



MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, July 02, 2024
6:00 PM CST
Council Chambers, City Hall

Call to Order.

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

Invocation - Cumberland

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo

Ward 1 Shane Finley

Ward 2 Anna Liese

Ward 3 John Cumberland

Ward 4 Austin Clark

ABSENT

Councilmember-At-Large Gerard Maher

Confirm or Adjust Agenda Order

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to adjust the agenda moving Item **2024-172**: Motion to approve Work Assignment under the Master Service Agreement with Covington Civil and Environmental, LLC in the amount not to exceed \$18,600.00 for Diamondhead Drive East/Golf Club Drive Intersection Study and Highpoint Signage Review from consent to action.

Voting Yea: Mayor Depreo, 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, July 16, 2024 at 6:00 p.m. in Council Chambers located at City Hall.
- b. City Hall will be closed Thursday, July 4 and Friday July 5, 2024 in observance of Independence Day.
- c. Chiniche Engineering & Surveying - Canal Dredging, Jourdan River Boardwalk, Montjoy Creek Nature Trail, Noma Drive Nature Trail and Coon Branch.

CITY MANAGER REPORT

July 02, 2024

1. Park Ten Road –The contract is for 309 Calendar Days with a current end date of July 10th. The change order on tonight's agenda is requesting an additional 94 days. This will extend the contract to 403 days with a new end date of October 12, 2024. This additional time is needed due to weather delays, but also due to utility conflicts that were beyond the contractor's control.
2. Beaux Vue 2 – The contractor's change order for this project is on the agenda tonight. A notice to proceed date of July 8th has been set.
3. Kaleki Way – The contract is for 120 days with an end date of August 6th. The contractor is completing the work on this project. The contractor will be working on final grading and hydroseeding over the next few weeks.
4. Bayou Drive –The project is for 90 days with an end date of August 4th. The road work is complete. The final details of the project are being addressed by the contractor.
5. Noma Drive Phase 1b – The notice to proceed date has been set for July 8th.
6. Gex Drive Lighting –The contractor is installing the base for the lighting and all underground wiring.
7. Drainage Projects – All ARPA bids have been received. They are currently under review by the engineers.
8. Canal Dredging – The engineer presented the project to the council tonight. We have a conference call with MDEQ to discuss the construction schedule this week.
9. Noma Drive Boardwalk – The engineer presented the project to the council tonight.
10. Montjoy Creek – The engineer presented the project to the council tonight.
11. Coon Branch – The engineer will present the initial design at the July 2nd council meeting for these four GOMESA projects.
12. Noma Drive Nature Trail – The engineer presented the project to the council tonight.
13. CRS – Beau has been collecting the documents needed, and we have added an information page to the city's website. We have our onsite meeting scheduled for July 17th.
14. Noma Drive Dredging – The engineer presented the project to the council tonight.
15. Procedural Ordinance – The council has received the final draft. Please review and provide any additional comments as we are going over all additional comments received. We plan to put this up for approval at the next regular council meeting.
16. Fireworks Event – I want to thank everyone that attended the event. It was a great turn out. I also want to thank public works and my office staff for all their hard work. Lastly, I would like to thank the DH School of Fine Arts for their participation at the event; the Silver Slipper for donating the stage, as well as VFW Post 2880 and Boy Scout Troop 210 for presenting the colors.
17. P&Z Update – Pat will provide an update from the P&Z department.
18. Dog Park – No updated information this meeting. The county plans to have the survey finished in advance of the BOS's July meeting wherein approval to submit the subdivision application to the

City of Diamondhead will be obtained. The subdivision application and supporting documentation will then come to the City for the various approvals.

19. Detention Ponds – No updated information this meeting. Engineer has completed design on this project and will provide them to public works to complete the dredging.
20. Kome Drive – No updated information this meeting. This will be to address driveway and landscape culverts on Kome Drive.
21. Kalipekona Pond -- No updated information this meeting. This project will dredge the south end of the pond to remove sediment.
22. Pelican Cove Drainage Project – No updated information this meeting. Engineer has been provided with the work assignment and will begin the surveying on this project.

Email Request Received

1. Diamondhead Drive East – Councilmember asked about tree limbs around the East Rec area of DH Drive East are hanging over the road and need to be trimmed. A work order has been created.
2. Maui Place – Councilmember received an email about several issues in this area. I have contacted animal control to address issues. Code enforcement will also be contacting residents regarding concerns in the area.
3. 79326 Diamondhead Drive East – Councilmember asked for public works to clean and reshape major drainage ditch next to this residence. A work order was created.
4. The Oaks – HOA asked about removing “popcorn” trees from the area. A work order has been created for public works.
5. Bulky Waste Pickup – Councilmember asked about the bulky waste contract due to a resident requesting it be changed to every week.
6. Living Memorial Trees – Councilmember asked about the Memorial Magnolia trees that were removed due to MDOT construction. I contacted MDOT, this program has been discontinued, but MDOT will determine if they can safely replant new trees once the project gets closer to completion,

Public Comments on Agenda Items:

Leo Marino – FEMA Generator at the Public Works Building

Robert O'Dea - Kaleki Way Drainage

Policy Agenda.

Minutes:

1. Motion to approve the June 18, 2024 Regular Meeting Minutes.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve the June 18, 2024 Regular Meeting Minutes.

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

MOTION CARRIED UNANIMOUSLY

Tabled Matters:

2. **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:

3. **2024-168:** Motion to adopt Resolution 2024-030 thereby authorizing the City Manager to make application to Mississippi Department of Marine Resources for FY25 GOMESA funding in the amount of \$2,000,000 for Phase II Bank Stabilization Project and for other related purposes.

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to adopt Resolution 2024-030 thereby authorizing the City Manager to make application to Mississippi Department of Marine Resources for FY25 GOMESA funding in the amount of \$2,000,000 for Phase II Bank Stabilization Project and for other related purposes.

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

MOTION CARRIED UNANIMOUSLY

4. **2024-169:** Motion to adopt Resolution 2024-031 thereby authorizing an application to the Mississippi Development Authority for a FY25 Gulf Coast Restoration Fund Grant in the amount of \$2,400,000 (80% or \$2,000,000 GCRF share and 20% or \$400,000 local match funding) for the Commercial District Transformation Project, more specifically Gex Road and Live Oak Drive and for other related purposes.

Motion made by Ward 1 Finley, Seconded by Mayor Depreo to adopt Resolution 2024-031 thereby authorizing an application to the Mississippi Development Authority for a FY25 Gulf Coast Restoration Fund Grant in the amount of \$2,400,000 (80% or \$2,000,000 GCRF share and 20% or \$400,000 local match funding) for the Commercial District Transformation Project, more specifically Gex Road and Live Oak Drive and for other related purposes.

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

MOTION CARRIED UNANIMOUSLY

5. **2024-178:** Motion to concur with the Planning Commission recommendation to approve a variance from the Zoning Ordinance to allow the addition of an attached screened porch within 15' of the rear property line on the golf course. The property address is 7428 Turnberry Way. The tax parcel number is 067N-1-35-083.000. The property is in the R-10 zoning district. The rear setback is 20'. The variance is 5'. The case file number is 202400258. The Planning Commission voted to recommend 6-0.

Motion made by Ward 4 Clark, Seconded by Ward 2 Liese to concur with the Planning Commission recommendation to approve a variance from the Zoning Ordinance to allow the addition of an attached screened porch within 15' of the rear property line on the golf course. The property address is 7428 Turnberry Way. The tax parcel number is 067N-1-35-083.000. The property is in the R-10 zoning district. The rear setback is 20'. The variance is 5'. The case file number is 202400258. The Planning Commission voted to recommend 6-0.

