



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

## MINUTES 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.

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

Invocation

Mayor Depreo

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo

Councilmember-At-Large Gerard Maher

Ward 1 Shane Finley

Ward 2 Alan Moran

Ward 3 Ricky Sheppard

Ward 4 Charles Clark

Confirm or Adjust Agenda Order

Motion made by Ward 4 Clark, Seconded by Ward 3 Sheppard to confirm and approve the agenda as presented.

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

**MOTION CARRIED UNANIMOUSLY**

**Presentation Agenda.**

Council Comments.

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

## City Manager's Report.

1. Donation of Land – There is a resolution to accept two parcels of land from two property owners. This land will be used for permanent greenspace and drainage. We are continuing the process of asking some property owners if they would like to donate these wet lots to the city.
2. GOMESA Grant Application – I am asking for authorization to submit a new GOMESA grant application for 4 drainage projects totaling \$1.8 million. This does not require any local matching funds. The projects are identified in the Waggoner Engineering report in the northeast section of the city and all of the projects drain into Coon Branch.
3. Salary Increase – At the last meeting, the city council approved the 3% salary increase for all city employees. The resolution on the agenda sets the salaries for all employees effective January 3, 2022.
4. E. Aloha Drive Project – There is a motion to approve the low bid of \$420K from Moran Hauling for phase 1 on the E. Aloha Drive project. This includes work between to curbs including roadway, crosswalks, drainage, and parallel parking. Since it is more than we allocated in the budget, the administration will prepare a budget amendment for the next meeting if the council approves the low bid.
5. Library Strategic Planning Committee - Mayor Depreo and I have been invited to join the library's strategic planning committee. The Hancock County Library System is about to begin a strategic planning process, and they would like to have Diamondhead represented.
6. Text Amendments to the Zoning Ordinance – The P&Z commission is recommending two text amendments to the zoning ordinance. The first is changing the advertising and publication requirements. Since the Sea Coast Echo only runs once a week, this has created a very long-time line for residents requesting some permits. This change will expand the number of homes that receive a direct mail from the city when a permit is submitted from 300 to 400 ft, and it reduces the number of newspaper advertisements from two to only one. The second text amendment requires the use of 100-year storm events in the zoning ordinance. Currently, it requires only a 25-year storm event. The end result will require more detention of stormwater on new projects.
7. Main Street Association – I have been informed that the application to become a Network Community with MS Main Street has been approved for the City of Diamondhead. This is great news, and we will begin working with MS Main Street to get organized.
8. Street Paving Phase 4 – We have started looking at the streets to include in the phase 4 paving project. Maps have been distributed to the council for their input. The administration will continue to recommend roads that are rated the worst based on the PACER scale in the Road Maintenance and Improvements Plan from 2018. I will also be recommending that we partner with the county to have our roads re-assessed after the completion of phase 4, which would be sometime in late Spring or early Summer. This has been a great tool to make sure we are improving the worst streets first in each ward.
9. Diamondhead Drive Multimodal Lane – Orion is finishing up the final proof of the construction plans for the protected multimodal lane on Diamondhead Drive. This will create a 7-mile protected lane for bikes, pedestrians, and golf carts for the entire loop in Diamondhead. It is one of the major paths identified in the Comprehensive Plan. The cost for this project is estimated to be about \$400,000. In the short term, does the council want to begin working on changing the

parking ordinance to make this loop a no parking zone. We will need to amend the ordinance through a text amendment process and would need to install signs around the entire loop. I have inquired with Orion about getting a cost for this initial step before we secure grant funding. This may allow us to build it in phases, and I am starting to explore funding sources.

Public Comments on Agenda Items - None.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 2 Moran to amend the action agenda to include the following:

**2021-411:** Motion to authorize the Planning & Zoning Commission to hold workshop(s) in conjunction with Orion Planning Group to develop parking regulations for the 7-mile Diamondhead Drive circle.

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

**MOTION CARRIED UNANIMOUSLY**

### Policy Agenda.

#### Minutes:

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

Motion made by Ward 4 Clark, Seconded by Ward 1 Finley to approve the December 7, 2021 Regular Meeting Minutes.

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

**MOTION CARRIED UNANIMOUSLY**

#### 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.

Motion made by Councilmember-At-Large Maher, Seconded by Ward 3 Sheppard 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.

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

**MOTION CARRIED UNANIMOUSLY**

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.

Motion made by Ward 4 Clark, Seconded by Ward 3 Sheppard to adopt Resolution 2021-083 thereby authorizing the submittal FY22 GOMESA Grant Application for funding for Diamondhead Drainage Projects and for other related matters.

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

**MOTION CARRIED UNANIMOUSLY**

4. **2021-084:** Motion to adopt Resolution 2021-084 setting salaries for FY22 with 3% increase effective January 3, 2022.

Motion made by Ward 3 Sheppard, Seconded by Councilmember-At-Large Maher to adopt Resolution 2021-084 setting salaries for FY22 with 3% increase effective January 3, 2022.

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

**MOTION CARRIED UNANIMOUSLY**

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”.

Motion made by Ward 4 Clark, Seconded by Ward 3 Sheppard 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”.

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

**MOTION CARRIED UNANIMOUSLY**

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."

Motion made by Ward 3 Sheppard, Seconded by Councilmember-At-Large Maher 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."

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

#### **MOTION CARRIED UNANIMOUSLY**

7. **2021-410:** 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)

Motion made by Councilmember-At-Large Maher, Seconded by Ward 3 Sheppard to adopt Resolution 2021-087 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)

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

#### **MOTION CARRIED UNANIMOUSLY**

#### **Consent Agenda:**

Motion made by Ward 4 Clark, Seconded by Ward 1 Finley to approve the following agenda items by consent:

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.

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

**MOTION CARRIED UNANIMOUSLY**

**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.

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher 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.

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

**MOTION CARRIED UNANIMOUSLY**

13. **2021-411:** Motion to authorize the Planning & Zoning Commission to hold workshop(s) in conjunction with Orion Planning Group to develop parking regulations for the 7-mile Diamondhead Drive circle.

Motion made by Councilmember Finley, Seconded by Councilmember-At-Large Maher to authorize the Planning & Zoning Commission to hold workshop(s) in conjunction with Orion Planning Group to develop parking regulations for the 7-mile Diamondhead Drive circle.

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

**MOTION CARRIED UNANIMOUSLY**

**Routine Agenda.**

**Claims Payable**

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

Motion made by Ward 3 Sheppard, Seconded by Ward 2 Moran to approve Docket of Claims (DKT159144 - DKT159165) in the amount of \$212,043.75.

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

**MOTION CARRIED UNANIMOUSLY**

**Department Reports**

Motion made by Ward 4 Clark, Seconded by Ward 3 Sheppard to accept the following reports:

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

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

**MOTION CARRIED UNANIMOUSLY**

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

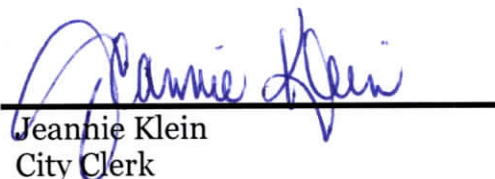
**Adjourn/Recess.**

At 6:51 p.m. and with no further matters to come before the Council, motion made by Ward 2 Moran, Seconded by Ward 4 Clark to adjourn in memory of Jamie Przytarski, loving neice of Mayor Depreo, who passed on December 16, 2021.

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

**MOTION CARRIED UNANIMOUSLY**

  
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Nancy Depreo  
Mayor

  
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Jeannie Klein  
City Clerk