MINUTES

FORMAL MEETING OF CITY COUNCIL

Diamondhead, Mississippi
Council Chambers, City Hall
March 18, 2014
6:00 pm CST

I. **Call to Order –** Mayor Schafer called the meeting to order at 6:01 p.m. CST

1. **Invocation** – Councilmember LaFontaine

2. **Pledge of Allegiance –** Councilmember Rech

3. **Roll Call –**

   Mayor Schafer, Councilmen Lopez, LaFontaine, Knobloch and Rech were present; absent: Councilman Sislow.

4. **Confirmation or Adjustment of the Agenda Order –** Councilmember LaFontaine moved, seconded by Councilmember Rech, to accept the Agenda Order with the following amendment to the order of business:

   5. Other actions
      a. 2014-3098 : Discussion of City Hall Certificate of Participation – Move to Policy Agenda 2.b.

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

   MOTION CARRIED

II. **Presentation Agenda**

1. **Council Comments**
   a. Mayor Schafer announced the next regularly scheduled Council Meeting will be held at 6:00 p.m. CST on Tuesday, April 1, 2014 in Council Chambers located at 5000 Diamondhead Circle

2. City Manager's Report
   a. The Mississippi Gulf Coast Council of Garden Clubs, Inc. will host its Annual Spring Pilgrimage March 25 – 29, 2014. Several properties within the City of Diamondhead are venues and signage will be placed throughout the City for this year's event.

   b. Meetings are scheduled with Mississippi Emergency Management Agency to begin table-top preparations for the upcoming hurricane season.

   c. Captain Al provided a report for the Police Department for the period March 1-18, 2014. During this period Captain Al reported 133 calls were responded to by the department.

3. **Public Comments**
   a. Pete Kolf addressed the Mayor and Council with regard to Resolution 2014-085.3. He stated the City's intent to install an elevator should have been included in the other resolutions pertaining to the Community Development Block Grant. He further proposed questions regarding the location and use of the elevator in City Hall.

b. Pete Kolf addressed the Mayor and Council with regard to Agenda Item 2014-3098, Resolution 2014-3093. He opined that the agenda as published did not include adequate information regarding the City's Certificate of Participation.

c. James K. Overstreet addressed the Mayor and Council with regard to Agenda Item 2014-3085, Resolution 2014-086. Overstreet, owner of the subject property, stated that he had sufficiently complied with City Ordinances requiring cleanup of the property. He requested an additional thirty (30) day extension to comply with any further City issues.

III. Policy Agenda

1. **Approval of Minutes** – Councilmember LaFontaine moved, seconded by Councilmember Knobloch, to approve the March 5, 2014 Formal Meeting Minutes as presented.

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

MOTION CARRIED

2. **Code Enforcement Hearings/Resolutions**

a. **2014-3085 - Resolution – 2014-086: A RESOULTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, FINDING AND ADJUDICATING THAT THE HEREIN DESCRIBED PARCEL OF LAND IS IN SUCH A STATE OF UNCLEANLINESS AS 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 LOCATED AT 574 ANOAI PLACE, DIAMONDHEAD, MS.**

Ronald Jones, Building Official, provided photographs of the subject property taken at 3:00 p.m. CST on March 18, 2014. According to Jones, Mr. Overstreet had made some attempt to clean the property. Jones further stated that "as of the 3:00 p.m. check of the property earlier today, the property is not cleaned as requested. Mr. Overstreet has made a good start but there remains much more work to be completed." Jones also noted that the property owner had only been issued a building permit by Hancock County in the past which is expired and at present no building permit is on file with the City.

Mayor Shafer moved, seconded by Councilmember Knobloch to resolve thereby finding and adjudicating the herein described parcel of land is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the citizenry of the City and authorizing advertisement of bids to have said land cleared and cleaned and to assess the costs to the said property located at 574 Anoai Place, Diamondhead, MS and further to grant property owner a 30-day extension to render the property compliant.

Ayes: Mayor Schafer. Nays: Lopez, LaFontaine, Knobloch and Rech. Absent: Sislow.

MOTION FAILED FOR LACK OF AN AFFIRMATIVE VOTE

Councilmember Knobloch moved, seconded by Councilmember Rech to resolve thereby finding and adjudicating the herein described parcel of land is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the citizenry of the City and authorizing advertisement of bids to have said land cleared and cleaned and to assess the costs to the said property located at 574 Anoai Place, Diamondhead, MS. **(RESOLUTION 2014-086 IS REPRODUCED AT THE END OF THE MINTES AND MADE A PART THEREOF.)**

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

MOTION CARRIED

5. **Other actions**

a. **<u>2014 - 3098:</u> Discussion of City Hall Certificate of Participation**

City Manager Rose introduced Demery Grubbs of Government Consultants, Inc. Grubbs spoke regarding the City's purchase of the City Hall property through a Certificate of Participation. He explained the COP was a means of lease purchasing used by many municipalities. He further stated the COP is very effective tool and is commonly used. He stated that while interest rates are historically higher than general obligation bonds, currently the difference is little and the costs between the two financing options are almost neutral. He has been in contact with South Mississippi Planning & Development District and Hancock Bank; both are eager to assist the City in its efforts to acquire the City Hall property.

