

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

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

1. Invocation – Councilmember Morgan
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 – Councilmember Depreo moved, seconded by Councilmember Moran, to accept and approve the agenda with the following adjustments:

Actions Items:

- n. Motion to approve Necaise & Co. to assist the City to revise chart of accounts and implementing recommendations through the budget process.

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

MOTION CARRIED

II. Presentation Agenda

1. Council Comments
 - a. The next regularly scheduled Council Meeting will be held at 6:00 p.m. CST on September 19, 2017 in Council Chambers located at 5000 Diamondhead Circle.
 - b. Hancock County is hosting the annual Household Hazardous Waste Collection Day on Saturday, September 30, 2017 at Coast Electric Power Association on Highway 603 between the hours of 8:00 a.m. to 1:00 p.m.
 - c. Tish Williams, Hancock Chamber provided update and discussed action plan for the City.

2. City Manager's Report

Richard Sullivan informed the Council that the Pre-Construction Meeting will be held Thursday, September 7, 2017. Also, added Kome Drive, Segment C should be finished this week and the contractor should be back on site this week to continue with access drive and parking lot area construction for Kayak Launch.

3. Public Comments on Agenda Items

John Marshall – City Hall Signage

Noelle Cooke – Drainage

Rory Rafferty – Drainage

Herman Woessner- Opinion regarding Council to serve on Water and Sewer Commission.

III. Policy Agenda.

1. Approval of Minutes:

a. August 15, 2017 Budget Workshop

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to approve the Minutes of the August 15, 2017 Budget Workshop.

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

MOTION CARRIED UNANIMOUSLY

b. August 15, 2017 Formal Meeting

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to approve the Minutes of the August 15, 2017 Formal Meeting.

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

MOTION CARRIED UNANIMOUSLY

c. August 22, 2017 Recess Meeting

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to approve the Minutes of the August 22, 2017 Recess Meeting.

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

MOTION CARRIED UNANIMOUSLY

d. August 25, 2017 Special Call Meeting

Councilmember L'Ecuyer moved, seconded by Councilmember Moran to approve the Minutes of the August 25, 2017 Special Call Meeting.

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

MOTION CARRIED

e. August 29, 2017 Special Call Meeting

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to approve the Minutes of the August 29, 2017 Special Call Meeting.

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

MOTION CARRIED UNANIMOUSLY

2. Code Enforcement Hearings/Actions:

a. Public Hearing: A Menace to the Public Health, Safety and Welfare of the Community at 9615 Laa La Way, Diamondhead, MS (property owner Webster).

2017-295: Motion to consider Resolution **2017-047** finding and adjudicating property located at 9615 Laa La Way, Diamondhead, MS is in such a state of uncleanliness 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 owner.

Councilmember Depreo moved, seconded by Councilmember Morgan to find and adjudicate the property located at 9615 Laa La Way, Diamondhead, MS is in such state of uncleanness to be a menace to the public health, safety and welfare of the citizenry of the City and to authorize advertisement for bids to have said and cleared and cleaned and to assess the costs to the said property owner.

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

MOTION CARRIED

3. Resolutions/Appointments:

- a. **2017-293**: Motion to adopt Resolution 2017-045 to Levy Millage for FY18.

Councilmember Depreo moved, seconded by Councilmember Morgan to adopt Resolution 2017-045 to Levy Millage for FY18.

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. **2017-294**: Motion to adopt Resolution 2017-046 thereby approving and adopting the FY18 Budget as finally determined by the governing authority.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer to adopt Resolution 2017-046 thereby approving and adopting the FY18 Budget as finally determined by the governing authority.

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. **2017-300**: Motion to adopt Resolution 2017-048 requesting the Hancock County School District to expend funds for adequately cooled and air conditioned buses for all students.

Councilmember Depreo moved, seconded by Councilmember Morgan to adopt Resolution 2017-048 requesting the Hancock County School District to expend funds for adequately cooled and air conditioned buses for all students.

A roll call vote was taken as follows:

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

MOTION CARRIED

4. Action Agenda:

a **2017-296**: Motion to accept and approve low quote to provide mitigation credits to the City of Diamondhead to offset 0.1 acre of permitted wetland impacts from Wetland Solutions in the amount of \$1,192.00.

