



MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, March 19, 2024
6:00 PM CST

Call to Order.

Mayor Depreo called the meeting to order at 6:01 p.m.

Invocation - Councilmember Finley

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 Austin Clark

Confirm or Adjust Agenda Order

Motion made by Mayor Depreo, Seconded by Ward 3 Cumberland to adjust the agenda to move consent agenda item **14. 2024-072** to the action agenda.

14. 2024-072: Motion to approve the Procedures and Rental Agreement for the Noma Drive Ball Fields.

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

MOTION CARRIED UNANIMOUSLY

Motion made by Mayor Depreo, Seconded by Ward 1 Finley to adjust the agenda to table item **18. 2024-079** under the consent agenda.

18. 2024-079: Motion to approve insurance renewals for general liability, auto, employment practices liability and equipment.

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 April 2, 2024 at 6:00 p.m. in Council Chambers located at City Hall.

Council Comments.

Councilmember Maher announced the Open Jam will resume on Thursday, March 21, 2024 and will continue on the third Thursday of each Month until October 2024.

CITY MANAGER REPORT

March 19, 2024

1. Park Ten Road – The contract is for 270 Calendar Days with an end date of June 1st. Contractor is making great progress. The area is very difficult to navigate, so residents need to be aware of this when traveling to the DWSD office.
2. Noma Drive Restoration – The contractor has returned to the job site to complete the multimodal path area. The original contract is for 195 Calendar Days with an end date of March 24th. A second change order is on the agenda to extend the contract end date to May 3rd.
3. Beaux Vue 2 – The engineer is working on updated documents for the contractor so the project can begin. Waiting for a schedule from the contractor to issue the notice to proceed.
4. Bond Paving Diamondhead Drive – The punch list has been established. Currently waiting to hear back from the engineer on a schedule to complete the punch list items.
5. Montjoy Creek – Engineer is completing design on this project and will provide plans for review.
6. Noma Drive Phase 1b – Bids came in well over the engineer's estimate. The project is on the agenda tonight to reject all bids received. The engineer will redesign the project with the new cost estimate to stay under budget.
7. Kaleki Way – The city has received the contract documents today and will set up a pre-construction meeting before issuing the notice to proceed.
8. Bayou Drive – The contractor has returned all bonds and contract. The pre-construction meeting is set up for Thursday. A notice to proceed and schedule will be determined at that meeting.
9. Hilo Projects – Met with engineer regarding the four projects to determine final design request. Engineers will get 90% of the drawings back to the city by the end of the month.
10. Canal Dredging – MDEQ recently received comments from the RESTORE Council regarding the project workplan. They are currently reviewing and responding to those comments. Once the comments are returned, the RESTORE Council will review and should start the final process for the award. MDEQ is aware of the time limitations and has requested that the RESTORE Council prioritize this project in their review process.
11. MDOT Roundabout Project – Notice to Proceed is April 15th.
12. MDOT Interstate Widening Project – Notice to proceed was March 14th.
13. Noma Drive Walking Trail – The engineer is surveying the area for walking trail and trailheads. The city has been awarded \$500,000 from the MS Outdoor Stewardship Grant Fund. The city received the grant agreement on Monday and will have it on the next agenda for approval.
14. Dog Park – Neel-Shaffer is coordinating with the surveyor on the original survey to determine level of effort and lead time. Once complete, they will request for re-subdivision process. The re-subdivision request will also include the dedication of the road to the city.

- 15. Noma Drive Boardwalk – No updated information this meeting. Engineer is working on the drawings for this project. All easements have been recorded. MDEQ is going through the final steps with the MS TIG getting everything approved and will be in touch regarding the subaward.
- 16. Detention Ponds – No updated information this meeting. This project has been reduced to two ponds as the other two will be a part of separate larger drainage projects.
- 17. Pelican Cove Drainage Project – No updated information this meeting. Engineer has been provided the work assignment and will begin the surveying on this project.
- 18. ARPA/GOMESA Projects – The following projects have been assigned to the engineering firms listed below 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. DH Drive East/Kalani – Covington | j. Fairway Drive – Covington |
| k. Veterans/Substation – Covington | l. Anahola Place – Covington |

Email Request Received

- 1. Alakoko Place – Councilmember asked about the rear ditch on this property. A work order was issued to Public Works. Project is on the PW’s list to clean out.
- 2. Pecan Ridge – Councilmember asked about a sink hole in right-of-way. A work order was created for public works to address.
- 3. 56131 DH Drive East – Councilmember asked about a sink hole in right-of-way. A work order was created for public works to address.
- 4. Alia Street & DH Drive East – Councilmember asked about a sink hole in right-of-way. A work order was created for public works to address.
- 5. E-Blast – Councilmember asked about a text message system, similar to the "E-Blast". This is a component of the Constant Contact program and is being set up for use by the administration.
- 6. Dog Park Donations – Councilmember asked for total donations received, including grant funding, for the dog park up to now. This amount was provided.
- 7. E-Blast Policy – Councilmember asked if there was an E-Blast policy. My research determined at the council requested the city manager and city attorney to develop a policy. This policy was never introduced to the council for approval. I have added the policy to the agenda tonight for discussion and approval.
- 8. Traffic Engineer – Councilmember asked if the City Engineer could not also be the Traffic Engineer for the city. I had discussions with the City Engineer about this last week.
- 9. 9810-9816 Ana Hula – Councilmember asked about an AT&T box with several wires coming out of it. The area has been left this way for several months. I have contacted AT&T and am awaiting a response.

10. 682 Hilo Way – Councilmember reported a vehicle parking in median and causing ruts. A work order has been issued for public works to repair median.
11. 3 Whispering Branch – Councilmember reporting the new streetlight installed in cul-de-sac is too bright. The Oaks Subdivision has decorative light fixtures that only accept one LED wattage bulb supplied by Coast Electric. I have spoken with the HOA president about changing out the light fixture so that Coast Electric can install a lower wattage bulb.
12. Makiki Drainage – Councilmember requested the city purchase a lot on Kui Place behind the drainage project.

Public Comments on Agenda Items.

Leo Marino - Drainage Easement

Ron Quibodeaux - Drainage Easement

Bill Atkinson - Noma Ballfield

Beverly O'Hara - P&Z Committee Resumes

Policy Agenda.

Minutes:

1. Motion to approve the March 5, 2024 Regular Meeting Minutes.

Motion made by Mayor Depreo, Seconded by Ward 1 Finley to approve the March 5, 2024 Regular Meeting Minutes as amended by the City Attorney.

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

MOTION CARRIED UNANIMOUSLY

Tabled Matters:

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. **2023-408:** 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)

NO ACTION TAKEN

Resolutions:

4. **2024-073:** Motion to adopt Resolution 2024-011 authorizing Cusick & Williams, PLLC, City Attorneys, on behalf of the City of Diamondhead to negotiate acquisition of drainage utility easements and to prosecute suits for eminent domain pertaining to the projects listed herein.

Motion made by Ward 2 Liese, Seconded by Councilmember-At-Large Maher to adopt Resolution 2024-011 authorizing Cusick & Williams, PLLC, City Attorneys, on behalf of the City of Diamondhead to negotiate acquisition of drainage utility easements and to prosecute suits for eminent domain pertaining to the projects listed herein.

Motion made by Ward 2 Liese, Seconded by Councilmember-At-Large Maher to amend to table the adoption of Resolution 2024-011 authorizing Cusick & Williams, PLLC, City Attorneys, on behalf of the City of Diamondhead to negotiate acquisition of drainage utility easements and to prosecute suits for eminent domain pertaining to the projects listed herein.

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

MOTION CARRIED UNANIMOUSLY

5. **2024-077:** Motion to adopt Resolution 2024-012 thereby appointing Kurt Raymond to the position of Planning & Zoning Commissioner Ward 2 for a three (3) year term, effective immediately. (Liese)

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to adopt Resolution 2024-012 thereby appointing Kurt Raymond to the position of Planning & Zoning Commissioner Ward 2 for a three (3) year term, effective immediately.

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

MOTION CARRIED UNANIMOUSLY

6. **2024-071:** Motion to adopt Resolution 2024-013 thereby reappointing Lynn Debrow to the position of Planning & Zoning Commissioner Ward 4 for a three (3) year term, expiring March 2027. (Clark)

Motion made by Ward 2 Liese, Seconded by Ward 4 Clark to adopt Resolution 2024-013 thereby reappointing Lynn Debrow to the position of Planning & Zoning Commissioner Ward 4 for a three (3) year term, expiring March 2027.

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

MOTION CARRIED UNANIMOUSLY

7. **2024-080:** Motion to adopt Resolution 2024-014 Authorizing the Mayor to execute amended Interlocal Cooperation Agreement Between Hancock County, Mississippi Tax Collector and the City of Diamondhead for the collection of taxes.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to adopt Resolution 2024-014 Authorizing the Mayor to execute amended Interlocal Cooperation Agreement Between Hancock County, Mississippi Tax Collector and the City of Diamondhead for the collection of taxes.

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

MOTION CARRIED UNANIMOUSLY

8. **2024-081:** Motion to adopt Resolution 2024-015 Authorizing the Mayor to execute amended Interlocal Cooperation Agreement Between Hancock County, Mississippi Tax Collector and the City of Diamondhead for the collection of solid waste fees.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 1 Finley to adopt Resolution 2024-015 Authorizing the Mayor to execute amended Interlocal Cooperation Agreement Between Hancock County, Mississippi Tax Collector and the City of Diamondhead for the collection of solid waste fees.

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 Councilmember-At-Large Maher to approve the following consent items:

9. **2024-066:** Motion to accept and approve the engagement letter with Wright, Ward, Hatten & Guel for the FY23 annual audit.
10. **2024-067:** Motion to approve Change Order No. 2 for forty (40) additional days to the contract with Moran Hauling for the Noma Drive Improvements with no change to contract price.
11. **2024-068:** Motion to approve payments to Chiniche Engineering & Surveying in the amount of \$2,920.00 for Canal Dredging, in the amount of \$5,030.00 for Pond Remediation, in the amount of \$2,489.50 for Tidelands Nature Trail Planning, in the amount of \$3,695.00 for Montjoy Creek Nature Trail and in the amount of \$9,028.50 for Coon Branch Drainage.
12. **2024-069:** Motion to approve Pay Application 6 in the amount of \$247,809.09 to Bottom 2 Top Construction, LLC for the Commercial District Transformation Project Phase I.
13. **2024-070:** Motion to approve payments to Covington Civil & Environmental, LLC in the amount of \$15,178.25 for Support for Makiki Drive Project, in the amount of \$5,345.00 for Kolo Court, in the amount of \$10,015.00 for Kome Drive and Fairway Drive Drainage Project, in the amount of \$15,622.50 for On-Call Survey Services, in the amount of \$25,000.00 for Bayou Drive Drainage Project, in the amount of \$5,600.00 for Kaleki Way Drainage, in the amount of \$28,233.30 for Commercial District Transformation Project, in the amount of \$8,900.00 for Bank Stabilization Project, in the amount of \$15,750.00 for East Aloha Phase II Sidewalks and in the amount of, \$4,211.38 and \$797.50 for Site Development Plan Reviews.
15. **2024-074:** Motion to approve amendment #1 to Work Assignment 00-03-2024 with Covington Civil and Environmental, LLC in the amount of \$15,000.00 for a total amount not to exceed \$35,000.00 for the On-Call Survey Services FY 2024.
16. **2024-075:** 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 Support for 2024 Annual Unit Price Contract.
17. **2024-076:** Motion to reject bids received for Noma Drive Waterfront Improvements Phase I Boat Launch, Parking and Comfort Station Project.

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.

- 14. 2024-072:** Motion to approve the Procedures and Rental Agreement for the Noma Drive Ball Fields.

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to table the approval of the Procedures And Rental Agreement for the Noma Drive Ball Fields.

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

MOTION CARRIED UNANIMOUSLY

- 19. 2024-078:** Motion to approve E-Blast policy.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 3 Cumberland to approve E-Blast policy.

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

- 20.** Motion to approve Docket of Claims (DKT231562 - DKT231588) in the amount of \$580,681.07.

Motion made by Ward 2 Liese, Seconded by Ward 3 Cumberland to approve Docket of Claims (DKT231562 - DKT231588) in the amount of \$580,681.07.

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

MOTION CARRIED UNANIMOUSLY

- 21.** Motion to approve Payroll Payables DKT231552 -DKT231561 in the amount of \$49,603.53, PRCLAIM0190 in the amount of \$29,898.07, PRCLAIM01091 in the amount of \$29,425.47 and PRCLAIM01092 in the amount of \$2,752.79.

Motion made by Ward 3 Cumberland, Seconded by Ward 1 Finley to approve Payroll Payables DKT231552 -DKT231561 in the amount of \$49,603.53, PRCLAIM0190 in the amount of \$29,898.07, PRCLAIM01091 in the amount of \$29,425.47 and PRCLAIM01092 in the amount of \$2,752.79.

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

Motion made by Ward 2 Liese, Seconded by Ward 3 Cumberland to approve the following department reports:

- a. a. Police
- b. Court
- c. Code Enforcement
- d. Building
- b. February 2024 Financial Report

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 -None

Adjourn/Recess.

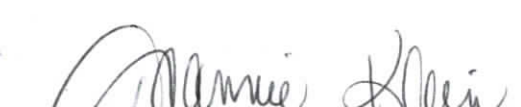
At 7:14 p.m. with no further business to come before the council, motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to adjourn.

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

