

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

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

1. Invocation – Councilmember Koenenn
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 Depreo moved, seconded by Councilmember L'Ecuyer to accept and approve and to table agenda item 2018-309.

Action Agenda:

Table:

2. b. **2018-309**: Motion approve to enter an Agreement to Provide Research, Marketing and Consulting Services with NextSite for a term of three (3) years at a cost of \$11,000 annually.

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 November 20, 2018 at 6:00 p.m. CST in Council Chambers located at 5000 Diamondhead Circle.
- b. City Hall will be closed Monday, November 12th in observance of Veteran's Day.
- c. Proclaim the City of Diamondhead a Bird Sanctuary and presentation of same to the Diamondhead Garden Club represent by Penny Crawford.

2. City Manager's Report –

.BCEGS – In an effort to help reduce insurance premiums for our residents, we are working to improve our current rating with the Building Code Effectiveness Grading System Program (a.k.a. BCEGS). The voluntary program is coordinated by the MS State Fire Marshal's office. Depending upon the grade, this program has a direct relationship for reducing insurance premiums for all structures in the city. Recently, the City submitted an application to the State Fire Rating Bureau, and our application was reviewed by the Insurance Services Office (ISO). The initial review has the City at a grade 7 for commercial structures and a 10 for residential structures. Therefore, our homes do not receive any

discount currently. We will be looking at making adjustments in our building department to help improve our rating to qualify for homeowners and commercial property insurance discounts.

Community Rating System (CRS) – We are working to submit our application for the Community Rating System for it to be graded by Insurance Services Office (ISO). This is a voluntary program to provide reduced premiums for flood insurance policies. The rating system is 1 through 10. At present, Diamondhead has a grade of 10, which offers no discounts for flood insurance premiums. A favorable CRS rating will have a direct impact upon all flood insurance policies issued within the City of Diamondhead.

Senior Fair – The City will host a senior fair on November 14 at City Hall from 11am to 2pm. The City will partner with the POA, Ochsner Clinic and SMPDD to plan this special event. We will provide a free lunch and over 45 vendors will be available to provide information for our guest. We are pleased to announce that C-spire has agreed to donate \$500 to sponsor the free lunch and we have another group of men that have agreed to cook for us.

I-10 Lighting Project – Webster Electric has started the work to install new light post on I-10 at our exit. This is very exciting!

Police Department Build Out – We have received 2 proposal to build out the new police department. Both are under \$50K. I agree with our architect's recommendation to accept the low quote. I hope you approve this agenda item, so we can get to work. The contractor will have 45 days to complete the work based on his quote.

5-Year Road Paving and Maintenance Plan – I am asking the council to approve a contract with SMPDD to help me develop a 5-year road paving and maintenance plan. This is the next step in the recent road study plan that we completed with SMPDD. After talking with them about developing the plan, I realized that I was lacking some of the skills and knowledge to properly develop the plan. I felt that I could end up wasting our city's funds because these guys know how to take advantage of quantity discounts to get better treatments for less money. This is a one-time cost. It is my goal to bid the specs soon, so we can be ready to pave roads in March.

Economic Development and Grant Procurement Contract with SMPDD I am asking the council to approve a one-year contract with SMDPP to identify grant funds for projects in Diamondhead. They will create white papers for each of our projects. Then, SMPDD will seek and apply for grants to help fund the projects. They bill in \$75 per hour increments up to the contract amount. If they are not working, we are not billed. The city previously had a grant writer on contract, and this contract with SMPDD is much more favorable to the city.

Library Funding - There has been a lot of discussion over the last couple of weeks regarding the \$30K budget allocation for the library. First, the city is not deciding if it should close the library as some have indicated on social media. This is only about the city allocation to contribute funds for the library for this year. In fact, every member of our city council has told me that they want a great library in Diamondhead, but some are concerned about the costs.

The city has been providing an annual allocation to fund the East Hancock Library. Last year, the city funded \$20K. For FY19, I am the person who recommended increasing the budget from \$20K to \$30K after meeting with Jennifer this summer. She has added hours of operation and staff that has increased cost by \$10K.

