

**REVISED AGENDA
BILOXI CITY COUNCIL MEETING
Tuesday, September 20, 2022
1:30 p.m.
Council Chambers, 2nd floor of City Hall
140 Lameuse Street, Biloxi, Mississippi**

- 1. AGENDA ORDER**
- 2. PRESENTATION AGENDA**
 - A. Mayor's Report
 - B. Departmental Report
 - C. Council's Report

628-22 Resolution for Executive Session to discuss personnel matters.
{*-092022EXECSESS }

3. PUBLIC AGENDA

- ✓ A. Public Hearing to consider an appeal filed on behalf of David and Krystan Hansen requesting the reversal of the Planning Commission's decision to approve a Tree Removal Application for the removal of 4 trees and disturb the critical root system 15 trees, upon parcels fronting Shorecrest Road. Case No. TR-22-005. (Total allotted time 30 minutes)

Citizens Comments-(Total allotted time 45 minutes)

4. POLICY AGENDA

ORDINANCES (First Reading)

- Second reading A. Ordinance to amend a section of the Land Development Ordinance, related to Section 23-4-3(D)(10)e: Short-Term Rentals. Case No. 22-072, a charge initiated by the Director of Community Development. Submitted by the Planning Commission.
{*-092022APC }

4. POLICY AGENDA-Continued

ORDINANCES (Second Reading)

- 2494 _____ B. Ordinance to amend the Code of Ordinances Section 15-1-2 to address compensation schedule and pay rates. Introduced by Mayor A.M. Gilich, Jr. {*-091322AHR} **First reading on September 13, 2022**

RESOLUTIONS

- REMOVE** _____ C. ~~Resolution appointing Stacey Perry, Ward Six Representative, to the Biloxi Planning Commission for the term beginning September 20, 2022 and ending September 19, 2026. Introduced by Mayor A.M. Gilich, Jr. {*-092022CEXC}~~
- 629-22 _____ D. Resolution to deny the appeal, thereby affirming the decision of the Biloxi Planning Commission to remove four (4) protected trees, and disturb the critical root system of 15 trees, upon parcels fronting upon Shorecrest Road. Introduced by Mayor A.M. Gilich, Jr. {*-092022BPC} Ward 7

5. CONSENT AGENDA

- 630-22 _____ A. Resolution authorizing Overpayment Recovery Plan for EM3544MS Hurricane Sally (DE203) projects to repay the Mississippi State Treasurer in the amount of \$9,414.31 for overpayment to the City of Biloxi. Introduced by Mayor A.M. Gilich, Jr. {*-092022AEXC}
- 631-22 _____ B. Resolution to amend the police department budget for fiscal year ending September 30, 2022 and authorizing the use of Federal Drug Forfeiture Funds to purchase one Yamaha F250XB boat motor in the amount of \$4,157.69. Introduced by Mayor A.M. Gilich, Jr. {*-092022APD}
- 632-22 _____ C. Resolution accepting grant award from Mississippi Office of Homeland Security (22LE122B, GR115) and amending the police department budget for fiscal year ending September 30, 2022, to recognize grant funds in the amount of \$100,000.00. Introduced by Mayor A.M. Gilich, Jr. {*-092022BPD}
- 633-22 _____ D. Resolution to approve and authorize the One-Source purchase of four mobile radios from Communications International in the total amount of \$19,327.80. Funding: Fire Budget. Introduced by Mayor A.M. Gilich, Jr. {*-092022APUR}

5. CONSENT AGENDA-Continued

- 634-22 E. Resolution authorizing entry into Second Amendment to Proposal for Engineering & Planning Support for Infrastructure Development & Implementation by and between the City of Biloxi and Gerald A. Pitalo, PE, Ph.D. Introduced by Mayor A.M. Gilich, Jr.
{*-092022ACON }
- 635-22 F. Resolution authorizing entry into an Amendment No. 3 to Agreement for Professional Service with M.A. Howard Consulting, LLC for various engineering and planning activities for the City of Biloxi. Introduced by Mayor A.M. Gilich, Jr.
{*-092022BCON }
- 636-22 G. Resolution accepting the bid of Gulf Breeze Construction, Inc. and authorizing entry into a Construction Agreement for Capital Project No. 1039: Main Street Crossing Upgrade. Introduced by Mayor A.M. Gilich, Jr.
{*-092022CCON }
- 637-22 H. Resolution amending the municipal budget for fiscal year ending September 30, 2022, to provide sufficient funds for the Maritime and Seafood Industry Museum's repair and maintenance costs. Introduced by Mayor A.M. Gilich, Jr.
SUBSTITUTE
{*-092022DCON }
- 638-22 I. Resolution accepting the System Maintenance Terms and Conditions of Idemia Identity & Security, LLC and authorizing payment for continued maintenance services for the Idemia LiveScan fingerprint/palm print digital forensics system in use by the Biloxi Police Department. Introduced by Mayor A.M. Gilich, Jr.
{*-092022ECON }
- 639-22 J. Resolution authorizing renewal of agreements with Tyler Technologies, Inc. for software utilized by all City departments and approving payment for same. Introduced by Mayor A.M. Gilich, Jr.
{*-092022FCON }
- 640-22 K. Resolution authorizing payment for renewal of software licenses with All Traffic Solutions, Inc. in connection with a traffic monitoring system in use by the Biloxi Police Department. Introduced by Mayor A.M. Gilich, Jr.
{*-092022GCON }

