

Minutes
Regular Meeting of August 3, 2021
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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 August 3, 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 of Aldermen Burke, Richardson, Lafontaine and Piazza, also present with City Clerk Lagasse City Attorney Malcom Jones (7:26 p.m. Arrival)

MAYOR'S REPORT

Re: ARPA (American Rescue Plan Act) progress: The City received the first payment of our ARPA funds in the amount of \$774,658.14.

Re: The Mayor provided Covid 19 Delta Variant and the City's efforts

Re: Announced the retirement of Fire Chief Tony Mallini

Re: There will be a White Linen on Coleman on August 14th from 7 – 10 to benefit the Hancock County Animal Shelter. The road will be closed until 11:30 pm.

ALDERMEN'S COMMENTS

Re: Alderman Burke

- **Discussed 823 N. Beach Boulevard as it relates to possible blighted property issue.**
- **Provided the Board with an update of the preparation of the bids specifications for garbage pickup, and requested suggestions regarding the City's needs.**

Re: Alderman Richardson

- **Inquired about the recycle bins/service within the City.**
- **Requested that further action be taken at the mechanic shop on Old Spanish Trail. (Lacoste)**

Re: Alderman Lafontaine

- **Requested an update of the recent Drainage Workshop.**

Re: Alderman Piazza

PUBLIC COMMENTS

Re: Liz Stahler

**Matthew Adams
Rhonda Aime-Gamble
Jessica Tartaglia
Tracey Powell**

PLANNING AND ZONING (EXHIBIT A)

Re: 105 Lakeside Drive, Larry Stoker and Antoinette Truxillo

Larry Stoker and Antoinette Truxillo, owners of the property commonly known as 105 Lakeside Drive, (Parcel #161B-2-01-122.000), legal description; Lot 5, Lakeside Subdivision, is requesting a four (4) foot Variance from the rear property line. As stated in Section 701.5 of the current Zoning Ordinance requires a fifteen (15) foot rear yard for accessory building only. The purpose of the requested variance is due to the irregular shape of the lot and to align a small accessory structure of 192 sq. ft. with the angle of the house (see exhibit). Section 906.1 of the current Zoning Ordinance includes the criteria for granting a variance.

Commissioner Watson made a motion, seconded by Commissioner Frater, to recommend approval of the requested variance of four (4) feet for the Rear Yard setback resulting in an eleven (11) foot rear Yard setback for one corner of the small accessory structure they are going to build. Commissioners, and the Commission finds that the criteria for a variance as stated in Section 906.1 of the current Zoning Ordinance have been met. Commissioners Harris, Frater and Watson voted in favor of the motion. Chairman Meggett declared the motion approved. 8. Vincent & Elizabeth Monnin, owner of the property to be known as 111 Gulf Drive, (Parcel #162Q-1-10-042.000), legal description; Lots 67-72, Gulf Gardens Subdivision, are requesting the removal of a Protected Tree on their property. The Protected Tree is a Live Oak with a

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diameter of approximately thirty-seven (37) inches. The purpose for the removal of the Live Oak is that the tree is a hazard to people and structures on the property (please see Certified Arborist Report included in this item). 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 907.1, which stated that ‘The tree or trees proposed to be cut are in such poor health or bad physical condition as to be a hazard to human safety and property. The applicant’s exhibit shows that there are two (2) Live Oak trees on this property. Several other trees are located on the property and being preserved. Commissioner Frater made a motion, seconded by Commissioner Harris to recommend approval of the removal of the Protected Tree (Live Oak – approximately thirty-seven (37) inched is diameter with the condition that the applicant plant five (5) Live Oak Trees of one and a half inches in diameter and eight (8) tall. The Commission also finds that the criteria for removal of a protected tree. as stated in Section 907.1 of the current Zoning Ordinance have been met. Commissioners Harris, Frater and Watson voted in favor of the motion. Chairman Meggett declared the motion approved.

Alderman Lafontaine moved, seconded by Alderman Burke 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 and Piazza

Voting Nay: None

Absent: None

Re: 111 Gulf Drive, Vincent & Elizabeth Monnin

Vincent & Elizabeth Monnin, owner of the property to be known as 111 Gulf Drive, (Parcel #162Q-1-10-042.000), legal description; Lots 67-72, Gulf Gardens Subdivision, are requesting the removal of a Protected Tree on their property. The Protected Tree is a Live Oak with a diameter of approximately thirty-seven (37) inches. The purpose for the removal of the Live Oak is that the tree is a hazard to people and structures on the property (please see Certified Arborist Report included in this item). 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 907.1, which stated that ‘The tree or trees proposed to be cut are in such poor health or bad physical condition as to be a hazard to human safety and property. The applicant’s exhibit shows that there are two (2) Live Oak trees on this property. Several other trees are located on the property and being preserved.

Commissioner Frater made a motion, seconded by Commissioner Harris to recommend approval of the Protected Tree (Live Oak – approximately thirty-seven (37) inched is diameter ~~with the condition that the applicant plant five (5) Live Oak Trees of one and a half inches in diameter and eight (8) tall.~~ The Commission also finds that the criteria for removal of a protected tree. as stated in Section 907.1 of the current Zoning Ordinance have been met. Commissioners Harris, Frater and Watson voted in favor of the motion. Chairman Meggett declared the motion approved.

Alderman Lafontaine moved, seconded by Alderman Burke to follow the recommendation of the Commission and approve the request with the requirement to purchase replacement oak trees removed.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

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Re: 234 Sandy Street, Jesse Ascani

Jesse Ascani, owner of the property commonly known as 234 Sandy Street (Parcel# 162J0-10-208.000) (Lots 17 & 18, Block 1, Hickey Subdivision) has made application for a Conditional Use for an Accessory Structure, per Sections 601.2(F), Section 302.16 and Section 906.3 of the current Zoning Ordinance. The applicants are requesting a Conditional Use for an Accessory Structure of one-thousand, one-hundred and fifty (50) (1,150) square feet for the purposes of storage for a suv, classic car golf cart, boat, tools and lawn/garden equipment. (Please see application, letter, location exhibit and information on the building).

Commissioner Frater made a motion, seconded by Watson to recommend approval of the requested Conditional Use for an Accessory Building of One-thousand, One hundred and fifty square feet. The Commission also finds that the criteria for a Conditional Use as stated in Section 906.3 have been met. Commissioners Harris, Frater and Watson voted in favor of the motion. Chairman Meggett declared the motion approved.

Alderman Lafontaine 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 and Piazza

Voting Nay: None

Absent: None

Re: 734 St. Beach Boulevard, Kelly Landry

Kelly Landry, primary owner of the property commonly known as 934 S. Beach Blvd (corrected from 734 S. Beach Blvd. Legal Description; Part 141 & 143, All of Lot 139C, 3rd Ward, Waveland, MS has made application for a Subdivision Procedural Variance and Final Plat Approval for Part of Lots 141 & 143 and All of lot 139C, 3rd WARD, Waveland, MS that meet the criteria for a Subdivision Procedural Variance. Section 306.2, G, 3. Procedural Variance. Where a proposed subdivision would contain no new streets and no more than ten (10) lots, the requirement to prepare a Preliminary Plat may be waived by the Board of Mayor and Aldermen upon recommendation by the Planning and Zoning Commission. All three (3) lots also meet the R-1 Overall Area and Frontage requirements. Each of the proposed lots exceeds 12,000 square feet and 100 feet of frontage on an approved public road with all utilities available. No new public infrastructure is being proposed. With a Subdivision Procedural Variance, the requirements for submission of a Preliminary Plat are waived and a Final Plat is submitted for Approval.

Commissioner Watson made a motion, seconded by Commissioner Frater, the recommend approval of the Subdivision Procedural Variance and approval of the final plat. With the following condition, 'The Applicant must comply with all of the subdivision requirements.' Commissioner's Harris, Frater and Watson voted in Favor of the motion. Chairman Meggett declared the motion approved.

Alderman Piazza moved, seconded by Alderman Richardson to follow the recommendation of the Commission and approve the request with the following conditions:

- a. Land Owner will install the water line and the fire hydrant, subject to the City's specifications and upon inspection and approval.
- b. The City will be granted an easement and right of access for the servicing of that Fire Hydrant.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

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Voting Nay: None

Absent: None

BLIGHTED PROPERTY PUBLIC HEARING
Re: Table Public Hearing for 624 Highway 90

Alderman Burke moved, seconded Alderman Richardson to TABLE the Public Hearing concerning Jeffrey Lidman of Dora Land – 624 Highway 90.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

CONSENT AGENDA (a -j)

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the Consent Agenda being listed items a-j, contingent upon the review of Items f & g by City Attorney:

UTILITY DEPARTMENT/REFUND
Re: Utility Refund Claims

- a. Approve the Utility refund claims in the amount of \$6,145.00, as submitted.
(EXHIBIT B)

UTILITY DEPARTMENT/REFUNDS
Re: Refund to Mr. Robert Osburn in the amount \$184.80

- b. Approve a refund in the amount of \$184.80 for Robert Osburn located at 103 Aiken Road. The customer purchased the wrong size gas meter there was no cost to the city.
(EXHIBIT C)

PUBLIC WORKS DEPARTMENT/PERSONNEL
Re: New Hire Destin Johnson as Laborer in the Public Works Department

- c. Hire Destin Johnson as a laborer in the Public Works Department at a rate of \$11.00 per hour pending passage of drug test. This is a budgeted position.

PUBLIC WORKS/PERSONNEL
Re: New Hire Terrell Lee as an Operator in the Public Works Department

- d. Hire Terrell Lee as a operator in the Public Works Department at a rate of \$13.00 per hour pending passage of drug test. This is a budgeted position.

POLICE DEPARTMENT/PERSONNEL
Re: New Hire Lauralyn Yager as a Patrolman in the Police Department

- e. Hire the Lauralyn Yager as Patrolman in the Waveland Police Department, upon passage of drug test, at a rate of \$15.35 per hour. Lauralyn is a non-certified and will have to complete the State of Mississippi Police Academy and will be on probation for a period for 1 year.

ADVERTISEMENTS/AMERICAN RESCUE PLAN LOCAL FISCAL RECOVERY FUNDS PROGRAM (ARPLFR)

- f. Advertise for an RFQ for engineering services to be used for projects for American Rescue Plan Local Fiscal Recovery Funds Program.

REQUESTS FOR QUALIFICATIONS/RESCUE PLAN LOCAL FISCAL RECOVERY FUNDS PROGRAM

- g. Advertise for an RFQ for administration services (if required) to be used for projects for the American Rescue Plan Local Fiscal Recovery Funds Program.

POLICE DEPARTMENT/GRANTS/HIGHWAY SAFETY GRANT

Re: Mississippi Office of Highway Safety Grant

- h. Accept the Mississippi Office of Highway Safety Grant for the Waveland Police Department in the amount of \$30,000.00 and the Mayor's signature thereon.
(EXHIBIT D)

EVENTS/VETERANS DAY/PARADES

Re: City of Waveland Veterans Day Parade

- i. Approve the City of Waveland's Veterans Day Parade on Saturday, November 13, 2021, at 11:00 am.

DOCKET OF CLAIMS

Re: Claims

- j. Approve the Docket of Claims paid and unpaid in the amount of \$569,795.17 dated August 2, 2021, as submitted. **(EXHIBIT E)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

END CONSENT AGENDA

PURCHASING/POLICE DEPARTMENT

Re: Issue a Purchase order for the Purchase of 4 Police Vehicles that will be purchased during the next fiscal year

Alderman Lafontaine moved, seconded by Alderman Richardson to issue a Purchase Order for the purchase of four (4) Police Tahoe's for the Police Department. These will be budgeted in the next fiscal year and will be delivered and paid for around December. The cost for each unit will not exceed \$36,000.00 per vehicle. We will still have to budget for equipping each unit.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

PURCHASING/PUBLIC WORKS/STREETS DEPARTMENT

Re: Issue a Purchase Order for the Purchase of 2 tractors that will be purchased during the next fiscal year

Alderman Ricahrdsn moved, seconded by Alderman Piazza to TABLE to ~~issue~~ a Purchase Order for the purchase of two (2) tractors with implement for the Streets Department. These will be budgeted in the next fiscal year and will be delivered and paid for around November. The cost for each unit will not exceed \$131,000.00 per tractor and equipment.

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A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

SOFTWARE/HARDWARE/AGREEMENTS/PUBLIC WORKS/UTILITIES/STREET DEPARTMENT

Re: Accept a Proposal from BBI for new Card Swipe time Management and Collection

Alderman Burke moved, seconded by Alderman Lafontaine to accept a proposal from BBI, Inc. to provide new software and hardware for time management and collection in Public Works. This will provide swipe cards to punch in and out and provide for a more accurate recording of time. The cost will be \$2,310.00 for product and labor. **(EXHIBIT F)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

PURCHASING/PUBLIC WORKS/UTILITY DEPARTMENT/STREETS DEPARTMENT

Re: Purchase new equipment

Alderman Piazza moved, seconded by Alderman Burke to purchase the following equipment using sales tax funds collected above budgeted revenues. We are currently working with the City's new auditor to bring a budget amendment to the Mayor and Board of Alderman at the August 18th meeting.

- a. New Crane Truck not to exceed \$80,000.00 – 3 Quotes
- b. Used 1-Ton dump truck \$40,000.00 - 2 Quotes
- c. New Mini Excavator \$40,000.00
- d. New Bobcat (type) walk behind \$40,000.00

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

CONTRACTS/LOBBYISTS

**Re: Contract with Tammra Cascio and Cascio Sanford Government Law Group LLC.
(Not approved)**

Alderman Burke moved, seconded by Alderman Piazza to approve the renewal of a current contract with Tammra Cascio, and Cascio Sanford Government Law Group PLLC.

A vote was called for with the following results:

Voting Yea: Burke

Voting Nay: Richardson, Lafontaine and Piazza

Absent: None

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ATTORNEY'S COMMENTS/REQUESTS FOR PROPOSALS
Re: Commercial Lease Agreement, Ground Zero Museum

Alderman Burke moved, seconded by Alderman Lafontaine to advertise for Requests for Proposals for the Commercial Lease Agreement for Kitchen and Auditorium Space at the Civic Center/Ground Zero Museum.

A vote was called for with the following results:

Voting Yea: Burke, Lafontaine and Piazza

Voting Nay: Richardson

Absent: None

~~Motion to approve the demolition of the property commonly known as 4028 Volga St. or Parcel No. 138M-0-33-391.000 by Morreale Construction as the low quote in the amount of \$6,500.00. Also included in the motion, for the city to impose the administrative fees to the extent the law allows. We received 3 qualifying bids. (Tabled per Attorney)~~

~~Motion to approve the demolition of the property commonly known as 822 Villere St. or Parcel No. 162G-0-03-258.000 by Morreale Construction as the low quote in the amount of \$1,800.00. Also included in the motion, for the city to impose the administrative fees to the extent the law allows. We received 3 qualifying bids. (Tabled per Attorney)~~

EXECUTIVE SESSION

Re: Executive Session Probable Litigation and Personnel Issues

Alderman Lafontaine moved, seconded by Alderman Piazza to enter a closed session to discuss Gulf Shores Properties, Oak Park Apartments, personnel in the Public Works Department, and personnel in Fire Department.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: Enter Executive Session

Alderman Lafontaine moved, seconded by Alderman Burke to follow the recommendation of the City Attorney to discuss prospective litigation which may compromise the City's to discuss strategy sessions for prospective litigation regarding the Gulf Shores Properties, Oak Park Apartment and a Personnel Matter in the Public Works Department and a Personnel Matter in the Fire Department.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

PUBLIC WORKS

Re: Hire Mr. Dwight Haskell as a Consultant

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Alderman Lafaontaine moved, seconded by Alderman Richardson to approve hiring Mr. Dwight Haskell as a consultant at a rate of \$50.00 per hour, not to exceed 10 hours per pay period.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

Re: Exit Executive Session

Alderman Piazza moved, seconded by Alderman Burke to come out of executive session.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

FIRE DEPARTMENT/PERSONNEL

Re: Accept Resignation/Retirement of Fire Chief Tony Mallini and move Assistant Chief into Chiefs position on an interim basis

Alderman Lafontaine moved, seconded by Alderman Piazza to accept the resignation of the Fire Chief Tony Mallini, effective August 9, 2021, and move the Assitant Fire Chief into the Chief's position as an interim (30 days) position, effective immediately.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

ADJOURN

Re: Adjourn the meeting at p.m.

Alderman Burke moved, seconded by Alderman Lafontaine to adjourn the meeting at p.m.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Smith on August 19th, 2021.

James M. Lagasse
City Clerk

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The Minutes of the Regular Meeting of August 3, 2021 have been read and approved by me on this, the 19th day of August.

Mike Smith
Mayor

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