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

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

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

6. **2024-170:** Motion to approve Change Order No. 1 to the contract with Fair Tide Marine & Construction, LLC in the net amount of -\$2,779.00 for a total contract amount of \$114,998.00 for the Beaux Vue Ph II Drainage Improvements.
7. **2024-171:** Motion to approve contract agreement with AshBritt thereby extending the current contract for one(1) year expiring August 28, 2025 with a 3.2% CPI increase.
9. **2024-173:** Motion to approve an amended application to the Department of Marine Resources for FY20 Tidelands - Montjoy Creek & Rotten Bayou.
10. **2024-174:** Motion to approve Change Order No. 3 for ninety-four (94) additional days to the contract with Bottom 2 Top Construction, LLC for the Commercial District Transformation Project Phase I with no change to contract price.
11. **2024-179:** Motion to approve Work Assignment under the Master Service Agreement with Covington Civil and Environmental, LLC in the amount not to exceed \$39,200.00 for Diamondhead Paving 2024.
12. **2024-180:** Motion to adopt the City of Diamondhead Text Messaging Policy.

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

Voting Nay: Mayor Depreo

MOTION CARRIED

Action Agenda.

8. **2024-172:** Motion to approve Work Assignment under the Master Service Agreement with Covington Civil and Environmental, LLC in the amount not to exceed \$18,600.00 for Diamondhead Drive East/Golf Club Drive Intersection Study and Highpoint Signage Review.

Motion made by Ward 1 Finley, Seconded by Mayor Depreo to approve Work Assignment under the Master Service Agreement with Covington Civil and Environmental, LLC in the amount not to exceed \$18,600.00 for Diamondhead Drive East/Golf Club Drive Intersection Study and Highpoint Signage Review.

Voting Yea: Mayor Depreo

Voting Nay: Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION FAILED

13. **2024-175:** Motion to amend the Planning and Zoning Commission responsibilities to include the additional role of architectural review for commercial projects prior to plan approval. (Liese)

Motion to amend made by Ward 2 Liese, Seconded by Ward 3 Cumberland to send to the Planning and Zoning Commission for a recommendation on amending the ordinance to include the additional role of architectural review for commercial projects prior to plan approval.

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

MOTION CARRIED UNANIMOUSLY

14. **2024-176:** Motion to request the City Manager to explore options for erosion control measures at the Duck Pond and to report his findings to the Council. (Liese)

Motion made by Ward 2 Liese, Seconded by Ward 4 Clark to request the City Manager to explore options for erosion control measures at the Duck Pond and to report his findings to the Council.

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

MOTION CARRIED UNANIMOUSLY

15. **2024-177:** Motion to direct the Planning and Zoning Commission to review and propose an appropriate course of action to bring existing commercial signage into compliance with the new zoning code to include a sunset clause to allow businesses time to comply, and to hold a public hearing regarding same. (Liese)

Motion made by Ward 2 Liese, Seconded by Ward 3 Cumberland to direct the Planning and Zoning Commission to review and propose an appropriate course of action to bring existing commercial signage into compliance with the new zoning code to include a sunset clause to allow businesses time to comply, and to hold a public hearing regarding same.

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

MOTION CARRIED UNANIMOUSLY

Routine Agenda.

Claims Payable

16. Motion to approve Docket of Claims (DKT231865- DKT231893) in the amount of \$97,867.75.

Motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to approve Docket of Claims (DKT231865- DKT231893) in the amount of \$97,867.75.

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

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

Voting Nay: Mayor Depreo

MOTION CARRIED

17. Motion to approve Docket of Claims DKT-DKT in the amount of \$424.29.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve Docket of Claims DKT231894 in the amount of \$424.29.

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

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items - None

Council Closing Comments - None

Adjourn/Recess.

At 7:11 p.m. with no further action to come before the Council, motion made by Ward 4 Clark, Seconded by Ward 1 Finley to recess until July 16, 2025 at 5:30 p.m.

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

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk