



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 COUNCIL MEETING

Tuesday, May 05, 2020

6:00 PM CST

Council Chambers, City Hall  
and via teleconference, if necessary

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### Call to Order.

Invocation - Mayor Schafer

Councilmember Clark

Pledge of Allegiance

Roll Call

PRESENT

Ward 1 Nancy Depreo

Ward 2 Alan Moran

Ward 3 Jamie Morgan

Ward 4 Charles Clark

Councilmember-At-Large Lindsay L'Ecuyer

ABSENT

Mayor Thomas E. Schafer, IV

Confirm or Adjust Agenda Order

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran to adjust the agenda order as follows:

**Table:** 2020-134 Case 202000115 Variance filed by Timothy and Gina Stockstill

**Add:** 7. a. Agenda Item 2020-146: Res 2020-025 Rescinding the March 21, 2020 Executive Order. Rescind as the result of the Governor's Exec Order modifying to the Safer at Home proclamation and would give the City Manager the authority to enact this and any future Governor's Exec Orders

7. b. Agenda Item 2020-147: Res 2020-026 Authorize the CM to seek reimbursement from the CARES Act for COVID-19 expenses

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

**MOTION CARRIED UNANIMOUSLY**

**Council Comments.**

1. The next regularly scheduled meeting of the Council will be held Tuesday, May 19, 2020 at 6:00 p.m. in Council Chambers at 5000 Diamondhead Circle. Social distancing recommendations from federal and state officials in conjunction with the Center for Disease Control will limit attendees at this and future meetings. Residents are encouraged to view the meeting live stream via the city's website at [www.diamondhead.ms.gov](http://www.diamondhead.ms.gov). Any resident wishing to address the council may do so in writing in advance by hand-delivery, mail or email to [jklein@diamondhead.ms.gov](mailto:jklein@diamondhead.ms.gov).

**Presentation Agenda.**

- a. TIF Redevelopment Plan - Lawrence Leyens, Urban Development Toolbox
- b. CASA Update- Cynthia Chauvin, Director
- c. East Aloha Improvements Design - Jason Chiniche
- d. Montjoy Creek Improvements Design, Jason Chiniche

**City Manager's Report.**

1. COVID-19 Update - New Governor Executive Order effective Thursday, May 7<sup>th</sup> at 8am: Restaurants may open with outdoor and indoor dining with a limited capacity of 50%; parks, playgrounds, ballfields and pools may open with limitations; barbers, hair and nail salons, message therapy and gyms are still closed.
2. Operations of City Hall – City Hall will remain closed to the public until the end of May. We will continue to serve our residents via the glass window in the court department. I have not received any complaints with this, and I do have several employees that do have pre-existing conditions that I want to protect from unnecessary exposure to the public.
3. Slab Removal Project – the contractor is scheduled to begin work on May 11 and the work will be completed in 2 weeks.
4. Police Parking Lot – The new parking lot for the police officers has been paved and this project is nearing completion. Our public works staff did much of the work on this to save the city money.
5. Budget Process – We have started preparing for the FY21 budget. Tonight, we have recommended a proposed calendar for the budget meetings.
6. Building Department – As everyone knows, building activity in the city is continuing to be in high demand. In 2018, we had 46 new single-family permits pulled. In 2019, it increased to 64. Year to date in 2020, there has been 21 new single-family permits pulled. We have 2 sketch plans for new subdivisions on the agenda tonight, and we are receiving more calls about commercial and residential development. We are looking at ways to make this office more efficient. This includes the fee schedule for permits, technology, staffing, online forms, etc. The demand for living in Diamondhead is growing, which is a great thing.

**Public Comments on Agenda Items.**

Sue Layel - in favor of Montjoy Creek dredging

Tim Kelly - in favor of Montjoy Creek dredging and concerns about current Tidelands Project

Victor C. Foster - opposed to proposed amenities at Montjoy Creek

**Policy Agenda.****Minutes:**

1. Motion to approve the April 21, 2020 Regular Meeting Minutes

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran to approve the April 21, 2020 Minutes

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

**MOTION CARRIED UNANIMOUSLY**

1. Motion to approve the April 21, 2020 Regular Meeting Minutes.

**Resolutions:**

2. **2020-115:** Motion to adopt Resolution 2020-018 urging the US Congress to support direct federal funding to all municipalities in Mississippi to help fight COVID-19 and protect local citizens from the effects of the novel Coronavirus.

Motion made by Ward 3 Morgan, seconded by Councilmember-At-Large L'Ecuyer to adopt Resolution 2020-018 urging the US Congress to support direct federal funding to all municipalities in Mississippi to help fight COVID-19 and protect local citizens from the effects of the novel Coronavirus.

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. Absent: Mayor Schafer.

**MOTION CARRIED UNANIMOUSLY**

3. **2020-118:** Motion to adopt Resolution 2020-020 employing Butler Snow, LLC as Bond Counsel for Tax Increment Financing Planning at the standard billing terms and charges defined in the agreement.

