



MINUTES REGULAR MEETING OF THE CITY COUNCIL

Tuesday, March 05, 2024

6:00 PM CST

Council Chambers, City Hall

Call to Order.

Mayor Depreo called the meeting to order at 6:05 p.m.

Invocation - Councilmember Maher

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo

Councilmember-At-Large Gerard Maher

Ward 1 Shane Finley

Ward 2 Anna Liese

Ward 3 John Cumberland

Ward 4 Austin Clark

Confirm or Adjust Agenda Order

Motion made by Mayor Depreo to adjust the agenda adding motion to authorize City Manager to add Zoning Map into the Zoning Ordinance.

Motion Failed For Lack of Second

Motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to confirm the agenda as presented.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Presentation Agenda.

- a. The next Regular Meeting of the City Council will be held March 19, 2024 at 6:00 p.m. in Council Chambers located at City Hall.
- b. MDOT Presentation - Kodie Koenenn and Billy Owen
- c. Coon Branch Project Presentation - Jon McCraw
- d. Hilo Project Presentation - Jon McCraw
- e. Turnberry Project Presentation - Andrew Levens and Sarah McCullen-Covington Civil and Environmental, LLC.

City Manager's Report.

CITY MANAGER REPORT

March 05, 2024

1. Park Ten Road – The contract is for 270 Calendar Days with an end date of June 1st. The electrical conduit is being installed. The roadbed has been formed and the last of the drainage culverts are being installed. Curb & Gutter installation will begin this month.
2. Noma Drive Restoration – The contractor will begin to make the connection to multimodal path once the area is cleaned up from the weather. The contract is for 195 Calendar Days with an end date of March 24th.
3. Beaux Vue 2 – Held the pre-construction meeting with the contractor and engineer onsite to discuss the project. Contractor had questions that the engineering firm has to address. Waiting on a schedule from the contractor to issue the notice to proceed.
4. Bond Paving Diamondhead Drive – The engineer will issue the substantial completion for this contract for tomorrow. A final walkthrough is scheduled for Friday to establish a punch list.
5. Montjoy Creek – Met with the engineer to review the comments and determine the city's response. The engineer sent the responses back to MDR and MDAH. Finalized design of project with the engineer.
6. Noma Drive Phase 1b – Bids are still under review by the engineer. The project is to build the parking area, rebuild the boat ramp, and build the kayak launch and pier, and comfort station.
7. Kaleki Way – Project is on the agenda for approval. The city has been unable to acquire one easement on Ieke Drive. The engineering firm is making the necessary adjustments to the project if the additional easement is not obtained. The project will start at the other end giving us another 4-6 months to obtain the easement, if necessary.
8. Bayou Drive – The contractor was issued the notice of award two weeks ago, the city is waiting on the contractor to provide bonds, insurance, and contract. Once received, the city will setup a pre-construction meeting with the contractor and engineering firm.
9. Canal Dredging – The city has received the permit from USACE to allow for the canal dredging on the south side. The RESTORE team is reviewing the plans and specs. Once approved, a grant agreement will be issued to the city. The current timeline is 2 – 4 months.
10. DH Lakes Road – Elliott Homes contractor has mobilized for this project. They are currently saw-cutting the roadway. Materials have been delivered to the site.
11. Noma Drive Boardwalk – Engineer is working on the drawings for this project. All easements have been recorded. MDEQ is going through the final steps with MS TIG getting everything approved and will be in touch regarding the subaward.
12. MDOT Roundabout Project – The Diamondhead Roundabout project was awarded to TL Wallace on the February 13th MDOT meeting. Additional information will be provided by MDOT at tonight's meeting.

13. MDOT Interstate Widening Project – This project was awarded on December 12th. Along with the addition of two lanes on the Interstate, the project includes a Sound Barrier Wall, and a multimodal walking path.
14. Detention Ponds – This project has been reduced to two ponds as the other two will be a part of separate larger drainage projects.
15. Pelican Cove Drainage Project – Engineer has been provided the work assignment and will begin the surveying on this project.
16. Noma Drive Walking Trail – The engineer is surveying the area for walking trail and trailheads. The city has been awarded \$500,000 from the MS Outdoor Stewardship Grant Fund. This project will create a walking path from Noma Drive to Montjoy Creek.
17. Dog Park – Hancock County is working with Neel-Shaffer to update the original survey to show utility easements and provide corrections to the property description. Once complete, they will request for a re-subdivision process. This re-subdivision will also include the dedication of the road to the city.
18. ARPA/GOMESA Projects – The following projects have been assigned to the engineering firms listed below and are currently in the design phase.
 - a. Coon Branch – Chiniche
 - b. Koloa Steet @ Ala Moana – Chiniche
 - c. Lots 7 & 8 – Chiniche
 - d. Kolo Court – Covington
 - e. Turnberry – Covington
 - f. Ahuli Place – Covington
 - g. Kome Drive – Covington
 - h. Kalae Street – Covington
 - i. Hilo Way – West – MP Design
 - j. Hilo Way to Hapuna Place – MP Design
 - k. Hilo Way at Koko Street – MP Design
 - l. Aukai Place/DH Dr East – MP Design
 - m. DH Drive East/Kalani – Covington
 - n. Veterans/Substation – Covington
 - o. Fairway Drive – Covington
 - p. Anahola Place – Covington

Email Request Received

1. Request for Overall Proposed Zoning Map – Councilmember asked myself and Orion Planning for an overall zoning map. As the city council has not authorized this work, the administration is not working on rezoning any property within Diamondhead.
2. Alakoko Place – Councilmember asked about the rear ditch on this property. A work order was issued to Public Works. Due to equipment failure, this issue is currently on hold. Project is on the PW's list to clean out.
3. Mahluhia Garden – Facebook post about broken gazebo. The Public Works' receptionist noted this post and created a work order to address the issue.
4. Pecan Ridge – Councilmember asked about a sink hole in right-of-way. A work order was created for public works to address.

5. 56131 DH Drive East – Councilmember asked about a sink hole in right-of-way. A work order was created for public works to address.
6. Alia Street & DH Drive East – Councilmember asked about a sink hole in right-of-way. A work order was created for public works to address.
7. 9834 Pokai Way – Councilmember asked for a compliance check at this address.
8. Mauna Loa Outfall Ditch – A councilmember notified me that the major outfall ditch on Mauna Loa is filled with leaves and a few fallen trees. A work order was issued to Public Works.
9. 8419 Ieke Drive – Councilmember was asked by resident if the camouflage netting on neighbor's property was allowed. Sent to code enforcement to speak to neighbor. Camouflage is being removed.

Public Comments on Agenda Items.

Beverly Ledet - Planning and Zoning Meeting, Activity Center

Don Duff - Rezoning

Beverly O'Hara - Dog Park, Tree Ordinance, Geese Contract, Activity Center

Jimmy Glass - Livestreaming Issues, Tree Ordinance

Bill Atkinson - Traffic Signs

Jan White - Geese Contract

Von Biggs - Disseminate Information to Residents, Activity Center, Dog Park, Geese Contract

Policy Agenda.

Minutes:

1. Motion to approve the February 20, 2024 Regular Meeting Minutes.

Motion made by Ward 1 Finley, Seconded by Ward 3 Cumberland to approve the February 20, 2024 Regular Meeting Minutes.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Tabled Matters:

2. **2023-274:** Motion to contribute up to \$40,000.00 for the Dog Park from the General Fund Balance. (Finley)

NO ACTION TAKEN

3. **2023-408:** Discussion on whether or not donations that were made for the Diamondhead Dog Park Twin Lakes location can be refunded to the donors as it was stated at a prior city council meeting. (Depreo)

NO ACTION TAKEN

Resolutions:

4. **2024-059:** Motion to adopt Resolution 2024-008 thereby acquiring by donation certain real property for drainage and greenspace purposes from Diamondhead Country Club & Property Owners Association, Inc.

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to adopt Resolution 2024-008 thereby acquiring by donation certain real property for drainage and greenspace purposes from Diamondhead Country Club & Property Owners Association, Inc.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

5. **2024-062:** Motion to adopt Resolution 2024-009 to approve a text amendment in accordance with the Zoning Ordinance Article 2.8 (Amendment Rezoning Procedure). The proposed text amendment will make the following change to the Code of Ordinances Appendix A - Zoning. The Text Amendment will make the following changes to Article 11 - Tree Ordinance: Section 11.1 add additional protected trees, add new Section 11.11.1 - Tree Protection and add new Section 11.12.1 - Prior Tree Removal. The Case file Number is 202300337.

Motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to adopt Resolution 2024-009 to approve a text amendment in accordance with the Zoning Ordinance Article 2.8 (Amendment Rezoning Procedure). The proposed text amendment will make the following change to the Code of Ordinances Appendix A - Zoning. The Text Amendment will make the following changes to Article 11 - Tree Ordinance: Section 11.1 add additional protected trees, add new Section 11.11.1 - Tree Protection and add new Section 11.12.1 - Prior Tree Removal. The Case file Number is 202300337.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

6. **2024-065:** Motion to adopt Resolution 2024-010 to appoint William D. Parrish to the Planning and Zoning Commission to fill the vacant seat that expires in March 2026. (Depreo)

Motion made by Mayor Depreo, Seconded by Ward 1 Finley to adopt Resolution 2024-010 to appoint William D. Parrish to the Planning and Zoning Commission to fill the vacant seat that expires in March 2026.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

Motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to approve the following consent items:

7. **2024-056:** Motion to accept and award low bid received from L J Construction in the amount of \$719,320.31 for the Kaleki Way Drainage Project.
8. **2024-057:** Motion to approve the amended and restated Grant Agreements with Mississippi Development Authority for Gulf Coast Restoration Fund Program for FY23.
9. **2024-058:** Motion to approve Work Assignment under the Master Service Agreement with Covington Civil and Environmental, LLC in the amount not to exceed \$76,000.00 for East Aloha Phase II Sidewalks.
10. **2024-061:** Motion to approve Account and Arbitration Agreements with The First Bank for all City of Diamondhead depository accounts.
11. **2024-064:** Motion to approve Work Assignment under the Master Service Agreement with Covington Civil and Environmental, LLC in the amount not to exceed \$158,000.00 for Commercial District Phase III Project.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Action Agenda.

12. **2024-060:** Motion to remove the Canada geese from the Cooperative Service Agreement between the City of Diamondhead and United States Department of Agriculture that states Canada geese can be removed for zoonotic diseases, or animal species that are injurious and/or a nuisance to, among other things under the Acts of March 2, 1931, 46 ta1. 1468-69, 7 U.S.C. §§ 8351-8352, as amended, and December 22, 1987, Pubilc Law No. 100-102, § 101(k). 1010 Stat. 1329-331. 7 U.S.C. § 8353 and services provided Canada Geese trapping and carcass disposal. (Depreo)

MOTION DIED FOR LACK OF ACTION

13. **2024-063:** Motion to discuss the use of the city's Activity Center and e-blast system by City Council members. (Liese)

Motion made by Ward 1 Finley, Seconded by Ward 2 Liese to discuss the use of the city's Activity Center and e-blast system by City Council members.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Councilmember Finley exited the meeting during the discussion at 8:37 p.m.

Routine Agenda.

Claims Payable

14. Motion to approve Payroll Payables DKT231467-DKT231478 in the amount of \$49,487.07, PYPKT01437 in the amount of \$30,066.66, PYPKT01438 in the amount of \$30,368.76 and PYPKT1439 in the amount of \$2,717.76.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 4 Clark to approve Payroll Payables DKT231467-DKT231478 in the amount of \$49,487.07, PYPKT01437 in the amount of \$30,066.66, PYPKT01438 in the amount of \$30,368.76 and PYPKT1439 in the amount of \$2,717.76.

Voting Yea: Councilmember-At-Large Maher, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

Voting Nay: Mayor Depreo. Absent: Ward 1 Finley

MOTION CARRIED

15. Motion to approve Docket of Claims (DKT231508 - DKT231551) in the amount of \$101,859.17.

Motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to approve Docket of Claims (DKT231508 - DKT231551) in the amount of \$101,859.17.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark, Absent: Ward 1 Finley

MOTION CARRIED UNANIMOUSLY

Department Reports

- a. Motion to approve January 2024 Financials.

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to approve January 2024 Financials.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark, Absent: Ward 1 Finley

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items - None

Adjourn/Recess.

At 8:45 p.m. with no further action to come before the Council, motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to adjourn.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark, Absent: Ward 1 Finley

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk