



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, February 15, 2022**  
**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 Finley

Pledge of Allegiance

Roll Call

**PRESENT**

Mayor Nancy Depreo

Councilmember-At-Large Gerard Maher

Ward 1 Shane Finley

Ward 3 Ricky Sheppard

Ward 4 Charles Clark

**ABSENT**

Ward 2 Alan Moran

Confirm or Adjust Agenda Order

Motion made by Ward 3 Sheppard, Seconded by Ward 4 Clark to amend the agenda and approve as follows

**TABLE:**

**2022-059:** Motion to adopt Resolution 2022-013 thereby acquiring, by donation, grant or conveyance, certain real property located within the City from Structures of Diamondhead, Inc. in exchange for the City conveying to Structures of Diamondhead, Inc. surplus property of equal or lesser value not part of right of way for the Town Center Project.

**2022-060:** Motion to adopt Resolution 2022-014 requesting the donation of land from Diamondhead Water & Sewer District consisting of a 1,915 square foot part of Lot 7, Block 2, Subdivision Phase 3, Unit 1 for right of way construction as part of the Town Center Project.

**2022-046:** Motion to approve and establish policy for Constant Contact Eblast Messaging

**ADD:**

**2022-075:** Motion to adopt Resolution 2022-020 thereby setting the annual compensation and hourly rate of compensation for the Public Works Clerk/Receptionist position.

20 a. **2022-072:** Motion to participate in the MEMA Region 9 Hazard Mitigation Plan Update and further designate the City Manager to represent the City in the update process.

20. b **2022-073**:. Motion authorize the installation of the Little Free Library on the near the Town Green at City Hall and further authorize the necessary supplies and labor to assistance with the installation.

20. c. **2022-074**: Motion to approve agreement with AGJ Systems, Inc. to implement multi-factor authentication for the IT network and administrative software at a one-time set up cost of \$661.25 and a monthly recurring fee of \$3.50 per user for a total monthly recurring of \$87.50.

21 a. **2022-062**: Motion to make 2 Council appointments to serve on the FY21 Audit Committee to serve with the City Manager and City Clerk.

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

**MOTION CARRIED UNANIMOUSLY**

**Presentation Agenda.**

Council Comments.

1. The next Regular Meeting of the City Council will be held Wednesday, March 2, 2022 at 6:00 p.m. in Council Chamber at Diamondhead City Hall.
2. City Hall will be closed Monday, February 21, 2022 in observance of President's Day.
3. City Hall will be closed on Tuesday, March 1, 2022 in observance of Mardi Gras.
4. The 2nd Annual Dog Park Day will held Saturday, April 9th from 11 a.m. to 4 p.m. on the south side.
5. Krewe of Diamondhead will parade on its usual route on Saturday, February 26th at noon.
6. Hilo Way Drainage Project - Gerrod Kilpatrick of Machado Patano
7. Medical Marijuana Bill - Update from City Attorney Cusick

City Manager's Report.

1. Right of Way for Town Center Roads – I am seeking authorization to begin negotiations with several property owners to acquire right of way for the future Town Center Roads in phase 1. We will begin getting appraisals and negotiate the selling price. Once that is determined, I will return to the council to get authorization to purchase. We will also be working on phase 2 land acquisition as well. We are hoping to be able to bid this project in the near future.
2. E. Aloha Drive Project – We have scheduled a ground breaking for the E. Aloha Drive project for Friday, March 4<sup>th</sup> at 2pm on E. Aloha. The contractor will begin work on the next Monday, March 7, and the project is expected to last 75 days. There will be road closures and detours during construction, but we will keep access open to all of the businesses. Residents are asked to be patient and to drive safely during this construction period.
3. GRPC Grant Applications – I am asking for authorization to submit two grant applications to GRPC for the roadway improvements, sidewalks, streetlights and landscaping on W. Aloha and Kalani. This grant requires the 20% local matching funds. This will be using the Gateway Master Plan design by Orion Planning and Design.
4. Main Street Association – I am asking the council to allow the administration to set up a 501c3 organization for the new Diamondhead Main Street Association. This will be a separate organization from the City and will have its own board of directors once established.

5. Dirt – I am asking the council to declare an estimated 3,000 cubic yards of top soil as surplus. This is from ditch digging in the city and we have it piled up at the public works barn. We need to have it removed. It will cost the city more money to haul it off than to simply surplus it, and allow residents to come get it for their use. We will set up several locations around the city to put the dirt piles for residents to access on their own for personal use.
6. Rostan Task Order – There is a new task order for Rostan Solutions for grant administration relating to the mitigation consulting for the hazard mitigation grant for the outdoor emergency siren system and generator for public works. It is looking very good that the city will be awarded this grant and this task order takes it to completion of the project and all documentation requirements for FEMA.
7. Public Works Clerk Job Description – I am asking the council to approve a new job description for the public works clerk, which will combine the receptionist position with the public works clerk position.
8. Short-Term Rental Policy – Orion Planning has completed the survey to get residents input on the development of a short-term rental policy for the city. As of today, we had 465 responses to the survey. Bob from Orion will provide a review of the survey results to the planning and zoning commission on Tuesday, February 22.
9. Dog Park Project – The Hancock Community Foundation was awarded a \$10K grant from the Coast Electric Round Up Grant for the Diamondhead Dog Park.
10. 10<sup>th</sup> Anniversary Celebration Planning – Mayor Depreo will provide update.

Public Comments on Agenda Item – None.

### Policy Agenda.

#### Minutes:

1. Motion to approve the February 1, 2022 Regular Meeting Minutes.

Motion made by Ward 4 Clark, Seconded by Ward 3 Sheppard to approve the February 1, 2022 Minutes.

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

**MOTION CARRIED UNANIMOUSLY**

#### Resolutions:

2. **2022-052:** Motion to adopt Resolution 2022-012 thereby increasing the maximum size chassis of a marina office trailer from 12' in length to 30' in length and from 10' in width to 12' in width under Condition #6 of Resolution 2021-070. This would allow a marina office trailer of 360 square feet.

Motion made by Ward 3 Sheppard, Seconded by Ward 1 Finley to adopt Resolution 2022-012 thereby increasing the maximum size chassis of a marina office trailer from 12' in length to 30' in length and from 10' in width to 12' in width under Condition #6 of Resolution 2021-070.

**MOTION CARRIED UNANIMOUSLY**

5. **2022-061:** Motion to adopt Resolution 2022-015 thereby designating funds received from the US Department of Treasury under the American Rescue Plan Act's State and Local Fiscal Recovery Fund as lost revenues under the Treasury's Standard Allowance Presumption; and for other related purposes.

Motion made by Ward 1 Finley, Seconded by Ward 3 Sheppard to adopt Resolution 2022-015 thereby designating funds received from the US Department of Treasury under the American Rescue Plan Act's State and Local Fiscal Recovery Fund as lost revenues under the Treasury's Standard Allowance Presumption; and for other related purposes.

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

**MOTION CARRIED UNANIMOUSLY**

6. **2022-068:** Motion to adopt Resolution 2022-016 thereby establishing a revised salary for Public Works Employee prorated at \$30,160 for FY22 effective February 14, 2022 and further resolve to incorporate same in to the official minutes.

Motion made by Ward 1 Sheppard, Seconded by At-Large Maher to adopt Resolution 2022-016 thereby establishing a revised salary for Public Works Employee prorated at \$30,160 for FY22 effective February 14, 2022 and further resolve to incorporate same in to the official minutes.

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

**MOTION CARRIED UNANIMOUSLY**

7. **2022-070:** Motion to adopt Resolution 2022-018 thereby authorizing a Surface Transportation Block Grant Application to the Gulf Regional Planning Commission for West Aloha Drive and Kalani Drive Roadway Improvements in the amount of \$998,021 (federal share \$798,416.80), committing matching funds of 20% or \$199,604.20 and for other related purposes.

Motion made by Ward 3 Sheppard, Seconded by Ward 4 Clark to adopt Resolution 2022-018 thereby authorizing a Surface Transportation Block Grant Application to the Gulf Regional Planning Commission for West Aloha Drive and Kalani Drive Roadway Improvements in the amount of \$998,021 (federal share \$798,416.80), committing matching funds of 20% or \$199,604.20 and for other related purposes.

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

**MOTION CARRIED UNANIMOUSLY**

8. **2022-071:** Motion to adopt Resolution 2022-019 thereby authorizing a Transportation Alternative or Surface Transportation Block Grant Grant Application to the Gulf Regional Planning Commission for West Aloha Sidewalks and Lighting Project in the amount of \$894,821.20 (federal share \$715,856.96), committing matching funds of 20% or \$178,964.24 and for other related purposes.

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to adopt Resolution 2022-019 thereby authorizing a Transportation Alternative or Surface Transportation Block Grant Application to the Gulf Regional Planning Commission for West Aloha Sidewalks and Lighting Project in the amount of \$894,821.20 (federal share \$715,856.96), committing matching funds of 20% or \$178,964.24 and for other related purposes.

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

**MOTION CARRIED UNANIMOUSLY**

8. a. **2022-075:** Motion to adopt Resolution 2022-020 thereby setting the annual compensation and hourly rate of compensation for the Public Works Clerk/Receptionist position.

Motion made by Ward 4 Clark, Seconded by Ward 3 Sheppard to adopt Resolution 2022-020 thereby setting the annual compensation and hourly rate of compensation for the Public Works Clerk/Receptionist position.

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

**MOTION CARRIED UNANIMOUSLY**

**Consent Agenda:**

Motion made by Ward 3 Sheppard, Seconded by Ward 4 Clark to approve the following agenda items by consent:

9. **2022-049:** Motion to approve payments to Pickering Firm in the amount of \$1,161.00 for Makiki Drive Culvert, in the amount of \$4,450.00 Hilo Street Culvert and in the amount of \$425.00 for Strategic Initiatives & Project Agreement.
10. **2022-051:** Motion to approve Amendment No.1 to the Rostan Task Order No. 2 - Hurricane Ida to include additional services for Hurricane Ida Cost Reimbursement increasing the Task Order from \$4,500 to \$10,000.
11. **2022-053:** Motion to approve payment in the amount of \$7,157.25 to Machado Patano for Hilo Way Drainage Project.
12. **2021-054:** Motion to authorize the City Manager to begin negotiations to purchase real property from the Estate of Myrtle Haas for Right of Way for the town center project (Park Ten Drive).
13. **2022-055:** Motion to authorize the City Manager to begin negotiations to purchase real property from Jeff Pressman for Right of Way for the town center project (Park Ten Drive).
14. **2022-056:** Motion to authorize the administration and legal counsel to create a 501(c)(3) organization for the Diamondhead Main Street Association.
15. **2022-057:** Motion to declare surplus 3,000 +/- cubic yards of topsoil excavated during drainage maintenance and located at the public works yard and finding that disposal by offering to residents would be most beneficial to the City and not for the benefit of residents based on cost associated with other methods of disposal.

16. **2022-058:** Motion to approve Task Order #4 with Rostan Solutions, LLC in an amount not to exceed \$25,000 for Grant Administration relating to mitigation consulting for the Hazard Mitigation Program Grant for the outdoor emergency siren system and generator projects.
17. **2022-063:** Motion to approve Budget Amendment 2022-19.
18. **2021-064:** Motion to approve amended job description for Public Works Clerk/Receptionist.
19. **2022-065:** Motion to approve Master Service Agreement Work Assignment with Machada Patano in an amount not to exceed \$2,250 for topographic survey at Twin Lakes Fishing Pier and Trail project site.
20. **2022-066:** Motion to approve Master Service Agreement Work Assignment with Machada Patano in an amount not to exceed \$11,750 for Hilo Way Drainage Project design, bid and CEI phases.
- 20 a. **2022-072:** Motion to participate in the MEMA Region 9 Hazard Mitigation Plan Update and further designate the City Manager to represent the City in the update process.
20. b **2022-073:** Motion authorize the installation of the Little Free Library on the near the Town Green at City Hall and further authorize the necessary supplies and labor to assistance with the installation.
20. c. **2022-074:** Motion to approve agreement with AGJ Systems, Inc. to implement multi-factor authentication for the IT network and administrative software at a one-time set up cost of \$661.25 and a monthly recurring fee of \$3.50 per user for a total monthly recurring of \$87.50.

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

**MOTION CARRIED UNANIMOUSLY**

**Action Agenda.**

- 21 a. **2022-062:** Motion to make 2 Council appointments to serve on the FY21 Audit Committee to serve with the City Manager and City Clerk.

Motion made by Ward 3 Sheppard, Seconded by Ward 4 Clark to appoint Mayor Depreo and Ward 4 Councilmember Clark for council appointments to serve on the FY21 Audit Committee.

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

**MOTION CARRIED UNANIMOUSLY**

**Routine Agenda.**

**Claims Payable**

22. Motion to approve the Docket of Claims (DKT159295 - DKT159325) in the amount of \$88,478.50.

Motion made by Ward 3 Sheppard, Seconded by Councilmember-At-Large Maher to approve the Docket of Claims (DKT159295 - DKT159325) in the amount of \$88,478.50.

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

**MOTION CARRIED UNANIMOUSLY**

23. Motion to approve Payroll Payables DKT159277 - DKT159293 in the amount of \$50,180.81, PRCLAIM113 in the amount of \$30,230.24, PRCLAIM114 in the amount of \$2,699.55 and PRCLAIM115 in the amount of \$30,414.02.

Motion made by Ward 1 Finley, Seconded by Ward 3 Sheppard to approve Payroll Payables DKT159277 - DKT159293 in the amount of \$50,180.81, PRCLAIM113 in the amount of \$30,230.24, PRCLAIM114 in the amount of \$2,699.55 and PRCLAIM115 in the amount of \$30,414.02.

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

**MOTION CARRIED UNANIMOUSLY**

**Department Reports**

Motion made by Ward 3 Sheppard, Seconded by Councilmember-At-Large Maher to accept and approve the following:

- a. January 2022 Financial Report
- b. Police Department  
Code Enforcement  
Building Department  
Privilege Licensing

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

**MOTION CARRIED UNANIMOUSLY**

**Public Comments on Non-Agenda Items.** -None.

**Adjourn/Recess.**

Attorney Cusick introduced Melissa Williams, a new partner joining his firm.

At 6:45 p.m. and with no further issues to come before the Council, motion made by Ward 4 Clark, Seconded by Ward 3 Sheppard.

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

**MOTION CARRIED UNANIMOUSLY**

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Nancy Depreo  
Mayor

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Jeannie Klein  
City Clerk