

**Minutes**  
**Special Meeting of June 2, 2020**  
**Page No. \_\_\_\_\_**

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in Special session (Meeting of May 20, 2020 rescheduled) at the Waveland City Hall Boardroom, 301 Coleman Avenue, Waveland, MS. on June 2, 2020 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 Lafontaine also present City Clerk Mickey Lagasse

City Attorney Malcom Jones and Alderman Piazza were absent.

**MAYOR'S REPORT**

- a. Notice of Public Hearing to be held on June 17, 2020 for 21 Boutique LLC.
- b. All employees have returned to duty as of Monday June 1, 2020.
- c. Announced the postponement of the 4<sup>th</sup> of July Destination Waveland Event.

**ALDERMEN'S COMMENTS**

**Re: Alderman Burke – Had no Comment**

**MAYOR'S COMMENT (CONT.)**

**Re: The Mayor discussed the Solid Waste Meeting held earlier in the day regarding issues with Waste Management.**

**ALDERMEN'S COMMENTS (CONT.)**

**Re: Alderman Richardson**

- **The Ward 2 Civil Service Appointee has moved out of Waveland, noted the appointment of Mrs. Cami Cornfoot as his replacement in the Civil Service Board.**
- **Inquired about the various means of communications for the upcoming Hurricane Season for those that do not have internet.**
- **Asked Public Works Manager, Bo Humphrey about cutting the cement ditch behind the City Yard to Old Spanish Trail and the maintenance of it.**

**MAYOR'S COMMENTS (CONT.)**

**Re: The Mayor encourage everyone to sign up for the Code Red emergency call.**

**ALDERMEN'S COMMENTS**

**Re: Alderman Lafontaine**

- **Requested status update of the culverts and riser rings on Herlihy.**
- **Asked about the status of installing cameras to stream live meetings.**
- **Commented on the issue of negative statements being made regarding the financial status of the Water Department.**

**PLANNING AND ZONING (EXHIBIT A)**

**Re: 110 Adrienne Court, Gustavo Trespalacios and Doraine P. Barr**

Gustavo Trespalacios and Doraine P. Barr, owners of the property commonly known as 110 Adrienne Court; Legal Description: Lot 1 & North ½ of Lot 2A, Adrienne Court Subdivision, Waveland, MS, is requesting to split the subject lot into two which requires the following variances;

For proposed Parcel "A" 1) A variance from the Lot Area Requirement of (12,000) square feet as required by the current Zoning Ordinance, Section 701.1. The variance request is to allow a lot area of six thousand, six hundred and eighty-two (6,682) square feet, requiring a variance of 5,318 square feet. 2) A variance from the Lot Width Requirement of (100) feet as required by the current Zoning Ordinance, Section 701.2. The variance request is to allow a lot width of ninety-eight and seven (98.7) feet, requiring a variance of (1'3") feet.

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Chairman Meggett asked the Zoning Official if they should have one motion for the variance requests for both proposed or parcels or to handle each separately. The Zoning Official requested that they be handled separately for each parcel.

Chairman Meggett read the item description and asked the applicant to come forward to explain their requested variances for proposed Parcel A. Doraine P. Barr, co-owner of the property explained their request and the reasons for the request. The Commission asked questions of the applicant and held discussion regarding the requested variance.

Chairman Meggett asked if anyone in the meeting would like to speak for or against the requested variances. Susan and Henry McGee, owners of the parcel directly across Adrienne Court came forward to voice the opposition to the requested variances. The Chairman and the Commissioners discussed the overall development of single-family residences on Adrienne Court and noted that many of the lots that have recently been constructed on where of similar size and that some of them had gone through lot splits with variances approved. The Commission indicated that the request was in line with the development pattern along this street. The McGee's asked if they could have a driveway onto Central Avenue. The Zoning Official noted that their property currently does have a Central Avenue address and other than spacing a driveway far enough away from the intersection of Central Ave and Adrienne Court that they could have a drive on Central.

**Commissioner Adams made a motion, seconded by Commissioner Watson, to recommend approval of the requested variances for proposed Parcel A. Chairman Meggett stated that the conditions and criteria for a Variance as stated in Section 906.1 of the current Zoning Ordinance have been met. Commissioners Adams and Watson voted in favor of the motion. Commissioner Harris voted against the motion. Chairman Meggett declared the motion approved.**

Alderman Burke moved, seconded by Alderman Richardson moved 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: None

Voting Nay: Burke, Richardson & Lafontaine

Absent: Piazza

**Re: 110 Adrienne Court, Gustavo Trespalacios and Doraine P. Barr**

For proposed Parcel "B" 1) A variance from the Lot Area Requirement of twelve thousand (12,000) square feet as required by the current Zoning Ordinance, Section 701.1. The variance request is to allow a lot area of seven thousand (7,000) square feet, requiring a variance of (5,000) square feet. 2) A variance from the Lot Width Requirement of one-hundred (100) feet as required by the current Zoning Ordinance, Section 701.2. The variance request is to allow a lot width of (89.08) feet, requiring a variance of 10', 3" feet.

**Commissioner Watson made a motion, seconded by Commissioner Adams, to recommend approval of the requested variances for proposed Parcel B. Chairman Meggett stated that the conditions and criteria for a Variance as stated in Section 906.1 of the current Zoning Ordinance have been met. Commissioners Adams and Watson voted in favor of the motion. Commissioner Harris voted against the motion. Chairman Meggett declared the motion approved.**

Alderman Burke moved, seconded by Alderman Richardson moved 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: None

Voting Nay: Burke, Richardson & Lafontaine

Absent: Piazza

**Re: Danny Lee and Brandon Shaw – Oak Tree Removal and Variance**

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Danny Lee and Brandon Shaw, owners of the property not yet addressed; Legal Description from survey and deed being; Part of Lot 40, 42 & 43, First Ward, Town of Waveland, Hancock County, Mississippi (see survey & deed). The owners are requesting to remove one (1) Protected Tree, a Live Oak Tree measuring 40" in diameter. The purpose for the requested removal is based on "Construction cannot be practically located in such a way as the preserve the tree or trees." Section 408.1 – Preservation of Live Oak and Magnolia Trees" of the current Zoning Ordinance contains the requirements and procedures for requesting removal of a Protected Tree.

The owners are also requesting a variance from Section 702.4 of the current Zoning Ordinance – Minimum Side Yard – Fifteen (15) feet. They are requesting a variance of five (5) feet resulting in a ten (10) foot side yard setback. The purpose, as stated in the letter from the applicant is to "... leave ample for the Live Oak located at the rear left corner of the proposed residence to grow and thrive since it is still quite young."

Chairman Meggett read the item description and asked the applicant to come forward to explain their requested application to remove a Live Oak Tree meeting the criteria of a Protected Tree. Danny Lee, co-owner of the property explained their request and the reasons for the request. He also discussed how the requested five (5) foot side-yard variance was related to saving a Live Oak near the rear left side of the proposed house. The Commission asked questions of the applicant and held discussion regarding the requested Protected Tree removal and the side-yard variance.

The Commissioners held further discussion and asked questions of the applicant. It was stated by several Commissioners that they felt that the request certainly made sense and that the Applicant had done a good job in presenting all of his documentation. Chairman Meggett asked the applicant would be willing to donate three (3) Live Oak trees, eight (8) feet in height to Keep Waveland Beautiful. The applicant indicated preliminarily that he would consider such a condition as acceptable but noted that the replacement was not part of the current requirements for a Protected Tree Removal application.

The Chairman asked if anyone present would like to speak for or against the proposed Protected Tree Removal application. Brian Therolf, 210 Gulfside, stated that he would be prepared to speak on this item at the Board of Alderman meeting.

**Commissioner Adams made a motion, seconded by Commissioner Harris, to recommend denial of the requested tree removal and to recommend approval of the five (5) foot side-yard variance. All Commissioners present voted in favor of the motion. Chairman Meggett declared the motion approved.**

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

\*Motion died for lack of action

Alderman Burke moved, seconded by Lafontaine to approve the removal of the tree and approve the 5' side variance.

A vote was called for with the following results

Voting Yea: Burke & Lafontaine

Voting Nay: Richardson

Absent: Piazza

**Re: 414 Edwards Street, Alvin Kingston, III**

Alvin Kingston, III, owner of the property to be addressed as 414 Edwards Street, Parcel # 161C-0-02-109.001; Legal Description: Lot 3 & Part of Lot 4, Alba's Subdivision is requesting variances from Section 702.3 – Minimum Front Yard – Twenty-five (25) foot and Section 702.4 – Minimum Side Yard - - Fifteen (15) feet. The applicant is requesting a five (5) foot variance from the front yard requirement resulting in a twenty (20) foot front yard. The applicant is also requesting a six (6) foot variance from the side yard resulting in a nine (9) foot side yard.

Chairman Meggett read the item description and asked the applicant to come forward to explain their requested variances and the reason they were needed. Alvin Kingston, owner of the property, explained their request and the reasons for the request. The Commission asked questions of the applicant and held discussion regarding the requested variance.

**Commissioner Adams made a motion, seconded by Commissioner Harris, to recommend approval**

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**of the requested variances, and the Commission finds that the conditions and criteria for a Variance as stated in Section 906.1 of the current Zoning Ordinance have been met. All Commissioners present voted in favor of the motion. Chairman Meggett declared the motion approved.**

Alderman Burke moved, seconded by Alderman Richardson moved 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

Voting Nay: None

Absent: Piazza

**Re: 1329 Dubuc Lane, Maria and Lisa Johnson**

Maria Perez and Lisa Johnson, owners of the property commonly known as 1329 Dubuc Lane; Legal Description; Part of Lot 4 and Lot 8, Colly Estate Subdivision, Section 9, Waveland Township, Hancock County, Mississippi; are requesting a Conditional Use as provided for in Section 302.16 and Section 906.3 of the current Zoning Ordinance. An accessory structure over five-hundred (500) square feet is considered a Conditional Use in R-1 Single Family Zoning District. The purpose of the request is to allow the applicants to construction an accessory structure of a twelve-hundred (1,200) square feet. The accessory structure will be used for two purposes. One half for an un-enclosed cover for an RV Camper and one half for an enclosed storage area.

Chairman Meggett read the item description and asked the applicant to come forward to explain their requested Conditional Use variances the reason they were needed. Maria Perez, co-owner of the property, explained their request and the reasons for the request. The Commission asked questions of the applicant and held discussion regarding the requested variance.

**Commissioner Harris made a motion, seconded by Commissioner Adams, to recommend approval of the requested Conditional Use for an Accessory Structure of twelve-hundred square feet, and the Commission finds that the conditions and criteria for a Conditional Use as stated in Section 906.3(A) of the current Zoning Ordinance have been met. All Commissioners present voted in favor of the motion. Chairman Meggett declared the motion approved.**

Alderman Lafontaine moved, seconded by Alderman Richardson moved 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

Voting Nay: None

Absent: Piazza

**AUDIT FY -2018/FY 2018**

**Re: Ms. Emily Lacey was present to review and discuss the FY - 2018 Audit Report.**

**CONSENT AGENDA:**

Alderman Lafontaine moved, seconded by Alderman Burke to approve the consent agenda a-t Removing items a, h, q, r, t for further action.

~~a. Motion to provide a refund to Angie Griffin at 6068 Tyler Street in the amount of \$428.00 for a water tap on 4/24/20.~~

**DOCKET OF CLAIMS**

**Re: Claims**

b. Approve the Docket of Claims paid and unpaid in the amount of \$587,449.00 dated June 2, 2020 as submitted. **(EXHIBIT B)**

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**FIRE DEPARTMENT/PERSONNEL**

**Re: Promote Firefighter Eric Janssen to rank of Lieutenant**

c. Promote Firefighter Eric Janssen to the rank of Lieutenant at an hourly rate of \$13.43. This is a budgeted position and will be in effect June 1, 2020.

**POLICE DEPARTMENT/PERSONNEL**

**Re: Resignation of Investigator Dave Allen**

d. Accept the resignation of Mr. Dave Allen as Police Investigator effective June 1, 2020.

**CITY HALL/PERSONNEL**

**Re: Resignation of Receptionist Mrs. Marcia Christmas**

e. Accept the resignation of Mrs. Marcia Christmas as receptionist in City Hall, effective June 1 2020.

**PROCLAMATIONS/HOLIDAY SCHEDULE**

**Re: Proclaim Friday July 3, 2020 as a Holiday**

f. Spread on the minutes the Proclamation from Governor Tate Reeves declaring ~~Saturday~~ Friday July 3, 2020 as a Holiday, in lieu of July 4<sup>th</sup> as it falls on a Saturday this year. **(EXHIBIT C)**

**KEEP WAVELAND BEAUTIFUL**

g. Spread on the minutes the Keep Waveland Beautiful Report submitted for the Month of April 2020. **(EXHIBIT D)**

~~h. Spread on the minutes the selection of Tidelands Projects for FY2022 and approve the Mayor's signature for application, the projects listed are as follows:~~

- ~~1. Marina Preliminary Design and Study Cost~~

**MINUTES**

**Re: Minutes of the Regular Meeting of May 5, 2020**

i. Motion to approve the minutes of the Regular Meeting of May 5, 2020, as submitted. (Tabled from the May 21, 2020 Meeting)

**MINUTES**

**Re: Minutes of the Regular Meeting of May 20, 2020**

j. Motion to approve the minutes of the Regular Meeting of May 20, 2020, as submitted.

**MINUTES**

**Re: Minutes of the Special Meeting of May 21, 2020**

k. Motion to approve the minutes of the Special Meeting of May 21, 2020 as submitted.

**TASK ORDERS/TIDELANDS FUNDS**

**Re: Task Order with Compton Engineering to provide Tidelands Reporting**

l. Motion to approve Task Order Number 220-033.004-1 from Compton Engineering to provide Tidelands Reporting Services Bi-annually as required by the Mississippi Department of Marine Resources. This Task Order is not to exceed \$2,600.00 **(EXHIBIT E)**

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**PRIVILEGE LICENSE**

**Re: Privilege License Report for the Month of April**

m. Approve the Privilege License Report as submitted for the Month of April 2020. (Tabled from the May 21, 2020 Meeting. **(EXHIBIT F)**)

**BUDGET FY 2018**

**Re: Budget amended to actual**

n. Spread Budget FY 2018 as amended to actual. **(EXHIBIT G)**

**BUDGET FY 2019**

**Re: Budget amended to actual**

o. Spread Budget FY2019 as amended to actual. **(EXHIBIT H)**

p. Approve the Privilege License Report as submitted for the Month of April 2020, (Tabled from the May 21, 2020 Meeting.

~~q. Motion to approve and award the lowest and best quote for a culvert on Market Street to \_\_\_\_\_ in an amount not to exceed \$ \_\_\_\_\_ we received \_\_\_\_\_ quotes. (moved to June 17, 2020) **REMOVED**~~

~~r. Motion to approve and award the lowest and best quote for a culvert project on Lakeside Drive to \_\_\_\_\_ in an amount not to exceed \$ \_\_\_\_\_ we received \_\_\_\_\_ quotes. (moved to June 17, 2020) **REMOVED**~~

**SURPLUS/PURCHASING**

**Re: Surplus various cell phones and remove from inventory**

s. Consider the following items as surplus and at a zero value and approved to be removed from inventory and destroyed:

1. iPhone 7F4HV32VIHG6WINVENTORY TAG: 2759
2. KYOCERA 99000615880774 INVENTORY TAG: 2980
3. KYROCERA OX9900610INVENTORY TAG: 2772
4. WEED WACKER 184446277INVENTORY TAG: 3430

~~t. Motion to spread on the minute's the filing of a franchise election to be held in August by Mississippi Power. All cost will be reimbursed by Mississippi Power.~~

u. Continue the Local State of Emergency from March 18<sup>th</sup>, 2018 as related to Covid-19 (Coronavirus).

A vote was called for with the following results

Voting Yea: Burke, Richardson & Lafontaine

Voting Nay: None

Absent: Piazza

**END CONSENT AGENDA**

**PUBLIC WORKS/UTILITY DEPARTMENT/REFUNDS**

**Re: Provide a Refund to Ms. Angie Griffin for a water tap**

Alderman Lafontaine moved, seconded by Alderman Burke to provide a refund to Angie Griffin at 6068 Tyler Street in the amount of \$428.00 for a water tap on 4/24/20. **(EXHIBIT I)**

A vote was called for with the following results

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Voting Yea: Burke, Richardson & Lafontaine

Voting Nay: None

Absent: Piazza

**TIDELANDS FUNDS/MARINA PROJECT/**

Alderman Burke moved, seconded by Alderman Lafontaine to spread on the minutes the selection of Tidelands Projects for FY2022 and approve the Mayor's signature for application, the projects listed are as follows: **(EXHIBIT J)**

1. Marina Preliminary Design and Study Cost
2. Beach Walking Pathway Lighting
3. Pagodas and Water Faucets

A vote was called for with the following results

Voting Yea: Burke, Richardson & Lafontaine

Voting Nay: None

Absent: Piazza

**ELECTIONS/SPECIAL ELECTION/MISSISSIPPI POWER FRANCHISE/FRANCHISE-MISSISSIPPI POWER**

**Re: Filing of Franchise Election to be held in August by Mississippi Power**

Alderman Lafontaine moved, seconded by Alderman Burke to spread on the minute's the filing of a franchise election to be held in August by Mississippi Power. All cost will be reimbursed by Mississippi Power. **(EXHIBIT K)**

A vote was called for with the following results

Voting Yea: Burke, Richardson & Lafontaine

Voting Nay: None

Absent: Piazza

~~Motion to Amend Budget FY 2020 as presented.~~ (Moved to June 17, 2020)

**CITY HALL/AGREEMENTS/MUNICODE/ORDINANCES**

**Re: Agreement with Municode to update all City Ordinances**

Alderman Lafontaine moved, seconded by Alderman Burke to enter into an agreement between the City of Waveland and Muni-Code Inc. to provide Codification Software. This software will be used to update the City Charter with all past amendments and all city ordinances. This software and legal review will ensure they are free of conflicts, and internal inconsistencies and conform to state law. This will provide the City with an up to date "Law Book" of all local ordinances and enable citizens to have free, open, and ready access to the law in a searchable platform. The total cost will not exceed \$16,000.00 and will take 10 to 12 months to complete. Budgetary requirements for this year's budget will be \$6,000.00 (included in Agenda item#11) with the additional monies needed in FY2021. **(EXHIBIT L)**

A vote was called for with the following results

Voting Yea: Burke, Richardson & Lafontaine

Voting Nay: None

Absent: Piazza

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Motion to approve changing payroll to 26 equal payrolls with equal deductions instead of 2 random payrolls throughout the year without deductions. The reason for the change is to eliminate the need to manually turn on and off deductions and reduce the possibility of errors in payroll. This process will begin January of 2021 when new deductions are entered.

**The preceding motion died for lack of motion or second**

**ADJOURN**

**Re: Adjourn Meeting at 8:22 p.m.**

Alderman Burke moved, seconded by Alderman Richardson to adjourn the meeting at 8:22 p.m.

A vote was called for with the following results

Voting Yea: Burke, Richardson & Lafontaine

Voting Nay: None

Absent: Piazza

The foregoing minutes were presented to Mayor Smith on June 18, 2020.

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

The Minutes of the Regular Meeting of June 17, 2020 have been read and approved by me on this, the 18<sup>th</sup> day of June 2020,

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

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