



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, September 05, 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 September 19, 2023 at 6:00 p.m. in Council Chambers located at City Hall.
- b. Annual Paddle Paradise Event will be held Saturday, September 23rd at the south side kayak launch. Participants may register in advance on the City's website or on-site registration beginning at 8:00 a.m. the morning of the event.
- c. Proclamation recognizing National Library Card Sign Up Month.
- d. Hancock County Library System 2023 Update

Council Comments.

City Manager's Report.

Public Comments on Agenda Items.

Policy Agenda.

Minutes:

- 1. Motion to approve the August 15, 2023 Regular Meeting Minutes.

Tabled:

- 2. **2023-274:** Motion to contribute up to \$40,000.00 for the Dog Park from the General Fund Balance. (Finley)

Resolutions:

- 3. **2023-305:** Motion to adopt Resolution 2023-032 thereby authorizing an amended application to the Mississippi Development Authority for a FY23 Gulf Coast Restoration Fund Grant in the amount of \$2,400,000 (83% or \$2,000,000 GCRF share and 17% or \$400,000 local match funding) for the Commercial District Transformation Project Phase 3 and for other related purposes.

- 4.** **2023-309:** Motion to adopt Resolution 2023-033 thereby appointing Eric Nolan (Ward 1) to serve as Commissioner on the Diamondhead Water & Sewer District Board of Commissioners to fill an expired term effective September 29, 2023 and expiring September 28, 2028.
- 5.** **2023-311:** Motion to adopt Resolution 2023-034 thereby adopting the FY24 Budget for the period beginning October 1, 2023 and ending September 30, 2024.
- 6.** **2023-312:** Motion to adopt Resolution 2023-035 thereby setting the tax levy for FY2024 to be 29.5 mills and for other related purposes.
- 7.** **2023-313:** Motion to adopt Resolution 2023-036 thereby requesting the Hancock County Board of Supervisors donation or long-term lease real property located north and/or south of Ahoni Street for the construction of dog park and for other related purposes.
- 8.** **2023-316:** Motion to adopt Resolution 2023-037 to approve a Text Amendment to the Tree Ordinance Article 11 – Tree Ordinance. The proposed text amendment is to replace the ordinance in it's entirety with Article 11 - Tree Preservation and Protection. The file case number is 202300337.
- 9.** **2023-317:** Motion to adopt Resolution 2023-038 thereby confirming existing election wards and polling precincts for the City of Diamondhead municipal elections and for other related purposes.
- 10.** **2023-218: PUBLIC HEARING -** Motion to adopt Resolution 2023-039 to adjudicate that the piles of debris on 6435 Kanoa Way (parcel numbers 132R-0-10-028.000, 132R-0-10-030.000 thru 132R-0-10-032.000, 132R-0-10-046.000 thru 132R-0-10-051.000) are a menace to the public health, safety and general welfare of the community. Authorization to advertise for bids and/or obtain quotes to perform the necessary services to remove the piles of debris from the property and assess the costs to said property and for other related purposes. Property owner is 1 D.P.D., LLC registered agent Bradley K. Drude.

Consent Agenda:

- 11.** **2023-306:** Motion to approve Change Order No. 1 to the contract with Moran Hauling, Inc. in the net amount of \$8,481.63 for a total contract amount of \$40,955.63 for Bayou Drive and Bayou Circle Drainage Improvements.
- 12.** **2023-307:** Motion to approve final payment to Moran Hauling, Inc in the amount of \$40,955.63 for Bayou Drive and Bayou Circle Drainage Improvements.
- 13.** **2023-308:** Motion to accept the Memorandum of Understanding with the Mississippi Outdoor Stewardship Board of Trustees for the allocation of funds for Noma Drive Boat Ramp Improvements and authorize City Manager to execute same.
- 14.** **2023-310:** Motion to approve to declare salvage equipment and proceed with proper disposal.
- 15.** **2023-314:** Motion to authorize travel and related expenses for the City Manager and Councilmember(s) (TBD) to attend the American Planning Association Mississippi Chapter 2023 Fall Chapter Conference to be held October 18-20, 2023 in Starkville.
- 16.** **2023-315:** Motion to approve Work Assignment Modification under the Master Service Agreement with Covington Civil and Environmental, LLC in the amount of \$10,000.00 not to exceed \$39,500.00 for Site Development Plan Review as needed.
- 17.** **2023-320:** Motion to terminate contract with Jani King effective October 6, 2023.

Action Agenda.

- [18.](#) **2023-319:** Motion to direct the City Manager to establish a procedure for naming city property and create required naming criteria. (Liese)

Routine Agenda.

Claims Payable

- [19.](#) Motion to approve Docket of Claims (DKT230997 - DKT231039) in the amount of \$148,662.24.

Department Reports

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, August 15, 2023
6:00 PM CST

Call to Order

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

Invocation - Councilmember Cumberland

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 Mayor Depreo, Seconded by Ward 4 Clark to adjust the agenda adding the following items-

12a. Consent Agenda - Motion to authorize the City Manager to advertise to bid Makiki Culvert Replacement Project Design by Covington Civil & Environmental, LLC.

14. Claims Payable - Motion to approve Docket of Claims DKT 230991 in the amount of \$3,862.00.

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 September 5, 2023 at 6:00 p.m. in Council Chambers located at City Hall.

City Manager's Report.

1. Park Ten Road – Covington Engineering is awaiting contract documents before issuing a notice to proceed. The pre-construction meeting is scheduled for this week. This will be Phase I of the Commercial District Transformation Project.
2. Noma Drive Restoration – Covington Engineering is awaiting contract documents before issuing a notice to proceed. This will be Phase II of the Commercial District Transformation Project.

3. Phase 4 paving – The paving project has not re-mobilized at this time due to an issue at the contractor’s plant. The new contact end date for this project will be September 15th.
4. Diamondhead Drive Paving – Digital Engineering is awaiting contract documents before issuing a notice to proceed. This project will pave the entire Diamondhead Drive loop.
5. Noma Drive Utility Improvements – The final lift of rock is being placed on the road this week. The water and sewer lines have been installed. The contractor is connecting to the water & sewer this week and will do final grading and seeding next week. The contract end date is September 2nd.
6. Makiki Drive – The city is in negotiations with the bonding company regarding the request for penal damages. On tonight’s agenda, the city is requesting permission to advertise the project.
7. ARPA/GOMESA Projects – The following projects have been assigned to an engineering firm and are currently in the design phase.

a. Coon Branch	b. Koloa Steet @ Ala Moana
c. Lots 7 & 8	d. Kolo Court
e. Turnberry	f. Ahuli Place
g. Kaleki Way	h. Kalae Street
i. Hilo Way -- West	j. Hilo Way to Hapuna Place
k. Hilo Way at Koko Street	l. Aukai Place/DH Dr East
m. DH Drive East/Kalani	n. Veterans/Substation
o. Bayou Drive Culvert	p. Anahola Place
q. Fairway Drive	r. Kome Drive

Email Request Received

1. Lily & I-10 Ponds –PW will continue to monitor and repair the silt fencing until grass grows.
2. Drainage Ditch – Request to clean out drainage ditch behind 3, 4, and 5 Rabbit Run. Work order is still open.
3. I-10 & Gex Drive Lights – Resident informed me that most of the lights on I-10 and Gex Drive were not working. Electrical vendor has been contacted, waiting on date available.
4. Guard Shack – Resident expressed concerns regarding the condition of front entrance and the guard shack. A work order has been created for Public Works to address the issues.
5. Kanoa Way – Large debris piles from lot clearing are still on site. Code enforcement has issued a 27-19-11 notification to the owner. This will be on the next council meeting. Chief Munger is also contacting the landowner and sprayed down the debris on Monday.
6. 734 Akaka Court – Grass not mowed. Code enforcement have been notified and will contact the landowner.
7. Cul-de-sac Rabbit Run – Request to clean up overgrowth and to trim tree branches. Completed.
8. 6621 Golf Club Drive – Received email regarding the residence pool. The property owner has installed a hard cover for the pool.
9. 8 Wilderness Run –Public works has removed the cross ties and rock from the right of way and placed everything on resident’s driveway.

10. Augusta Way – Property owner’s home permit request was five months old and there were no permits issues. The builder informed me that the site had wetland issues and just received permit from USACE and no house plans have been submitted to city for review or permit requested.
11. Medical Dispensary – Question about fire alarm. The company installing the sprinkler system is not licensed in MS to design or install fire alarm systems. The Building Department is working with a contractor to resolve the issue so the project can be completed.

Public Comments on Agenda Items - None

Policy Agenda.

1. **Public Hearing - Election Redistricting**

City Attorney Cusick discussed Election Redistricting and gave a recap of the numbers presented from Gulf Regional Planning Commission after the 2020 census. At the conclusion of the Election Redistricting Public Hearing, Mayor Depreo called for anyone with comments or questions regarding election redistricting; no comments or questions were presented and the public hearing was closed. A resolution, confirming the current election district and affirming that there is no need to redistrict, will be presented to the Council at the next meeting.

2. **FY24 Budget Public Hearing.**

City Manager McCraw presented the proposed FY24 Budget. At the conclusion of the FY24 Budget presentation, Mayor Depreo called for anyone with comments or questions regarding the proposed FY24 Budget; no comments or questions were presented and the public hearing was closed.

Minutes:

3. Motion to approve the August 1, 2023 Regular Meeting Minutes.

Motion made by Ward 2 Liese, Seconded by Ward 1 Finley to approve the August 1, 2023 Regular Meeting Minutes.

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

MOTION CARRIED UNANIMOUSLY

Tabled:

4. **2023-274:** Motion to contribute up to \$40,000.00 for the Dog Park from the General Fund Balance. (Finley)

NO ACTION TAKEN

Consent Agenda:

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

5. **2023-297:** Motion to approve the Memorandum of Understanding with the Mississippi Department of Marine Resources for the allocation of funds for Drainage, Flood Prevention and Water Quality Improvements Project Phase II and authorize City Manager to execute same.
6. **2023-298:** Motion to approve payments to Covington Civil & Environmental, LLC in the amount of \$32,343.00 for Commercial District Transformation Project, in the amount of 49,925.00 for Commercial District Transformation Project - Noma Drive Improvements, in the amount of \$7,000.00 and \$7,000.00 for Standard Specifications and Drawings, in the amount of \$16,800.00 for Support Services for Makiki Drive Project, in the amount of \$1,265.00 for Subdivision Regulations Update, in the amount of \$2,972.50 for Site Development Plan, in the amount of \$7,200.00 for Kaleki Way Drainage and in the amount of \$2,117.50 for the Traffic Impact Study.
7. **2023-299:** Motion to approve the Amendment #1 of Memorandum of Understanding with the Mississippi Department of Marine Resources for the allocation of funds for Flood Prevention and Detention Pond Restoration and authorize City Manager to execute same.
8. **2023-300:** Motion to approve Work Assignment under the Master Service Agreement with Covington Civil and Environmental, LLC in the amount not to exceed \$263,000.00 for Kome Drive and Fairway Drive Drainage Project.
9. **2023-301:** Motion to approve Pay App #1 to Bottom 2 Top Construction, LLC. In the amount of \$23,466.90 for Noma Drive Phase I Utilities, Drainage and Road Improvements Project.
10. **2023-302:** Motion to approve payments to Chiniche Engineering & Surveying in the amount of \$3,687.50 for Noma Drive Waterfront Improvements and in the amount of \$533.00 for Canal Dredging.
11. **2023-303:** Motion to approve ARPA Funded Work Assignments under the Master Service Agreement with Covington Civil and Environmental, LLC in the amount not to exceed \$93,000.00 for Diamondhead Drive East Drainage Project, in the amount not to exceed \$131,000.00 for Ahuli Drainage Project, in the amount not to exceed \$21,000.00 for East Aloha Drive and Veterans Drive Drainage Project and, in the amount, not to exceed \$76,000.00 for Bayou Drive Drainage Project.
12. **2023-304:** Motion to amend and approve Master Service Agreement Work Assignment with Chiniche Engineering in the amount not to exceed \$186,250.00 to include Anahola Draw to the Coon Branch Drainage Improvements for a total Work Assignment amount of \$478,100.00.
- 12a. Motion to authorize the City Manager to advertise to bid Makiki Culvert Replacement Project Design by Covington Civil & Environmental, LLC.

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

MOTION CARRIED UNANIMOUSLY

Routine Agenda.

Claims Payable

- 13. Motion to approve Docket of Claims (DKT230947 - DKT230984) in the amount of \$308,346.84.

Motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to approve Docket of Claims (DKT230947 - DKT230984) in the amount of \$308,346.84.

