Avenues procedurally and would have to read the current depository agreement.**

**Re: Alderman Richardson**

- **Discussed Beach Volleyball Tournaments held by Mr. Robert Pitre. During the discussion Mayor Smith said it is the City's intentions to place a slab at the volleyball area for food vendors.**

**Re: Alderman Piazza**

- **Expressed concerns about the Waveland Avenue Sidewalk Project drainage**

**BUILDING DEPARTMENT/BLIGHTED PROPERTY**

**Re: Public Hearing 410 Wainwright Street, Owner Leigha B. Allen**

**Mrs. Yarborough:** For purposes of the record, the Board had previously heard this nuisance hearing at a prior meeting and had found the property to be in violation of 21-19-11 and ordered it to be demolished. Since that time, the Board moved to contract the demolish work to a contractor and then noticed a re-publicized for the property owner for Ms. Leigha Allen to present whatever evidence she would like regarding the state of her property at 410 Wainwright Street. Building Official Josh Hayes has submitted an affidavit, even though she requested this hearing we went ahead and re-noticed the properties and surrounding property owners. Well I don't think that we noticed them individually but we posted in the yard and we posted at City Hall and all of our notices are in compliance with §21-19-11, so Ms. Allen, if you would just state to the Board the status of your property and what you'd like to express.

**Ms. Allen:** Okay, so I have here, written documentation from a licensed contractor in Hancock County stating that the home can be rebuilt and remodeled and I'm willing to buy the building permits tomorrow, if I can, to rebuild the house. I've removed everything from the inside of the home, everything is gone off of it. We've cut down all of the surrounding like trees that were like over growing on the property, everything..

**Mayor Smith:** Leigha do you have pictures, printed pictures?

**Ms. Allen:** I do have printed, I don't know what I did with them, I left them at home, but I do have them on my phone as well. If you would like to see them.

**Mayor Smith:** If y'all wanna see the pictures of...

**Ms. Allen:** My home is completely empty.

**Alderman Richardson:** Mr. Hayes have you observed any new things that you could bring to us?

**Mr. Hayes:** Thank you for letting me speak. Yes, I mean the home as far as all the things inside of it and the overgrowth have been taken care of I believe. I haven't stepped into the home since my previous investigation of it. But like the affidavit that was previously submitted spoke about the structure of itself, being a violation not so much the overgrowth of the things inside of it. It doesn't meet building codes, and it's dilapidated.

**Mrs. Yarborough:** So in your..

**Mr. Hayes:** They need to be addressed in some way or fashion.

**Mrs. Yarborough:** Have you had the opportunity to view the property today?

**Mr. Hayes:** I did.

**Mrs. Yarborough:** Okay and today's date is June 4, 2019?

**Mr. Hayes:** Yes.

**Mrs. Yarborough:** And do your prior, does your prior opinion that the building is unsafe and a nuisance still stand?

**Mr. Hayes:** As it currently sits, I still hold that opinion, yes.

**Mrs. Yarborough:** and why is, why is that?

**Ms. Allen:** May I ask why you have that opinion now?

**Mrs. Yarborough:** Well, I'm going to make the record first and then you can. Why do you make that finding?

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**Mr. Hayes:** Well, from given permission from the homeowner to inspect the home, I just noticed everything in my previous report that the structure being dilapidated and the building codes, undersized framing members, termite damage, I mean the list goes on and on.

**Mrs. Yarborough:** Well if you would, do you have your report with you?

**Mr. Hayes:** Yes.

**Mrs. Yarborough:** Okay, if you would just kind of, make the, announce to the Board, the findings of your report.

**Mr. Hayes:** Okay.

**Alderman Richardson:** Mr. Hayes, before we go on, is this, what zone are we in right there as far as a flood zone?

**Mr. Hayes:** It's not a flood zone, I believe.

**Alderman Richardson:** And the 50% rule does that apply?

**Mr. Hayes:** Well, as relation to FEMA standards, no because it's not in a flood zone in relation to existing building codes. Our International Codes do govern that because of, it tells me to get a percentage of the aggregate area of the home, what it needs to be rebuilt to make it meet 2018 building codes that we have adopted now. So proof of that is definitely necessary. Just like a substantial improvement report. I'd have to know what percentage it would take to build it, compare it. What it's appraised for or assessed for and then have a license, she said she has a Mississippi State licensed contractor?

**Ms. Allen:** Yes.

**Mr. Hayes:** Provide that evidence, for a building permit, I mean she's been aware of this since February, and I have never gotten an application since then.

**Ms. Allen:** An application for the permit? Cause I was actually told that I can not get the permits because there was a hearing pending on the house being demolished, cause I went to the Zoning Office. But, they wouldn't allow me to get the permit. I actually called last year in November to get the building permits and I came up here personally and I found out the permits were \$750.00. Cause I've already planned on getting the permits last year, but then my Grandfather had a stroke and all kinds of stuff was going on.

