



## MINUTES

### REGULAR MEETING OF THE CITY COUNCIL

Tuesday, December 15, 2020

6:00 PM CST

Council Chambers, City Hall

Mayor Depreo	At-Large
Councilmember L'Ecuyer	Ward 1
Councilmember Finley	Ward 2
Councilmember Moran	Ward 3
Councilmember Morgan	Ward 4
Councilmember Clark	

#### **Call to Order.**

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

Invocation - Councilmember L'Ecuyer

Pledge of Allegiance

Roll Call

#### **PRESENT**

Ward 2 Alan Moran

Ward 3 Jamie Morgan

Ward 4 Charles Clark

Councilmember-At-Large Lindsay L'Ecuyer

Mayor Nancy Depreo

**ABSENT - Ward 1 Shane Finley**

Confirm or Adjust Agenda Order

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 3 Morgan to accept and approve the agenda as presented.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo. Absent: Ward 1 Finley.

#### **MOTION CARRIED UNANIMOUSLY**

#### **Presentation Agenda.**

Council Comments.

1.
  - a. The next Regular Meeting of the City Council will be held December 15, 2020 at 6:00 p.m. in City Hall Council Chamber located at 5000 Diamondhead Circle.
  - b. City Hall will be closed December 24 and 25, 2020 for Christmas and December 31, 2020 and January 1, 2021 for the New Year.
  - c. Bob Barber - Orion Planning Envision Diamondhead 2040 Update
  - d. Trey Bobinger - Legislative update.
  - e. Tetra Tech - Debris Removal Status
  - f. Machado Patano - City Hall Parking Lot Improvements

## City Manager's Report.

1. Work Assignment with Pickering for Culvert Replacement on Hilo Street – This is a new work assignment with Pickering Engineering for a failing culvert on Hilo Street. The culvert runs between 2 residences from a large ditch on the golf course to the street. It is a 36-inch metal culvert, and sink holes are forming in the yard. The culvert under the road is also in question. The work assignment will survey the area, assess the situation, prepare a recommendation, and prepare a cost estimate for the council to consider. This is a deep culvert that will likely involve the city hiring an outside firm for construction.
2. Work Assignment with Jason Chiniche for E. Aloha Improvements Phase 1 – This is a new work with Jason since the council voted to not accept the last bids and to have Jason redesign the road based on the comments from the urban planners coming from the comprehensive plan process. This is for design, bidding, and construction phase of this project (drainage, curbing, & roadway). This is the \$150K MDA grant funding this project.
3. Work Assignment with Jason Chiniche for Noma Drive Boat Launch and Pier Improvements – This is a new work assignment with Jason to design, bidding, and construction phase for this project, which is funded by \$400K Tidelands grant. Now that the grant was approved and accepted by the council, the next step is to hire the engineer.
4. Work Assignment with Pickering Engineer for Dredging the Lilly Retention Pond on Diamondhead Drive North – This is a new work assignment with Pickering for the survey, assessment, design and permitting of the dredging of Lilly Pond. The city will rent a large marsh buggy track hoe and do this work with our staff. We want Pickering to design it and to help with permitting.
5. Work Assignment with Pickering Engineer for Dredging the Diamondhead Drive East Retention Pond – This is a new work assignment with Pickering for the survey, assessment, design and permitting of dredging the retention pond south of Diamondhead Drive East. The city rents the marsh buggy track hoe for Lilly Pond, we will also get this project completed using our staff.
6. Pre-Arranged Contracts for Disasters: I will be recommending to the council that we pre-arrange contracts for project manager, debris monitors and debris removal contractor. It is my intention to request authorization to advertise for the position of project manager at the first meeting in January. This is the firm that will help write future RFP documents for the debris monitor and debris removal contract as well as provide support for communicating with FEMA on project worksheets. This is a critical role to have in place for a large disaster. At the Hancock County Solid Waste Board meeting on Monday, I informed the other board members from Bay St. Louis, Waveland, and the County that this was my intention, and I recommended that they also do the same. There was discussion about having the Solid Waste Authority secure these contracts countywide instead of each city doing their own. There are some pros and cons to this approach. Each board member will be discussing this with their boards before our next Solid Waste Board meeting in January. Mayor Depreo and I would like to get some feedback from the council as to how you feel about a county wide contract through the Solid Waste Authority before our next meeting.
7. Election Update: Comments from Jeannie Klein, City Clerk, about possible change in location for voting for wards 2, 3 & 4 from the community center to the Country Club.

## Public Comments on Agenda Items.

Motion made by At-Large L'Ecuyer, seconded by Ward 4 Clark to suspend parliamentary procedures as it relates to the 3-minute time limitation for addressing the council.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo. Absent: Ward 1 Finley.

**MOTION CARRIED UNANIMOUSLY**

The following individuals signed up to address the Council in opposition to the variance requested by Margaret F. Nutkins for a conditional use permit at 7604 Fairway Drive:  
Lisa Vergano, Molly Jiminez, Don Walker, Scott King, Elizabeth Chapman via letter presented by Scott King and C. J. Longanecker.

Margaret Nutkins spoke in favor of the variance.

**Policy Agenda.**

**Minutes:**

1. Motion to approve December 1, 2020 Regular Meeting Minutes.

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to approve the minutes of December 15, 2020.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreо. Absent: Ward 1 Finley.

**MOTION CARRIED UNANIMOUSLY**

**Resolutions:**

2. **2020-342:** Motion to adopt Resolution 2020-086 thereby authorizing submittal of grant application to Natural Resources Conservation Services for Emergency Watershed Protection Program funding for drainage system restoration to the upstream and downstream channels of the Lily Pond, committing matching funds in the amount of \$60,225 and for other related purposes.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 4 Clark to adopt Resolution 2020-086 thereby authorizing submittal of grant application to Natural Resources Conservation Services for Emergency Watershed Protection Program funding for drainage system restoration to the upstream and downstream channels of the Lily Pond, committing matching funds in the amount of \$60,225 and for other related purposes.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreо. Absent: Ward 1 Finley.

3. **2020-343:** Motion to adopt Resolution 2020-087 thereby reducing the Mayor's salary from \$10,000 to \$6,000 for the period November 2020 and ending June 2021, authorizing the administration to make equally divided allocations of the remaining \$4,000 to Diamondhead SPCA, Hancock County CASA and Hancock County Human Resource Center, authorizing budget amendment for same and for other related purposes all pursuant to the request for council action submitted by Mayor Depreо.

Motion made by Mayor Depreо, Seconded by Ward 3 Morgan to adopt Resolution 2020-087 thereby reducing the Mayor's salary from \$10,000 to \$6,000 for the period November 2020 and ending June 2021, authorizing the administration to make equally divided allocations of the remaining \$4,000 to Diamondhead SPCA, Hancock County CASA and Hancock County Human Resource Center, authorizing budget amendment for same and for other related purposes all

pursuant to the request for council action submitted by Mayor Depreo.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

**MOTION CARRIED UNANIMOUSLY**

**Consent Agenda:**

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran to approve the following agenda items by consent:

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo. Absent: Ward 1 Finley.

**MOTION CARRIED UNANIMOUSLY**

4. **2020-340:** Motion to approve payment to Covington Civil & Environmental in the amount of \$2,497.50 for debris management RFP review.
5. **2020-341** Motion to approve annual contribution in the amount of \$500 to the American Red Cross pursuant to MS Code §21-19-57.
6. **2020-344:** Motion to approve Master Service Agreement Work Assignment with Pickering Firm in the amount not to exceed \$4,500 for culvert replacement investigation on Hilo Street.
7. **2020-345:** Motion to approve Master Service Agreement Work Assignment with James J. Chiniche in the amount not to exceed \$32,500 for design, bidding and construction phase services for East Aloha Phase 1 Improvements Re-Design. (MDA Grant)
8. **2020-346:** Motion to approve Master Service Agreement Work Assignment with James J. Chiniche in the amount not to exceed \$54,500 for design, bidding and construction phase services for the Noma Drive Boat Launch and Pier Improvements. (Tidelands Funds)
9. **2020-347:** Motion to approve Master Service Agreement Work Assignment with Pickering Firm in the amount not to exceed \$18,800 for survey, assessment and design for the Lily Pond dredging project.
10. **2020-348:** Motion to approve Master Service Agreement Work Assignment with Pickering Firm in the amount not to exceed \$14,800 for survey, assessment and design of the Diamondhead Drive East Retention Pond Dredging Project.
11. **2020-352:** Motion to approve payment to Orion Planning & Design in the amount of \$1,404.00 for professional services relating to the comprehensive plan.
12. **2020-353:** Motion to approve Budget Amendments 2021-07 and 2021-08.
13. **2020-349:** Motion to accept final completion of the Roadway Improvements Project - Phase 2 and to approve final payment in the amount of \$35,090.02 to Warren Paving, Inc.
14. **2020-350:** Motion to approve payment in the amount of \$6,000 to Machada Patano for professional services relating to the City Hall Parking Lot Project.
15. **2020-351:** Motion to approve payments to Digital Engineering in the amount of \$2,261.50 for GIS Maintenance and \$3,440 for Roadway Improvements Project Phase 3.

