



Minutes
Bay Saint Louis
City Council Meeting
1st Regular Meeting
September 3, 2019
5:30 p.m.

Call to Order

Attendee Name	Title	Status	Arrived
Larry Smith	Councilman Ward 4	Present	
Doug Seal	Councilman Ward 1	Present	
Gene Hoffman	Councilman Ward 2	Present	
Jeffery Reed	Councilman Ward 3	Present	
Buddy Zimmerman	Councilman Ward 5	Present	
Josh DeSalvo	Councilman Ward 6	Present	
Gary Knoblock	Councilman At Large	Present	

Council Member Reed led the Invocation and Pledge.

Guests

A) Larry Main, OTMA - Signage

Larry Main, Old Town Merchants Association, spoke regarding signage in the area that encompasses the association. Mr. Main requested assistance with any signage pointing citizens and tourist to the area.

RESULT: NO ACTION TAKEN- FINAL

B) Motion to approve a new and improved Old Town Directional Sign located at Highway 90 and Beach Boulevard for the Old Town Merchant Association, to accept the sign as a donation to the City of Bay Saint Louis and with approval being contingent upon approval of the Mississippi Department of Transportation.

Council Member Knoblock recused.

RESULT:	APPROVED [6 TO 0]
MOVER:	Doug Seal, Councilman Ward 1
SECONDER:	Jeffery Reed, Councilman Ward 3
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo
RECUSED:	Gary Knoblock

Planning and Zoning

A) BSL Porches Subdivision - Application for Subdivision Plat Approval

Council Member Smith asked if anyone wanted to speak against the application.

jJim McPhaille and Gary Yarbrough on behalf of Jim J. McPhaille spoke against the application.

Council Member Smith asked if anyone wanted to speak in favor of the application.

Ronnie Artigues on behalf of the applicant spoke in favor of the application

Jason Chiniche and Ronnie Artigues spoke about the wetlands, adjacent property owners, right-of-way and easement regarding the property.

Randy Ellis, a consultant on the project, spoke about the wetlands on the property.

Jason Chiniche spoke about the green space for the project.

Kyle Lewis stated that according to a survey presented at the Bay Saint Louis Planning and Zoning Commission, there are two acres of land that are uncertain of what the development impact will be. So there may be an impact regarding drainage. Jason Chiniche addressed the issue of drainage stating that a requirement of the Mississippi Department of Environmental Quality is to issue a storm water permit since the site is larger than five acres, so all of the acreage (17 acres) will be taken into consideration with those drainage impacts.

Cliff Rabalais spoke in favor of the application.

Motion to approve preliminary plat approval contingent upon a complete tree survey being completed before getting the final plat approval and no magnolia or oak trees are to be cut until the formal survey is completed. Only a land clearing permit can be given; no tree removal permits can be given until the roadways have been platted and the survey of the protected trees has been completed. The plat, as shown, does not show any easements to-date and what was legally advertised will be changed with the requirement that there be two 25 foot buffers to adjacent properties as part of final plat.

Council Member Hoffman noted that the applicant needs to strictly follow all rules and regulations until completion of this project. The final plat will not be completed without all rules and regulations being followed. Proper plans being presented to the City of Bay Saint Louis and everything being public record.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Seal, Councilman Ward 1
SECONDER:	Jeffery Reed, Councilman Ward 3
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

B) Stolz - Application for Special Subdivision Plat Approval and Variance to the Zoning Ordinance.

Council Member Smith asked if anyone would like to speak against the application.

Steven Benvenuti, representing Timothy and Beverly Ann Morris and Katheryn Gift, spoke against the application regarding the vote taken at the Bay Saint Louis Planning and Zoning Commission Meeting. Acting City Attorney Madison Keyes stated that it would be best for the application to go back to Planning and Zoning but the Bay Saint Louis City Council can put forth

a motion to approve the Planning and Zoning Commission motion not to deny then you can move forward with that.

Mr. Benvenutti presented a case in opposition of the application.

Council Member Smith asked if anyone would like to speak in favor of the application.

Terry Stolz, applicant, spoke regarding the application.

Kyle Lewis spoke and explained the motion made at the Bay Saint Louis Planning and Zoning Meeting Mr. Lewis stated that there was a motion to deny and that it did not pass. There was not another motion to carry out the approval.

