

The Board of Mayor and Aldermen of the City of Waveland, Mississippi, met in regular session at the Leo Seal Community Center at 527 Highway 90, Waveland on September 1, 2009 at 6:30 p.m., to take action on matters of city business.

Present at the meeting Aldermen Stahler, Geoffrey, Schmitt and Piazza.

Also present was Attorney Zach Butterworth and Acting City Clerk Maureen Bordelon.

Court Reporter Transcribed Minutes Exhibit A

MAYOR'S REPORT

Re: Mayor recognized Dr. Sherry Ponder of the Bay/Waveland School Board

See Exhibit A

ALDERMEN'S COMMENTS

Re: Alderman Stahler complimented the City on the Groundbreakings

Re: Alderman Geoffrey questioned the start dates for the new signs

Re: Alderman Piazza asked for an update on the new grocery store

PUBLIC WORKS

Re: Public Works Administrator, Dwight Haskell presented the Annual Review of Water Rates

INCUBATOR

Re: Mr. Charlie D'Agastino with Developmental Consulting Services, Inc presented before the Board with the Business Plan for the Waveland Business Incubator

Re: Business Plan for the Waveland Business Incubator

Spread on the minutes the acceptance from O.C., Inc Business Plan for the Waveland Business Incubator to adopt as a guideline.

PLANNING AND ZONING (EXHIBIT A)

Re: Knock Knock, Inc/Michael Veglia, 720 Highway 90

Knock Knock, Inc./ Michael Veglia appeared before the commission with a tabled request for a variance of four feet greater than the maximum sign height in order to erect a 16 foot high sign on his property located at 720 Highway 90. Legal description: Part of lots 7 & 8 N. of Gainsville LE Rd., Corner of Hwy 90 & Kiln Waveland Rd., City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Mary Beth Denning to recommend that the City of Waveland approve the requested sign height variance as submitted.

Alderman Geoffrey moved, seconded by Alderman Piazza to follow the recommendation of the Planning and Zoning Board and approve the request as submitted.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

Re: The City of Waveland, 628 Highway 90

The City of Waveland appeared before the commission with a request for a special exception in order to operate a temporary farmers' market located at 628 Highway 90. Legal description: Part SE ¼ - NE ¼ , Section 33-8-14, City of Waveland, Hancock County, Mississippi.

Steve Hand moved seconded by Mary Beth Denning to recommend the Board of Mayor and Aldermen grant a Special Exception to the Waveland Farmers' Market to operate an open air market at 628 Highway 90 subject to the following time limit, conditions, and safeguards;

The special exception shall expire upon the availability of a suitable site for the Waveland Farmers' Market on Coleman Avenue on December 31, 2010, whichever comes first. Any request for an extension of the December 31, 2010 time limit must be received in time for consideration at the November 2010 meeting of the Planning & Zoning Commission.

- 1) The Farmers' Market may construct an open-air, roofed shed structure of 1,400 square feet and may subsequently and similarly expand shed capacity on the site by an additional 700 square feet without further approval by the Board of Alderman & the Mayor.
- 2) All construction and signage for the site shall be reviewed and permitted by the Building Official pursuant to the processes, ordinances and standards that apply to any applicant.
- 3) Prior to commencing operation of the Waveland Farmers' Market, that portion of the site once occupied by the building shall be smoothed and either paved or filled with gravel as necessary to create an even walking surface.
- 4) As long as the Market is operating on this site, The City of Waveland shall provide on or to the site water, portable bathroom facilities and a dumpster

Alderman Schmitt moved, seconded by Alderman Stahler to follow the recommendation of the Planning and Zoning Board and approve the request as submitted.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

Re: Juanita Silcio, 6106 Tyler Street

Juanita Silcio appeared before the commission with a request for a variance of two and a half feet on both sides from the required side yard setbacks on her property located at 6106 Tyler Street. Legal description: Block N lot 9, Bayou LaCroix Estates Subdivision, City of Waveland, Hancock County, Mississippi.

Robert Hincks moved, seconded by Clarence Harris to recommend that the City of Waveland approve the side yard variance request as submitted.

