



MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, September 05, 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 - Councilmember Clark

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 via teleconference

Ward 4 Charles Clark

Confirm or Adjust Agenda Order

Motion made by Ward 4 Clark, Seconded by Ward 1 Finley to confirm agenda.

Voting Yea by roll call: 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 September 19, 2023 at 6:00 p.m. in Council Chambers located at City Hall.
- b. Annual Paddle Paradise Event will be held Saturday, September 23rd at the south side kayak launch. Participants may register in advance on the City's website or on-site registration beginning at 8:00 a.m. the morning of the event.
- c. Proclamation recognizing National Library Card Sign Up Month.
- d. John Brdecka - Hancock County Library System 2023 Update

City Manager's Report.

CITY MANAGER REPORT

September 05, 2023

1. Park Ten Road – The pre-construction meeting was held August 24th. The Notice to Proceed was issued on August 30th. The contractor will start on September 5th. The contract is for 270 Calendar Days with an end date of June 1st. This is Phase I of the Commercial District Transformation Project.
2. Noma Drive Restoration – The pre-construction meeting was held August 24th. The Notice to Proceed will be issued on September 11th. The contract is for 150 Calendar Days with an end date of February 7th. This is Phase II of the Commercial District Transformation Project.
3. Phase 4 paving – The contractor has remobilized this project. They are currently completing the paving on Bayou Circle and surrounding streets. The contact end date for this project is September 15th.
4. Diamondhead Drive Paving – Digital Engineering has set the preconstruction meeting for September 06th and will issue a notice to proceed thereafter. Current expected start date for this project will be after our Crusin' the Coast Event in October.
5. Noma Drive Utility Improvements – Substantial completion was issued on August 30th. A walkthrough is scheduled for Wednesday. The contract end date is September 2nd.
6. Makiki Drive – Project has been advertised and bids are due September 25th. A notice to award should be on the October 3rd agenda.
7. ARPA/GOMESA Projects – The following projects have been assigned to an engineering firm and are currently in the design phase.

<ol style="list-style-type: none"> a. Coon Branch c. Lots 7 & 8 e. Turnberry g. Kaleki Way i. Hilo Way -- West k. Hilo Way at Koko Street m. DH Drive East/Kalani o. Bayou Drive Culvert q. Fairway Drive 	<ol style="list-style-type: none"> b. Koloa Steet @ Ala Moana d. Kolo Court f. Ahuli Place h. Kalae Street j. Hilo Way to Hapuna Place l. Aukai Place/DH Dr East n. Veterans/Substation p. Anahola Place r. Kome Drive
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Email Request Received

1. Drainage Ditch – Request to clean out drainage ditch behind 3, 4, and 5 Rabbit Run. Work order is still open.
2. I-10 & Gex Drive Lights – Resident informed me that most of the lights on I-10 and Gex Drive were not working. Electrical vendor has been contacted, waiting on date available.
3. Guard Shack – Resident expressed concerns regarding the condition of front entrance and the guard shack. Public Works is going to perform the needed maintenance on the building.
4. Kanoa Way – Large debris piles from lot clearing are still on site. Code enforcement has issued a 27-19-11 notification to the owner. The owner has started clearing the property. Chief Munger is also contacting the landowner and sprayed down the debris.
5. 734 Akaka Court – Grass not mowed. Code enforcement has been notified and will contact the landowner.
6. #4 Rabbit Run – Shed behind the house where it was reported the Owner or resident was operating a dog grooming business. Code enforcement has been asked to check on this issue.
7. #4 Rabbit Run – Two vehicles in the drive that appear inoperable and with out-of-date license plates. Code enforcement has been asked to check on this issue.
8. #5 Rabbit Run – Owner has created a rock/broken concrete drive that runs parallel to the 'standard' concrete drive. This is not a city ordinance violation.
9. #1 Holly Corner – Inoperable vehicle has not been moved in almost a year. Code enforcement contacted the owner, and the vehicle has been removed.
10. Apuwai Place – Loose rocks covering the roadway. Work order was created. Public Works has cleaned the street of all loose rocks.
11. Park Ten Lane Extension – Resident expressed concern about the parallel parking. This was considered but due to the width of roadway, it was not possible to install angled parking.
12. Park Ten Lane Extension – The entry into the DHWS could be reversed. As drawn, you drive past DHWS and then turn into the parking lot. As I feel most of the traffic will be coming from the east the entry should be there and the exit on the west side. You may have to enlarge this entry some to account for DHWS employee/trucks.
13. Park Ten Lane Extension – The sign does not show any drainage or overhead lighting, and this is also something I may have missed in my comments on the Noma extension/walking path. Lighting should be included.

