

**MINUTES
FORMAL MEETING OF CITY COUNCIL
Diamondhead, Mississippi
Council Chambers, City Hall
November 20, 2018
6:00 pm CST**

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

1. Invocation – Mayor Schafer
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 to have items k, m, s, t moved to the action agenda,
Councilmember L'Ecuyer moved to have item h. moved to the action agenda.

Mayor Schafer called for a second given by Councilmember L'Ecuyer to accept and approve the agenda with the adjustments:

Remove from Consent Agenda and move to Action Agenda:

- h. **2018-334**: Motion to authorize the City Manager to review Ieke/Kaliki Drainage project's scope of work to ensure Phase II work includes engineer's review of areas described.
- k. **2018-337**: Motion to approve to enter into the LeapCare Agreement Complete Care Managed Services with AGJ in the monthly amount of \$1,783 for a term expiring June 1, 2021.
- m. **2018-339**: Motion to approve proposed Text Amendment to Zoning Ordinance to eliminate Article 8.4.1 C thereby abolishing the prohibition to back into the right-of-way except for 1 and 2 family dwellings
- s. **2018-349**: Motion for discussion/possible action to increase solid waste/curbside recycling collection fee.
- t. **2018-350**: Motion for discussion/possible action to renew agreement for one year with Waste Management through the Hancock County Solid Waste Authority for curbside recycling services.

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 December 4, 2018 at 6:00 p.m. CST in Council Chambers located at 5000 Diamondhead Circle.
 - b. City Hall will be closed November 22 and 23, 2018 for Thanksgiving, December 24 and 25, 2018 for Christmas Holidays, and December 31, 2018 and January 1, 2019 in observance for the New Year.
 - c. Presentation by Hub International, Diane Moore and Bobbi Kittle.

2. City Manager's Report –

Code Enforcement – I would like to introduce Dara Skinner, who I have hired to be our new code enforcement officer. Her first day is next Monday. Dara is a Diamondhead resident, and she is an attorney with an office in the back of Diamondhead. Dara has previously worked as the asst. city attorney for Gulfport. Dara will be driving our streets everyday looking to make sure that our city ordinances are maintained. The goal is to keep our city beautiful, and this helps improve property values for our residents. Welcome Dara!

NextSite – Tonight, I am asking the council to approve a contract with NextSite to help us recruit new commercial development into our city. I was introduced to NextSite by the economic development department at MS Power. MS Power and Southern Company have worked with NextSite for many years. MS Power realized that they were limited in what they can do for cities to recruit new businesses. So, MS Power contracted with NextSite to help the cities in these efforts. MS Power is subsidizing the cost to help keep it as low as possible for cities.

In addition, the Hancock Port and Harbor Commission has already approved the contract with NextSite pending approval by our council. When Bill Cork and I met with NextSite for the first time, Bill told me in that meeting he would pay half the contract price for their share of the work. He saw great value in the analytical tools used by NextSite. Bill is the lead economic development person for Hancock County with many years' experience in this field. I value his opinion, and his support is greatly appreciated. NextSite uses sophisticated analytical tools to expand the demographics of people shopping and visiting Diamondhead. They attend monthly commercial development conference around the county and have relationships with many developers and businesses. They work to match our community with developers and businesses. I call them a "match maker". In the first few months, they will meet with local stakeholders to understand the need and wishes for our community as part of their analysis. They will understand what properties are currently available in existing real estate as well as vacant properties. In addition, it takes money to operate a city. The primary sources of income for a city are the city property taxes and sales tax diversion. At present, only 10% of the city revenue comes from sales tax diversion and over 60% is property taxes. It is my goal to increase sales taxes and to develop undeveloped commercial properties, so we can reduce property taxes on all residents. We need to recruit new businesses to help achieve this goal.

Finally, this contract is a 3-year contract with a fixed annual rate of \$11,000 for the City of Diamondhead. We do have a 30-day termination clause that we include in all contracts for the city. I have received references from several existing clients that all have provided glowing remarks about the level of service they are receiving from Chuck at NextSite.

Police Station Build Out – Work will begin on Monday, Nov 26th on the build out of our police station offices in the basement of City Hall. The work will be completed within 45 days.

County Stormwater Management Program – The Hancock County Board of Supervisors has signed a contract with Waggoner Engineering from Jackson to complete a County-wide Stormwater Management Program. The firm did this work recently for Jackson County and it was a huge success. This is 100% paid by the county using GOMESA funds. They will work to identify 50-70 drainage problems in the county. The analysis will take a macro analysis look at the problems in the county, including all cities. Then, they will develop a cost estimate for each project and prioritize the list of projects. I have a working list of the drainage problems in Diamondhead to provide them when we meet.

AGJ Contract Renewal – I am asking the council to renew our existing contract with AGJ. Our experience with working with AGJ has been outstanding. We have no complaints. They have 24/7 service and provide me with great comfort to know the city's information is secure.

Tideland's Grant – now that we have completed the work on the Kayak Launch project, we are asking the council for authorization to reallocate the remaining \$88K to the FY19 Tidelands grant application, which is Devil's Elbow and Montjoy Creek Improvements.

Abolishing the Prohibition to back into the right-of-way except for 1 and 2 family dwellings – At one of our last city council meeting, it was suggested by the council that we removed language from our city ordinances that prohibit backing vehicles onto city streets in the commercial district. The council has approved this variance twice over the last couple of months, and it is done at several other businesses locations. In fact, we have another one on the agenda tonight for consideration. I recommend that you approve the process to set this matter for a public hearing to allow the text amendment.

Solid Waste Fees – As discussed during the budget process, the council will need to take action regarding the Solid Waste services or fees. Since inception, the city has charged \$126.48 annually for residential solid waste collection fee. There has not been an increase since the city was created. However, annually there is a CPI increase up to 2.5% charged by the vendor, the city is now paying \$2,800 a month for bulky waste pick up, and the city added curbside recycling for a one-year contract. The balance of our Solid Waste Fund is projected to be depleted in the next few months as projected during the budget process. Last summer, we presented to options to the council: 1) cancel the curbside recycling or 2) increase the annual rate charged to the residents. Before the city can renew the curbside recycling contract for another year, the funds must be available in the fund. Thus, the council will need to approve to increase the rates before they can renew the contract. This is the only two options available to the council. If you decide not to renew the curbside recycling contract, the city could request to have the recycling dumpster returned to city hall and there will be no cost to the city. Therefore, no increase in rates would be needed at this time.

III. Public Comments on Agenda Items –
Penny Crawford thanked the Mayor and Council for consideration of a sponsorship ad for the upcoming Spring Pilgrimage and her opposition to an increase in solid waste fees.

IV. Policy Agenda.

- 1. Approval of Minutes:
 - a. November 6, 2018 Regular Meeting.

Councilmember Morgan moved, seconded by Councilmember Depreo, to approve the Minutes of the November 6, 2018 Regular Meeting.

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

MOTION CARRIED UNANIMOUSLY

2. Tabled Items:

- a. **2018-309:** Motion to 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.

Councilmember L'Ecuyer moved, seconded by Councilmember Depreo to remove from agenda item 2018-309 from the table.

Councilmember L'Ecuyer moved, seconded by Councilmember Koenenn, to 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.

A roll call vote was held as follows:

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

MOTION CARRIED

3. Code Enforcement Hearings and Resolutions:

- a. **Public Hearing:** A Menace to the Public Health, Safety and Welfare of the Community at 568 Ahui Street, Diamondhead, MS (property owner Sam Hanson).

Mayor Schafer called for Sam Hanson or representative thereof to come forward. Sam Hanson presented to Mayor and Council requesting more time to complete his lot cleanup due to his illness. On behalf of the City, City Building Inspector, agreed significant progress had been made but did recommended proceeding with finding and adjudicating the menace property.

2018-344: Motion to consider Resolution 2018-046 finding and adjudicating property located at 568 Ahui Street, 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 or quotes to have said land cleared and cleaned and to assess the costs to the said property owner.

MATTER DIED FOR LACK OF ACTION

- b. **Public Hearing:** A Menace to the Public Health, Safety and Welfare of the Community at 10622 Linohau Way, Diamondhead, MS (property owner Secretary of State and Linda Woodall).

Mayor Schafer called for a Linda Woodall or a representative thereof to come forward. After having called for 3 time for representation and receiving no response, the Mayor and Council proceeded with the matter.

2018-345: Motion to consider Resolution 2018-047 finding and adjudicating property located at 10622 Linohau Way, 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 or quotes to have said land cleared and cleaned and to assess the costs to the said property owner.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer, to adopt Resolution 2018-047 finding and adjudicating property located at 10622 Linohau Way, 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 or quotes to have said land cleared and cleaned and to assess the costs to the said property owner.

A roll call vote was held as follows:

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

MOTION CARRIED UNANIMOUSLY

- c. **Public Hearing:** A Menace to the Public Health, Safety and Welfare of the Community at 10753 Limu Way, Diamondhead, MS (Frances Goellner).

Mayor Schafer called for a Frances Goellner or a representative thereof to come forward. After having called aloud 3 times for representation and receiving no response, the Mayor and Council proceeded with the matter.

2018-346: Motion to consider Resolution 2018-048 finding and adjudicating property located at 10753 Limu Way, 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 or quotes 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 approve 2018-048 finding and adjudicating property located at 10753 Limu Way, 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 or quotes to have said land cleared and cleaned and to assess the costs to the said property owner.

A roll call vote was held as follows:

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

MOTION CARRIED UNANIMOUSLY

- d. **Public Hearing:** A Menace to the Public Health, Safety and Welfare of the Community at 10749 Limu Way, Diamondhead, MS (property owner Martha Peters).

2018-347: Councilmember Depreo moved, seconded by Councilmember Morgan to adopt Resolution 2018-049 finding and adjudicating property located at 10749 Limu Way, 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 or quotes to have said land cleared and cleaned and to assess the costs to the said property owner.

A roll call vote was held as follows:

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

MOTION CARRIED UNANIMOUSLY

2. Resolutions:

- a. **2018-325:** Resolution 2018-044 to declare City of Diamondhead offices closed November 22 and 23 for Thanksgiving and December 24 and 25 for Christmas and December 31 and January 1 in observance of the New Year.

Councilmember Depreo moved, seconded by Councilmember Morgan, to declare City of Diamondhead offices closed November 22 and 23 for Thanksgiving and December 24 and 25 for Christmas and December 31 and January 1 in observance of the New Year.

A roll call vote was held as follows:

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

MOTION CARRIED UNANIMOUSLY

- b. **2018-332:** Resolution 2018-332 to the Mississippi House of Representatives and the Mississippi State Senate supporting legislation to allow EPAs to provide high-speed internet service to their members.

Councilmember Depreo moved, seconded by Councilmember Morgan to table Resolution 2018-332 to the Mississippi House of Representatives and the Mississippi State Senate.

A roll call vote was held as follows:

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

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

Motion was made Councilmember Depreo, seconded by Councilmember L'Ecuyer, to approve the following agenda items by consent:

- a. **2018-326:** Motion to approve renewals for employee medical, life, dental vision and other insurance products with Blue Cross Blue Shield of Mississippi, Guardian, LifeLock and Colonial, effective January 1, 2019.
- b. **2018-327:** Motion to approve Payment Request 9 to Digital Engineering in the amount of \$6,402.50 for professional services relating to the design phase for Diamondhead Drive West Drainage.
- c. **2018-328:** Motion to approve Payment Request to James J. Chiniche Engineering in the amount of \$892.50 for professional services relating to Devil's Elbow Improvements.
- d. **2018-329:** Motion to Payment Request to James J. Chiniche Engineering in the amount of \$1,325.00 for professional services relating East Aloha Widening Project.
- e. **2018-330:** Motion to approve Pay Request to James J. Chiniche Engineering in the amount of \$903.00 for professional services relating to Amoka Place (Ieke Drive) Drainage Project.

- f. 2018-331:** Motion to approve Payment Request No. 3 in the amount of \$7,463.63 to Pickering Engineering professional services relating to Diamondhead Drive East Drainage.
- g. 2018-333:** Motion to approve Payment Request 10 to Digital Engineering in the amount of \$2,725.50 for professional services relating to the GIS System Update Phase 1.
- i. 2018-335:** Motion to authorize the City Manager and City Attorney to review parliamentary procedures and provide recommendations to the Council and Mayor.
- j. 018-336:** Motion to approve police department stipend in the amount of \$250.00 for Officer Michael Riggs effective December 1, 2018 and Investigator William Reid effective January 1, 2019.
- l. 228-338:** Motion to approve amended FY19 Tidelands Grant Application to reallocate remaining FY16 Tidelands funds in the amount of \$88,032.93.
- n. 2018-340:** Motion to concur with the recommendation of Planning & Zoning Commission in the matter of Case File 2018-00403 to allow a variance to Zoning Ordinance Article 8.4.1E to allow the laying of sod across the culvert area within the right-of-way of 7330 Ahi Drive. (Maxwell)
- o. 2018-341:** Motion to concur with the recommendation of the Planning & Zoning Commission in the matter of Case File 2018-00405 to deny a variance to Zoning Ordinance Article 4.18.3 D II (h) to allow a 2nd accessory structure at 9545 Opla Way. (Lemon)
- p. 2018-342:** Motion to concur with the recommendation of the Planning & Zoning Commission in the matter of Case File 2018-0418 for a variance to the Zoning Ordinance Article 8.4.1 C thereby allowing parked vehicles to back in to the right-of-way of Leisure Time Drive. (Mow Life- Boehnel)
- q. 2018-343:** Motion to authorize \$500 sponsorship advertising for the MS Gulf Coast Garden Club's 2019 Annual Spring Pilgrimage.
- r. 2018-348:** Motion to approve 2019 Planning & Zoning Calendar for meetings and application deadlines.
- u. 2018-351:** Motion to enter into Contract with James J. Chiniche in the amount of \$19,909.44 for professional services for East Aloha Improvement Study Grant and to authorize the City Manager to execute same.
- v. 2018-352:** Motion to accept a donation from Keep Diamondhead Beautiful consisting of a 40' flag pole and flag with estimated value of \$2,500.

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

MOTION CARRIED UNANIMOUSLY

4. a. Action Agenda:

h. 2018-334: Motion to authorize the City Manager to review Ieke/Kaliki Drainge project's scope of work to ensure Phase II work includes engineer's review of areas described.

Councilmember Depreo, seconded Councilmember Moran, to authorize the City Manager to review Ieke/Kaliki Drainge project's scope of work to ensure Phase II work includes engineer's review of areas described.

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

MOTION CARRIED UNANIMOUSLY

k. 2018-337: Motion to approve to enter into the LeapCare Agreement Complete Care Managed Services with AGJ in the monthly amount of \$1,783 for a term expiring June 1, 2021.

Councilmember L'Ecuyer moved, seconded by Councilmember Koenenn, to enter into the LeapCare Agreement Complete Care Managed Services with AGJ in the monthly amount of \$1,783 for a term expiring June 1, 2021.

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

MOTION CARRIED

m. 2018-339: Motion to approve proposed Text Amendment to Zoning Ordinance to eliminate Article 8.4.1 C thereby abolishing the prohibition to back into the right-of-way except for 1 and 2 family dwellings.

Councilmember Depreo, moved seconded by Councilmember L'Ecuyer, to initiate the proposed Text Amendment to Zoning Ordinance to eliminate Article 8.4.1 C thereby abolishing the prohibition to back into the right-of-way except for 1 and 2 family dwellings.

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

MOTION CARRIED

UNANIMOUSLY

s. 2018-349: Motion for discussion/possible action to increase solid waste/curbside recycling collection fee.

Councilmember Depreo moved, seconded by Morgan, to declare intent to increase solid waste collection fee from \$126.48 to \$174.48 annual for a total increase of \$48.00.

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

MOTION CARRIED

UNANIMOUSLY

t. 2018-350: Motion for discussion/possible action to renew agreement for one year with Waste Management through the Hancock County Solid Waste Authority for curbside recycling services.

Councilmember Depreo moved, second by Councilmember Moran, to approve the renewal agreement with Waste Management through the Hancock Solid Waste Authority for curbside recycling for a period of one year.

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

MOTION CARRIED

IV. Routine Agenda.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer to approve routine agenda items 1-4 as follows:

1. 1 Motion to approve the Docket of Claims (Claims DKT155366–DKT155406) in the amount of \$241,431.28.
2. Motion to approve, November 7, 2018 Payroll Payables, including benefits and taxes, in the amount of \$52,331.39.
3. Motion to accept October 2018 Financial Report.
4. Departmental Reports for October 2018:
 - Privilege Licensing
 - Building Department
 - Police Department

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

MOTION CARRIED UNANIMOUSLY

V. Public Comments on Non-Agenda Items:

Patti Simmons addressed requested the consideration be given to the City assuming the costs for street lights in Highpoint.

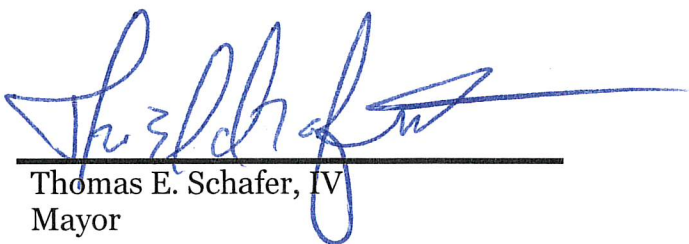
Karen Rice announced that Keep Diamondhead Beautiful had received a large supply of 9-volt batteries to be provided to the public as through the generous donation of a partnership with Keep Mississippi Beautiful in an effort to ensure smoke detectors are functioning in homes throughout the State.

VI. Adjourn/Recess.

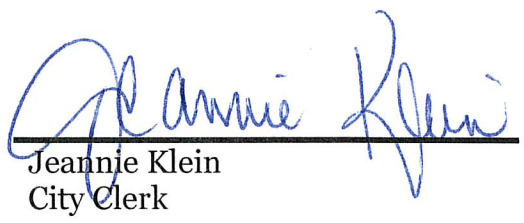
At 7:13 p.m. CST and with no further business to come before the Council, Councilmember Depreo moved, seconded by Councilmember Koenenn, to adjourn.

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