

MINUTES
FORMAL MEETING OF CITY COUNCIL
Diamondhead, Mississippi
Council Chambers, City Hall
July 5, 2017
6:00 pm CST

I. Call to Order – Mayor Schafer called the meeting to order at 6:03 p.m. CST

1. Invocation – Councilmember Mayor Schafer
2. Pledge of Allegiance – Mayor Schafer

3. Roll Call –
Present: Mayor Schafer, Councilmembers Depreo, Moran, Morgan, Koenenn and L’Ecuyer.
Absent: None.

4. Confirmation or Adjustment of the Agenda Order – Mayor Schafer moved, seconded by Councilmember Depreo, to accept and approve the agenda with the following adjustments:

Announcements:

- b. Update from Councilmember LaFontaine regarding the curbside recycling and the library interlocal agreement
- c. David Motz of VFW Post 2880 – Vietnam Moving Wall Project.
- IV. h. Motion to approve Councilmember Koenenn and Councilmember Moran to participate in the 2018 Leadership Hancock Program and for the City to reimburse the registration fee, subject to legal opinion, upon completion of the program.

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

II. Presentation Agenda

1. Council Comments
 - a. The next regularly scheduled Council Meeting will be held at 6:00 p.m. CST on July 18, 2017 in Council Chambers located at 5000 Diamondhead Circle.
 - b. Hancock County Supervisor President LaFontaine addressed the Council. He mentioned the Commercial Incentive Policy the Board has been working on since January that includes the business area of Diamondhead and that further information would be forthcoming. He also discussed the public meeting regarding the Library System and that the Supervisors have a wealth of information to share and feedback would be appreciated with regard to the City’s participation in the agreement which would provide the City an appointment to the Board of Directors. LaFontaine then informed the Council that its request for the \$54,000 to fund curbside recycling was received and spread across the minutes. He reminded the Council that 2.57 mills is levied for solid waste services and that the Supervisors were clear that it would not levy additional mills to support curbside recycling citing MS Code §19-5-21 for reference.

- c. David Motz of VFW Post 2880 addressed the Council with regard regarding the Vietnam Memorial Wall coming to Diamondhead on October 26, 2017. Motz explained that everything was in order and that funding and volunteers to the set up the project have been secured.
- 2. **City Manager's Report**
Richard Sullivan explained that he would be meeting with Pickering Engineering regarding the Miller retention pond. He stated the City was ready to proceed with advertising for the Live Oak Phase 2 Project.

3. **Public Comments on Agenda Items –**

Michele Moore provided a grant update for the Council and stated that she had submitted her letter notifying the Council that expressing her desire not automatically renew her contract with the City that will be expiring July 21, 2017.

III. Policy Agenda.

- 1. **Approval of Minutes:**
 - 1. June 20, 2017 Special Called Meeting

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the Minutes of the June 20, 2017 Special Called Meeting.

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

- 2. June 20, 2017 Special Called Meeting

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the Minutes of the June 20, 2017 Formal Meeting.

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

2. Resolutions/Appointments:

- a. **2017-216**: Motion to adopt Resolution 2017-024 Appointing Councilmember Depreo to serve Mayor Pro Tem.

Mayor Schafer moved, seconded by Councilmember Morgan to adopt Resolution 2017-024 thereby appointing Councilmember Depreo to serve a Mayor Pro Tem for the City.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

- b. **2017-217**: Motion to adopt Resolution 2017-025 Reappointing Richard Sullivan to serve as Interim City Manager.

Councilmember Depreo moved, seconded by Councilmember Morgan to adopt Resolution 2017-025 Reappointing Richard Sullivan to serve as Interim City Manager.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

- c. **2017-218**: Motion to adopt Resolution 2017-026 Reappointing Jeannie Klein to the position of City Clerk.

Mayor Schafer moved, seconded by Councilmember Depreo to table the adoption of Resolution 2017-006 Reappointing Jeannie Klein to the position of City Clerk.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

- d. **2017-219:** Motion to adopt Resolution 2017-027 Reappointing Tammy Garber to the position of Deputy City Clerk.

Councilmember Depreo moved, seconded by Councilmember Morgan to adopt Resolution 2017-027 Reappointing Tammy Garber to the position of Deputy City Clerk.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- e. **2017-220:** Motion to adopt Resolution 2017-028 Reappointing Lisa McSwain to the position of Municipal Court Clerk.

Mayor Schafer moved, seconded by Councilmember Depreo to adopt Resolution 2017-028 Reappointing Lisa McSwain to the position of Municipal Court Clerk.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- f. **2017-221:** Motion to adopt Resolution 2017-029 Reappointing Tammy Garber to the position of Interim Treasurer.

Councilmember Depreo moved, seconded by Councilmember Morgan to adopt Resolution 2017-029 Reappointing Tammy Garber to the position of Interim Treasurer.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- g. **2017-222**: Motion to adopt Resolution 2017-030 Reappointing R. Hayes Johnson, Jr. to serve as Municipal Court Judge.

Mayor Schafer moved, seconded by Councilmember L’Ecuyer, to adopt Resolution 2017-030 Reappointing R. Hayes Johnson, Jr. to serve as Municipal Court Judge.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- h. **2017-223**: Motion to adopt Resolution 2017-031 Reappointing Lauren Prater to the position of Deputy Court Clerk.

Mayor Schafer moved, seconded by Councilmember Depreo, to adopt Resolution 2017-031 Reappointing Lauren Prater to the position of Deputy Court Clerk.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- i. **2017-224**: Motion to adopt Resolution 2017-032 Reappointing Connie Scott to the position of Deputy Court Clerk.

Mayor Schafer moved, seconded by Councilmember Depreo, to adopt Resolution 2017-032 Reappointing Connie Scott to the position of Deputy Court Clerk.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- j. 2017-225:** Motion to adopt Resolution 2017-033 Adopting Contract with Tindell, Symmes, Estes & Cusick, PLLC for the term July 1, 2017 – June 30, 2021.

Mayor Schafer moved, seconded by Councilmember Koenenn, to adopt Resolution 017-033 Adopting Contract with Tindell, Symmes, Estes & Cusick, PLLC for the term July 1, 2017 – June 30, 2021.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- k. 2017-226:** Motion to adopt Resolution 2017-034 Reappoint John Dawson to serve as City Prosecutor until July 23, 2017.

Mayor Schafer moved, seconded by Councilmember Depreo, to adopt Resolution 2017-034 Reappoint John Dawson to serve as City Prosecutor until July 23, 2017.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- l. 2017-227:** Motion to adopt Resolution 2017-035 Reaffirming FY17 compensation for all city employees.

Councilmember Depreo moved, seconded by Councilmember Morgan, to adopt Resolution 2017-035 Reaffirming FY17 compensation for all city employees.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- m. 2017-228:** Motion to adopt Resolution 2017-036 designating the City Manager to be the point of contact and signatory for grants and agreements.

Councilmember Depreo moved, seconded Councilmember L’Ecuyer, to table the adoption of Resolution 2017-036 designating the City Manager to be the point of contact and signatory for grants and agreements.

Mayor Schafer declared the matter died for lack of action.

- n. 2017-229:** Motion to adopt Resolution 2017-037 authorizing Hancock Bank account signatories for City depository accounts.

Councilmember Depreo moved, seconded by Councilmember L’Ecuyer to adopt Resolution 2017-037 authorizing Hancock Bank account signatories for City depository accounts.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

- o. 2017-230:** Motion to adopt Resolution 2017-038 to appoint as the voting delegate Mayor Schafer and First Alternate for the 2017 MML Officer Elections.

Councilmember Depreo moved, seconded by Councilmember L’Ecuyer, to adopt Resolution 2017-038 to appoint as the voting delegate Mayor Schafer and Councilmember Morgan as First Alternate for the 2017 MML Officer Elections.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

- p. **2017-232:** Motion to adopt Resolution 2017-040 Res 2017-040 Appointing Officers Thomas Kent, Michael Boutte and Benjamin Bowden to serve as Deputy Municipal Court Clerks.

Councilmember Depreo moved, seconded by Councilmember L’Ecuyer, to adopt Resolution 2017-040 Res 2017-040 Appointing Officers Thomas Kent, Michael Boutte and Benjamin Bowden to serve as Deputy Municipal Court Clerks.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

- q. **2017-233:** Motion to adopt Resolution 2017-041 Appointing Dempsey Milton to serve as Planning and Zoning Commissioner for a three year term ending March 2020.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to adopt Resolution 2017-041 Appointing Dempsey Milton to serve as Planning and Zoning Commissioner for a three year term ending March 2020.

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

- r. **2017-234:** Motion to adopt Resolution 2017-042 Abandoning a drainage/utility easement along the common property line between Lots 32 and 33 Diamondhead Subv. Phase 2 at address 9541 Kolo Way (J. Lesso).

Councilmember Depreo moved, seconded by Councilmember Morgan, to adopt Resolution 2017-042 Abandoning a drainage/utility easement along the common property line between Lots 32 and 33 Diamondhead Subv. Phase 2 at address 9541 Kolo Way (J. Lesso).

A roll call vote was taken as follows:

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

3. Action Agenda:

- a. **2017-235**: Motion to approve Payment No. 5 to MS Engineering & Development, LLC in the amount of \$3,070.00 for services relating to the East Aloha Turning Lanes Project.

Councilmember Depreo, seconded by Councilmember Morgan, to approve Payment No. 5 to MS Engineering & Development, LLC in the amount of \$3,070.00 for services relating to the East Aloha Turning Lanes Project.

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- b. **2017-236**: Motion to acknowledge and accept notice of declination of automatic contract renewal (July 22, 2017) with Professional Grant Management Services, LLC.

Councilmember Depreo moved, seconded by Councilmember L’Ecuyer, to acknowledge and accept notice of declination of automatic contract renewal (July 22, 2017) with Professional Grant Management Services, LLC.

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- c. **2017-237**: Motion to accept the resignation of City Prosecutor, John Dawson, effective July 23, 2017.

Councilmember Morgan moved, seconded by Councilmember Depreo, to accept the resignation of City Prosecutor, John Dawson, effective July 23, 2017.

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- d. **2017-238:** Motion to uphold the recommendation of the Planning & Zoning Commission and thereby deny a request for a variance to the Zoning Ordinance (Article 4.6.5 E ii) for a side yard setback at 9824 Ala Moana Street. (A. Darsam)

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to uphold the recommendation of the Planning & Zoning Commission and thereby deny a request for a variance to the Zoning Ordinance (Article 4.6.5 E ii) for a side yard setback at 9824 Ala Moana Street. (A. Darsam)

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- e. **2017-240:** Motion to advertise for RFP's for Engineering Services under the Master Service Agreement.

Councilmember Depreo moved, seconded by Councilmember Morgan, to advertise for RFP's for Engineering Services under the Master Service Agreement.

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- f. **2017-241:** Motion to advertise for Computer/IT Consultants.

Councilmember Depreo moved, seconded by Councilmember Morgan, to advertise for Computer/IT Consultants.

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED UNANIMOUSLY

- g. **2017-242:** Motion to approve to advertise for bids for complete paving for Live Oak Phase 2.

Mayor Schafer moved, seconded by Councilmember L'Ecuyer, to approve to approve to advertise for bids for complete paving for Live Oak Phase 2.

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

- h. **2017-243:** Motion to approve Councilmember Koenenn and Councilmember Moran to participate in the 2018 Leadership Hancock Program and for the City to reimburse the registration fee, subject to legal opinion, upon completion of the program.

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

IV. Routine Agenda.

- 1. Motion to approve June 21, 2017 Payroll Payables, including benefits and taxes, for a total amount of \$51,945.63.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve the June 21, 2017 Payroll Payables, including benefits and taxes, for a total amount of \$51,945.63.

Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None. Absent: None.

MOTION CARRIED UNANIMOUSLY

- 2. Motion to approve the Docket of Claims (Claims– DKT153792 -DKT153818) in the amount of \$103,413.54.

Councilmember Depreo moved, seconded by Councilmember Koenenn to approve the Docket of Claims (Claims– DKT153792 -DKT153818) in the amount of \$103,413.54.

Ayes: Depreo, Moran, Morgan, Koenenn and Mayor Schafer. Nays: None. Abstain: L'Ecuyer.

MOTION CARRIED UNANIMOUSLY

At this time, Councilmembers Depreo and Koenenn recused themselves from the proceeding and exited Council Chambers.

3. Motion to approve APPKT 00665 in the amount of \$873.28.

Mayor Schafer moved, seconded by Councilmember Morgan, to approve APPKT 00665 in the amount of \$873.28

Ayes: Moran, Morgan, L'Ecuyer and Mayor Schafer. Nays: None. Recusals: Depreo and Koenenn

MOTION CARRIED UNANIMOUSLY

Councilmembers Depreo and Koenenn re-entered Council Chambers and the meeting resumed.

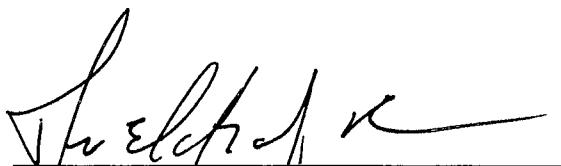
V. Public Comments on Non-Agenda Items. (Limit of 3 minutes each) - None

VI. Adjourn/Recess.


At 6:51 p.m. CST and with no further business to come before the Council, Councilmember Depreo moved, seconded by Councilmember Koenenn, to adjourn.

Ayes: Moran, Morgan, L'Ecuyer and Mayor Schafer. Nays: None. Recusals: Depreo and Koenenn


MOTION CARRIED UNANIMOUSLY



Thomas E. Schafer, IV
Mayor



Jeannie Klein
City Clerk


Tammy Garber
Deputy City Clerk