



MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, December 17, 2024
6:00 PM CST
Council Chambers, City Hall

Call to Order.

Mayor Pro Tempore Shane Finley called the meeting to order at 6:00 p.m.

Invocation - Liese

Pledge of Allegiance

Roll Call

PRESENT

Councilmember-At-Large Gerard Maher

Ward 1 Shane Finley

Ward 2 Anna Liese

Ward 3 John Cumberland

Ward 4 Austin Clark

ABSENT

Mayor Nancy Depreo

Confirm or Adjust Agenda Order

Motion made by Ward 2 Liese, Seconded by Councilmember-At-Large Maher to confirm the agenda.

Voting Yea: 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 Tuesday, January 7, 2025 at 6:00 p.m. in the Council Chambers located at City Hall.

City Manager's Report.

CITY MANAGER REPORT

December 17, 2024

1. MDOT Projects – The Westbound deceleration ramp is closed. The demo work of the ramp is continuing. Once complete, the contractor will work on the roadway base. The closure is expected to be six weeks. Please use caution when driving in these areas and on the Interstate as lane shifts occur.

2. Park Ten Road – The contract is for 483 Calendar Days with a current end date of December 31st. The roadway was proof rolled on Monday. The paving subcontractor is onsite and will be the first lift from Leisure Time extension to Park Ten.
3. Kaleki Way – The contractor has signed the change order and will provide a schedule to complete the work.
4. Turnberry Way – The project is near completion. The first lift of paving was completed on Monday. The contractor will finish the paving by Wednesday.
5. Ahuli Place Drainage – Project has turned onto Ahuli Place. The contractor is removing the asphalt and installing the new culvert. The conflict boxes and junction boxes are being completed.
6. Hilo Master Drainage – The contractor has started on Site “C” completing the downstream section last week. They will start on Site “D” on Thursday. This will require the closure of Diamondhead Drive East. The road closure is expected to last for three days.
7. Kome Drive & Kalipekona Pond – The bids are on this agenda for your approval. The project budget was \$1.22 million.
8. Dog Park – Ochsner is working with Hancock County to meet all requirements of their lease.
9. Coon Branch – Met with the engineer today regarding this project. He is finalizing the design and will have the advertisement request on the next agenda.
10. Noma Drive Dredging – Held the pre-construction meeting today. The notice to proceed will be issued around the first of February with the schedule of work to be completed within that month.
11. Canal Dredging – The engineer is working with DEQ on requested design changes and completing all required steps from the kickoff meeting. The project still has an expected start date of March/April 2025.
12. Noma Drive Phase 1b – The contract is for 180 Calendar Days with a current end date of January 7th. Contractor has installed the electrical conduit and is working with Coast Electric to get power to the facility.
13. Jourdan River Boardwalk – We are continuing with the monthly meetings with MDEQ to move the project forward.
14. Noma Drive Nature Trail – **No update on this meeting.** The engineer has determined the phase 1 site and will start the design and layout.
15. Detention Pond – **No update on this meeting.** The engineer will be completing the plans for this area by the end of the year. Public works will dredge this pond once plans are provided to the city.
16. Pelican Cove Drainage Project – **No update on this meeting.** The engineer has additional surveying to complete and will finalize the drawing for this project.
17. Unit Price Projects – **No update on this meeting.** Projects under the unit price contract are being designed by the city engineer. The Kiko Street design has been given to public works. The Kipapa Way project is still in the design phase. DH Drive East, Koko Court, Lanai Place, and Laa La Way, will utilize the unit price contract to complete. These projects are with the city engineer who is working on designs.
18. Montjoy Creek – **No update on this meeting.** USACE needed additional information from the engineer. That has been provided to them and we are waiting for final permits to be issued. The project is being separated into three phases to ensure funding.

