



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

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, December 19, 2023
6:00 PM CST
Council Chambers, City Hall
and via teleconference, if necessary

Call to Order.

Invocation
Pledge of Allegiance
Roll Call
Confirm or Adjust Agenda Order

Presentation Agenda.

- a. The next Regular Meeting of the City Council will be held January 2, 2024 at 6:00 p.m. in Council Chambers located at City Hall.
- b. City Hall will be closed December 25 & 26, 2023 in observance of the Christmas Holiday.
- c. City Hall will be closed January 1, 2024 for New Years Holiday.

Council Comments.

City Manager's Report.

Public Comments on Agenda Items.

Policy Agenda.

Minutes:

1. Motion to approve the December 5, 2023 Regular Meeting Minutes.

Tabled:

2. **2023-274:** Motion to contribute up to \$40,000.00 for the Dog Park from the General Fund Balance. (Finley)
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.
4. **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)

Resolutions:

5. **2023-422:** Motion to adopt Resolution 2023-052 thereby declaring that a Ward 4 Council vacancy exists effective December 5, 2023, ordering a Special Election to be held on January 30, 2024 and for other related purposes.
6. **2023-427:** Motion to adopt Resolution 2023-053 thereby authorizing by quitclaim certain real property to the rightful owners, Mary E. and Steven B. Simons.
7. **2023-428:** Motion to adopt Resolution 2023-054 thereby acquiring by donation certain easement for the construction of a walking trail and pier from Purcell Co., Inc.
8. **2023-431:** Motion to adopt Resolution 2023-055 authorizing the Mayor to execute Interlocal Cooperation Agreement Between Hancock County, Mississippi Chancery Clerk and the City of Diamondhead for the collection of delinquent taxes.
9. **2023-432:** Motion to adopt Resolution 2023-056 authorizing the Mayor to execute Interlocal Cooperation Agreement Between Hancock County, Mississippi Tax Collector and the City of Diamondhead for the collection of taxes.
10. **2023-433:** Motion to adopt Resolution 2023-057 authorizing the Mayor to execute Interlocal Cooperation Agreement Between Hancock County, Mississippi Tax Collector and the City of Diamondhead for the collection solid waste fees.
11. **2023-443:** Motion to adopt Resolution 2023-058 to approve a text amendment in accordance with the Zoning Ordinance Article 2.8 (Amendment Rezoning Procedure). The proposed text amendment will make the following change to the Code of Ordinances Appendix B - Subdivision Regulations. The Text Amendment will make the changes in red on the attached. The Case file Number is 202300437.

Consent Agenda:

12. **2023-423:** Motion to approve Pay Application #1 in the amount of \$86,992.50 and Pay Application #2 in the amount of \$46,281.12 to Bottom 2 Top Construction, LLC for Makiki Drive Drainage Improvements.
13. **2023-424:** Motion to approve Pay Request No. 6 in the amount of \$27,909.37 to Huey P. Stockstill, LLC for Diamondhead Roadway Improvements Phase 4.
14. **2023-425:** Motion to approve Pay Application 3 in the amount of \$251,827.20 to Moran Hauling Inc., for Noma Drive Improvements.
15. **2023-426:** Motion to approve the Memorandum of Agreement with MDOT for Project STP-0045-00(037)LPA 109551/701000 for the West Aloha Drive Pedestrian Improvements.
16. **2023-430:** Motion to approve payments to Digital Engineering in the amount of \$1,160.00 for Beaux Vue Ph 2 Drainage Improvements and in the amount of \$48,360.00 for Bond Paving Project.
17. **2023-434:** Motion to approve Change Order No. 1 to the contract with Bottom 2 Top Construction, LLC in the net amount of -\$2,774.00 for a total contract amount of \$140,288.02 for Makiki Drive Drainage Improvements.
18. **2023-437:** Motion to approve payments to Chiniche Engineering & Surveying in the amount of \$3,020.00 for Canal Dredging, in the amount of \$2,253.00 for Pond Remediation and in the amount of \$9,026.00 for Coon Branch Drainage.

19. **2023-438:** Motion to approve Pay Application 3 in the amount of \$370,831.88 to Bottom 2 Top Construction, LLC for the Commercial District Transformation Project Phase I.
20. **2023-439:** Motion to approve to advertise for bids for the Kaleki Way Drainage Project.
21. **2023-440:** Motion to approve to advertise for bids for the 2024 Annual Unit Price Repair Contract Project Number 16175.08.
22. **2023-441:** Motion to approve to advertise for bids for Bayou Drive Drainage.
23. **2023-442:** Motion to authorize Master Service Agreement Work Assignment with Covington Civil Environmental, LLC in the amount of \$45,500.00 for Kolo Court Drainage Project.
24. **2023-445:** Motion to approve payments to Covington Civil & Environmental, LLC in the amount of \$2,640.00 for Standard Specifications and Drawings, in the amount of \$12,000.00 for Bank Stabilization Project, in the amount of \$6,050.00 for Turnberry Drainage Project and in the amount of \$17,000.00 for Kaleki Way Drainage.
25. **2023-446:** Motion to accept and award low bid received from Fair Tide Marine & Construction, LLC. in the amount of \$117,777.00 for Beaux Vue Ph 2 Drainage Improvements Project, authorize the City Manager to execute the contract for same and to issue the notice to proceed as appropriate.

Action Agenda.

26. **2023-429:** Motion to approve the Amended Rental Agreement for the Activity Center and City Hall Grounds.
27. **2023-435:** Motion to nominate Councilman Shane Finley as Mayor Pro Tempore. (Cumberland)
28. **2023-436:** Motion to have AGJ provide City of Diamondhead Councilmembers copies of all emails sent from Mayor Nancy Depreo to engineers working under a master services agreement with the City of Diamondhead and emails sent from Mayor Nancy Depreo to the City of Diamondhead's City Manager dating from June 1, 2022 to present. (Cumberland)
29. **Motion 2023-444:** Motion to concur with the Planning Commission recommendation to remove the moratorium for landscape culverts, accept the policy for permitting landscape culverts and establish a permit fee of \$300 for landscape culverts. File case number is 202300497.

Routine Agenda.

Claims Payable

30. Motion to approve Docket of Claims (DKT231310- DKT231348) in the amount of \$1,004,939.64.
31. Motion to approve Payroll Payables Docket of Claims (DKT231300-231309) in the amount of \$68,995.67, PRCLAIM010181 in the amount of \$35,260.97, PRCLAIM010182 in the amount of \$31,789.70 and PRCLAIM01083 in the amount of \$2,898.79.

Department Reports

- a. Building
- Code Enforcement
- Police
- Court

Public Comments on Non-Agenda Items.**Executive Session - If Necessary****Adjourn/Recess.**

NOTE: THE CITY OF DIAMONDHEAD WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES WHERE NECESSARY TO AFFORD INDIVIDUALS WITH DISABILITIES AN EQUAL OPPORTUNITY TO SERVICES AND ACTIVITIES OF THE CITY. A WRITTEN REQUEST BY OR ON BEHALF OF QUALIFYING INDIVIDUALS SHALL BE SUBMITTED IN A TIMELY MANNER TO THE CITY CLERK.