**Mrs. Yarborough:** Okay, well you realize once you get the permit, you actually have to exercise it. That you, if it's \$750.00 to get the permit, how are you, if you can't pay the permit fee, how do you expect to make improvements?

**Ms. Allen:** I can pay it tomorrow. I have the money on me right now.

**Mrs. Yarborough:** No, I'm talking about the improvements that are required for the house are going to be more than \$750.00 I would assume.

**Ms. Allen:** No I understand that.

**Mrs. Yarborough:** Ok.

**Mayor Smith:** Yes, and I'll be honest Leigha sent me some photos. And she asked about getting a permit. I said hold up, because if it's tore down, why would you get a permit to repair it. Just trying to.

**Mr. Hayes:** Okay, at this point, if you still want to go over the report that I had previously gone over or if you like to speak about some conditions that can be made to get a permit pulled.

**Mrs. Yarborough:** At this point, I would prefer that we actually go through the report and go through how the structure is unsafe and a nuisance

**Mr. Hayes:** Okay, I can do that, okay.

**Mrs. Yarborough:** And then if the Board would like, after they can hear it's at their discretion. But I'd like to make the record first as to §21-19-11 on the basis of your opinion and then move from there.

**Mr. Hayes:** Okay in the previous report, following the Board's request that I get a closer look inspection on the home, of course I found there was no electrical, electricity or water or sewerage to the building. The entry ways was deteriorated, many of the windows and doors are broken causing moisture and penetration. Due to moisture penetration the exterior walls are deteriorated, creating openings and failing. Extensive termite damage was..

**Mrs. Yarborough:** Where are the failings in the walls?

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**Mr. Hayes:** Where are the failings in the walls?

**Mrs. Yarborough:** Right from moisture penetration.

**Mr. Hayes:** Close to the openings in the walls, where moisture penetrated in.

**Mrs. Yarborough:** Like door openings I guess, door jams, windows..

**Mr. Hayes:** Doors, termite damage all around it, windows. Where ever you have moisture penetration, you have decay and deterioration of the framing member it can cause collapse. It's a pretty typical situation.

**Mrs. Yarborough:** Okay, so is there, do you have concern that this structure could collapse.

**Mr. Hayes:** Yes, you know day one I been speaking about in public hearings, I have.

**Mrs. Yarborough:** Okay, I'm sorry to interrupt, go head.

**Mr. Hayes:** That's okay. Most of the existing framing is not the current code. That's one of the big issues that rafters are under sized. The, of course all of the electricals' gotta be changed, all of it, of course none of it meets code, so.

**Ms. Allen:** I'm sorry to interrupt. Isn't that something that would fall underneath the building permit though is to be able to re-wire the entire structure? I don't understand how that's a nuisance if that's something that falls under a permit for building.

**Mrs. Yarborough:** Well I think it's the collective of what needs to be repaired. That's the issue.

**Mr. Hayes:** The interior home is covered in filth due to neglect.

**Mrs. Yarborough:** What does that mean?

**Mr. Hayes:** Well, all the components from the house, whether it be mechanical, electrical have been sitting up for years and years, I think since Katrina, correct?

**Ms. Allen:** Yes.

**Mr. Hayes:** Okay, and in that situation, you have buildup of you know filth and things in those mechanical that ruin them from moisture when they're not in use and things. Just like a car sits up. It's ruined. Same situation in this sentence here in this report.

**Mrs. Yarborough:** So it's just basically weathered deterioration.

**Mr. Hayes:** Correct, if you don't lose it you use it, it don't use it you lose it type situation.

**Ms. Allen:** If I may say actually at the previous hearing that the roof on the house had been re-done after Katrina, and the windows were busted after Katrina. That's the reason we boarded the windows up because there were people going inside the home stealing things out of it, so.

**Mrs. Yarborough:** So you've had vagrants come in your home?

**Ms. Allen:** Yes, that was years ago, but I don't know, there's actually, I have pictures like there's a newer electrical box inside the house that was put there after Katrina. The wiring does need to be re-done in the house, so yea.

**Mrs. Yarborough:** Okay and Josh if you would just state your name and address for the record, and you have to talk into the microphone. Why don't we do this, if do you have a pen, if you would take notes of what you would like to rebut so that we're not back and forth and lose our place (Ms. Allen speaking in background, couldn't understand)

**Mr. Hayes:** Okay, just to finish up my, summary of my inspection, the existing electrical, mechanical and plumbing is completely damaged and cannot be repaired as it is. The existing garbage is piled high throughout the home, so I did include there in there as well. She says that's in compliant, since then I haven't been inside the home. Because of the open structure and moisture the structure has been infested with vermin and insects and become a harbor for vagrants like she said.