Email Request Received

1. 7854 Maui Place – Councilmember contacted me about a sink hole forming and the ditch needing to be cleaned out to allow proper waterflow. **Public Works have filled the sink hole.**
2. 698 / 6910 Aukai Place – Councilmember asked about the drainage ditch in this area needing to be addressed. A work order has been issued.
3. Bayou Circle – Councilmember asked for the median on Bayou Circle to be filled to prevent vehicles from receiving damage due to the drop off. **Public works have filled the area with topsoil and seeded the median.**
4. 579 Anoai Way – Resident is requesting front ditch to be cleaned as it is holding water. **Public Works have cleaned the front ditch.**
5. 9951 Hamakua St – Resident is requesting ditch to be cleaned. A work order has been issued.
6. Kaleki Way Drainage – Councilmember has asked several questions about the project. **The engineer is reviewing the concerns and will determine if work was completed as per the drawings.**
7. Maluhia Garden – Councilmember contacted me about the bridge at the garden was broken. Public works have inspected the bridge and determined the substructure is rotten and will need to be replaced. **The bridge has been repaired.**
8. Kalea Street – Received an email from a resident regard the drainage ditch on the east side of Koloa Street between Kalae and Ala Moana Streets. **The engineer’s survey crew has taken post measurements of the ditch to make sure the grade is correct. They are currently reviewing the site and will provide any recommendations if needed.**

Public Comments on Agenda Items. - None

Council Comments.

Policy Agenda.

Minutes:

1. Motion to approve December 3, 2024 Regular Meeting Minutes.

Motion made by Ward 4 Clark, Seconded by Ward 3 Cumberland to approve December 3, 2024 Regular Meeting Minutes.

Voting Yea: 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 Councilmember-At-Large Maher to move Consent Agenda Item #11. **2024-325:** Motion to accept and award low bid received from JLB Construction LLC. in the amount of \$1,236,395.00 for the Kome Drive and Kalipekona Pond Drainage Project and authorize the City Manager to execute the contract for same and to issue the notice to proceed as appropriate. (GOMESA) to the Action Agenda.

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

MOTION CARRIED UNANIMOUSLY

Motion made by Ward 2 Liese, Seconded by Councilmember-At-Large Maher to approve the following consent items:

2. **2024-316:** Motion to approve Change Order 3 in the amount of -\$6,521.00 to the contract price and Pay Request 1 and 2 in the amount of \$101,650.00 and \$6,827.00 to Fair Tide Marine & Constriction, LLC. for Beaux Vue Ph 2 Drainage Improvements.
3. **2024-317:** Motion to accept substantial completion of the Beaux Vue Ph 2 Drainage Improvements Project as of November 27, 2024.
4. **2024-318:** Motion to approve payments to Covington Civil & Environmental, LLC in the amount of \$1,550.00 for Kalae Drainage Project, in the amount of \$4,495.00 for Diamondhead Paving Project, in the amount of \$2,095.00 for Site Development Plan Review, in the amount of \$2,672.00 for On-Call Survey Services, in the amount of \$1,207.50 and \$13,410.82 for Annual Unit Price Contract, in the amount of \$21,625.16 for Kome Drive and Fairway Drive Drainage Project, in the amount of \$9,100.00 for Turnberry Drainage Project, in the amount of \$3,200.00 for Ahuli Drainage Project, in the amount of \$4,214.50 for the Commercial District Transformation Project, in the amount of \$7,900.00 for Commercial District Phase III Project and in the amount of \$5,250.43 for On Call Survey Services.
5. **2024-319:** Motion to approve Pay Application 15 in the amount of \$408,923.15 to Bottom 2 Top Construction, LLC for the Commercial District Transformation Project Phase I.
6. **2024-320:** Motion to approve payment to Chiniche Engineering & Surveying in the amount of \$4,767.00 for Canal Dredging, in the amount of \$3,322.00 for Pond 6 Drainage Analysis, in the amount of \$7,323.50 for Coon Branch Drainage, in the amount of \$5,322.50 for Jourdan River Boardwalk and in the amount of \$3,504.50 for Noma Drive Dredging .
7. **2024-321:** Motion to approve Pay Application 3 in the amount of \$151,902.63 to LJ Construction, Inc., for the Turnberry Drainage Project.
8. **2024-322:** Motion to approve Pay Application 1 in the amount of \$98,813.65 to LJ Construction, Inc., for the Ahuli Drainage Project.
9. **2024-323:** Motion to authorize the City Manager to work with MEMA and FEMA to determine if SWIFT Pilot Program would benefit repetitive loss property owners.
10. **2024-324:** Motion to approve Change Order No. 2 to the contract with LJ Construction Inc. in the net amount of -\$11,422.50 for a total contract amount of \$202,140.95 and a decrease in contract time of thirty (30) calendar days for the Kolo Court Drainage Project.
12. **2024-328:** Motion to approve payment in the amount of \$6,112.50 to Digital Engineering for Beaux Vue Phase 2 Drainage Improvements.

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

MOTION CARRIED UNANIMOUSLY

Action Agenda.

- 13. 2024-326:** Motion to concur with the Planning Commission recommendation to approve a Text Amendment to Article 4.3.6.a – Uses and Conditions – Swimming Pool. The proposed text amendment is to add “Screened pool enclosures are considered pool appurtenance structures.” The Case File Number is 202400570.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 2 Liese to concur with the Planning Commission recommendation to approve a Text Amendment to Article 4.3.6.a – Uses and Conditions – Swimming Pool. The proposed text amendment is to add “Screened pool enclosures are considered pool appurtenance structures.” The Case File Number is 202400570.

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

MOTION CARRIED UNANIMOUSLY

- 14. 2024-327:** Motion to concur with the Planning Commission recommendation to approve a Text Amendment to Article 4.3.10.f.xiii – Uses and Conditions - Fences. The proposed text amendment is to remove “In the situation of a corner lot, each street-side frontage shall be considered as a front yard.” The Case File Number is 202400571.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 4 Clark to concur with the Planning Commission recommendation to approve a Text Amendment to Article 4.3.10.f.xiii – Uses and Conditions - Fences. The proposed text amendment is to remove “In the situation of a corner lot, each street-side frontage shall be considered as a front yard.” The Case File Number is 202400571.

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

MOTION CARRIED UNANIMOUSLY

At 6:21 p.m. Councilmember Clark left the meeting.

- 11. 2024-325:** Motion to accept and award low bid received from JLB Construction LLC. in the amount of \$1,236,395.00 for the Kome Drive and Kalipekona Pond Drainage Project and authorize the City Manager to execute the contract for same and to issue the notice to proceed as appropriate. (GOMESA)

Motion made by Ward 3 Cumberland, Seconded by Councilmember-At-Large Maher to accept and award low bid received from JLB Construction LLC. in the amount of \$1,236,395.00 for the Kome Drive and Kalipekona Pond Drainage Project and authorize the City Manager to execute the contract for same and to issue the notice to proceed as appropriate.

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

MOTION CARRIED UNANIMOUSLY

At 6:22 p.m. Councilmember Clark returned to the meeting.

Routine Agenda.

Claims Payable

- 15. Motion to approve Docket of Claims (DKT232367 - DKT232406) in the amount of \$1,086,973.45.

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to approve Docket of Claims (DKT232367 - DKT232406) in the amount of \$1,086,973.45.

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

MOTION CARRIED UNANIMOUSLY

- 16. Motion to approve Payroll Payables Docket of Claims DKT232358-DKT232366 in the amount of \$44,050.32 and PRCLAIM10219 in the amount 28,709.00, PRCLAIM10220 in the amount of \$31,797.79 and PRCLAIM10221 in the amount of \$3,055.04.

Motion made by Ward 4 Clark, Seconded by Ward 1 Finley to approve Payroll Payables Docket of Claims DKT232358-DKT232366 in the amount of \$44,050.32 and PRCLAIM10219 in the amount 28,709.00, PRCLAIM10220 in the amount of \$31,797.79 and PRCLAIM10221 in the amount of \$3,055.04.

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

MOTION CARRIED UNANIMOUSLY

Department Reports

Motion made by Ward 3 Cumberland, Seconded by Councilmember-At-Large Maher to approve department reports.

- a. Court
- Police
- Building
- b. November 2024 Financials

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

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items. - None

Adjourn/Recess.

At 6:24 p.m. with no further business to come before the council, motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to adjourn.

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

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk