

Draft

**MINUTES
FORMAL MEETING OF CITY COUNCIL
Diamondhead, Mississippi
Council Chambers, City Hall
October 2, 2018
6:00 pm CST**

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

1. Invocation – Councilmember Depreo
2. Pledge of Allegiance – Mayor Schafer

3. Roll Call –

Present: Mayor Schafer, Councilmembers Depreo, Morgan; Koenenn and L'Ecuyer. Absent: Moran.

Confirmation or Adjustment of the Agenda Order.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to accept and approve with the following amendments:

Action Agenda:

1. g. Trey Bobinger, City Lobbyist.
4. q. Motion to City accept dedication of Lots 6 & 7 (The Highlands) from Peoples Bank and to authorize the City Manager to execute any necessary documents with respect to the dedication of said lots once Peoples Bank has presented its Deed of Dedication to the City.

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

MOTION CARRIED

II. Presentation Agenda

1. Council Comments

- a. The next regularly scheduled Council Meeting will be held October 16, 2018 at 6:00 p.m. CST in Council Chambers located at 5000 Diamondhead Circle.
- b. The Diamondhead 6th Annual "Blessing of the Classics" will be Wednesday, October 3rd from 3 – 6 p.m.
- c. National Night Out will be held Monday, October 8th from 5:30 p.m. to 7:00 p.m. at City Hall.
- d. Hancock County Hazard Waste Collection Event will be at Coast Electric Power Association in Kiln on Saturday, October 20th from 8:00 a.m. - 1:00 p.m.
- e. Proclamation Domestic Violence Awareness Month presented to Susan Magee, Community Outreach Gulf Coast Center for Nonviolence, Inc.
- f. Tish Williams, Hancock Chamber – RFP Update for Visitor Center
- g. Introduction of City Lobbyist - Trey Bobinger with Point One Strategist, LLC.

DRAFT

City Manager's Report –

Slavic Golf Tournament – Diamondhead County Club hosted hundreds of golfers this weekend for the 44th Annual Slavic Golf Tournament. Over 1,000 golfers came to the gulf coast and played golf on 6 local courses. Diamondhead was privileged to be able to participate and showcase our city and country club. I want to thank the Country Club staff and local volunteers for their hard work for this great event. It makes Diamondhead look great to people from all over the country! Many golfers return to Diamondhead to play again after their experiences with this tournament.

Diamondhead Arts & Craft Fair - Also this weekend, the Spartin Football and Cheerleading Organization hosted the 34 Annual Arts & Crafts Fair at City Hall and Diamondhead Community Church. This was another great event, and the vendors and residents told everyone how much they enjoyed this location and our community. 88 vendors were set up this weekend. The kid's organization was able to raise over \$6,000 this weekend. In addition, events like the Arts & Crafts Fair and Slavic Golf Tournament help bring positive attention to Diamondhead and introduce new people to the opportunity for living in Diamondhead. One vendor told me specifically, he is from Louisiana and he wants to move here after participating in this arts & crafts fair. He loves what he saw in Diamondhead.

Economic Development Course – I wanted to thank our council for allowing me to attend the annual True South Basic Economic Development Course that USM in September. It was very educational and enjoyable. One of the things I learned was that when a business such as Cracker Barrell, Wendy's or Old Navy are considering opening a new location in a community, they look at things like social media and they talk with a waiter at a local restaurant to get a feeling for the community. If we want new businesses, restaurants and stores to open in Diamondhead, we need to showcase the positive attributes that make this a wonderful community to live, work and play.

NextSite – To continue our efforts to increase commercial development in our city, I will be proposing that we hire NextSite to help recruit new businesses to Diamondhead. MS Power Economic Development Department introduced me to NextSite a few months ago. They realized they were limited in what help they could offer cities. So, they contracted with NextSite and pay half of the annual fee for the cities. When I met with the company, I asked Bill Cork from Hancock Port and Harbor Commission to come to this meeting. During the meeting, he was impressed and knew his organization could benefit as well from these services. He offered to split the annual fee with Diamondhead if we include the intersection of I-10 and Hwy 603 in the scope of work for the company. Our cost will be only \$11,000 a year. I previously distributed information on this company to the council. I have asked Chuck Branch, the owner of NextSite, to come to our next meeting to provide a presentation and answer questions from our council. This is a great opportunity for our city at a very reasonable investment. We have funds available in our economic development budget.