**Mrs. Yarborough:** Okay, and is that, in addition to the first inspection, this is basically just the findings of your second on the interior?

**Mr. Hayes:** Correct.

**Mrs. Yarborough:** Okay, and is it still your opinion that this in an unsafe structure and should be demolished due to the fact that it is deteriorated or dilapidated and so out of repair as to become dangerous, unsafe, unsanitary otherwise unfit for human habitation or occupancy.

**Mr. Hayes:** I do.

**Mrs. Yarborough:** And that it is unreasonable to repair the structure.

**Mr. Hayes:** Correct.

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**Mrs. Yarborough:** And the fact that it's unreasonable to repair, is that based on, the dollar amount that would be required to come to compliance with the new building codes?

**Mr. Hayes:** Well when it boils down to it, it does matter how much it takes to rebuild a home. In our International Codes, it does limit existing buildings able to be repaired because of how much it takes to repair it, compared to how much it's worth, whether it's an appraised or assessed value, however they come upon that value.

**Mrs. Yarborough:** That's all the questions from me, also you've submitted affidavit today, regarding the notice as was required by §21-19-11, is that correct?

**Mr. Hayes:** Yes.

**Mrs. Yarborough:** Okay you also submitted 2 pictures that you took today, with that affidavit?

**Mr. Hayes:** Yes.

**Alderman Richardson:** May, I ask a question?

**Mrs. Yarborough:** Sure.

**Alderman Richardson:** Your contractor, has he given you a price of what it would cost, what his price is to repair the house and bring it to NEC, National Residential Codes.

**Mrs. Yarborough:** Ms. Allen, if you could just talk into the microphone.

**Ms. Allen:** No, I have not asked him that, because I was just trying to focus on getting get the property, like approved for rebuilding it. So that's something that I would discuss later on. And financially wise, like I have four trust funds in my name that honestly my Grandfather put away for me, because this home was actually given to me by my Grandfather. So I mean if it came down to it, I could probably get into my trust to rebuild the home.

**Mrs. Yarborough:** The letter that you have from the Contractor, who's the Contractor?

**Ms. Allen:** Keith Sellier

**Mrs. Yarborough:** Okay, and would you like to make this part of the record (**EXHIBIT A**)

**Ms. Allen:** Yes.

**Alderman Richardson:** And the reason why I bring that up, I mean as our Inspector says all the ceiling joists everything is not up to code as far as the wood there. I don't want you to get into a price that's above and beyond what you could tear down and build a new house for.

**Ms. Allen:** Right I understand that. My father is also a contractor so he comes across building material all the time. So like if it came down to it and I needed to get material, I could go through my Father because he works all over Louisiana. He works on St. Jude dream homes and all of that.

**Mayor Smith:** Awesome.

**Mrs. Yarborough:** If you would, just what have, what improvements if any have you done made to the house, since you were last here?

**Ms. Allen:** Improvement wise, the only things that I've done is like trying to clean up the property. I've cleaned out the entire inside of the home. I can't really improve the property much if I can't build on it without a building permit. The carport was ripped down because the carport did have termite damage, but on the inside of the home, we didn't find any termite damage. It was just mainly the carport, which was ripped down and my father said that he could rebuild something across the park where if he needed to. Because there is like..

**Mrs. Yarborough:** Is he a Licensed Mississippi Contractor?

**Ms. Allen:** My Father?

**Mrs. Yarborough:** Yes.

**Ms. Allen:** No, but, Kent Sellier is..

**Mrs. Yarborough:** Are you not hiring Kent Sellier or

**Ms. Allen:** That's probably who I'll hire.

**Mrs. Yarborough:** you do know that you have to have a Licensed Mississippi Contractor to pull a permit, if you don't pull it yourself. Okay.

**Mayor Smith:** And I'll say this, she was ready to pull that permit. I just didn't want to see her pull it, spend that money, if it was going to be tore down, so. And I did talk to Ms. Alice today, I think she's on her way here. To come see, she came to City Hall today to see what the outcome

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was, and so after I explained it to her, Tammy was there. She didn't seem that opposed to it, did she Tammy?

**Mrs. (Tammy) Fayard:** No Sir, she stated as long as it was kept clean.

**Mayor Smith:** Yes, the only thing she had some issues with the trailer being there with all the stuff on it, but the grass was cut today. The pictures of it being cleaned out made Ms. Alice happy. I think that's all they're looking for is just a clean neighborhood.

**Alderman Burke:** Mrs. Yarborough, do our Board's finding, still held, it's just a re-hearing?

**Mrs. Yarborough:** Well, right our prior findings, the Board's motions were to, keep that order in place, the original order from the first hearing and just allow Ms. Allen the opportunity to present whatever evidence she had that would be contrary to our Building Official's that her house is safe and sound and shouldn't be condemned.

**Alderman Burke:** Gotcha.

**Mrs. Yarborough:** So, your order would still stand so, your avenues tonight would be either to not take any action which would just instate your order, your order would remain in place and then it would be implemented. The Contractor that we hired, or you can make any other order with conditions or allow time or..

**Mr. Hayes:** If I may ask, if it, when it comes to a vote, if, I emailed you here recently a conditional permit list if those things can may be for the record.

**Mrs. Yarborough:** Sure, I'll read them into the record.

**Mr. Hayes:** I'm really just looking, I really don't want to fail anybody's inspections. That's my main job.

**Mayor Smith:** And I appreciate that too.

**Mr. Hayes:** I don't like to fail inspections, I don't like to cause people heartache or cause people more money or anything like that so, if we have all of this stuff planned out beforehand. There's less of a chance of that happening. That's the whole reason or the permit process, how much it's gonna cost, what contractors you're going to have on record, things like that are very important.

**Mayor Smith:** I agree with you, thank you for that.

**Mrs. Yarborough:** And the things he has listed are, one, a completed permit application, two, a Mississippi State licensed Contractor on the record. (I can't read your writing..that's okay) three, a termite infestation report of inspection, four, itemized list of materials and labor, five, estimated construction costs by each item, six, scope of work explaining all work necessary to bring the home into compliance with the 2018 International Building Code. Those are all things that are required the code, is that correct?

**Mr. Hayes:** Yes ma'am.

**Alderman Burke:** Is this done, because as far as I'm concerned, just I don't think we need a vote because motion, my stand still hasn't changed.

**Mayor Smith:** Has anybody else's stance changed?

**Alderman Piazza:** The only problem I see, I just wish she'd a brought a quote from the gentlemen saying just how much it would cost to renovate the house, you know if it's a really, like Bobby said, I really would hate to see her throwing out.

**Mayor Smith:** Yes sir, you're her father, sure it's fine you can come up. (voice from background) Come up if you don't mind.

**Mrs. Yarborough:** And if you would state your name and address for the record.

**Mr. McCallister:** My names Bobby McCallister, and I'm Leigha's Dad.

**Mrs. Yarborough:** What's your address Mr. McCallister?

**Mr. McCallister:** Ma'em

**Mrs. Yarborough:** What's your address? Your address.

**Mr. McCallister:** 6201 West Hind Street, Bay St. Louis, Mississippi.

**Mrs. Yarborough:** Okay, Thank you.

**Mr. McCallister:** I walked with Mr. Sellier through it, and I've done several projects for Mr. Sellier as a sub-contractor. Him and I talked about it and we're thinking somewhere between sixty and seventy grand to bring the house fully restored. Up to the 2019 codes. New wiring, new AC,

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new windows, the whole nine yards, so that's an assessment that him and I made, just by you know experience.

**Mayor Smith:** And that's probably almost a complete rebuild, if I had to guess.

**Mr. McCallister:** Yes, yes, that's the windows, the whole nine yards. The plumbing everything has to be rebuilt.

**Mayor Smith:** Probably maintaining the character of the Grandfather.

**Mr. McCallister:** Right, everything but the actual look of the house would be updated.

**Mayor Smith:** Okay, well it's at the will and pleasure of the Board.

**Alderman Richardson:** I'm still at the point where I mean, I trust in our Inspector's job, I mean he's been doing it quite a while.

**Mayor Smith:** Good job.

**Alderman Richardson:** And I don't want, I just don't wanna see, you get into a project and you find, cause you gonna find other things that you have not seen walking through, I could promise you that and it may be a hundred thousand dollars before you finish with this house, and I know you could build a house for less than a hundred thousand.

**Mr. McCallister:** Right, well in the day with Mr. Wainwright, I would she would have brought the pictures, because it would have showed his integrity of the house. Because he went as far as to not only do extra bracing in the walls but, all the walls were primed, the two by fours were all primed prior to the house being built, the siding that you see that is white is actually cedar siding, it's not regular wood, it's actually cedar behind there that is a good deterrent for termites in the attic but. He went the extra mile on the house as far as building it, so that helps him remodeling the house you know you got a little stronger structure to work with rather than some of the normal houses over here that are just thrown together and falling apart.

**Mr. Hayes:** If I could mention something, Mr. Sellier, I've dealt with him before, I believe he is Mississippi State Licensed.

