

MINUTES
REGULAR MEETING OF CITY COUNCIL
Diamondhead, Mississippi
Council Chambers, City Hall
June 5, 2018
6:00 pm CST

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

1. Invocation – Councilmember Mayor Schafer
2. Pledge of Allegiance – Mayor Schafer
3. Roll Call –
Present: Mayor Schafer, Councilmembers Depreo, Moran and Morgan; Koenenn and L’Ecuyer present via tele-conference. Absent: None.

4. Confirm or adjust agenda order--

Councilmember Depreo moved, seconded by Councilmember Koenenn, to amend the agenda as follows:

Revisions:

- f. **2018-183**: Add “for a period of one (1) year. “ Motion to accept the donation of pest control and termite inspection services with an annual value of \$893.60 for a period of one (1) year from Philip’s Pest Control Company, LLC.
- i. **2018-187**: Delete “and construction plans.” Motion to approve preliminary plan layout for the actual improvements construction for Glenn Eagle Subdivision Phase 2 by Elliott Homes, LLC.

Deletions:

- k. **2018-189**: Motion to accept and award quote of Morreale Construction for Kayak Launch.

Additions:

- n. **2018-192**: Motion to approve FY16 Tidelands Application to include construction of two (2) pavilions at Bayou Drive Kayak Launch site and further to authorize the City Manager to seek quotes/bids for construction of the pavilions.

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 June 19, 2018 at 6:00 p.m. CST in Council Chambers located at 5000 Diamondhead Circle.
 - b. Presentation to Margaret Elaine Schindler of Diamondhead – Youth State Record Silver Perch (*Bairdiella chrysoura*).
 - c. FY18 Year-end projections – Catherine Konkel, Treasurer

2. City Manager’s Report –

- a. Elliot Homes Development – It is with great pleasure that I recommend approval for the preliminary plan layout for the new development by Elliott Homes. They

have been working for about year to get to this point. They have full approval by Water and Sewerage Dept. They are requesting no variances that require planning and zoning approval. The building department has approved and recommends the plan. These are single-family residences located in a R2 district, and it is consistent with our 25-year comprehensive plan. This is very exciting for Diamondhead and Hancock County.

- b. I-10 Lighting Project – On May 31, the contract was signed with Webster Electric and notice of execution has been delivered. Webster is now able to order the poles to be manufactured. The city can expect to receive a notice to proceed date by August 31, which will be presented for council approval. After that point, a pre-construction meeting will be scheduled.
- c. Authorization to Submit Grant Request – I am asking the council for authorization to apply for two Tidelands FY20 grants to enhance our Blueways project along Rotten Bayou. This will provide more access to the water for our residents for kayaking, hiking, fishing, boating, and bird watching. These applications are due by June 30.
- d. Diamondhead Drive East Drainage Project – I will ask the council to reject the bids received for the previous design of this project since we are having it re-engineered by Pickering to take a different route. Tonight, we will recommend approval of the final payment to Pickering for the previous design through the bid process. A new work assignment for Pickering Engineer is being presented for your approval for the redesign this drainage project.
- e. East Aloha Improvement Planning Grant - Memorandum of understanding was sent to MDOT Planning division on May 18th. Once we receive the signed MOU, we will begin the engineer contract phase.
- f. East Aloha Widening Project – MDOT is requiring a 10' wide multi use path. We proposed 6' to match the existing path on Veterans Blvd. This 10' width will also connect nicely to the proposed improvements along East Aloha from Veterans to Kalani Dr. We hope to get MDOT approval for the plans shortly and then we will begin the advertising/bidding phase for this project.
- g. Devil's Elbow/Montjoy Creek Improvements – Permitting application has been under review with MS Dept of Marine Resources and the US Army Corp of Engineers for several months. The regulatory agencies have requested additional information regarding upstream modifications to prohibit future siltation of Montjoy Creek and Devil's Elbow and a mitigation plan to transplant existing vegetation. The engineer is completing these requests for additional information and will submit to the city for consideration.
- h. Kayak Launches – Engineer is working to complete all punch list items with the contractor and final close out documents are required for final payment. There are only about 8 small items remaining. We are also working to add 2 pavilions to the Bayou Drive site as an additional amenity for our residents. We hope to schedule the ribbon cutting once the final punch list items are completed. We are

free to open both kayak launches at any time, and I would recommend we do that tonight.

- i. Ieke Drive Drainage – Engineer has found that multiple culverts need to be replaced under driveways since they are sloped incorrectly, grade of existing ditches along Ieke and Amoka Drive need to be improved, and there is a lack of swale on rear property lines that allow for positive drainage of storm water away from the homes in the area.

3. Public Comments on Agenda Items– None

III. Policy Agenda.

1. Approval of Minutes:

- a. May 15, 2018 Regular Meeting

Councilmember Depreo moved, seconded by Councilmember Moran, to approve the Minutes of the May 15, 2018 Regular Meeting.

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

MOTION CARRIED UNANIMOUSLY

2. Resolutions:

- a. **2018-175:** Resolution 2018-025 authorizing the submittal of a FY20 Tidelands Grant Application for Montjoy Creek and Devil's Elbow fishing pier, kayak launch, nature observatory, multi-modal paths and parking and for other related matters.
- b. **2018-176:** Resolution 2018-026 authorizing the submittal of Tidelands Grant Application for planning funds for design of Noma Drive boat launch and fishing pier and for other related matters.
- c. **2018-177:** Resolution 2018-027 authorizing the submittal of DMR Boater Access Grant for Montjoy Creek an Devil's Elbow fishing pier, kayak launch, nature observatory and for other related matters.
- d. **2018-188:** Motion to adopt Resolution 2018-028 to vacate and/or abandon drainage/utility easement in a paqrts of Lots 27 and part of the south half of Lot 26 Devil's Elbow Phase 2. (Dubos)

Councilmember Depreo moved, seconded by Councilmember Morgan to **2018-175:** Resolution 2018-025 authorizing the submittal of a FY20 Tidelands Grant Application for Montjoy Creek and Devil's Elbow fishing pier, kayak launch, nature observatory, multi-modal paths and parking and for other related matters, Resolution 2018-026 authorizing the submittal of Tidelands Grant Application for planning funds for design of Noma Drive boat launch and fishing pier and for other related matters, Resolution 2018-027 authorizing the submittal of DMR Boater Access Grant for Montjoy Creek an Devil's Elbow fishing pier, kayak launch, nature observatory and for other related matters, Resolution 2018-028 to vacate and/or abandon drainage/utility easement in a parts of Lots 27 and part of the south half of Lot 26 Devil's Elbow Phase 2. (Dubos)

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. **2018-178:** Motion to approve payment in the amount of \$1,575.00 to James J. Chiniche professional services relating to the Vaught Circle Kayak Launch.

Councilmember Morgan moved, seconded by Councilmember Depreo, to approve in the amount of \$1,575.00 to James J. Chiniche professional services relating to the Vaught Circle Kayak Launch.

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

MOTION CARRIED UNANIMOUSLY

- b. **2018-179:** Motion to approve payment in the amount of \$3,696.25 to James J. Chiniche for professional services relating to the Bayou Drive Kayak Launch.

Councilmember Depreo moved, seconded by Councilmember Moran, to approve payment in the amount of \$3,696.25 to James J. Chiniche for professional services relating to the Bayou Drive Kayak Launch.

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

MOTION CARRIED UNANIMOUSLY

- c. **2018-180:** Motion to approve payment in the amount of \$2,500 to Pickering Firm for professional services relating to the Diamondhead Drive East Drainage Project.

Councilmember Koenenn moved, seconded by Councilmember Depreo, to approve payment in the amount of \$2,500 to Pickering Firm for professional services relating to the Diamondhead Drive East Drainage Project.

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

MOTION CARRIED UNANIMOUSLY

- d. **2018-181:** Motion to reject bids received for Diamondhead Drive East Drainage Improvements.

Councilmember Koenenn moved, seconded by Councilmember Depreo, to reject bids received for Diamondhead Drive East Drainage Improvements.

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

MOTION CARRIED UNANIMOUSLY

- e. **2018-182:** Motion to approve Work Assignment with Pickering Firm in the amount of \$21,600 for professional services relating to Diamondhead Drive East Drainage Improvements redesign and CEI.

Councilmember Koenenn, seconded by Councilmember Depreo, to approve Work Assignment with Pickering Firm in the amount of \$21,600 for professional services relating to Diamondhead Drive East Drainage Improvements redesign and CEI.

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

MOTION CARRIED UNANIMOUSLY

At 6:32 p.m. Councilmember Moran recused and exited council chambers.

- f. **2018-183:** Motion to accept the donation of pest control and termite inspection services for a one-year period with an annual value of \$893.60 from Philip's Pest Control Company, LLC.

Councilmember Morgan moved, seconded by Councilmember Depreo, to accept the donation of pest control and termite inspection services for a one-year period with an annual value of \$893.60 from Philip's Pest Control Company, LLC.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Moran returned to Council Chambers and the meeting resumed.

- g. **2018-184:** Motion to approve revised petition dated 4/26/18 for a variance (Case File 2018-00082) to the Zoning Ordinance (Article 8.4.1 E) to use gravel material for the purpose of making a driveway to store/park a recreational vehicle. (Kroll)

Councilmember Morgan moved, seconded by Councilmember Depreo, to approve the revised petition dated 4/26/18 for a variance (Case File 2018-00082) to the Zoning Ordinance (Article 8.4.1 E) to use gravel material for the purpose of making a driveway to store/park a recreational vehicle. (Kroll)

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

MOTION CARRIED UNANIMOUSLY

- h. **2018-185:** Motion to approve a petition for a variance (Case File 2018-00140) to the Zoning Ordinance (Article 9.8 J) to build a 6' wooden privacy fence within 1.9' of the southwest property line or front yard along Lola Way. (Selig)

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to a petition for a variance (Case File 2018-00140) to the Zoning Ordinance (Article 9.8 J) to build a 6' wooden privacy fence within 1.9' of the southwest property line or front yard along Lola Way. (Selig)

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

MOTION CARRIED UNANIMOUSLY

- i. **2018-186:** Motion to authorize the City Manager to negotiate with prospective lobbyists/consultants for the City.

Councilmember Koenenn moved, seconded by Morgan, to authorize the City Manager to negotiate with prospective lobbyists/consultants for the City.

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

MOTION CARRIED UNANIMOUSLY

- j. **2018-187:** Motion to approve preliminary plan for the actual improvements construction for Glenn Eagle Subdivision Phase 2 by Elliott Homes, LLC.

Councilmember Depreo, seconded Councilmember Moran, to approve preliminary plan for the actual improvements construction for Glenn Eagle Subdivision Phase 2 by Elliott Homes, LLC.

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

MOTION CARRIED UNANIMOUSLY

- l. **2018-190:** Motion to authorize the City Manager to enter into a Master Services Agreement Work Assignment not to exceed \$5,000 with James J. Chinche for the design and bid phase for the Ieke Drainage Project.

Councilmember Depreo moved, seconded by Councilmember Moran, to authorize the City Manager to enter into a Master Services Agreement Work Assignment not to exceed \$5,000 with James J. Chinche for the design and bid phase for the Ieke Drainage Project.

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

MOTION CARRIED

- m. **2018-191:** Motion to discuss the Leisure and Recreation District.

Councilmember Depreo moved, seconded by Mayor Schafer, to discuss the Leisure and Recreation District.

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

MOTION CARRIED UNANIMOUSLY

General consensus was to continue with the City Manager's recommendation for ordinance preparation for two Leisure and Recreation Districts in the City.

- n. **2018-192:** Motion to approve FY16 Tidelands Application to include construction of two (2) pavilions at Bayou Drive Kayak Launch site and further to authorize the City Manager to seek quotes/bids for construction of the pavilions.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve FY16 Tidelands Application to include construction of two (2) pavilions at Bayou Drive Kayak Launch site and further to authorize the City Manager to seek quotes/bids for construction of the pavilions.

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

MOTION CARRIED UNANIMOUSLY

V. Routine Agenda.

1. Motion to approve May 23, 2018 Payroll Payables, including benefits and taxes, in the amount of \$51,948.13 and to approve June 1, 2018 Payroll Payables, including benefits and taxes in the amount of \$3,782.78.
2. Motion to approve the Docket of Claims (Claims– DKT154815 – DKT154847) in the amount of \$110,601.78.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the May 23, 2018 Payroll Payables, including benefits and taxes, in the amount of \$51,948.13, to approve June 1, 2018 Payroll Payables, including benefits and taxes in the amount of \$3,782.78 and Docket of Claims (Claims– DKT154815 – DKT154847) in the amount of \$110,601.78.

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 were recused and exited Council Chambers.

- 3. Motion to approve APPKToo817 in the amount of \$824.32.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve APPKToo817 in the amount of \$824.32.

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

MOTION CARRIED UNANIMOUSLY

At 6:43 p.m. Councilmembers Moran and Koenenn returned to Council Chambers, Councilmember Depreo was recused and exited Council Chambers and the meeting resumed.

- 4. Motion to accept documents for incorporation into the minutes:
 - a. Administration's response to Councilmember's questions regarding Kayak Launch Project.
 - b. Public Trust Tidelands Lease (Bayou Drive Kayak Launch).

Councilmember Koenenn moved, seconded by Councilmember L'Ecuyer, to accept the Administration's response to Councilmember's questions regarding Kayak Launch Project and the Public Trust Tidelands Lease for the Bayou Drive Kayak Launch documents for incorporation into the minutes.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Depreo returned to Council Chambers at 6:44 p.m. and the meeting resumed.

VI. Public Comments on Non-Agenda Items:

Bryon Griffith addressed the Council with regard to recent reports of diseased raccoon in the City. He asked the Council to consider contacting State officials to retrieve and test the diseased animals determine a resolution to issue.

VII. EXECUTIVE SESSION

At 6:47 p.m., 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

The Council returned to open session and Attorney Derek Cusick announced the Council determined no cause to enter executive session and therefore returned to open session.

VIII. Adjourn/Recess.

At 7:10 p.m. CST and with no further business to come before the Council at this time, Councilmember Depreo moved, seconded by Councilmember Morgan, to recess until 5:00 p.m. June 19, 2018.

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