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AGENDA
BILOXI CITY COUNCIL MEETING
Tuesday, December 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

- 3. PUBLIC AGENDA**

Citizens Comments-(Total allotted time 45 minutes)

- 4. POLICY AGENDA**

ORDINANCES (First Reading)

- _____A. Ordinance to approve a zoning map amendment, for a change in zoning district classification for a parcel of land identified as 12409 Lorraine Road, from its present zoning district classification of RS-10 Low-Density Single Family Residential to NB Neighborhood Business. Case No. 22-097, Jered Cleveland. Submitted by the Planning Commission
{*-122022APC} Ward 7
- _____B. Ordinance to approve a zoning map amendment, to authorize a change in zoning district classification for two parcels of land from their present zoning district classification of A Agricultural to NB Neighborhood Business, for land presently identified as 4267 Ray Wise Drive and an unaddressed parcel fronting Ray Wise Drive. Case No. 22-098, Steven & Dianna Gallagher. Submitted by the Planning Commission.
{*-122022BPC} Ward 1

ORDINANCES (Second Reading)

- _____C. Ordinance to amend Section 22-2-38(a) of the Code of Ordinances pertaining to the adjustment of the due date for payment of utility bills. Introduced by Mayor A.M. Gilich, Jr.
{*-120622AEXC} **First reading on December 6, 2022**

{*}-Denotes document name for internet access <http://biloxi.ms.us>
Also available in alternative format.

4. POLICY AGENDA-Continued

RESOLUTIONS

- _____D. Resolution granting Conditional Use approval to authorize the establishment of a Convenience Store with gas sales including Variances upon a vacant parcel of land, for property presently identified as 2790 Beach Boulevard. Case No. 22-095, Reef Express, LLC (owner) and Fountain and Associates, LLC (applicant). Submitted by the Planning Commission.
{*-120622BPC} Ward 5 **Tabled on December 6, 2022**
- _____E. Resolution vacating a portion of unimproved public Right-of-Way approximately 70 feet in length and 24 feet (more or less) in width, identified as an unimproved section of Tullier Court presently situated immediately adjacent to two properties identified as 163 Joachim Place, and 152 Benachi Avenue, Case No. 22-100, Kenneth Finnegan. Submitted by the Planning Commission.
{*-122022CPC} Ward 1

5. CONSENT AGENDA

- _____A. Resolution accepting donation of two parcels of real property (215 and 217 Main Street) from R Properties, LLC. Introduced by Mayor A.M. Gilich, Jr.
{*-122022ALEG}
- _____B. Resolution of the Mayor and City Council of the City of Biloxi, Mississippi, approving the extension of the maturity date of the City's outstanding Modified Emergency Borrowing Note, Series 2021 (Non-Revolving Line of Credit), and the extension of the related Line of Credit in the maximum aggregate principal amount of not to exceed ten million and 00/100 dollars (\$10,000,000.00) initially authorized by Resolution No. 11-21 and previously extended by Resolution 887-21; and other related matters. Introduced by Mayor A.M. Gilich, Jr.
{*-122022BLEG}
- _____C. Resolution confirming and approving appointment of Deputy Clerks of the Municipal Court of the City of Biloxi, Mississippi and for related purposes. (Hannah Bourgeois and Miranda Irby). Introduced by Mayor A.M. Gilich, Jr.
{*-122022ACOURT}
- _____D. Resolution amending the police department budget for the fiscal year ending September 30, 2023, in the amount of \$35,934 for one 2022 Dodge Durango PPV. Introduced by Mayor A.M. Gilich, Jr.
{*-122022APD}

5. CONSENT AGENDA-Continued

- _____E. Resolution amending the police department budget for the fiscal year ending September 30, 2023, recognizing surplus funds received from Property Room in the amount \$17.43. Introduced by Mayor A.M. Gilich, Jr.
{*-122022BPD }
- _____F. Resolution authorizing purchase of sidearm by retiring member of the Biloxi Police Department (Kit Manning). Introduced by Mayor A.M. Gilich, Jr.
{*-122022CPD }
- _____G. Resolution authorizing purchase of sidearm by retiring member of the Biloxi Police Department (Reuben Sabio). Introduced by Mayor A.M. Gilich, Jr.
{*-122022DPD }
- _____H. Resolution to authorize the lowest and best quote received to replace the Lights and Poles at Pennzoil Park from Lamey Electric in the total amount of \$9,161.30. Funding: Parks & Recreation Budget. Introduced by Mayor A.M. Gilich, Jr.
{*-122022APUR }
- _____I. Resolution to authorize replacement of the Court carpeting from Howard's Decorating in the total amount of \$15,584.63. Funding: Legal Budget. Introduced by Mayor A.M. Gilich, Jr.
{*-122022BPUR }
- _____J. Resolution to authorize the lowest and best quote received for Six Dive Suits for use by the Dive Team from Adventure Locators in the total amount of \$8,400.00. Funding: Police Budget. Introduced by Mayor A.M. Gilich, Jr.
{*-122022CPUR }
- _____K. Resolution to authorize the lowest and best quote received for Fire Prevention Handouts from All Alert in the total amount of \$18,885.00. Funding: Fire Budget. Introduced by Mayor A.M. Gilich, Jr.
{*-122022DPUR }
- _____L. Resolution adjusting just compensation to reflect actual costs of acquisitions in connection with Capital Project No. 996: Keesler Gate Outside. Introduced by Mayor A.M. Gilich, Jr.
{*-122022ACON }
- _____M. Resolution authorizing Addendum to extend time to Preliminary Engineering Services Contract with Neel-Schaffer, Inc. for Capital Project No. 913: Popps Ferry Extension. Introduced by Mayor A.M. Gilich, Jr.
{*-122022BCON }

5. CONSENT AGENDA-Continued

- _____N. Resolution rescinding Resolution No. 486-18 authorizing and accepting a Memorandum of Agreement between the City of Biloxi and the Mississippi Coast Coliseum Commission for Poppo's Ferry Extension, Project No. 913. Introduced by Mayor A.M. Gilich, Jr.
{*-122022CCON }
- _____O. Resolution rescinding Resolution No. 356-22. Introduced by Mayor A.M. Gilich, Jr.
{*-122022DCON }
- _____P. 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.
{*-122022ECON }
- _____Q. 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.
{*-122022FCON }
- _____R. 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.
{*-122022GCON }
- _____S. Resolution authorizing entry into Professional Services Agreement with Neel-Schaffer, Inc. for Capital Project Nos. 1065: Lorraine Road Waterline, 1047: Tanglewood Infrastructure Repair and 1079: Bay Vista Water Well and amending the budget for fiscal year ending September 30, 2023, to provide funding for the agreement. Introduced by Mayor A.M. Gilich, Jr.
{*-122022HCON }
- _____T. Resolution rescinding Resolution No. 706-21 authorizing and accepting a Memorandum of Understanding for strategic planning for the development of the Harrison County Family Justice Center between the County of Harrison, Mississippi, the City of Gulfport, Mississippi, the Gulf Coast Center for Non-Violence and the City of Biloxi, Mississippi. Introduced by Mayor A.M. Gilich, Jr. {*-122022ICON }

5. CONSENT AGENDA-Continued

- _____U. Resolution amending the municipal budget for fiscal year ending September 30, 2023, to provide sufficient funds for the Port Division to make repairs at Point Cadet Marina. Introduced by Mayor A.M. Gilich, Jr.
{*-122022JCON}
- _____V. Resolution recognizing effective date of the Fourth Amended and Restated Interlocal Governmental Cooperation Agreement by and among the City of Biloxi, the City of Gulfport, the City of D'Iberville, and the Motor Vehicles for Hire Authority. Introduced by Mayor A.M. Gilich, Jr.
{*-122022KCON}
- _____W. Resolution supplementing Resolution Nos. 622-22 and 654-22 authorizing submission of a grant application to the Mississippi Department of Environmental Quality for a Mississippi Municipality & County Water Infrastructure Grant requesting funding to be utilized in connection with Capital Project No. 1078: Shriners Blvd Water/Sewer Extension. Introduced by Mayor A.M. Gilich, Jr.
{*-122022LCON}
- _____X. Resolution supplementing Resolution Nos. 621-22 and 652-22 authorizing submission of a grant application to the Mississippi Department of Environmental Quality for a Mississippi Municipality & County Water Infrastructure Grant requesting funding to be utilized in connection with Capital Project No. 1079: Bay Vista Water Well. Introduced by Mayor A.M. Gilich, Jr.
{*-122022MCON}
- _____Y. Resolution supplementing Resolution No. 619-22 authorizing submission of a grant application to the Mississippi Department of Environmental Quality for a Mississippi Municipality & County Water Infrastructure Grant requesting funding to be utilized in connection with Capital Project No. 1065: Lorraine Road Waterline. Introduced by Mayor A.M. Gilich, Jr.
{*-122022NCON}
- _____Z. Resolution supplementing Resolution Nos. 620-22 and 650-22 authorizing submission of a grant application to the Mississippi Department of Environmental Quality for a Mississippi Municipality & County Water Infrastructure Grant requesting funding to be utilized in connection with Capital Project No. 1047: Tanglewood Infrastructure Repair. Introduced by Mayor A.M. Gilich, Jr.
{*-122022OCON}

5. CONSENT AGENDA-Continued

- _____AA. Resolution authorizing Change Order No. Two (2) to Construction Agreement with Andercorp, LLC for Capital Project No. 1024: Point Cadet Marina Improvements (West). Introduced by Mayor A.M. Gilich, Jr.
{*-122022PCON }
- _____BB. Resolution authorizing purchase of Westlaw software from Thomson Reuters West Publishing Corporation for use by the City of Biloxi Police Department. Introduced by Mayor A.M. Gilich, Jr.
{*-122022QCON }
- _____CC. Resolution rescinding Resolution No. 714-22 authorizing entry into Preliminary Engineering Services Contract with Overstreet and Associates, PLLC for Capital Project No. 1091: Woolmarket Traffic Study. Introduced by Mayor A.M. Gilich, Jr.
{*-122022RCON }
- _____DD. Resolution authorizing entry into Preliminary Engineering Services Contract with Overstreet and Associates, PLLC for Capital Project No. 1091: Woolmarket Traffic Study. Introduced by Mayor A.M. Gilich, Jr.
{*-122022SCON }
- _____EE. Resolution authorizing entry into Standard Abbreviated Form of Agreement between Owner and Architect with Williams & Associates, PA for architectural services in connection with Capital Project No. 1080: Fire Station No. 5 Improvements. Introduced by Mayor A.M. Gilich, Jr.
{*-122022TCON }
- _____FF. Resolution creating Capital Project No. 1098: Woolmarket Acres Infrastructure Improvements and amending the municipal budget for fiscal year ending September 30, 2023 to provide funding for said project. Introduced by Mayor A.M. Gilich, Jr.
{*-122022UCON }
- _____GG. Resolution authorizing entry into Standard Form of Agreement for Professional Services with Overstreet and Associates, PLLC for Capital Project No. 1098: Woolmarket Acres Infrastructure Improvements. Introduced by Mayor A.M. Gilich, Jr.
{*-122022VCON }
- _____HH. Resolution authorizing purchase of eight (8) biometric time clocks and additional software licenses from Timeclock Plus, LLC and amending the municipal budget for fiscal year ending September 30, 2023. Introduced by Mayor A.M. Gilich, Jr.
{*-122022WCON }

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5. CONSENT AGENDA-Continued

- _____II. Resolution authorizing Supplemental Agreement No. 2 to Preliminary Engineering Services Contract with Neel-Schaffer, Inc. for Capital Project No. 913: Popp's Ferry Extension. Introduced by Mayor A.M. Gilich, Jr.
{*-122022XCON }
- _____JJ. Resolution authorizing the purchase of Microsoft Office365 for email hosting from Metrix Solutions, retaining the professional services of Pileum Corporation to implement Microsoft Office365 and amending the municipal budget for fiscal year ending September 30, 2023. Introduced by Mayor A.M. Gilich, Jr.
{*-122022YCON }
- _____KK. Resolution authorizing Change Order No. Sixteen (16) to Standard Form of Agreement with Blackline Corporation for Capital Project No. 997: Saenger Theatre Exterior Repairs. Introduced by Mayor A.M. Gilich, Jr.
{*-122022ZCON }
- _____LL. Resolution accepting Certificate of Substantial Completion to Agreement for Construction Contract with Gulf Breeze Construction, Inc. for Capital Project No. 996: Keesler Gate Outside. Introduced by Mayor A.M. Gilich, Jr.
{*-122022AACON }
- _____MM. Resolution to authorize the Mayor and/or Municipal Clerk, to establish just compensation and sign certification for East Biloxi East -West Neighborhood Access Road PH II (ProjectCD020). Introduced by Mayor A.M. Gilich, Jr.
{*-122022AFSP }
- _____NN. Resolution authorizing amendment No. 3 to revise the Citizen Participation Plan for the City of Biloxi's Community Development Block Grant (CDBG) Entitlement Program funded through the U.S. Department of Housing and Urban Development. Introduced by Mayor A.M. Gilich, Jr.
{*-122022BFSP }
- _____OO. Resolution to authorize a funding agreement for the City of Biloxi's 2022 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.
{*-122022CFSP }
- _____PP. Resolution authorizing a sub-recipient agreement with Coastal Family Health Center, Inc., as approved in the program year 2022 Community Development Block Grant (CDBG) Action Plan, a component of the 2020-2024 CDBG Consolidated Plan. Introduced by Mayor A.M. Gilich, Jr.
{*-122022DFSP }

