



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, July 06, 2021

6:00 PM CST

Council Chambers, City Hall
and via teleconference, if necessary

Call to Order.

Invocation

Pledge of Allegiance

Roll Call

Confirm or Adjust Agenda Order

Presentation Agenda.

Council Comments.

- a. The next Regular Meeting of the City Council will July 20, 2021 at 6:00 p.m. in Council Chambers at City Hall 5000 Diamondhead Circle.
- b. Aloha Diamondhead will be held 4-7 p.m. on Saturday, July 17, 2021.
- c. Jamie Welsh, Rostan Solutions, LLC - project update

City Manager's Report.

Public Comments on Agenda Items.

Policy Agenda.

Minutes:

1. Motion to approve the June 15, 2021 Regular Meeting Minutes.

Ordinances:

Resolutions:

2. **2021-204:** Motion to adopt Resolution 2021-036 thereby appoint a Mayor Pro Tem for Diamondhead City Council.
3. **2021-205:** Motion to adopt Resolution 2021-037 thereby reappointing Michael Reso to the position of City Manager.
4. **2021-206:** Motion to adopt Resolution 2021-038 thereby reappointing Jeannie Klein to the position of City Clerk.
5. **2021-207:** Motion to adopt Resolution 2021-039 thereby reappointing Tammy Garber to the position of Deputy City Clerk.
6. **2021-208:** Motion to adopt Resolution 2021-040 thereby reappointing Lisa McSwain to serve as Municipal Court Clerk.

- 7.** **2021-209:** Motion to adopt Resolution 2021-041 thereby reappointing Hayes Johnson to serve as Municipal Court Judge.
- 8.** **2021-210:** Motion to adopt Resolution 2021-042 thereby reappointing Lauren Prater to serve as Deputy Municipal Court Clerk.
- 9.** **2021-211:** Motion to adopt Resolution 2021-043 thereby engaging and hiring Derek Cusick in his capacity as City Attorney and City Prosecutor and for other related purposes.
- 10.** **2021-227:** Motion to adopt Resolution 2021-035 thereby reaffirming FY21 compensation for all employment positions within the City.
- 11.** **2021-213:** Motion to adopt Resolution 2021-045 thereby appointing Mayor Depreo as the Voting Delegate and First Alternate (TBD) for the 2021 MML Officer Elections.
- 12.** **2021-214:** Motion to adopt Resolution 2021-046 thereby accepting the donation, grating and conveyance of certain properties from Rouse's Land Company, LLC and declaring surplus and conveying unneeded surplus city-owned property adjacent to Rouses's Land Company, LLC for the East Aloha Improvement Project.
- 13.** **2021-215:** Motion to adopt Resolution 2021-047 thereby accepting by donation certain real properties from Michael Casano and declaring surplus conveyance of certain properties from Michael Casano and declaring surplus and conveying unneeded surplus city-owned property Michael Casano for the East Aloha Improvement Project.
- 14.** **2021-216:** Motion to adopt Resolution 2021-048 declaring and conveying surplus property previously donated but no longer necessary for city use to The First Banking Association.
- 15.** **2021-217:** Motion to adopt Resolution 2021-049 thereby finding the use of city resources for the clearing and survey of privately-owned property is in the best interest of the City and is of benefit to the City as it will allow the City to determine exact location of proposed roadway, park and boat launch construction and for other related purposes.
- 16.** **2021-218:** Motion to adopt Resolution 2021-050 thereby accepting the donation, granting and conveyance of property from Diamondhead Community Development, LLC and GEM City Properties, LLC, declaring surplus and conveying unneeded adjacent city-owned property to Diamondhead Community Development, LLC and GEM City Properties, LLC and for other related matters.
- 17.** **2021-219:** Motion to adopt Resolution 2021-051 thereby reducing the Mayor's salary for the remainder of FY21 from \$3,750 to \$2,550, to reallocate remaining \$1,200 for the lump sum disbursement to CASA of Hancock County at such time necessary budget amendments are approved by Council.
- 18.** **2021-225:** Motion to adopt Resolution 2021-051 thereby accepting the the recommendation of the Planning Commission and adopting Envision Diamondhead 2040 as the City of Diamondhead Comprehensive Plan. View the plan at <https://www.envisiondiamondhead2040.com/>

Consent Agenda:

- 19.** **2021-220:** Motion to ratify the Proclamation of Existence of a Local Emergency caused by Invest 92L (TS Claudette) commencing June 18, 2021.

- 20.** **2021-221:** Motion to approve and accept the U. S. Department of Treasury statement of assurances terms and conditions for Corona Virus Local Fiscal Recovery Funds and to authorize the City Manager to execute same.
- 21.** **2021-223:** Motion for approval to advertise for Request for Proposals for Engineering Services Master Service Agreement for a 4-year period and for other federally funded projects including but not limited to GOMESA and American Rescue Plan.
- 22.** **2021-224:** Motion to pledge support the Boy Scouts of America Eagle Scout Project for park benches, birds houses and trees for the Diamondhead Dog Park.
- 23.** **2021-229:** Motion to approve engagement agreement for entertainment with Chicken on the Bone for the 2021 Diamondhead Festival and BBQ Competition to be held November 13, 2021, authorize City Manager to execute agreement and approval of deposit payment in the amount of \$600.00.

Action Agenda.

- 24.** **2021-226:** Motion to concur with the Planning Commission recommendation to deny Diamondhead Community Church's application requesting a variance from the Zoning Ordinance (Article 10.7.d) to place a directional sign at the intersection of Noma Drive and Oak Park Drive that has a copy area of 12 square feet. Maximum allowed copy area is 6 square feet. the variance requested is 6 square feet. the property is located at 5301 Diamondhead Circle. The tax parcel number is 132A-2-03-027.000. The legal description is Pt. NE 1/4 Sec. 3-8-14. The property is located in a PFR-Public Facilities and Recreation zone district. Maximum copy area allowed is 6 square feet. The Case Number is 202100177.
- 25.** **2021-227:** Motion to concur with the Planning Commission to recommend Phillip Sutton's modified request for a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 8.5' from the southeast corner of the house, continuing toward Pokai Street for 11' and then continuing east along Pokai Street at a 90 degree angle for 48' or longer. This is a corner lot with 2 front setbacks and 2 front facades. The Ordinance states a privacy fence cannot extend beyond the front façade of the house. The variance requested is 8.5' from the front façade (southeast corner) and 11' towards Pokai Street. The property address is 97440 Diamondhead Drive West. The tax parcel number is 067K-1-36-0567.000. The legal description is Diamondhead Subdivision Phase #2, Unit 4A, Block 5, Lots 5 & 6. The property is located in a R-2 zoning district. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house. The Case File Number is 202100176.
- 26.** **2021-228:** Motion to concur with the Planning Commission recommendation to deny Timothy and Gina Stockstill's application requesting a variance from the Zoning Ordinance (Article 4.6.5 E iii) to allow the construction of a screened enclosure of an existing deck which is 4 feet 4 inches from the rear property line. the rear yard setback is a minimum of 20 feet. The variance requested is 15 feet 8 inches. the property address is 689 Oahu Street. The parcel number is 067Q-0-36-090.000. The legal description is Diamondhead Subdivision Phase 2, Unit 3, Block 5, Lot 63 and a portion of Lot 64. the Property is located in a R-2 zoning district. the case file number is 202100165.

Routine Agenda.

Claims Payable

- [27.](#) Motion to approve the Docket of Claims (DKT158569 - DKT158616) in the amount of \$183,263.87.

Department Reports

- [a.](#) Police Department- May 2021

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.



Mayor Depreo
Councilmember L'Ecyer
Councilmember Finley
Councilmember Moran
Councilmember Morgan
Councilmember Clark

Item No. 1.
Ward 1
Ward 2
Ward 3
Ward 4

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, June 15, 2021
6:00 PM CST
Council Chambers, City Hall

Call to Order.

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

Invocation

Councilmember Finley

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo

Ward 1 Shane Finley

Ward 2 Alan Moran

Ward 3 Jamie Morgan

Ward 4 Charles Clark

ABSENT

Councilmember-At-Large Lindsay L'Ecyer

Confirm or Adjust Agenda Order

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to amend and approve the agenda to include the following agenda items:

2021-200: Motion to adopt Resolution 2021-035 supporting the regional tourism effort "Coastal Mississippi," Chief Executive Office Milton Segarra and staff.

2021-203: Motion to approve letter of support to the Department of Marine Resources for the Hancock County FY2023 Tideland Applications for dredging Paradise Bayou.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Presentation Agenda.

Council Comments.

1. The next Regular Meeting of City Council will be held Tuesday, July 6, 2021 at 6:00 PM in City Hall Council Chambers located at 5000 Diamondhead Circle.

City Manager's Report.

1. Election – I would like to recognize and congratulate our city clerk and all the election workers for holding another successful election in Diamondhead. There were no major problems reported even with the new voting system being implemented. We had another outstanding showing from residents with 2,344 registered voters casting their ballots out of a total of 7,927 registered voters in the city. That is 30% of registered voters casting ballots. Outstanding! I would like to personally thank Julie Boudreaux and Sue Favre for serving as election commissioners and for their work to prepare for this election. They worked for several months to prepare. Regarding the ballot items related to consolidation of public services, this was a non-binding referendum intended to allow residents to voice their opinions on this matter. The results were overwhelming not supportive of consolidation on this ballot. However, I want to remind the council that this was a non-binding referendum and does not obligate the council to act or not act in the future based on the outcome. It will be good to put this matter behind us and to look forward to the many positive things happening in our community. At some time in the future, the council may decide to begin meeting with the different entities to develop a plan for consolidation that our residents may support with more information. Until then, it is time to focus on the projects that we are all working to better our community.
2. Capital Projects in Diamondhead – At this time, there is \$33 million of capital projects being planned for our community by your governing bodies. The city has the following projects: \$4 million for drainage projects; \$2.5 million for road paving over the next 5 years; \$650K for E. Aloha Drive; \$4.2 million for Town Center public infrastructure; \$800K for Noma Drive Waterfront; and \$800K for Montjoy Creek Improvements. This is all positive for our residents.
3. Waiving Building Fees – I am asking the council to pass a resolution to allow the building department to waive fees for rebuilding after a natural disaster, which would include fires. Last year, we waived fees after Hurricane Zeta, and this will make that decision permanent.
4. Tidelands Grants – Grant applications are due by the end of June. Our application for this year is to continue funding the Noma Drive waterfront improvements including the 2,000 ft pier into the Jourdan River. Thus far we have received 2 years of funding totaling \$800K from Tidelands for this project. We are applying for another \$400K in this application. In addition, there is a letter of support on the agenda for a Tidelands grant that the county is submitting to dredge Paradise Bayou. They are requesting \$500K for this project.
5. Orion Planning Work Assignment – I am asking for authorization to sign an agreement with Orion Planning for general planning services. This will be billed hourly as used. The intent is to provide a way for Orion to review plans to make sure they are in keeping with the comprehensive plan.
6. Turnberry Drainage – I am asking for authorization to sign a new work assignment with Covington Engineer for Turnberry Drainage. We completed the first phase of this project which included removal of the weir on Cardinal #4 pond and dredging the pond. We are still having bottlenecks and flooding in this area which requires us to look into the next phase of improvements to reduce flooding risks. Covington recommended adding more culverts under Turnberry Drive and Turnberry Way, but this will send more water downstream faster. This work assignment is to look at a 25 acres parcel to determine if we can use that as a retention pond to slow water down and reduce flooding.

7. Covington Work Assignment – I am asking for authorization to sign a new work assignment with Covington Engineer to survey the right of way on W. Aloha, Kalani, and Indian Hill. This is needed by Orion Planning as they work on our gateway project and urban plan for the Aloha district.
8. Wayfinding Planning Grant – The city was awarded a \$75K grant from GRPC for our Wayfinding, Navigation, and Implementation Master Plan. The motion on the agenda allows the administration to prepare and submit the funding activation request for this grant. At our next meeting, I will request to hire Orion Planning for this project.
9. Dog Park – The temporary dog park is almost ready to open for residents to enjoy. We are waiting for sod to be installed and for signs to be printed. We hope to have this ready by next week depending on the weather. I would like to recognize and thank the dog park planning committee for their work over the last 6 months. They have made this a reality in Diamondhead.
10. Last meeting of this city council – I would like to thank all the members of our current city council. They are completing this term of office with this last regularly scheduled meeting. Over the last 4 years, you have achieved great success on major projects for this community. To Jamie and Tink, it has been a pleasure working with you, and we are all grateful for your service to this community. We hope you will stay involved in some way. The new city council, including Gerard and Rickey, will be sworn in on July 1.
11. Recess meeting – I would ask the council to recess this meeting until 5:00pm on July 6th for the first budget workshop meeting. At that time, I will present the proposed budget by the administration to the council. There will be budget workshops to follow to develop the final budget for FY22.

Public Comments on Agenda Items - None.

Policy Agenda.

Minutes:

1. Motion to approve the June 1, 2021 Regular Meeting Minutes.

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to approve the June 1, 2021 Regular Meeting Minutes.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Resolutions:

2. **2021-173:** Motion to adopt Resolution 2021-029 thereby requesting assistance from the City of Waveland pursuant to the 2016 Interlocal Agreement to utilize the grand stand for the Krewe of Diamondhead Mardi Gras Parade rescheduled to be held on September 4, 2021.

Motion made by Ward 3 Morgan, Seconded by Ward 1 Finley to adopt Resolution 2021-029 thereby requesting assistance from the City of Waveland pursuant to the 2016 Interlocal Agreement to utilize the grand stand for the Krewe of Diamondhead Mardi Gras Parade rescheduled to be held on September 4, 2021.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

3. **2021-185:** Motion to adopt Resolution 2021-032 thereby directing the administration to make application to the Public Employees Retirement System of Mississippi for a determination regarding position and/or department participation eligibility.

Motion made by Ward 4 Clark, Seconded by Ward 1 Finley to adopt Resolution 2021-032 thereby directing the administration to make application to the Public Employees Retirement System of Mississippi for a determination regarding position and/or department participation eligibility.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

4. **2021-193:** Motion to adopt Resolution 2021-033 thereby waiving permit fees for repair, partial and/or complete reconstruction of a structure due to damages from all natural disasters.

Motion made by Ward 3 Morgan, Seconded by Ward 1 Finley to adopt Resolution 2021-033 thereby waiving permit fees for repair, partial and/or complete reconstruction of a structure due to damages from all natural disasters.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

5. **2021-199:** Motion to adopt Resolution 2021-034 to authorize a grant application to the Mississippi Department of Marine Resources in the amount of \$400,000 for the Noma Drive Waterfront Project - Jourdan River Pier and for other related purposes.

Motion made by Ward 4 Clark, Seconded by Ward 3 Morgan to adopt Resolution 2021-034 to authorize a grant application to the Mississippi Department of Marine Resources in the amount of \$400,000 for the Noma Drive Waterfront Project - Jourdan River Pier and for other related purposes.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

6. **2021-200:** Motion to adopt Resolution 2021-035 supporting the regional tourism effort "Coastal Mississippi, Chief Executive Office Milton Segarra and staff.

Motion made by Ward 1 Finley, seconded by Ward 4 Clark to adopt Resolution 2021-035 supporting the regional tourism effort "Coastal Mississippi, Chief Executive Office Milton Segarra and staff.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

Motion made by Ward 4 Clark, Seconded by Ward 3 Morgan to approve the following agenda items by consent:

6. **2021-151:** Motion to authorize the City Manager to enter into a work agreement with Orion Planning and Design for General Planning and Design Services.
7. **2021-184:** Motion to accept the Limited Service Hotel Study report.
8. **2021-186:** Motion to accept donations for the Dog Park project.
9. **2021-187:** Motion to approve declare surplus equipment and proceed with proper disposal.

10. **2021-188:** Motion to approve contract with ERS, Inc. for Channel Stabilization Project at Diamondhead East and Alkii Way (NRCS Grant), authorize notice to proceed effective on or before June 16, 2020 and authorize the City Manager to execute same.
11. **2021-189:** Motion to approve and enter into contract with Warren Paving, Inc. for Phase 3 Roadway Improvements, issue the notice to proceed and to authorize the city Manager execute same.
12. **2021-190:** Motion to approve 2 additional days for election commissioner pay @ 85.00 for a total of 12 days totaling \$1,020.00
13. **2021-191:** Motion to approve emergency engineering services Work Assignment in the amount of \$17,800 under the Master Service Agreement pursuant to MS Code §21-35-19 with Covington Civil & Environmental for Turnberry Phase 2 Drainage as the result of flooding and stormwater runoff during recent excessive rainfall event.
14. **2021-192:** Motion to approve Master Agreement Work Assignment with Covington Civil & Environmental in the \$18,500 for surveying area West Aloha, Kalani, and Indian Hill.
15. **2021-194:** Motion to approve offer and payment in the amount of \$9,961 to the Hancock County Chancery Clerk Trust Account for land purchase for ROW to extend Leisure Time Lane.
16. **2021-195:** Motion to approve payments to Digital Engineering in the amount of \$157.50 for plan/spec review and \$873 for GIS Maintenance Services.
17. **2021-196:** Motion to approve payments to Chiniche Engineering & Surveying in the amount of \$4,204.20 Montjoy Creek Improvements (Tidelands), \$8,011.11 East Aloha Redesign (MDA SMLP), \$3,546.41 Noma Drive Improvements (Tidelands).
18. **2021-197:** Motion to authorize the City Clerk, LPA Official for the City, to prepare and submit funding activation request for the MDOT Wayfinding Study Grant.
- 18 a. **2021-203:** Motion to approve letter of support to the Department of Marine Resources for the Hancock County FY2023 Tidelands Application for dredging Paradise Bayou.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Action Agenda.

19. **2021-201:** Motion for discussion and/or possible action regarding the filing of request for opinions, complaints and/or requests for public information from various state agencies.

Motion made by Ward 4 Clark, Seconded by Ward 1 Finley to bring to the table for discussion and/or possible action regarding the filing of request for opinions, complaints and/or requests for public information from various state agencies.

MOTION CARRIED UNANIMOUSLY

There was no motion offered regarding the matter.

NO ACTION TAKEN

- 20. 2021-202:** Motion to authorize the Planning Commission to hold a public hearing in regard to a proposed text amendment to the Subdivision Regulations requiring all drawings to be CAD files and authorize publication of legal notice.

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark authorize the Planning Commission to hold a public hearing in regard to a proposed text amendment to the Subdivision Regulations requiring all drawings to be CAD files and authorize publication of legal notice.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Routine Agenda.

Claims Payable

- 21.** Motion to approve Payroll Payables APPKT01523 DKT158492-DKT158503 in the amount of \$48,099.80, PRCLAIM 086 in the amount of \$36,090.74, PRCLAIM087 in the amount of \$2,720.31, PRCLAIM088 in the amount of \$30,407.70.

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to approve Payroll Payables APPKT01523 DKT158492-DKT158503 in the amount of \$48,099.80, PRCLAIM 086 in the amount of \$36,090.74, PRCLAIM087 in the amount of \$2,720.31, PRCLAIM088 in the amount of \$30,407.70.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

- 22.** Motion to approve Docket of Claims (DKT158504 -DKT158567) in the amount of \$243,257.93.

Motion made by Ward 1 Finley, Seconded by Ward 2 Moran to approve Docket of Claims (DKT158504 -DKT158567) in the amount of \$243,257.93.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Department Reports

Motion made by Ward 4 Clark, seconded by Ward 3 Morgan to accept the following reports:

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

- a. May 2021 Financial Reports
- b. May 2021 Code Enforcements
- c. Building Department Report May 2021
- d. Privilege License Report May 2021

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items.

Robert Harko - Paving and drainage issues in the Oaks and requested all roads be paved.

Andy Nicks - Illegal dumping at the recycling location; suggested signage be placed to deter the dumping of non-recyclable items.

Ward 3 Councilmember Jamie Morgan thanked the public and fellow-councilmembers for allowing her to serve for the past four years. She expressed her well wishes for the success of the incoming council and for the future of the City.

Adjourn/Recess.

At 6:45 p.m. motion made by Ward 3 Morgan, Seconded by Ward 1 Finley to recess until 5:00 p.m. July 5, 2021.

Voting Yea: Mayor Depreo, Ward 1 Finley, Ward 2 Moran, Ward 3 Morgan, Ward 4 Clark

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk

RESOLUTION 2021-036
AGENDA 2021-204

RESOLUTION OF THE MAYOR AND CITY COUNCIL APPOINTING MAYOR PRO TEM
FOR THE CITY OF DIAMONDHEAD

WHEREAS, July 1, 2021 City of Diamondhead elected officials will take office to serve a four year term; and

WHEREAS, the City of Diamondhead desires to appoint a member to serve as Mayor Pro Tem during the temporary absence or disability of the Mayor to provide for continuity in governance; and

WHEREAS, the City of Diamondhead desires to appoint Councilmember _____ to serve as Mayor Pro Tem and shall serve during the temporary absence or disability of the Mayor and, in this capacity shall have the rights conferred upon the Mayor; and

NOW THEREFORE, BE IT RESOLVED the Mayor and City Council of the City of Diamondhead do hereby appoint Councilmember _____ as the Mayor Pro Tem of the City of Diamondhead, Mississippi.

THE ABOVE AND FOREGOING RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, AFTER HAVING FIRST BEEN REDUCED TO WRITING, WAS INTRODUCED BY COUNCILMEMBER _____, SECONDED BY COUNCILMEMBER _____, AND THE MATTER BEING PUT TO VOTE, I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE ____ DAY OF _____, 2021.

	Aye	Nay
Mayor Depreo	_____	_____
Councilmember Maher	_____	_____
Councilmember Finley	_____	_____
Councilmember Moran	_____	_____
Councilmember Sheppard	_____	_____
Councilmember Clark	_____	_____

APPROVED: _____
NANCY DEPREO, MAYOR

ATTEST: _____
JEANNIE KLEIN, CITY CLERK

seal

RESOLUTION OF THE CITY OF DIAMONDHEAD
REAPPOINTING MICHAEL RESO TO THE POSITION OF CITY MANAGER

The City of Diamondhead hereby brings forth a Resolution reappointing Michael Reso as City Manager to serve the City of Diamondhead pursuant to MS Code Ann §21-9-25 and consistent with the following:

WHEREAS, The City of Diamondhead is authorized pursuant to MS Code §21-9-25 to appoint a City Manager, whom shall have the power and authority that is vested in the City Manager; and

WHEREAS, The City Manager shall also have other duties under the management of the City Council; and

WHEREAS, The City of Diamondhead desires to reappoint Michael Reso to the position of City Manager.

NOW, THEREFORE, BE IT RESOLVED that the City of Diamondhead does formally reappoint Michael Reso to serve as City Manager consistent with the provisions set forth, and that the City Clerk take appropriate actions to ensure such appointment complies with all requirements of Mississippi Law.

THE ABOVE AND FOREGOING RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, AFTER HAVING FIRST BEEN REDUCED TO WRITING, WAS INTRODUCED BY COUNCILMEMBER _____, SECONDED BY COUNCILMEMBER _____, AND THE MATTER BEING PUT TO VOTE, I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE ____ DAY OF _____, 2021

	AYE	NAY
MAYOR DEPREO	_____	_____
COUNCILMEMBER MAHER	_____	_____
COUNCILMEMBER FINLEY	_____	_____
COUNCILMEMBER MORAN	_____	_____
COUNCILMEMBER SHEPPARD	_____	_____
COUNCILMEMBER CLARK	_____	_____

ATTEST: _____
CITY CLERK

APPROVED: _____
NANCY DEPREO, MAYOR

seal

RESOLUTION 2021-038
AGENDA 2021-206

RESOLUTION OF THE CITY OF DIAMONDHEAD REAPPOINTING JEANNIE KLEIN
TO SERVE AS CITY CLERK

The City of Diamondhead hereby brings forth a Resolution reappointing Jeannie Klein as City Clerk to serve the City of Diamondhead pursuant to Miss. Code 1972, §21-15-17, §21-15-19, §21-15-21, §19-13-29, §21-35-13, §21-39-5 AND §21-39-19; also to be consistent with the following;

WHEREAS, City of Diamondhead desires that Jeannie Klein be formally reappointed as City Clerk and at the same employee's rate of pay; and

WHEREAS, the City Clerk shall remain under the authority of and accountable to the Council; the City Clerk shall remain under the management of the City Manager.

NOW THEREFORE BE IT RESOLVED, that the City of Diamondhead does hereby reappoint Jeannie Klein to serve at the will of the City Council under the management of the City Manager and consistent with the provisions set forth above and that the City Manager and/or the City Clerk take appropriate actions to ensure such appointment complies with all requirements of Mississippi Law.

THE ABOVE AND FOREGOING RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, AFTER HAVING FIRST BEEN REDUCED TO WRITING, WAS INTRODUCED BY COUNCILMEMBER _____, SECONDED BY COUNCILMEMBER _____, AND THE MATTER BEING PUT TO VOTE, I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE ____ DAY OF _____, 2021.

	Aye	Nay
Mayor Depreo	_____	_____
Councilmember Maher	_____	_____
Councilmember Finely	_____	_____
Councilmember Moran	_____	_____
Councilmember Sheppard	_____	_____
Councilmember Clark	_____	_____

APPROVED: _____
NANCY DEPREO, MAYOR

ATTEST: _____
CITY ATTORNEY

RESOLUTION 2021-039
AGENDA ITEM 2021 -207

RESOLUTION OF THE CITY OF DIAMONDHEAD REAPPOINTING TAMMY GARBER TO SERVE AS
DEPUTY CITY CLERK

The City of Diamondhead hereby brings forth a Resolution reappointing Tammy Garber as Deputy City Clerk to serve the City of Diamondhead pursuant to Miss. Code Ann §21-15-23 and consistent with the following:

WHEREAS, the City of Diamondhead is authorized pursuant to Miss. Code Ann §21-15-23 to appoint a Deputy City Clerk whom shall have all of the power and authority that the is vested in the City Clerk;

WHEREAS, the City of Diamondhead desires to have a Deputy Clerk to assist the City Clerk and in case of the City Clerk's absence, removal or resignation, fulfill the City Clerk's duties and obligations as Interim City Clerk;

WHEREAS, the City of Diamondhead desires to reappoint Tammy Garber to serve as Deputy City Clerk and that the employee's rate of pay shall remain the same;

WHEREAS, the Deputy City Clerk shall also have other duties under the management of the City Manager, the Deputy Clerk shall remain under the management of the City Manager, unless otherwise determined by Council.

NOW THEREFORE BE IT RESOLVED, that the City of Diamondhead does hereby reappoint Tammy Garber to serve as Deputy City Clerk consistent with the provisions set forth above and that the City Manager, City Clerk and/or Deputy Clerk take appropriate actions to ensure such reappointment complies with all requirements of Mississippi Law.

THE ABOVE AND FOREGOING RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, AFTER HAVING FIRST BEEN REDUCED TO WRITING, WAS INTRODUCED BY COUNCILMEMBER _____, SECONDED BY COUNCILMEMBER _____, AND THE MATTER BEING PUT TO VOTE, I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE ____ DAY OF _____, 2017.

	Aye	Nay
Mayor Depreo	_____	_____
Councilmember Maher	_____	_____
Councilmember Finley	_____	_____
Councilmember Moran	_____	_____
Councilmember Sheppard	_____	_____
Councilmember Clark	_____	_____

Approved: _____
NANCY DEPREO MAYOR

Attest:

Jeannie Klein, City Clerk

RESOLUTION OF THE CITY OF DIAMONDHEAD
REAPPOINTING LISA MCSWAIN TO SERVE AS MUNICIPAL COURT CLERK

The City of Diamondhead hereby brings forth a resolution reappointing Lisa McSwain as Municipal Court Clerk to serve the City of Diamondhead pursuant to Miss. Code Ann §21-23-11 and consistent with the following:

WHEREAS, the City of Diamondhead is authorized pursuant to Miss. Code Ann §21-23-11 to appoint a Municipal Court Clerk, who shall have all of the power and authority that is vested in the Municipal Court Clerk; and

WHEREAS, the City of Diamondhead desires that Lisa McSwain be formally reappointed as Municipal Court Clerk; and

WHEREAS, the Court Clerk shall also have other duties under the City Manager and remain under the management of the City Manager unless otherwise determined by Council.

NOW THEREFORE BE IT RESOLVED THAT THE CITY OF DIAMONDHEAD DOES HEREBY REAPPOINT LISA MCSWAIN TO SERVE AS MUNICIPAL COURT CLERK CONSISTENT WITH THE PROVISIONS SET FORTH ABOVE AND THAT THE CITY MANAGER AND CITY CLERK TAKE APPROPRIATE ACTIONS TO ENSURE SUCH APPOINTMENT COMPLIES WITH ALL REQUIREMENTS OF MISSISSIPPI LAW.

THE ABOVE AND FOREGOING RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, AFTER HAVING FIRST BEEN REDUCED TO WRITING, WAS INTRODUCED BY _____, SECONDED BY COUNCILMEMBER _____, AND THE MATTER BEING PUT TO VOTE, I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE ____ DAY OF _____, 2021.

	Aye	Nay
Mayor Depreo	_____	_____
Councilmember Maher	_____	_____
Councilmember Finley	_____	_____
Councilmember Moran	_____	_____
Councilmember Sheppard	_____	_____
Councilmember Clark	_____	_____

NANCY DEPREO, MAYOR

Attest:

Jeannie Klein, City Clerk

RESOLUTION OF THE CITY OF DIAMONDHEAD
REAPPOINTING R. HAYES JOHNSON, JR. TO SERVE AS
MUNICIPAL COURT JUDGE

THE CITY OF DIAMONDHEAD HEREBY BRINGS FORTH A RESOLUTION REAPPOINTING R. HAYES JOHNSON, JR. AS MUNICIPAL COURT JUDGE TO SERVE THE CITY OF DIAMONDHEAD PURSUANT TO MISS. CODE 1972, §21-23-5; ALSO TO BE CONSISTENT WITH THE FOLLOWING;

WHEREAS, the City of Diamondhead desired to formally reappoint R. Hayes Johnson, Jr. to serve as Municipal Court Judge.

NOW THEREFORE BE IT RESOLVED that the City of Diamondhead does hereby reappoint R. Hayes Johnson, Jr. to serve as Municipal Court Judge consistent with the provision set forth above and that City Manager and/or City Clerk take appropriate actions to ensure such appointment complies with all requirements of Mississippi Law

THE ABOVE AND FOREGOING RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, AFTER HAVING FIRST BEEN REDUCED TO WRITING, WAS INTRODUCED BY _____, SECONDED BY COUNCILMEMBER _____, AND THE MATTER BEING PUT TO VOTE, I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE ____ DAY OF _____, 2021.

	Aye	Nay
Mayor Depreo	_____	_____
Councilmember Maher	_____	_____
Councilmember Finley	_____	_____
Councilmember Moran	_____	_____
Councilmember Sheppard	_____	_____
Councilmember Clark_____	_____	_____

NANCY DEPREGO, MAYOR

Attest:

Jeannie Klein, City Clerk

seal

RESOLUTION OF THE CITY OF DIAMONDHEAD
REAPPOINTING A LAUREN PRATER AS DEPUTY MUNICIPAL COURT CLERK

THE CITY DIAMONHEAD HEREBY BRINGS FORTH A RESOLUTION TO APPOINT DEPUTY MUNICIPAL COURT CLERK TO SERVE THE CITY OF DIAMONDHEAD PURUSANT TO MISS. CODE ANN §21-23-11 AND CONSISTENT WITH THE FOLLOWING:

WHEREAS, the City of Diamondhead is authorized pursuant to Miss. Code Ann. §21-23-11 to appoint a Deputy Municipal Court Clerk, whom shall have all of the power vested in the Municipal Court Clerk; and

WHEREAS, the City of Diamondhead desires to have a Deputy Municipal Court Clerk to assist the Municipal Court Clerk and in case of the Municipal Court Clerk's absence, removal or resignation, fulfill the Municipal Court Clerk's duties and obligations as an Interim Municipal Court Clerk; and

WHEREAS, the City of Diamondhead desires Lauren Prater be formally reappointed as Deputy Municipal Court Clerk; and

WHEREAS, the Deputy Court Clerk shall also have other duties under the management of the City Manager, the Deputy Municipal Court Clark shall remain under the management of the City Manager, unless otherwise determined by Council.

NOW THEREFORE BE IT RESOLVED that the City of Diamondhead does hereby reappoint Lauren Prater to serve as Deputy Municipal Court Clerk consistent with the provisions set forth above and the City Manager and City Clerk take appropriate actions to ensure such appointment complies with all requirements of Mississippi Law.

THE ABOVE AND FOREGOING RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, AFTER HAVING FIRST BEEN REDUCED TO WRITING, WAS INTRODUCED BY _____, SECONDED BY COUNCILMEMBER _____, AND THE MATTER BEING PUT TO VOTE.

I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE ____ DAY OF _____, 2021.

	Aye	Nay
Mayor Depreo	_____	_____
Councilmember Maher	_____	_____
Councilmember Finley	_____	_____
Councilmember Moran	_____	_____
Councilmember Sheppard	_____	_____
Councilmember Clark	_____	_____

NANCY DEPREO, MAYOR

Attest:

Jeannie Klein, City Clerk

RESOLUTION 2021- 043
AGENDA ITEM 2021-211

RESOLUTION OF THE CITY OF DIAMONDHEAD APPOINTING DEREK CUSICK AS
CITY ATTORNEY AND CITY PROSECUTOR

WHEREAS, the City of Diamondhead, (the “City”), has need for continued
legal services; and

WHEREAS, Derek Cusick has served the City as City Attorney and has
served the City as City Prosecutor; and

WHEREAS, the City and Derek Cusick have previously entered into
contracts for the performance of work as City Attorney and City and Derek Cusick
is willing to offer the same terms and conditions to the City; and

WHEREAS, the City is of the opinion that Derek Cusick should remain City
Attorney and City Prosecutor; and

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING
BODY OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AS FOLLOWS:**

SECTION I. The findings, conclusions and statements of fact contained in
the preamble are hereby adopted, ratified and incorporated herein.

SECTION II. The City agrees to engage and hire Derek Cusick to continue
in his capacity as City Attorney and City Prosecutor and hereby authorizes the City
Manager to execute the contract for services attached hereto as Exhibit “A.”

THE ABOVE AND FOREGOING RESOLUTION OF THE MAYOR AND
CITY COUNCIL OF THE CITY OF DIAMONDHEAD, AFTER HAVING FIRST
BEEN REDUCED TO WRITING, WAS INTRODUCED BY
COUNCILMEMBER _____, SECONDED BY

COUNCILMEMBER _____, AND THE MATTER BEING PUT TO VOTE, I HEREBY CERTIFY THAT THE ABOVE AND FOREGOING RESOLUTION WAS ADOPTED IN THE AFFIRMATIVE BY THE FOLLOWING VOTE OF COUNCIL OF THE CITY OF DIAMONDHEAD ON THE ____ DAY OF _____, 2021.

	Aye	Nay	Abstain
Mayor Depreo	_____	_____	_____
Councilmember Finley	_____	_____	_____
Councilmember Shepard	_____	_____	_____
Councilmember Maher	_____	_____	_____
Councilmember Moran	_____	_____	_____
Councilmember Clark	_____	_____	_____

NANCY DEPREO, MAYOR

Attest:

Jeannie Klein, City Clerk

CONTRACT FOR LEGAL SERVICES

CLIENT: CITY OF DIAMONDHEAD
 ADDRESS: 5000 Diamodhead Circle
 Diamondhead, MS 39525

FOR AND IN CONSIDERATION of legal services rendered and to be rendered, the undersigned (client), does hereby employ Derek R. Cusick, Esq., to represent City of Diamondhead as its City Attorney and its City Prosecutor.

All legal services for work performed as City Attorney will be billed to the City of Diamondhead at the rate of \$125.00 per hour for work performed by Derek Cusick and \$50.00 per hour for paralegal services. The rates will remain in effect for the term of the contract. There will be no monthly retainer paid as had been done with past legal counsel. All expenses will be billed to the City of Diamondhead at the federally set rates and there will be no charge for copies. Mileage to and from regularly scheduled City of Diamondhead Council meetings shall not be billed to the City of Diamondhead.

All legal services for work performed as City Prosecutor will be billed to the City of Diamondhead at the flat monthly rate of \$3,000.00 per month. The rate will remain in effect for the term of the contract. It is understood that said fee includes the cost of a second prosecutor for large trial dockets to assist in ensuring that cases are disposed of in a timely fashion.

The term of this contract is from July 6, 2021, until July 6, 2025, and shall be automatically renewed in three month increments thereafter, unless the City of Diamondhead provides thirty day written notice of its intent not to renew this Contract to Derek Cusick.

Fees for all legal services performed by Derek Cusick shall be billed at the rates herein specified, unless otherwise agreed to by the parties, excepting fees to paid for services provided as issuer's counsel in bond transactions, which shall be paid as prescribed by Mississippi Statute.

In his role as City Attorney, Derek Cusick, is agreeing to have an attorney available at all City Council Meetings, render legal advice to the City of Diamondhead, keep the Mayor, Council and City Manager informed as to the status of pending legal matters, and monitor the legal work of any independently retained attorneys. In addition, Derek Cusick will serve as legal counsel for other City of Diamondhead commissions/boards, and perform any other services requested by the City of Diamondhead, to which such services will be billed separately.

Finally, should the need arise to hire additional counsel to aid or assist with representing the City for specific matters, the City Council agrees that same shall be employed and/or contracted by Derek Cusick and his law firm for those purposes as directed by the City Council.

WITNESS OUR SIGNATURES, this ____ day of _____, 2021.

CITY OF DIAMONDHEAD:

 City Manager, Michael Reso

 Derek R. Cusick

**RESOLUTION OF THE DIAMONDHEAD CITY COUNCIL REAFFIRMING FISCAL
YEAR 2021 COMPENSATION FOR ALL EMPLOYEES OF THE CITY OF
DIAMONDHEAD, MISSISSIPPI**

WHEREAS, the City Council is entrusted with the authority to budget annually for the salaries and hourly rates of compensation for City employees where in its official record of action shall such salaries be recorded; and

WHEREAS, the term of the City Council having established FY21 salaries and hourly rates for specified positions as defined and having authorized same to be expended has or will expire; and

WHEREAS, the newly elected and seated Council shall be required to reaffirm certain actions of the preceding governing body and therefor desires to reaffirm the following compensation for respective employment positions as follows:

Department	Position	Salary
Judicial	Court Clerk	\$ 48,924
Judicial	Deputy Court Clerk	\$ 34,841
Judicial	Judge - Part Time	\$ 20,150
Administration	Receptionist	\$ 29,972
Administration	Deputy City Clerk / Exec. Asst.	\$ 43,265
Administration	City Clerk	\$ 57,619
Administration	City Manager	\$ 89,318
Administration	Finance Clerk	\$ 45,000
Administration	Comptroller	\$ 68,302
Building	Building Official	\$ 58,070
Building	Building Clerk	\$ 31,072
Building	Building Inspector	\$ 37,740
Building	Planning & Zoning	\$ 45,000
Building	Compliance Officer - Part Time	\$ 12,475
Public Works	PW Director	\$ 58,000
Public Works	GEI	\$ 31,017
Public Works	GEII	\$ 31,017
Public Works	HEQ	\$ 33,304
Public Works	GEI	\$ 28,630
Public Works	GEI	\$ 25,992
Public Works	GEI	\$ 24,962
Public Works	Supervisor	\$ 39,132
Public Works	GEI	\$ 24,962
Public Works	GEI	\$ 25,162

Public Works	HEQ	\$	30,117
Public Works	GEII	\$	27,036
Public Works	HEQ	\$	45,836
Public Works	GEII	\$	27,043
Public Works	Supervisor	\$	40,976
Public Works	Mechanic	\$	34,314
Public Works	GEI	\$	24,962
Public Works	Public Works Clerk	\$	31,000

WHEREAS THE GOVERNING BODY OF THE CITY, does reaffirm and hereby resolve to incorporate into its official record of action FY21 salaries and hourly rates for specified positions held by employees of the City.

I hereby certify that the above and forgoing Resolution was adopted in the affirmative by the following vote of the Council of the City of Diamondhead on the _____ day of _____, 2021.

	Aye	Nay	Absent
Mayor Schafer	_____	_____	_____
Councilmember Maher	_____	_____	_____
Councilmember Depreo	_____	_____	_____
Councilmember Moran	_____	_____	_____
Councilmember Sheppard	_____	_____	_____
Councilmember Clark	_____	_____	_____

ATTEST: _____
JEANNIE KLEIN, CITY CLERK

APPROVED: _____
NANCY DEPREO, MAYOR

seal

RESOLUTION

RESOLUTION APPOINTING MISSISSIPPI MUNICIPAL 2021 VOTING DELEGATES
FOR THE CITY OF DIAMONDHEAD, MISSISSIPPI

WHEREAS, the Mississippi Municipal League amended the bylaws of the association to provide for a ballot election, to be conducted by the officers of the Mississippi Municipal Clerks and Collectors Association, to be held each year at the summer convention, to elect a second vice-president from the Northern District: and

WHEREAS, the amended bylaws require the City Council to designate in its minutes the voting delegate and two alternates to cast the vote for each member municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DIAMONDHEAD, in accordance with the bylaws of the Mississippi Municipal League, the voting delegate(s) for the 2021 Mississippi Municipal League election to be held at the annual convention on July 27, 2021 with a run-off (if necessary) on July 28, 2021 are as follows:

Voting Delegate: Nancy Depreo - Mayor
First Alternate: TBD – Councilmember Ward

That public interest and necessity requiring same, this Resolution shall become effective upon passage. The above and forgoing Resolution, after having been first reduced to writing, was introduced by _____, seconded by _____, and was adopted by the following vote to wit:

YEAS:

NAYS:

ABSENT:

The Mayor thereby declared the motion carried and the Resolution adopted this the ____ day of _____, 2021.

ATTEST:

Jeannie Klein, City Clerk

ADOPTED:

Mayor Nancy Depreo

(seal)

Resolution # 2021-046
Agenda Item #2021-214

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE “GOVERNING BODY”) OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE “CITY”), TO ACQUIRE, BY DONATION, GRANT OR CONVEYANCE, CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY FROM ROUSE’S LAND COMPANY, LLC IN EXCHANGE FOR THE CITY CONVEYING SURPLUS PROPERTY NOT PART OF THE ROADWAY IMPROVEMENTS TO ROUSE’S LAND COMPANY, LLC AS SET FORTH HEREIN.

WHEREAS, the Mayor and City Council (the “Governing Body”) of the City of Diamondhead, Mississippi (the “City”), acting for and on behalf of the City, hereby finds and determines as follows:

1. The City is in need of acquiring certain real properties for roadway improvement purposes that were owned by private property owners, has previously accepted certain properties and, is in need of acquiring certain additional land.
2. Since the time of the initial transfers of properties by and between the property owners and the City, the scope of the design of said roadway improvements has been modified necessitating the additional transfer and acquisition of property by the City.
3. The City is authorized to acquire and convey real property pursuant to Miss. Code Ann. §21-17-1.
4. Rouse’s Land Company, LLC has expressed a willingness to donate, grant or convey the property legally described in surveys completed by Jason Chiniche and attached hereto as Exhibit “A” to this resolution in exchange for the City conveying adjacent land back to Rouse’s Land Company, LLC that the City will not require as part of roadway improvement purposes, is therefore surplus and, that the City will have no use for.
5. The City is willing to accept the donation, grant or conveyance of the aforementioned property in exchange for quitclaiming and conveying surplus property not needed for roadway improvement purposes back to Rouse’s Land Company, LLC.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION 1. That the Governing Body of the City will accept the donation, grant or conveyance of the aforementioned property from Rouse’s Land Company, LLC and will convey surplus, unneeded adjacent property to Rouse’s Land Company, LLC.

SECTION 2. That the Governing Body of the City does hereby authorize the City Attorney

to prepare any and all documentation related to the acquisition and conveyance of the aforementioned properties, for the City Manager to execute any necessary documentation to effectuate the acquisition and conveyance of the subject properties and, for the City to execute the Dedication Deeds on behalf of the City attached collectively hereto as Exhibit “B.”

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember _____, seconded by Councilmember _____ and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Finley	___	___	___
Councilmember Moran	___	___	___
Councilmember Sheppard	___	___	___
Councilmember Clark	___	___	___
Councilmember Maher	___	___	___
Mayor Depreo	___	___	___

The motion having received the affirmative vote of a majority of all of the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the _____ day of _____, 2021.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

Resolution # 2021- 047
Agenda Items #2021-215

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE “GOVERNING BODY”) OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE “CITY”), TO ACQUIRE, BY DONATION, GRANT OR CONVEYANCE, CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY FROM MICHAEL J. CASANO IN EXCHANGE FOR THE CITY CONVEYING SURPLUS PROPERTY NOT PART OF THE ROADWAY IMPROVEMENTS TO MICHAEL J. CASANO AS SET FORTH HEREIN.

WHEREAS, the Mayor and City Council (the “Governing Body”) of the City of Diamondhead, Mississippi (the “City”), acting for and on behalf of the City, hereby finds and determines as follows:

1. The City is in need of acquiring certain real properties for roadway improvement purposes that were owned by private property owners, has previously accepted certain properties and, is in need of acquiring certain additional land.
2. Since the time of the initial transfers of properties by and between the property owners and the City, the scope of the design of said roadway improvements has been modified necessitating the additional transfer and acquisition of property by the City.
3. The City is authorized to acquire and convey real property pursuant to Miss. Code Ann. §21-17-1.
4. Michael J. Casano has expressed a willingness to donate, grant or convey the property legally described in a survey completed by Jason Chiniche and attached hereto as Exhibit “A” to this resolution in exchange for the City conveying adjacent land to Michael J. Casano that the City will not require as part of roadway improvement purposes, is therefore surplus and, that the City will have no use for.
5. The City is willing to accept the donation, grant or conveyance of the aforementioned property in exchange for quitclaiming and conveying surplus property not needed for roadway improvement purposes to Michael J. Casano.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION 1. That the Governing Body of the City will accept the donation, grant or conveyance of the aforementioned property from Michael J. Casano and will convey surplus, unneeded adjacent property to Michael J. Casano.

SECTION 2. That the Governing Body of the City does hereby authorize the City Attorney to prepare any and all documentation related to the acquisition and conveyance of the aforementioned properties, for the City Manager to execute any necessary documentation to

effectuate the acquisition and conveyance of the subject properties and, for the City to execute the Dedication Deed on behalf of the City attached hereto as Exhibit “B.”

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember _____, seconded by Councilmember _____ and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Finley	_____	_____	_____
Councilmember Moran	_____	_____	_____
Councilmember Sheppard	_____	_____	_____
Councilmember Clark	_____	_____	_____
Councilmember Maher	_____	_____	_____
Mayor Depreo	_____	_____	_____

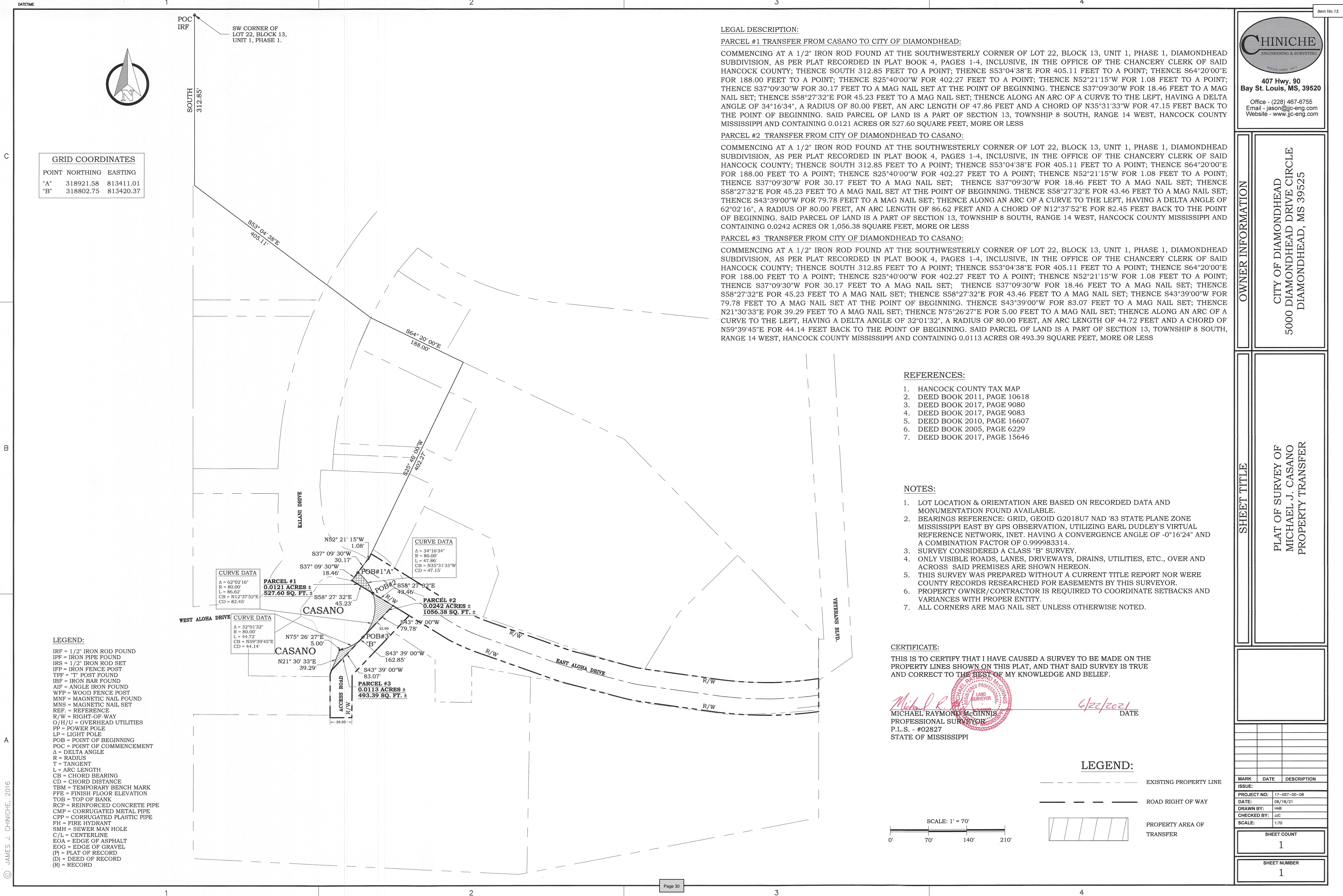
The motion having received the affirmative vote of a majority of all of the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the _____ day of _____, 2021.

