

MINUTES  
FORMAL MEETING OF CITY COUNCIL  
DIAMONDHEAD, MS  
August 1, 2017  
6:00 PM CST

- I. **Call to Order** – Mayor Schafer called the meeting to order at 6:00 pm CST
1. Invocation – Mayor Schafer
  2. Pledge of Allegiance – Mayor Schafer
  3. Roll Call –  
Present: Mayor Schafer, Councilmembers Depreo, Moran, Morgan, Koenenn, L'Ecuyer
  4. Confirmation or Adjustment of the Agenda Order – Mayor Schafer made a motion to add Curbside recycling to the agenda as letter "s", seconded by Councilmember Depreo.

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

**MOTION CARRIED: UNANIMOUSLY**

- II. **Presentation Agenda**
1. Announcements
    - a. The next regularly scheduled council meeting will be held at 6:00 pm CST on August 15, 2017 in Council chambers located at 5000 Diamondhead Circle.
    - b. Ron Thorpe presented the council with the final report on the benefits of having one school district in Hancock County.

- III. **City Manager's Report**  
Interim City Manager Sullivan informed the council that Kome Drive was 75% complete. Mr. Sullivan informed the council that the budget meeting on August 15 was rescheduled to 4-6 PM due to the Council Meeting at 6:00 PM.

- IV. **Public Comments on Agenda Items**  
Penny Crawford – spoke to the council about curbside recycling.

- V. **Policy Agenda**
1. Approval of Minutes
    - a. July 18, 2017 formal meeting minutes

Councilmember Depreo moved, seconded by Morgan to approve the July 18, 2017 formal meeting minutes.

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

**MOTION CARRIED UNANIMOUSLY**

2. Action Items

- a. 2017-264: Motion to approve "amended" right of entry & easement from Diamondhead Property Owners Association Inc. for construction and maintenance of kayak launch.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer to approve the amended right of entry and easement from Diamondhead Property Owners Association Inc. for construction and maintenance of kayak launch.

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

**MOTION CARRIED UNANIMOUSLY**

- b. 2017-265: Motion to approve Addendum to Mississippi Commercial Lease between Diamondhead Country Club and Property Owners Association, Inc. for maintenance yard.

**MOTION FAILED FOR LACK OF ACTION**

- c. 2017-266: Motion to approve contract with Necaise & Company for budgeting and consulting services.

Councilmember Depreo moved, seconded by Councilmember Morgan to approve the contract with Necaise and Company for budgeting and consulting services.

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

**MOTION CARRIED UNANIMOUSLY**

- d. 2017-267: Motion to approve payment No 2 in the amount of \$9,619.68 to MS Engineering & development, LLC for professional services in relation to the MDOT Golf Club Roundabout Project.

Councilmember L'Ecuyer moved, seconded by Councilmember Depreo to approve payment No 2 in the amount of \$9,619.68 to MS Engineering & development, LLC for professional services in relation to the MDOT Golf Club Roundabout Project.

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

**MOTION CARRIED UNANIMOUSLY**

- e. 2017-268: Motion to approve payment No 3 in the amount of \$9,972.48 to MS Engineering & Development LLC for professional services in relation to the MDOT Safe Routes to Schools Project.

Councilmember L'Ecuyer moved, seconded by Councilmember Depreo to approve payment No 3 in the amount of \$9,972.48 to MS Engineering & Development LLC for professional services in relation to the MDOT Safe Routes to Schools Project.

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

**MOTION CARRIED**

- f. 2017-269: Motion to approve payment to Pickering in the amount of \$5,381.25 for professional services in relation to the detention pond drainage basin C.

Councilmember L'Ecuyer moved, seconded by Councilmember Depreo to approve payment to Pickering in the amount of \$5,381.25 for professional services in relation to the detention pond drainage basin C.

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

**MOTION CARRIED UNANIMOUSLY**

- g. 2017-270: Motion to approve payment to Gulf Regional Planning Commission in the amount of \$3,810.00 for Annual Appropriation of Funding for the Metropolitan Planning Organization of the Mississippi Gulf Coast.

