

DRAFT

**MINUTES
FORMAL MEETING OF CITY COUNCIL
Diamondhead, Mississippi
Council Chambers, City Hall
June 18, 2019
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, Moran, Morgan, Koenenn and L’Ecuier. Absent: None.
4. Confirmation or Adjustment of the Agenda Order.

Councilmember Depreo moved, seconded by Councilmember Moran, to approve and accept the agenda as presented.

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

MOTION CARRIED UNANIMOUSLY

II. Presentation Agenda

1. Council Comment
 - a. The next regularly scheduled Council Meeting will be held Tuesday, July 2, 2019 at 6:00 p.m. CST on in Council Chambers located at 5000 Diamondhead Circle.
 - b. City Hall will be closed July 4th and 5th in observance of Independence Day.
 - c. Update CASA of Hancock County – Cynthia Chauvin, Director, provided an update on current status of CASA activities. Councilmember L’Ecuier announced that Ms. Chauvin was recently named National CASA Director of the Year and recognized at the Annual Conference in Atlanta, GA
 - d. Update by Diamondhead SPCA – Toni Grey provided an update of the activities of the association and requested the Council consider continuing the monthly support in the upcoming budget.
 - e. Jason Chiniche update on East Aloha Drive Improvement Plan
 - f. Ronald Jones on MEMA Community Assistance Visit
2. City Manager’s Report –
 - a. MS Small Municipalities Grant – I am requesting authorization to apply for a \$150K grant from MDA under the Small Municipalities and County Limited Population Grant. This will require a 20% match of \$30K. The purpose of this grant will be to partially fund the construction of improvements on E. Aloha Drive in our commercial area. Details were discussed earlier by our engineer on the project.

- b. Tideland Grant Application – I am requesting authorization to apply for a \$400K grant from Tidelands. This is from the FY21 MS Tidelands Trust Funds. The purpose of this grant will be to construct a public boat launch and fishing pier on the Jordan River at the end of Noma Drive. No local match is required.
- c. Background Checks – I am asking for authorization to sign a contract with First Point to provide background checks for the city, as needed. The city used to use Correct Checks. First Point purchase Correct Checks. Now, they want us to update our agreement with the new company.
- d. Devil's Elbow Dredging – We have received the Army Corp of Engineer permit for dredging Devil's elbow. Previously, this council approved bidding this project once fully permitted. We hope to bid this project shortly.
- e. 5-Year Road Maintenance Plan – In the Spring of 2018, the city partnered with Hancock County, Waveland and Bay St. Louis to have a Road Maintenance and Improvements Plan created by SMPDD and Civil-Link Engineers. They drove all 82 miles of our streets and rated the streets using the PACER scale. Only 4 miles of our 82 miles are in bad shape needing reconstruction of some type. All of the other streets are eligible for road maintenance techniques that cost less and help improve the life of a road. This cost the city about \$19K. From this report, the City hired SMPDD and Civil-Link Engineers to develop a 5-year road maintenance plan. This plan focused on streets with a rating of 5,6 and 7 in order to save them from needing complete reconstruction, which cost more. We also provided an annual budget of \$788K for year 1 and \$500K for years 2-5. We told them to distribute the budget evenly between all 4 wards based on mileage, and to focus on the residential streets first. This plan cost the city \$5K, and it will be used as a tool for planning our road maintenance for the next 5 years. Since we are adding more money to the street paving budget for this year with tonight's budget amendments, I will be adding part of Golf Club Drive and Noma Drive that need some mill and fill work to the year 1 project. The city has hired Digital Engineer to assist us with this project. They are currently assessing these streets and preparing our bid documents that I hope to present to the council in July. It is also my intention to try to move straight into the FY20 budget for street paving in October and November, which we hope to budget \$500K in next years budget. So, our residents should be seeing lots of street paving during the last half of this year.
- f. Drainage Lots – I am requesting authorization to negotiate with property owners for the city to acquire lots that are used for drainage. I drove every street in the city looking for vacant lots that have ditches or that are wet due to location. The goal of this is to create permanent green space in the city and to prevent future development on these drainage lots.
- g. Conceptual Drawings of I-10 Frontage Road and Commercial Development – I am requesting authorization to hire a Landscape Architect with Linfield, Hunter and Junius to develop a conceptual drawing of our vision for the I-10 frontage road along the north and south side of I-10 from our exit to the Jordan River. This will be used for grant acquisition and private capital investment in this area. Everyone is telling me that this is needed to go after the grant funds from RESTORE, GOMESA, and others. We have to have some drawings.
- h. Re-zoning of Parcels – Recently, the city re-zoned a parcel from PFR to R2 since it was determined that this was an error in zoning when the city was created. One member of the planning and zoning commission who was involved in the creation of the zoning maps stated, we did not intend to zone private property PFR. Through this process, 3 other lots were identified with this potential error in zoning. Two lots are owned by

Purcell and the other is owned by Peoples Bank. The city administration would like to schedule a public hearing to discuss re-zoning these 3 parcels to be like the neighboring parcels (R1 or R2). Tonight, I am requesting that the council approve the public hearing.

- i. Budget Amendments – our comptroller has completed her analysis of the financial position of the city as of May and we are in very good financial condition. She has developed projections for the end of the fiscal year. We anticipate more revenues than budgeted. We also anticipate not spending some funds that were budgeted in some categories and spending more in others. We also wanted to push as much funding as possible to street paving line item. Cathy distributed her report with budget amendments to the council last week. It is part of this agenda package, and Cathy is here to answer any specific questions you may have.
- j. Recessed Meeting – Tonight, I request that the council recess this meeting to July 2 at 5pm when the City Manager will present the proposed budget for FY20.

2. Public Comments on Agenda Items –

Ernie Knobloch addressed the Council regarding political and the City's sign ordinance.

Penny Crawford – addressed the Council regarding grant funding for additional kayak launches and the lack of use existing launches.

III. Policy Agenda.

1. Approval of Minutes:

a. June 4, 2019 Regular Meeting.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the Minutes of the June 4, 2019 Regular Meeting.

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

MOTION CARRIED

UNANIMOUSLY

2. Tabled Items:

Councilmember L'Ecuyer moved, seconded by Mayor Schafer to remove from the table for discussion item 2019-107 Motion to approve construction plans (general plan) for Beau Vue Phase 2 pending final approval from Digital Engineering.

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

MOTION CARRIED

UNANIMOUSLY

Following the discussion, no official action was taken.

3. Resolutions:

- a. **2019-142:** Motion to adopt Resolution 2019-021 thereby authorizing an application to the Mississippi Development Authority for a Mississippi Small Municipality and Limited Population Grant in the amount of \$150,000 including \$30,000 local match funding for East Aloha Improvement Project and for other related purposes.

Councilmember Morgan moved, seconded by Councilmember Depreo, to adopt Resolution 2019-021 thereby authorizing an application to the Mississippi Development Authority for a Mississippi Small Municipality and Limited Population Grant in the amount of \$150,000 including \$30,000 local match funding for East Aloha Improvement Project and for other related purposes.

A roll call vote was held as follows:

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

MOTION CARRIED UNANIMOUSLY

- b. **2019-143:** Motion to adopt Resolution 2019-022 thereby authorizing an application to the MS Department of Marine Resources for FY2021 MS Tidelands Trust Funds in the amount of \$400,000 for water access amenities and ancillaries at Noma Drive and for other related purposes.

Councilmember Koenenn moved, seconded by Councilmember Depreo, to adopt Resolution 2019-022 thereby authorizing an application to the MS Department of Marine Resources for FY2021 MS Tidelands Trust Funds in the amount of \$400,000 for water access amenities and ancillaries at Noma Drive and for other related purposes.

A roll call vote was held as follows:

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

MOTION CARRIED UNANIMOUSLY

3. Consent Agenda:

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the following items by consent:

- a. **2019-134:** Motion to approve payment request from Digital Engineering the amount of \$13,160.00 for professional services relating to the Road Maintenance and Improvements as outlined in the 5 Year Road Maintenance and Improvements.
- b. **2019-135:** Motion to approve payment to Digital Engineering in the amount of \$2,133.00 for Beau Vue and \$947.50 for Elliott Homes plan review services.
- c. **2019-136:** Motion to approve payment to Digital Engineering in the amount of \$1,299.00 for professional services relating to the GIS Maintenance.
- d. **2019-137:** Motion to approve payment to Digital Engineering in the amount of \$4,500.00 for professional services relating to the survey of Leisure Time Drive and Park Ten Drive.

- e. **2019-138:** Motion to approve payment to Digital Engineering the amount of \$1,006.50 for professional services relating to the GIS System Update.
- f. **2019-139:** Motion to approve final payment to Pickering Engineering in the amount of \$3,207.38 for professional services relating to the Exit 16 Lighting Project.
- g. **2019-140:** Motion to enter into agreement with First Point for background check process on an as-needed basis.
- h. **2019-141:** Motion to accept the 5-Year Road Improvement Plan and approve same to serve as guide for street improvement planning.
- i. **2019-144:** Motion to authorize the City Manager to begin negotiations with private property owners regarding property acquisition for permanent drainage.
- j. **2019-148:** Motion to approve budget amendments and to amend the FY19 budget accordingly.
- k. **2019-149:** Motion to accept the proposal and approve to enter into Work Assignment under Master Service Agreement with Linfield, Hunter & Junius, Inc. in the amount of \$38,950 for professional services to develop a master plan for certain undeveloped commercial properties.
- l. **2019-150:** Motion to accept and authorize the City Manager to execute the US Army Corp Permit documents for the Devil’s Elbow restoration/dredging.
- m. **2019-151:** Motion to approve letter from governing authority in support of BUILD Grant funding for Interstate 10 Commercial Frontage Road Project.

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

MOTION CARRIED UNANIMOUSLY

4. Action Agenda.

At 7:15 p.m., Councilmembers Depreo and Koenenn exited Council Chamber and were recused from the meeting proceedings.

- a. **2019-145:** Motion for discussion with regard to Article 10 – Sign Ordinance.

Mayor Schafer called for a motion discussion. No motion was made.

At 7:15 p.m., Councilmembers Depreo and Koenenn returned to Council Chambers and rejoined the meeting proceedings.

- b. **2019-146:** Motion for discussion/action regarding the Diamondhead POA Collaborative Committee Request for assistance with POA permitting.

Councilmember L’Ecuyer moved, seconded by Councilmember Morgan, to discuss the Diamondhead POA Collaborative Committee Request for assistance with POA permitting.

NO ACTION WAS TAKEN

- c. 2019-147: Motion to authorize the administration/Planning and Zoning Commission to conduct a public hearing in the matter of zoning district reclassification for certain property owned by Purcell Corporation and People’s Bank.

Councilmember L’Ecuyer moved, seconded by Councilmember Morgan, to authorize the administration/Planning and Zoning Commission to conduct a public hearing in the matter of zoning district reclassification for certain property owned by Purcell Corporation and People’s Bank.

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

MOTION CARRIED UNANIMOUSLY

V. Routine Agenda.

- 1. Motion to approve the Docket of Claims (Claims–DKT156102- DKT156139) in the amount of \$225,479.17.
- 2. Departmental Reports for May 2019:
 - a. Privilege Licensing
 - b. Building Department
 - c. Code Enforcement including slab removal status report
 - d. Police Department

Councilmember Depreo moved, seconded by Councilmember Koenenn, to the Docket of Claims (Claims–DKT156102- DKT156139) in the amount of \$225,479.17 and Departmental Reports for May 2019 for Privilege Licensiing, Building Department, Code Enforcement including slab removals and police department.

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

MOTION CARRIED UNANIMOUSLY

Councilmember L’Ecuyer moved, seconded by Mayor Schafer, to revisit Agenda Item 2019-107 to approve construction plans (general plan) for Beau Vue Phase 2 pending final approval from Digital Engineering and to move forward with approval conditioned upon the following recommendation of the Building Official:

- (1) Approval of the construction plans particularly for grading and drainage by Digital Engineering. (2) An easement shall be provided to the City of Diamondhead for the detention basin identified on Lots 10 and 11, Beau Vue Subdivision, Phase 1. (3) Engineering inspection services are required during the construction phase. The engineer providing inspection services shall certify by a signed and sealed document that the subdivision has been built in accordance with the approved plans. (4) The DWSD shall also provide documentation that the water and sewer improvements have been installed in accordance with the approved plans. (5) The

developer shall be responsible for stripping the street as well as install all traffic and street signs. The developer shall also be responsible for the installation of all street lights. (6) The approval of the preliminary Plat does not give the developer the authority to transfer title of property until the Final Plat has been approved by the City Council.

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

MOTION CARRIED

VI. Public Comments on Non-Agenda Items: None

VII. Executive Session.

At 7:16 p.m., Councilmember Depre moved, seconded by Councilmember L'Ecuyer, 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 Councilmember Koenenn, to enter executive session pursuant to MS Code §25-41-7 (g) for discussion regarding prospective purchase of land.

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

MOTION CARRIED UNANIMOUSLY

THE CITY ATTORNEY ANNOUNCED TO PUBLIC THE COUNCIL HAD VOTED UNANIMOUSLY TO ENTER INTO EXECUTIVE SESSION PURSUANT TO MS CODE §25-41-7 (g).

Councilmember Koenenn moved, seconded by Councilmember Depreo to leave executive session.

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

MOTION CARRIED UNANIMOUSLY

At 7:25 p.m. Councilmember Koenenn moved, seconded by Councilmember Depreo to leave closed session.

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

MOTION CARRIED UNANIMOUSLY

Legal Counsel announced while in executive session, the Council took no official action.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to authorize the City Manager to seek to appraisals and to negotiate purchase price of parcels of land discussed.

VIII. Adjourn/Recess.

At 7:31 p.m. CST and with no further business to come before the Council, Mayor Schafer remembered Senator Thad Cochran and asked for motion to adjourn in his memory. Councilmember Depreo moved, seconded by Councilmember Morgan, to adjourn in the memory of our United States Senator Thad Cochran.

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