



MINUTES REGULAR MEETING OF THE CITY COUNCIL

Tuesday, September 17, 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 6:02 p.m. via teleconference.

Invocation - Councilmember Liese

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo via teleconference

Councilmember-At-Large Gerard Maher

Ward 2 Anna Liese

Ward 3 John Cumberland

Ward 4 Austin Clark

ABSENT

Ward 1 Shane Finley

Confirm or Adjust Agenda Order

Motion made by Ward 2 Liese, Seconded by Councilmember-At-Large Maher to adjust the agenda adding the following resolutions:

- 2.a. **2024-245: PUBLIC HEARING** – Motion to adopt Resolution 2024-039 thereby finding, determining and adjudicating that the residence at 782 Hilo Court, Diamondhead Mississippi is a menace to the public, safety, and welfare of the citizenry, that the City Clerk is hereby authorized to advertise for bids, obtain quotes or utilize city resources to bring the property into compliance with city ordinances and for other related purposes. The property is located at 782 Hilo Court, Parcel No. 067Q-0-36-059.000 and the property owner is Stephen Parr.
- 2.b. **2024-246: PUBLIC HEARING** – Motion to adopt Resolution 2024-040 thereby finding, determining and adjudicating that the residence on Bayou Drive, Diamondhead Mississippi is a menace to the public, safety, and welfare of the citizenry, that the City Clerk is hereby authorized to advertise for bids, obtain quotes or utilize city resources to bring the property into compliance with city ordinances and for other related purposes. The property is located on Bayou Drive, Parcel No. 067M-1-35-284.000 and the property owner is Prominence Homes & Communities, LLC.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, 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, October 1, 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 -White Cane Day
- d. Presentation - Brody Coat - Eagle Scout Project

City Manager's Report.

CITY MANAGER REPORT

September 17, 2024

1. MDOT Projects –MDOT progress has been slow due to the weather. The curbing for the South roundabout is being installed. The barricades have been removed and the ramp is now open. Residents need to continue to use caution when driving through the construction areas.
2. Park Ten Road – The contract is for 403 Calendar Days with a current end date of October 12th. Again, progress has stalled due to the weather. The contractor is working on the East end of the new roadway getting curbing, sidewalk, and irrigation installed.
3. Beaux Vue 2 – The new end date for this project is December 4th. Once materials are delivered to the site, the contractor will begin work.
4. Kaleki Way – The contractor has asked for a time extension on this agenda. The additional time is to allow them to repair the roadway that was damaged during this project.
5. Noma Drive Phase 1b – The contract is for 180 Calendar Days with a current end date of January 7th. The contractor is estimated to be 41% complete as of the current pay request. The engineer expects the project to be completed ahead of time. The new bulkhead is being installed and clearing for the comfort station and sidewalk has begun.
6. Kolo Court – A sewer line conflict has been identified requiring the installation of a steel casing. The contractor is requesting change order #01 which is on the agenda tonight for your approval. This change order will also add 12 additional days to the contract with a new end date of November 07, 2024. The contractor will be closing Bayou Drive Wednesday morning. It will remain closed until Friday afternoon. Residents will have to use the Bayou Place/Kapalama access road while the road is closed.
7. Turnberry Way – This project is for 120 days. The current end date is set for December 25, 2024. The contractor has started the dredging of the detention pond. This will increase the capacity of the pond by 4,325 CY.
8. 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 for a schedule for this project.

9. Ahuli Place Drainage – The contract for this project is for 120 days, with a current end date of December 25, 2024. The city is currently waiting for a schedule for this project.
10. Kalae Street – This project is for 90 days, with a current end date of November 25, 2024.
11. Coon Branch – Met with the engineer on Monday regarding the preliminary design for the project. We are working on a November date to advertise this project.
12. Noma Drive Dredging – The bids for this project are due on October 1st. The permit for this project is in place. We are waiting on the bids to determine if it is within the approved budget.
13. Jourdan River Boardwalk – We met on Monday with all agencies regarding the project. Permitting is progressing with all applications submitted. The engineer is working on the final design, once complete, it will be sent to the Mississippi Restoration Team and DEQ for approval.
14. Dog Park – The county has fully executed and recorded the Deed of Dedication regarding the road at the Diamondhead Clinic and Library Tract. The meeting with Ochsner had to be rescheduled due to the weather last week. I will follow back up with the council once we have our meeting.
15. Montjoy Creek – The USACE had a few follow-up questions regarding the permit. The engineering firm has responded to the request and is waiting on the final permits.
16. Kome Drive – The engineering firm expects to bid this project out in November. They are currently completing the drawings and will present them to the council in October.
17. Kalipekona Pond – The engineering firm also expects to bid this project out in November. This project will dredge the south end of the pond to remove sediment and install a new culvert under Kalipekona Way. This new culvert will lower the surface level of the pond to allow for more capacity in this detention area.
18. Canal Dredging – The grant agreement is in final review with MDEQ and will be sent to us by next month for approval. The engineer is finishing up the drawings and once the grant agreement is in place will request to advertise this project. The current expectation is November with construction scheduled to start in March/April of 2025.
19. Noma Drive Nature Trail – **No updated information this meeting.** The engineer presented the project to the council tonight.
20. 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.
21. 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.

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 the 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. Bayou Circle – Councilmember asked for the median on Bayou Circle to be filled to prevent vehicles from receiving damage due to the drop off.
7. 6655 Golf Club Drive – Resident had water get into garage. A work order has been issued.
8. Diamondhead Lakes – Resident requested additional street signage. A work order has been issued.
9. Kalipekona Pond – Councilmember asked about the silt fencing on the new subdivision. I will have the building department check on this. The pond is scheduled to be dredged by the first of next year.
10. 9914 Paho Court – Councilmember asked about two goats in their yard along with a structure that he built to house them. We have addressed this issue with the resident. He is working on re-homing them.
11. Twin Lakes – Councilmember informed me of a 5-6-foot alligator in the twin lakes. Animal control will contact MS Wildlife to remove the alligator.
12. Mauna Loa Drive off Golf Club – Councilmember asked about speeding after cars turn onto Mauna Loa from Golf Club, they forget there is a speed limit. I have spoken with Darryl about speeding.

Public Comments on Agenda Items. - None

Council Comments.

Policy Agenda.

Minutes:

1. Motion to approve the September 3, 2024 Regular Meeting Minutes.

Motion made by Ward 3 Cumberland, Seconded by Councilmember-At-Large Maher to approve the September 3, 2024 Regular Meeting Minutes.

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

MOTION CARRIED UNANIMOUSLY

Resolutions:

2. **2024-232:** Motion to adopt Resolution 2024-038 thereby re-appointing Bryon Griffith (Ward 4) to serve as Commissioner on the Diamondhead Water & Sewer District Board of Commissioners for a term of five (5) years expiring on September 28, 2029. (Maher)

Motion made by Councilmember-At-Large Maher, Seconded by Ward 2 Liese to adopt Resolution 2024-038 thereby re-appointing Bryon Griffith (Ward 4) to serve as Commissioner on the Diamondhead Water & Sewer District Board of Commissioners for a term of five (5) years expiring on September 28, 2029.

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

MOTION CARRIED UNANIMOUSLY

- 2.a. **2024-245: PUBLIC HEARING** – Motion to adopt Resolution 2024-039 thereby finding, determining and adjudicating that the residence at 782 Hilo Court, Diamondhead Mississippi is a menace to the public, safety, and welfare of the citizenry, that the City Clerk is hereby authorized to advertise for bids, obtain quotes or utilize city resources to bring the property into compliance with city ordinances and for other related purposes. The property is located at 782 Hilo Court, Parcel No. 067Q-0-36-059.000 and the property owner is Stephen Parr.

PUBLIC HEARING - Mayor Depreo opened the Public Hearing in the matter of property located at 782 Hilo Court, Parcel No. 067Q-0-36-059.000 and called on three (3) occasions for property owner Stephen Parr with no response. The **PUBLIC HEARING** was closed.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 4 Clark to adopt Resolution 2024-039 thereby finding, determining and adjudicating that the residence at 782 Hilo Court, Diamondhead Mississippi is a menace to the public, safety, and welfare of the citizenry, that the City Clerk is hereby authorized to advertise for bids, obtain quotes or utilize city resources to bring the property into compliance with city ordinances and for other related purposes. The property is located at 782 Hilo Court, Parcel No. 067Q-0-36-059.000 and the property owner is Stephen Parr.

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

MOTION CARRIED UNANIMOUSLY

- 2.b. **2024-246: PUBLIC HEARING** – Motion to adopt Resolution 2024-040 thereby finding, determining and adjudicating that the residence on Bayou Drive, Diamondhead Mississippi is a menace to the public, safety, and welfare of the citizenry, that the City Clerk is hereby authorized to advertise for bids, obtain quotes or utilize city resources to bring the property into compliance with city ordinances and for other related purposes. The property is located on Bayou Drive, Parcel No. 067M-1-35-284.000 and the property owner is Prominence Homes & Communities, LLC.

PUBLIC HEARING - Mayor Depreo opened the Public Hearing in the matter of property located on Bayou Drive, Diamondhead, Mississippi, Parcel No. 067M-1-35-284.000 and called on three (3) occasions for property owner Prominence Homes & Communities, LLC. with no response. The **PUBLIC HEARING** was closed.

Motion made by Ward 3 Cumberland, Seconded by Mayor Depreo to adopt Resolution 2024-040 thereby finding, determining and adjudicating that the residence on Bayou Drive, Diamondhead Mississippi is a menace to the public, safety, and welfare of the citizenry, that the City Clerk is hereby authorized to advertise for bids, obtain quotes or utilize city resources to bring the property into compliance with city ordinances and for other related purposes. The property is located on Bayou Drive, Parcel No. 067M-1-35-284.000 and the property owner is Prominence Homes & Communities, LLC.

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

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to approve the following consent items:

3. **2024-233:** Motion to approve Work Assignment with Machado Patano, PLLC in the amount of \$2,500.00 for the Site Development Plan Review.
4. **2024-234:** Motion to approve payment in the amount of \$5,000.00 Covington Civil & Environmental, LLC for for East Aloha and Veterans Drive Substation Project, in the amount of \$1,445.00 for Site Development Plan Reviews, in the amount of \$3,200.00 for Ahuli Drainage Project, in the amount of \$1,156.25 for Unit Price Repair Contract, in the amount of \$1,400.00 for Kolo Court Drainage Project and in the amount of \$12,085.18 for the Commercial District Transformation Project.
5. **2024-235:** Motion to approve Change Order No. 1 to the contract with SCI, Inc. in the net amount of -\$1,640.00 for a total contract amount of \$52,869.40 and a decrease in contract time of fifty seven (57) calendar days for the East Aloha Drive & Veterans Drive Substation Drainage Project.
6. **2024-236:** Motion accept substantial completion and to approve payment in the amount of \$52,869.40 to SCI, Inc for the East Aloha Drive & Veterans Drive Substation Drainage Project.
7. **2024-237:** Motion to approve Pay Application 12 in the amount of \$132,835.19 to Bottom 2 Top Construction, LLC for the Commercial District Transformation Project Phase I.
8. **2024-238:** Motion to approve Change Order No. 4 to the contract with LJ Construction Inc. to add an additional sixty (60) calendar days and to approve Pay App 5 in the amount of \$49,140.57 to LJ Construction, Inc for the Kaleki Way Drainage Project.
9. **2024-240:** Motion to approve payment to Chiniche Engineering & Surveying in the amount of \$5,203.50 for Coon Branch Drainage, in the amount of \$4,941.50 for Jourdan River Boardwalk and in the amount of \$2,569.50 for Noma Drive Nature Trail.
10. **2024-241:** Motion to approve Budget Amendments 2024-007.
11. **2024-242:** Motion to approve interfund transfer in the amount of \$250,000 from General Fund to ARPA Fund for engineering expenses.
12. **2024-243:** Motion to approve release of annual fire rebate funds received in the amount of \$61,564.30 and approve payment of said funds to the Hancock County Board of Supervisors for Diamondhead Fire Department operations/equipment pursuant to the Interlocal Agreement approved May 7, 2024 between Hancock County, Diamondhead Fire Department and the City.
13. **2024-244:** Motion to approve Pay Application 1 in the amount of \$281,960.00 to Gill's Crane & Dozer Services, Inc. for the Noma Drive Waterfront Improvements Project.

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

MOTION CARRIED UNANIMOUSLY

Action Agenda.

14. **2024-239:** Motion to ratify Proclamation of Existence of a Local Emergency as the result of Tropical Storm Francine commencing on or about 7:00 a.m. on September 10, 2024.

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to ratify Proclamation of Existence of a Local Emergency as the result of Tropical Storm Francine commencing on or about 7:00 a.m. on September 10, 2024.

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

MOTION CARRIED UNANIMOUSLY

Routine Agenda.

Claims Payable

15. Motion to approve Docket of Claims (DKT232118 - DKT232153) in the amount of \$759293.03 and DKT232154 in the amount of \$20.00.

Motion made by Ward 2 Liese, Seconded by Ward 3 Cumberland to approve Docket of Claims (DKT232118 - DKT232153) in the amount of \$759293.03 and DKT232154 in the amount of \$20.00.

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

MOTION CARRIED UNANIMOUSLY

16. Motion to approve Payroll Payables Docket of Claims DKT232109-DKT232117 in the amount of \$42,724.09, PRCLAIM10209 in the amount of \$30,982.45, PRCLAIM10210 in the amount of \$27,931.33, PRCLAIM10211 in the amount of \$3,048.79 and PRCLAIM 10212 in the amount of \$28,359.86.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 3 Cumberland to approve Payroll Payables Docket of Claims DKT232109-DKT232117 in the amount of \$42,724.09, PRCLAIM10209 in the amount of \$30,982.45, PRCLAIM10210 in the amount of \$27,931.33, PRCLAIM10211 in the amount of \$3,048.79 and PRCLAIM 10212 in the amount of \$28,359.86.

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

MOTION CARRIED UNANIMOUSLY

Department Reports

Motion made by Ward 4 Clark, Seconded by Ward 3 Cumberland to approve department reports a. and b.

- a. Court

Police

Building

Code Enforcement

b. August 2024 Financials

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

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items - None


Council Closing Comments

Adjourn/Recess.

At 6:42 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 2 Liese, Ward 3 Cumberland, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY



Nancy Depreo
Mayor



Jeannie Klein
City Clerk

