MINUTES

FORMAL MEETING OF CITY COUNCIL

Diamondhead, Mississippi
Council Chambers, City Hall
May 6, 2014
6:00 pm CST

I. Call to Order –Mayor Pro Tem Knobloch, called the meeting to order at 6:00 p.m. CST and noted that he was having difficulty speaking due to illness and that Councilmember Rech would be assisting to chair the proceedings.

1. Invocation – Councilmember Rech

2. Pledge of Allegiance – Councilmember Rech

3. **Roll Call –**

   Present: Councilmembers Lopez, LaFontaine, Knobloch, Sislow and Rech. Mayor Schafer present via teleconference. Absent: None.

4. **Confirmation or Adjustment of the Agenda Order** – Councilmember LaFontaine moved, seconded by Councilmember Lopez, to accept the Agenda Order as present with the following additions:
   3. Resolutions
      f. **2014-3162**: Resolution 2014-086.4: Resolution Amending Matching Funds for 2014 Community Development Block Grant from $92,781 to $110,000
   6. Other Actions
      f. **2014-3163**: Approve Policy Statement Relating to The Americans with Disabilities Act regarding the awareness and importance of mutual respect in providing City services, programs and activities

   Ayes: Lopez, LaFontaine, Knobloch, Rech, Sislow and Mayor Schafer. Nays: None. Absent: None.

   MOTION CARRIED

II. Presentation Agenda

1. Council Comments
   a. The next regularly scheduled Council Meeting will be held at 6:00 p.m. CST on Tuesday, May 20, 2014 in Council Chambers located at 5000 Diamondhead Circle
   b. Economic Development Workshop with Ashley Edwards of Hancock County Port & Harbor Authority will be held May 7, 2014 at 6:00 p.m. CST in Council Chambers
   c. **2014-3156**: Proclaim National Goodwill Industries Week – Councilmember Rech presented to Candace Morris of South Mississippi Goodwill Industries the proclamation recognizing the week May 4 – 10, 2014 National Goodwill Industries Week in the City of Diamondhead
   d. Sherri Bevis of the Office of Secretary of State provided information regarding the implementation of Voter Identification for the upcoming primary elections to be held June 3rd. Ms. Bevis encouraged those present to promote awareness of the newly enacted law.
   e. Councilmember LaFontaine provided an update Hancock County Unclaimed Properties through the State Treasurer's Office reporting that approximately 1,800 residents and businesses in Hancock have unclaimed properties in trust with State Treasurer's Office. He and Councilmember Knobloch will continue their efforts to bring awareness to the nearly 400 Diamondhead residents with unclaimed properties

2. City Manager's Report
   Acting City Manager Richard Sullivan provided an update on recently purchased equipment for the Public Work Department. The City should receive the backhoe and asphalt recycler/hotbox trailer around the end of May with the dump truck scheduled to arrive the first or second week of July. Also, quotes are being sought for Diamondhead Drive East drainage repairs with a recommendation to Council expected at the next meeting.

3. Public Comments on Agenda Items - None

III. Policy Agenda

1. **Approval of Minutes** – Councilmember Lopez moved, seconded by Councilmember LaFontaine, to approve the April 15, 2014 Formal Meeting Minutes and the April 23, 2014 Special Called Meeting Minutes as presented

   Ayes: Lopez, LaFontaine, Knobloch, Rech, Sislow and Mayor Schafer. Nays: None. Absent: None.

*Time permitted Council to consider agenda items prior to public hearing scheduled at 6:30 p.m. CST resulting in matters taken out of agenda sequence.

3. Resolutions

   a. **2014-3151**: Resolution 2014-094: Resolution appointing Richard Sullivan, Acting City Manager

      Councilmember LaFontaine moved, seconded by Councilmember Lopez, to resolve appointing Richard Sullivan, Acting City Manager to serve the City of Diamondhead pursuant MS Code §21-9-15 **(RESOLUTION IS REPRODUCED AT THE END OF THESE MINUTES AND MADE A PART THEREOF)**

      Ayes: Lopez, LaFontaine, Knobloch, Rech, Sislow and Mayor Schafer. Nays: None. Absent: None.

      MOTION CARRIED

   f. Resolution 2014-086.4: Resolution Amending Matching Funds for 2014 Community Development Block Grant from $92,781 to $110,000

      Councilmember Lopez moved, seconded by Councilmember LaFontaine to amend matching funds from $92,781 to $110,000 for an ADA elevator to be used a match for a 2014 Community Development Block Grant Application **(RESOLUTION IS REPRODUCED AT THE END OF THESE MINUTES AND MADE A PART THEREOF)**

      Ayes: Lopez, LaFontaine, Knobloch, Rech, Sislow and Mayor Schafer. Nays: None. Absent: None.

      MOTION CARRIED

4. Code Enforcement Hearings/Actions- 6:30 p.m. CST
   a. Councilmember Rech called for the Public Hearing at 6:30 p.m. CST. City Building Official Ronald Jones presented facts and findings and his recommendation to declare a menace to the public, health and welfare of the citizenry of the City, property owned by Joel B. Salsbury and located at 1333 Kaumakapili Street, Diamondhead, MS. Having been called aloud three times for Joel B. Salsbury to appear before the Council and having failed to do so, Councilmember Rech declared the hearing closed at 6:36 p.m. CST.

   b. Councilmember Rech called for the Public Hearing at 6:36 p.m. CST. City Building Official Ronald Jones presented facts and findings and his recommendation to declare a menace to the public, health and welfare of the citizenry of the City, property owned by Ronna E. O'Conner and located at 9917 Hamakua Street, Diamondhead, MS. Having been called aloud three times

for Ronna E. O'Conner to appear before the Council and having failed to do so, Councilmember Rech declared the hearing closed at 6:37 p.m. CST.

c. Councilmember Rech called for the Public Hearing at 6:37 p.m. CST. City Building Official Ronald Jones presented facts and findings and his recommendation to declare a menace to the public, health and welfare of the citizenry of the City, property owned by Green Tree Services and located at 9736 Limu Way, Diamondhead, MS. Having been called aloud three times for Green Tree Services or a representative thereof to appear before the Council and having failed to do so, Councilmember Rech declared the hearing closed at 6:39 p.m. CST.

d. Councilmember Rech called for the Public Hearing at 6:39 p.m. CST. City Building Official Ronald Jones presented facts and findings and his recommendation to declare a menace to the public, health and welfare of the citizenry of the City, property owned by Mississippi Secretary of State-Public Lands Division and located at 10623 Linohau Way, Diamondhead, MS. Having been called aloud three times for Mississippi Secretary of State-Public Lands Division or a representative thereof to appear before the Council and having failed to do so, Councilmember Rech declared the hearing closed at 6:45 p.m. CST.

Mayor Schafer's telephone connection was interrupted and attempts to recover failed. The proceedings continued with Mayor Schafer absent.

3. Resolutions

b. **2014-3152**: Resolution 2014-095: Resolution finding and adjudicating property located at 1333 Kaumakapili Street, Diamondhead, MS is in such a state of uncleanliness to be a menace to the public health, safety and welfare of the citizenry of the City and authorizing advertisement for bids to have said land cleared and cleaned and to assess the costs to the said property

Councilmember Knobloch moved, seconded by Councilmember Sislow, to find and declare property owned by Joel B. Salsbury and located at 1333 Kaumakapili Street, Diamondhead, MS is in such a state of uncleanliness to be a menace to the public health, safety and welfare of the citizenry of the City and authorizing advertisement for bids to have said land cleared and cleaned and to assess the costs to the said property **(RESOLUTION AND EXHIBITS THERETO ARE REPRODUCED AT THE END OF THESE MINUTES AND MADE A PART THEREOF)**

Ayes: Lopez, LaFontaine, Knobloch, Rech, and Sislow. Nays: None. Absent: Mayor Schafer.

MOTION CARRIED UNANIMOUSLY

c. **2014-3153**: Resolution 2014-096: Resolution finding and adjudicating property located at 9917 Hamakua Street, Diamondhead, MS is in such a state of uncleanliness to be a menace to the public health, safety and welfare of the citizenry of the City and authorizing advertisement for bids to have said land cleared and cleaned and to assess the costs to the said property

Councilmember LaFontaine moved, seconded by Councilmember Lopez, to find and declare property owned by Ronna E. O'Conner and located at 9917 Hamakua Street, Diamondhead, MS is in such a state of uncleanliness to be a menace to the public health, safety and welfare of the citizenry of the City and authorizing advertisement for bids to have said land cleared and cleaned and to assess the costs to the said property **(RESOLUTION AND EXHIBITS THERETO ARE REPRODUCED AT THE END OF THESE MINUTES AND MADE A PART THEREOF)**

Ayes: Lopez, LaFontaine, Knobloch, Rech, and Sislow. Nays: None. Absent: Mayor Schafer.

MOTION CARRIED UNANIMOUSLY

d. **2014-3154**: Resolution 2014-097: Resolution finding and adjudicating property located at 9736 Limu Way, Diamondhead, MS is in such a state of uncleanliness to be a menace to the public health, safety and welfare of the citizenry of the City and authorizing advertisement for bids to have said land cleared and cleaned and to assess the costs to the said

Councilmember LaFontaine moved, seconded by Councilmember Lopez, to find and declare property owned by Green Tree Services and located at 9736 Limu Way, Diamondhead, MS is in such a state of uncleanliness to be a menace to the public health, safety and welfare of the citizenry of the City and authorizing advertisement for bids to have said land cleared and cleaned and to assess the costs to the said property **(RESOLUTION AND EXHIBITS THERETO ARE REPRODUCED AT THE END OF THESE MINUTES AND MADE A PART THEREOF)**

Ayes: Lopez, LaFontaine, Knobloch, Rech, and Sislow. Nays: None. Absent: Mayor Schafer.

MOTION CARRIED UNANIMOUSLY

e. **2014-3155**: Resolution 2014-098: Resolution finding and adjudicating property located at 10623 Linohau Way, Diamondhead, MS is in such a state of uncleanliness to be a menace to the public health, safety and welfare of the citizenry of the City and authorizing advertisement for bids to have said land cleared and cleaned and to assess the costs to the said property

Councilmember LaFontaine moved, seconded by Councilmember Lopez, to find and declare property owned by Mississippi Secretary of State-Public Lands Division and located at 10623 Linohau Way, Diamondhead, MS is in such a state of uncleanliness to be a menace to the public health, safety and welfare of the citizenry of the City and authorizing advertisement for bids to have said land cleared and cleaned and to assess the costs to the said property **(RESOLUTION AND EXHIBITS THERETO ARE REPRODUCED AT THE END OF THESE MINUTES AND MADE A PART THEREOF)**

Ayes: Lopez, LaFontaine, Knobloch, Rech, and Sislow. Nays: None. Absent: Mayor Schafer.

MOTION CARRIED UNANIMOUSLY

4. Ordinances

a. **2014-3160**: Discussion/action regarding revisions to Ordinance 2012-009 and Ordinance 2012-011 and exhibits thereto regarding Residential Building Permit Fee Schedule

Councilmember Lopez moved, seconded by Councilmember LaFontaine, to suspend the Residential Building Permit Fee Schedule for single family residential building permits, new construction only, for a 2-year period beginning May 7, 2014 and ending May 6, 2016. Furthermore, to set the permit fee for the specified two-year period for single family residential new construction building permits at a flat rate of $1,200 with re-inspections fees in the amount $75.00 per occurrence for failure to comply with appropriate codes

Ayes: Lopez, LaFontaine, Knobloch, Rech, and Sislow. Nays: None. Absent: Mayor Schafer.

MOTION CARRIED UNANIMOUSLY

5. Budget Amendments

a. **2014-3146**: Budget Amendment 2014-301-5 - add $150,000 to Capital Outlay for paving projects

Councilmember Knobloch moved, seconded by Councilmember Sislow, to approve Budget Amendment 2014-301-5 to increase the Capital Outlay budget for paving projects in the amount of $150,000 (total budget $250,000) with said funds derived from various line items with projected year-end balances

Ayes: Lopez, LaFontaine, Knobloch, Rech, and Sislow. Nays: None. Absent: Mayor Schafer.

MOTION CARRIED UNANIMOUSLY

6. Other actions
   a. **2014-3110**: Approve City of Diamondhead Employee Handbook to become effective June 1, 2014

   Councilmember Sislow moved, seconded by Councilmember Lopez, to approve the City of Diamondhead Employee Handbook to become effective June 1, 2014

   Ayes: Lopez, LaFontaine, Knobloch, Rech, and Sislow. Nays: None. Absent: Mayor Schafer.

MOTION CARRIED UNANIMOUSLY

2014-3148: Approve membership to Mississippi Urban Forest Council for the City of Diamondhead in the amount $100.00

Councilmember Knobloch moved, seconded by Councilmember Lopez, to approve the City of Diamondhead's membership to Mississippi Urban Forest in the amount $100.00

Ayes: Lopez, LaFontaine, Knobloch, Rech, and Sislow. Nays: None. Absent: Mayor Schafer.

MOTION CARRIED UNANIMOUSLY

   b. **2014-3149**: Approve participation in the MDEQ Stream Restoration Grant Application and authorize fees in the amount of $3,000

   Councilmember LaFontaine moved, seconded by Councilmember Lopez, to table participation in the MDEQ Stream Restoration Grant Application and authorizing fees in the amount $3,000

   Ayes: Lopez, LaFontaine, Knobloch, Rech, and Sislow. Nays: None. Absent: Mayor Schafer.

MOTION CARRIED UNANIMOUSLY

   c. **2014-3158**: Discussion/ action regarding the appointment of a liaison to the Diamondhead Water & Sewer District

   Councilmember Lopez moved, seconded by Councilmember Knobloch, to table discussion/action regarding the appointment of a liaison to the Diamondhead Water & Sewer District

   Ayes: Lopez, LaFontaine, Knobloch, Rech, and Sislow. Nays: None. Absent: Mayor Schafer.

MOTION CARRIED UNANIMOUSLY

   d. **2014-3159**: Authorize the City Clerk to accept applications for a full-time City Manager and authorize publication of same

   Councilmember LaFontaine moved, seconded by Councilmember Lopez to accept applications for the City Manager position and to authorize publication of same

   Ayes: Lopez, LaFontaine, Knobloch, Rech, and Sislow. Nays: None. Absent: Mayor Schafer.

MOTION CARRIED UNANIMOUSLY

IV. Routine Agenda

1. Docket of Claims

   Councilmember Sislow moved, seconded by Councilmember LaFontaine, to approve the Docket of Claims as presented.

   Ayes: Lopez, LaFontaine, Knobloch, Rech, Sislow and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

V. Public Comments on Non Agenda Items

Jacqueline Schwander addressed the Council requesting that the sale of alcohol be prohibited within 800 feet of any playground in the City. She asked the Council to consider an ordinance to regulate alcohol sales in the City. She also suggested the guard shack be considered for a welcome center for visitors.

Sharon McCulley thanked the Council for bringing awareness to the Secretary of State Unclaimed Properties.

VI. Adjourn

Councilmember Lopez moved, seconded by Councilmember Sislow, to adjourn the meeting at 7:09 p.m. CST.

Ayes: Lopez, LaFontaine, Knobloch, Rech, and Sislow. Nays: None. Absent: Mayor Schafer.

MOTION CARRIED UNANIMOUSLY

Thomas E. Schafer, IV
Mayor

Kristin Ventura
City Clerk