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran

Voting Yea: Ward 1 Depreo, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark, Councilmember-At-Large L'Ecuyer to adopt Resolution 2020-020 employing Butler Snow, LLC as Bond Counsel for Tax Increment Financing Planning at the standard billing terms and charges defined in the agreement.

A roll call vote was taken as follows:

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

**MOTION CARRIED UNANIMOUSLY**

4. **2020-128:** Motion to adopt Resolution 2020-021 accepting the nomination submitted by Ward 1 Councilmember Depreo to appoint Sue Laya to serve as Planning & Zoning Commissioner effective immediately for a 3-year term expiring March 2023.

Motion made by Ward 1 Clark, Seconded by Ward 3 L'Ecuyer to adopt Resolution 2020-021 accepting the nomination submitted by Ward 1 Councilmember Depreo to appoint Sue Laya to serve as Planning & Zoning Commissioner effective immediately for a 3-year term expiring March 2023.

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. Absent: Mayor Schafer

**MOTION CARRIED UNANIMOUSLY**

5. **2020-132:** Motion to adopt Resolution 2020-022 declaring a 30-day continuation of the existence of local emergency due to COVID-19.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 3 Morgan to adopt Resolution 2020-022 declaring a 30-day continuation of the existence of local emergency due to COVID-19.

A roll call vote was taken as follows.

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

**MOTION CARRIED UNANIMOUSLY**

6. **2020-137:** Motion to adopt Resolution 2020-023 thereby approving the map amendment (re-zoning) filed by OneDiamondhead, LLC to change the current zoning from R-1 (Low Density Single Family) to R-2 (Median Density Single Family) in part as petitioned. The tax parcel number is 067L-0-35-012.000 in part. The Case File Number is 2020-00120.

Motion made by Ward 3 Morgan, Seconded by Councilmember-At-Large L'Ecuyer to adopt Resolution 2020-023 thereby approving the map amendment (re-zoning) filed by OneDiamondhead, LLC to change the current zoning from R-1 (Low Density Single Family) to R-2 (Median Density Single Family) in part as petitioned. The tax parcel number is 067L-0-35-012.000 in part. The Case File Number is 2020-00120.

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. Absent: Mayor Schafer.

**MOTION CARRIED UNANIMOUSLY**

7. **2020-139:** Motion to adopt Resolution 2020-024 the proposed text amendments to change the required off-street parking spaces in Table 8.1 for Restaurants without Drive-Thru; medical dental office and clinic; assisted living facility; offices; retail stores-indoor; health fitness club; and hotels

as petitioned. The proposed text amendment also amends Article 8.4.2 A. to allow for parking spaces for golf carts, motorcycles and scooters. The Case File Number is 202000095.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 3 Morgan to adopt Resolution 2020-024 the proposed text amendments to change the required off-street parking spaces in Table 8.1 for Restaurants without Drive-Thru; medical dental office and clinic; assisted living facility; offices; retail stores-indoor; health fitness club; and hotels as petitioned. The proposed text amendment also amends Article 8.4.2 A. to allow for parking spaces for golf carts, motorcycles and scooters. The Case File Number is 202000095.

A roll call vote was taken as follows:

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

**MOTION CARRIED UNANIMOUSLY**

- 7 a. **Agenda Item 2020-146:** Res 2020-025 Rescinding the March 21, 2020 Executive Order the result of the Governor's Executive Order modifying the Safer at Home proclamation thereby giving the City Manager the authority to enact this and any future the Executive Orders issued by the Governor.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 4 Clark to rescind the March 21, 2020 Executive Order thereby giving the City Manager the authority to enact Executive Orders issued by the Governor.

A roll call vote was taken as follows:

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

**MOTION CARRIED UNANIMOUSLY**

7. b. **Agenda Item 2020-147:** Res 2020-026 Authorize the City Manager to seek reimbursement from the CARES Act for COVID-19 expenses

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 4 Clark to authorize the City Manager to seek reimbursement from the CARES Act for COVID-19 expenses.

A roll call vote was taken as follows:

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

**MOTION CARRIED UNANIMOUSLY**

**Consent Agenda:**

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 3 Morgan to approve Consent Agenda Items 8 and 10 through 19 by consent;

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

8. **2020-114:** Motion to enter into agreement with Urban Development Toolbox in the amount of \$2,500 for consulting services related to Tax Increment Financing Redevelopment Plan.

9. **2020-122:** Motion to approve proposed conceptual drawing for East Aloha Improvements.
10. **2020-124:** Motion to approve and authorize expenses for 2020 city-sponsored/hosted events as follows:
- |  |          |
|--|----------|
| Cruisin the Coast (Oct 7, 2020)                            | \$17,550 |
| POA Halloween Trunk or Treat (Oct 2020)                    | \$ 350   |
| Diamondhead Festival and BBQ Competition (Nov 7 & 8, 2020) | \$15,000 |
| Christmas on the Green (Dec 3, 2020)                       | \$ 2,850 |
| National Night Out   | \$ 750   |
11. **2020-125:** Motion to enter into agreement with Cruisin' the Coast for 2020 Blessing of the Classics.
12. **2020-126:** Motion to approve payment to James J. Chiniche, PA Inc. in the amount of \$8,067.50 (\$1,992.50 Noma Drive; \$781.25 Montjoy Creek; \$987.50 Shepherd's Square; \$4,306.25 East Aloha Phase I).
13. **2020-127:** Motion to approve Pay Application #2 to Moran Hauling, LLC in the amount of \$53,761.45 for East Aloha Widening Project.
14. **2020-129:** Motion to approve Work Assignment with Digital Engineering in the amount of \$6,000.00 for GIS System maintenance.
15. **2020-130:** Motion to ratify the City Manager's submission of project for GOMESA grant funding to improve water quality.
16. **2020-133:** Motion to authorize the administration to make request to Hancock County Board of Supervisors to release to the City the FY19 Road & Bridge Funds balance in the amount of \$100,845.
17. **2020-140:** Motion to approve Budget Amendments.
18. **2020-141:** Motion to amend the website development and hosting agreement with Municode to include Business Directory setup at a one-time fee of \$750.00 and \$600 annual maintenance.

A roll call vote was taken as follows:

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

#### **MOTION CARRIED UNANIMOUSLY**

#### **Action Agenda.**

20. **2020-131:** Discussion - City of Diamondhead Yard of the Month Program.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 3 Morgan - the proposed Yard of the Month Program was discussed.

**NO ACTION WAS TAKEN**

- 22. 2020-135:** Motion to approve a variance filed by Kenneth McGehee to construct a 6' in height wooden privacy fence extending beyond 7' from the facade of their house fronting on Koloa Street extending to only the common lot line between Lots 70 and 71. Afterwards, the fence shall follow the setback in line with the facade of their house on lots 71, 72, and 73. The case file number is 202000070.

Motion made by Ward 4 Clark, Seconded by Ward 2 Moran to approve a variance filed by Kenneth McGehee to construct a 6' in height wooden privacy fence extending beyond 7' from the facade of their house fronting on Koloa Street extending to only the common lot line between Lots 70 and 71. Afterwards, the fence shall follow the setback in line with the facade of their house on lots 71, 72, and 73. The case file number is 202000070

A roll call vote was taken as follows:

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

**MOTION CARRIED UNANIMOUSLY**

- 23. 2020-136:** Motion to approve the Sketch Plat of The Preserve Subdivision Phase 1 submitted by Structures of Diamondhead subject to addressing all of the comments mentioned at the DRC as well as meeting all the other adopted codes and regulations. No variances have been requested.

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran to approve the Sketch Plat of The Preserve Subdivision Phase 1 submitted by Structures of Diamondhead subject to addressing all of the comments mentioned at the DRC as well as meeting all the other adopted codes and regulations.

A roll call vote was taken as follows:

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

**MOTION CARRIED UNANIMOUSLY**

- 24. 2020-138:** Motion to approve the Sketch Plat of Deer Crossing Subdivision submitted by OneDiamondhead, LLC subject to addressing all of the comments mentioned at the DRC as well as meeting all the other adopted codes and regulations. No variances have been requested.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 2 Moran to approve the Sketch Plat of Deer Crossing Subdivision submitted by OneDiamondhead, LLC subject to addressing all of the comments mentioned at the DRC as well as meeting all the other adopted codes and regulations..

A roll call vote was taken as follows:

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

**MOTION CARRIED UNANIMOUSLY**

**25. 2020-142: Motion to accept and approve the Timeline for FY2021 Budget.**

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to accept and approve the Timeline for FY2021 Budget.

A roll call vote was taken as follows:

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

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

**MOTION CARRIED UNANIMOUSLY**

**Routine Agenda.**

**Claims Payable**

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran to approve the Docket of Claims (DKT157097 - DKT157119) in the amount of \$176,729.22 and Payroll Payable Claims s Docket DKT157086 - DKT157096 in the amount of \$46,165.95 and PRCLAIM043 in the amount of \$30,683.12.

A roll call vote was taken as follows:

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

**MOTION CARRIED UNANIMOUSLY**


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

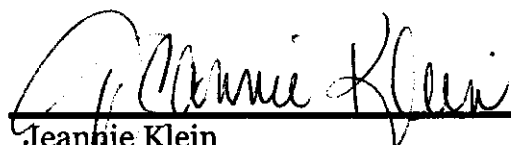
**Adjourn/Recess.**

At 7:30 p.m. and with no further business to come before the Council, Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 3 Morgan to adjourn.

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

**MOTION CARRIED UNANIMOUSLY**

  
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Thomas E. Schafer, IV  
Mayor

  
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Jeanie Klein  
City Clerk