

Minutes
Regular Meeting of February 2, 2021
Page No. _____

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in Regular session at the Waveland City Hall (Virtual) Boardroom, 301 Coleman Avenue, Waveland, MS. on February 2, 2021 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 via teleconference of Aldermen Burke, Richardson, Lafontaine and Piazza, also present City Clerk Mickey Lagasse and City Attorney Malcolm Jones,

MAYOR'S COMMENTS

Re: Asked everyone to remember Hancock County Sheriff's Deputy Lt. Boutte and asked for thoughts and prayers for his Family as well as the Law Enforcement throughout the Community.

HISTORICAL DISTRICT/OLD WAVELAND SCHOOL/CIVIC CENTER/GROUND ZERO MUSEUM/CAROUSEL

Re: Amend the agenda to approve the adoption of the area around the "Old Waveland School" as a Historical District

Alderman Richardson moved, seconded by Alderman Lafontaine to amend the agenda to approve the adoption of the area and its surroundings known as the "Old Waveland School" as a historical District for the purpose of building a Carousel Building.

A vote was called for with the following results:

Voting Yea: Burke Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

****Alderman Piazza joined the meeting.**

Re: Approve the adoption of the area around the Old Waveland School as a Historical District

Alderman Piazza moved, seconded by Alderman Lafontaine to approve the adoption of the area and its surroundings known as the "Old Waveland School" as a historical District for the purpose of building a Carousel Building to be located from the edge of the sidewalk on the railroad tracks, runs parallel to the building, s. to the property line on the other side of the building on the other side of the building on the same side of the Gex Park to the property line.

A vote was called for with the following results:

Voting Yea: Burke Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

MAYOR'S COMMENTS (CONT.)

Re: Recognized the City's volunteer efforts with the Construction of a new Playground at the Waveland Elementary School on St. Joseph Street.

Re: A representative of the Corps of Engineers from New Orleans visited City Hall today. The Mayor said that he provided a tour of the area.

Re: The Mayor noted a meeting with a developer earlier in the day, where there was discussion of a new hotel on Highway 90.

Minutes
Regular Meeting of February 2, 2021
Page No. _____

ALDERMEN'S COMMENTS

Re: Alderman Burke

- Announced the return of Food Truck Friday was to return Friday February 12, 2021.
- Discussed the desire of the Waveland Civic Association to hold its Annual St. Patrick's Day Parade.
- Discussed the receipt of the Requests for Qualifications submitted for Engineering Services.

Re: Alderman Richardson - Had no comments.

Re: Alderman Lafontaine

- Requested Debris Pickup up date.
- Requested that everyone ride their Wards to identify downed power, phone and cable lines.

Re: Alderman Piazza – Had no comments

PLANNING AND ZONING (EXHIBIT A)

Re: Alden Heaphy, 107 Oak Boulevard

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 plant 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.

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 donate 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.

Alderman Lafontaine moved, seconded by Alderman Richardson to follow the recommendation of the Commission and approve the request as submitted and include the purchase of replacement oak trees to be planted on City property by Keep Waveland Beautiful.

Minutes
Regular Meeting of February 2, 2021
Page No. _____

A vote was called for with the following results:

Voting Yea: Burke Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Re: Bill Beechwood, 318 Hillcrest Street – (Request Denied)

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.

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.

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

A vote was called for with the following results:

Voting Yea: None

Voting Nay: Burke Richardson, Lafontaine & Piazza

Absent: None

Minutes
Regular Meeting of February 2, 2021
Page No. _____

Re: Paul “Pepper” Tregre, 704 S. Beach Boulevard

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 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.

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

A vote was called for with the following results:

Voting Yea: Burke Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Re: Bart Johnson, 306 and 318 Favre Street

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.

Minutes
Regular Meeting of February 2, 2021
Page No. _____

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.

Alderman Richardson moved, seconded by Alderman Piazza follow the recommendation of the Commission and approve the request as submitted, adding that there are to be no variances or setbacks given with this request.

A vote was called for with the following results:

Voting Yea: Burke Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

~~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.~~

~~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 -l)

Alderman Lafontaine moved, seconded by Alderman Burke to approve the consent agenda with items c, g, and h removed for further action.

UTILITY DEPARTMENT/REFUND CHECKS

Re: Utility Refund Checks

- a. 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. **(EXHIBIT B)**

Minutes
Regular Meeting of February 2, 2021
Page No. _____

POLICE DEPARTMENT/PERSONNEL

Re: New Hire Jesse Neumann, Patrol Officer

- b. 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, to include a 1 year probationary period.
- ~~e. 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, to include a 1 year probationary period.~~

POLICE DEPARTMENT/PERSONNEL

Re: Resignation of Officer Michael Decelle

- d. Accept the resignation of Michael Decelle as a Patrol Office from the Waveland Police Department effective February 8th.

COURT DEPARTMENT/POLICE DEPARTMENT

Re: Name Officers Jesse Neumann and Katie Cash as Deputy Court Clerks

- e. Approve officers Jesse Neumann and Katie Cash to be Deputy Court Clerks.

MINUTES

Re: Minutes of the Regular Meeting of January 20, 2021

- f. Approve the minutes of the Regular Meeting of January 20, 2021, as submitted.
- ~~g. 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. 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 statute.~~

INVOICES/DEBRIS REMOVAL/HURRICANE ZETA

Re: Invoice 19591 from Custom Tree Care

- i. Approve Invoice 19591 from Custom Tree Care, Inc. in the amount of \$95,381.48 – Hurricane Zeta Debris Removal. **(EXHIBIT C)**

INVOICES/DEBRIS REMOVAL/HURRICANE ZETA

Re: Invoice 19603 from Custom Tree Care

- j. Approve Invoice 19603 from Custom Tree Care, Inc. in the amount of \$186,775.69-Hurricane Zeta Debris Removal. **(EXHIBIT D)**

INVOICES/DEBRIS MONITORING/HURRICANE ZETA

Re: Invoice 51693543 from Tetra Tech

- k. Approve Invoice 51693543 from Tetra Tech in the amount of \$125,205.00-Hurricane Zeta Debris Monitoring. **(EXHIBIT D)**

DOCKET OF CLAIMS

Re: Claims

1. Approve the Docket of Claims paid and unpaid in the amount of \$1,024,754.57 dated February 2, 2021 as submitted. **(EXHIBIT E)**

CHANGE ORDERS/DEBRIS REMOVAL/HURRICANE ZETA

Re: Change Order No. 1 from Custom Tree Care, modifying the Period of Performance for completion of debris removal

- m. 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. **(EXHIBIT F)**

POLICE DEPARTMENT/PERSONNEL

Re: New Hire Katie Cash, Patrol Officer

- c. Alderman Burke moved, seconded by Alderman Lafontaine 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, including a 1 year probationary period.

A vote was called for with the following results:

Voting Yea: Burke Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

POLICE DEPARTMENT/PERSONNEL

Re: New Hire Jesse Neumann, Patrol Officer

- b. Alderman Lafontaine moved, seconded by Alderman Burke 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, to include a 1 year probationary period.

A vote was called for with the following results:

Voting Yea: Burke Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

WAVELAND AVENUE SIDEWALK PROJECT/INVOICES

Re: TABLE approval of Pay Application #15 from DNA Underground, LLC

Minutes
Regular Meeting of February 2, 2021
Page No. _____

- g. ~~Alderman Lafontaine moved, seconded by Alderman Burke to approve~~ Alderman Richardson moved, seconded by Alderman Piazza to TABLE approval of 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, upon recommendation of the Engineer

A vote was called for with the following results:

Voting Yea: Burke Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

ADVERTISING

Re: Renewal of Sign with the Bay High Ladies Fastpitch Softball

- h. Alderman Piazza moved, seconded by Alderman Lafontaine 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 bring favorable notice to the resources and opportunities of the City and meets criteria as required by statute.

A vote was called for with the following results:

Voting Yea: Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

Recused: Burke

CITY HALL/CAMERA PROJECT

Re: TABLE proposal from RJ Young/Verkada for the provision of Citywide camera system

Alderman Burke moved, seconded by Alderman Richardson to ~~approve~~ TABLE 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,

A vote was called for with the following results:

Voting Yea: Burke Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

ATTORNEY'S COMMENTS

Re: No Comments

RECESS MEETING

Re: Recess Meeting at 8:09 p.m.

Alderman Richardson moved, seconded by Alderman Lafontaine to recess the meeting at 8:09 p.m.

A vote was called for with the following results:

Minutes
Regular Meeting of February 2, 2021
Page No. _____

Voting Yea: Burke Richardson, Lafontaine & Piazza

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Smith on February 18, 2021.

James M. Lagasse
City Clerk

The Minutes of the Regular Meeting of February 2, 2021 have been read and approved by me on this, the 18th day of February, 2021.

Mike Smith
Mayor

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