



Mayor Depreo
Councilmember Maher At-Large
Councilmember Finley Ward 1
Councilmember Liese Ward 2
Councilmember Cumberland Ward 3
Councilmember Clark Ward 4

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, October 04, 2022
6:00 PM CST
Council Chambers, City Hall
and via teleconference, if necessary

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

Ward 4 Charles Clark

Confirm or Adjust Agenda Order

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to approve the agenda order as presented.

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

MOTION CARRIED UNANIMOUSLY

Presentation Agenda.

Council Comments.

1. The next Regular Meeting of the City Council will be held October 18, 2022, at 6:00 p.m. in Council Chambers located at City Hall.
2. The 10th Annual Blessing of the Classics will be Wednesday, October 5th from 1 - 7 p.m. at City Hall. Cruisers, live music and food on the Town Green. Cruisers' parade to the blessing circle will be from 4-7 p.m.
3. Proclaim October 15, 2022 White Cane Day in the City of Diamondhead.
4. The Diamondhead Festival and BBQ Competition will be held Saturday, November 5, 2022 from 11:00 a.m. to 7:00 p.m. at Harbor Circle.

5. Diamondhead Police Department's National Night Out will be held October 20, 2022 at the East Recreational Center from 5:30 p.m. - 6:30 p.m. and at City Hall from 6:30 p.m. - 7:30 p.m.
6. FY21 Audit Update - Ty Necaise, Necaise & Co., Inc.

City Manager's Report.

1. Makiki Drive – The project is progressing slowly due to material shortage. The council will receive a change order requesting additional days due to the shortage.
2. Pond Dredging – The Contractor has expressed that his bid is incorrect and cannot do the project. Negotiations are being conducted and a resolution should be reached soon.
3. Hilo Way Drainage Project – All documents and paperwork have been received by the engineering company. The engineering company will schedule a pre-construction meeting later this month.
4. Twin Lake Park / Dog Park – The engineering firm is completing the plans and will be advertising the project soon.
5. Phase 4 paving – The contractor had weather delays on prior projects and is waiting for the CTC event. They have scheduled Oct 10th as the start date.
6. Paddle Paradise – The paddle paradise event was very successful with over 120 participants.
7. Blessing of the Classics – The 10th annual Blessing will be October 5th. The event will begin at 1:00 with the parade starting at 4:00.
8. CASA Red Beans and Rice Cookoff – The City will be hosting the annual fundraiser for CASA Hancock County on October 22nd at 4:00.
9. National Night Out – The event has been scheduled for October 20th. We will have two locations for residents, City Hall and East Recreation.
10. Festival and BBQ Competition – The 3rd annual DH Festival and BBQ Competition will be held November 5th from 11a.m – 7p.m. Everyone is encouraged to attend and enjoy good food, drinks and live music. There will be a Veterans prayer service at 11am.
11. Employee Movement – Ty Wiltz has accepted the position of Public Works Director, Pat Rich will temporarily handle code enforcement duties, Tammy Garber has taken over the agenda prep/minutes duties, and Jeannie Klein has assumed the duties of comptroller.

Public Comments on Agenda Items-None

Policy Agenda.

Minutes:

1. Motion to approve the September 20, 2022 Regular Meeting Minutes.

Motion made by Ward 2 Liese, Seconded by Ward 3 Cumberland to approve the September 20, 2022 Regular Meeting Minutes.

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

MOTION CARRIED UNANIMOUSLY

Ordinances:

2. **2023-007:** Motion to adopt Ordinance 2023-002 Short-Term Rental Units.

Motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to adopt Ordinance 2023-002 Short-Term Rental Units.

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

MOTION CARRIED UNANIMOUSLY

Resolutions:

3. **2022-321:** Motion to adopt Resolution 2022-072 thereby establishing salaries and rates effective October 10, 2022 for Fiscal Year 2023.

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to adopt Resolution 2022-072 thereby establishing salaries and rates effective October 10, 2022 for Fiscal Year 2023.

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

Voting Nay: Mayor Depreo

MOTION CARRIED

4. **2022-323:** Motion to adopt Resolution 2022-073 thereby appointing Jon McCraw as Commissioner for Gulf Regional Planning Commission.

Motion made by Ward 3 Cumberland, Seconded by Councilmember-At-Large Maher to adopt Resolution 2022-073 thereby appointing Jon McCraw as Commissioner for Gulf Regional Planning Commission.

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

MOTION CARRIED UNANIMOUSLY

5. **2023-006:** Motion to adopt Resolution 2023-001 requesting from the City of Waveland the use of viewing grandstand for the 2023 Krewe of Diamondhead Parade.

Motion made by Ward 2 Liese, Seconded by Ward 3 Cumberland to adopt Resolution 2023-001 requesting from the City of Waveland the use of viewing grandstand for the 2023 Krewe of Diamondhead Parade.

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

MOTION CARRIED UNANIMOUSLY

6. **2023-017:** Motion to adopt Resolution 2023-003 thereby reducing the Mayor's FY23 compensation from \$15,000 to \$10,000 and reallocating \$5,000 and authorizing lump sum disbursements in the amount of \$1,000 to the City of Diamondhead – earmarked for the Army Cannon Monument Project, in the amount of \$1,000 to the City of Diamondhead – earmarked for the Dog Park, in the amount of \$500 to Friends of the Hancock County Animal Shelter, in the amount of \$500 to the Hancock County Food Pantry, in the amount of \$500 to the Hancock Resource Center, in the amount of \$500 to the Hancock Human Resource Center, in the amount of

\$500 to the Magdelene House and in the amount of \$500 to the fiscal agent for the Mayor's Youth Leadership Council, also further finding that said social and community service programs provide services that promote improved health, safety and welfare of the residents of Diamondhead, and finally to authorize the administration to effectuate said allocations, including but limited to, properly documenting other match funds pursuant to MS Code §21-19-65.

Motion made by Mayor Depreo, Seconded by Ward 2 Liese to adopt Resolution 2023-003 thereby reducing the Mayor's FY23 compensation from \$15,000 to \$10,000 and reallocating \$5,000 and authorizing lump sum disbursements in the amount of \$1,000 to the City of Diamondhead – earmarked for the Army Cannon Monument Project, in the amount of \$1,000 to the City of Diamondhead – earmarked for the Dog Park, in the amount of \$500 to Friends of the Hancock County Animal Shelter, in the amount of \$500 to the Hancock County Food Pantry, in the amount of \$500 to the Hancock Resource Center, in the amount of \$500 to the Hancock Human Resource Center, in the amount of \$500 to the Magdelene House and in the amount of \$500 to the fiscal agent for the Mayor's Youth Leadership Council, also further finding that said social and community service programs provide services that promote improved health, safety and welfare of the residents of Diamondhead, and finally to authorize the administration to effectuate said allocations, including but limited to, properly documenting other match funds pursuant to MS Code §21-19-65.

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

MOTION CARRIED UNANIMOUSLY

7. **2023-025:** Motion to adopt Resolution 2022-004 thereby declaring the necessity for and authorizing the use of barricades in the Presbyterian Church Parking Lot on October 5th for Blessing of the Classics and at the Trunk or Treat at Diamondhead Country Club on October 18th and for other related purposes.

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to adopt Resolution 2022-004 thereby declaring the necessity for and authorizing the use of barricades in the Presbyterian Church Parking Lot on October 5th for Blessing of the Classics and at the Trunk or Treat at Diamondhead Country Club on October 18th and for other related purposes.

Voting Yea: 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 2 Liese to approve the following consent agenda items:

8. **2022-324:** Motion to approve payments to Pickering Firm in the amount of \$1,890.00 for Strategic Initiatives & Project Agreement, in the amount of \$340.00 for Kolo Court Ditch Improvements, in the amount of \$1,084.25 Makiki Drive and Kui Place Culvert Rehabilitation and in the amount of \$972.50 for Ahuli Drainage Improvements.
9. **2022-326:** Motion to approve Work Assignment for Traffic Impact Study with Covington Civil and Environmental, LLC in the amount of \$5,250.00 with an additional fee of \$4,200.00 to complete 12-hour traffic counts which brings the total project cost to \$9,450.00.

10. **2023-001:** Motion to approve FY23 Appropriation of Funding for the Metropolitan Planning Organization of the Mississippi Gulf Coast in the amount of \$3,810.00.
11. **2023:002:** Motion to create and make appointments to the Steering Committee for monthly music/entertainment venue on the Town Green at City Hall.
12. **2023-004:** Motion to approve events hosted and/or sponsored by the City.
13. **2023-005:** Motion to approve FY23 appropriations totaling \$49,800 to Diamondhead SPCA in the amount of \$9,600, CASA of Hancock County in the amount of \$5,200, East Hancock Library in the amount of \$30,000, Hancock Human Resource Center in the amount of \$2,000, Hancock County Sheriff's Camp in the amount of \$500, Hancock County Tourism in the amount of \$1,000, American Red Cross in the amount of \$500, Magdalene House in the amount of \$1,000 and to authorize lump-sum disbursements.
14. **2023-008:** Motion to approve to advertise for bids for the Bayou Drive Kayak Launch.
15. **2023-009:** Motion to authorize Master Service Agreement Work Assignment with Chiniche Engineering in the amount of \$4,420 for Canal Dredging Quantity Development.
16. **2023-010:** Motion to authorize Master Service Agreement Work Assignment with Pickering Firm in the amount of \$3,900 for Kolo Court Ditch-Mitigation.
17. **2023-011:** Motion to approve payments to Chiniche Engineering and Surveying in the amount of \$920 for Bayou Drive Kayak Launch, in the amount of \$1,260 for Noma Drive Improvements and in the amount of \$605.50 for Noma Drive Dredging.
18. **2023-012:** Motion to participate in the Ground Zero Museum Fiber Fest by authorizing a 12x12 painted plaque to be mounted by the Fiber Fest Committee at the Gazebo on the Town Green to be displayed from October 7, 2022, thru January 14, 2023, at no cost to the city.
19. **2023-013:** Motion to approve the City of Diamondhead Applicant Agent Designations for Rostan Solution Representation.
20. **2023-014:** Motion to approve payment #5 to Moran Hauling in the amount of \$98,587.61 for East Aloha Drive Improvements Phase 1.
21. **2023-015:** Motion to accept and incorporate in the official minutes the FY2022 Municipal Compliance Questionnaire as an annual audit requirement.
22. **2023-016:** Motion to authorize disbursement of Fire Rebate Funds in the amount of \$61,564.30 to Hancock County Board of Supervisors for the Diamondhead Fire Department pursuant to the Fire Protection Agreement with both agencies.
23. **2023-020:** Motion to advertise for qualified firms to perform FY22, FY23 and FY24 auditing services.
24. **2023-023:** Motion to accept donations from Dr. Eric Latanoff in the amount of \$10, Red Dress Group (Rodney Lafontaine) in the amount of \$561 and Hancock County Community Development Foundation in the amount of \$10,000 all totaling \$10,571 for the Diamondhead Dog Park project.

- 25. **2023-024:** Motion to approve payments to Covington Civil and Environmental in the amount of \$935 for Subdivision Regulation Update, in the amount of \$790 for Turnberry Detention Pond Design, in the amount of \$3,434.20 for Stormwater Master Plan and in the amount of \$12,000 for Site Development Plan Review.

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

MOTION CARRIED UNANIMOUSLY

Action Agenda.

- 26. **2023-019:** Motion to accept the Audited Financial Statements with Single Audit for fiscal year end September 30, 2021.

Motion made by Ward 4 Clark, Seconded by Ward 3 Cumberland to accept the Audited Financial Statements with Single Audit for fiscal year end September 30, 2021.

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

MOTION CARRIED UNANIMOUSLY

- 27. **2023-021:** Motion to concur with the Planning Commission recommendation to allow Willie Kerner a variance from the Zoning Ordinance (Article 4.19) to allow the construction of an accessory building (utility shed) within 6' of the primary structure. The property address is 63715 Diamondhead Drive North. The tax parcel number is 068Q-1-41-079.000. The property is in a R-2 zoning district. The setback from the primary structure is 10'. The variance requested is 4'. The Case File Number is 202200412.

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to concur with the Planning Commission recommendation to allow Willie Kerner a variance from the Zoning Ordinance (Article 4.19) to allow the construction of an accessory building (utility shed) within 6' of the primary structure. The property address is 63715 Diamondhead Drive North. The tax parcel number is 068Q-1-41-079.000. The property is in a R-2 zoning district. The setback from the primary structure is 10'. The variance requested is 4'. The Case File Number is 202200412.

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

MOTION CARRIED UNANIMOUSLY

- 28. **2023-022:** Motion to concur with the Planning Commission recommendation to approve Ralph E. Hays a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a roof over an existing patio within 19' of the rear property line on the golf course. The property address is 7435 Mahalo Hui Drive. The tax parcel number is 067N-2-35-048.001. The property is in a R-2 zoning district. The rear yard setback is 20'. The variance requested is 1'. The Case File Number is 202200423.

Motion made by Ward 4 Clark, Seconded by Ward 3 Cumberland to concur with the Planning Commission recommendation to approve Ralph E. Hays a variance from the Zoning Ordinance (Article 4.19) to allow the construction of a roof over an existing patio within 19' of the rear property line on the golf course. The property address is 7435 Mahalo Hui Drive. The tax parcel number is 067N-2-35-048.001. The property is in a R-2 zoning district. The rear yard setback is 20'. The variance requested is 1'. The Case File Number is 202200423.

Voting Yea: 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

- 29. Motion to approve Payroll Payable DKT159984-DKT159996 in the amount of \$47,065.46, PRCLAIM000135 in the amount of \$29,494.73, PRCLAIM000136 in the amount of \$2,531.97, PRCLAIM000137 in the amount of \$28,502.06.

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to approve Payroll Payable DKT159984-DKT159996 in the amount of \$47,065.46, PRCLAIM000135 in the amount of \$29,494.73, PRCLAIM000136 in the amount of \$2,531.97, PRCLAIM000137 in the amount of \$28,502.06.

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

MOTION CARRIED UNANIMOUSLY

- 30. Motion to approve Docket of Claims (DKT230001 - DKT230044) in the amount of \$247,583.04

Motion made by Ward 4 Clark, Seconded by Ward 3 Cumberland to approve Docket of Claims (DKT230001 - DKT230044) in the amount of \$247,583.04.

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

MOTION CARRIED UNANIMOUSLY

Department Reports

- a. Financial Reports
 - June 2022
 - July 2022
 - August 2022

Motion made by Ward 2 Liese, Seconded by Ward 4 Clark to accept financial reports.

Voting Yea: 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.

Jim Jenlinski addressed the Council regarding property for sale on the south side.

Adjourn/Recess.

At 6:50 p.m. with no further business to come before the Council, motion made by Ward 4 Clark, Seconded by Ward 3 Cumberland to adjourn.

Voting Yea: 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