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 Docket of Claims (DKT230991) in the amount of \$3,862.00.

Motion made by Ward 3 Cumberland, Seconded by Ward 4 Clark to approve Docket of Claims (DKT230991) in the amount of \$3,862.00.

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. Motion to approve the following Department Reports.

Court
Police
Building
Code Enforcement

Motion made by Ward 1 Finley, Seconded by Ward 4 Clark to approve the following Department Reports.

Court
Police
Building
Code Enforcement

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

MOTION CARRIED UNANIMOUSLY

Adjourn/Recess.

At 6:43 p.m. with no further business to come before the Council motion made by Ward 1 Finley, Seconded by Ward 4 Clark 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

City of Diamondhead, MS
Request for Council Action

TO: Mayor/Council/City Clerk

FROM: S. Finley Ward 1

DATE: 07/10/2023

Ordinance Resolution Agreement Info Only Work Session Other

AGENDA LOCATION: Consent Agenda Regular Agenda


AGENDA DATE REQUESTED

ORDINANCE/RESOLUTION CAPTIONS or ISSUE:

Motion to contribute up to \$40,000.00 for the Dog Park from the General Fund Balance.

REQUIRED SIGNATURE

REQUESTED BY:



COUNCIL ACTION:

Approved Denied Tabled/Deferred Info Only Completed:

A RESOLUTION OF THE CITY OF DIAMONDHEAD (HEREINAFTER REFERRED TO AS (“APPLICANT”)) AUTHORIZING THE FILING OF AN AMENDED APPLICATION WITH THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FY23 GULF COAST RESTORATION FUNDS FOR THE COMMERCIAL DISTRICT TRANSFORMATION PROJECT PHASE 3 (HEREINAFTER REFERRED TO AS “PROJECT”), COMMITTING THE NECESSARY NON-FEDERAL MATCHING FUNDS FOR SAID PROJECT, COMPLIANCE ASSURANCE OF THE CITY OF DIAMONDHEAD (APPLICANT) AND FOR OTHER RELATED PURPOSES.

WHEREAS, the City of Diamondhead (APPLICANT) is submitting an amended application to the Mississippi Development Authority for FY23 Gulf Coast Restoration Fund funding for the Commercial District Transformation Project Phase 3 (project) in the amount of \$2,400,000 of which a federal share 83% or \$2,000,000 and,

WHEREAS, the commitment of local matching funds of at least twenty percent (17%) or \$400,000 (local share) is required for Gulf Coast Restoration Fund consideration; and,

WHEREAS, The City of Diamondhead acknowledges the said PROJECT has been allocated FY23 GCRF funding at 83/17 cost share; and,

WHEREAS, the City of Diamondhead further acknowledges that it will comply with all requirements and assurances established for Gulf Coast Restoration Fund projects; and,

NOW, THEREFORE BE IT RESOLVED, that City of Diamondhead, hereby authorizes its City Manager, Jon McCraw, to prepare, execute and file its Commercial District Transformation Project Phase 3 amended application to the Mississippi Development Authority for FY23 Gulf Coast Restoration Funding and, be it further

RESOLVED, the City of Diamondhead is committing local match funding of 17% or \$400,000 for funding its Commercial District Transformation Project application; and, be it further

RESOLVED, the City of Diamondhead will comply with all requirements and assurances established for Gulf Coast Restoration Fund funded projects, and be it

RESOLVED, that a signed copy of this resolution will be transmitted to the Mississippi Development Authority in conjunction with the filing of the project amended application for funding.

I, Nancy C. Depreo, Mayor (hereby certify that the foregoing resolution of City Council was duly and regularly introduced by Councilmember _____, seconded by Councilmember _____, and adopted at a regular meeting of the City Council of Diamondhead on the 5th day of September, 2023 by the following vote, to wit:

AYES:

NAYS:

ABSTAIN:

ABSENT:

Nancy C. Depreo, Mayor

Attest:

Jeannie Klein, City Clerk

seal

RESOLUTION OF THE COUNCIL OF THE CITY OF DIAMONDHEAD APPOINTING ERIC NOLAN TO SERVE AS A COMMISSIONER (EXPIRED TERM - TAYLOR) FOR THE DIAMONDHEAD WATER & SEWER DISTRICT BOARD OF COMMISSIONERS

WHEREAS, the Mayor and Council (the governing body) for the City of Diamondhead have been vested the authority as of July 1, 2015 with the passage of House Bill No. 896 amending MS Code §19-5-167 to appoint the five commissioners to serve on the Diamondhead Water and Sewer District Board of Commissioners, that one (1) Commissioner from each Ward within the City of Diamondhead be appointed and further that such appointment shall be for a term of five (5) years, and

WHEREAS, upon the term expiration of Ward 1 Commissioner Benjamin Taylor on September 28, 2023, a vacancy will then exist and necessitates an appointment to the Diamondhead Water & Sewer Commission for a five (5) year term that will expire on September 28, 2028, and

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Diamondhead do hereby appoint (Ward 1) Resident Eric Nolan, to serve as Commissioner to be seated on the Board of Commissioners for the Diamondhead Water & Sewer District for a five (5) year term effective September 29, 2023 and expiring on September 28, 2028.

SO BE IT RESOLVED, this the _____ day of _____, 2023.

The above and foregoing Resolution of the Council of the City of Diamondhead, after having been first reduced to writing, was introduced by Councilmember _____, seconded by Councilmember _____ and the matter being put to a vote, the result was as follows:

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

APPROVED _____
Mayor Nancy Depreo

ATTEST: _____
Jeannie Klein, City Clerk

seal

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF DIAMONDHEAD,
MISSISSIPPI, APPROVING AND ADOPTING THE FY2024 BUDGET AS
FINALLY DETERMINED BY
THE CITY GOVERNING AUTHORITY**

WHEREAS, the City of Diamondhead, as a municipal corporation in the State of Mississippi, is required to operate on a fiscal year basis beginning October first and ending September thirtieth each year; and

WHEREAS, the Governing Authority of the City is also required by no later than September 15 of each year to prepare a complete budget of the municipal revenues, expenses, and working cash balances estimated for the next fiscal year for municipal purposes; and

WHEREAS, the Governing Authority, having first held at least one public hearing to provide the general public with an opportunity to comment on the taxing and spending plan incorporated in the proposed budget at least one (1) week prior hereto, does hereby find that the proposed budget as amended and attached hereto should be adopted, as finally determined hereby, as the budget for the City of Diamondhead for the fiscal year of October 1, 2023 to September 30, 2024, and entered at length and in detail in the official minutes.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AS FOLLOWS, TO
WIT:**

Section 1. That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

Section 2. That the proposed budget as amended and prepared and attached hereto should be, and hereby is, adopted as the budget for the City of Diamondhead, as finally determined hereby, for the fiscal year of October 1, 2023 to September 30, 2024 and should further be entered at length and in detail in the official minutes.

Section 3. That this Resolution be, and it is hereby ordered to be spread on the minutes of the Governing Authority, and to be in full force and effect as provided by law.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by Councilmember _____, seconded by Councilmember _____, and was adopted on 5th day of September, 2023 by the following roll call vote:

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

APPROVED: _____
Mayor Nancy Depreo

ATTEST: _____
Jeannie Klein, City Clerk

SEAL

CITY OF DIAMONDHEAD, MISSISSIPPI
BUDGET OF ESTIMATED REVENUES AND EXPENDITURES
For the Fiscal Years Ending September 30, 2023 and 2024

	Current FY23 Budget	Proposed FY24 Budget
<u>General Fund</u>		
REVENUES		
General Property Tax	3,068,500	3,073,000
Licenses & Permits	470,750	470,750
Intergovernmental Revenue	1,502,700	1,542,700
Charges for Governmental Services	500	1,000
Fines & Forfeitures	35,000	35,000
Miscellaneous	40,700	268,000
TOTAL REVENUES	5,118,150	5,390,450
EXPENDITURES		
Legislative - Council	52,760	52,260
Judicial - Municipal Court	193,589	155,444
Administration	1,029,695	901,513
Police	1,254,097	1,174,914
Building Planning & Zoning	521,100	464,385
Public Works	2,315,987	1,634,203
Economic Development	135,200	116,600
Debt Services	184,450	183,777
City Grant Matching Funds	400,000	700,000
TOTAL EXPENDITURES	6,086,877	5,383,095
Excess(Deficiency) of Revenue over Expenditures	-968,727	7,355
Other Fund Sources (Uses)		
Beginning Fund Balance	2,847,800	1,260,073
Transfer Out to Other Funds	-2,000,000	-700,000
Transfer In from Other Funds	1,381,000	0
Excess(Deficiency) of Revenue over Expenditures	-968,727	7,355
Ending Fund Balance	1,260,073	567,428
<u>Contingency Fund</u>		
REVENUES	0	0
EXPENDITURES	0	0
Excess(Deficiency) of Revenue over Expenditures	0	0
Other Fund Sources (Uses)		
Beginning Fund Balance	0	2,000,000
Transfer In from General Fund	2,000,000	
Excess(Deficiency) of Revenue over Expenditures	0	0

Ending Fund Balance	<u>2,000,000</u>	<u>2,000,000</u>
<u>MS Infrastructure Modification Fund</u>		
REVENUES	400,125	582,000
EXPENDITURES	400,125	580,722
Excess(Deficiency) of Revenue over Expenditures	<u>0</u>	<u>1,278</u>
Other Fund Sources (Uses)		
Beginning Fund Balance	327,276	327,276
Transfer In from General Fund		
Excess(Deficiency) of Revenue over Expenditures	0	1,278
Ending Fund Balance	<u>327,276</u>	<u>328,554</u>
<u>Grant Funds</u>		
REVENUES	6,347,877	10,102,401
EXPENDITURES	7,148,403	10,915,198
Excess(Deficiency) of Revenue over Expenditures	<u>-800,526</u>	<u>-812,797</u>
Other Fund Sources (Uses)		
Cash - Beginning Fund Balance	1,307,649	507,123
Transfer Out to General Fund		
Transfer In from General Fund	0	700,000
Excess(Deficiency) of Revenue over Expenditures	-800,526	-812,797
Cash - Ending Fund Balance	<u>507,123</u>	<u>394,326</u>
<u>American Rescue & Recovery Fund</u>		
REVENUES	2,000,500	500
EXPENDITURES	0	2,000,000
Excess(Deficiency) of Revenue over Expenditures	<u>2,000,500</u>	<u>-1,999,500</u>
Other Fund Sources (Uses)		
Cash - Beginning Fund Balance	0	2,000,500
Transfer In from General Fund	0	
Excess(Deficiency) of Revenue over Expenditures	2,000,500	-1,999,500
Cash - Ending Fund Balance	<u>2,000,500</u>	<u>1,000</u>
<u>Hancock County GOMESA -Match</u>		
REVENUES	0	2,000,000
EXPENDITURES	0	2,000,000
Excess(Deficiency) of Revenue over Expenditures	<u>0</u>	<u>0</u>
Other Fund Sources (Uses)		
Cash - Beginning Fund Balance	0	0
Transfer In from General Fund	0	0
Excess(Deficiency) of Revenue over Expenditures	0	0
Cash - Ending Fund Balance	<u>0</u>	<u>0</u>
<u>FY22 Bond Issue</u>		
REVENUES	5,040,000	1,000

EXPENDITURES	5,040,000	0
Excess(Deficiency) of Revenue over Expenditures	0 0	1,000

Other Fund Sources (Uses)		
Cash - Beginning Fund Balance	0	0
Transfer In from General Fund	0	0
Excess(Deficiency) of Revenue over Expenditures	0	1,000
Cash - Ending Fund Balance	0	1,000

Solid Waste Fund

REVENUES	620,250	691,568
EXPENDITURES	723,840	804,418
Excess(Deficiency) of Revenue over Expenditures	-103,590	-112,850

Other Fund Sources (Uses)		
Cash - Beginning Fund Balance	248,761	145,171
Transfer In from General Fund		
Excess(Deficiency) of Revenue over Expenditures	-103,590	-112,850
Cash - Ending Fund Balance	145,171	32,321

Summary of All Funds

REVENUES		
General Fund	5,118,150	5,390,450
Grants	6,347,877	10,102,401
MS Infrastructure Modification Fund	400,125	582,000
Solid Waste	620,250	691,568
American Rescue & Recovery Fund	2,000,500	500
Hancock County GOMESA - Match		2,000,000
General Obligation Bond 2022	5,040,000	1,000
TOTAL REVENUES	19,526,902	18,767,919

EXPENDITURES		
General Fund	6,086,877	5,383,095
Grants	7,148,403	10,915,198
MS Infrastructure Modification Fund	400,125	580,722
Solid Waste	723,840	804,418
American Rescue & Recovery Fund	0	
Hancock County GOMESA Match		2,000,000
General Obligation Bond 2022	5,040,000	0
TOTAL EXPENDITURES	19,399,245	19,683,433
Excess(Deficiency) of Revenue over Expenditures	127,657	-915,514

Other Fund Sources (Uses)		
Cash - Beginning Balance	4,731,486	6,240,143
Transfers In from General Fund	1,381,000	-700,000
Transfers Out to Other Funds	-2,000,000	-700,000
Excess(Deficiency) of Revenue over Expenditures	127,657	-915,514
Cash - Ending Balance	4,240,143	3,924,630

Less 3 Months Operation Expenses	1,252,313	1,216,756
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Less Contingency Operating Fund		2,000,000
Less Restricted Funds - MS Infrastructure Funds	327,276	328,554
Less Restricted Funds - Amer Rescue & Recovery Fund	2,000,500	1,000
Less Restrict Funds -Hancock County GOMESA Match	0	0
Less Restricted Funds - Solid Waste	145,171	32,321
Less Restricted - FY22 GO Bond		1,000
Unrestricted Ending Cash Balance	<u>514,884</u>	<u>344,998</u>

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
DIAMONDHEAD, MISSISSIPPI
TO LEVY TAX MILLAGE FOR FISCAL YEAR
ENDING SEPTEMBER 30, 2024**

WHEREAS, the matter of determining the tax levy for the ensuing Fiscal Year of 2024 under the General Authority as recited in Section 21-33-45 of the Miss. Code of 1972, has come before the City Council of the City of Diamondhead, Mississippi.

