

today, we have 10 teams competing and \$16,400 in corporate sponsorships. If you are interested in registering a team, vendor or sponsorship, please visit our city website or call city hall. We have two bands for the event: The Dave Mayley Band and Honey Island Swamp Band. Admission is free for the event, and guests can buy food and drinks from vendors. It is going to be a fun event for our residents and guest.

- b. Devil's Elbow Dredging – Our engineer met with the contractor yesterday, and he has all of his materials being delivered this week to their office. He will place them on a barge for transport to the site. He has asked to schedule a site meeting Thursday to discuss scheduling, parking and site access/inspections. We did receive authorization from The Devil's Elbow POA that the crews could park in an empty lot inside the subdivision. The engineer will have a boat available at the Devil's Elbow docks for access and inspections, and this is also approved by The Devil's Elbow POA. We should begin seeing some construction activities this week at the site.
- c. E. Aloha Drive – I am asking the council for authorization to have Jason Chiniche design plans to improve the intersection at the end of E. Aloha where it enters Shephard Square. The fire department asked me about this intersection since it is difficult for fire trucks to drive in this area. While we are doing the work to widen E. Aloha, we may want to consider getting this intersection improved at the same time.
- d. Road Paving – The city is currently advertising for bids for the road paving project, and bids will be opened on Nov 12th. We are planning to have a recommendation for the council at the next meeting. This involves paving about 8 miles of roads in the city.
- e. Right of Way Acquisition for E. Aloha Improvements – I am asking the council to provide authorization to accept the donation of property from several property owners along E. Aloha. I am expecting to get the deeds of dedication from the property owners based on conversations with each of them. This acceptance will allow us to record the deeds as soon as they are received.
- f. Deeds of Dedication for Turnberry Drainage – The Peoples Bank is donating two parcels located on the corner of Turnberry Drive and Turnberry Way as part of our drainage project. I am asking the council to accept this donation of land.
- g. Memorandum of Understanding with USM – I am asking the council for authorization to sign a memorandum of understanding and addendum #1 with USM for the purpose of creating a feasibility study for a hotel in Diamondhead. This is an important tool for the city to recruit a developer to build a new hotel in our community. As we continue to prepare for the construction of new roads along I-10, the most important development that we need is a quality, name brand hotel in our city. I want to begin recruiting a developer to invest in a hotel. This is different than our current contract with NextSite.

That contractor is recruiting retail development. They do not provide feasibility studies. Once we have the study, I will give it to Nextsite to use when talking to developers.

- h. Noma Drive Boat Launch and Jourdan River Pier – I am asking the council to authorize me to sign a work assignment with Chiniche Engineering to begin the conceptual design and preliminary permitting for the public boat launch and pier at the end of Noma Drive. We know the permitting will take time and this will allow us to get that process started. In addition, the City has applied for a Tidelands grant for \$400,000 to build the boat launch and pier. There are other grant opportunities available to help with this construction cost and having the preliminary design and permitting started will help position the city in a favorable manner for grant applications.
- i. Public Works Facility – As an update on the POA collaboration committee, the city has a tentative agreement with the POA to transfer the public works barn to the city. The POA is putting up a new fence along the RV parking lot side of the parcel, so the POA can expand the RV parking area. Once this fence is installed, they will order a survey, so a deed of dedication can be prepared to donate the land to the city.
- j. Election Commissions – Jeannie Klein to provide comments.
- k. MS Sound Coalition Meeting and Resolutions - Derek Cusick to provide comments.

III. Public Comments on Agenda Items –

Penny Crawford – addressed the Council with regard to the proposed feasibility study to be conducted by USM.

IV. Policy Agenda.

1. Approval of Minutes:

a. October 15 2019 Special Called Meeting and October 15, 2019 Regular Meeting. Councilmember Depreo moved, seconded by Councilmember Morgan, to approve the Minutes of the October 15, 2019 Special Called Meeting and October 15, 2019 Regular Meeting.

Ayes: Depreo, Morgan, Koenenn and L’Ecuier. Nays: Mayor Schafer. Absent: Moran.

MOTION CARRIED

2. Resolutions:

a. 2019-271: Motion to adopt Resolution 2019-047 to acquire by donation real properties located within the City from Rouse Land Company, LLC, Diamondhead Community Development, LLC, Gem City Properties, LLC and The First.

Councilmember Depreo moved, seconded by Councilmember Morgan, to adopt Resolution 2019-047 to acquire by donation real properties located within the City from Rouse Land

Company, LLC, Diamondhead Community Development, LLC, Gem City Properties, LLC and The First.

A roll call vote was held as follows:

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

Absent: Moran. Abstain: None.

MOTION CARRIED UNANIMOUSLY

- b. 2019-277: Motion to adopt Resolution 2019-048 to acquire by quitclaim deed certain real property located within the City from The Peoples Bank.

Councilmember Morgan moved, seconded by Councilmember Depreo, to Resolution 2019-048 to acquire by quitclaim deed certain real property located within the City from The Peoples Bank.

A roll call vote was held as follows:

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

Absent: Moran. Abstain: None.

MOTION CARRIED UNANIMOUSLY

- c. 2019-286: Motion to adopt Resolution 2019-049 requesting Governor Bryant take immediate action regarding the proposed Mid-Breton Large Scale Mississippi River Diversion Project to Prevent Harm to the Ecosystems of the Chandeleur Sound, the Biloxi Marsh, the Mississippi Sound, and the Fisheries, Tourism and Way of Life that Depend Upon Them.

Councilmember Depreo moved, seconded by Councilmember Morgan to adopt Resolution 2019-049 requesting Governor Bryant take immediate action regarding the proposed Mid-Breton Large Scale Mississippi River Diversion Project to Prevent Harm to the Ecosystems of the Chandeleur Sound, the Biloxi Marsh, the Mississippi Sound, and the Fisheries, Tourism and Way of Life that Depend Upon Them.

A roll call vote was held as follows:

Ayes: Depreo, Morgan. Koenenn and L'Ecuyer. Nays: Mayor Schafer. Absent: Moran.

Abstain: None.

MOTION CARRIED

Mayor Schafer for the record noted that he felt the Coalition to take a more comprehensive approach in protecting the ecosystems, more specifically oyster industry and oyster spat.

- d. **2019-287:** Motion to adopt Resolution 2019-050 Requesting the Congressional Delegation of the State of Mississippi to take immediate action to repeal Section 20201, Title II, of Public Law 115-13, and to defeat Section 409, HR3697, currently in the Legislative Process of the 116th Congress.

Councilmember Koenenn moved, seconded by Councilmember Morgan, to Resolution 2019-050 Requesting the Congressional Delegation of the State of Mississippi to take immediate action to repeal Section 20201, Title II, of Public Law 115-13, and to defeat Section 409, HR3697, currently in the Legislative Process of the 116th Congress.

A roll call vote was held as follows:

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

MOTION CARRIED

3. Consent Agenda:

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve Consent Agenda Items a – e and g – j by consent:

- a. **2019-272:** Motion to accept the Fy20 Tidelands Grant Award in the amount of \$250,000 and to authorize the City Manager to execute the grant agreement.
- b. **2019-274:** Motion to adopt budget amendments.
- c. **2019-275:** Motion to approve payment Linfield, Hunter & Junius, Inc. in the amount of \$3,967.50 for professional services relating to the master plan for undeveloped areas.
- d. **2019-276:** Motion to approve payment to James J. Chiniche in the amount of \$1,608.75 for professional services relating to Devil’s Elbow Improvements.
- e. **2019-280:** Motion to approve the purchase of one (1) 2019 Dodge Ram 1500 for the Public Works Department through State Contract Pricing No. 8200048291 from Landers Dodge in the amount 18,554.00.
- g. **2019-282:** Motion to approve Work Assignment with James J. Chiniche in the amount of \$7,500 for conceptual rendering and preliminary permitting for the Noma Drive Boat Launch and Pier Improvement Project.
- h. **2019-283:** Motion to approve Work Assignment with James J. Chiniche in the amount of \$12,000 for conceptual renderings and preliminary design of the intersection at East Aloha and Sheppard’s Square.
- i. **2019-284:** Motion to declare the following surplus/obsolete equipment and proceed with proper disposal:
 Asset #D000035 Body Worn Media Controller/Watch \$0 Value (broken)
- j. **2019-285:** Motion to accept and award the low bid received from Moran Hauling, Inc. in the amount of \$185,586.68 for the East Aloha Widening (MDOT Project STP-0045-00(028) LPA 107584-701000) Project. Bids were received as follows:

Moran Hauling, Inc.	\$185,586.68
Huey Stockstill, LLC	\$219,920.40
Twin L. Construction	\$278,133.00.

