



MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, October 15, 2024
6:00 PM CST
Council Chambers, City Hall
and via teleconference, if necessary

Call to Order.

Mayor Depreo called the meeting to order at 6:04 p.m. via teleconference.

Invocation - Councilmember Clark

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo - via teleconference

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 Ward 2 Liese, Seconded by Ward 1 Finley to adjust the agenda moving tabled item **2024-259**: Motion to request the Mayor to provide the Council with copies of any and all evidence she has collected, reported and/or provided to state authorities including, but not limited to, the state auditor, attorney general, and ethics commission, regarding any alleged impropriety involving city administration, staff, and employees, as she announced via social media on 8/25/24 to the action agenda.

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 Tuesday, November 5, 2024 at 6:00 p.m. in Council Chambers located at City Hall.
- b. Diamondhead Police Department's National Night Out will be held on Thursday, October 17, 2024 from 5:30 p.m. - 7:00 p.m. at City Hall.
- c. Charlene Kurkow - Wright, Ward, Hatten & Guel, PLLC - FY23 Audited Financial Statement

City Manager's Report.

CITY MANAGER REPORT

October 15, 2024

1. MDOT Projects –MDOT has closed Gex Drive entrance and exit from the four-way stop. This access should be closed for two to three weeks (weather depending). Construction has also started on the West bound acceleration lane. This ramp will be closed for an estimated four to six weeks.
2. Park Ten Road – The contract is for 483 Calendar Days with a current end date of December 31st. The contractor is completing the work on the Leisure Time extension roadway. Work is also progressing on the East end of the new roadway with curbing, sidewalk, and irrigation installed.
3. Beaux Vue 2 – The date for this project is December 4th. The contractor has started the clearing around the new ditch and is currently waiting for materials to be delivered to the site.
4. Kaleki Way – Engineers have assessed the roadway repairs for this project and are currently working on the final design specification needed.
5. Noma Drive Phase 1b – The contract is for 180 Calendar Days with a current end date of January 7th. The contractor has completed the pier and is currently working on the comfort station area. The new kayak launch should be delivered this week.
6. Kolo Court –The final walkthrough was conducted on Monday. No punch list was needed, so final closeout documents will be issued and provided at the next council meeting.
7. Turnberry Way – This project is for 120 days. The current end date is set for December 25, 2024. The contractor has completed the dredging of the detention pond. They have started on the culvert installation. This will require the closing of Turnberry Drive to thru traffic, but the contractor is working to reopen the road each night for residents to get to their homes. The change order on this agenda is to add the asphalt back into the project as total ARPA funding is available to cover this cost.
8. Kalae Street – This project is for 90 days, with a current end date of November 25, 2024. contractor has completed the driveway headwalls and will be dressing up the area for final walkthrough.
9. Hilo Master Drainage & Ahuli Place Drainage – The contractor is moving all work to Turnberry to help facilitate a shorter timeframe for road closure. The Ahuli Place project is scheduled to start after the Turnberry project is completed.
10. Coon Branch – The engineer will have the design finalized this month with an expected November date to advertise this project.
11. Noma Drive Dredging – The bids for this project were opened today. They are currently under review by the engineer and will be presented to the council for approval at the next meeting.
12. Dog Park – Met with Ochsner last week. They are very much on board with the location. I will provide an update to the county next week. I will have the area surveyed and the legal description written. We will work on a lease agreement with an option to purchase.
13. Kome Drive & Kalipekona Pond – I am asking for permission to advertise this project on this agenda. The final plans will be available this month before advertising.