**Mrs. Yarborough:** He is.

**Mr. Hayes:** And I've worked with him on a project before

**Mr. Yarborough:** He's licensed, I've looked him up on the Mississippi State.

**Mr. McCallister:** That was our assessment.

**Mayor Smith:** Okay, thank you, thank you very much. Alright Counsel, what should we.

**Mrs. Yarborough:** It's at the pleasure of the Board.

**Mayor Smith:** I mean, I know it's been going on.

**Mrs. Yarborough:** Give her time?

**Mayor Smith:** Determined once. Are y'all wanting to, I know what your thoughts are Alderman Burke.

**Alderman Burke:** Is this a real hearing because Ms. Bern, Mrs. Cullen wants to talk.

**Mrs. Yarborough:** Oh yes, we do have to go to the public also, I'm sorry.

**Mayor Smith:** Yes, Ms. Bernie.

**Mrs. Yarborough:** Thank you Jeremy.

**Mrs. Cullen:** Bernie Cullen 216 Jeff Davis. I just wanted to encourage the Board to do the recommendation of what Mr. Hayes said about having all of that information, because I don't know Leigha or anything and I hope that this works out for her. But you I was involved in blighted property with this property, probably 2013 twenty, whatever. The and I think her name was Mary who had it before and the issue was you know she kept promising things and it never happened. So I think that you know when you're moving forward on this property especially we don't have a really good history of you know this is what I'm going to do actually going to fruition. So I really liked what Josh had just said, because I think then you know what ever you decide you will have the real evidence of you know this is what needs to be done and that the current homeowner's actually going to do this.

**Mayor Smith:** Yes, and along with that Ms. Bernie, I think that we've had different people that were owners in the past, but the improvements I seen in just with the interior and with the property. Like I say I met with Ms. Alice today and she was not opposed to it continuing to be repaired. So that was enlightening to me because they were very against it in the beginning.

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**Mayor Smith:** Ms. Alice came to City Hall today.

**Mrs. Cullen:** But then again, all of those things spelled out that part of International Code just helps you and it helps her as well.

**Mayor Smith:** Sure, sure stay focused and continuing forward

**Ms. Allen:** If I may state..

**Mrs. Yarborough:** Come to the microphone.

**Ms. Allen:** My home is not the only home on the road that is abandoned.

**Mayor Smith:** No, and we're dealing with those, Leigha being honest.

**Ms. Allen:** Oh okay.

**Mr. Hayes:** This is slowing down getting the other one done.

**Mayor Smith:** You know it's A-Z but we gotta start somewhere, I mean it's, so. Alright, so what's the pleasure of the Board so we can get this behind us.

**Alderman Richardson:** What kind of timeline are you talking about, if we were to say permit, time, and when would construction start?

**Ms. Allen:** That's something that I'll have to discuss with my Father and Keith Sellier. Because there's a lot of banking stuff that I would also have to discuss with my uncle because he's conservator over my Grandfather's banks right now, so, that is something that I'll have to discuss with my family.

**Mayor Smith:** yes, and I think to your point Bobby, is that is we don't Leigha to start and just stop and sit there.

**Mrs. Yarborough:** Come to the microphone.

**Mayor Smith:** The recorder don't get ya.

**Ms. Allen:** Do I have to repeat myself? I was saying that's something that I would have to discuss with my family with my father and the contractor Keith Sellier and as well as my Uncle because he owns conservatorship over my Grandfather's finances right now. That is something, I would have to speak with my Grandfather's Attorney's and stuff like that. But like I said I can go tomorrow to get the building permits, if you want me to.

**Alderman Richardson:** Mr. Mayor I'd like to go to a vote, I think there's too many variables here that's going to slow the project down. I think we go to a vote.

**Mayor Smith:** Okay.

**Alderman Burke:** I don't think we even need a vote.

**Mayor Smith:** No we don't, cause y'all voted already, so if you don't want to change anything.

**Mrs. Yarborough:** So we would move on to the next agenda item and the order of the prior Board's order would stand.

**Ms. Allen:** Is it like a specific time frame that y'all would want the house rebuilt. Because I know like with construction loan, like there's certain variables where you can only work on some parts of the home where they only give you so much amount, and then they have to come by, do an inspection before you can be granted the money to start on another part of the home.

**Mayor Smith:** And Leigha I think at this point, and correct me if I'm wrong Counsel but the Board's order to demolish the house is standing.

**Mrs. Yarborough:** It was I think thirty days from March.

**Alderman Richardson:** And honestly, it's just me speaking and being in the contractor field, I don't know if the bank would give a construction loan re-doing that house.

**Ms. Allen:** I've actually already spoke with Bancorp, I actually spoke with Bancorp South and with I can't even remember the other place, but Bancorp South, I did speak with them over in Biloxi about the home.

**Mayor Smith:** And were they willing to?

**Ms. Allen:** There's some stipulations on it, but if I could not approved through them, I already spoke with Harrison Finance and my bank is Wells Fargo so I know that I could get a loan through them, so.

**Mrs. Yarborough:** So, clarify, if you would what your plan of action is on the property.

**Ms. Allen:** My plan of action on the property is to get the building permits and bring it up to code and start rebuilding it as soon as possible.

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**Mrs. Yarborough:** Okay, what have you done to put that into action?

**Ms. Allen:** I don't know that I can do much about that if I can't building permits or try to get approved for them because the house is pending demolition.

**Mrs. Yarborough:** Okay, I think the bottom line what are your immediate plans for financing?

**Ms. Allen:** What do you mean?

**Mrs. Yarborough:** How are you going to pay for your, after you pull your permit how are you going to pay for the improvements on the house?

**Ms. Allen:** Well I have income and I know my Father will help me regardless, so.

**Ms. Yarborough:** Okay, so when do you plan on beginning.

**Ms. Allen:** To what, go get a loan?

**Mrs. Yarborough:** To improve your house.

**Mayor Smith:** To start the process, the whole process.

**Ms. Allen:** Well I don't know that's something I will have speak with the Zoning office about, because I have to see.

**Mrs. Yarborough:** No, we are not stopping you from proceeding on your permits, if you are allowed to pull permits, you'll be allowed to build and make improvements.

**Ms. Allen:** Do I need to get an Attorney?

**Mrs. Yarborough:** You are most welcome to, please.

**Ms. Allen:** Because, I'm just like at this point, I'm like because, I will go get an Attorney if I need to about this.

**Mrs. Yarborough:** You are most welcome, I would suggest that you do it very quickly.

**Alderman Piazza:** I think that we need to move on to the next agenda item.

**Alderman Richardson:** Yes.

**Mrs. Yarborough:** Number eight.

**PLANNING AND ZONING (EXHIBIT B)**

**Re: Nicholas and Amanda Hebert, 2013 Vacation Lane**

**Nicholas and Amanda Hebert, current owner of the property commonly known as 213 Vacation Lane**, Legal description; Lots 50&51, Holiday Hills Subdivision are requesting a Conditional Use from the Zoning Ordinance, Section 701.8 – Accessory Structure over 500 sq. ft. The applicant is requesting a Conditional Use to construct an Accessory Structure of 1500 sq. ft.

The owner was present but had to leave due to his wife having a flat on the highway. Chairman Meggett stated that they would move up Items #3 & #4 to see if he would return. Commission heard the case after hearing Items #3 and #4 below. When this case came back up, the applicant did not return however, the owner's neighbor was present, and stated that he was familiar with the applicant's plans and had no objections to the proposed accessory structure. Staff stated that no letters, emails or inquiries of objection were received.

Commissioner Watson made a motion, seconded by Commissioner Adams to recommend approval of the Conditional Use for an accessory structure of 1,500 sq. ft. Commissioners Adams, Harris, Boudoin and Watson voted in favor of the motion. Chairman Meggett declared the motion approved.

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

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

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**Re: Travis Rubio, 524 Garden Lane**

**Travis Rubio, current owner of the property commonly known as 524 Garden Lane**, Legal description; Lot 2 Kare Subdivision, is requesting a Conditional Use from the Zoning Ordinance, Section 701.8 – Accessory Structure over 500 sq. ft. the application is requesting a Conditional Use to construct an Accessory Structure of 1200 sq. ft.

The applicant came forward and presented their request. The commission asked the applicant some questions about the proposed structure and location. The applicant responded.

Commissioner Harris made a motion seconded by Commissioner Watson to recommend approval of the proposed Conditional use for an Accessory Structure of 1,200 sq. ft. Commissioners Adams, Harris, Boudoin and Watson voted in favor of the motion. Chairman Meggett declared the motion approved.

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

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**Re: Ronald Briggs, 103 Waveland Avenue**

**Ronald Briggs, current owner of the property commonly known as 103 Waveland Avenue**, Legal description; Part of Lot 82-A, 3rd Ward, City of Waveland, is requesting a variance from the Zoning Ordinance Section 701.5 Minimum rear Yard requirement of twenty-five (24) feet. The applicant is requesting a variance from the Rear Yard Requirement of 3.84 feet resulting.

The applicant came forward and presented their proposed rear yard variance case. This commission asked the applicant some questions about the proposed rear yard variance request and the application responded. The applicant's neighbor, Janice Hansen, 117 Waveland Avenue came forward to ask about the drainage of the lot and the ditch behind her property. Staff explained that part of the building plans that are submitted is a drainage and erosion control plan that is review that are submitted is a drainage and erosion control plan that is review to make sure finished lot is graded to not drain directly onto neighboring lots but rather to a city/natural drainage way or the street. She stated she had no objection to the variance request.

Commissioner Watson made a motion, seconded by Commissioner Boudoin to recommend approval of the proposed rear yard variance as requested Commissioners Adams, Harris, Boudoin and Watson voted in favor of the motion. Chairman Meggett declared the motion approved.

