

**REVISED AGENDA
BILOXI CITY COUNCIL MEETING
Tuesday, July 16, 2024
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)

Second reading A. Ordinance to amend text within the Land Development Ordinance removing the ability to apply for Conditional Use within the DT-Downtown zoning for certain cannabis uses, found within Section 23-4-1 (C) Use Table: Nonresidential and Planned Development Districts and Section 23-4-3(D)(8)n. Case No. 24-034, City of Biloxi. Submitted by the Planning Commission
{*-071624BPC}

Second reading B. Ordinance to amend Section 10.5-2-1 the Point Cadet Marina and the Biloxi Small Craft Harbor berthing rate schedule. Introduced by Councilmember Kenny Glavan.
{*-071624ACON}

Second reading C. Ordinance to amend Section 10.5-2-2 the Sherman V. Canaan Back Bay Fishing Dock and the Biloxi Commercial Fishing Dock berthing rate schedule. Introduced by Councilmember Kenny Glavan.
{*-071624BCON}

{*}-Also available in alternative format.

4. POLICY AGENDA-Continued

ORDINANCES (Second Reading)

- 2556 _____ D. Ordinance to approve a Zoning Map Amendment, to authorize a change in zoning district classification for a parcel of land from its present zoning district classification of RS-5 High-Density Single-Family Residential to RM-20 Medium-Density Multi-Family Residential, identified as 12105 Cedar Lake Road. Case No. 24-030, Tchouta 1, LLC (owner) and Eddy Cochran (applicant). Submitted by the Planning Commission.
{*-061824APC} Ward 7 **First reading on July 2, 2024**
- Failed _____ E. Ordinance to amend the geographical information system format zoning district map of the City of Biloxi, Mississippi, for the establishment of a PD-I: Planned Development-Infill District Master Plan, coupled with a Preliminary Subdivision under the Title: Coral Breeze, upon a parcel identified as 1654 Beach Boulevard. Case No. 24-033, BE & JF Enterprises, LLC (owner) and Amanda Crose (applicant). Submitted by the Planning Commission.
{*-061824BPC} Ward 1 **First reading on July 2, 2024**

RESOLUTIONS

- 459-24 _____ F. Resolution to grant Final Subdivision Plat approval for The Preserve at Parker Creek Subdivision, Phase 1-a seventy-two (72) lot Single Family Residential Subdivision for property currently identified as an unaddressed parcel fronting Shriners Boulevard. Case 21-033, Elliott Land Development, LLC. Introduced by Mayor A.M. Gilich, Jr.
{*-071624APC} Ward 7
- 460-24 _____ G. Resolution granting a Vacation of an un-improved Public Right-of-Way measuring approximately 663.5 x 10' (more or less), adjacent to 201,207,209,215,219,221,225,229,237,241,245, & 249 Lee Street. Case No. 24-035, City of Biloxi. Introduced by Mayor A.M. Gilich, Jr.
{*-071624CPC} Ward 2
- 461-24 _____ H. Resolution granting Minor Subdivision Final Plat approval for a property site currently identified as 7129 Larkin Place E (Tax Parcel No. 1207N-01-035.000). Case 24-042, Yonilton Castillo. Introduced by Mayor A.M. Gilich, Jr.
{*-071624DPC} Ward 7

4. POLICY AGENDA-Continued

- 462-24 I. Resolution granting Conditional Use Approval, to authorize an existing Single-Family Residence, to be utilized as a Short-Term Rental, for property located within an RM-20 Medium-Density Multi-Family Zone, and identified by municipal address 12105 Cedar Lake Road. Case No. 24-031, Tchouta 1, LLC (owner) and Eddy Cochran (applicant). Submitted by the Planning Commission.
{*-071624EPC} Ward 7
- 463-24 J. Resolution appointing George Birdrow to the Biloxi Housing Authority Board to fill the unexpired term beginning July 16, 2024 and ending February 14, 2026. Introduced by Mayor A.M. Gilich, Jr.
{*-071624BEXC}

5. CONSENT AGENDA

- 464-24 A. Resolution accepting rate quote from Cadence Bank and authorizing entry into Equipment Lease-Purchase Agreement with Cadence Equipment Finance in connection with the purchase of nineteen (19) vehicles during fiscal year ending September 30, 2024. Introduced by Mayor A.M. Gilich, Jr.
SUBSTITUTE
Exhibit B Only
{*-071624KCON}
- 465-24 B. Resolution authorizing execution of an Excursion Boat Berth Rental Agreement between City of Biloxi and Patricia O'Kelley-Hughes for pier space at Point Cadet Marina. Introduced by Mayor A.M. Gilich, Jr.
{*-071624CCON}
- 466-24 C. Resolution authorizing execution of an Excursion Boat Berth Rental Agreement between City of Biloxi and Parasail Adventures, LLC for pier space at Point Cadet Marina. Introduced by Mayor A.M. Gilich, Jr.
{*-071624DCON}
- 467-24 D. Resolution authorizing execution of an Excursion Boat Berth Rental Agreement between City of Biloxi and Parasail Adventures, LLC for pier space at Point Cadet Marina. Introduced by Mayor A.M. Gilich, Jr.
{*-071624ECON}
- 468-24 E. Resolution authorizing renewal of software licenses and hardware support with TimeClock Plus, LLC. Introduced by Mayor A.M. Gilich, Jr.
{*-071624FCON}
- 469-24 F. Resolution authorizing renewal of End User License Agreement with Bosch Automotive Service Solutions, Inc. for Crash Data. Introduced by Mayor A.M. Gilich, Jr.
{*-071624GCON}

{*}-Also available in alternative format.

5. CONSENT AGENDA-Continued

- 470-24 G. Resolution requesting the assistance of Harrison County with drainage improvements on Sunrise Court in the City of Biloxi. Introduced by Councilmember Kenny Glavan.
{*-071624HCON}
- 471-24 H. Resolution amending the municipal budget for fiscal year ending September 30, 2024, to close Capital Project No. 1105: Popp's Ferry Recreational Lights. Introduced by Mayor A.M. Gilich, Jr.
{*-071624ICON}
- 472-24 I. Resolution authorizing entry into Settlement Agreement in the matter of the E.L. Spencer, Jr. Family Limited Partnership, et al, v. City of Biloxi, in the Circuit Court of Harrison County, Mississippi, Second Judicial District, Civil Action No. D2402-22-146. Introduced by Mayor A.M. Gilich, Jr.
{*-071624JCON}
- 473-24 J. Resolution authorizing entry into a Cost Per Copy Agreement with RJ Young Company, Inc. for the re-lease and maintenance of two (2) copiers utilized by Community Development. Introduced by Mayor A.M. Gilich, Jr.
{*-071624LCON}
- 474-24 K. Resolution authorizing entry into a Cost Per Copy Agreement with RJ Young Company, Inc. for the re-lease and maintenance of a copier utilized by Community Development. Introduced by Mayor A.M. Gilich, Jr.
{*-071624MCON}
- 475-24 L. Resolution amending the municipal budget for fiscal year ending September 30, 2024, to reflect legal expenses in connection with Capital Project No. 913: Popp's Ferry Extension. Introduced by Mayor A.M. Gilich, Jr.
{*-071624NCON}
- 476-24 M. Resolution amending the municipal budget for fiscal year ending September 30, 2024, to provide funding for Capital Project No. 1109: Belle la Vie Lift Station. Introduced by Mayor A.M. Gilich, Jr.
{*-071624OCON}
- 477-24 N. Resolution to amend the municipal budget for fiscal year ending September 30, 2024, to appropriate proceeds from General Obligation Bond, Series 2024 into Capital Project No. 1117: Popp's Ferry Extension Construction. Introduced by Mayor A.M. Gilich, Jr.
{*-071624QCON}

5. CONSENT AGENDA-Continued

- 478-24 O. Resolution amending the municipal budget for fiscal year ending September 30, 2024, to provide additional funding for Capital Project No. 1117: Popp's Ferry Extension Construction. Introduced by Mayor A.M. Gilich, Jr.
{*-071624RCON}
- 479-24 P. Resolution amending the municipal budget for fiscal year ending September 30, 2024, to close Capital Project No. 1104: Churchill Avenue Drainage Improvements. Introduced by Mayor A.M. Gilich, Jr.
{*-071624SCON}
- 480-24 Q. Resolution authorizing entry Lease Agreement for Property in Connection with Building a Public Pier, by and among the City of Biloxi and Tullis Gardens Hotel, LLC, with the consent of Harrison County, Mississippi. Introduced by Mayor A.M. Gilich, Jr.
{*-071624TCON}
- 481-24 R. Resolution authorizing renewal of Cityworks License and Maintenance Agreement with Azteca Systems, LLC d/b/a Cityworks. Introduced by Mayor A.M. Gilich, Jr.
{*-071624UCON}
- 482-24 S. Resolution authorizing expenditure to the Ohr-O'Keefe Museum of Art's Birthday Festival in the total amount of \$1,000.00. Introduced by Mayor A.M. Gilich, Jr.
{*-071624VCON}
- 483-24 T. Resolution amending the municipal budget for fiscal year ending September 30, 2024, to recognize funds received pursuant claims for damages to the Popp's Ferry Causeway Park from the insurers of Frank D. Woods. Introduced by Mayor A.M. Gilich, Jr.
{*-071624WCON}
- 484-24 U. Resolution amending the municipal budget for fiscal year ending September 30, 2024, to close Capital Project No. 1014: CSX Crossing Closure. Introduced by Mayor A.M. Gilich, Jr.
{*-071624XCON}
- 485-24 V. Resolution authorizing expenditures to Mississippi Coast Crimestoppers, Inc. in the amount of \$3,000.00. Introduced by Mayor A.M. Gilich, Jr.
{*-071624AEXC}

5. CONSENT AGENDA-Continued

- 486-24 W. Resolution approving Bond of Biloxi Public School Board Member Gary D. Gray providing for filing and recording same. Introduced by Mayor A.M. Gilich, Jr.
{*-071624CEXC}
- 487-24 X. Resolution authorizing the lowest and best quote received for the purchase and installation of Upfit Equipment for a Patrol Vehicle from Dana Safety Supply, Inc. for use by the Police Department in the total amount of \$14,188.86. Funding: Police Department Budget. Introduced by Mayor A.M. Gilich, Jr.
{*-071624APUR}
- 488-24 Y. Resolution authorizing the lowest and best quote received for the purchase and installation of Upfit Equipment for a Patrol Vehicle from Dana Safety Supply, Inc. for use by the Police Department in the total amount of \$17,971.88. Funding: Police Department Budget. Introduced by Mayor A.M. Gilich, Jr.
{*-071624BPUR}
- 489-24 Z. Resolution authorizing the purchase of Training Ammunition for the Police Department from Precision Delta Corporation in the total amount of \$16,397.00 as authorized by the State of Mississippi Contract No. 8200073861. Funding: Police Department Budget. Introduced by Mayor A.M. Gilich, Jr.
{*-071624CPUR}
- 490-24 AA. Resolution authorizing the purchase of Eighteen Sets of Turnout Gear for use by the Fire Department from Delta Fire & Safety Inc. in the total amount of \$59,580.00 as authorized by the State of Mississippi Contract No. 8200072844. Funding: Fire Department Budget. Introduced by Mayor A.M. Gilich, Jr.
{*-071624DPUR}
- 491-24 BB. Resolution authorizing the emergency repair of the Fire Suppression System at the Seafood Museum by Southern Fire in the total amount of \$9,300.00. Funding: Non-Departmental Budget. Introduced by Mayor A.M. Gilich, Jr.
{*-071624EPUR}

6. CODE ENFORCEMENT HEARINGS

- Still in violation A. Kenneth Cook Estate, 1207M-01-006.000/13132 Husley Road
Cleared B. Randolph & Joedna Fagan, 1210H-02-047.000/1667 Pringle Circle
Cleared C. Monolith Debt Strategies LLC, 1410F-01-046.000/0 Division Street
30-day extension D. Monolith Debt Strategies LLC, 1410F-01-045.000/674 Division Street

{*}-Also available in alternative format.

6. CODE ENFORCEMENT HEARINGS-Continued

- Cleared E. John William Nixon Jr., 1310H-01-006.000/321 Benachi Avenue
Cleared F. Francisco F. Sarduy, 1110F-03-038.000/331 Big Lake Road
Still in violation G. State of Mississippi, 1410F-05-045.000/334 Croesus Street
Cleared H. William Brandon & Maria Thompson, 1410G-04-048.000/354 Keller Avenue
Still in violation I. Can H. Tran, 1410B-02-015.000/378 Bowen Street
Cleared J. Thomas & Donna Van Elswyk, 1210K-03-101.000/2033 Southern Avenue
Still in violation K. Akron Cleveland Construction Group, 1410H-07-036.000/444 Allen Street
30-day extension on June 4, 2024
Still in violation L. Nicholas Keef Rodolfich, 1410I-06-142.000/180 Claiborne Street
30-day extension on June 4, 2024

492-24 7. ROUTINE AGENDA {*-071624RTN}

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

- A. CITY PARCEL NO.: 1209C-02-003.000
 OWNED BY: ARC3 FDBLXMS01, LLC.
 DATE OF HEARING: July 2, 2024
- B. CITY PARCEL NO.: 1410E-04-019.000
 OWNED BY: Casa Luna Acquisitions LLC.
 DATE OF HEARING: May 28, 2024
- C. CITY PARCEL NO.: 1209E-02-136.000
 OWNED BY: Colyar Frierson Estate
 DATE OF HEARING: July 2, 2024
- D. CITY PARCEL NO.: 1110M-01-008.002
 OWNED BY: Hospitality Holding of Mississippi LLC.
 DATE OF HEARING: July 2, 2024
- E. CITY PARCEL NO.: 1410G-04-091.000
 OWNED BY: State of Mississippi
 DATE OF HEARING: July 2, 2024
- F. CITY PARCEL NO.: 1410F-05-001.000
 OWNED BY: U.S. Small Business Administration
 DATE OF HEARING: July 2, 2024

7. ROUTINE AGENDA-Continued

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

- A. CITY PARCEL NO.: 1108D-01-011.002
OWNED BY: Robin M. Bond
ADDRESS: 11478 Shorecrest Road
Biloxi, MS 39532
CONTRACTOR: Robert M. Nail
RESOLUTION NO.: 584-23
ASSESSMENT AMOUNT: \$1,215.00
- B. CITY PARCEL NO.: 1410C-04-023.000
OWNED BY: Carroll C.H. Broussard Estate
ADDRESS: 426 Reynoir Street
Biloxi, MS 39530
CONTRACTOR: Juan Randy Lesso
RESOLUTION NO.: 384-24
ASSESSMENT AMOUNT: \$395.00
- C. CITY PARCEL NO.: 1410G-03-026.000
OWNED BY: Jesse Campbell
ADDRESS: 212 Bowen Street
Biloxi, MS 39530
CONTRACTOR: Robert M. Nail
RESOLUTION NO.: 52-24
ASSESSMENT AMOUNT: \$615.00
- D. CITY PARCEL NO.: 1410I-06-053.000
OWNED BY: Andy Day
ADDRESS: 614 Ashley Court
Nashville, TN 37211
CONTRACTOR: Juan Randy Lesso
RESOLUTION NO.: 377-24
ASSESSMENT AMOUNT: \$395.00
- E. CITY PARCEL NO.: 1410I-06-062.001
OWNED BY: PAB and BMB Investments LLC.
ADDRESS: 168 B Lakeview Drive
Slidell, LA 70458
CONTRACTOR: Juan Randy Lesso
RESOLUTION NO.: 384-24
ASSESSMENT AMOUNT: \$395.00

7. ROUTINE AGENDA-Continued

SECTION THREE: To authorize approval of the claims listed on the docket of claims No. 2024J-03, in the amount of \$1,036,789.29, 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.6-2024, in the amount of \$5,749,599.86, attached as Exhibit "B" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

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.