5. CONSENT AGENDA-Continued

- 641-22 L. Resolution authorizing Change Order No. Seventeen (17) to the construction agreement with Necaise Brothers Construction Company, Inc. for Hurricane Katrina Infrastructure Repair Program, South Contract, Area STM1&2, Project No. KG634. Introduced by Mayor A.M. Gilich, Jr.
{*-092022HCON}
- 642-22 M. Resolution amending Resolution No. 735-21 to properly classify and capitalize expense under the Master Services and Purchasing Agreement with Axon Enterprises, Inc. for the purchase of one hundred thirty-five (135) Tasers and associated equipment for use by the Police Department. Introduced by Mayor A.M. Gilich, Jr.
{*-092022JCON}
- 643-22 N. Resolution amending the municipal budget for fiscal year ending September 30, 2022, to properly classify and capitalize expenses under the Equipment Lease Agreement with The First, a National Banking Association for the purchase of a Dispatch Software and Records Management System from Motorola Solutions, Inc. Introduced by Mayor A.M. Gilich, Jr.
{*-092022KCON}
- 644-22 O. Resolution authorizing Change Order No. Four (4) to the Construction Agreement with Necaise Brothers Construction Company, Inc. for the Hurricane Katrina Infrastructure Repair Program, South Contract, Area BEA1 (Project No. KG630). Introduced by Mayor A.M. Gilich, Jr.
SUBSTITUTE
{*-092022LCON}
- 645-22 P. Resolution requesting the assistance of Harrison County in the repair of cement roads in the Bluffs Subdivision in the City of Biloxi. Introduced by Councilmember Robert L. Deming III.
{*-092022ACOU}
- 646-22 Q. Resolution reappointing Kyle Carron, Ward Six Representative, to the Biloxi Planning Commission for the term beginning August 17, 2022 and ending August 16, 2026. Introduced by Mayor A.M. Gilich, Jr.
{*-092022BEXC}
- 647-22 R. Resolution authorizing Change Order No. Five (5) to the Construction Agreement with Necaise Brothers Construction Company, Inc. for the Hurricane Katrina Infrastructure Repair Program, South Contract, Area BEA1 (Project No. KG630). Introduced by Mayor A.M. Gilich, Jr.
SUBSTITUTE
{*-092022MCON}

5. CONSENT AGENDA-Continued

- 648-22 **S.** Resolution authorizing Change Order No. Six (6) to the Construction Agreement with Necaise Brothers Construction Company, Inc. for the Hurricane Katrina Infrastructure Repair Program, South Contract, Area BEA1 (Project No. KG630). Introduced by Mayor A.M. Gilich, Jr.
SUBSTITUTE {-092022NCON}
- 649-22 **T.** Resolution rescinding Resolution No. 620-22 authorizing submission of a Mississippi Municipality & County Water Infrastructure Grant Program grant application to the Mississippi Department of Environmental Quality for American Recovery Plan Act ("ARPA") funds in connection with Capital Project No. 1047: Tanglewood Infrastructure Repair. Introduced by Mayor A.M. Gilich, Jr.
ADD {-092022PCON}
- 650-22 **U.** Resolution authorizing submission of a Mississippi Municipality & County Water Infrastructure Grant Program grant application to the Mississippi Department of Environmental Quality for American Recovery Plan Act ("ARPA") funds in connection with Capital Project No. 1047: Tanglewood Infrastructure Repair. Introduced by Mayor A.M. Gilich, Jr.
ADD {-092022QCON}
- 651-22 **V.** Resolution rescinding Resolution No. 621-22 authorizing submission of a Mississippi Municipality & County Water Infrastructure Grant Program grant application to the Mississippi Department of Environmental Quality for American Recovery Plan Act ("ARPA") funds in connection with Capital Project No. Capital Project No. 1079: Bay Vista Water Well. Introduced by Mayor A.M. Gilich, Jr.
ADD {-092022RCON}
- 652-22 **W.** Resolution authorizing submission of a Mississippi Municipality & County Water Infrastructure Grant Program grant application to the Mississippi Department of Environmental Quality for American Recovery Plan Act ("ARPA") funds in connection with Capital Project No. 1079: Bay Vista Water Well. Introduced by Mayor A.M. Gilich, Jr.
ADD {-092022SCON}
- 653-22 **X.** Resolution rescinding Resolution No. 619-22 authorizing submission of a Mississippi Municipality & County Water Infrastructure Grant Program grant application to the Mississippi Department of Environmental Quality for American Recovery Plan Act ("ARPA") funds in connection with Capital Project No. 1065: Lorraine Road Waterline. Introduced by Mayor A.M. Gilich, Jr.
ADD {-092022TCON}

6. CODE ENFORCEMENT HEARINGS

654-22 **Y.** Resolution authorizing submission of a Mississippi Municipality & County Water Infrastructure Grant Program grant application to the Mississippi Department of Environmental Quality for American Recovery Plan Act (ARPA) funds in connection with Capital Project No. 1065: Lorraine Road Waterline. Introduced by Mayor A.M. Gilich, Jr.
{* -092022UCON}

Cleared **A.** Corbet David Aguilard 1208I-01-028.000/11433 Summer Lane
Cleared **B.** Dr. Basum Baroudi, 1210J-03-020.001/1879 Beach Boulevard
Tabled subject **C.** BW Development, LLC, 1210K-02-049.000/1906 Beach Boulevard to call
30-day extension **D.** Connell Lewis, 1410F-06-007.000/0 Delauney Street
Still in violation **E.** Ngoc Chau Ngo, 1410F-06-093.000/0 Reynoir Street
Still in violation **F.** Gloria S. Powell-Estate, 1410D-01-116.000/433 Caillavet Street
Still in violation **G.** Sukhranjan Multani, 1210I-04-011.000/1704 Beach Boulevard
30 day extension **H.** Herman & Beulah L. Smith-Estate, 1410F-03-032.000/262 Midway Street
60 day extension on June 7, 2022 and 30 day extension on August 16, 2022

655-22 **7. ROUTINE AGENDA** {* -092022RTN}

SECTION ONE: To adjudicate the following parcels a menace to the public health and safety of the community:

- A.** CITY PARCEL NO.: 1109I-01-019.000
OWNED BY: Brenda K. Hart
DATE OF HEARING: March 15, 2022
- B.** CITY PARCEL NO.: 1210L-02-005.000
OWNED BY: Leonard P. & James E. Mcatee
DATE OF HEARING: July 26, 2022
- C.** CITY PARCEL NO.: 1207N-01-035.000
OWNED BY: Sonny and Duyen Nguyen
DATE OF HEARING: August 2, 2022
- D.** CITY PARCEL NO.: 1210H-01-017.000
OWNED BY: Toni J. Skrmetta-EST
DATE OF HEARING: August 2, 2022
- E.** CITY PARCEL NO.: 1410D-01-163.000
OWNED BY: Xcelant Holdings Corporation
DATE OF HEARING: September 6, 2022

{*}-Also available in alternative format.

7. ROUTINE AGENDA-Continued

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

- A. CITY PARCEL NO.: 1007H-01-023.001
OWNED BY: Jose Antonio Malago Gomez
ADDRESS: 14189 Dundewood Road
Biloxi, MS 39532
CONTRACTOR: AD&R
RESOLUTION NO. 522-21
ASSESSMENT AMOUNT: \$3,500.00
- B. CITY PARCEL NO.: 1110M-01-002.000
OWNED BY: Allegiant Equities LLC
ADDRESS: 55 E Long Lake Road
Troy, MI 48085-4738
CONTRACTOR: Robert Sidaway
RESOLUTION NO.: 394-22
ASSESSMENT AMOUNT: \$4,500.00

SECTION THREE: To authorize approval of the claims listed on the docket of claims No. 20221-02, in the amount of \$3,876,550.02, attached as Exhibit "A" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

SECTION FOUR: 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.