Alderman Piazza moved, seconded by Alderman Richardson to follow the recommendation of the Planning and Zoning Board and approve the request as submitted,

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**INVOICES/STORMWATER PROGRAM/SANITARY SEWER IMPROVEMENTS  
PROJECT/NICHOLSON IMPROVEMENTS PROJECT/LIGHTHOUSE AND PUBLIC  
PAVILION PROJECT/WAVELAND AVENUE SIDEWALK PROJECT/**

Alderman Burke moved, seconded by Alderman Richardson to approve payment of the following invoices (a-i):

- a) Invoice No. 216-021-31 from Compton Engineering in the amount of \$3,840.00 – Phase II Stormwater Program. (FINAL INVOICE RECEIVED 5/29/19)  
**(EXHIBIT C)**
- b) Invoice No. 216-056-38 from Compton Engineering in the amount of \$63,001.37 – Sanitary Sewer Improvements Project **(EXHIBIT D)**
- c) Invoice No. 216-056-39 from Compton Engineering in the amount of \$183.75 – City of Waveland Sanitary Sewer Improvements Project. **(EXHIBIT E)**
- d) Invoice No. 217-043-15 from Compton Engineering in the amount of \$2,752.38 – Nicholson Avenue Improvements Project. **(EXHIBIT F)**
- e) Invoice No. 215-068-32 from Compton Engineering in the amount of \$5,000.00 – Lighthouse and Public Pavilion Project. **(EXHIBIT G)**
- f) Invoice No. 215-068-33 from Compton Engineering in the amount of \$3,780.00 – Lighthouse and Public Pavilion Project. **(EXHIBIT H)**
- g) Invoice No. 16-01013 from James J. Chiniche P.A. Inc. in the amount of \$15,266.17 – Waveland Ave. Sidewalk Project. **(EXHIBIT I)**
- h) Pay ~~estimate~~ app #1 from DNA Underground, LLC in the amount of \$68,738.50 – Waveland Avenue Sidewalks Project. **(EXHIBIT J)**
- i) Payment Application #7 from Gulf Coast Underground, LLC in the amount of \$68,356.80 - 6<sup>th</sup> Street Area, Gladstone Street Area & Waveland Cutoff .  
**(EXHIBIT K)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**DOCKET OF CLAIMS**

**Re: Claims**

Alderman Piazza moved, seconded by Alderman Richardson to approve the docket of Claims in the amount of \$501,527.48 dated June 4, 2019 as submitted. Including invoices (a-i) as listed above. **(EXHIBIT L)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**FIRE DEPARTMENT**

**Re: Travel for Firefighter Peyton Bourgeois to attend CPAT**

Alderman Richardson moved, seconded by Alderman Piazza to approve travel for Firefighter Peyton Bourgeois to attend the CPAT (Candidate Physical Ability Test) the physical entrance to

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the Mississippi Fire Academy on September 10, 2019 (and make-up test on September 17 and 24<sup>th</sup> 2019). Cost to the city will not to exceed \$120.00 and use of a city vehicle.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**LIGHTHOUSE/LEASE AGREEMENTS/RENTAL**

**Re: Approve new Lease Agreement and policy for use of Lighthouse**

Alderman Burke moved, seconded by Alderman Richardson to Use Agreement and policy for the Lighthouse. This is a new policy and will only be required for someone to reserve the facility. (As TABLED from the May 22, 2019 Meeting) **(EXHIBIT M)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**TASK ORDERS/LAKEWOOD DRIVE/SURVEYING SERVICES**

**Re: Task Order No. 219-033.003 with Compton Engineering for Engineering Service**

Alderman Burke moved, seconded by Alderman Richardson to approve Task Order No. 219-033.003 from Compton Engineering for topo and Boundary Survey of ditch between Lakewood Drive and Aiken Road in an amount not to exceed \$5,000.00 and authorize Mayor's signature thereon. **(EXHIBIT N)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)/KATRINA  
SUPPLEMENTAL COMMUNITY DEVELOPMENT BLOCK GRANT  
PROGRAM/MLK COMMUNITY CENTER/PARKS AND  
RECREATIONS/CONSULTING SERVICES**

**Re: Approve Consulting Services for CDBG Program for MLK Community center**

Alderman Richardson moved, seconded by Alderman Piazza to enter into and approve an Agreement for Consulting Services for Katrina Supplemental Community Development Block Grant Program MLK Project R-109-379-10-KCR & R-118-379-08-HCCR with Gouras and Associates and approve the Mayors signature thereon. **(EXHIBIT O)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**CONTRACTS/MLK COMMUNITY CENTER/PARKS AND RECREATIONS**

**Re: Approve Contract Amendment No. 2 with Compton Engineering for Professional Services**

Alderman Richardson moved, seconded by Alderman Piazza to approve Contract Amendment No. 2 between Compton Engineering and the City of Waveland for Professional Services related to the MLK Community Center. **(EXHIBIT P)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**CONTRACTS/MLK COMMUNITY CENTER/PARKS AND RECREATIONS/NOTICE TO PROCEED**

