



Mayor Depreo  
Councilmember Maher At-Large  
Councilmember Finley Ward 1  
Councilmember Moran Ward 2  
Councilmember Sheppard Ward 3  
Councilmember Clark Ward 4

**AGENDA**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**Tuesday, December 21, 2021**  
**6:00 PM CST**  
Council Chambers, City Hall  
and via teleconference, if necessary

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**Call to Order.**

Invocation  
Pledge of Allegiance  
Roll Call  
Confirm or Adjust Agenda Order

**Presentation Agenda.**

Council Comments.

- a. The next Regular Council Meeting will be held January 4, 2022 at 6:00 p.m. in Council Chambers at 5000 Diamondhead Circle.
- b. City Hall will closed Thursday, December 23 and Friday, December for the Christmas Holiday and Friday, December 31, 2021 for the New Year Holiday.
- c. Al Jordan with Healy and Jordan Attorneys regarding opioid litigation.
- d. John Brdecka, Executive Director, Hancock County Library System

City Manager's Report.

Public Comments on Agenda Items.

**Policy Agenda.**

**Minutes:**

1. Motion to approve the December 7, 2021 Regular Meeting Meeting Minutes.

**Ordinances:**

**Resolutions:**

2. **2021-402:** Motion to adopt Resolution 2021-082 to accept the donation real property for drainage and greenspace purposes from Hammons and Prattini and for other related matter.
3. **2021-403:** Motion to adopt Resolution 2021-083 thereby authorizing the submittal FY22 GOMESA Grant Application for funding for Diamondhead Drainage Projects and for other related matters.
4. **2021-084:** Motion to adopt Resolution 2021-084 setting salaries for FY22 with 3% increase effective January 3, 2022.

5. **2021-408:** Motion to adopt Resolution 2021-085 thereby concurring with The Planning Commission recommendation and approving the City of Diamondhead Text Amendment to reduce the number of publication days and increase the number of mail notices in the Zoning Ordinance (Ord. 2012-006) and Subdivision Regulations (Ordinance 2020-001). Case File Number is 202100493. The proposed text amendments would make the following changes to Appendix A – Zoning, Article 2.9 – Public Notice Procedure, Section 2.9.1.A – change “300 feet” to “400 feet”; Section 2.9.1.B – change “three hundred (300) feet” to “four hundred (400) feet”; Section 2.9.6.B – change “three hundred (300) feet” to “four hundred (400) feet”; Section 2.9.7.A.ii – change “Two (2) publication days” to “One publication day” and Subdivision Regulations Article III – Procedures, Article 301.6 – change “three hundred feet (300’)” to “four hundred feet (400’)”; Article 303.2.3 – change “three hundred feet (300’)” to “four hundred feet (400’)”; Article 320.4.e and Article 320.5.b – “change 300 to 400”.
6. **2021-409:** Motion to adopt Resolution 2021-086 thereby concurring with The Planning Commission recommendation and approving the City of Diamondhead Text Amendment to require the use of 100-year storm events in the Zoning Ordinance (Ord. 2012-019) and Stormwater Runoff, Illicit Discharges, and Illegal Connections Ordinance (Ord. 2013-030). Case File Number is 202100494. The proposed text amendments would make the following changes to Zoning Ordinance Article 14 – Land Alterations and Disturbances, Article 14.1.3.D – Land Clearing and Drainage, – change “5-year storm” to “100-year storm”, insert a period after "urbanized areas", remove "wherein the rainfall is one (1) hour at a rainfall of three (3) inches per hour." and add "The approximate value for "I" precipitation intensity in inches per hour, shall be obtained from the NOAA Website at <http://hdsc.nws.noaa.gov/hdsc/pfds/>. This website provides precipitation intensity information." before "Runoff shall be drained...". In Stormwater Runoff, Illicit Discharges, and Illegal Connections Ordinance Chapter 24- Stormwater Management, Section 24-10 (a) – Stormwater Detention Standards and Requirements – add "100- year" after "50-year" to “two-year, five-year, ten-year, 25-year and 50-year, 24-hour storm events.”
7. **2021-:** Motion to adopt Resolution 2021- thereby abandoning a 5' drainage/utility easement on each side of the common property line between Lots 31 and 32, Diamondhead Phase 1, Unit 8, Block 4. The physical address is 1084 Koloa Court; parcel numbers are 067G-1-25-035.000 and 067G-1-25-036.000. (Kumre)

#### Consent Agenda:

8. **2021-378:** Motion to approve Memorandum of Understanding with the State of Mississippi relating to the Opioid Litigation Settlement fees and accepting the terms therein.
9. **2021-405:** Motion to approve Change Order No. 1 in the amount of \$3,656.20 to the contract with Bottom 2 Top Construction for the Hilo Street Culvert Replacement.
10. **2021-406:** Motion to accept bids received East Aloha Drive Phase 1 Improvements (MDA/SMLP Grant) and award same to Moran Hauling, Inc., the low base bid in the amount of \$396,923.49 and Alternate Bid in the amount of \$23,138.00 for a total project cost \$420,061.49.
11. **2021-410:** Motion to approve Mayor Depreo and City Manager Reso to serve as members of the Hancock County Library Strategic Planning Committee.

#### Action Agenda.

12. **2021-407:** Motion to concur with the Planning Commission recommendation to approve Janet Harmon-Curvey and John A. Curvey's application requesting a variance from the Zoning Ordinance

(Article 4.19) to allow the construction of a covered patio (36.26' x 11.4') within 17.9' of the rear property line. Additionally, to construct a masonry fireplace (3'x6') within 14.9' of the rear property line. The property address is 7518 Augusta Way. The tax parcel number is 067M2-35-007.000. The property is in an R-1 zoning district. The rear yard setback is 20'. The variance requested for the covered patio is 2.1' and the fireplace is 5.1'. The Case File Number is 202100459.

**Routine Agenda.**

**Claims Payable**

13. Motion to approve Docket of Claims (DKT159144 - DKT159165) in the amount of \$212,043.75.

**Department Reports**

- a. November 2021 Financial Reports
- b. Police Department  
Permitting and Inspections  
Code Enforcement  
Privilege Licensing

**Public Comments on Non-Agenda Items.**

**Executive Session - If Necessary**

**Adjourn/Recess.**

*NOTE: THE CITY OF DIAMONDHEAD WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES WHERE NECESSARY TO AFFORD INDIVIDUALS WITH DISABILITIES AN EQUAL OPPORTUNITY TO SERVICES AND ACTIVITIES OF THE CITY. A WRITTEN REQUEST BY OR ON BEHALF OF QUALIFYING INDIVIDUALS SHALL BE SUBMITTED IN A TIMELY MANNER TO THE CITY CLERK.*