Councilmember Depreo moved, seconded by Councilmember Morgan to approve payment to Gulf Regional Planning Commission in the amount of \$3,810.00 for Annual Appropriation of Funding for the Metropolitan Planning Organization of the Mississippi Gulf Coast.

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

**MOTION CARRIED UNANIMOUSLY**

- h. 2017-271: Motion to approve the request from the Organizers of the Waveland Community Awareness Day for the use of one city Humvee for state display.

Councilmember Depreo moved, seconded by Councilmember Morgan to approve the request from the Organizers of the Waveland Community Awareness Day for the use of one city Humvee for state display.

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

**MOTION CARRIED UNANIMOUSLY**

- i. 2017-272: Motion to approve Diamondhead Youth Athletic Association to use city Hall Parking Lots for shuttle bus stop, two dozen barricades, additional patrol, six portable toilets and contract of two officers daily on September 16 and 17<sup>th</sup>, 2017 from 9:00 AM – 6:00 PM during the 33<sup>rd</sup> Annual Diamondhead Arts and Crafts Show.

Mayor Schafer moved to amend, seconded by Councilmember Depreo to approve providing to Diamondhead Youth Athletic Association the use city hall parking lots for shuttle bus stop, barricades, and additional patrols in the area of the Diamondhead Arts and Crafts show on September 16 and 17<sup>th</sup>, 2017 from 9:00 AM – 6:00 PM only.

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

**MOTION CARRIED UNANIMOUSLY**

- j. 2017-273: Motion to approve recommendation from the Planning and Zoning Commission for conditional use permit with conditions for American Tower. Case File No. 2017-00211.

Councilmember Depreo moved, seconded by Councilmember Morgan to approve recommendation from the Planning and Zoning Commission for conditional use permit with conditions for American Tower. Case File No. 2017-00211.

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

**MOTION CARRIED UNANIMOUSLY**

- k. 2017-274: Motion to approve recommendation from the Planning & zoning Commission for the height variance for American Tower. Case File No. 2017-00212.

Councilmember Depreo moved, seconded by Councilmember Koenenn to approve recommendation from the Planning & zoning Commission for the height variance for American Tower. Case File No. 2017-00212.

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

**MOTION CARRIED UNANIMOUSLY**

- l. 2017-275: Motion to request from Mississippi Department of Transportation Right of Way Certification for the Lighting at the Yacht Club/Gex Road interchange W/I-10.

Councilmember Depreo moved, seconded by Councilmember Morgan to request from Mississippi Department of Transportation Right of Way Certification for the Lighting at the Yacht Club/Gex Road interchange W/I-10.

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

**MOTION CARRIED UNANIMOUSLY**

- m. 2017-276: Motion to approve contract with Gulf Breeze Landscaping in the amount \$311,950.00 for the Diamondhead Kayak Launch Project and authorize City Manager to issue Notice to Proceed with Engineer's approval.

Councilmember Depreo moved, seconded by L'Ecuyer to approve contract with Gulf Breeze Landscaping in the amount \$311,950.00 for the Diamondhead Kayak Launch Project and authorize City Manager to issue Notice to Proceed with Engineer's approval.

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

**MOTION CARRIED UNANIMOUSLY**

- n. 2017-277: Motion to authorize City Manager to review options for maintenance yard location.

Councilmember Depreo moved, seconded by Councilmember Moran to authorize City Manager to review options for maintenance yard location.

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

**MOTION CARRIED UNANIMOUSLY**

- o. 2017-278: Motion to authorize Publications and Hearing dates for the Budget.

Councilmember Depreo moved, seconded by Councilmember Morgan to authorize Publications and Hearing dates for the Budget on the following dates and times: August 9, 2017 from 6-9 PM, August 15, 2017 from 4-6 PM and August 22, 2017 at 6:00 PM CST.

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

**MOTION CARRIED UNANIMOUSLY**

- p. 2017-279: Motion to approve proposed 2017 Timeline for FY 2018 Budget.

Councilmember Depreo moved, seconded by Councilmember Koenenn to approve proposed 2017 Timeline for FY 2018 Budget.

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

**MOTION CARRIED UNANIMOUSLY**

- q. 2017-280: Motion to discuss/possible action regarding City Manager Position.

**MOTION FAILED DUE TO LACK OF ACTION**

- r. 2017-281: Motion to enter Executive Session to discuss possible litigation/personnel matters.

Councilmember Depreo moved, seconded by Councilmember Morgan to enter into closed meeting to determine need to go into executive session.

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

**MOTION CARRIED UNANIMOUSLY**

After a discussion, Councilmember Depreo moved, seconded by Councilmember Koenenn to enter into Executive Session to discuss two matters of active litigation and one personnel matter involving the City Manager position.

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

**MOTION CARRIED UNANIMOUSLY**

City Attorney, Derek Cusick announced that the City Council had entered Executive Session to discuss two matters of active litigation and one personnel matter involving the City Manager position. Executive Session was then held.

At the conclusion of the Executive Session Councilmember Depreo moved, seconded by Councilmember Koenenn to exit Executive Session and return to Open Meeting.

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

**MOTION CARRIED UNANIMOUSLY**

City Attorney, Sean Tindell announced that the following official action had been taken during the Executive Session:

The City Council Authorized the City Attorney to make an entry of appearance in the Declaratory Action filed by the POA now pending in the Chancery Court of Hancock

County, Mississippi on motion of Mayor Schafer, seconded by Councilmember Depreo.

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

**MOTION CARRIED UNANIMOUSLY**

Councilmember L'Ecuyer then moved, seconded by Councilmember Morgan to reduce the salary of the City Manager position from \$99,700.00 to \$89,700.00 and to start Interim City Manager Richard Sullivan at that salary beginning immediately.

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

**MOTION CARRIED UNANIMOUSLY**

s. Curb Side Recycling

Councilmember Depreo and Mayor Schafer discussed the advantages and disadvantages of curbside recycling.

**NO ACTION TAKEN**

VI. Routine Agenda:

1. Motion to approve July 19, 2017 Payroll Payables, including benefits and taxes for a total amount of \$47,709.99.

Councilmember Morgan moved, seconded by Councilmember Depreo to approve July 19, 2017 Payroll Payables, including benefits and taxes for a total amount of \$47,709.99.

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 DKT153878-DKT153909) in the amount of \$48,777.00.

Councilmember L'Ecuyer moved, seconded by Councilmember Depreo to approve the Docket of Claims (Claims DKT153878-DKT153909) in the amount of \$48,777.00

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

**MOTION CARRIED UNANIMOUSLY**

Councilmember Depreo and Councilmember Koenenn then left the meeting.

3. Motion to approve APPKT00678 in the amount of \$658.36.

Councilmember Morgan moved, seconded by Councilmember L'Ecuyer to approve APPKT00678 in the amount of \$658.36.

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

**MOTION CARRIED UNANIMOUSLY**

Councilmember Depreo and Councilmember Koenenn then returned to the meeting.

Councilmember L'Ecuyer then left the meeting.

4. Motion to approve APPKT00679 in the amount of \$250.00.

Councilmember Morgan moved, seconded by Councilmember Depreo to approve APPKT00679 in the amount of \$250.00.

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

**MOTION CARRIED UNANIMOUSLY**

Councilmember L'Ecuyer then returned to the meeting.

- VII. Public Comments on Non-agenda Items (Limit 3 minutes each)

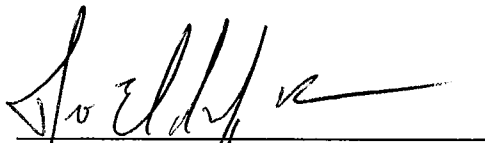
Noelle Cooke/Rory Rafferty addressed the council on the erosion and property drainage problem located at 89349 Diamondhead Drive East.

- VIII. Adjourn/Recess


At 7:45 PM CST and with no further business to come before the Council, Mayor Schafer moved and seconded by Councilmember L'Ecuyer to adjourn.

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

**MOTION CARRIED UNANIMOUSLY**



Thomas E. Schafer, IV  
Mayor



City Clerk  
Tammy Carber  
Deputy City Clerk