Alderman Piazza moved, seconded by Alderman Geoffrey to follow the recommendation of the Planning and Zoning Board and approve the request as submitted.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

Gene Mitchell appeared before the commission with a request for a special exception in order to construct a 22' x 40' carport-like addition to an existing non-conforming structure on his property located at 4072 Atlantic Street. Legal description: Block 104 lots 37-40, Shoreline Park Unit #7 Addition #1, City of Waveland, Hancock County, Mississippi.

Steve Hand moved, seconded by Clarence Harris to recommend that the City of Waveland approve the request as submitted with a stipulation that the carport-like structure shall be allowed for ninety-nine years or the life of the building to which it is attached, whichever comes first; however prior to the issuance of a Building Permit for the proposed structure, the Building Official must be satisfied that the lot has been cleaned to the Building Official's standards.

Alderman Geoffrey moved, seconded by Alderman Piazza to follow the recommendation of the Planning and Zoning Board and approve the request as submitted.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

Sue Chamberlain, of Slaughter and Associates, appeared before the commission Chairman Roger Estopinal asked if Commissioners or the attending members of the public had any questions with respect to the developing subdivision regulations and design standards.

Steve Hand moved, seconded by Robert Hincks the following motion: The Planning & Zoning Commission – having held four public hearings and three workshops on the proposed Zoning Ordinance, Subdivision Regulations and Design Standards Ordinance and having agreed to favorably recommend to the Board the substance of all three documents – now recommends to the Board of Mayor and Aldermen that the Board receive the documents and forward them to the City Attorney for his review and recommendations prior to the Board's further considering the proposed ordinances.

Alderman Schmitt moved, seconded by Alderman Piazza to follow the recommendation of the Planning and Zoning Board and approve the request as submitted.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

MINUTES(EXHIBIT B)

Re: August 19, 2009 and the Special Meeting of August 24, 2009

Alderman Stahler moved, seconded by Alderman Geoffrey to approve the minutes of the Regular Meeting of August 19, 2009 and the Special Meeting of August 24, 2009, and to include the transcript of the Court Reporter, as presented by the City Clerk.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

ADVERTISING/BEACHFRONT PATHWAY/TIDELANDS FUNDS

Re: Advertise for Engineering and Design Request proposals

Alderman Schmitt moved, seconded by Alderman Stahler to approve advertising for Engineering and Design Requests for Proposals for the Beachfront Pathway to be funded by Tidelands Funds.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

CROSS DRAINS/ADVERTISING

Re: Re-Advertise for Bids for Cross Drains

Alderman Piazza moved, seconded by Alderman Geoffrey to reject all bids on the Cross Drain at Budget Inn on Highway 90 project and authorize DEII to re-advertise for bids.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

CDBG/DOWNTOWN SIDEWALK IMPROVEMENTS PROJECT (EXHIBIT C)

Re: Amendment No. 1 to Digital Engineering and Imaging, Incs Professional Services contract

Alderman Schmitt moved, seconded by Alderman Geoffrey to approve Amendment No. 1 to Digital Engineering & Imaging, Inc.'s professional services contract for the CDBG Downtown Sidewalk Improvements Project.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, and Schmitt

Abstain: Piazza

Voting Nay: None

Absent: None

AMEC EARTH AND ENVIRONMENTAL/HAZARD MITIGATION/POLICE STATION (EXHIBIT D)

Re: Task Order No. 10 in the amount of \$144,000.00 for Construction Management for Hazard Mitigation portion of Police Station.

Alderman Stahler moved, seconded by Alderman Geoffrey to table Task Order No. 10 for AMEC Earth and Environmental in the amount of \$144,000.00, for the construction management of the Hazard Mitigation portion of the Police Station.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

POLICE STATION/CONTRACT

Re: Resend previous award of Kanduit for site work

Alderman Schmitt moved, seconded by Alderman Stahler to resend the previous award of Kanduit for the Police Department Site Work's Contract and Notice to Proceed.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

ADVERTISING/POLICE DEPARTMENT

Re: Advertise for Police Department Site Work

Alderman Geoffrey moved, seconded by Alderman Schmitt to advertise for a contractor for the Police Department Site Work.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

CITY HALL/CITY HALL ANNEX/FIRE STATION (EXHIBIT E)

Re: Change Order No. 1 to Hardie's Trucking for Site Work

Alderman Piazza moved, seconded by Alderman Schmitt to approve withdrawing a request for Change Order No. 1 for Hardie's Trucking in the amount of \$22,988.00 for City Complex Site Work.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

BUDGET FY 2009-2010

Re: Hancock County Human Resource Agency request of \$25,000.00

Motion to approve funding for the Hancock County Human Resource Agency's FY 2009-2010 in the amount of \$25,000. (This is a \$20,000 increase from FY 2008-2009)

Motion died for lack of action

PUBLIC WORKS/UTILITIES/PURCHASING DEPARTMENT

Re: Utility Refund for Cheryl Lee in the amount of \$53.60

Alderman Geoffrey moved, seconded by Alderman Piazza to approve a Utility Refund for Cheryl Lee in the amount of \$53.60 due to a mistake in meter reading.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

COURT DEPARTMENT/TRAVEL

Re: Paula Fayard to attend the Fall Statewide Seminar

Alderman Geoffrey moved, seconded by Alderman Stahler to approve travel for Court Clerk Paula Fayard to attend the Fall Statewide Seminar for MS Municipal Court Clerks on September 10-11, 2009 in Choctaw, MS. Cost to the City will be lodging for two nights at \$69.95 per night and per diem up to \$39.00 per day.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

R.S.V.P. (EXHIBIT F)

Re: Claims

Alderman Schmitt moved, seconded by Alderman Piazza to approve the R.S.V.P. Claims.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

DOCKET OF CLAIMS (EXHIBIT G)

Re: Claims numbers

Alderman Schmitt moved, seconded by Alderman Geoffrey to approve the Docket of Claims, as submitted by the Acting City Clerk and being numbered.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, and Schmitt

Voting Nay: Piazza

Absent: None

EXECUTIVE SESSION

Re: Personnel Issues and Potential Litigation

Alderman Stahler moved, seconded by Alderman Geoffrey to consider going into Executive Session to regarding Magnolia Judgment, Animal Shelter, Fire Department, Public Works and Police Department.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

Alderman Stahler moved, seconded by Alderman Geoffrey to approve going into Executive session regarding Magnolia Judgment, Animal Shelter, Fire Department, Public Works and Police Department.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

With no positive or negative action taken Alderman Schmitt moved, seconded by Alderman Geoffrey to come out of Executive session.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

ANIMAL SHELTER

Re: Termination of Mr. Kenny Vincent

Spread on the minutes the termination of Kenny Vincent from the Waveland Animal Shelter.

FIRE DEPARTMENT/PARKS AND RECREATIONS/STREETS DEPARTMENT/ANIMAL SHELTER/PERSONNEL

Re: Appoint Chief David Garcia as the City's NFIP/CRS Coordinator and Assistant Chief Mike Smith as the Assistant Coordinator

Re: New Hire Mr. Stephan Lathem as a laborer in Parks and Recreations

Re: Transfer of Clayton Farve from Parks and Recreations Department to the Streets Department

Re: New Hire, Mr. Michael Speed as Kennel Tech

Alderman Stahler moved, seconded by Alderman Piazza to approve the following personnel changes:

- a. Appoint Fire Chief David Garcia as the City's NFIP/CRS Coordinator with an additional salary of \$6000 per year.
- b. Appoint Assistant Fire Chief Mike Smith as the City's Assistant NFIP/CRS Coordinator with an additional salary of \$2400 per year.
- c. Hire Stephen Lathem as a laborer in the Parks and Recreations Department at a rate of \$10.00 per hour, pending passage of drug test.
- d. Transfer Clayton Farve from the Parks and Recreations Department to the Street Department with no salary change.
- e. Hire Mr. Michael Speed as Animal Kennel Tech for the Animal Shelter at a rate of \$10.00 per hour, pending passage of drug test.

ADJOURN

Re: Adjourn meeting at 9:16 p.m.

Alderman Piazza moved, seconded by Alderman Geoffrey to adjourn the meeting at 9:16 p.m.

A vote was called for with the following results:

Voting Yea: Stahler, Geoffrey, Schmitt and Piazza

Voting Nay: None

Absent: None

The foregoing minutes were presented to Mayor Longo on September 18, 2009.

Maureen Bordelon
Acting City Clerk

The Minutes of September 1, 2009 have been read and approved by me on this day the 18th of 2009.

John Thomas Longo,
Mayor

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