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

MOTION CARRIED

V. Action Agenda.

- a. **2019-273:** Motion for discussion and/or possible action with regards to authorizing the public hearing process in the matter of a proposed text amendment to Zoning Ordinance 5.4 Special Lot and Yard Requirements as is relates to Front Yard Setback Variation Under Devil's Elbow Covenants.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to authorize the public hearing process in the matter of a proposed text amendment to Zoning Ordinance 5.4 Special Lot and Yard Requirements as is relates to Front Yard Setback Variation Under Devil's Elbow Covenants.

MOTION CARRIED UNANIMOUSLY

Mayor Schafer exited Council Chambers at 6:49 p.m. and was recused. Mayor Pro Temp Depreo presided over the meeting.

- f. **2019-281:** Motion to accept and approve Memorandum of Understanding and Addendum No. 1 with the University of Southern Mississippi in the amount not to exceed \$14,190.00 to conduct a hotel feasibility study.

Councilmember L'Ecuyer, moved seconded by Councilmember Morgan, to authorize the City Manager to execute and enter into the Memorandum of Understanding and Addendum No. 1 with the University of Southern Mississippi in the amount not to exceed \$14,190.00 to conduct a hotel feasibility study.

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

MOTION CARRIED UNANIMOUSLY

At 6:55 p.m. Mayor Schafer returned to Council Chambers and resumed in the meeting proceedings.

V. Routine Agenda.

- 1. Motion to approve Payroll Payables APPKTo1136 in the amount of \$45,684.95 and PRClaim23 in the amount of \$31,836.80.
- 2. Motion to approve Docket of Claims DKT156333-DKT-156585 in the amount of \$104,988.31.

Councilmember Depreo moved, seconded by Councilmember Koenenn, to approve the Payroll Payables APPKTo1136 in the amount of \$45,684.95 and PRClaim23 in the amount of \$31,836.80 and the Docket of Claims DKT156333-DKT-156585 in the amount of \$104,988.31.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Koenenn exited Council Chambers 6:56 p.m. and was recused from the meeting proceedings.

3. Motion to approve Docket of Claims DKT-156586 in the amount of \$1,097.98.

Councilmember Depreo moved, seconded by Councilmember L'Ecuyer to Docket of Claims DKT-156586 in the amount of \$1,097.98.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Koenenn returned to Council Chambers at 6:57 p.m. and returned to the meeting proceedings.

VII. Public Comments on Non-Agenda Items:

Paul Mucho – addressed the Council regarding his concerns with the number of variances approved.

Lael Butler – addressed the Council with general comments as new resident to the City.

VIII. Executive Session.

At 7:10 p.m., Councilmember Depreo moved, seconded by Councilmember Morgan, to enter closed session to determine the necessity for executive session.

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

MOTION CARRIED UNANIMOUSLY

Councilmember Depreo moved, seconded by Councilmember Morgan, to enter executive session pursuant to MS Code §25-41-7 (b) for the purpose of discussion of matters of potential litigation involving the recycling contract.

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

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 (b) discussion of matters of possible litigation involving the recycling contract.

Ayes: Depreo, Morgan, Koenenn and L'Ecuyer. Nays : Mayor Schafer. Absent: Moran.

MOTION CARRIED

At 7:23p.m. Councilmember Koenenn exited the meeting and was absent for the remainder of the meeting.

At 7:31 p.m., Councilmember Depreo moved, seconded by Councilmember Morgan to leave executive session.

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

MOTION CARRIED UNANIMOUSLY

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

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

MOTION CARRIED UNANIMOUSLY

City Attorney Cusick announced while in executive session, took no official action.

Mayor Schafer moved, seconded by Councilmember Depreo, to implore by Resolution of the Council the Hancock County Solid Waste Authority to revisit the solid waste plan as it relates to recycling in all of Hancock County including Diamondhead.

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


MOTION CARRIED UNANIMOUSLY

IX. Adjourn/Recess.


At 7:35 p.m. CST, Councilmember Depreo moved, seconded by Councilmember Morgan, to adjourn.

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

MOTION CARRIED UNANIMOUSLY



Thomas E. Schafer, IV
Mayor



Jeannie Klein
City Clerk