



MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, November 21, 2023
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 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 Mayor Depreo, Seconded by Ward 1 Finley to adjust the agenda tabling the following action agenda item-

- 22. 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)

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.

- a. The next Regular Meeting of the City Council will be held December 5, 2023 at 6:00 p.m. in Council Chambers located at City Hall.
- b. City Hall will be closed November 23 & 24, 2023 in observance of the Thanksgiving Holiday.
- c. Town Green Christmas Festival Saturday, December 9, 2023. Parade 4 - 5 p.m. Festival 5 - 8 p.m.
- e. FY22 Financial Statement - Charlene Kurkow of Wright, Ward, Hatten & Guel, PLLC

Council Comments.

City Manager's Report.

CITY MANAGER REPORT

November 21, 2023

1. Makiki Drive – The substantial completion for this project was issued today. The project was completed last week, and the road has been reopened. The contractor will be back on-site next week to complete the punch-list items.
2. Park Ten Road –The contract is for 270 Calendar Days with an end date of June 1st. Currently on schedule. The contractor is currently about 8.5% complete. They are continuing with installation of utilities. This includes the water, sewer, and electrical conduit.
3. Noma Drive Restoration –The contract is for 150 Calendar Days with an end date of February 7th. Currently on schedule. The contractor is currently about 28% complete. Due to the weather, the asphalt scheduling has been delayed.
4. Phase 4 paving – All work has been completed and final closeout documents will be provided to the council.
5. Bond Paving Diamondhead Drive – The contract is for 150 Calendar Days with an end date of March 6th. Contractor is about 55% complete with the entire project. Striping will begin ten days after the paving is complete to allow for it to cure. They will finish the crossovers and roundabouts in the next few weeks.
6. Kaleki Way – Project is still with the engineer to complete design. The design is currently 90% complete.
7. Bayou Drive – Project is still with the engineer to complete design. The 60% design drawing has been returned to the engineer.
8. Montjoy Creek – **No change on this project.** Will be meeting with the engineer next week to get an update. Engineer is working on the legal description for the 15-foot easement so a deed can be created. Final design is being completed.
9. Noma Drive Walking Trail – **No change on this project.** The city has applied for additional funding for this project with the MS Outdoor Stewardship Grant. This project will create a walking path from Noma Drive to Montjoy Creek.
10. Canal Dredging – **No change on this project.** The city has received the permit from USACE to allow for the canal dredging on the south side. The required workplan was generated by Covington Civil and submitted to MDEQ for their review in late August. MDEQ will in turn submit it to the RESTORE Council for final approval.

11. ARPA/GOMESA Projects – The following projects have been assigned to an engineering firm and are currently in the design phase.

- | | |
|--|---|
| a. Coon Branch – Chiniche | b. Koloa Steet @ Ala Moana – Chiniche |
| c. Lots 7 & 8 – Chiniche | d. Kolo Court – Covington |
| e. Turnberry – Covington | f. Ahuli Place – Covington |
| g. Kome Drive – Covington | h. Kalae Street – Covington |
| i. Hilo Way – West – MP Design | j. Hilo Way to Hapuna Place – MP Design |
| k. Hilo Way at Koko Street – MP Design | l. Aukai Place/DH Dr East – MP Design |
| m. DH Drive East/Kalani – Covington | n. Veterans/Substation – Covington |
| o. Fairway Drive – Covington | p. Anahola Place – Covington |

Public Comments on Agenda Items - None

Policy Agenda.

Minutes:

1. Motion to approve the November 7, 2023 Regular Meeting Minutes.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 2 Liese to approve the November 7, 2023 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

Tabled:

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. **2023-350:** Motion to adopt Resolution 2023-041 thereby concurring with the Planning Commission recommendation for the rezoning of tax parcel number 132A-2-03-028.000 owned by Cure Land Company, LLC, from the current zoning from C-1 (General Commercial District) to TCMU (Town Center Mixed Use). The physical address is 5410 Gex Drive. The Case File Number is 202300417. The purpose of the zoning change is for condominium development. **(Tabled until December 19, 2023 per request of applicant)**

NO ACTION TAKEN

Resolutions:

4. **2023-394:** Motion to adopt Resolution 2023-047 to declare the closure of all City of Diamondhead offices on November 23 and 24, 2023 for the Thanksgiving Holiday, December 25 and 26, 2023 for the Christmas Holiday and January 1, 2024 for the New Year's Holiday.

Motion made by Ward 4 Clark, Seconded by Ward 3 Cumberland to adopt Resolution 2023-047 to declare the closure of all City of Diamondhead offices on November 23 and 24, 2023 for the Thanksgiving Holiday, December 25 and 26, 2023 for the Christmas Holiday and January 1, 2024 for the New Year's Holiday.

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 3 Cumberland to approve the following consent items:

5. **2023-391:** Motion to approve payments to Pickering in the amount of \$757.50 for Ahuli Drainage Improvements.
6. **2023-292:** Motion to approve Pay Application 2 in the amount of \$178,400.27 to Moran Hauling Inc for Noma Drive Improvements.
7. **2023-393:** Motion to approve payments to Covington Civil & Environmental, LLC in the amount of \$14,069.33 for the Commercial District Transformation Project, in the amount of \$7,100.00 for the Kome Drive and Fairway Drive Drainage Project, in the amount of \$12,000.00 for Bank Stabilization Project, in the amount of \$11,500.00 for Bayou Drive Drainage Project, in the amount of \$8,800.00 for Turnberry Drainage Project and in the amount of \$3,500.00 for Standard Specifications and Drawings.
8. **2023-396:** Motion to approve payments in the amount of \$579.50 to Digital Engineering for Beaux Vue Phase 2 Drainage Improvements, in the amount of \$1,122.50 for Roadway Improvements Phase 4 and in the amount of \$13,275.00 for the Bond Paving Project.
9. **2023-397:** Motion to approve payments to Chiniche Engineering & Surveying in the amount of \$5,652.50 for Golf Course Pond Remediation, and in the amount of \$11,826.25 for Coon Branch Drainage Project.
10. **2023-398:** Motion to approve the disposal of 1 Samsung Galaxy Phone (FA#733) and 10 Rocket IoT-Body Camera Components (FA#s 475 - 484).
11. **2023-399:** Motion to accept and award the low quote received from Mandal Chrysler Dodge Jeep Ram in the amount of \$43,180.00 for the purchase of a 2023 Dodge Durango Sport Utility vehicle for the police department and to purchase lighting and siren PA system components for in-house up-fitting in the amount of \$234.96 for a total purchase of \$43,414.96.
12. **2023-400:** Motion to approve Pay Application 2 in the amount of \$116,715.88 to Bottom 2 Top Construction, LLC for the Commercial District Transformation Project Phase I.
13. **2023-403:** Authorize travel and related expenses for City Manager and Councilmembers(s) TBD to travel and attend the MML 2024 Mid-Winter Legislative Conference to be held January 9-11, 2023 in Jackson.

14. **2023-404:** Motion to approve Work Assignment under the Master Service Agreement with Covington Civil and Environmental, LLC in the amount not to exceed \$20,000.00 for On-Call Survey Services FY2024 as needed.
15. **2023.405:** Motion to approve amendment to Work Assignment with Covington Civil and Environmental, LLC in the amount of \$9,000.00 for a total engineering cost of \$32,000.00 for the Makiki Drive Project Support.
16. **2023-406:** Motion to approve Preliminary Engineering Service Contract with Covington Civil and Environmental LLC, in an amount not to exceed \$76,038.29 for the East Aloha Drive Phase II Sidewalk Improvements.
17. **2023-407:** Motion to approve Pay Request 1 in the amount of \$1,739,598.91 to Warren Paving, Inc. for Diamondhead Bond Paving Project.
18. **2023-409:** Motion to approve Budget Adjustments (GLPTKT09495) for open and/or partially received purchase balances reallocating funds issued in FY23 budget to FY24 budget.

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

Voting Nay: Mayor Depreo

MOTION CARRIED

Action Agenda.

19. **2023-395:** Motion to accept the Audited Financial Statement for Fiscal Year ended September 23, 2022.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 4 Clark to table the motion to accept the Audited Financial Statement for Fiscal Year ended September 23, 2022.

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

MOTION CARRIED UNANIMOUSLY

20. **2023-401:** Motion to approve the re-subdivision of Diamondhead Phase 1 Amended, Unit 1, Block 7, Lots 18 and 19. The property owner is Michael Reso. The property addresses are 56118 and 56120 Diamondhead Drive East. The Tax Parcel numbers are 131C-1-13-052.000 and 131C-1-13-053.000.

Motion made by Ward 4 Clark, Seconded by Ward 2 Liese to approve the re-subdivision of Diamondhead Phase 1 Amended, Unit 1, Block 7, Lots 18 and 19. The property owner is Michael Reso. The property addresses are 56118 and 56120 Diamondhead Drive East. The Tax Parcel numbers are 131C-1-13-052.000 and 131C-1-13-053.000.

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

Voting Nay: Mayor Depreo

MOTION CARRIED

- 21. **2023-402:** Motion to approve the re-subdivision of Diamondhead Phase 2, Unit 1, Block 6, Lots 27 and 28. The property owner is William Derenbecker, Jr. The property addresses are 1438 and 1440 Hanakealoha Place. The Tax Parcel numbers are 132R-0-10-113.001 and 132R-0-10-114.001.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve the re-subdivision of Diamondhead Phase 2, Unit 1, Block 6, Lots 27 and 28. The property owner is William Derenbecker, Jr. The property addresses are 1438 and 1440 Hanakealoha Place. The Tax Parcel numbers are 132R-0-10-113.001 and 132R-0-10-114.001.

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

- 23. Motion to approve Docket of Claims (DKT231237- DKT231272) in the amount of \$2,359,940.93

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to approve Docket of Claims (DKT231237- DKT231272) in the amount of \$2,359,940.93.

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

MOTION CARRIED UNANIMOUSLY

- 24. Motion to approve Docket of Claims DKT231227 - DKT231236 in the amount of \$46,531.08, PRCLAIM010177 in the amount of \$28,210.46, PRCLAIM010178 in the amount of \$28,927.33, PRCLAIM010179 in the amount of \$30,300.40 and PRCLAIM010180 in the amount of \$3,588.33.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve Docket of Claims DKT231227 - DKT231236 in the amount of \$46,531.08, PRCLAIM010177 in the amount of \$28,210.46, PRCLAIM010178 in the amount of \$28,927.33, PRCLAIM010179 in the amount of \$30,300.40 and PRCLAIM010180 in the amount of \$3,588.33.

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. Motion to approve Department Reports
 - Building
 - Court
 - Police
 - Code Enforcement

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to approve Department Reports.

Building

Court

Police

Code Enforcement

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.

Bill Atkinson - Paving, Diamondhead Drive Lighting, Traffic Safety, Police Reports

Executive Session - If Necessary

Motion made by Councilmember-At-Large Maher, Seconded by Ward 4 Clark to enter closed session to determine the need for executive session.

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

MOTION CARRIED UNANIMOUSLY

After discussion, no motion was made to enter into executive session.

The Council returned to Council Chambers.

Adjourn/Recess.

At 6:58 p.m. with no further action to come before the council, motion made by Councilmember-At-Large Maher, Seconded by Ward 4 Clark 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