

**Minutes**  
**Regular Meeting of June 17, 2020**  
**Page No. \_\_\_\_\_**

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 17, 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, Lafontaine and Piazza also present City Clerk Mickey Lagasse and City Attorney Malcom Jones.

**MAYOR'S REPORT**

**Re: Mayor Smith discussed Firefighter Donald Peters and Mr. Peters frustration with the Mayor for not terminating his employment and subsequent loss of money. The Mayor stated that he wished that Mr. Peters would have been present at the meeting. Mayor Smith noted for the record that the Mayor does not have the ability to hire or fire anyone, as it lies solely with Board of Aldermen. City Attorney Mr. Jones confirmed the Mayor's statement. The Mayor stated the following for the record; "Donald Peters was a great Firefighter. When I was campaigning my very first term, he responded to a fire at Ray's Quick Lube, and fell, luckily he was suited out like he was. He fell 10 feet into the bottom of the oil changing hole of the Quick Lube. He screwed up his knee, excuse my language, he messed up his knee, had operations and will never able to do the job that he loved. I worked with him a very long time, he was like a brother to me, and so I certainly hate that, that happened and if I could change it, I would change it. So anyway, I just wanted that to be on the record"**

**Re: A Crawfish Boil was held for the First Responders the prior Sunday that was well attended. (Sunday June 14, 2020)**

**Re: There will be a Juneteenth Event at the MLK Park on Herlihy Park this upcoming weekend. (June 19<sup>th</sup> and 20<sup>th</sup>)**

**Re: The Mayor requested approval for travel to Jackson, Mississippi to meet with a Legislator.**

**TRAVEL/CITY HALL/AMEND AGENDA**

**Re: Amend Agenda to authorize travel for the Mayor**

Alderman Lafontaine moved, seconded by Alderman Piazza to amend the agenda to include travel for the Mayor and one night's stay in Jackson.

**Re: Authorize Travel for the Mayor to Jackson, Mississippi**

Alderman Piazza moved, seconded by Alderman Lafontaine to approve travel and one night's stay for the Mayor to Jackson, Mississippi.

A vote was called for with the following results

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**MAYOR'S COMMENTS**

**Re: The employee of the month will not be announced at this meeting. Covid-19 has caused a delay in this.**

**Re: The new phone system went live today (June 17, 2020) which will create a considerable savings to the City.**

**Re: Announced a large amount of Developers have shown true interests in the City near or around the intersection of Highway 90 and Highway 603.**

**Re: The Mayor said the Street's Department cleaned the area around the lighthouse that had debris from the last Tropical Storm, and did a great job.**

**ALDERMEN'S COMMENTS**

**Re: Alderman Burke**

- Discussed the beach clean-up, post Tropical Storm Debris. Read from a pre-prepared letter.
- Discussed signage issues on Highway 90, advertising Garage Sales, Realtors, and businesses and expressed concern for those businesses abiding by the Sign Ordinance.
- Discussed the City's taking over the maintenance and care of grinder pumps currently installed at homes located in the City of Waveland. Mr. Jones noted that he would speak with an Engineer to gain some further information on this issue.

**Re: Alderman Lafontaine**

- Inquired about live streaming meetings.
- Requested all pages be turned in the same direction prior to scanning the packet for Board review.
- Where does the City stand with the construction of a barn at the City Yard?
- Discussed pouring drive-ways at private residents, requesting uniformity with the City sidewalks.
- Congratulated Engineer Jason Chiniche for the successful drainage on Waveland Avenue during the recent storm.
- Requested information from Mr. Chiniche regarding the Rumble Strips on Waveland Avenue.

**Re: Alderman Piazza – Had comments answered prior to meeting.**

**ATTORNEY'S COMMENTS**

**Re: Held comments to the end, along with the Public Hearing.**

**PATH/PUBLIC APPEARANCE**

Re: Presentation by PATH (Energy Audit)

**REVENUE AND EXPENSE REPORT**

**Re: Month of May, 2020**

Alderman Lafontaine moved, seconded by Alderman Burke to spread on the minutes, the Revenue and Expense Report for the Month of May, 2020, as submitted. **(EXHIBIT A)**

A vote was called for with the following results

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**BUDGET AMENDMENT FY 2020/FY 2020 BUDGET**

**Re: TABLED Adoption of Budget Amendment for FY 2020**

Alderman Piazza moved, seconded by Alderman Richardson to discuss and adopt budget amendment 6.17.20 as presented. \*No Vote Taken – Issue Tabled

Alderman Burke moved, seconded by Alderman Richardson to discuss and adopt budget amendment 6.17.2020 as presented,

A vote was called for with the following results

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**POLICE DEPARTMENT/STANDARD OPERATING PROCEDURES – POLICE DEPARTMENT**

**Re: Amend agenda to add Item #12t related to adoption of the Standard Operating Procedures**

Alderman Lafontaine moved, seconded by Alderman Richardson to add Item #12t being motion to adopt the SOP as presented by Police Chief Michael Prendergast.

A vote was called for with the following results

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**CONSENT AGENDA**

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the consent agenda, with Item c removed.

**PROCLAMATION OF LOCAL EXISTENCE/TROPICAL STORM CRISTOBAL**

**Re: Proclamation of Local Existence of Tropical Storm Cristobal**

- a. Spread on the minutes a Proclamation of Existence of a Local Emergency commencing on June 6, 2020 for Tropical Storm Cristobal. **(EXHIBIT B)**

**CIVIL SERVICE/APPOINTMENTS**

**Re: Resignation of Ms. Myra Sager as Ward 2 Representative for Civil Service and appoint Ms. Cami Cornfoot to the same**

- b. Spread on the minutes the resignation of Ms. Myra Sager as the Ward 2 Civil Service Appointee and appoint Mrs. Cami Cornfoot as the Ward 2 Representative.

**MINUTES**

**Re: Regular Meeting of June 2, 2020**

- ~~c. Approve the minutes of the Regular Meeting of June 2, 2020, as submitted.~~

**PERSONNEL/FIRE DEPARTMENT**

**Re: New hire Drake Cuevas as Part-time Firefighter**

- d. Approve to hire Drake Cuevas as a part time firefighter at a pay rate of \$9.00 an hour pending passage of a drug test. Mr. Cuevas is a certified Firefighter and meets all Minimum Standards required for this position.

**POLICE DEPARTMENT/PERSONNEL**

**Re: Promote Investigator Eddie Horsey to Chief of Investigations**

- e. Promote Investigator Eddie Hursey to Chief of Investigations at a pay rate \$19.21 and a 1-year probationary period effective June 19, 2020. He will replace David Allen and this is a budget position.

**POLICE DEPARTMENT/PERSONNEL**

**Re: Resignation of Officer Paul Taylor**

- f. Accept Police Officer Paul Taylor resignation effective June 11, 2020.

**PRIVILEGE LICENSE REPORT**

**Re: Month of May 2020**

- g. Approve the Privilege License Report for the Month of May 2020, as submitted. (EXHIBIT C)

**BUILDING DEPARTMENT**

**Re: Month of May 2020**

- h. Approve the Permits Report for the Month of May 2020, as submitted. (EXHIBIT D)

**COURT DEPARTMENT**

**Re: Statistics Report for the Month of May 2020**

- i. Approve the Court Statistics Report for the Month of May 2020 as submitted. (EXHIBIT E)

**GROUND ZERO MUSEUM**

**Re: Report for the Month of May**

- j. Spread on the minutes the Ground Zero Monthly Report for May as presented. (EXHIBIT F)

**UTILITY DEPARTMENT/PURCHASING**

**Re: Purchase of 1 012 Ford F-150 for Utility Department**

- k. Approve the purchase of (1) one 2012 Ford F-150 for the utility Department in the amount of \$7,500.00. This was previously approved however the last truck was not available. This will be within the budget and number previously approved.

**DOCKET OF CLAIMS**

**Re: Claims**

- l. Approve the Docket of Claims paid and unpaid in the amount of \$431,391.05 dated June 17, 2020 as submitted. (EXHIBIT G)

**CENTRAL BIDDING/POLICE DEPARTMENT/PURCHASING/CONTRACTS**

**Re: Contract with Central Bidding for the purchase of 4 Police Vehicles**

- m. Approve a contract and the Mayors signature thereon, with Central Bidding to use reverse to purchase 4 Police Tahoe vehicles. The Ford Trucks are back ordered with no production or delivery date. The total cost for the change will be an increase of \$480.00. (EXHIBIT H)

**UTILITY DEPARTMENT/REFUNDS**

**Re: Utility Refunds in the amount of \$3,570.00**

- n. Motion to approve utility refunds in the amount of \$3,570.00, as submitted. (EXHIBIT I)

**INSURANCE/COMMUNITY CENTER AT MLK PARK/HERLIHY PARK**

**Re: Invoice from BSX Insurance for Community Center at MLK Park**

**Minutes**  
**Regular Meeting of June 17, 2020**  
**Page No. \_\_\_\_\_**

- o. Pay invoice from BSX Insurance Inc. in the amount of \$2,163.00 to provide Flood Insurance for the MLK Community Center. **(EXHIBIT J)**

**KEEP WAVELAND BEAUTIFUL/GRANTS**

**Re: Keep Waveland Beautiful application for Community Restoration and Resiliency Grant**

- p. Spread on the minutes that Keep Waveland Beautiful has applied for the Keep American Beautiful Community Restoration and Resiliency Grant. The grant is to help replace and restore the palm trees, on the beach, from the Tropical storm Cristobal. The amount requested is \$2500.00.

**PERSONNEL/UTILITY DEPARTMENT**

**Re: Hire Leroy Hawkins Jr. at an operator in the Utility Department**

- q. Hire Leroy Hawkins Jr. as an operator in the Utilizes Department at a pay rate of \$12.00 pending passage of blood test. This is a budgeted position.

**ADVERTISING/JUNETEENTH**

**Re: Authorize Advertising expense for Juneteenth Celebration**

- r. Approve advertising expense in the amount of \$490.00 for the Juneteenth Celebration. This is a budgeted expense.

**STATE OF EMERGENCY/COVID-19/CORONAVIRUS**

**Re: Continue Local State of Emergency for Covid -19/Coronavirus**

- s. Continue the Local State of Emergency from March 18<sup>th</sup>, 202 as it is related to Covid-19 (Coronavirus).

**POLICE DEPARTMENT**

**Re: Adopt Standard Operating Procedures**

- t. Adopt the SOP as presented by Police Chief Michael Prendergast.

A vote was called for with the following results

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**MINUTES**

**Re: Minutes of June 2, 2020**

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the minutes of the Regular Meeting of June 2, 2020, as submitted.

A vote was called for with the following results

Voting Yea: Burke, Richardson, & Lafontaine

Abstain: Piazza

Voting Nay: None

Absent: None

**AGREEMENT/WAVELAND AVENUE SIDEWALKS PROJECT**

**Re: Supplemental Agreement No. 1 from DNA Underground Utilities**

Alderman Burke moved, seconded by Alderman Lafontaine Approve Supplemental Agreement No. 1 from DNA Underground Utilities, LLC requesting the inclusion of Pay Item 907-608-C001-Detectable Warning Panels at a unit price of \$17.63 per square foot for 536 SF at a total cost of \$9,449.68 and authorize the Mayor's Signature there on. This will be contingent on MDOT's approval. Local Match will be \$1,890.00. **(EXHIBIT L)**

A vote was called for with the following results

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**INVOICES/WAVELAND AVENUE SIDWALK PROJECT**

**Re: Pay Application #13 from DNA Underground, LLC- Waveland Avenue Sidewalk Project**

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the payment of Pay Application #13 in the amount of \$135,502.70 submitted by DNA Underground, LLC for the Waveland Avenue Sidewalk Improvement Project. The final payment will be requested upon completion of the punch list, the value of the final payment will be approximately \$125,000.00 =/**(EXHIBIT M)**

A vote was called for with the following results

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**WAVELAND AVENUE SIDEWALK PROJECT/WARRANTY AGREEMENT/AGREEMENTS**

**Re: Approval of Additional Warranty Agreement for Waveland Avenue Sidewalk project**

Alderman Lafontaine moved, seconded by Alderman Piazza to discuss and consider approval of an Additional Warranty Agreement on the Waveland Avenue Sidewalk Project. This additional warranty is offered by the contractor at no charge and will allow for the repair and or replacement of any work deemed warranty valid, this is per the Contract Agreement. **(EXHIBIT N)**

A vote was called for with the following results

Voting Yea: Burke, Richardson, and Smith

Voting Nay: Lafontaine and Piazza

Absent: None

**PURCHASING/MARKET STREET CULVERT PROJECT**

**Re: Award Southern Site & Utility as lowest and best quote for**

**Minutes**  
**Regular Meeting of June 17, 2020**  
**Page No. \_\_\_\_\_**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve and award the lowest and best quote to Southern Site and utility in an amount not to exceed \$23,887.00. We received 2 quotes. Next quote \$21,372.00.

A vote was called for with the following results

Voting Yea: Burke, Richardson, and Smith

Voting Nay: Lafontaine and Piazza

Absent: None

**LAKESIDE DRIVE CULVERT PROJECT/QUOTES/PURCHASING**

**Re: Name Southern Site and Utility as lowest and best quote for Lakeside Drive Culvert Project**

Alderman Lafontaine moved, seconded by Alderman Piazza to approve and award the lowest and best quote for a culvert project on Lakeside Drive to Southern Site and Utility in an amount not to exceed \$23,887.00. We received 2 quotes. Next lowest quote \$23,887.00.

A vote was called for with the following results

Voting Yea: Burke, Richardson, and Smith

Voting Nay: Lafontaine and Piazza

Absent: None

**BLIGHTED PROPERTY/PUBLIC HEARING**

**Re: 21 Boutique, LLC -467 Highway 90**

**\*No one appeared on behalf of the Owner of 467 Highway 90**

**Mr. Jones:** We got the project, and you know, we're going to put all this in the record. And what it amounts to is, is we have our affidavit from Josh that he's provided all the Notice that's required under the statute §21-19-11. We've actually gone far and above what's required, and this was hard, anyway because it looked like the Post Office was not going to help us out down there in Florida. But you're required by law to send to the property, it sounds crazy, you have to send it there and then it comes back, in the mail as undelivered, and we did that. We also had to post the property, we did that. Josh did that. He also went ahead and mailed it to two different locations. One is the registered agent for this LLC, called 21Boutique LLC. We know that guy got the letter because he actually sent us an email, it's a Lawyer as I recall up in Jackson and he forwarded the Notice to the client which is Mr. Hathaway down in Florida. Then we sent it to Florida. We had sent three letters before this trying to have hearings, and this last time rather than have him come in have to come in and sign for it, we did it to all the delivery confirmation, where the Postman certifies in writing to us, to the USPS.com website, if he delivered it on June the 2<sup>nd</sup>, as I recall, so. All of that is in the affidavit and so in my opinion, we have met the requirement of due process of the statute and as required, now. This is pretty straight forward, everybody know what this is, Josh has all of the photographs that he's going to put in the record. You what the building looks like, you know what the condition is, but I'm going to ask Josh a few quick questions. Josh you went out there and you inspected it recently again, right?

**Mr. Hayes:** Yes

**Mr. Jones:** yes, and, it's in the condition that's shown in these photographs that you took recently which is June 16<sup>th</sup>, right?

**Mr. Hayes:** Correct.

**Mr. Jones:** Okay, and the overall condition of the Hotel is that number one it's been abandoned and not occupied for years, right?

**Mr. Hayes:** That's right.

**Mr. Jones:** And the condition of it is such that, it does not have secure doors and windows, in there's anybody can get in and out of these. The rainwater is intruding on a regular basis. There's

**Minutes**  
**Regular Meeting of June 17, 2020**  
**Page No. \_\_\_\_\_**

great deterioration and is now become a structural situation of where this building will in fact collapse upon itself as time goes on. But it's reached that point where under the International Property Maintenance Code you've made the determination that it is unsafe and it needs to be demolished, and that's your recommendation?

**Mr. Hayes:** Correct.

**Mr. Jones:** Okay. Now is there anything else you want to add to it?

**Mr. Hayes:** That's it.

**Mr. Jones:** Okay, so if it's the Board's, you can make this part of the record Tammy and I'll give this to you and get it in just a minute. So that will all be in the minutes.

**Mrs. Fayard:** Yes sir.

**Mr. Jones:** Okay and we also in addition to mail all of these letters and sent email to Mr. Hathaway as well. We tried to call him he will not return our telephone calls. So based upon that and based upon what Josh has said, photographs and his report of orally and what he put in the record. I think it qualifies as a building being a public nuisance and a hazard and it needs to be demolished, both pursuant to the §21-19-11 statute and the International Maintenance Code. It's if the Board chooses to follow that recommendation, the next step would be to notifying that they have, I think that we give them 10 days to go ahead and demolish the structure. We'll send that regular mail, email it to them. If they don't go ahead and follow through with it, the next step will be to ahead and hire a contractor to go in there and take it down. This is not going to be like the typical house deal that's going to cost four or five, six thousand dollars. Its going cost more and we're probably going to have to go ahead solicit some quotes from some contractors which we're prepared to do, and if all goes well we will try to have a recommendation for you, assuming he doesn't tear it down himself, at the meeting coming up either on July the seventh or even the second meeting in July. And as soon as you approve that, the next step would be to actually have them go there and tear it down. We're going to take it all the way to the ground, slabs removed and then probably bring in a little bit of fill to go ahead and just level it out and then we'll put all of that as a lien against the property, the cost. And then I will also recommend that you impose the full penalty to which you can, as an add on. And then we'll adopt a Resolution saying that this is a lien and we're going to hold it against the property and then it would go to the Tax Sale. Now, only problem we got is, is that we've got to get it to the Tax Collector in a certain time frame to get it on the tax sale that comes in August. We're probably not going to make that, so it will probably the next year's tax sale.

**Mr. Lagasse:** can I ask, Malcom, if we can it to ya'll by the at the latest then, maybe have a special meeting between the first and second, to tear that building down, it's probably going to take about 10 days. We'll go, if its' okay with the Board, we'll go ahead and put a set of specs together and quote it out and so it he doesn't do. It's not going to cost us anything to go ahead and get those quotes. And then..

**Mr. Jones:** You can go ahead and start on that. Only thing I would tell you though is, this. I gotta find out from the tax collector, as to what is his deadline. He's got a date that has to go in the paper and so I need to find out from him when that is. It maybe that he just can't make it. But if we can, we'll try.

**Mr. Lagasse:** Do you want me to find that out tomorrow and call you?

**Mr. Jones:** yes, so we can do that.

**Mr. Hayes:** I got a bid package together and ready to go.

**Alderman Burke:** And then for the specs, its tear down the building, but that property is going to have to go back to nature, so that includes the parking lot correct?

**Mr. Lagasse:** Yes everything.

**Mr. Hayes:** yes everything, all utilities and everything.

**Alderman Lafontaine:** The bid package that you have is that for the demo?

**Mr. Jones:** Alright, any questions, I'm sorry it's taken so long to get here, but I really didn't anticipate we were going to have that much trouble getting notice, but with this guy down in Florida, Josh actually at the end when we knew, or it didn't look like they were going to follow through, we made an official inquiry through the Postal Service down there and they actually on almost the last day he got it done on June the 2<sup>nd</sup> when they had originally told him they weren't going to make it happen, and I thought, wow the Post Office really has just dropped. Because all they had to do was just certify and just put it in his box. Not handed it to him, not having signed for it. Just say, I delivered it, but they were giving us a lot of noise about the fact that Covid 19, they just weren't able to make their deadlines.

**Alderman Richardson:** I'm glad we got to this point because I have spoke with Josh and the Housing Development behind this property, they have seen, basically homeless individuals coming out the single building.

**Minutes**  
**Regular Meeting of June 17, 2020**  
**Page No. \_\_\_\_\_**

**Mayor Smith:** perfect spot for it.

**Alderman Richardson:** in the mornings.

**Mr. Jones:** this is out big one, this is kind of our test case, and what we're doing now is pretty much going to be like a little blueprint of what we're doing going forward. So anyway, I don't want to keep Shane. We need to go ahead and declare it as a Public Menace pursuant to the §21-19-11 and the International Property Maintenance codes.

**Re: Declare 467 Highway 90 as a menace pursuant to State Statute**

Alderman Burke moved, seconded by Alderman Piazza to declare 467 Highway 90 a public menace, pursuant to the §21-19-11 and the International Maintenance Codes.

A vote was called for with the following results

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

**ADJOURN**

**Re: Adjourn Meeting at 9:09 p.m.**

Alderman Burke moved, seconded by Alderman Richardson to adjourn the meeting at 9:09 p.m.

A vote was called for with the following results

Voting Yea: Burke, Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Smith on July 8, 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 8<sup>th</sup> day of July, 2020.

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

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