



**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**Wednesday, January 17, 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 6:00 p.m.

Invocation - Councilmember Cumberland

Pledge of Allegiance

Roll Call

**PRESENT**

Mayor Nancy Depreo

Councilmember-At-Large Gerard Maher

Ward 1 Shane Finley

Ward 2 Anna Liese - via teleconference

Ward 3 John Cumberland

Confirm or Adjust Agenda Order

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to confirm agenda.

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

**MOTION CARRIED UNANIMOUSLY**

**Presentation Agenda.**

- a. The next Regular Meeting of the City Council will be held February 6, 2024 at 6:00 p.m. in Council Chambers located at City Hall.

**City Manager's Report.**

**CITY MANAGER REPORT**

January 16, 2024

1. Park Ten Road –The contract is for 270 Calendar Days with an end date of June 1<sup>st</sup>. Currently on schedule. Due to the weather, the project has experienced milestone delays, but will increase staff to overcome the issues caused. The contractor is currently installing the drainage pipes and electrical conduit from the treatment plant to Noma Circle.
2. Noma Drive Restoration – No work has been done on this project as the contractor is waiting on Phase 1 to make connection to multimodal path. The contract is for 150 Calendar Days with an end date of February 7<sup>th</sup>. A 45-day change order is on the agenda for approval.

3. Beaux Vue 2 – Bid has been awarded, currently waiting on contractor bonds and paperwork.
4. Bond Paving Diamondhead Drive – The contract is for 150 Calendar Days with an end date of March 6<sup>th</sup>. Again, due to the weather, the striping sub-contractor has experienced delays. The asphalt at the end of DH Drive East and Golf Club Drive is not acceptable to hold the new striping. Warren Paving will pave the area to allow for better striping in the area. The city will review all signage to assist drivers regarding the changes.
5. Montjoy Creek – Due to the footprint of the project having changed, it will have to be sent out on notice again. Currently waiting on the DMR notice to be sent out. The project is on hold until the notice period is complete.
6. Noma Drive Phase 1b – This project is out for bid. The project is to build the parking area, rebuild the boat ramp, and build the kayak launch and pier.
7. Kaleki Way – The project is out for bid.
8. Bayou Drive – Project is out for bid.
9. Canal Dredging – The city has received the permit from USACE to allow for the canal dredging on the south side. The project is currently under review by the RESTORE Council. The schedule is to wrap up in the next couple of weeks.
10. DH Lakes Road – Elliott Homes' engineers and Covington Engineering have agreed on design. EH will notify residents with a timeline for this project to begin.
11. Gex Drive Lighting – The work assignment for this project is on the agenda for approval tonight. Covington has completed the topographic survey for this project.
12. Noma Drive Boardwalk – Engineer is working on the drawing. Working with landowners to acquire easements.
13. March of the Mayors for 2024 – Food-donation event. 'March of the Mayors' is a four-week-long event that begins on February 1st and ends on March 1st. The city will set up drop-off points where citizens can drop off a donation of 15-ounce cans of soup.
14. ARPA/GOMESA Projects – The following projects have been assigned to an engineering firm 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

15. Detention Ponds – **No change on this project.** I have met with the POA regarding the four ponds on the golf courses identified for dredging to allow for greater stormwater detention. The POA was receptive to the plans provided by the engineer. This project will be scheduled for the first of next year.
16. Noma Drive Walking Trail – **No change on this project.** The work assignment for the engineer is on this agenda for approval. This portion will be the planning phase using Tidelands funds. The city has applied for additional funding for this project with the MS Outdoor Stewardship Grant. This project will create a walking path from Noma Drive to Montjoy Creek.
17. Dog Park – **No change on this project.** The parcel is currently being surveyed to verify a few minor points. The road right of way is being evaluated to determine if it has been dedicated and accepted by the city. The city has started the re-subdivision process. This will be a several month process that will go through P&Z and Council for approval.

