



**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**

**Tuesday, December 05, 2023**

**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

Ward 2 Anna Liese

Ward 3 John Cumberland

Ward 4 Charles Clark

Confirm or Adjust Agenda Order

Motion made by Ward 4 Clark, Seconded by Ward 3 Cumberland to confirm agenda.

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 December 19, 2023 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. Town Green Christmas Festival Saturday, December 9, 2023. Parade 4 - 5 p.m. Festival 5 - 8 p.m.
- d. Proclamation National Caregiver's Month -Thania Coyne, SMPDD
- e. Pearl River Community College CTAP Funds - Angie Kothmann

## City Manager's Report.

**CITY MANAGER REPORT**

December 05, 2023

1. Park Ten Road –The contract is for 270 Calendar Days with an end date of June 1<sup>st</sup>. Currently on schedule. The contractor is currently about 10% complete. The contractor has connected the new water lines to the existing service in two places.
2. Noma Drive Restoration –The contract is for 150 Calendar Days with an end date of February 7<sup>th</sup>. Currently on schedule. The asphalt for the rebuilt roadway and the new multimodal path has been installed up to the city hall parking lot.
3. Beaux Vue 2 – Bids were opened on this project on November 29<sup>th</sup>. Currently being reviewed by the engineering firm. Bids will be presented to the council to accept and be awarded on the December 19<sup>th</sup> meeting if approved by the engineer.
4. Phase 4 paving – The contractor has repaired the manhole on Bayou Drive. They still need to fix the “birdbath” on Haleiwa Court. The engineer will reach out to find out when the work will be completed.
5. Bond Paving Diamondhead Drive – The contract is for 150 Calendar Days with an end date of March 6<sup>th</sup>. The contractor has completed the paving portion of the project. The contractor is scheduled to be here Thursday to start doing the layout.
6. Montjoy Creek – Property owner has agreed to the proposed walking path location. The engineer is working on the legal description for the 15-foot easement so a deed can be created. Project is scheduled to bid out in February.
7. Noma Drive Walking Trail – The work assignment for the engineer is on this agenda for approval. This portion will be the planning phase using Tidelands funds. The city has applied for additional funding for this project with the MS Outdoor Stewardship Grant. This project will create a walking path from Noma Drive to Montjoy Creek.
8. Noma Drive Phase 1b – This project will be on the December 19<sup>th</sup> agenda to request permission to advertise. This portion of the project will be to build the parking area, rebuild the boat ramp, and build the kayak launch and first section of the boardwalk.
9. Kaleki Way –Engineer is identifying current issues within the project work area. The city will notify all residents within the work area. The engineering firm is currently 90% complete with the design of the project.
10. Bayou Drive –Project is still with the engineer to complete design. The 60% design drawing has been returned to the engineer. The city will be notifying all residents within the work area.
11. Noma Drive Boardwalk – Project has completed the public comment phase. I am meeting with the engineers this week to determine the next steps.
12. Canal Dredging – **No change on this project.** The city has received the permit from USACE to allow for the canal dredging on the south side. The required workplan was generated by Covington Civil and submitted to MDEQ for their review in late August. MDEQ will in turn submit it to the RESTORE Council for final approval.

13. Dog Park – **No change on this project.** The parcel is currently being surveyed to verify a few minor points. The road right of way is being evaluated to determine if it has been dedicated and accepted by the city. The city has started the re-subdivision process. This will be a several month process that will go through P&Z and Council for approval.
14. ARPA/GOMESA Projects – The following projects have been assigned to an engineering firm 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. Hilo Way – West – MP Design         | j. Hilo Way to Hapuna Place – MP Design |
| k. Hilo Way at Koko Street – MP Design | l. Aukai Place/DH Dr East – MP Design   |
| m. DH Drive East/Kalani – Covington    | n. Veterans/Substation – Covington      |
| o. Fairway Drive – Covington           | p. Anahola Place – Covington            |

### Email Request Received

1. L & F Homes – Code enforcement issued the 21-19-11 notice. The hearing is on tonight's agenda for the council.
2. Hilo Way Median – Councilmember asked the median between Ewa Street and Maui Street. The area was built up to help control stormwater. The original seeding did not take. Public Works has re-seeded the area. I have visited the site several times over the last month, the grass is finally growing, and the area looks clean.
3. Exit 16 Project – Councilmember received an email from a resident regarding his frustration that the Exit 16 project has not been completed. I called the resident and explained the project came in overbudget and would be rebid in January.
4. Rezoning Question – Councilmember asked why didn't Orion plan for condos to be on Gex? I have reached out to Bob Barber. He states that a mid-rise dwelling is allowed in the town center district. Once finalized, any plan will have to be approved by the building department.
5. Trademark of City Logo – Councilmember asked about the progress of this. I have asked Melissa about this.
6. Muffler Shop – Resident complained to the POA about muffler shop in a hanger on the south side. The POA emailed a councilmember. I have asked code enforcement to investigate it.

7. 554 Aila Street – Councilmember asked if public works to go look at this address. The ditch is not straight, and roots are all exposed creating a tripping hazard. Is it possible to put down some grass seeds? Public Works will address this issue.
8. Bayou Drive Kayak Launch – Resident informed the city of cars parked down at the kayak launch instead of loading and unloading only. I have informed the police chief to patrol the area.
9. 10418 Malahini Place – Water behind home after kayak launch was completed. I met with the engineer regarding the issue. He contacted DMR about the issues. DMR is going to schedule a meeting with us to come and give a determination.

Public Comments on Agenda Items -None

**Policy Agenda.**

**Minutes:**

1. Motion to approve the November 21, 2023 Regular Meeting Minutes.

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to approve the November 21, 2023 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:**

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. **2023-350:** 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. **(Tabled until December 19, 2023 per request of applicant)**

**NO ACTION TAKEN**

4. **2023-395:** Motion to accept the Audited Financial Statement for Fiscal Year ended September 30, 2022.

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to accept the Audited Financial Statement for Fiscal Year ended September 30, 2022.

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. **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:**

6. **2023-410:** Motion to adopt Resolution 2023-048 for Governor's Re-appointment of Michael Casano to serve as Hancock County Port & Harbor Commissioner.

Motion made by Ward 4 Clark, Seconded by Ward 2 Liese to adopt Resolution 2023-048 for Governor's Re-appointment of Michael Casano to serve as Hancock County Port & Harbor Commissioner.

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

**MOTION CARRIED UNANIMOUSLY**

7. **2023-420:** Motion to adopt Resolution 2023-049 thereby authorizing and declaring the necessity to authorize Police Unit #055 remain an unmarked vehicle free of marking, lettering and striping and for other related purposes.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to adopt Resolution 2023-049 thereby authorizing and declaring the necessity to authorize Police Unit #055 remain an unmarked vehicle free of marking, lettering and striping and for other related purposes.

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

**MOTION CARRIED UNANIMOUSLY**

8. **2023-421:** Motion to adopt Resolution 2023-051 thereby abandoning a 5' drainage/utility easement on each side of the common property line between lots 7 and 8, Diamondhead Phase 2, Unit 5, Block 6. The parcel number is 131B-0-01-155.000. The physical street address is 688 Auahi Place.

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to adopt Resolution 2023-051 thereby abandoning a 5' drainage/utility easement on each side of the common property line between lots 7 and 8, Diamondhead Phase 2, Unit 5, Block 6. The parcel number is 131B-0-01-155.000. The physical street address is 688 Auahi Place.

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

**MOTION CARRIED UNANIMOUSLY**

9. **2023-417: PUBLIC HEARING -** Motion to adopt Resolution 2023-050 to adjudicate that the uninhabited home located at 87001 Beau View Court (parcel #067K-2-36-227.000) is a menace to the public health, safety and general welfare of the community. Authorization to advertise for bids and/or obtain quotes to perform the necessary services to remove any trash and debris from the property and to cut grass and assess the costs to said property and for other related purposes. Property owner is L & F Homes and Development, LLC registered agent Larry Mitrenga.

**2023-417: PUBLIC HEARING-** Mayor Depreo opened the public meeting in the matter of 87001 Beau View Court (parcel #067K-2-36-227.000) and called on three (3) occasions for property owner Larry Mitrenga with no response.

Motion made by Ward 2 Liese, Seconded by Ward 4 Clark to adopt Resolution 2023-050 to adjudicate that the uninhabited home located at 87001 Beau View Court (parcel #067K-2-36-227.000) is a menace to the public health, safety and general welfare of the community. Authorization to advertise for bids and/or obtain quotes to perform the necessary services to remove any trash and debris from the property and to cut grass and assess the costs to said property and for other related purposes. Property owner is L & F Homes and Development, LLC registered agent Larry Mitrenga.

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 4 Clark to approve the following consent items-

10. **2023-411:** Motion to enter into Grant Agreement NO. B22-CP-MS-0524 with the Department of Housing and Urban Development and approve statement of assurances.
11. **2023-412:** Motion to accept the Memorandum of Agreement with Pearl River Community College for the County Tuition Assistance Program and authorize City Manager, Jon McCraw to execute same.
12. **2023-413:** Motion to accept substantial completion of the Makiki Drive Drainage Improvements Project as of November 21, 2023.
13. **2023-415:** Motion to approve Change Order No. 6 to the contract with Huey P. Stockstill, LLC in the net amount of \$258.42 for a total contract amount of \$730,233.42 for the Diamondhead Roadway Improvements Phase 4.
14. **2023-416:** Motion to approve Work Assignment under the Master Service Agreement with Chiniche Engineering & Surveying in the amount not to exceed \$100,000.00 for Tidelands Nature Trail Planning.
15. **2023-418:** Motion to authorize the transfer of accrued interest income into the General Fund as of September 30, 2023 from Contingency Operating Account in the amount of \$135,531.77, Payroll Clearing in the amount of \$87,172.85 and Accounts Payable Clearing in the amount of \$20,249.91.
16. **2023-419** Motion to authorize the City Manager to enter into an agreement with Southern Mississippi Planning and Development District in amount not to exceed \$14,310.00 for a re-survey of the city roadways.

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**

17. Motion to approve Docket of Claims (DKT231273- DKT231299) in the amount of \$257,747.36.

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to approve Docket of Claims (DKT231273- DKT231299) in the amount of \$257,747.36.

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

Voting Nay: Mayor Depreo

**MOTION CARRIED**

**Department Reports**

- a. October 2023 Financials

Motion made by Ward 4 Clark, Seconded by Ward 1 Finley to approve October 2023 Financials.

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.**

Denise Catone - Rezoning of the commercial district.

Michael Gatwood - Street conditions in Elliott Homes Subdivision

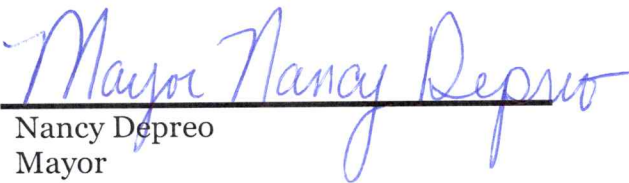
At this time Charles Clark resigned his position as Councilmember Ward 4 effective at the conclusion of tonight's meeting.

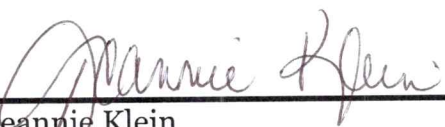
**Adjourn/Recess.**

At 7:06 p.m. and no further business to come before the council, motion made by Mayor Depreo, Seconded by Ward 2 Liese to adjourn in honor of Councilmember Ward 4 Charles Clark.

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

