

MINUTES
REGULAR MEETING OF CITY COUNCIL
Diamondhead, Mississippi
Council Chambers, City Hall
May 1, 2018
6:00 pm CST

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

1. Invocation – Councilmember Morgan
2. Pledge of Allegiance – Mayor Schafer
3. Roll Call –

Present: Mayor Schafer, Councilmembers Depreo, Moran and Morgan; Koenenn and L'Ecuyer. Absent: None.

4. Confirm or adjust agenda order--

Councilmember Depreo moved, seconded by Councilmember Koenenn, to amend the agenda tabling agenda item 2018-160 (awarding bids for Diamondhead Drive East drainage project); Councilmember L'Ecuyer then moved to accept and approve the agenda as amended, 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. Council Comments

- a. The next regularly scheduled Council Meeting will be held May 15, 2018 at 6:00 p.m. CST on in Council Chambers located at 5000 Diamondhead Circle.
- b. City Hall will be closed Monday May 28, 2018 in observance of Memorial Day.

2. City Manager's Report –

Welcome Center/Guard Shack project, opening new accounts for reserve and fire department funds, securing engineer for project planning for Turnberry Drive and Turnberry Way, creating a building inspector position, kayak launch projects, resolution authorizing city manager as signatory for council approved documents and the FY19 budget schedule.

3. Public Comments on Agenda Items–

Bryon Griffith –presented his proposed project plan to replace the project as bid for Diamondhead Drive East drainage.

Monte Luffy – spoke in opposition to the City's current drainage improvement project for Diamondhead Drive East.

Stephen Beate signed up to address the council but was not available when called to do so.

III. Policy Agenda.

1. Approval of Minutes:

- a. April 11, 2018 Special Called Meeting (6:00 p.m.)
- b. April 17, 2018 Regular Meeting

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the Minutes of the April 11, 2018 Special Called Meeting (6:00 p.m.) and the April 17, 2018 Regular Meeting.

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

MOTION CARRIED UNANIMOUSLY

2. Resolutions:

- a. **2018-145:** Motion to adopt Resolution 2018-020 thereby appointing Derek Cusick and Kimber Roten of Symmes, Estes, & Cusick to serve as City Prosecutors at the monthly total rate of \$3,000.

Councilmember Morgan moved, seconded by Councilmember Moran to adopt adopt Resolution 2018-020 thereby appointing Derek Cusick and Kimber Roten of Symmes, Estes, & Cusick to serve as City Prosecutors at the monthly total rate of \$3,000.

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. **2018-146:** Motion to adopt Resolution 2018-021 thereby authorizing a match donation of \$500 to the Hancock Sheriff's Office 2018 Youth Summer Camp pursuant to MS Code §21-19-65.

Councilmember Depreo moved, seconded by Councilmember Moran, to adopt Resolution 2018-021 thereby authorizing a match donation of \$500 to the Hancock Sheriff's Office 2018 Youth Summer Camp pursuant to MS Code §21-19-65 equivalent to that of Sound Insurance Solutions.

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. **2018-159:** Motion to adopt Resolution 2018-022 authorizing the City Manager to execute documents, agreements and documents relating to the daily operations of the city including grants and procurements having been approved by Council, all pursuant to MS Code §29-9-29.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to adopt Resolution 2018-022 authorizing the City Manager to execute documents, agreements and documents relating to the daily operations of the city including grants and procurements having been approved by Council, all pursuant to MS Code §29-9-29.

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. **2018-147:** Motion to accept and approve the donation to the City one (1) McGruff costume with an estimated value of \$750 from Goodwill Industries.

Councilmember Depreo moved, seconded by Councilmember Moran, to accept and approve the donation to the City of one (1) McGruff costume with an estimated value of \$750 from Goodwill Industries.

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

MOTION CARRIED UNANIMOUSLY

- b. **2018-148:** Motion to Payment Request #3 in the amount of \$162,515.55 to Gulf Breeze Landscaping for the Bayou Drive/Vaught Circle Kayak Launch Project.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer to approve Payment Request to Jason Chiniche in the amount of \$162,515.55.00 for professional services relating to the Vaught Circle Kayak Launch Project.

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

MOTION CARRIED UNANIMOUSLY

- c. **2018-149:** Motion to approve Payment Request to Jason Chiniche in the amount of \$1,970.00 for professional services relating to the Vaught Circle Kayak Launch Project.

Councilmember Moran moved, seconded by Councilmember Depreo to approve Payment Request to Jason Chiniche in the amount of \$1,970.00 for professional services relating to the Vaught Circle Kayak Launch Project.

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

MOTION CARRIED UNANIMOUSLY

- d. **2018-150:** Motion to approve Payment Request to Jason Chiniche in the amount of \$1,825.00 for professional services relating to the Bayou Drive Kayak Launch Project.

Councilmember Koenenn moved, seconded by Councilmember Moran, to approve Payment Request to Jason Chiniche in the amount of \$1,825.00 for professional services relating to the Bayou Drive Kayak Launch Project.

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

MOTION CARRIED UNANIMOUSLY

- e. **2018-151:** Motion to approve Payment Request to Jason Chiniche in the amount of \$2,130.00 for professional services relating to the East Aloha Widening Project.

Councilmember Depreo moved, seconded by Morgan, to approve Payment Request to Jason Chiniche in the amount of \$2,130.00 for professional services relating to the East Aloha Widening Project.

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

MOTION CARRIED UNANIMOUSLY

- f. **2018-152:** Motion to declare surplus/salvage equipment and authorize the administration to proceed with proper disposal of same.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to declare the following surplus/ salvage equipment and authorize the administration to proceed with proper disposal of same:

ITEM	ID	Net Value
1 Mobile Hotspot	D0000009	unknown
1 Dell Optiplex 790 Computer	Asset 006	\$11.19
1 Dell Optiplex Computer	7FK1JS1	unknown
1 Server	Asset 008	\$7.15
1 ASUS Tablet	Asset 221	\$93.05
1 Video Projector	Asset 060	\$5.00
1 Dell Optiplex Computer	Asset 188	\$6.34

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

MOTION CARRIED UNANIMOUSLY

- g. **2018-153:** Motion to accept and approve the FY17 Audit Engagement Letter with Wright, Ward, Hatten & Guel and to authorize the City Manager and Mayor to execute same.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to accept and approve the FY147 Audit Engagement Letter with Wright, Ward, Hatten & Guel and to authorize the City Manager and Mayor to execute same.

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

MOTION CARRIED UNANIMOUSLY

- h. **2018-154:** Motion for discussion/possible action regarding FY19 Proposed Budget Timeline.

Councilmember Depreo moved seconded by Councilmember Morgan, to accept the FY19 Proposed Budget Timeline as presented.

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

MOTION CARRIED UNANIMOUSLY

- i. **2018-155:** Motion to accept the recommendation of the Planning & Zoning Commission to deny the variance as petitioned in Case File 2018-0082 . (Kroll) Councilmember Morgan moved seconded by Councilmember Depreo, to refer Case File 2018-0082 (Kroll) back to the Planning & Zoning Commission since property owner has revised plans.

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

MOTION CARRIED UNANIMOUSLY

- j. **2018-156:** Motion to approve Small Purchase Procedure pursuant to MDOT LPA Consulting Operating Procedures for Professional Services 2.2.1 and the selection of James J. Chiniche, P.A. Inc. for East Aloha Improvement Study Project MDOT Project 0045-00(029)LPA FMS: 107822-711000.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve Small Purchase Procedure pursuant to MDOT LPA Consulting Operating Procedures for Professional Services 2.2.1 and the selection of James J. Chiniche, P.A., Inc. for East Aloha Improvement Study Project MDOT Project 0045-00(029)LPA FMS: 107822-711000.

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

MOTION CARRIED UNANIMOUSLY

- k. **2018-157:** Motion for discussion and/or possible action regarding the Hancock Chamber Visitor Center Request for Proposal Project Management Agreement.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to approve to enter into the Chamber Visitor Center Request for Proposal Project Management Agreement.

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

MOTION CARRIED UNANIMOUSLY

- l. **2018-158:** Motion to authorize the City Manager to seek quotes for engineering services for the review and preparation of engineer estimate for Turnberry Drive and Turnberry Way and further to authorize a work assignment under the Master Services Engineering Contract and the City Manager to execute same.

Councilmember Depreo moved, and the motion received no second to authorize the City Manager to seek quotes for engineering services for the review and preparation of engineer

estimate for Turnberry Drive and Turnberry Way and further to authorize a work assignment under the Master Services Engineering Contract and to authorize the City Manager to execute same, died.

DIED FOR LACK OF SECOND

- m. **2018-159:** Motion to approve expenses not to exceed \$15,000 for landscaping and fencing at the Bayou Drive Kayak Launch funded with Tidelands 16 funds.

Councilmember Morgan moved, seconded by Councilmember Depreo, to expenses not to exceed \$15,000 for landscaping and fencing at the Bayou Drive Kayak Launch funded with Tidelands 16 funds.

MOTION CARRIED UNANIMOUSLY

- n. **2018-160: Agenda Item Tabled**

- o. **2018-161:** Motion to abolish the Deputy Building Official position, create Building Inspectors, set the salary at \$20.00 per hour and approve the job description for same.

Councilmember Depreo moved, seconded by Councilmember Morgan, to abolish the Deputy Building Official position, create a Building Inspectors position, set the salary at \$20.00 per hour and approve the job description for same.

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

MOTION CARRIED UNANIMOUSLY

V. Routine Agenda.

- a. Motion to approve April 25, 2018 Payroll Payables, including benefits and taxes, in the amount of \$51,859.33 and May 1, 2018 Payroll Payables, including benefits and taxes, in the amount of \$3,782.78.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to approve the April 25, 2018 Payroll Payables, including benefits and taxes, in the amount of \$51,859.33 and May 1, 2018 Payroll Payables, including benefits and taxes, in the amount of \$3,782.78.

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

MOTION CARRIED UNANIMOUSLY

- b. Motion to approve the Docket of Claims (Claims– DKT154731 – DKT154755) in the amount of \$198,145.59.

Councilmember Morgan moved, seconded by Councilmember Koenenn, to approve the Docket of Claims (Claims– DKT154731 – DKT154755) in the amount of \$198,145.59.

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

MOTION CARRIED UNANIMOUSLY

At 6:42 p.m., Councilmembers Moran and Koenenn exited Council Chamber and were recused from the meeting proceedings.

c. Motion to approve APPKToo804 in the amount of \$432.72.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve APPKToo804 in the amount of \$432.72.

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

MOTION CARRIED UNANIMOUSLY

At 6:42 p.m., Councilmembers Moran and Koenenn reentered Council Chambers returned to the meeting proceedings.

VI. Public Comments on Non-Agenda Items:

John Mitchell asked the Council about the City Hall directional signage he requested for consideration several months prior.

Ted Sampley asked the Council to look in to the pick up of existing limbs and trimming piles along the roadsides.

VII. EXECUTIVE SESSION

At Mayor Schafer moved, seconded by Councilmember Morgan, to enter closed session to determine the necessity for executive session with regard to a matter of economic development and pending litigation.

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 L'Ecuyer, to enter into Executive Session pursuant to MS Code §25-41-7 4(b) for a strategy session with respect to potential litigation.

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

MOTION CARRIED UNANIMOUSLY

At 6:51 p.m. City Attorney, Derek Cusick, entered Council Chamber and announced that the City Council had entered Executive Session to conduct a strategy session with respect to potential litigation where an open meeting would have a detrimental effect on the City's position.

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

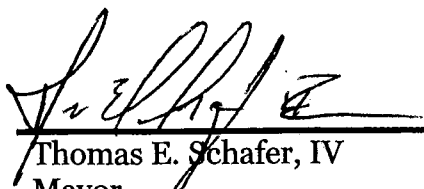
City Attorney, Derek Cusick, announced that while in Executive Session the Council took no official action of record.

VIII. Adjourn/Recess.

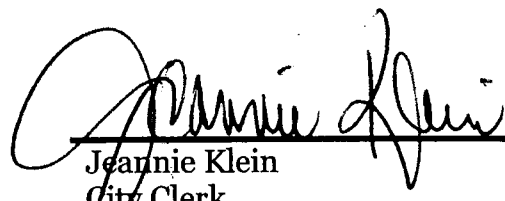
At 7:10 p.m. CST and with no further business to come before the Council, Councilmember Morgan moved, seconded by Councilmember L'Ecuyer, to adjourn.

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

MOTION CARRIED UNANIMOUSLY



Thomas E. Schafer, IV
Mayor



Jearnie Klein
City Clerk