



Mayor Depreo  
Councilmember Maher At-Large  
Councilmember Finley Ward 1  
Councilmember Moran Ward 2  
Councilmember Sheppard Ward 3  
Councilmember Clark Ward 4

## MINUTES REGULAR MEETING OF THE CITY COUNCIL

Wednesday, March 02, 2022

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 3 Ricky Sheppard

Ward 4 Charles Clark

### ABSENT

Ward 2 Alan Moran

### Confirm or Adjust Agenda Order

Motion made by Ward 4 Clark, Seconded by Ward 3 Sheppard to amend the agenda to include item 27a. motion to authorize travel for the City Manager, Mayor Depreo and members of Council to travel to Jackson on March 9 to meet with legislators and approve the agenda as amended.

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

MOTION CARRIED UNANIMOUSLY

### Presentation Agenda.

#### Council Comments.

1. The next Regular Meeting of the City Council will be held March 15, 2022 at 6:00 p.m. in Council Chamber at Diamondhead City Hall.
2. The 2nd Annual Dog Park Day will held Saturday, April 9th from 11 a.m. to 4 p.m. on the south side.
3. Celebration commemorating the City of Diamondhead 10th Anniversary of Incorporation will be held at City Hall on Tuesday, April 26th at 5:30 p.m.
4. Annual March for Mayor's Food Drive begins March 7<sup>th</sup>. The City of Diamondhead is collecting canned soup.

5. Presentation to Susan Duffy and Daniel Duffy honoring their late husband and father Mark Duffy who served as Blessing of the Classics Coordinator since the event's inception.
6. Frank Bordeaux of BXS Insurance - 2022 Insurance Renewals
7. Public Employees Retirement System of Mississippi presentation. LaCarole Smith, Program Specialist Supervisor provided an overview of the benefits of PERS membership and answered questions presented by the Council.

City Manager's Report.

1. Right of Way Acquisition – There are 3 agenda items related to the acquisition of right of way for the town center phase 1 project. This will help us extend Park Ten Drive to Noma Circle. We will be working on more acquisition in the coming weeks.
2. Hancock Port and Harbor Commission – There is a resolution on the agenda to formally request assistance for economic development in Diamondhead from the Hancock Port and Harbor Commission. This is the County's specialist on economic development. They have the expertise, contacts and resources to help the city with economic development. The board of directors for the Port and Harbor Commission have been expressing interest in working with the cities in this area.
3. Fire Rebate Funds – We are asking for authorization to sign an agreement with the Hancock County Board of Supervisors and the Diamondhead Fire District to allow the city to transfer the Insurance Rebate Funds. The county has historically received these funds directly from the State. However, after the new census, this changed to the State sending the funds to the city. These are restricted funds and can only be used for fire services. We need to transfer the funds to the county, so they can continue to benefit the Diamondhead Fire District.
4. Road Paving, Phase 4 – I am asking for authorization to sign a work assignment with Digital Engineering for the phase 4 road paving project. I am also recommending a list of streets to be included in phase 4 to the council. The administration worked with the public works director to drive the streets with the worst PACER scale ratings from our road maintenance plan.
5. Kolo Ct Drainage Project – I am asking for authorization to sign a new work assignment with Pickering Engineering to design the drainage project focused on a smaller area in the drainage ditch on Kolo Ct. The original recommendation from Pickering included a much longer project area with a cost estimate of \$500K. I have asked them to scale the project area back and to keep the project cost around \$100K. This is the area with the exposed sewer lines.
6. City Hall Parking Lot – There is a change order for the city hall parking lot project. After the contractor milled the original parking area, it was determined that the base is failing. They will not warranty this part of the project, unless the base is improved. The rest of the project is mostly completed, and it looks great. We just have this one area to improve to finish this project.
7. Dog Park – I am asking for a work assignment with Machado Patano for the design, bid and CEI phases for the dog park project. The City has received several grants to help fund this project. Our next step is to design and work to bid the project for construction.
8. GOMESA grant – I am asking for authorization to send a request to DMR to amend the GOMESA grant that was awarded to the city last year. We would like to remove the shoreline restoration along the north of Bay of St. Louis and add the restoration of Lilly Pond. This project is currently being prepared to bid to move it forward along with the retention pond off Diamondhead Drive

East and I-10. This will allow the city to use grant funds for the Lilly Pond restoration project and not general funds.

9. Army Corp of Engineers – Pickering Engineering is recommending that the City of Diamondhead submit a letter of intent to the Army Corp of Engineers for assistance with Section 205 (Small Risk Management Projects). This letter does not obligate the city to anything and does not identify a specific project.
10. Groundbreaking for E. Aloha Phase 1 Project – The groundbreaking is scheduled for Friday at 2pm on E. Aloha. Everyone is invited to attend. The contractor was scheduled to start next Monday, but they will be delayed a week or so as he finished up the parking lot and other projects. This project is scheduled to last 75 days. Residents are asked to be patient during construction and to drive safely in this area. Access to all stores will always be available, but there will be sections of road to be closed while work is being done and traffic will be detoured to provide the access to the stores.

Public Comments on Agenda Items - None.

**Policy Agenda.**

**Minutes:**

1. Motion to approve the February 15, 2022 Regular Meeting Minutes.

Motion made by Ward 3 Sheppard, Seconded by Ward 4 Clark to approve the February 15, 2022 Regular Meeting Minutes.

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

**MOTION CARRIED UNANIMOUSLY**

**Tabled Matters:**

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to move Tabled Items 2 - 4 to the Action Agenda.

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

**MOTION CARRIED UNANIMOUSLY**

2. **2022-046:** Motion to approve and establish policy for Constant Contact Eblast Messaging.

Motion made by Ward 4 Clark to approve and establish policy for Constant Contact Eblast Messaging.

**MOTION DIED FOR LACK OF SECOND**

3. **2022-059:** Motion to adopt Resolution 2022-013 thereby acquiring, by donation, grant or conveyance, certain real property located within the City from Structures of Diamondhead, Inc. in exchange for the City conveying to Structures of Diamondhead, Inc. surplus property of equal or lesser value not part of right of way for the Town Center Project.

Motion made by Ward 1 Finley, Seconded by Ward 3 Sheppard to adopt Resolution 2022-013 thereby acquiring, by donation, grant or conveyance, certain real property located within the City from Structures of Diamondhead, Inc. in exchange for the City conveying to Structures of Diamondhead, Inc. surplus property of equal or lesser value not part of right of way for the Town Center Project.

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

**MOTION CARRIED UNANIMOUSLY**

4. **2022-060:** Motion to adopt Resolution 2022-014 requesting the donation of land from Diamondhead Water & Sewer District consisting of a 1,915 square foot part of Lot 7, Block 2, Subdivision Phase 3, Unit 1 for right of way construction as part of the Town Center Project.

Motion made by Ward 3 Sheppard, Seconded by Councilmember-At-Large Maher to adopt Resolution 2022-014 requesting the donation of land from Diamondhead Water & Sewer District consisting of a 1,915 square foot part of Lot 7, Block 2, Subdivision Phase 3, Unit 1 for right of way construction as part of the Town Center Project.

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

**MOTION CARRIED UNANIMOUSLY**

**Resolutions:**

5. **2022-069:** Motion to adopt Resolution 2022-017 thereby requesting the Hancock County Port & Harbor Commission assist the City with economic development projects, including but not limited to, purchase of real property for future private development.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 4 Clark to adopt Resolution 2022-017 thereby requesting the Hancock County Port & Harbor Commission assist the City with economic development projects, including but not limited to, purchase of real property for future private development.

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

**MOTION CARRIED UNANIMOUSLY**

6. **2022-086:** Motion to declare the necessity for Sam's Club Membership, determining that anticipated savings gained from use of the card would exceed the cost of the card fee and for other related matters.

Motion made by Ward 3 Sheppard, Seconded by Councilmember-At-Large Maher to declare the necessity for Sam's Club Membership, determining that anticipated savings gained from use of the card would exceed the cost of the card fee and for other related matters.

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

**MOTION CARRIED UNANIMOUSLY**

**Consent Agenda:**

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve the following items by consent:

7. **2021-054:** Motion to authorize the City Manager to make offer to purchase from the Estate of Myrtle Haas real property consisting of 490 sq. ft. (a portion of parcel 132H-1-03-004.000) at the purchase price of \$1,151.50 based on the highest appraisal for the Right of Way for the town center project (Park Ten Drive) and further authorize the City Manager to execute any and all documents necessary to effectuate the purchase.
8. **2021-387:** Motion to approve the Interlocal Agreement with Hancock Count Board of Supervisors and Diamondhead Fire Department for the transfer of Insurance Rebate Funds in the amount of \$58,873.79.
9. **2022-067:** Motion to approve a Master Service Agreement Work Assignment with Digital Engineering in the amount of \$89,400 for Roadway Improvements Phase 4 design, bid and CEI services.
10. **2022-075:** Motion to approve payment to Pickering Firm in the amount of \$3,560 for professional services relating to the Hilo Street Culvert Replacement project.
11. **2022-076:** Motion to accept Substantial Completion of the Hilo Street Culvert Replacement Project as of January 28, 2022.
12. **2022-078:** Motion to approve a Master Service Agreement Work Assignment with Pickering Firm, Inc. for desing, bidding and CEI for Kolo Court Drainage in the amount of \$28,900.
13. **2022-079:** Motion to request Mississippi Development Authority grant an extension for the East Aloha Improvements Project Phase 1 (SMLPC Grant) to June 30, 2022 and authorize the City Manager to execute on behalf of the City the official request for same.
14. **2022-080:** Motion to accept from the James Hightower Memorial Fund the donation of a magnolia tree and memorial bench with a total estimated value of \$750 to be planted and installed at Maluhia Garden.
15. **2022-081:** Motion to approve Change Order No. 2 to the contract with Moran Hauling, Inc. in the net amount of \$27,688.50 and extending the contract period 15 days to April 7, 2022 for the City Hall Parking Project.

16. **2022-082:** Motion to approve Payment Application No. 2 in the amount of \$41,021.24 to Moran Hauling, Inc. for the City Hall Parking Lot Project.
17. **2022-083:** Motion to approve Master Service Agreement Work Assignment with Machada Patano in the amount of \$27,500 for design, bidding and CEI phases of the Dog Park Project.
18. **2021-087:** Motion to approve the purchase of two (2) Kabota 60" zero-turn mowers in the amount of \$14,811.22 each for a total of \$29,622.44 from Lee Tractor Co. of Mississippi through State Sourcewell Pricing #8200055841.
19. **2022-088:** Motion to approve payments to Covington Civil & Environmental in the amount of \$11,942.50 for Turnberry Detention Pond Design, \$4,906.00 for Stormwater Master Plan-Watershed A Phase 1, \$17,985.00 for Commercial District Transformation Project.
20. **2022-089:** Motion to approve payments to Chiniche Engineering & Surveying for professional services in the amount of \$1,853.00 for Noma Drive Improvements and \$2,001.45 for Bayou Drive Kayak Launch Improvements.
21. **2022-090:** Motion to approve amendment to Master Service Agreement Work Assignment with Chinche Engineering & Surveying in the amount of \$9,000 for construction administration for East Aloha Improvements Phase 1
22. **2022-091:** Motion to approve Change Order 2 in the amount of \$1,269.33 to contract with Bottom 2 Top Construction for the Hilo Street Culvert Replacement.
23. **2022-092:** Motion to rescind council action taken on February 15, 2022 whereby Budget Amendment 2022-022 was approved and further to approve budget amendments 2022-022 as revised and 2022-023.
24. **2022-092:** Motion to authorize the City Manager to make request to the Department of Marine Resources to modify project scope for the active GOMESA grant to remove shoreline restoration and include the existing stormwater retention pond on Diamondhead Drive North (Lily Pond).
25. **2022-095:** Motion to approve the proposed streets for the Phase 4 Paving Project.
26. **2021-096:** Motion to authorize a request to the US Army Corps of Engineers for assistance with Section 205 - Small Risk Management Projects.

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

**MOTION CARRIED UNANIMOUSLY**

#### **Action Agenda.**

27. **2022-091:** Motion to open the floor for nominations for Mayor Pro Tempore for City Council.  
Motion made by Mayor Depreo, Seconded by Councilmember-At-Large Maher to appoint Chuck Clark to serve as Mayor Pro Tempore.

Voting Yea: Councilmember-At-Large Maher, Ward 1 Finley, Ward 3 Sheppard, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

**27 a.** Motion to authorize travel for the City Manager, Mayor Depreo and members of Council to travel to Jackson on March 9 to meet with legislators.

Motion made by Ward 1 Finley, seconded by Ward 3 Sheppard to authorize travel for the City Manager, Mayor Depreo and members of Council to travel to Jackson on March 9 to meet with legislators.

Voting Yea: Councilmember-At-Large Maher, Ward 1 Finley, Ward 3 Sheppard, Ward 4 Clark

**MOTION CARRIED UNANIMOUSLY**

**Routine Agenda.**

**Claims Payable**

28. Motion to approve the Docket of Claims (DKT159326 - DKT159367) in the amount of \$172,184.94

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to approve the Docket of Claims (DKT159326 - DKT159367) in the amount of \$172,184.94.

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

**MOTION CARRIED UNANIMOUSLY**

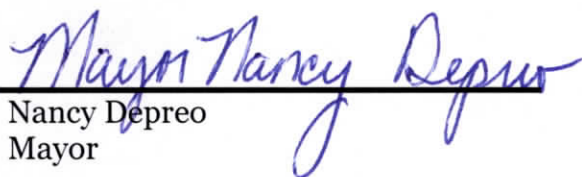
**Public Comments on Non-Agenda Items -None.**

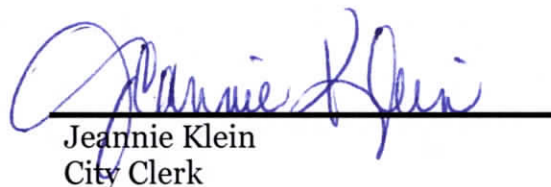
**Adjourn/Recess.**

At 7:05 p.m. and with no further business to come before the Council, motion made by Ward 1 Finley and seconded by Ward 3 Sheppard to adjourn.

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

**MOTION CARRIED UNANIMOUSLY**

  
Nancy Depreo  
Mayor

  
Jeannie Klein  
City Clerk