Councilmember Depreo, seconded by Councilmember Moran, to accept and approve low quote to provide mitigation credits to the City of Diamondhead to offset 0.1 acre of permitted wetland impacts from Wetland Solutions in the amount of \$1,192.00.

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

MOTION CARRIED UNANIMOUSLY

b. **2017-297**: Motion to approve Payment No. 2 in the amount of \$47,312.14 to Morreale Construction for the Kome Drive Drainage Project.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve Payment No. 2 in the amount of \$47,312.14 to Morreale Construction for the Kome Drive Drainage Project.

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

MOTION CARRIED UNANIMOUSLY

c. **2017-298**: Motion to approve Payment in the amount of \$2,017.50 to James J. Chiniche, P.A. Inc. for professional services in relation to the Bayou Drive Kayak Project.

Councilmember Morgan moved, seconded by Councilmember Depreo, to approve Payment in the amount of \$2,017.50 to James J. Chiniche, P.A. Inc. for professional services in relation to the Bayou Drive Kayak Project.

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

MOTION CARRIED UNANIMOUSLY

d. **2017-299**: Motion to approve Payment No. 2 in the amount of \$3,321.50 to James J. Chiniche, P.A. Inc. for professional services in relation to the Live Oak Phase 2 Project.

Councilmember Morgan moved, seconded by Councilmember Depreo, to approve Payment No. 2 in the amount of \$3,321.50 to James J. Chiniche, P.A. Inc. for professional services in relation to the Live Oak Phase 2 Project.

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

MOTION CARRIED UNANIMOUSLY

- e. **2017-301:** Motion to authorize City Manager to seek an Engineer’s Probable Estimate for the 2017 Ieke Drainage Improvements.

Councilmember Depreo moved, seconded by Councilmember Moran, to seek an Engineer’s Probable Estimate for the 2017 Ieke Drainage Improvements.

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

MOTION CARRIED

- f. **2017-302:** Motion to authorize Pickering Engineering to apply for grant funds from the U.S. Department of Agriculture’s Natural Resources Conservation Service (NRCS) Emergency Watershed Protection Program for the Outfall Pond C, Miller Pond Project.

Councilmember Depreo moved, seconded by Councilmember Morgan, to apply for grant funds from the U.S. Department of Agriculture’s Natural Resources Conservation Service (NRCS) Emergency Watershed Protection Program for the Outfall Pond C, Miller Pond Project.

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

MOTION CARRIED UNANIMOUSLY

- g. **2017-303:** Motion to approve Agreement Between Owner and Contractor for Construction Contract with Moran Hauling, Inc. for Live Oak Phase 2 Road Improvements Project.

At this time Councilmember Moran recused himself from the meeting and exited Council Chambers.

Councilmember Morgan moved, seconded by Councilmember Depreo to Agreement Between Owner and Contractor for Construction Contract with Moran Hauling, Inc. for Live Oak Phase 2 Road Improvements Project.

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

Councilmember Moran returned to the meeting.

MOTION CARRIED UNANIMOUSLY

- h. **2017-304**: Motion to approve Budget Amendment 2017-019 for FY17.

Councilmember Depreo moved, seconded by Councilmember Moran to approve Budget Amendment 2017-019 for FY17.

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

MOTION CARRIED UNANIMOUSLY

- i. **2017-305**: Motion to authorize City Manager to seek an Engineer’s Probable Estimate for the 2017 Diamondhead Drive West Drainage Improvements.

Councilmember Moran moved, seconded by Councilmember Depreo to authorize City Manager to seek an Engineer’s Probable Estimate for the 2017 Diamondhead Drive West Drainage Improvements.

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

MOTION CARRIED

- j. **2017-306**: Motion to approve cost estimate in the amount of \$4,146.49 from The Beta Group for Construction Materials Testing at the Bayou Drive Kayak Dock & Walking Trail Site.

Councilmember Depreo moved, seconded by Councilmember Morgan to approve cost estimate in the amount of \$4,146.49 from The Beta Group for Construction Materials Testing at the Bayou Drive Kayak Dock & Walking Trail Site.

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

MOTION CARRIED UNANIMOUSLY

k. **2017-307**: Motion to approve Master Services Agreement with James J. Chiniche, P.A. Inc. in the amount of \$24,740.00 for services related to East Aloha Widening.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer moved to approve Master Services Agreement with James J. Chiniche, P.A. Inc. in the amount of \$24,740.00 for services related to East Aloha Widening.

