

**MINUTES
FORMAL MEETING OF CITY COUNCIL
Diamondhead, Mississippi
Council Chambers, City Hall
November 21, 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 Moran
2. Pledge of Allegiance – Mayor Schafer

3. Roll Call –
Present: Mayor Schafer, Councilmembers Depreo, Moran and Morgan; Koenenn and L’Ecuier. Absent: None.
4. Confirmation or Adjustment of the Agenda Order – Councilmember Depreo moved, seconded by Councilmember Moran, to accept, approve the agenda and to table Agenda Item 2018-056 – Approve sole source purchase of BodyWarn Camera Systems and Rocket Communications for the police department and 2018-057 approve contract renewal and enter and 5-year agreement with Tyler Technologies for Incode VX and V9 software licensing and maintenance.

Ayes: Depreo, Moran, Morgan, Koenenn, L’Ecuier 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 November 21, 2017 in Council Chambers located at 5000 Diamondhead Circle.
- b. City Hall will be closed November 23rd and 24th for Thanksgiving Holidays.
- c. Bobbi Kittle of Hub International – Employee Insurance Renewals.
- d. Jason Chiniche, Update on FY18 Tidelands Project.

2. City Manager’s Report
Richard Sullivan reported an update on Live Oak Phase 2 paving completion, the FY16 Audit, and announced that Hancock County Board of Supervisors Blaine Lafontaine announced that the County would expend \$30,000 for paving in the City.

3. Public Comments on Agenda Items:

John Mitchell addressed the Council regarding signage for City Hall.

Ernie Knobloch addressed the Council regarding the Master Service Contracts.

Ron Rech addressed the Council regarding proposed Ordinance 2018-002 Providing for the Regulation of Peddlers and Solicitors.

III. Policy Agenda.

1. Approval of Minutes:

a. October 5, 2017 Special Called Meeting

Councilmember Morgan moved, seconded by Councilmember L'Ecuyer, to approve the Minutes of the October 5, 2017 Special Called Meeting.

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

MOTION CARRIED

b. October 17, 2017 Formal Meeting

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the Minutes of the October 17, 2017 Formal Meeting.

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

MOTION CARRIED

c. November 7, 2017 Formal Meeting

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the Minutes of the November 1, 2017 Special Called Meeting.

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

MOTION CARRIED

2. Ordinances:

- a. **2018-053:** Motion to adopt Ordinance 2018-002 Providing for the Regulation of Peddlers and Solicitors.

Councilmember Depreo moved, seconded by Councilmember Moran, to approve the adoption of Ordinance 2018-002 Providing for the Regulation of Peddlers and Solicitors and further that said ordinance is to be effective November 22, 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

At this time, Councilmember Depreo, Moran and Koenenn recused and exited the Council Chambers.

3. Resolutions:

- a. **2018-033:** Motion to adopt Resolution 2018-007 to Appointing Robert Redd (At-Large) to as Commissioner on the Diamondhead Water & Sewer District Board of Commission to fill unexpired term ending September 28, 2019.

Councilmember L'Ecuyer moved, seconded Councilmember Morgan, to appoint Robert Redd (At-Large) to as Commissioner on the Diamondhead Water & Sewer District Board of Commission to fill unexpired term ending September 28, 2019.

A roll call vote was taken as follows:

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

MOTION CARRIED

At this time, Councilmembers Depreo, Moran and Koenenn re-entered Council Chambers and were noted as present.

- b. **2018-050:** Motion to adopt Resolution 2018-009 Urging the Legislature to allow municipalities to submit debts owed by persons of this State to municipalities and to the State of Mississippi as a result of delinquent traffic fines to the Department of Revenue of collection through a setoff against state income tax refunds owed to the debtor.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer to adopt Resolution 2018-009 Urging the Legislature to allow municipalities to submit debts owed by persons of this State to municipalities and to the State of Mississippi as a result of delinquent traffic fines to the Department of Revenue of collection through a setoff against state income tax refunds owed to the debtor.

A roll call vote was taken as follows:

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

MOTION CARRIED UNANIMOUSLY

4. Action Agenda:

- a. 2018-035: Motion to approve the FY17 Municipal Compliance Questionnaire.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the FY17 Municipal Compliance Questionnaire.

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

MOTION CARRIED

- b. 2018-049: Motion to authorize contribution to the Gulf Coast Business Council in the amount of \$250.00 in support of the Annual Gulf Coast Legislative Reception.

Councilmember Morgan moved, seconded by Councilmember Depreo, to authorize contribution to the Gulf Coast Business Council in the amount of \$250.00 in support of the Annual Gulf Coast Legislative Reception.

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

MOTION CARRIED UNANIMOUSLY

- c. 2018-051: Motion to authorize travel, related expenses and advanced meal payments for Officers Tom Kent and James Alphonso to attend the Street Survival Seminar to be held December 5 – 6, 2017 in Baton Rouge, LA.

Councilmember Depreo moved, seconded by Councilmember L’Ecuyer, to approve travel, related expenses and advanced meal payments for Officers Tom Kent and James Alphonso to attend the Street Survival Seminar to be held December 5 – 6, 2017 in Baton Rouge, LA.

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

MOTION CARRIED UNANIMOUSLY

- d. **2018-052:** Motion to approve increased estimated project cost for Exit 16 Lighting, increase federal funding in the amount of \$48,485 and increased local match funds in the amount of \$12,121.

Councilmember L’Ecuyer moved, seconded by Councilmember Depreo, to approve increased estimated project cost for Exit 16 Lighting, increase federal funding in the amount of \$48,485 and increased local match funds in the amount of \$12,121.

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

MOTION CARRIED UNANIMOUSLY

- e. **2018-054:** Motion for discussion/possible action regarding the Hancock Chamber Visitor Center Feasibility Study.

Councilmember Depreo moved, seconded by Councilmember L’Ecuyer, to authorize the Hancock County Chamber to proceed with the proposal process for the welcome center proposal with fees not to exceed \$7,000 subject to a budget amendment to be considered at the December 5, 2017 council meeting.

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

MOTION CARRIED UNANIMOUSLY

- f. **2018-055:** Approval of 2018 Employee Insurance renewals at current coverage levels for the period January -December 2018 for major medical with Blue Cross Blue Shield and basic life, dental and vision with Guardian.

Councilmember Morgan moved, seconded by Councilmember Depreo to approve 2018 Employee Insurance renewals at current coverage levels for the period January - December 2018 for major medical with Blue Cross Blue Shield and basic life, dental and vision with Guardian.

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

MOTION CARRIED UNANIMOUSLY

- i. 2018-058:** Motion to approve FY18 Tidelands Grant Award and Grant Agreement and authorize the City Manager to execute same.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve FY18 Tidelands Grant Award and Grant Agreement and to authorize the City Manager to execute same.

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

MOTION CARRIED UNANIMOUSLY

- j. 2018-059:** Motion for table discussion/possible action regarding the FY18 Tidelands Grant Application amendment.

Councilmember Depreo moved, seconded by Councilmember L’Ecuyer, to table possible action regarding the FY18 Tidelands Grant Application amendment.

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

MOTION CARRIED UNANIMOUSLY

At this time, Mayor Schafer opened the floor to Rodney Necaize of Omni Technologies to address the Council.

- k. 2018-060:** Motion to accept and award the proposal of AGJ System for IT Services in the monthly amount of \$1,725.00 and further to authorize the City Manager execute the 1-year agreement for same.

NO ACTION WAS TAKEN

- l. 2018-061:** Motion to approve payment to James Chiniche P.A. in the amount of \$1,682.50 for professional services relating to the Montjoy Creek Restoration Project funded with Tidelands 18 Grant.

Councilmember Morgan moved, seconded by Councilmember Depreo, to approve payment to James Chiniche P.A. in the amount of \$1,682.50 for professional services relating to the Montjoy Creek Restoration Project funded with Tidelands 18 Grant.

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

MOTION CARRIED UNANIMOUSLY

m. 2018-062: Motion to approve payment to James Chiniche, P.A. Inc. in the amount of \$1,757.38 for professional services relating to Bayou Dr. Kayak Launch funded by Tidelands 17 Grant.

Councilmember Depreo moved, seconded by Moran, to approve payment to James Chiniche, P.A. Inc. in the amount of \$1,757.38 for professional services relating to Bayou Dr. Kayak Launch funded by Tidelands 17 Grant.

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

MOTION CARRIED UNANIMOUSLY

n. 2018-063: Motion to approve payment to James Chiniche, P.A. Inc. in the amount of \$577.50 for professional services relating the E. Aloha Widening project.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve payment to James Chiniche, P.A. Inc. in the amount of \$577.50 for professional services relating the E. Aloha Widening project.

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

MOTION CARRIED UNANIMOUSLY

o. 2018-064: Motion to approve payment to James Chiniche, P.A. Inc. in the amount \$1,095.50 for Live Oak Phase 2 improvements.

Councilmember L'Ecuyer moved, seconded by Councilmember Morgan, to approve payment to James Chiniche, P.A. Inc. in the amount \$1,095.50 for Live Oak Phase 2 improvements.

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

MOTION CARRIED UNANIMOUSLY

p. 2018-065: Motion to approve a variance to the Zoning Ordinance (Article 4.6.5.E.iii to build a garage within 11'6" of rear property line. (Hight)

Councilmember L'Ecuyer moved, seconded by Councilmember Morgan, to approve a variance to the Zoning Ordinance (Article 4.6.5.E.iii to build a garage within 11'6" of rear property line. (Hight)

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

MOTION CARRIED UNANIMOUSLY

q. 2018-066: Approve Interfund Loans - Tidelands 18, E. Aloha Widening, Tidelands 17.

Councilmember Depreo moved, seconded by Councilmember Moran, to approve the following Interfund Loans:

FUND	GRANT	AMOUNT
108	MDOT – East Aloha Widening	\$102,333
109	DMR – Tidelands 2017	\$136,400
110	DMR – Tidelands 2018	\$250,000

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

MOTION CARRIED UNANIMOUSLY

r. 2018-067: Motion to approve Budget Amendments 2018-001-2018-002-2018-003 and 2018-004.

Councilmember Depreo, seconded Councilmember Moran, to approve Budget Amendments 2018-001-2018-002-2018-003 and 2018-004.

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

MOTION CARRIED UNANIMOUSLY

s. 2018-068: Motion for discussion/possible action regarding Master Engineering Service Agreement amendments proposed by Linfield, Hunter, Junius, Inc.

NO ACTION WAS TAKEN

t. 2018-069: Motion for discussion/possible action regarding Master Engineering Service Contract Agreement amendments proposed by Covington Civil and Engineering.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to amend the Master Service Contract Agreement with Covington Civil and Engineering to include authorize the proposed language (termination clause) as requested by the firm.

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

MOTION CARRIED UNANIMOUSLY

IV. Routine Agenda.

1. Motion to approve November 8, 2017 Payroll Payables, including benefits and taxes in the amount of \$49,125.72.

Councilmember Morgan moved, seconded by Councilmember Koenenn, to November 8, 2017 Payroll Payables, including benefits and taxes in the amount of \$49,125.72.

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– DKT1544255 – DKT15498) in the amount of \$125,175.57.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve the Docket of Claims (Claims– DKT154255 – DKT154298) in the amount of \$125,175.57.

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

MOTION CARRIED UNANIMOUSLY

At this time, Councilmembers Depreo, Moran and Koenenn recused and exited Council Chambers.

3. Motion to approve APPKT00724 in the amount of \$520.12.

Councilmember Morgan moved, seconded by Councilmember L'Ecuyer to approve APPKT00724 in the amount of \$520.12.

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

MOTION CARRIED

At this time, Councilmembers Depreo, Moran and Koenenn returned to Council Chamber and were noted as present. Councilmember L'Ecuyer recused and exited Council Chambers.

3. Motion to approve APPKT 00732 in the amount of \$1,000.00.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve APPKT 00732 in the amount of \$1,000.00.

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

MOTION CARRIED

At this time, Councilmember L'Ecuyer re-entered Council Chambers and was noted present.

4. Motion to approve October 2017 Financials.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve the October 2017 Financials.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Depreo moved, seconded by Councilmember Koenenn, to enter closed session to determine the necessity for executive session.

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

MOTION CARRIED UNANIMOUSLY

City Attorney Derek Cusick announced that Councilmember Depreo moved, seconded by Councilmember Moran, to enter into executive session to discuss personnel matters related to the City Manager interviews and selection process.

Councilmember L'Ecuyer moved, seconded by Councilmember Koenenn, to come out of executive session.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Depreo moved, seconded Councilmember Morgan, to come out of closed session.

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

MOTION CARRIED UNANIMOUSLY

Derek Cusick, Council Attorney, announced that no official action of record was taken while in executive session.

V. Comments on Non-Agenda Items: None.

VI. Adjourn/Recess.

At 7:40 p.m. CST and with no further business to come before the Council, Councilmember Depreo moved, seconded by Councilmember Koenenn to recess until November 29, 2017 for City Manager interviews.

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

MOTION CARRIED UNANIMOUSLY

Thomas E. Schafer, IV
Mayor

Jeannie Klein
City Clerk