

**REVISED AGENDA  
BILOXI CITY COUNCIL MEETING  
Tuesday, September 21, 2021  
1:30 p.m.  
Council Chambers, 2<sup>nd</sup> floor of City Hall  
140 Lameuse Street, Biloxi, Mississippi**

**1. AGENDA ORDER**

**2. PRESENTATION AGENDA**

A. Mayor's Report

--Frank Bordeaux with BXS to speak about the City's Liability Insurance Renewal.

B. Departmental Report

C. Council's Report

**3. PUBLIC AGENDA**

**Citizens Comments-(Total allotted time 45 minutes)**

**4. POLICY AGENDA**

ORDINANCES (First Reading)

Second Reading A. Ordinance to amend the geographical information system format zoning district map of the City of Biloxi, Mississippi, providing for the amendment of the PD-TND: Planned Development-Traditional Neighborhood Development Master Plan- to include a Preliminary Subdivision Plat for property currently identified as 2330 Atkinson Road, including two unaddressed parcels fronting upon Bertucci boulevard, for Bertucci Park Subdivision. Case No. 21-048, Gregory E. Bertucci (owner) and Dennis Stieffel (applicant). Submitted by the Planning Commission.  
{\*-092121APC} Ward 3

#### 4. POLICY AGENDA-Continued

Second Reading B. Ordinance to amend selected sections of the Land Development Ordinance, specifically Section 23-3-2(G): RS-5 High-Density Single-Family Residential District to remove two-family and three to four family dwellings as specific uses within the RS-5 Zoning district classification; Table 23-4-1 (C): Use Table- Nonresidential and Planned Development Districts- to allow the newly proposed use Salvage Yard (formerly referred to as a Junkyard) as a Conditional Use exclusively within the RB Regional Business and I Industrial zoning districts; and also to Amend Section 23-1 0-2: Terms and Uses Defined-to introduce and define the specific use Salvage Yard. Case No. 21-050, a charge initiated by the Director of Community Development. Submitted by the Planning Commission.  
{\*-092121BPC}

#### ORDINANCES (Second Reading)

- 2448 \_\_\_\_\_ C. Ordinance amending Section 5-1-1, Section 5-1-3 and Section 5-1-5 of Article I (General) of Chapter 5 (Buildings) of the Code of Ordinances of the City of Biloxi, Mississippi. Introduced by Mayor A.M. Gilich, Jr. {\*-090721ACD} **First reading on September 7, 2021**
- 2449 \_\_\_\_\_ D. Ordinance amending Section 5-1-11 of Article I (General) of Chapter 5 (Buildings) of the Code of Ordinances of the City of Biloxi, Mississippi. Introduced by Mayor A.M. Gilich, Jr. {\*-090721BCD} **First reading on September 7, 2021**
- 2450 \_\_\_\_\_ E. Ordinance amending Article III of Chapter 5 (Buildings) of The Code of Ordinances of the City of Biloxi, Mississippi. Introduced by Mayor A.M. Gilich, Jr. {\*-090721CCD} **First reading on September 7, 2021**
- 2451 \_\_\_\_\_ F. Ordinance amending Section 5-5-2, Section 5-5-20 and Section 5-5-21 of Article V (Plumbing) of Chapter 5 (Buildings) of the Code of Ordinances of the City of Biloxi, Mississippi. Introduced by Mayor A.M. Gilich, Jr. {\*-090721DCD} **First reading on September 7, 2021**
- 2452 \_\_\_\_\_ G. Ordinance amending Article IX of Chapter 5 (Buildings) of The Code of Ordinances of the City of Biloxi, Mississippi. Introduced by Mayor A.M. Gilich, Jr. {\*-090721ECD} **First reading on September 7, 2021**

{\*}- Also available in alternative format.

#### 4. POLICY AGENDA-Continued

- 2453 \_\_\_\_\_ H. Ordinance amending Section 5-6-2 of Article VI (Natural Gas) of Chapter 5 (Buildings) of the Code of Ordinances of the City of Biloxi, Mississippi. Introduced by Mayor A.M. Gilich, Jr.  
{\*-090721FCD} **First reading on September 7, 2021**
- 2454 \_\_\_\_\_ I. Ordinance amending Section 5-10-2 and Section 5-10-16 of Article X (Mechanical) of Chapter 5 (Buildings) of the Code of Ordinances of the City of Biloxi, Mississippi. Introduced by Mayor A.M. Gilich, Jr.  
{\*-090721GCD} **First reading on September 7, 2021**
- 2455 \_\_\_\_\_ J. Ordinance amending Section 5-12-1 of Article XII (Existing Buildings Code) of Chapter 5 (Buildings) of the Code of Ordinances of the City of Biloxi, Mississippi. Introduced by Mayor A.M. Gilich, Jr.  
{\*-090721HCD} **First reading on September 7, 2021**
- 2456 \_\_\_\_\_ K. Ordinance amending Section 5-16-1 of Article XVI (Energy Conservation) of Chapter 5 (Buildings) of the Code of Ordinances of the City of Biloxi, Mississippi. Introduced by Mayor A.M. Gilich, Jr.  
{\*-090721ICD} **First reading on September 7, 2021**
- 2457 \_\_\_\_\_ L. Ordinance amending portions of Chapter 8, the flood damage and prevention ordinance of the City of Biloxi, relating to certain floodplain management regulations. Introduced by Mayor A.M. Gilich, Jr.  
{\*-090721JCD} **First reading on September 7, 2021**
- 2458 \_\_\_\_\_ M. Ordinance amending Section 7-2-1, Section 7-2-4, Section 7-2-5, Section 7-2-6, Section 7-2-7, Section 7-2-8, and Section 7-2-9 of Article I (General) and Article II (Fire Prevention Code) of Chapter 7 (Fire Prevention) of the Code of Ordinances of the City of Biloxi, Mississippi. Introduced by Mayor A.M. Gilich, Jr.  
{\*-090721KCD} **First reading on September 7, 2021**
- 2459 \_\_\_\_\_ N. Ordinance to amend appropriate sections of the Land Development Ordinance, to clarify the standards for the specific use "Animal Husbandry," and to add the use "Animal Husbandry" as a conditional use within the RE Residential Estate and RER Residential Estate Restricted zoning district classifications. Submitted by the Planning Commission.  
{\*-090721APC} **First reading on September 7, 2021**

#### 4. POLICY AGENDA-Continued

##### RESOLUTIONS

- 665-21 \_\_\_\_\_ O. Resolution granting Minor Subdivision Final Plat approval for a property site currently identified as 7127 Hollee Drive (Re: Tax Parcel No. 1207K-01-009.005. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121CPC} Ward 7

#### 5. CONSENT AGENDA

- 666-21 \_\_\_\_\_ A. Resolution continuing the declaration of a State of Emergency for Hurricane Zeta in the City of Biloxi, Mississippi, and authorizing the Mayor to do all things reasonable and necessary to protect the immediate health and safety of the City's citizens; and for related purposes. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121AEXC}
- 667-21 \_\_\_\_\_ B. Resolution continuing a State of Emergency in the City of Biloxi, Mississippi for COVID-19, and authorizing the Mayor to do all things reasonable and necessary to protect the immediate health and safety of the City's citizens; and for related purposes. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121BEXC}
- 668-21 \_\_\_\_\_ C. Resolution authorizing expenditures to Slavic Benevolent Association in the amount of \$1,000.00. Introduced by Mayor A.M. Gilich, Jr. {\*-092121CEXC}
- 669-21 \_\_\_\_\_ D. Resolution continuing the declaration of a State of Emergency for Hurricane Ida in the City of Biloxi, Mississippi, and authorizing the Mayor to do all things reasonable and necessary to protect the immediate health and safety of the City's citizens; and for related purposes. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121DEXC}
- 670-21 \_\_\_\_\_ E. Resolution to execute a funding agreement for the City of Biloxi's 2021 Action Plan for use of funds to the City of Biloxi through the Community Development Block Grant (CDBG) Program. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121AFSP}

**5. CONSENT AGENDA-Continued**

- 671-21 F. Resolution authorizing acceptance of a grant award from CenterPoint Energy, Community Partnership Grant, and amending the budget ending September 31, 2021, in the amount of \$2,500.00. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121APD}
- 672-21 G. Resolution amending the municipal budget for fiscal year ending September 30, 2021, in the amount of \$20,000.00 to pay for dispatch upgrade services. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121BPD}
- 673-21 H. Resolution to approve the purchase and installation of dispatch communication upgrades from Communications International in the total amount of \$66,704.89, as authorized by State of Mississippi Expressed Products List (EPL) No. 3744. Funding: Police Budget. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121APUR}
- 674-21 I. Resolution to approve the emergency repair of Belle La Vie Parkway erosion by SCI, Inc. in the total amount of \$10,562.40. Funding: Capital Projects Budget. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121BPUR}
- 675-21 J. Resolution to approve and authorize the one-source dispatch upgrade from AT&T to re-locate 911 telephone lines in the total amount of \$12,000.00. Funding: Police Budget. Introduced by Mayor A.M. Gilich, Jr. {\*-092121CPUR}
- 676-21 K. Resolution to approve and authorize the lowest and best quote received to Furnish and Install the Dispatch Channel Control Station Combiner from Communications International in the total amount of \$32,084.18. Funding: Police Budget. Introduced by Mayor A.M. Gilich, Jr. {\*-092121DPUR}
- 677-21 L. Resolution authorizing renewal of service agreement with Pileum Corporation for Fusus. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121ACON}
- 678-21 M. Resolution authorizing entry into 2021 Management Agreement by and between the City of Biloxi and Ohr-O'Keefe Museum of Art, Inc. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121BCON}

{\*}- Also available in alternative format.

**5. CONSENT AGENDA-Continued**

- 679-21 N. Resolution authorizing entry into a contract for the Housing of Biloxi Prisoners/Detainees at the Harrison County Adult Detention Center. Introduced by Mayor A.M. Gilich, Jr. {\*-092121CCON}
- 680-21 O. Resolution authorizing entry into Third Amendment to Second Amended and Restated Agreement for Property Maintenance by and between the City of Biloxi and Gulf Breeze Landscaping, LLC. Introduced by Mayor A.M. Gilich, Jr. {\*-092121DCON}
- 681-21 P. Resolution authorizing renewal of Customer Subscription Agreement with PowerDMS, Inc. software utilized by the Police Department. Introduced by Mayor A.M. Gilich, Jr. {\*-092121ECON}
- 682-21 Q. Resolution authorizing entry into Letter Agreement with Neel-Schaffer, Inc. for Capital Project No. 1039: Main Street Crossing Upgrade. Introduced by Mayor A.M. Gilich, Jr. {\*-092121FCON}
- 683-21 R. Resolution authorizing payment to the Motor Vehicle for Hire Authority for fiscal year ending September 30, 2022. Introduced by Mayor A.M. Gilich, Jr. {\*-092121GCON}
- 684-21 S. Resolution authorizing entry into First Amendment to the Agreement between City of Biloxi and Tivity Health Services, LLC for senior health and fitness memberships at the Natatorium and program reimbursement for participation. Introduced by Mayor A.M. Gilich, Jr. {\*-092121HCON}
- 685-21 T. Resolution authorizing Change Order No. Five (5) to Standard Form of Agreement with SCI, Inc., and approving payment of Final Pay Application No. Twelve (12) in connection with Capital Project No. 994: Woolmarket Road East Drainage. Introduced by Mayor A.M. Gilich, Jr. {\*-092121ICON}
- 686-21 U. Resolution accepting the bid of ADS, LLC, as the Primary Contractor, and DNA Underground, LLC, as the Secondary Contractor, for the City of Biloxi's Sidewalk and Concrete Maintenance Projects. Introduced by Mayor A.M. Gilich, Jr. {\*-092121JCON}

{\*}- Also available in alternative format.

**5. CONSENT AGENDA-Continued**

- 687-21 V. Resolution authorizing entry into a Supply Maintenance Plan Agreement with RJ Young Company, Inc. for unlimited copies for all departments. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121KCON}
- 688-21 W. Resolution rescinding Resolution No. 619-21 authorizing entry into Cost Per Copy Agreement with RJ Young Company, Inc. for the lease, maintenance and copy costs associated with a new copier to be utilized by the Fire Department at Station No. 10. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121LCON}
- 689-21 X. Resolution authorizing entry into Cost Per Copy Agreement with RJ Young Company, Inc. for the lease, maintenance and copy costs associated with eight (8) new copiers to be utilized by the Fire Department. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121MCON}
- 690-21 Y. Resolution amending the municipal budget for fiscal year ending September 30, 2021, to reflect the receipt of a refund into the budget established for Capital Project No. 1014: CSX Railroad Crossing Closures. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121NCON}
- 691-21 Z. Resolution rescinding Resolution No. 669-19 authorizing the Mayor of the City of Biloxi to establish just compensation for easements in connection with Capital Project 994: Woolmarket Road East Drainage and clearing all encumbrances for same against the project budget. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121OCON}
- 692-21 AA. Resolution authorizing purchase of Cellebrite Premium Unlimited software subscription from Cellebrite, Inc. for use by the City of Biloxi Police Department. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121PCON}
- 693-21 BB. Resolution authorizing entry into Professional Services Agreement with John Wetzel for professional accounting services and amending the municipal budget for fiscal year ending September 30, 2022. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121QCON}

{\*}- Also available in alternative format.

## 5. CONSENT AGENDA-Continued

- 694-21 CC. Resolution authorizing addendum to contract to Master Services Agreement for Professional Services with Neel-Schaffer, Inc. for the Hurricane Katrina Infrastructure Repair Program, Area BEA2 (KG630). Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121RCON}
- 695-21 DD. Resolution authorizing Change Order No. Four (4) to the Construction Agreement with Necaise Brothers Construction Co., Inc. for the Hurricane Katrina Infrastructure Repair Program, South Contract, Area STM1&2 (Project No. KG634). Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121UCON}
- 696-21 EE. Resolution authorizing Change Order No. Five (5) to the Construction Agreement with Necaise Brothers Construction Co., Inc. for the Hurricane Katrina Infrastructure Repair Program, South Contract, Area STM1&2 (Project No. KG634). Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121VCON}
- 697-21 FF. Resolution accepting the bid of JE Talley Construction, Inc. and authorizing  
**ADD** entry into a Standard Form of Agreement for Capital Project No. 1085: Lighthouse Pier Parking. Introduced by Mayor A.M. Gilich, Jr.  
{\*-092121VCON}

## 6. CODE ENFORCEMENT HEARINGS

- Still in violation A. Iris Place Subdivision, 1210F-03-011.022/0 Todd Cove
- 30 day extension B. State of Mississippi, 1310H-01-006.000/321 Benachi Avenue
- 30 day extension C. Aileen M. Wells, 1210L-02-074.000/0 Brady Drive
- Still in violation D. Kevin Bullard 1207N-01-002.021/0 Larkin Drive  
**30 day extension on August 17, 2021**
- Still in violation E. Catherine Huber 1410E-03-011.000/247 Bohn Street  
**30 day extension on August 17, 2021**
- Cleared F. RW Development, LLC 1210J-02-020.000/1816 Beach Boulevard  
**30 day extension on August 17, 2021**
- Still in violation G. Eddie Mae Smith 1410F-03-102.000/238 Delauney Street  
**30 day extension on August 17, 2021**



698-21 \_\_\_\_\_ **7. ROUTINE AGENDA** {\*-092121RTN}

SECTION ONE: To accept bids submitted by each vendor in the amount shown below as the lowest and/or best bid based on the recommendation of the Executive Branch to accept each such bid as follows:

- |    |                  |                                      |
|----|------------------|--------------------------------------|
| A. | (Purchase No. 1) | Soccer Uniforms/Parks and Recreation |
|    | VENDOR –         | Kalci Socker                         |
|    | AMOUNT –         | <u>Unit Prices</u>                   |
|    |                  | A. 100-800 Jerseys \$11.75           |
|    |                  | B. 100-800 Jerseys \$11.75           |

SECTION TWO: To authorize special assessment to code enforcement action taken to clean the following parcels:

- |    |                    |   |
|----|--------------------|---|
| A. | CITY PARCEL NO.:   | 1410J-07-034.002                                      |
|    | OWNED BY:          | Extended Stay, LLC                                    |
|    | ADDRESS:           | 12705 Fair Crest Court, Unit 301<br>Fairfax, VA 22033 |
|    | CONTRACTOR:        | Gabriel Shabazz                                       |
|    | RESOLUTION NO.:    | 184-21  |
|    | ASSESSMENT AMOUNT: | \$695.00  |
|    |                    |   |
| B. | CITY PARCEL NO.:   | 1210I-04-012.000                                      |
|    | OWNED BY:          | Pensacola Shore Investment, LLC                       |
|    | ADDRESS:           | 1686 Beach Boulevard<br>Biloxi, MS 39531              |
|    | CONTRACTOR:        | Robert Sidaway  |
|    | RESOLUTION NO.:    | 485-21  |
|    | ASSESSMENT AMOUNT: | \$715.00  |

SECTION THREE: To authorize approval of the claims listed on the docket of claims No. 2021L-01, in the amount of \$571,207.29, attached as Exhibit "A" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

SECTION FOUR: To authorize approval of the claims listed on the docket of claims No. 2021L-05, in the amount of \$2,646.20, attached as Exhibit "B" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

SECTION FIVE: To authorize approval of claims listed on the docket of claims No. 08-2021, in the amount of \$4,905,876.42 to Payroll, Fringes, and PERS, and distributed funds collected from Gaming Revenue attached as Exhibit "C" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

**7. ROUTINE AGENDA-Continued**

SECTION SIX: The foregoing warrants that are being approved cannot be released until funds have been received by the City of Biloxi and have been deposited into the bank.