Public Comments on Agenda Items.

Mary Gobert - Library Funding

Gerry McClesky - Library Funding

Mary Coyne Jackson - Library Funding, Tree Ordinance

Jimmy Glass - Dog Park, Library, Tree Ordinance

Penny Crawford - Dog Park, Tree Ordinance

Beverly O'Hara - Dog Park, Tree Ordinance

Barbara Gibbons - Dog Park

Eric Nolan - Tree Ordinance

Howard Thickman - Dog Park, Tree Ordinance

Policy Agenda.

Minutes:

1. Motion to approve the August 15, 2023 Regular Meeting Minutes.

Motion made by Ward 4 Clark, Seconded by Ward 1 Finley to approve the August 15, 2023 Regular Meeting Minutes.

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

MOTION CARRIED UNANIMOUSLY

Tabled:

2. **2023-274:** Motion to contribute up to \$40,000.00 for the Dog Park from the General Fund Balance. (Finley)

NO ACTION TAKEN

Resolutions:

3. **2023-305:** Motion to adopt Resolution 2023-032 thereby authorizing an amended application to the Mississippi Development Authority for a FY23 Gulf Coast Restoration Fund Grant in the amount of \$2,400,000 (83% or \$2,000,000 GCRF share and 17% or \$400,000 local match funding) for the Commercial District Transformation Project Phase 3 and for other related purposes.

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to adopt Resolution 2023-032 thereby authorizing an amended application to the Mississippi Development Authority for a FY23 Gulf Coast Restoration Fund Grant in the amount of \$2,400,000 (83% or \$2,000,000 GCRF share and 17% or \$400,000 local match funding) for the Commercial District Transformation Project Phase 3 and for other related purposes.

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

MOTION CARRIED UNANIMOUSLY

4. **2023-309:** Motion to adopt Resolution 2023-033 thereby appointing Eric Nolan (Ward 1) to serve as Commissioner on the Diamondhead Water & Sewer District Board of Commissioners to fill an expired term effective September 29, 2023 and expiring September 28, 2028.

Motion made by Ward 2 Liese, Seconded by Ward 4 Clark to adopt Resolution 2023-033 thereby appointing Eric Nolan (Ward 1) to serve as Commissioner on the Diamondhead Water & Sewer District Board of Commissioners to fill an expired term effective September 29, 2023 and expiring September 28, 2028.

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

MOTION CARRIED UNANIMOUSLY

5. **2023-311:** Motion to adopt Resolution 2023-034 thereby adopting the FY24 Budget for the period beginning October 1, 2023 and ending September 30, 2024.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 2 Liese to adopt Resolution 2023-034 thereby adopting the FY24 Budget for the period beginning October 1, 2023 and ending September 30, 2024.

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

MOTION CARRIED UNANIMOUSLY

6. **2023-312:** Motion to adopt Resolution 2023-035 thereby setting the tax levy for FY2024 to be 29.5 mills and for other related purposes.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to adopt Resolution 2023-035 thereby setting the tax levy for FY2024 to be 29.5 mills and for other related purposes.

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

MOTION CARRIED UNANIMOUSLY

7. **2023-313:** Motion to adopt Resolution 2023-036 thereby requesting the Hancock County Board of Supervisors donation or long-term lease real property located north and/or south of Ahoni Street for the construction of dog park and for other related purposes.

Motion made by Ward 2 Liese, Seconded by Councilmember-At-Large Maher to adopt Resolution 2023-036 thereby requesting the Hancock County Board of Supervisors donation or long-term lease real property located north and/or south of Ahoni Street for the construction of dog park and for other related purposes.

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

Voting Nay by roll call: Mayor Depreo

MOTION CARRIED

8. **2023-316:** Motion to adopt Resolution 2023-037 to approve a Text Amendment to the Tree Ordinance Article 11 – Tree Ordinance. The proposed text amendment is to replace the ordinance in it's entirety with Article 11 - Tree Preservation and Protection. The file case number is 202300337.

Motion made by Ward 3 Cumberland, Seconded by Councilmember-At-Large Maher to adopt Resolution 2023-037 to approve a Text Amendment to the Tree Ordinance Article 11 – Tree Ordinance. The proposed text amendment is to replace the ordinance in its entirety with Article 11 - Tree Preservation and Protection. The file case number is 202300337.

Motion amended by Ward 3 Cumberland, Seconded by Councilmember-At-Large Maher to send the Text Amendment to the Tree Ordinance Article 11 –back to the Planning and Zoning Commission for further review and revision. The file case number is 202300337.