**Action Agenda.**

**16. 2020-354:** Motion to approve the recommendation of the Planning Commission by Mr. Ray Sheward and Mr. Scott King have requesting a variance from the Zoning Ordinance (Article 5.4.2 G) to construct a house within 6.8' from the side yard (south) property line. The case file number is 202000466. The newly assigned property address is 7420 Turnberry Way . The tax parcel number is 067N-1- 35-0-093.000. The legal description is replat of Glen Eagle Phase 1, Lot 174A. The property is located in a R-1 zoning district. The minimum side yard setback is 10 feet due to this property being a combination lot allowed by the covenants.

Motion made by Ward 2 Moran, Seconded by Ward 4 Clark TO to approve the recommendation of the Planning Commission by Mr. Ray Sheward and Mr. Scott King have requesting a variance from the Zoning Ordinance (Article 5.4.2 G) to construct a house within 6.8' from the side yard (south) property line. The case file number is 202000466. The newly assigned property address is 7420 Turnberry Way . The tax parcel number is 067N-1- 35-0-093.000. The legal description is replat of Glen Eagle Phase 1, Lot 174A. The property is located in a R-1 zoning district. The minimum side yard setback is 10 feet due to this property being a combination lot allowed by the covenants.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreо. Absent: Ward 1 Finley.

**MOTION CARRIED UNANIMOUSLY**

**17. 2020-355:** Motion to concur with the recommendation of the Planning Commission to deny request by Ms. Margaret F. Nutkins for a Conditional Use Permit in accordance with the Zoning Ordinance Table 4.2, Article 4.21.1 (C) and Article 2.5 to allow short term vacation rental for 30 days or less in a R-1 district. The tax parcel number is 067P-0-35-066.000 The street address is 7604 Fairway Drive. Case file number is 202000481.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 4 Clark to return the matter regarding variance request of Margaret Nutkins for Conditional Use Permit to the Planning & Zoning Commission to provide the reason for its denial of the permit.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreо. Ward 1 Finley

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

**18.** Motion to approve Payroll Payables APPTKT1365 in the amount of \$41,298.24, PRCLAIM66 in the amount \$2,650.90, PRCLAIM67 in the amount of \$34,565.63, PRCLAIM68 in the amount of \$-736.90 APPKT1373 in the amount of \$44,553.65

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 2 Moran to approve the Payroll Payables APPTKT1365 in the amount of \$41,298.24, PRCLAIM66 in the amount \$2,650.90, PRCLAIM67 in the amount of \$34,565.63, PRCLAIM68 in the amount of \$-736.90 APPKT1373 in the amount of \$44,553.65

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo. Absent: Ward 1 Finley.

**MOTION CARRIED UNANIMOUSLY**

19. Motion to approve Docket of Claims (Claims DKT157854 - DKT157916) in the amount of \$179,088.94.

Motion made by Ward 2 Moran, Seconded by Ward 4 Clark to approve Docket of Claims (Claims DKT157854 - DKT157916) in the amount of \$179,088.94.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo

**MOTION CARRIED UNANIMOUSLY**

**Department Reports**

- a. Building Department
- b. Police Department
- c. Privilege License

Motion made by Ward 2 Moran, Seconded by Ward 4 Clark to accept the Departmental Reports as presented.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo. Absent: Ward 1 Finley.

**MOTION CARRIED UNANIMOUSLY**

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

**Adjourn/Recess.**

At 7:25 p.m. and with no further business to come before the Council, motion made by Ward 2 Moran, seconded by Ward 3 Morgan to adjourn.

Voting Yea: Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer, Mayor Depreo. Absent: Ward 1 Finley

**MOTION CARRIED UNANIMOUSLY**

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Nancy Depreo  
Mayor

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Jeannie Klein  
City Clerk