

Agenda
Regular Meeting of
December 3, 2019

1. Pledge of Allegiance
2. Moment of silence
3. Roll Call
4. Mayor's Comments:
 - a. Christmas on Coleman and parade on December 7th starting at 5:30
5. Attorney's Comments
6. Aldermen's Comments
7. Public Comments

BLIGHTED PROPERTY

N/A

BUILDING DEPARTMENT

N/A

COURT DEPARTMENT

N/A

FINANCE

8. Motion to approve Payment of the following Invoices, as submitted by various Contractors being listed (Items a - b):
 - a. Invoice 16-01019 from James J. Chiniche, P.A, Inc. in the amount of \$8,953.39 - Waveland Avenue Sidewalks Project.
 - b. Pay application #7 for DNA Underground, LLC in the amount of \$102,757.40 - Waveland Avenue Sidewalks Improvement project.
9. Motion to approve the Docket of Claims paid and unpaid in the amount of \$628,128.08 dated December 3, 2019 as submitted.

FIRE DEPARTMENT

N/A

PARKS AND RECREATIONS

N/A

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PLANNING AND ZONING

- a. Michael F. Smith, owner of the property commonly known as 622 S Beach Blvd; Legal Description: Lot 91A, Third Ward, Waveland, MS is requesting #1) a variance from the Minimum Side Yard Setback, fifteen (15) feet as required by the Current Zoning Ordinance, Section 701.4. The variance request is to allow a ten (10) foot side yard resulting in a variance of five (5) feet; and #2) a variance from the Minimum Rear Yard Setback, twenty-five (25), as required by the Zoning Ordinance, Section 701.5. The variance request is to allow a ten (10) foot rear yard resulting in a variance of fifteen (15) feet.

The property owner Michael F. Smith came forward and explained his request for the two variances being requested. Mr. Smith explained about the effect of the retaining wall along Market Street and the narrowness of Market Street (13' of pavement) on his entrance options. He also provided the Commission with pictures showing the property and the retaining wall. Commissioner Adams requested that the pictures be entered into the record. The Commission asked the applicant questions about the proposed variances and discussion was held. An email received from the property owner at 108 Market Street objecting to the variances was entered into the record at the request of Commissioner Adams.

Commissioner Watson made a motion, seconded by Commissioner Boudoin, to recommend approval of the requested variances as presented. Commissioners Adams, Boudoin and Watson voted in favor of the motion. Commissioner Adams declared the motion approved.

- b. Pulin & Natasha Shaw, as represented by Concrete Building Concepts, owners of the property commonly known as 823 N Beach Blvd, Legal Description; Part of Lot 11A, First Ward, Waveland, MS are requesting to remove a Protected Live Oak Tree. Section 408.1, Preservation of Live Oak and Magnolia trees requires that a property owner requesting to remove a protected tree from their property must make application and provide all required documentation. The purpose of the request is to remove a Live Oak Tree because of the poor health or dangerous condition of the tree.

The representatives of the property owners, Concrete Building Concepts, came forward to make a presentation. Kate Gutierrez and Jeremy Pierpoint discussed the two arborist reports that were submitted and stated that both reports substantiated their request to remove the subject Live Oak Tree by describing its poor health and potential danger to the house that the owners are having built. Both reports also stated that the other large trees on the property should be pruned, fertilized and the area under their canopies be protected. The representatives for the property owners explained that they would be following all of the care and protection suggestions from the two arborists.

Commissioner Adams requested that the 2nd Arborist report be entered into the record. He then asked if anyone was present to in favor of or objecting to the application. No one came forward; however, two letters were received from area property owners objecting to the proposed removal of the Live Oak. Commissioner Adams requested that the letters be entered into the record. The Commissioners then held discussion with the representatives of the owners.

Commissioner Watson made a motion, seconded by Commissioner Boudoin, to recommend approval of the requested removal of the subject Live Oak Tree conditioned upon the property owners following the arborists report recommendations regarding the other large trees to be retained on the property (pruning, dead limb removal, protecting the area under the canopy of the trees, etc.) Commissioners Adams, Boudoin and Watson voted in favor of the motion. Commissioner Adams declared the motion approved.

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KEEP WAVELAND BEAUTIFUL

N/A

POLICE DEPARTMENT

10. Motion to approve the application and subsequent payment for a new bond for Police Administrative Clerk Sandra Newsome. This will enable Ms. Newsome to receive payments.

11. Motion to spread on the minutes, the resignation of Officer Joseph Joiffon, effective November 28, 2019.

PUBLIC WORKS

N/A

RSVP

N/A

CITY HALL

12. Motion to approve the minutes of the Regular Meeting of November 20, 2019, as submitted.

13. Motion to approve the minutes of the Public Hearing of November 20, 2019, as submitted.

14. Motion to approve commercial lease with Studio Waveland, as approve City Attorney and authorized The Agreement shall be for a period of (12) twelve years, beginning January 1, 2020 and ending on December 31, 2032. This extended period is allowed pursuant to House Bill Number 1718, enacted as a Local and Private Law by the Mississippi 11. Legislature, 2019 Regular Session.

15. Motion to approve the following Closeout Documents related to the Herlihy Street Area Sanitary Sewer Improvements, and authorize the Mayor's signature thereon being listed (Items a - I): (AS TABLED FROM THE NOVEMBER 20, MEETING)

- a. Substantial Completion Certificate
- b. Final Payment Application and Certificate Signature Page
- c. Payment Application No. 13 & Final
- d. Contract Completion Certificate
- e. Recommendation for Final Acceptance of Contract
- f. Final Completion Inspection Report
- g. Consent of Surety to Final Payment
- h. Change Order No. 98 (Summary Change Order)

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16. Motion to approve entering Executive Session as related
17. Motion to come out of Executive Session with no action taken.
18. Adjourn