New Staff Positions – I have started advertising and accepting job applications for three new positions at City Hall: Public Works Clerk, Public Works General Employee and Part Time Code Enforcement. The application deadline is Friday, and I hope to begin interviewing applicants the next week. These new positions were part of our FY19 budget and organization restructuring that the council approved.

Review of City Tree Ordinance by P&Z Commission – The P&Z commission had a great meeting last week that included about a 1-hour discussion that was very professional and addressed many issues related to our tree ordinance. Based on the top areas of concern from our August

meeting, we used the tree ordinance from Gulfport as a starting point for our discussions in the September meeting. This allowed the committee to focus on some of the major parts of the ordinance to gather consensus on each item. Our staff will be working to create a draft for the P&Z commission to review at their next meeting in October. We hope to bring this to the council for review and consideration in November.

AGJ Backup for New Server – Upon replacing our server last month, AGJ is working to create two virtual servers in the one unit. Because of this set up, the cost for our back up agreement will increase from \$200 to \$250 a month. This is adjusting the back-up service agreement we signed earlier this year with AGJ.

Activity Center Rental Agreement – Your city hall staff has been working with our legal counsel to create a rental agreement for the Activity Center at City Hall. We get many requests to use this room, and the council has requested for a long time to get some sort of an agreement created. We have a working draft, and I hope to present this to the council for consideration at our next meeting.

Cruising the Coast – I wanted to thank Mark Duffy and his committee for organizing our annual Cruising the Coast Event, which is this Wednesday. We can expect to have lots of antique cars and more traffic on our streets between 3 and 6pm. The cars will gather from 12-3 on the southside near the Harbor House and on Airport Drive. At 3pm, the cars will parade crossing over I-10 and down Gex Drive to Diamondhead Drive Circle. They will take Diamondhead Drive North and follow this road all the way around Diamondhead. After passing the water tower, there will be a blessing of the cars at the next circle. This is the corner of Diamondhead Drive East and Lanai Street. Then, the cars will continue driving on Diamondhead Drive East all the way to Veterans Blvd and drive into the Shopping Center. There will be a band and all the shops are open for business. Due to limited parking, we encourage residents to walk, ride bikes or use golf carts to get to the shopping center. The event ends at 6pm. Please pick up any trash or cut your grass to make our city look beautiful as we welcome the cruisers. We expect over 700 cars to parade through our city on Wednesday.

Subdivision Regulations – The city started to create subdivision regulations in 2013. There have been some revisions, but this is still in draft form. It is my intention to finalize the draft to be able to present this to the council for consideration. I have already met with several engineering firms from our master service agreement list to discuss this project, and I am almost ready to request proposals to present to the council.

Senior Fair – City Hall staff is in discussion with SMPDD, Ochsner Hospital, and the Diamondhead POA to work together to host a Senior Fair in November for the residents in Diamondhead. We are working on the details and hope to begin promoting this wonderful event soon.

Fire Department Consolidation Plan – Previously the council instructed me to begin working on a plan to merge the Diamondhead Fire District into the City operations. I have started this process and hope to have a plan developed by the end of this year for the mayor and city council. It is my intention to have several meetings with the fire chief, their board of directors and fireman to gather input to assist with this plan.

GIS Update – Things are moving along with Digital Engineering to update our GIS software. We are actively using the software to create maps and to provide other information. We have most of our necessary layers created, and we will begin to update the drainage improvements since we stopped using it.

PROJECTS:

Police Department Construction – The architects have provided the plans for the police department offices on the bottom floor of city hall. Since it is projected to cost under \$50,000, the architect should begin to get quotes for our consideration later this week.

I-10 Lighting Project – I am told that the contractor should begin staging this week to start installing the new lights on I-10. This work should be completed by next March.

I-10 Exit Improvements – I received a call from Kelly Castleberry with MDOT on Thursday. He informed me that they have hired a new engineer to begin drawing the plans and specs for our exit. This includes adding roundabouts on the north and south of the I-10 as well as a new street light at the corner of Gex Dr and West Aloha. They will expand the overpass when MDOT makes I-10 6-lanes.

East Aloha Widening – MDOT has contacted our engineer to schedule a Field Review. Meeting will take place on site and should be scheduled within the next couple of weeks. Once this meeting has taken place, the next step will be coordinating the Office Review with MDOT and submitting the Plans Specification and Estimate (PSE) Package to MDOT and request authority to advertise.

Amoka Place Drainage Improvements - Low quote was received by Morreale Construction in the amount of \$10,965.00. Contracts have been signed and the contractor is to mobilize and begin work this week. A copy of the contract is included in this agenda to be incorporated into the minutes. The council previously authorized the city manager to execute this contract.

East Aloha Improvements Plan – Preliminary engineering contracts are still under review with MDOT. We anticipate approval of these contracts any day and then the Engineers can begin the study and planning for Improvements of East Aloha. It is our intention to add curb and gutter, better drainage, sidewalks, decorative street lights, benches, landscaping and more to help improve this area from The First Bank to Veterans Blvd.

Devil's Elbow Restoration - Engineers are coordinating with MSDMR and MSDEQ on revised permit application for Improvements to Devil's Elbow and Montjoy Creek. We anticipate the revised permit to be submitted in the next couple of weeks.

Tidelands Applications - Engineers are working with Diamondhead staff on combining older Tidelands projects with more recently funded projects. DMR recommended that we do this since it will streamline the reporting process for staff members and make it easier for MSDMR to track the progress of current projects.

Diamondhead Drive West Drainage – Digital Engineering is working on the drainage design for the Diamondhead Drive West project. They will have drafts ready this month. We have completed the easement agreements for the improvements with the owner of one of the properties.

Diamondhead Drive East Drainage – Engineer has completed his plans, and we are waiting on Army Corp of Engineer for permitting.

Turnberry Drive Drainage – Engineer is finalizing their modeling now, and we will meet next Monday to review results and get our input. They plan to have report and presentation for the council at Oct 16 meeting.

Diamondhead Drive East Retention Pond – The city did not receive the grant we requested to make improvements to this retention pond. We will continue to identify other sources of funds to help in this area.

III. Public Comments on Agenda Items –

Bill Leonard, Karen Rice, James Hightower, Howard Thickman and Donna Decker spoke in opposition to the visitor center proposal.

IV. Policy Agenda.

1. Approval of Minutes:

a. September 18, 2018 Regular Meeting.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the Minutes of the September 28, 2018 Regular Meeting.

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

MOTION CARRIED UNANIMOUSLY

2. Code Enforcement Hearings/Actions:

a. Public Hearing: A Menace to the Public Health, Safety and Welfare of the Community at 84594 Diamondhead Drive North, Diamondhead, MS (property owner Jane A. Drew). Mayor Schafer called on three occasions for a representative of Jane Drew's estate to appear; no one came forward.

b. **2018-279:** Motion to consider Resolution 2018-040 finding and adjudicating property located at 84594 Diamondhead Drive North, 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 adopt Resolution 2018-040 finding and adjudicating property located at 84594 Diamondhead Drive North, 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/quotes to have said land cleared and cleaned and to assess the costs to the said property owner.

A roll call vote was taken as follows:

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

MOTION CARRIED UNANIMOUSLY

Councilmember Koenenn exited Council Chamber and was recused from the meeting proceeding at 6:49 p.m.

3. Resolutions:

- a. **2018-280:** Motion to adopt Resolution 2018-041 Requesting the Diamondhead Water & Sewer District approve the use of its decorative fire hydrant by the City of Diamondhead for the National Night Out Event.

Councilmember Morgan moved, seconded by Councilmember Depreo, to adopt Resolution 2018-041 Requesting the Diamondhead Water & Sewer District approve the use of its decorative fire hydrant by the City of Diamondhead for the National Night Out Event.

A roll call vote was taken as follows:

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

MOTION CARRIED UNANIMOUSLY

3. Action Agenda:

- a. **2018-273:** Motion to discontinue State of Emergency Declaration enacted September 1, 2018 as the result of the Tropical Storm Gordon.

Councilmember Depreo moved, seconded by Councilmember Morgan to discontinue State of Emergency Declaration enacted September 1, 2018 as the result of the Tropical Storm Gordon.

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

MOTION CARRIED UNANIMOUSLY

- b. **2018-274:** Motion to authorize the Hancock Chamber to move forward with negotiations for a contract development for the Visitor Center Project.

Councilmember L'Ecuyer moved, seconded by Councilmember Koenenn, to authorize the Hancock Chamber to move forward with negotiations for a contract development for the Visitor Center Project.

Ayes: Koenenn, L'Ecuyer and Mayor Schafer. Nays: Depreo and Morgan. Absent: Moran.

MOTION FAILED

- c. **2018-275:** Motion to approve payment in the amount of \$882.50 to James J. Chiniche for professional services relating to the Devil's Elbow permitting project.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve payment in the amount of \$882.50 to James J. Chiniche for professional services relating to the Devil's Elbow permitting project.

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

MOTION CARRIED UNANIMOUSLY

- d. **2018-276:** Motion to approve payment in the amount of \$2,202.50 to James J. Chiniche for professional services relating to Ieke Drive Drainage.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve payment in the amount of \$2,202.50 to James J. Chiniche for professional services relating to Ieke Drive Drainage.

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

MOTION CARRIED UNANIMOUSLY

- e. **2018-277:** Motion to approve payment in the amount of \$945.00 to James J. Chiniche for professional services relating to East Aloha Widening.

Councilmember Morgan moved, seconded by Councilmember Depreo, to approve payment in the amount of \$945.00 to James J. Chiniche for professional services relating to East Aloha Widening.

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

MOTION CARRIED UNANIMOUSLY

- f. **2018-278:** Motion to approve payment in the amount of \$6,744.50 to Covington Civil & Environmental, LLC for professional services relating to the Cooke drainage survey and inspection.

Councilmember Koenenn moved, seconded by Councilmember Depreo, to approve payment in the amount of \$6,744.50 to Covington Civil & Environmental, LLC for professional services relating to the Cooke drainage survey and inspection.

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

MOTION CARRIED UNANIMOUSLY

- g. **2018-281:** Motion to authorize expenses not to exceed \$500.00 for City and Police Department participation in the Diamondhead POA annual community Trunk or Treat event.

Councilmember Morgan moved, seconded by Councilmember Koenenn, to authorize expenses not to exceed \$500.00 for City and Police Department participation in the Diamondhead POA annual community Trunk or Treat event.

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

MOTION CARRIED UNANIMOUSLY

- h. **2018-282:** Motion to concur with the recommendation of the Planning & Zoning Commission in the matter of Case File 2018-00339 to approve a variance from the Zoning Ordinance (Article 8.4.1 C) to allow parked vehicles to back in to the right of way of Gex Road. (D. Patel of Jenny, Inc.)

Councilmember Depreo moved, seconded by Councilmember Koenenn to concur with the recommendation of the Planning & Zoning Commission in the matter of Case File 2018-00339 to approve a variance from the Zoning Ordinance (Article 8.4.1 C) to allow parked vehicles to back in to the right of way of Gex Road. (D. Patel of Jenny, Inc.)

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

MOTION CARRIED UNANIMOUSLY

- i. **2018-283:** Motion to accept the FY18 Municipal Compliance Questionnaire, a required component of the annual financial reporting.

Councilmember Morgan moved, seconded by Councilmember Depreo, to accept the FY18 Municipal Compliance Questionnaire, a required component of the annual financial reporting.

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

MOTION CARRIED UNANIMOUSLY

- j. **2018-284:** Motion to accept and acknowledge the terms and conditions of the Inmate Medical Cost Containment Program Agreement under the Interlocal with Hancock County Sheriff's Office thereby providing authority for payment of services outlined in the agreement effective October 1, 2018.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to accept and acknowledge the terms and conditions of the Inmate Medical Cost Containment Program Agreement under the Interlocal with Hancock County Sheriff's Office thereby providing authority for payment of services outlined in the agreement effective October 1, 2018.

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

MOTION CARRIED UNANIMOUSLY

- k. **2018-285:** Motion to authorize payment of the FY19 Budget allocation to the East Hancock Library in the amount of \$30,000.

Councilmember Depreo moved, seconded by Councilmember Morgan, to authorize payment of the FY19 Budget allocation to the East Hancock Library in the amount of \$30,000.

Ayes: Depreo, Morgan and Koenenn. Nays: L'Ecuyer and Mayor Schafer. Absent: Moran.

MOTION FAILED

- l. **2018-286:** Motion to authorize annual donation to American Red Cross in the amount of \$500 pursuant to MS Code §21-19-57.

Councilmember Koenenn moved, seconded by Councilmember Depreo, to authorize annual donation to American Red Cross in the amount of \$500 pursuant to MS Code §21-19-57.

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

MOTION CARRIED UNANIMOUSLY

- m. **2018-287:** Motion to approve continued services with Diamondhead S.P.C.A. for FY19 at the rate of \$800.00 per month.

Councilmember Depreo, seconded by Councilmember Morgan, to approve continued services with Diamondhead S.P.C.A. for FY19 at the rate of \$800.00 per month.

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

MOTION CARRIED UNANIMOUSLY

- n. **2018-288:** Motion to approve policy governing the Diamondhead Police Department Retention Stipends.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to approve the policy governing the Diamondhead Police Department Retention Stipends.

MOTION CARRIED UNANIMOUSLY

- o. **2018-289:** Motion to approve contract with AGJ Systems, Inc. for Back and Disaster Recovery services in the amount of \$250.00 monthly.

Councilmember L'Ecuyer moved, seconded by Councilmember Koenenn, to approve contract AGJ Systems, Inc. for Back and Disaster Recovery services in the amount of \$250.00 monthly.

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

MOTION CARRIED UNANIMOUSLY

- p. **2018-290:** Motion to approve payment to CASA of Hancock County in the amount of \$5,064.00 for annual support pursuant MS Code §21-19-46.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve payment to CASA of Hancock County in the amount of \$5,064.00 for annual support pursuant MS Code §21-19-46.

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

MOTION CARRIED UNANIMOUSLY

- q. **2018-291**: Motion to City accept dedication of Lots 6 & 7 (The Highlands) from Peoples Bank and to authorize the City Manager to execute any necessary documents with respect to the dedication of said lots once Peoples Bank has presented its Deed of Dedication to the City.

Councilmember L'Ecuyer moved, seconded by Councilmember Koenenn, to City accept dedication of Lots 6 & 7 (The Highlands) from Peoples Bank and to authorize the City Manager to execute any necessary documents with respect to the dedication of said lots once Peoples Bank has presented its Deed of Dedication to the City.

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

MOTION CARRIED UNANIMOUSLY

V. Routine Agenda.

1. Motion to approve APPKT 00873 in the amount of \$5,064.64.
3. Motion to approve the Docket of Claims (Claims DKT155159–DKT155204 excluding Claims DKT155180 in the amount of \$30,000) the amount of \$124,289.79.
4. Motion to approve September 26, 2018, Payroll Payables, including benefits and taxes, in the amount of \$51,407.98 and October 1, 2018 Payroll Payable, including benefits and taxes in the amount of \$3,782.78.
5. Motion incorporate the documents into the Official Minutes:
 - a. Standard Form of Agreement with Morreale Construction LLC in the amount of \$10,965.00 for drainage project on Amoka Drive (Ieke Drainage Project).

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve APPKT 00873 in the amount of \$5,064.64, the Docket of Claims (Claims DKT155159 –DKT155179 and DKT15581 - 155204 in the total amount of \$124,289.79 (excluding Claims DKT155180 in the amount of \$30,000), the September 26, 2018 Payroll Payables, including benefits and taxes in the amount of \$51,453.73 and October 1, 2018 Payroll Payable, including benefits and taxes in the amount of \$3,782.78, and to incorporate in the minutes the Standard Form of Agreement with Morreale Construction LLC in the amount of \$10,965.00 for drainage project on Amoka Drive (Ieke Drainage Project).

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

MOTION CARRIED UNANIMOUSLY

Councilmember Koenenn exited Council Chambers at 7:20 p.m. and was recused from the meeting proceedings.

2. Motion to approve Motion to approve APPKT 00872 in the amount of \$695.35.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve APPKT 00872 in the amount of \$695.35.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Koenenn at 7:21 p.m. reentered Council Chambers and resumed in the meeting proceedings.

VI. Public Comments on Non-Agenda Items:

Karen Rice provided an update of Keep Diamondhead Beautiful projects, grant received and delivered grabbers received for the Public Works Department.

VII. Executive Session.

At 7:24 p.m., Councilmember Depreo moved, seconded by Councilmember Morgan, to enter closed session to determine the necessity for executive session.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Depreo moved, seconded by Moran, to enter executive session for matters involving litigation.

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

MOTION CARRIED UNANIMOUSLY

AT 7:26 P.M. CITY ATTORNEY DEREK CUSICK ANNOUNCED THAT THE COUNCIL HAD VOTED UNANIMOUSLY TO ENTER INTO EXECUTIVE SESSION FOR MATTERS INVOLVING LITIGATION PURSUANT TO MS CODE §25-41-7 SUBSECTION B.

At 7:35 p.m. Councilmember L'Ecuyer moved, seconded by Councilmember Depreo to exit executive session.

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

MOTION CARRIED UNANIMOUSLY

At 7:36 p.m. Councilmember Depreo, moved seconded by Councilmember Morgan, to come out of closed session.

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

MOTION CARRIED UNANIMOUSLY

Legal Counsel announced that the council discussed litigation while in executive session and that no official action was taken.

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 Morgan, to adjourn.

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

MOTION CARRIED UNANIMOUSLY

Thomas E. Schafer, IV
Mayor

Jeannie Klein
City Clerk