



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

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, February 02, 2021
6:00 PM CST

Call to Order.

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

Invocation- Councilmember Morgan.

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo

Councilmember-At-Large Lindsay L'Ecuyer

Ward 1 Shane Finley

Ward 2 Alan Moran

Ward 3 Jamie Morgan

Ward 4 Charles Clark

Mayor Depreo remembered Lt. Michael Boutte who was killed in the line of duty on February 1, 2021. Mayor Depreo reflected on Lt. Boutte as a member of the Diamondhead Police Department and credited him for heading up the city's first National Night Out event, the development of the neighborhood watch program and for establishing the Silver Alert Program. She asked everyone to keep in prayer his family and fellow officers as we all mourn the loss of an outstanding public servant, community leader and community friend. Flags will remain at half-mast until Sunday in honor and memory of "one of our best."

Confirm or Adjust Agenda Order

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to amend the agenda deleting the following:

2021-027: Motion to accept and award bids for Roadway Improvements Phase 3.

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

MOTION CARRIED UNANIMOUSLY

Presentation Agenda.

Council Comments.

1. The next Regular Council Meeting will be held Wednesday, February 17, 2021 in Council Chambers at City Hall located at 5000 Diamondhead Circle.
2. City Hall will be closed Monday, February 15, 2021 for President's Day and Tuesday, February 16, 2021 for Mardi Gras.
3. Frank Bordeaux, BXS Insurance Update.

City Manager's Report.

1. Update on Projects (not read as part of city manager's report at meeting, but to be included in minutes):
 - a. Hilo Street Drainage – This involves an old metal culvert that is failing that passes between two homes and under the street. There are sink holes in the yard where the pipe is collapsed. Our engineer is waiting on the survey, and the condition assessment is complete. We hope to have a report for review by the end of next week. Once the report is complete, the engineer will provide recommendations to the council for next steps to repair with cost estimates.
 - b. Alkii Way Ditch Stabilization – Engineer should have plans to submit for review in the next week or two. Then, they will send it to NCRS for their review and approval. Environmental permits have been submitted, and survey is completed. We are hoping to advertise the project for construction by the end of March.
 - c. Lilly Pond Dredging – Survey and environmental are underway.
 - d. Diamondhead Drive East Detention Dredging – Survey and environmental are underway.
 - e. Montjoy Creek – Our engineer is coordinating the extent of potential wetlands impacts with proposed improvements. We hope to be submitting environmental permits by the end of this month.
 - f. E. Aloha Drive Improvements – Our engineer met with me and our urban planners from Orion Planning to make sure the project is in keeping with the revitalization plans for this commercial district as outlined in our new comprehensive plan. This project involves making improvements to the roadway and adding greenspace with sidewalks between Kalani and Veterans. The engineer is working with planners on final ROW location for new street cross section, and we hope to have this ready by the end of next week. This project is funded with MDA grant for \$150K and a GRPC grant for \$488K.
 - g. Noma Drive Waterfront (boat launch and Pier) – This project is funded with a \$400K Tidelands Grant. The engineer is working on preliminary design. We hope to have something to submit for permitting by the end of February. This will improve the existing boat launch at the end of Noma Drive and add a kayak launch and fishing pier into the Jourdan River.
 - h. Commercial District Transformation Project – This morning we opened the qualifications from engineering firms for this project. We will be reviewing these documents and scheduling interviews with the top firms before making a recommendation to the council. This project is funded by a grant for \$1.5 million from the GCRF. We are hoping to receive additional funding during this year's legislative session.
 - i. Pickering Drainage Grants – The firm has compiled a summary report for the major drainage projects that have been identified in the city. We have submitted this report to the council for their review. We will begin working on a prioritization list as we begin the process to secure grant funding. We will need local matching funds for most grants. The estimate puts these projects over \$13 million.
 - j. Turnberry Drainage – We completed the first phase of this project by lowering the weir in the Cardinal #4 pond and dredged the pond. We have been watching the flooding since that was completed. We are still seeing sediment fill the pond and the engineers are confident that this area will flood unless the other steps are taken to complete this project. This includes adding culverts under Turnberry Way and Turnberry Drive as well as improving the existing ditch between the two roads that flows between houses. I will be meeting with Covington Engineer to determine our path forward since we did budget funds for this project this fiscal year.

- k. Street Paving, Phase 3 – We opened bids for phase 3 street paving that will improve about 4 miles of roads. Our engineer is reviewing these proposals and will make a recommendation to the city. We hope to begin paving in March.
- l. City Hall Parking Improvements for ADA Access – Engineer is working on construction plans for us to bid this project in the near future.
2. Comprehensive Plan – The urban planners at Orion Planning are working on the draft document. We hope to have this in the next 2 months. Once the draft is completed, the planners will distribute to the city council, planning and zoning commission and the advisory committee for review and consideration. Adjustments may be made from their input before holding a public hearing and having the city council approve the new comprehensive plan. This process will still take time, and we hope to be completed by the Fall. We are now discussing the implementation plan. Part of this implementation plan is on the agenda tonight. I did not want to delay some of the major improvements that are critical. First, there is the design of E. Aloha Drive that we are currently working to improvement. Next, we are asking to re-write the zoning code for E. Aloha Commercial District. These two items are critical to our efforts to revitalize this commercial district. Next, we have a proposal to add a multimodal lane (or bike lane) to Diamondhead Drive. This would make the full loop around Diamondhead on a designated and protected bike path.
3. Consolidated Financial Statements – Our auditor, Ty Necaise, has completed his work for preparing a consolidated financial statement to consider the financial impact of the city creating its own police department and merging the fire district and water & sewerage district into the city operations. We are asking to recess tonight’s meeting until Monday, February 8 at 6pm, so he can present the findings to the city council. This will likely be a 2-hour meeting. I plan to invite the Fire District and DWSD to attend the presentation.
4. Dog Park – A committee has been working for the last several weeks to develop a plan to add a dog park to the city. Our next step is to hire a firm design the park with estimated cost to assist with grant writing and fundraising efforts to fund the park. I am asking to hire Orion Planning to do this work.
5. Donations of Services – The owners of Stump-N-Grind from Diamondhead have offered to donate their services to assist the city with clean up after the storm. They are going to grind 16 tree stumps in the city for charge.
6. Digital Engineer Work Assignment – This agenda item is to renew the work assignment with our engineer for reviewing construction plans in the building department. We have exhausted the previous work assignment for these services, and this is part of the budget.
7. Request for Matching Funds from Hancock Board of Supervisors – There is a resolution on the agenda to submit a request to the Hancock Board of Supervisors for matching funds up to \$2 million to be used for drainage projects in the city of Diamondhead. The county secured a bond for drainage projects, and they completed the Hancock County Watershed-Based Stormwater Assessment and Management Plan. In this report, there were 18 of the 95 sites located in Diamondhead for a total estimated cost of \$12 million. The city is working to secure funding through grants, bonds and other sources.
8. Update on DWSD Exposes Pipes – Comments from city attorney.
9. Debris Removal Project – The 3rd and final pass for storm debris clean up started on Monday. The monitor and contractor are driving every street to make sure it is cleared and if there is any debris on the street, it will be removed before finalizing that street. Thus far, the contractor has removed just under

200,000 cubic yards of hurricane debris. Tetra Tech is here tonight to give an update and to answer questions from the council.

Public Comments on Agenda Items:

Don Walter, Frank Pittman, Debra Shea, Jerry Phillips, Lisa Vergana all spoke in opposition to conditional use permit application of Margaret Nutkins for a short-term vacation rental at 7604 Fairway Drive.

Maragaret Nutkins - presented to the Council the plan implemented based on the Planning & Zoning established conditions for her proposed vacation rental at 7604 Fairway Drive.

Robert Harko addressed the Council with his concerns regarding the performance of debris removal contractor.

C. J. Longanecker addressed the council with her concerns POA maintenance barn and the impacts to her property.

Policy Agenda.

Minutes:

1. Approval of January 19, 2021 Regular Meeting Minutes.

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to approve the January 19, 2021.

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

MOTION CARRIED UNANIMOUSLY

Resolutions:

2. **2021-035:** Motion to adopt Resolution 2021-004 thereby abandoning a 5' drainage/utility easement on each side of the common property line between lots 7 and 8, Devil's Elbow, Phase 1. The physical address is #7 Devil's Elbow; parcel number is 068Q-2-41-009.000. (Geier)

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to adopt Resolution 2021-004 thereby abandoning a 5' drainage/utility easement on each side of the common property line between lots 7 and 8, Devil's Elbow, Phase 1. The physical address is #7 Devil's Elbow; parcel number is 068Q-2-41-009.000. (Geier)

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

MOTION CARRIED UNANIMOUSLY

3. **2021-037:** Motion to adopt Resolution 2021-005 requesting matching funds up to \$2 million dollars from the Hancock County Board of Supervisors for capital drainage projects in the City of Diamondhead and for other related purposes.

Motion made by Ward 3 Morgan, Seconded by Ward 1 Finley to adopt Resolution 2021-005 requesting matching funds up to \$2 million dollars from the Hancock County Board of Supervisors for capital drainage projects in the City of Diamondhead and for other related purposes.

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

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 4 Clark to approve the following agenda items by consent:

4. **2021-018:** Motion to declare police unit #350 (VIN#119350) surplus, establish the salvaged value at \$1.00 and proceed with disposal of same by sale to the Hancock Sheriffs Department.
5. **2021-025:** Motion to adopt the Extended Emergency Paid Sick Leave Policy thereby extending the Families First Coronavirus Response Act (FFCRA).
6. **2021-026:** Motion to approve Payment No. 1 in the amount of \$168,962.25 to TetraTech for debris monitoring services for the period ending December 25, 2020.
8. **2021-028:** Motion to approve payments to Pickering Firm in the amount of \$245.00 for the NRCS Grant Channel Stabilization Project at Alkii Way and \$577.00 for services relating to the Strategic Initiative & Project Agreement.
9. **2021-029:** Motion to approve proposed agreement with Orion Planning & Design in the amount not to exceed \$2,900 for dog park design.
10. **2021-031:** Motion to accept and approve the proposal from Orion Planning & Design for Project 2 - Aloha Commercial District Urban Design in the amount of \$8,250, Project 3 Aloha Commercial District Regulating Plan, Form-based Code Rewrite and Design Standards in the amount of \$27,880, Project 5 Design-Protected Multi-Modal Lanes in the amount of \$5,114 and further authorizing the City Manager to execute agreement and issue notice to proceed for same.
11. **2021-032:** Motion to accept the donation of Stump-N-Grind for services valued at \$3,200 for the removal of 16 stumps throughout the City.
12. **2021-038:** Motion to approve Budget Amendments 2021-12, 2021-13 and 2021-14.
13. **2021-039:** Motion to authorize Master Service Agreement Work Assignment with Digital Engineering in the amount of \$20,000 for plan and spec review services as needed.

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

MOTION CARRIED UNANIMOUSLY**Action Agenda.**

14. **2021-034:** Motion to approve the recommendation of the Planning Commission to approve the variance as modified to construct a 6' wood privacy fence within 18' of the southwest property along Ieke Drive and extending beyond the front facade of the house 18'.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 1 Finley to approve the recommendation of the Planning Commission to approve the variance as modified to construct a

6' wood privacy fence within 18' of the southwest property along Ieke Drive and extending beyond the front facade of the house 18'.

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

MOTION CARRIED UNANIMOUSLY

Motion made by Councilmember Finley, seconded by Councilmember Morgan to amend the agenda revising item 2021-036 to deny the recommendation of the Planning Commission in the matter of Case File 202000481 to allow Ms. Margaret F. Nutkins 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 at 7604 Fairway Drive (Tax parcel number is 067P-0-35-066.000) with conditions.

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

MOTION CARRIED UNANIMOUSLY

15. **2021-036:** Motion made by Ward 1 Finley, Seconded by Ward 3 Morgan not to concur with the recommendation of the Planning Commission in the matter of Case File 202000481 and therefore to deny the application of Ms. Margaret F. Nutkins 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 at 7604 Fairway Drive (Tax parcel number is 067P-0-35-066.000) with conditions that parking would be limited to no more than 5 vehicles at one time during a rental, should three or more complaints against the property result in guilty verdicts in municipal court, the permit shall be rescinded, owner must be a resident of Diamondhead, occupancy is limited to no more than 10 people, renters must be provided with city's parking and noise ordinance, renters must be provided information on garbage collections and dates, permit is valid for 1 year from date of issuance, unless the ordinance has changed by allowing rentals without a Conditional Use permit.

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

MOTION CARRIED UNANIMOUSLY

Routine Agenda.

Claims Payable

16. Motion to approve the Docket of Claims (DKT158074 - DKT158097) in the amount of \$277,719.68.

Motion made by Ward 1 Finley, Seconded by Ward 3 Morgan to approve the Docket of Claims (DKT158074 - DKT158097) in the amount of \$277,719.68.

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

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items.-

C. J. Longanecker addressed the council regarding the POA maintenance facility and the impacts on surrounding properties.

Adjourn/Recess.

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran to recess until Monday, February 8, 2021 at 6:00 p.m.

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

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk