



Mayor Depreo	
Councilmember Maher	At-Large
Councilmember Finley	Ward 1
Councilmember Liese	Ward 2
Councilmember Cumberland	Ward 3
Councilmember Clark	Ward 4

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, June 06, 2023
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.

- a. The next Regular Meeting of the City Council will be held June 20, 2023 at 6:00 p.m. in Council Chambers located at City Hall.
- b. City Hall will be closed Tuesday, July 4, 2023 in observance of Independence Day.
- c. The City's July 4th celebration will be held on Saturday, July 1st from 5:30-10:00 p.m. located on the South Side at Harbor Circle. Fireworks Display will begin at 9:00 p.m.
- d. John Brdecka, Executive Director, Hancock County Library System
- e. FY23 Year-End Projection - Jeannie Klein, City Clerk

Council Comments.

City Manager's Report.

Public Comments on Agenda Items.

Policy Agenda.

Minutes:

1. Motion to approve the May 16, 2023 Regular Meeting Minutes.

Tabled:

2. **2023-202:** Motion to authorize City Manager to advertise to bid the Twin Lakes Fishing Pier and Walking Trail Project as per completed construction plans dated August 2022 with entry building as Bid Alternate No. 1.

Resolutions:

- 3.** **2023-240:** Motion to adopt Resolution 2023-021 thereby appointing Mayor Depreo as Voting Delegate and Councilmember Clark as First Alternate to serve as Mississippi Municipal League 2023 Voting Delegates.
- 4.** **2023-243:** Motion to adopt Resolution 2023-022 thereby accepting Deeds of Dedication granting easements on Lots 4, 5, 6, and 7, Block 2, Diamondhead Subdivision Phase 3, Unit 1, Hancock County from Structures of Diamondhead, Inc.
- 5.** **2023-245:** Motion to adopt Resolution 2023-023 thereby abandoning a 5' drainage/utility easement on each side of the common property line between lots 4 and 5, Diamondhead Phase 2, Unit 7, Block 7. The parcel number is 067H-2-25-082.000. The physical street address is 10879 Ala Moana Street. (Dixon)

Consent Agenda:

- 6.** **2023-241:** Motion to approve annual renewal of Web Premium with web platform migration with CivicPlus (formerly Municode) with an increase of \$420.00 for total annual subscription in the amount of \$3,470.00 effective July 1, 2023.
- 7.** **2023-242:** Motion to declare 16 police uniform shirts surplus and authorize proper disposal of same.
- 8.** **2023-244:** Motion to approve amended grant agreement with MS Department of Marine Resources for additional funding in the amount of \$75,000 for the Tidelands FY21-P510-02 Twin Lakes Fishing Pier and Boardwalk Project.
- 9.** **2023-246:** Motion to authorize revision to the Employee Handbook regarding Public Works - On Call Policy effective upon Council approval.
- 10.** **2023-247:** Motion to approve to advertise for bids for Diamondhead Drive Paving.

Action Agenda.

- 11.** **2023-248:** Motion for discussion ARTICLE 9. - FENCES. (Depreo)

Routine Agenda.

Claims Payable

- 12.** Motion to approve Docket of Claims (DKT230761-DKT230788) in the amount of \$92,950.62.

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.



MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, May 16, 2023
6:00 PM CST
Council Chambers, City Hall

Call to Order.

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

Invocation – Councilmember Liese

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo

Councilmember-At-Large Gerard Maher

Ward 1 Shane Finley

Ward 2 Anna Liese

Ward 3 John Cumberland

Ward 4 Charles Clark

Confirm or Adjust Agenda Order

Motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to confirm the agenda.

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

MOTION CARRIED UNANIMOUSLY

Presentation Agenda.

- a. The next Regular Meeting of the City Council will be held June 6, 2023 at 6:00 p.m. in Council Chambers located at City Hall.

City Manager's Report.

1. Lily Pond and I-10 Pond – The contractor has completed the dredging and erosion control measures of Lily Pond. The I-10 pond dredging will continue until the end of the month. The current end date for the contract is July 17th.
2. Noma Drive Ballfields – The POA has approved to lease the ballfields on Noma Drive to the city for the next ten years. I have asked the City Attorney to work with the POA attorney to draft a contract for approval.
3. Yellow House – I have asked legal counsel to pursue what means the city can do to designate this home as blighted property.
4. Park Ten Road – No change to this project. The city is still finalizing easements needed and MDEQ permits. Once everything is in order, the engineer will advertise the project.

5. Phase 4 paving – The paving project is currently demobilized until the area around Bayou Circle is available to complete the project. The current end date of the project is June 30, 2023.
6. Diamondhead Drive Paving – The engineering firm provided 100% drawings to the city last week. They have been sent to the City Engineer, Orion Planning and DWSD for review. As the city receives comments back, they will be passed along to the engineering firm for review and updates.
7. Coon Branch/Koloa/Lots 7 & 8 Drainage Projects – The engineer has started survey work on these three projects in the area. GOMESA funds are being used for this project.
8. Drainage Projects – At least 15 additional drainage projects have been funded with GOMESA and ARPA funds. The city is currently waiting for grant agreements for these funds to start these projects.
9. Makiki Drive – The water line installation and debris removal has been completed by the Bottom 2 Top company. The City Engineer is developing the specifications. Once we have them and the OPC (Opinion of Probable Cost), we will proceed with securing a contractor to complete the job.

Public Comments on Agenda Items.

Durell Pellegrin - Drainage

Bill Atkinson - Stop Signs

Policy Agenda.

Minutes:

1. Motion to approve the May 2, 2023 Regular Meeting Minutes.

Motion made by Ward 4 Clark, Seconded by Ward 2 Liese to approve the May 2, 2023 Regular Meeting Minutes.

Voting Yea: Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark

Voting Nay: Mayor Depreo

MOTION CARRIED

Tabled:

2. **2023-202:** Motion to authorize City Manager to advertise to bid the Twin Lakes Fishing Pier and Walking Trail Project as per completed construction plans dated August 2022 with entry building as Bid Alternate No. 1.

NO ACTION TAKEN

3. **2023-229:** Motion to deny the appeal of the Stormwater Ordinance (Section 24-10) by Phil Latapie owner of property at 98190 Golf Club Drive.

Motion made by Ward 1 Finley, Seconded by Councilmember-At-Large Maher to remove **2023-229** from the table.

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

MOTION CARRIED UNANIMOUSLY

Motion made by Ward 1 Finley, Seconded by Ward 3 Cumberland to deny the appeal of the Stormwater Ordinance (Section 24-10) by Phil Latapie owner of property at 98190 Golf Club Drive.

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

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to approve the following consent items:

4. **2023-231:** Motion to approve payment in the amount of \$4,842.50 to Covington Civil & Environmental, LLC for Site Development Reviews, in the amount of \$5,393.60 for Stormwater Master Plan Phase II, and in the amount of \$770.00 for Traffic Impact Study.
5. **2023-232:** Motion to approve payment in the amount of \$2,057.50 to Pickering Firm for Ahuli Drainage Improvements, in the amount of \$11,432.50 for Culvert Rehabilitation-Makiki Drive and Kui Place, in the amount of \$3,620.00 and \$2,782.50 for Diamondhead Drive East Retention Pond Dredging and in the amount of \$5,702.50 for Lily Pond Dredging.
6. **2023-233:** Motion to accept and award the low quote received from BOXX Modular, Inc. in the amount of \$45,778.00 for the ADA Rest Room Trailer for Noma Drive.
7. **2023-234:** Motion to approve Pay Application Two(2) to JLB Contractors LLC. in the amount of \$149,632.60 for Diamondhead Drive East and Lily Pond Dredging.
8. **2023-235:** Motion to approve amendment to the Work Assignment 00-23-2022 with Chiniche Engineering in the amount of \$4,958.50 for the Noma Drive Dredging Project for a total amount not to exceed \$29,458.50.
9. **2023-236:** Motion to approve payments to Chiniche Engineering & Surveying in the amount of \$6,922.00 for Coon Branch Drainage, in the amount of \$7,311.00 for Noma Drive Improvements, in the amount of \$10,486.50 for Montjoy Creek Improvements and in the amount of \$1,437.00 for Canal Dredging.
10. **2023-237:** Motion to approve Invoice No. 3(three) to Digital Engineering in the amount of \$34,037.50 for Bond Paving Project.
11. **2023-238:** Motion to approve the Work Assignment with Covington Civil and Environmental in the amount of \$430,000.00 for the Bank Stabilization Project (BOS Match).

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

MOTION CARRIED UNANIMOUSLY

Action Agenda.

12. 2023-239: Motion for discussion Chapter 24 - Stormwater Management (Depreo).

Motion made by Mayor Depreo, Seconded by Ward 2 Liese for discussion Chapter 24 - Stormwater Management.

Ronald Jones, Building Official, discussed Stormwater Management.

NO ACTION WAS TAKEN

Routine Agenda.

Claims Payable

13. Motion to approve Docket of Claims (DKT230725 - DKT230760) in the amount of \$405,249.19.

Motion made by Ward 4 Clark, Seconded by Councilmember-At-Large Maher to approve Docket of Claims (DKT230725 - DKT230760) in the amount of \$405,249.19.

Voting Yea: Mayor Depreo, Councilmember-At-Large Maher, Ward 1 Finley, Ward 2 Liese, Ward 3 Cumberland, Ward 4 Clark.

MOTION CARRIED UNANIMOUSLY

14. Motion to approve Payroll Payables DKT230712-DKT230724 in the amount of \$46,384.86, PRCLAIM010157 in the amount of \$27,220.45, PRCLAIM010158 in the amount of \$27,610.04 and PRCLAIM010159 om the amount of \$2,523.58.

Motion made by Ward 3 Cumberland, Seconded by Ward 2 Liese to approve Payroll Payables DKT230712-DKT230724 in the amount of \$46,384.86, PRCLAIM010157 in the amount of \$27,220.45, PRCLAIM010158 in the amount of \$27,610.04 and PRCLAIM010159 in the amount of \$2,523.58.

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

MOTION CARRIED UNANIMOUSLY

Department Reports

- a. April 2023 Financials
- b. Building Department
- c. Court Department
- d. Police Department

Motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to approve April 2023 Financials and Department Reports.

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

MOTION CARRIED UNANIMOUSLY

Motion made by Ward 2 Liese, Seconded by Ward 3 Cumberland to add and approve the following:

12a. **2023-240:** Motion for City Manager and City Attorney to work with the POA for lease of ballfields on Noma Drive.

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

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items -None

Adjourn/Recess.

At 6:38 p.m. with no further business to come before the council, motion made by Ward 4 Clark, Seconded by Ward 3 Cumberland to adjourn.

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

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk

Agenda Item #2022- 202

City of Diamondhead, MS
Request for Council Action

TO: Members of Council
FROM: Mayor Depreo

☐ Ordinance ☐ Resolution ☐ Agreement ☐ Info Only ☐ Work Session ☒ Other

AGENDA LOCATION: ☐ Consent Agenda ☒ Regular Agenda

AGENDA DATE REQUESTED April 18, 2023

ORDINANCE/RESOLUTION CAPTION:

Motion to authorize city manager to advertise to bid the Twin Lakes Fishing Pier and Walking Trail Project as per completed construction plans dated August 2022 with entry building as Bid Alternate No.1.

REQUIRED SIGNATURES

REQUESTED BY:

Mayor Nancy Depreo

City Manager:

City Attorney:

COUNCIL ACTION:

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

RESOLUTION

RESOLUTION APPOINTING MISSISSIPPI MUNICIPAL 2023 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 2023 Mississippi Municipal League election to be held at the annual convention on July 27, 2023 are as follows:

Voting Delegate: Nancy Depreo - Mayor

First Alternate: Chuck Clark, Mayor Pro Tem

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 _____, 2023.

ATTEST:

Jeannie Klein, City Clerk

ADOPTED:

Mayor Nancy Depreo

(seal)

Grantor:

Structures of Diamondhead, Inc.
758 Augusta Way
Diamondhead, MS 39525
(228) _____

Grantee:

City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525
(228) 222-4626

Prepared by and Return to:

Derek R. Cusick, Esq.
Cusick & Williams, PLLC
Post Office Box 4008
Gulfport, MS 39502
(228) 324-2652

STATE OF MISSISSIPPI

COUNTY OF HANCOCK

INDEXING INSTRUCTIONS:

**Lots 4, 5, 6 and 7, Block 2,
Diamondhead Subdivision
Phase 3, Unit 1, Hancock County**

TITLE NOT EXAMINED

RIGHT OF ENTRY AND PERMANENT DRAINAGE/UTILITY EASEMENTS

FOR AND IN CONSIDERATION of the sum of Ten and no/100 Dollars (\$10.00), cash in hand paid, and other good and valuable considerations, Structures of Diamondhead, Inc., the owners of the property listed above, hereby grant a Right of Entry and a Permanent

Drainage/Utility Easements to CITY OF DIAMONDHEAD, MISSISSIPPI from the public right of way to the drainage/utility easements located on this property for maintenance of said drainage/utility easements. The Permanent Drainage/Utility Easements shall be described as follows:

See attached survey and legal description thereto incorporated herein by reference as Exhibit "A".

We also hereby further grant a Right of Entry for the property to CITY OF DIAMONDHEAD, MISSISSIPPI, its agents or assigns, for the construction and maintenance of said easements.

We hereby further agree not to construct, plant or place anything within the Permanent Drainage/utility Easements that will interfere with the CITY OF DIAMONDHEAD, MISSISSIPPI'S subservient rights. This Permanent Drainage/Utility Easements shall be limited to and for the exclusive use of CITY OF DIAMONDHEAD, MISSISSIPPI, its agents or assigns, for its drainage needs.

We hereby further agree to hold harmless CITY OF DIAMONDHEAD, MISSISSIPPI, along with its project engineers, project administrators and all other employees, agents, servants, successors and assigns of the CITY OF DIAMONDHEAD, MISSISSIPPI, for any and all claims, demands, suits and losses of any nature whatsoever which may result from or be claimed to have resulted from the construction and maintenance of the drainage easements including, but not limited to, personal injury, death, damage to buildings, fixtures and appurtenances, as well as hidden damage to property including trees, shrubs, sod, bushes or any vegetation, lost wages, attorneys' fees and any other loss or damage whatsoever.

It is further acknowledged that the drafter of this instrument performed no title search prior to preparing this instrument.

WITNESS our signatures on this the ____ day of _____, 2023.

STRUCTURES OF DIAMONDHEAD, INC.

By: _____

Its: _____

STATE OF MISSISSIPPI

COUNTY OF HANCOCK

PERSONALLY APPEARED BEFORE ME, the undersigned authority, a notary public in and for the aforesaid jurisdiction, the within named _____, who acknowledged that he signed, executed, and delivered the above and foregoing instrument on the day and year therein set forth and mentioned having been first duly authorized to do so.

GIVEN UNDER MY HAND, and official seal of the office this the __ day of _____ 2023.

NOTARY PUBLIC

My Commission Expires:

(SEAL)

Resolution # 2023- 022

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE "GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE "CITY") TO ACQUIRE, BY DONATION, A NEW DRAINAGE/UTILITY EASEMENT LOCATED WITHIN THE CITY FROM DONOR, STRUCTURES OF DIAMONDHEAD, INC.

WHEREAS, 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 authorized to acquire real property pursuant to Miss. Code Annotated § 21-17-1;
2. The City is willing to accept the donation of the aforementioned drainage/utility easements described in a survey completed by Tice Engineering, Inc. and attached hereto as Exhibit "A".

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 of the aforementioned drainage/utility easements on Lots 4, 5, 6, and 7, Block 2, Diamondhead Subdivision Phase 3, Unit 1, Hancock County.

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 of the aforementioned drainage easements by donation and for the City Manager to execute any necessary documentation to effectuate the donation of the subject drainage easement.

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 Finley	—	—	—
Councilmember Liese	—	—	—
Councilmember Cumberland	—	—	—

Councilmember Clark

Councilmember Maher

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 _____, 2023.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

TRACT 10
STRUCTURES OF
DIAMONDHEAD, INC.
DRAINAGE EASEMENTS

DRAINAGE BOUNDARY DESCRIPTION:

A parcel of land located in Lots 4, 5, 6, and 7, Block 2, Diamondhead Subdivision Phase 3, Unit 1, Hancock County, Mississippi being a portion of the property conveyed to Structures of Diamondhead, Inc per Deed Book 2021, Page 8363 being more particularly described as follows:

Begin at a 1/2 inch iron rod with cap being the southwest corner of Lot 17, Replat of Leisure Time Park Subdivision Plat Book 8, Page 10, said Point of Beginning having grid coordinates of N 318930.054 and E 810737.360 based on the Mississippi State Plane Coordinate System, East Zone, NAD 83 (U.S. Survey Feet), bearings and distances herein are grid values based on said coordinate system using a scale factor of 0.999984493 and a convergence angle of -00 degrees 16 minutes 41.678 seconds (at the P.O.B.); thence South 00 degrees 42 minutes 03 seconds West 176.43 feet; thence South 70 degrees 14 minutes 53 seconds West 80.26 feet; thence 258.61 feet along the arc of a curve to the right having a radius of 600.00 feet, a central angle of 24 degrees 41 minutes 43 seconds, and a chord which bears North 52 degrees 38 minutes 26 seconds West 256.61 feet to a 1/2 inch iron rod with cap; thence 5.04 feet along the arc of a curve to the right being non-tangent with the previously described line, said curve having a radius of 25.00 feet, a central angle of 11 degrees 33 minutes 36 seconds, and a chord which bears North 42 degrees 56 minutes 12 seconds East 5.04 feet; thence 234.13 feet along the arc of a curve to the left having a radius of 595.00 feet, a central angle of 22 degrees 32 minutes 43 seconds, and a chord which bears South 51 degrees 30 minutes 30 seconds East 232.62 feet; thence North 70 degrees 14 minutes 53 seconds East 68.16 feet; thence North 00 degrees 37 minutes 06 seconds East 166.28 feet; thence South 89 degrees 16 minutes 25 seconds East 30.22 feet to the Point of Beginning.

Said right of way containing 7,785 square feet, more or less.

also

A parcel of land located in Lots 4, 5, 6, and 7, Block 2, Diamondhead Subdivision Phase 3, Unit 1, Hancock County, Mississippi being a portion of the property conveyed to Structures of Diamondhead, Inc per Deed Book 2021, Page 8363 being more particularly described as follows:

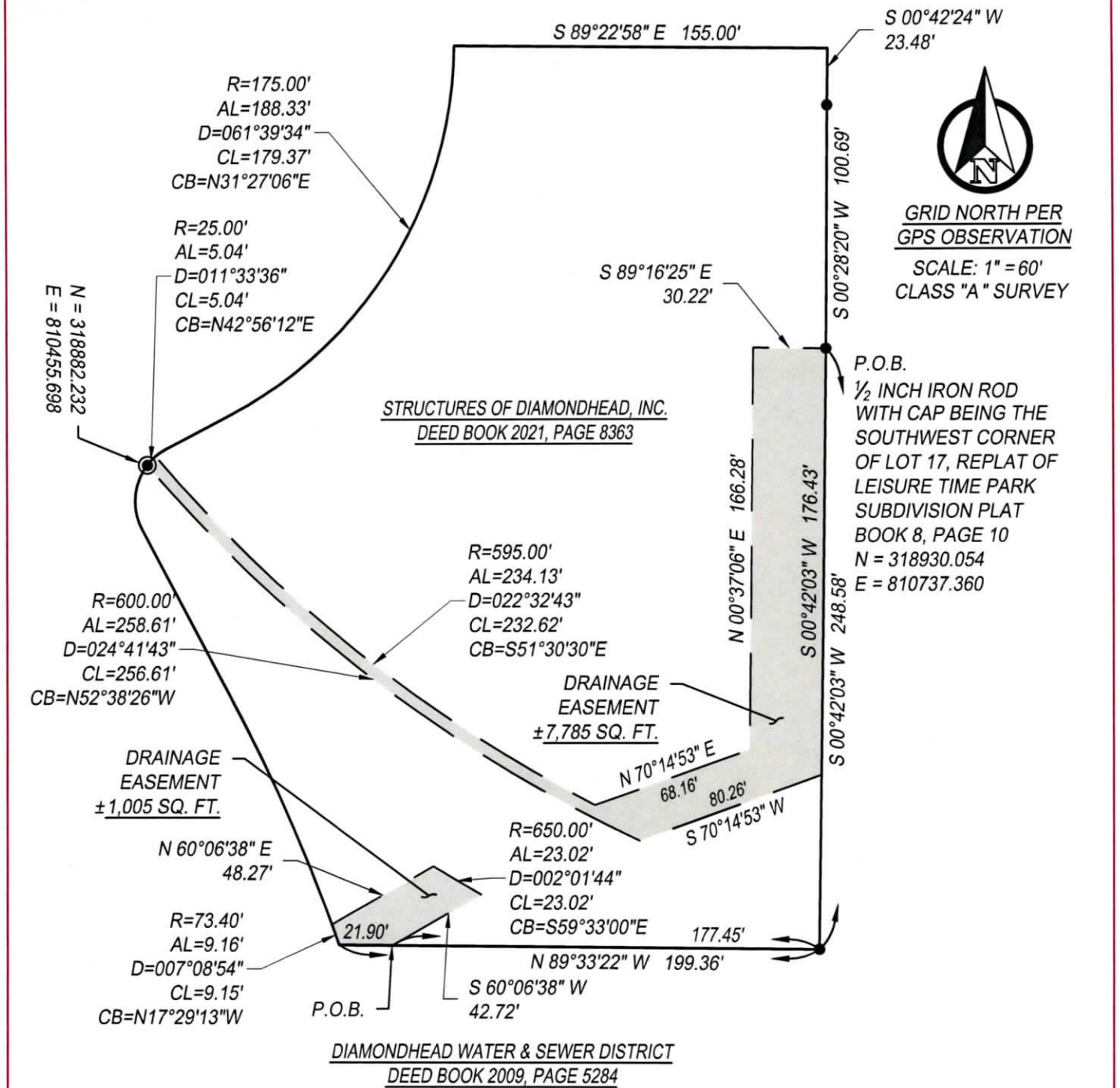
Commence at a 1/2 inch iron rod with cap being the southwest corner of Lot 17, Replat of Leisure Time Park Subdivision Plat Book 8, Page 10, said Point of Commencement having grid coordinates of N 318930.054 and E 810737.360 based on the Mississippi State Plane Coordinate System, East Zone, NAD 83 (U.S. Survey Feet), bearings and distances herein are grid values based on said coordinate system using a scale factor of 0.999984493 and a convergence angle of -00 degrees 16 minutes 41.678 seconds (at the P.O.C.); thence South 00 degrees 42 minutes 03 seconds West 248.58 feet to a 1/2 inch iron rod; thence North 89 degrees 33 minutes 22 seconds West 177.45 feet to the Point of Beginning; thence North 89 degrees 33 minutes 22 seconds West 21.90 feet; thence 9.16 feet along the arc of a curve to the left having a radius of 73.40 feet, a central angle of 07 degrees 08 minutes 54 seconds, and a chord which bears North 17 degrees 29 minutes 13 seconds West 9.15 feet; thence North 60 degrees 06 minutes 38 seconds East 48.27 feet; thence 23.02 feet along the arc of a curve to the left having a radius of 650 feet, a central angle of 02 degrees 01 minutes 44 seconds, and a chord which bears South 59 degrees 33 minutes 00 seconds East 23.02 feet; thence South 60 degrees 06 minutes 38 seconds West 42.72 feet to the Point of Beginning.

Said right of way containing 1,005 square feet, more or less.

J. Colter Ratliff, P.S.
Field Surveyed April 5, 2023

DRAWN: JCR	PROJECT TITLE:	<div>TEIENGINEERING, INC. ENGINEERS / SURVEYORS <small>Trusted Engineers. Experienced Surveyors. Innovative Results.</small> 510 S. VARDAMAN ST. WIGGINS, MS 39577 PHONE: 601.928.4121 EMAIL: info@ticeeng.com PROJECT NUMBER: 1466-21_T10-DE</div>
CHECK: RLN	DIAMONDHEAD DOWNTOWN TRANSFORMATION	
DATE: 04/05/2023		
SCALE: NONE	CROSSING THE PROPERTY OF:	
TRACT: 10-DE	STRUCTURES OF DIAMONDHEAD, INC.	
SHEET: 1 of 2	DRAINAGE EASEMENTS	





Surveyor's Notes:

- 1. This survey has been performed without the benefit of a title report and may not show all rights-of-way, easements, and restrictions. Such features can be added if a current title report is performed and certified by an attorney, and is provided to the surveyor.
- 2. Copies of this survey without an original signature and seal in blue ink are not valid. Any alteration of this survey, in whole or part, without prior written permission of Tice Engineering, Inc. is prohibited.
- 3. No flood zone information is shown hereon.
- 4. No wetland information is shown hereon.
- 5. ● = 1/2 inch Iron Rod Found unless otherwise noted.
- 6. ⊙ = 1/2 inch Iron Rod Set with Cap unless otherwise noted.
- 7. Parcel Indexing Instructions: Lot 4, 5, 6, AND 7, Block 2, Diamondhead Subdivision Phase 3, Unit 1,, Hancock County, Mississippi
- 8. All ownership information shown hereon are "now or formally".
- 9. If shown, the aerial image in the background is for geographic reference only, and is provided by MARIS.
- 10. This survey is referenced to the Mississippi State Plane East Zone (2301) with NAD (83) Datum.
Scale Factor at P.O.B.: 0.999984493
Convergence Angle at P.O.B.: -00° 16' 41.678"
All distances and coordinates shown hereon are in U.S. survey feet. (3.28083333 per meter)

DRAWN: JCR	PROJECT TITLE:	<div><div>TEI</div><div>TICE ENGINEERING, INC. ENGINEERS / SURVEYORS</div><div>Trusted Engineers. Experienced Surveyors. Innovative Results.</div><div>510 S. VARDAMAN ST. WIGGINS, MS 39577 PHONE: 601.928.4121 EMAIL: info@ticeeng.com</div><div>PROJECT NUMBER: 1466-21 T10-DE</div></div>
CHECK: RLN	DIAMONDHEAD DOWNTOWN TRANSFORMATION	
DATE: 04/05/2023		
SCALE: NONE	CROSSING THE PROPERTY OF:	
TRACT: 10-DE	STRUCTURES OF DIAMONDHEAD, INC. DRAINAGE EASEMENTS	
SHEET: 2 of 2		

Resolution 2023-021
Agenda Item 2023-240

RESOLUTION AUTHORIZING THE MAYOR AND CITY COUNCIL (THE “GOVERNING BODY”) OF THE CITY OF DIAMONDHEAD, MISSISSIPPI (THE CITY), TO VACATE AND/OR ABANDON A 5’ DRAINAGE/UTILITY EASEMENT ON EACH SIDE OF THE COMMON PROPERTY LINE BETWEEN LOTS 4 AND 5, DIAMONDHEAD PHASE 2, UNIT 7, BLOCK 7, HANCOCK COUNTY LOCATED WITHIN THE CITY

WHEREAS the 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 currently has a 5’ drainage/utility easement on each side of the common property line between lots 4 and 5, Diamondhead Phase 2, Unit 7, Block 7.
2. Jeffery Dixon is the owner of lots 4 and 5, Diamondhead Phase 2, Unit 7, Block 7. The parcel number is 067H-2-25-082.000. The physical street address is 10879 Ala Moano.
3. Further, the City hereby abandons and/or vacates the drainage/utility easements for the full width and length as petitioned except for the front and rear drainage and utility easement. These drainage/utility easements are 5’ drainage and utility easements on each side of the common property line between lots 4 and 5, Diamondhead Phase 2, Unit 7, Block 7.

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

4. SECTION 1. That the Governing Body of the City will hereby abandon the selected drainage/utility easements with respect to lots 4 and 5, Diamondhead Phase 2, Unit 7, Block 7, described in bullet #3. The Diamondhead Public Works, Diamondhead Water & Sewer District and CEPA do not have any objections.

SECTION 2. It is agreed and understood that Jeffery Dixon will be responsible for the filing of all necessary documents with the Chancery Clerk of Hancock County, Mississippi.

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:

Resolution 2023-021
Agenda Item 2023-240

	Aye	Nay	Absent
Councilmember Finley	_____	_____	_____
Councilmember Liese	_____	_____	_____
Councilmember Cumberland	_____	_____	_____
Councilmember Clark	_____	_____	_____
Councilmember Maher	_____	_____	_____
Mayor Depreo	_____	_____	_____

The motion having received the affirmative vote of a majority of all the members of the Governing Body, the Mayor declared the motion carried and the resolution adopted, this the _____ day of _____, 2023.

MAYOR

ATTEST:

CITY CLERK

(SEAL)

Pat Rich

From: Jeff Dixon <jeffdixon@dixoncontractinggroupllc.com>
Sent: Thursday, May 25, 2023 5:16 AM
To: Pat Rich
Cc: Jenna Dixon
Subject: Abandonment of Easement - Ala Moana Street 10879

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

Good morning Mr. Rich,

Building Residence

We have abandoned the easement for this property with the Diamondhead Water and Sewer district and would also now like to do so with the city.

Please let me know if there is anything else that I need to do on my end to get this accomplished.

Thank you,

Jeff Dixon
President
Dixon Contracting Group, LLC
P.O. Box 383
Pass Christian, MS 39571
(601) 590-2068
(601) 879-6333 fax

Pat Rich

From: Ashley Hebert <ashleyhebert@coastelectric.coop>
Sent: Thursday, May 25, 2023 10:55 AM
To: Pat Rich
Subject: RE: AOE 10879 Ala Moana St.

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

Coast Electric is good with the abandonment of easement at 10879 Ala Moana St.

Ashley Hebert

Engineering and Operations
Coast Electric Power Association
Office: 228-363-7238
Cell: 228-493-4300

From: Pat Rich <prich@diamondhead.ms.gov>
Sent: Thursday, May 25, 2023 9:19 AM
To: Ashley Hebert <ashleyhebert@coastelectric.coop>; Ty Wiltz <TWiltz@diamondhead.ms.gov>
Subject: [BULK] AOE 10879 Ala Moana St.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

Jeffrey Dixon is requesting the abandonment of the 5' drainage/utility easements on either side of the common property lines between Lots 4 and 5, Diamondhead Phase 2, Unit 7, Block 7 for the purpose of constructing a residence with the street address of 10879 Ala Moana St.

Does your company or office need this easement to provide current or future services? Please provide me your written comments by Wednesday, May 31st.

Thanks in advance,

J. Pat Rich
Development Coordinator

City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525
228-242-1613

Pat Rich

From: Ty Wiltz
Sent: Wednesday, May 31, 2023 10:26 AM
To: Pat Rich; Ashley Hebert
Subject: RE: AOE 10879 Ala Moana St.

Public Works has no issues with this AOE.

Ty Wiltz
Public Works Director
City of Diamondhead

From: Pat Rich <prich@diamondhead.ms.gov>
Sent: Thursday, May 25, 2023 9:19 AM
To: Ashley Hebert <ashleyhebert@coastepa.com>; Ty Wiltz <TWiltz@diamondhead.ms.gov>
Subject: AOE 10879 Ala Moana St.

Good morning,

Jeffrey Dixon is requesting the abandonment of the 5' drainage/utility easements on either side of the common property lines between Lots 4 and 5, Diamondhead Phase 2, Unit 7, Block 7 for the purpose of constructing a residence with the street address of 10879 Ala Moana St.

Does your company or office need this easement to provide current or future services? Please provide me your written comments by Wednesday, May 31st.

Thanks in advance,

J. Pat Rich
Development Coordinator

City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525
228-242-1613

DIAMONDHEAD WATER & SEWER DISTRICT**REQUEST FOR AN ABANDONMENT OF EASEMENT**DATE: 5-3-23PROPERTY OWNER OR OWNERS: Jeffrey Dixon
Amy DixonPHONE NUMBER: 601-590-2068, 601-590-2067EMAIL ADDRESS: jeffdixon@dixoncontractinggroupllc.com

DESIRE TO HAVE UTILITY EASEMENT ABANDONED BETWEEN:

PROPERTY DESCRIPTION: PHASE 2 UNIT 7 BLOCK 7 LOT 5PHASE 2 UNIT 7 BLOCK 7 LOT 4

PHASE _____ UNIT _____ BLOCK _____ LOT _____

PROPERTY ADDRESS: 10879 Hammonda StCUSTOMER SIGNATURE: [Signature]**OFFICE USE ONLY:**DATE APPROVED: 5/8/2023APPROVED BY: [Signature]ABANDONMENT FEE: \$50.00 PA 5-2-23 CK# 1619APPROVED BY BOARD: Motion 9.1. 5/11/23 [Signature]

EMAILED COPY: (SIGN/DATE) _____

Post Office Box 2428
 Bay Saint Louis, MS 39521-2428
 Toll Free - 1.888.409.6651
 FAX - 228.466-6279

Jimmie Ladner, Jr.
Hancock County
Tax Assessor/Collector

Phone Numbers:
 COLLECTOR - 228.467.4425
 ASSESSOR - 228.467.5727
 APPRAISAL - 228.467.0130

PROPERTY OWNER
 PARCEL INFORMATION CHANGE REQUEST FORM

PARCEL NUMBER 067H-2-25-082.000 CURRENT TAXES PAID YES ☐ NO ☐

Denied ☐ Reason For Denial _____
 Approved ☐

THIS IS NOT FOR PLANNING & ZONING PURPOSES
 CHECK WITH YOUR PROPER ZONING AUTHORITY
 Reason For Change: _____

☒ Parcel Combination
 Combine With Parcel Number _____

Parcels To Be Deleted 067H-2-25-083.000

2023-3785
 2023-3782

☐ Parcel Split
 Parent Parcel Number _____
 Split Into ☐ Parcels

JIMMIE LADNER JR.
 ASSESSOR - TAX COLLECTOR

☐ Billing Address Change
 New Address _____

I Jeffrey Dixon request the above changes be made to the above
 Parcel Number (s) _____

Signature: [Signature] Date: 4/13/2023
 Phone: 601.590-2068

2023 3782
 Recorded in the Above
 Deed Book & Page
 03-08-2023 03:44:07 PM
 Timothy A Kellar
 Hancock County

PREPARED BY:
 Michael J. Yentzen
 Esplanade Land & Title Co., LLC
 1914 24th Avenue
 Gulfport, MS 39501
 (228) 594-8860
 MS Bar # 100866

RETURN TO:
 Michael J. Yentzen
 Esplanade Land & Title Co., LLC
 1914 24th Avenue
 Gulfport, MS 39507
 (228) 594-8860

STATE OF MISSISSIPPI
 COUNTY OF HANCOCK

WARRANTY DEED

For and in consideration of the sum of TEN AND NO/100THS DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all which is hereby acknowledged, we

CHARLES J. HEIM A/K/A CHARLES J. HEIM, SR., AND LOUANN L. HEIM
 108236 KAPALAMA DRIVE
 DIAMONDHEAD, MS 39525
 334.202.2884

do hereby sell, convey, and warrant unto

JEFFERY B. DIXON, SR. AND AMY M. DIXON
 P.O. BOX 383
 PASS CHRISTIAN, MS 39571
 601.590.2067

as joint tenants with full rights of survivorship, and not as tenants in common, the following described land and property, lying and being situated in Hancock County, Mississippi, and more particularly and certainly described as follows:

(See Exhibit A attached)(Page 3)

Indexing instructions: LOT 5, BLOCK 7, UNIT 7, DIAMONDHEAD, PHASE 2, HANCOCK COUNTY, MISSISSIPPI

This conveyance is subject to all covenants, restrictions, easements, rights of way and other matters of record. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Grantors agree to pay said Grantees or their assigns any deficit on the actual proration.

WITNESS the signatures of the Grantors on this the 2nd day of March, 2023.



CHARLES J. HEIM A/K/A CHARLES J. HEIM, SR. – GRANTOR



LOUANN L. HEIM – GRANTOR

2023 3783
Deed Book & Page

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 2nd day of March, 2023, within my jurisdiction, the within CHARLES J. HEIM A/K/A CHARLES J. HEIM, SR., who acknowledged that he signed, executed, and delivered the above and foregoing instrument.

GIVEN under my hand and official seal of office.

My Commission Expires: June 9, 2026


NOTARY PUBLIC



STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 2nd day of March, 2023, within my jurisdiction, the within LOUANN L. HEIM, who acknowledged that she signed, executed, and delivered the above and foregoing instrument.

GIVEN under my hand and official seal of office.

My Commission Expires: June 9, 2026


NOTARY PUBLIC



2023 3784
Deed Book & Page

EXHIBIT "A"

Legal Description: LOT 5, BLOCK 7, UNIT 7, DIAMONDHEAD, PHASE 2, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 48, IN THE OFFICE OF THE CHANCERY CLERK OF HANCOCK COUNTY, MISSISSIPPI, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART OF THIS DESCRIPTION, TOGETHER WITH ALL THE RIGHTS, PRIVILEGES, IMPROVEMENTS AND APPURTENANCES TO THE SAME BELONGING OR IN ANY WISE APPERTAINING. (TAX PARCEL # 067H-2-25-082.000).



Timothy A. Kellar

Hancock County
I certify this instrument was filed on
03-08-2023 03:44:07 PM
and recorded in Deed Book
2023 at pages 3782 - 3784
Timothy A Kellar

2023 3785
 Recorded in the Above
 Deed Book & Page
 03-08-2023 03:45:07 PM
 Timothy A Kellar
 Hancock County

PREPARED BY:
 Michael J. Yentzen
 Esplanade Land & Title Co., LLC
 1914 24th Avenue
 Gulfport, MS 39501
 (228) 594-8860
 MS Bar # 100866

RETURN TO:
 Michael J. Yentzen
 Esplanade Land & Title Co., LLC
 1914 24th Avenue
 Gulfport, MS 39507
 (228) 594-8860

STATE OF MISSISSIPPI
 COUNTY OF HANCOCK

WARRANTY DEED

For and in consideration of the sum of TEN AND NO/100THS DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all which is hereby acknowledged, we

CHARLES J. HEIM A/K/A CHARLES J. HEIM, SR., AND LOUANN L. HEIM
 108236 KAPALAMA DRIVE
 DIAMONDHEAD, MS 39525
 334.202.2884

do hereby sell, convey, and warrant unto

JEFFERY B. DIXON, SR. AND AMY M. DIXON
 P.O. BOX 383
 PASS CHRISTIAN, MS 39571
 601.590.2067

as joint tenants with full rights of survivorship, and not as tenants in common, the following described land and property, lying and being situated in Hancock County, Mississippi, and more particularly and certainly described as follows:

(See Exhibit A attached)(Page 3)

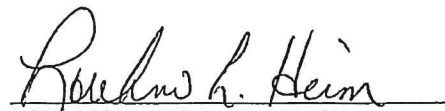
Indexing instructions: LOT 4, BLOCK 7, UNIT 7, DIAMONDHEAD, PHASE 2, HANCOCK COUNTY, MISSISSIPPI

This conveyance is subject to all covenants, restrictions, easements, rights of way and other matters of record. It is agreed and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Grantors agree to pay said Grantees or their assigns any deficit on the actual proration.

WITNESS the signatures of the Grantors on this the 2nd day of March, 2023.



CHARLES J. HEIM A/K/A CHARLES J. HEIM, SR. – GRANTOR



LOUANN L. HEIM – GRANTOR

2023 3786
Deed Book & Page

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 2nd day of March, 2023, within my jurisdiction, the within CHARLES J. HEIM A/K/A CHARLES J. HEIM, SR., who acknowledged that he signed, executed, and delivered the above and foregoing instrument.

GIVEN under my hand and official seal of office.

My Commission Expires: June 9, 2026

Heather Hudgins
NOTARY PUBLIC



STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, on this 2nd day of March, 2023, within my jurisdiction, the within LOUANN L. HEIM, who acknowledged that she signed, executed, and delivered the above and foregoing instrument.

GIVEN under my hand and official seal of office.

My Commission Expires: June 9, 2026

Heather Hudgins
NOTARY PUBLIC



2023 3787
Deed Book & Page

EXHIBIT "A"

Legal Description: LOT 4, BLOCK 7, UNIT 7, DIAMONDHEAD, PHASE 2, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 4, PAGE 48, IN THE OFFICE OF THE CHANCERY CLERK OF HANCOCK COUNTY, MISSISSIPPI, REFERENCE TO WHICH IS HEREBY MADE IN AID OF AND AS A PART OF THIS DESCRIPTION, TOGETHER WITH ALL THE RIGHTS, PRIVILEGES, IMPROVEMENTS AND APPURTENANCES TO THE SAME BELONGING OR IN ANY WISE APPERTAINING. (TAX PARCEL # 067H-2-25-083.000).



Hancock County
I certify this instrument was filed on
03-08-2023 03:45:07 PM
and recorded in Deed Book
2023 at pages 3785 - 3787
Timothy A Kellar



241

Item No.6.

CivicPlus

302 South 4th St. Suite 500
Manhattan, KS 66502
US

Quote #:

Date:

Customer:

Q-38347-1

2/24/2023 12:35 PM

DIAMONDHEAD,
MISSISSIPPI

QTY	Product Name	DESCRIPTION	TOTAL
1.00	Municode Web Premium Civic Open Subscription	Municode Web Premium Civic Open Subscription	USD 3,220.00
1.00	Municode Web Premium Civic Open Subscription	Web Open Platform Migration	USD 250.00

Annual Recurring Services - Initial Term	USD 3,470.00
--	--------------

1. This renewal Statement of Work ("SOW") is between Diamondhead Mississippi ("Customer") and CivicPlus, LLC and shall be subject to the terms and conditions of the Master Services Agreement ("MSA") and the applicable Solutions and Products terms found at: www.civicplus.help/hc/p/legal-stuff (collectively, the "Terms and Conditions"). By signing this SOW, Customer expressly agrees to the Terms and Conditions throughout the Term of this SOW. The Terms and Conditions form the entire agreement between Customer and CivicPlus (collectively, referred to as the "Agreement"). The Parties agree the Agreement shall supersede and replace all prior agreements between the Parties with respect to the services provided by CivicPlus herein (the "Services").

2. This SOW shall remain in effect for an initial term starting at the Customer's next renewal date of 7/1/2023 and running for twelve months ("Initial Term"). In the event that neither party gives 60 days' notice to terminate prior to the end of the Initial Term, or any subsequent Renewal Term, this SOW will automatically renew for additional 1-year renewal terms ("Renewal Term"). The Initial Term and all Renewal Terms are collectively referred to as the "Term".

3. Unless terminated, Customer shall be invoiced for the Annual Recurring Services on each Renewal Date of each calendar year subject to an annual increase of 5% each Renewal Term.

Acceptance

By signing below, the parties are agreeing to be bound by the covenants and obligations specified in this SOW.

IN WITNESS WHEREOF, the parties have caused this SOW to be executed by their duly authorized representatives as of the dates below.

Client

CivicPlus

By:

By:

Name:

Name:

Title:

Title:

Date:

Date:

Jeannie Klein

From: Rae Ann Steffensmeier <raeann.steffensmeier@civicplus.com>
Sent: Monday, March 6, 2023 2:38 PM
To: Jeannie Klein
Subject: Important Information From CivicPlus Regarding Your Contract Renewal Pricing

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

Hi Jeannie,

As a valued CivicPlus customer, this email is to notify you about an upcoming change to our solution pricing that will impact Diamondhead Mississippi in July 2023 as part of your annual contract renewal.

Over the past several years, as our nation and community leaders have battled many unprecedented economic and societal challenges, we have strived to be a consistent, reliable technology partner whose solutions empower your successful operations and communications throughout these turbulent times. In response to our desire to support local governments' recent staff and budget challenges, we have held our solution pricing as flat as possible.

However, we must continue to prioritize the stability of our people and systems against a backdrop of record inflation and soaring costs.

This change to your annual solution renewal will increase your annual contract cost from \$2,800.00 to \$3,220.00 effective on your next renewal in July 2023.

With these changes comes a robust set of product enhancements and first-to-market integrations, including:

- CivicPlus Portal – A free digital hub that makes it easy for residents to obtain information and resources and interact with their local government from a personal and customizable interface and that embeds in your Municipal Website Central solution
- Migration to Drupal version 9 for enhanced functionality and configuration options
- Platform authentication (single sign-on)
- Unlimited ongoing group user training
- Integrated Google Analytics (G4)



Diamondhead Police Department

5000 Diamondhead Circle, Diamondhead, MS 39525
(228) 222-4649 Fax (228) 222-4654



May 17, 2023

To Whom It May Concern,

Please allow this letter to show that the Diamondhead Police Department is wanting to dispose of old uniform shirts that are no longer in use. Several have worn spots, holes and some display embroidered names of officers no longer working at this department. The shirts will have the law enforcement badge removed prior to being disposed of. A total of sixteen (16) shirts consisting of: two (2) small, two (2) medium, one (1) large, three (3) Extra Large, eight (2) XX-Large. Thanks for your consideration on this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Darryl Russell".

Darryl Russell

G. Allen

FY21-P510-02



MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Tidelands Grant Agreement City of Diamondhead Additional Funding FISCAL YEAR 2023

City of Diamondhead hereby agrees to expend funds as authorized by the Mississippi Legislature in H.B. 1624 2022 Regular Session and Mississippi Code Section 29-15-9.

The Mississippi Department of Marine Resources will disburse funds in the amount of \$ **75,000** for the Diamondhead Fishing Pier and Boardwalk, upon (1) receipt of this signed document; (2) MDMR possession of amended application with complete and final project designs and plans; (3) release of funds from the Mississippi Department of Finance and Administration; and (4) availability of said funds. The Mississippi Department of Marine Resources shall make progress payments in installments based on work completed and material used in the performance of a Tidelands project only after receiving written verification using Form TTF-3 and Form TTF-4 or Form TTF-5.

The **City of Diamondhead** agrees to:

- 1) Expend monies for the project as designated by the Legislature in H.B. 1624 2022 Regular Session Diamondhead Fishing Pier and Boardwalk and Mississippi Code Section 29-15-9 and be subject to an audit by the State Auditor.
- 2) Provide the Department of Marine Resources with detailed reports beginning June 31, 2023, and every six months thereafter for the duration of project, using the attached form TTF-4. Project reports will include:


-Final project design and budget	- Description of Work Completed
-Benefits to the public and community	- Milestones for Completion
-Visual presentation (photographs) of project	- Funds expended (to include Tidelands and Matching Funds)
-Narrative description of project	
- 3) Provide the Department of Marine Resources with a Notification of Completion – TTF-5 (to be included in final payment request-Form TTF-3) to include a detailed final report of entire project, using the attached forms.
- 4) Erect a prominent, permanent sign to be displayed at all funded public access and construction related projects. The sign shall read “Funds for this project appropriated by the Mississippi Legislature, 2021 Tidelands Trust Fund, through the Secretary of State, Michael Watson, and the Mississippi Department of Marine Resources.”
- 5) To comply with the Stop, Work Order Provisions listed below:
 1. *Order to Stop Work:* The MDMR may, by written order to the Grantee at any time, and without notice to any surety, require Grantee to stop all or any part of the work called for by this Grant Agreement. This order shall be for a specified period not exceeding 90 days after the order is delivered to Grantee unless the parties agree to any further period. Any such order shall be identified specifically as a stop work order issued pursuant to this clause. Upon receipt of such an order, the Grantee shall forthwith comply with its terms and take all reasonable steps to minimize the occurrence of costs allocable to the work covered by the order during the period of work stoppage. Before the stop work order

FY21-P510-02

expires, or within any further period to which the parties shall have agreed, the MDMR shall either:

2. cancel the stop work order; or,
3. terminate the work covered by such order by terminating the Grant Agreement, in whole or in part.
4. *Cancellation or Expiration of the Order:* If a stop work order issued under this clause is canceled at any time during the period specified in the order, or if the period of the order or any extension thereof expires, Grantee shall have the right to resume work. An appropriate adjustment shall be made in the time required for completion of the work, and the Grant Agreement shall be modified in writing accordingly, if the Grantee asserts a claim for such adjustment within 30 days after the period of work stoppage; provided that if the MDMR determines that the facts justify such action, any such claim asserted may be received and acted upon at any time prior to final payment under this Grant Agreement. In no event will the MDMR be responsible for additional costs allocable to the work covered by the order during the period of work stoppage.

On behalf of the **City of Diamondhead** I have read, understand, and agree to all terms listed above, and recognize that failure to comply with any portion of this Grant Agreement could jeopardize the receipt of any future Tidelands Trust Funds Appropriations.


Joe Spraggins Apr 14, 2023 13:18 CDT

Joe Spraggins, Executive Director
 Department of Marine Resources

Apr 14, 2023

Date

 Nancy Depreo, Mayor
 City of Diamondhead

 Date

MEMORANDUM

TO: Jon McCraw, Diamondhead City Manager
FROM: Melissa Williams
RE: **PROPOSED LANGUAGE FOR PUBLIC WORKS – ON CALL POLICY
AMENDMENT FOR EMPLOYEE HANDBOOK**
DATE: May 25, 2023

The following language is suggested as an amendment to **Section 113. Compensation.
Public Works – On Call Policy:**

Public Works employees may be called out after hours (hours outside of the normal 8-hour, Monday-Friday daily schedule), for required inspection, service, and repairs.

The Public Works on-call employees shall be credited two (2) hours comp time, each weekday, for being on call, with a two (2) hour minimum for call out (at one and a half times their hourly rate, comp or paid, at employee's discretion).

The Public Works on-call employees shall be credited four (4) hours comp time, each weekend day, for being on call, with a two (2) hour minimum for call out (at one and a half times their hourly rate, comp or paid, at employee's discretion).

Time credited begins at the time the Public Works employee is on City property (building, vehicle, etc.), until leaving City property. The employee is required to record time on the employee's timesheet. Any and all after-hours time must be approved by the Public Works Director and detailed on the timesheet, including any and all backup documentation of the emergency call-out. It is the Public Works Director's responsibility to verify who and what after hour emergencies were made and that it is documented properly before turning timesheets in to the Payroll Department.

SECTION 00010**ADVERTISEMENT FOR BIDS****INVITATION TO BID
CITY OF DIAMONDHEAD BOND PAVING PROJECT
(BID 2023 -005)**

Notice is hereby given that sealed bids will be received by the City of Diamondhead at 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, until **11:00 am**, local time, on the day of **Tuesday, July 18, 2023** and shall cause the bids received to be publicly opened and the bid amount read aloud for the following project:

*CITY OF DIAMONDHEAD BOND PAVING PROJECT
CITY OF DIAMONDHEAD, MISSISSIPPI
DIGITAL ENGINEERING PROJECT NO. 730-1001-007*

The Work included in the Contract shall consist of improvements to approximately 7.4 miles of roadway in the City of Diamondhead, primarily on Diamondhead Drive. Road improvements include the following: Asphalt overlay on approximately 7.4 miles of roadway, cold plane milling of roadway, roadway base repairs and striping.

Copies of the contract documents, including Drawings and Technical Specifications, are on file and may be examined without charge at the following locations:

Digital Engineering	City of Diamondhead	www.diamondheadbids.com
314 Coleman Avenue	5000 Diamondhead Circle	(log-in/registration required)
Waveland, MS 39576	Diamondhead, Mississippi 39525	

Plans and specifications are being made available via hard copy or digital download. Plan Holders are required to log-in or register for an account to view or order bid documents at www.diamondheadbids.com. Bid documents are non-refundable and must be purchased through the website. Questions regarding website registration and online orders, please contact Plan House at 228-248-0181. No partial sets of drawings of project manuals will be issued. No contract documents (hard copies or electronic copies) will be issued to Contractors within twenty-four (24) hours of the time indicated above for receiving bids.

Bids must be submitted upon the standard forms contained within the contract documents furnished by the Engineer for the City of Diamondhead, Mississippi, noted in the Instructions to Bidders. Bids submitted shall be in letter form in a sealed envelope and outside of envelope shall be marked plainly **CITY OF DIAMONDHEAD BOND PAVING PROJECT (BID 2023 -005)** and shall be addressed to Jeannie Klein, City Clerk, City of Diamondhead at 5000 Diamondhead Circle, Diamondhead, Mississippi 39525 or for those interested, bids can be electronically submitted at www.diamondheadbids.com under the project page. No oral, telegraphic, telephonic, or e-mail proposals will be considered. Each bidder shall write his Name, his Address, and his Certificate of Responsibility number/or a statement that the bid enclosed does not exceed Fifty Thousand Dollars (\$50,000) on the outside of the sealed envelope containing his proposal. If submitting electronically, please include this information on a cover page with your bid submission. All interpretations of drawings and specifications shall be directed in writing to John

Stein, PE at jstein@deii.net. An acknowledged received copy of all Addenda issued by the Engineer via Plan House must be included with the bid proposal.

The maximum allowable number of consecutive calendar days for the completion of Work (the Contract Time) is set forth in the Bid Proposal and will be included in the executed Agreement. The project will be subject to liquidated damages in the amount of THREE HUNDRED DOLLARS (\$300.00) per consecutive calendar day for each day in default after the stipulated completion date. The contract time will begin when the Contractor commences work on this project but no later than the tenth consecutive calendar day after receipt of a notice to proceed from the Owner.

A Pre-Bid Conference will be held at the City of Diamondhead at 5000 Diamondhead Circle, Diamondhead, MS 39525 at 10:00 a.m. CST on **Thursday, July 6, 2023**.

The City of Diamondhead, Mississippi, reserves the right to reject any and all bids and to waive any informality (non-responsiveness) in a Bid, or to make award to the lowest and best qualified, responsive, and responsible Bidder and reject all other Bids, as it may best serve the interest of the OWNER. Bids may be held by the City of Diamondhead, Mississippi, for a period not to exceed sixty (60) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of Bidders, prior to awarding of the contract.

Each bid must be accompanied by a Bid Bond or Certified Check in an amount equal to five percent (5%) of his Base Bid, payable to the City of Diamondhead, Mississippi, as bid security. In the event that an electronic bid is submitted, a copy of the bid bond must be included with the submission. If submitting electronically, a hard copy of all bid documents must be provided within 3 business days if requested after the bid opening. The successful bidder shall furnish a Performance Bond and a Payment Bond each in the amount of 100% of the bid.

Effective July 1, 2010; Per MS Code 31-3-21(3); any bid submitted by a nonresident contractor which does not include the nonresident contractor's current state law pertaining to such state's treatment of nonresident contractors, shall be rejected and not considered for award. If no such law exists in the nonresident contractor's state, then the nonresident contractor may provide a statement to that effect.

Published by order of the Diamondhead City Council.

Jeannie Klein, City Clerk
City of Diamondhead

PROOF OF PUBLICATION:

Publication Dates: June 15, 2023
June 22, 2023

Agenda Item #2022-_____

City of Diamondhead, MS
Request for Council Action

TO: Members of Council
FROM: Mayor Depreo

☒ Ordinance ☐ Resolution ☐ Agreement ☐ Info Only ☐ Work Session ☐ Other

AGENDA LOCATION: ☐ Consent Agenda ☒ Regular Agenda

AGENDA DATE REQUESTED June 6, 2023

ORDINANCE/RESOLUTION CAPTIONS or ISSUE:

Motion for discussion ARTICLE 9. – FENCES.

9.8. - GENERAL REQUIREMENTS AND RESTRICTIONS.

- A. Fences constructed on any lot, and specifically corner lots, will be subject to, and shall conform to the visibility range requirements contained in Section 5.4.3 Traffic Visibility across Corners of this ordinance. An additional clear zone may be required by the Zoning Administrator.
- B. No fence, guy wire, brace or post shall be constructed upon or extend over property that the City has control over, owns or has an easement over or under, except upon: i. Underground drainage easements that contain non-pressurized storm sewer pipes if written permission is granted by all users. ii. Underground sanitary sewer easements that contain non-pressurized pipes if written permission is granted by all users. iii. Utility easements if written permission is granted by all users.
- C. No drainage easement, public or private, shall be fenced or obstructed in any manner, without prior written permission by all users. A gate shall be constructed in a fence along easements to allow ingress and egress for maintenance.

REQUIRED SIGNATURES

REQUESTED BY:

Mayor Nancy Depreo

City Manager:

City Attorney:

COUNCIL ACTION:

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



City of Diamondhead, MS

Docket of Claims Register - Item No. 12.

APPKT02001 - 6.6.23 DOCKET

By Docket/Claim Number

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Payment Amount
							Line Amount
DKT230761	Amazon com LLC	06/06/2023	17HD-RLPF-3GFT	OFFICE SUPPLIES	001-140-501.00	Supplies	854.99
					001-140-501.00	Supplies	48.22
					001-140-501.00	Supplies	89.99
					001-140-501.00	Supplies	25.96
					001-140-501.00	Supplies	15.92
			1N44-JPPC-6Q1Y	BELTS	001-140-501.00	Supplies	15.00
					001-301-570.00	Repairs & Maintenance - Vehicle	34.50
					001-301-571.00	Repairs & Maintenance - Equipment	61.76
					001-301-571.00	Repairs & Maintenance - Equipment	61.76
					001-301-571.00	Repairs & Maintenance - Equipment	34.50
			1VDT-G9KD-HP7P	US FLAGS	001-140-650.00	Promotions	136.74
					001-140-650.00	Promotions	37.99
					001-140-501.00	Supplies	124.75
					001-140-501.00	Supplies	167.90
DKT230762	BOTTOM 2 TOP CONSTRUCTION LLC	06/06/2023	872	EMERGENCY REPAIRS MAKIKI DRIVE DRAINAGE	190-000-602.00	Professional Fees - Engineering	22,584.60
							22,584.60
DKT230763	CADENCE EQUIPMENT FINANCE	06/06/2023	735319	COPIER LEASE AGREEMENT -- 20 OF 48	001-800-820.07	Note Principal Payment - Copier Lease Purch 2021	475.00
							442.25
					001-800-830.07	Note Interest Payment - Copier Lease Purch 2021	32.75

Docket of Claims Register - Council

APPKT02001 - Item No. 12.

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount
DKT230764	Coast Electric Power Association	06/06/2023	5/12/23-001	MONTHLY ELECTRIC BILL	001-301-630.00	Utilities - Streetlights & Other	19,462.35
					001-301-630.00	Utilities - Streetlights & Other	10,377.89
					001-301-630.00	Utilities - Streetlights & Other	1,593.03
					001-301-630.00	Utilities - Streetlights & Other	55.25
					001-301-630.00	Utilities - Streetlights & Other	43.50
					001-301-630.00	Utilities - Streetlights & Other	135.74
					001-301-630.00	Utilities - Streetlights & Other	50.10
					001-301-630.00	Utilities - Streetlights & Other	50.10
					001-301-630.00	Utilities - Streetlights & Other	45.72
					001-301-630.00	Utilities - Streetlights & Other	50.10
					001-140-630.00	Utilities - General	1,843.08
					001-301-630.00	Utilities - Streetlights & Other	3,370.84
					001-301-630.00	Utilities - Streetlights & Other	99.68
					001-301-630.00	Utilities - Streetlights & Other	52.35
					001-140-630.00	Utilities - General	70.40
					001-140-630.00	Utilities - General	52.91
					001-301-630.00	Utilities - Streetlights & Other	50.10
					001-301-630.00	Utilities - Streetlights & Other	221.49
					001-301-630.00	Utilities - Streetlights & Other	65.63
					001-301-630.00	Utilities - Streetlights & Other	56.46
					001-301-630.00	Utilities - Streetlights & Other	1,177.98
DKT230765	Coastal Hardware and Rental Co LLC	06/06/2023	D20323840	FA #619 - SIDE ARM CUTTER BLADES	001-301-571.00	Repairs & Maintenance - Equipment	290.80
							290.80
DKT230766	CSpire Cell Service	06/06/2023	5/18/23	CELLULAR SERVICE FOR APRIL	001-140-632.00	Telephone - Cell	47.62
					001-200-612.00	Internet	343.30
					001-280-632.00	Telephone - Cell	175.94
					001-301-632.00	Telephone - Cell	411.69
DKT230767	CUSICK & WILLIAMS, PLLC	06/06/2023	953	GENERAL MATTERS -- MAY	001-140-603.00	Professional Fees - Legal	9,656.25
			954	PLANNING AND ZONING -- MAY	001-280-603.00	Professional Fees - Legal	3,062.50
			955	CITY PROSECUTOR -- MAY	001-110-603.00	Professional Fees - Legal	3,000.00
			956	LANGKOPP VS CODH -- MAY	001-280-603.00	Professional Fees - Legal	125.00
			957	MAKIKI BOND CLAIM -- MAY	001-140-603.00	Professional Fees - Legal	843.75

Docket of Claims Register - Council

APPKT02001

Item No. 12.

Docket/Claim #	Vendor Name		Payable Description	Account Number	Account Name	Payment Amount
	Payable Date	Payable Number				Line Amount
DKT230768	Dana Safety Supply Inc					10,226.96
	06/06/2023	842727	UPFITTING FOR POLICE UNITS	001-200-917.00	Capital Outlay - Mobile Equipment	154.96
		843060		001-200-917.00	Capital Outlay - Mobile Equipment	186.00
		843846		001-200-917.00	Capital Outlay - Mobile Equipment	663.27
				001-200-917.00	Capital Outlay - Mobile Equipment	5,161.73
		845372		001-200-917.00	Capital Outlay - Mobile Equipment	980.00
		845944		001-200-917.00	Capital Outlay - Mobile Equipment	830.00
		847887		001-200-917.00	Capital Outlay - Mobile Equipment	2,070.00
		849499	UPFITTING FOR NEW POLICE UNITS	001-200-917.00	Capital Outlay - Mobile Equipment	181.00
DKT230769	DAVID'S CHAINSAW & LAWNMOWER REPAIR, LLC					255.95
	06/06/2023	41682	BLOWER REPAIRS - FA #346	001-301-635.00	Professional Fees - R&M Outside Services	107.00
		41809	TRIMMER REPAIR PARTS AND LABOR	001-301-635.00	Professional Fees - R&M Outside Services	148.95
DKT230770	DIAMONDHEAD COUNTRY CLUB & POA					1,000.00
	06/06/2023	JUNE 2023	RENTAL OF MAINTENANCE YARD -- JUNE	001-301-640.00	Rentals	1,000.00
DKT230771	Diamondhead Water and Sewer District					402.10
	06/06/2023	6/10/23-020	WATER	001-140-630.00	Utilities - General	139.92
				001-140-630.00	Utilities - General	69.96
		6/10/23-021		001-301-630.00	Utilities - Streetlights & Other	23.95
		6/10/23-170		001-301-630.00	Utilities - Streetlights & Other	72.47
		6/10/23-2070		001-301-630.00	Utilities - Streetlights & Other	23.95
		6/10/23-2075		001-301-630.00	Utilities - Streetlights & Other	23.95
		6/10/23-2080		001-301-630.00	Utilities - Streetlights & Other	23.95
		6/10/23-830		001-301-630.00	Utilities - Streetlights & Other	23.95
DKT230772	Diaz Brothers Printing					60.00
	06/06/2023	6137	CODE ENFORCEMENT BUSINESS CARDS	001-280-621.00	Printing & Binding	60.00
DKT230773	Eagle Energy					3,300.07
	06/06/2023	38655	FUEL	001-301-525.00	Fuel	9.59
				001-301-525.00	Fuel	1,245.60
	05/16/2023	38656		001-301-525.00	Fuel	2,044.88
DKT230774	Enmon Enterprises					2,799.00
	06/06/2023	MGC05230156	MONTHLY CONTRACT FOR MAY	001-140-633.00	Professional Fees -- Cleaning/Janitorial	2,799.00
DKT230775	Eric Nolan					100.00
	06/06/2023	7328	TREE REMOVAL - 7328 ANELA PLACE	001-280-681.00	Other Services & Charges	100.00

Docket of Claims Register - Council

APPKT02001

Item No. 12.

Docket/Claim #	Vendor Name		Payable Description	Account Number	Account Name	Payment Amount	
	Payable Date	Payable Number				Line Amount	
DKT230776	Fuelman						2,681.98
	06/06/2023	NP64377204	FOR THE WEEK ENDING 5/14/23	001-200-525.00	Fuel	699.01	
				001-280-525.00	Fuel	132.77	
		NP64408617	FOR THE WEEK ENDING 5.21.23	001-200-525.00	Fuel	799.15	
				001-280-525.00	Fuel	40.58	
		NP64433874	FOR THE WEEK ENDING 5/28/23	001-140-525.00	Fuel	50.46	
				001-200-525.00	Fuel	821.31	
				001-280-525.00	Fuel	138.70	
DKT230777	Hancock County Chamber of Commerce						1,000.00
	06/06/2023	DH 5 2023	DIGITAL MARKETING & PUBLIC RELATIONS -- MAY 2023	001-140-623.00	Membership Dues/Fees	1,000.00	
DKT230778	Lee Tractor						145.02
	06/06/2023	PI10794	FA #619 REPAIRS	001-301-635.00	Professional Fees - R&M Outside Services	145.02	
DKT230779	LYLE MACHINERY CO.						3,515.77
	06/06/2023	W16336	CUTTER ATTACHMENT REPAIRS	001-301-635.00	Professional Fees - R&M Outside Services	3,515.77	
DKT230780	Marvin J Bobinger III						4,000.00
	06/06/2023	5/15/23	LOBBYING SERVICES FOR MAY	001-653-601.00	Professional Fees - Consulting	4,000.00	
DKT230781	MS Coast Building Officials Association						200.00
	06/06/2023	MCBOA - 2023	MCBOA MEMBERSHIPS	001-280-623.00	Membership Dues/Fees	100.00	
				001-280-623.00	Membership Dues/Fees	100.00	
DKT230782	Napa of Bay St Louis						734.38
	06/06/2023	350006	UNIT #165 IGNITION COIL	001-200-570.00	Repairs & Maintenance - Vehicle	61.22	
		350007	UNIT #155 - SPARK PLUG, BLOWER MOTOR	001-200-570.00	Repairs & Maintenance - Vehicle	166.71	
		350165	FA #576 REPAIR PARTS	001-301-571.00	Repairs & Maintenance - Equipment	62.04	
				001-301-571.00	Repairs & Maintenance - Equipment	42.53	
				001-301-571.00	Repairs & Maintenance - Equipment	239.76	
		350197	POLICE UNIT REPAIR PARTS	001-200-570.00	Repairs & Maintenance - Vehicle	62.36	
				001-200-570.00	Repairs & Maintenance - Vehicle	67.77	
				001-200-570.00	Repairs & Maintenance - Vehicle	31.99	
DKT230783	South MS Business Machines Gulfport						335.38
	06/06/2023	437482	PER COPY CHARGE FOR MAY	001-280-506.00	Copier Usage/Maintenance	54.10	
		5/16/23	PAYMENT 56 OF 60 -- ADMIN	001-280-642.00	Rent - Copier	281.28	
DKT230784	Sun Coast Business Supply						13.37
	06/06/2023	1339016-0	JESSICA HARWOOD P&Z NAME	001-280-501.00	Office Supplies	13.37	

Docket of Claims Register - Council

APPKT02001

Item No. 12.

Docket/Claim #	Vendor Name		Payable Description	Account Number	Account Name	Payment Amount	
	Payable Date	Payable Number				Line	Amount
DKT230785	UMB Card Services		MONTHLY CHARGES FOR CONSTANT CONTACT	001-140-623.00	Membership Dues/Fees		45.00
	06/06/2023	45243					45.00
DKT230786	UniFirst Corporation		UNIFORM RENTAL FOR THE WEEK ENDING 05/15/23	001-301-535.00	Uniforms		433.02
	06/06/2023	1530074499					144.34
		1530075805					144.34
		1530077154					144.34
DKT230787	Waste Management		DUMPSTER RENTAL	001-140-681.00	Other Services & Charges		68.83
	06/06/2023	0798940-4768-1					68.83
DKT230788	WESLEY SANDERFORD		OPEN MIC NIGHT SPECIAL	001-140-650.00	Promotions		300.00
	06/06/2023	5/25/23					300.00
Total Claims: 28						Total Payment Amount:	92,950.62