



**MINUTES**  
**FORMAL MEETING OF CITY COUNCIL**  
 Diamondhead, Mississippi  
 Council Chambers, City Hall  
 December 3, 2013  
 6:00 pm CST

1. **Call to Order** – Mayor Schafer called the meeting to order at 6:07 pm CST
2. **Invocation** – Councilmember LaFontaine
3. **Pledge of Allegiance** – Councilmember Rech
4. **Roll Call** – All Councilmembers were present
5. **Approval of Minutes** – Councilmember Knobloch motioned, seconded by Councilmember LaFontaine, to accept the Minutes as presented. Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.  

11/12/2013 Work Session  
 11/19/2013 Formal Meeting
6. **Confirmation or Adjustment of the Agenda Order** – Councilmember Rech motioned, seconded by Councilmember Sislow, to accept the Agenda Order as presented. Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.
7. **Communications/Announcements from Mayor and Council** – The next regularly scheduled Council Meeting will be held at 6:00 pm CST on Tuesday, December 17, 2013 in Council Chambers located at 5000 Diamondhead Circle.
8. **Presentations/Appointments** – Councilmember Knobloch motioned, seconded by Councilmember LaFontaine, to approve the three members recommended for appointment on the Planning and Zoning Commission. Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nays none.
  - a. **Appointment of E. J. Bice to Planning and Zoning for Ward 2 by Blaine LaFontaine** – The Mayor recognized E.J. Bice as a new commissioner on the Planning and Zoning Commission and administered the Oath of Office to him.
  - b. **Appointment of David Malley to Planning and Zoning for Ward 1 by Joseph Lopez** – The Mayor recognized David Malley as a new commissioner on the Planning and Zoning Commission and administered the Oath of Office to him.
  - c. **Appointment of Mark Miller to Planning and Zoning by Mayor Schafer** – The Mayor recognized Mark Miller as a new commissioner on the Planning and Zoning Commission and administered the Oath of Office to him.
  - d. **2013-3046 – Proclamation – Recognizing the Diamondhead Spartans Youth Football Players and Volunteers on a Successful 2013 Season, presented by Blaine LaFontaine** – The Mayor read a

proclamation recognizing the Diamondhead Spartans Youth Football Players and Volunteers. The team presented their trophies for display at City Hall.

#### 9. City Manager's Report

- a. Code enforcement continues to work on issues relating to high grass/weed and abandoned cars. Due to the absence of the Building Official, an update on the four units located on Kapalama will be given at the next Council Meeting.
- b. Captain Al Hermann was recognized and gave a report on recent police activity.

10. **Approval of Docket of Claims**– Councilmember LaFontaine motioned, seconded by Councilmember Lopez, to approve the Docket of Claims as presented. Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.

#### 11. Citizens Wishing Address Council, Agenda Items –

- a. Mr. Hank Holcomb was recognized. He commented on the Economic Development Resolution and Hancock County Sheriff's Department Interlocal Agreement.
- b. Mr. Robert Foreman was recognized. He stated the City should approve a one year Interlocal Agreement with the Hancock County Sheriff's Department instead of the proposed two year agreement.

#### 12. Old and New Business

##### a. 2013-3030 – Select and Approve a Merchant Credit Card Processing Agreement; Approve a 3% per Transaction Fee

The Comptroller was recognized. After comparing local financial institution Merchant Processing services/costs, she recommended the City use Hancock Bank for Merchant Processing Services and set a 3% per transaction.

Councilmember Rech motioned, seconded by Councilmember Sislow, to approve the Hancock Bank Credit Card Processing Agreement and approve a 3% per transaction fee. Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.

##### b. 2013-3038 – Recommendation for City Clerk Position and Salary

The Mayor read the City Manager's recommendation to formally appoint Kristin Ventura, current City of Diamondhead Comptroller, as the City Clerk and to increase her annual salary from \$46,000 to \$51,000.

Councilmember Knobloch motioned, seconded by Councilmember LaFontaine, to select Kristin Ventura for the City Clerk Position and increase her annual salary from \$46,000 to \$51,000. Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.

##### c. 2013-3039 – Resolution-074: The City of Diamondhead Appointing a City Clerk

Councilmember Knobloch motioned, seconded by Councilmember Sislow, to approve Resolution-074: Appointing a City Clerk. Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.

##### d. 2013-3040 – Oath of the City Clerk and Deputy City Clerk

The Mayor recognized Kristin Ventura as the City of Diamondhead City Clerk and administered the Oath of Office to her.

The Mayor recognized Lolita McSwain as the City of Diamondhead Deputy City Clerk and administered the Oath of Office to her.

**e. 2013-3041 - Resolution-075: To Amend Resolution 2012-007, replacing the City Clerk with the Deputy City Clerk as an Authorized Check Signer**

Councilmember Knobloch motioned, seconded by Councilmember Sislow, to approve Resolution-075: Amending Resolution 2012-007, replacing the City Clerk with the Deputy Clerk as an Authorized Check Signer.

Councilmember Knobloch stated the reason for Resolution-075 was to ensure internal controls were in compliance with the handling/accounting of funds.

Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.

**f. 2013-3043 - Approve Budget Amendment – Addition of Minute Clerk Position and Consolidation of City Clerk/Comptroller Position**

Councilmember Sislow motioned, seconded by Councilmember LaFontaine, to approve Budget Amendment adding the Minute Clerk Position and Consolidating the City Clerk/Comptroller Position.

Councilmember Lopez stated his desire to offer the Minute Clerk an annual salary that is towards the lower end of the pay scale.

Councilmember LaFontaine agreed with Councilmember Lopez and recommended implementing an incentive program to the salary.

Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.

**g. 2013-3045 – Resolution 2013-076: Resolution to Amend Resolution 2013-040, Establishing a “Keep Diamondhead Beautiful” Committee and Appoint a Representative to the Hancock Chamber Beautification Committee**

Councilmember LaFontaine motioned, seconded by Councilmember Lopez, to approve Resolution 2013-076 amending Resolution 2013-040: Establishing a “Keep Diamondhead Beautiful” Committee and Appoint a Representative to the Hancock Chamber Beautification Committee. Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.

Paul Montjoy was recognized and gave a report on the Keep Diamondhead Beautiful Committee.

**h. 2013-3047 – Resolution 2013-077: Resolution in Support of Economic Development**

Councilmember Rech motioned, seconded by Councilmember Lopez, to approve Resolution 2013-077: Support of Economic Development.

Councilmember Sislow stated the Resolution is not meant for a “specific” project. The general intent is to bring overall Economic Growth to the City of Diamondhead.

Councilmember Knobloch stated his concerns for ensuring gaming sites are legal.

Councilmember LaFontaine stated he believes Resolution 2013-077 is fair.

Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.

**i. 2013-3048 – Interlocal Cooperation Agreement between Hancock County and the City of Diamondhead for Police Protection Services and other Purposes through December 31, 2015.**

Councilmember Knobloch motioned, seconded by Councilmember LaFontaine, to approve the Interlocal Cooperation Agreement between Hancock County and the City of Diamondhead for Police Protection Services and other Purposes through December 31, 2015.

Sean Tindell, City Attorney, was recognized and stated the agreement is still open for discussion by the Council. It is not a Resolution. There is a Resolution in place to authorize the mayor to approve the contract after Council has agreed on the contract.

Councilmember Rech asked if the contract can be canceled at any time during the contract period. Tindell stated it can be cancelled with a 60 day notice assuming both parties agree.

Councilmember LaFontaine stated the benefit of gaining historical financial data once the contract is exhausted. This information will assist in gaging future intentions of a police department.

Councilmember Knobloch noted additional requirements to the existing contract, "At least one Deputy on duty shall be licensed and/or a certified to administer field sobriety test and breathalyzers in cases of Driving Under the Influence."

Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.

**j. 2013-3049 – Resolution 2013-078: Resolution Authorizing the Mayor to Execute Interlocal Cooperation Agreement Between Hancock County and The City of Diamondhead for Police Protection Services and Other Purposes Through December 31, 2015**

Councilmember Knobloch motioned, seconded by Councilmember Lopez, to approve Resolution 2013-078: Authorizing the Mayor to Execute Interlocal Cooperation Agreement Between Hancock County and The City of Diamondhead for Police Protection Services and Other Purposes Through December 31, 2015. Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.

**k. 2013-3050 – Ordinance 042: The City of Diamondhead, Mississippi, Amending the Ordinance 2012-003 Establishing a Planning and Zoning Commission**

Councilmember Sislow motioned, seconded by Councilmember LaFontaine, to approve Ordinance 042: The City of Diamondhead, Mississippi, Amending the Ordinance 2012-003 Establishing a Planning and Zoning Commission.

Councilmember LaFontaine suggested the time frame for nominating a candidate for appointment to the Commission be changed from (30) days to (90) days of any vacancy.

After discussion, Councilmember Sislow motioned, seconded by Councilmember LaFontaine, to amend the original motion by changing the time frame from (30) days to (90) days under the Membership Section. Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.

There came the vote to approve the original motion as amended. Mayor Schafer, Councilmember Lopez, Councilmember LaFontaine, Councilmember Knobloch, Councilmember Sislow and Councilmember Rech all voted Aye. Nay's none.

**13. Citizens Wishing to Address Council, Non-Agenda Items –**

Mr. Bill Henderson requested the sound system be repaired. He stated he could not hear most of the Council Meeting.

**EXECUTIVE SESSION**

**14.** The City Attorney was recognized at 7:08 pm CST and announced the Council need to go into Executive Session to discuss potential litigation.

Councilmember Lopez moved, seconded by Councilmember LaFontaine, to go into closed session to discuss the need to go into Executive Session at 7:08 pm CST. The motion carried to go into Closed Session.

Councilmember Sislow moved, seconded by Councilmember Rech, to go into Executive Session to discuss potential litigation. The motion carried.

Councilmember Sislow moved, seconded by Councilmember Rech, to come out of Executive Session at 7:18 pm CST. The motion carried.

**RETURN TO REGULAR SESSION**

**15.** The City Attorney announced potential litigation was discussed in Executive Session and no official action was taken.

**16. Adjourn –** Councilmember Knobloch motioned, seconded by Councilmember LaFontaine, to adjourn the meeting at 7:20 pm CST. The motion carried.



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Thomas E. Schafer, IV  
Mayor



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Kristin Ventura  
City Clerk