I received a lot of information from Jennifer regarding the library system and shared this information with the council. I know many on the council have also met with Jennifer to discuss the funding from the City. Diamondhead residents are currently paying about 2.5

mills as part of their county property taxes to fund the library. This generates about \$220K each year. Plus, county residents are also paying property tax that helps fund this library. In addition, a recent analysis of the library systems throughout the State of Mississippi with population from 45K to 125K present some concerns. First, Hancock County is ranked 18th in size of population. However, the Hancock County Library System is ranked 1st in per capita cost at \$43 per person. The system that ranked 2nd has a per capital cost of only \$22 per person. That is half of our cost. In addition, Hancock County ranked 3rd with total librarians and 3rd in total employees. A major concern for some of our city council is the staffing and overhead costs that our system is spending. Our library system cost per capita is much higher than all others compared in this population base.

When the city council was asked if they wanted to be part of the revised library system contract last year, this council declined to act on that invitation. Thus, our city does not have any representation on the board of directors that sets the budget and expenditures. But, our city is asked to contribute funds to operate the library at these high costs.

I believe that Jennifer Baxter is great asset for our library system. She was only recently hired and really did not have time to create her budget much less have time to make any changes to control costs. I believe she is aware of the concerns of the cost to operate this library system and we need to support her efforts. Thus, I recommend approving my recommended funding for the library. But, I think we need to put the library system on notice that we expect to see a reduction in cost to operate before they come back to ask for funding next year.

- III. Public Comments on Agenda Items –
Kyle Ladner addressed the Council asking for its consideration to not concur with recommendation of the Planning & Zoning Commission in reference to Case File Case File 2018-00374. (Garrard).

IV. Policy Agenda.

- 1. Approval of Minutes:
 - a. October 16, 2018 Regular Meeting.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the Minutes of the October 16, 2018 Regular Meeting.

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

MOTION CARRIED UNANIMOUSLY

- 2. Tabled Items:

Mayor Schafer called for motion to suspend Robert’s Rules of Order. Councilmember Depreo moved to suspend Robert’s Rules of Order that do not exist.

MOTION DIED FOR LACK OF SECOND

Councilmember L'Ecuyer called for Point of Order.

- b. **2018-305:** Motion to authorize payment of FY19 budget allocation in the amount of \$29,000 to East Hancock Library.

Councilmember L'Ecuyer moved, seconded Councilmember Koenenn, to remove from the table agenda item **2018-305:** Motion to authorize payment of FY19 budget allocation in the amount of \$29,000 to East Hancock Library.

Councilmember L'Ecuyer moved, seconded by Councilmember Depreo, to authorize payment of FY19 budget allocation in the amount of \$29,000 to East Hancock Library.

A roll call vote was held as follows:

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

MOTION CARRIED

3. Action Agenda:

- b. **2018-308:** Motion for approval to enter into a 5-year contract in the amount of \$281.28 per month with South Mississippi Business Machines for a copier/printer for the Building Department.

Councilmember Depreo moved, seconded by Councilmember Moran to approve to enter into a 5-year contract in the amount of \$281.28 per month with South Mississippi Business Machines for a copier/printer for the Building Department.

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

MOTION CARRIED

- c. **2018-310:** Motion to approve to enter into contract with Southern Mississippi Planning & Development District in the amount of \$6,000 for the development of 5-year road paving plan.

Councilmember L'Ecuyer moved, seconded by Councilmember Depreo, to approve to enter into contract with Southern Mississippi Planning & Development District in the amount of \$6,000 for the development of 5-year road paving plan.

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

MOTION CARRIED

UNANIMOUSLY

- d. **2018-311:** Motion to approve to enter into contract with Southern Mississippi Planning & Development District in the amount not to exceed \$11,250 for economic development support and grant procurement and administration.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve to enter into contract with Southern Mississippi Planning & Development District in the amount not to exceed \$11,250 for economic development support and grant procurement and administration.

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

MOTION CARRIED UNANIMOUSLY

- e. **2018-312:** Motion to accept a donation of \$500 from CSpire to support the Senior Health & Wellness Fair.