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

MOTION CARRIED UNANIMOUSLY

l. **2017-308**: Motion to Authorize Hancock County Solid Waste Authority to accept the low bid for curbside recycling in Diamondhead.

Councilmember Depreo moved, seconded by Councilmember Moran to Authorize Hancock County Solid Waste Authority to accept the low base bid without glass for curbside recycling in Diamondhead for 1 year.

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

MOTION CARRIED UNANIMOUSLY

m. **2017-309**: Declare assistance to/or adopt the City of Rockport, Texas in the wake of Hurricane Harvey.

Councilmember L'Ecuyer moved, seconded by Mayor Schafer to declare assistance to/or adopt the City or Rockport, Texas in the wake of Hurricane Harvey.

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

MOTION CARRIED UNANIMOUSLY

n. 2017-310: Motion to approve Necaise & Co. to assist the City to revise chart of accounts and implementing recommendations through the budget process.

Councilmember Depreo moved, seconded by Councilmember Moran to approve Necaise & Co. to assist the City to revise chart of accounts and implementing recommendations through the budget process.

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

MOTION CARRIED

Routine Agenda.

1. Motion to approve the Docket of Claims (Claims– DKT153954 -DKT153993) in the amount of \$147,910.52.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the Docket of Claims (Claims – DKT153954 – DKT153993) in the amount of \$147,910.52.

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

MOTION CARRIED UNANIMOUSLY

Councilmembers Depreo and Koenenn recused themselves and exited Council Chambers.

2. Motion to approve APPKToo692 in the amount of \$514.74 to Diamondhead Water and Sewer.

Councilmember Morgan moved, seconded by Councilmember L'Ecuyer to approve APPKToo692 in the amount of \$514.74.

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

MOTION CARRIED UNANIMOUSLY

Councilmembers Depreo and Koenenn returned to the meeting.

Councilmember L'Ecuyer recused himself and exited Council Chambers

3. Motion to approve APPKToo693 in the amount of \$250.00 to CASA.

Councilmember Depreo moved, seconded by Councilmember Morgan to approve APPKToo693 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 returned to the meeting.

4. Motion to approve August 16, 2017 Payroll Payables, including benefits and taxes, for a total amount of \$45,634.72. August 30, 2017 Payroll Payables, including benefits and taxes in the amount of \$38,927.98 and the September 1, 2017 Payroll Payables, including taxes in the amount of \$3,519.15.

Councilmember Morgan moved, seconded by Councilmember Koenenn to approve August 16, 2017 Payroll Payables, including benefits and taxes, for a total amount of \$45,634.72. August 30, 2017 Payroll Payables, including benefits and taxes in the amount of \$38,927.98 and the September 1, 2017 Payroll Payables, including taxes in the amount of \$3,519.15.

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

MOTION CARRIED UNANIMOUSLY

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

Executive Session

Councilmember Depreo moved, seconded by Councilmember Koenenn to enter into Closed Session.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer to enter into Executive Session to discuss possible litigation.

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

MOTION CARRIED UNANIMOUSLY

City Attorney announced the Council voted to enter into Executive Session to discuss possible litigation.

Councilmember Depreo moved, seconded by Councilmember Morgan to leave Executive Session.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Depreo, seconded by Councilmember Morgan to return to Regular Session.

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

MOTION CARRIED UNANIMOUSLY

Mayor Schafer announced that during Executive Session he moved to file an Amicus Brief by the city pertaining to the appeal of the Gaming Commission Ruling.

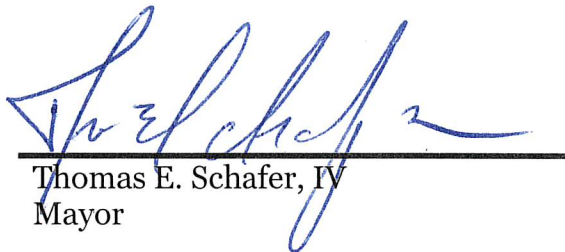
Motion Failed for a lack of a second.

V. Adjourn/Recess.

At 8:27 p.m. CST and with no further business to come before the Council, Councilmember L'Ecuyer moved, seconded by Councilmember Depreo, to adjourn.

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

MOTION CARRIED UNANIMOUSLY



Thomas E. Schafer, IV
Mayor



Jeannie Klein
City Clerk