

**MINUTES
FORMAL MEETING OF CITY COUNCIL
Diamondhead, Mississippi
Council Chambers, City Hall
May 3, 2016
6:00 pm CST**

I. Call to Order – Mayor Schafer called the meeting to order at 6:00 p.m. CST

1. Invocation – Councilmember Sislow
2. Pledge of Allegiance – Councilmember Rech

3. Roll Call –

Present: Mayor Schafer, Councilmembers Lopez, Woolbright, Knobloch, Sislow and Rech.
Absent: None.

4. Confirmation or Adjustment of the Agenda Order – Councilmember Sislow moved, seconded by Councilmember Lopez, to accept and approve the agenda with the following additions and amendments:

- II. 1. e. Councilmember Rech – Kapalama Bridge Construction Update
 3. 5. a. Approve Marking Project Management Agreement with Hancock Chamber of Commerce
- Reorder VI. Request for Closed Session prior to V. Public Comments on Non-Agenda Items

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

MOTION CARRIED UNANIMOUS

II. Presentation Agenda

1. Council Comments

- a. The next regularly scheduled Council Meeting will be held at 6:00 p.m. CST on May 17, 2016 in Council Chambers located at 5000 Diamondhead Circle.
- b. City Hall will be closed Monday, May 30, 2016 in observance of Memorial Day
- c. The Annual Memorial Day Service will be Saturday, May 28, 2016 at 11:00 a.m. at the Country Club.
- d. Mayor Schafer and Councilmember proclaimed May 2016 Bicycle Safety Month in the City.
- e. Councilmember Rech attended the Hancock County Board of Supervisors meeting on Monday. Four contractor bids were received and opened. The bids ranged from \$397,500 to \$740, 829. The Supervisors will let the low bid on May 16th and expect construction to start the 1st week of June. The discussion at the meeting the meeting was about how to work out a bonus with the contractor to get the project complete sooner.

2. City Manager’s Report

Solid Waste:

Team Waste has done an excellent job in the transition of picking up and delivering new trash carts. They have started running collection routes this week and things seem to be running smoothly.

Public Works:

The efforts of the Council, Public Works crews, engineers and contractors were proven to be effective during the big rain event last week. As a result of the drainage projects residents that have historically had water come into their houses remained dry. We only had a couple of reported instances where water came into a garage or came very close to getting in houses. Swollen rivers, streams and local area flooding was in contrast to our situation in Diamondhead and while we have much more work to be done it was obvious that the recently constructed drainage projects made a huge difference in local ponding of water.

A meeting was held by the County in Council Chambers to let the residents and business owners know of the plans to replace the bridge on Kapalama St. beginning in early June with a completion date expected some 30 days later.

Planning and Zoning:

The Ellis rezoning application was withdrawn prior to the Planning and Zoning Commission Meeting on April 26th.

Grant updates:

The TIP and TAP grant applications were submitted to the GRPC MPO ahead of the May 13th deadline. The applications are for lighting the interchange and constructing a roundabout at Diamondhead Drive East and Golf Club Dr. Awards are scheduled to be made around June 30th. Derek is working on an easement for the Purcell Co. for the planned new access road and for the rest of Aloha Dr.

GRPC:

The GRPC is sending the officers and key staff to Washington, D.C. Most attendees are leaving on Tuesday but I will leave very early on Wednesday May 18 and returning Saturday May 21. We are scheduled to meet with our Congressional Delegation about transportation projects.

1. Jeanette Musil, DOD –Office of Economic Adjustment (Tuesday)
2. Senator Wicker (Wednesday)
3. Senator Cochran’s staff (Thursday)
4. Transportation 4 America (Wed. or Thursday)
5. Congressman Palazzo (Wed. or Thursday)
6. Military Liaison (TBD- B. Hessel)
7. Harriet Tregoning, Principal Deputy Assistant Secretary for the Office of Community Planning and Development, HUD (TBD)

3. Public Comments on Agenda Items - None

III. Policy Agenda

1. Approval of Minutes

a. April 19, 2016 Formal Meeting

Councilmember Lopez moved, seconded by Councilmember Rech, to approve the Minutes of April 19, 2016 with corrections.

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

MOTION CARRIED UNANIMOUS

b. 2016-075: Ordinance 2016-001 Violation of Orders of Curfews and Prohibiting Activities in the City by the City Manager During a Proclaimed Civil Emergency.

Councilmember Knobloch moved, seconded by Councilmember Sislow to adopt Ordinance 2016-001 Violation of Orders of Curfews and Prohibiting Activities in the City by the City Manager During a Proclaimed Civil Emergency.

Roll call vote was taken:

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

MOTION CARRIED

2. Resolutions:

a. 2016-056: Resolution 2016-011 Designating the Municipal Clerk to open municipal mail delivered to the City’s mailing address.

Councilmember Lopez moved, seconded Councilmember Sislow, to adopt Resolution 2016-011 Designating the Municipal Clerk to open municipal mail delivered to the City’s mailing address.

Roll call vote was taken:

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

MOTION CARRIED

- b. **2016-073**: Resolution 2016-015 Abandon/vacate drainage/utility easement along common property line between Lots 32 and 33 Glen Eagle, Sbdv. Phase 1 (Beckner).

Councilmember Lopez moved, seconded by Councilmember Knobloch, to adopt Resolution 2016-015 Abandoning/vacating drainage/utility easement along common property line between Lots 32 and 33 Glen Eagle, Sbdv. Phase 1 (Beckner).

Roll call vote was taken:

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

MOTION CARRIED

- c. **2016-076**: Resolution 2016-016 amending the City Clerk’s job description.

Councilmember Knobloch moved, seconded by Councilmember Rech, to adopt Resolution 2016-016 amending the City Clerk’s job description.

Roll call vote was taken:

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

MOTION CARRIED

- d. **2016-077**: Resolution 2016-017 abolishing the Comptroller position, creating the position of Treasurer, approving job description and authorizing salary negotiations for same.

Councilmember Rech moved, seconded by Councilmember Lopez, to adopt Resolution 2016-017 abolishing the Comptroller position, creating the position of Treasurer, approving job description and authorizing the City Manager to negotiate salary for same with final approval of the Council.

Roll call vote was taken:

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

MOTION CARRIED

3. Planning and Zoning Matters:

- a. **2016-078:** Case File 2016-00052 Variance request by Landmark Construction for rear yard setback with recommendation to approve.

Councilmember Knobloch moved, seconded by Councilmember Rech, to approve a variance in the matter of Case File 2016-0052 by Landmark Contracting represented by David Malley allowing a rear yard setback variance (property location 227 Fairway Villas Circle) from the Zoning Ordinance (Article 4.7.5 E I c) to allow the construction of a single family structure within 10’ of generally the northwest property line.

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

MOTION CARRIED UNANIMOUSLY

- b. **2016-079:** Case File 2016-00062 Variance request by S. Merdinyan for rear yard setback with recommendation to approve.

Councilmember Lopez moved, seconded by Councilmember Knobloch, to approve a variance in the matter of Case File 2016-0062 by Sandra L. Merdinyan allowing a rear yard setback variance from the Zoning Ordinance (Article 4.7.5 E ii c) allowing for the construction of 10’X28’ deck within 0’ of generally the northwest property line.

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

MOTION CARRIED UNANIMOUSLY

5. OTHER ACTIONS

- a. Approve Marketing Project Management Agreement with the Hancock County Chamber of Commerce.

Councilmember Rech moved, seconded by Councilmember Sislow, to table the Marketing Project Management Agreement with the Hancock County Chamber of Commerce to allow legal review of the documents.

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

MOTION CARRIED UNANIMOUSLY

4. Routine Agenda

- a. Docket of Claims (Claims DKT152389 – DKT152412)

Councilmember Rech moved, seconded by Councilmember Knobloch, to approve the Docket of Claims (Claims DKT152389 – DKT152412).

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

MOTION CARRIED UNANIMOUSLY

- 5. Net Payroll, including benefits and taxes, April 27, 2016 -\$48,142.77

EXECUTIVE SESSION

At 6:40 p.m. Councilmember Lopez moved, seconded by Councilmember Sislow to enter closed session to determine the necessity for executive session.

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

MOTION CARRIED UNANIMOUSLY

During the discussion in closed session it was determined that there was a need to enter into executive session for matters involving personnel and potential litigation.

Councilmember Lopez moved, seconded by Councilmember Knobloch, to enter executive session for matters relating to personnel and potential litigation.

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

MOTION CARRIED UNANIMOUSLY

The City Attorney announced the Mayor and Council had determined the necessity and voted to enter executive for matters involving personnel and potential.

RETURN TO REGULAR SESSION

At 7:37 p.m. Councilmember Rech, moved seconded by Councilmember Woolbright, to exit executive session and resume regular session.

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

MOTION CARRIED UNANIMOUSLY

The City’s Legal Counsel announced that no official action was taken while in executive session.

Mayor Schafer stating based on discussions in executive session moved to suspend City Manager, Clovis Reed, until such time the financial and fiscal issues are brought in compliance with statute.

MOTION DIED FOR LACK OF SECOND

V. Public Comment on Non Agenda Items

Those wishing to address the Council were reminded by the Mayor one could speak in generalities; could speak to policies and departments but could not mention specific individuals by name. If one has a grievance toward any individual those may be submitted to City in writing.

Lee Taylor - Reminded Council that he had earlier provided written copies of what he was going to discuss. He submitted a situation that he thought the Council would take seriously and that being that the case, he saw no reason at the present time to make it overly public. Stating he would allow the Council to make a decision as to what has to happen with the situation presented in his written correspondence and would go from there.

Elaine Bienvenu- Presented each member of the Council with a letter of her account of what has happened to her. She alleged she has been “targeted” by the City Manager for the last couple months. She stated this letter will explain everything that he has done.

VI. Adjourn

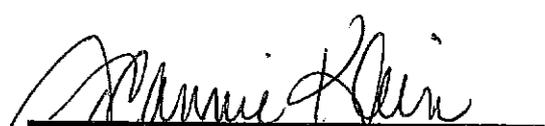
At 7:37 p.m. CST Rech moved, seconded by Councilmember Lopez, to adjourn.

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

MOTION CARRIED UNANIMOUSLY



Thomas E. Schafer, IV
Mayor



Jeannie Klein
City Clerk