



Mayor Schafer IV	
Councilmember L'Ecuyer	At-Large
Councilmember Depreo	Ward 1
Councilmember Moran	Ward 2
Councilmember Morgan	Ward 3
Councilmember Clark	Ward 4

## **MINUTES**

### **REGULAR MEETING OF THE CITY COUNCIL**

**Tuesday, August 04, 2020**

**6:00 PM CST**

**Council Chambers, City Hall  
and via teleconference, if necessary**

---

#### **Call to Order.**

At 6:00 p.m. Mayor Pro Tem Depreo called the meeting to order.

Invocation- Councilmember L'Ecuyer

Councilmen L'Ecuyer offered special prayer for the Schafer Family, City of Diamondhead residents, employees and staff with the untimely passing and loss of Mayor Thomas E. Schafer, IV on Friday, July 31, 2020.

Pledge of Allegiance

Roll Call

**PRESENT**

Mayor Pro Tem, Nancy Depreo

Ward 2 Alan Moran

Ward 3 Jamie Morgan

Ward 4 Charles Clark

Councilmember-At-Large Lindsay L'Ecuyer

Confirm or Adjust Agenda Order

Motion made by Ward 4 Clark, Seconded by Ward 3 Morgan to adjust and approve the agenda with as follows:

**Add: 2020-216:** Motion to authorize expenses for police detail a rate of \$30.00 for two (2) officers at four (4) hours each for safety detail for the Gulf Coast Christian Women's Job Crop 5K Run on November 7, 2020 and to include this event on the approved Police Detail Policy for future future event expenses.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer

**Table: 2020-201:** Motion to approve a Master Service Agreement Work Assignment with Covington Civil & Environmental for professional services related to the Twin Lakes Regional Detention Pond Study to include removal of the weir and downstream impact on Kapalama Drive.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer

**MOTION CARRIED UNANIMOUSLY**

**Presentation Agenda.**

**Council Comments.**

- b. 1. The next Regularly scheduled meeting of the Council will be held August 18, 2020 at 6:00 p.m. in Council Chambers at 5000 Diamondhead Circle.
2. The FY21 Budget Public Hearing will be held at 6:00 p.m. at the August 18, 2020 Regularly scheduled meeting.
3. Envision Diamondhead 2040 Kick-off Community Meeting will be held at 6:00 p.m. Thursday, August 6, 2020 in Council Chambers at City Hall. This is the first community meeting to begin the comprehensive plan.

**City Manager's Report. -**

1. COVID Update – The number of cases continues to increase in Hancock County. We have tracked a steep increase since the 4<sup>th</sup> of July in our area. It is even higher for the State. We ask everyone to follow the Governor's Executive Orders and other recommendations for best practices, such as wearing masks in public places where social distancing is not achievable. We are seeing more residents in Diamondhead becoming sick. Please take this seriously.
2. Comprehensive Plan – The first community meeting is Thursday at 6pm in City Hall Chambers. All residents are invited to attend, and we will also live stream this meeting. Residents who do attend are asked to wear mask and use social distancing in the room.
3. Street Paving – Phase II of our street paving project will begin on Thursday, August 6, and Warren Paving will pave 3.5 miles of roads. We will provide regular updates on which streets are impacted each week.
4. Subdivision Regulations – Over the last year, our staff and consulting engineering firm have worked to develop subdivision regulations. We have had many meetings with staff, developers, and engineers. We have also discussed this in a presentation with the city council. Last week, the planning and zoning commission voted to recommend approval to the council. I am hopeful that our council will also approve this new ordinance to help provide direction to developers when creating new subdivisions in the city.
5. Flood Damage Prevention Ordinance – At the last planning and zoning meeting, they voted to recommend approval of the recommendation for a text amendment to the flood damage prevention ordinance. This will remove the requirement for a property owner to build an extra 18 inches above FEMA's base flood elevation requirement. There is no benefit to the city with this requirement. It only adds additional expenses and problems for the property owner. This does not restrict them from voluntarily building higher if they want to, but the city will not require this.
6. State Owned Properties - The motion on the agenda related to State Owned Properties is for the city to formally accept the transfer of these parcels from the State to the City. These properties will be permanent greenspace and used for drainage.
7. Lease Purchase Agreement – We have received proposals for our new lease purchase agreement. The First Bank submitted the best rate at 1.42% for 5 years. These funds will be used to purchase equipment from public works and 2 vehicles.
8. Driveways and Landscapes Culverts – Many residents ask to install culverts for driveways and landscapes. Diamondhead was created as an open ditch community, which is a great way to manage drainage. However, at times for safety and appearance, residents will ask to install culverts, and we

have not allowed landscape culverts for several years. The administration has prepared this written policy to help guide us in our approach to helping residents with these requests. In short, we feel that these should be allowed.

9. New Website Design – We are getting close to having our new website completed and to go live. I am hoping that we can launch in the next 30 days.

10. Legal Comment Regarding Temporary Voting by the Council

**Public Comments on Agenda Items.**

Tammy Fields Lippon addressed the Council regarding a carport added to her home with a building permit and the recent action of the Planning & Zoning Commission to deny the variance requested.

Elliot N. Arroya address the Council regarding the stormwater impact to his property due to the construction of a carport within 3 feet of the property line.

**Policy Agenda.**

**Minutes:**

1. Motion to approve the July 21, 2020 Minutes.

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark, to approve the July 21, 2020 Minutes.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer

**MOTION CARRIED UNANIMOUSLY**

**Ordinances:**

2. Motion to approve the Subdivision Regulations for the City of Diamondhead

Motion made by Councilmember-At-Large L'Ecuyer moved seconded by Ward 2 Moran, to adopt Ordinance 2020-001 thereby adopting Subdivision Regulations for the City of Diamondhead.

A roll call vote was held as follows:

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer

**MOTION CARRIED UNANIMOUSLY**

**Resolutions:**

3. **2020-166:** Motion to adopt Resolution 2020-034 thereby approving the adoption and implementation of the Tax Increment Financing Redevelopment Plan, Diamondhead, Mississippi, 2020.

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran to adopt Resolution 2020-034 thereby approving the adoption and implementation of the Tax Increment Financing Redevelopment Plan, Diamondhead, Mississippi, 2020.

A roll call vote was held as follows:

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer

**MOTION CARRIED UNANIMOUSLY**

4. **2020-041:** Motion to adopt Resolution 2020-041 thereby ratifying emergency action taken effective July 23, 2020 to add Mayor Pro Tem Depreo as signatory on all depository accounts with Hancock Whitney Bank.

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran to adopt Resolution 2020-041 thereby ratifying emergency action taken effective July 23, 2020 to add Mayor Pro Tem Depreo as signatory on all depository accounts with Hancock Whitney Bank.

A roll call vote was held as follows:

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer

**MOTION CARRIED UNANIMOUSLY**

5. **2020-210:** Motion to adopt Resolution 2020-042 thereby adopting a text amendment to the Flood Damage Prevention Ordinance in Article IV, Section 14-105 #5, Section 14-106 #1, Section 14-106 #2, Section 14-106 #7 a 1, Section 14-106 #7 b 1, and Section 14-110 #1 a. eliminating 18" of freeboard from each of the aforementioned sections.

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to adopt Resolution 2020-042 thereby adopting a text amendment to the Flood Damage Prevention Ordinance in Article IV, Section 14-105 #5, Section 14-106 #1, Section 14-106 #2, Section 14-106 #7 a 1, Section 14-106 #7 b 1, and Section 14-110 #1 a. eliminating 18" of freeboard from each of the aforementioned sections.

A roll call vote was held as follows: Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer

**MOTION CARRIED UNANIMOUSLY**

6. **2020-211:** Motion to adopt Resolution 2020-043 thereby adopting a fee schedule to be incorporated in Article VII of the Subdivision Regulations.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 3 Morgan to adopt Resolution 2020-043 thereby adopting a fee schedule to be incorporated in Article VII of the Subdivision Regulations.

A roll call vote was held as follows: Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer

**MOTION CARRIED UNANIMOUSLY**

**Consent Agenda:**

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 4 Clark to approve the following agenda items by consent:

8. **2020-200:** Motion to accept from the MS Secretary of State tax forfeited properties via Land Patents 90700 thru 90781.
9. **2020-005:** Motion to accept and award RFP for Lease Purchase Financing for the purchase of vehicles and equipment.
10. **2020-208:** Motion to approve payment to James J. Chiniche Engineering in the amount of \$1,852.30 for Shepard's Square Design.

