



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

Call to Order.

Mayor Depreo called the meeting to order at 6:04 p.m.

Invocation - Liese

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 confirm the agenda.

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 April 16, 2024 at 6:00 p.m. in Council Chambers located at City Hall.
- b. Frank Bordeaux- Cadence Insurance

Council Comments.

Councilmember Clark announced the Chalk The Walk to be held on April 21, 2024 at the Diamondhead Farmers Market.

City Manager's Report.

CITY MANAGER REPORT

April 02, 2024

1. Park Ten Road –The contract is for 270 Calendar Days with an end date of June 1st. The contractor is still on schedule to finish on time. Currently working on the lighting installation, curb, and gutter.
2. Noma Drive Restoration – The contract end date is now May 3rd. The contractor is prepping the site for the multimodal path.
3. Beaux Vue 2 – The engineer is working to update the scope of the project with the contractor. Once the scope adjustment is determined, the contractor will provide a schedule and the notice to proceed will be issued.
4. Bond Paving Diamondhead Drive – Waiting to hear back from the engineer on a schedule to complete the punch list items.
5. Montjoy Creek –USACE is requesting a revised permit application and an RAI response. The engineer is working on the permit and providing the information requested.
6. Noma Drive Phase 1b – The project is on the agenda tonight to re-bid with the revised plans.
7. Kaleki Way – The pre-construction meeting was held on Thursday. A notice to proceed will be issued next week along with a schedule of work. The major impact to all residents in the area will be the closing of Amoka Drive between Kaleki Court and Kaleki Place. The contractor expects this road closure to be no more than two weeks.
8. Bayou Drive – The pre-construction meeting was held last week. Waiting for the engineer to provide the notice to proceed and schedule.
9. Hilo Projects – Engineer provided an updated OPC for these four projects. Currently waiting for 90% drawings from the engineer.
10. MDOT Roundabout Project – Notice to Proceed is April 15th. The city will be removing two low mast lights and rewire other lights in the interchange as this project progresses. All lights in the interchange will be turned off during construction.
11. MDOT Interstate Widening Project – Notice to proceed was March 14th. Contractor has started clearing the multimodal path and soundwall area.
12. Turnberry – Engineer is working on final drawings with an expectation to request to advertise for bin on the April 16th meeting.
13. Kolo Court – Engineer is working on drawings and will have 90% drawings for presentation at the next council meeting.
14. Ahuli Place – Design work is progressing; 60% drawings are expected from the engineer by the end of the month.
15. Kalae Street -- Design work is progressing; 60% drawings are expected from the engineer by the end of the month.
16. Noma Drive Walking Trail – **No updated information this meeting.** The engineer is continuing to survey the area for walking trail and trailheads. The city has been awarded \$500,000 from the MS

Outdoor Stewardship Grant Fund. The city received the grant agreement on Monday and will have it on the next agenda for approval.

17. Dog Park – **No updated information this meeting.** Neel-Shaffer is coordinating with the surveyor on the original survey to determine level of effort and lead time. Once complete, they will request a re-subdivision process. The re-subdivision request will also include the dedication of the road to the city.
18. Noma Drive Boardwalk – **No updated information this meeting.** Engineer is working on the drawings for this project. All easements have been recorded. MDEQ is going through the final steps with the MS TIG getting everything approved and will be in touch regarding the subaward.
19. Detention Ponds – **No updated information this meeting.** This project has been reduced to two ponds as the other two will be a part of separate larger drainage projects.
20. Pelican Cove Drainage Project – **No updated information this meeting.** Engineer has been provided the work assignment and will begin the surveying on this project.
21. Canal Dredging – **No updated information this meeting.** MDEQ recently received comments from the RESTORE Council regarding the project workplan. They are currently reviewing and responding to those comments. Once the comments are returned, the RESTORE Council will review and should start the final process for the award. MDEQ is aware of the time limitations and has requested that the RESTORE Council prioritize this project in their review process.
22. ARPA/GOMESA Projects – The following projects have been assigned to the engineering firms listed below and are currently in the design phase.

a. Coon Branch – Chiniche	b. Koloa Steet @ Ala Moana – Chiniche
c. Lots 7 & 8 – Chiniche	d. Kome Drive – Covington
e. DH Drive East/Kalani – Covington	f. Fairway Drive – Covington
g. Veterans/Substation – Covington	h. Anahola Place – Covington

Email Request Received

1. Pecan Ridge – Councilmember asked about a sink hole in right-of-way. Public works has addressed the issue.
2. 56131 DH Drive East – Councilmember asked about a sink hole in right-of-way. Public works has addressed the issue.
3. Aila Street & DH Drive East – Councilmember asked about a sink hole in right-of-way. Public works has addressed the issue.
4. Alakoko Place – Councilmember asked about the rear ditch on this property. A work order was issued to Public Works. Project is on the PW's list to clean out.
5. 9810-9816 Ana Hula – Councilmember asked about an AT&T box with several wires coming out of it. The area has been left this way for several months. AT&T was going to take care of the wires.

6. 682 Hilo Way – Councilmember reported a vehicle parking in median and causing ruts. A work order has been issued for public works to repair median.
7. Bayou Drive – Councilmember requested the roadside ditch to be cleaned. Public works has this already on their list and will clean it out and reshape the ditch.
8. The Oaks – A request was made by a councilmember to install three slow kids at play signs in The Oaks. I have up a work order in with public works.
9. Maluhia Garden – Councilmember requested several issues at the garden that need to be addressed. VFW will conduct a day of service on May 4th to clean and repair many of the issues. Once complete, public works will address all other issues.
10. Yacht Club Circle – Keep Diamondhead Beautiful spread wildflower seeds within Yacht Club Circle. Councilmember asked for public works to put dirt on the seeds. A work order was created.
11. The Oaks – Councilmember requested several jobs for public works. Can we please look at cleaning the intersections to remove the debris that has piled up blocking the drainage from flowing. Can we put up a no parking sign in this area. Can we sweep the main circle of the Oaks or blow it off to remove all the loose debris? Make sure the contractor cleans up all the fallen trees. Concerns about drainage starting at the circle and going down the east side of Noma.
12. 56116 & 56118 DH Drive East – Councilmember asked about construction equipment on these two lots. Property owner has the required permits.

Public Comments on Agenda Items.

Leo Marino - Drainage Easement

Ron Quibodeaux - Drainage Easement

Bill Atkinson - Noma Ballfield

Policy Agenda.

Minutes:

1. Motion to approve the March 19, 2024 Regular Meeting Minutes.
2. Motion made by Ward 4 Clark, Seconded by Ward 2 Liese to approve the March 19, 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. **2023-274:** 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

4. **2024-073:** Motion to adopt Resolution 2024-011 authorizing Cusick & Williams, PLLC, City Attorneys, on behalf of the City of Diamondhead to negotiate acquisition of drainage utility easements and to prosecute suits for eminent domain pertaining to the projects listed herein.

Motion made by Ward 1 Finley, Seconded by Ward 2 Liese to move from the table Motion to adopt Resolution 2024-011 authorizing Cusick & Williams, PLLC, City Attorneys, on behalf of the City of Diamondhead to negotiate acquisition of drainage utility easements and to prosecute suits for eminent domain pertaining to the projects listed herein.

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

MOTION CARRIED UNANIMOSLY

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to adopt Resolution 2024-011 authorizing Cusick & Williams, PLLC, City Attorneys, on behalf of the City of Diamondhead to negotiate acquisition of drainage utility easements and to prosecute suits for eminent domain pertaining to the projects listed herein.

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

Voting Nay: Mayor Depreo

MOTION CARRIED

5. **2024-072:** Motion to approve the Procedures and Rental Agreement for the Noma Drive Ball Fields.

Motion made by Ward 1 Finley, Seconded by Ward 2 Liese to move from the table Motion to approve the Procedures and Rental Agreement for the Noma Drive Ball Fields.

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

MOTION CARRIED UNANIMOUSLY

Motion made by Ward 1 Finley, Seconded by Ward 2 Liese to approve the Procedures and Rental Agreement for the Noma Drive Ball Fields.

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

MOTION CARRIED UNANIMOUSLY

6. **2024-079:** Motion to approve insurance renewals/policies for the period April 8, 2024 - April 8, 2025 through Cadence Insurance for property insurance through Velocity in the amount of \$28,355, Inland Marine through Ascot Insurance Company in the amount of \$17,516, Equipment Breakdown through Hartford Steam Boiler in the amount of \$1,035 and General Liability in the amount of \$17,620 and Public Officials Liability in the amount of \$12,392 both through Travelers-The Charter Oak, Business Auto in the amount of \$44,174 through Travelers Property and Casualty and Crime and Cyber in the amount of \$10,133 through Travelers Casualty and Surety for a total annual premium of \$131,225.00.

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to move from the table Motion to approve insurance renewals/policies for the period April 8, 2024 - April 8, 2025 through Cadence Insurance for property insurance through Velocity in the amount of \$28,355, Inland Marine through Ascot Insurance Company in the amount of \$17,516, Equipment Breakdown through Hartford Steam Boiler in the amount of \$1,035 and General Liability in the amount of

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

MOTION CARRIED UNANIMOUSLY

Motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to approve insurance renewals/policies for the period April 8, 2024 - April 8, 2025 through Cadence Insurance for property insurance through Velocity in the amount of \$28,355, Inland Marine through Ascot Insurance Company in the amount of \$17,516, Equipment Breakdown through Hartford Steam Boiler in the amount of \$1,035 and General Liability in the amount of \$17,620 and Public Officials Liability in the amount of \$12,392 both through Travelers-The Charter Oak, Business Auto in the amount of \$44,174 through Travelers Property and Casualty and Crime and Cyber in the amount of \$10,133 through Travelers Casualty and Surety for a total annual premium of \$131,225.00.

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

MOTION CARRIED UNANIMOUSLY

Resolutions:

- 7. **2024-084:** Motion to adopt Resolution 2024-016 for Intergovernmental Transfer of Assets to the Hancock County Board of Supervisors.

Motion made by Ward 4 Clark, Seconded by Ward 2 Liese to adopt Resolution 2024-016 for Intergovernmental Transfer of Assets to the Hancock County Board Of Supervisors.

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

MOTION CARRIED UNANIMOUSLY

- 8. **2024-086:** Motion to adopt Resolution 2024-017 thereby acquiring by donation Lot 7, Block 1, Unit 10, Phase 2 from Diamondhead Country Club and Property Owners Association, Inc. for drainage and greenspace purposes.

Motion made by Ward 4 Clark, Seconded by Ward 2 Liese to adopt Resolution 2024-017 thereby acquiring by donation Lot 7, Block 1, Unit 10, Phase 2 from Diamondhead Country Club and Property Owners Association, Inc. for drainage and greenspace purposes.

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

MOTION CARRIED UNANIMOUSLY

- 9. **2024-087:** Motion to adopt Resolution 2024-018, thereby amending Ordinance 2019-003 Procedural Ordinance under Presentation Agenda by moving Council Comments to follow Public Comments on Agenda Items and to add Council Closing Comments to follow Public Comments on Non-Agenda Items. (Liese)

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to adopt Resolution 2024-018, thereby amending Ordinance 2019-003 Procedural Ordinance under Presentation Agenda by moving Council Comments to follow Public Comments on Agenda Items and to add Council Closing Comments to follow Public Comments on Non-Agenda Items.

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

Voting Nay: Mayor Depreo

MOTION CARRIED

Consent Agenda:

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve the following consent items:

10. **2024-082:** Motion to authorize the City Manager to enter into the agreement for the 2024 Cruisin' The Coast, Blessing of the Classics event and to approve payment of the event fee in the amount of \$4,000.
11. **2024-083:** Motion to accept the Memorandum of Understanding with the Mississippi Outdoor Stewardship Board of Trustees for the allocation of funds for Noma Drive Walking Path and authorize City Manager to execute same.
12. **2024-085:** Motion to authorize the use of city-owned police units for off-duty officer detail related to the MDOT I-10 widening project to be reimbursed at the rate of \$10.00 per hour by the project contractor.
13. **2024-089:** Motion to approve to re-advertise for bids for the Noma Drive Waterfront Improvement Project (Tidelands).

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

MOTION CARRIED UNANIMOUSLY

Action Agenda.

14. **2024-088:** Motion to concur with the Planning Commission recommendation to deny Lemous Thompson, Jr.'s application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of an accessory structure within 10' of the principal residence. The property address is 7336 Anela Place. The tax parcel number is 068R-3-41-090.000. The property is in the R-2 zoning district. The setback from the principal residence is 8'. The variance requested is 2'. The Case File Number is 202400069.

Motion made by Ward 1 Finley, Seconded by Ward 2 Liese to concur with the Planning Commission recommendation to deny Lemous Thompson, Jr.'s application requesting a variance from the Zoning Ordinance (Article 4.19) to allow the construction of an accessory structure within 10' of the principal residence. The property address is 7336 Anela Place. The tax parcel number is 068R-3-41-090.000. The property is in the R-2 zoning district. The setback from the principal residence is 8'. The variance requested is 2'. The Case File Number is 202400069.

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

MOTION CARRIED UNANIMOUSLY

Routine Agenda.

Claims Payable

15. Motion to approve Docket of Claims (DKT231613- DKT231636) in the amount of \$214,369.09.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve Docket of Claims (DKT231613- DKT231636) in the amount of \$214,369.09.

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

Voting Nay: Mayor Depreo

MOTION CARRIED

Public Comments on Non-Agenda Items - None

Adjourn/Recess.

At 6:57 p.m. with no further business to come before the Council motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to adjourn.

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