

**MINUTES
REGULAR MEETING OF CITY COUNCIL
Diamondhead, Mississippi
Council Chambers, City Hall
September 3, 2019
6:00 pm CST**

I. Call to Order – Mayor Schafer called the meeting to order at 6:08 p.m. CST

1. Invocation – Councilmember L’Ecuyer
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 Morgan, to approve the agenda with the following amendments:

- e. **2019-206**: Motion to approve the contract with J. E. Borries, Inc. in the amount of \$254,550.00 for Devil’s Elbow Improvements (Tidelands 18), to authorize the City Manager to execute same and authorize City Manager to execute and issue the Notice To Proceed at appropriate time.
- f. **2019-208**: Motion to authorize the Diamondhead Police Department and Diamondhead Neighborhood Watch to host the 3rd Annual National Night Out on Monday, October 14, 2019 and to allocate funds not to exceed \$750.

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 Tuesday, September 17, 2019 at 6:00 p.m. CST in Council Chambers located at 5000 Diamondhead Circle.
 - b. Proclaim September 17 – 23, 2019 Constitution Week in the City of Diamondhead
 - c. A.G. Crowe – Shop Local USA – not present
 - d. Rhonda Rhodes, Hancock Resource Center – Blight Elimination Program
 - e. Mayor Schafer – Mississippi Municipal League Update regarding MS Infrastructure Modernization Act funding, delinquent fine collections through the Department of Revenue, First Responder insurance.

2. City Manager's Report –

- a. Grant from Cooperative Energy – I am asking for authorization to apply for a \$25K grant from Cooperative Energy to assist with paying for the master plan and wetlands delineation for the future I-10 frontage road. This company is associated with Coast Electric, and I have been in contact with representatives from this company about opportunities for site ready grants. I was told last week that they may be able to assist us with part of these costs.
- b. Tree Ordinance – The P&Z commission has been working for several months to improve our tree ordinance. They had many meetings where this was discussed, and it included public comments. There were many issues that this commission and the public wanted to see included. The city administration met with our legal council last week to review the recommendation. There were no substantial changes. All recommendations were followed. We simply reorganized and renumbered the paragraphs so that the ordinance would flow better. However, we did highlight one sentence that the council may wish to take a close look at. This is on the agenda for the council and residents to review. We must allow for a minimum 2-week public comments period. We plan on having it back on the agenda for the first meeting in October for adoption. The intention is for this new tree ordinance to replace in total the existing tree ordinance if approved by the council.
- c. Telephones at City Hall – I am asking the council to authorize me to not renew the contract with UniversalCom that currently provides telephones to City Hall. The existing contract expires at the end of this month. Cspire has been awarded the State Contract to provide these same services to cities. The new contract with Cspire will reduce cost from \$990 per month to only \$353 for a net savings of about \$600 a month to the city for the same services.
- d. Devil's Elbow Dredging Project – The contractor has provided the contract for the Devil's Elbow dredging project. At the last meeting, the council accepted the low bid from this contractor. I am asking for authorization to sign the contract, so we can get to work on this project. There will be a pre-construction meeting, and the contractor will begin ordering supplies and scheduling his staff to be ready to get to work. I am also asking the council to grant the city manager authorization to issue the notice to proceed once the supplies have arrived and the contractor is ready to start the work.
- e. Road Paving – Our public works director and I have worked with our engineer to prepare a new list of roads and road improvements. This work will include overlay and mill and fill work on specified streets. The engineer's estimates are provided with a map showing the streets in each ward. We worked to try to keep the funds evenly spread among each ward. We are asking for authorization to bid this project, so we can pave the streets this fall. We have budgeted \$1.4 million for street paving in FY20.
- f. Municode Software – I am asking the council for authorization to enter into an agreement with Municode to provide agenda and minute software as well as website design, development, implementation, annual hosting, maintenance and support. Currently, the City uses Municode to provide codification of city ordinances. Once complete, a resident will be able to search one time and across all these platforms, and it results in a net savings to the city. My goal is to be able to provide better communication to our

residents, and this software will assist me with that goal of sending out regular updates for news to keep our residents informed.

- g. Diamondhead Drive East Drainage – Contractor was paving the road today, and it appears most of the big work is complete. The engineer is looking to have a walk through by the end of next week with hopes of issuing a substantial completion.
- h. Turnberry Drainage – We have hired a contractor to cut the weir at the pond on the Cardinal #4, and we are working closely with the POA to get this work completed. We appreciate their assistance. In addition, our public works staff has started dredging the pond to remove sediment. We are working to get this work completed as soon as possible since the golf course is scheduled to re-open on September 8th. This is the first part of a 3-step drainage project. Once this is completed, we will focus on the ditch between Turnberry Way and Turnberry Drive and to add a new culvert under Turnberry Way.

III. Public Comments on Agenda Items – Penny Crawford – proposed Tree Ordinance.

IV. Policy Agenda.

1. Approval of Minutes:

- a. August 20, 2019 Recess Meeting and August 20, 2019 Regular Meeting.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the Minutes of the August 20, 2019 Recess Meeting and August 20, 2019 Regular Meeting.

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

MOTION CARRIED

UNANIMOUSLY

2. Resolutions:

- a. 2019-200: Motion to adopt Resolution 2019-029 Approving and Adopting the FY2020 Budget as Finally Determined by the Governing Authority.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to adopt Resolution 2019-029 Approving and Adopting the FY2020 Budget as Finally Determined by the Governing Authority.

A roll call vote was held as follows:

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

MOTION CARRIED

- b. **2019-201:** Motion to adopt the Resolution 2019-030 Setting the Tax Levy for FY2020 at 34.00 Mills.

Councilmember Depreo moved, seconded by Councilmember Morgan, to adopt adopt the Resolution 2019-030 Setting the Tax Levy for FY2020 at 34.00 Mills.

A roll call vote was held as follows:

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

MOTION CARRIED

- c. **2019-211:** Motion to adopt Resolution 2019-031 thereby authorizing a grant for Cooperative Energy for funding in the amount of \$25,000 to assist with expenses for site readiness for the I-10 Frontage Road.

Councilmember Depreo moved, seconded by Councilmember Morgan, to adopt Resolution 2019-031 thereby authorizing a grant for Cooperative Energy for funding in the amount of \$25,000 to assist with expenses for site readiness for the I-10 Frontage Road.

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

4. Ordinances:

- a. **2017-207:** Presentation of proposed Tree Ordinance (Article 11 of the Zoning Ordinance) to be considered for adoption October 1, 2019.

Ordinance 2012-019.4 was presented. Public comment will be accepted for the next two (2) weeks with Ordinance to be considered for adoption by the Council at its October 1, 2019 Regular Meeting.

5. Consent Agenda:

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve Consent Agenda Items A – D by consent:

- a. **2019-202:** Motion to accept the Comprehensive Annual Financial Report FY18 (Fiscal Year ending September 30, 2018).
- b. **2019-203:** Motion to approve payment to James J. Chiniche in the amount of \$1,700.00 for professional services relating to research and legal description preparation for the East Aloha Improvements Project.

- c. 2019-204: Motion to approve payment to James J. Chinche in the amount of \$630.00 for professional services relating to the Devil’s Elbow & Montjoy Creek Improvements Project.
- d. 2019-205: Motion to terminate telephone service with UniversalCom and to enter into an agreement with CSpire to provide telephone services through State Contract pricing (Contract No. 5000/8200039101) in the total amount of \$353.02 per month.

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

MOTION CARRIED UNANIMOUSLY

- e. 2019-206: Motion to approve the contract with J. E. Borries, Inc. in the amount of \$254,550.00 for Devil’s Elbow Improvements (Tidelands 18), to authorize the City Manager to execute same and to authorize the City Manager to execute and issue the Notice To Proceed at the appropriate time.

Councilmember Depreo moved, seconded by Councilmember L’Ecuyer, to approve the contract with J. E. Borries, Inc. in the amount of \$254,550.00 for Devil’s Elbow Improvements (Tidelands 18), to authorize the City Manager to execute same and to authorize the City Manager to execute and issue the Notice To Proceed at the appropriate time.

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

MOTION CARRIED UNANIMOUSLY

- f. 2019-208: Motion to authorize the Diamondhead Police Department and Diamondhead Neighborhood Watch to host the 3rd Annual National Night Out Monday, October 14, 2019 and to allocate funds not to exceed \$750.

Councilmember Depreo moved, seconded by Councilmember Morgan, to authorize the Diamondhead Police Department and Diamondhead Neighborhood Watch to host the 3rd Annual National Night Out Monday, October 14, 2019 and to allocate funds not to exceed \$750.

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

MOTION CARRIED UNANIMOUSLY

V. Action Agenda.

- a. **2019-209:** Discussion/possible action -Road paving.

Councilmember Depreo moved, seconded by Councilmember Moran, to open the floor for discussion of the road paving project. The Council discussed the listing of roads to be included in Phase 1 and requested additional time to review prior to advertising.

NO ACTION TAKEN

- b. **2019-210:** Motion to authorize administration to enter into agreement with Municode for Agenda/Minute Software and Website with hosting services.

Councilmember Depreo moved, seconded by Councilmember Moran, to open the floor for discussion of the Municode services. The proposed services were discussed and it was suggested that the administration research additional companies providing such services.

NO ACTION TAKEN

VI. Routine Agenda.

- 1. Motion to approve Payroll Payables PRClaim 16 in the amount of \$29,796.20, PRClaim 17 in the amount of \$30,920.04, Payroll Claims DKT156311 – 156315 in the amount of \$19,76950 and PR Claim APPKT01083 in the amount of \$449.09 for the month of August 2019.
- 2. Motion to approve Docket of Claims DKT 156316-DKT156354 in the amount of \$86,823.42.

Councilmember Depreo moved, seconded by Councilmember Morgan, to approve Routine Agenda Items Payroll Payables PRClaim 16 in the amount of \$29,796.20, PRClaim 17 in the amount of \$30,920.04, Payroll Claims DKT156311 – 156315 in the amount of \$19,76950, PR Claim APPKT01083 in the amount of \$449.09 for the month of August 2019 and Docket of Claims DKT 156316-DKT156354 in the amount of \$86,823.42.

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

MOTION CARRIED

UNANIMOUSLY

Councilmembers Moran and Koenenn exited Council Chamber at 6:59 p.m. and were recused from the meeting proceedings.

3. Motion to approve Docket of Claims DKT156355 in the amount of \$771.15.

Councilmember Depreo moved, seconded by Councilmember Morgan, to Docket of Claims DKT156355 in the amount of \$771.15.

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

MOTION CARRIED UNANIMOUSLY

Councilmembers Moran and Koenenn returned to Council Chambers and continued in the meeting proceedings.

VII. Public Comments on Non-Agenda Items: None

VIII. Adjourn/Recess.

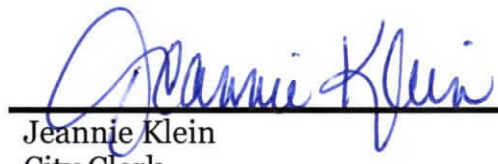
At 7:01 p.m. CST, Councilmember Depreo moved, seconded by Councilmember Morgan, to adjourn.

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