Ms. Stolz stated that there was a question about support and that four hands went up.

Mr. Lewis stated that three hands went up to deny and four hands went up to support the application.

Motion to return the application to the Bay Saint Louis Planning and Zoning Commission for approval or denial.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Seal, Councilman Ward 1
SECONDER:	Jeffery Reed, Councilman Ward 3
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

C) Purgerson - Application for Variance to the Zoning Ordinance

Application was withdrawn.

RESULT:	NO ACTION TAKEN- FINAL
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D) Richardson - Application for Variance to the Zoning Ordinance

Council Member Smith asked if anyone would like to speak against the project. No one came forward.

Council Member Smith asked if anyone would like to speak for the project. No one came forward.

Ransford Richardson, owner of the property, spoke.

Motion to follow the Planning and Zoning Commission recommendation of approval for the applicant's request for a Variance to the Zoning Ordinance at 230 Melody Lane, parcel #144N-0-19-187.000, with the stipulation that this structure can never be used as a dwelling.

Council Member Reed left the room.

RESULT:	APPROVED [6 TO 0]
MOVER:	Gene Hoffman, Councilman Ward 2
SECONDER:	Buddy Zimmerman, Councilman Ward 5
AYES:	Smith, Seal, Hoffman, Zimmerman, DeSalvo, Knoblock
AWAY:	Jeffery Reed

E) Whitney - Application for Variance to the Zoning Ordinance

Council Member Smith asked if anyone would like to speak against the project. No one came forward.

Council Member Reed was away.

Council Member Hoffman recused.

Motion to follow the Planning and Zoning Commission recommendation of approval for the applicant's request for a Variance to the Zoning Ordinance at 308 South Second Street, parcel #149L-0-29-154.000.

RESULT:	APPROVED [5 TO 0]
MOVER:	Doug Seal, Councilman Ward 1
SECONDER:	Josh DeSalvo, Councilman Ward 6
AYES:	Smith, Seal, Zimmerman, DeSalvo, Knoblock
AWAY:	Jeffery Reed
RECUSED:	Gene Hoffman

F) Quintini - Application for Variance to the Zoning Ordinance

Council Member Smith asked if anyone would like to speak against the project. No one came forward.

Motion to follow the Planning and Zoning Commission recommendation of approval for the applicants' request for a Variance to the Zoning Ordinance at 202 Union Street, parcel #149L-0-29-178.000.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffery Reed, Councilman Ward 3
SECONDER:	Josh DeSalvo, Councilman Ward 6
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

G) Baird - Application for Special Exception and variance to the Zoning ordinance

Council Member Smith asked if anyone would like to speak against the project. No one came forward.

Motion to follow the Planning and Zoning Commission recommendation of approval for the applicants' request for a Special Exception to build an accessory dwelling and the following variances: 3' resulting in a 5' side yard setback, variance of 12' resulting in an 8' rear yard setback, a variance of 5,400sf resulting in 9,600sf to the lot area and a variance of 22% resulting in 72% of the floor area at 214 Citizen Street, parcel #149N-0-30-043.000.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh DeSalvo, Councilman Ward 6
SECONDER:	Gene Hoffman, Councilman Ward 2
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

Public Hearing - Adopt Tax Levy

Council Member Smith asked for comments from the public for the Public Hearing for the Tax Levy and the FY 19/20 Budget at 6:52 p.m.

A) Motion to approve the Resolution to Fix the Tax Levies for the City of Bay Saint Louis, Mississippi to adopt City of Bay Saint Louis 2019-2020 Tax Levy. (Exhibit "A")

Council Member Hoffman read the Resolution to Fix the Tax Levies for the City of Bay Saint Louis, Mississippi.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gene Hoffman, Councilman Ward 2
SECONDER:	Josh DeSalvo, Councilman Ward 6
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

- B) Motion to spread the 2019-2020 Proposed Budget Summary for Public Hearing on the Minutes, with no public comments when called for. (Exhibit "B")

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gene Hoffman, Councilman Ward 2
SECONDER:	Josh DeSalvo, Councilman Ward 6
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

Public Comments - Bond

- A) Discussion regarding bond.

RESULT:	NO ACTION TAKEN- FINAL
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- B) Public input regarding bond.

Ron Thorp - Bond and priority for each ward with the bond if passed.

Pam Martin - Bond increasing taxes, drainage, streets and culverts.

David Wells - Ditches and the annexed area taxes and infrastructure

Sam Moore - Ward 6 property, streets, roads, taxes, growth and development.

RESULT:	NO ACTION TAKEN- FINAL
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Motion to approve the Consent Agenda, as shown below, removing items I) and J) and with items K) and L) being contingent upon the approval of Hancock County Board of Supervisors. (Exhibit "C")

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Gene Hoffman, Councilman Ward 2
SECONDER:	Doug Seal, Councilman Ward 1
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

- A) Spread the Bay Saint Louis Cash Balances dated August 29, 2019, in the amount of \$4,036,433.95 after the docket, on the Minutes.
- B) Spread the Bay Saint Louis Certification Letter dated September 3, 2019 on the Minutes.
- C) Spread the Bay Saint Louis Payroll in the amount of \$158,798.95 dated August 30, 2019, on the Minutes.
- D) Spread the Bay Saint Louis Payroll Hours Report dated August 30, 2019, on the Minutes.
- E) Spread the Bay Saint Louis Revenue & Expense Report dated August 31, 2019, on the Minutes.
- F) Spread Proof of Publication for Ordinance Number 636-05-2019, An Ordinance of the Mayor and City Council of the City of Bay Saint Louis Adopting Salary Schedule Establishing Salary Compensation for Officers, Employees and Open Position of the City of Bay Saint Louis, on the Minutes.
- G) Spread Proof of Publication for Ordinance Number 637-05-2019, An Ordinance of the Mayor and City Council of the City of Bay Saint Louis Adopting Salary Schedule Establishing Salary Compensation for Officers, Employees and Open Position of the City of Bay Saint Louis, on the Minutes.

- H) Motion to authorize Mayor Favre to execute the Engagement Letter with Wright, Ward, Hatten & Guel to perform financial audits for years ending September 30, 2019 and September 30, 2020.
- I) Contract for phone service (Removed from Consent Agenda)
- J) The E-Verify Memorandum of Understanding for Employees (Removed from Consent Agenda)
- K) Motion to approve street closures for October 10-12, 2019 from 8:00 a.m. - 5:00 p.m. Beach Boulevard, Main Street, Second Street, Toulme Street, Cue Street, Gex Street, Federal Street and Depot Way to allow for Cruisin the Coast.
- L) Motion to approve street closures for September 11, 2019 from 5:00 p.m. to 6:30 p.m.; Beach Boulevard from Washington Street, to Main Street, to S. Second Street, to Union Street, to Beach Boulevard end back at Washington Street Pier to allow for Bay High School Homecoming Parade.

Consent Agenda - Removed Items

I. Contract for phone service

Motion to approve the recommendation of the Administration and authorize Mayor Favre to execute the contract with TEC for 36 month telephone service, including internet service. (Exhibit "D")

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh DeSalvo, Councilman Ward 6
SECONDER:	Buddy Zimmerman, Councilman Ward 5
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

J. The E-Verify Memorandum of Understanding for Employees

Motion to approve The E-Verify Memorandum of Understanding for Employees and that, as part of record, Jamie Favre and Dana Feuerstein have completed the test and Mayor Favre goes on the record that the City of Bay Saint Louis has read and verified that it is in compliance with the E-Verify system. (Exhibit "E")

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Seal, Councilman Ward 1
SECONDER:	Jeffery Reed, Councilman Ward 3
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

City Clerk/Comptroller's Report

- A) Motion to spread the Bay Saint Louis Payroll, for an individual, in the amount of \$1,408.00 dated August 30, 2019, on the Minutes. (Exhibit "F")

Council Member Zimmerman stepped out of the room.

RESULT:	APPROVED [6 TO 0]
MOVER:	Josh DeSalvo, Councilman Ward 6
SECONDER:	Gary Knoblock, Councilman At Large
AYES:	Smith, Seal, Hoffman, Reed, DeSalvo, Knoblock
AWAY:	Buddy Zimmerman

- B) Motion to approve the Bay Saint Louis Docket of Claims #19-034 dated September 3, 2019, in the amount of \$300,911.20. (Exhibit "G")

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Josh DeSalvo, Councilman Ward 6
SECONDER:	Buddy Zimmerman, Councilman Ward 5
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

- C) Motion to approve the proposal for the copier/printer/fax at the Bay Saint Louis City Council Office.

Motion to approve the South Mississippi Business Machines quote for a Sharp MX-6050 60 CPM Digital Color MFP w/Copy, Print, Scan & Fax for 48 months for service/full service contract for \$146.00 per month plus copy charges for the Bay Saint Louis City Council Office. (Exhibit "H")

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Seal, Councilman Ward 1
SECONDER:	Josh DeSalvo, Councilman Ward 6
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

- D) Motion to schedule a Recessed Meeting for September 10, 2019 at 5:00 p.m. to adopt the FY2019/2020 City Budget.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Seal, Councilman Ward 1
SECONDER:	Josh DeSalvo, Councilman Ward 6
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

Mayor's Report

- A) Motion to approve the lowest and best bid purchase of a valve control for the Bobcat excavator model #442, from Duhon Machinery Co., Inc., in the amount of \$13,958.06, freight charge of \$200.00, for a total of \$14,158.06 and to be paid as line item number 300-526-000 Repair and Maintenance Equipment under Public Works. (Exhibit "I")

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffery Reed, Councilman Ward 3
SECONDER:	Josh DeSalvo, Councilman Ward 6
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

- B) Motion to approve Interlocal Agreement with the Hancock Tourism Development Bureau contingent upon updating the addresses in item number 20 on page 5 of the Interlocal Agreement. (Exhibit "J")

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Seal, Councilman Ward 1
SECONDER:	Gene Hoffman, Councilman Ward 2
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

Council/New/Old Business

- A) Motion to approve Cspire proposal for VoIP service.

RESULT:	NO ACTION TAKEN- FINAL
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- B) Motion to approve the Minutes for the City Council Meetings for the Budget Workshop Meeting of August 6, 2019, regularly scheduled Meeting of August 6, 2019 and Budget Workshop Meeting of August 13, 2019.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Seal, Councilman Ward 1
SECONDER:	Buddy Zimmerman, Councilman Ward 5
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

Closed/Executive Session (if needed)

- A) Motion to go Into Closed Session to discuss the need to go Into Executive Session.

RESULT:	APPROVED [5 TO 2]
MOVER:	Gary Knoblock, Councilman At Large
SECONDER:	Doug Seal, Councilman Ward 1
AYES:	Seal, Hoffman, Reed, Zimmerman, Knoblock
NAYS:	Larry Smith, Josh DeSalvo

- B) Motion to go into Executive Session to discuss personnel.

Council Member Smith recused, and left the room, on the advice of City Attorney Smith.

RESULT:	APPROVED [6 TO 0]
MOVER:	Gary Knoblock, Councilman At Large
SECONDER:	Jeffery Reed, Councilman Ward 3
AYES:	Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock
RECUSED:	Larry Smith

- C) Motion to come out of Executive Session with no action taken.

RESULT:	APPROVED [6 TO 0]
MOVER:	Doug Seal, Councilman Ward 1
SECONDER:	Jeffery Reed, Councilman Ward 3
AYES:	Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock
RECUSED:	Larry Smith

Miscellaneous Items

- B) No Action Needed - Gaming and Sales Tax Report

RESULT:	NO ACTION TAKEN- FINAL
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- C) No Action Needed - Department Report for Municipal Harbor.

RESULT:	NO ACTION TAKEN- FINAL
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Recess

- A) Motion to recess to September 10, 2019 at 5:00 p.m.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Seal, Councilman Ward 1
SECONDER:	Jeffery Reed, Councilman Ward 3
AYES:	Smith, Seal, Hoffman, Reed, Zimmerman, DeSalvo, Knoblock

Larry Smith, Councilman Ward 4

Doug Seal, Councilman Ward 1

Gene Hoffman, Councilman Ward 2

Jeffery Reed, Councilman Ward 3

Buddy Zimmerman, Councilman Ward 5

Josh DeSalvo, Councilman Ward 6

Gary Knoblock, Councilman At Large

Clerk of Council

Mike Favre, Mayor