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

MOTION CARRIED UNANIMOUSLY

9. **2023-317:** Motion to adopt Resolution 2023-038 thereby confirming existing election wards and polling precincts for the City of Diamondhead municipal elections and for other related purposes.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 2 Liese to adopt Resolution 2023-038 thereby confirming existing election wards and polling precincts for the City of Diamondhead municipal elections and for other related purposes.

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

MOTION CARRIED UNANIMOUSLY

10. **2023-218: PUBLIC HEARING** - Motion to adopt Resolution 2023-039 to adjudicate that the piles of debris on 6435 Kanoa Way (parcel numbers 132R-0-10-028.000, 132R-0-10-030.000 thru 132R-0-10-032.000, 132R-0-10-046.000 thru 132R-0-10-051.000) are a menace to the public health, safety and general welfare of the community. Authorization to advertise for bids and/or obtain quotes to perform the necessary services to remove the piles of debris from the property and assess the costs to said property and for other related purposes. Property owner is 1 D.P.D., LLC registered agent Bradley K. Drude.

2023-218: PUBLIC HEARING- Mayor Depreo opened the Public Hearing in the matter of 6435 Kanoa Way (parcel numbers 132R-0-10-028.000, 132R-0-10-030.000 thru 132R-0-10-032.000, 132R-0-10-046.000 thru 132R-0-10-051.000) and called on three (3) occasions for property owner Bradley K. Drude with no response.

Mary Coyne Jackson spoke in favor of the City's efforts to clean the property.

Motion made by Ward 4 Clark, Seconded by Ward 2 Liese to adopt Resolution 2023-039 to adjudicate that the piles of debris on 6435 Kanoa Way (parcel numbers 132R-0-10-028.000, 132R-0-10-030.000 thru 132R-0-10-032.000, 132R-0-10-046.000 thru 132R-0-10-051.000) are a menace to the public health, safety, and general welfare of the community. Authorization to advertise for bids and/or obtain quotes to perform the necessary services to remove the piles of debris from the property and assess the costs to said property and for other related purposes. Property owner is 1 D.P.D., LLC registered agent Bradley K. Drude.

Voting Yea by roll call: 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 1 Finley, Seconded by Ward 4 Clark to approve the following consent items:

11. **2023-306:** Motion to approve Change Order No. 1 to the contract with Moran Hauling, Inc. in the net amount of \$8,481.63 for a total contract amount of \$40,955.63 for Bayou Drive and Bayou Circle Drainage Improvements.
12. **2023-307:** Motion to approve final payment to Moran Hauling, Inc in the amount of \$40,955.63 for Bayou Drive and Bayou Circle Drainage Improvements.
13. **2023-308:** Motion to accept the Memorandum of Understanding with the Mississippi Outdoor Stewardship Board of Trustees for the allocation of funds for Noma Drive Boat Ramp Improvements and authorize City Manager to execute same.
14. **2023-310:** Motion to approve to declare salvage equipment and proceed with proper disposal.
15. **2023-314:** Motion to authorize travel and related expenses for the City Manager and Councilmember(s) (TBD) to attend the American Planning Association Mississippi Chapter 2023 Fall Chapter Conference to be held October 18-20, 2023 in Starkville.
16. **2023-315:** Motion to approve Work Assignment Modification under the Master Service Agreement with Covington Civil and Environmental, LLC in the amount of \$10,000.00 not to exceed \$39,500.00 for Site Development Plan Review as needed.
17. **2023-320:** Motion to terminate contract with Jani King effective October 6, 2023.

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

MOTION CARRIED UNANIMOUSLY

Action Agenda.

18. **2023-319:** Motion to direct the City Manager to establish a procedure for naming city property and create required naming criteria. (Liese)

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to direct the City Manager to establish a procedure for naming city property and create required naming criteria.

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

MOTION CARRIED UNANIMOUSLY

Routine Agenda.

Claims Payable

19. Motion to approve Docket of Claims (DKT230997 - DKT231039) in the amount of \$148,662.24.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve Docket of Claims (DKT230997 - DKT231039) in the amount of \$148,662.24.

Voting Yea by roll call: 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

Motion made by Mayor Depreo to authorize the City Manager to have engineer update dog park plans for the duck pond.

Motion died for lack of a second

Adjourn/Recess.

At 8:16 p.m. with no further action to come before the Council motion made by Ward 3 Cumberland, Seconded by Councilmember-At-Large Maher to adjourn.

Voting Yea by roll call: Mayor Depreo, 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