

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Waveland City Hall Board Room 301 Coleman Avenue, Waveland, MS. on January 6, 2015 at 6:30 p.m. to take action on the following matters of City business.

PUBLIC COMMENTS:

Re: Ms. Debbie Smith discussed various issues with the Police Department and thanked the Board for asking questions during the Board Meetings. Ms. Smith asked the Board if they would consider having the meetings broadcast on the radio.

Re: Mr. Alfred Harris commented that the City has financially recovered and this Board needs to help move us forward. He requested the current Board find funds to place more sidewalks throughout Waveland to provide safe pathways for the school children that are on the road waiting for school busses. He said he researched some grants and saw that there was a grant available through MDOT that would provide 5 miles of sidewalks around every school. Alderman Lafontaine requested that the Mayor contact Gulf Regional Planning Commission about this. Mr. Anderson said the City already has a plan for sidewalks ready to put in place; they were just waiting for improvements in Audit results so that the City could request match funds via MDOT through Gulf Regional Planning. He added that this plan would cover the four major thoroughfares throughout the City. Aldermen requested a copy of this sidewalk plan. Mr. Anderson informed Board members that Mr. Mickey Lagasse, our Compton Engineering representative sits on the Board of Gulf Regional Planning Commission.

ROLL CALL

Mayor Smith noted for the record the presence of Aldermen Burke, Richardson, Lafontaine and Piazza, along with City Clerk Lisa Planchard and City Attorney Rachel P. Yarborough.

MAYOR'S REPORT/AMEND AGENDA/PERSONNEL/UTILITY DEPARTMENT/PUBLIC WORKS/STREETS

Re: Amend Agenda for Departmental Transfers and New Hire

Alderman Burke moved, seconded by Alderman Lafontaine to amend the agenda for the following employment department transfers/hires:

1. Transfer Eugene Thomas from Utilities laborer to dedicated Meter Reader in Utility Office at \$11.50/hour (to replace Michael 'Sarge' Washington resigning)
2. Transfer Darryl Antoine from Streets to Utility laborer employee at \$11.24/hour (to replace Eugene Thomas)
3. Hire Mr. Brad Esteve (Streets Department) at \$10.00/hour as budgeted pending passage of drug test (to replace Mr. Darryl Antoine).

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

Re: Transfer Mr. Eugene Thomas from Utilities Laborer to dedicated Meter Reader, Transfer Mr. Darryl Antoine from Streets to Utility Laborer, New Hire Mr. Brad Esteve for Streets

Alderman Lafontaine moved, seconded by Alderman Burke to approve the following employment department transfers/hires:

1. Transfer Eugene Thomas from Utilities laborer to dedicated Meter Reader in Utility Office at \$11.50/hour (to replace Michael 'Sarge' Washington resigning)
2. Transfer Darryl Antoine from Streets to Utility laborer employee at \$11.24/hour (to replace Eugene Thomas)
3. Hire Mr. Brad Esteve (Streets Department) at \$10.00/hour as budgeted pending passage of drug test (to replace Mr. Darryl Antoine).

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

PLANNING AND ZONING

Re: Amend Agenda to include the Minutes of Planning and Zoning

Alderman Piazza moved, seconded by Alderman Lafontaine to amend the agenda to consider the Planning & Zoning Minutes for approval.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

Re: Jim and Jolinda Reghi, 403 Wainwright Street (EXHIBIT A)

Jim and Jolinda Reghi appeared before the commission with a request for variance from the required side yard setback in order to construct an addition on their house which is existing in non-compliance. The existing house has a setback of four feet six inches on the west side of their property. The applicant's addition would extend the length by fourteen feet four inches on the west side and the width of their addition would be twenty two feet one inch. The property is located at 403 Wainwright Street. Legal description: Pt. N ½ of lot 8; pt. NE ¼ of SE ¼, Section 34-8-14, City of Waveland, Hancock County, Mississippi.

Clarence Harris moved, seconded by Charlotte Watson to recommend that the Board of Mayor and Aldermen approve the request as submitted provided that all applicable building, floodplain and zoning codes and ordinances are met.

Alderman Richardson moved, seconded by Alderman Burke 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, and Piazza

Voting Nay: None

Absent: None

CITY ATTORNEY'S COMMENTS: POLICE STATION/GARFIELD LADNER PIER/MEDIATION/CONTRACTS/PIER/AMEND AGENDA

Re: Request to Amend the Agenda to add an Executive Session regarding Pending Litigation Police Department Building and Pier and Approve Attorney Gary Yarborough to enter into a contract for Mediation Regarding Pier Litigation

Attorney Rachel Yarborough requested of the Board to amend the agenda to add Executive Session regarding pending litigation for the Police Department Building and the Garfield Ladner Pier and to add a motion to approve Gary Yarborough to enter into a contract for mediation with Larry Latham in regards to the Garfield Ladner Pier Litigation.

Alderman Lafontaine moved, seconded by Alderman Burke to amend the agenda to add Executive Session regarding pending litigation for the Police Department Building and the Garfield Ladner Pier and to add a second motion to approve Gary Yarborough to enter into a contract for mediation with Larry Latham in regards to the Garfield Ladner Pier Litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

ALDERMEN'S COMMENTS

Re: Alderman Burke

- Discussed speeding issues on Jeff Davis Street, other main corridors and residential streets throughout the City of Waveland. He noted that more Police officers to enforce the law and more sidewalks would help this, but we currently have neither. He requested that more stop signs be placed throughout the city to deter speeding; he said it will be inconvenient, but that is the point of the signs... to slow drivers down.
- Requested setting a workshop for Strategic Project Planning.

Re: Alderman Richardson

- Wished everyone a Happy New Year.
- Thanked Brent Anderson for showing him around and employee Richard Thompson for his assistance during a recent sewerage problem of a constituent in his ward.

Re: Alderman Lafontaine

- Discussed authorizing Delta Computers to re-write the software so the docket would show budget amounts and percent/expenditures to date.
- Discussed Agenda Item #20 having a contingency of \$442,000+ related to the Close-Out of Civic Center, Library, Fire Station on Coleman Avenue and Coleman Avenue Street Improvements Project. Inquired about moving the leftover funds from this project to make repairs to the old Fire Station Building on Gulfside Drive for Public Works Staff. Mr. Anderson said we could not use that; the City would have to reapply for another grant for the repairs, but you can't go outside the scope of work on the original project. Attorney Gary Yarborough stood and addressed the Board saying the city would have to request through Steve Hardin (there are two separate pots of money) and John Mabry that they manage separate funds and have the funds reapplied. You would have to ask before it is deobligated.

PURCHASING/CITY HALL/DOCKET OF CLAIMS/SOFTWARE UPDATE

Re: Amend Agenda to Approve Delta Computers Write a Custom Software Program to Provide Additional information on the Docket of Claims

Alderman Richardson moved, seconded by Alderman Lafontaine to amend the agenda to approve Delta Software to write a custom software program to change the format of the Docket of Claims at a cost not to exceed \$2,000; a written firm quote shall be obtained before this is done.

During discussion, Mayor Smith mentioned that the City Clerk's budget does not have this included currently. Alderman Lafontaine said "For the amount of time and for you to be able to look at it and see where each line item stands budget wise, I would say take \$1,500 or \$2,000 out of cash reserves to do it myself." Mayor Smith said he saw where this would be important.

A vote was called for with the following results:

Voting Yea: Richardson, Lafontaine, and Piazza

Voting Nay: Burke

Absent: None

Re: Delta Computers to Write a Software Program to Provide Additional information on the Docket of Claims

Alderman Richardson moved, seconded by Alderman Lafontaine to approve Delta Software to write a custom software program to change the format of the Docket of Claims at a cost not to exceed \$2,000; a written firm quote shall be obtained before this is done.

A vote was called for with the following results:

Voting Yea: Richardson, Lafontaine, and Piazza

Voting Nay: Burke

Absent: None

ALDERMEN'S COMMENTS (CONT.)

Alderman Piazza

- Requested Mr. Anderson obtain quotes to repair the *Dura Patcher*. Mr. Anderson said he would do that. Alderman Piazza said that the machine sitting idle is just 'not cutting it'; it cost a lot of money and the City needs to use it.

DOCKET OF CLAIMS

Re: Claims dated 1/6/15

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the Docket of Claims dated January 6, 2015 as submitted and recuse Alderman Piazza from the payroll portion of the docket related to Maconnelly Piazza.

(EXHIBIT B)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

RSVP

Re: Claims

Alderman Piazza moved, seconded by Alderman Burke to approve the RSVP Claims as submitted.

(EXHIBIT C)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

MINUTES

Re: Minutes of Reconvened Meeting of December 10, 2014

Alderman Lafontaine moved, seconded by Alderman Burke to approve the Reconvened Meeting of December 10, 2014 (Related to recessed meeting of 12/4/2014) as presented.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

PARADES/EVENTS

Re: The Krewe of Nereids to present their Annual Mardi Gras Parade

Alderman Piazza, moved, seconded by Alderman Burke to approve a request from the Krewe of Nereids to present its annual Mardi Gras Parade on Sunday, February 8, 2015 using the same route as the prior year.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

PURCHASING/OFFICE OF THE STATE AUDITOR/AUDITOR

Re: Adopt the Mississippi Office of the State Auditor Purchase Law Summary

Alderman Lafontaine moved, seconded by Alderman Burke to adopt the Mississippi Office of the State Auditor Purchase Law Summary, with criteria as set forth in MS Code Section title 31, Chapter 7.
(EXHIBIT D)

Note: This will do away with the self-imposed bid limit threshold of \$15,000 set by the former Board and follow MS. Code Section as written.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

PUBLIC WORKS/UTILITIES/MEMBERSHIP/WATER AND POLLUTION CONTROL OPERATORS

Re: Renewal of Membership with MS. Water & Pollution Control Operators Association, Inc.

Alderman Piazza moved, seconded by Alderman Richardson to approve renewal membership payment of \$100.00 for Brent Anderson's membership in the Mississippi Water & Pollution Control Operators' Association, Inc. (MWPCOA). **(EXHIBIT E)**

During discussion, Alderman Piazza asked Mr. Anderson if he was attending any classes for this. Mr. Anderson said, "No".

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

PERSONNEL/MEMBERSHIPS/SOCIETY FOR HUMAN RESOURCE MANAGEMENT

Re: Membership fee with the Society for Human Resource Management for Personnel Director

Alderman Lafontaine moved, seconded by Alderman Piazza to approve Membership fee in the amount of \$190.00 with Society for Human Resource Management (SHRM) which will provide tools and education related to Human Resources to assist Ms. April Chevis, HR Director in her job duties.
(EXHIBIT F)

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

POLICE DEPARTMENT/TRAINING/TRAVEL

Re: Officer Erik Castro's Attendance at the Police Academy for Classes

Alderman Lafontaine moved, seconded by Alderman Piazza to approve Officer Erik Castro's attendance at the Harrison County Law Enforcement Academy January 8th thru March 18th, 2015. Officer Castro will not need to be present the entire time; he will attend the required classes as they are presented to the full-time Academy Students. Cost to the City will be \$900 which will be reimbursed by the State upon completion of his training. He will be using a City vehicle to travel to and from.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

POLICE DEPARTMENT/PERSONNEL

Re: Promote Officers Prendergast, Storey, Richardson and Castro to the rank of Sergeant

Alderman Lafontaine moved, seconded by Alderman Burke to approve the following Police personnel promotions to Sergeant and a pay increase of .50 cents per hour, effective January 7, 2015 being listed: (Items a-d) (Tabled from the December 17, 2014 meeting).

- a. Officer Mike Prendergast
- b. Officer Ronald Storey
- c. Officer Jody Richardson
- d. Officer Erik Castro

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

DEPOSITORY ACCOUNT/HAZARDOUS MITIGATION GRANT PROGRAM (HMGP)/KAPPA DEVELOPMENT/DRAINAGE IMPROVEMENTS PROJECT/ BUDGET/ NOTES

Re: Authorize Transfer of Additional Funds from HMGP Anticipation Note to the Depository Bank Account for Drainage Improvements Project

Alderman Lafontaine moved, seconded by Alderman Burke to transfer additional funds from the HMGP Anticipation Note in the amount of \$150,000 to the Depository Bank Account to pay anticipated construction draws on the HMGP Drainage Project 1604-0420 thru December 15, 2015. This corresponds with Agenda Item No. 19d (Payment Application No. 1 from Kappa Development)

City Clerk Planchard noted that the Board had approved, on November 19, 2014, to transfer \$350,000 to be transferred, but since this first invoice came in at almost \$500,000, this created the need for an additional \$150,000 transfer.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

LEGAL DEPARTMENT/CITY HALL-CITY HALL ANNEX/FIRE STATION ON COLEMAN AVENUE/BDA, PLLC/CONTRACTS/AGREEMENTS

Re: Discussion: City Attorney Rachel Yarborough presented the details surrounding Mr. Bolton's Request to Transfer the Contract from BDA, PLLC to Walter T. Bolton Associates, AIA

Mrs. Yarborough provided a brief history on the issue. She said Mr. Bolton contacted Mr. Chuck Beerman with MDA and requested to determine the appropriateness to transfer the contract from BDA, PLLC to Walter T. Bolton Associates, AIA. She said Mr. Beerman, MDA responded to former City Attorney Gary Yarborough that MDA would defer to the City Attorney to make a determination if the contract permitted a transfer assignment. The decision as to the propriety of making the transfer assignment would rest in the hands of the City as long as such did not delay or hamper the project. MDA would need proper documentation in the file to include a letter from the City Attorney, or other opinion, that the transfer was appropriate under the terms of the Contract, and the approval to do so from the appropriate authority of the City if the decision were made to transfer. Mrs. Yarborough said Mr. Bolton then submitted a letter to the City which we addressed at the last meeting requesting a transfer of the contract. Mrs. Yarborough said that the term Mr. Bolton keeps using in speaking is "an assignment", which is allowed by the contract if both parties agree in writing to assign the contract, which basically is telling the owner under the contract (which would be the City) to make those payments to a third party. She said that what Mr. Bolton is asking for is basically a waiver of all prior liability and to assess it to a new third party, which is not under the contract that he or his business entered into allowable. She said there is some discord between his request and what he has requested in writing. Mrs. Yarborough said it is her opinion that a novation of the contract, which would be the transfer, is not allowed by the terms of the original contract, and she didn't believe it would be beneficial to the City to allow this to occur. She said there may be issues with de-obligating payments that have already been made.

INVOICES/BEACH FACILITY IMPROVEMENTS PROJECT/VETERANS MEMORIAL/GARFIELD LADNER MEMORIAL PIER PROJECT/PIER/CITY WIDE PAVING PROJECT/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/EAST JEFF DAVIS SEWER SYSTEM IMPROVEMENTS PROJECT/JEFF DAVIS CONNECTOR SEWER AND PAVING PROJECT/GULFSIDE SEWER AND PAVING PROJECT/JEFF DAVIS AVENUE AND GULFSIDE STREET SEWER IMPROVEMENTS PROJECT

Re: Payment of Invoices to Various Contractors

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the following invoices submitted by various contractors and recommended to be placed in line for payment consideration contingent upon receiving funding from grant sources, and listed (Items a-h): **(EXHIBIT G)**

- a) Invoice 213-016-21 from Compton Engineering in the amount of \$4,050.00 – Beach Facility Improvements Project (Veterans Memorial)
- b) Invoice 213-017-21 from Compton Engineering in the amount of \$998.00 – Garfield Ladner Pier Repairs Project.
- c) Invoice 213-061-18 from Compton Engineering in the amount of \$2,000.00 – City Wide Paving Project.
- d) Pay Application No. 1 from Kappa Development in the amount of \$478,860.34 – Citywide Drainage Improvements Project.
- e) Invoice 702-37-17A from Digital Engineering in the amount of \$1,166.90 – East Jeff Davis Sewer System Improvements Project.
- f) Invoice 702-38-17A from Digital Engineering in the amount of \$5,438.24 – Jeff Davis Connector Sewer and Paving Project.
- g) Invoice 702-39-11A from Digital Engineering in the amount of \$7,779.28 – Gulfside Sewer and Paving Project.
- h) Payment Request No. 10 from Hensley R. Lee Contracting, Inc. in the amount of \$120,992.47 – Jeff Davis Avenue and Gulfside Street Sewer Improvements Project.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

PLANNING AND ZONING/UTILITY DEPARTMENT/REQUEST FOR CASH REIMBURSEMENTS/CIVIC CENTER/LIBRARY/FIRE STATION COLEMAN AVENUE/COLEMAN AVENUE STREET IMPROVEMENTS PROJECT/JEFF DAVIS CONNECTOR PROJECT/EAST JEFF DAVIS SEWER IMPROVEMENTS PROJECT/GULFSIDE SEWER IMPROVEMENTS AND PAVING PROJECT/WEST JEFF DAVIS SEWER IMPROVEMENTS PROJECT/REQUEST FOR QUALIFICATIONS/CITYWIDE DRAINAGE IMPROVEMENTS PROJECT/CIVIL SERVICE BOARD/HANCOCK COUNTY TOURISM BOARD/HANCOCK COUNTY UTILITY AUTHORITY/VENDOR/AMEC

Spread on the minutes the minutes the following as listed, (Items a-h):

- a) The resignation of Tish Ortiz, Ward 4 representative, from the Planning and Zoning Board, effective December 31, 2014.
- b) The resignation of Michael “Sarge” Washington as Meter Reader, effective January 9, 2015.
- c) The following Requests for Cash Reimbursements:
 1. #66, Contract No. R-103-379-01-KCR in the amount of \$38,002.97 – Civic Center, Library, Fire Station Coleman Avenue and Coleman Avenue Street Improvements Project. **(EXHIBIT H)**
 2. RFC #15 in the amount of \$7,752.27 – Jeff Davis Connector Project. **(EXHIBIT I)**
 3. RFC #16 in the amount of \$36,241.47 - Jeff Davis Connector Project. **(EXHIBIT J)**
 4. RFC #14 in the amount of \$224,018.65 – East Jeff Davis Sewer Improvements Project. **(EXHIBIT K)**
 5. RFC #12 in the amount of \$4,785.77 –Gulfside Sewer Improvements and Paving Project. **(EXHIBIT L)**
 6. RFC #13 in the amount of \$29,349.31 - Gulfside Sewer Improvements and Paving Project. **(EXHIBIT M)**
 7. RFC #15 in the amount of \$24,874.46 – West Jeff Davis Sewer Improvements Project. **(EXHIBIT N)**
 8. RFC #16 in the amount of \$52,349.36 – West Jeff Davis Sewer Improvements Project. **(EXHIBIT O)**
- d) Request for Qualifications for Professional Engineering/Geotechnical Services for the Citywide Drainage Project were opened prior to the meeting and taken under advisement.
- e) The following Civil Service Appointments in accordance with Ordinance No. 251, 4 year terms to coincide with Board of Mayor and Aldermen.
 9. Al Kingston - Mayor’s Appointment
 10. Joshua Holmes – Ward 1
 11. Myra Sager – Ward 2
 12. Buddy Bourn – Ward 3
 13. Thomas Hawkins – Ward 4
- f) The following appointment by Mayor Mike Smith, namely Mr. Larone Lewis, as the City of Waveland’s representative to the Hancock County Tourism Board.
- g) The following appointments by Mayor Mike Smith to the Hancock County Utility Authority:
 1. Mayor Mike Smith and Alderman Shane Lafontaine
- h) Vendor name change: AMEC Environment & Infrastructure, Inc. to Amec Foster Wheeler Environment & Infrastructure, Inc. effective 1/1/15. **(EXHIBIT P)**

**BUDGET MODIFICATIONS/CIVIC CENTER/LIBRARY/FIRE STATION COLEMAN AVENUE/COLEMAN AVENUE STREET IMPROVEMENTS PROJECT
Re: Budget Modification No. 16 for Civic Center, Fire Station-Coleman Avenue and Coleman Avenue Street Improvements Project**

Alderman Burke moved, seconded by Alderman Piazza to approve Budget Modification No. 16, Contract Number R-103-379-01-KCR, for the Civic Center, Library, Fire Station Coleman Avenue and Coleman Avenue Street Improvements Project. **(EXHIBIT Q)**

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Personnel Issues in City Hall, Police Department and Fire Department

Alderman Burke moved, seconded by Alderman Richardson to consider Executive Session to prompt a closed discussion regarding personnel issues in City Hall, Police & Fire Departments.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

Alderman Lafontaine moved, seconded by Alderman Burke to exit preliminary Executive Session with the finding that the discussion did not qualify for Executive Session.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

AMEND AGENDA/CITY HALL

Re: Amend Agenda to Set Salaries for Elected Officials, City Attorney, City Clerk and Fire and Police Chief

Alderman Richardson moved, seconded by Alderman Lafontaine to amend the agenda to set salaries for Mayor, Aldermen, Mayor Pro-Tem, City Clerk, Fire Chief, Police Chief and City Attorney.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

Re: Set Mayor's Salary at \$72,000 per year

Alderman Lafontaine moved, seconded by Alderman Richardson to approve the Mayor's salary at \$72,000.00 annually.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

Re: Set Aldermen's Salary at \$15,600.00 Annually

Alderman Richardson moved, seconded by Alderman Piazza to set the salaries of the Aldermen at \$15,600.00 annually.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

Re: Set the Mayor Pro-Tem's Salary at \$18,000.00 Annually

Alderman Richardson moved, seconded by Alderman Piazza to set the Salary of the Mayor Pro-Tem at \$18,000.00 annually.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Abstain: Lafontaine

Voting Nay: None

Absent: None

Re: Set the City Clerk's Salary at \$67,000.00 Annually

Alderman Burke moved, seconded by Alderman Piazza to set the Salary of the City Clerk at \$67,000.00 annually.

During discussion, City Clerk Planchard said that she's gone five years without a raise and she came in five years ago, and at that time the City was broke and she recommended to the Board members at that time that they not even take a raise because the City was so broke. She said, "I feel like I did the honorable thing and I took no raise for 5 years so this is actually a 9 year raise for me; this will be spread out over 9 years because it's the first five plus the next 4 years." Mayor Smith said, "Yes, your salary is like ours in the fact that it can only be set one time over the 4 years." Ms. Planchard added that traditionally she had always made what the Mayor made up until four years ago because of the level of responsibility and liability that she carries with the City and the level of supervision that she provides to the departments.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: Lafontaine

Absent: None

Re: Set the Salary of the Fire Chief at \$53,694.00 Annually

Alderman Piazza moved, seconded by Alderman Burke to approve the salary of the Fire Chief at \$53,694.00 annually.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: Lafontaine

Absent: None

Re: Set the Salary of the Police Chief at \$53,694.00 Annually

Alderman Burke moved, seconded by Alderman Piazza to approve the salary of the Fire Chief at \$53,694.00 annually.

During discussion, Alderman Burke said that his ultimate goal is not just to set these salaries mandated by Charter for the next four years, but to raise salaries across the board. He said his goal is to reward the employees because the best asset that a City has is its employees. Mayor Smith said he was part of the 2011 pay cut and the employees that we have now stayed with us throughout that and so, this is rewarding them, and saying thank you for doing that. In all honesty for the most part, City employees haven't gotten a raise in seven years. He said that is what he's looking at; he would love to give everyone a raise today, but budget time is coming. Alderman Piazza added that the majority of the employees that were furloughed returned when they were called in; and he said you really have to look at that and appreciate it too. Alderman Lafontaine said that on fiscal year 2014's budget, insurance went up 27% and this year we had to budget 30% increase for the health insurance increase, so that ate up pay raises across the board.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, and Piazza

Voting Nay: Lafontaine

Absent: None

Re: Set the Salary of the City Attorney at \$38,000.00 Annually

Alderman Burke moved, seconded by Alderman Piazza to set the salary of the City Attorney at \$38,000.00 annually.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

GARFIELD LADNER MEMORIAL PIER REPAIRS PROJECT/PIER/LEGAL DEPARTMENT/MEDIATION CONTRACT/CONTRACTS

Re: Authorize Attorney Gary Yarborough to enter into Mediation Contract with Larry Latham

Alderman moved, seconded by Alderman to authorize Attorney Gary Yarborough to enter Mediation Contract with Larry Latham regarding the Garfield Ladner Memorial Pier litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Potential Litigation, Police Station Building and the Garfield Ladner Memorial Pier

Alderman Burke moved, seconded by Alderman Piazza to consider entering Executive Session to discuss pending litigation regarding the Police Department Building and the Garfield Ladner Memorial Pier litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

Alderman Burke moved, seconded by Alderman Piazza to enter Executive Session to discuss pending litigation regarding the Police Department Building and the Garfield Ladner Memorial Pier litigation.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**GARFIELD LADNER MEMORIAL PIER/PIER/CONTRACTS/SETTLEMENT/MALOUF
CONSTRUCTION/LEGAL DEPARTMENT**

Re: Settlement Agreement and General Release with Malouf Construction/Final Closeout Change Order to Amend Total Contract Price to \$3,617,284.04 & Modify Time for Contract Performance to April 8, 2010 and Final Invoice from Malouf

Alderman Lafontaine moved, seconded by Alderman Burke to approve (1) the Settlement Agreement and General Release with Malouf Construction, LLC, (2) the Final Closeout Change Order to amend the total contract price to \$3,617,284.04, agree that final payments to Malouf are made and (3) modify the time for contract performance to April 8, 2010, and the final invoice from Malouf. Within that invoice approval, the City reduces the amount it paid to Malouf on the project on line items as follows: (1) Concerning the Restroom: 8.11 Doors from \$6,406.50 to \$3,556.54; 8.15 Building Plumbing Rough-In from \$9,400.00 to \$-0-; 8.16 Building Plumbing Fixtures from \$7,600.00 to \$-0-; 8.17 Building Plumbing Trim-Out from \$11,850.00 to \$-0-; 8.19 Electrical Rough-In from \$825.00 to \$-0-; 8.2 Electrical Panels & Equipment from \$4,592.00 to \$-0-; and 8.21 Electrical Wire and Devices from \$1,649.50 to \$-0-; (2) Concerning the Bait Shop: 8.38 Wall Framing from \$7,020.00 to \$-0-; 8.47 Building Plumbing Rough-In from \$6,851.00 to \$-0-; 8.48 Building Plumbing Fixtures from \$3,154.00 to \$-0-; 8.49 Building Plumbing Trim-Out from \$5,595.00 to \$-0-; 8.5 Building Wall AC Units from \$8,364.00 to \$-0-; 8.51 Pier Plumbing from \$51,859.00 to \$-0-; 8.52 Electrical Rough-In from \$825.00 to \$-0-; 8.53 Electrical Panels & Equipment from \$15,892.00 to \$-0-; and 8.55 Electrical Wire and Devices from \$1,649.50 to \$-0-; (3) for Item 18 Phone Services Connections from \$30,000.00 to \$-0-; and (4) for Item 4B.03 16" Precast Poles from \$82,602.00 to \$62,194.09. This approval also accepts Malouf's request for days, modifies the time for performance to April 8, 2010, and holds that no liquidated damages are assessed as substantial completion was approved on that date.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

EXIT EXECUTIVE SESSION

Alderman Burke moved, seconded by Alderman Richardson to exit Executive Session with action taken.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**GARFIELD LADNER MEMORIAL PIER/PIER/CONTRACTS/LEGAL DEPARTMENT/
MALOUF CONSTRUCTION/FEMA/PROJECT WORKSHEETS-KATRINA
Re: Amend Agenda to Authorize Attorney Gary Yarborough to Submit all Motions and Orders
Necessary to Complete Mutual Dismissals**

Alderman Lafontaine moved, seconded by Alderman Burke to amend the agenda to authorize Gary Yarborough, Jr. to submit all motions and orders necessary to complete the mutual dismissals with prejudice among Waveland, Malouf Construction, LLC and Travelers Casualty & Surety Company of America in the pending action.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**Re: Authorize Attorney Gary Yarborough to Submit all Motions and Orders Necessary to
Complete Mutual Dismissals**

Alderman Lafontaine moved, seconded by Alderman Piazza to authorize Gary Yarborough, Jr. to submit all motions and orders necessary to complete the mutual dismissals with prejudice among Waveland, Malouf Construction, LLC and Travelers Casualty & Surety Company of America in the pending action.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**Re: Amend Agenda to Authorize City Clerk to Submit Project Worksheet on the Garfield Ladner
Memorial Pier as concerns Hurricane Katrina**

Alderman Lafontaine moved, seconded by Alderman Burke to amend agenda to authorize the City Clerk to submit the Project Worksheet on the Garfield Ladner Memorial Pier as concerns Hurricane Katrina to FEMA for project closeout.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

**Re: Authorize City Clerk to Submit Project Worksheet on the Garfield Ladner Memorial Pier as
concerns Hurricane Katrina**

Alderman Lafontaine moved, seconded by Alderman Piazza to authorize the City Clerk to submit the Project Worksheet on the Garfield Ladner Memorial Pier as concerns Hurricane Katrina to FEMA for project closeout.

A vote was called for with the following results:

Voting Yea: Burke, Richardson, Lafontaine, and Piazza

Voting Nay: None

Absent: None

ADJOURN

Re: Adjourn Meeting at 8:25 p.m.

Alderman Burke moved, seconded by Alderman Lafontaine to adjourn the meeting at 8:25 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 January 23, 2015.

Lisa Planchard
City Clerk

The Minutes of January 6, 2015 have been read and approved by me on this day the 23rd day of January 2015.

Mike Smith
Mayor

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