



Mayor Depreo	
Councilmember L'Ecuyer	At-Large
Vacant	Ward 1
Councilmember Moran	Ward 2
Councilmember Morgan	Ward 3
Councilmember Clark	Ward 4

AGENDA
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, November 17, 2020
6:00 PM CST
Council Chambers, City Hall
and via teleconference, if necessary

Call to Order.

- Invocation – Councilmember Clark
- Pledge of Allegiance
- Roll Call
- Confirm or Adjust Agenda Order

Presentation Agenda.

Council Comments.

- a. The next Regular Meeting of the City Council will be held December 1, 2020 at 6:00 p.m. in Council Chamber located in City Hall.
- b. City Hall will be closed November 26 and 27, 2020 for the Thanksgiving holiday, December 24 and 25, 2020 for Christmas and December 31, 2020 and January 1, 2021 for the New Year.
- c. Beau Gex, III-Government Affairs Memorial Hospital
- d. Gulf Coast Chamber of Commerce - Representative

City Manager's Report.

Public Comments on Agenda Items.

Policy Agenda.

Minutes:

- 1. Motion to approve the November 3, 2020 Regular Meeting Minutes.

Tabled Items:

- 2. **2020-298:** Motion to declare the guard shack surplus and approve to advertise for Request for Proposals for the leasing of said property.

Ordinances:

Resolutions:

- 3. **2020-263:** Motion to adopt Resolution 2020-062 thereby establishing salaries for all employees for FY21.
- 4. **2020-320:** Motion to adopt Resolution 2020-082 thereby finding and adjudicating Parcel No. 067H-2-25-408.000 to be in such state to be a menace to the public health, safety and welfare of

the citizenry of the City and authorizing and ratifying the action of the City Manager under the Hurricane Zeta emergency declaration and for other related matters.

5. **2020-318:** Motion to adopt Resolution 2020-081 thereby, pursuant to the Governor's Executive Order, to close all City offices on Friday, November 27, 2020 in further observance of the Thanksgiving holiday, December 24, 2020 in further of observance of Christmas and December 31, 2020 in further observance of the New Year's Day.

Consent Agenda:

6. **2020-304:** Motion to adopt Incentive Pay Policy and further to incorporate same in to the employee handbook.
7. **2020-312:** Motion to approve Change Order No. 2 in the amount of -\$682.04 to the contract with Warren Paving for Roadway Improvements Phase 2.
8. **2020-313:** Motion to rescind Council action on May 19, 2020 thereby approving the purchase of a Chevrolet Silverado 1500SSV in the amount of \$26,307.50 (State Contract 8200048076) and further to approve of the purchase of a Chevrolet 150SSV in the amount of \$29,783.50 (State Contract 8200053669) from Rogers Dabbs Chevrolet for the Police Department.
9. **2020-314:** Motion to approve the purchase of two (2) Chevrolet Silverado 1500SSV from Rogers Dabbs Chevrolet through State Contract Pricing 8200053669 in the amount of \$29,783.50 each for a total of purchase of \$59,567.00.
10. **2020-315:** Motion to approve payments to Digital Engineering in the amount of \$15,000 for Roadway Improvements Phase 3, \$1,518.50 for Plan and Spec Review Services, \$4,625 for Roadway Improvements Phase 2 and \$1,891.50 for GIS Maintenance.
11. **2020-319:** Motion to approve the recommendation to renew employee insurances for Blue Cross Blue Shield .84% increase, Guardian basic life insurance \$.07/\$1,000 increase, Teledoc \$.15/month increase, AM First with no change all through Hub International.
12. **2020-321:** Motion to approve the recommendation to implement the Employee Incentive Program with a \$250 incentive payment payable in May 2021 pursuant to the the policy adopted.
13. **2020-322:** Motion to approve the creation of a Dog Park Steering Committee.

Action Agenda.

14. **2020-316:** Motion to approve the recommendation of the Planning Commission by Ms. Mary Ellen Jones requesting a variance from the Zoning Ordinance (Article 9.8 J) to replace a 6' wood privacy fence on the front property line along Laie Court and extending beyond the front façade of her house within the 20' front yard setback area. The property address is 790 Laie Court. The tax parcel number is 067R-2-36-161.000. The legal description is Diamondhead Subdivision Phase #2, Unit 3, Block 2, Lots 59 and 60.
15. **2020-317:** Motion to concur with the recommendation of the Planning Commission to deny the variance request by Ms. Ahtena Tzuanos to allow the placement of an existing shed (9X15) without permit extending beyond the front facade of the house facing Banyan Street. The property address is 63732 Diamondhead Drive North; the tax parcel number 068R-3-41-037.000.

Routine Agenda.

Claims Payable

- 16. Motion to approve Docket of Claims (DKT157759 - DKT157797) in the amount of \$217,481.08.

Department Reports

- a. Building Department
Police Department
Code Enforcement
Privilege License

Public Comments on Non-Agenda Items.

Executive Session - If Necessary

Adjourn/Recess.

NOTE: THE CITY OF DIAMONDHEAD WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES WHERE NECESSARY TO AFFORD INDIVIDUALS WITH DISABILITIES AN EQUAL OPPORTUNITY TO SERVICES AND ACTIVITIES OF THE CITY. A WRITTEN REQUEST BY OR ON BEHALF OF QUALIFYING INDIVIDUALS SHALL BE SUBMITTED IN A TIMELY MANNER TO THE CITY CLERK.



Mayor Depreo	Item No. 1.
Councilmember L'Ecuyer	Ward 1
Vacant	Ward 2
Councilmember Moran	Ward 3
Councilmember Morgan	Ward 4
Councilmember Clark	

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
Tuesday, November 03, 2020
6:00 PM CST
Council Chambers, City Hall

Call to Order.

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

Invocation - Councilmember Morgan

Pledge of Allegiance

Roll Call

PRESENT

Mayor Nancy Depreo

Ward 1 Vacant

Ward 2 Alan Moran

Ward 3 Jamie Morgan

Ward 4 Charles Clark

Councilmember-At-Large Lindsay L'Ecuyer

Confirm or Adjust Agenda Order

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 3 Morgan to approve the agenda with the following adjustments:

Add: 2020-312: Ordinance 2020-002 waiving building, electrical, plumbing and mechanical permit fees for existing homes and businesses damaged Hurricane Zeta effective immediately and ending April 30, 2021.

Add: 2020-311: Resolution 2020-080 thereby authorizing the temporary placement of camper trailers for existing homes damaged by Hurricane Zeta.

Table: 2020-298:

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

MOTION CARRIED UNANIMOUSLY

Presentation Agenda.

Council Comments.

1. The next Regular Meeting of the City Council will be held Tuesday, November 17, 2020 at 6:00 p.m. in Council Chambers located in City Hall 5000 Diamondhead Circle.

The Diamondhead Festival & BBQ Competition will be held November 14, 2020 from 11:00 a.m. to 6:00 p.m.

Presentation honoring Mayor Thomas E. Schafer, IV. Jimmie Ladner, Kodie Koenenn and Councilmember Jamie Morgan spoke in memory of Mayor Schafer. Camille and Caroline Schafer to hang the picture in council chambers.

City Manager's Report.

1. Advertising for the first phase of Town Center `Roads – This project is funded by the Gulf Coast Restoration Fund grant that we received this summer for \$1.5 million. We need to follow MDA procurement guidelines so we cannot just use the existing master service contracts with our current engineers. We need to advertise to give everyone the same opportunity to complete for the project. The first phase will be to extend Leisure Time Lane to Park Ten Drive; to extend Park Ten Drive to Noma Drive; and to extend Leisure Time Drive to Gex Drive.
2. Covington Engineering – I did a small work assignment with Covington Engineer for \$2,500 to review the request for bids for debris removal. They provided their comments this morning.
3. Debris Removal – The city will need to procure two companies for the debris removal. First, we will hire a debris monitoring firm, and second, we will hire the debris contractor to actually remove the debris from the streets. We must follow FEMA procurement guidelines to be eligible for reimbursement. If we do not follow the required guidelines, the city could have to pay for 100% of the cost to remove the debris which will be significant. If we qualify for reimbursement, the city may only need to be 12.5% of the cost to remove the debris. We have created a calendar which will allow us to start advertising tomorrow and again next Wednesday in our local newspaper. We need to wait 7 business days from the last advertisement date before we can award the bids. That makes it Friday, November 20 for bids to be opened. We are hoping to have mobilization the following week to start moving the debris. One benefit of a delayed start will be to allow residents to get their own debris to the roadside. We want to minimize the number of runs that contractor needs to go through the city since this heavy equipment tears up streets. Residents are asked to put their debris along the city streets, but not in the streets.
4. Campers on Property – I am asking the council for authorization to allow temporary campers to be placed on residential properties to assist residents who need to repair their homes. A permit would be needed, but their fees would be waived. Also, this is not for new construction. This is only for current homeowners living in their homes on the night of the storm.
5. Waiver of Fees for Building Permits – I am asking the council to waive building department fees related to permits for repairs from the hurricane.
6. Contractors (i.e. builders, roofers, AC/heat, electricians) are required to be permitted with the city to do business in Diamondhead. This helps us protect our residents from fraud when the city has a record of who is doing business in our area.
7. Residents should not pre-pay for work. This provides an opportunity for fraud. We saw this after Katrina when contractors would require a down payment or payment and full and then disappear. You need to protect yourself from fraud. Make sure contractor is State licensed contractor and has a permit to operate in the City of Diamondhead.
8. Hurricane Zeta Comments:
 - a. Wind Speed reached 104 mph in BSL
 - b. Storm surge was 11 ft at Bay Waveland Yacht Club gauge
 - c. We identified 11 residential structures with major damage as of now
 - d. There are lots of trees down in Diamondhead
 - e. Public works, DWSD, and the police helped clear the streets on Wednesday and Thursday so cars could drive around the city
 - f. DWSD never lost water and sewerage services for the city

- g. Coast Electric restored electricity to 100% of homes by Monday
- h. Local gas stations and grocery stores reopened on Thursday morning
- i. Most restaurants and pharmacies reopened by Friday
- j. Residents have done an amazing job cleaning up their personal property.

9. Thank you to many – We need to recognize and thank many people who have assisted our city over the last week: The Hancock Emergency Operations Center worked 24/7 during and after the storm; Coast Electric; public works department; DWSD staff; fire district; police department; and all city employees.

Public Comments on Agenda Items.

Scott Lippon addressed the Council regarding the proposed variance to allow the construction of a carport within 7.5 ft and 11.5 feet of the property lines.

Policy Agenda.

Minutes:

- 1. Motion to approve the October 20, 2020 Minutes.

Motion by Councilmember Morgan, seconded by Councilmember Clark, to approve the October 20, 2020 minutes.

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

MOTION CARRIED UNANIMOUSLY

Ordinances:

Motion made by Councilmember-At-Large L’Ecuyer, Seconded by Ward 4 Clark to adopt Ordinance 2020-002 thereby waiving building, electrical, plumbing and mechanical permit fees existing homes and businesses damaged by Hurricane Zeta effectively immediately and ending April 21, 2021.

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

MOTION CARRIED UNANIMOUSLY

Resolutions:

- 2. **2020-292:** Motion to adopt Resolution 2020-072 thereby abandoning the 5’ drainage and utility easement along the common lot line between lots 24 and 25 as well as lots 25 and 26, Diamondhead Subdivision Phase 2, Unit 9. Carl Boyanton has requested an abandonment of easements for the purpose of constructing a single family home at 11440 Haleiwa Place.

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to dopt Resolution 2020-072 thereby abandoning the 5’ drainage and utility easement along the common lot line between lots 24 and 25 as well as lots 25 and 26, Diamondhead Subdivision Phase 2, Unit 9. Carl Boyanton has requested an abandonment of easements for the purpose of constructing a single family home at 11440 Haleiwa Place.

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

MOTION CARRIED UNANIMOUSLY

- 3. **2020-295:** Motion to adopt Resolution 2020-073 thereby ratify and proclaiming the existence of a local emergency commencing at 4 p.m. October 26, 2020 due to Hurricane Zeta.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 3 Morgan to adopt Resolution 2020-073 thereby ratify and proclaiming the existence of a local emergency commencing at 4 p.m. October 26, 2020 due to Hurricane Zeta.

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

MOTION CARRIED UNANIMOUSLY.

- 4. **2020-301:** Motion to adopt Resolution 2020-074 thereby declaring a vacancy in Ward 1 Council vacancy and setting the Special Election to fill the vacancy.

Motion made by Ward 4 Clark, Seconded by Ward 2 Moran to adopt Resolution 2020-074 thereby declaring a vacancy in Ward 1 Council vacancy and setting the Special Election to fill the vacancy for December 8, 2020 and for other related matters.

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

MOTION CARRIED UNANIMOUSLY

- 5. **2020-303:** Motion to adopt Resolution 2020-073 naming Michael Reso Designated Officer for UMB Bank for the city procurement card accounts.

Motion made by Ward 3 Morgan, Seconded by Ward 4 Clark to adopt Resolution 2020-073 naming Michael Reso Designated Officer for UMB Bank for the city procurement card accounts.

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

MOTION CARRIED UNANIMOUSLY

- 6. **2020-305:** Motion to adopt Resolution 2020-077 thereby appointing Simone Wiltz to serve as Deputy City Clerk.

Motion made by Councilmember-At-Large L'Ecuyer, Seconded by Ward 4 Clark to adopt Resolution 2020-077 thereby appointing Simone Wiltz to serve as Deputy City Clerk.

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

MOTION CARRIED UNANIMOUSLY

- 7. **2020-306:** Motion to adopt Resolution 2020-078 thereby requesting Governor Reeves declare a state of emergency due to the potential impact of Hurricane Zeta.

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran to adopt Resolution 2020-078 thereby requesting Governor Reeves declare a state of emergency due to the potential impact of Hurricane Zeta.

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

MOTION CARRIED UNANIMOUSLY

7a. 2020-311: Motion to adopt Resolution 2020-080 authorizing the temporary placement of camper trailers for existing homes damaged by Hurricane Zeta.

Motion was made by Councilmember L'Ecuyer, seconded by Councilmember to Clark, to adopt Resolution 2020-080 authorizing the temporary placement of camper trailers for existing homes damaged by Hurricane Zeta for a period of 6 months from the date of permit or upon approval of final inspection for the repairs whichever comes first.

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

MOTION CARRIED UNANIMOUSLY

Consent Agenda:

Motion made by Ward 3 Morgan, Seconded by Councilmember-At-Large L'Ecuyer to approve the following agenda items by consent:

- 8. **2020-291:** Motion to approve final payment in the amount of \$19,913.38 to Moran Hauling, Inc. for East Aloha Widening.
- 9. **2020-296:** Motion to declare that local emergencies no longer exist and further to terminate proclamations of local emergencies for Tropical Storm Marco and Tropical Storm Laura, Tropical Storm Sally and Hurricane Delta.
- 10. **2020-297:** Motion to accept Substantial Completion of Roadway Improvements Project Phase 2 as of September 23, 2020.
- 12. **2020-299:** Motion to authorize advertisement for engineering services for the Park Ten, Leisure Time Lane and Leisure Time Drive extension (Gulf Coast Restoration Fund Grant Project).
- 13. **2020-307:** Motion to approve payment to James J. Chiniche in the amount of \$1,470 for professional services relating to East Aloha Phase 1 bidding phase.
- 14. **2020-308:** Motion to approve to advertise for debris monitoring services and debris removal and disposal services as the result of Hurricane Zeta.
- 15. **2020-310:** Motion to ratify a Master Service Agreement Work Assignment with Covington Civil and Environmental in an amount not to exceed \$2,500 for review and assistance with project manual and specification for Debris Removal and Disposal Services.

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

MOTION CARRIED UNANIMOUSLY

Action Agenda.

- 16. **2020-293:** Motion to approve the recommendation of the Planning Commission to grant a variance for Ms. Tammy Simms Fields and Mr. Scott C. Lippon to allow a carport within 7.5' (the closest point) and 11.5' (the farthest point) from the rear property line. The property address is 8912 Anahola Court. The tax parcel number is 067J-3-36-143.000. The case file number is 202000395.

Motion made by Ward 4 Clark, Seconded by Ward 3 Morgan to approve the recommendation of the Planning Commission to grant a variance for Ms. Tammy Simms Fields and Mr. Scott C. Lippon to allow a carport within 7.5' (the closest point) and 11.5' (the farthest point) from the rear

property line. The property address is 8912 Anahola Court. The tax parcel number is 067J-3-36-143.000. The case file number is 202000395.

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

MOTION CARRIED UNANIMOUSLY

Routine Agenda.

Claims Payable

- 17. Motion to approve Docket of Claims (DKT157694 - DKT157758) in the amount of \$128,020.78.

Motion made by Ward 3 Morgan, Seconded by Ward 2 Moran to approve Docket of Claims (DKT157694 - DKT157758) in the amount of \$128,020.78.

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

MOTION CARRIED UNANIMOUSLY

Public Comments on Non-Agenda Items. -None.

Adjourn/Recess.

At 6:40 p.m. and with no further business to come before the council motion made by Ward 3 Morgan, Seconded by Ward 4 Clark.

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

MOTION CARRIED UNANIMOUSLY

Nancy Depreo
Mayor

Jeannie Klein
City Clerk

2020-298

Item No.2.



Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

October 27, 2020

Mayor and Council
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Dear Councilmembers:

Re: Declare surplus real property (Guard Shack) and advertise for RFQ's for leasing

The City has been approached by an individual interested in leasing the building (Guard Shack). The building is not used by the City for any purpose and according to statute may be declared surplus and leased.

The property will need to be declared no longer of use to the City and deemed surplus real property. Provided the property is deem surplus, further approval is requested to advertise for Request for Proposals for leasing the property.

Sincerely,


Michael Reso
City Manager

MR:jk

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

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

WHEREAS, the City Council hereby establishes FY21 salaries and hourly rates for specified positions as defined and authorizes same to be expended accordingly; and

WHEREAS THE GOVERNING BODY OF THE CITY, does hereby establish and resolve to incorporate into its official record of action FY21 salaries and hourly rates for specified positions and those employees of the City as follows:

Department	Position	Salary
Judicial	Court Clerk	\$48,674
Judicial	Deputy Court Clerk	\$34,591
Judicial	Judge - Part Time	\$19,900
Administration	Receptionist	\$29,722
Administration	Deputy City Clerk / Exec. Asst.	\$43,015
Administration	City Clerk	\$57,369
Administration	City Manager	\$89,068
Administration	Finance Clerk	\$45,000
Administration	Comptroller	\$68,052
Building	Building Official	\$57,820
Building	Building Clerk	\$30,822
Building	Building Inspector	\$37,490
Building	Planning & Zoning	\$12,000
Building	Compliance Officer - Part Time	\$11,990
Public Works	PW Director	\$58,000
Public Works	Public Works Clerk	\$31,000
Public Works	GEI	\$31,207
Public Works	GEII	\$31,207
Public Works	HEQII	\$33,279
Public Works	GEI	\$28,080
Public Works	GEI	\$25,992
Public Works	GEI	\$24,962
Public Works	Supervisor	\$39,132
Public Works	GEI	\$24,962
Public Works	GEI	\$25,482
Public Works	HEQII	\$30,167
Public Works	GEII	\$27,036
Public Works	HEQII	\$45,766
Public Works	Supervisor	\$40,976
Public Works	Mechanic	\$34,314
Public Works	GEI	\$24,962
Public Works	GEI	\$24,968

WHEREAS THE GOVERNING BODY OF THE CITY, does hereby establish and resolve to incorporate into its official record of action FY21 salaries and hourly rates for specified positions and those employees of the City effective October 20, 2020 pursuant to Resolution 2020-067 duly adopted on October 20, 2020.

I hereby certify that the above and forgoing Resolution was adopted in the affirmative by the following vote of the Council of the City of Diamondhead on the _____ day of _____, 2020.

	Aye	Nay	Absent
Mayor Depreo	_____	_____	_____
Councilmember L'Ecuyer	_____	_____	_____
Councilmember Moran	_____	_____	_____
Councilmember Morgan	_____	_____	_____
Councilmember Clark	_____	_____	_____

ATTEST: _____
 JEANNIE KLEIN, CITY CLERK

APPROVED: _____
 NANCY DEPREO, MAYOR

seal

A RESOLUTION OF CITY COUNCIL OF THE CITY OF DIAMONDHEAD, MISSISSIPPI, FINDING AND ADJUDICATING THAT THE HEREIN DESCRIBED PARCEL OF LAND OWNED BY THE SECRETARY OF STATE OF MISSISSIPPI IS IN SUCH A STATE AS TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE CITIZENRY OF THE CITY AND AUTHORIZING AND RATIFYING THE ACTION OF THE CITY MANAGER TO REQUEST QUOTE(S) AND TO HAVE A DANGEROUS TREE ON SAID LAND REMOVED AND TO ASSESS THE COSTS TO THE SAID PROPERTY, IF APPLICABLE

WHEREAS, the 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 Public Works Department, that a tree on a parcel of land described below is in such a state of danger due to high winds from Hurricane Zeta which struck the City on October 28, 2020 as to be a menace to the public health, safety, and welfare of the citizenry of the City; and

WHEREAS, an emergency declaration was made by the governing body of the City of Diamondhead on or about October 26, 2020 granting certain powers to the City to protect public safety pursuant to §33-15-17(d), MS Code Annotated 1972, as amended, and

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

WHEREAS, the parcel investigated by the Public Works Department and recommended by same for adjudication as being in such a state as to be a menace to the public health, safety and welfare of the citizenry of the City is identified as:

Secretary of State of Mississippi, owner, Parcel number 067H-2-25-408.000, 75 BLK 13 Diamondhead Phase2, Unit #7

- Remove one dangerous tree that is in imminent threat of falling thereby impacting and endangering multiple properties within the City of Diamondhead

WHEREAS, Consent to Entry on State-Owned Property from property owner Secretary of State of Mississippi was received by the City of Diamondhead, MS on or about

November 9, 2020 for the purpose of investigating the danger and the removal of same thereby obviating the need for further notice pursuant to Mississippi Code Annotated §21-19-11, 1972, as amended; and

WHEREAS, the City Council further find, determine, and adjudicate that the cost of the tree removal shall not exceed the aggregate amount of \$10,000.00 per parcel per calendar year or the fair market value of the property subsequent to the tree removal, whichever is less. The actual lowest quote received and accepted by the City Manager to remove the tree was for \$950.00 Said amount including a penalty, if applicable, 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, if applicable to State-Owned property.

NOW, THEREFORE, BE IT RESOLVED BY THE 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 identified as Tax Parcel Number: 067H-2-25-408.000 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 Manager be and hereby is authorized and the City Council hereby ratifies the acceptance of the lowest quote of \$950.00 to remove the dangerous tree as described hereinabove and lying within the corporate boundaries of the City of Diamondhead, Hancock County, Mississippi.

SECTION 4. That the cost of the tree removal of the herein described property,

including any penalty assessed, shall be a lien against said property 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, if applicable to State-Owned property.

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:

YEAS NAYS ABSENT

Depreo
Ward 1 Vacant
Moran
Morgan
Clark
L'Ecuyer

WHEREUPON, the Mayor declared the Motion carried and the Resolution adopted, this the _____ day of November, 2020.

ATTEST:

ADOPTED:

CITY CLERK

MAYOR



November 9, 2020

Butch Walton
City of Diamondhead
5000 Diamondhead, Circle
Diamondhead, MS 39525

TAX PARCEL NUMBER: 067H-2-25-408.000
PROPERTY DESCRIPTION: 75 BLK 13 DIAMONDHEAD PHASE #2 UNIT #7 AA-85-322
TAX SALE MATURED: 8/30/2017

CONSENT TO ENTRY ON STATE-OWNED PROPERTY

Mr. Walton,


Permission is hereby granted to the City of Diamondhead to enter upon the property described above (the "Property") currently owned by the State of Mississippi for the purpose of cutting a tree at no cost to the Office of the Mississippi Secretary of State.

The Property was acquired by the State of Mississippi by forfeiture for non-payment of ad valorem taxes. The State makes no representation as to the safety or the absence of hazardous conditions on the Property. In accepting this grant of permission to enter the Property for the limited purposes set forth above, the City of Diamondhead assumes all risk of injury, including death, which may result from the permitted activities on or in connection with the Property.

This permission to enter may be terminated and/or revoked by the State and shall automatically be terminated and revoked upon sale of the Property by the State. Once cutting the tree is complete, please notify our office as soon as possible so that we may update our records.

If you require additional assistance, please contact Renita Wright at 601-359-6380.

Sincerely,



William G. Cheney, Jr. *rw*
Assistant Secretary of State, Lands

A RESOLUTION OF THE MAYOR AND CITY COUNCIL, ("THE GOVERNING BODY") OF THE CITY OF DIAMONDHEAD, MISSISSIPPI ("THE CITY"), AUTHORIZING CITY OFFICES CLOSED IN OBSERVANCE OF THANKSGIVING, CHRISTMAS AND NEW YEAR HOLIDAYS.

WHEREAS, the State of Mississippi recognizes Thanksgiving, Christmas Day and New Year's Day are declares legal holidays pursuant MS Code Ann. Section 3-3-7; and

WHEREAS, on the 16th day of October 2020 Governor Tate Reeves proclaimed the following Holidays

- Thursday, November 28, 2019 in observance Thanksgiving Day
- Wednesday, December 25, 2019 in observance of Christmas Day
- January 1, 2021 in observance of New Year's Day

IN ADDITION, on the 16th day of October 2020 Governor Tate Reeves further authorized the executive officers of all state agencies, in their discretion after considering the interest of the people of the State of Mississippi and the staffing needs of their respective agencies, to close all offices of the State of Mississippi on Friday, November 27, 2020 in further observance of Thanksgiving holiday, Thursday, December 24, 2020 in further observance of Christmas and Thursday, December 31, 2020 in further observance of the New Year's season;

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

That the City of Diamondhead does hereby declare November 26 and 27, 2020, December 24 and 25, 2020, January 31, 2020 and January 1, 2021 to be City of Diamondhead Holidays and shall close its office in further observance of said holidays.

SO BE IT RESOLVED this 17th day of November, 2020.

The above and foregoing Resolution of the Mayor and 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	Absent
Ward 1 Vacant	_____	_____	_____
Councilmember Moran	_____	_____	_____
Councilmember Morgan	_____	_____	_____
Councilmember Clark	_____	_____	_____
Councilmember L'Ecuyer	_____	_____	_____
Mayor Depreo	_____	_____	_____

Nancy Depreo, Mayor

Attest:

Jeannie Klein, City Clerk

Agenda 2020-318
RES 2020-081

Item No.5.

STATE OF MISSISSIPPI

Office of the Governor



PROCLAMATION

WHEREAS, pursuant to Miss. Code Ann. Section 3-3-7, Thanksgiving Day, Christmas Day and New Year's Day are declared legal holidays in the State of Mississippi; and

WHEREAS, during the Thanksgiving holiday and Christmas and New Year's season, many state employees will spend time with their families in Mississippi and in other states:

NOW, THEREFORE, I, Tate Reeves, Governor of the State of Mississippi, pursuant to the authority vested in me under the Constitution of the State of Mississippi and applicable statutes of the State of Mississippi, do hereby authorize the closing of all offices of the State of Mississippi on Thursday, November 26, 2020, in observance of THANKSGIVING DAY; on Friday, December 25, 2020, in observance of CHRISTMAS DAY; and on Friday, January 1, 2021, in observance of NEW YEAR'S DAY.

IN ADDITION, I hereby authorize the executive officers of all state agencies, in their discretion after considering the interests of the people of the State of Mississippi and the staffing needs of their respective agencies, to close all offices of the State of Mississippi on Friday, November 27, 2020, in further observance of the Thanksgiving holiday, on Thursday, December 24, 2020, in further observance of Christmas and on Thursday, December 31, 2020, in further observance of New Year's Day; and to staff their respective agencies as needed during the Thanksgiving holiday and Christmas and New Year's season.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.



DONE in the City of Jackson, on the 16th day of October in the year of our Lord, two thousand and twenty, and of the Independence of the United States of America, the two hundred and forty-fifth.

Tate Reeves

TATE REEVES
GOVERNOR

BY THE GOVERNOR

Employee Handbook: Employee Incentive Plan

The City of Diamondhead, MS (City) desires their employees to work to their highest ability to achieve their fullest potential. This expectation is predicated on the belief that the City and their respective employees should work in unison for the well-being of the City, the citizenry, and the individual employee. As an incentive, the City has developed an Incentive Plan (the Plan) to encourage and motivate their employees. It is anticipated that if the Plan is followed and the employee fulfills the obligations mandated upon them by the Plan, then the employee shall be entitled to incentive remuneration. The Mayor and the City Council must set the Incentive Plan each year and the ultimate eligibility for payment is at the discretion of the City Manager in consultation with the individual Department Directors. Until further notice, the current Plan shall make incentive payments to the employees during November and May. The Plan is as follows:

- ✓ The Incentive Periods for each predetermined year as approved by the Mayor and City Council are:
 - Period #1: November 1 through April 30; payable the 2nd payroll in May and,
 - Period #2: May 1 through October 31, payable the 2nd payroll in November.
- ✓ Full-time employees become eligible for the Incentive Plan after 6 months of employment.
- ✓ The employee shall read the current City of Diamondhead Employee Handbook (i.e. Personnel Policies and Procedures, the Attendance Policy, and the Drug and Alcohol Policy) and shall abide by the rules/regulations therein. If something is unclear in these policies, the employee shall seek clarification from his/her supervisor.
- ✓ The employee shall be on-time and punctual for work and for meetings that are routinely scheduled in relevance to his/her job description and/or duties. The employee shall comply with all aspects of the attendance/punctuality policy for the City of Diamondhead.
- ✓ The employee shall show up for work each and every day committed to performing his/her respective job description and/or duties to the best of his/her ability. In so doing, he/she will NOT incur any written warnings during the previous six (6) month period because of a deficient work product, action, or incident.
- ✓ Employee shall follow all safety guidelines when operating equipment and performing all tasks as part of his/her job description.
- ✓ Employee shall not misuse and/or abuse City equipment and tools which lead to the damage of City property.

Pro-rated checks: The following describes the pro-rating of incentive checks for specific situations.

- ✓ Paid Leave: An employee on 100% paid leave will receive an incentive check as if he/she worked the entire incentive period.
- ✓ Unpaid Leave: An employee who has any portion of his/her leave unpaid will receive an incentive check that is pro-rated by the amount of time not paid during the incentive period.

I, through the signature below, acknowledge that I have read and understand what is expected of me to participate in the City of Diamondhead’s Incentive Plan. Furthermore, I do plan to participate in the Plan and will fulfill the requirements expected of me.

Printed Name

Employee Signature

Date

THOMSON REUTERS

WESTLAW Mississippi Attorney General Opinions*Mr. Bobby Eleuteris*

Office of the Attorney General

November 1, 2013

2013 WL 6780272 (Miss.A.G.)

Office of the Attorney General

State of Mississippi

***1**

Opinion No. 2013-00431

1** November 1, 2013**Re: Incentive Payment to municipal employees**1** Mr. Bobby Eleuteris***1** City Manager***1** City of **D'Iberville*****1** P.O. Box 6519***1** **D'Iberville** , MS 39540-6519

Dear Mr. Eleuteris:

1** Attorney General Jim Hood received your request and assigned it to me for research and response.**Issues Presented**1** You inquire as to whether a municipality may pay its employees an "incentive payment" in lieu of a salary increase. Specifically, you provide the following:***1** As the new city manager for the City of **D'Iberville** , I write to you seeking an official opinion regarding a matter before the city council. I have just taken the city manager position and I am trying to approach all legal matters with the utmost of caution to ensure that the city is doing things correctly.***1** Specifically, I am inquiring about a proposed method to provide an increase in compensation to our 125 employees. The method of partial compensation in question is the legality and manner in which we provide an incentive payment in addition to their regular pay. We have an incentive payment of five hundred dollars (\$500) in the budget for each employee to be received two times during the course of the fiscal year. This incentive payment is in lieu of an increase in base salary that the city may not be able to afford from one year to the next in this time of declining tax revenues.**Response*****1** The municipality is authorized to provide "incentive payments" to its employees, provided that such payment is contracted for by the employer and employee prior to the date when the services are performed, is determined in accordance with objective standards of measurement and is earned by personal services performed by the employee.

response.

Issues Presented

***1** You inquire as to whether a municipality may pay its employees an “incentive payment” in lieu of a salary increase. Specifically, you provide the following:

***1** As the new city manager for the City of D’Iberville, I write to you seeking an official opinion regarding a matter before the city council. I have just taken the city manager position and I am trying to approach all legal matters with the utmost of caution to ensure that the city is doing things correctly.

***1** Specifically, I am inquiring about a proposed method to provide an increase in compensation to our 125 employees. The method of partial compensation in question is the legality and manner in which we provide an incentive payment in addition to their regular pay. We have an incentive payment of five hundred dollars (\$500) in the budget for each employee to be received two times during the course of the fiscal year. This incentive payment is in lieu of an increase in base salary that the city may not be able to afford from one year to the next in this time of declining tax revenues.

Response

***1** The municipality is authorized to provide “incentive payments” to its employees, provided that such payment is contracted for by the employer and employee prior to the date when the services are performed, is determined in accordance with objective standards of measurement and is earned by personal services performed by the employee.

Applicable Law and Discussion

***1** In accordance with Mississippi Constitution Article IV, Sections 66 and 96, a public entity is prohibited from “paying extra compensation” to its employees for past services performed by that employee, as such would constitute an unlawful donation. However, this office has recognized that “employee incentive payments” do not run afoul of these constitutional provisions when said incentive payments are implemented prospectively and payment is made pursuant to conditions to be met in the future. MS AG Op., Robertson (September 30, 2011); MS AG Op., Campbell (April 12, 2010); MS AG Op., Meredith and Jones (December 22, 2006); MS AG Op., Siler (July 18, 2003). Bonus payments to employees are prohibited by Sections 66 and 96 of the Mississippi Constitution. However, incentive payments are permissible when the incentive payment is contracted for by the employer and employee prior to the date when the services are performed, is determined in accordance with objective standards of measurement and is earned by personal services performed by the employee. MS AG Op., Robertson (September 30, 2011); MS AG Op., Campbell (April 12, 2010). We should note that, pursuant to Mississippi Code Ann. Section 25-11-103(k), incentive payments cannot be reported to PERS as earned compensation.

***2** We do not opine as to whether the proposed plan meet these requirements. Such a determination must be made by the municipality and is subject to review by the Office of the State Auditor or a court of competent jurisdiction.

***2** If we may be of further assistance, please advise.

Very truly yours,

***2** Jim Hood

***2** Attorney General

***2** By: Leigh Triche Janous

November 5, 2020

Mr. Michael Reso
City Manager
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Re: Diamondhead Roadway Improvements Phase 2
Change Order No.2

Dear Mr. Reso,

Attached is the documentation for the Diamondhead Roadway Improvements Phase 2 Change Order No.2. This change order request is the final quantity adjustment for this project. This change order will not increase the contract time. This change order represents a net decrease of \$682.04 to the contract price.

We recommend approval and execution of this document. Should you have questions or need additional information, please contact our office.

Sincerely,

DIGITAL ENGINEERING


John M. Stein, P.E.
Manager of Engineering Operations

cc: Carlos Morales, WP
Jeannie Klein, COD

Enclosures

CHANGE ORDER

Item No.7.

No. 002

DATE OF ISSUANCE October 20, 2020

EFFECTIVE DATE _____

OWNER: City of Diamondhead

CONTRACTOR: Warren Paving, Inc.

PROJECT: Roadway Improvements Project Phase 2

OWNER's Contract No.: _____

ENGINEER's Contract No. _____

ENGINEER: Digital Engineering

You are directed to make the following changes in the Contract Documents:

Description: Final Quantity Adjustment

Reason for Change Order: Final Quantity Adjustment

Attachments: (List documents supporting change) See attached Summary Table.

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ 457,056.13
Net Increase (Decrease) from previous Change Orders No. <u>0</u> to <u>1</u> : \$ 35,523.36
Contract Price prior to this Change Order: \$ 492,579.49
Net increase (decrease) of this Change Order: \$ (682.04)
Contract Price with all approved Change Orders: \$ 491,897.45

CHANGE IN CONTRACT TIMES:
Original Contract Times: 45 Calendar Days Substantial Completion: September 16, 2020 Ready for final payment: 30 Days (days or dates)
Net change from previous Change Orders No. <u>0</u> to No. <u>1</u> : Substantial Completion: 7 Ready for final payment: 0 (days)
Contract Times prior to this Change Order 90 Calendar Days Substantial Completion: September 23, 2020 Ready for final payment: 30 Days (days or dates)
Net increase (decrease) this Change Order: Substantial Completion: 0 Ready for final payment: 0 (days)
Contract Times with all approved Change Orders: Substantial Completion: September 23, 2020 Ready for final payment: 30 Days (days or dates)

The Contractor's cost breakdown has been reviewed by the Engineer, and the Engineer has certified that the incremental cost is sufficiently detailed, accurate, fair, and reasonable to accept "as-is."

ACCEPTED:
By: 
CONTRACTOR (Authorized Signature)

RECOMMENDED:
By: 
ENGINEER (Authorized Signature)

APPROVED:
By: _____
OWNER (Authorized Signature)

Date: 10/22/2020

Date: 11/2/2020

Date: _____

**DIAMONDHEAD ROADWAY IMPROVEMENTS - PHASE 2
FINAL QUANTITY ADJUSTMENT**

Item	Description	Unit	Quantity	Unit Price	Total Price
DEDUCT THE FOLLOWING QUANTITIES FROM THE CONTRACT:					
6	Project Sign	LS	-1	\$263.75	\$ (263.75)
A1-2	Hot Mix Asphalt, Type ST 19mm Base Course (3" Thick)	SY	-33	\$16.60	\$ (547.80)
A1-3	Hot Mix Asphalt, Type St 9.5mm Surface Course (1 1/2" Thick)	SY	-33	\$8.10	\$ (267.30)
CO 1-1	Makiki Drive Cold Milling Bituminous Pavement	SY	-15.5	\$25.00	\$ (387.50)
CO 1-2	Makiki Drive Base Failure Repairs As Needed	LS	-1.0	\$2,500.00	\$ (2,500.00)
CO 1-3	Makiki Drive Base Course Mix, Depth 2 1/2"	SY	-15.5	\$16.60	\$ (257.30)
CO 1-4	Makiki Drive Surface Course Mix, Depth 1 1/2"	SY	-15.5	\$8.10	\$ (125.55)
	NET DECREASE				\$ (4,349.20)
ADD THE FOLLOWING QUANTITIES / ITEMS:					
7	Asphaltic Concrete Pavement, 1-1/2" Overlay	SY	299	\$7.84	\$ 2,344.16
8	Plastic Pvm't Striping (24" Width) (Thermoplastic 125 Mil)(Stop Bar)	LF	150	\$8.82	\$ 1,323.00
	NET INCREASE				\$ 3,667.16
	TOTAL CHANGE IN CONTRACT AMOUNT				\$ (682.04)



Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

November 9, 2020

Mayor and Council
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Dear Councilmembers:

Police Department Vehicle Purchase – Captain's Unit

On May 19, 2020, approval was granted to purchase one (1) Chevrolet Silverado 1500SSV in the amount of \$26,307.50 through state contract pricing for the police department captain. Funding for this unit was obligated in the FY20 budget. Due to the availability of the vehicles as the result of the COVID-10 pandemic, the vehicle remains undelivered at this time.

During and after Hurricane Zeta, our police department was met with some challenges. It would be advantageous for the police department to have several pick-up trucks properly equipped to assist with immediate debris management for emergency road clearing.

It is my recommendation to upgrade the purchase to a 4-wheel drive truck from Rogers Dabbs Chevrolet in the amount of \$29,783.50 through State Contract Pricing 8200053699. Additional equipment needed to outfit the vehicle will be determined and purchase through quote solicitation.

Thank you in advance for your favorable consideration and approval in this matter.

Sincerely,



Michael Reso
City Manager

2020-156

Item No.8.

20



5000 Diamondhead Circle • Diamondhead, MS 39525-3260
Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

May 15, 2020

Mayor and Council
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Dear Councilmembers:

Re: Purchase of Police Vehicles

Recently authorization to purchase 2 police vehicles from Landers Dodge was granted. We have been informed that the dealer cannot supply the vehicles and must therefore cancel the order due to non-performance.

It is my recommendation to purchase the following vehicles for the police department through state contract pricing:

- ★ Rogers-Dabbs Chevrolet 2021 Chev Silverado SSV \$26,307.50 Contract # 8200048076
- Mac Haik Auto 2020 Dodge Durango PPV \$26,775 Contract #8200048070

Also, please accept the low quote received from Mac Haik in the amount of \$5,625 for the police patrol package for the Dodge Durango. The competing quote for the patrol package was received from Weathersby Electronics in the amount of \$5,800.00

If you find these documents to be in order, please proceed with approval.

Sincerely,

Michael Reso
City Manager

MR:jk

APPROVED BY COUNCIL
5/19/2020
DATE
Barber
BY

2021

STANDARD/OPTIONAL EQUIPMENT FORM

DESCRIPTION: Pick-Up Truck, 2 Wheel Drive, Crew Cab, **Special Service Vehicle** (CC10543)

VENDOR: Rogers-Dabbs Chevrolet

ITEM NO.: 072-02-11100-6

MAKE/MODEL: Chevrolet Silverado 1500SSV

ENGINE: 5.3L V8 355 HP

PRICE INCLUDING TITLE FEE: **\$25,989.00**

Miles Per Gallon	
City	17
Hwy	23
Combined	19

Contract No: 8200048076	E-Mail: maccars@rogersdabbs.com
Rogers Dabbs Chevrolet, Inc	Phone: 601.825.2277
1501 W. Government Street	Toll Free: 800.489.2070
Brandon, MS 39042	Fax: 601.825.9031
Pat McCarthy	

LIST FACTORY COLORS AVAILABLE AT NO CHARGE:				Interior:	
Summit White	Shadow Gray Met.			Jet Black Cloth	
Black	Satin Steel Met.			Med. Gray Vinyl	
Red Hot	Havana Brown Met.				
Silver Ice Met	Northsky Blue Met.				

ITEM	REQ.		
	OPTION	DEALER	OPTION
List optional engines:	CODE	COST	CODE

N/A			

NOTE: NO ADDITIONAL OPTIONS ARE ALLOWED ON THIS VEHICLE

Air Conditioning		INC	
Braking System, Anti-Lock		INC	
Bumper, Rear Step		INC	
Clock, Digital		INC	
Headliner, Cloth		INC	
Radio, AM/FM		INC	
Driver & Pass Air Bag		INC	
Pwr Windows/Locks/Tilt/Cruise		INC	
Transmission, Auto		INC	
Trailer tow w/ 4 pin harness		INC	
Hands Free Capability		INC	
Front License Plate Bracket		INC	
Skid Plates	NZZ	\$136.50	
Chrome Front Bumper	V46	\$182.00	VJH
Chrome Rear Bumper	VJH	Inc w/ V46	
Aluminum Wheels	Q5U	\$318.50	
Dark Tinted Rear Glass	AKO	\$182.00	

In an effort to be more efficient in gover taxpayer dollars, this year's contract do other than the ones listed on the Stand: vehicles purchased that deviate from th Contract bid requirements. If you need is listed on this form, you will need to fo procedures.

25,939.00 * +
136.50 +
182.00 +

- 2 003

26,307.50 *

26307.50

CAPT Vehicle

2020-313

Item No.8

STANDARD/OPTIONAL EQUIPMENT FORM

DESCRIPTION: Pick-Up Truck, 4 Wheel Drive, Crew Cab, **Special Service Vehicle**
 Vendor: Rogers-Dabbs Chevrolet
 ITEM NO.: 072-02-111501
 MAKE/MODEL: Chevrolet Silverado 1500SSV
 ENGINE: 5.3L V8 355HP
 PRICE INCLUDING TITLE FEE: **\$29,465.00**

Miles Per Gallon	
City	15
Hwy	20
Combined	17

CK10543

Contract No:8200053669	E-Mail:
Rogers Dabbs Chevrolet, Inc.	maccars@rogersdabbs.com
1501 W. Government Street	Phone: 601.825.2277
Brandon, MS 39042	Toll Free: 800.489.2070
Pat McCarthy	Fax: 601.825.9031

LIST FACTORY COLORS AVAILABLE AT NO CHARGE: INTERIOR TRIM:

Summit White Satin Steel Met. Jet Black Cloth
 Black Shadow Gray Met. Dark Gray Vinyl
 Red Hot Northsky Blue Met.
 Silver Ice Met. Oxford Brown Met.

In an effort to be more efficient in government spending and to save taxpayer dollars, this year's contract does not provide for any options other than the ones listed on the Standard Equipment Form. Any vehicles purchased that deviate from this list will be in violation of State Contract bid requirements. If you need any equipment other than what is listed on this form, you will need to follow normal purchasing procedures.

ITEM OPTION DEALER OPTION
 List optional engines: CODE COST CODE

N/A			

NOTE: NO ADDITIONAL OPTIONS ARE ALLOWED ON THIS VEHICLE

Air Conditioning		INC	
Braking System, Anti-Lock		INC	
Bumper, Rear Step		INC	
Clock, Digital		INC	
Headliner, Cloth		INC	
Radio, AM/FM		INC	
Driver & Pass Air Bag		INC	
Pwr Windows/Locks/Tilt/Cruise		INC	
Transmission, Auto		INC	
Trailer tow w/ 4 pin harness		INC	
Hands Free Capability		INC	
Front License Plate Bracket		INC	
<u>Skid Plates</u>	NZZ	\$136.50	
Chrome Front Bumper	V46	\$182.00	VJH
Chrome Rear Bumper	VJH	Inc w/ V46	
Aluminum Wheels	Q5U	\$318.50	
<u>Dark Tinted Rear Glass</u>	AKO	\$182.00	

Total \$29,783.50



Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

November 9, 2020

Mayor and Council
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525


Dear Councilmembers:

Police Department Vehicle Purchase – Lieutenant Units

It is my recommendation to purchase two (2) Chevrolet Silverado 1500SSV pickup trucks from Rogers Dabbs Chevrolet in the amount of 29,783.50 each for a total purchase of \$59,567.00 through State Contract Pricing 8200053699. Funding for 2 new police units has been appropriated in the FY21 budget. Additional equipment needed to outfit the vehicles will be determined and purchased through quote solicitation.

Thank you in advance for your favorable consideration and approval in this matter.

Sincerely,



Michael Reso
City Manager

2020-314

LT Vehicle

Item No.9.

STANDARD/OPTIONAL EQUIPMENT FORM

DESCRIPTION: Pick-Up Truck, 4 Wheel Drive, Crew Cab, **Special Service Vehicle**
 Vendor: Rogers-Dabbs Chevrolet
 ITEM NO.: 072-02-111501
 MAKE/MODEL: Chevrolet Silverado 1500SSV
 ENGINE: 5.3L V8 355HP
 PRICE INCLUDING TITLE FEE: **\$29,465.00**

Miles Per Gallon	
City	15
Hwy	20
Combined	17

CK10543

Contract No:8200053669 E-Mail:
 Rogers Dabbs Chevrolet, Inc. maccars@rogersdabbs.com
 1501 W. Government Street Phone: 601.825.2277
 Brandon, MS 39042 Toll Free: 800.489.2070
 Pat McCarthy Fax: 601.825.9031

LIST FACTORY COLORS AVAILABLE AT NO CHARGE: INTERIOR TRIM:

Summit White (Satin Steel Met.)
 Black Shadow Gray Met.
 Red Hot Northsky Blue Met.
 Silver Ice Met. Oxford Brown Met.

Jet Black Cloth
 Dark Gray Vinyl

In an effort to be more efficient in government spending and to save taxpayer dollars, this year's contract does not provide for any options other than the ones listed on the Standard Equipment Form. Any vehicles purchased that deviate from this list will be in violation of State Contract bid requirements. If you need any equipment other than what is listed on this form, you will need to follow normal purchasing procedures.

ITEM	OPTION CODE	DEALER COST	OPTION REQ. CODE
List optional engines:			
N/A			

NOTE: NO ADDITIONAL OPTIONS ARE ALLOWED ON THIS VEHICLE

Air Conditioning		INC	
Braking System, Anti-Lock		INC	
Bumper, Rear Step		INC	
Clock, Digital		INC	
Headliner, Cloth		INC	
Radio, AM/FM		INC	
Driver & Pass Air Bag		INC	
Pwr Windows/Locks/Tilt/Cruise		INC	
Transmission, Auto		INC	
Trailer tow w/ 4 pin harness		INC	
Hands Free Capability		INC	
Front License Plate Bracket		INC	
Skid Plates	NZZ	\$136.50	
Chrome Front Bumper	V46	\$182.00	VJH
Chrome Rear Bumper	VJH	Inc w/ V46	
Aluminum Wheels	Q5U	\$318.50	
Dark Tinted Rear Glass	AKO	\$182.00	

\$29,783.50 ea

2020-315

Item No. 10.



Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

November 9, 2020

Mayor and Council
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Dear Councilmembers:

Re: Payments to Digital Engineering

Attached for your review and consideration for payment are invoices from Digital Engineering as follows:

\$15,000 for Roadway Improvements Phase 3
\$1,518.50 for Plan and Spec Review Services
\$4,625 for Roadway Improvements Phase 2
\$1,891.50 for GIS Maintenance

If you find these invoices to be in order, please proceed with payment approval.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael Reso', is written over the name and title.

Michael Reso
City Manager

MR:jk

November 4, 2020

Mr. Michael Reso
City of Diamondhead
5300 Diamondhead Circle
Diamondhead, MS 39525

Re: Engineering Master Services Agreement (2018)
Work Order No. 16 Roadway Improvements Project Ph. 3
DE Invoice No.: 730-1000-79

Dear Mr. Reso:

Attached please find Invoice No. 79 for professional services on the above referenced project in the amount of **\$15,000.00** in accordance with our agreement.

Should you have questions or need additional information, please contact our office.

Sincerely,

DIGITAL ENGINEERING



L. Bruce Newton, P.E.
Executive Vice-President

LBN/chc

cc: Mr. Thomas P. Hickey

Enclosures



Michael Reso
 City of Diamondhead
 5300 Diamondhead Circle
 Diamondhead, MS 39525

November 4, 2020
 Project No: B7301000.00
 Invoice No: 79

Project B7301000.00 Master Services Agreement

Professional Services from October 4, 2020 to October 31, 2020

Phase 016 Roadway Improvements Ph. 3
 Task 20 Design
Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Design	19,440.00	77.1605	15,000.00	0.00	15,000.00
Bidding	3,000.00	0.00	0.00	0.00	0.00
Construction Administration	7,800.00	0.00	0.00	0.00	0.00
Record Drawings	2,000.00	0.00	0.00	0.00	0.00
Total Fee	32,240.00		15,000.00	0.00	15,000.00
Total Fee					15,000.00
Total this Task					\$15,000.00
Total this Phase					\$15,000.00
Total this Invoice					\$15,000.00

November 4, 2020

Mr. Michael Reso
City of Diamondhead
5300 Diamondhead Circle
Diamondhead, MS 39525

Re: Engineering Master Services Agreement (2018)
Work Order No. 11 Developer Plan and Spec Review (FY20)
DE Invoice No.: 730-1000-76

Dear Mr. Reso:

Attached please find Invoice No. 76 for professional services on the above referenced project in the amount of **\$1,518.50** in accordance with our agreement.

Should you have questions or need additional information, please contact our office.

Sincerely,

DIGITAL ENGINEERING



L. Bruce Newton, P.E.
Executive Vice-President

LBN/chc

cc: Mr. Thomas P. Hickey

Enclosures



November 4, 2020
Project No: B7301000.00
Invoice No: 76

Michael Reso
City of Diamondhead
5300 Diamondhead Circle
Diamondhead, MS 39525

Project B7301000.00 Master Services Agreement

Professional Services from October 4, 2020 to October 31, 2020

Phase	011	Review Developer Plans and Spec FY20
Task	02	The Preserve Phase 1 by Structures of Diamondhead

Professional Personnel

	Hours	Rate	Amount	
Shurley, Christina	.50	97.00	48.50	
Stein, John	14.00	105.00	1,470.00	
Totals	14.50		1,518.50	
Total Labor				1,518.50
		Total this Task		\$1,518.50
		Total this Phase		\$1,518.50
		Total this Invoice		\$1,518.50

BILLING LIMITS

Total Amount of Work Order	Previous Fee Billed	Total this Invoice	Remaining Balance
\$20,000.00	\$13,694.00	\$1,518.50	\$4,787.50

Billing Backup

Wednesday, November 4, 2020

Digital Engineering & Imaging, Inc.

Invoice 76 Dated 11/4/2020

Project	B7301000.00	Master Services Agreement
Phase	011	Review Developer Plans and Spec FY20
Task	02	The Preserve Phase 1 by Structures of Diamondhead

Professional Personnel

			Hours	Rate	Amount
0121	35 - Shurley, Christina	10/5/2020	.50	97.00	48.50
0111	35 - Stein, John	10/5/2020	4.00	105.00	420.00
0111	35 - Stein, John	10/6/2020	4.50	105.00	472.50
0111	35 - Stein, John	10/8/2020	1.00	105.00	105.00
0111	35 - Stein, John	10/13/2020	.50	105.00	52.50
0111	35 - Stein, John	10/14/2020	3.00	105.00	315.00
0111	35 - Stein, John	10/15/2020	1.00	105.00	105.00
Totals			14.50		1,518.50
Total Labor					1,518.50

Total this Task	\$1,518.50
Total this Phase	\$1,518.50
Total this Project	\$1,518.50
Total this Report	\$1,518.50

November 4, 2020

Mr. Michael Reso
City of Diamondhead
5300 Diamondhead Circle
Diamondhead, MS 39525

Re: Engineering Master Services Agreement (2018)
Work Order No. 14 Roadway Improvements Project Ph. 2
DE Invoice No.: 730-1000-77

Dear Mr. Reso:

Attached please find Invoice No. 77 for professional services on the above referenced project in the amount of **\$4,625.00** in accordance with our agreement.

Should you have questions or need additional information, please contact our office.

Sincerely,

DIGITAL ENGINEERING



L. Bruce Newton, P.E.
Executive Vice-President

LBN/chc

cc: Mr. Thomas P. Hickey

Enclosures



Michael Reso
 City of Diamondhead
 5300 Diamondhead Circle
 Diamondhead, MS 39525

November 4, 2020
 Project No: B7301000.00
 Invoice No: 77

Project B7301000.00 Master Services Agreement

Professional Services from October 4, 2020 to October 31, 2020

 Phase 014 Roadway Improvements Ph.2

 Task 20 Design
Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Design	25,450.00	100.00	25,450.00	25,450.00	0.00
Bidding	2,545.00	100.00	2,545.00	2,545.00	0.00
Construction Admin	10,200.00	100.00	10,200.00	8,120.00	2,080.00
Record Drawings	2,545.00	100.00	2,545.00	0.00	2,545.00
Total Fee	40,740.00		40,740.00	36,115.00	4,625.00
Total Fee					4,625.00
Total this Task					\$4,625.00
Total this Phase					\$4,625.00
Total this Invoice					\$4,625.00

November 4, 2020

Mr. Michael Reso
City of Diamondhead
5300 Diamondhead Circle
Diamondhead, MS 39525

Re: Engineering Master Services Agreement (2018)
Work Order No. 15 GIS Maintenance FY21
DE Invoice No.: 730-1000-78

Dear Mr. Reso:

Attached please find Invoice No. 78 for professional services on the above referenced project in the amount of **\$1,891.50** in accordance with our agreement.

Should you have questions or need additional information, please contact our office.

Sincerely,

DIGITAL ENGINEERING



L. Bruce Newton, P.E.
Executive Vice-President

LBN/chc

cc: Mr. Thomas P. Hickey

Enclosures



November 4, 2020
Project No: B7301000.00
Invoice No: 78

Michael Reso
City of Diamondhead
5300 Diamondhead Circle
Diamondhead, MS 39525

Project B7301000.00 Master Services Agreement

Professional Services from October 4, 2020 to October 31, 2020

Phase 015 GIS System Maintenance FY21

Professional Personnel

	Hour	Rate	Amount	
Shurley, Christina	19.50	97.00	1,891.50	
Totals	19.50		1,891.50	
Total Labor				1,891.50
				Total this Phase
				\$1,891.50
				Total this Invoice
				\$1,891.50

BILLING LIMITS

Total Amount of Work Order	Previous Fee Billed	Total this Invoice	Remaining Balance
\$12,000.00	\$0.00	\$1,891.50	\$10,108.50



5000 Diamondhead Circle • Diamondhead, MS 39525-3260
Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

November 12, 2020

Michael Reso, City Manager
city of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Jason:

Re: Insurance Renewals

I have reviewed and discussed our insurance renewals with Ms. Bobbi Kittle, our representative from Hub International. Our current renewal options for premium period January 1, 2020 – December 31, 2021 for employer-paid premiums are as follows:

- Blue Cross Blue Shield increase .84%.
- Basic life insurance written through Guardian will increase from \$.49/\$1,000 to \$.56/\$1,000
- Teledoc will increase from \$3.40/month to \$3.55/month.
- AM First will remain the same

All other voluntary insurance products (ie. cancer, short-term disability, etc.) will remain the same.

I am recommending to renew "as is" for new premium year. If you are in agreement, please proceed with Council approval.

Sincerely,

Jeannie Klein
City Clerk

Jeannie Klein

From: Kittle, Barbara <Barbara.Kittle@hubinternational.com>
Sent: Wednesday, November 4, 2020 9:13 AM
To: Jeannie Klein; Tammy Garber
Cc: Price, Chrystal
Subject: City of Diamondhead BCBS 2021 Renewal
Attachments: Morgan White.pdf; City of Diamondhead 1.1.21 Renewal.pdf; Pandemic Support Planholder Flyer - Final.pdf; Diamondhead BCBS Renewal.pdf

Good morning Jeannie and Tammy,

We have received the groups **BCBS** renewal. Please see the attached document and the chart below. The group is received a an overall .84% increase.

Premium	Current	Renewal	Premium Change
Employee 20	\$594.48	\$597.84	\$3.36
Employee + Spouse 0	\$1,368.18	\$1,393.95	\$25.77
Employee + Child(ren) 1	\$911.63	\$951.58	\$39.95
Family 0	\$1,729.78	\$1,796.75	\$66.97
Total Monthly Premium	\$12,801.23	\$12,908.38	\$107.15
Total Annual Premium	\$153,614.76	\$154,900.56	\$1,285.80
Increase %	0.84%		

Also attached is the Guardian renewal that has already been sent and the Morgan White renewal.

If the group would like to accept the offer "As Is" please respond to this email by 11/18/2020. However if the group would like to market please respond to this email by 11/11/2020.

As always we hope you know how much we appreciate your partnership with HUB. If there any other lines of coverage the group would like more information on please feel free to contact us.

Please be sure to "respond all" to this email with any questions or decisions.

Thank you
Bobbi



September 23, 2019

City Of Diamondhead
Attn: Jeannie Klein
5000 Diamondhead Circle
Diamondhead, MS 39525

RE: AmFirst Premium Saver Renewal # B13-501

We welcome this opportunity to acknowledge and thank you for your 12-month contract with AmFirst Insurance Company. This renewal letter should be kept with your contract documents and serves as an amendment to your AmFirst contract.

Your contract renewal period is 1/01/2020 through 12/31/2020.

	CURRENT RATES	RENEWAL RATES
Participant:	\$ 62.92	\$ 62.92
Plus Spouse:	\$ 137.45	\$ 137.45
Plus Child(ren):	\$ 120.78	\$ 120.78
Family:	\$ 194.45	\$ 194.45

If due to the effects of the Affordable Care Act you find it necessary to switch to a different major medical plan, please ask your agent to contact us. We will be glad to design a new Premium Saver plan that will fit your plan and:

- Save Premium
- Maintain Benefits
- Comply with ACA

Current Benefits

Benefit	\$4,000
Deductible	\$1,000
Co-insurance	20 % to \$2,000

The above rates and benefits are valid with the major medical carrier and plan design listed on the employer application. Any changes to the major medical carrier or plan design render this renewal invalid.

To renew your contract for one year, please sign below and return to us by 12/15/2019. If we do not receive a confirmation or declination, the renewal rates and benefits will automatically be updated on your renewal date.

Signature /Title

Date

Your continued confidence in AmFirst Insurance Company is appreciated. We are proud of our association with you and look forward to a long and mutually successful relationship in the future.

Sincerely,

David R. White
President, CEO

cc: DIANE MOORE

Renewal Rates At-a-Glance

This plan is currently offered for Insurance Class 1

BASIC LIFE PLAN RATES					
		CURRENT		RENEWAL	
Coverage	Volume	Monthly Rate	Annual Premium	Monthly Rate	Annual Premium
BASIC LIFE	\$336,750	\$0.490/\$1000	\$1,980	\$0.560/\$1000	\$2,263

This plan is currently offered for Insurance Class 1

AD&D PLAN RATES					
		CURRENT		RENEWAL	
Coverage	Volume	Monthly Rate	Annual Premium	Monthly Rate	Annual Premium
AD&D	\$336,750	\$0.025/\$1000	\$101	\$0.025/\$1000	\$101

Renewal Rates At-a-Glance

This plan is currently offered for Insurance Class 1

VOLUNTARY DENTAL PLAN RATES - PPO W1					
CURRENT				RENEWAL	
Tier	Enrolled Employees	Monthly Rate	Annual Premium	Monthly Rate	Annual Premium
EE	8	\$36.87	\$3,540	\$36.87	\$3,540
EE & SP	2	\$67.70	\$1,625	\$67.70	\$1,625
EE & CH	0	\$79.39	\$0	\$79.39	\$0
FAMILY	1	\$110.21	\$1,323	\$110.21	\$1,323
TOTAL	11		\$6,487		\$6,487

This plan is currently offered for Insurance Class 1

VOLUNTARY VISION PLAN RATES - DAVIS 212					
CURRENT				RENEWAL	
Tier	Enrolled Employees	Monthly Rate	Annual Premium	Monthly Rate	Annual Premium
EE	7	\$10.54	\$885	\$10.54	\$885
EE & SP	1	\$17.75	\$213	\$17.75	\$213
EE & CH	0	\$18.09	\$0	\$18.09	\$0
FAMILY	1	\$28.62	\$343	\$28.62	\$343
TOTAL	9		\$1,442		\$1,442

Jeannie Klein

From: Kittle, Barbara <Barbara.Kittle@hubinternational.com>
Sent: Tuesday, November 3, 2020 10:34 AM
To: Tammy Garber; Jeannie Klein
Cc: Kittle, Barbara
Subject: Teladoc 1/1/2020 Renewal

Importance: High

Good morning Tammy and Jeannie,

Since COVID-19 hit the US, there has been a massive need for telemedicine, more so than ever before. With this influx of usage, Teladoc firms are hiring more and more Doctors and Staff to help accommodate the added need for services. As we move forward, into 2021, we wanted to make you aware that effective 1/1/2021 your Teladoc premium will be increasing to \$3.55 per employee per month. We are seeing this increase due to the dramatic increase in utilization of this program throughout the 2020 year.

Current PEPM: \$3.40

Renewal PEPM: \$3.55

Increase: 4%

We are asking that we receive confirmation of your intent to either accept the renewal at this rate or terminate the policy no later than 11/20/2020.

If you have any questions, please do not hesitate to reach out and let us know. We will be following up in the next few days to further discuss the renewal and answer any questions you may have.

Thank you,

*** Amid ongoing concerns about COVID-19, the health and well-being of our employees, clients and communities are our top priorities. HUB GUS employees are working remotely and are available by email and phone.

Please use the following link to access many resources that may be of help to your business and/or family: Coronavirus Resource Center. The site is updated daily so please check back frequently. ***

Click here to access our
Coronavirus Resource Center.



Advocacy. Tailored Insurance Solutions. Peace of Mind.

2020-321

Item No. 12.



Phone: 228.222.4626 Fax: 228.222.4390
www.diamondhead.ms.gov

November 9, 2020

Mayor and Council
City of Diamondhead
5000 Diamondhead Circle
Diamondhead, MS 39525

Dear Councilmembers:

Re: Implementation of Employee Incentive Plan for FY21

Provided Council approval is given regarding the adoption of the Employee Incentive Plan, it is my recommendation to authorize implementation of the program during FY21. It is further my recommendation to implement the plan with a \$250 incentive payment payable in May 2021 pursuant to the policy adopted.

Thank you in advance for your favorable consideration and approval in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'M. Reso', is written over the printed name.

Michael Reso
City Manager

Agenda Item # 2020-322

City of Diamondhead, MS
Request for Council Action

TO: Council
FROM: Nancy Depreo

Ordinance Resolution Agreement/Contract Info Only Work Session Only

AGENDA LOCATION: Consent Agenda Regular Agenda

FORMAL AGENDA DATE REQUESTED:

ORDINANCE/RESOLUTION CAPTIONS or ISSUE:
Dog Park Steering Committee. Please see attached Sheet.
Goals: Determine a Location, site layout, cost and grant opportunities to present to City Manager for consideration. Kick-off Meeting – December 10, 2020 @ 6:00pm Council Chambers.

SUMMARY BACKGROUND: A repeat request from residents to have a Dog Park. As part of the Comprehensive Plan discovery, numerous residents agreed that a Dog Park is needed and wanted in Diamondhead.

IMPACT IF DENIED: We will be missing an opportunity for residents and future residents that is available in many other communities along the Coast.

IMPACT IF APPROVED: Provide an opportunity for people-people social interaction and allow dogs to get adequate physical and mental exercise.

FINANCIAL IMPACT: Grant opportunities are available.

REQUIRED SIGNATURES

REQUESTED BY:
City Manager:
City Attorney:

COUNCIL ACTION:

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

Appoint an advisory committee of citizens

The governing authorities of a city may appoint an advisory committee of citizens to receive and consider citizen complaints, to gather information, to perform studies and to make recommendations to the governing authorities. An advisory committee would not be an arm or agency of the municipality and would not have authority to take official action, make decisions or formulate public policy. Its meetings would be subject to the Open Meetings Act. It would not have authority to compel witness attendance or to hold investigation proceedings on behalf of the governing authorities. There is no authority for the governing authorities to budget and spend general funds for the administration of an advisory committee of citizens which has not been created by general laws or local and private legislation. Op.Atty.Gen. No. 2002-0139, Lynn, March 29, 2002.

Municipal Government in Mississippi, Fifth Edition, Mississippi State University Extension Service, Center for Government & Community Development (2014)



5000 Diamondhead Circle, Diamondhead, MS 39525

Phone: (228) 222.4626

FAX: (228) 222-4390

www.diamondhead.ms.gov

STAFF REPORT TO PLANNING COMMISSION

DATE: November 4, 2020

CASE FILE NUMBER: 202000415

APPLICANT: Mary Ellen Jones

PROPERTY OWNER: Mary Ellen Jones

TAX PARCEL NUMBER: 067R-2-36-161.000

PHYSICAL STREET ADDRESS: 790 Laie Court

LEGAL DESCRIPTION: Diamondhead Subdivision Phase 1, Unit 3, Block 2, Lots 59 and 60

ZONING DISTRICT: R-2 Medium Density Single Family

TYPE OF APPLICATION: Variance

NATURE OF REQUEST:

Ms. Mary Ellen Jones has filed an application requesting a variance from the Zoning Ordinance (Article 9.8 J) to replace a 6' wood privacy fence on the front property line along Laie Court and extending beyond the front façade of her house within the 20' front yard setback area.

The property address is 790 Laie Court. The tax parcel number is 067R-2-36-161.000. The legal description is Diamondhead Subdivision Phase #2, Unit 3, Block 2, Lots 59 and 60. The property is located in an R-2 zoning district. The fence is required to be set back 20' from the front property line but not any closer than the façade of the house.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: November 10, 2020

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

FINDINGS:

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

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

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

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

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

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

VARIANCE PROCEDURE:

This procedure is intended to provide relief from the terms of the Zoning Regulations when, because of special circumstances applicable to the property, the strict application of the Zoning Regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification, and to ensure that any adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the district in which such property is situated.

- A. Variance: A modification from the provisions of the zoning ordinance of the City of Diamondhead, as determined by the Mayor and City Council for final disposition, in cases where enforcement of the zoning ordinance would result in unnecessary hardship.
- B. Hardship: For purposes of granting a variance A hardship exists only where the unusual situation or condition is not created by the owner of the property. A hardship as related to zoning is not to be confused with an economic, personal, or medical hardship

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

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

- This house was built in 1990 before the incorporation of the City in 2012. Ms. Jones purchased this property with the fence in 2013 and the garden area was already established in the front yard area. The unique part of this request is that protection is needed to prevent deer from eating her garden plants. Something to consider about this request is there is not any other area which provides adequate sunshine for a garden. The plants grown in the garden also provides food for the owner and neighbors.
- That literal interpretation of the provisions of this title would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title.
- Ms. Jones did not build the fence and the garden area was already established. When she purchased the property the trees in the back yard were already established and she has not planted any trees in the backyard to create more shade.
- That granting the variance requested would confer on the applicant a special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district. However, another property within site of this property has an encroachment into their front yard setback.
- The Variance would observe the spirit of the Ordinance and would not change the character of the district.
- That the Variance requested will not result in any change in use or density of the subject property.

REQUIRED ITEMS:

- A. A statement describing the variance request and all the reasons why it complies with the criteria for variances provided in Section 2.6.5, specifically.
THE CONDITIONS FOR GRANTING A VARIANCE: (SEE ATTACHED SHEET #4)
1. DO THE SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH AFFECT ONLY THE LAND OR STRUCTURE IN QUESTION AND NO OTHER SURROUNDING OR SIMILAR PROPERTIES?
 2. WOULD LITERAL INTERPRETATION OF THE ZONING ORDINANCE DEPRIVE THE OWNER/APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?
 3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?
 4. WOULD THE REQUESTED VARIANCE NOT GIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OWNERS OF SIMILAR PROPERTIES?
- B. The property address and the name and mailing address of the owner of each lot within 300 feet of the subject property and a map with parcels keyed to the ownership and address data.
- C. Site plans, preliminary building elevation, preliminary improvement plans, or other maps or drawings, sufficiently dimensioned as required to illustrate the following, to the extent related to their variance application:
- i. Existing and proposed location and arrangement of uses on the site, and on abutting sites within 100 feet.
 - ii. Existing and proposed site improvements, buildings, and other structures on the site, and any off-site improvements related to or necessitated by the proposed use. Building elevations shall be sufficient to indicate the general height, bulk, scale, and architectural character.
 - iii. Existing and proposed topography, grading, landscaping, and screening, irrigation facilities, and erosion control measures.
 - iv. Existing and proposed parking, loading, and traffic and pedestrian circulation features, both on the site and any off-site facilities or improvement related to or necessitated by the proposed use.
 - v. The Zoning Administrator may request additional information necessary to enable a complete analysis and evaluation of the variance request, and determination as to whether the circumstances prescribed for the granting of a variance exist.
 - vi. A fee established by the City Council shall accompany the application. A single application may include request for variances from more than one regulation applicable to the same site, or for similar variances on two or more adjacent parcels with similar characteristics.
- D. Payment of fee for Variance request: \$100.00 as per Ordinance 2012-020

STATEMENT OF UNDERSTANDING

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

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

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

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

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

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

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

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

The Public Hearing will be held on Nov 10, 2020 at 6:00 p.m. in the Council Chambers of the Diamondhead City Hall.

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

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

Mary Ellen Jones
Signature of Applicant

Mary Ellen Jones
Signature of Property Owner

_____ For Official Use Only _____

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

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

REQUIRED ITEM A

Property Owner Mary Ellen Jones

Street Address 790 Laie Court, Diamondhead MS 39525

Statement Describing Variance Request

That a new fence may be built where the existing fence is now because of location of my vegetable garden spot in the only sunny area in my backyard. If I have to plant outside the fence, the deer will eat all my plants
The reasons why it complies with the criteria for variances:

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

Response: Yes, although it would or might affect my neighbor's landscaping somewhat.

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

Response: Yes, I would be deprived of my fence protecting my garden from the deer. I have my garden placed where there is sun since the rest of my yard is in shade.

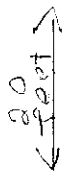
3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES NOT CAUSED BY THE OWNER/APPLICANT?

Response: My cause is I want to raise my vegetables. The neighbors love that I share with them.

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

Response: No

Lane Court Street



double gate

Property Line with neighbor

Power Pole

Approx.

1-23'

Gate

Where Ho-100 Is

Power Pole

Property Line with neighbor

Gate

Power Pole



Planning & Zoning Commission Meeting

11/10/2020

Variance Request

Mary Ellen Jones

790 Laie Court

Support:

Petition with 14 signatories

RECEIVED
NOV 09 2020
BY: 12:30p.m.

City
To: POA Board Members,

We, the following members of the Diamondhead POA, residing in the immediate neighborhood of Mary Ellen Jones, living at 790 Laie Court, agree that Ms. Jones should be allowed to replace her fence as currently configured:

7928
Beulah Paussin Laie Ct
7924 Ct
Elynn Ann 7922 Laie Ct
7922 Laie Ct

7928 Laie Ct.
7924 Laie Ct.
7922 Laie Ct

Not for
N.H

Mr & Mrs. John Kelly
Mr & Mrs. Jim. Gorky 7812 Laie
owner on vacation
Empty 796 Laie
764 Laie

7812 Laie Ct
796 Laie Ct
764 Laie Ct

Wally & Kochert Pipes
Mark & Marie Cyr
Mike and Jeri Harris
Jane Pace
Doris Perry
Linda Metz
Al
Spide
RT Labe
Mr & Mrs. Steven Kirkup

7946 Hilo Way
7934 Hilo Way
7933 Hilo Way
7935 Hilo Way
7948 Hilo Way
7948 Hilo Way
794 Laie Ct
794 LAIE CT
798 Laie Ct
7918 Laie Ct
7950 Hilo Way

RECEIVED
SEP 28 2020
BY: Rjz 8:00AM

5000 Diamondhead Circle
Diamondhead, MS 38525
Ph: 228-222-4626
Fh: 228-222-4390

Parcel #
068 R-3-41-037.000

APPLICATION FOR VARIANCE REQUEST

Case Number: 2020000422

Date: 9/23/20

Applicant: Athena Tzuanos

Applicant's Address: 43732 Diamondhead Dr. N Diamondhead Ms

Applicant's Email Address: atzuanos@ymail.com

Applicant's Contact Number: (Home) _____ (Work) _____ (Cell) (985) 285-7300

Property Owner: Athena Tzuanos

Owner's Mailing Address: S/A

Owner's Email Address: S/A

Owner's Contact Number: (Home) _____ (Work) _____ (Cell) S/A

Tax Roll Parcel Number: _____

Physical Street Address: 43732 Diamondhead Dr. N Diamondhead Ms. 38525

Legal Description of Property: _____

Zoning District: _____

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

(Signage-Size-Height)

Shed or Privacy fence on side of house

REQUIRED FORMS:

1. A statement describing the variance requested and the reasons why it complies with the criteria for variances provided in Section 21.6.5, specifically, THE CONDITIONS FOR GRANTING A VARIANCE: (SEE ATTACHED SHEET #4)
 1. DO THE SPECIAL CONDITIONS AND/OR CIRCUMSTANCES EXIST WHICH AFFECT ONLY THE LAND OR STRUCTURE IN QUESTION, AND ALL OTHER SURROUNDING OR SIMILAR PROPERTIES?
 2. WOULD LITERAL INTERPRETATION OF THE RULE OR ORDINANCE DEPRIVE THE OWNER/APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PROPERTIES IN THE SAME ZONING DISTRICT?
 3. ARE THE SPECIAL CONDITIONS OR CIRCUMSTANCES CAUSED BY THE OWNER/APPLICANT?
 4. WOULD THE REQUESTED VARIANCE DEPRIVE THE OWNER/APPLICANT ANY SPECIAL PRIVILEGES OR RIGHTS NOT SHARED BY OTHERS OF SIMILAR PROPERTIES?
 2. The property address and the name and mailing address of the owner of each lot within 500 feet of the subject property and a map with parcels keyed to the ownership and address data.
 3. Site plans, preliminary building elevations, preliminary improvements if plans or other maps or drawings, sufficiently dimensional as required to illustrate the following, to the extent related to their variance application:
 - i. Existing and proposed location and arrangement of uses on the site, and on abutting sites within 100 feet.
 - ii. Existing and proposed site improvements, buildings, and other structures on the site, and any off-site improvements related to or necessitated by the proposed use. Building elevations shall be sufficient to indicate the general height, bulk, scale, and architectural character.
 - iii. Existing and proposed topography, grading, landscaping, and screening, irrigation facilities, and erosion control measures.
 - iv. Existing and proposed parking, loading, and traffic and pedestrian circulation features, both on the site and any off-site facilities or improvements related to or necessitated by the proposed use.
 4. The zoning Administrator may request additional information necessary to enable a complete analysis and evaluation of the variance request, and determination as to whether the circumstances prescribed for the granting of a variance exist.
 5. A fee established by the City Council shall accompany the application. A single application may include request for variances from more than one regulation applicable to the same site, or for similar variances on two or more adjacent parcels with similar characteristics.
- D. Payment of fee for Variance request: \$100.00 as per Ordinance 2012-010

STATEMENT OF UNDERSTANDING

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

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

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

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

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

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

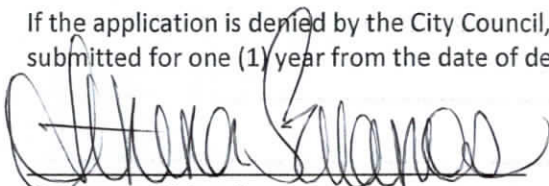
That additional information may be required by the Planning Commission prior to final disposition.

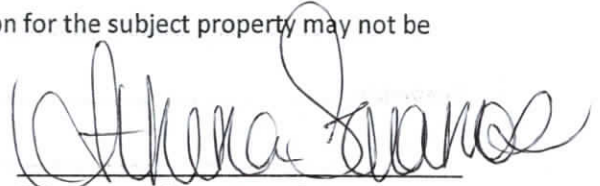
The City Council will not accept new case evidence once the recommendation has been made by the Planning Commission. If new evidence needs to be presented, the applicant will need to request that the matter be referred back to the Planning Commission for review.

The Public Hearing will be held on _____ at _____ p.m. in the Council Chambers of the Diamondhead City Hall.

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

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


Signature of Applicant


Signature of Property Owner



_____ For Official Use Only _____

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

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

REQUIRED ITEM A

Property Owner _____

Street Address _____

Statement Describing Variance Request

The reasons why it complies with the criteria for variances:

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

Response: _____

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

Response: _____

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

Response: _____

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

Response: _____

RECEIVED
SEP 28 2020
BY: 7 8:00AM

REQUIRED ITEM A

Property Owner Athena Tzouanos

Street Address 113732 Diamondhead Dr. N

Statement Describing Variance Request
I will need to put a wind or privacy fence on side of my house to block my neighbors for the safety of myself & kids.

The reasons why it complies with the criteria for variances:

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

Response: This is a special request & circumstance that was not caused by myself.

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

Response: No it would not due to it being on the side of my home.

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

Response: No it is not - this is safety issue for myself & my children.

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

Response: No it would not.

STATEMENT OF UNDERSTANDING

As the applicant and owner/s for the requested Use Change, the City of Dismal (Use) understands the following:

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

As the applicant and owner/s (Use) or the designated representative, you shall provide at the public hearing:

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

That this application represents only property owned by the Use and that any other adjoining property owners must apply for a variance on his own behalf.

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

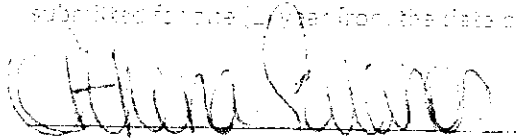
That additional information may be required by the Planning Commission prior to final disposition.

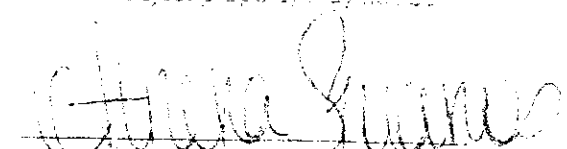
The City Council has not adopted any case ordinance (Use) and no ordinance has been created by the Planning Commission. If the ordinance does not exist, the applicant must be prepared to request that the matter be referred back to the Planning Commission for review.

The Public Hearing will be held on _____ at _____ pm in the Council Chambers of the Dismal City Hall.

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

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


Signature of Applicant


Signature of Property Owner

_____ For City Use Only _____

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

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

the applicant is the authorized agent of the owner of the property.

- D. A statement describing the variance request and the reasons why it complies with the criteria for variances provided in Section 2.6.5.
- E. The property address and the name and mailing address of the owner of each lot within 300 feet of the subject property and a map with parcels keyed to the ownership and address data.
- F. Site plans, preliminary building elevation, preliminary improvement plans, or other maps or drawings, sufficiently dimensioned as required to illustrate the following, to the extent related to the variance application:
 - i. Existing and proposed location and arrangement of uses on the site, and on abutting sites within 100 feet.
 - ii. Existing and proposed site improvements, buildings, and other structures on the site, and any off-site improvements related to or necessitated by the proposed use. Building elevations shall be sufficient to indicate the general height, bulk, scale, and architectural character.
 - iii. Existing and proposed topography, grading, landscaping, and screening, irrigation facilities, and erosion control measures.
 - iv. Existing and proposed parking, loading, and traffic and pedestrian circulation features, both on the site and any off-site facilities or improvement related to or necessitated by the proposed use.
 - v. The Zoning Administrator may request additional information necessary to enable a complete analysis and evaluation of the variance request, and determination as to whether the circumstances prescribed for the granting of a variance exist.
 - vi. A fee established by the City Council shall accompany the application. A single application may include request for variances from more than one regulation applicable to the same site, or for similar variances on two or more adjacent parcels with similar characteristics.

2.6.3 Public Hearing and Notice.

2.6. VARIANCE PROCEDURE.

2.6.1. *Title and Purpose.*

Section 2.6.1 through Section 2.6.7 shall be known as the variance procedure. This procedure is intended to provide relief from the terms of the Zoning Regulations when, because of special circumstances applicable to the property, the strict application of the Zoning Regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification, and to ensure that any adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the district in which such property is situated.

- A. *Variance.* A modification from the provisions of the zoning ordinance of the City of Diamondhead, as determined by the Mayor and City Council for final disposition, in cases where enforcement of the zoning ordinance would result in unnecessary hardship.
- B. *Hardship.* For purposes of granting a variance hardship shall mean an unusual topographical situation or condition involving a particular property and which makes it impossible for the owner to use the property in the manner prescribed for the district by the zoning ordinance. A hardship exists only where the unusual situation or condition is not created by the owner of the property. A hardship as related to zoning is not to be confused with an economic, personal, or medical hardship.

2.6.2. *Application.*

Application for a variance shall be filed with the Zoning Administrator. Within ten (10) days of the receipt of an application for Variance, the Zoning Administrator shall transmit a full and complete copy of the application and provide any reports, comments, or recommendations made during staff and DRC review regarding the subject application to the Planning Commission. The application shall include the following:

- A. Name and address of the owner or applicant.
- B. A legal description of the property, which shall include, but not limited to: deed of current ownership (not a Deed of Trust), tax parcel number identification, and street address.
- C. If the applicant is not the legal owner of the property, a statement that

The Planning Commission shall act on the application not more than forty-five (45) days following the filing of said application. Notice shall be given as prescribed in Section 2.9.6.

2.6.4 *Action by the Planning Commission.*

The Planning Commission may recommend to the Mayor and City Council a variance be granted as the variance was applied for or in a modified form or subject to conditions or the application may be denied. A variance may be revocable, may be granted for a limited time period, or may be granted subject to conditions as the Planning Commission or Mayor and City Council may prescribe.

2.6.5 *Findings.*

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

- A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. By way of example, special conditions or circumstances peculiar to land could include irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions.
- B. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title.
- C. That special conditions and circumstances do not result from the actions of the applicant.
- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district.
- E. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- F. The Variance would observe the spirit of the Ordinance and would not change the character of the district.
- G. The Variance would observe the spirit of the Comprehensive Plan.
- H. That the Variance requested will not result in any change in use or

density of the subject property.

- i. In recommending that any variance be granted, the Planning Commission may prescribe appropriate conditions and safeguards in conformity with the zoning ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of the zoning ordinance and punishable as determined within the zoning ordinance.
- j. Under no circumstances shall the Planning Commission or Mayor and City Council grant a variance to allow a use not permissible under the terms of the zoning ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the zoning ordinance in said district.

2.6.6 Variance to Run with Land or Structure.

Unless pertaining to off-street parking and loading regulations, or otherwise specified at the time a variance is granted, a variance shall run with the land and shall continue to be valid upon a change ownership of the site or structure to which it applies.

2.6.7 Legislative Disposition.

- A. The action by the Planning Commission related to variance applications shall be a recommendation to the Mayor and City Council. The Mayor and City Council shall examine all such applications, reports, and recommendations transmitted to it and shall take further action as it deems necessary and desirable to approve, disapprove, modify, or remand to the Planning Commission for further considerations. No land or structure for which the application for variance has been denied shall be considered again for the same variance request for at least one (1) year from the date such application was denied.
- B. The owner, agent, or lessee of property that requested a variance and subsequently was granted said variance by the Mayor and City Council must secure a building permit or certificate of zoning compliance within one (1) year of the variance being granted, or said variance will expire.

RECEIVED
OCT 04 2020
BY: 9:30 A.M.





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

STAFF REPORT TO PLANNING COMMISSION

DATE: November 4, 2020

CASE FILE NUMBER: 202000422

APPLICANT: Athea Tzuanos

PROPERTY OWNER: Athea Tzuanos

TAX PARCEL NUMBER: 067R-3-41-037.000

PHYSICAL STREET ADDRESS: 63732 Diamondhead Drive North

LEGAL DESCRIPTION: Diamondhead Subdivision Phase 1, amended Unit 2, Block 2, Lot 12

ZONING DISTRICT: R-2 Medium Density Single Family

TYPE OF APPLICATION: Variance

NATURE OF REQUEST:

Ms. Athena Tzuanos has filed an application requesting a variance from the Zoning Ordinance (Article 4.18 D ii f (municode)) to allow the placement of an existing shed (9' x 15') without a permit extending beyond the front façade of the house facing Banyan Street. The shed is 25' from the property line on Banyan. This lot is a corner lot having 2 front yard setbacks on Banyan Street and Diamondhead Drive North.

The property address is 63732 Diamondhead Drive North. The tax parcel number is 068R-3-41-037.000. The legal description is Diamondhead Subdivision Phase #1, amended Unit 2 and , Block 2, Lot 12. The property is located in an R-2 zoning district.

DATE OF PUBLIC HEARING BEFORE PLANNING COMMISSION: November 10, 2020

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

FINDINGS:

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

- A. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. By way of example, special conditions or circumstances peculiar to land could include irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions.
- B. That literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title.
- C. That special conditions and circumstances do not result from the actions of the applicant.
- D. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district.
- E. The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- F. The Variance would observe the spirit of the Ordinance and would not change the character of the district.
- G. The Variance would observe the spirit of the Comprehensive Plan.
- H. That the Variance requested will not result in any change in use or density of the subject property.

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

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

VARIANCE PROCEDURE:

This procedure is intended to provide relief from the terms of the Zoning Regulations when, because of special circumstances applicable to the property, the strict application of the Zoning Regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification, and to ensure that any adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and the district in which such property is situated.

- A. **Variance:** A modification from the provisions of the zoning ordinance of the City of Diamondhead, as determined by the Mayor and City Council for final disposition, in cases where enforcement of the zoning ordinance would result in unnecessary hardship.
- B. **Hardship:** For purposes of granting a variance A hardship exists only where the unusual situation or condition is not created by the owner of the property. A hardship as related to zoning is not to be confused with an economic, personal, or medical hardship

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

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

- NO special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. A hardship shall mean an unusual topographical situation or condition involving a particular property and which makes it impossible for the owner to use the property in the manner prescribed for the district by the zoning ordinance.
- That literal interpretation of the provisions of this title would NOT deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this title.
- That special conditions and circumstances, if any, are the direct result from the actions of the applicant. A hardship exists only where the unusual situation or condition is not created by the owner of the property.
- That granting the variance requested would confer on the applicant a special privilege that is denied by this title to other lands, structures, or buildings in the same zoning district. A hardship as related to zoning is not to be confused with an economic, personal, or medical hardship.
- The Variance would not observe the spirit of the Ordinance and would change the character of the district and set a precedent for other accessory structures in front yard setbacks.
- The Variance would not observe the spirit of the Comprehensive Plan.
- That the Variance requested will not result in any change in use or density of the subject property.

two alternatives:

Shed to the back yard ?

fence extending instead of a fence ?



63732 DH DR East
pic taken from DH DR East
by Ronald Jones 9-17-2020



63732 DH DR EAST
Pic taken from Banyan St
by Ronald D. T. ...

Planning & Zoning Commission Meeting

11/10/2020

Variance Request

Athena Tzuanos

63732 Diamondhead Drive North

Objections:

- | | |
|-----------------|-------------------------------|
| Ernie Knoblock | 747 Mahalo Hui Drive |
| John Campbell | 73642 Diamondhead Drive North |
| Kristy Cosby | 637 Banyan Street |
| Patricia Terry | 63730 Diamondhead Drive North |
| Henry Stout | 632 Banyan Street |
| Jeffrey MacLain | 636 Banyan Street |
| Thomas Nicholls | 63733 Diamondhead Drive North |

Ronald Jones

From: Michael J. Reso
Sent: Tuesday, November 10, 2020 12:23 PM
To: Ronald Jones
Subject: Fwd: P&Z

Sent from my iPhone

Begin forwarded message:

From: Ernie Knobloch <eknobloch@dhpooa.org>
Date: November 10, 2020 at 12:20:05 PM CST
To: "Michael J. Reso" <mreso@diamondhead.ms.gov>, Nancy Depreo <NDepreo@diamondhead.ms.gov>
Subject: P&Z

I drove by the house in question and saw the shed.

In my opinion, it's absolutely ridiculous to have a shed in the front yard.

EK

Ronald Jones

From: John Campbell <campbe2212@gmail.com>
Sent: Monday, November 9, 2020 3:14 PM
To: Ronald Jones
Subject: storage building on property line in front yard

On the corner of Diamondhead North and Banyan St. The owner has placed a storage building on the property line and in the front yard. This does not comply with the city code and must be removed. More and more people are violating our codes. Please Help!

Thanks,

John Campbell

cc: ndepro@diamondhead.ms.gov

Ronald Jones

From: Kristy Cosby <nf786a@cableone.net>
Sent: Friday, November 6, 2020 5:08 PM
To: Ronald Jones
Subject: Shed (63732 Diamondhaed North

I am writing concerning the shed that was put up in front of this house ,, its a eyesore ! Also its not on a slab its on cement blocks ... not sure how this was allowed in the first place ... I have lived on 637 Banyan st for 16 years ,, we have taken very good care of our yard and home and followed the rules of Diamondhead ,, I do NOT know these people its nothing personal .. we never get involved in petty Neighbor issues ,, I don't care who's dog poops in who's yard ,, what color someone paints their door .. etc ,, however this is not only breaking the rules its an eyesore and can ruin property values ..they have a garage and a yard this is unacceptable ,,I have yet to see anyone else with a shed in their front yard .. please consider having this taken down .. also the shed is backed up right next to house on 632 Banyan st .. I wouldn't want to look out my from porch and look at a shed ... I appreciate your consideration on this matter and we will be attending the meeting this Tuesday ...

Sincerely ,
Kristy Cosby

Ronald Jones

From: pattery171@gmail.com
Sent: Saturday, November 7, 2020 11:33 AM
To: Ronald Jones
Subject: Mrs. Athena Tzuanos request for Variance

Dear Mr. Jones,

I received your letter regarding the above request . I live at 63730 Diamondhead Dr. North and wish to state that I do not object to anyone having a shed but do not feel thee should be one in the front yard. I understand that zoning does not permit any resident from having a shed in the front yard, This does not present a positive image of our neighborhood. Mrs. Tzuanos has a fenced back yard that would provide the appropriate placement of the shed.

I am unable to attend the hearing and wanted to share my thoughts on the subject with you.

Sincerely,

Patricia Terry
63730 Diamondhead Dr. North

228-342-0887
pattery171@gmail.com

Ronald Jones

From: Thomas Nicholls <tommynicholls1953@icloud.com>
Sent: Friday, November 6, 2020 2:59 PM
To: Ronald Jones
Subject: Fwd: Athena Tzuanos Variance

My address is 63733 Diamondhead Dr. North (across the street from Ms. Tzuanos

Sent from my iPhone

Begin forwarded message:

From: Thomas Nicholls <tommynicholls1953@icloud.com>
Date: November 6, 2020 at 2:51:28 PM CST
To: rjones@diamondhead.ms.gov
Subject: Athena Tzuanos Variance

I am writing in great opposition to the variance that Ms. Tzuanos is requesting to be given to her. The shed is totally illegal, looks terrible and is just inches from her neighbors property line. She replaced a smaller shed with the current bigger one. When she was approached by Mr. Jones regarding the original smaller shed she lied to him and told him the shed was grandfathered in. Mr. Stoutt (her next door neighbor) has photos of the shed which was erected well after her purchasing the home. I can't even begin to list all of the infractions that Ms. Tzuanos has created prior to this issue and continues to do at this time. I can provide instances upon request. If she is granted a variance that will be telling all of the residents that they can basically do as they please. Please do NOT grant her the variance that she is requesting. She has a back yard where shed could be placed, if that's even legal. Thank you for your consideration.

Sent from my iPhone



5000 Diamondhead Circle · Diamondhead, MS 39525-3260
Phone: 228.222.4626 Fax: 228-222-4390

RECEIVED
NOV 06 2020
BY: 4:24 pm

TO: Ms. Athea Tzuanos and adjacent property owners

FROM: Ronald R. Jones, Building Official

DATE: October 9, 2020 *Ronald R. Jones*

SUBJECT: Notice of Public Hearing

Ms. Athena Tzuanos has filed an application requesting a variance from the Zoning Ordinance (Article 4.18 D ii f (municode)) to allow the placement of an existing shed (9' x 15') without a permit extending beyond the front façade of the house facing Banyan Street. The shed is 25' from the property line on Banyan. This lot is a corner lot having 2 front yard setbacks on Banyan Street and Diamondhead Drive North.

The property address is 63732 Diamondhead Drive North. The tax parcel number is 068R-3-41-037.000. The legal description is Diamondhead Subdivision Phase #1, amended Unit 2 and , Block 2, Lot 12. The property is located in an R-2 zoning district.

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

The Planning and Zoning Commission will consider this application at a regularly scheduled meeting on **Tuesday, November 10, 2020 at 6:00 p.m.** The public hearing will be held at Diamondhead City Hall in the Council Chambers at 5000 Diamondhead Circle in Diamondhead, MS 39525. Interested members of the public are invited to attend.

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

Dear Mr. Jones,
My name is Jeffrey Machain and I reside at 636 Banyan Street. Please do not grant the variance to Athena Tzuanos. The shed is not situated to where it is legal and it needs to be moved to her backyard. It is unsightly and not legally positioned. That shed is not doing anything to help our property values. If she is allowed to keep the shed, that tells many others that they can do as they please. Thanks, Jeffrey A. Machain

•

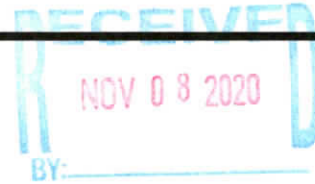
Ronald Jones

From: Thomas Nicholls <tommynicholls1953@icloud.com>
Sent: Friday, November 6, 2020 2:51 PM
To: Ronald Jones
Subject: Athena Tzuanos Variance

I am writing in great opposition to the variance that Ms. Tzuanos is requesting to be given to her. The shed is totally illegal, looks terrible and is just inches from her neighbors property line. She replaced a smaller shed with the current bigger one. When she was approached by Mr. Jones regarding the original smaller shed she lied to him and told him the shed was grandfathered in. Mr. Stoutt (her next door neighbor) has photos of the shed which was erected well after her purchasing the home. I can't even begin to list all of the infractions that Ms. Tzanous has created prior to this issue and continues to do at this time. I can provide instances upon request. If she is granted a variance that will be telling all of the residents that they can basically do as they please. Please do NOT grant her the variance that she is requesting. She has a back yard where shed could be placed, if that's even legal. Thank you for your consideration.

Sent from my iPhone

Ronald Jones



From: Wally Stout <stouthenry@hotmail.com>
Sent: Sunday, November 8, 2020 4:04 PM
To: Nancy Depreo; Ronald Jones
Cc: Pat Rich
Subject: PUBLIC HEARING ICO MS ATHENA TZUANOS OF 63732 DIAMONDHEAD DRIVE NORTH ON TUESDAY, NOVEMBER 10, 2020 AT 6:00 PM
Attachments: PROPERTY LINE.JPG; FRONT PORCH.JPG; TZUANOS DRAWING.pdf; STOUT DRAWING.pdf; STOUT VS TZUANOS.docx

Dear Mayor Depreo,

Please refer to the attachments for my input concerning Ms. Tzuanos' request for variance.

Respectfully submitted,
Henry Stout



November 8, 2020

To whom it may concern,

Ms. Tzuanos has requested a variance to have a shed in her front yard on the pretense that blocking her neighbors would provide safety for herself and children. I am the neighbor and take offense to the shed blocking the breeze and view from my deck as well as the presumption that I am a threat to anyone's safety. It also fails to meet the zoning restrictions for sheds.

I am a sixty-year-old retired Navy Chief with over twenty years of active duty service to our nation. I'm currently a federal employee at the Naval Oceanographic Office where I've worked for eighteen years. Throughout my federal service I've maintained at least a secret clearance and have avoided any situations that might put my service or reputation at risk. I've never been arrested, nor have I ever been accused of a crime. I want peace and ignore many threats to try to preserve it. I will gladly grant anyone of authority to perform a background check on me.

My wife is a fifty-seven-year-old full-time housewife struggling with COPD. She doesn't threaten anyone. She wants peace also.

I've typed Ms. Tzaunos' responses to the questions asked on the variance along with my comments in italics on the following pages. Additionally, I've attached Ms. Tzuanos' erroneous drawing and my corrected drawing of the properties with the shed's position annotated and some pictures which may be helpful in making an informed decision about whether or not to grant the variance.

As for the defense that a shed had been grandfathered in, please see Google Maps images of January, 2008 (<https://goo.gl/maps/wx9CFUC7NneLXznHA>), and June of 2013 (<https://goo.gl/maps/mU2dpinZKw2wBQ6h6>). Both images prove that no shed had been at that house prior to Ms. Tzuanos' arrival.

Respectfully submitted,

Henry W. Stout



APPLICATION FOR VARIANCE REQUEST

State purpose of variance:

Ms. Tzuanos: Shed or privacy fence on side of house.

Mr. Stout: *It's actually the front of the house as defined in 9.8.J. of Appendix A (Zoning) in the Diamondhead Code of Ordinances.*

“J. No fence shall be constructed in the required front yard building setback area of R-1, R-2, R-3, R-4, MH, C-1, C-2, T, I, PR, or PFR zoning districts. In the situation of a corner lot, each street-side frontage shall be considered as a front yard.”

Statement Describing Variance Request:

Ms. Tzuanos: I need to put a shed or privacy fence on side of my house to block my neighbors for the safety of myself and kids.

Mr. Stout: *As stated above the applicant wishes to place a shed or fence in her front yard. To the best of my knowledge Madison Walstrum is Athena Tzuanos' only child. Isabella Grace is Athena's boyfriend's (Terri Thoennes') child. Sheds and fences don't provide safety. The residents of 63732 Diamondhead Drive North have created numerous safety issues for our community ranging from reckless driving and illegal burns to rodent harboring. A shed in their front yard creates a safety issue for my home because it would provide cover for burglars or anyone else who might try to enter my home illegally. It also creates a false sense of privacy and space for them which encourages them to be even noisier and less considerate of their neighbors. It also limits access to their back yard which is sorely in need of cleaning.*

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

Ms. Tzuanos: This is a special request & circumstance that was not caused by myself.

Mr. Stout: *No special conditions and/or circumstances exist.*

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

Ms. Tzuanos: No it would not due to it being on the side of my house.

Mr. Stout: *No. Once again, the shed is in their front yard. I request literal interpretation of the Zoning Ordinance.*



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

Ms. Tzuanos: No it is not us-this is safety issue for myself and my children.

Mr. Stout: *No special conditions and/or circumstances exist.*

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

Ms. Tzuanos: No it would not.

Mr. Stout: *The variance would give the applicant a special privilege because sheds and fences are not permitted in front yards of Diamondhead dwellings in accordance with 9.8.J. of Appendix A (Zoning) in the Diamondhead Code of Ordinances as previously stated. It also deprives my wife and I of approximately 45 degrees of view from our deck and a substantial portion of the natural prevailing north breeze we had appreciated.*

The drawing submitted by Ms. Tzuanos misrepresents the position of the shed because it is most certainly NOT 12 feet from the property line. Please see my corrected drawing attached.

The following information is an excerpt from our zoning ordinance concerning sheds with my comments included in italics:

4.18. - ACCESSORY USES.

D. Residential Accessory Building, Structure or Use.

Permitted residential accessory buildings, structures or uses include

(f) Setbacks: The structure shall not be located in front of nor within ten (10') feet of the principal building and not within five (5') feet from a side lot line, nor within ten (10') feet of a rear lot line. If the height exceeds fifteen (15') feet, the accessory structure shall meet the required setbacks of the primary structure.

The shed is four feet in front of the principal building extending sixteen feet beyond.

The shed is within 10' of primary structure (actually about three feet).

The shed is also within 5' of the side lot line (actually about three feet).

Additionally, it extends fourteen feet beyond my front porch and is 10x16 vice 9x15.



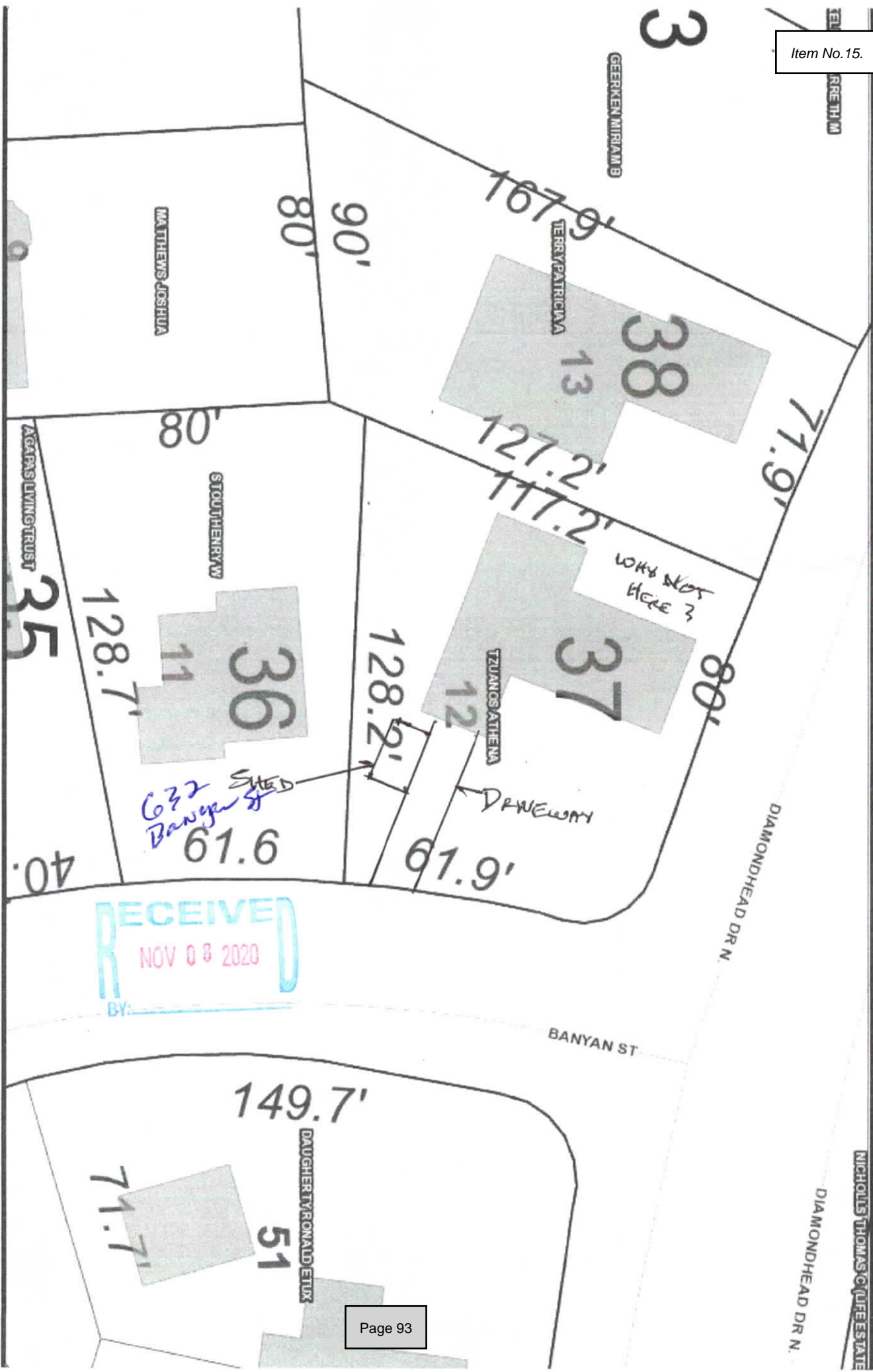


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BY: 9:30 AM.



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BY: _____

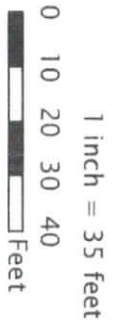
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632 SHED
 Banyan St

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



October 23, 2020



City of Diamondhead, MS

Docket of Claims Register -

Item No. 16.

APPKT01364 - 10/17/2020 DOCKET

By Docket/Claim Number

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT157759	AGJ	11/17/2020	82312	EXTERNAL DVD DRIVE	001-140-505.00	FF&E Non-Capitalized	58.54	58.54
DKT157760	Amazon com LLC	11/17/2020	11W1-GTTF-N3RV	COMPUTER WRIST REST	001-110-501.00 001-301-501.00 001-280-501.00 001-301-501.00	Supplies Supplies Office Supplies Supplies	18.76 15.39 30.99 38.19	103.33
DKT157761	AXI Education Solutions LLC	11/17/2020	54308	EPICUS-TS FACE RECOGNITION TABLET	001-140-907.00 001-140-907.00	Capital Outlay - Other Capital Outlay - Other	6,960.00 656.00	7,616.00
DKT157762	Barneys Police Supplies Gulfport	11/17/2020	54782	Badge and Badge Holder	001-200-535.00 001-200-535.00 001-200-535.00 001-200-535.00	Uniforms Uniforms Uniforms Uniforms	329.97 729.92 159.90 25.99	1,245.78
DKT157763	Charlie Henderson Ford	11/17/2020	74830 74830A	OIL CHANGE POLICE CAR REPAIRS	001-200-570.00 001-200-570.00	Repairs & Maintenance - Vehicle Repairs & Maintenance - Vehicle	62.80 119.02	181.82
DKT157764	Coast Electric Power Association	11/17/2020	10232020 7100028903--1020 7100030173 -- 10/2020 7100030174 - 10/2020 7100030175--10/2020 7100030176 -- 10/2020	KAPALAMA OCTOBER I10 & YACHT CLUB DR. -- OCTOBER HARBOR CIR 8 #3 -- OCTOBER HARBOR CIR 8 #1 -- OCTOBER HARBOR CIR 8 #2 -- OCTOBER HARBOR CIR 8 #4 -- OCTOBER	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 - Streetlights & Other Utilities - Streetlights & Other Utilities - Streetlights & Other	43.20 39.11 35.67 35.67 591.89 35.67	781.21
DKT157765	Cspire Internet Service	11/17/2020	1586475	OCTOBER INTERNET SERVICES	001-140-612.00 001-140-643.00	Internet Rent - Phone System	208.99 441.17	650.16
DKT157766	CYNTHIA GOLUS	11/17/2020	10202020	POLL WORKER	001-140-693.00	Other - Elections	195.00	195.00

Docket of Claims Register - Council

APPKT01364 - 10/1 Item No. 16.

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT157767	Diamondhead True Value	11/17/2020	A322826	WATER PIPE	001-301-501.00	Supplies	99.99	1,001.67
					001-301-501.00	Supplies	11.88	
					001-301-584.00	Concrete, Plastic Pipe	38.70	
					001-301-584.00	Concrete, Plastic Pipe	89.40	
					001-301-501.00	Supplies	55.96	
					001-301-501.00	Supplies	71.96	
					001-301-584.00	Concrete, Plastic Pipe	2.34	
					001-301-584.00	Concrete, Plastic Pipe	47.40	
					001-301-584.00	Concrete, Plastic Pipe	17.70	
					001-301-584.00	Concrete, Plastic Pipe	239.70	
					001-301-584.00	Concrete, Plastic Pipe	218.70	
					001-301-584.00	Concrete, Plastic Pipe	55.47	
					001-301-584.00	Concrete, Plastic Pipe	52.47	
					DKT157768	Digital Engineering and Imaging Inc	11/17/2020	
			730-1000-77	Roadway/Paving Phase II	001-301-602.00	Professional Fees - Engineering	4,625.00	
			730-1000-78	MONTHLY MAINTENANCE TO GIS SYSTEM	001-301-681.00	Other Services & Charges	1,891.50	
			730-1000-79	ENGINEERING SERVICE/ROADWAY IMPROVEMENTS PHASE 3	001-301-602.00	Professional Fees - Engineering	15,000.00	
DKT157769	Duhon Machinery Company Inc	11/17/2020	212	Bobcat Skid Loader w/ Flail Mower Attachment	001-301-917.00	Capital Outlay - Mobile Equipment	6,918.09	48,059.53
			213		001-301-917.00	Capital Outlay - Mobile Equipment	41,141.44	
DKT157770	Eagle Energy	11/17/2020	27900	FUEL	001-301-525.00	Fuel	6.77	2,128.84
					001-301-525.00	Fuel	1,091.19	
					001-301-525.00	Fuel	1,030.88	
					27901			
DKT157771	Election Systems & Software	11/17/2020	1167293	9/15/20 Election Support	001-140-693.00	Other - Elections	4,455.00	3,605.00
					001-140-693.00	Other - Elections	-850.00	
DKT157772	Enmon Enterprises	11/17/2020	MGC11200096	JANITORIAL CONTRACT FOR THE MONTH OF NOVEMBER	001-140-681.00	Other Services & Charges	2,100.00	2,100.00
DKT157773	FirstPoint Inc	11/17/2020	8464	BACKGROUND CHECK FOR NEW EMPLOYEE	001-301-698.00	Misc. Services - Drug Testing & Other	57.00	57.00

Docket of Claims Register - Council

APPKT01364 - 10/1

Item No. 16.

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT157774	Fuelman	11/17/2020	NP59092485	FUEL FOR THE WEEK OF 11/02/2020	001-140-525.00	Fuel	35.41	924.11
					001-280-525.00	Fuel	34.82	
					001-301-525.00	Fuel	439.71	
			NP59136683	FUEL CHARGES FOR THE WEEK ENDING 11/08/2020	001-200-525.00	Fuel	348.84	
					001-280-525.00	Fuel	65.33	
DKT157775	Hancock County Sheriffs Office	11/17/2020	2020-DH-010H	INMATE HOUSING -- OCTOBER	001-200-689.00	Prisoner's Expense	180.00	24,486.79
			2020-DHLE-022	INTERAGENCY AGREEMENT FOR WEEK ENDING 10-24-2020	001-110-681.00	Other Services & Charges	133.13	
					001-200-690.00	Interlocal Agreement	24,173.66	
DKT157776	Hancock County Solid Waste	11/17/2020	930	OCTOBER SOLID WASTE	401-322-680.00	Other Services & Charges	39,618.50	39,618.50
DKT157777	Independent Elevator Inspections LLC	11/17/2020	2333	ANNUAL ELEVATOR INSPECTION	001-140-635.00	Professional Fees - Repair & Maint Outside Serv	190.40	190.40
DKT157778	JANETTE GILLIAM	11/17/2020	10202020	POLL WORKER	001-140-693.00	Other - Elections	200.00	200.00
DKT157779	John Deere Company	11/17/2020	116985963	Jon Deere R10 Flex Wing Rotary Cutter	001-301-917.00	Capital Outlay - Mobile Equipment	17,111.40	17,111.40
DKT157780	Kirks Tire Pros	11/17/2020	46955	NEW TIRES FOR TWO POLICE VEHICLES	001-200-635.00	Professional Fees - R&M Outside Services	517.16	1,201.11
			47002	WHEEL ALIGNMENT	001-200-570.00	Repairs & Maintenance - Vehicle	90.95	
			47004	NEW TIRES FOR TWO POLICE VEHICLES	001-200-635.00	Professional Fees - R&M Outside Services	593.00	
DKT157781	Law offices of Derek R Cusick PLLC	11/17/2020	176	GENERAL MATTERS FOR OCTOBER	001-140-603.00	Professional Fees - Legal	5,518.75	9,862.50
			177	PLANNING AND ZONING FOR OCTOBER	001-280-603.00	Professional Fees - Legal	1,281.25	
			178	CITY PROSECUTOR FOR OCTOBER	001-110-603.00	Professional Fees - Legal	3,000.00	
			179	LONGANECKER, ET AL V. CITY OF DIAMONDHEAD	001-140-603.00	Professional Fees - Legal	62.50	

Docket of Claims Register - Council

APPKT01364 - 10/1

Item No. 16.

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount
DKT157782	Lee Tractor	11/17/2020	WO24007	EQUIPMENT REPAIR	001-301-635.00	Professional Fees - R&M Outside Services	290.00	554.25
						001-301-635.00	Professional Fees - R&M Outside Services	
DKT157783	LexisNexis Matthew Bender and Co	11/17/2020	21389586	MS CODE COURT RULES 2020	001-110-622.00	Publications	63.43	63.43
DKT157784	Mow Life LLC	11/17/2020	4224	SAFETY SUPPLIES	001-301-501.00	Supplies	40.00	238.00
						001-301-501.00	Supplies	
DKT157785	MS Department of Public Safety	11/17/2020	10/2020	COURT ASSESSMENT FOR OCTOBER	650-110-131.00	State Assessments Payable	88.88	88.88
DKT157786	MS Municipal League	11/17/2020	32061	MML VIRTUAL CONFERENCE	001-100-615.00	Travel & Training	180.00	180.00
DKT157787	MS Power Company	11/17/2020	10292020	LPR MONTHLY PAYMENT	001-200-681.00	Other Services & Charges	1,265.00	1,265.00
DKT157788	Municipal Code Corporation	11/17/2020	00350935	ONLINE CODE HOSTING 11/1/2020-10/31/2021	001-140-605.00	Professional Fees - IT	550.00	550.00

Docket of Claims Register - Council

APPKT01364 - 10/1

Item No. 16.

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount	
DKT157789	Napa of Bay St Louis	11/17/2020	21-0002	MISC PURCHASES FOR THE MONTH OF OCTOBER	001-301-571.00	Repairs & Maintenance - Equipment	9.00	2,268.18	
					001-301-571.00	Repairs & Maintenance - Equipment	214.06		
					001-301-571.00	Repairs & Maintenance - Equipment	65.86		
					001-301-571.00	Repairs & Maintenance - Equipment	57.91		
					001-301-501.00	Supplies	551.48		
					001-200-570.00	Repairs & Maintenance - Vehicle	42.44		
					001-200-570.00	Repairs & Maintenance - Vehicle	149.87		
					001-200-570.00	Repairs & Maintenance - Vehicle	149.87		
					001-301-571.00	Repairs & Maintenance - Equipment	22.49		
					001-301-571.00	Repairs & Maintenance - Equipment	76.90		
				001-301-571.00	Repairs & Maintenance - Equipment	34.96			
				001-301-571.00	Repairs & Maintenance - Equipment	44.42			
				001-301-571.00	Repairs & Maintenance - Equipment	57.08			
				001-301-571.00	Repairs & Maintenance - Equipment	57.46			
				001-301-570.00	Repairs & Maintenance - Vehicle	59.70			
				001-301-570.00	Repairs & Maintenance - Vehicle	514.26			
				001-301-570.00	Repairs & Maintenance - Vehicle	182.91			
				001-301-571.00	Repairs & Maintenance - Equipment	-22.49			
				269306	REPAIR TO DOOR	001-200-570.00	Repairs & Maintenance - Vehicle		149.87
				269452	HOSE FOR BACKHOE	001-301-571.00	Repairs & Maintenance - Equipment		22.49
269763	REPAIR TO DOOR	001-301-571.00	Repairs & Maintenance - Equipment	76.90					
		001-301-571.00	Repairs & Maintenance - Equipment	34.96					
		001-301-571.00	Repairs & Maintenance - Equipment	44.42					
		001-301-571.00	Repairs & Maintenance - Equipment	57.08					
269817	RETURN PART 25-9650	001-301-571.00	Repairs & Maintenance - Equipment	57.46					
		001-301-570.00	Repairs & Maintenance - Vehicle	59.70					
DKT157790	Necaise and Company PLLC	11/17/2020	10693	Audit Services FY 2019	001-140-600.00	Professional Fees - Accounting/Audit	21,430.00	21,430.00	
DKT157791	Orion Planning and Design	11/17/2020	3091	Consulting services 25 yr Comp plan	001-140-601.00	Professional Fees - Consulting	1,950.30	1,950.30	

Docket of Claims Register - Council

APPKT01364 - 10/1 Item No. 16.

Docket/Claim #	Vendor Name	Payable Date	Payable Number	Payable Description	Account Number	Account Name	Line Amount	Payment Amount				
DKT157792	S&L Office Supplies	11/17/2020	82930	OFFICE SUPPLIES	001-140-501.00	Supplies	19.00	290.15				
							26.84					
							9.27					
							5.00					
							3.72					
							25.50					
							17.38					
							5.56					
							6.04					
							63.36					
							51.98					
							7.67					
							15.34					
							12.76					
							11.28					
9.45												
DKT157793	Sea Coast Echo	11/17/2020	100720	LOGIC & ACCURACY TESTING OF TSX VOTING MACHINES	001-140-693.00	Other - Elections	110.00	1,539.01				
							10072020		AD FOR NEW VOTING DATE	001-140-693.00	Other - Elections	1,299.37
							101420		P&Z AD FOR PUBLIC HEARING	001-280-620.00	Advertising	64.60
							10212020		P&Z VARANCE LEGAL AD	001-280-620.00	Advertising	65.04
DKT157794	State Treasurer	11/17/2020	11022020	COURT ASSESSMENT/FINE -- OCTOBER	650-110-131.00	State Assessments Payable	1,306.31	1,306.31				
DKT157795	Timothy A Kellar Chancery Clerk	11/17/2020	10312020	TAX SALE REDEMPTIONS -- OCTOBER	001-140-694.00	Collection Fees	980.00	980.00				
DKT157796	UniFirst Corporation	11/17/2020	1050907216	UNIFORM RENTAL FOR WEEK OF 11-02-2020	001-301-535.00	Uniforms	141.19	323.88				
			1050908325	UNIFORM RENTAL FOR THE WEEK OF 11-09-2020	001-301-535.00	Uniforms	182.69					
DKT157797	WageWorks	11/17/2020	1020-DR42799	COBRA FOR OCTOBER	001-140-625.00	Insurance	40.00	40.00				
Total Claims: 39							Total Payment Amount:	217,481.08				

Item No.a

INC CODE: * - All
TASK CODE: * - ALL
STATUS: Closed

USER: * - All
GROUP: * - All
PRIORITY: * - All
TYPE:

ORIGINATION: 0/00/0000 THRU 99/99/99
DUE: 10/01/2020 THRU 10/31/20.
RESOLUTION: 0/00/0000 THRU 99/99/99

October 2020

INSPECTIONS BY TYPE

STATUS	-----PRIORITY-----									TOTAL
	1	2	3	4	5	6	7	8	9	
ACTIVE										
CLOSED	310									310
VOIDED										
SUSPENDED										
TOTALS	310									310

INCIDENT CODE	-----SEQUENCES-----	COUNT
BRICK TIE		6
BUILDING FINAL		15
CONCRETE SLAB FOUND		14
CULVERT FINAL		4
CULVERT SITE		8
DEMO FINAL		1
DWV TEST		9
ELECTRICAL FINAL		15
ELECTRICAL ROUGH		14
FENCE FINAL		1
FLATWORK FINAL		2
FOOTINGS/COLUMNS		15
FORMS		2
FRAMING		13
GAS FINAL		1
HIGH WIND CONNECTORS		8
HOLE COMPACTION TEST		5
MECHANICAL FINAL		5
MECHANICAL ROUGH		11
MISCELLANEOUS		8
PARK/DRIVEWAY FINAL		3
PLAN REVIEW		29
PLUMBING BLD DRAIN		9
PLUMBING BLD SEWER		5
PLUMBING FINAL		4
PLUMBING ROUGH		10
PLUMBING WATER SVC		3
POOL FINAL		1
PRE-DEMOLITION SITE		1
SHEATHING-ROOF		12
SHEATHING-WALL		14
SITE		15
SITE FINAL		9
SLAB COMPACT TEST		5
TEMP ELECTRIC POWER		4
TEMP POWER POLE		15
TERMITE CERTIFICATE		11

PROJECTS: THRU ZZZZZZZZZZ

October 2020

REPORT SEQUENCE: Project
- All Contract

PROJECT TYPE: All

CONTRACTOR CLASS: All

CONTRACTORS: All

Item No.a

APPLIED DATES: 0/00/0000 THRU 99/99/9999

EXPIRE DATES: 0/00/0000 THRU 99/99/9999

STATUS INCLUDED: Opened, Complet

ISSUED DATES: 10/01/2020 THRU 10/31/2020

Permits By Type

*** PROJECT TYPE RECAP ***

PROJECT TYPE	# OF PROJECTS	BALANCE
B01-SFR - SINGLE FAMILY RESIDENTI	5	2,411.25
B02-ADD - RESIDENTIAL ADDITION	4	0.00
B04-ACC - RESIDENTIAL ACCESSORY	2	0.00
B05-REP - RESIDENTIAL REPAIR	7	81.00
B20-NEW - NEW COMMERCIAL BUILDING	1	295.00
ELEC-COM - COMMERCIAL ELECTRICAL	1	50.00
ELEC-RES - RESIDENTIAL ELECTRICAL	1	0.00
FENCE-COM - COMMERCIAL FENCE	1	0.00
FENCE-RES - RESIDENTIAL FENCE	6	0.00
FLAT-RES - RESIDENTIAL FLATWORK	2	0.00
MECH-RES - RESIDENTIAL MECHANICAL	1	0.00
PZ-01 - DEVELOPMENT	5	0.00
PZ-06 - VARIANCE	1	0.00
SIGN - SIGN	1	200.00
*** TOTALS ***	38	3,037.25

Diamondhead Monthly Statistics October 2020

(Sections in italics not counted toward call total)

False Alarms- Residential/ Business/ 911	42		
Civil Disputes / Escorts / Process	19		
Complaint / See An Officer	7	Stolen Vehicle	0
Death	1	Burglary – Residence	0
Disturbance	18	Burglary – Vehicle	1
Follow-Up Information	790	Attempted Burglary	0
Juvenile Problem	3	Counterfeit Money	0
Lost/Found Item	2	Damage – Property	5
Miscellaneous	126	Embezzlement	0
		Forgery / Bad Check/Fraud	0
TOTAL MISCELLANEOUS	1,008	Malicious Mischief	9
		Recovered Stolen Vehicle	1
Drug Law Violation	1	Recovered Stolen Property	0
Prostitution	0	Shoplifting	0
		Theft (Grand)	0
TOTAL CRIMES AGAINST PUBLIC SAFETY	1	Theft (Petit)	7
		Trespassing	4
Animal Problem / Complaints	6	Unauthorized Use / Vehicle	0
Public Drunk	1		
Fire Structure / Vehicle	4	TOTAL PROPERTY CRIME	27
Fireworks	1		
Funeral Escort	0	Accident – Private Property	4
Littering/Dumping/Haz-Mat Spill	0	Accident – Public Roadway	9
Medical Emergency	13	Accident - Hit & Run	0
Missing/Runaway	1		
Parking Violation	13	TOTAL ACCIDENTS/COLLISIONS	13
Shots Fired	0		
Suicide / Threat / Attempt	1	Assist Motorist	11
Suicide	0	Reckless Driver	4
Suspicious / Person / Vehicle	43	Traffic Stop	103
Welfare Concern	19	<i>Traffic Citation (Adults)</i>	28
		<i>Traffic citation (minors)</i>	1
TOTAL PUBLIC HEALTH & SAFETY	102	Traffic Fatality	0
Animal Bite	0	TOTAL TRAFFIC	118
Assault By Threat	0		
Assault	0		
Child Abuse / Neglect	0	<i>Warrant Arrests</i>	4
Domestic violence	4	<i>Drunk Driver (DUI) Arrests</i>	0
Harassment	1	<i>Traffic Arrests</i>	0
Harassing Phone Call	2	<i>Domestic Assault Arrests</i>	2
Robbery – Armed	0	<i>Other Arrests</i>	0
Sexual Abuse / Molestation	0	TOTAL ARRESTS	6
Stalking	0		
TOTAL CRIMES AGAINST PERSON	7	TOTAL CALLS	1276

CODE ENFORCEMENT

Item No.a.

Code Violations 7/6/2020-11/11/2020	Total	Closed	Open
Abandoned Vehicles	10	6	4
Abandoned/Dilapidated/Deteriorated House (unoccupied)	2	1	1
Advertising/Solicitation			0
ATV			0
Boats	24	18	6
Camper	9	7	2
Cars in Yard	18	13	5
Construction Equipment	1	1	0
Dumpster (commercial)	2	1	1
Dumpster (residential)			0
Fence	6	4	2
Furniture in Yard			0
Golf Carts			0
Graffiti			0
High Grass (overgrown)/Shrubs	10	6	4
Jet Ski	4	3	1
Lack of Maintenance (structure)			0
Permit	22	16	6
POD	1	1	0
RV	10	7	3
Signs	12	6	6
Slab/Driveway Removal			0
Trailers	27	21	6
Trash & Rubbish	17	12	5
Trash Cans			0
Unapproved Structure			0
Cumulative Totals	175	123	52

11/13/2020 12:25 PM

L I C E N S E M A S T E R R E P O R T

LICENSES: ALL

SORTED BY: LICENSE NUMBER

LICENSE CODES: Include: PRIV-MFG, PRIV-RET, PRIV-SERV , PRIV-WH

CLASSES: All

STATUS: PENDING, ACTIVE, RENEWED, TERMINATED

CITY LIMITS: INSIDE

<i>Item No.a.</i>	EVE PIO
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COMMENT:
PAY STATU

*** NO RECORDS MET THE SELECTION CRITERIA ***