



Mayor Depreo
Councilmember Maher At-Large
Councilmember Finley Ward 1
Councilmember Moran Ward 2
Councilmember Sheppard Ward 3
Councilmember Clark Ward 4

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, August 17, 2021
6:00 PM CST
Council Chambers, City Hall

Call to Order.

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

Invocation - Councilmember Clark

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo

Councilmember-At-Large Gerard Maher – present via teleconference

Ward 1 Shane Finley – present via teleconference

Ward 2 Alan Moran

Ward 4 Charles Clark

ABSENT

Ward 3 Ricky Sheppard

Confirm or Adjust Agenda Order

Motion made by Ward 4 Clark, Seconded by Ward 2 Moran to accept and approve the agenda order.

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

MOTION CARRIED UNANIMOUSLY

Presentation Agenda.

Council Comments.

1. The next Regular Meeting of the City Council will be held September 7, 2021 in Council Chambers City Hall located at 5000 Diamondhead Circle.
2. The proposed FY22 Budget will be considered for adoption at the September 7, 2021 Regular Meeting.

City Manager's Report.

1. Paddle Paradise – This event is scheduled for Saturday, September 25 at the Diamondhead Marina. Early registration is available online on the City's website under this event page, and sponsorship opportunities are available for businesses wishing to put their logo on the back of the t-shirt. All are invited to participate in this free event.

2. Aloha Diamondhead – This is scheduled for Saturday from 4-7pm as part of the Farmers Market. There is live music, and everyone is welcome to come enjoy the market, music, and local restaurants. It is a great way to shop and dine with our local businesses.
3. Land Purchase – I am asking for authorization to purchase a parcel from Elliott Homes. This parcel is at the low end of a cul-de-sac. This street drops 50 feet in elevation and all of the stormwater from this street is flowing through this parcel and another owned by the POA. This parcel was identified previously to the council as one to try to acquire. EH purchased the parcel from the POA and is willing to sell it to the city to be used for permanent greenspace and drainage for their cost of purchase. This price is under the fair market value of the appraisal. We are working on many other parcels to acquire in the city for this same purpose.
4. Hilo Street Drainage – Pickering Engineering has completed their review and construction plans for the Hilo Street Drainage Project. The next step is to advertise for bids for the project. This is the failed culvert that passes under Hilo Street and between two homes.
5. Dog Park Grant – I am asking for authorization to apply for a \$25K grant from the Gulf Coast Community Foundation for the dog park.
6. Debris Monitoring – We received one RFQ for debris monitoring. It was Tetra Tech who the city previously used for Hurricane Zeta. The city was extremely happy with their work and are happy to recommend approval to the council. This will pre-arrange our debris monitoring in the event of a storm. We received 8 RFQs from debris hauling contractors, and we will be reviewing these with the help of Rostan and Tetra Tech over the next two weeks. We plan to make a recommendation for that pre-arranged contract at the next council meeting. The city of Diamondhead will be the only city in Hancock County with pre-arranged contracts for emergency operations.
7. Ditch Digging – Our crews have been busy digging ditches, and we continue to get new request each day. As of today, we have called 811 for ditches that will keep us busy for the next 2 weeks. We also have existing work request for ditch digging in back log for another 2-weeks-worth of digging. So as of today, we will be busy digging every day for the next month based on what has already been requested by residents. We are working these request in the order they are received.
8. Debris pick up on side of roads – As part of the contract with Waste Management, the contractor will pick up bulky waste from your home during the regular weekly pick up. Shrubbery must be cut into 4 ft sections and bundled or put into a bag, box or can. Contractors that do any work at your home including landscaping or remodeling are required to remove this trash and not leave it on the side of the road. As a courtesy, our public works staff has previously picked up some piles of shrubbery to help our residents. At present, we are not in the position to do that since our staff and equipment is being used for ditch digging every day. Given the workload with drainage projects, our crews are focused 100% on projects to reduce flooding, which means this courtesy trash pick up will be greatly delayed by our crews. Residents are encouraged to put their trash in bags, cans, or boxes to be picked up by Waste Management or to bring their trash to the dump. Residents can bring up to 10 cubic yards of trash to the King Landfill for free each month.
9. Fill Policy – As of August 20, builders will not be able to put any fill dirt in the rear or side setbacks and easements of a parcel when building a new home. This will require many builders to use pilings or chain walls and to use less fill dirt. Recently, the building department has used stop

work orders on builders that have put an excessive amount of fill dirt on the parcel until an acceptable plan is submitted.

10. Side Yard Set Back - The planning and zoning commission has started the process to amend the zoning ordinance for side yard setbacks in an R2 zoning district from 8 ft back to 10 ft. The public hearing will be held on Aug 24th by P&Z for this consideration. The building official feels that having a larger set back provides additional greenspace for drainage. This is how it was for many years. The city changed it a few years ago to be more in line with other cities along the coast.

11. Update on Projects:

- a. Montjoy Creek Improvements– Engineer is performing hydro survey of the creek "high spots" this week. This has been delayed a few times due to their employees with COVID. Once completed, we will revise our permit application for this project.
- b. Noma Drive Waterfront Development– City is clearing the land today, so surveyors can mark the proposed road and parking lot and obtain final approval from property owner. Once approved by the owner, we will submit the permit application for this project.
- c. East Aloha Drive Improvements – Engineer worked with Orion Planning to update our plans, and he ran the auto turn program. This is to make sure delivery trucks can make the turns through the streets. A few tweaks are needed to allow the trucks to make the turns. Engineer should have the revisions this week to submit for final approval by the city. Then, the project is ready to advertise for bids. This phase of the project is setting up the curb-to-curb design (two-way traffic, parallel parking, curb and gutter, drainage, etc.). The next phase will add the sidewalks, landscaping, and decorative street lighting.
- d. Street Paving Project – Warren Paving started last Monday on the phase 3 street paving project. As of today, they completed 7 roads in the Oaks subdivision. They will pave about 3.5 miles of streets in phase 3. Each Friday, we will put out a list of streets where the contractor will be working the next week to keep residents informed.
- e. Hilo St Drainage– This project is on the agenda tonight to request authorization to bid the project.
- f. Alkii Way Drainage Project (NCRS Grant) – Construction is underway, and the concrete finally going down. The rain slowed this project down, and concrete has been hard to get which seems to be causing a slight delay. They have approved 3 suppliers, so things will hopefully speed up.
- g. Kolo Ct. Drainage Project– Engineer is working on the report and recommendations, looking to have this done by the end of this week or beginning of next week. This is the drainage area that has a sewerage manhole and lines exposed, and we have been working together with DWSD to make improvements. This area is in need of critical repair again to protect sewerage equipment due to erosion.
- h. Makiki Drainage Project – Wetlands have been delineated and engineer is working on permitting. Topo survey is completed, and they are working on boundary survey. They will be working on the report and setting up plan sheets for project. After a major storm a few weeks ago, our public works staff created a small ditch along the rear property lines to help prevent one of the houses from flooding again.

- i. Miller Pond Dredging Project – Engineer is almost completed the plans and hopes to have that to us by the end of next week for our review. Next step will be permitting applications.
- j. Lily Pond Dredging Project – Engineer is almost completed the plans and hopes to have that to us by the end of next week for our review. Next step will be permitting applications.
- k. Drainage Lots – We are actively working to acquire the parcels that have been identified in the city as drainage lots. The council previously authorized me to negotiate the acquisition for many parcels. The goal is to prevent anyone from building on these wet lots and to use them as permanent greenspace for drainage.
- l. Turnberry Drainage Project, Phase 2 – Retention pond evaluation for two berm alternatives (El. 28 and El. 32) have been completed. Property owner and City requested Covington analyze additional buffer from adjacent properties along the north boundary. This analysis will set the berm elevation at 30 ft and will be completed by 8/27/2021.
- m. Sub-Basin A Drainage Project – Data Collection and Preliminary Stormwater Planning: Field surveys completed for culverts and drainage crossings. Field surveys for ditch cross sections and finish floor elevations are ongoing. Delineation of stormwater subbasins in watershed A are under development.
- n. Town Center Roads – Engineer is currently working on layout and survey. Phase one will include connecting Noma Drive to Park Ten Drive and Leisure Time Lane to Park Ten Drive. Most of the right of way is already secured for this phase, and we hope to bid this phase by the end of the year. Phase 2 will begin to set up city blocks for the town center by creating new roads with sidewalks and utilities.
- o. MDOT Exit 16 Improvements – MDOT is currently working on land acquisition for right of way at the 4-way stop. Once that is completed, MDOT will move utilities that are in the way before bidding that project, which is estimated to cost \$6.9 million. This is fully funded by MDOT.
- p. City Hall Parking Lot for ADA Improvements – This project was awarded to Moran Hauling. The start date for construction will begin after Cruisin the Coast in early October.
- q. City Hall Renovations for Building Department – Architects have completed the plans, and this project is ready to bid when the council is ready. We have this budgeted for FY22, but there has been some discussion about delaying this project to focus on drainage and to allow the price of materials to come down.
- r. Hazard Mitigation Grants – After the notice of intent was approved by MEMA, Rostan has submitted our pre-application for the two hazard mitigation grants for the city. This includes the Warning Sirens and a Mobile Generator and Light Tower.
- s. Notice of Intent to MEMA – Rostan has submitted 4 notice of intent forms as authorized by the city council at our last meeting for several mitigation projects. These include:
 1. Residential mitigation projects due to repetitive loss, flooding & damages
 2. Master drainage plan with H&H modeling and drainage improvement plan
 3. Increase capacity of existing detention ponds & develop future detention areas
 4. Address numerous critical areas & drainage choke points that suffer repetitive erosion loss & embankment failures from recurring events

- t. Diamondhead Drive Loop as Protected Multimodal Lane – Orion is 80% complete on the plans for this project which will convert the shoulder of Diamondhead Drive to a protected multimodal lane for pedestrians, bikes, & golf carts.
- u. Gateway Master Plan – Orion is about 30% complete on the master plan for the gateway/entrance into Diamondhead. This is designing the signage, lighting, landscaping, sidewalks, etc. for this area. The goal is to greatly improve the first impression of our look as you enter the city.
- v. Aloha District Zoning Code – Orion has the regulating plan developed. The district text, specifications, and uses are under development. Orion anticipates completion by end of September.
- w. Short Term Rental Property Policy – Orion is almost completed the draft text amendment for the short-term rental policy and will send it to us for review in the near future. The plan is to present this new policy to the P&Z commission in September.
- x. Dog Park – Comments from Mayor Depreo.

Public Comments on Agenda Items -None.

Policy Agenda.

1. FY22 Proposed Budget Presentation and Public Hearing.- Mayor Depreo opened the public hearing. City Manager Reso presented the proposed FY22 Budget then Mayor Depreo called for any public comments and there were none.

Minutes:

2. Motion to approve the August 3, 2021 Regular Meeting Minutes.

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to approve the August 3, 2021 Regular Meeting Minutes.

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

MOTION CARRIED UNANIMOUSLY

Resolutions:

3. **2021-265:** Motion to adopt Resolution 2021-057 thereby appointing Mark G. Beisecker (Ward 4) to serve as Commissioner on the Diamondhead Water & Sewer District Board of Commissioners to fill an unexpired term beginning immediately and expiring September 29, 2025.

Motion made by Ward 4 Clark, Seconded by Ward 2 Moran to adopt Resolution 2021-057 thereby appointing Mark G. Beisecker (Ward 4) to serve as Commissioner on the Diamondhead Water & Sewer District Board of Commissioners to fill an unexpired term beginning immediately and expiring September 29, 2025.

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

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

Motion made by Ward 1 Finley, Seconded by Ward 2 Moran to approve the following agenda items by consent:

4. **2021-258:** Motion to approve acquisition of real property, Lot #58 Parcel #067H-2-25-226.00 with an appraised value of \$10,000 for permanent green space/drainage from Elliott Homes at a purchase price in amount of \$8,080.00, authorize payment for same, and authorize the City Manager to execute necessary documents relating to same.
5. **2021-259:** Motion to approve payment in the amount of \$194.00 to Machado Patano for plan review services - Preserve Phase 2.
6. **2021-260:** Motion to approve Pay Application No. 2 in the amount of \$12,700.36 to ERS, Inc. for NRCS Grant Stabilization Project on Diamondhead Drive at Alkii Way.
7. **2021-261:** Motion to approve amendment to existing Work Assignment 15 (00-03-2021) with Digital Engineering increasing the total assignment an additional \$2,000 for GIS Maintenance Services.
8. **2021-262:** Motion to approve payments to Digital Engineering for professional services relating to Roadway Improvements Ph. 3 in the amount of \$1,175.00, Plan and Spec Review in the amount of \$1,260.00 and GIS Maintenance the amount of \$1,572.50.
9. **2021-266:** Motion to approve to advertise for bids for the Hilo Street Drainage Repairs.
10. **2021-268:** Motion to authorize grant application preparation and submittal to the Gulf Coast Community Foundation Jack A. & Gertrude W. Wilson Animal Welfare Fund in the amount of \$25,000 for the proposed dog park project.
11. **2021-269:** Motion to accept and award the Debris Monitoring RFQ 2021-005 to Tetra Tech for a initial term of 3 years with 2 one-year renewal option and to authorize the City Manager to execute the contract for same.

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

MOTION CARRIED UNANIMOUSLY**Action Agenda.**

12. **2021-264:** Motion to conditionally approve the Final Plat of Deer Crossing Subdivision by Elliott Homes subject to the submittal of a performance bond and a maintenance bond for a period of 2 years.

Motion made by Ward 4 Clark, Seconded by Mayor Depreo to conditionally approve the Final Plat of Deer Crossing Subdivision by Elliott Homes subject to the submittal of a performance bond and a maintenance bond for a period of 2 years.

Representing Elliott Homes, Tyler Robinson provided a brief project update and offered to any questions regarding the development.

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

MOTION CARRIED UNANIMOUSLY

Routine Agenda.

Claims Payable

13. Motion to approve Payroll Payables APPKT01569 in the amount of \$48,891-37, PRCLAIM092 in the amount of \$29,875.60, PRCLAIM093 in the amount of \$29,642.41 and PRCLAIM094 in the amount of \$2,696.22.

Motion made by Ward 2 Moran, Seconded by Ward 4 Clark to approve Payroll Payables APPKT01569 in the amount of \$48,891-37, PRCLAIM092 in the amount of \$29,875.60, PRCLAIM093 in the amount of \$29,642.41 and PRCLAIM094 in the amount of \$2,696.22.

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

MOTION CARRIED UNANIMOUSLY

14. Motion to approve the Docket of Claims (DKT158719- DKT158754) in the amount of \$110,325.16.

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to approve the Docket of Claims (DKT158719- DKT158754) in the amount of \$110,325.16.

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

MOTION CARRIED UNANIMOUSLY

Department Reports

Motion made by Ward 4 Clark, Seconded by Ward 2 Moran to accept the following Departmental Reports:

- a. July 2021 Financial Reports
- b. Code Enforcement Report
Police Department Report
Privilege License Report
Building Department Report

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

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items -None.

Adjourn/Recess.

At 6:50 p.m. and with no further business to come before the Council, motion was made by Ward 4 Clark, seconded by Ward 2 Moran tp adjourn.

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

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk