



MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, April 18, 2023
6:00 PM CST
Council Chambers, City Hall

Call to Order.

Mayor Depreo called the meeting to order at 6:00 p.m.

Invocation

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 Charles Clark

Confirm or Adjust Agenda Order

Motion made by Mayor Depreo, Seconded by Ward 4 Clark to amend the agenda as follows:

AMENDMENTS:

- 21. 2023-210:** Motion to award the low quote received from Pine Belt Chrysler Dodge Jeep Ram for the purchase of two (2) new Police Pursuit Vehicles in the amount of \$34,717 each for a total purchase in the amount of \$69,434.00

DELETE:

- 23.** Motion to approve Docket of Claims in the amount of TBD to the Department of Revenue for Dog Park Day Sales Tax.

ADD TO ACTION AGENDA:

- 21A. 2023-212:** Motion to authorize emergency repairs to the Makiki Drive Drainage Project for water line, erosion control and debris removal pursuant to MS Code 31-7-13- (j) and further to award the quote for the repairs to Bottom 2 Top Construction in the amount of \$22,584.60.

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 May 2, 2023 at 6:00 p.m. in Council Chambers located at City Hall.
- b. Whoofstock 3rd Annual Dog Park Day has been Rescheduled to Saturday, April 23, 2023, 12:00 p.m. - 4:00 p.m. on the South Side at Harbor Circle.
- c. Proclamation Presentation - Vancleave Live Oak Choctaw Tribe Diamondhead.
- d. Legislative Update - Senator Philip Moran and Representative Jay McKnight.

City Manager's Report.

1. Bayou Drive Kayak Launch Repairs –The city is waiting on the contractor to complete the punch-list items. The engineer was checking with the contractor yesterday on a timeline for completion of the project.
2. Lily Pond and I-10 Pond – The contractor is nearly complete with dredging the Lily Pond. They have cleared the area around the I-10 pond needed to access the south side of the pond and have installed silt fencing. They will begin dredging within the next two weeks. The current end date for the contract is July 17, 2023.
3. Park Ten Road – The City is still finalizing easement needed and MDEQ permits. Once everything is in order, the engineer will advertise the project.
4. Phase 4 paving – The paving project is currently demobilized until the area around Bayou Circle is available to complete the project. The current end date of the project is June 30th.
5. Diamondhead Drive Paving – The engineering firm received comments back from the city engineer regarding the 50% drawings. A meeting will be scheduled with all firms to discuss the drawings.
6. Code Enforcement – Due to the city not being able to fill the code enforcement position at this time, I have contacted AJ Gambino, Diamondhead Police Chief to ascertain if any current Diamondhead officers would be willing to work in code enforcement during their time off. Currently three officers are interested.
7. Makiki Drive – The City Attorney provided an update on this project to the City Council.

Pat Rich, Planning & Zoning Director provided an update on the Planning and Zoning Day.

Ben Benvenuti and Andrew Levens, Covington Civil & Environmental presented a PowerPoint with an update on current drainage projects.

Public Comments on Agenda Items.

Durell Pellegrin - Drainage

Barbara Gibbons - Dog Park

Barbara Easler - Dog Park

Policy Agenda.

Minutes:

1. Motion to approve the April 4, 2023 Regular Meeting Minutes.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve the April 4, 2023 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

Resolutions:

2. **2023-199:** Motion to adopt Resolution 2023-018 thereby appointing Sue Layel to serve as Planning & Zoning Commissioner effective immediately for a 3-year term expiring March 2026.

Motion made by Mayor Depreo, Seconded by Ward 3 Cumberland to adopt Resolution 2023-018 thereby appointing Sue Layel to serve as Planning & Zoning Commissioner effective immediately for a 3-year term expiring 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:

3. **2023-192:** Motion to approve payment to Machado Patano in the amount of \$450.00 for Hilo Way Drainage.
4. **2023-193:** Motion to approve payment in the amount of \$1,817.54 to Orion Planning for March 2023 services.
5. **2023-194:** Motion to approve payments to Chiniche Engineering & Surveying in the amount of \$332.50 for Bayou Drive Kayak Launch, in the amount of \$2,359.50 for Drainage Pond Remediation and in the amount of \$7,332.50 for Canal Dredging.
6. **2023-195:** Motion to approve payments in the amount of \$145.00 to Digital Engineering for Beaux Vue Phase 2 Drainage Improvements and \$51,056.25 for Bond Paving Project.
7. **2023-196:** Motion to refund Grant for the Diamondhead Dog Park Project in the amount of \$10,000.00 to the Hancock County Community Development Foundation.
8. **2023-197:** Motion to approve Pay Application 1 in the amount of \$100,233.55 to JLB Contractors, LLC for the Lily Pond and Diamondhead Drive East Retention Pond.
9. **2023-198:** Motion to accept and award the low quote received from Moran Hauling, Inc. in the amount of \$32,474.00 for Bayou Drive Drainage Improvements.
10. **2023-204:** Motion to approve the transfer of the Master Service Agreement between City of Diamondhead and Neel-Schaffer, Inc. (formerly Compton Engineering, Inc.).

