

**MINUTES
REGULAR MEETING OF CITY COUNCIL
Diamondhead, Mississippi
Council Chambers, City Hall
July 16, 2019
6:00 pm CST**

DRAFT

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

1. Invocation – Councilmember Morgan
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 Koenenn, to amend and approve the agenda order with the following amendments:

Delete:

- a. **2019-170:** Motion to adopt Resolution 2019-024 thereby repealing Resolution 2014-110 and the criteria and policy allowing for the use of third-party inspection services.

Add to Action Agenda:

- b. **2019-175:** Motion to approve to advertise for bids for the East Aloha Widening Project (MDOT STP 005-00(028) LPA 107584-701000)
- c. **2019-176:** Motion for conditional approval of Preliminary Plat and Construction Plans for Beau Vue Subdivision Phase 2 in accordance to revised plans dated July 15, 2019.

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

MOTION CARRIED UNANIMOUSLY

II. Presentation Agenda

1. Council Comment
 - a. If necessary, a FY20 Budget Workshop (Recess Meeting) July 22, 2019 at 5:30 p.m. CST in Council Chambers located at 5000 Diamondhead Circle.
 - b. The next regularly scheduled Council Meeting will be held Tuesday, August 6, 2019 at 6:00 p.m. CST in Council Chambers located at 5000 Diamondhead Circle.
 - c. Presentation from Hancock County Port and Harbor Commission and discussion of Master Planning of new properties at Port Bienville and Stennis International Airport. Allison Ander with Unabridged Architecture presented.
 - d. Ronald Jones, Building Official -discussion regarding no net fill concept as it relates to construction.

2. City Manager's Report –

1. E. Aloha Widening Project: I am asking for authorization to advertise the project pending full approval by MDOT. The reason to add this to our agenda tonight is to get us to advertising the project faster since we want to have a small agenda for our next meeting. We are very close to getting MDOT approval.
2. Devil's Elbow: We are currently advertising for the dredging of the Devil's Elbow waterway. We are scheduled to open bids on July 30th.
3. Road Paving and Maintenance Project: We are currently advertising for the road paving and maintenance project. We are opening bids on August 8th.
4. Diamondhead Drive East Drainage Project: This project is underway. Work is progressing nicely, but they did start a little later than expected. We expect to finish on time.
5. Gulf Coast Restoration Fund Grant Application: I am asking for authorization to apply for a grant with the Gulf Coast Restoration Fund. This is the new fund established with the BP Restore Funds where 75% of the money is allocated to the Gulf Coast for the next 15 years. This is the first application process, and the deadline is August 2. Since they are seeking transformational projects, I am recommending that we apply for funding of the new frontage road along I-10. Since the BUILD grant application is very competitive, I am recommending that we also apply with this grant as well for the same project. This does require a 20% local match.
6. BUILD Grant: After receiving council approval, the city submitted the BUILD grant application on Friday. Now that the full application is complete, it is on our agenda to ratify the application and to approve the local matching funds. This grant application is to build a new frontage road with connector roads along I-10. This is an \$11 million grant application.
7. I-10 Frontage Road: I am asking for authorization to negotiate memoranda of understanding with the property owners along I-10 where our new frontage road would be located. This allows us to begin working to get right of way for the roads. In addition, I would like the right to enter the property as we begin permitting and surveying. Next, I am asking to be able to contract for professional services for wetlands delineation in this area. This is the first step for the permitting process.

III. Public Comments on Agenda Items – None.

IV. Policy Agenda.

1. Approval of Minutes:
 - a. July 2, 2019 Recess Meeting and July 2, 2019 Regular Meeting.
Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the Minutes of the July 2, 2019 Recess Meeting and July 2, 2019 Regular Meeting.
Ayes: Depreo, Moran, Morgan, Koenenn, L'Ecuyer and Mayor Schafer. Nays: None.
Absent: None.

MOTION CARRIED

UNANIMOUSLY

2. Resolutions:

- b. **2019-172:** Resolution 2019- 025 authorizing a grant application to the Mississippi Development Authority for Gulf Coast Restoration Fund and for other related purposes.

Councilmember Depreo moved, seconded by Councilmember Morgan to adopt Resolution 2019- 025 authorizing a grant application to the Mississippi Development Authority for Gulf Coast Restoration Fund and for other related purposes.

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

- c. **2019-174:** Resolution 2019-026 authorizing a grant application to the U. S. Department of Transportation for FY19 Better Utilizing Investments to Leverage Development (BUILD) Grant Program funds, committing local match and for other related purposes.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to adopt Resolution 2019-026 authorizing a grant application to the U. S. Department of Transportation for FY19 Better Utilizing Investments to Leverage Development (BUILD) Grant Program funds, committing local match and for other related purposes.

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. Proclamation:

- a. **2019-173:** Motion to proclaim existence of a local emergency (Tropical Storm Barry) commencing on or about 10:30 a.m. July 11, 2019 in accordance with MS Code §33-15-17(d).

Councilmember Koenenn moved, seconded by Councilmember Depreo, to proclaim existence of a local emergency (Tropical Storm Barry) commencing on or about 10:30 a.m. July 11, 2019 in accordance with MS Code §33-15-17(d).

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

Absent: None.

MOTION CARRIED UNANIMOUSLY

4. Consent Agenda:

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

- a. **2019-164:** Motion to approve payment to Digital Engineering in the amount of \$3,698.00 for professional services relating to the plan review services.
- b. **2019-165:** Motion to approve payment to Digital Engineering in the amount of \$316.00 for professional services relating to GIS Maintenance.
- c. **2019-166:** Motion to approve payment to Digital Engineering in the amount of \$20,000.00 for professional services relating to the Road Maintenance & Improvements Project.
- d. **2019-167:** Motion to approve payment to James J. Chiniche in the amount to or 1,413.75 for professional services relating to the Devil’s Elbow/Montjoy Creek Improvements (Tidelands 18.)
- e. **2019-168:** Motion to authorize the City Manager to negotiate memoranda of understanding with property owners for right of ways and to contract for professional services for wetlands delineation for proposed I-10 frontage road.
- f. **2019-171:** Motion to approve Budget Amendments 2019-1400.

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

MOTION CARRIED UNANIMOUSLY

VI. Action Agenda.

- a. **2019-169:** Motion to declare the City’s intent to renew or terminate curbside recycling on November 30, 2019).

Councilmember Depreo moved for discussion only and discussion was held.

MOTION DIED FOR LACK OF MOTION/ACTION.

- b. **2019-175:** Motion to approve to advertise for bids for the East Aloha Widening Project (MDOT STP 005-00(028) LPA 107584-701000).

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve to advertise for bids for the East Aloha Widening Project (MDOT STP 005-00(028) LPA 107584-701000).

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

MOTION CARRIED UNANIMOUSLY

- c. **2019-176:** Motion for conditional approval of Preliminary Plat and Construction Plans for Beau Vue Subdivision Phase 2 in accordance to revised plans dated July 15, 2019.

Councilmember L’Ecuyer moved, seconded by Mayor Schafer, for conditional approval of Preliminary Plat and Construction Plans for Beau Vue Subdivision Phase 2 in accordance to revised plans dated July 15, 2019 as follows:

The construction plans have been approved by Diamondhead Water and Sewer District. The Building Department has reviewed the plat for planning and zoning compliance. The Diamondhead Fire Department has no objections. The major difference with previous plans is that a detention basin is located on Lot 10.

Therefore, Beau Vue Subdivision Phase 2 is recommended to the City Council for conditional approval subject to (1) Approval of the construction plans particularly for grading and drainage (detention basin) by Digital Engineering. (2) 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. (3) The DWSD shall also provide documentation that the water and sewer improvements have been installed in accordance with the approved plans. (4) 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. (5) 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: 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 (156180-156216) in the amount of \$148,315.70.
2. Motion to approve Payroll Payables “Off Docket” Claims DKT156177-156179 in the amount of \$9,752.41, PR Claim011 in the amount of \$30,608.72 and PR Claim012 in the amount of \$30.608.72 for the month of June 2019.
3. June 2019 Financial Reports.
4. Department Reports for June 2019:
 - a. Building Department
 - b. Code Enforcement
 - c. Police Department
 - d. Privilege License
 - e. Solid Waste

Councilmember Depreo moved, seconded by Koenenn, to approve the Docket of Claims (156180-156216) in the amount of \$148,315.70, the Payroll Payables “Off Docket” Claims DKT156177-156179 in the amount of \$9,752.41, PR Claim011 in the amount of \$30,608.72 and PR Claim012 in the amount of \$30.608.72 for the month of June 2019, the June 2019 Financial Reports and Department Reports for June 2019 for Building Department, Code Enforcement, Police Department, Privilege License and Solid Waste.

MOTION CARRIED UNANIMOUSLY

VI. Public Comments on Non-Agenda Items:

Karen Rice addressed the Council regarding permitting. She asked that City work toward referring permittees to the Diamondhead POA prior to issuing a permit in order to allow POA enforcement for specific covenants not applicable to building code.

VII. Executive Session.

At 6:40 p.m., Councilmember Morgan moved, seconded by Councilmember Depreo, 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 Morgan moved, seconded by Councilmember Depreo, to enter executive session pursuant to MS Code §25-41-7 (g) for transaction of business relating to the acquisition of property.

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

MOTION CARRIED UNANIMOUSLY

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

At 7:03 p.m., Councilmember Morgan 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 7:03 p.m. Councilmember Morgan 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

City Attorney Cusick announced while in executive session, no official action of record was taken.

VIII. Adjourn/Recess.

At 7:10 p.m. CST Mayor Schafer asked for a motion to recess in memory of Charlie Kott a 5-year Public Works employee for the City and with no further business to come before the Council, Councilmember Depreo moved, seconded by Councilmember Morgan, to recess in his memory until July 22, 2019 at 5:30 p.m. for a budget workshop.

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