IT IS THEREFORE ORDERED by the City Council that a tax levy of 29.50 mills is necessary to meet the needs of the City of Diamondhead, Mississippi for the fiscal year ending September 30, 2024. The levy is allocated as follows:

General Fund 29.50

SO RESOLVED, this the 5th day of September, 2023 upon motion being made by Councilmember _____ and seconded by Councilmember _____ for the adoption of the above and foregoing Resolution.

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

APPROVED: _____
Mayor Nancy Depreo

ATTEST: _____
Jeannie Klein, City Clerk

SEAL

RESOLUTION OF THE CITY OF DIAMONDHEAD CITY COUNCIL REQUESTING THE DONATION OF OR LONG-TERM LEASE OF REAL PROPERTY FROM THE HANCOCK COUNTY OF SUPERVISORS.

WHEREAS, The Hancock County Board of Supervisors owns undeveloped real property situation adjacent to their East Hancock Library, more specifically north and south of the newly developed portion of Ahoni Street (Sheppard Square); and

WHEREAS, the City of Diamondhead has determined the need for a highly desired dog park amenity and

WHEREAS, the City has engaged assistance of residents by the formation of Dog Park Committee who has worked tirelessly to raise funds for the construction and equipping of such amenity; and

WHEREAS, multiple locations investigated by the Dog Park Committee have met with opposition based on proximity to residential households or other concerns that prove such locations to be less than desirable; and

WHEREAS, the City administration has explored possible locations and found that undeveloped real property owned by the Hancock County Board of Supervisor north and/or south of Ahoni Street and adjacent to East Hancock Library is the ideal location and best suited as it eliminates residential proximity and safety concerns; and

WHEREAS, the Diamondhead City Council is requesting the Hancock County Board of Supervisors consider assisting with making the dog park amenity a reality for residents either through transferring ownership of or long-term lease of a portion or all of the subject real property, and

WHEREAS, the Diamondhead City Council further requests the Hancock County Board of Supervisors or a designee thereof work with the Diamondhead City Manager and administration to determine more specifically the desired property or any portion thereof that would be considered

for the dog park amenity and further to negotiate the donation of or long-term leasing of said property to the City of Diamondhead. .

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

SECTION I. The City of Diamondhead is in need of property for its highly desired dog park amenity.

SECTION II. The City is requesting the Hancock County Board of Supervisors consider assisting with making the dog park amenity a reality for residents either through transferring ownership of or long-term lease of all or a portion of undeveloped real property owned by the Hancock County Board of Supervisor situated north and/or south of Ahoni Street and adjacent to East Hancock Library.

SECTION III. the Diamondhead City Council further requests the Hancock County Board of Supervisors or a designee thereof work with the Diamondhead City Manager and administration to determine more specifically the desired property or any portion thereof that would be considered for the dog park amenity and further to negotiate the donation of or long-term leasing of said property to the City of Diamondhead for the Diamondhead Dog Park.

THE ABOVE AND FOREGOING RESOLUTION OF THE 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 _____, 2023.

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

 NANCY DEPREO, Mayor

Attest:

 Jeannie Klein, City Clerk

SEAL

THE ABOVE AND FOREGOING RESOLUTION ADOPTED BY THE HANCOCK COUNTY BOARD OF SUPERVIORS, AFTER HAVING FIRST BEEN REDUCED TO WRITING, WAS INTRODUCED BY DISTRICT _____, SECONDED BY DISTRICT _____ 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 BOARD OF SUPERVISORS OF HANCOCK COUNTY ON THE ____ DAY OF _____, 2023.

	Aye	Nay	Abstain
DISTRICT 1 RYAN	_____	_____	_____
DISTRICT 2 SHAW	_____	_____	_____
DISTRICT 3 KOENENN	_____	_____	_____
DISTRICT 4 ADAM	_____	_____	_____
DISTRICT 5 LADNER	_____	_____	_____

 PRESIDENT, HANCOCK COUNTY
 BOARD OF SUPERVISORS

Attest:

SEAL



TO: City Council and City Manager

FROM: J. Pat Rich, Development Coordinator

DATE: August 28, 2023

SUBJECT: Recommendation from the Planning Commission for a Text Amendment to the Tree Ordinance

The text amendment will replace the Tree Ordinance with the Tree Preservation and Protection Ordinance. The text amendment will accomplish the following:

- require new developments to hire an ISA certified arborist to develop and manage all preservation and protection plans until final plat approval.
- plan approval rests with Building Official.
- tree protection requirements during construction.
- monthly reporting on plan
- increased penalties for violations.
- increase protected trees from 2 to 7.
- permits for homeowners are required ONLY if protected trees are involved.

At its meeting on August 22, 2023, the Planning Commission voted 6-0 to recommend approving the Text Amendment.

A TEXT AMENDMENT TO THE ZONING ORDINANCE AMENDING
Article XI – Tree Ordinance

A resolution of the Mayor and City Council of the City of Diamondhead amending Ordinance
No. 2012-019 Article 11 – Tree Ordinance.

WHEREAS, the proposed text amendment is to amend the Tree Ordinance to establish requirements to preserve and protect the tree canopy of Diamondhead. The proposed changes are to REPLACE the entire ordinance with Article 11 – Tree Preservation and Protection (attached).

NOW, THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY, that the City Council adopted the proposed text amendment as stated above.

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 5TH DAY OF SEPTEMBER, 2023.

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

MAYOR NANCY DEPREO

ATTEST: _____
Jeannie Klein, City Clerk

ARTICLE 11. – TREE PRESERVATION AND PROTECTION

11.1. - PURPOSE AND SCOPE.

11.1.1. Aid in stabilizing the environment’s ecological balance by contributing to the processes of energy and soil conservation, air purification, oxygen regeneration, pollutant neutralization, groundwater recharge, and the reduction of stormwater runoff, while at the same time aiding in noise, glare, and heat abatement by preserving the existing canopy.

11.1.2. Ensure that the stock of native trees and vegetation is maintained and replenished; and

11.1.3. Provide visual buffering and enhance the beautification of the city.

11.2. – PRINCIPLES.

11.2.1. Preservation of existing trees shall be the first, best, and standard approach.

11.2.2. If preservation cannot be achieved, on-site mitigation shall next be pursued.

11.2.3. If those approaches cannot be achieved, off-site mitigation shall be next pursued.

11.3. – APPLICABILITY.

11.3.1. Except as noted herein, requirements apply to all land located in the city. Trees may not be cleared from any site for any purpose without a Tree Preservation permit, unless specified otherwise herein.

11.4. – PERMIT REQUIRED. Under this Article, the clearing of any site is permitted only after a tree inventory has been completed and Tree Preservation permit has been issued.

11.4.1. Tree inventory required. An inventory of existing trees is required for any site plan or subdivision. The inventory must be conducted by an International Society of Arboriculture (ISA) certified arborist, a Mississippi licensed tree surgeon, or a Mississippi licensed horticulturalist and submitted to the Building Official for approval.

11.4.2. The tree inventory shall include:

- a. The location, size, type, and quality of existing significant, specimen and heritage trees.
- b. Which trees are to be removed and which retained.

11.4.3. Exception. If the property owner is notified by their insurance company that a tree is to be trimmed or removed as a condition of insurability, no tree inventory is required. Upon receipt of proof of the condition of insurability, a Tree Preservation permit shall be issued.

11.4.4. Exception. Trees on developed properties that are not heritage, specimen or significant do not require a permit. Pine trees of any size on developed lots do not require a permit.

11.4.5. Exception. Utility companies, public works, and Diamondhead Water and Sewer District are exempt. No tree inventory or permit shall be required.

11.5. – SITE DESIGN GUIDELINES. Design for development shall consider:

11.5.1. Generally. Potential for retaining existing site topography and existing vegetation.

11.5.2. Parking lots. Shall be designed to preserve the maximum number of existing significant, specimen, and heritage trees and other significant vegetation.

- 11.5.3. Curb cuts. All proposed curb cuts shall consider damage to trees and tree groves and shall be placed in areas to provide the least damage to existing trees and tree groves.
- 11.6. – TREE PRESERVATION CRITERIA. The ISA certified arborist, Mississippi licensed tree surgeon, or Mississippi licensed horticulturalist, shall consider the following factors, and any other relevant information, when submitting the Tree Preservation permit application:
- 11.6.1. The desirability of preserving a tree or group of trees by reason of age, location, size, or species.
 - 11.6.2. Whether the size or shape of the lot reduces the flexibility of the design.
 - 11.6.3. The general health and condition of the tree or group of trees, or the presence of any disease, injury, or hazard.
 - 11.6.4. The placement of the tree or group of trees in relation to utilities, structures, and the use of the property.
 - 11.6.5. The need to remove the tree or group of trees for the purpose of installing, repairing, replacing, or maintaining essential public utilities.
 - 11.6.6. Whether roads, utilities and building footprints are designed in relation to the existing topography, and located, where possible, to avoid damage to existing tree canopy.
 - 11.6.7. Construction requirements of on-site and off-site drainage.
 - 11.6.8. The extent to which development of the site and the enforcement of this article are impacted by state and federal regulations.
- 11.8. – TREE PROTECTION. Trees identified on an approved Tree Preservation permit to be retained shall utilize the following protection methods:
- 11.8.1. Install four-foot-high perimeter fencing at the extreme outer edge of the dripline.
 - 11.8.2. Perimeter fencing located within 50 feet of any building footprint, unless approved by the Building Official, shall be constructed of materials equivalent to those used for silt fencing.
 - 11.8.3. There shall be no activity of any kind inside the perimeter other than hand-brush clearing and signage clearly identifying the tree as protected must be placed at or near the perimeter.
 - 11.8.4. No land clearing or building permits shall be issued until the perimeter of all protected trees and tree groves have been properly fenced.
 - 11.8.5. Grates or other pervious surfaces shall be utilized within the dripline of existing trees to allow water and air to reach the tree roots.
 - 11.8.6. Fill (other than soil disturbance) shall be prohibited, as well as any vehicle traffic or material storage in areas under the dripline of trees to be protected.
 - 11.8.7. Drastic changes in drainage patterns which may negatively affect existing trees shall be avoided. Pre and post construction grading plans must be submitted as set forth in the Land Alterations and Disturbances Ordinance.
 - 11.8.8. Any person who intentionally damages a protected tree shall be in violation of this article and subject to the maximum fine allowable by law and/or up to 30 days in jail.
 - 11.8.9. The removal of the protected fencing, or encroachment into the area, without explicit approval of the property owner or his designated agent, shall be punishable by a fine up to the replacement value of the tree(s) involved. Replacement value shall be determined by a method approved by the International Society of Arboriculture (ISA). This applies to any person or entity, public or private.

11.9. – TREE MITIGATION REQUIREMENTS. The intent is to leave undisturbed as many existing significant, specimen and heritage trees as possible. Mitigation is required for removal of significant, specimen, and heritage trees removed.

11.9.1. Each development will have a ten percent credit applied before any mitigation is required. For example, if there were 1,000 inches DBH of existing trees, 100 inches could be removed without mitigation.

11.9.2. For trees that will be removed, the number of trees required for mitigation shall be based upon the existing significant, specimen, and heritage trees removed.

11.9.3. Mitigation may be made through replanting on-site and if not possible, off-site.

11.9.4. Trees in poor health and/or hazard trees will not require mitigation if the condition is so determined by the ISA certified arborist, or a Mississippi licensed tree surgeon, or a Mississippi licensed horticulturalist.

11.9.5. Existing significant trees located within a building footprint, street, driveway, sidewalk, pathway, or utility easement shall generally not require mitigation.

11.9.6. Replanting.

- a. For each significant, specimen, and heritage tree removed, replacement trees shall be planted at one, two-inch caliper tree per five inches of trees removed, measured at DBH.
- b. Smaller trees. The Building Official may approve the use of trees of less than two-inch caliper for the planting of medium tree species (dogwoods and redbuds) and/or greater than two-inch caliper on an equal total caliper basis, e.g., two, three-inch caliper trees equal three, two-inch caliper trees.
- c. Placement of trees. The applicant is expected to plant trees in locations on the site where the environmental benefits of canopy cover are most likely to offset the impact of development. Trees shall not be placed within utility and drainage easements, or in other locations where their future protection cannot be assured.

11.11. – PRIOR TREE REMOVAL.

11.11.1. Prior removal of significant, specimen and/or heritage trees. If a site is cleared or significant specimen or heritage trees removed prior to obtaining Tree Preservation permit approval, then any permit application for the site shall be denied for up to 24 months and a fee of \$500.00 per lot or acre of trees cleared and \$2,000.00 per each heritage tree removed shall be imposed.

11.11.2 Any request for permit approval within the 24-month time frame may, however, be considered if the proposed Application for Tree Preservation permit incorporates a reforestation plan that results in a future canopy coverage of 40 percent of the site. The square foot percentage of canopy area required for reforestation shall be based on the total area of the property less the square footage dedicated to any building footprints, streets, driveways, sidewalks, pathways, or utility easements.

11.12. – HERITAGE TREES.

<u>Common Name</u>	<u>Minimum Diameter at DBH</u>
American holly	12 inches
Bald cypress	8 inches
Black gum	16 inches
Live oak	8 inches
Southern magnolia	8 inches
Sweet gum	16 inches
White oak	16 inches

DEFINITIONS

Arborist: A professional in the practice of arboriculture, which is the cultivation, management, and study of individual trees, shrubs, vines, and other perennial woody plants.

Clearing: The removal of vegetation, including tree stumps, or the material damage of landscape materials by disturbing, excavating, or removing the underlying soil.

DBH (diameter breast height): The diameter of a tree as measured four and one-half feet above grade level.

Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operation.

Dripline: The periphery of the area underneath a tree, which would be encompassed by the perpendicular lines, dropped from the farthest edges of the crown of the tree.

Fill: The placing, storing, or dumping of any materials such as earth, clay, sand, concrete, rubble, or non-decomposable waste of any kind upon the surface of the ground which results in increasing the natural surface elevation.

International Society of Arboriculture, ISA: Credentialing organization that promotes the professional practice of arboriculture. ISA focuses on providing research, technology, and education opportunities for tree care professionals to develop their arboricultural expertise.

Subdivision: The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or building development by means of an appropriately recorded legal document. A subdivision which reduces the size of an existing lot may require approval of a new site plan for any existing development on that lot.

Tree grove: A stand of native significant and/or specimen trees with understory vegetation cover intact, drainage conditions unchanged, and general slope and grades unaltered. The extent of a grove will extend three feet beyond the dripline of the perimeter trees in the grove.

Tree, heritage: Any tree by virtue of its species and/or size included in the heritage tree list. The listed trees are predominantly species native to Hancock County and of size and maturity important to the health and conservation of Diamondhead’s urban forest.

Tree, large: An evergreen or deciduous upright woody perennial plant having a single main stem or several main stems, which is a minimum of two-inch caliper, 12 to 14 feet with the maximum of 16 feet in height at the time of planting and which attains generally more than 30 feet in height at maturity.

Tree, native: A tree that is indigenous to the area.

Tree, protected: Any tree which meets the requirements of being classified as a “significant tree” or is declared by the developer, or as required by the Diamondhead Planning Commission, as to be preserved and protected from clearing or infringement by development.

Tree, significant: Plant materials which meet the following requirements: Healthy hardwood and evergreen trees, except pines, with a DBH of 15 inches or greater.

Tree, small: An evergreen or deciduous upright woody perennial plant having a single main stem or several main stems, which is a minimum of six to eight feet overall height at the time of planting, and which attains a minimum height of 15 feet and a maximum height of 30 feet.

Tree, specimen: Any tree identified by the Diamondhead Tree Ordinances’ Master Tree List at least four inches or more DBH that exemplifies a unique color, texture scent, growth habit, outstanding size, or other distinguishing characteristic that makes it unique compared to other trees found on the site in question.

Vegetation, significant: Any large shrub meeting or exceeding eight feet in height at maturity.

RESOLUTION NO. 2023-038
Agenda Item 2023-317

**A RESOLUTION CONFIRMING THE EXISTING FOUR (4) ELECTION
WARDS FOR THE CITY OF DIAMONDHEAD AND THE POLLING PLACES
FOR EACH WARD TO BE UTILIZED IN MUNICIPAL ELECTIONS**

WHEREAS, the City of Diamondhead became incorporated under the laws of the State of Mississippi on or about January 30, 2012; and,

WHEREAS, pursuant to Mississippi Code Annotated § 21-9-15 the City Council was empowered and authorized to divide the city into four (4) equally populated single member election districts for the purpose of electing council members and the City Council found it desirable to do so; and,

WHEREAS, in pursuit of re-evaluating its election districts in furtherance of the 2020 Census, the City Council did retain the services of a demographer to develop said plan and guide the process leading up to the adoption of said plan; and,

WHEREAS, said demographer prepared its findings on the four (4) election districts within the City of Diamondhead and the City Council has decided there is no need to redraw the existing four (4) election districts and this decision was put before the public at a duly noticed public hearing held on August 15, 2023 at 6:00 p.m.; and,

WHEREAS, during the course of the public hearing there were no questions from members of the public and no objections to the proposed plan for the maintenance of four (4) election districts within the City of Diamondhead; and,

WHEREAS, elections conducted by the City of Diamondhead currently utilize two polling places within Diamondhead and such polling places are familiar to the voters within the City and should, for consistency purposes, continue to be utilized for City elections; now therefore,

BE IT ORDAINED by the City Council of the City of Diamondhead, Mississippi, as follows:

SECTION 1: That the City of Diamondhead is and continues to be and it is hereby apportioned and divided into four (4) wards, with each such ward being set out on the map attached hereto and marked as part of EXHIBIT A. The perimeter metes and bounds description of the four (4) wards, as apportioned, are declared to be as follows as originally set forth by the City Council on July 16, 2012 in Ordinance No. 2012-008 attached hereto and marked as EXHBIT A:

Ward 1

Beginning at the point of intersection of the centerline of Interstate Highway 10 and the centerline of the Jordan River (also known as the Jourdan River), said centerline being the West City Limits line of the City of Diamondhead as they exist on April 3, 2012; thence run Northerly along the meanderings of the thread or centerline of said Jordan River to the point of intersection of the thread or centerline of said Jordan River with the thread or centerline of Rotten Bayou; thence run Northeasterly along the meanderings of the thread or centerline of said Rotten Bayou to its intersection with the North line of the Southwest Quarter of the Northwest Quarter of Section 26, Township 7 South, Range 14 West; thence run East along the North line of the Southwest Quarter of the Northwest Quarter of said Section 26 to an iron pipe set on the Eastern bank of Rotten Bayou; thence East a distance of 932 feet to an iron stake set at the Northeast corner of the above mentioned Southwest Quarter of the Northwest Quarter; thence South to a point on the North line of the Southwest Quarter of said Section 26; thence East to the Northeast corner of the Southwest Quarter of said Section 26; thence South a distance of 550 feet, more or less, to a point on the Northerly right-of-way of an existing Mississippi Power Company Transmission Line Easement, said easement containing a 230 kV and a 115kV transmission line; thence run Northeasterly along the Northerly right-of-way of said existing Mississippi Power Company Transmission Line Easement a distance of 1,170 feet, more or less, to a point; thence run South and parallel to the East line of said Section 26 for a distance of 2,050 feet, more or less, to the intersection of the centerline of Diamondhead Drive West and the centerline of a power line easement; thence run Westerly along the centerline of Diamondhead Drive West for a distance of 575 feet, more or less, to the centerline of Laa la Way; thence run along the centerline of Laa la Way to its intersection with the centerline of Diamondhead Drive West; thence run Southwesterly along the centerline of Diamondhead Drive West and continuing Southwesterly along the centerline of Diamondhead Drive North to its intersection with the centerline of Mahalo Hui Drive; thence continue Southwesterly along the centerline of Diamondhead Drive North a distance

of 382 feet, more or less, to the centerline of Analii Street; thence run southwesterly along the centerline of Analii Street to its intersection with the centerline of Diamondhead Drive North; thence run south along the centerline of Diamondhead Drive North to its intersection with the traffic circle encompassing the Diamondhead P.O.A. offices; thence traverse around the western margin of the traffic circle to its intersection with the centerline of Diamondhead Drive; thence run south along the centerline of Diamondhead Drive to its intersection with the centerline of Gex Drive; thence continue south along the centerline of Gex Drive to the intersection of the centerline of Interstate Highway 10; thence run Southwest along the centerline Interstate Highway 10 to its intersection with centerline of the Jordan River and the Point of Beginning.

Ward 2

Beginning at a point on the North line of the City Limits of Diamondhead, said point being the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section 26, Township 7 South, Range 14 West; thence run East along the North line of the Northeast Quarter of the Southeast Quarter of said Section 26 to the East line of said Section 26, said point also lying on the Northwest corner of the South half of Section 25, Township 7 South, Range 14 West; thence run East along the North line of the South half of said Section 25 to the Northeast corner of the South half of said Section 25, said point also lying on the County line common to Hancock and Harrison Counties, and the same being the line common to Ranges 13 and 14 West, Saint Stephens Meridian; thence run Southerly along said common County line a distance of 3,155 feet, more or less, to a point of intersection with the centerline of a power line easement; thence run Westerly along the centerline of said power line easement to its intersection with the centerline of Golf Club Drive; thence run Southwesterly along the centerline of Golf Club Drive to its intersection with the centerline of Cherry Hill Drive; thence run Northwesterly along the centerline of Cherry Hill Drive a distance of 165 feet, more or less, to its intersection with the centerline of the cart path of the Cardinal Golf Course; thence run Westerly along the meandering centerline of the cart path course around Holes 1, 2, 3, and 4 of the Cardinal Golf Course to its intersection with the centerline of Turnberry Drive; thence run Southwesterly along the centerline of Turnberry Drive to its intersection with the centerline of Mahalo Hui Drive; thence run Northwesterly along the centerline of said Mahalo Hui Drive to its intersection with the centerline of Diamondhead Drive North; thence run Northeasterly along the centerline of Diamondhead Drive North and continuing Northeasterly along the centerline of Diamondhead Drive West to its intersection with the centerline of Bayou Drive; thence continue Northeasterly along the centerline of Diamondhead Drive West a distance of 1,932 feet, more or less, to its intersection with the centerline of Laa la Way; thence run along the centerline of Laa la Way to its intersection with the centerline of Diamondhead Drive West; thence run Easterly along the centerline of Diamondhead Drive West a distance of 575 feet, more or less, to its intersection with the centerline of a power line easement; thence run North and parallel to the East line of said Section 26 for a distance of 2,050 feet, more or less, to the point of intersection with the North Line of the City of Diamondhead, said point being on the Northerly right-of-way of an existing Mississippi Power Company Transmission Line Easement, said easement containing a 230 kV and a 115kV transmission line; thence run Northeasterly along the Northerly right-of-way of said

existing Mississippi Power Company Transmission Line Easement to its point of intersection with the West line of the Northeast Quarter of the Southeast Quarter of said Section 26; thence run North to the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 26 and the Point of Beginning.

Ward 3

Beginning at point of intersection of the East Line of the City of Diamondhead and a Easterly projection of the centerline of Lanai Street, said point also lying on the County line common to Hancock and Harrison Counties, and the same being the line common to Ranges 13 and 14 West, Saint Stephens Meridian; thence run Southerly along said common County line to a point intersecting the present corporate limits of the City of Bay St. Louis, said point lying at the intersection of the line common to Ranges 13 and 14 West, Saint Stephens Meridian, with the center of the St. Louis Bay; thence run Southwesterly along the present corporate limits of the City of Bay St. Louis to the center of regular Section 14, Township 8 South, Range 14 West; thence leaving the present corporate limits of the City of Bay St. Louis, run Northwesterly to the point where the thread or centerline of Cutoff Bayou intersects St. Louis Bay, said point lying at the mouth of said Cutoff Bayou; thence run Northwesterly along the meanderings of the thread or centerline of said Cutoff Bayou to the point of intersection of the thread or centerline of said Cutoff Bayou with the thread or centerline of the Jordan River (also known as the Jourdan River); thence run Northerly along the meanderings of the thread or centerline of said Jordan River to the point of intersection with the centerline of Interstate Highway 10; thence run Northeasterly along the centerline of Interstate Highway 10 to its intersection with the centerline of Gex Drive; thence Northerly along the centerline of Gex Drive to its intersection with the centerline of Diamondhead Drive North; thence run northerly along the centerline of Diamondhead Drive North to its intersection with the traffic circle encompassing the Diamondhead P.O.A. offices; thence traverse around the western margin of the traffic circle to its intersection with the centerline of Diamondhead Drive North; thence run north along the centerline of Diamondhead Drive North a distance of 1,725 feet, more or less, to its intersection with the centerline of Analii Street; thence run Northeasterly along the centerline of Analii Street to its intersection with the centerline of Diamondhead Drive North; thence run Northeasterly along the centerline of Diamondhead Drive North a distance of 382 feet, more or less, to its intersection with the centerline of Mahalo Hui Drive; thence run Southeasterly along the centerline of Mahalo Hui Drive to its intersection with Turnberry Drive; thence run Northeasterly along the centerline of Turnberry Drive to its intersection with the cart path of the Cardinal Golf Course thence run Easterly along the meandering centerline of the cart path around Holes 4, 3, 2, and 1 of the Cardinal Golf Course to its intersection with the centerline of Cherry Hill Drive; thence run Southeasterly along the centerline of Cherry Hill Drive a distance of 165 feet, more or less, to its intersection with the centerline of Golf Club Drive; thence run southwestly along the centerline of Golf Club Drive a distance of 1,660 feet, more or less, to its intersection with a westerly projection of the south line of the Lanai Village Condominiums; thence run Easerly along said projection and the south line of the Lanai Village Condominiums to the Southeast corner of the Lanai Village Condominiums; thence run Easterly along a

projection of the south line of the Lanai Village Condominiums to the centerline of the cart path of the Diamondhead Pine Golf Course; thence run Southwesterly along the centerline of the cart path, said cart path being in vicinity of Hole 10, a distance of 1,060 feet , more or less, to its intersection with the centerline of Ahihi Street; thence run Southeasterly along the centerline of Ahihi Street to its intersection with Diamondhead Drive East; thence run easterly along the centerline of Diamondhead Drive East to its intersection with the centerline of the traffic circle at the intersection of Diamondhead Drive East and Lanai Street; thence traverse around the eastern margin of the traffic circle to its intersection with an Eastward projection of the centerline of Lanai Street; thence run East along the Eastward projection of the centerline of Lanai Street to its intersection with the East Line of the City of Diamondhead and the Point of Beginning.

Ward 4

Beginning at point of intersection of the East Line of the City of Diamondhead and the centerline of a power line easement, said point also lying on the County line common to Hancock and Harrison Counties, and the same being the line common to Ranges 13 and 14 West, Saint Stephens Meridian; and the same point lying 3,155 feet, more or less, South of the Northeast corner of the City of Diamondhead; thence run Westerly along the centerline of said power line easement to its intersection with the centerline of Golf Club Drive; thence run Southwesterly along the centerline of Golf Club Drive to its intersection with the centerline of Cherry Hill Drive; thence continue southwesterly along the centerline of Golf Club Drive a distance of 1,660 feet, more or less, to its intersection with a westerly projection of the south line of the Lanai Village Condominiums; thence run Easterly along said projection and the south line of the Lanai Village Condominiums to the Southeast corner of the Lanai Village Condominiums; thence run Easterly along a projection of the south line of the Lanai Village Condominiums to the centerline of the cart path of the Diamondhead Pine Golf Course; thence run Southwesterly along the centerline of the cart path, said cart path being in vicinity of Hole 10, a distance of 1,060 feet , more or less, to its intersection with the centerline of Ahihi Street; thence run Southeasterly along the centerline of Ahihi Street to its intersection with Diamondhead Drive East; thence run easterly along the centerline of Diamondhead Drive East to its intersection with the centerline of the traffic circle at the intersection of Diamondhead Drive East and Lanai Street; thence traverse around the eastern margin of the traffic circle to its intersection with an Eastward projection of the centerline of Lanai Street; thence run East along the Eastward projection of the centerline of Lanai Street to its intersection with the East Line of the City of Diamondhead, said point also lying on the County line common to Hancock and Harrison Counties, and the same being the line common to Ranges 13 and 14 West, Saint Stephens Meridian; thence run Northerly to along the East line of City of Diamondhead a distance of 3,165 feet more or less, to its intersection with the centerline of a power line easement and the Point of Beginning.

SECTION 2: That for the purpose of facilitating elections and bringing about a coordinated election system with that of Hancock County, there shall continue to be two

polling places within the City of Diamondhead to be utilized for the purpose of municipal elections. Each such polling place and the respective election ward served thereby shall be as follows:

Diamondhead City Hall, 5000 Diamondhead Circle, shall be the designated polling place for Ward 1.

Diamondhead Community Center, 5300 Diamondhead Circle, shall be the designated polling place for Ward 2, Ward 3 and Ward 4.

SECTION 3: That beginning with the regular municipal election in the year 2025 or any required municipal election prior thereto, and in all municipal elections thereafter, all elections for the City of Diamondhead, Mississippi shall be held based upon the wards as established and defined herein utilizing the polling places hereinabove designated.

SECTION 4: The City Clerk is hereby directed to arrange or cause to be arranged the voter rolls of the qualified electors of the City in accordance with the voting Wards established herein, beginning such arrangement as soon as practicable following the administrative preclearance of this ordinance pursuant to Section 5 of the Voting Rights Act of 1965 and completing the same in ample time for the voter rolls to be used for the party primaries held in connection with the regular municipal election to be held in the year 2025.

SECTION 5: That the city attorney is hereby directed to prepare and submit or cause to be prepared and submitted the necessary documentation to the United States Attorney General for administrative preclearance in accordance with Section 5 of the Voting Rights Act of 1965, as amended and extended, if necessary.

SECTION 6: That this Resolution shall take effect and be in force as is provided by law.

The foregoing Resolution having been reduced to writing and presented to the Mayor and Council was moved for adoption by Councilmember _____ and second by Councilmember _____ with the vote taken thereon being as follows:

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

SO ORDAINED, THIS THE _____ DAY OF September, 2023.

Nancy Depreo, Mayor

ATTEST: _____
Jeannie Klein, City Clerk

SEAL

07.10.2023



07.10.2023



07.10.2023



07.10.2023





5000 Diamondhead Circle
Diamondhead, MS 39525-3260
Phone: 228-222-4626 Fax: 228-222-4390

August 15, 2023

1 D.P.D, LLC
Bradley K. Drude
1515 S. Carrollton Avenue
New Orleans, LA 70118

RE: Kanoa Way
Diamondhead, MS
Parcel Numbers: 132R-0-10-028.000, 132R-0-10-030.000 thru 132R-0-10-032.000,
132R-0-10-046.000 thru 132R-0-10-051.000

Mr. Drude:

There are piles of debris from land clearing on the above-mentioned properties. It is in violation of the City of Diamondhead Zoning Ordinance (Ordinance No. 2012-019), Section 16.7 – Care of Premises and Property, "...the general site and/or premises shall be maintained in general with particular reference to insuring that appearance will be and remain compatible and harmonious with properties in the general area and will not be so at variance with other properties in the general area as to cause a substantial depreciation of such property values. In addition these debris piles are a hazard to the public safety of residents due to extremely dry conditions and hurricane season.

The violation is: Debris piles from land clearing - Zoning Ordinance, Article 16.7; Mississippi Code §21-19-11.

Based on the violation identified, the City requests that you take the following corrective action: Remove and properly dispose of all debris.

The City is asking that you please take the above action within the next FOURTEEN (14) days to prevent further action as set out in the paragraph below.

NOTICE OF HEARING

If you have not taken the above corrective actions within the 14 days provided, you are hereby given notice of and invited to attend a hearing before the Diamondhead City Council on September 5, 2023, at 6:00 PM in the City Council chambers at 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, on the violations set forth above. At this hearing, the City Council will be asked to adjudicate that the subject property is in a state of uncleanliness or a menace to the public health, safety, and general welfare of the community. This adjudication will also authorize the City of Diamondhead to re-enter the property for a period of two (2) years without any further hearings if

notice is posted on this property and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, at least seven (7) days prior to re-entering the property for resolution of the same type of violation. In addition, the City Council will be asked to authorize advertisements for bids to perform the necessary corrective actions. All costs incurred will be assessed to your property taxes and/or posted to the Hancock County Judgment Rolls. Please contact our office at 228-222-4626 if you have any questions about this letter or if the requested corrective actions are taken within the Fourteen (14) day period to avoid our proceeding with a hearing on your property.

Sincerely,

J. Pat Rich
Development Coordinator
prich@diamondhead.ms.gov
228-242-1613

cc: City Council
City Manager
City Attorney

There came on for consideration at a meeting of the City Council of the City of Diamondhead, Mississippi, held on the **5th** day of **September, 2023**, the following Resolution:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, FINDING AND ADJUDICATING THAT THE HEREIN DESCRIBED PILES OF DEBRIS FROM LAND CLEARING IS A SERIOUS PROBLEM TO THE COMMUNITY AND WELFARE OF THE CITIZENRY OF THE CITY AND AUTHORIZING ADVERTISEMENT FOR BIDS OR TO OBTAIN QUOTE(S) TO REMOVE THE PILES OF DEBRIS AT KANOVA WAY (PARCEL NUMBERS 132R-0-10-028.000, 132R-0-10-030.000 THROUGH 132R-0-10-032.000, AND 132R-0-10-046.000 THROUGH 132R-0-10-051.000) AND TO ASSESS THE COSTS TO THE SAID PROPERTY

WHEREAS, the Mayor and City Council of the City of Diamondhead, Mississippi, (the "City"), pursuant to Mississippi Code Annotated §21-19-11, 1972, as amended, finds, determines, and adjudicates, based upon the investigation of the City's Building Department, that the abandoned construction equipment described below is such a menace to the public safety, and welfare of the citizenry of the City; and

WHEREAS, said piles of debris, as described herein, is within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi; and

WHEREAS, the piles of debris investigated by the Building Department and recommended by the Building Official for adjudication as being unsightly, noxious, and to be a menace to the public health, safety and welfare of the citizenry of the City is identified as:

Property located at Kanova way (Parcel Numbers 132R-0-10-028.000, 132R-0-10-030.000 through 132R-0-10-032.000, and 132R-0-10-046.000 through 132R-0-10-051.000), Lots 14, 16-18, 32-37 Block 3, Diamondhead Phase 2, Unit 1. The property is owned by 1 D.P.D, LLC, Registered Agent Bradley K. Drude.

WHEREAS, notice to the property owner was provided by the City pursuant to Mississippi Code Annotated §21-19-11, 1972, as amended, delivered by mail to 1 D.P.D, LLC, Registered Agent Bradley K. Drude at 1515 S. Carrollton Avenue, New Orleans, LA 70118, posted on the properties at Kanoa Way by City of Diamondhead Development Coordinator, J. Pat Rich and notice posted on the bulletin board at City Hall, all within Diamondhead, Mississippi; and

WHEREAS, the Mayor and City Council of the City of Diamondhead further find, determine and adjudicate that advertisement for bids or obtaining quotes to remove the above referenced construction equipment should be made in the form and manner as provided by law; and

WHEREAS, the Mayor and City Council further find, determine, and adjudicate that the cost of removing the construction equipment, shall not exceed the aggregate amount of \$20,000.00 per parcel per calendar year or the fair market value of the property subsequent to removal, whichever is more. Said amount including a penalty shall be assessed as a lien against said property as provided by law and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi, as other judgments are enrolled, and in the office of the Chancery Clerk of Hancock County, Mississippi; and

WHEREAS, the Mayor and City Council of the City of Diamondhead further find, determine, and grant authority to the Building Department or designee to re-enter the properties for a period of two (2) years without any further hearings if notice is posted on these properties and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, at least seven (7) days prior to re-entering the properties for resolution of the same type of violation.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, AS FOLLOWS:

SECTION 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That the property at Kanoa Way, be and hereby is declared to be a menace to the public health, safety, and welfare of the citizenry of the City of Diamondhead.

SECTION 3. That the City Clerk be and hereby is authorized to advertise for bids for bid or obtain quote(s) to remove the abandoned construction equipment described hereinabove and lying within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi.

SECTION 4. That the cost of removing of the herein described abandoned construction equipment, including any penalty assessed, shall be a lien against said properties as provided by law and shall be enrolled in the office of the Circuit Clerk of Hancock County, Mississippi, and in the office of the Chancery Clerk of Hancock County, Mississippi.

SECTION 5. That the Mayor and City Council of the City of Diamondhead further find, determine, and hereby grant authority to the Building Department or any designee thereof to re-enter the property for a period of two (2) years without any further hearings if notice is posted on this property and at City Hall, 5000 Diamondhead Circle, Diamondhead, Mississippi 39525, at least seven (7) days prior to re-entering the properties for resolution of the same type of violation.

Councilmember _____ moved for the adoption of the Resolution,
which was seconded by Councilmember _____.

Upon being put to a roll call vote, the following ballots were cast:

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

WHEREUPON the Mayor declared the Motion carried and the Resolution adopted,
this the 5th day of September 2023.

ATTEST:

ADOPTED:

CITY CLERK

MAYOR

CHANGE ORDER

OWNER:
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

CHANGE ORDER NO. 1
DATE: August 22, 2023

CONTRACTOR:
Moran Hauling, Inc.
1380 Three Rivers Rd
Gulfport, MS 39503

ENGINEER: Covington Civil &
Environmental
PROJECT: Bayou Drive & Bayou Circle
Drainage Improvements

SUMMARY:

This change order serves to decrease the contract amount.
The following Items have been added/removed to the Contractor's scope of work:

COI-1. Drainage Pipe Removal and Reinstallation	\$4,003.12
COI-2 Split Casing for Water Main	\$4,231.99
COI-3 Additional 18" RCP	\$246.52
Summary Quantity Change (Increase)	\$8,481.63
The Net Change to the Contract Amount will therefore be an additional.	\$8,481.63

THE CONTRACT IS AMENDED AS SHOWN BELOW:

(Not valid until executed by the Owner, Engineer, and Contractor)

The original Contract Sum:	\$32,474.00
Net Change by previously authorized Change Orders:	\$0.00
The Contract Sum prior to this Change Order was:	\$32,474.00
The Contract Sum will now Change (+):	\$8,481.63
The New Contract Sum including this Change Order will be:	\$40,955.63

The original Contract Time:	-
Net Change by previously authorized Change Orders:	-
The Date of Substantial Completion prior to this Change Order:	-
The Contract Time will now Change by (+) days:	-
The New Date of Substantial Completion will be:	-

CONTRACTOR:	ENGINEER:	OWNER:
By: <u>[Signature]</u>	By: <u>[Signature]</u>	By: _____
Date: <u>8.22.23</u>	Date: <u>8/24/23</u>	Date: _____

2023-30

Item No. 12.

Invoice



Moran Hauling Inc
10380 Three Rivers Rd.
Gulfport, MS 39503

Date	Invoice #
8/1/2023	748

Bill To
City of Diamondhead
 By:

E-mail:
MoranHaulingInc@gmail.com

P.O. No.	Terms
2023-0213	Due on receipt

Description	Qty	Rate	Amount
Bayou Drive Drainage Improvements	1	40,955.63	40,955.63

Please mail payment to
10380 Three Rivers Rd.
Gulfport, MS 39503

Total	\$40,955.63
Balance Due	\$40,955.63

6/1

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (hereinafter the "MOU") is entered into between the Mississippi Outdoor Stewardship Board of Trustees (hereinafter the "Board") and the **City of Diamondhead, MS** (hereinafter "Entity") (collectively, the "parties") for the purpose of establishing the agreed upon conditions under which the Board may disburse funds to assist the Entity in paying costs associated with the local (project) **Noma Drive Boat Ramp Improvements** (hereinafter the "Project") specified in Miss. Code Ann. Section 49-39-7 (hereinafter the "Act"). This MOU is entered into in accordance with Miss. Code Ann. Section 27-104-351, also known as the Line-Item Appropriation Transparency Act, and pursuant to, and subject to the terms of the Act, which authorizes an amount not to exceed **(\$250,000.00)** (hereinafter the "Project Funds"), for the Project. **(IT IS YOUR RESPONSIBILITY TO SPEND THE FUNDS RECEIVED FROM THE STATE IN ACCORDANCE WITH THE ACT AS WELL AS ALL STATE AND FEDERAL LAWS AND REGULATIONS.)**

RECITALS

WHEREAS, The Board is a state agency that acts as **Mississippi Outdoor Stewardship Trust Fund** with a principal place of business at **501 N. West St., Suite 1301, Jackson, MS 39201.**

WHEREAS, the Entity is a state agency, or governmental entity with a principal place of business at **5000 Diamondhead Circle, Diamondhead, MS 39525.**

WHEREAS, Miss. Code Ann. Section 49-39-7, authorized expenditures from the Mississippi Outdoor Stewardship Trust Fund for certain projects.

WHEREAS, pursuant to Miss. Code Ann. Section 49-39-7, the Legislature has appropriated funds to the entity to pay the costs of the Project.

WHEREAS, the Act authorizes the Board to disburse monies in the Mississippi Outdoor Stewardship Trust Fund to pay the costs of the Project.

WHEREAS, the Board has requested the entity to maintain on file the documentation listed in "Exhibit A" attached hereto and incorporated herein by reference.

WHEREAS, the Entity shall obtain a builder's risk insurance policy at the time any construction begins. The insurance must cover potential losses after initiation, but before completion, of the construction or modernization caused by theft, fire, vandalism, and other types of accidental loss or damage to the project. The Board may waive this requirement if the Entity shows that it is effectively self-insured against the risks involved. The term "effectively self-insured" shall mean that the recipient has sufficient funds to pay

for any damage, including total replacement, if necessary, or to satisfy any claims against the project.

WHEREAS, The Board shall retain ten percent (10%) of each reimbursement request. Upon the completion of the project and all required documentation has been submitted and approved by the Board, the retainage amount shall be released to the Entity after a final audit is conducted.

WHEREAS, the Entity agrees that the Board shall reimburse the Entity once project expenses have been incurred and paid for by the Entity, proper itemized expenditure documentation has been submitted to the Board, and the Board has approved the requested reimbursement up to the amount in this agreement. Proper documentation includes all invoices, receipts and bank statements associated with the reported expenditures. Reimbursement requests shall be provided within thirty (30) days of each calendar end of the month.

WHEREAS, the Entity agrees expenses directly related to the project scope but incurred prior to this agreement are not reimbursable. Appraisals, project planning, and environmental compliance review expenses may be counted as match only if incurred within eighteen (18) months of this agreement.

WHEREAS, the Entity agrees that any incidental costs or items not directly associated and essential for the completion and execution of a project shall be ineligible for reimbursement or match.

WHEREAS, the Entity agrees that the value of donations and third-party contributions provided at no cost cannot be reimbursed and to be counted towards a project's match, the Entity shall provide an invoice and a letter from the organization acknowledging the donation and its fair market value.

WHEREAS, the Entity agrees that labor donations shall be valued at an hourly rate of pay to be calculated using the Mississippi Median Hourly Wage standards for the most comparable occupation identified on the U.S. Bureau of Labor Statistics site, found at https://www.bls.gov/oes/current/oes_ms.htm, excluding taxes, benefits, and overtime.

WHEREAS, the Entity agrees to expend the funds within twenty-four (24) months from the date of this agreement.

WHEREAS, the Entity agrees that if any proceeds from the Project Funds are remaining at the completion of the Project, the Entity will immediately notify and consult with the Board regarding the disposition of the funds, and said funds shall be directed in accordance with the Act.

WHEREAS, the Entity agrees that the Entity may request project term extensions if the project is expected to exceed the 24-month deadline. Extensions must be requested within a reasonable time before the expiration of the original 24-month deadline. At a

minimum, extension requests must inform the Board of the current status of the project, current expenditures, anticipated completion date, and reason for the delay. The Board, at its discretion, may request any additional information necessary to make its determination. Extensions are limited to ninety (90) day increments and subject to approval by the Board. If approved, the Entity shall sign a Project Agreement Amendment. If disapproved, and this agreement cannot be fulfilled, the Board may deobligate in part or in whole the funds appropriated in this agreement.

WHEREAS, the Entity agrees to provide quarterly reports to the Board which provide an update on the status of the Project including future expenditure of the funds. The quarterly reports must be provided on a form designated by the Board and must include all invoices and bank statements associated with the reported expenditures. The quarterly reports shall be provided within thirty (30) days of each calendar quarter end. The Entity shall also provide to the Board a final report no more than thirty (30) days after final expenditure of funds, summarizing the expenditures and use of the Project Funds upon completion of the Project. All invoices that have not previously been submitted, shall be submitted upon completion of the Project.

WHEREAS, the Board finds that it is in the best interest of the Board and the Entity that the funds on deposit in the Mississippi Outdoor Stewardship Trust Fund for the Entity should be disbursed to the Entity and that the Entity shall directly administer the expenditure of such funds for the Project.

NOW THEREFORE, IT IS MUTALLY AGREED BY THE BOARD AND ADMINISTRATION AND THE ENTITY AS FOLLOWS:

Section 1. The Board, pursuant to the Act, shall disburse the Project Funds from the Mississippi Outdoor Stewardship Trust Fund upon written request of the Entity to reimburse the costs associated with the Project.

Section 2. The Entity certifies and agrees to make every effort to expend all funds received from the Mississippi Outdoor Stewardship Trust Fund within twenty-four (24) months from the date of this agreement and solely for the costs of the Project as set forth in the Act and upon the terms and provisions of this MOU. Failure of the Entity to adhere to any provision within this MOU may result in immediate action by the State to recover project funds.

Section 3. The Entity agrees to execute any procurements utilizing the funding in a commercially reasonable manner. Failure to adhere may cause the Board to withhold all sums for the Project and/or seek recovery of the same. Further, the Entity agrees to maintain on file the documentation listed in "Exhibit A" attached hereto and incorporated herein.

Section 4. The Entity agrees to provide the Board quarterly notarized reports as set forth hereinabove, in a format prescribed by the Board. The quarterly reports shall be

provided within thirty (30) days of each calendar quarter end. The Entity shall also provide the Board with a final report summarizing the expenditures and use of the Project Funds no more than thirty (30) days after final expenditure of the Project Funds.

Section 5. The Entity agrees to maintain copies of all invoices, bank statements, and similar documentation for each expenditure of all funds received from the Mississippi Outdoor Stewardship Trust Fund sufficient to satisfy and confirm, to Board satisfaction, that such funds have been expended solely for the costs of the project as authorized and provided by the Act.

Section 6. The Entity agrees that if any proceeds from the Project Fund are remaining at the completion of the Project, the Entity will immediately notify and consult with the Board regarding the disposition of the funds and said funds shall be directed in accordance with the Act.

Section 7. The Entity agrees that Project Funds shall be expended in accordance with all State and Federal laws and regulations, and that failure to do so may cause the Board to withhold funds for the Project or seek recovery of same.

Section 8. Any notice from one party to the other under this Agreement shall be in writing and may be either personally delivered, emailed, or sent by registered or certified mail in the United States Postal Service, Return Receipt Requested, postage prepaid, addressed to each party at the addresses which follow, or to such other addresses provided for in this Agreement, or as the Parties may hereinafter designate in writing. Any such notice shall be deemed to have been given as of the date transmitted.

City of Diamondhead
 Attn: Jon McCraw, City Manager
 5000 Diamondhead Circle
 Diamondhead, MS 39525
 Phone: 228-222-4626
 Email: jmccraw@diamondhead.ms.gov

Mississippi Outdoor Stewardship Trust Fund
 Attention: Ricky Flynt, Executive Director
 501 N. West St., Suite 1301
 Jackson, MS 39201
 Ph. (601) 359-2526
Ricky.Flynt@dfa.ms.gov

Section 9. This MOU may be amended or modified only by written agreement signed by both parties.

Section 10. The Board has authority to hear, oversee, and resolve any disputes that may arise in carrying out the duties of the parties under this MOU. The Parties agree

to undertake a good faith attempt to resolve any such disputes before seeking Board resolution.

Section 11. If any term or provision of this MOU is prohibited by the laws of the State of Mississippi or declared void by a court of competent jurisdiction, the remainder of this MOU shall not be affected thereby and each term and provision of this MOU shall be valid and enforceable.

Section 12. Each party shall be responsible for all claims, demands, liabilities, suits, damages, costs, and expenses of every kind, including court costs and attorney's fees, arising out of this MOU and caused by the party's own principals, agents, employees, contractors, or subcontractors while performing under this MOU. Further, the parties do not assume liability for any actions or omissions of each other's agents, representatives, employees, contractors, subcontractors, or providers.

Section 13. The Entity's tort liability, as political subdivision of the State of Mississippi, is determined and controlled in accordance with Mississippi Code Annotated § 11-46-1 *et seq.*, including all defenses and exceptions contained therein. Board's liability, as a political subdivision of the State of Mississippi, is determined and controlled in accordance with Mississippi Code Annotated § 11-46-1 *et seq.*, including all defenses and exceptions contained therein. Nothing in this Agreement shall have the effect of changing or altering the liability or of eliminating any defense available to the Entity, Board, or the State under statute.

Section 14. It is understood and agreed that this document constitutes the entire understanding of the parties with respect to the subject matter contained herein and supersedes and replaces all prior negotiations, understandings, and agreements, written or oral, between the parties relating to the subject matter.

Section 15. This MOU, including any exhibits, attachments, and appendices, is subject to the "Mississippi Public Records Act of 1983," and its exceptions. See Miss. Code Ann. § 25-61-1, *et seq.* and Miss. Code Ann. § 79-23-1. In addition, this MOU may be subject to the provisions of the Mississippi Accountability and Transparency Act of 2008. Mississippi Code Annotated §§ 27-104-151 *et seq.*

Section 16. Neither Party shall have the right to assign this MOU to a third party without the prior written consent of the other Party. Any permitted assignee shall assume all obligations of its assignor under this MOU. No assignment shall relieve any party of responsibility for the performance of any obligations that have accrued prior to such assignment.

Section 17. The failure of either Party to insist upon the strict observation or performance of any provision of this MOU or to exercise any right or remedy shall not impair or waive any such right or remedy in the future. Every right and remedy given by this MOU to the Parties may be exercised from time to time as often as appropriate.

Section 18. The Board and the Entity each represent and warrant to the other that the person signing below has all requisite legal power and authority to execute this MOU on behalf of each party and each party shall thereby be bound.

Section 19. This MOU is effective on the date of the final signature to the MOU ("Effective Date of this MOU"). Facsimiles and electronic transmissions of signatures shall constitute acceptable, binding signatures for purpose of this MOU.

IN WITNESS WHEREOF, the parties have affixed their signatures on the dates indicated below.

MISSISSIPPI OUTDOOR STEWARDSHIP BOARD OF TRUSTEES

By: _____ Date: _____
Van Ray, Chairman

(ENTITY NAME)

By: _____ Date: _____
Jon McCraw, City Manager

EXHIBIT A

The Entity shall maintain on file, the following items in relation to the Project:

1. A copy of the Program of Work for the Project.
2. A copy of any and all construction documents including contracts.
3. A copy of all contractor pay requests and professional pay requests and approval of payment for said services.
4. All invoices.
5. All bank statements.
6. All contracts.
7. Any and all other documentation which may be required to document, to the Board satisfaction, that the Project funds are expended solely for the costs of the Project as set forth in the Act and upon the terms and provisions of this MOU.

2023-310

Item No. 14.



Hammond, MS
Hammond Circle
Hammond, MS 39525

Equipment Disposition Request

Department : Public Works / Bldg Dept.

Fixed Asset #	Description of Item	Quantity Disposed	Month/Yr Purchased	Asset Tag #	Unit Cost	Net Asset	Equipment Condition	Recommended Disposition Method/Action
D0000118	Charge It Battery Charger	1	05/2021	D0000118	180.00	0.00	poor	destroy
563	Apple Iphone	1	08/2020	D0000128	419.00	0.00	poor	destroy-warranty replaced
381	Apple Iphone	1	10/2016	348	549.99	0.00	poor	destroy
D0000054	Apple Iphone	1	05/2019	D0000054	399.99	0.00	poor	destroy
135	Apple Iphone 4	1	07/2013	135	149.99	0.00	poor	destroy

Approval Signature

Date

Department Head : _____

FA Coordinator : [Signature] _____

City Manager : [Signature] _____

8/28/23

8/28/23

Physical Condition Guide:

- P - Poor
- F - Fair
- G - Good
- E - Excellent
- U - Unknown

EXHIBIT "C"**WORK ASSIGNMENT
WORK ASSIGNMENT NO 17
MODIFICATION #02**

PROJECT NUMBER: - Site Development Plan Reviews

This Work Assignment is executed in accordance with the Master Services Agreement entered into by the City of Diamondhead, Mississippi and Covington Civil and Environmental, LLC on the 29th day of October 2021.

WHEREAS, each of said parties represents that it continues to have authority to execute this Work Assignment and that all certifications previously made in said Agreement remain in effect;

NOW THEREFORE, the parties hereto do further contract and agree to add the following items of work to the above Agreement under the additional terms and conditions as are hereinafter stated:

*SPECIFIC SCOPE OF WORK FOR THIS WORK ASSIGNMENT OR
PHASE*

Task 1: Site Development Plan Review:

- A. Review drainage plans and design for various site development project located within the City of Diamondhead. Following the review, a formal recommendation will be provided to the City of Diamondhead.
- B. Initial site development review will be completed within 7 business days of receipt of a complete submittal by the developer. Subsequent reviews will be completed with 5 business days after a complete re-submittal by the developer.
- C. Fees will be based off the current master service agreement rate schedule and shall be tracked for each site development review.

Assumptions and Qualifications:

- Review is based on the information provided to the City of Diamondhead by the developer and developer's engineer.

WORK ASSIGNMENT TERM [No new Work Assignments shall be executed after *October 28, 2024.*]

This WORK ASSIGNMENT shall be effective upon the latest date of execution hereof and continue until *December 30, 2023*, at 11:59 P.M. CDT.

DBEGOAL

The DBE goal established for this Work Assignment shall be 0 %

KEY PERSONNEL

CITY

CONSULTANT PROJECT
MANAGER: (Certified as a
Professional Engineer to do
business in the State of Mississippi)



Ben Benvenuti, P.E., Principal Engineer

PROGRESS SCHEDULE

PROGRESS SCHEDULE		
Task	Description	Completion Time
1	Initial Site Development Review	7 days
1	Re-submittal Site Development Review	5 days

MAXIMUM ALLOWABLE COST

Contract Maximums:

Under no circumstances shall the amount payable by the City for this assignment exceed \$39,500.00 (Total of all Charges) without the prior written consent of both parties.

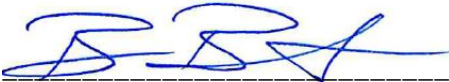
Both parties hereto represent that they have authority to enter into Work Assignment No. 17, as "Exhibit C" of the Agreement executed by and between the City and Engineer to which is now made a part of said Agreement.

SO EXECUTED AND AGREED THIS THE _____ DAY OF _____ -

City of Diamondhead

Signature

Covington Civil and Environmental



Signature

WITNESS this my signature in execution hereof, this the _____ day of _____.

ATTEST: _____

Agenda Item #2022-319

City of Diamondhead, MS
Request for Council Action

TO: Tammy Garber, Deputy City Clerk

FROM: Anna Liese

DATE: August 30, 2023

Ordinance Resolution Agreement Info Only Work Session Other

AGENDA LOCATION: Consent Agenda Regular Agenda

AGENDA DATE REQUESTED

ORDINANCE/RESOLUTION CAPTIONS or ISSUE:

Motion to direct the City Manager to establish a procedure for naming city property and create required naming criteria.

REQUIRED SIGNATURE

REQUESTED BY:

Anna Liese

COUNCIL ACTION:

Approved Denied Tabled/Deferred Info Only Completed:



City of Diamondhead, MS

Docket of Claims Register - Item No. 19.

APPKT02047 - 9.5.23 DOCKET

By Docket/Claim Number

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Payment Amount	
							Line	Amount
DKT230997	AGJ	09/05/2023	107572 107687 MSP-107321	MONTHLY IT SUBSCRIPTIONS SERVER WARRANTY MONTHLY IT SUBSCRIPTIONS	001-140-605.00 001-140-605.00 001-140-605.00 001-140-605.00 001-140-605.00 001-140-605.00	Professional Fees - IT Professional Fees - IT Professional Fees - IT Professional Fees - IT Professional Fees - IT Professional Fees - IT		2,786.70
								31.50
								385.92
								250.00
								2,019.78
								40.00
								59.50
DKT230998	Amazon com LLC	09/05/2023	13HL-XRKK-JY3J	PUBLIC WORKS GATORADE AND SUPPLIES	001-280-501.00 001-140-501.00 001-110-501.00 001-653-650.00 001-301-501.00 001-280-501.00 001-301-501.00 001-301-501.00 001-280-501.00 001-110-501.00	Office Supplies Supplies Supplies Promotions Supplies Office Supplies Supplies Supplies Office Supplies Supplies		949.36
								51.89
								61.78
								88.52
								41.99
								162.45
								11.38
								191.95
								200.30
								124.25
	14.85							
DKT230999	B&J PITT STOP LLC	09/05/2023	11-0190436 11-0190795 11-0191018	OIL CHANGE	001-200-635.00 001-200-635.00 001-200-635.00	Professional Fees - R&M Outside Services Professional Fees - R&M Outside Services Professional Fees - R&M Outside Services		211.94
								72.45
								67.04
								72.45

Docket of Claims Register - Council

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line	Amount
DKT231000	CADENCE EQUIPMENT FINANCE	09/05/2023	741402	COPIER LEASE AGREEMENT -- 23 OF 48	001-800-830.07	Note Interest Payment - Copier Lease Purch 2021		29.47
					001-800-820.07	Note Principal Payment - Copier Lease Purch 2021		445.53
								475.00
DKT231001	CIVICPLUS, LLC	09/05/2023	271403	MUNICODE ORDINANCE ANNUAL UPDATE	001-140-605.00	Professional Fees - IT		1,362.11
DKT231002	Coast Electric Power Association	09/05/2023	8/14/23-001 8/14/23-002 8/18/23-026 8/8/23-003 8/8/23-005 8/8/23-007 8/8/23-010 8/8/23-012 8/8/23-016 8/8/23-017 8/8/23-018 8/8/23-019 8/8/23-020	MONTHLY ELECTRIC BILL	001-301-630.00 001-301-630.00 001-301-630.00 001-140-630.00 001-301-630.00 001-301-630.00 001-301-630.00 001 140 630.00 001-140-630.00 001-301-630.00 001-301-630.00 001-301-630.00 001-301-630.00 001-301-630.00 001-301-630.00 001-301-630.00	Utilities - Streetlights & Other Utilities - Streetlights & Other Utilities - Streetlights & Other Utilities - General Utilities - Streetlights & Other Utilities - Streetlights & Other Utilities - General Utilities - General Utilities - General Utilities - Streetlights & Other Utilities - Streetlights & Other Utilities - Streetlights & Other Utilities - Streetlights & Other Utilities - Streetlights & Other Utilities - Streetlights & Other		10,602.79 1,593.03 57.35 3,102.27 3,228.79 81.44 52.35 68.53 54.12 50.10 224.10 65.26 56.37 430.71
DKT231003	Coast Glass and Mirror LLC	09/05/2023	ICG-0626-16138	DOOR WINDOW REPAIR - PW GRASS CUTTING	001-301-681.00	Other Services & Charges		250.00
DKT231004	Coastal Tire and Auto LLC	09/05/2023	55 70952	TUBE 23X8.5 TIRE FA #522 TIRES	001-301-571.00 001-301-571.00 001-301-571.00	Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment Repairs & Maintenance - Equipment		25.00 228.00 27.00
DKT231005	CSpire Cell Service	09/05/2023	8/18/23	CELLULAR SERVICE FOR JULY	001-140-632.00 001-200-612.00 001-280-632.00 001-301-632.00	Telephone - Cell Internet Telephone - Cell Telephone - Cell		48.77 344.80 179.08 431.24

Docket of Claims Register - Council

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount
DKT231006	CUSICK & WILLIAMS, PLLC						16,493.75
	09/05/2023	1037	GENERAL MATTERS -- AUGUST	001-140-603.00	Professional Fees - Legal	7,781.25	
		1038	PLANNING AND ZONING -- AUGUST	001-280-603.00	Professional Fees - Legal	3,593.75	
		1039	CITY PROSECUTOR -- AUGUST	001-110-603.00	Professional Fees - Legal	3,000.00	
		1040	LANGKOPP VS CODH -- AUGUST	001-280-603.00	Professional Fees - Legal	468.75	
		1041	MAKIKI BOND CLAIM -- AUGUST	001-140-603.00	Professional Fees - Legal	1,650.00	
DKT231007	DAVID WILLIAMS	09/05/2023	8/25/23	NOMA DRIVE ELECTRICAL WORK	001-301-635.00	Professional Fees - R&M Outside Services	155.15
DKT231008	DAVID'S CHAINSAW & LAWNMOWER REPAIR, LLC	09/05/2023	43509	WEEDEATER STRING	001-301-571.00	Repairs & Maintenance - Equipment	192.00
DKT231009	Deep South Equipment Company	09/05/2023	N20231	JCB BACKHOE REPAIRS - SERVICE	001-301-571.00	Repairs & Maintenance - Equipment	554.63
DKT231010	DIAMONDHEAD COUNTRY CLUB & POA	09/05/2023	SEPTEMBER 2023	RENTAL OF MAINTENANCE YARD -- SEPTEMBER	001-301-640.00	Rentals	1,000.00
DKT231011	Diamondhead True Value	09/05/2023	A441259	TRIGGER GUN BARB INSERT	001-301-501.00	Supplies	308.87
			A441264	LANCE/NOZZLE	001-301-501.00	Supplies	32.28
			A441714	WASP SPRAY	001-301-501.00	Supplies	19.99
			A442754	TREATED PINE STAKES	001-301-501.00	Supplies	10.98
			A442880	BLADES	001-301-501.00	Supplies	26.01
			A442919	CLEVIS GRAB HOOK, FORGED EYE GRAB HOOK, ZINC CHAIN	001-301-501.00	Supplies	7.14
			A443139	CORNER BRACE ZINC	001-301-571.00	Repairs & Maintenance - Equipment	28.08
			A443494	POLY PUSH BROOM	001-301-501.00	Supplies	5.71
			A443597	CLAMP CONNECTOR	001-301-501.00	Supplies	89.98
			A443818	2" COMB PADLOCK	001-301-501.00	Supplies	3.49
			A444168	60 LB CEMENT	001-301-581.00	Asphalt/Concrete	26.99
			A444201	ELBOW ADAPTER / SS CLAMP	001-301-501.00	Supplies	23.75
			A444205	10' SEWER HOSE	001-301-501.00	Supplies	22.48
DKT231012	Diamondhead Water and Sewer District	09/05/2023	9/10/23-020	WATER	001-140-630.00	Utilities - General	11.99
			9/10/23-021		001-140-630.00	Utilities - General	262.34
			9/10/23-170		001-301-630.00	Utilities - Streetlights & Other	131.17
			9/10/23-2070		001-301-630.00	Utilities - Streetlights & Other	23.95
			9/10/23-2075		001-301-630.00	Utilities - Streetlights & Other	178.85
			9/10/23-2080		001-301-630.00	Utilities - Streetlights & Other	23.95
			9/10/23-830		001-301-630.00	Utilities - Streetlights & Other	23.95

Docket of Claims Register - Council

APPKT02047 Item No. 19. T

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT231013	Diaz Brothers Printing	09/05/2023	6468	PADDLE PARADISE LAMINATED	001-653-650.00	Promotions	165.00	165.00
DKT231014	Dixieland Home Farm and Garden Center Inc	09/05/2023	530400	WEED KILLER	001-301-501.00	Supplies	399.95	399.95
DKT231015	Eagle Energy	09/05/2023	39771	PUBLIC WORKS FUEL	001-301-525.00	Fuel	9.60	5,959.20
					001-301-525.00	Fuel	1,867.55	
			39772		001-301-525.00	Fuel	1,134.26	
			39963		001-301-525.00	Fuel	9.59	
					001-301-525.00	Fuel	1,478.00	
			39967		001-301-525.00	Fuel	1,460.20	
DKT231016	Enmon Enterprises	09/05/2023	MGC08230147	MONTHLY CONTRACT FOR AUGUST	001-140-633.00	Professional Fees -- Cleaning/Janitorial	2,799.00	2,799.00
DKT231017	Eric Nolan	09/05/2023	8/3/23	TREE REMOVAL - 5565 DIAMONDHEAD DRIVE EAST	001-280-681.00	Other Services & Charges	100.00	100.00
DKT231018	Fuelman	09/05/2023	NP64907228	FOR THE WEEK ENDING 8/13/23	001-200-525.00	Fuel	1,407.50	3,686.91
			NP64931755	FOR THE WEEK ENDING 8/20/23	001-200-525.00	Fuel	1,289.63	
					001-280-525.00	Fuel	23.85	
		09/06/2023	NP64960894	FOR THE WEEK ENDING 8/27/23	001-140-525.00	Fuel	54.22	
					001-200-525.00	Fuel	911.71	
DKT231019	Hancock County Sheriffs Office	09/05/2023	2023-DH-007H	INMATE HOUSING FOR JULY 2023	001-200-689.00	Prisoner's Expense	140.00	65,793.95
			2023-DHLE-42	INTERLOCAL AGREEMENT FOR WEEK ENDING 7.29.23	001-200-690.00	Interlocal Agreement	31,250.62	
					001-200-612.00	Internet	246.00	
			2023-DHLE-43	INTERLOCAL AGREEMENT FOR WEEK ENDING 8.12.23	001-110-681.00	Other Services & Charges	39.60	
					001-200-690.00	Interlocal Agreement	33,871.73	
					001-200-612.00	Internet	246.00	
DKT231020	Lexipol LLC	09/05/2023	INVPR117561	POLICEONE ACADEMY ANNUAL	001-200-615.00	Travel & Training	1,042.36	1,042.36

Docket of Claims Register - Council

Docket/Claim #	Vendor Name		Payable Description	Account Number	Account Name	Payment Amount	
	Payable Date	Payable Number				Line	Amount
DKT231021	Lowes Home Improvement		72 INCH BROWN SOUTHERN YELLOW PINE PICNIC TABLE 5 GALLON DECK STAIN KAYAK LAUNCH DECK STAIN	001-301-505.00	FF&E Non-Capitalized		582.20
	09/05/2023	960415-LNWPNA				141.55	
		96155-LOBOKS				197.59	
		970011-LPTCYX				18.92	
						197.58	
			26.56				
DKT231022	MANDAL AUTOMOTIVE OF DIBERVILLE, INC						2,631.80
	09/05/2023	6102628	UNIT #850 REPAIRS	001-200-635.00	Professional Fees - R&M Outside Services	2,631.80	
DKT231023	Marvin J Bobinger III						4,000.00
	09/05/2023	AUGUST 2023	LOBBYING SERVICES FOR AUGUST	001-653-601.00	Professional Fees - Consulting	4,000.00	
DKT231024	MS Municipal League						2,625.00
	09/05/2023	36753	MML REGISTRATION	001-100-615.00	Travel & Training	350.00	
				001-100-615.00	Travel & Training	350.00	
				001-100-615.00	Travel & Training	350.00	
				001-140-615.00	Travel & Training	175.00	
				001-100-615.00	Travel & Training	350.00	
				001-140-615.00	Travel & Training	350.00	
				001-100-615.00	Travel & Training	350.00	
				001-100-615.00	Travel & Training	350.00	
DKT231025	MS Power Company						1,265.00
	09/05/2023	8/30/23	SURVEILLANCE CONTRACT FOR AUGUST	001-200-681.00	Other Services & Charges	1,265.00	
DKT231026	Napa of Bay St Louis						1,082.28
	09/05/2023	357781	MANUAL BATTERY CHARGER	001-301-502.00	Small Hand Tools	209.00	
		357857	GREASE CAP	001-301-571.00	Repairs & Maintenance - Equipment	8.42	
		358460	ALTERNATOR	001-301-570.00	Repairs & Maintenance - Vehicle	192.32	
		358474	CORE DEPOSIT	001-301-570.00	Repairs & Maintenance - Vehicle	-27.50	
		358546	BRAKE PADS	001-200-570.00	Repairs & Maintenance - Vehicle	150.76	
		358566	HOSE FITTINGS	001-301-571.00	Repairs & Maintenance - Equipment	63.36	
		358567	AIR, OIL, FUEL FILTERS	001-301-571.00	Repairs & Maintenance - Equipment	107.83	
				001-301-917.00	Capital Outlay - Mobile Equipment	107.82	
		359003	SERPENTINE BELT	001-200-570.00	Repairs & Maintenance - Vehicle	19.49	
		359505	BATTERIES	001-301-570.00	Repairs & Maintenance - Vehicle	140.64	
				001-301-570.00	Repairs & Maintenance - Vehicle	140.64	
		359785	FUEL FILTER, OIL FILTER	001-301-571.00	Repairs & Maintenance - Equipment	-30.50	
DKT231027	Petes Services						420.00
	09/05/2023	702196	450 YARDS FILL SAND FOR YARD	001-301-583.00	Gravel, Sand, Rip Rap	420.00	

Docket of Claims Register - Council

Docket/Claim #	Vendor Name		Payable Description	Account Number	Account Name	Payment Amount	
	Payable Date	Payable Number				Line	Amount
DKT231028	PREMIER AUTOMOTIVE F OF MS LLC		UNIT #699 BRAKES & ROTORS	001-200-635.00	Professional Fees - R&M Outside Services		368.12
	09/05/2023	12060				368.12	
DKT231029	South MS Business Machines Gulfport		PER COPY CHARGE FOR AUGUST PAYMENT 59 OF 60 -- ADMIN	001-280-506.00 001-280-642.00	Copier Usage/Maintenance Rent - Copier		349.75
	09/05/2023	443082 8/16/23				68.47 281.28	
DKT231030	Southern MS Planning and Development District Inc		GRANT PROCUREMENT AND ADMINISTRATION	001-140-601.00	Professional Fees - Consulting		150.00
	09/05/2023	12710				150.00	
DKT231031	Sun Coast Business Supply		TOILET PAPER, TRIFOLD TOWEL, PAPER TOWELS	001-140-501.00 001-140-510.00 001-140-501.00 001-140-510.00	Supplies Cleaning & Janitorial Supplies Cleaning & Janitorial		209.58
	09/05/2023	1346466-0				38.97	
						89.85	
						18.98	
		1346466-1	61.78				
DKT231032	SunSouth LLC		FA #523 IDLER PULLEY FA #619 ELECTRICAL ACTIVATION MODULE	001-301-635.00 001-301-635.00	Professional Fees - R&M Outside Services Professional Fees - R&M Outside Services		2,430.37
	09/05/2023	4563769 7/28/23				73.54 2,356.83	
DKT231033	SUSAN BENOIT NEYREY		COURT REFUND	650-110-110.00	Court Bond Holding	750.00	750.00
DKT231034	Team One Communications Inc		50" SL RUNNING LIGHT BLUE/WHITE	001-200-917.00	Capital Outlay - Mobile Equipment	2,551.44	2,551.44
DKT231035	UMB Card Services		MONTHLY CHARGES FOR CONSTANT CONTACT	001-140-623.00	Membership Dues/Fees	52.00	52.00
DKT231036	UniFirst Corporation		UNIFORM RENTAL FOR THE WEEK ENDING 4/17/23	001-301-535.00	Uniforms	13.70	539.00
		1530091708	UNIFORM RENTAL FOR THE WEEK ENDING 8/14/23	001-301-535.00	Uniforms	171.10	
		1530093008	UNIFORM RENTAL FOR THE WEEK ENDING 8/21/23	001-301-535.00	Uniforms	187.90	
		1530094314	UNIFORM RENTAL FOR THE WEEK ENDING 8/28/23	001-301-535.00	Uniforms	166.30	

Docket of Claims Register - Council

APPKT02047

Item No. 19.

Docket/Claim #	Vendor Name Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT231037	VULCAN MATERIALS COMPANY 09/05/2023	51397037	610 LIMESTONE	001-301-583.00	Gravel, Sand, Rip Rap	1,857.78	1,857.78
DKT231038	Waste Management 09/05/2023	0812032-4768-9	DUMPSTER RENTAL	001-140-681.00	Other Services & Charges	68.83	68.83
DKT231039	WESLEY SANDERFORD 09/05/2023	AUGUST2023	OPEN JAM HOST	001-653-650.00	Promotions	400.00	400.00
Total Claims: 43						Total Payment Amount:	148,662.24