Councilmember Koenenn moved, seconded by Councilmember Depreo, to accept a donation of \$500 from CSpire to support the Senior Health & Wellness Fair.

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

MOTION CARRIED UNANIMOUSLY

- f. **2018-313:** Motion to amend contract with Universal ComOne an additional \$24.00 per month for telephone equipment lease for the police department build out/renovation,

Councilmember Morgan moved, seconded by Councilmember Depreo, to amend the contract with Universal ComOne an additional \$24.00 per month for telephone equipment lease for the police department build out/renovation.

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

MOTION CARRIED UNANIMOUSLY

- g. **2018-314:** Motion to activate funding with MDOT for the FY20 Montjoy Creek Pathway Project and to request utilization of Small Purchase Procedures to secure engineering services for the project.

Councilmember Depreo moved, seconded by Councilmember Moran to activate funding with MDOT for the FY20 Montjoy Creek Pathway Project and to request utilization of Small Purchase Procedures to secure engineering services for the project.

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

MOTION CARRIED UNANIMOUSLY

- h. **2018-315:** Motion to accept notice of grant award and grant agreement with assurances with Mississippi Department of Marine Resources for the FY19 Tidelands – Montjoy Creek Restoration and Drainage Improvements.

Councilmember Depreo moved, seconded by Councilmember Morgan to accept notice of grant award and grant agreement with assurances with Mississippi Department of Marine Resources for the FY19 Tidelands – Montjoy Creek Restoration and Drainage Improvements.

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

MOTION CARRIED UNANIMOUSLY

- i. **2018-316:** Motion to approve payment in the amount of \$957.50 James J. Chiniche for professional services relating to East Aloha Widening.

Councilmember Morgan moved, seconded by Councilmember Depreo to approve in the amount of \$957.50 James J. Chiniche for professional services relating to East Aloha Widening.

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

MOTION CARRIED UNANIMOUSLY

- j. **2018-317:** Motion to approve payment in the 1,837.50 to James J. Chiniche for professional services relating to Amoka Place (Ieke Drive) drainage improvements.

Councilmember Depreo moved, seconded by Councilmember Mornan , to approve payment in the 1,837.50 to James J. Chiniche for professional services relating to Amoka Place (Ieke Drive) drainage improvements.

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

MOTION CARRIED UNANIMOUSLY

- k. **2018-318:** Motion to approve payment in the amount of \$107,508.56 to Webster Electric for the interchange lighting project.

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

MOTION CARRIED UNANIMOUSLY

- l. **2018-319:** Motion to authorize hosting 5th Annual Christmas Celebration on the Town Green and further authorize expenses not to exceed the FY19 budget allocation of \$4,500

Councilmember Morgan moved, seconded by Councilmember Depreo, to authorize hosting 5th Annual Christmas Celebration on the Town Green and further authorize expenses not to exceed the FY19 budget allocation of \$4,500

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

MOTION CARRIED UNANIMOUSLY

- m. **2018-320:** Motion to approve budget amendments 2019-300-01, 2019-106-01, 2019-001-200-01, 2019-112, 2019-109-01/110-01 and 2019-113.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to approve budget amendments 2019-300-01, 2019-106-01, 2019-001-200-01, 2019-112, 2019-109-01/110-01 and 2019-113.

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

MOTION CARRIED UNANIMOUSLY

- n. **2018-321:** Motion to accept and award the low quote in the amount of \$49,860 received from J. O. Collins Contractor, Inc. for the build out of the police department at City Hall and authorize City Manager to execute the contract for same.

