



MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, June 04, 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 - Councilmember Maher

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo

Councilmember-At-Large Gerard Maher

Ward 1 Shane Finley

Ward 3 John Cumberland

Ward 4 Austin Clark

ABSENT

Ward 2 Anna Liese

Confirm or Adjust Agenda Order

Motion made by Mayor Depreo, Seconded by Ward 3 Cumberland to adjust the agenda adding Item **2024-149**: Motion to accept the low quote received from Commercial Electric of Long Beach, Inc. in the amount of \$54,038.61 for the Gex Drive Lighting Project and authorize City Manager to execute documents as necessary, Item **2024-150**: Motion to request reallocation and close out of FY21 Tidelands Grant Funding for Twin Lakes Pier in the amount of \$150,000, reallocating said funds to FY20 Montjoy Creek & Rotten Bayou Restoration and Public Access and authorizing an amended application to reflect same and removing Item **2024-137**:

Pursuant to city ordinance - Sec. 2-40. - Special committees.

All special committees shall be appointed by the mayor.

Motion to approve the following special committees:

1. Special Committee to review the needs of our youth and suggest youth activities in the city.
2. Special Committee to review the best methods to communicate with the residents of the city.
3. Special Committee to review compliance concerns in both residential and commercial areas and suggest ordinance revisions.
4. Special Committee to receive and communicate the concerns of the residents for construction projects to the city. Strong understanding of construction and reading construction plans is a requirement.

5. Special Committee to review city events and suggest new city events.
6. Special Committee to review the building permit process and suggest revisions. (Depreo)

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Presentation Agenda.

- a. The next Regular Meeting of the City Council will be held Tuesday, June 18, 2024 at 6:00 p.m. in Council Chambers located at City Hall.

City Manager's Report.

CITY MANAGER REPORT

June 04, 2024

1. Park Ten Road –The contract is for 309 Calendar Days with an end date of July 10th. Due to third party delays, this project will need an additional time extension. The contractor is working around the areas affected to complete as much work as possible. The lighting is being installed on the West side of the road and the sidewalk is being installed on the East side. The landscape irrigation subcontractor is complete up to the treatment plant.
2. Beaux Vue 2 – Currently waiting on the change order for this project. Once approved, the notice to proceed will be issued.
3. Noma Drive Phase 1b – The pre-construction conference is scheduled for tomorrow. The notice to proceed will be issued once all bonds & insurances are received.
4. Kaleki Way – The contract is for 120 days with an end date of August 6th. All driveway and additional culverts have been installed. The contractor will continue working on the remainder of the project.
5. Bayou Drive –The project is for 90 days with an end date of August 4th. The new concrete culvert will have to be cured before the new asphalt will be installed. The contractor is working on the side slopes and riprap.
6. Drainage Projects – All remaining ARPA funded projects are out for bid.
7. Canal Dredging – The RESTORE council has completed their final review of this project and a recommendation was made to the council. Once approved, an award letter will be issued.
8. Noma Drive Boardwalk – MDEQ will be issuing the grant award letter within the next two weeks.
9. Montjoy Creek – The engineer will present an update to the project at the July 2nd meeting. We expect to request permission to bid this project out in August.
10. Noma Drive Nature Trail – The engineer has designed a route for this project and will present it at the July 2nd meeting. This will be the first phase of this project. The city will continue to seek grants for the additional phases.
11. Coon Branch – The engineer will present the initial design at the July 2nd council meeting for these four GOMESA projects.
12. Noma Drive Dredging – **No updated information this meeting.** The engineer expects to bid this summer. The project is to remove sediment in the Jourdan River to allow better boat access from the Noma Drive Boat Launch.