### **Email Request Received**

1. 10418 Malahini Place – Water behind home after kayak launch was completed. I am still waiting on DMR to schedule an onsite visit. I reached out to the engineer to get an update on the DMR meeting.
2. City Website – I received an email regarding our website having a few incorrect elected officials as well as current staff. I have made the changes. If you see any information that is out of date or incorrect, please let us know so we can keep our website current.
3. 73640 DH Drive North – Resident requested new asphalt to be repaired. The multimodal path was gauged from the gate of a drop trailer. I have asked public works to fix asphalt.
4. EH Silt Fencing – Resident reporting the silt fencing was breach at Twin Lakes. EH repaired the breach and installed additional hay bales to secure the area to prevent future issues.
5. South Side Canals – Received request to clean out debris from canals.
6. 10612 Lilinoe Place – Councilmember asked to address drainage concerns around this property. I have asked public works to provide an assessment.

### **Public Comments on Agenda Items.**

Vickie Stolf - Kaleki Way Drainage

Paul Brown - 2040 Plan

Starr Chapman - Public Communication and Southside Bayou Canals

### **Policy Agenda.**

### **Minutes:**

1. Motion to approve the January 2, 2024 Regular Meeting Minutes.

Motion made by Ward 1 Finley, Seconded by Ward 3 Cumberland to approve the January 2, 2024 Regular Meeting Minutes.

**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. **2024-011: PUBLIC HEARING-** Motion to adopt Resolution 2024-002 to adjudicate that the uninhabited residence located at 9782 Limu Place (parcel #067G-1-25-143.00) is a menace to the public health, safety and general welfare of the community. Authorization to advertise for bids and/or obtain quotes or utilize city resources to perform the necessary services to mow the grass, remove trees or shrubbery limbs from the property and to dispose of said debris properly, assess the costs to said property and for other related purposes. Property owner is Paula Page.

**2024-011: PUBLIC HEARING** - Mayor Depreo opened the Public Hearing in the matter of 9782 Limu Place (parcel #067G-1-25-143.00) and called on three (3) occasions for property owner Paula Page with no response.

Motion made by Ward 3 Cumberland, Seconded by Councilmember-At-Large Maher to adopt Resolution 2024-002 to adjudicate that the uninhabited residence located at 9782 Limu Place (parcel #067G-1-25-143.00) is a menace to the public health, safety and general welfare of the community. Authorization to advertise for bids and/or obtain quotes or utilize city resources to perform the necessary services to mow the grass, remove trees or shrubbery limbs from the property and to dispose of said debris properly, assess the costs to said property and for other related purposes. Property owner is Paula Page.

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

**MOTION CARRIED UNANIMOUSLY**

**Consent Agenda:**

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

5. **2024-012:** Motion to approve Compensation for Election Commissioners, Poll Workers and Clerks for the City Council Ward 4 Special Election.
6. **2024-013:** Motion to approve Pay Request 2 in the amount of \$914,381.01 to Warren Paving, Inc. for Diamondhead Bond Paving Project.
7. **2024-014:** Motion to approve Pay Application 4 in the amount of \$433,970.51 to Bottom 2 Top Construction, LLC for the Commercial District Transformation Project Phase I.
8. **2024-015:** Motion to accept substantial completion of the Makiki Drive Drainage Improvements Project as of November 21, 2023.
9. **2024-016:** Motion to approve payment in the amount of \$7,014.40 to Bottom 2 Top Construction, LLC for the Makiki Drive Drainage Improvements Project .
10. **2024-017:** Motion to approve Change Order No. 1 for forty five (45) additional days to the contract with Moran Hauling for the Noma Drive Improvements with no change to contract price.
11. **2024-018:** Motion to approve payments to MP Design Group in the amount of \$6,000.00 for Diamondhead Drive E & Aukai Pl, in the amount of \$6,000.00 for Hilo Way at Koko St, in the amount of \$6,000.00 for Hilo Way to Hapuna Pl, in the amount of \$6,000.00 for Hilo Way West & and in the amount of \$7,000.00 for Hilo Way Drainage.
12. **2024-019:** Motion to approve payment in the amount of \$80,619.60 to Covington Civil & Environmental, LLC for for Commercial District Transformation Project Site Development Reviews, in the amount of \$21,430.64 for Commercial District Noma Drive Improvements and in the amount of \$24,000.00 for Kome Drive and Fairway Drive Project.
13. **2024-020:** Motion to approve amendment to Work Assignment with Covington Civil and Environmental, LLC in the amount of \$18,800.00 for the Gex Drive Lightning and Irrigation Replacement.
14. **2024-023:** Motion to approve the purchase of .9 pine savannah mitigation credits (.3 acres) from Wetland Solutions' Devil Swamp (Phase I) Mitigation Bank in the amount of \$3,750.00 for the Noma Drive Improvements Project all pursuant to US Army Corps of Engineers Permit SAM-2022-00117-AMR.
15. **2024-024:** Motion to approve payments to Chiniche Engineering & Surveying in the amount of \$2,345.00 for Canal Dredging, in the amount of \$2639.50 for Pond Remediation and in the amount of \$2034.50 for Coon Branch Drainage.
16. **2024-025:** Motion to approve payments to Pickering Firm, Inc. in the amount of \$2,767.50 for Lily Pond Dredging and in the amount of \$5,400.00 for Diamondhead Drive East Retention Pond.

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

**MOTION CARRIED**

**Action Agenda.**

- 17. 2024-021:** Motion for authorize City Manager to implement a Project Presentation agenda item under the presentation agenda for all new City projects prior to the project being on the agenda to advertise to bid. (Depreo)

Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher for authorize City Manager to implement a Project Presentation agenda item under the presentation agenda for all new City projects prior to the project being on the agenda to advertise to bid.

Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher to amend motion to authorize City Manager to implement a Project Presentation agenda item under the presentation agenda for all new City projects at the 60% submittal for the project prior to the project being on the agenda to advertise to bid.

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

**MOTION CARRIED**

- 18. 2024-022:** Motion for authorize City Manager to work with Diamondhead resident, Scout Nathan Pyron, on securing easements (in the city's name) which will allow him to implement his Eagle Scout Project creating over 2 miles of trails within the City of Diamondhead for residents to enjoy. (Depreo)

Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher for authorize City Manager to work with Diamondhead resident, Scout Nathan Pyron, on securing easements (in the city's name) which will allow him to implement his Eagle Scout Project creating over 2 miles of trails within the City of Diamondhead for residents to enjoy.

Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher to amend motion to authorize City Manager to discuss the Eagle Scout Project creating over 2 miles of trails within the City of Diamondhead and report back to Council the cost associated with securing the easement.

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

**MOTION CARRIED UNANIMOUSLY****Routine Agenda.****Claims Payable**

- 19.** Motion to approve Docket of Claims (DKT231372 - DKT231408) in the amount of \$1,702,956.70.

Motion made by Ward 1 Finley, Seconded by Ward 3 Cumberland to approve Docket of Claims (DKT231372 - DKT231408) in the amount of \$1,702,956.70.

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

**MOTION CARRIED UNANIMOUSLY**

## Department Reports

a. November 2023 Financials

Motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to approve November 2023 Financials.

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

**MOTION CARRIED UNANIMOUSLY**

b. Department Reports

Court

Police

Code Enforcement

Building

Motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to approve the following Department Reports.

Court

Police

Code Enforcement

Building

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

**MOTION CARRIED UNANIMOUSLY**

**Public Comments on Non-Agenda Items - None**

## Adjourn/Recess.

At 6:55 p.m. with no further business to come before the council, motion made by Ward 3 Cumberland, 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

**MOTION CARRIED UNANIMOUSLY**

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Nancy Depreo  
Mayor

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Jeannie Klein  
City Clerk