

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Waveland Civic Center, 335 Coleman Avenue, Waveland, MS. on July 18, 2012 at 6:30 p.m., to take action on the following matters of city business.

(Tape of meeting (in meeting folder) for listening available via records request)

ROLL CALL

Mayor Garcia noted for the record the presence of Aldermen Stahler, Geoffrey, Lafontaine and Kidd along with City Attorney Gary Yarborough and City Clerk Lisa Planchard.

MAYOR'S REPORT (EXHIBIT A)

- Waveland American Legion Post 77 Installation of Officers
- Congratulations to Local Artist – Scott Blackwell
- Restore Act 2012 Analysis (see Exhibit A)

PUBLIC COMMENTS/DONATION:

Ms. Lana Noonan, President of the Bay-Waveland Garden Club addressed Board members to present them with a check from the Elmhurst, Illinois Garden Club for \$5,952.23. This Garden Club came to the forefront after Hurricane Katrina and began fund raising to help Waveland recover with gardening/landscaping efforts. The Bay-Waveland Garden Club has held this money in safekeeping until now whereby it is being presented to the Board of Mayor and Aldermen to be restricted for the upkeep and embellishment of the landscaping at City Hall.

AMEND AGENDA/AGENDAS/DONATIONS/CITY HALL

Re: Amend Agenda to Accept Donation from the Elmhurst, IL. Garden Club as presented by the Bay-Waveland Garden Club

Alderman Lafontaine moved, seconded by Alderman Kidd to amend the agenda to accept a donation in the amount of \$5,952.23 from the Elmhurst, IL. Garden Club (as presented by Ms. Lana Noonan, President of the Bay-Waveland Garden Club) to be restricted for upkeep and embellishment of the landscaping at City Hall.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

Re: Accept Donation from the Elmhurst, IL. Garden Club as presented by the Bay-Waveland Garden Club

Alderman Geoffrey moved, seconded by Alderman Lafontaine to accept a donation in the amount of \$5,952.23 from the Elmhurst, IL. Garden Club (as presented by Ms. Lana Noonan, President of the Bay-Waveland Garden Club) to be restricted for upkeep and embellishment of the landscaping at City Hall. **(EXHIBIT B)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

ALDERMEN'S COMMENTS:

There were no comments by the Aldermen

COURT DEPARTMENT

Re: Court Clerk Paula Fayard submitted the monthly Court Department stats report to Board members including the status of court fines, collection rate and #'s of tickets written. **(EXHIBIT C)**

MINUTES

Re: Meeting of July 3, 2012

Alderman Lafontaine moved, seconded by Alderman Stahler to approve the Minutes of the Meeting of July 3, 2012 as submitted by the City Clerk. **(EXHIBIT D)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

DOCKET OF CLAIMS

Re: Claims Nos.

Alderman Kidd moved, seconded by Alderman Geoffrey to approve the Docket of Claims dated July 18, 2012 as submitted by the City Clerk. **(EXHIBIT E)**

001 Fund – 527 to 572

100 Fund – None

101 Fund – None

102 Fund – None

103 Fund – None

105 Fund – None

124 Fund – None

125 Fund – None

200 Fund – 4 to 4

400 Fund – 277 to 304

601 Fund - None

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine and Kidd

Nay: None

Absent: None

RSVP

Re: Claims

Alderman Kidd moved, seconded by Alderman Geoffrey to approve the RSVP Claims as submitted by Mary Turcotte with RSVP. **(EXHIBIT F)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

CAFETERIA PLAN 2012-2013/INSURANCE/PERSONNEL/CONTRACTS

Re: Renew the 2012-2013 City of Waveland Cafeteria Plan

Alderman Lafontaine moved, seconded by Alderman Kidd to renew the 2012-2013 City of Waveland Cafeteria Plan and authorize signatures thereon, as presented by Ms. Kathy Jackson of Colonial Insurance. **(EXHIBIT G)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**RESOLUTIONS/GENERAL OBLIGATION BOND/FINANCE DEPARTMENT/
CONTRACTS**

**Re: Resolutions related to the refinance of the \$5.3 million dollar 2004 General
Obligation Bond issue**

Alderman Lafontaine moved, seconded by Alderman Stahler to approve the following Resolutions related to refinance of the \$5.3 million dollar 2004 General Obligation Bond issue as presented by Mr. Steve Pittman and Ms. Elizabeth Thomas of Government Consultants, Inc. (Items a-c): **(EXHIBIT H)**

- a. Authorizing the Employment of Professionals in Connection with the Issuance of not to exceed \$3,200,000 General Obligation Refunding Bonds 2012.
- b. Approving the Form of and Execution of a Private Placement Agreement for the Sale of General Obligation Refunding Bonds, Series 2012 through Duncan-Williams, Inc Memphis, Tennessee. (See Private Placement Agreement as Exhibited)
- c. Approve Authorizing and Directing the Issuance of General Obligation Refunding Bonds, Series 2012 of the City of Waveland, Mississippi.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**GENERAL OBLIGATION BOND/FINANCE DEPT/BUDGET/MISSISSIPPI
DEVELOPMENT BANK/HANCOCK BANK/RESOLUTIONS/CONTRACTS**

**Re: Mayor and City Clerk's signatures on the Advance Refunding Escrow
Agreement**

Alderman Lafontaine moved, seconded by Alderman Geoffrey to approve Mayor and City Clerk's signatures on the Advance Refunding Escrow Agreement between the Mississippi Development Bank and Hancock Bank, Gulfport, Mississippi as Trustee under the defined 2004 Indenture; related to the refinance of \$5.3 million 2004 General Obligation Bond issue. **(EXHIBIT I)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

GULF REGIONAL PLANNING COMMISSION/REDISTRICTING

Re: Mr. Ken Holland discussed Waveland Redistricting Requirements

INVOICES/HMGP/ DRAINAGE IMPROVEMENTS PROJECT

Re: Rescind approval of Invoice 00071035 presented for payment at the July 3, 2012 Meeting

Alderman Geoffrey moved, seconded by Alderman Stahler to rescind approval made June 20, 2012 of Invoice 00071035 from Pickering Firm, Inc. in the amount of \$36,421.00 – Drainage Infrastructure Design, Bidding and construction, HMGP Drainage Improvements Project No. DRO-1604-MS0420. \$36,421.00 is only the amount of Design services invoiced.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

Re: Approve Invoice 00071035 from Pickering Engineering Firm in the amount of \$90,992.50

Alderman Kidd moved, seconded by Alderman Geoffrey to approve Invoice 00071035 from Pickering Firm, Inc in the amount of \$90,992.50 - Drainage Infrastructure Design, Bidding and construction, HMGP Drainage Improvements Project No. DRO-1604-MS0420. This invoice is for services rendered through May 26, 2012 for \$36,421.00 of Design services, \$13,818.00 of Permitting services and \$40,753.50 of Surveying services; a total of \$90,992.50. **(EXHIBIT J)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

Re: Approve Invoice 00071300 from Pickering Firm, Inc in the amount of \$33,881.00

Alderman Kidd moved, seconded by Alderman Lafontaine to approve Invoice 0071300 from Pickering Firm, Inc. in the amount of \$33,881.00 – Drainage Infrastructure Design, Bidding and Construction (HMGP - Drainage Improvements Project). **(EXHIBIT K)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

PURCHASING/CITY HALL/BOARD ROOM/AUDIO RECORDING SYSTEM

Re: Waive self imposed limits on quotes for purchasing the City Hall Board Room Audio /Video System

Alderman Stahler moved, seconded by Alderman Geoffrey to waive self-imposed limitations on purchasing and apply the limitations of §31-7-13, Mississippi code (Ann.) for the following item as requested by City Clerk and Comptroller:

- a. Approve the written quote (2 quotes were obtained) from Helwick Pro Audio in the amount of \$41,306.36 for the City Hall Board room Audio

System, Audio Recording system, the Video System and the Multimedia Video Podium. Mr. Joe Tucker from Helwick Pro Audio was present to answer questions from the Board. **(EXHIBIT L)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**GENERAL FUND/FIRE PURPOSES FUND/INTERFUND TRANSFER/BUDGET
Re: Authorize Interfund Transfer from General Fund to Fire Purposes Fund**

Alderman Stahler moved, seconded by Alderman Geoffrey to authorize an interfund transfer of \$155,968.68 from General Fund to the Fire Purposes Fund, which represents the amount of legally restricted Insurance Rebate funds on hand at October 1, 2011, as requested by Comptroller Janet Dudding.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**HAZARD MITIGATION GRANT PROGRAM AGREEMENT/ MEMA/
WAVELAND ACQUISITION PROJECT
Re: HMGP Agreement/Contract – Waveland Acquisition Project**

Alderman Stahler moved, seconded by Alderman Lafontaine to **TABLE** the Hazard Mitigation Grant Program Agreement with MEMA in the amount of \$933,911.00 for the Waveland Acquisition Project; Project No: DR-1604-MS-340. (Tabled from the June 20, 2012 and July 3, 2012 Meetings). Note: Mayor sent correspondence to Mr. Robert Latham appealing final funds allotted for services; should have been 100% as in original application.

During discussion, Mayor Garcia said that Mr. Latham had not yet received this correspondence so he recommends tabling this issue until he can confirm Mr. Latham's receipt of the paperwork. The Mayor said he would call Mr. Latham before the next meeting to see if he has received it.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**CONTRACTS/HANCOCK UTILITY AUTHORITY
Re: Amendment to Wastewater Amended and Restated Service Contract regarding flow-based cost**

Alderman Stahler moved, seconded by Alderman Geoffrey to approve the Amendment to Wastewater Amended and Restated Service Contract with regard to flow-based cost. (as opposed to the current formula based cost) (Tabled from the June 20th and July 3, 2012 Meetings).

During discussion, Mayor Garcia said he is still not comfortable with the flow ratios and would like to take the City's rainfall statistics to the Wastewater Plant to compare with their statistics. Alderman Lafontaine will be accompanying Mayor Garcia to discuss this issue further with Mr. Pitalo.

Alderman Stahler moved, seconded by Alderman Geoffrey to **TABLE** the Amendment to the Wastewater Amended and Restated Service Contract with regard to flow-based cost. (as opposed to the current formula based cost) (Tabled from the June 20th and July 3, 2012 Meetings).

A vote to table was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

**DIGITAL ENGINEERING/WATER SYSTEM EXTENSION PROJECT/
CONTRACTS/AMENDMENTS**

Re: Water Extension Contract Amendment #3 presented by Digital Engineering

Alderman Geoffrey moved, seconded by Alderman Lafontaine to **TABLE** Water System Extension project proposed Amendment No. 3 by Digital Engineering. (Tabled from the June 20, 2012 meeting and discussed at the July 3, 2012 meeting)

Mayor Garcia told Board and audience members that he and the City Attorney have not heard from MDA (MS. Development Authority) as yet.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

***For the Record Alderman Lafontaine exited the room at this time.**

**POLICE DEPARTMENT/BIDS/SURPLUS PROPERTY/CAPITAL
ASSETS/SALE OF ASSETS**

Re: Mr. Edward J. Cook, III as Highest and Best Bid for Sale of Boat, Motor and Trailer

Alderman Geoffrey moved, seconded by Alderman Stahler to approve Edward J. Cook, III as the highest and best bid in the amount of \$18,100.00, submitted for the sale of one Ranger Boat and cover, Motor and Trailer, as previously advertised for. **(EXHIBIT M)**

A vote was called for with the following results:

Yea: Stahler, Geoffrey, and Kidd

Nay: None

Absent: Lafontaine

***For the Record Alderman Lafontaine returned to the room at this time.**

**CITY HALL/PERSONNEL/POLICE DEPARTMENT/COURT DEPARTMENT/
RSVP/UTILITIES/PUBLIC WORKS/ANIMAL CONTROL/ PLANNING AND
ZONING/FIRE DEPARTMENT/BUILDING DEPARTMENT**

Re: Updated Organizational Chart

Spread on the minutes the following:

- a. Organizational Chart as updated and presented by Mayor David A. Garcia, and with review and approval by City Attorney Gary Yarborough.
(EXHIBIT N)

ANIMAL CONTROL/POLICE DEPARTMENT/PERSONNEL

Re: Hire Mr. Jonathan Paulk for the Position of Animal Control Officer

Alderman Geoffrey moved, seconded by Alderman Lafontaine to approve hiring Mr. Jonathan Paulk for the position of Animal Control Officer as recommended by Police Chief Kenny Hurt at \$9.60 per hour, pending passage of drug test.

A vote was called for with the following results:

Yea: Stahler, Geoffrey, Lafontaine, and Kidd

Nay: None

Absent: None

EXECUTIVE SESSION

Re: Potential Litigation – Sewer North Project

Alderman Lafontaine moved, seconded by Alderman Kidd to consider going into Executive Session to discuss potential litigation related to the Sewer North Project.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

Alderman Kidd moved, seconded by Alderman Geoffrey to go into Executive Session to discuss potential litigation related to the Sewer North Project.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

EXECUTIVE SESSION

Re: Come out of session

With no positive or negative action taken, Alderman Lafontaine moved seconded by Alderman Kidd to come out of Executive Session.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

ADJOURN

Re: Adjourn meeting at 8:39 p.m.

Alderman Geoffrey moved, seconded by Alderman Lafontaine to adjourn the meeting at 8:39 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Lafontaine and Kidd

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Garcia on August 10, 2012.

Lisa Planchard
City Clerk

The Minutes of July 18, 2012 have been read and approved by me on this day the 10th day of August, 2012.

David A. Garcia
Mayor

This
Area

Left
Blank

Intentionally