11. **2023-205:** Motion to approve Jon McCraw and Jeannie Klein as authorized signatories for the Small Municipalities and Limited Population Counties Grant (East Aloha Improvements) for cash request and other grant related reporting.
12. **2023-206:** Motion to approve Change Order for sixty (60) additional days to the contract with Huey P. Stockstill, LLC. for the Roadway Improvements Phase 4 with no change to contract price.
13. **2023-207:** Motion to approve Payment Request No 3 in the amount of \$18,050.00 and Payment Request No 4 in the amount of \$13,695.28 to Huey P. Stockstill, LLC for Diamondhead Roadway Improvements-Phase 4.
14. **2023-208:** Motion to approve Budget Amendments 2023-004, 2023-005, 2023-006.
15. **2023-209:** Motion to concur with the recommendation to reject the sole bid received for the purchase of police pursuit vehicles.
16. **2023-211:** Motion to approve payment in the amount of \$25,655.00 to Rostan Solutions for MSA-Disaster Consulting Services.

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.

17. **2023-200:** Motion for discussion on ways to improve ARTICLE 11 - TREE ORDINANCE (3)
Motion made by Mayor Depreo, Seconded by Councilmember Liese for discussion on ways to improve ARTICLE 14 - LAND ALTERATIONS AND DISTURBANCES 14.1.4 Filling.

NO ACTION TAKEN

18. **2023-201:** Motion for discussion on ways to improve ARTICLE 14 - LAND ALTERATIONS AND DISTURBANCES 14.1.4 Filling.

Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher for discussion on ways to improve ARTICLE 14 - LAND ALTERATIONS AND DISTURBANCES 14.1.4 Filling.

NO ACTION TAKEN

19. **2023-202:** Motion to authorize City Manager to advertise to bid the Twin Lakes Fishing Pier and Walking Trail Project as per completed construction plans dated August 2022 with entry building as Bid Alternate No.1.

Motion made by Mayor Depreo, Seconded by Ward 1 Finley to authorize City Manager to advertise to bid the Twin Lakes Fishing Pier and Walking Trail Project as per completed construction plans dated August 2022 with entry building as Bid Alternate No.1.

Motion made by Mayor Depreo, Seconded by Ward 1 Finley to **TABLE** the above motion **2023-202.**

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

MOTION CARRIED UNANIMOUSLY

20. **2023-203:**

To discuss procedure(s) of Diamondhead's storm water drainage regulations on the books for both subdivisions as well as individual lots. To ask the Building Inspector and city engineer and any other city staff employed in the enforcement of above, to give example of the steps they take in practice of verifying the regulations and ask them what suggestions they would make to amend, keep, or add to the regulations already on the books to adequately regulate these regulations so that no new building or development will cause a change in the flow of water onto any adjacent properties except through the ditches or through other methods such as retention and or detention ponds.

To gather these suggestions and send them to Orion planning for Orion's review and possible implementation into the new City code they are working on.

And to see what this council thinks of the requirement of notifying all adjacent property owners on any new builds or developments, by mail, of the possibility of deepening or adjusting in any way the co-joining swales or drainage ditches on City's easements in order for the water to better flow.

Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher to discuss procedure(s) of Diamondhead's storm water drainage regulations on the books for both subdivisions as well as individual lots. To ask the Building Inspector and city engineer and any other city staff employed in the enforcement of above, to give example of the steps they take in practice of verifying the regulations and ask them what suggestions they would make to amend, keep, or add to the regulations already on the books to adequately regulate these regulations so that no new building or development will cause a change in the flow of water onto any adjacent properties except through the ditches or through other methods such as retention and or detention ponds.

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Routine Agenda.

Claims Payable

22. Motion to approve Docket of Claims (DKT230630 - DKT230672) in the amount of \$428,631.83.

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to approve Docket of Claims (DKT230630 - DKT230672) in the amount of \$428,631.83.

Voting Yea: Mayor Depreo, 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 4 Clark, Seconded by Councilmember-At-Large Maher to approve the following Reports-

- a.** Building Department
Police Department
Court Department
- b.** March 2023 Financial Report

Voting Yea: Mayor Depreo, 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 8:28 p.m. with no further business 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 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY