



**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**Tuesday, September 03, 2024**  
**6:00 PM CST**  
Council Chambers, City Hall  
and via teleconference, if necessary

**Call to Order.**

Mayor Depreo called the meeting to order at 6:00 p.m. via teleconference.

Invocation - Councilmember Finley

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo - via teleconference

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 Ward 1 Finley, Seconded by Ward 4 Clark to confirm the agenda.

Roll call vote was taken -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 Tuesday, September 17, 2024 at 6:00 p.m. in Council Chambers located at City Hall.
- b. Annual Paddle Paradise Event will be held Saturday, September 28th at the south side kayak launch. Participants may register in advance on the City's website or on-site registration beginning at 8:00 a.m. the morning of the event.
- c. Proclamation - National Childhood Cancer Awareness Month
- d. Proclamation - Toni Grey (Former SPCA)
- e. Proclamation - Diamondhead Women's Club

## CITY MANAGER REPORT

September 03, 2024

1. CRS – The City of Diamondhead has been accepted into the Community Rating System (CRS) Program. The preliminary results show that the city will improve from a Class 10 CRS rating to a Class 8 rating. This will allow residents to receive a 10% discount on qualified renewals and new flood insurance policies. The Class 8 rating will be effective April 1, 2025. I want to thank Beau King and the building department for all their hard work.
2. MDOT Projects –MDOT has started working on the 4-way stop roundabout. This will cause traffic delays and driver attention when traveling in this area. The ramp is currently scheduled to be completed by September 6<sup>th</sup>; weather depending.
3. Park Ten Road – The contract is for 403 Calendar Days with a current end date of October 12<sup>th</sup>. The contractor is installing the curbing this week with the sidewalk, irrigation, and lighting being installed starting next week.
4. Beaux Vue 2 – The contract is for 60 Calendar Days with a current end date of September 5<sup>th</sup>. According to the engineer, the contractor has been having a problem getting the drain boxes for this project. The engineer has put forth a change order to add 90 days to this project. This will move the end date to December 5<sup>th</sup>. This is a no cost change order.
5. Kaleki Way – The final inspection was conducted on Friday. A punch list was created for the contractor to complete. The substantial completion date for this project was to be September 10<sup>th</sup>.
6. Noma Drive Phase 1b – The contract is for 180 Calendar Days with a current end date of January 7<sup>th</sup>. The contractor has installed the new boat ramp and has the pilings for the pier. The new bulkhead is being installed along the ramp to install the pier and sidewalk. The clearing for the comfort station and sidewalk will begin this month.
7. Substation/Veterans Drainage Project – Project was started and completed by SCI. The closeout documents and payment will be on the next agenda.
8. Kolo Court – Contractor has indicated they will begin this project. This project is for 60 days. The current end date is set for October 26, 2024. It will require Bayou Drive to be closed once again to replace the culvert near the OpLa Way intersection of Bayou Drive. The residents will have to use the Bayou Place/Kapalama access road while the road is closed. Notice was e-blasted to residents and signage is being installed.
9. Turnberry Way – This project is for 120 days. The current end date is set for December 25, 2024. The contractor has indicated they will begin dredging the pond at #4 Cardinal. This will give them time to stage all the other needed materials. This project will require the entire roadway of Turnberry Drive to be removed to install the drainage culverts. Residents will receive notices as work proceeds.
10. Hilo Master Drainage – This contract is for 150 days. The current end date for this project is January 24, 2025. There are 4 sub-projects included within this contract. The contractor has not indicated at which location they will start. The city is currently waiting on a schedule for this project.

11. Ahuli Place Drainage – The contract for this project is for 120 days, with a current end date of December 25, 2024.
12. Kalae Street – This project is for 90 days, with a current end date of November 25, 2024.
13. Coon Branch – The engineer is developing the preliminary design for the project and will be sending me the first draft this month.
14. Noma Drive Dredging – The bids for this project are due on October 1<sup>st</sup>. If within the approved budget, we will have it on the October 15<sup>th</sup> meeting for review and approval.
15. Jourdan River Boardwalk – We have our monthly check in meeting scheduled for next week. The permitting phase is progressing with all applications submitted. The engineer is working on the final design of the project.
16. Dog Park – The deed has been given to the chancery clerk to be recorded. I have a meeting scheduled for next week with Ochsner to discuss the property.
17. Boy Scouts – I have been informed that the scouts will be using the East Hancock Library and the Hancock County Kiln Shelter.
18. Montjoy Creek – **No updated information this meeting.** The engineer is waiting for the final permits to allow the project to go out for bid.
19. Detention Ponds – **No updated information this meeting.** Engineer has completed design on this project and will provide them to public works to complete the dredging.
20. Kome Drive – **No updated information this meeting.** This will be to address driveway and landscape culverts on Kome Drive.
21. Kalipekona Pond -- **No updated information this meeting.** This project will dredge the south end of the pond to remove sediment.
22. Pelican Cove Drainage Project – **No updated information this meeting.** Engineer has been provided with the work assignment and will begin the surveying on this project.
23. Noma Drive Nature Trail – **No updated information this meeting.** The engineer presented the project to the council tonight.
24. Canal Dredging – **No updated information this meeting.** Contacted MDEQ regarding the grant agreement. They are still drafting the agreement but expect it to be delivered within two to three weeks. Once received, it will be placed on the agenda for approval. The construction schedule is set to start in March/April of 2025 provided the city receives funding as anticipated

### **Email Request Received**

1. 7854 Maui Place – Councilmember contacted me about a sink hole forming and the ditch needing to be cleaned out to allow proper waterflow. A work order has been issued.
2. 7816 Koko Ct – Councilmember asked about this address and the ditch erosion in the area. Public Works has been to the site. The city engineer is surveying the area to determine proper slope for public works to shape the drainage ditch.
3. 7446 Turnberry Drive – Councilmember asked to put rip rap to stabilize ditch bank and prevent the erosion. A work order has been issued.
4. 698 / 6910 Aukai Place – Councilmember asked about the drainage ditch in this area needing to be addressed. A work order has been issued.

5. Road Delineators – Several road delineators have broken. Public works has been informed and will replace as needed.
6. 6926 Hilo Way – Compliance concern with vehicles and boat on property. Code enforcement has been informed.
7. Bayou Circle – Councilmember asked for the median on Bayou Circle to be filled to prevent vehicles from receiving damage due to the drop off.
8. Moanalua Way – Councilmember asked about tree debris left by Asplundh Tree Service. **The city contacted the company, and they removed the debris the next day.**
9. 84110 OpLa Way – Compliance concern of cars parked in the road and property not being kept. **Code enforcement with the site, no evidence of cars in the road and grass was cut.**
10. The Oaks and Noma Drive Ditches – The Oaks HOA asked about ditches in the Oaks and along Noma Drive. **Public works mowed the ditches as per their schedule. The director noted that the work the previous week was not adequate and he would address this with this crew.**

Public Comments on Agenda Items - None

### **Policy Agenda.**

#### **Minutes:**

1. Motion to approve the August 20, 2024 Regular Meeting Minutes.

Motion made by Ward 1 Finley, Seconded by Ward 2 Liese to approve the August 20, 2024 Regular Meeting Minutes.

Roll call vote was taken - Voting Yea: Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

Voting Abstaining: Mayor Depreo

**Motion Carried Unanimously**

#### **Tabled Matters:**

2. **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**

3. **2024-203:** Motion for the City Attorney to conduct an investigation into the events that took place on July 26th, 2024 at City Hall involving the rental of the activity center. (Cumberland)

**NO ACTION TAKEN**

#### **Resolutions:**

4. **2024-223:** Motion to adopt Resolution 2024-035 thereby adopting the FY2025 Budget as finally determined by the City Council.

Motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to adopt Resolution 2024-035 thereby adopting the FY2025 Budget as finally determined by the City Council.

Roll call vote was taken - Voting Yea: Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark  
Voting Nay: Mayor Depreo

**MOTION CARRIED**

5. **2024-224:** Motion to adopt Resolution 2024-036 thereby setting the tax levy for FY2025 to be 29.5 mills and for other related purposes.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 1 Finley to adopt Resolution 2024-036 thereby setting the tax levy for FY2025 to be 29.5 mills and for other related purposes.

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

**MOTION CARRIED UNANIMOUSLY**

6. **2024-230:** Motion to adopt Resolution 2024-037 thereby authorizing the City Manager to submit a proposal to the United States Army Corps of Engineers for Section 592 Environmental Infrastructure Assistance Program for funding in the amount of \$1,600,000 for flood prevention and reduction of environmental impacts through critical stormwater, water and sewer infrastructure repairs, to commit local match funding of 25% or \$400,000, and for other related purposes.

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to adopt Resolution 2024-037 thereby authorizing the City Manager to submit a proposal to the United States Army Corps of Engineers for Section 592 Environmental Infrastructure Assistance Program for funding in the amount of \$1,600,000 for flood prevention and reduction of environmental impacts through critical stormwater, water and sewer infrastructure repairs, to commit local match funding of 25% or \$400,000, and for other related purposes.

Roll call vote was taken - 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:

7. **2024-222:** Motion to approve amendment to Work Assignment with Machado Patano, PLLC in the amount of \$2,500.00 for the Beehive Assisted Living Plan Review.
8. **2024-229:** Motion to extend the current City Engineer Agreement, Master Service Agreement and Federal Program Agreement for one year ending October 31, 2025 per the terms of the contracts.
9. **2024-231:** Motion to approve Change Order No. 2 for ninety (90) additional days to the contract with Fair Tide Marine & Construction, LLC for Beaux Vue Ph II Drainage Improvements with no change to contract price.

Roll call vote was taken - 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.

- 10. 2024-226:** Motion to concur with the Planning Commission recommendation to approve the variance. Lauren Hanat and Blair Nutting have filed an application requesting a variance from the Zoning Ordinance (Article 3.4.8) to allow the construction of a pool enclosure within 4' of the side yard property line. The property address is 7830 Alawai Avenue. The tax parcel number is 067Q-0-36-220.000. The property is in an R-6 zoning district. The side yard setback is 10'. The variance requested is 6'. The Case File Number is 202400364.

Motion made by Ward 1 Finley, Seconded by Ward 2 Liese to concur with the Planning Commission recommendation to approve the variance. Lauren Hanat and Blair Nutting have filed an application requesting a variance from the Zoning Ordinance (Article 3.4.8) to allow the construction of a pool enclosure within 4' of the side yard property line. The property address is 7830 Alawai Avenue. The tax parcel number is 067Q-0-36-220.000. The property is in an R-6 zoning district. The side yard setback is 10'. The variance requested is 6'. The Case File Number is 202400364.

Roll call vote was taken - Voting Yea: Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark  
Voting Nay: Mayor Depreo

### **MOTION CARRIED**

- 11. 2024-227:** Motion to concur with the Planning Commission recommendation to approve the Text Amendment to Ordinance Article 9 – Administration. The purpose is to add Architectural Review for Commercial Properties to the Planning Commission responsibilities. The Case File Number is 202400377.

Motion made by Ward 2 Liese, Seconded by Ward 1 Finley to concur with the Planning Commission recommendation to approve the Text Amendment to Ordinance Article 9 – Administration. The purpose is to add Architectural Review for Commercial Properties to the Planning Commission responsibilities. The Case File Number is 202400377.

Roll call vote was taken - Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark  
Voting Nay: Councilmember-At-Large Maher

### **MOTION CARRIED**

- 12. 2024-228:** Motion to direct the City Manager to add language to the City's website and any social media accounts explicitly stating that any self-authored posts by the Mayor or City Councilmembers on their individual social media accounts do not represent the views of the City and are their opinions and theirs alone. Additionally, this extends to individually-hosted Mayor or Councilmember forums and events. (Liese)

Motion made by Ward 2 Liese, Seconded by Ward 3 Cumberland to direct the City Manager to add language to the City's website and any social media accounts explicitly stating that any self-authored posts by the Mayor or City Councilmembers on their individual social media accounts do not represent the views of the City and are their opinions and theirs alone. Additionally, this extends to individually-hosted Mayor or Councilmember forums and events.

Roll call vote was taken - Voting Yea: Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark  
Voting Nay: Mayor Depreo

**MOTION CARRIED**

**Routine Agenda.**

**Claims Payable**

13. Motion to approve Docket of Claims (DKT232074 - DKT232108) in the amount of \$90,176.74.

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to approve Docket of Claims (DKT232074 - DKT232108) in the amount of \$90,176.74.

Roll call vote was taken - Voting Yea: Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark  
Voting Nay: Mayor Depreo

**MOTION CARRIED**

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

**Council Closing Comments - None**

**Adjourn/Recess.**

At 7:04 p.m. with no further business to come before the council motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to adjourn.

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

**MOTION CARRIED UNANIMOUSLY**

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Nancy Depreo  
Mayor

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Jeannie Klein  
City Clerk