11. **2020-212:** Motion to adopt the policies and procedures for driveway and landscape culverts application processing.
12. **2020-213:** Motion to approve Budget Amendments 2020-034.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuier

**MOTION CARRIED UNANIMOUSLY**

**Action Agenda.**

13. **2020-214:** Motion to deny petition by Ms. Tammy Simms Fields for a variance from the Zoning Ordinance (Article 4.6.5E iii) to allow an existing carport recently constructed within 3'1" of the rear property line. The edge of the roof is 32" from the rear property line. The case file number is 202000223. The Planning Commission voted 3 to 2 against the variance resulting in a denial of the requested variance.

Motion made by Councilmember-At-Large L'Ecuier, Seconded by Ward 4 Clark table the Case File 202000223 as denied by Planning & Zoning Commission until the next meeting in order to allow the administration to review the impacts of the variance and to work with the property owner and neighbor to assist with a resolution.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuier

**MOTION CARRIED UNANIMOUSLY**

14. **2020-215:** Motion to deny the variance requested by Ms. Anne Marie Petrovich Bonnette to construct a black metal fence on the rear property line as well as on the side property lines within the 10' setback area. The physical address is 57143 DH DR East. The case file number is 202000247.

Motion made by Councilmember-At-Large L'Ecuier, Seconded by Ward 2 Moran concur with Planning & Zoning Commission to deny the variance requested by Ms. Anne Marie Petrovich Bonnette to construct a black metal fence on the rear property line as well as on the side property lines within the 10' setback area. The physical address is 57143 DH DR East. The case file number is 202000247.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuier

**MOTION CARRIED UNANIMOUSLY**

- 14 a. **2020-216:** Motion to authorize expenses for police detail a rate of \$30.00 for two (2) officers at four (4) hours each for safety detail for the Gulf Coast Christian Women's Job Crop 5K Run on November 7, 2020 and to include this event on the approved Police Detail Policy for future future event expenses.

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran to authorize expenses for police detail a rate of \$30.00 for two (2) officers at four (4) hours each for safety detail for the Gulf Coast

Christian Women's Job Crop 5K Run on November 7, 2020 and to include this event on the approved Police Detail Policy for future future event expenses..

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer

**MOTION CARRIED UNANIMOUSLY**

**Routine Agenda.**

**Claims Payable**

15. Motion to approve the Docket of Claims (Claims DKT157414 - DKT157445) in the amount of \$117,204.85.

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran to approve the Docket of Claims (Claims DKT157414 - DKT157445) in the amount of \$117,204.85.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer

**MOTION CARRIED UNANIMOUSLY**

16. Motion to approve Payroll Payables DKT167268 - DKT157278, PRCLAIM049, PRCLAIM050, PRCLAIM051 and PRCLAIM052.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 4 Clark to approve Payroll Payables DKT167268 - DKT157278, PRCLAIM049, PRCLAIM050, PRCLAIM051 and PRCLAIM052.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer

**MOTION CARRIED UNANIMOUSLY**

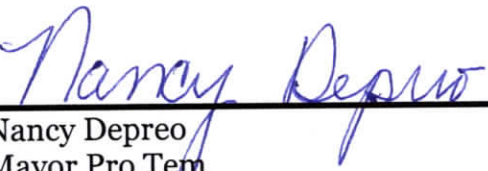
**Public Comments on Non-Agenda Items. None**

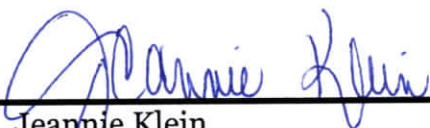
**Adjourn/Recess.**

With no further business to come before the Council at this time, motion was made by Ward 3 Morgan, Seconded by Ward 4 Clark to recess until August 11, 2020 at 6:00 p.m.

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer

**MOTION CARRIED UNANIMOUSLY**

  
\_\_\_\_\_  
Nancy Depreo  
Mayor Pro Tem

  
\_\_\_\_\_  
Jeannie Klein  
City Clerk