MAYOR

ATTEST:

CITY CLERK

(SEAL)



DATE TIME 1 2 3 4

C

B

A

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LEGAL DESCRIPTION:

PARCEL #1 TRANSFER FROM CASANO TO CITY OF DIAMONDHEAD:

COMMENCING AT A 1/2" IRON ROD FOUND AT THE SOUTHWESTERLY CORNER OF LOT 22, BLOCK 13, UNIT 1, PHASE 1, DIAMONDHEAD SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 4, PAGES 1-4, INCLUSIVE, IN THE OFFICE OF THE CHANCERY CLERK OF SAID HANCOCK COUNTY; THENCE SOUTH 312.85 FEET TO A POINT; THENCE S53°04'38"E FOR 405.11 FEET TO A POINT; THENCE S64°20'00"E FOR 188.00 FEET TO A POINT; THENCE S25°40'00"W FOR 402.27 FEET TO A POINT; THENCE N52°21'15"W FOR 1.08 FEET TO A POINT; THENCE S37°09'30"W FOR 30.17 FEET TO A MAG NAIL SET AT THE POINT OF BEGINNING. THENCE S37°09'30"W FOR 18.46 FEET TO A MAG NAIL SET; THENCE S58°27'32"E FOR 45.23 FEET TO A MAG NAIL SET; THENCE ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 34°16'34", A RADIUS OF 80.00 FEET, AN ARC LENGTH OF 47.86 FEET AND A CHORD OF N35°31'33"W FOR 47.15 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND IS A PART OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 14 WEST, HANCOCK COUNTY MISSISSIPPI AND CONTAINING 0.0121 ACRES OR 527.60 SQUARE FEET, MORE OR LESS

PARCEL #2 TRANSFER FROM CITY OF DIAMONDHEAD TO CASANO:

COMMENCING AT A 1/2" IRON ROD FOUND AT THE SOUTHWESTERLY CORNER OF LOT 22, BLOCK 13, UNIT 1, PHASE 1, DIAMONDHEAD SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 4, PAGES 1-4, INCLUSIVE, IN THE OFFICE OF THE CHANCERY CLERK OF SAID HANCOCK COUNTY; THENCE SOUTH 312.85 FEET TO A POINT; THENCE S53°04'38"E FOR 405.11 FEET TO A POINT; THENCE S64°20'00"E FOR 188.00 FEET TO A POINT; THENCE S25°40'00"W FOR 402.27 FEET TO A POINT; THENCE N52°21'15"W FOR 1.08 FEET TO A POINT; THENCE S37°09'30"W FOR 30.17 FEET TO A MAG NAIL SET; THENCE S37°09'30"W FOR 18.46 FEET TO A MAG NAIL SET; THENCE S58°27'32"E FOR 45.23 FEET TO A MAG NAIL SET AT THE POINT OF BEGINNING. THENCE S58°27'32"E FOR 43.46 FEET TO A MAG NAIL SET; THENCE S43°39'00"W FOR 79.78 FEET TO A MAG NAIL SET; THENCE ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 62°02'16", A RADIUS OF 80.00 FEET, AN ARC LENGTH OF 86.62 FEET AND A CHORD OF N12°37'52"E FOR 82.45 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND IS A PART OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 14 WEST, HANCOCK COUNTY MISSISSIPPI AND CONTAINING 0.0242 ACRES OR 1,056.38 SQUARE FEET, MORE OR LESS

PARCEL #3 TRANSFER FROM CITY OF DIAMONDHEAD TO CASANO:

COMMENCING AT A 1/2" IRON ROD FOUND AT THE SOUTHWESTERLY CORNER OF LOT 22, BLOCK 13, UNIT 1, PHASE 1, DIAMONDHEAD SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 4, PAGES 1-4, INCLUSIVE, IN THE OFFICE OF THE CHANCERY CLERK OF SAID HANCOCK COUNTY; THENCE SOUTH 312.85 FEET TO A POINT; THENCE S53°04'38"E FOR 405.11 FEET TO A POINT; THENCE S64°20'00"E FOR 188.00 FEET TO A POINT; THENCE S25°40'00"W FOR 402.27 FEET TO A POINT; THENCE N52°21'15"W FOR 1.08 FEET TO A POINT; THENCE S37°09'30"W FOR 30.17 FEET TO A MAG NAIL SET; THENCE S37°09'30"W FOR 18.46 FEET TO A MAG NAIL SET; THENCE S58°27'32"E FOR 45.23 FEET TO A MAG NAIL SET; THENCE S58°27'32"E FOR 43.46 FEET TO A MAG NAIL SET; THENCE S43°39'00"W FOR 79.78 FEET TO A MAG NAIL SET AT THE POINT OF BEGINNING. THENCE S43°39'00"W FOR 83.07 FEET TO A MAG NAIL SET; THENCE N21°30'33"E FOR 39.29 FEET TO A MAG NAIL SET; THENCE N75°26'27"E FOR 5.00 FEET TO A MAG NAIL SET; THENCE ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 32°01'32", A RADIUS OF 80.00 FEET, AN ARC LENGTH OF 44.72 FEET AND A CHORD OF N59°39'45"E FOR 44.14 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND IS A PART OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 14 WEST, HANCOCK COUNTY MISSISSIPPI AND CONTAINING 0.0113 ACRES OR 493.39 SQUARE FEET, MORE OR LESS

REFERENCES:

1. HANCOCK COUNTY TAX MAP
2. DEED BOOK 2011, PAGE 10618
3. DEED BOOK 2017, PAGE 9080
4. DEED BOOK 2017, PAGE 9083
5. DEED BOOK 2010, PAGE 16607
6. DEED BOOK 2005, PAGE 6229
7. DEED BOOK 2017, PAGE 15646

NOTES:

1. LOT LOCATION & ORIENTATION ARE BASED ON RECORDED DATA AND MONUMENTATION FOUND AVAILABLE.
2. BEARINGS REFERENCE: GRID, GEOID G2018U7 NAD '83 STATE PLANE ZONE MISSISSIPPI EAST BY GPS OBSERVATION, UTILIZING EARL DUDLEY'S VIRTUAL REFERENCE NETWORK, INET. HAVING A CONVERGENCE ANGLE OF -0°16'24" AND A COMBINATION FACTOR OF 0.999983314.
3. SURVEY CONSIDERED A CLASS "B" SURVEY.
4. ONLY VISIBLE ROADS, LANES, DRIVEWAYS, DRAINS, UTILITIES, ETC., OVER AND ACROSS SAID PREMISES ARE SHOWN HEREON.
5. THIS SURVEY WAS PREPARED WITHOUT A CURRENT TITLE REPORT NOR WERE COUNTY RECORDS RESEARCHED FOR EASEMENTS BY THIS SURVEYOR.
6. PROPERTY OWNER/CONTRACTOR IS REQUIRED TO COORDINATE SETBACKS AND VARIANCES WITH PROPER ENTITY.
7. ALL CORNERS ARE MAG NAIL SET UNLESS OTHERWISE NOTED.

CERTIFICATE:

THIS IS TO CERTIFY THAT I HAVE CAUSED A SURVEY TO BE MADE ON THE PROPERTY LINES SHOWN ON THIS PLAT, AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Michael J. Chiniche
MICHAEL J. CHINICHE
PROFESSIONAL SURVEYOR
P.L.S. - #02827
STATE OF MISSISSIPPI

6/22/2021
DATE

LEGEND:

- EXISTING PROPERTY LINE
- ROAD RIGHT OF WAY
- ▨ PROPERTY AREA OF TRANSFER

SCALE: 1" = 70'

0' 70' 140' 210'

CHINICHE
ENGINEERING & SURVEYING
ESTABLISHED 1971

407 Hwy. 90
Bay St. Louis, MS, 39520

Office - (228) 467-6755
Email - jason@jcc-eng.com
Website - www.jcc-eng.com

OWNER INFORMATION

CITY OF DIAMONDHEAD
5000 DIAMONDHEAD DRIVE CIRCLE
DIAMONDHEAD, MS 39525

SHEET TITLE

PLAT OF SURVEY OF
MICHAEL J. CASANO
PROPERTY TRANSFER

MARK	DATE	DESCRIPTION
ISSUE:		
PROJECT NO:	17-057-00-08	
DATE:	06/18/21	
DRAWN BY:	HAB	
CHECKED BY:	JJC	
SCALE:	1/70	
SHEET COUNT		
1		
SHEET NUMBER		
1		

Resolution # 2021-048
Agenda Item #2021-216

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE “GOVERNING BODY”) OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE “CITY”), TO CONVEY SURPLUS PROPERTY NOT PART OF THE ROADWAY IMPROVEMENTS AND PREVIOUSLY DONATED TO THE CITY TO THE FIRST, A NATIONAL BANKING ASSOCIATION, AS SET FORTH HEREIN.

WHEREAS, the Mayor and City Council (the “Governing Body”) of the City of Diamondhead, Mississippi (the “City”), acting for and on behalf of the City, hereby finds and determines as follows:

1. The City is in need of acquiring certain real properties for roadway improvement purposes that were owned by private property owners, has previously accepted certain properties and, is in need of acquiring certain additional land.
2. Since the time of the initial transfers of properties by and between the property owners and the City, the scope of the design of said roadway improvements has been modified necessitating the additional transfer and acquisition of property by the City.
3. The City is authorized to acquire and convey real property pursuant to Miss. Code Ann. §21-17-1.
4. The property legally described in a survey completed by Jason Chiniche and attached hereto as Exhibit “A” to this resolution was previously donated to the City; however, said property is no longer needed, is surplus and not necessary for the public good and it is therefore necessary and proper for the City to convey and quitclaim said property to The First that the City will not require as part of roadway improvement purposes, is therefore surplus and, that the City will have no use for.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION 1. That the Governing Body of the City will convey surplus, unneeded previously donated property back to The First, A National Banking Association.

SECTION 2. That the Governing Body of the City does hereby authorize the City Attorney to prepare any and all documentation related to the conveyance of the aforementioned property, for the City Manager to execute any necessary documentation to effectuate the conveyance of the subject property and, for the City to execute the Quitclaim on behalf of the City attached collectively hereto as Exhibit “B.”

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember _____, seconded by Councilmember _____

and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Finley	___	___	___
Councilmember Moran	___	___	___
Councilmember Sheppard	___	___	___
Councilmember Clark	___	___	___
Councilmember Maher	___	___	___
Mayor Depreo	___	___	___

The motion having received the affirmative vote of a majority of all of the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the _____ day of _____, 2021.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

C

B

A

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GRID COORDINATES		
POINT	NORTHING	EASTING
"A"	318963.05	813438.78
"B"	318930.71	813478.72

LEGEND:

IRF = 1/2" IRON ROD FOUND
IPF = IRON PIPE FOUND
CIRS = CAPPED 1/2" IRON ROD SET
IFP = IRON FENCE POST
TPF = "T" POST FOUND
IBF = IRON BAR FOUND
AIF = ANGLE IRON FOUND
WFP = WOOD FENCE POST
MNF = MAGNETIC NAIL FOUND
MNS = MAGNETIC NAIL SET
REF. = REFERENCE
R/W = RIGHT-OF-WAY
O/H/U = OVERHEAD UTILITIES
PP = POWER POLE
LP = LIGHT POLE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
Δ = DELTA ANGLE
R = RADIUS
T = TANGENT
L = ARC LENGTH
CB = CHORD BEARING
CD = CHORD DISTANCE
TBM = TEMPORARY BENCH MARK
FFE = FINISH FLOOR ELEVATION
TOB = TOP OF BANK
RCP = REINFORCED CONCRETE PIPE
CMP = CORRUGATED METAL PIPE
CPP = CORRUGATED PLASTIC PIPE
FH = FIRE HYDRANT
SMH = SEWER MAN HOLE
C/L = CENTERLINE
EOA = EDGE OF ASPHALT
EOG = EDGE OF GRAVEL
(P) = PLAT OF RECORD
(D) = DEED OF RECORD
(R) = RECORD

POC
IRF
SOUTH
312.85'

SW CORNER OF
LOT 22, BLOCK 13,
UNIT 1, PHASE 1.

WEST ALOHA DRIVE

KALANI DRIVE

FIRST BANK

S25° 40' 00"W
8.29'
0.0075 ACRES ±
326.29 SQ. FT. ±

ACCESS ROAD
R/W

S58° 27' 32"E
50.27'

FIRST BANK

POB
CIRS"A"

CIRS"B"

S25° 40' 00"W
382.20'

CURVE DATA
Δ = 20°37'06"
R = 143.58'
L = 51.67'
CB = N51°00'08"W
CD = 51.39'

N25° 40' 00"E
1.58'

S64° 20' 00"E
188.00'

S53° 04' 38"E
405.11'

LEGAL DESCRIPTION:

TRANSFER FROM CITY OF DIAMONDHEAD TO FIRST BANK:

COMMENCING AT A 1/2" IRON ROD FOUND AT THE SOUTHWESTERLY CORNER OF LOT 22, BLOCK 13, UNIT 1, PHASE 1, DIAMONDHEAD SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 4, PAGES 1-4, INCLUSIVE, IN THE OFFICE OF THE CHANCERY CLERK OF SAID HANCOCK COUNTY; THENCE SOUTH 312.85 FEET TO A POINT; THENCE S53°04'38"E FOR 405.11 FEET TO A POINT; THENCE S64°20'00"E FOR 188.00 FEET TO A POINT; THENCE S25°40'00"W FOR 382.20 FEET TO A CAPPED 1/2" IRON ROD SET AT THE POINT OF BEGINNING. THENCE S25°40'00"W FOR 8.29 FEET TO A CAPPED 1/2" IRON ROD SET; THENCE S58°27'32"E FOR 50.27 FEET TO A CAPPED 1/2" IRON ROD SET; THENCE N25°40'00"E FOR 1.58 FEET TO A CAPPED 1/2" IRON ROD SET; THENCE ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 20°37'06", A RADIUS OF 143.58 FEET, AN ARC LENGTH OF 51.67 FEET AND A CHORD OF N51°00'08"W FOR 51.39 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND IS A PART OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 14 WEST, HANCOCK COUNTY MISSISSIPPI AND CONTAINING 0.0075 ACRES OR 326.29 SQUARE FEET, MORE OR LESS

REFERENCES:

- HANCOCK COUNTY TAX MAP
- DEED BOOK 2011, PAGE 10618
- DEED BOOK 2017, PAGE 9080
- DEED BOOK 2017, PAGE 9083
- DEED BOOK 2010, PAGE 16607
- DEED BOOK 2005, PAGE 6229
- DEED BOOK 2017, PAGE 15646

NOTES:

- LOT LOCATION & ORIENTATION ARE BASED ON RECORDED DATA AND MONUMENTATION FOUND AVAILABLE.
- BEARINGS REFERENCE: GRID, GEOID G2018U7 NAD '83 STATE PLANE ZONE MISSISSIPPI EAST BY GPS OBSERVATION, UTILIZING EARL DUDLEY'S VIRTUAL REFERENCE NETWORK, INET. HAVING A CONVERGENCE ANGLE OF -0°16'24" AND A COMBINATION FACTOR OF 0.999983314.
- SURVEY CONSIDERED A CLASS "B" SURVEY.
- ONLY VISIBLE ROADS, LANES, DRIVEWAYS, DRAINS, UTILITIES, ETC., OVER AND ACROSS SAID PREMISES ARE SHOWN HEREON.
- THIS SURVEY WAS PREPARED WITHOUT A CURRENT TITLE REPORT NOR WERE COUNTY RECORDS RESEARCHED FOR EASEMENTS BY THIS SURVEYOR.
- PROPERTY OWNER/CONTRACTOR IS REQUIRED TO COORDINATE SETBACKS AND VARIANCES WITH PROPER ENTITY.
- ALL CORNERS ARE CAPPED 1/2" IRON ROD SET UNLESS OTHERWISE NOTED.

CERTIFICATE:

THIS IS TO CERTIFY THAT I HAVE CAUSED A SURVEY TO BE MADE ON THE PROPERTY LINES SHOWN ON THIS PLAT, AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Michael R. McGinnis
MICHAEL RAYMOND MCGINNIS
PROFESSIONAL SURVEYOR
P.L.S. - #02827
STATE OF MISSISSIPPI

6/22/2021
DATE

LEGEND:

--- EXISTING PROPERTY LINE
--- ROAD RIGHT OF WAY
▨ PROPERTY AREA OF TRANSFER

SCALE: 1" = 70'
0' 70' 140' 210'

CHINICHE
ENGINEERING & SURVEYING
ESTABLISHED 1971

407 Hwy. 90
Bay St. Louis, MS, 39520
Office - (228) 467-6755
Email - jason@jjc-eng.com
Website - www.jjc-eng.com

OWNER INFORMATION

CITY OF DIAMONDHEAD
5000 DIAMONDHEAD DRIVE CIRCLE
DIAMONDHEAD, MS 39525

SHEET TITLE

PLAT OF SURVEY OF
THE FIRST BANK
PROPERTY TRANSFER

MARK	DATE	DESCRIPTION
ISSUE:		
PROJECT NO:	17-057-00-08	
DATE:	06/18/21	
DRAWN BY:	HAB	
CHECKED BY:	JJC	
SCALE:	1:70	

SHEET COUNT

1

SHEET NUMBER

1

Resolution # 2021- 049
Agenda Item #2021-217

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE “GOVERNING BODY”) OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE “CITY”), TO EXPEND FUNDS FOR THE CLEARING AND SURVEY OF REAL PROPERTY TO DETERMINE THE LEGAL DESCRIPTION OF SAME FOR DONATION TO CITY FOR ROADWAY, PARKING AND BOAT LAUNCH CONSTRUCTION

WHEREAS, the Mayor and City Council (the “Governing Body”) of the City of Diamondhead, Mississippi (the “City”), acting for and on behalf of the City, hereby finds and determines as follows:

1. The City is in need of acquiring certain real property for roadway, parking and boat launch construction purposes that is currently owned by Peter Casano.
2. The City is authorized to acquire real property pursuant to Miss. Code Ann. §21-17-1.
3. Peter Casano, has expressed a willingness to donate a portion of the property located in the new town center for the purpose of constructing a roadway, parking area and boat launch.
4. The City is willing to accept the donation of the aforementioned property; however, prior to accepting said donation the property needs to be cleared and surveyed in order to obtain a legal description of the portion of the property to be donated to the City for roadway, parking and boat launch construction.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION 1. That the Governing Body of the City finds that the clearing and survey of the aforementioned property is in the best interest of the City and is a benefit to the City as it will allow the City to determine the exact location of its proposed roadway, parking and boat launch construction and upon ascertaining the location of same the City will accept the donation of the aforementioned property.

SECTION 2. That the Governing Body of the City does hereby authorize the City Manager to engage such professionals to survey said property upon the clearing of same by the City and further authorizes the City Attorney to prepare any and all documentation related to the acquisition of the aforementioned property by donation and present same to the City Council for approval.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember _____, seconded by Councilmember _____ and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Mayor Depreo	___	___	___
Councilmember Moran	___	___	___
Councilmember Shepard	___	___	___
Councilmember Clark	___	___	___
Councilmember Maher	___	___	___
Councilmember Finley	___	___	___

The motion having received the affirmative vote of a majority of all of the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the ____ day of _____, 2021.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

Resolution # 2021- 050
Agenda Item 2021-218

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE “GOVERNING BODY”) OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE “CITY”), TO ACQUIRE, BY DONATION, GRANT OR CONVEYANCE, CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY FROM DIAMONDHEAD COMMUNITY DEVELOPMENT, LLC AND GEM CITY PROPERTIES, LLC IN EXCHANGE FOR THE CITY CONVEYING SURPLUS PROPERTY NOT PART OF THE ROADWAY IMPROVEMENTS TO DIAMONDHEAD COMMUNITY DEVELOPMENT, LLC AND GEM CITY PROPERTIES, LLC AS SET FORTH HEREIN.

WHEREAS, the Mayor and City Council (the “Governing Body”) of the City of Diamondhead, Mississippi (the “City”), acting for and on behalf of the City, hereby finds and determines as follows:

1. The City is in need of acquiring certain real properties for roadway improvement purposes that were owned by private property owners, has previously accepted certain properties and, is in need of acquiring certain additional land.
2. Since the time of the initial transfers of properties by and between the property owners and the City, the scope of the design of said roadway improvements has been modified necessitating the additional transfer and acquisition of property by the City.
3. The City is authorized to acquire and convey real property pursuant to Miss. Code Ann. §21-17-1.
4. Diamondhead Community Development, LLC and Gem City Properties, LLC have expressed a willingness to donate, grant or convey the property legally described in surveys completed by Jason Chiniche and attached hereto as Exhibit “A” to this resolution in exchange for the City conveying adjacent land back to Diamondhead Community Development, LLC and Gem City Properties, LLC that the City will not require as part of roadway improvement purposes, is therefore surplus and, that the City will have no use for.
5. The City is willing to accept the donation, grant or conveyance of the aforementioned property in exchange for quitclaiming and conveying surplus property not needed for roadway improvement purposes back to Diamondhead Community Development, LLC and Gem City Properties, LLC.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

SECTION 1. That the Governing Body of the City will accept the donation, grant or conveyance of the aforementioned property from Diamondhead Community Development, LLC

and Gem City Properties, LLC and will convey surplus, unneeded adjacent property to Diamondhead Community Development, LLC and Gem City Properties, LLC.

SECTION 2. That the Governing Body of the City does hereby authorize the City Attorney to prepare any and all documentation related to the acquisition and conveyance of the aforementioned properties, for the City Manager to execute any necessary documentation to effectuate the acquisition and conveyance of the subject properties and, for the City to execute the Dedication Deeds on behalf of the City attached collectively hereto as Exhibit "B."

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember _____, seconded by Councilmember _____ and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Finley	___	___	___
Councilmember Moran	___	___	___
Councilmember Sheppard	___	___	___
Councilmember Clark	___	___	___
Councilmember Maher	___	___	___
Mayor Depreo	___	___	___

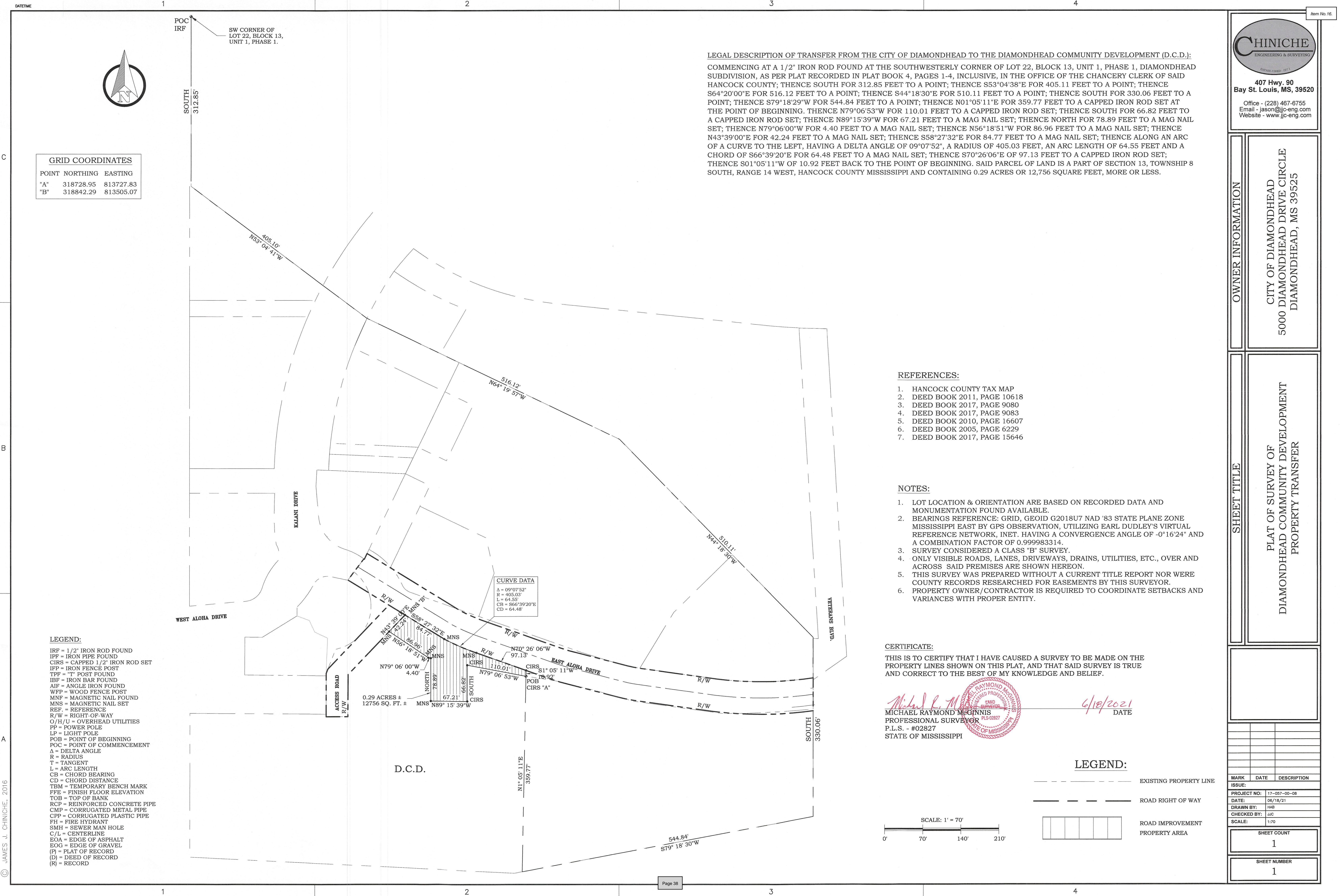
The motion having received the affirmative vote of a majority of all of the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the _____ day of _____, 2021.