3. **Resolutions**

a. **<u>2014 - 3084: Resolution #2014-085.1</u> – Approve resolution authorizing preparation and submittal of an application for funds from the Mississippi Development Authority**

Councilmember Rech moved, seconded by Councilmember Knobloch to approve Resolution 2014-085.1 Authorizing Preparation and Submittal of an Application for Funds from the Mississippi Development Authority. **(RESOLUTION IS REPRODUCED AT THE END OF THESE MINUTES AND MADE A PART THEREOF.)**

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

MOTION CARRIED

b. **<u>2014 – 3117: Resolution #2014-085.2</u>- Approve resolution for Section 3 Plan for the City of Diamondhead**

Councilmember LaFontaine moved, seconded by Councilmember Knobloch to approve Resolution 2014-085.2 thereby adopting the Community Development Block Grant Section 3 Plan for the City Diamondhead. **(RESOLUTION IS REPRODUCED AT THE END OF THESE MINUTES AND MADE A PART THEREOF.)**

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

MOTION CARRIED

c. **<u>2014 – 3118: Resolution #2014-085.3</u> – Approve matching funds resolution for the City Diamondhead**

Councilmember Rech moved, seconded by Councilmember Lopez to adopt Resolution 2014-085.3 Matching Funds Resolution whereby the City of Diamondhead will provide matching funds in the amount of $92,781 to install an ADA elevator in conjunction with the State's Community Development Block Grant. **(RESOLUTION IS REPRODUCED AT THE END OF THESE MINUTES AND MADE A PART THEREOF.)**

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

MOTION CARRIED

4. **Ordinances**

   a. **<u>2014 – 3120</u>: Amendment to Ordinance 2013-037 Prohibition of Deadly Weapons In and Around City-Owned and City-Occupied Facilities**

   Councilmember LaFontaine moved, seconded by Councilmember Lopez to amend Ordinance 2013-037 Prohibition of Deadly Weapons In and Around City-Owned and City-Occupied Facilities.
   (AMENDED ORDINANCE IS REPRODUCED AT THE END OF THESE MINUTES AND PART THEREOF.)

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

   MOTION CARRIED

5. **Other actions**

   b. **<u>2014 - 3114:</u> Approval of Interlocal Agreement with Hancock County Board of Supervisors for operation of the animal shelter**

   Councilmember Knobloch moved, seconded by Councilmember Rech to approve the Interlocal Agreement with the Hancock County Board of Supervisors for operation of the animal shelter and to authorize a payment in the amount of $12,000 rather than the 16 2/3% of the shelter's total operating budget as outlined in the agreement.

   Councilmember Knobloch stated the City's budget does have a line item expense for support of the shelter and those funds should be expended accordingly. Councilmember LaFontaine stated it is in his opinion such a payment would constitute "double taxation" for the citizens of the City as they are assessed annual property taxes by both the City and the County. Mayor Schafer concluded discussion by addressing the City's right to enact ordinances with more strict regulation for the control of domesticated and wild animals and by having done so should accept the obligation to fund additional shelter operation expenses in the enforcement of the respective ordinances.

   Ayes: Mayor Schafer, Rech, Knobloch Nays: Lopez and LaFontaine Absent: Sislow.

   MOTION FAILED FOR LACK OF AN AFFIRMATIVE VOTE

   c. **<u>2014 – 3116:</u> Approve to consolidate renewal dates for all insurance policies for the City**

   Councilmember Rech moved, seconded by Councilmember Knobloch to approve the recommendation of the City Clerk to amend renewal dates for the following policies for the City so all expire simultaneously and renew annually on March 15:

POLICY	CURRENT RENEWAL
Property	January 8
Flood	February 15
Auto	June 6
Equipment	February 27
General Liability	June 6
Law Enforcement	June 6

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

   MOTION CARRIED

IV. Routine Agenda

1. Docket of Claims

Councilmember Rech moved, seconded by Councilmember Knobloch to approve the Docket of Claims as presented.

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

MOTION CARRIED

2. Revenue and Expense Report

Councilmember Rech moved, seconded by Councilmember Knobloch to table the Revenue and Expense Report for February 2014 until the April 1, 2014 council meeting.

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

MOTION CARRIED

V. Public Comments on Non Agenda Items limited to 3 minutes per person – None

VI. Adjourn

Councilmember Rech moved, seconded by Councilmember Knobloch, to adjourn the meeting at 7:09 p.m. CST. The motion carried unanimously.

Thomas E. Schafer, IV
Mayor

Kristin Ventura
City Clerk