Councilmember L'Ecuyer moved, seconded by Councilmember Moran to accept and award the low quote in the amount of \$49,860 received from J. O. Collins Contractor, Inc. for the build out of the police department at City Hall and authorize City Manager to execute the contract for same. Quotes were received as follows:

| | |
|--------------------------------|-------------|
| J. O. Collins Contractor, Inc. | \$49,860.00 |
| Vision Constructors | \$49,900.00 |

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

MOTION CARRIED UNANIMOUSLY

- o. **2018-322:** Motion to concur with the recommendation of the Planning & Zoning Commission for denial of the revised petition in the matter of Case File 2018-00374. (Garrard)

Councilmember L'Ecuyer moved, seconded by Councilmember Depreo, to concur with the recommendation of the Planning & Zoning Commission for denial of the revised petition in the matter of Case File 2018-00374. (Garrard)

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

MOTION CARRIED UNANIMOUSLY

- p. **2018-323:** Motion to enter into 3-year agreement with CSpire in the amount of \$289.00 per month for fiber optic internet services at City Hall.

Councilmember L'Ecuyer moved, seconded by Councilmember Koenenn, to enter into a 3-year agreement with CSpire in the amount of \$289.00 per month for fiber optic internet services at City Hall.

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

MOTION CARRIED UNANIMOUSLY

- q. **2018-324:** Motion to approve and to authorize payment to CASA of Hancock County in the amount of \$1,000 for Defender Level Sponsorship to for the Annual Gala.

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

MOTION CARRIED UNANIMOUSLY

VI. Public Comments on Non-Agenda Items: None

V. Routine Agenda.

1. Motion to approve the Docket of Claims (Claims DKT155328–DKT155364) in the amount of \$130,371.51.
3. Motion to approve, October 24, 2018 Payroll Payables, including benefits and taxes, in the amount of \$52,933.02 and November 1, 2018 Payroll Payables, including benefits and taxes, in the amount of \$4,326.03.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to approve the Docket of Claims (Claims DKT155328–DKT155364) in the amount of \$130,371.51, October 24, 2018 Payroll Payables, including benefits and taxes, in the amount of \$52,933.02 and November 1, 2018 Payroll Payables, including benefits and taxes, in the amount of \$4,326.03

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

MOTION CARRIED UNANIMOUSLY

At 7:05 p.m., Councilmembers Moran and Koenenn exited Council chambers at this time and were recused.

2. Approval of APPKToo891 in the amount of \$807.47.

Councilmember Depreo moved, seconded by Councilmember Morgan to approve APPKToo891 in the amount of \$807.47.

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

MOTION CARRIED

At 7:05 p.m., Councilmembers Moran and Koenenn returned to Council Chamber and returned the meeting proceedings.

VII. Executive Session.

At 7:06 p.m., Councilmember Depreo moved, seconded by Councilmember Morgan, 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

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

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

MOTION CARRIED UNANIMOUSLY

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, 4 b.

Councilmember L'Ecuyer moved, seconded by Councilmember Morgan to waive consent clause in the City of Diamondhead's insurance policy regarding the Clovis Reed matter.

A roll call vote was taken as follows:

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

MOTION CARRIED

Councilmember Depreo moved, seconded by Councilmember L’Ecuyer, to authorize the City Attorney to sign stipulation of dismissal in the Diamondhead Property Owners Association covenants matter.

A roll call vote was taken as follows:

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

MOTION CARRIED

Councilmember Depreo moved, seconded by Councilmember Koenenn, to authorize the City file intervention in the case filed by Bob Marthouse and others against the Diamondhead Property Owner’s Association.

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

MOTION CARRIED UNANIMOUSLY

At 7:59 p.m. Councilmember Morgan moved, seconded by Councilmember Depreo, to exit executive session.

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

MOTION CARRIED UNANIMOUSLY

At 7:58 p.m. Councilmember Depreo, moved seconded by 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

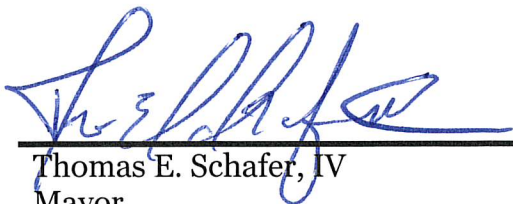
City Attorney Cusick read aloud for the record the official action taken by the Mayor and Council while in executive session.

IV. Adjourn/Recess.

At 7:59 p.m. CST and with no further business to come before the Council, Councilmember Depreo moved, seconded by Councilmember Morgan, 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