**Re: Approve Contract with David Rush Construction for construction of MLK Community Center**

Alderman Richardson moved, seconded by Alderman Piazza to approve a contract between David Rush Construction and the City of Waveland for construction of the MLK Community Center in the amount of \$488,000.00, and authorize the Mayor's signature thereon. **(EXHIBIT P)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**MLK COMMUNITY CENTER/NOTICE TO PROCEED**

**Re: Notice to Proceed with David Rush Construction for MLK Community Center**

Alderman Richardson moved, seconded by Alderman Piazza to approve Notice to Proceed for June 10<sup>th</sup> with David Rush Construction for the construction of the MLK Community Center and authorize the Mayor's signature thereon. **(EXHIBIT Q)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**MLK COMMUNITY CENTER**

**Re: Motion to approve Request for Cash Reimbursement died for lack of action**

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Alderman Richardson moved seconded by to Spread on the minutes the following Request for Cash Reimbursements and approve the Mayor's signature thereon.

- a) #1 (R-118-379-08-HCCR) in the amount of \$14,998.93 for A/E, Survey and Environmental Survey services for the MLK Community Center.
- b) #1 (R109-379-10-KCR) in the amount of \$16,201.07 for administration and A/E fees for the MLK Community Center.

**\*\*Motion died for lack of a second**

**MLK COMMUNITY CENTER/BUDGET MODIFICATIONS**

**Re: Budget Modification #1 moving Community Center to full-development**

Alderman Richardson moved, seconded by Alderman Piazza to spread on the minutes, Budget Modification #1 (R-109-379-01) noting the movement from pre-development to full-development by adding \$337,707.91. **(EXHIBIT R)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**MINUTES**

**Re: Meeting of May 22, 2019**

Alderman Richardson moved, seconded by Alderman Burke to approve the Minutes of the regular meeting of May 22, 2019.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**Re: Minutes of May 29, 2019**

Alderman Richardson moved, seconded by Alderman Burke to approve the Minutes of the Special Meeting of May 29, 2019.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Smith

Abstain: Piazza

Voting Nay: None

Absent: Lafontaine

**DESTINATION WAVELAND/FOURTH OF JULY EVENT-DESTINATION WAVELAND**

**Re: Agreements and expenditures related to Fourth of July for Advertising and Contract with Big Pop Fireworks**

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Alderman Burke moved, seconded by Alderman Richardson to approve the following expenditures and contracts, and authorize with Mayor's signature thereon, related to the Destination Waveland Fourth of July event, pending Attorney review;

- a) The radio advertising for the event in the amount of \$1000.00.
- b) Contract with Big Pop Fireworks in the amount of \$10,925.00 to provide the fireworks display for our event. There were three vendors contacted, one did not respond and the other was not available for the date. **(EXHIBIT S)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**DEPARTMENT OF MARINE RESOURCES (DMR)/TIDELANDS FUNDS**

**Re: Submit 3 Projects to DMR for 2021 Tidelands Funding**

Alderman Richardson moved, seconded by Alderman Piazza to approve naming 3 Projects to be submitted to the Mississippi Department of Marine Resources (MDMR) for Tidelands 2021:

- a) Marina/Boat Launch
- b) Showers
- c) Parking Bays

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**EXECUTIVE SESSION**

**Re: Nuisance Properties**

Alderman Burke moved, seconded by Alderman Richardson to consider Executive Session to prompt a closed discussion continuing nuisance properties belonging to Roger Lacoste and Herbert LeBourgeois for 1101 Old Spanish Trail, 535 Highway 90, 539 Highway 90 and a parcel at the southeast corner of Margie Street being 138Q-0-34-094.000.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**Re: Enter Executive Session**

Alderman Burke moved, seconded by Alderman Richardson to approve entering Executive Session to discuss continuing nuisance properties belonging to Roger Lacoste and Herbert LeBourgeois for 1101 Old Spanish Trail, 535 Highway 90, 539 Highway 90 and a parcel at the southeast corner of Margie Street being 138Q-0-34-094.000.

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A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

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

Alderman Piazza moved, seconded by Alderman Richardson to come out of Executive Session with no action taken.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: None

Absent: Lafontaine

**PUBLIC COMMENTS**

**Re: No Comments Presented**

**ADJOURN**

**Re: Adjourn the meeting at 8:02 p.m.**

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

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Smith on June 21, 2019.

\_\_\_\_\_  
James M. Lagasse  
City Clerk

The Minutes of the Regular Meeting of June 4, 2019 have been read and approved by me on this, the 21<sup>st</sup> day of June.

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

Mayor

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