

**REVISED AGENDA  
BILOXI CITY COUNCIL MEETING  
Tuesday, October 3, 2023  
6:00 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

--Mayor to present Certificate of Appreciation to Home Depot.

--Sally Graham to share information about the Small Business Association's Economic Injury Disaster Loan Program.

-- Report to the City Council on the Biloxi Travel Expense Credit Card (to be spread upon the Minutes of this meeting).

B. Departmental Report

--John Miller, Director of Police to discuss special events.

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 approve a Zoning Map Amendment, to authorize a change in zoning district classification for a single parcel of land from its present zoning district classification of RS-7.5 Medium-Density Single-Family Residential to RM-10 Low-Density Multi-Family Residential, for land identified as 1611 Glenn Swetman Street. Case No. 23-074, Heidi and Dan Hoye. Submitted by the Planning Commission.  
{\*-100323APC} Ward 1

**4. POLICY AGENDA-Continued**

Second Reading B. Ordinance to approve a Zoning Map Amendment, to authorize a change in zoning district classification for a parcel of land approximately forty-seven one-hundredths (.47) of an acre (more or less) in size, from its present zoning district classification of R S-5 High-Density Single-Family Residential to RM-10 Low-Density Multi-Family Residential, for a property site identified as 321 Nelson Road. Case No. 23-075, Windy Swetman on behalf of Secure Properties, LLC. Submitted by the Planning Commission.  
{\*-100323BPC} Ward 4

Second Reading C. Ordinance to amend Chapter 10.5- Harbors, Marinas, and Waterways, Article II-Berthing Rates. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323BLEG}

**RESOLUTIONS**

658-23 D. Resolution granting Conditional Use approval, to authorize a portion of an existing commercial building to be utilized as a Retail Sales establishment for an existing non-profit organization upon a parcel of land identified as 2496 Pass Road. Case No. 23-077, 2496 Pass Rd, LLC. Submitted by the Planning Commission.  
{\*-100323CPC} Ward 5

659-23 E. Resolution granting Conditional Use Approval to authorize a suite within an existing commercial building, to be utilized as a (Private) Club/Lodge upon a parcel of land identified as 1177 Judge Sekul Avenue, Unit A. Case No. 23-078, LeMart, LLC (owner) and Vernon Johnson (applicant). Submitted by the Planning Commission.  
{\*-100323DPC} Ward 1

660-23 F. Resolution granting Minor Subdivision Final Plat approval for a property site currently identified as 13252 Husley Road (Tax Parcel No. 1207M-01-002.001). Case No. 23-084, Addis Nguyen. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323EPC} Ward 7

Tabled G. Resolution amending the Charter Boat Rules and Regulations and the Rules subject to call and Regulations for Vessels in the Biloxi Commercial Docking Facility/Sherman Canaan Fishing Dock. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323ALEG}

**5. CONSENT AGENDA**

- 661-23 A. Resolution authorizing expenditures to the Gulf Coast Legislative Reception in the amount of \$1,500.00. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323AEXC}
- 662-23 B. Resolution amending the Non-Department Library Other Expenses Budget for the Fiscal Year ending September 30, 2024, to provide sufficient funds towards the replacement of carpet at the West Biloxi Library in the amount of \$59,866.73. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323BEXC}
- 663-23 C. Resolution affirming the action and decision of the Building Official and authorizing special assessment of Tax Rolls for demolition of a structure. City Parcel No. 1209F-03-005.001, owned by Joseph Anthony Kamont II L/E. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323ACD}
- 664-23 D. Resolution amending the Community Development Budget in the amount of \$36,275 for the Fiscal Year ending September 30, 2024, to provide sufficient funds towards the purchase of one truck. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323BCD}
- 665-23 E. Resolution confirming and approving Oath of Office for current Biloxi Police staff as qualified and proper persons to administer the duties of Deputy Clerk of the Court of the City of Biloxi, Mississippi Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323ACOURT}
- 666-23 F. Resolution recognizing an amendment for funds received from an Assistance to Firefighters Grant (the "Grant") received from the U.S. Department of Homeland Security. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323AFD}
- 667-23 G. Resolution amending the Police Department budget for fiscal year ending September 30, 2024, in the amount of \$10,009.00 for computer equipment utilizing funds from FY22 JAG Grant (GR118). Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323APD}
- 668-23 H. Resolution to authorize the lowest and best quote received to Furnish and Install Replacement Air Conditioning at the Point Cadet Marina from Star Services in the total amount of \$35,525.00. Funding: Capital Projects Budget. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323APUR}

{\*}-Also available in alternative format.

**5. CONSENT AGENDA-Continued**

- 669-23 I. Resolution to authorize the lowest and best quote received for one vehicle for use by Inspectors from Mandel Buick GMC in the \$39,595.00. Funding: Engineering Budget. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323BPUR}
- 670-23 J. Resolution to authorize the lowest and best quote received for one vehicle for use by Inspectors from Mandel Buick GMC in the \$50,019.00. Funding: Engineering Budget. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323CPUR}
- 671-23 K. Resolution to authorize the lowest and best quote received for one vehicle from Ray Brandt Nissan in the total amount of \$24,635.00. Funding: Parks & Recreation Budget. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323DPUR}
- 672-23 L. Resolution to authorize the purchase of Three Lawnmowers from Alfred J. Lofland in the total amount of \$32,466.00, as authorized by State of Mississippi Contract No. 8200067264. Funding: Parks & Recreation Budget. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323EPUR}
- 673-23 M. Resolution to authorize the lowest and best quote received for one truck from Champion Dodge in the total amount of \$36,275.00. Funding: Community Development Budget Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323FPUR}
- 674-23 N. Resolution to execute a funding agreement for the City of Biloxi's 2023 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.  
{\*-100323AFSP}
- 675-23 O. Resolution authorizing entry into Digital Copier Service Agreements with South Mississippi Business Machines for the maintenance of copiers. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323ACON}
- 676-23 P. Resolution authorizing entry into a Supply Maintenance Agreement with RJ Young Company, Inc. for unlimited copies for all departments. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323BCON}

{\*}-Also available in alternative format.

**5. CONSENT AGENDA-Continued**

- 677-23 Q. Resolution authorizing entry into Facility Encroachment Agreement with CSX Transportation, Inc. in connection with Capital Project No. 913: Popp's Ferry Extension. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323CCON }
- 678-23 R. Resolution 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 Administration Department. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323DCON }
- 679-23 S. Resolution authorizing payment of Final Pay Application No. One (1) for Black Diamond Construction, LLC in connection with Zeta Project No. ZK011: Popp's Ferry Causeway Park, Pier and Boat Launch Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323ECON }
- 680-23 T. Resolution 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 Ports and Harbors Department. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323FCON }
- 681-23 U. Resolution authorizing entry into a Cost Per Copy Agreement with RJ Young Company, Inc. for the re-lease and maintenance four (4) copiers utilized by City Departments. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323GCON }
- 682-23 V. Resolution authorizing entry into First Amendment to the Amended and Restated Management Agreement, by and between the City of Biloxi and the Mardi Gras Museum, Inc. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323HCON }
- 683-23 W. Resolution authorizing the City of Biloxi to enter into a Consulting Agreement with Rueben Sabio to serve as Chaplain for the Police Department. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323ICON }
- 684-23 X. Resolution authorizing payment to Harrison County, Mississippi for paving of Paradise Lane, Eden Place and Big John Road from Capital Project No. 1053: Roadway Paving Ward 6. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323JCON }

{\*}-Also available in alternative format.

**5. CONSENT AGENDA-Continued**

- 685-23 Y. Resolution authorizing renewal of software agreement with Keytrak, Inc. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323KCON}
- 686-23 Z. Resolution authorizing entry into First Amendment to Contract for Professional Services with Crowley Emergency Services Consulting, LLC for professional grant development and administration services. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323LCON}
- 687-23 AA. 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.  
{\*-100323MCON}
- 688-23 BB. Resolution authorizing Task Order Agreement to Professional Services Agreement with Seymour Engineering, PLLC for Capital Project No. 1099: Seymour Engineering, PLLC. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323NCON}
- 689-23 CC. Resolution authorizing entry into Addendums to Water Tank Maintenance Contracts with Utility Service Co., Inc. d/b/a Veolia, now d/b/a USG Water Solutions for the rehabilitation of the Sixth Street and Crazy Horse Water Tanks. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323OCON}
- 690-23 DD. Resolution amending the municipal budget for fiscal year ending September 30, 2024, to recognize the balance of the Port Trust Fund and all interest earned on said fund into the budget established for Capital Project No. 1024: Point Cadet Marina Improvements (West). Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323PCON}
- 691-23 EE. Resolution authorizing entry into Fifth Amendment to Service Agreement with Sweep Masters, Inc. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323TCON}
- 692-23 FF. Resolution amending the municipal budget for fiscal year ending September 30, 2023, to close Capital Project No. 997: Saenger Theatre Exterior Repairs. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323VCON}

{\*}-Also available in alternative format.

**5. CONSENT AGENDA-Continued**

- 693-23 GG. Resolution authorizing entry into the Third Amended and Restated Contract for Professional Services with Friends of Firefighters for the development of an employee assistance program. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323WCON}
- 694-23 HH. Resolution authorizing entry into an agreement with Court Programs, Inc. regarding a program for pretrial and post-conviction electronic monitoring of criminal offenders. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323XCON}
- 695-23 II. Resolution authorizing payment to Harrison County, Mississippi for paving of Spratley Avenue from Capital Project No. 1025: Citywide Street Repair. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323YCON}
- 696-23 JJ. Resolution authorizing entry into a Cost Per Copy Agreement with RJ Young Company, Inc. for the re-lease and maintenance three (3) copiers utilized by City Departments. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323ZCON}
- 697-23 KK. Resolution authorizing renewal of maintenance agreement with Motorola Solutions, Inc. for the integration of the Fire Department's software with Motorola computer aided dispatch ("CAD") and records management system ("RMS"). Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323AACON}
- 698-23 LL. Resolution authorizing renewal of Termite Contract with Bay Pest Control Company, Inc. for the Biloxi Visitors Center. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323BBCON}
- 699-23 MM. Resolution authorizing Change Order No. One (1) to Construction Agreement with Bottom 2 Top Construction, LLC for Capital Project No. 1065: Lorraine Road Waterline. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323CCCON}
- 700-23 NN. Resolution authorizing renewal of maintenance agreement with Netmotion Software, Inc. for software utilized by mobile data terminals in police vehicles. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323DDCON}

**5. CONSENT AGENDA-Continued**

- 701-23 OO. 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.  
{\*-100323EECON}
- 702-23 PP. Resolution amending the municipal budget for fiscal year ending September 30, 2023, to recognize receipt of addition grant funds from the Mississippi Transportation Commission, by and through the Mississippi Department of Transportation into the budget for Capital Project No. 1039: Main Street Crossing Upgrade. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323FFCON}
- 703-23 QQ. 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.  
{\*-100323GGCON}
- 704-23 RR. Resolution authorizing Reconveyance of Easement to Hardy Court Shopping Center, Inc. in connection with the acquisition of real property under Capital Project No. 913: Poppys Ferry Extension Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323HHCON}
- 705-23 SS. Resolution requesting the assistance of Harrison County in the repair of Tara Lane in the City of Biloxi. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323IICON}
- 706-23 TT. Resolution authorizing subscription [REDACTED], a managed endpoint protection software for use by the City of Biloxi to protect City computers and network. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323JJCON}
- 707-23 UU. Resolution authorizing renewal of software agreement with GetData Forensics USA for Forensic Explorer. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323KKCON}
- 708-23 VV. Resolution ratifying purchase of Nitro software from Nitro Software, Inc. for use by the City of Biloxi Police Department. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323LLCON}

{\*}-Also available in alternative format.



**5. CONSENT AGENDA-Continued**

709-23 WW. Resolution authorizing payment to Gulf Coast Main Street, Inc. d/b/a Biloxi Main Street. Introduced by Mayor A.M. Gilich, Jr.  
{\*-100323MMCON}

710-23 XX. Resolution clarifying Resolution No. 593-23, authorizing self-funded employee group health insurance with Marpai Health, ProAct, Mississippi Physicians Network and Unity RE. Introduced by Councilmember Paul Tisdale.  
{\*-100323ACOU}

711-23 YY. Resolution to appoint Dixie Newman as Vice-President of the Biloxi City ADD Council. Introduced by Council President Nathan Barrett.  
{\*-100323ACOU}

**6. CODE ENFORCEMENT HEARINGS**

Still in violation A. JMM, LLC, 1410D-01-164.000/417 Anglada Street  
Cleared B. D&T Development, LLC, 1210E-01-004.009/0 Pass Road  
**30-day extension on August 22, 2023**  
Cleared C. Donald M. Freche Estate, 1210K-03-016.000/2008 Greater Avenue  
**30-day extension on August 22, 2023**

712-23 7. **ROUTINE AGENDA** {\*-100323RTN}

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

- A. CITY PARCEL NO.: 1210D-03-049.000  
OWNED BY: William Russell Herrin  
DATE OF HEARING: July 18, 2023
- B. CITY PARCEL NO.: 1207P-01-012.001  
OWNED BY: Larry Jones Jr.  
DATE OF HEARING: July 18, 2023
- C. CITY PARCEL NO.: 1210H-01-035.000  
OWNED BY: Juliette Francisca Millan  
DATE OF HEARING: August 15, 2023

{\*}-Also available in alternative format.

**7. ROUTINE AGENDA-Continued**

SECTION TWO: To authorize approval of the claims listed on the docket of claims No. 2023M-01, in the amount of \$2,595,232.28, attached as Exhibit "A" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

SECTION THREE: To authorize approval of the claims listed on the docket of claims No. 2024A-01, in the amount of \$1,196,673.96, attached as Exhibit "B" 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.