5. CONSENT AGENDA-Continued

- _____ QQ. Resolution authorizing a sub-recipient agreement with Gulf Coast Center for Nonviolence as approved in the program year 2022 Community Development Block Grant (CDBG) Action Plan, a component of the 2020-2024 CDBG Consolidated Plan. Introduced by Mayor A.M. Gilich, Jr.
{*-122022EFSP }
- _____ RR. Resolution authorizing a sub-recipient agreement with Moore Community House as approved in the program year 2022 Community Development Block Grant (CDBG) Action Plan, a component of the 2020-2024 CDBG Consolidated Plan. Introduced by Mayor A.M. Gilich, Jr.
{*-122022FFSP }
- _____ SS. Resolution authorizing a sub-recipient agreement with Program BELIEVE as approved in the program year 2022 Community Development Block Grant (CDBG) Action Plan, a component of the 2020-2024 CDBG Consolidated Plan. Introduced by Mayor A.M. Gilich, Jr.
{*-122022GFSP }
- _____ TT. Resolution authorizing contract with Grace Aaron Development Consultant for Professional Administration Services for the City's Community Development Block Grant (CDBG) Program. Introduced by Mayor A.M. Gilich, Jr.
{*-122022HFSP }
- _____ UU. Resolution amending the Fire Department budget for the fiscal year ending September 30, 2023, to transfer appropriations in the amount of \$3,613.60 to be used for the purchase of two intake valves. Introduced by Mayor A.M. Gilich, Jr.
{*-122022AFD }

6. CODE ENFORCEMENT HEARINGS

- _____ A. Noel D. Anticich, et al. 1410I-01-040.000/0 Oak Street
- _____ B. Colonial Park, LLC 1110H-01-036.000/309 Moffet Road
- _____ C. Colonial Park, LLC 1110H-01-035.000/308 Moffet Road
- _____ D. Dottie Lyons, Est. 1307N-01-001.004/13320 Paradise Lane
- _____ E. Mach VI Holding, LLC 1210F-02-039.000/302 West Drive
- _____ F. William E. Merica 1110H-02-005.000/317 Nelson Road
- _____ G. Daniel J. & Beverly Ryals 1210F-02-064.000/357 Hiller Drive

7. ROUTINE AGENDA {*-122022RTN}

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) | Community Development/Demolition 2130 Floyd Drive |
| | VENDOR – | AD&R |
| | AMOUNT – | \$8,700.00 |

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

- | | | |
|----|------------------|------------------------------------|
| A. | CITY PARCEL NO.: | 1210H-03-015.000 |
| | OWNED BY: | Nicole Leah Beckman |
| | DATE OF HEARING: | December 6, 2022 |
| B. | CITY PARCEL NO.: | 1109I-01-004.085 |
| | OWNED BY: | Wanda Gatlin |
| | DATE OF HEARING: | December 6, 2022 |
| C. | CITY PARCEL NO.: | 1210A-02-078.000 |
| | OWNED BY: | Glenn J. Saucer |
| | DATE OF HEARING: | December 6, 2022 |
| D. | CITY PARCEL NO.: | 1310H-02-042.000 |
| | OWNED BY: | Urban Transitional Living, LLC |
| | DATE OF HEARING: | December 6, 2022 |
| E. | CITY PARCEL NO.: | 1110M-01-004.000 |
| | OWNED BY: | Welch Family Limited Partnership 5 |
| | DATE OF HEARING: | December 6, 2022 |

SECTION THREE: To authorize approval of the claims listed on the docket of claims No. 2023C-02, in the amount of \$6,041,480.45, attached as Exhibit "A" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

SECTION FOUR: To authorize approval of claims listed on the docket of claims No. 11-2023, in the amount of \$4,814,914.37 to Payroll, Fringes, Gaming, Property Tax, DOR, and PERS, attached as Exhibit "B".

SECTION FIVE: 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.