14. Canal Dredging – The grant agreement from MDEQ is on this agenda for council approval. The engineer will advertise this project next month with the expected start date to be March/April of 2025.
15. Unit Price Projects – Five projects under the unit price contract are being designed by the city engineer. Two of the projects, Kipapa Way and Kiko Street, will be completed by public works. The other three, DH Drive East, Koko Court, and Laa La Way, will utilize the unit price contract to complete. The city is waiting on the designs back from the engineer.
16. Noma Drive Nature Trail – **No updated information this meeting.** The engineer flew the phase 1 site last week to determine the terrain and best location for the trail.
17. Detention Ponds – **No updated information this meeting.** Met with the county engineer last week to discuss additional drainage projects and funding. The dredging of all ponds was discussed. The engineer will complete the design on the current pond and will provide it to public works to complete the dredging.
18. Montjoy Creek – **No updated information this meeting.** Currently waiting on final permits from USACE.
19. Pelican Cove Drainage Project – **No updated information this meeting.** Engineers have been provided with the work assignment and will begin the survey on this project.
20. Jourdan River Boardwalk – **No updated information this meeting.** Currently waiting on the final permits for this project to be finalized. The engineer is working on the final design, once complete, it will be sent to the Mississippi Restoration Team and DEQ for approval

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. A work order has been issued.
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.
4. 579 Anoa Way – Resident is requesting front ditch to be cleaned as it is holding water. A work order has been issued.

Public Comments on Agenda Items-None

Policy Agenda.

Minutes:

1. Motion to approve the October 1, 2024 Regular Meeting Minutes.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve the October 1, 2024 Regular Meeting Minutes.

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

Voting Abstaining: Mayor Depreo

MOTION CARRIED UNANIMOUSLY

Motion made by Ward 1 Finley, Seconded by Ward 2 Liese to approve the following consent items:

Consent Agenda:

3. **2024-262:** Motion to approve the Municipal Compliance Questionnaire for Fiscal Year 2024.
4. **2024-263:** Motion to approve Pay Application 6 in the amount of \$20,307.83 to LJ Construction, Inc., for the Kaleki Way Drainage Project.
5. **2024-264:** Motion to approve payments to Covington Civil & Environmental, LLC in the amount of \$1,125.00 for Kalae Drainage Project, in the amount of \$10,880.00 for Diamondhead Paving Project, in the amount of, \$817.50 for Unit Price Contract, in the amount of \$9,100.00 for Kolo Court, in the amount of \$17,800.00 for Kome Dr and Fairway Dr Drainage Project, in the amount of \$68,087.50 for Kaleki Way Drainage Project and in the amount of \$65,600.00 for Turnberry Drainage Project.
6. **2024-265:** Motion to approve Pay Application 1 in the amount of \$95,193.12 to LJ Construction, Inc., for the Turnberry Drainage Project.
7. **2024-266:** Motion to approve Pay Application 1 in the amount of \$23,027.52 to LJ Construction, Inc., for the Kalae Street Drainage Project.
8. **2024-267:** Motion to approve Pay Application 1 in the amount of \$140,753.38 to LJ Construction, Inc., for the Kolo Court Drainage Project.
9. **2024-268:** Motion to approve Mississippi Department of Environmental Quality Subaward Agreement for the Southside Canal Dredging Project.
10. **2024-269:** Motion to approve Pay Application 13 in the amount of \$304,907.57 to Bottom 2 Top Construction, LLC for the Commercial District Transformation Project Phase I.
11. **2024-270:** Motion to approve payment to Chiniche Engineering & Surveying in the amount of \$4,047.00 for Coon Branch Drainage, in the amount of \$4,174.00 for Jourdan River Boardwalk and in the amount of \$2,870.00 for Noma Drive Dredging .
12. **2024-271:** Motion to approve Pay Application 2 in the amount of \$223,126.50 to Gill's Crane & Dozer Services, Inc. for the Noma Drive Waterfront Improvements Project.
13. **2024-273:** Motion to approve Budget Amendment 2025-001.
14. **2024-274:** Motion to advertise for bids for Kome Drive Kalipekona Pond Drainage Project.
15. **2024-275:** Motion to approve Change Order No. 1 to the contract with LJ Construction, LLC in the net amount of \$85,997.50 for a total contract amount of \$703,548.90 and with an additional seventeen (17) contract days for Turnberry Drainage Project.
16. **2024-276:** Motion to accept the Audited Financial Statement for Fiscal Year ended 2023.

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

MOTION CARRIED

Action Agenda.

17. **2024-272:** Motion to adopt a text amendment to the Procedural Ordinance 2019-003.3 Sec. 1-6 Presiding Officer. The presiding officer of the city council shall be the mayor, or, in his/her absence the mayor protempore. The presiding officer must be physically present in council chambers. The presiding officer shall preserve strict order and decorum at all regular and special meetings of the council. He/she shall state every question coming before the council, announce the decision of the council on all subjects and decide all questions of order, subject, however, to appeal to the council, in which event a majority vote of the council membership shall govern and conclusively determine such question of order. Such appeal shall be immediately presented and voted upon by the council. (Cumberland)

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to adopt a text amendment to the Procedural Ordinance 2019-003.3 Sec. 1-6 Presiding Officer. The presiding officer of the city council shall be the mayor, or, in his/her absence the mayor protempore. The presiding officer must be physically present in council chambers. The presiding officer shall preserve strict order and decorum at all regular and special meetings of the council. He/she shall state every question coming before the council, announce the decision of the council on all subjects and decide all questions of order, subject, however, to appeal to the council, in which event a majority vote of the council membership shall govern and conclusively determine such question of order. Such appeal shall be immediately presented and voted upon by the council.

Voting Yea: Ward 2 Liese

Voting Nay: Mayor Depreo, Ward 1 Finley, Ward 3 Cumberland, Ward 4 Clark

Voting Abstaining: Councilmember-At-Large Maher

MOTION FAILED

2. **2024-259:** Motion to request the mayor to provide the Council with copies of any and all evidence she has collected, reported and/or provided to state authorities including, but not limited to, the state auditor, attorney general, and ethics commission, regarding any alleged impropriety involving city administration, staff, and employees, as she announced via social media on 8/25/24. (Liese)

Motion made by Ward 2 Liese, Seconded by Ward 3 Cumberland to request the Mayor to provide the Council with copies of any and all evidence she has collected, reported and/or provided to state authorities including, but not limited to, the state auditor, attorney general, and ethics commission, regarding any alleged impropriety involving city administration, staff, and employees, as she announced via social media on 8/25/24 and have the Facebook posts entered into the record.

After discussion Councilmember-At-Large Maher called for a vote.

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

Voting Nay: Mayor Depreo

MOTION CARRIED

At 8:02 p.m. Councilmember-At-Large Maher left the meeting.

Routine Agenda.

Claims Payable

- 18. Motion to approve Docket of Claims (DKT232195 - DKT232233) in the amount of \$1,113,437.01.

Motion made by Ward 1 Finley, Seconded by Ward 2 Liese to approve Docket of Claims (DKT232195 - DKT232233) in the amount of \$1,113,437.01.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

- 19. Motion to approve Payroll Payables PRCLAIM10213 in the amount of \$27,093.34, PRCLAIM10214 in the amount of \$27,349.31, PRCLAIM10215 in the amount \$3,048.79 and Docket of Claim DKT232155-DKT232163 in the amount of \$42,072.74.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve Payroll Payables PRCLAIM10213 in the amount of \$27,093.34, PRCLAIM10214 in the amount of \$27,349.31, PRCLAIM10215 in the amount \$3,048.79 and Docket of Claim DKT232155-DKT232163 in the amount of \$42,072.74.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Department Reports

Motion made by Ward 2 Liese, Seconded by Ward 1 Finley to approve the following department reports:

- a. Financials - September 2024
- b. Police
 - Court
 - Building
 - Code Enforcement

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

At 8:05 p.m. Councilmember Ward 3 Cumberland left the meeting.

Public Comments on Non-Agenda Items- None

Adjourn/Recess.

At 8:06 p.m. with no further business to come before the council, motion made by Ward 4 Clark Seconded by Ward 1 Finley to adjourn.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Liese, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk