

**Agenda
Special Meeting of
February 2, 2021**

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call
4. Mayor's Comments
 - a. Please remember Lt. Michael Boutte and his Family as well as our Law Enforcement Community during this time of need.
 - b. Discuss the adoption of the area and its surroundings known as the "Old Waveland School" as a Historical District.
 - c. Waveland Elementary Playground assistance.
5. Aldermen's Comments
 - a. Ward 1: Food Truck Friday February 12, 2021
St. Patrick's Day Parade Status
 - b. Ward 2
 - c. Ward 3
 - d. Ward 4
6. Public Comments
7. Planning and Zoning
8. Alden Heaphy, owner of the property to be known as 107 Oak Boulevard when addressed (Parcel #162R-0-10 020.000), legal description; Lots 2&3, Block 2, Waveland Beach Estates, 3rd Ward, is requesting the removal of a Protected Tree on their property. The Protected Tree is a Live Oak with a diameter of approximately thirty (30) inches. The purpose for the removal of the Live Oak is to allow the owner to construct their residence. As stated in Section 907 of the current zoning Ordinance, there are only two conditions under which an application to remove a Protected Tree may be submitted. The applicant is requesting the removal based on Section 907(2), which stated that "Construction cannot be practically located in such a way as to preserve the tree or trees." The applicant's exhibit shows that there are five (5) Live Oak trees on this property. The exhibit shows there are at least five (5) Live Oaks on the property and that by moving their house plan up to the twenty-five (25) foot required Front Yard setback in R-1 Single Family Residential District they are able to preserve four (4) of the five (5) Live Oaks on the property.

The owner, Alden Heaphy presented the application and the reasons for requesting the reasons for requesting Removal of One Protected Tree. The applicant explained that the property has 5 Large Live Oak Trees and that they were requesting the removal of one (1) Live Oak from the property was to preserve the other Live Oaks on the property. The even moved the footprint of their proposed residence so that it required the removal on the one Live Oak (see Exhibit showing the original footprint for the proposed residence and a second footprint that the shows how moving the footprint, He would be saving one Large Live Oak). He also stated that they had planted a good size Live Oak Tree on the property already and planned to plat another one).

The Commissioners asked questions of the applicant regarding the requested application to remove one large Live Oak Tree. The Commission held discussion and asked the applicant further questions. They also discussed Conditions that they want to include in their motion. The Chairman asked if anyone present wished to speak for or against the request. At this point the Chairman referred to an email from Jimmy Crane which was for the request and explained that he was the next-door neighbor and had studied to live oaks. on the property.

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Commissioner Frater made a motion, seconded by Commissioner Harris, to recommend approval of the removal of the one Large Live Oak with the following conditions: #1) the applicant will plant two (2) Live Oaks of at least 8 feet in height from the ground level. #2) the applicant donates to Keep Waveland Beautiful to two (2) eight (8) foot Live Oaks on City property. If there is no reasonable place on the property to plant the 2 live Oaks then one or both of the trees to be donated to Keep Waveland Beautiful. #3) the trees planted on the property will be maintained for a one (1) year period. Commissioners, Harris, Frater, and Watson voted in favor of the motion. Commissioner Adams voted against the motion Chairman Meggett declared the motion approved.

9. Bill Beechwood, owner of the property commonly known as 318 Hillcrest Street, Legal Description; Part of Lot 12 and sixty (60) feet of Lot 13, Hillcrest Subdivision, Waveland AA-70-351, has made application requesting to following variances: A) A variance from the Front and Rear Yard Setbacks as required by Section 701.3 & 701.5 of the current Zoning Ordinance requiring a twenty-five (25) foot Front and Rear Yard Setback. The applicant is requesting a twelve-foot (12) variance from both the Front and Rear Yard Setback requirements, resulting in a Front and Rear Yard Setback of thirteen (13) feet. B) A variance from both Side Yard Setbacks as required by Section 701.4 of the current Zoning Ordinance requiring a fifteen (15) foot Side Yard Setbacks. The applicant is requesting a four (4) foot variance from both Side Yards resulting in both Side Yard Setbacks of eleven (11) feet.

The applicant made a presentation on his request for All Yard Setback Variances. The Commission asked the applicant numerous questions about the request and discussed reductions in the variance(s) request. After further discussion with the applicant, he agreed to remove the variance request and adhere to the required twenty-five (25) foot Front Yard. He also agreed to remove his request for both side-yard variances and adhere to the required fifteen (15) foot setback for both side yards. The only variance request that the Commission would consider in the request for a rear yard setback variance of twelve (12) feet for the rear-yard setback resulting in a rear yard setback of thirteen (13) feet. The applicant agreed with all of the recommendations of the Commission.

Chairman Meggett asked if there was anyone present to speak for or against the requested variances. Tom Dupuy, owner of the property and recently completed house at 324 Hillcrest, spoke about the requested variances and wanted to see the fifteen (15) foot side yards adhered to. After he listened to the revised request (see above Commission discussion and in the motion below) he had no problem with the rear yard setback of thirteen (13) feet.

10. Keith Johnson, Representative of K2 Project Management Solutions, LLC, owners of the property at 316 Hillcrest, objected to the side yard variance request. After he listened to the revised request (see above Commission discussion and in the motion below) he had no problem with the rear yard setback of thirteen (13) feet.

Commissioner Frater made a motion, seconded by Commissioner Watson, to recommend approval of a rear yard variance of eleven (11) feet, resulting in a rear yard setback of thirteen (13) feet. The Commission finds that the criteria for a variance as stated in Section 906.1 of the current Zoning Ordinance have been met. Commissioners Adams, Harris Frater and Watson voted in favor of the motion. Chairman Meggett declared the motion approved.

11. Paul "Pepper" Tregre, owner of the property as 704 S. Beach Boulevard, Legal Description; Part of Lot 115, 3rd Ward, Waveland, MS, is requesting a Conditional Use for An Accessory Structure over five hundred (500) square feet. Section 601.2(F) in the current Zoning Ordinance provides for a Conditional Use of an Accessory Structure that is more than five hundred (500) square feet. The Applicant is requesting a Conditional Use for an Accessory Structure of one-thousand, three-hundred and fifty (1,350) square feet. The purpose of the structure is for garage and storage to be used for golf carts, a car an outdoor furniture. The Planning and Zoning Commission will reach findings regarding the criteria for a Conditional use as listed in Section 906.3 of the current Zoning Ordinance.

The Applicant made a presentation on his request. The Commissioner asked the applicant numerous questions about the request. The applicant responded to the questions. Chairman

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Meggett asked staff if any letters or calls from adjacent property owners. Staff indicated that no letters had been received but several calls had been received and staff answered the caller's questions and emailed exhibits. No one got on the call to speak for or against the request.

Commissioner Watson made a motion, seconded by Commissioner Frater, the recommend approval of the Conditional Use for an accessory structure of one-thousand, three-hundred and fifty (1,350) square feet. Commissioners Adams, Harris, Frater and Watson voted in favor of the motion. Chairman Meggett declared the motion approved.

12. Bart Johnson, owner of the properties commonly known as 316 & 318 Favre Street, Legal description Lot 20, Block 2, Combels Subdivision and Lots 21 & 22, Block 2, Combels Subdivision, has made application to split the described lots into 2 parcels (see exhibit) and is requesting to following variances for each parcel.
 - a. Parcel #1 as shown on the survey requires a variance from the Minimum Lot Area Requirement of twelve thousand (12,000) square feet as shown in Section 701.1. Parcel #1 also requires a variance from the Minimum Lot Width of one hundred (100) feet as shown in Section 701.2 The applicant is requesting a variance of two thousand, two-hundred and fifty (2,250) feet from the Minimum Lot Area requirement, resulting in a lot size of nine-thousand, seven-hundred and fifty (9,750) square feet. The applicant is also requesting a variance of twenty-five (25) feet from the Minimum Lot Width requirement, resulting in a Minimum Lot Frontage of seventy-five (75) feet.
 - b. Parcel #2 as shown on the survey requires a variance from the Minimum Lot Area Requirement of twelve thousand (12,000) square feet as shown in Section 701.1. Parcel #2 also requires a variance from the Minimum Lot Width of one-hundred (100) feet as shown in Section 701.2 The applicant is requesting a variance of two thousand, two-hundred and fifty (2,250) feet from the Minimum Lot Area requirement, resulting in a lot size of nine-thousand, seven-hundred and fifty (9,750) square feet. The applicant is also requesting a variance of twenty five (25) feet from the Minimum Lot Width requirement, resulting in a Minimum Lot Frontage of seventy-five (75) feet.

Chairman Meggett read the description above and asked the applicant to come forward and present his requested variances. Bart Johnson, owner, presented his request. The Commission asked questions of the owner about his requests and plans for the property. The applicant responded. The Commission held discussion.

Chairman Meggett asked staff if any letters or calls for or against the request had been received from adjacent property owners. Staff indicated that no letters had been received. However, a call had been received from an adjacent owner directly across the street. Trevor Childs who lives across the street called staff to get further information. Staff explained the request and sent him the exhibits. Additionally, staff suggested that Mr. Childs call Mr. Johnson. The result was that Mr. Childs was satisfied with the discussion and expressed that after the discussion and looking at the exhibits that he had no objection to the request.

Commissioner Watson made a motion, seconded by Commissioner Harris, to recommend approval of the variances. Commissioners Adams, Harris, Frater and Watson voted in favor of the motion. Chairman Meggett declared the motion approved.

13. At their meeting on October 21st, 2020, the Mayor and Board of Alderman sent the proposed new Tree Preservation Resolution developed by Keep Waveland Beautiful amending the current section of the Zoning Ordinance, Section 408.1 of the current Zoning Ordinance (#349) to the Planning and Zoning Commission for review and recommendation. The proposed resolution proposes a number of changes to strengthen the regulations, procedures, requirements and processes involved in making an application for removal of a Protected Tree. At their meeting on November 23rd, 2020, the Planning & Zoning Commission held discussion on this item and voted to table it to allow continued discussion at their January 11th, 2021 regularly monthly meeting.

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Commissioner Harris made a motion, seconded by Commissioner Frater, to table this Item until a separate meeting could be set up by staff, so that the Commission could concentrate on this item. Commissioners Adams, Harris, Frater and Watson voted in favor of the motion. Chairman Meggett declared the motion approved.

Staff suggested that he would look for an appropriate date in February, or possibly March. Staff also suggested that since many of the items had to do with the details regarding Live Oaks, that one of the area Arborist be contacted to see if they could participate in the meeting.

CONSENT AGENDA (a -m)

- a. Motion to approve the Utility refund checks in the amount of \$2,495.00, as submitted. Included in this motion to allow the City Clerk to hold the refund to Pit Stop Car Wash pending review of accounts.
- b. Motion to approve the hiring of Jesse Neumann as a Patrol Officer. He is a State of Mississippi certified police officer, with 1 year of experience, at a rate of \$16.35 an hour pending drug test. This is a budgeted position.
- c. Motion to approve the hiring of Katie Cash as a Patrol Officer. at a rate of \$15.35 an hour pending drug test. Katie Cash will be an uncertified officer, which if approved will attend Harrison County Law Enforcement Training Academy in May of this year. This is a budgeted position.
- d. Motion to accept the resignation of Michael Decelle as a Patrol Office from the Waveland Police Department effective February 8th.
- e. Motion to approve officers Jesse Neumann and Katie Cash to be Deputy Court Clerks.
- f. Motion to approve the minutes of the Regular Meeting of January 20, 2021, as submitted.
- g. Motion to approve Pay Application #15 from DNA Underground, LLC in the amount of \$46,035.73 – This will be the FINAL PAY APPLICATION and CLOSEOUT of Waveland Avenue Sidewalk Improvements Project.
- h. Motion to approve a renewal sign for advertising city resources with the Bay High Ladies Fastpitch Softball in the amount of \$100.00, by approving the Board recognizes that the event will be bring favorable notice to the resources and opportunities of the City and meets criteria as required by statue.
- i. Motion to approve Invoice 19591 from Custom Tree Care, Inc. in the amount of \$95,381.48 – Hurricane Zeta Debris Removal.
- j. Motion to approve Invoice 19603 from Custom Tree Care, Inc. in the amount of \$186,775.69-Hurricane Zeta Debris Removal.
- k. Motion to approve Invoice 51693543 from Tetra Tech in the amount of \$125,205.00- Hurricane Zeta Debris Monitoring.
- l. Motion to approve the Docket of Claims paid and unpaid in the amount of \$1,024,754.57 dated February 2, 2021 as submitted.

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- m. Motion to approve Change Order No. 1 from Custom Tree Care, Inc. Modifying the period of performance for the Contractor to complete debris removal and disposal services at no increase to the City, by approving this motion, the Board makes a finding consistent with fact, that the proposed change is necessary or incidental to the completion of the work as originally bid, is commercially reasonable and not made to circumvent the public purchasing statutes, and that any increase or decrease in cost is reasonable, the entity is authorized to issue a change order.

END CONSENT AGENDA

- 14. Motion to approve the proposal from RJ Young / Verkada to provide cameras, software, maintenance, and information storage for a period of 10-years. This is a lease for 60 months at a rate of \$2,850.00 per month. After the 60 months, there will be a \$1.00 buyout (\$58 | 58 cameras) for the equipment. The Board will then decide to keep the system with a monthly maintenance and license fee of not to exceed \$700.00. (moved from special meeting)
- 15. Motion to approve a closed-door
- 16. Motion to consider an Executive Session.
- 17. Motion to enter an Executive Session as
- 18. Motion to come out of Executive Session.
- 19. Attorney's Comments