

Agenda
Regular Meeting of
The Board of Mayor & Aldermen
Tuesday, August 1, 2023
6:30 pm.

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call
4. Mayor's Comments:
 - a. Ms. Lynn Naquin to speak about September being Ovarian Cancer Awareness Month
5. Aldermen's Comments:
6. Public Comments

There are no public comments
7. **BOARD BUSINESS:**
 - a. Motion to approve the Depository Docket of Claims, paid and unpaid, dated August 1, 2023, in the amount of \$568,157.91.
 - b. Motion to approve the Operating Utilities Docket of Claims, paid and unpaid, dated August 1, 2023 in the amount of \$76,496.20.
 - c. Motion to accept final design of the Garfield Ladner Memorial Pier by Chiniche Engineering and Surveying.
 - d. Motion to approve closure of N. Beach Blvd. from Terrace Street to Coleman Avenue on Sunday, September 3, 2023 from 11:00 to 11:00 pm. for the Labor Day event at the Lighthouse.
 - e. Motion to approve Mayor Jay Trapani as the City of Waveland FEMA Applicant Agent for Public Assistance and authorize the Mayor's signature on necessary paperwork.
 - f. Motion to approve the following forms (including required signatures) for the HB603 Department of Finance and Administration Line-Item Appropriation to the City of Waveland in the amount of \$250,000 designated for infrastructure improvements: (Note: Funds must be expended within 36 months of receipt of funds)
 1. Memorandum of Understanding
 2. Letter Requesting Transfer of Funds
 3. Signed IRS Form W-9
 4. Contact Information Form
 5. Verification Form
 - g. Motion to approve Ms. Kristen Tusa to hold the Waveland Veterans Parade on Saturday, November 11, 2023 at 11:00 am. The Parade will start at Coleman and Central Avenue intersection and end at the Veterans Memorial at Beach Blvd. and Coleman Avenue. Ms. Tusa will coordinate with the Police and Fire Chief for their participation; no other costs will be required.

PLANNING & ZONING

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1. **Charles Kihneman, owner of the property commonly known as 4327 Caspian St.,** parcel #138M-0-33-196.000, has made an application for the temporary use of an RV during the new construction of his primary structure. Mr. Kihneman was unaware of the Ordinance for RVs and placed it on the property where it currently sits. After receiving a notice of violation, Mr. Kihneman came to the City of Waveland Building Dept. to become compliant. Mayor Jay Trapani gave Mr. Kihneman permission to stay in the RV during this process in order to protect his materials from theft or damage from vagrants in the area. The RV permit will allow continued occupancy for 180 days.

Mr. Kihneman came forward to explain that he has been working on the structure and is asking to stay in the RV so that he can complete the project as soon as possible and monitor his property for theft and vandalism. Commissioner Romero asked the applicant how long the project has been going on. Mr. Kihneman stated that he has owned the house for 4 years and the RV has been on the property for the last year. He recently renewed his building permit for an additional 6 months. Mr. Kihneman also stated that he will extend the permits as many times as necessary to complete the house for his permanent residence. Chairman Frater asked about how long will it take to complete the project. Mr. Kihneman said that he unsure how long it will take to finish. He's working on it as much as he can.

Chairman Frater called for a motion from the Commissioners. Commissioner Touart moved, seconded by Commissioner Coatney, to approve the request.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed.

2. **Joyce Moran, owner of the properties commonly known as 100 & 102 E. Meadow Ln,** parcel #161D-0-02-027.000, has made an application for a variance in order to split her lot. The property was originally two lots. Therefore, there are currently 2 living structures on the property. Proposed parcel 1 will need a 100' street frontage variance since it will not be directly off the street but use an easement from parcel 2. Parcel 2 will need an 80' street frontage variance as it will have 20' of street frontage along E. Meadow Ln.

Mrs. Moran came forward to explain her request stating that she would like to split the lots in order to eventually sell them as individual lots instead of together on one lot. Currently the houses are used as rentals and Mrs. Moran does not live in either of the houses. Chairman Frater asked if they are short-term rentals. Mrs. Moran stated that they are not short-term rentals but long-term rentals.

Chairman Frater called for a motion from the Commissioners. Commissioner Touart moved, seconded by Commissioner Coatney, to approve the request.

After a unanimous vote of yes by all Commissioners present, Chairman Frater *stated that the application meets all of the criteria set forth by section 906.1 of the Zoning Ordinance #349 for variances and declared the motion passed.

3. **Raymond Langlois, owner of the property commonly known as 419 Waveland Ave,** parcel #162K-0-10-090.000, has made an application for variances in order to place an accessory storage shed closer to his property lines. His request is for a 5' variance from the required 10' on the side property line and 10' variance from the required 15' rear property line as stated in Ord. #349 for accessory structures more than 12' away from the primary structure. This is to place the shed far away from a protected live oak tree.

Mr. Langlois came forward to explain his request. Commissioner Romero clarified that the structure would be five ft from the rear and side property lines. Chairman Frater

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stated that the structure would be 10' x 20' in size and Mr. Langlois confirmed. Commissioner Romero also clarified that Mr. Langlois owns the property next door making the 5' side setback would be adjacent to his own property.

Chairman Frater then called for a motion from the Commissioners. Commissioner Matt Touart moved, seconded by Commissioner Glen Romero, to approve the request as written.

After a unanimous vote of yes by all Commissioners present, Chairman Frater *stated that the application meets all of the criteria set forth by section 906.1 of the Zoning Ordinance #349 for variances and declared the motion passed.

4. Eugene Ferry Jr., owner of the property commonly known as 115 St. Joseph St., parcel #161M-0-11-013.000, has made an application for variance in order to split his lot into 3 new parcels. Proposed parcels 1 & 2 will need a 70' street frontage variance and proposed parcel 3 will need a 30' street frontage variance from the required 100' street frontage as stated in Zoning Ord. #349. No variances need for square footage requirement on the proposed new parcels.

Mr. Ferry Jr. came forward to explain his request. Commissioner Romero asked about any correspondences to the Zoning Office. Zoning Official, Jeanne Willie, supplied a packet of printouts of some emails that voiced a common concern of the drainage plan. Chairman Frater asked Mr. Ferry to clarify the street frontages for each property. Mr. Ferry stated that each frontage would be for the driveways. The smaller of the 3 would have a 70' frontage while the other 2, including his own, would be 30' wide and then turn into the larger portion of the properties.

Chairman Frater called for a motion from the Commissioners. Commissioner Touart moved, seconded by Commissioner Coatney, to approve the request with the conditions that the applicant supply a professional survey and a MS stamped engineer drainage plan for all 3 lots.

After a unanimous vote of yes by all Commissioners present, Chairman Frater *stated that the application meets all of the criteria set forth by section 906.1 of the Zoning Ordinance #349 for variances and declared the motion passed.

5. Suzette Surbeck, owner of the property commonly known as 226 Sandy St., parcel #162J-0-10-210.000, has made an application for the temporary use of an RV during new construction of her primary residence. The RV permit will allow occupancy for 180 days.

Mrs. Surbeck came forward to explain that she and her husband are currently building their new primary residence but living in New Orleans. They would like the temporary RV in order for her husband to assist with the final touches of the new construction that they are anticipating completion in November of this year.

Chairman Frater called for a motion from the Commissioners. Commissioner Coatney moved, seconded by Commissioner Romero, to approve the request.

After a unanimous vote of yes by all Commissioners present, Chairman Frater stated that the application meets all of the criteria set forth by section 906.3 of the Zoning Ordinance #349 for conditional uses and declared the motion passed.

6. Tom and Joal Stone, owners of the property commonly known as 115 Mollere Dr., parcel #161F-0-02-042.000, have made an application for variances in order to place an accessory structure closer to their property lines. Their request is for a 10' variance from the required 25' rear setback from the property line as stated in Ord. #349 for accessory structures less than 12' away from the primary structure. This will make the rear setback 15' from the property line.

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Mr. Tom Stone came forward to explain his request. He stated that he owns the property next door to the side property line and the property to the rear is a very large piece of property that he never had a structure on it and doesn't see that happening any time soon. Chairman Frater asked what kind of building this will be. Mr. Stone stated that it would be an open pavilion for shaded seating. He intends to install a pool and this would give some covering next to the pool area.

Chairman Frater called for a motion from the Commissioners. Commissioner Romero moved, seconded by Commissioner Coatney, to approve the request as written.

After a unanimous vote of yes by all Commissioners present, Chairman Frater stated that the application meets all of the criteria set forth by section 906.1 of the Zoning Ordinance #349 for variances and declared the motion passed.

7. Gary Ponthieux & Kacey Edwards, owners of the property commonly known as 118 Seabrook Dr., parcel # 161B-2-01-019.008, have made an application for a conditional use in order to construct an accessory structure larger than the allowed maximum 500 square feet as stated in Zoning Ord. #349. They are also requesting a 5' left side-yard variance from the required 10' from the property line and a 5' rear-yard variance from the required 15' from the property line. His proposed structure will be 1,200 square feet and have a 5' setback from the left side-yard and 10' setback from the rear property lines.

Mr. Ponthieux came forward to explain his request. He stated that the reason for the large structure is for the storage of a boat, lawn equipment and his wife's car. He also stated that the reason for the setbacks is to make room for the future installation of a pool between the primary structure and the accessory structure. Chairman Frater noted that the size of the property is 90' wide and 140' deep; roughly, 12,600 square feet. Mr. Ponthieux stated that he spoke with a neighbor that installed a swale between their properties so he plans on continuing that plan in order to improve the drainage.

Chairman Frater called for a motion from the Commissioners. Commissioner Touart moved, seconded by Commissioner Romero, to approve the request as written.

After a unanimous vote of yes by all Commissioners present, Chairman Frater *stated that the application meets all of the criteria set forth by section 906.1 of the Zoning Ordinance #349 for variances and 906.3 for conditional uses and declared the motion passed.

8. Tabitha Thompson, leasing the property commonly known as 541 Hwy 90, parcel #138Q-0-34-038.000, has made an application for a Conditional Use in order to operate a Medical Cannabis Micro Cultivation Facility. The property is currently zoned C-3: Highway Commercial and Zoning Ord. #349 does not have any requirements or conditions concerning medical cannabis.

Ms. Thompson came forward to explain her request. She stated that there aren't many places to put this type of industry. It's been legal in Mississippi for a little while but still fairly new. Right now, it is only allowed in zoning districts that are agricultural or industrial. She also stated that many other cities are not allowing this type of business in their jurisdictions and that is why she is requesting to operate her small-scale cultivation in Waveland.

Chairman Frater called for a motion from the Commissioners. Commissioner Touart moved, seconded by Commissioner Romero, to table the request.

After a unanimous vote of yes by all Commissioners present, Chairman Frater declared the motion passed.

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CONSENT AGENDA

8. Motion to approve the following Consent Agenda items as numbered Items (a-j):
 - a. Minutes of the Board of Mayor and Aldermen's Regular (Recessed) meeting dated July 19, 2023 and the Reconvened Recessed Meeting dated July 20, 2023.
 - b. The following invoices from various Entities/Agencies/Contractors/Engineers, etc.:
 1. Invoice #22-002-0093 from Chiniche Engineering & Surveying dated 7/24/23 in the amount of \$30,000 for the Final Design and Construction Document Coordination related to the Garfield Ladner Memorial Pier.
 2. Invoice #22-002-0101 from Chiniche Engineering & Surveying dated 7/24/23 in the amount of \$765.00 for engineering services related to street repairs.
 3. Invoice #22-002-0111 from Chiniche Engineering & Surveying dated 7/24/23 in the amount of \$3,123.75 for engineering services related to the Jourdan River Gas Line Crossing repair project.
 4. Invoice #22-002-0121 (Tidelands) from Chiniche Engineering & Surveying dated 7/24/23 in the amount of \$885.00 for grant applications and coordination related to Tidelands projects.
 5. Invoice #22-002-0122 (DFA) from Chiniche Engineering & Surveying dated 7/24/23 in the amount of \$1,416.50 for Dept. of Finance and Administration (DFA) Parks Grant
 6. Invoice #22-002-0123 (Restore) from Chiniche Engineering & Surveying dated 7/24/23 in the amount of \$945.00 for RESTORE Grant Applications.
 7. Invoice #22-002-0124 (GOMESA) from Chiniche Engineering & Surveying dated 7/24/23 in the amount of \$1,530.00 for GOMESA Grant Applications.
 8. Invoice #22-002-0125 (GCRF) from Chiniche Engineering & Surveying dated 7/24/23 in the amount of \$742.50 for GCRF (Gulf Coast Restoration Fund) Grant Application – Kiln Waveland Cutoff Road project.
 9. Invoice #22-002-0126 (Lead and Copper Grant) from Chiniche Engineering & Surveying dated 7/24/23 in the amount of \$225.00 for Lead and Copper Grant application.
 - c. Spread on the Minutes the following resignations from the Planning & Zoning Board:
 1. Chad Whitney, Ward 3 representative
 2. Greg Poindexter, Ward 2 representative
 - d. Accept resignations of following personnel:
 1. Kross Lafontaine from the Utilities Department
 2. Jordan McKenzie from the Utilities Department
 - e. Hire the following for various positions, as listed:
 1. Joshua Glen Oliver as Police Officer at \$18.03 per hour pending passage of drug and background tests. Once Officer Oliver completes the Police Academy, he will go to \$19.03 per hour.
 - f. Transfer Desmond Ducre from Streets Department to Utilities Department at \$13.39 per hour rate of pay. Mr. Ducre will be replacing the position vacated by Mr. Zach Lafontaine.
 - g. Approve closure of Beach Blvd at St. Joseph and Terrace Streets for the National Night Out Event at the Lighthouse from 10:00 am to 1:00 pm. The Waveland Fire Department will be giving train rides to the children.
 - h. Approval of Officer William Andress and Officer Colton Poche to attend the Harrison County Police Academy starting August 27, 2023 and will graduate November 10, 2023. Cost to the City will be use of city vehicle.

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- i. Approve monthly Utility Customer Deposit refund checks totaling \$7,000.00 numbered #7242 through #7263 as submitted by Utility Officer Manager Julie Bromwell. Note: \$2,452.91 is due to the City of Waveland and \$4,547.09 is due to customers.

END CONSENT AGENDA

EXECUTIVE SESSION

9. Motion to consider entering a closed session for discussion
10. Motion to enter an executive session for discussion
11. Motion to come out of executive session with/without action taken.

ADJOURN

12. Motion to Adjourn