MAYOR

ATTEST:

CITY CLERK

(SEAL)



C

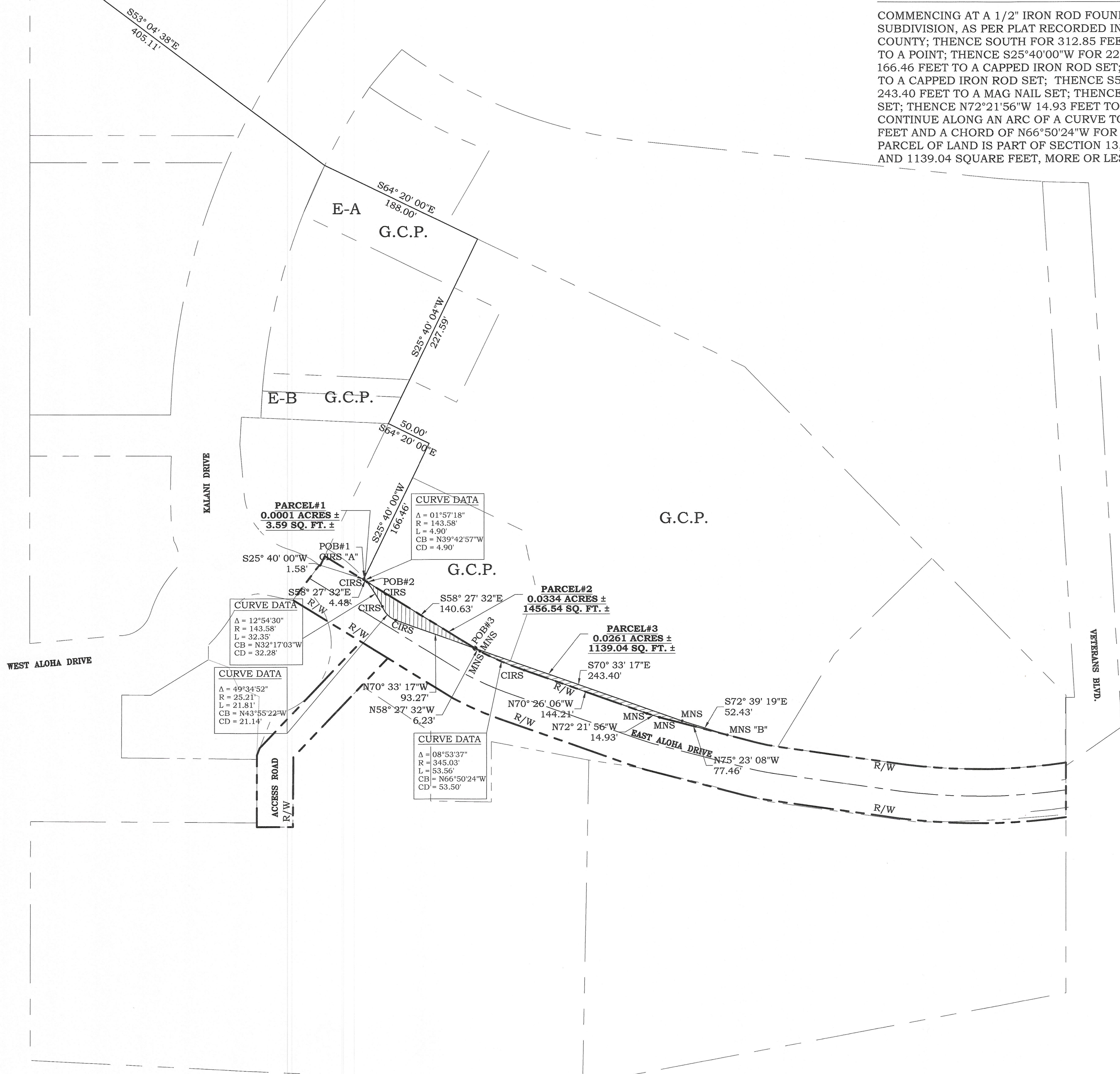
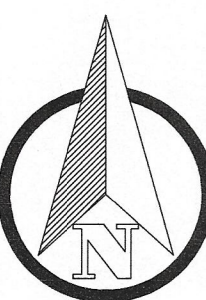
B

A

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GRID COORDINATES		
POINT	NORTHING	EASTING
"A"	318930.71	813478.72
"B"	318756.71	813881.27

POC
IRF
SW CORNER OF
LOT 22, BLOCK 13,
UNIT 1, PHASE 1.
SOUTH
312.85'




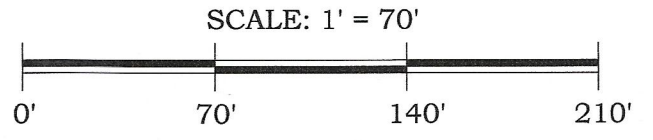
LEGEND:
IRF = 1/2" IRON ROD FOUND
IPF = IRON PIPE FOUND
CIRS = CAPPED 1/2" IRON ROD SET
IFP = IRON FENCE POST
TTP = "T" POST FOUND
IBF = IRON BAR FOUND
AIF = ANGLE IRON FOUND
WFP = WOOD FENCE POST
MNF = MAGNETIC NAIL FOUND
MNS = MAGNETIC NAIL SET
REF. = REFERENCE
R/W = RIGHT-OF-WAY
O/H/U = OVERHEAD UTILITIES
PP = POWER POLE
LP = LIGHT POLE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
Δ = DELTA ANGLE
R = RADIUS
T = TANGENT
L = ARC LENGTH
CB = CHORD BEARING
CD = CHORD DISTANCE
TBM = TEMPORARY BENCH MARK
FFE = FINISH FLOOR ELEVATION
TOB = TOP OF BANK
RCP = REINFORCED CONCRETE PIPE
CMP = CORRUGATED METAL PIPE
CPP = CORRUGATED PLASTIC PIPE
FH = FIRE HYDRANT
SMH = SEWER MAN HOLE
C/L = CENTERLINE
EOA = EDGE OF ASPHALT
EOG = EDGE OF GRAVEL
(P) = PLAT OF RECORD
(D) = DEED OF RECORD
(R) = RECORD

LEGAL DESCRIPTION:
PARCEL #1 TRANSFER FROM CITY OF DIAMONDHEAD TO GEM CITY PROPERTIES:
COMMENCING AT A 1/2" IRON ROD FOUND AT THE SOUTHWESTERLY CORNER OF LOT 22, BLOCK 13, UNIT 1, PHASE 1, DIAMONDHEAD SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 4, PAGES 1-4, INCLUSIVE, IN THE OFFICE OF THE CHANCERY CLERK OF SAID HANCOCK COUNTY; THENCE SOUTH FOR 312.85 FEET TO A POINT; THENCE S53°04'38"E FOR 405.11 FEET TO A POINT; THENCE S64°20'00"E FOR 188.00 FEET TO A POINT; THENCE S25°40'00"W FOR 227.59 FEET TO A POINT; THENCE S64°20'00"E FOR 50.00 FEET TO A POINT; THENCE S25°40'00"W FOR 166.46 FEET TO A CAPPED IRON ROD SET AT THE POINT OF BEGINNING. THENCE S25°40'00"W FOR 1.58 FEET TO A CAPPED IRON ROD SET; THENCE S58°27'32"E FOR 4.48 FEET TO A CAPPED IRON ROD SET; THENCE CONTINUE ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 01°57'18", A RADIUS OF 143.58 FEET, AN ARC LENGTH OF 4.90 FEET AND A CHORD OF N39°42'57"W FOR 4.90 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND IS PART OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 14 WEST, HANCOCK COUNTY MISSISSIPPI AND CONTAINING 0.00001 ACRES AND 3.59 SQUARE FEET, MORE OR LESS.
PARCEL #2 TRANSFER FROM GEM CITY PROPERTIES TO CITY OF DIAMONDHEAD:
COMMENCING AT A 1/2" IRON ROD FOUND AT THE SOUTHWESTERLY CORNER OF LOT 22, BLOCK 13, UNIT 1, PHASE 1, DIAMONDHEAD SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 4, PAGES 1-4, INCLUSIVE, IN THE OFFICE OF THE CHANCERY CLERK OF SAID HANCOCK COUNTY; THENCE SOUTH FOR 312.85 FEET TO A POINT; THENCE S53°04'38"E FOR 405.11 FEET TO A POINT; THENCE S64°20'00"E FOR 188.00 FEET TO A POINT; THENCE S25°40'00"W FOR 227.59 FEET TO A POINT; THENCE S64°20'00"E FOR 50.00 FEET TO A POINT; THENCE S25°40'00"W FOR 166.46 FEET TO A CAPPED IRON ROD SET; THENCE S25°40'00"W FOR 1.58 FEET TO A CAPPED IRON ROD SET; THENCE S58°27'32"E FOR 4.48 FEET TO A CAPPED IRON ROD SET AT THE POINT OF BEGINNING. THENCE S58°27'32"E FOR 140.63 FEET TO A MAG NAIL SET; THENCE N70°33'17"W FOR 93.27 FEET TO A CAPPED IRON ROD SET; THENCE CONTINUE ALONG AN ARC OF A CURVE TO THE RIGHT, HAVING A DELTA ANGLE OF 49°34'52", A RADIUS OF 25.21 FEET, AN ARC LENGTH OF 21.81 FEET AND A CHORD OF N43°55'22"W FOR 21.14 TO A CAPPED IRON ROD SET; THENCE CONTINUE ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 12°54'30", A RADIUS OF 143.58 FEET, AN ARC LENGTH OF 32.35 FEET AND A CHORD OF N32°17'03"W FOR 32.28 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND IS PART OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 14 WEST, HANCOCK COUNTY MISSISSIPPI AND CONTAINING 0.0334 ACRES AND 1456.54 SQUARE FEET, MORE OR LESS.
PARCEL #3 TRANSFER FROM CITY OF DIAMONDHEAD TO GEM CITY PROPERTIES:
COMMENCING AT A 1/2" IRON ROD FOUND AT THE SOUTHWESTERLY CORNER OF LOT 22, BLOCK 13, UNIT 1, PHASE 1, DIAMONDHEAD SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 4, PAGES 1-4, INCLUSIVE, IN THE OFFICE OF THE CHANCERY CLERK OF SAID HANCOCK COUNTY; THENCE SOUTH FOR 312.85 FEET TO A POINT; THENCE S53°04'38"E FOR 405.11 FEET TO A POINT; THENCE S64°20'00"E FOR 188.00 FEET TO A POINT; THENCE S25°40'00"W FOR 227.59 FEET TO A POINT; THENCE S64°20'00"E FOR 50.00 FEET TO A POINT; THENCE S25°40'00"W FOR 166.46 FEET TO A CAPPED IRON ROD SET; THENCE S25°40'00"W FOR 1.58 FEET TO A CAPPED IRON ROD SET; THENCE S58°27'32"E FOR 4.48 FEET TO A CAPPED IRON ROD SET; THENCE S58°27'32"E FOR 140.63 FEET TO A MAG NAIL SET AT THE POINT OF BEGINNING. THENCE S70°33'17"E FOR 243.40 FEET TO A MAG NAIL SET; THENCE S72°39'19"E FOR 52.43 FEET TO A MAG NAIL SET; THENCE N75°23'08"W FOR 77.46 FEET TO A MAG NAIL SET; THENCE N72°21'56"W 14.93 FEET TO A MAG NAIL SET; THENCE N70°26'06"W FOR 144.21 FEET TO A CAPPED IRON ROD SET; THENCE CONTINUE ALONG AN ARC OF A CURVE TO THE RIGHT, HAVING A DELTA ANGLE OF 08°53'37", A RADIUS OF 345.03 FEET, AN ARC LENGTH OF 53.50 FEET AND A CHORD OF N66°50'24"W FOR 53.50 TO A MAG NAIL SET; THENCE N58°27'32"W FOR 6.23 FEET BACK TO THE POINT OF BEGINNING. SAID PARCEL OF LAND IS PART OF SECTION 13, TOWNSHIP 8 SOUTH, RANGE 14 WEST, HANCOCK COUNTY MISSISSIPPI AND CONTAINING 0.0261 ACRES AND 1139.04 SQUARE FEET, MORE OR LESS.

- REFERENCES:**
- HANCOCK COUNTY TAX MAP
 - DEED BOOK 2011, PAGE 10618
 - DEED BOOK 2017, PAGE 9080
 - DEED BOOK 2017, PAGE 9083
 - DEED BOOK 2010, PAGE 16607
 - DEED BOOK 2005, PAGE 6229
 - DEED BOOK 2017, PAGE 15646

- NOTES:**
- LOT LOCATION & ORIENTATION ARE BASED ON RECORDED DATA AND MONUMENTATION FOUND AVAILABLE.
 - BEARINGS REFERENCE: GRID, GEOID G2018U7 NAD '83 STATE PLANE ZONE MISSISSIPPI EAST BY GPS OBSERVATION, UTILIZING EARL DUDLEY'S VIRTUAL REFERENCE NETWORK, INET. HAVING A CONVERGENCE ANGLE OF -0°16'24" AND A COMBINATION FACTOR OF 0.999983314.
 - SURVEY CONSIDERED A CLASS "B" SURVEY.
 - ONLY VISIBLE ROADS, LANES, DRIVEWAYS, DRAINS, UTILITIES, ETC., OVER AND ACROSS SAID PREMISES ARE SHOWN HEREON.
 - THIS SURVEY WAS PREPARED WITHOUT A CURRENT TITLE REPORT NOR WERE COUNTY RECORDS RESEARCHED FOR EASEMENTS BY THIS SURVEYOR.
 - PROPERTY OWNER/CONTRACTOR IS REQUIRED TO COORDINATE SETBACKS AND VARIANCES WITH PROPER ENTITY.

CERTIFICATE:
THIS IS TO CERTIFY THAT I HAVE CAUSED A SURVEY TO BE MADE ON THE PROPERTY LINES SHOWN ON THIS PLAT, AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

MICHAEL RAYMOND MCGINNIS
PROFESSIONAL SURVEYOR
P.L.S. - #02827
STATE OF MISSISSIPPI
DATE 6/18/2021



- LEGEND:**
- EXISTING PROPERTY LINE
 - ROAD RIGHT OF WAY
 - ▨ ROAD IMPROVEMENT PROPERTY AREA

CHINICHE
ENGINEERING & SURVEYING
ESTABLISHED 1971
407 Hwy. 90
Bay St. Louis, MS, 39520
Office - (228) 467-6755
Email - jason@jic-eng.com
Website - www.jic-eng.com

OWNER INFORMATION
CITY OF DIAMONDHEAD
5000 DIAMONDHEAD DRIVE CIRCLE
DIAMONDHEAD, MS 39525

SHEET TITLE
PLAT OF SURVEY OF
GEM CITY PROPERTIES
PROPERTY TRANSFER

RESOLUTION OF THE DIAMONDHEAD CITY COUNCIL TEMPORARILY REDUCING THE COMPENSATION FOR THE MAYOR, REALLOCATING SALARY FUNDS.

WHEREAS, Mississippi Code of 1972, Section 21-9-63 governs the establishment of salaries for Mayor and City Councilmembers and such salaries were previously established by Order on October 1, 2019 pursuant to Ordinance 2012-018.2; and

WHEREAS, the City Council adopted Ordinance 2012-018.2 established the Mayor's annual salary to be \$15,000; and

WHEREAS, Mayor Depreo submitted a Request for Council Action requesting the Council consider temporarily reducing the Mayor's salary for the period November 2020 through June 2021 from prorated salary \$10,000 to \$6,000 and further to reallocate the remaining \$4,000 to be appropriated equally and paid to the Hancock S. P. C. A., Hancock County CASA and Hancock County Human Resource Center, all organizations currently authorized to and receiving annual appropriations from the City.

WHEREAS, Mayor Depreo now requests the City Council reduce the Mayor's salary for the period July 1, 2021 to the fiscal year end September 3, 2021 from \$3,750 or \$1,250 monthly to \$2,550 or \$850 monthly and the unpaid amount of \$400 per month or \$1,200 total be a budgeted allocation and paid in supplemental lump sum payment to the CASA of Hancock County.

THE GOVERNING BODY OF THE CITY, does hereby resolve to temporarily reduce the annual compensation for Mayor for the remainder of Fiscal Year 2021 from \$3,750 to \$2,550, further to reallocate and authorize lump disbursement of said funds in the amount of \$1,200 payable to the CASA of Hancock County, at such time necessary budget amendments are approved by Council to facilitate said action.

I hereby certify that the above and forgoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____ and adopted in the affirmative, by the following vote of the Council of the City of Diamondhead on the _____ day of _____ July _____, 2021.

	Aye	Nay	Absent
Mayor Depreo	_____	_____	_____
Councilmember Maher	_____	_____	_____
Councilmember Finley	_____	_____	_____
Councilmember Moran	_____	_____	_____
Councilmember Sheppard	_____	_____	_____
Councilmember Clark	_____	_____	_____

ATTEST: _____
 JEANNIE KLEIN, CITY CLERK

APPROVED: _____
 NANCY DEPREO, MAYOR

Agenda Item **# 2021-2019**

Res 2021-051

City of Diamondhead, MS

Request for Council Action

TO: Council
FROM: Mayor Depreo

☐ Ordinance ☐ Resolution ☐ Agreement/Contract ☐ Info Only ☐ Work Session Only

AGENDA LOCATION: ☐ Consent Agenda ☐ Regular Agenda

FORMAL AGENDA DATE REQUESTED:

ORDINANCE/RESOLUTION CAPTIONS or ISSUE:

Motion to temporarily reduce Mayor's pay to \$2,550.00 for the period between July 1, 2021, thru September 30, 2021. The remainder of the budgeted amount for the mayor's pay shall be paid to

CASA of Hancock Co.

SUMMARY BACKGROUND:**IMPACT IF DENIED:****IMPACT IF APPROVED:****FINANCIAL IMPACT:****REQUIRED SIGNATURES**

REQUESTED BY:

City Manager:

City Attorney:

COUNCIL ACTION:

☐ Approved ☐ Denied ☐ Tabled/Deferred ☐ Info Only Completed:



Commissioner Flowers ✓
 Commissioner Layel ✓
 Commissioner Debrow ✓
 Commissioner Rubar ✓
 Commissioner Hourin ✓
 Commissioner Torguson ✓
 Commissioner Hector ✓

AGENDA PLANNING AND ZONING COMMISSION

Tuesday, June 29, 2021

6:00 PM CST

Council Chambers, City Hall
 and via teleconference, if necessary

Call to Order

Statement of Purpose

1. May our decisions today be made with wisdom, careful deliberation and in the best interest of the City of Diamondhead. May we display patience and kindness in our dealings with each other and all who are in attendance and may any decisions made today promote the health, safety and welfare of the citizens of Diamondhead and the enhancement of the City as a whole.

Pledge of Allegiance

Roll Call

Confirmation or Adjustments to Agenda

Approval of Minutes

2. Approval of May 25, 2021 minutes.

New Business

3. Public Hearing to consider a recommendation to the City Council regarding the Diamondhead Comprehensive Plan (Envision Diamondhead 2040). Presentation by Robert Barber with Orion Planning. *via Zoom*
4. **Diamondhead Community Church**, represented by Bob Chalmers, has filed an application requesting a variance from the Zoning Ordinance (Article 10.7.d) to place a directional sign at the intersection of Noma Drive and Oak Park Drive that has a copy area of 12 square feet. Maximum copy area is 6 square feet. The variance requested is 6 square feet. The property is located at 5301 Diamondhead Circlet. The tax parcel number is 132A-2-03-027.000. The legal description is PT. NE ¼ Sec. 3-8-14. The property is located in a PFR-Public Facilities & Recreation zoning district. Maximum copy area is 6 square feet. The Case Number is 202100177.
5. Phillip Sutton has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 8.5' from the southeast corner of the house, continuing toward Pokai Street for 24' and then continuing east along Pokai Street for 48'. This is a corner lot with 2 front setbacks and 2 front facades. The Ordinance states a privacy fence cannot extend beyond the front façade of the house. The variance requested is 8.5' from the front façade (southeast corner) and 24' towards Pokai Street. The property address is 97440 Diamondhead Drive West. The tax parcel number is 067K-1-36-0567.000. The legal description is Diamondhead Subdivision Phase #2, Unit 4A, Block 5, Lots 5 & 6. The property is located in a R-2 zoning district. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.



City of Diamondhead

5000 Diamondhead Circle, Diamondhead, MS 39525

Phone: (228) 222.4626

FAX: (228) 222-4390

www.diamondhead.ms.gov

*passed
5-0*

STAFF REPORT TO PLANNING COMMISSION

DATE: June 29, 2021

CASE FILE NUMBER: 202100189

APPLICANT: City of Diamondhead represented by Ronald Jones, Building Official

ZONING DISTRICT: A11

TYPE OF APPLICATION: Comprehensive Plan

NATURE OF REQUEST: The City of Diamondhead represented by Ronald Jones, Building Official, will hold a Public Hearing to consider a recommendation to the City Council regarding the Diamondhead Comprehensive Plan. The case file number is 202100189.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: June 29, 2021

ACTION BY THE PLANNING COMMISSION: To make a recommendation to the City Council regarding the Diamondhead Comprehensive Plan. The Commission may recommend as is, make modifications or recommend not to accept.

FINDINGS: Over the last 12 months, the City of Diamondhead has engaged in a planning process designed to update its 2012 Comprehensive City Plan. The community has embraced the process in a significant way. The result has been a community driven planning effort expressed by the draft of Envision Diamondhead 2040. This draft was posted on 4.14.21 for public comment. Comments were received and the draft was reviewed and adjusted. The final draft was published 6.14.21.

Envision 2040 is truly a visionary and futuristic plan. When implemented Diamondhead will truly be an extra ordinary place to live, work and enjoy its recreational amenities. Like in the movie Field of Dreams, if you build it they will come. When an area or local government has the raw numbers for the marketplace for residential and commercial development, it will happen despite any development constraints.

When implemented, this plan will totally change the face of Diamondhead having a very viable Town district and to build upon its current assets. The implementation of this plan will not happen overnight. However, synergy will happen. 1 plus 1 equals three.

RECOMMENDATION TO PLANNING COMMISSION: It is the recommendation of the staff for the Planning Commission to recommend to the Mayor and City Council to adopt Envision Diamondhead 2040. To immediately begin ☐ and implement the plan each year by allocating the necessary resources for specific projects ☐.

Tammy Braud

From: Margaret Dutton <peggydutton4@gmail.com>
Sent: Tuesday, June 29, 2021 11:28 AM
To: Ronald Jones
Subject: Tonight's P&Z meeting

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Dear Mr. Jones:

I cannot attend tonight's meeting and would greatly appreciate it if you would give the letter below to the Commissioners. Many thanks.

7954 Hapuna Place
Diamondhead, MS. 39525
June 29, 2021

Dear Planning and Zoning Commissioners:

I cannot attend tonight's Planning & Zoning Commission meeting and public hearing on the new Comprehensive Plan, so I would appreciate it if you would include my written comments in the record.

The latest Comprehensive Plan draft is excellent in my view, and I am grateful for all the public input and planners' work that has gone into it. I do object, however, to one policy or action, No. 18 in the Implementation section, stating that, as one option, the city "explore means of renewing association covenants."

The covenants are a contract between the developer and buyers of real property in Diamondhead. I'm not sure what the legal implications are if a city attempts to forge a means by which a private contract, now managed by a corporation that is not a party to the contract, gets renewed, thus putting citizens' property and pocketbooks back under the control of the private corporation although their original agreement has terminated. But it is certain that the legal and community implications would be to cost citizens more money and the community more division if such an implementation were pursued.

I believe Diamondhead would be better off without it included in the plan.

Sincerely yours,

Margaret L. Dutton

RESOLUTION ADOPTING COMPRESHENSIVE PLAN “ENVISION DIAMONDHEAD
2040” FOR THE CITY OF DIAMONDHEAD, MISSISSIPPI

WHEREAS, the statutes of the State of Mississippi, Section 17-1-1 et seq, inclusive of the Mississippi Code 1972, annotated as amended, empower the City of Diamondhead, Mississippi, to enact a Comprehensive Plan; and

WHEREAS, Section 17-1-9 of the Mississippi Code 1972, annotated, as amended states that “Zoning regulations shall be made in accordance with a comprehensive plan, and designed to lessen congestion in the streets, to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent overcrowding of land to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, school parks and other public requirements.”, and

WHEREAS, Section 17-1-1 of the Mississippi Code 1972, annotated, as amended, defines the term “comprehensive plan” as a statement of “public policy for the physical development of the entire municipality or county adopted by resolution of the governing body, consisting with certain elements at minimum; and

WHEREAS, the original 25-year comprehensive plan for the City of Diamondhead was adopted September 12, 2012 and since such time the current governing body recognized the necessity to engage a consultant, review, gain public input and modify or update the comprehensive plan for the City; and

WHEREAS, Orion Planning, consultant for the City, engaged public input through multiple work sessions and online surveying and response methods completed “Envision Diamondhead 2040” complying with all elements pursuant to State Law, and.

WHEREAS, the Planning and Commission, having provided public notice, held a public hearing regarding development of the comprehensive plan, voted unanimously on June 29, 2021 to approve “Envision Diamondhead 2040” as the City of Diamondhead’s Comprehensive Plan, and

NOW, THEREFORE, BE IT RESOLVED, BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI TO ADOPT “ENVISION DIAMONDHEAD 2040” AS THE CIY OF DIAMONDHEAD’S COMPREHENSIVE PLAN.

SO, ORDERED, this the ____ day of July, 2021.

The above and foregoing resolution, after having been first reduced to writing, was introduced by Councilmember _____, seconded by Councilmember _____ and the question being put to a roll call vote, the result was as follows:

	Aye	Nay	Absent
Councilmember Finley	___	___	___
Councilmember Moran	___	___	___
Councilmember Sheppard	___	___	___
Councilmember Clark	___	___	___
Councilmember Maher	___	___	___
Mayor Depreo	___	___	___

The motion having received the affirmative vote of a majority of all of the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the ____ day of _____, 2021.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
(by the City Manager, Mayor and City Council, City of Diamondhead)

WHEREAS, the City Manager, Mayor and City Council of the City of Diamondhead,
does hereby find that conditions of extreme peril to the safety of persons and
property have arisen within said county, caused by
Invest 92L

commencing on or about Friday on the 18 day of June, 2021
and

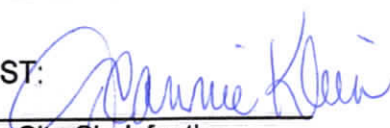
WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the proclamation
of the existence of a local emergency in order to provide for the health and safety of the citizens
and the protection of their property within the affected jurisdiction;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that in accordance with Section 33-15-
17(d), Mississippi Code of 1972, as amended, a local emergency now exists throughout said
City; and shall be reviewed every thirty (30) days until such local emergency is no longer in
effect and proclaimed terminated by the City Council of Diamondhead, State of Mississippi.

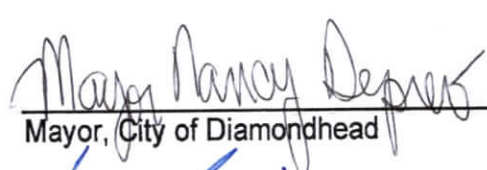
IT IS FURTHER PROCLAIMED AND ORDERED that all City agencies and departments shall
render all possible assistance and discharge their emergency responsibilities as set forth in the
City Emergency Operations Plan.

DATE: 06/18/2021

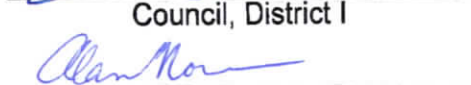
ATTEST:

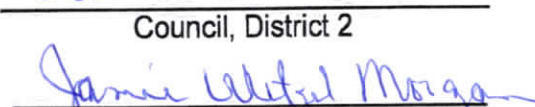

City Clerk for the
City of Diamondhead


City Manager

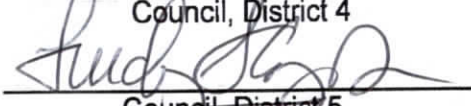

Mayor, City of Diamondhead


Council, District 1


Council, District 2


Council, District 3


Council, District 4


Council, District 5

AT LARGE

Hancock County
State of Mississippi

U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

Recipient name and address: [Recipient to provide]	DUNS Number: [Recipient to provide] Taxpayer Identification Number: [Recipient to provide] Assistance Listing Number: 21.019
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Sections 602(b) and 603(b) of the Social Security Act (the Act) as added by section 9901 of the American Rescue Plan Act, Pub. L. No. 117-2 (March 11, 2021) authorize the Department of the Treasury (Treasury) to make payments to certain recipients from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Local Fiscal Recovery Fund.

Recipient hereby agrees, as a condition to receiving such payment from Treasury, to the terms attached hereto.

Recipient:

Authorized Representative:

Title:

Date signed:

U.S. Department of the Treasury:

Authorized Representative:

Title:

Date:

PAPERWORK REDUCTION ACT NOTICE

The information collected will be used for the U.S. Government to process requests for support. The estimated burden associated with this collection of information is 15 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

U.S. DEPARTMENT OF THE TREASURY
CORONAVIRUS LOCAL FISCAL RECOVERY FUND
AWARD TERMS AND CONDITIONS

1. Use of Funds.
 - a. Recipient understands and agrees that the funds disbursed under this award may only be used in compliance with section 603(c) of the Social Security Act (the Act), Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - b. Recipient will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of such project.
2. Period of Performance. The period of performance for this award begins on the date hereof and ends on December 31, 2026. As set forth in Treasury's implementing regulations, Recipient may use award funds to cover eligible costs incurred during the period that begins on March 3, 2021, and ends on December 31, 2024.
3. Reporting. Recipient agrees to comply with any reporting obligations established by Treasury as they relate to this award.
4. Maintenance of and Access to Records
 - a. Recipient shall maintain records and financial documents sufficient to evidence compliance with section 603(c) of the Act, Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - b. The Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of Recipient in order to conduct audits or other investigations.
 - c. Records shall be maintained by Recipient for a period of five (5) years after all funds have been expended or returned to Treasury, whichever is later.
5. Pre-award Costs. Pre-award costs, as defined in 2 C.F.R. § 200.458, may not be paid with funding from this award.
6. Administrative Costs. Recipient may use funds provided under this award to cover both direct and indirect costs.
7. Cost Sharing. Cost sharing or matching funds are not required to be provided by Recipient.
8. Conflicts of Interest. Recipient understands and agrees it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy is applicable to each activity funded under this award. Recipient and subrecipients must disclose in writing to Treasury or the pass-through entity, as appropriate, any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.

9. Compliance with Applicable Law and Regulations.

- a. Recipient agrees to comply with the requirements of section 603 of the Act, regulations adopted by Treasury pursuant to section 603(f) of the Act, and guidance issued by Treasury regarding the foregoing. Recipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Recipient shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this award.
- b. Federal regulations applicable to this award include, without limitation, the following:
 - i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award.
 - ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
 - iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
 - iv. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.
 - v. Recipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
 - vi. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
 - vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.
 - viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.
 - ix. Generally applicable federal environmental laws and regulations.
- c. Statutes and regulations prohibiting discrimination applicable to this award include, without limitation, the following:
 - i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;

- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
 - iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
 - iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
 - v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.
10. Remedial Actions. In the event of Recipient's noncompliance with section 603 of the Act, other applicable laws, Treasury's implementing regulations, guidance, or any reporting or other program requirements, Treasury may impose additional conditions on the receipt of a subsequent tranche of future award funds, if any, or take other available remedies as set forth in 2 C.F.R. § 200.339. In the case of a violation of section 603(c) of the Act regarding the use of funds, previous payments shall be subject to recoupment as provided in section 603(e) of the Act.
11. Hatch Act. Recipient agrees to comply, as applicable, with requirements of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.
12. False Statements. Recipient understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.
13. Publications. Any publications produced with funds from this award must display the following language: "This project [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to [name of Recipient] by the U.S. Department of the Treasury."
14. Debts Owed the Federal Government.
- a. Any funds paid to Recipient (1) in excess of the amount to which Recipient is finally determined to be authorized to retain under the terms of this award; (2) that are determined by the Treasury Office of Inspector General to have been misused; or (3) that are determined by Treasury to be subject to a repayment obligation pursuant to section 603(e) of the Act and have not been repaid by Recipient shall constitute a debt to the federal government.
 - b. Any debts determined to be owed the federal government must be paid promptly by

Recipient. A debt is delinquent if it has not been paid by the date specified in Treasury's initial written demand for payment, unless other satisfactory arrangements have been made or if the Recipient knowingly or improperly retains funds that are a debt as defined in paragraph 14(a). Treasury will take any actions available to it to collect such a debt.

15. Disclaimer.

- a. The United States expressly disclaims any and all responsibility or liability to Recipient or third persons for the actions of Recipient or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract, or subcontract under this award.
- b. The acceptance of this award by Recipient does not in any way establish an agency relationship between the United States and Recipient.

16. Protections for Whistleblowers.

- a. In accordance with 41 U.S.C. § 4712, Recipient may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
- b. The list of persons and entities referenced in the paragraph above includes the following:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Treasury employee responsible for contract or grant oversight or management;
 - v. An authorized official of the Department of Justice or other law enforcement agency;
 - vi. A court or grand jury; or
 - vii. A management official or other employee of Recipient, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
- c. Recipient shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

17. Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Recipient should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

18. Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), Recipient should encourage its employees, subrecipients, and contractors to adopt and enforce policies that ban text messaging while driving, and Recipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

ASSURANCES OF COMPLIANCE WITH CIVIL RIGHTS REQUIREMENTS

ASSURANCES OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

As a condition of receipt of federal financial assistance from the Department of the Treasury, the recipient named below (hereinafter referred to as the “Recipient”) provides the assurances stated herein. The federal financial assistance may include federal grants, loans and contracts to provide assistance to the Recipient’s beneficiaries, the use or rent of Federal land or property at below market value, Federal training, a loan of Federal personnel, subsidies, and other arrangements with the intention of providing assistance. Federal financial assistance does not encompass contracts of guarantee or insurance, regulated programs, licenses, procurement contracts by the Federal government at market value, or programs that provide direct benefits.

The assurances apply to all federal financial assistance from or funds made available through the Department of the Treasury, including any assistance that the Recipient may request in the future.

The Civil Rights Restoration Act of 1987 provides that the provisions of the assurances apply to all of the operations of the Recipient’s program(s) and activity(ies), so long as any portion of the Recipient’s program(s) or activity(ies) is federally assisted in the manner prescribed above.

1. Recipient ensures its current and future compliance with Title VI of the Civil Rights Act of 1964, as amended, which prohibits exclusion from participation, denial of the benefits of, or subjection to discrimination under programs and activities receiving federal financial assistance, of any person in the United States on the ground of race, color, or national origin (42 U.S.C. § 2000d *et seq.*), as implemented by the Department of the Treasury Title VI regulations at 31 CFR Part 22 and other pertinent executive orders such as Executive Order 13166, directives, circulars, policies, memoranda, and/or guidance documents.
2. Recipient acknowledges that Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” seeks to improve access to federally assisted programs and activities for individuals who, because of national origin, have Limited English proficiency (LEP). Recipient understands that denying a person access to its programs, services, and activities because of LEP is a form of national origin discrimination prohibited under Title VI of the Civil Rights Act of 1964 and the Department of the Treasury’s implementing regulations. Accordingly, Recipient shall initiate reasonable steps, or comply with the Department of the Treasury’s directives, to ensure that LEP persons have meaningful access to its programs, services, and activities. Recipient understands and agrees that meaningful access may entail providing language assistance services, including oral interpretation and written translation where necessary, to ensure effective communication in the Recipient’s programs, services, and activities.
3. Recipient agrees to consider the need for language services for LEP persons when Recipient develops applicable budgets and conducts programs, services, and activities. As a resource, the Department of the Treasury has published its LEP guidance at 70 FR 6067. For more information on taking reasonable steps to provide meaningful access for LEP persons, please visit <http://www.lep.gov>.

4. Recipient acknowledges and agrees that compliance with the assurances constitutes a condition of continued receipt of federal financial assistance and is binding upon Recipient and Recipient's successors, transferees, and assignees for the period in which such assistance is provided.
5. Recipient acknowledges and agrees that it must require any sub-grantees, contractors, subcontractors, successors, transferees, and assignees to comply with assurances 1-4 above, and agrees to incorporate the following language in every contract or agreement subject to Title VI and its regulations between the Recipient and the Recipient's sub-grantees, contractors, subcontractors, successors, transferees, and assignees:

The sub-grantee, contractor, subcontractor, successor, transferee, and assignee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this contract (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, and herein incorporated by reference and made a part of this contract or agreement.

6. Recipient understands and agrees that if any real property or structure is provided or improved with the aid of federal financial assistance by the Department of the Treasury, this assurance obligates the Recipient, or in the case of a subsequent transfer, the transferee, for the period during which the real property or structure is used for a purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is provided, this assurance obligates the Recipient for the period during which it retains ownership or possession of the property.
7. Recipient shall cooperate in any enforcement or compliance review activities by the Department of the Treasury of the aforementioned obligations. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The Recipient shall comply with information requests, on-site compliance reviews and reporting requirements.
8. Recipient shall maintain a complaint log and inform the Department of the Treasury of any complaints of discrimination on the grounds of race, color, or national origin, and limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, pending or completed, including outcome. Recipient also must inform the Department of the Treasury if Recipient has received no complaints under Title VI.
9. Recipient must provide documentation of an administrative agency's or court's findings of non-compliance of Title VI and efforts to address the non-compliance, including any voluntary compliance or other

agreements between the Recipient and the administrative agency that made the finding. If the Recipient settles a case or matter alleging such discrimination, the Recipient must provide documentation of the settlement. If Recipient has not been the subject of any court or administrative agency finding of discrimination, please so state.

10. If the Recipient makes sub-awards to other agencies or other entities, the Recipient is responsible for ensuring that sub-recipients also comply with Title VI and other applicable authorities covered in this document. State agencies that make sub-awards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of sub-recipients.

The United States of America has the right to seek judicial enforcement of the terms of this assurances document and nothing in this document alters or limits the federal enforcement measures that the United States may take in order to address violations of this document or applicable federal law.

Under penalty of perjury, the undersigned official(s) certifies that official(s) has read and understood the Recipient's obligations as herein described, that any information submitted in conjunction with this assurances document is accurate and complete, and that the Recipient is in compliance with the aforementioned nondiscrimination requirements.

Recipient

Date

Signature of Authorized Official

PAPERWORK REDUCTION ACT NOTICE

The information collected will be used for the U.S. Government to process requests for support. The estimated burden associated with this collection of information is 30 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

Agenda Item **# 2021- 225**

City of Diamondhead, MS
Request for Council Action

TO: Council
 FROM: Mayor Depreo

☐ Ordinance ☐ Resolution ☐ Agreement/Contract ☐ Info Only ☐ Work Session Only

AGENDA LOCATION: ☐ Consent Agenda ☐ Regular Agenda

FORMAL AGENDA DATE REQUESTED:

ORDINANCE/RESOLUTION CAPTIONS or ISSUE:

Motion to support the Boy Scouts of America Eagle Scout Project – Diamondhead Dog Park benches, bird houses and trees.

IMPACT IF DENIED:

IMPACT IF APPROVED:

FINANCIAL IMPACT:

REQUIRED SIGNATURES

REQUESTED BY:

City Manager:

City Attorney:

Nancy Depreo

COUNCIL ACTION:

☐ Approved ☐ Denied ☐ Tabled/Deferred ☐ Info Only Completed:

ENGAGEMENT AGREEMENT

Item No.23.

Agreement made this 15th day of June 2021 between Diamondhead Festival (hereinafter referred to as Employer) and **Chicken on the Bone** (hereinafter referred to as Band). It is mutually agreed between the parties as follows:

Name and Place of engagement:	Diamondhead Diamondhead, MS
Name of Band:	Chicken on the Bone (4 Musicians)
Date of Engagement:	Saturday, November 13, 2021
Hours of engagement:	12:00 pm - 3:00 pm
Time of Arrival:	10:30 am
Price Agreed Upon:	\$1600.00 Performance
Lodging	N/A
Total	\$1600.00
DEPOSIT (due with agreement)	\$600.00 (non-refundable)
Balance Due (by 11/13/2021)	\$1000.00

**Checks are to be made payable to Robert Heindel / or /
Venmo or PayPal: Chicken On The Bone**

Cancellations must be made not less than 60 days prior to the date of the performance. The price agreed upon is a rain or shine price. Diamondhead festival shall supply all production, including PA system and lighting for the Band, as well as back line equipment. The price includes all travel time, set up and take down time.

Electricity requirements: Two-20 Amp Circuits.

For outdoor events, the band also requires to be off the ground and a covered performance area.

Performance area should be at least 20'X30'

Neither you (employer) nor we (band) will be liable for failure to perform under this agreement due to any act of God or other cause reasonably beyond our control.

The Contact person, for the employer, on the date of engagement will be _____ whose contact telephone number is _____.

The Contact person for the band, on the date of engagement will be Robert Heindel, whose cellular telephone number is 504-616-3710.

This agreement becomes void if not returned by June 30, 2021

This constitutes the sole, complete and binding agreement between parties hereto:

Agent for Employer / Employer

Signature of Agent for Employer

Address

City State Zip

Telephone Number

Chicken on the Bone

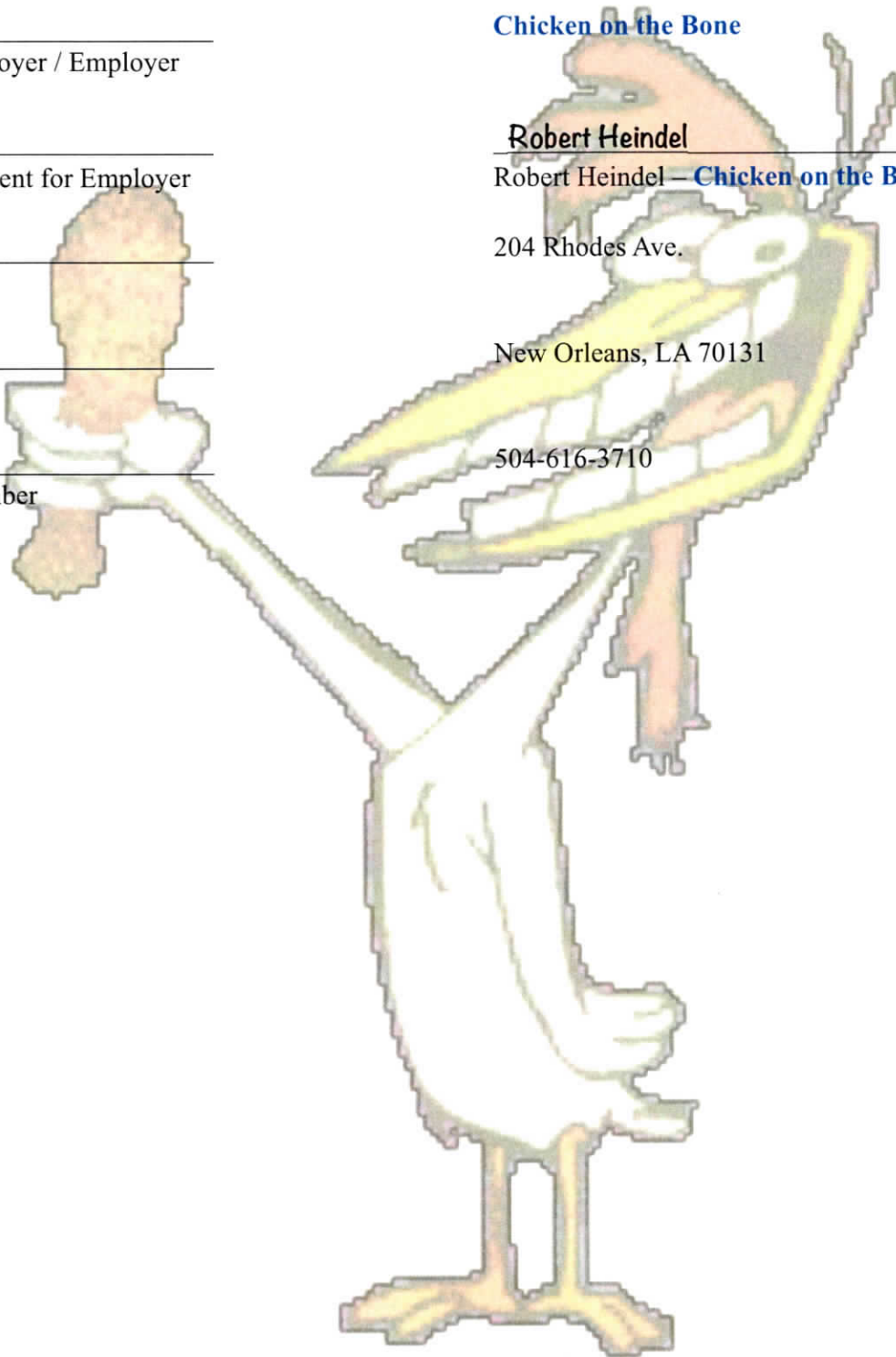
Robert Heindel

Robert Heindel – **Chicken on the Bone**

204 Rhodes Ave.

New Orleans, LA 70131

504-616-3710






5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: Mayor, City Council and City Manager

FROM: Ronald R. Jones, Building Official 

DATE: June 30, 2021

SUBJECT: Recommendation from Planning Commission Sign Variance Request Diamondhead Community Church

Diamondhead Community Church, represented by Bob Chalmers, has filed an application requesting a variance from the Zoning Ordinance (Article 10.7.d) to place a directional sign at the intersection of Noma Drive and Oak Park Drive that has a copy area of 12 square feet. Maximum copy area is 6 square feet. The variance requested is 6 square feet.

The property is located at 5301 Diamondhead Circle. The tax parcel number is 132A-2-03-027.000. The legal description is PT. NE ¼ Sec. 3-8-14. The property is located in a PFR-Public Facilities & Recreation zoning district. Maximum copy area is 6 square feet. The Case Number is 202100177.

At its regular meeting on June 29, 2021, the Planning Commission voted 5-0 to recommend to deny the variance.



Commissioner Flowers ✓
 Commissioner Layel ✓
 Commissioner Debrow ✓
 Commissioner Rubar ✓
 Commissioner Hourin ✓
 Commissioner Torguson ✓
 Commissioner Hector ✓

AGENDA PLANNING AND ZONING COMMISSION

Tuesday, June 29, 2021

6:00 PM CST

Council Chambers, City Hall
 and via teleconference, if necessary

Call to Order

Statement of Purpose

1. May our decisions today be made with wisdom, careful deliberation and in the best interest of the City of Diamondhead. May we display patience and kindness in our dealings with each other and all who are in attendance and may any decisions made today promote the health, safety and welfare of the citizens of Diamondhead and the enhancement of the City as a whole.

Pledge of Allegiance

Roll Call

Confirmation or Adjustments to Agenda

Approval of Minutes

2. Approval of May 25, 2021 minutes.

New Business

3. Public Hearing to consider a recommendation to the City Council regarding the Diamondhead Comprehensive Plan (Envision Diamondhead 2040). Presentation by Robert Barber with Orion Planning. *Via Zoom*
4. **Diamondhead Community Church**, represented by Bob Chalmers, has filed an application requesting a variance from the Zoning Ordinance (Article 10.7.d) to place a directional sign at the intersection of Noma Drive and Oak Park Drive that has a copy area of 12 square feet. Maximum copy area is 6 square feet. The variance requested is 6 square feet. The property is located at 5301 Diamondhead Circlet. The tax parcel number is 132A-2-03-027.000. The legal description is PT. NE ¼ Sec. 3-8-14. The property is located in a PFR-Public Facilities & Recreation zoning district. Maximum copy area is 6 square feet. The Case Number is 202100177.
5. Phillip Sutton has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 8.5' from the southeast corner of the house, continuing toward Pokai Street for ^{24'} 48' and then continuing east along Pokai Street for 48'. This is a corner lot with 2 front setbacks and 2 front facades. The Ordinance states a privacy fence cannot extend beyond the front façade of the house. The variance requested is 8.5' from the front façade (southeast corner) and 24' towards Pokai Street. The property address is 97440 Diamondhead Drive West. The tax parcel number is 067K-1-36-0567.000. The legal description is Diamondhead Subdivision Phase #2, Unit 4A, Block 5, Lots 5 & 6. The property is located in a R-2 zoning district. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.



5000 Diamondhead Circle, Diamondhead, MS 39525

Phone: (228) 222.4626

FAX: (228) 222-4390

www.diamondhead.ms.gov

STAFF REPORT TO PLANNING COMMISSION

Denied 5-6

DATE: June 29, 2021

CASE FILE NUMBER: 202100177

APPLICANT: Diamondhead Community Church

PROPERTY OWNER: Diamondhead Community Church

TAX PARCEL NUMBER: 132A-2-03-027.000

PHYSICAL STREET ADDRESS: 5301 Diamondhead Circle

LEGAL DESCRIPTION: P T. NE ¼ Section 3-8-14

ZONING DISTRICT: PFR

TYPE OF APPLICATION: Variance

NATURE OF REQUEST: Diamondhead Community Church, represented by Bob Chalmers, has filed an application requesting a variance from the Zoning Ordinance (Article 10.7.d) to place a directional sign at the intersection of Noma Drive and Oak Park Drive that has a copy area of 12 square feet. Maximum copy area is 6 square feet. The variance requested is 6 square feet. The property is located at 5301 Diamondhead Circle. The tax parcel number is 132A-2-03-027.000. The legal description is PT. NE ¼ Sec. 3-8-14. The property is located in a PFR-Public Facilities & Recreation zoning district. Maximum copy area is 6 square feet. The Case Number is 202100177.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: June 29, 2021

ACTION BY THE PLANNING COMMISSION:

FINDINGS: The Planning Commission may recommend granting a variance provided affirmative findings of fact are made on each of the following criteria:

- A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. By way of example, special conditions or

circumstances peculiar to land could include irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions.

- B. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title.
- C. That special conditions and circumstances do not result from the actions of the applicant.
- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district.
- E. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- F. The Variance would observe the spirit of the Ordinance and would not change the character of the district.
- G. The Variance would observe the spirit of the Comprehensive Plan.
- H. That the Variance requested will not result in any change in use or density of the subject property.

NOTES: In recommending that any variance be granted, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with the zoning ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the zoning ordinance and punishable as determined within the zoning ordinance.

Under no circumstances shall the Planning Commission or Mayor and City Council grant a variance to allow a use not permissible under the terms of the zoning ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the zoning ordinance in said district.

RECOMMENDATION TO PLANNING COMMISSION: To **deny** the variance as petitioned;

The staff recommends to deny the variance based on the following findings of fact.

- A. There are no special conditions or circumstances regarding the property.
- B. There are no other properties in the same zoning district that have been granted this variance.
- C. That special conditions and circumstances, do result from the actions of the applicant.
- D. That granting the variance requested will confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district.
- E. The variance will not represent the minimum variance that will afford relief and will not represent the least modification possible of the regulation in issue.
- F. The Variance does not observe the spirit of the Ordinance and would not change the character of the district (area).
- G. The Variance would not observe the spirit of the Comprehensive Plan.
- H. That the Variance requested will not result in any change in use or density of the subject property.

Note: Governmental signs are exempt from the Sign Ordinance.



5000 Diamondhead Circle
Diamondhead, MS 39525
Ph: 228-222-4626
FX: 228-222-4390

RECEIVED
MAY 17 2021
BY: A. E. 10/18/2021

APPLICATION FOR VARIANCE REQUEST

Case Number: 202100177Date 5/13/2021Applicant: Bob Chalmers (on behalf of Diamondhead Community church)Applicant's Address: 556 Kaiki DriveApplicant's Email Address: mchalmers3@gmail.comApplicant's Contact Number: (Home) _____ (Work) _____ (Cell) 704-591-0797Property Owner: Diamondhead Community Church, Inc.Owner's Mailing Address: 5301 Diamondhead Circle Diamondhead, MS 39525Owner's Email Address: dcc@cableone.netOwner's Contact Number: (Home) _____ (Work) 255-5556 (Cell) _____Tax Roll Parcel Number: 132A-2-03-027.000Physical Street Address: 5301 Diamondhead circleLegal Description of Property: PT. NE 1/4 SEC. 3-8-14Zoning District: 3 PFRState Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)
(Signage-Size-Height)

Asking the commission to allow a sign of 12 sq. ft.
at the corner of Oak Park Dr. and Noma Dr.

STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Variance in the City of Diamondhead, I (we) understand the following:

The application fee of \$100.00 ^{(+1.00 A/H Fee) = total of 101.00} must be paid prior to the acceptance of the application. Further, that if the application is withdrawn for any reason that the application fee is forfeited to the City of Diamondhead.

As the applicant or owner/s, I (we), or the designed representative, must be present at the public hearing.

That all information provided with this application is true and correct to the best of my knowledge.

That this application represents only property owned by me (us) and that any other adjoining property owners must apply for a Variance on his own behalf.

That all required attachments have been provided to the City of Diamondhead.

That additional information may be required by the Planning Commission prior to final disposition.

The City Council will not accept new case evidence once the recommendation has been made by the Planning Commission. If new evidence needs to be presented, the applicant will need to request that the matter be referred back to the Planning Commission for review.

The Public Hearing will be held on June 29, 2021 at 6 p.m. in the Council Chambers of the Diamondhead City Hall.

If a continuance of the hearing is necessary at my (our) request, the request must be made to the Zoning Official a minimum of seven (7) days prior to the hearing. If such request is not made in writing, I understand that a new application must be filed and an application fee paid to the City.

If the application is denied by the City Council, a new application for the subject property may not be submitted for one (1) year from the date of denial.

* Bob Chalmers (property committee chair for DCC)
Signature of Applicant

* Greg Cullom (president of DCC, inc.)
Signature of Property Owner

____ For Official Use Only ____

- (☒) \$100.00
() Copy of Deed, Lease or Contract
(☒) Site Plan
(☒) Parking Spaces
(☒) List of Property Owner

- (☒) Application Signed
(☒) Written Project Description
() Drainage Plan NA (☒)
() Notarized Statement NA (☒)

REQUIRED ITEM AProperty Owner DIAMONDHEAD COMMUNITY CHURCHStreet Address 5301 DIAMONDHEAD CIRCLE

Statement Describing Variance Request

WE ARE ASKING THE COMMISSION TO ALLOW SIGNAGE
OF 12 SQUARE FEET AT THE CORNER OF OAK
PARK DR AND NONA DRIVE AS WELL AS EITHER
SIDE OF OUR PARKING LOT
 The reasons why it complies with the criteria for variances:

1. DO THE SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH AFFECT ONLY THE LAND OR STRUCTURE IN QUESTION AND NO OTHER SURROUNDING OR SIMILAR PROPERTIES?

Response: YES. THE ACTUAL ENTRANCE TO OUR
FACILITY IS ON WHAT COULD BE CONSIDERED
THE BACK OF OUR BUILDING - NOT VISIBLE
FROM THE ROUND ABOUT.

2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?

Response: YES. CITY SIGNAGE WAS MEASURED
PRIOR TO HAVING OUR SIGNS CREATED
AND THEN PERMIT FILED.

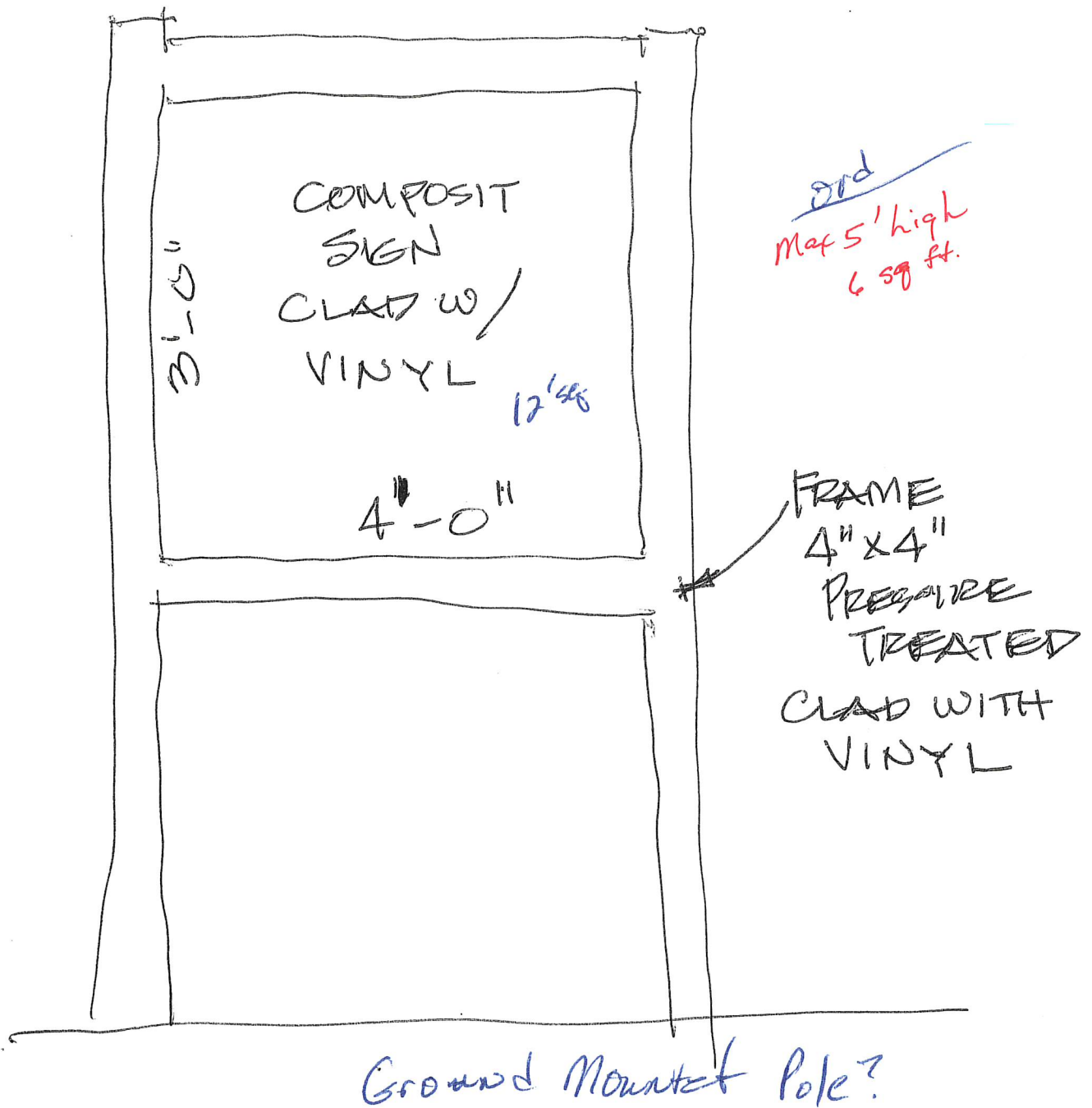
3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?

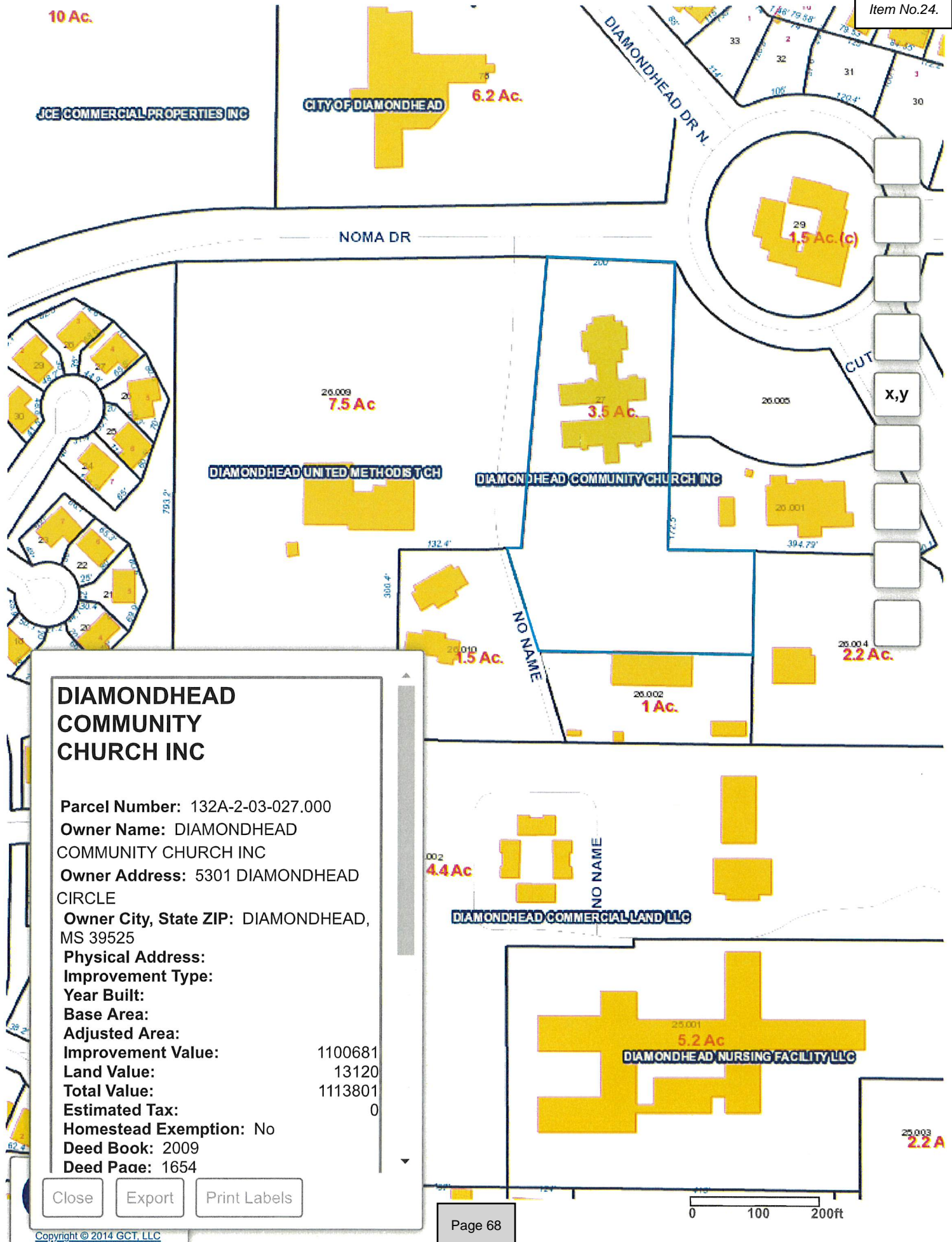
Response: YES. WE PATTERNED AFTER CITY
SIGNS ERECTED.

4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?

Response: NO.









5000 Diamondhead Circle · Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: Diamondhead Community Church and adjacent property owners

FROM: J. Pat Rich, Planning and Zoning Administrator *J. Pat Rich*

DATE: June 14, 2020

SUBJECT: Notice of Public Hearing

Diamondhead Community Church, represented by Bob Chalmers, has filed an application requesting a variance from the Zoning Ordinance (Article 10.7.d) to place a directional sign at the intersection of Noma Drive and Oak Park Drive that has a copy area of 12 square feet. Maximum copy area is 6 square feet. The variance requested is 6 square feet.

The property is located at 5301 Diamondhead Circlet. The tax parcel number is 132A-2-03-027.000. The legal description is PT. NE ¼ Sec. 3-8-14. The property is located in a PFR-Public Facilities & Recreation zoning district. Maximum copy area is 6 square feet. The Case Number is 202100177.

In accordance with the Comprehensive Zoning Ordinance Article 2.6.4, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, JUNE 29, 2021 at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend.

If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.

NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
DIAMONDHEAD, MS

Diamondhead Community Church, represented by Bob Chalmers, has filed an application requesting a variance from the Zoning Ordinance (Article 10.7.d) to place a directional sign at the intersection of Noma Drive and Oak Park Drive that has a copy area of 12 square feet. Maximum copy area is 6 square feet. The variance requested is 6 square feet.

The property is located at 5301 Diamondhead Circlet. The tax parcel number is 132A-2-03-027.000. The legal description is PT. NE ¼ Sec. 3-8-14. The property is located in a PFR-Public Facilities & Recreation zoning district. Maximum copy area is 6 square feet. The Case Number is 202100177.

In accordance with the Comprehensive Zoning Ordinance Article 2.6.4, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited time period or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, June 29, 2021 at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend. This meeting will also be live streamed for your convenience.

If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.



5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: Mayor, City Council and City Manager

FROM: Ronald R. Jones, Building Official

A handwritten signature in black ink, appearing to read 'R. Jones'.

DATE: June 30, 2021

SUBJECT: Recommendation from Planning Commission Fence Variance Request Phillip Sutton

Phillip Sutton filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 8.5' from the southeast corner of the house, continuing toward Pokai Street for 24' and then continuing east along Pokai Street for 48'. This is a corner lot with 2 front setbacks and 2 front facades. The Ordinance states a privacy fence cannot extend beyond the front façade of the house. The variance requested is 8.5' from the front façade (southeast corner) and 24' towards Pokai Street.

The property address is 97440 Diamondhead Drive West. The tax parcel number is 067K-1-36-0567.000. The legal description is Diamondhead Subdivision Phase #2, Unit 4A, Block 5, Lots 5 & 6. The property is located in a R-2 zoning district. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.

At its regular meeting on June 29, 2021, the Planning Commission voted 5-0 to recommend to approve a modified variance to construct a 6' wood privacy fence starting 8.5' from the southeast corner of the house, continuing toward Pokai Street for 11' and then continuing east along Pokai Street at a 90 degree angle for 48' or more.



Commissioner Flowers ✓
 Commissioner Layel ✓
 Commissioner Debrow ✓
 Commissioner Rubar ✓
 Commissioner Hourin ✓
 Commissioner Torguson ✓
 Commissioner Hector ✓

AGENDA PLANNING AND ZONING COMMISSION

Tuesday, June 29, 2021

6:00 PM CST

Council Chambers, City Hall
 and via teleconference, if necessary

Call to Order

Statement of Purpose

1. May our decisions today be made with wisdom, careful deliberation and in the best interest of the City of Diamondhead. May we display patience and kindness in our dealings with each other and all who are in attendance and may any decisions made today promote the health, safety and welfare of the citizens of Diamondhead and the enhancement of the City as a whole.

Pledge of Allegiance

Roll Call

Confirmation or Adjustments to Agenda

Approval of Minutes

2. Approval of May 25, 2021 minutes.

New Business

3. Public Hearing to consider a recommendation to the City Council regarding the Diamondhead Comprehensive Plan (Envision Diamondhead 2040). Presentation by Robert Barber with Orion Planning. *Via Zoom*
4. **Diamondhead Community Church**, represented by Bob Chalmers, has filed an application requesting a variance from the Zoning Ordinance (Article 10.7.d) to place a directional sign at the intersection of Noma Drive and Oak Park Drive that has a copy area of 12 square feet. Maximum copy area is 6 square feet. The variance requested is 6 square feet. The property is located at 5301 Diamondhead Circlet. The tax parcel number is 132A-2-03-027.000. The legal description is PT. NE ¼ Sec. 3-8-14. The property is located in a PFR-Public Facilities & Recreation zoning district. Maximum copy area is 6 square feet. The Case Number is 202100177.
5. Phillip Sutton has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 8.5' from the southeast corner of the house, continuing toward Pokai Street for 24' and then continuing east along Pokai Street for 48'. This is a corner lot with 2 front setbacks and 2 front facades. The Ordinance states a privacy fence cannot extend beyond the front façade of the house. The variance requested is 8.5' from the front façade (southeast corner) and 24' towards Pokai Street. The property address is 97440 Diamondhead Drive West. The tax parcel number is 067K-1-36-0567.000. The legal description is Diamondhead Subdivision Phase #2, Unit 4A, Block 5, Lots 5 & 6. The property is located in a R-2 zoning district. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.



5000 Diamondhead Circle, Diamondhead, MS 39525
Phone: (228) 222.4626
FAX: (228) 222-4390
www.diamondhead.ms.gov

STAFF REPORT TO PLANNING COMMISSION

*Approved as modified
S-O*

DATE: June 29, 2021

CASE FILE NUMBER: 202100176

APPLICANT: Phillip Sutton

PROPERTY OWNER: Phillip Sutton

TAX PARCEL NUMBER: 067K-1-36-057.000

PHYSICAL STREET ADDRESS: 97440 Diamondhead Drive West

LEGAL DESCRIPTION: Diamondhead Phase 2, Unit 4A, Blk 5, Lots 5 & 6

ZONING DISTRICT: R-2

TYPE OF APPLICATION: Variance

NATURE OF REQUEST: Phillip Sutton has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 8.5' from the southeast corner of the house, continuing toward Pokai Street for 24' and then continuing east along Pokai Street for 48'. This is a corner lot with 2 front setbacks and 2 front facades. The Ordinance states a privacy fence cannot extend beyond the front façade of the house. The variance requested is 8.5' from the front façade (southeast corner) and 24' towards Pokai Street. The property address is 97440 Diamondhead Drive West. The tax parcel number is 067K-1-36-0567.000. The legal description is Diamondhead Subdivision Phase #2, Unit 4A, Block 5, Lots 5 & 6. The property is located in a R-2 zoning district. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house. The Case Number is 202100176.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: June 29, 2021

ACTION BY THE PLANNING COMMISSION:

FINDINGS: The Planning Commission may recommend granting a variance provided affirmative findings of fact are made on each of the following criteria:

- A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. By way of example, special conditions or

circumstances peculiar to land could include irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions.

- B. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title.
- C. That special conditions and circumstances do not result from the actions of the applicant.
- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district.
- E. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- F. The Variance would observe the spirit of the Ordinance and would not change the character of the district.
- G. The Variance would observe the spirit of the Comprehensive Plan.
- H. That the Variance requested will not result in any change in use or density of the subject property.

NOTES: In recommending that any variance be granted, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with the zoning ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the zoning ordinance and punishable as determined within the zoning ordinance.

Under no circumstances shall the Planning Commission or Mayor and City Council grant a variance to allow a use not permissible under the terms of the zoning ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the zoning ordinance in said district.

RECOMMENDATION TO PLANNING COMMISSION: To **deny** the variance as petitioned;

The staff recommends to deny the variance based on the following findings of fact.

- A. There are no special conditions or circumstances regarding the property. The property is a corner lot which has two front yard setbacks and two front facades.
- B. There are no other properties in the same zoning district that have been granted this variance.
- C. That special conditions and circumstances, do result from the actions of the applicant.
- D. That granting the variance requested will confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district.
- E. The variance will not represent the minimum variance that will afford relief and will not represent the least modification possible of the regulation in issue.
- F. The Variance does not observe the spirit of the Ordinance and would not change the character of the district (area).
- G. The Variance would not observe the spirit of the Comprehensive Plan.
- H. That the Variance requested will not result in any change in use or density of the subject property.

8

211.7

DAWLEY HAROLD H. JR. ETUX TRUSTEES



194.0

85.0%



GRIDLEY TITMO THY A ETUX

Allowed

05

235.31
157.3

RICHELLE: M

 x, y

Page 75



0.0000

109.8%

GRIDLEY TIMOTHY A ET AL

9

24

Requested 48

57 083.41

 43.4%

50.7

60





5000 Diamondhead Circle
Diamondhead, MS 39525
Ph: 228-222-4626
FX: 228-222-4390

submital date: May 17th

APPLICATION FOR VARIANCE REQUEST

Case Number: 202100176

Date 5/17/21



Applicant: Phillip Sutton

Applicant's Address: 97440 Diamondhead Drive W

Applicant's Email Address: psutton27@yahoo.com

Applicant's Contact Number: (Home) (Work) (Cell) 228-224-4549

Property Owner: Phillip Sutton

Owner's Mailing Address: 97440 Diamondhead Drive W

Owner's Email Address: psutton27@yahoo.com

Owner's Contact Number: (Home) (Work) (Cell) 228-224-4549

Tax Roll Parcel Number: 0617 R-1-36-057.000

Physical Street Address: 97440 Diamondhead Drive W

Legal Description of Property: DH PH 2 unit 4A BIK S lots 5+6

Zoning District: R-2

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)
(Signage-Size-Height)

6ft Privacy Fence

Wood

24ft x 48ft

going off side of house to rear property line

STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Variance in the City of Diamondhead, I (we) understand the following:

$2(41.00 \text{ A/H fee}) = \text{total of } 101.00$
 The application fee of \$100.00 must be paid prior to the acceptance of the application. Further, that if the application is withdrawn for any reason that the application fee is forfeited to the City of Diamondhead.

As the applicant or owner/s, I (we), or the designed representative, must be present at the public hearing.

That all information provided with this application is true and correct to the best of my knowledge.

That this application represents only property owned by me (us) and that any other adjoining property owners must apply for a Variance on his own behalf.

That all required attachments have been provided to the City of Diamondhead.

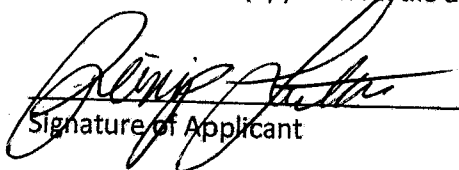
That additional information may be required by the Planning Commission prior to final disposition.

The City Council will not accept new case evidence once the recommendation has been made by the Planning Commission. If new evidence needs to be presented, the applicant will need to request that the matter be referred back to the Planning Commission for review.

The Public Hearing will be held on June 29, 2021 at 6 p.m. in the Council Chambers of the Diamondhead City Hall.

If a continuance of the hearing is necessary at my (our) request, the request must be made to the Zoning Official a minimum of seven (7) days prior to the hearing. If such request is not made in writing, I understand that a new application must be filed and an application fee paid to the City.

If the application is denied by the City Council, a new application for the subject property may not be submitted for one (1) year from the date of denial.


 Signature of Applicant


 Signature of Property Owner

____ For Official Use Only ____

- ☒ \$100.00
☒ Copy of Deed, Lease or Contract
☒ Site Plan
☒ Parking Spaces
☒ List of Property Owner

- ☒ Application Signed
☒ Written Project Description
☐ Drainage Plan NA ☒
☐ Notarized Statement NA ☒

REQUIRED ITEM AProperty Owner Phillip SuttonStreet Address 97440 Diamondhead Drive W.

Statement Describing Variance Request

I am requesting a variance to put a privacy fence on my property. I have two dogs and a two year old daughter that I would like to keep safe from the street.

The reasons why it complies with the criteria for variances:

1. DO THE SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH AFFECT ONLY THE LAND OR STRUCTURE IN QUESTION AND NO OTHER SURROUNDING OR SIMILAR PROPERTIES?

Response: Yes, Because of the shape of the property and location of the house.

2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLIANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?

Response: Yes, because it will cut off access to my backyard.

3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?

Response: Yes, the lot size and shape

4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?

Response: it would not give me any special privileges. Other houses around the area have similar fences

Prepared By:
 The Casano Law Firm, P.A.
 4403 West Aloha Drive
 Diamondhead, MS 39525
 228-255-0035
 File No: 20-0258

Re: Family
 100% Joint Tenancy
 4403 West Aloha Drive
 Diamondhead, MS 39525
 228-255-0035

Index As:

STATE OF MISSISSIPPI
 COUNTY OF Hancock

WARRANTY DEED

For and in consideration of the sum of Ten Dollars (\$10.00) and in full payment of the
 considerations, the receipt and title hereby given to the Grantee as follows:

Phyllis G. Galt and Kimberly G. Galt, Grantees
 100% Joint Tenancy
 Jacksonville, FL 32218
 Phone: 228-223-7125

Do hereby sell, convey, bargain and warrant to

Phillip C. Sutton and Taylor N. Sutton, Grantees
 97440 W Diamondhead Dr
 Diamondhead, MS 39525
 Phone:

As joint tenants with right of survivorship and not as tenants in common, the following described real property situated
 and located in Hancock County, Mississippi, more particularly and certainly described as follows:

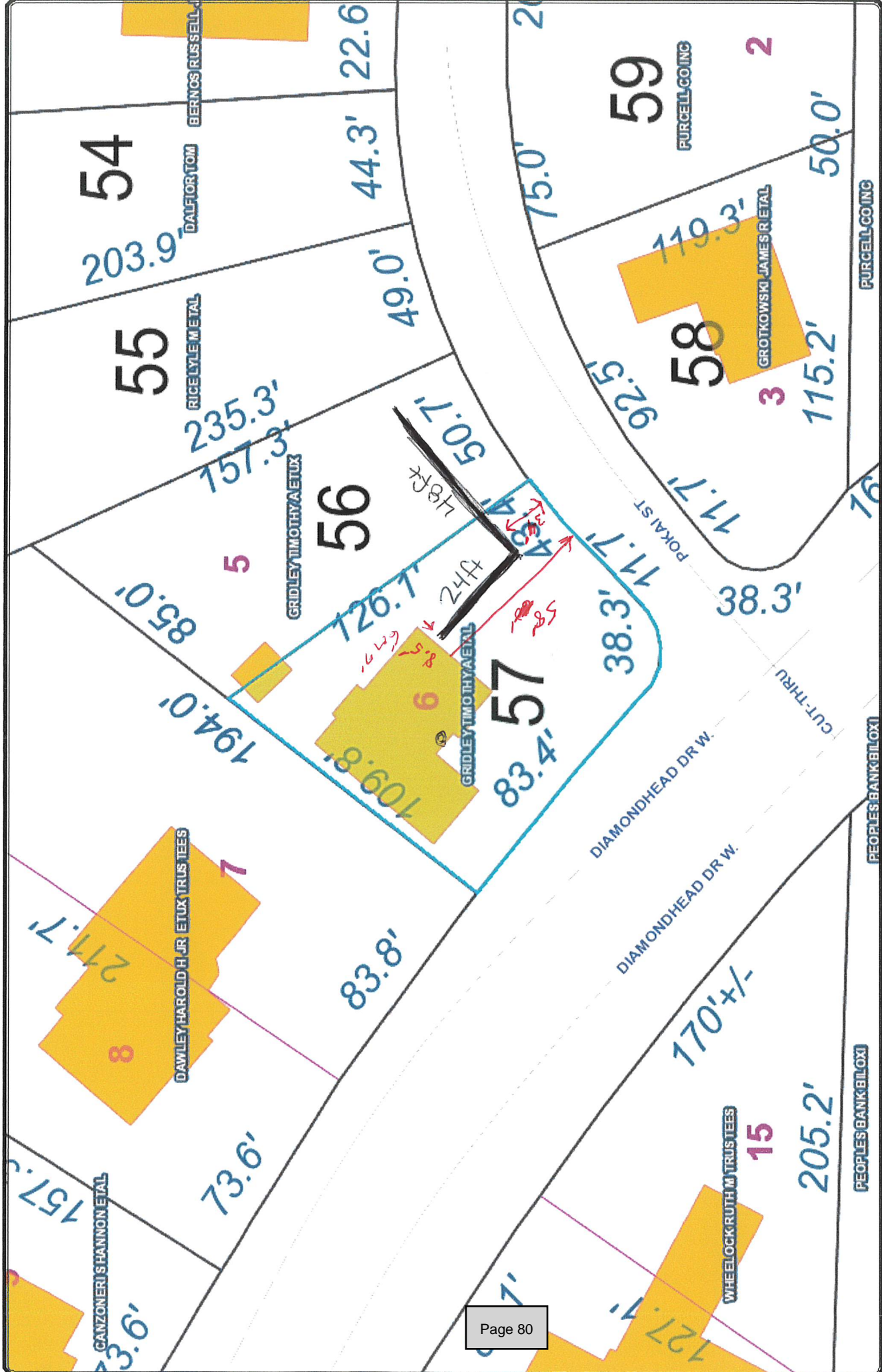
**Lots 5 and 6, Block 5, Unit 4-A, Diamondhead, Phase 2, according to the map or plat thereof on file and of record
 in the office of the Chancery Clerk of Hancock County, Mississippi.**

Together with all and singular the rights, privileges, improvements and appurtenances to the same in anywise
 any wise appertaining.

This conveyance is made subject to any and all the covenants, conditions and restrictions of record, including any mineral oil, gas or other rights and interests in and to the land.

It is hereby warranted that the Grantee shall enjoy the full and complete use and possession of the land described herein
 without any and all the covenants, conditions and restrictions of record, including any mineral oil, gas or other rights and interests in and to the land.

The Grantee shall enjoy the full and complete use and possession of the land described herein
 (Grantor)



DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
DIAMONDHEAD, MS

Phillip Sutton has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 8.5' from the southeast corner of the house, continuing toward Pokai Street for 24' and then continuing east along Pokai Street for 48'. This is a corner lot with 2 front setbacks and 2 front facades. The Ordinance states a privacy fence cannot extend beyond the front façade of the house. The variance requested is 8.5' from the front façade (southeast corner) and 24' towards Pokai Street.

The property address is 97440 Diamondhead Drive West. The tax parcel number is 067K-1-36-0567.000. The legal description is Diamondhead Subdivision Phase #2, Unit 4A, Block 5, Lots 5 & 6. The property is located in a R-2 zoning district. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.

In accordance with the Comprehensive Zoning Ordinance Article 2.6.4, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, June 29, 2021 at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend.

If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.



5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: Phillip Sutton and adjacent property owners

FROM: J. Pat Rich, Planning and Zoning Administrator

DATE: June 14, 2020

SUBJECT: Notice of Public Hearing

Phillip Sutton has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 8.5' from the southeast corner of the house, continuing toward Pokai Street for 24' and then continuing east along Pokai Street for 48'. This is a corner lot with 2 front setbacks and 2 front facades. The Ordinance states a privacy fence cannot extend beyond the front façade of the house. The variance requested is 8.5' from the front façade (southeast corner) and 24' towards Pokai Street.

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In accordance with the Comprehensive Zoning Ordinance Article 2.6.4, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, JUNE 29, 2021 at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend.

If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.

Pat Rich

From: Ronald Jones
Sent: Friday, June 18, 2021 10:02 AM
To: Pat Rich
Subject: FW: Supporting a request for a fence variance

From: Harold Dawley <hdawley@bellsouth.net>
Sent: Friday, June 18, 2021 9:01 AM
To: Ronald Jones <rjones@diamondhead.ms.gov>
Subject: Supporting a request for a fence variance

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

To: J. Pat Rich, Planning and Zoning Administrator

Subject: Notice Of Public Hearing

Dear Mr. Rich:

I recently received your notification that the owner of the land next to my home, Phillip Sutton, has requested a variance to construct a 6' wood privacy fence along the side of his home running along Pokai Street. As an adjoining property owner, I am writing to state I wholly support his request. In my opinion, the variance he is requesting will have no negative consequence on the neighborhood,

I urge the Planning Commission to approve Mr. Sutton's request for a variance to construct a fence along the side of his home running along Pokai Street.

Please feel free to contact me if you have any questions or need more information.

Thank you.

Harold Dawley

97444 Diamondhead Drive Wet

Diamondhead, MS

228-437-4210



5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: Mayor, City Council and City Manager

FROM: Ronald R. Jones, Building Official *J. Pet Ruel*

DATE: June 30, 2021

SUBJECT: Recommendation from Planning Commission Rear Yard Setback Fence Variance Request Timothy and Gina Stockstill

Timothy and Gina Stockstill filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5 E iii) to allow the construction of a screened enclosure of an existing deck which is 4 feet 4 inches from the rear property line. The rear yard setback on the golf course is a minimum of 20 feet. The variance requested is 15 feet 8 inches.

The property address is 689 Oahu Street. The tax parcel number is 067Q-0-36-090.000. The legal description is Diamondhead Subdivision Phase 2, Unit 3, Block 5, Lot 63 and a portion of Lot 64. The property is located in a R-2 zoning district. The case file number is 202100165.

At its regular meeting on June 29, 2021, the Planning Commission voted 5-0 to recommend to deny the variance.



AGENDA PLANNING AND ZONING COMMISSION

Tuesday, June 29, 2021
6:00 PM CST
Council Chambers, City Hall
and via teleconference, if necessary

Commissioner Flowers ✓
Commissioner Layel ✓
Commissioner Debrow ✓
Commissioner Rubar ✓
Commissioner Hourin ✓
Commissioner Torguson ✓
Commissioner Hector ✓

Call to Order

Statement of Purpose

1. May our decisions today be made with wisdom, careful deliberation and in the best interest of the City of Diamondhead. May we display patience and kindness in our dealings with each other and all who are in attendance and may any decisions made today promote the health, safety and welfare of the citizens of Diamondhead and the enhancement of the City as a whole.

Pledge of Allegiance

Roll Call

Confirmation or Adjustments to Agenda

Approval of Minutes

2. Approval of May 25, 2021 minutes.

New Business

3. Public Hearing to consider a recommendation to the City Council regarding the Diamondhead Comprehensive Plan (Envision Diamondhead 2040). Presentation by Robert Barber with Orion Planning. *Via Zoom*
4. **Diamondhead Community Church**, represented by Bob Chalmers, has filed an application requesting a variance from the Zoning Ordinance (Article 10.7.d) to place a directional sign at the intersection of Noma Drive and Oak Park Drive that has a copy area of 12 square feet. Maximum copy area is 6 square feet. The variance requested is 6 square feet. The property is located at 5301 Diamondhead Circlet. The tax parcel number is 132A-2-03-027.000. The legal description is PT. NE ¼ Sec. 3-8-14. The property is located in a PFR-Public Facilities & Recreation zoning district. Maximum copy area is 6 square feet. The Case Number is 202100177.
5. Phillip Sutton has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to construct a 6' wood privacy fence starting 8.5' from the southeast corner of the house, continuing toward Pokai Street for 24' and then continuing east along Pokai Street for 48'. This is a corner lot with 2 front setbacks and 2 front facades. The Ordinance states a privacy fence cannot extend beyond the front façade of the house. The variance requested is 8.5' from the front façade (southeast corner) and 24' towards Pokai Street. The property address is 97440 Diamondhead Drive West. The tax parcel number is 067K-1-36-0567.000. The legal description is Diamondhead Subdivision Phase #2, Unit 4A, Block 5, Lots 5 & 6. The property is located in a R-2 zoning district. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.



5000 Diamondhead Circle, Diamondhead, MS 39525

Phone: (228) 222.4626

FAX: (228) 222-4390

www.diamondhead.ms.gov

STAFF REPORT TO PLANNING COMMISSION

*Approved
50*

DATE: June 29, 2021

CASE FILE NUMBER: 202100165

APPLICANT: Timothy and Gina Stockstill

PROPERTY OWNER: Timothy and

Gina Stockstill

TAX PARCEL NUMBER: 067Q-0-36-090.000

PHYSICAL STREET ADDRESS: 689 Oahu Street

LEGAL DESCRIPTION: Diamondhead Subdivision Phase 2, Unit 3, Block 5, Lot 63

ZONING DISTRICT: R - 2

TYPE OF APPLICATION: Variance

NATURE OF REQUEST: Timothy and Gina Stockstill have filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5 E iii) to allow the construction of a screened enclosure of an existing deck which is 4 feet 4 inches from the rear property line. The rear yard setback is a minimum of 20 feet. The variance requested is ¹⁹17 feet 8 inches. The property address is 689 Oahu Street. The tax parcel number is 067Q-0-36-090.000. The legal description is Diamondhead Subdivision Phase 2, Unit 3, Block 5, Lot 63 and a portion of Lot 64. The property is located in a R-2 zoning district. The case file number is 202100165.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: June 29, 2021

ACTION BY THE PLANNING COMMISSION:

FINDINGS: The Planning Commission may recommend granting a variance provided affirmative findings of fact are made on each of the following criteria:

- A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. By way of example, special conditions or

circumstances peculiar to land could include irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions.

- B. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title.
- C. That special conditions and circumstances do not result from the actions of the applicant.
- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district.
- E. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- F. The Variance would observe the spirit of the Ordinance and would not change the character of the district.
- G. The Variance would observe the spirit of the Comprehensive Plan.
- H. That the Variance requested will not result in any change in use or density of the subject property.

NOTES: In recommending that any variance be granted, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with the zoning ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the zoning ordinance and punishable as determined within the zoning ordinance.

Under no circumstances shall the Planning Commission or Mayor and City Council grant a variance to allow a use not permissible under the terms of the zoning ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the zoning ordinance in said district.

RECOMMENDATION TO PLANNING COMMISSION: To **deny** the variance as petitioned;

The staff recommends to deny the variance based on the following findings of fact.

- A. The Property is on the golf course and there are not any special conditions, hardships or circumstances.
- B. That literal interpretation of the provisions of this title would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title. The setback requirement on the golf course is 20 feet.
- C. That special conditions and circumstances, if any, do result from the actions of the applicant. The existing porch is a non-conforming structure which cannot be altered without being brought into compliance.
- D. That granting the variance requested will confer on the applicant special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district.
- E. The variance, if authorized, will not represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- F. The Variance does not observe the spirit of the Ordinance and it would change the character of the district (area).
- G. The Variance would not observe the spirit of the Comprehensive Plan.
- H. That the Variance requested will result in any change in use or density of the subject property.



5000 Diamondhead Circle
Diamondhead, MS 39525
Ph: 228-222-4626
FX: 228-222-4390

APPLICATION FOR VARIANCE REQUEST

Case Number: 202100165Date 5-14-21Applicant: Timothy & Gina StockstillApplicant's Address: 689 Oahu StApplicant's Email Address: gina51433@gmail.comApplicant's Contact Number: (Home) N/A (Work) N/A (Cell) Tim - 228-990-8764
Gina 228-216-1503Property Owner: Timothy & Gina StockstillOwner's Mailing Address: 689 Oahu StOwner's Email Address gina51433@gmail.comOwner's Contact Number: (Home) N/A (Work) N/A (Cell) Tim - 228-990-8764
Gina 228-216-1503Tax Roll Parcel Number: 067Q-0-36-090.000Physical Street Address: 689 Oahu StLegal Description of Property: DH Ph2 Unit 3 BK 5 Lot 63 part 64

Zoning District: _____

State Purpose of Variance: (Front/Side/Rear/Lot Size/Parking/Building/Coverage)
(Signage-Size-Height) _____

Partially enclose the back deck 44 x 18⁽¹⁵⁾ area and
install fitness swim spa/hot tub on back deck
Screen walls/side & roof with retractable
awning.

REQUIRED ITEM A

Property Owner

Gina & Tom Stockstill

Street Address

689 OAHU ST.

Statement Describing Variance Request

We are asking for 15-18 Ft enclosure. Preferably 18 Ft to
enclose the back deck & add a privacy screen in patio, deck,
with retractable awning for protect of family, grandchildren &
wildlife, golfers

The reasons why it complies with the criteria for variances:

1. DO THE SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH AFFECT ONLY THE LAND OR STRUCTURE IN QUESTION AND NO OTHER SURROUNDING OR SIMILAR PROPERTIES?

Response:

Because when the house was built in 1980 with
a large front yard & very small back yard. We are unable to
build on front yard. Our situation is unusual due to how far back
the house was built. We are asking for a 15-18 FT X 44 for enclosure. Preferably
18 FT

2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?

Response:

Yes, this is a safety issue. The house was set back
on the lot in 1980. Times have change, we are trying
to protect, family, grandchildren, neighbor & wildlife & golfers & balls

3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?

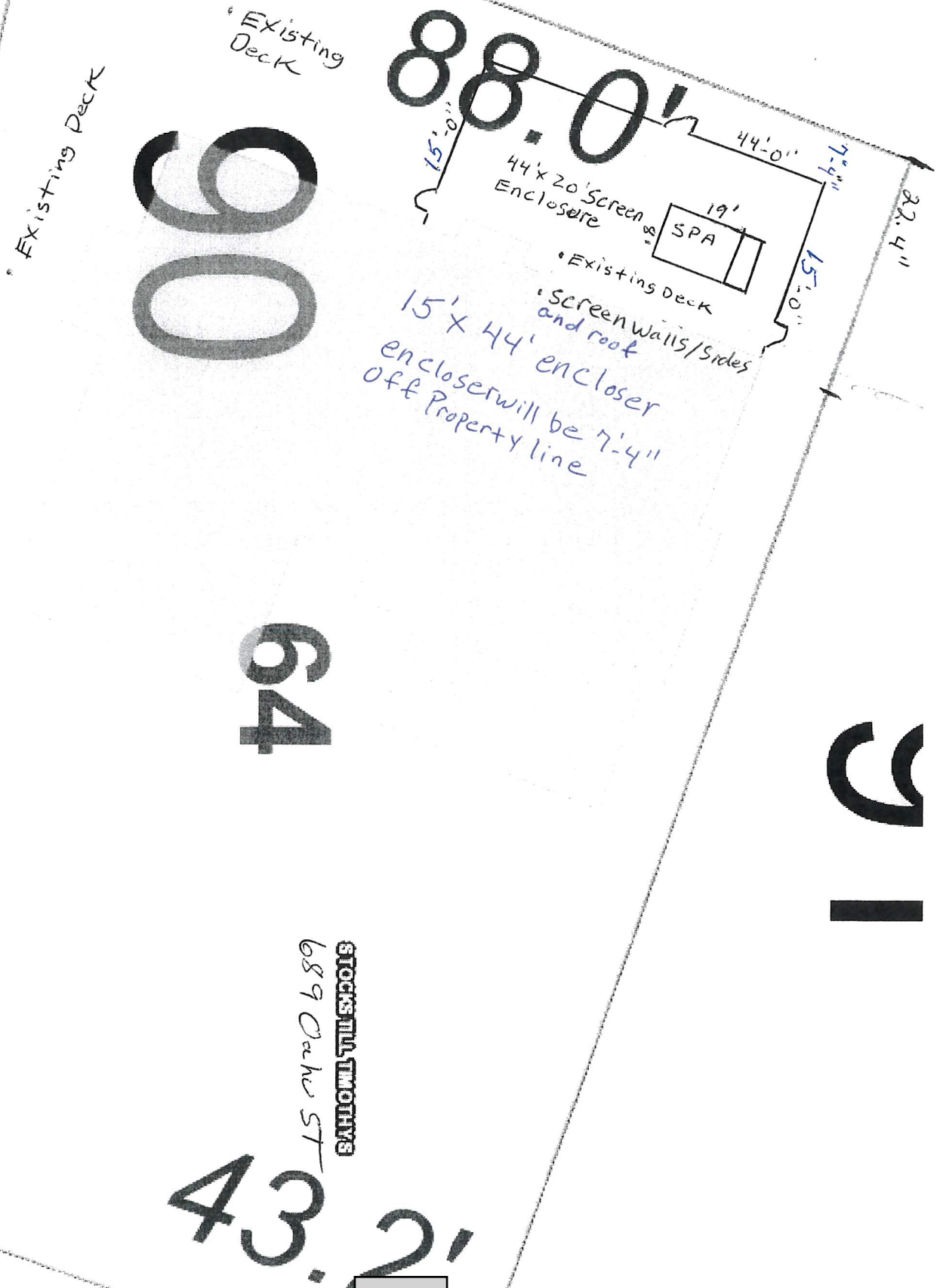
Response:

Yes the house was built before back on
the property line in 1980. Safety issue

4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?

Response:

Not that we know, our situation is totally
different, with no fault of ours. House built in the 1980
was built too close to property line. Safety issue



STOCKS TILL TIMOTHY'S
689 Oak St

STATEMENT OF UNDERSTANDING

As the applicant or owner/s for the requested Variance in the City of Diamondhead, I (we) understand the following:

The application fee of \$100.00 must be paid prior to the acceptance of the application. Further, that if the application is withdrawn for any reason that the application fee is forfeited to the City of Diamondhead.

As the applicant or owner/s, I (we), or the designed representative, must be present at the public hearing.

That all information provided with this application is true and correct to the best of my knowledge.

That this application represents only property owned by me (us) and that any other adjoining property owners must apply for a Variance on his own behalf.

That all required attachments have been provided to the City of Diamondhead.

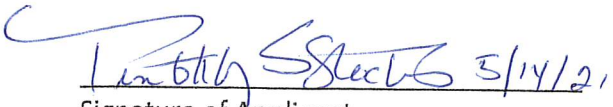
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The Public Hearing will be held on June 29, 2021 at 6 p.m. in the Council Chambers of the Diamondhead City Hall.

If a continuance of the hearing is necessary at my (our) request, the request must be made to the Zoning Official a minimum of seven (7) days prior to the hearing. If such request is not made in writing, I understand that a new application must be filed and an application fee paid to the City.

If the application is denied by the City Council, a new application for the subject property may not be submitted for one (1) year from the date of denial.


Signature of Applicant

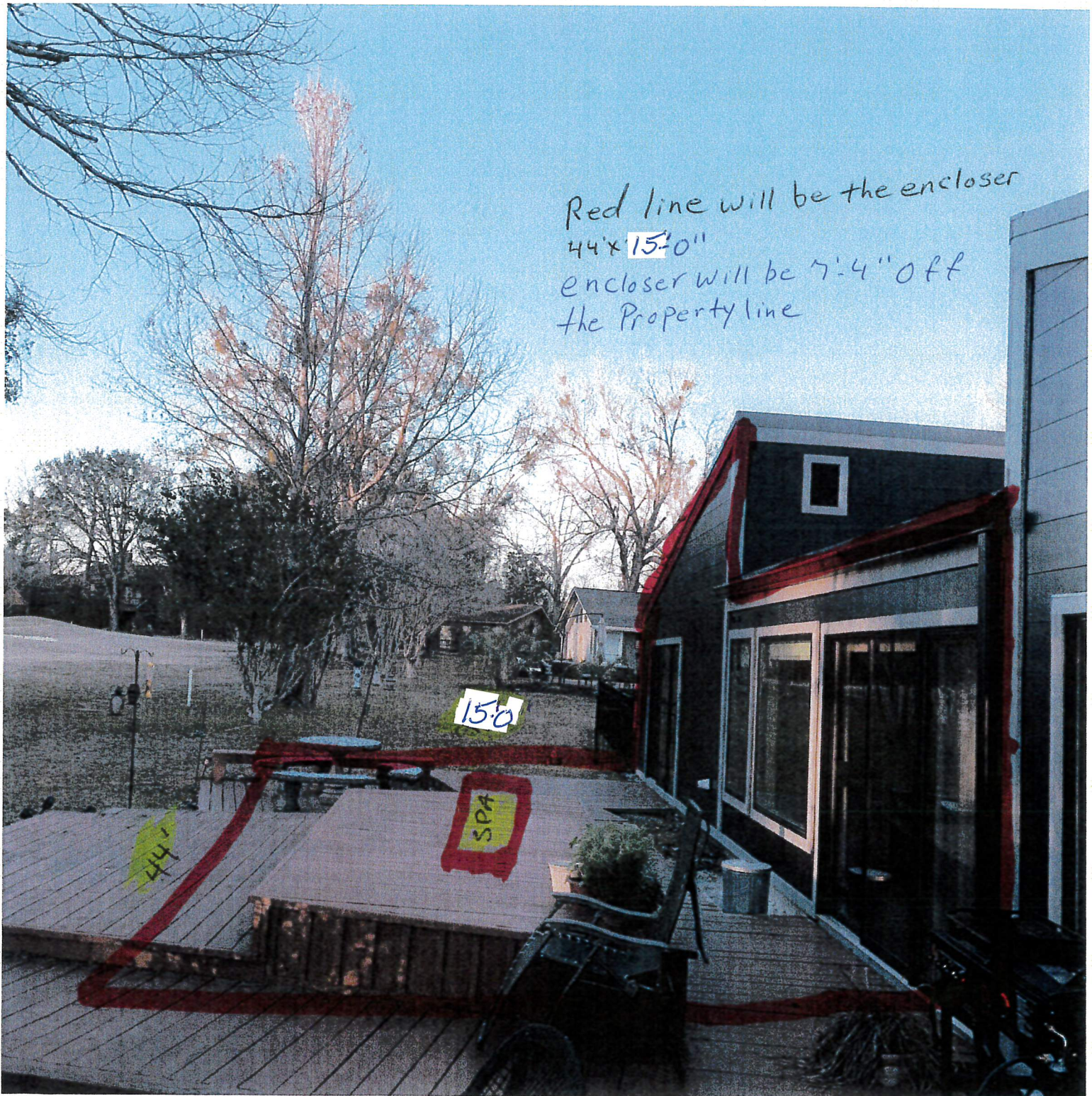

Signature of Property Owner

_____ For Official Use Only _____

- ☒ \$100.00
- ☐ Copy of Deed, Lease or Contract
- ☐ Site Plan
- ☐ Parking Spaces
- ☐ List of Property Owner

- ☒ Application Signed
- ☒ Written Project Description
- ☐ Drainage Plan NA ()
- ☐ Notarized Statement NA ()





"Example"



Black

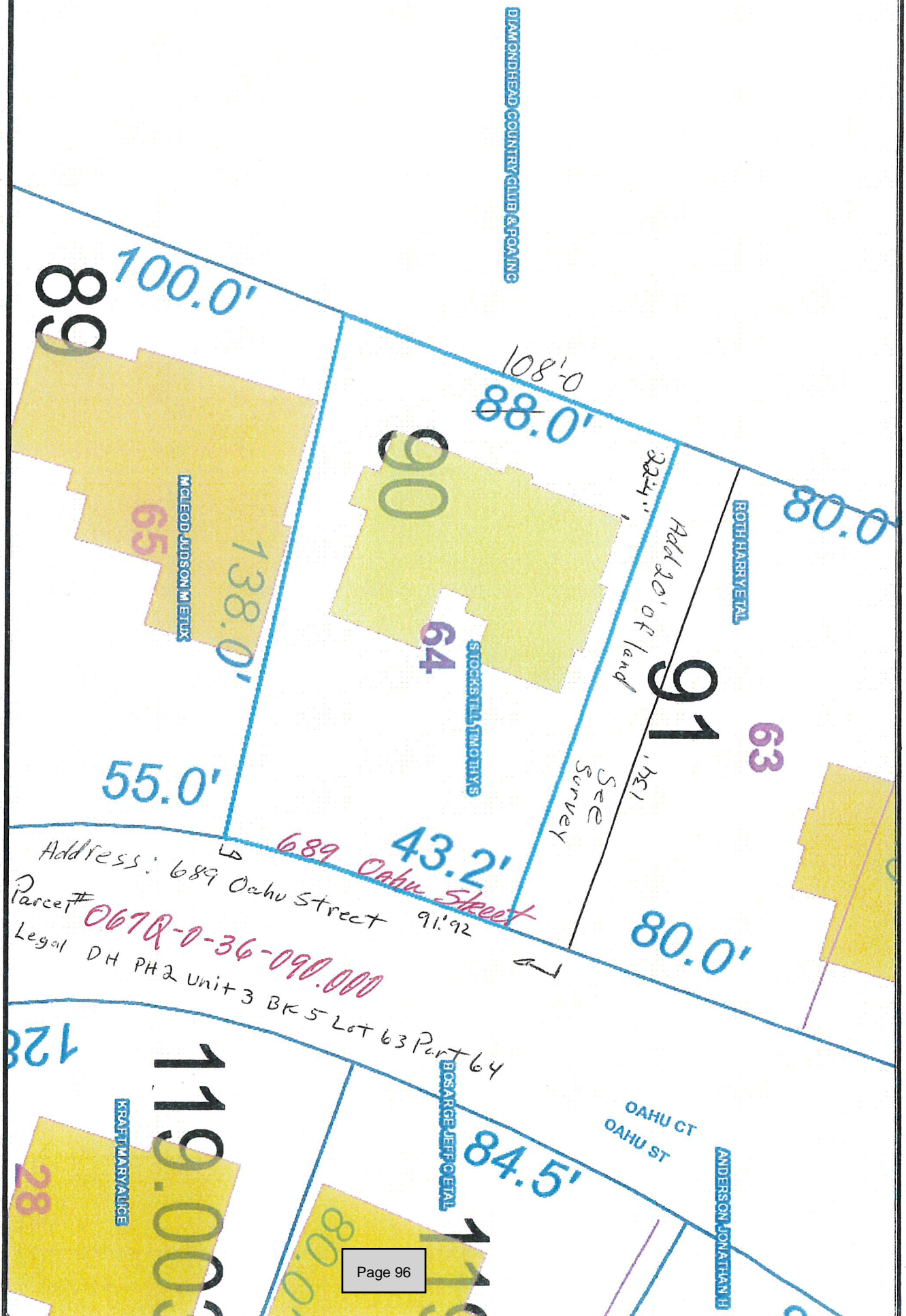
Example



Item No.26.

Warranty deed for
20' on Lot 63

Item No.26.



Address: 689 Oahu Street
Parcel# 067Q-0-36-090.000
Legal DH PH2 Unit 3 BK 5 Lot 63 Part 64

DISCLAIMER: Any user of this map product accepts its faults and assumes all responsibility for the use thereof, and further agrees to hold Hancock County harmless from and against any damage, loss or liability arising from any use of the map product. Users are cautioned to consider carefully the provisional nature of the maps and data before using it for decisions that concern personal or public safety or the conduct of business that involves monetary or operational consequences. Conclusions drawn from, or actions undertaken, on the basis of such maps and data, are the sole responsibility of the user.

1 inch = 33 feet
0 10 20 30 40 Feet

March 9, 2020



(<https://masterspas.com/?>

seg_id=fe2b44edd0f7aad285a92cb13d19b4b8.2145.1614119413703)

REQUEST PRICING (/GET-SWIM-SPA-PRICING)



Trainer 19 Swim Spa

High Performance, Air-injected VIP, Adjustable Speed



3.3 (9) [Write a review](#)

8'W
19 L

TWO BODIES OF WATER, TWO DIFFERENT TEMPERATURES Enjoy a swim and the full-body effects of aquatic exercise with water set to a personal comfort zone in the 80s. On the other side, settle into the hot tub with the temperature set up to 99°. This full-size hydrotherapy hot tub has 31 jets, ergonomic seating, and was designed to give your mind, body, and spirit a thorough rejuvenation. Say good-bye to the tensions, aches, and stresses of the day. The Trainer 19 is more than a sensation; it's your solution.

**NOTICE OF PUBLIC HEARING
PLANNING AND ZONING COMMISSION
DIAMONDHEAD, MS**

Timothy and Gina Stockstill have filed an application requesting a variance from the Zoning Ordinance (Article 4.6.5 E iii) to allow the construction of a screened enclosure of an existing deck which is 4 feet 4 inches from the rear property line. The rear yard setback is a minimum of 20 feet. The variance requested is 17 feet 8 inches.

The property address is 689 Oahu Street. The tax parcel number is 067Q-0-36-090.000. The legal description is Diamondhead Subdivision Phase 2, Unit 3, Block 5, Lot 63 and a portion of Lot 64. The property is located in a R-2 zoning district. The case file number is 202100165.

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The Planning and Zoning Commission will consider this application at a regularly scheduled meeting on **Tuesday, June 29, 2021 at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend.

If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.



5000 Diamondhead Circle • Diamondhead, MS 39525-3260

Phone: 228.222.4626 Fax: 228-222-4390

www.diamondhead.ms.gov

TO: Timothy and Gina Stockstill and adjacent property owners

FROM: J. Pat Rich, Planning and Zoning Administrator

A handwritten signature in black ink, appearing to read "J. Pat Rich", is written over the printed name.

DATE: June 14, 2020

SUBJECT: Notice of Public Hearing

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In accordance with the Comprehensive Zoning Ordinance Article 2.6.4, the Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

The Planning and Zoning Commission will consider this application at its next regularly scheduled meeting on **Tuesday, JUNE 29, 2021 at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend.

If you have any questions or comments or would like to review the application, you may contact the Building Department at the above address and/or at 228-222-4626.

Pat Rich

From: Jeff Bosarge <bosargej@yahoo.com>
Sent: Tuesday, June 15, 2021 5:13 PM
To: Pat Rich
Subject: 689 Oahu st

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Evening

Our neighbors Tim and Gina Stockstill are wanting to add a cover to their deck at their house. We live directly across from them at 684. We have been here for many years and have enjoyed the improvements that our neighbors in 4 different house's have made. Tim and Gina have made improvements to their home that greatly benefits all their neighbors home value. I am aware of the new improvements they are wanting to make and am sure it will only add to their the value and enjoyment of their own home. I understand there has to be standards but this is an addition that will absolutely not be an eyesore and will allow them to enjoy their home even more.

Tim and Gina are an asset to Diamondhead and our neighborhood and they deserve to make their home the way they would like. I live across the street and support them %100.

Thank you

Jeff Bosarge

Sent from my iPhone

Pat Rich

From: andersonh.jonathan@gmail.com
Sent: Wednesday, June 23, 2021 12:41 PM
To: Pat Rich
Subject: Timothy and Gina Stockstill

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Mr. Pat Rich,

I am writing you in reference to a Notice of Public Hearing regarding a variance from Zoning Ordinance that was filed by Timothy and Gina Stockstill; 689 Oahu Street - case file number 202100165.

I stand in **full support** for the approval of said variance and I hope that the Planning and Zoning Commission will take this into account during their deliberation on the matter.

Tim and Gina have completely transformed their property from what was an outdated eyesore and I am more than confident that with the approval of this requested variance their property will be even more stunning.

I would've delivered my remarks in person, but I will be away on business on the date of the stated Planning and Zoning Commission meeting.

Sincerely,

Jon Anderson
686 Oahu Street

Pat Rich

From: Marlene Johnson <scarlettshere@bellsouth.net>
Sent: Sunday, June 27, 2021 5:55 PM
To: Pat Rich
Cc: Ronald Jones
Subject: Variance request at 689 Oahu Street Diamondhead, Ms.

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

This is in response to a variance request at 689 Oahu Street Diamondhead, Ms. I am opposed to any variance to property adjacent to the golf courses in Diamondhead.

Professionals were brought in to plan these two courses. I firmly believe we should not change anything. These neighbors want to encroach to suit their whims. If we allow this to go through, others will want their ideas fulfilled. We will then lose all the design and requirements set forth by our said "professionals". We have a good thing, let's keep it that way.

I SAY "NO"!

Years ago we could not put a fence on the golf course for our little dog so we followed the rules and bought at a different location. They should follow the rules also.

Marlene

Pat Rich

From: Charlotte Crowe <ccrowe525@bellsouth.net>
Sent: Monday, June 28, 2021 3:46 PM
To: Pat Rich
Subject: FW: Zoning at 689 Oahu Street
Importance: High

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Sorry this is late. Charlotte

From: Charlotte Crowe [mailto:ccrowe525@bellsouth.net]
Sent: Sunday, June 27, 2021 8:16 PM
To: 'prich@diamonmdhead.ms.gov'
Cc: 'Ronald Jones'; 'ccclark@diamondhead.ms.gov'; 'llecuyer@diamondhead.ms.gov'
Subject: Zoning at 689 Oahu Street
Importance: High

Sunday June 27,2021

To: Mr. J. Pat Rich, Planning and Zoning Administrator
 From: Charlotte & Lou Crowe, 6818 Oahu court

Regarding the variance request from the residents at 689 Oahu Street about screening in the deck on the rear of their house, I have some concerns. This request does not give the square footage for this screened area; how wide is the deck? Is the deck in good condition or does it need repair? This request says nothing about the kind of roof: is the current roof going to be extended? I have been informed that they may have a retractable roof. The largest awing type roof is 11 ft. 6 in. (138 inches) which would not cover the proposed area. Other types of retractable roofs require a super structure which will carry of weight of the roofing materials, the cabling needed, and the electric motors to extend and retract the roof.

Also there may be a spa in this screened area, in this request nothing addresses perhaps the need for electrical connections, water access, and drainage or sewer for this spa.

We who live on the golf courses have a 20 ft. setback from the golf course for valid reasons: the best reason is so that we do not have golf balls pinging our house walls, breaking the windows, and denting the house walls. Without this setback there would be numerous complaints about broken windows, doors, and holes in the porch screens .

With that screened deck protruding almost onto the golf course, the ambiance that we have currently would not be there. The setback gives the golf courses a pleasing appearance that would be lost.

We do not think that this variance request should be granted.

June 17, 2021

To: J. Pat Rich, Planning and Zoning Administration et. Al

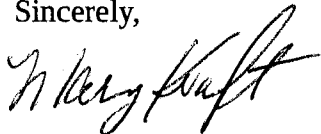
From: Mary Kraft, Diamondhead Resident
682 Oahu Street
Diamondhead, Ms 39525

RE: Timothy and Gina Stockstill and adjacent property owners public hearing
Tuesday, June 29, 2021 at 6:00 P.M.

I am hereby on record stating that I am in favor of allowing the construction of a screened enclosure of an existing deck on the property belonging to Tim and Gina Stockstill.

Diamondhead is an amazing city and I am an advocate of supporting upstanding citizens who have our community's best interest at heart. Gina and Tim are these people.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Kraft", written in a cursive style.

Mary Kraft



City of Diamondhead, MS

Docket of Claims Register -

Item No.27.

APPKT01540 - 07.06.2021 DOCKET

By Docket/Claim Number

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Payment Amount Line Amount
DKT158569	Allen Purvis & Associates Inc	07/06/2021	21-601	APPRAISAL ON FOUR LOTS	001-140-681.00	Other Services & Charges	1,800.00
DKT158570	Amazon com LLC	07/06/2021	1GDD-LJWQ-PD7P	JANITORIAL/OFFICE SUPPLIES	001-140-501.00	Supplies	5.49
					001-140-510.00	Cleaning & Janitorial	37.26
					001-140-510.00	Cleaning & Janitorial	35.36
					001-280-501.00	Office Supplies	69.89
					001-140-510.00	Cleaning & Janitorial	48.00
					001-280-501.00	Office Supplies	14.90
			1J7N-HP1Q-CQ7V	VARIOUS SUPPLIES	001-653-650.00	Promotions	76.70
					001-301-501.00	Supplies	18.80
			1LMK-H4KV-C1DW	RETURN ITEM FROM PO #2021-	001-301-501.00	Supplies	-9.91
			1TRF-11LF-MXWY	JANITORIAL SUPPLIES	001-140-501.00	Supplies	105.00
					001-140-501.00	Supplies	115.00
			1TTY-9TLW-VDHC	VARIOUS SUPPLIES	001-140-501.00	Supplies	85.28
			1WPW-FFTK-W7YV	OFFICE SUPPLIES AND COUNCIL MATERIAL	001-301-501.00	Supplies	43.98
					001-140-501.00	Supplies	17.49
					001-100-501.00	Supplies	39.95
DKT158571	ANCHOR QEA LLC	07/06/2021	03048	ENGINEERING SERVICES FOR WATERWAYS	001-301-602.00	Professional Fees - Engineering	7,606.00
DKT158572	Cash	07/06/2021	TB-4302021	REPLINISH OF CASH DRAWER FOR TAMMY BRAUD	001-000-120.00	Other Payables	31.00
DKT158573	Clyde C Scott Insurance	07/06/2021	40035	SURETY BOND RENEWAL	001-100-625.00	Insurance	250.00
			40036		001-100-625.00	Insurance	250.00
			40037		001-100-625.00	Insurance	250.00
			40038		001-100-625.00	Insurance	250.00
			40039		001-100-625.00	Insurance	250.00
			40040		001-100-625.00	Insurance	250.00

Docket of Claims Register - Council

APPKT01540 - 07.06 Item No.27.

Docket/Claim #	Vendor Name		Payable Description	Account Number	Account Name	Payment Amount
	Payable Date	Payable Number				Line Amount
DKT158574	Coast Electric Power Association					21,218.38
	07/06/2021	BUCKET TRUCK	BUCKET TRUCK	001-301-917.00	Capital Outlay - Mobile Equipment	3,300.00
		JUNE, 2021 -- 001	MONTHLY ELECTRIC BILL	001-301-630.00	Utilities - Streetlights & Other	8,124.44
		JUNE, 2021 -- 002		001-301-630.00	Utilities - Streetlights & Other	1,171.24
		JUNE, 2021 -- 003		001-140-630.00	Utilities - General	4,985.82
				001-301-630.00	Utilities - Streetlights & Other	1,994.53
		JUNE, 2021 -- 005		001-301-630.00	Utilities - Streetlights & Other	63.80
		JUNE, 2021 -- 007		001-301-630.00	Utilities - Streetlights & Other	39.15
		JUNE, 2021 -- 010		001-140-630.00	Utilities - General	55.60
		JUNE, 2021 -- 012		001-140-630.00	Utilities - General	38.28
		JUNE, 2021 -- 015		001-301-630.00	Utilities - Streetlights & Other	37.86
		JUNE, 2021 -- 016		001-301-630.00	Utilities - Streetlights & Other	36.90
		JUNE, 2021 -- 017		001-301-630.00	Utilities - Streetlights & Other	258.59
		JUNE, 2021 -- 018		001-301-630.00	Utilities - Streetlights & Other	48.88
		JUNE, 2021 -- 019		001-301-630.00	Utilities - Streetlights & Other	38.93
		JUNE, 2021 -- 020		001-301-630.00	Utilities - Streetlights & Other	692.54
		JUNE, 2021 -- 021		001-301-630.00	Utilities - Streetlights & Other	39.36
		JUNE, 2021 -- 022		001-301-630.00	Utilities - Streetlights & Other	128.47
		JUNE, 2021 -- 023		001-301-630.00	Utilities - Streetlights & Other	39.36
		JUNE, 2021 -- 024		001-301-630.00	Utilities - Streetlights & Other	39.36
		JUNE, 2021 -- 025		001-301-630.00	Utilities - Streetlights & Other	41.61
		JUNE, 2021 -- 026		001-301-630.00	Utilities - Streetlights & Other	43.66
DKT158575	CSpire Cell Service					1,077.46
	07/06/2021	JUNE 18, 2021	CELLULAR SERVICE FOR JUNE	001-140-632.00	Telephone - Cell	47.29
				001-200-612.00	Internet	342.70
				001-280-632.00	Telephone - Cell	91.53
				001-301-632.00	Telephone - Cell	493.13
DKT158576	Dana Safety Supply Inc					2,482.98
	07/06/2021	729776	POLICE VEHICLE EQUIPMENT	001-200-917.00	Capital Outlay - Mobile Equipment	363.98
		729852		001-200-917.00	Capital Outlay - Mobile Equipment	1,168.00
		730158		001-200-917.00	Capital Outlay - Mobile Equipment	951.00
DKT158577	DIAMOND L CONTRACTOR LLC					6,400.00
	07/06/2021	061121	ROOF REPLACEMENT	001-301-635.00	Professional Fees - R&M Outside Services	6,400.00
DKT158578	Diamondhead Property Owners Association Inc					1,000.00
	07/06/2021	JULY, 2021	RENTAL OF MAINTENANCE YARD -- JULY	001-301-640.00	Rentals	1,000.00

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Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT158579	Diamondhead True Value	07/06/2021	JUNE, 2021	MONTHLY OPEN PO FOR JUNE	001-301-501.00	Supplies	7.48	155.36
					001-301-501.00	Supplies	31.47	
					001-301-571.00	Repairs & Maintenance - Equipment	9.49	
					001-301-501.00	Supplies	25.99	
					001-301-501.00	Supplies	26.95	
					001-301-501.00	Supplies	53.98	
DKT158580	Diamondhead Water and Sewer District	07/06/2021	JUNE, 2021 -- 1120-01	WATER	001-301-630.00	Utilities - Streetlights & Other	163.47	796.20
			JUNE, 2021 -- 170-01		001-301-630.00	Utilities - Streetlights & Other	372.54	
			JUNE, 2021 -- 20-01		001-140-630.00	Utilities - General	188.34	
			JUNE, 2021 -- 2070-00		001-301-630.00	Utilities - Streetlights & Other	23.95	
			JUNE, 2021 -- 21-01		001-301-630.00	Utilities - Streetlights & Other	23.95	
			JUNE, 2021 -- 830-01		001-301-630.00	Utilities - Streetlights & Other	23.95	
DKT158581	Eagle Energy	07/06/2021	30795	FUEL FOR PUBLIC WORKS	001-301-525.00	Fuel	6.77	1,341.50
					001-301-525.00	Fuel	553.55	
			30796		001-301-525.00	Fuel	781.18	
DKT158582	Election Systems & Software	07/06/2021	CD2004245	ELECTION SUPPORT	001-140-693.00	Other - Elections	6,297.00	6,297.00
DKT158583	Enmon Enterprises	07/06/2021	MGC07210089	MONTHLY CONTRACT FOR JULY	001-140-681.00	Other Services & Charges	2,100.00	2,100.00
DKT158584	Eric Nolan	07/06/2021	06252021	ARBORIST SERVICES	001-280-681.00	Other Services & Charges	100.00	200.00
			20210367-06092021	ARBORIST SERVICES FOR 8421 KALEKI WAY	001-280-681.00	Other Services & Charges	100.00	
DKT158585	Fuelman	07/06/2021	NP60241174	FOR THE WEEK ENDING 06.13.2021	001-200-525.00	Fuel	826.49	2,707.56
					001-280-525.00	Fuel	44.31	
			NP60270382	FOR THE WEEK ENDING 06.20.2021	001-140-525.00	Fuel	46.70	
					001-200-525.00	Fuel	815.24	
					001-280-525.00	Fuel	121.13	
			NP60289978	FOR THE WEEK ENDING 06.27.2021	001-200-525.00	Fuel	853.69	
DKT158586	George Blair Attorney	07/06/2021	JUNE, 2021	PUBLIC DEFENDER FOR CODH	001-110-603.00	Professional Fees - Legal	1,000.00	2,000.00
			MAY, 2021		001-110-603.00	Professional Fees - Legal	1,000.00	

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Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line	Amount
DKT158587	GLOCK PROFESSIONAL INC	07/06/2021	TRP/100150454	GLOCK TRAINING CLASS	001-200-615.00	Travel & Training		250.00
								250.00
								60,217.61
DKT158588	Hancock County Sheriffs Office	07/06/2021	2021-DHLE-011	INTERLOCAL AGREEMENT FOR WEEK ENDING 05.22.2021	001-200-690.00	Interlocal Agreement		961.54
					001-110-681.00	Other Services & Charges		144.69
					001-200-690.00	Interlocal Agreement		26,710.69
			2021-DHLE-012	INTERLOCAL AGREEMENT FOR WEEK ENDING 06.05.2021	001-200-690.00	Interlocal Agreement		961.54
					001-110-681.00	Other Services & Charges		136.03
					001-200-690.00	Interlocal Agreement		28,957.12
					001-200-625.00	Insurance		2,100.00
					001-200-612.00	Internet		246.00
								235.22
DKT158589	Jacks G&M Auto Electric Inc	07/06/2021	JUNE, 2021	MONTHLY PURCHASE ORDER --	001-200-635.00	Professional Fees - R&M Outside Services		82.21
					001-200-635.00	Professional Fees - R&M Outside Services		86.48
					001-200-635.00	Professional Fees - R&M Outside Services		66.53
								44.49
DKT158590	Jason Edison Allen	07/06/2021	JUNE, 2021	REIMBURSEMENT FOR PURCHASE MADE FOR CITY	001-200-917.00	Capital Outlay - Mobile Equipment		44.49
								1,568.70
DKT158591	Kirks Tire Pros	07/06/2021	50934	TIRES AND ALIGNMENT	001-200-635.00	Professional Fees - R&M Outside Services		521.40
					001-200-635.00	Professional Fees - R&M Outside Services		89.95
					001-200-635.00	Professional Fees - R&M Outside Services		50.00
					001-200-635.00	Professional Fees - R&M Outside Services		8.00
					001-200-635.00	Professional Fees - R&M Outside Services		10.00
			50967	TIRES FOR PATROL CAR	001-200-635.00	Professional Fees - R&M Outside Services		679.35
			50968	REPAIR FLAT TIRE	001-200-635.00	Professional Fees - R&M Outside Services		90.00
			51122		001-200-635.00	Professional Fees - R&M Outside Services		30.00
					001-200-635.00	Professional Fees - R&M Outside Services		30.00
			51123		001-200-635.00	Professional Fees - R&M Outside Services		30.00
					001-200-635.00	Professional Fees - R&M Outside Services		30.00

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Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT158592	Law offices of Derek R Cusick PLLC	07/06/2021	256	GENERAL MATTERS -- JUNE	001-140-603.00	Professional Fees - Legal	10,156.25	14,812.50
			257	PLANNING AND ZONING -- JUNE	001-280-603.00	Professional Fees - Legal	1,656.25	
			258	CITY PROSECUTOR -- JUNE	001-110-603.00	Professional Fees - Legal	3,000.00	
DKT158593	Lawrence Printing Company	07/06/2021	57217	DUI / CITATION BOOKS	001-200-621.00	Printing & Binding	277.01	554.02
			57295		001-200-621.00	Printing & Binding	277.01	
DKT158594	Lowes Home Improvement	07/06/2021	60569	LOCKS FOR PUBLIC WORKS	001-301-501.00	Supplies	62.66	188.02
			60650	DUMP TRUCK REPAIRS	001-301-570.00	Repairs & Maintenance - Vehicle	125.36	
DKT158595	Metrix Solutions LLC	07/06/2021	M67028	BODYWORN ROCKET AGREEMENT	001-200-681.00	Other Services & Charges	9,500.00	9,500.00
DKT158596	MS Power Company	07/06/2021	JULY, 2021	SURVEILLANCE CONTRACT FOR JULY	001-200-681.00	Other Services & Charges	1,265.00	1,265.00
DKT158597	MS Valuations LLC	07/06/2021	MS01-21-1565	APPRAISAL OF FOUR LOTS	001-140-681.00	Other Services & Charges	400.00	2,750.00
			MS01-21-1566		001-140-681.00	Other Services & Charges	400.00	
			MS01-21-1568		001-140-681.00	Other Services & Charges	1,950.00	
DKT158598	Napa of Bay St Louis	07/06/2021	289008	BLUE DEF	001-301-501.00	Supplies	80.22	703.58
			JUNE, 2021	MONTHLY OPEN PO FOR JUNE, 2021	001-200-570.00	Repairs & Maintenance - Vehicle	122.66	
					001-200-570.00	Repairs & Maintenance - Vehicle	122.66	
					001-301-571.00	Repairs & Maintenance - Equipment	49.53	
					001-200-570.00	Repairs & Maintenance - Vehicle	271.92	
					001-301-571.00	Repairs & Maintenance - Equipment	56.59	
DKT158599	North Bay Auto	07/06/2021	JUNE, 2021	MONTHLY OPEN PO FOR JUNE, 2021	001-280-635.00	Professional Fees - R&M Outside Services	20.60	20.60
DKT158600	Orion Planning and Design	07/06/2021	3246	PROJECT #3 - ALOHA COMMERCIAL DISTRICT REGULATING	001-280-602.00	Professional Fees - Engineering	4,621.68	9,907.28
					001-280-602.00	Professional Fees - Engineering	2,911.99	
			3260	PROJECT 1 -- GATEWAY TO DIAMONDHEAD	001-301-602.00	Professional Fees - Engineering	2,373.61	

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Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT158601	Petes Services	07/06/2021	1804	SAND FOR SAND BAG PILE	001-301-583.00	Gravel, Sand, Rip Rap	1,040.00	2,440.00
			1805	REMOVE DEBRIS PICKED-UP AROUND THE CITY	001-301-683.00	Professional Fees - Debris Removal	1,400.00	
DKT158602	RAM TOOL AND SUPPLY CO INC	07/06/2021	9502583096	SAFETY SUPPLIES	001-301-501.00	Supplies	96.52	96.52
DKT158603	ROSTAN SOLUTIONS LLC	07/06/2021	5751	DISASTER ASSISTANCE	001-140-601.00	Professional Fees - Consulting	11,322.50	11,322.50
DKT158604	Sea Coast Echo	07/06/2021	0602-0609	P&Z ADS FOR JUNE MEETING	001-280-620.00	Advertising	65.48	922.36
					001-280-620.00	Advertising	31.60	
					001-280-620.00	Advertising	74.06	
					001-280-620.00	Advertising	63.72	
			ELECTION	ELECTION ADVERTISEMENT -- TRAINING	001-140-693.00	Other - Elections	577.50	
			RESOLUTION BOARD	RESOLUTION BOARD AD	001-140-693.00	Other - Elections	110.00	
DKT158605	South MS Business Machines Gulfport	07/06/2021	394798	PER COPY CHARGE FOR JUNE	001-200-506.00	Copier Usage/Maintenance	110.47	1,171.53
			394911		001-140-506.00	Copier Usage/Maintenance	81.14	
			394912		001-301-506.00	Copier Usage/Maintenance	50.88	
			394913		001-280-506.00	Copier Usage/Maintenance	65.05	
			395163		001-140-506.00	Copier Usage/Maintenance	229.39	
			JULY, 2021 -- 333768	PAYMENT 33 OF 60 -- BUILDING DEPARTMENT	001-280-642.00	Rent - Copier	281.28	
			JULY, 2021 -- 351616	PAYMENT 23 OF 24 -- COURT	001-140-642.00	Rent - Copier	42.07	
			JULY, 2021 -- 351617	PAYMENT 24 OF 24 -- POLICE DEPT	001-200-642.00	Rent - Copier	42.07	
			JULY, 2021 -- AR295388	PAYMENT 53 OF 60 -- ADMIN	001-140-642.00	Rent - Copier	187.21	
			JULY, 2021 -- AR298523	PAYMENT 51 OF 60 -- PUBLIC	001-301-642.00	Rent - Copier	81.97	
DKT158606	Southern Printing	07/06/2021	210740	POLO SHIRTS	001-100-501.00	Supplies	8.50	60.90
					001-301-501.00	Supplies	8.50	
					001-100-501.00	Supplies	21.95	
					001-301-501.00	Supplies	21.95	
DKT158607	Sun Coast Business Supply	07/06/2021	1284584-0	JANITORIAL/OFFICE SUPPLIES	001-140-501.00	Supplies	17.20	99.28
					001-140-510.00	Cleaning & Janitorial	20.44	
					001-140-501.00	Supplies	17.70	
					001-140-510.00	Cleaning & Janitorial	43.94	

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APPKT01540 - 07.00 Item No.27.

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT158608	ThyssenKrupp Elevator Corporation	07/06/2021	3006020186	MAINTENANCE CONTRACT FOR 2021 - QUARTER 2	001-140-681.00	Other Services & Charges	789.38	789.38
DKT158609	TransUnion Risk and Alternative Data Solutions Inc	07/06/2021	5859551-202105-1	TLOxp FOR MAY	001-110-681.00	Other Services & Charges	75.00	75.00
DKT158610	Tyler Technologies	07/06/2021	025-337202	Incode Community Development Software	001-280-605.00	Professional Fees - IT	260.00	260.00
DKT158611	UMB Card Services	07/06/2021	24906414N3J0DRPNH	MONTHLY CHARGES FOR CONSTANT CONTACT & ZOOM	001-140-623.00	Membership Dues/Fees	45.00	59.99
					001-140-623.00	Membership Dues/Fees	14.99	
DKT158612	UniFirst Corporation	07/06/2021	105 0942989	UNIFORM RENTAL FOR THE WEEK ENDING 06.14.2021	001-301-535.00	Uniforms	-176.15	370.17
					001-301-535.00	Uniforms	294.54	
			105 0944094	UNIFORM RENTAL FOR THE WEEK ENDING 06.21.2021	001-301-535.00	Uniforms	118.39	
			105 0945194	UNIFORM RENTAL FOR THE WEEK ENDING 06.28.2021	001-301-535.00	Uniforms	133.39	
DKT158613	Vulcan Inc	07/06/2021	R06284	STREET SIGN -- BAYOU DRIVE	001-301-501.00	Supplies	80.12	80.12
DKT158614	VULCAN MATERIALS COMPANY	07/06/2021	50975518	MS 610	001-301-583.00	Gravel, Sand, Rip Rap	3,803.24	3,803.24
DKT158615	Warran Automotive, Inc	07/06/2021	22743	DUMP TRUCK REPAIRS	001-301-635.00	Professional Fees - R&M Outside Services	220.00	220.00
DKT158616	Waste Management	07/06/2021	0744438-4768-1	DUMPSTER RENTAL	001-140-681.00	Other Services & Charges	59.23	59.23
Total Claims: 48							Total Payment Amount:	183,263.87

Diamondhead Monthly Statistics

May 2021

(Sections in italics not counted toward call total)

Item No.a.

False Alarms- Residential/ Business/ 911	25		
Civil Disputes / Escorts / Process	20		
Complaint / See An Officer	7	Stolen Vehicle	2
Death	1	Burglary – Residence	0
Disturbance	28	Burglary – Vehicle	2
Follow ups/ citizen call requests	1156	Attempted Burglary	0
Juvenile Problem	5	Counterfeit Money	1
Lost/Found Item	1	Damage – Property	8
Miscellaneous	43	Embezzlement	0
		Forgery / Bad Check/Fraud	6
TOTAL MISCELLANEOUS	1286	Malicious Mischief	2
		Recovered Stolen Vehicle	2
Drug Law Violation	1	Recovered Stolen Property	0
Prostitution	0	Shoplifting	1
		Theft (Grand)	2
TOTAL CRIMES AGAINST PUBLIC SAFETY	1	Theft (Petit)	2
		Trespassing	3
Animal Problem / Complaints	5	Unauthorized Use / Vehicle	1
Public Drunk	0		
Fire Structure / Vehicle	0	TOTAL PROPERTY CRIME	32
Fireworks	0		
Funeral Escort	0	Accident – Private Property	4
Littering/Dumping/Haz-Mat Spill	2	Accident – Public Roadway	6
Medical Emergency	13	Accident - Hit & Run	2
Missing/Runaway	3		
Parking Violation	25	TOTAL ACCIDENTS/COLLISIONS	12
Shots Fired	0		
Suicide / Threat / Attempt	1		
Suicide	0	Assist motorist	25
Suspicious / Person / Vehicle	67	Traffic Stop	293
Welfare Concern	13	<i>Traffic Citation (Adults)</i>	38
		<i>Traffic citation (minors)</i>	8
TOTAL PUBLIC HEALTH & SAFETY	129	Traffic Fatality	0
Animal Bite	0	TOTAL TRAFFIC	318
Assault By Threat	1		
Assault	3		
Child Abuse / Neglect	0	<i>Warrant Arrests</i>	8
Domestic violence	3	<i>Drunk Driver (DUI) Arrests</i>	0
Harassment	4	<i>Traffic Arrests</i>	0
Harassing Phone Call	3	<i>Domestic Assault Arrests</i>	2
Robbery – Armed	0	<i>Other Arrests</i>	2
Sexual Abuse / Molestation	0	TOTAL ARRESTS	12
Stalking	0		
TOTAL CRIMES AGAINST PERSON	14	TOTAL CALLS	1792