

MINUTES
FORMAL MEETING OF CITY COUNCIL
Diamondhead, Mississippi
Council Chambers, City Hall
October 3, 2017
6:00 pm CST

I. Call to Order – Mayor Schafer called the meeting to order at 6:30 p.m. CST

1. Invocation – Councilmember L’Ecuyer
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 Moran moved, seconded by Councilmember Koenenn, to accept and approve the agenda with the following adjustments:

Additions:

2. c. 2018-018: Resolution 2018-003 Motion to appoint David Malley to serve as Commissioner on the Diamondhead Water & Sewer Commission to fill a vacancy with said term expiring September 28, 2019.
2. d. 2018-019: Resolution 2018-004 Motion to appoint Donnie Martin to serve as Commissioner on the Diamondhead Water & Sewer Commission to fill a vacancy with said term expiring September 30, 2020.
3. o. 2018-020: Motion to spread upon the official minutes the Attorney General Opinion dates September 29, 2017 regarding Separation of Powers.

Ayes: Depreo, Moran, Morgan, Koenenn and L’Ecuyer. Nays: Mayor Schafer. 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 October 17, 2017 in Council Chambers located at 5000 Diamondhead Circle.
 - b. The City’s Annual Cruisin’ the Coast “Blessing of the Classics” and Cruise-In will be held Wednesday, October 4th from 3:00 - 6:00 p.m.
 - c. National Night Out will be held 5:30 p.m. on October 9, 2017 at City Hall.
 - d. October 2017 Domestic Violence Prevention Month Proclamation and Presentation to Rene Davis of Gulf Coast Center for Nonviolence.

At this time Mayor Schafer announced his resignation as Commissioner for the Diamondhead Water & Sewer District effective immediately.

Executive Session

Councilmember L'Ecuyer moved, seconded by Councilmember Depreo, to enter into Closed Session to determine the necessity for executive session.

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

MOTION CARRIED UNANIMOUSLY

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

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

MOTION CARRIED UNANIMOUSLY

City Attorney, Derek Cusick, announced the Council voted to enter into Executive Session to discuss potential litigation matters.

Councilmember L'Ecuyer moved, seconded by Councilmember Depreo to leave Executive Session.

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

MOTION CARRIED UNANIMOUSLY

Councilmember L'Ecuyer moved, seconded by Councilmember Depreo to return to Regular Session.

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

MOTION CARRIED UNANIMOUSLY

City Attorney Tindell announced that while in executive session no official action was taken by the Mayor and Council.

City Attorney, Sean Tindell, announced his recent appointment to serve on the State Court of Appeals by Governor Bryant. He explained the Court of Appeals serves the 11 southern districts. He thanked Diamondhead for allowing him to serve the past 4 years as legal counsel for the City.

Mayor Schafer then acknowledged Lindsay Hötger and her father, Wojciech Zalewski, who is visiting Diamondhead from Poland.

2. City Manager’s Report

Richard Sullivan reported an update on Live Oak Phase 2 paving and the Kome Drive drainage project.

3. Public Comments on Agenda Items

Bill Leonardt spoke regarding salary increases and benefits for part-time employees. Herman Woesnner spoke regarding salary increases and benefits for part-time employees.

III. Policy Agenda.

1. Approval of Minutes:

1. September 19, 2017 Formal Meeting

Councilmember Depreo moved, seconded by Councilmember L’Ecuyer, to approve the Minutes of the September 19, 2017 Formal Meeting.

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

MOTION CARRIED UNANIMOUSLY

At this time, Councilmember Depreo and Councilmember Koenenn exited council chambers.

2. Resolutions/Appointments:

- a. **2018-008**: Motion to adopt Resolution 2018-001 thereby appointing John Kirschenbaum to serve as Diamondhead Water and Sewer Commission for a term of 5 years commencing September 29, 2017.

Councilmember Morgan moved, seconded by Councilmember L’Ecuyer to adopt Resolution 2018-001 thereby appointing John Kirschenbaum from Ward 3 to serve as Diamondhead Water & Sewer Commissioner for term of 5 years commencing September 29, 2017 and expiring September 28, 2022.

A roll call vote was taken as follows:

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

MOTION CARRIED

- b. **2018-009:** Motion to adopt Resolution 2018-002 thereby appointing Kenneth Edmonds, Jr. from Ward 4 to serve on the Diamondhead Water and Sewer Commission to fill a vacancy for an unexpired term expiring September 28, 2020 .

Councilmember L’Ecuyer moved, seconded by Councilmember Morgan to adopt Resolution 2018-002 thereby appointing Kenny Edmonds, Jr. from Ward 4 to serve as Diamondhead Water & Sewer Commissioner to fill a vacancy for an unexpired term expiring September 28, 2020.

A roll call vote was taken as follows:

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

MOTION FAILED

- c. 2018-018: Resolution 2018-003 Motion to appoint David Malley to serve as Commissioner on the Diamondhead Water & Sewer Commission to fill a vacancy with said term expiring September 28, 2019.

Councilmember Moran moved Resolution 2018-003 thereby appointing David Malley to serve as Commissioner on the Diamondhead Water & Sewer Commission to fill a vacancy with said term expiring September 28, 2019.

MOTION DIED FOR LACK OF SECOND

- d. 2018-019: Resolution 2018-004 Motion to appoint Donnie Martin to serve as Commissioner on the Diamondhead Water & Sewer Commission to fill a vacancy with said term expiring September 30, 2020.

Councilmember Moran moved to adopt Resolution 2018-004 thereby appointing Donnie Martin to serve as Commissioner on the Diamondhead Water & Sewer Commission to fill a vacancy with said term expiring September 30, 2020.

MOTION DIED FOR LACK OF SECOND

At 6:51 p.m., Councilmembers Depreo and Koenenn returned to Council Chambers and the meeting.

At 6:52 p.m. Councilmembers Depreo and Koenenn exited Council Chambers.

Motion to reconsider Resolution 2018-002 thereby appointing Kenny Edmonds, Jr. from Ward 4 to serve as Diamondhead Water & Sewer Commissioner to fill a vacancy for an unexpired term expiring September 28, 2020.

Motion was made by Councilmember Morgan, seconded by Councilmember L'Ecuyer to adopt Resolution 2018-002 thereby appointing Kenny Edmonds, Jr. from Ward 4 to serve as Diamondhead Water & Sewer Commissioner to fill a vacancy for an unexpired term expiring September 28, 2020.

A roll call vote was taken as follows:

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

Recused: Depreo and Koenenn.

MOTION CARRIED

At 6:53 p.m., Councilmembers Depreo and Koenenn returned to Council Chambers and the meeting.

4. Action Agenda:

- a. **2018-001:** Motion to approve annual contribution to the American Red Cross in the amount \$500 pursuant to MS Code §21-19-57.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve annual contribution to the American Red Cross in the amount \$500 pursuant to MS Code §21-19-57.

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

MOTION CARRIED UNANIMOUSLY

- b. **2018-002:** Motion to approve Recycling Collection Agreement with the Hancock County Regional Solid Waste Authority.

Councilmember Morgan moved, seconded by Councilmember Depreo, to approve the Recycling Collection Agreement with the Hancock County Regional Solid Waste Authority.

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

MOTION CARRIED

- c. **2018-003:** Motion to accept and award RFPs for Engineering Services Master Service Agreement for providing professional services.

Councilmember Depreo moved, seconded by Councilmember L'Ecyer, to approve to accept and award the RFP's for Engineering Services Master Service Agreement for providing professional services as follows:

Digital Engineering	Jason J. Chiniche
Linefield, Hunter & Junius, Inc.	Pickering Firm
Machado Patano, PLLC	Covington Civil and Environmental

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

MOTION CARRIED UNANIMOUSLY

- d. **2018-004:** Motion for discussion/possible action to identify the remaining steps in the City Manager selection process.

Councilmember L'Ecyer moved, seconded by Mayor Schafer, to direct the City Clerk to forward by email to Council all applications/resumes received for City Manager and for the Council to comprise a list of candidates for the October 17, 2017 meeting to begin establishing interview process and appointments.

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

MOTION CARRIED UNANIMOUSLY

- e. **2018-006:** Motion to authorize compensation for 3 officers for traffic control detail for National Night Out Activities on October 9, 2017.

Councilmember Depreo moved, seconded by Councilmember Morgan, to authorize compensation for 3 officers for traffic control detail for National Night Out Activities on October 9, 2017 not to exceed \$150.00.

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

MOTION CARRIED UNANIMOUSLY

- f. **2018-007:** Motion to authorize interfund loans from General Fund to Fund 106 MDOT Exit 16 Lighting in the amount \$400,000, Fund 107 DMR Kayak Launches -Boater Access Grant in the amount of \$98,475.00 and Fund 003 Tidelands 16 in the amount of \$369,750.00.

Councilmember Depreo moved, seconded by Councilmember Morgan, to authorize interfund loans from the General Fund to Fund 106 MDOT Exit 16 Lighting in the amount \$400,000, Fund 107 DMR Kayak Launches -Boater Access Grant in the amount of \$98,475.00 and Fund 003 Tidelands 16 in the amount of \$369,750.00.

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

MOTION CARRIED UNANIMOUSLY

- g. **2018-010:** Motion to set the FY18 salary for the Municipal Court Judge to be \$19,176.00. Councilmember Depreo moved, seconded by Councilmember Morgan, to set the FY18 salary Municipal Court Judge to be \$19,176.00.

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

MOTION CARRIED UNANIMOUSLY

- h. **2018-011:** Motion for discussion/possible action regarding benefits for part-time employees.

No motion made on item 2018-011.

- i. **2018-012:** Discussion of Mayor and Council salaries.

No motion/action taken on item 2018-012.

- j. 2018-013:** Motion to authorize submission of Grant Application to National Resource Conservation Service for Sub-basin C improvements.

Councilmember Depreo moved, seconded by Councilmember L’Ecuyer, to authorize submission of Grant Application to the National Resource Conservation Service for Sub-basin C improvements.

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

MOTION CARRIED UNANIMOUSLY

- k. 2018-014:** Motion for the City of Diamondhead to assist East Hancock Library with a book drive on October 21st from 9 a.m.- 3 p.m. at no cost to the City.

Councilmember Moran moved, seconded by Councilmember Depreo, to approve the City’s assist East Hancock Library with a book drive on October 21st from 9 a.m.- 3 p.m. at no cost to the City.

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

MOTION CARRIED UNANIMOUSLY

At 7:12 p.m. Councilmember L’Ecuyer exited Council Chambers.

- l. 2018-015:** Motion to authorize participation in CASA’s Touch A Truck event to be held October 21st.

Councilmember Depreo moved, seconded by Councilmember Moran to authorize the City’s participation in CASA’s Touch a Truck event to be held October 21st and to authorize an expense of \$250.00 for supplies.

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

MOTION CARRIED UNANIMOUSLY

At 7:13 p.m. Councilmember L’Ecuyer returned to Council Chambers and the meeting.

- m. **2018-016:** Motion to authorize expenses not to exceed \$500 for City Hall and the Diamondhead to purchase items for participation the Trunk or Treat.

Councilmember Depreo moved, seconded by Councilmember Morgan, to authorize expenses not to exceed \$500 for City Hall and the Diamondhead to purchase items for participation the Trunk or Treat.

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

MOTION CARRIED UNANIMOUSLY

- n. **2018-017:** Motion to approve payments to Pickering Engineering for professional services relating to the Exit 16 Lighting MDOT Grant project in the amount of \$22,357.47 and \$16,682.40 for a total payment of \$39,039.87.

Councilmember L'Ecuyer moved, seconded by Councilmember Morgan to approve payments to Pickering Engineering for professional services relating to the Exit 16 Lighting MDOT Grant project in the amount of \$22,357.47 and \$16,682.40 for a total payment of \$39,039.87.

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

MOTION CARRIED UNANIMOUSLY

- o. **2018-020:** Motion to spread upon the official minutes the Attorney General Opinion dates September 29, 2017 regarding Separation of Powers.

Councilmember Depreo, seconded by Councilmember L'Ecuyer, to approve to spread upon the official minutes the Attorney General Opinion dates September 29, 2017 regarding Separation of Powers.

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

MOTION CARRIED UNANIMOUSLY

IV. Routine Agenda.

- 1. Motion to approve September 27, 2017 Payroll Payables, including benefits and taxes in the amount of \$48,195.42 and October 3, 2017 Payroll Payables, including benefits and taxes in the amount of \$3,511.15.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve Motion to approve September 27, 2017 Payroll Payables, including benefits and taxes in the amount of \$48,195.42 and October 3, 2017 Payroll Payables, including benefits and taxes in the amount of \$3,511.15.

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

MOTION CARRIED UNANIMOUSLY

- 1. Motion to approve the Docket of Claims (Claims– DKT154065 – DKT154108) in the amount of \$91,711.05.

Councilmember L'Ecuyer moved, seconded by Councilmember Depreo, to approve the Docket of Claims (Claims– DKT154065 – DKT154108) in the amount of \$91,711.05.

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

MOTION CARRIED UNANIMOUSLY

Councilmembers Depreo and Koenenn exited Council Chamber at this time.

- 2. Motion to approve APPKT 00708 in the amount of \$542.08.

Councilmember L'Ecuyer moved, seconded by Councilmember Morgan, to approve APPKT00708 in the amount of \$542.08.

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

MOTION CARRIED UNANIMOUSLY

Councilmembers Depreo and Koenenn return the Council Chamber and meeting.
Councilmember L'Ecuyer exited Council Chambers.

3. Motion to approve APPKT 00707 in the amount of \$4,240.00.

Councilmember Depreo moved, seconded by Councilmember Moran, to approve APPKT 00707 in the amount of \$4,240.00.

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

MOTION CARRIED UNANIMOUSLY

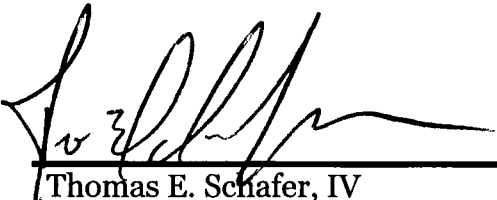
V. Public Comments on Non-Agenda Items. (Limit of 3 minutes each) - None

VI. Adjourn/Recess.

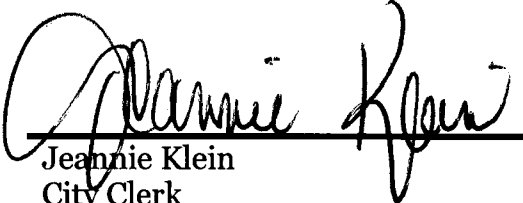
At 7:19 p.m. CST and with no further business to come before the Council, Councilmember Depreo moved, seconded by Councilmember Koenenn, to adjourn.

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