13. 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.
14. Kome Drive – **No updated information this meeting.** This will be to address driveway and landscape culverts on Kome Drive.
15. HMGP/CRS – **No updated information this meeting.**
16. Kalipekona Pond -- **No updated information this meeting.** This project will dredge the south end of the pond to remove sediment.
17. Dog Park – **No updated information this meeting.** The county asked to make a few minor changes to the survey.
18. 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. Alakoko Place – Councilmember asked about the rear ditch on this property. A work order was issued to Public Works. **Ditch has been cleaned by public works.**
2. 84126 Bayou Drive – Councilmember asked about two lots next to this address that were initially cleared by a contractor but have been left with a few trees and trash on the property. I have asked code enforcement to contact the current lot owner.
3. 10747 Lilnoe Way – Councilmember asked for a compliance check on this address. I turned the request over to the code enforcement officer. **Turned over to court.**
4. 9834 Pokai Way – Councilmember asked for a compliance check on this address. I have forwarded this to code enforcement. A letter was sent last month requesting the property to be cleaned up. **Turned over to court.**
5. 8896 Kipapa Way – Councilmember asked for a compliance check on this address. I have forwarded this to code enforcement.
6. 73650 DH Drive North – Councilmember asked that resident's ditch be cleaned out. A work order has been issued. **Completed by public works.**
7. Beaux Vue/Highpoint Ditch – Councilmember asked about the outfall ditch of Beaux Vue and Highpoint not draining. A work order was created to reshape the ditch.
8. 568 Ahuli Place – Councilmember has reported that the ditch needs to be cleaned at and near this address. A work order has been created for public works. This will be addressed after the Ahuli Place project is completed.
9. 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.
10. Football Fields – Councilmember informed me of ants on the football field. **Public works has cut the fields and treated the field to address the issue.**
11. City Hall Gazebo – Councilmember informed me the handicap rail on the gazebo is broken. A work order has been created.
12. 6541 Kiko Street – Councilmember asked about ditch in front yard. **The resident had landscape culverts that were all leaking at the connection joints. They were removed. The resident would not allow public works to slope the ditch as they intended on replacing the culverts. The resident has been notified of the stormwater violation.**

Public Comments on Agenda Items.

Howard Thickman - Engineering and special committee to review construction projects.

Council Comments.

Policy Agenda.

Minutes:

1. Motion to approve the June 4, 2024 Regular Meeting Minutes.

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

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, 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. **PUBLIC HEARING - 2024-136:** Motion to adopt Resolution 2024-025 to adjudicate that the property located at the corner of Kalipekona Way and Kaiki Drive (parcel number 132A-1-03-096.000) has a tree extending dangerously over the roadway that poses a serious problem to the community and welfare of the citizenry of the city and authorizing advertisement for bids or to obtain quote(s) to remove the tree located from the property and to assess the costs to the said property owner and for other related purposes. Property owner is Cologiro Montalbano.

PUBLIC HEARING - Mayor Depreo opened the Public Hearing in the matter of property located at corner of Kalipekona Way and Kaiki Drive (parcel #132A-1-03-096.000) and called on three (3) occasions for property owner Colgiro Montabano with no response.

Motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to adopt Resolution 2024-025 to adjudicate that the property located at the corner of Kalipekona Way and Kaiki Drive (parcel number 132A-1-03-096.000) has a tree extending dangerously over the roadway that poses a serious problem to the community and welfare of the citizenry of the city and authorizing advertisement for bids or to obtain quote(s) to remove the tree located from the property and to assess the costs to the said property owner and for other related purposes. Property owner is Cologiro Montalbano.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

4. **2024-145:** Motion to adopt Resolution 2024-026 thereby abandoning a 5' drainage/utility easement on each side of the common property line between lots 10 and 11, Diamondhead Phase 2, Unit 1, Block 10. The parcel number is 131R-0-10-170.001. The physical street address is 1322 Enos Street.

Motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to adopt Resolution 2024-026 thereby abandoning a 5' drainage/utility easement on each side of the common property line between lots 10 and 11, Diamondhead Phase 2, Unit 1, Block 10. The parcel number is 131R-0-10-170.001. The physical street address is 1322 Enos Street.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

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

5. **2024-142:** Motion to approve Change Order No. 1 to the contract with Warren Paving Inc in the net amount of -\$149,970.81 for a total contract amount of \$3,189,438.04 and payment request 5 in the amount of \$162,598.43 for the Bond Paving Project
6. **2024-143:** Motion to declare surplus equipment and proceed with proper disposal.
7. **2024-144:** Motion to approve invoice payment 15 in the amount of \$5,725.00 and invoice payment 16 as the final payment in the amount of \$2,875.00 to Digital Engineering for the Bond Paving Project.
8. **2024-146:** Motion to enter into band contract with Joni Compretta and Baytown Groove in the amount of \$1,000.00 for the Fireworks Celebration to be held on Saturday, June 29, 2024 and to authorize the City Manager to execute same.
9. **2024-147:** Motion to approve final payment in the amount of \$3,630.00 to Covington Civil and Environmental for the Commercial District Transformation Noma Drive Project.
10. **2024-148:** Motion to approve change order 3 in the amount of -\$77,331.99 for a total contract price of \$991,595.56, approve project close and final payment in the amount of \$51,954.78 to Moran Hauling for the Commercial District Transformation Noma Drive Project.
17. **2024-149:** Motion to accept the low quote received from Commercial Electric of Long Beach, Inc. in the amount of \$54,038.61 for the Gex Drive Lighting Project and authorize City Manager to execute documents as necessary.
18. **2024-150:** Motion to request reallocation and close out of FY21Tidelands Grant Funding for Twin Lakes Pier in the amount of \$150,000, reallocating said funds to FY20 Montjoy Creek & Rotten Bayou Restoration and Public Access and authorizing an amended application to reflect same.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Action Agenda.

- 12. 2024-138:** Pursuant to MS Code § 21-9-27 (2020), The city manager shall hold office for such period (not to exceed four years for any one specified period) as may be provided by ordinance, and shall be eligible for reemployment, successively or otherwise. Motion to add to city ordinances qualifications for appointments shall be solicited at the beginning of the first term of office for city manager, city attorney, and city clerk. (Depreo)

Motion made by Mayor Depreo Pursuant to MS Code § 21-9-27 (2020), The city manager shall hold office for such period (not to exceed four years for any one specified period) as may be provided by ordinance, and shall be eligible for reemployment, successively or otherwise. Motion to add to city ordinances qualifications for appointments shall be solicited at the beginning of the first term of office for city manager, city attorney, and city clerk.

MOTION DIED FOR LACK OF SECOND

- 13. 2024-139:** Motion to discuss MS Code § 21-9-71 (2020) Council-Manager Form of Government § 21-9-71. Election offenses. Any officer or employee other than the mayor and councilmen of any such city, who shall solicit or attempt to influence any person to vote for any particular candidate at any election held in such city, or who shall in any manner contribute any money, labor or other valuable thing to any person or organization for election purposes, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding One Hundred Dollars (\$100.00), or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment. (Depreo)

Motion made by Mayor Depreo to discuss MS Code § 21-9-71 (2020) Council-Manager Form of Government § 21-9-71. Election offenses. Any officer or employee other than the mayor and councilmen of any such city, who shall solicit or attempt to influence any person to vote for any particular candidate at any election held in such city, or who shall in any manner contribute any money, labor or other valuable thing to any person or organization for election purposes, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding One Hundred Dollars (\$100.00), or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment.

MOTION DIED FOR LACK OF SECOND

- 14. 2024-140:** Motion to discuss the status of the drainage concerns that were addressed at the council meeting on May 21, 2024, for Kaleki Drainage, Ahuli Drainage and Kalae Drainage. (Depreo)

Motion made by Mayor Depreo to discuss the status of the drainage concerns that were addressed at the council meeting on May 21, 2024, for Kaleki Drainage, Ahuli Drainage and Kalae Drainage.

MOTION DIED FOR LACK OF SECOND

- 15. 2024-141:** Pursuant to MS Code § 21-15-25 (2019), The governing authorities may annually appoint an attorney at-law for the municipality, prescribe his duties and fix his compensation. Motion to advertise for request for qualifications for city attorney and set the compensation not to exceed \$75,000 per year. (Depreo)

Motion made by Mayor Depreo Pursuant to MS Code § 21-15-25 (2019), The governing authorities may annually appoint an attorney at-law for the municipality, prescribe his duties and fix his compensation. Motion to advertise for request for qualifications for city attorney and set the compensation not to exceed \$75,000 per year.

MOTION DIED FOR LACK OF SECOND

Routine Agenda.

Claims Payable

16. Motion to approve Docket of Claims (DKT231801- DKT231822) in the amount of \$264,267.37.

Motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to approve Docket of Claims (DKT231801- DKT231822) in the amount of \$264,267.37.

Voting Yea: Councilmember-At-Large Maher, Ward 1 Finley, Ward 3 Cumberland, Ward 4 Clark

Voting Nay: Mayor Depreo

MOTION CARRIED

Public Comments on Non-Agenda Items.

Elizabeth Schmidt - City Council behavior at the meetings.

Council Closing Comments

Mayor Depreo discussed drainage concerns at Kaleki, Ahuli and Kalae.

Adjourn/Recess.

At 6:25 p.m. with no further action to come before the council motion made by Ward 1 Finley, Seconded by Ward 4 Clark to adjourn.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk