



MINUTES REGULAR MEETING OF THE CITY COUNCIL

Tuesday, May 21, 2024

6:00 PM CST

Council Chambers, City Hall

Call to Order.

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

Invocation - Mayor Depreo

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo

Councilmember-At-Large Gerard Maher

Ward 1 Shane Finley - via teleconference

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 adding **Item 2024-235**: Motion to approve Change Order No. 1 to the contract with LJ Construction Inc. in the net amount of \$19,804.32 for a total contract amount of \$739,125.13 for the Kaleki Way Drainage Project and moving **Item 2024-132**: Motion to advertise for ARPA funded projects, Turnberry Way, Ahuli Place, Substation, Kalae Street, Hilo Way and Kolo Court from consent to action.

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, June 4, 2024 at 6:00 p.m. in Council Chambers located at City Hall.
- b. City Hall will be closed Monday, May 27, 2024 in observance of Memorial Day.
- c. Proclamation - Diamondhead Garden Club
- d. Proclamation - National Police Week 2024

e. Covington Civil & Environmental, LLC Presentations:

Andrew Levens - Ahuli Place and Kalae Street

Sarah McLellan - Substation and Turnberry Way

City Manager's Report.

CITY MANAGER REPORT

May 21, 2024

1. Park Ten Road –The contract is for 309 Calendar Days with an end date of July 10th. Due to the weather the last two weeks, the sidewalks have not been formed. The curb and gutter have been installed along the Leisure Time connector road. The lighting subcontractor is completing the landscape lighting.
2. Beaux Vue 2 – Currently waiting on the change order for this project. Once approved, the notice to proceed will be issued.
3. Noma Drive Phase 1b – The bids were opened, and the project is on the agenda for approval.
4. Kaleki Way – The contract is for 120 days with an end date of August 6th. The contractor has been delayed due to the weather but is working on completing all driveways. Change Order #01 is being added to the agenda for approval.
5. Bayou Drive –The project is for 90 days with an end date of August 4th. Project is on schedule with the contractor completing the construction of the box culvert.
6. Drainage Projects – All remaining ARPA funded projects are on the agenda tonight requesting approval to advertise. (Ahuli Place, Hilo Projects, Kalae Street, Kolo Court, Sub-station, and Turnberry)
7. Canal Dredging – MDEQ has scheduled an on-site meeting for May 31st (moved from 23rd). The engineer will provide a design presentation at the June 4th council meeting.
8. Montjoy Creek – The engineer will provide a design update at the June 4th council meeting.
9. HMGP/CRS –
 - a. The Outdoor Emergency Siren System: FEMA is working on putting together an award letter and the management cost for the project. MEMA should receive notification of award this week.
 - b. Generator and Light Towers: FEMA has issued another RFI for this project. We are working on the best resolution to avoid delaying the project award.
 - c. Residential Acquisitions: FEMA issued an RFI for ground disturbance. This has already been provided it was sent to MEMA again last week.
 - d. We have finally been informed that the CRS program was on hold due to a procurement protest. This prevented VERISK employees from working or responding to emails. This issue was resolved last week. We expect to receive a response within the next week or two.
10. Noma Drive Walking Trail – **No updated information this meeting.** The engineer has completed the survey work for this project and is determining the best route for the walking trail.
11. Coon Branch – **No updated information this meeting.** The engineer will present the initial design at the June 4th council meeting for these four GOMESA projects.

12. Noma Drive Dredging – **No updated information this meeting.** The engineer expects to bid this summer. The project is to remove sediment in the Jourdan River to allow better boat access from the Noma Drive Boat Launch.
13. 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.
14. Kome Drive – **No updated information this meeting.** This will be to address driveway and landscape culverts on Kome Drive. This project is also on hold until all ARPA projects have completed the design phase.
15. Kalipekona Pond -- **No updated information this meeting.** This project will dredge the south end of the pond to remove sediment. It will also redesign the weir and road culvert. This project is also on hold until all ARPA projects have completed the design phase.
16. Dog Park – **No updated information this meeting.** The county asked to make a few minor changes to the title which have been completed. Once Neel-Schaffer updates the survey, the county will submit to the city the re-subdivision request. The current proposed parcel for Ochsner Medical is approximately 4.3 acres. Of that parcel, I estimate 0.6 acres or 25,000 sq ft. could be used for the dog park. The motion on the agenda tonight is in furtherance of the council's approved action to explorer developing this site for a dog park. The bid documents, the budget, and all contracts with Ochsner and/or Hancock County will still need further approval of the council.
17. Noma Drive Boardwalk – **No updated information this meeting.** 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.
18. Pelican Cove Drainage Project – **No updated information this meeting.** Engineer has been provided the work assignment and will begin the surveying on this project.

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. 84126 Bayou Drive – Councilmember asked about two lots next to this address that were initially cleared by a contractor but have been left with a few trees and trash on the property. I have asked code enforcement to contact the current lot owner.
3. 10747 Lilnoe Way – Councilmember asked for a compliance check on this address. I turned the request over to the code enforcement officer.
4. 9834 Pokai Way – Councilmember asked for a compliance check at this address. I have forwarded this to code enforcement. A letter was sent last month requesting the property to be cleaned up.
5. 8896 Kipapa Way – Councilmember asked for a compliance check at this address. I have forwarded this to code enforcement.
6. 73650 DH Drive North – Councilmember asked that resident's ditch be cleaned out. A work order has been issued.
7. Beaux Vue/Highpoint Ditch – Councilmember asked about the outfall ditch of Beaux Vue and Highpoint not draining. A work order was created to reshape the ditch.

8. 568 Ahuli Place – Councilmember has reported that the ditch needs to be cleaned at and near this address. A work order has been created for public works.
9. Detour Signs – Councilmember asked about the detour signage on the Bayou Drive project. **The signs have been corrected by the contractor.**

Public Comments on Agenda Items.

Beverly O'Hara - Procedural Ordinance

Jan White - Procedural Ordinance, Public Comment

Bill Atkinson - Fence Ordinance

Policy Agenda.

Minutes:

1. Motion to approve the May 7, 2024 Regular Meeting Minutes.

Motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to approve the May 7, 2024 Regular Meeting Minutes.

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. **2023-408:** 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:

3. **2024-117:** Motion to adopt Resolution 2024-022 thereby appointing Mayor Depreo as Voting Delegate and Councilmember Finely as First Alternate to serve as Mississippi Municipal League 2024 Voting Delegates.

Motion made by Mayor Depreo, Seconded by Ward 3 Cumberland to adopt Resolution 2024-022 thereby appointing Mayor Depreo as Voting Delegate and Councilmember Finely as First Alternate to serve as Mississippi Municipal League 2024 Voting Delegates.

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

MOTION CARRIED UNANIMOUSLY

4. **2024-131:** Motion to adopt Resolution 2024-023 thereby abandoning a 5' drainage/utility easement on each side of the common property line between lots 49 and 50, Diamondhead Phase 2, Unit 4A, Block 12. The parcel number is 067E-2-26-073.000. The physical street address is 9530 Kale Place.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 2 Liese to adopt Resolution 2024-023 thereby abandoning a 5' drainage/utility easement on each side of the common property line between lots 49 and 50, Diamondhead Phase 2, Unit 4A, Block 12. The parcel number is 067E-2-26-073.000. The physical street address is 9530 Kale Place.

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

MOTION CARRIED UNANIMOUSLY

5. **2024-130:** Motion to adopt Resolution 2024-024 thereby designating Jennifer Toscano, Consultant with Rostan Solutions, Inc. as City of Diamondhead's agent for MEMA/FEMA related matters.

Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher to adopt Resolution 2024-024 thereby designating Jennifer Toscano, Consultant with Rostan Solutions, Inc. as City of Diamondhead's agent for MEMA/FEMA related matters.

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

6. **2024-118:** Motion to approve Pay Application 7 in the amount of \$120,018.90 and Pay Application 8 in the amount of \$192,029.21 to Bottom 2 Top Construction, LLC for the Commercial District Transformation Project Phase I.
7. **2024-119:** Motion to approve Pay Request 4 in the amount of \$142,958.93 to Warren Paving, Inc. for Diamondhead Bond Paving Project.
8. **2024-121:** Motion to approve Pay Application 6 in the amount of \$58,650.53 to Moran Hauling Inc., for Noma Drive Improvements.
9. **2024-122:** Motion to approve payments to Chiniche Engineering & Surveying in the amount of \$2,522.50 for Canal Dredging, in the amount of \$6,100.00 for Montjoy Creek Nature Trail and in the amount of \$19,449.50 for Coon Branch Drainage.
10. **2024-123:** Motion to approve payments to Covington Civil & Environmental, LLC in the amount of \$10,450.00 for Support for East Aloha and Veterans Drive Project, in the amount of \$5,904.14 for Gex Drive Lighting and irrigation Replacement, in the amount of \$14,127.07 for On-Call Survey Services, in the amount of \$23,700.00 for Commercial District Phase III Project, in the amount of \$31,971.86 for Commercial District Transformation Project Noma Drive Improvements.
11. **2024-124:** Motion to approve payments in the amount of \$616.25 to Digital Engineering for Beaux Vue Phase 2 Drainage Improvements, and in the amount of \$12,600.00 for the Bond Paving Project.
12. **2024-125:** Motion to approve Pay Application 1 in the amount of \$150,839.81 to LJ Construction, Inc., for the Kaleki Way Drainage Project.

13. **2024-126:** Motion to accept substantial completion of the Noma Drive Improvements Project as of May 3, 2024.
14. **2024-127:** Motion to accept and award low bid received from Gill's Crane & Dozer Services in the amount of \$715,890.00 for the Noma Drive Waterfront Improvements Project.
16. **2024-133:** Motion to approve amended purchasing policies and procedures.
17. **2024-134:** Motion to accept the Memorandum of Understanding between The City of Diamondhead and the Hancock County Board of Supervisors with respect to the bank stabilization project and GOMESA funds and authorize City Manager, Jon McCraw to execute same.

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.

15. **2024-132:** Motion to advertise for ARPA funded projects, Turnberry Way, Ahuli Place, Substation, Kalae Street, Hilo Way and Kolo Court.

Motion made by Ward 4 Clark, Seconded by Ward 1 Finley to advertise for ARPA funded projects, Turnberry Way, Ahuli Place, Substation, Kalae Street, Hilo Way and Kolo Court.

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

MOTION CARRIED UNANIMOUSLY

- 15a. **Item 2024-235:** Motion to approve Change Order No. 1 to the contract with LJ Construction Inc. in the net amount of \$19,804.32 for a total contract amount of \$739,125.13 for the Kaleki Way Drainage Project.

Motion made by Ward 3 Cumberland, Seconded by Councilmember-At-Large Maher to approve Change Order No. 1 to the contract with LJ Construction Inc. in the new amount of \$19,804.32 for a total contact amount of \$739,125.13 for the Kaleki Way Drainage Project.

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

MOTION CARRIED UNANIMOUSLY

18. **2024-128:** Motion to amend fence ordinance from: xii. The finished side of the fence shall display toward the outside of the lot being fenced. All exposed structural members and cross bracing shall display internally on the lot being fenced to wherever a fence or wall is installed, the "finished" side of the fence shall face the section of the lot that "fronts to" or is otherwise exposed to a city street or right-of-way. Fences constructed between two private properties may display the "finished: side of the fence, at the discretion of the property owner submitting the building permit application. (Clark)

Motion made by Mayor Depreo, Seconded by Ward 4 Clark to amend fence ordinance from: xii. The finished side of the fence shall display toward the outside of the lot being fenced. All exposed

structural members and cross bracing shall display internally on the lot being fenced to wherever a fence or wall is installed, the "finished" side of the fence shall face the section of the lot that "fronts to" or is otherwise exposed to a city street or right-of-way. Fences constructed between two private properties may display the "finished: side of the fence, at the discretion of the property owner submitting the building permit application.

NO ACTION TAKEN

19. **2024-129:** Motion to approve a text amendment to Ordinance 2019-003 - Procedural Ordinance. (Clark)

Motion made by Ward 4 Clark, Seconded by Mayor Depreo for discussion to approve a text amendment to Ordinance 2019-003 - Procedural Ordinance.

NO ACTION TAKEN

Routine Agenda.

Claims Payable

20. Motion to approve Docket of Claims (DKT231754- DKT231800) in the amount of \$937,818.53.

Motion made by Ward 2 Liese, Seconded by Ward 4 Clark to approve Docket of Claims (DKT231754- DKT231800) in the amount of \$937,818.53.

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 3 Cumberland, Seconded by Ward 1 Finley to approve department reports:

- a. Building
- Code Enforcement
- Court
- Police

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

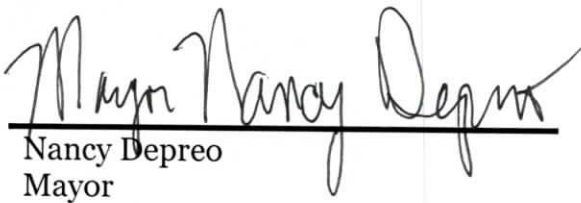
Council Closing Comments - None

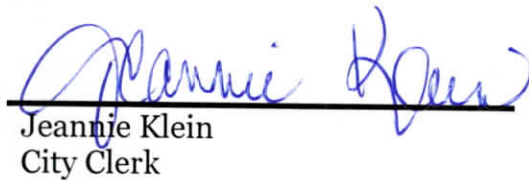
Adjourn/Recess.

At 7:42 p.m. with no further action to come before the council motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher 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

