

**AGENDA**  
**BILOXI CITY COUNCIL MEETING**  
**Tuesday, May 20, 2014**  
**1:30 p.m.**  
**Biloxi, Mississippi**

**1. AGENDA ORDER**

**2. PRESENTATION AGENDA**

A. Mayor's Report

-- Sherri Carr Bevis with the Secretary of State's Office will speak about Voter ID

B. Departmental Report

--Scott McElroy to give a report on the City's financial status

C. Council's Report

**3. PUBLIC AGENDA**

**CODE ENFORCEMENT HEARINGS**

\_\_\_\_\_A. Gaines Williams, 1410J-06-070.000/501 Washington Street

**PUBLIC HEARING**

\_\_\_\_\_B. Public Hearing to consider an Appeal of a decision rendered by the Architectural Review Commission, whereby the appellant, Sharon Myers, an adjacent property owner, is seeking reversal of the Architectural Review Commission decision to approve the requested 6' privacy fence, carriage house doors, and addition of roll up storm shutters for the property owners, Jerry and Jan Gammons, for property located at 132 and 138 Edgewater Drive, Tax Parcel 1110K-02-087.000, which is located in the Edgewater Park Historical District. Ward 5  
{\*-[052014PH](#)}

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

#### 4. POLICY AGENDA

##### ORDINANCES (First Reading)

- \_\_\_\_\_A. Ordinance to amend Section 5-4-2 (a) of Chapter 5 (Buildings) of the Code of Ordinances of the City of Biloxi, Mississippi to adopt updated version of the 2014 National Electrical Code. Introduced by Mayor A. J. Holloway.  
{\*-[052014CD](#)}
- \_\_\_\_\_B. Ordinance to amend the Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, as amended, by changing an unaddressed property located along Popp's Ferry Road West of Burdonne Drive, from the current zoning district classification of RS-10 Low-Density Single Family Residential to NB Neighborhood Business. Case No. 14-021, BHL Development, LLC (owner) MJ Kane, LLC (applicant). Submitted by the Planning Commission.  
{\*-[052014APC](#)} Ward 6
- \_\_\_\_\_C. Ordinance to amend Tables 23-4-1(B) and (C): Use Tables for Residential, and Nonresidential and Planned Development Districts, respectively, by adding Seasonal Firework Sales as a Conditional Use in RB Regional Business zones. Case No. 14-022, City of Biloxi. Submitted by the Planning Commission.  
{\*-[052014BPC](#)}

##### ORDINANCES (Second Reading)

- \_\_\_\_\_D. **SUBSTITUTE** Ordinance to reinstate the "Enclosure of Use" text- a key element of Zoning in Biloxi for several decades, which section of text was erroneously deleted from the final draft of the Land Development Ordinance when it was updated in 2010. Case No. 14-007, City of Biloxi. Submitted by the Planning Commission.  
{\*-[050614BPC](#)} *First Reading on May 6, 2014*
- \_\_\_\_\_E. Ordinance to amend Table 23-6-2(D)(2) Minimum Number of Off-Street Parking Spaces as follows: Under the Use Category Visitor Accommodations, within the minimum off-street parking spaces chart addressing minimum parking required for Hotels and Motels-substitute the standard of 1 space per guest room for both Hotels and Motels. Case No. 14-019, City of Biloxi. Submitted by the Planning Commission.  
{\*-[050614DPC](#)} *First Reading on May 6, 2014*

#### 4. POLICY AGENDA-Continued

- \_\_\_\_\_ F. Ordinance to amend–Tables 23-4-1(B) and (C): Use Tables for Residential Districts and Non Residential and Planned Development Districts, respectively, by including the specific use “Bail Bondsman” as a Conditional Use within the NB–Neighborhood Business Zoning District. Case No. 14-020, City of Biloxi Submitted by the Planning Commission.  
{\*-[050614EPC](#)} *First Reading on May 6, 2014*

#### RESOLUTIONS

- \_\_\_\_\_ G. Resolution appointing Arlene Canaan to the Biloxi Housing Authority Board for a term beginning May 20, 2014 and ending on September 19, 2016 to fill an unexpired term. Introduced by Mayor A. J. Holloway.  
{\*-[052014GEXC](#)}
- \_\_\_\_\_ H. Resolution to DENY the request for a change in Geographical Information System Format Zoning District Map of the City of Biloxi, Mississippi, by changing the zoning district classification for a parcel of land situated along the north side of Mason Road from its current zoning district classification of **A–Agricultural** to **RS-7.5 Medium–Density Single Family Residential** for a parcel of land situated along the North side of Mason Road. Case No. 14-015, William Holmes, Jr. (owner) and Les Seymour (applicant). Introduced By Councilmember David Fayard. Ward 7  
{\*-[050614CPC](#)} First Reading Ordinance was On May 6, 2014 the City Council moved “C” to DENY request
- \_\_\_\_\_ I. Resolution to DENY the appeal and affirm the Architectural and Historical Review Commission’s decision of **approval** of the proposed 6 foot tall privacy fence, carriage house door replacement, and addition of roll-up storm shutters upon property identified as 132 and 138 Edgewater Drive. Introduced by Mayor A. J. Holloway.  
{\*-[052014AHRC](#)}
- \_\_\_\_\_ J. Resolution granting tax exemption pursuant to the Post-Katrina Commercial and Hospitality Industry Economic Recovery and Redevelopment Plan for Kress Live located at 814 Howard Avenue (Vieux Marché). Introduced by Mayor A. J. Holloway.  
{\*-[052014ACD](#)}
- \_\_\_\_\_ K. Resolution granting tax exemption pursuant to the Post-Katrina Commercial and Hospitality Industry Economic Recovery and Redevelopment Plan for The Reef, LLC located at 1749 Beach Blvd. Introduced by Mayor A. J. Holloway.  
{\*-[052014BCD](#)}

**5. CONSENT AGENDA**

- \_\_\_\_\_A. Resolution authorizing expenditures to the Alumni Association on behalf of The Biloxi Colored High School, Our Mother of Sorrows High School, M.F. Nichols High School and A.E. Perkins Elementary School in the amount of \$50.00 for advertisement in the 8111 Combined School Reunion Program. Introduced by Mayor A. J. Holloway.  
{\*-[052014AEXC](#)}
- \_\_\_\_\_B. Resolution authorizing expenditures to the Biloxi Housing Authority 4<sup>th</sup> Annual Fatherhood Initiative in the amount of \$50.00. Introduced by Mayor A. J. Holloway.  
{\*-[052014BEXC](#)}
- \_\_\_\_\_C. Resolution authorizing the expenditure of funds for the City of Biloxi's share of dues to the Harrison County Council of Governments. Introduced by Mayor A. J. Holloway.  
{\*-[052014CEXC](#)}
- \_\_\_\_\_D. Resolution reappointing Charles Collins to the Building and Housing Board of Adjustments and Appeals for the City of Biloxi for a term beginning June 4, 2013 and ending on June 3, 2017. Introduced by Mayor A. J. Holloway.  
{\*-[052014DEXC](#)}
- \_\_\_\_\_E. Resolution reappointing David Sellers to the Building and Housing Board of Adjustments and Appeals for the City of Biloxi for a term beginning August 20, 2011 and ending on August 19, 2015. Introduced by Mayor A. J. Holloway.  
{\*-[052014EEXC](#)}
- \_\_\_\_\_F. Resolution reappointing Don Williams to the Building and Housing Board of Adjustments and Appeals for the City of Biloxi for a term beginning February 28, 2014 and ending on February 27, 2018. Introduced by Mayor A. J. Holloway.  
{\*-[052014FEXC](#)}
- \_\_\_\_\_G. Resolution authorizing submittal of a Mississippi Tidelands Trust Fund Grant Application to the Mississippi Department of Marine Resources for the Highway 90 Pedestrian Overpass Project. Introduced by Mayor A. J. Holloway.  
{\*-[052014APW](#)}
- \_\_\_\_\_H. Resolution authorizing Petty Cash Funds and Change Funds for Fiscal Year 2013/2014. Introduced by Mayor A. J. Holloway.  
{\*-[052014ADM](#)}

**5. CONSENT AGENDA-Continued**

- \_\_\_\_\_I. Resolution amending the Municipal Budget for the Fiscal Year to end September 30, 2014, to supplement the appropriation for the Administration Department. Introduced by Mayor A. J. Holloway.  
{\*-[052014AADM](#)}
- \_\_\_\_\_J. Resolution to authorize the Mayor and/or Municipal Clerk, to establish just compensation and sign certification for Restore Biloxi Infrastructure Project-KG-645. Introduced by Mayor A. J. Holloway.  
{\*-[052014AFSP](#)}
- \_\_\_\_\_K. Resolution to approve and execute amendment No. 4 with Neel-Schaffer, Inc., relative to the Katrina Supplemental CDBG Program Round I Community Revitalization Grant funds from MDA, which includes the Lighthouse Park and Visitors Center, R-103-122-01-KCR. Introduced by Mayor A. J. Holloway.  
{\*-[052014BFSP](#)}
- \_\_\_\_\_L. Resolution to approve and execute amendment No. 5 with Dale and Associates P.A., relative to the Katrina Supplemental CDBG Program Round I Community Revitalization Grant funds from MDA, which includes the Lighthouse Park and Visitors Center, R-103-122-01-KCR. Introduced by Mayor A. J. Holloway.  
{\*-[052014CFSP](#)}
- \_\_\_\_\_M. Resolution to approve and execute Change Order No. 3 with Orocon Construction, LLC for Community Development Block Grant (CDBG) Program- Capital Project CD 011- Biloxi Waterfront Park. Introduced by Mayor A. J. Holloway.  
{\*-[052014DFSP](#)}
- \_\_\_\_\_N. Resolution to accept and execute Task Order Amendment No. 3 on the contract with Rumsey Consulting Engineering, Inc. for Hurricane Katrina Infrastructure Repairs Program for the area being called Out of Phase Lift Stations. Introduced by Mayor A. J. Holloway.  
{\*-[052014BCP](#)}
- \_\_\_\_\_O. Resolution to accept and execute Task Order Amendment No. 3 on the contract with the Pickering Firm, Inc. for the Area being called Sixth Street North (Area 9) Project KG638 & Lift Stations Project No. K7112. Introduced by Mayor A. J. Holloway.  
{\*-[052014CCP](#)}

**5. CONSENT AGENDA-Continued**

- \_\_\_\_\_ P. Resolution to accept and execute Task Order Amendment No. 3 on the contract with Volkert & Associates, Inc. for Hurricane Katrina Infrastructure Repairs, Water, Sewer, & Drainage Lines- Area 12 Gravity South Phases 3 & 4, Project No. KG641, Lift Stations, & Project No. K7112. Introduced by Mayor A. J. Holloway.  
{\*-[052014DCP](#)}
- \_\_\_\_\_ Q. Resolution to accept and execute Task Order Amendment No. 4 on the contract with the Volkert & Associates, Inc. for the Area being called Buena Vista West Phase 2. Introduced by Mayor A. J. Holloway.  
{\*-[052014ECP](#)}
- \_\_\_\_\_ R. Resolution to accept, enter into, and execute the proposal submitted by Thompson Engineering Biloxi to provide professional services to design and prepare plans with bid documents for Concrete Street Repair & Replacement (2014 Street Improvement Bond). Introduced by Mayor A. J. Holloway.  
{\*-[052014FCP](#)}
- \_\_\_\_\_ S. Resolution to accept and enter into the Maintenance Agreement with DEX Imaging, Inc. for the BIZHUB 600 Copier, Serial Number 57BE34220, utilized by the Biloxi Police Department. Introduced by Mayor A. J. Holloway.  
{\*-[052014GCP](#)}
- \_\_\_\_\_ T. Resolution to execute Third Agreement to Extend Term of Contract for Hurricane/Disaster Debris Removal Monitoring Services with Neel-Schaffer, Inc., for one additional year. Introduced by Mayor A. J. Holloway.  
{\*-[052014HCP](#)}
- \_\_\_\_\_ U. Resolution to accept and execute Change Order No. 7 on the contract with Orocon Construction, LLC for the Biloxi Waterfront Park Project. Introduced by Mayor A. J. Holloway.  
{\*-[052014ICP](#)}
- \_\_\_\_\_ V. Resolution to accept and execute Change Order No. 4 on the contract with Kappa Development & General Contracting, Inc. for Project No. K7112, Sixth Street Pump Station. Introduced by Mayor A. J. Holloway.  
{\*-[052014JCP](#)}

**5. CONSENT AGENDA-Continued**

- \_\_\_\_\_W. Resolution to accept, enter into, and execute the Memorandum of Understanding (MOU) with Mississippi Department of Transportation (MDOT) for Project No. 967, Reynoir & Jackson Street Sidewalks, MDOT Project No. STP-9172-00(003)LPA/106832-701000. Introduced by Mayor A. J. Holloway.  
{\*-[052014KCP](#)}
- \_\_\_\_\_X. Resolution to accept and execute Change Order No.1 on the contract with W. C. Fore Trucking, Inc. for Project No. 978, Baseball Stadium Caillavet Park- Package 1A- Site Demolition & Earthwork. Introduced by Mayor A. J. Holloway.  
{\*-[052014LCP](#)}
- \_\_\_\_\_Y. Resolution to accept and execute the Public Trust Tideland Lease for these following program areas Infrastructure Repair Program - BVW1, BVE1 & 2, STM 1 & 2. Introduced by Mayor A. J. Holloway.  
{\*-[052014MCP](#)}
- \_\_\_\_\_Z. Resolution authorizing Amendment to Telecommunications Agreement with Powertel/Memphis, Inc. (T-Mobile). Introduced by Mayor A. J. Holloway.  
{\*-[052014NCP](#)}
- \_\_\_\_\_AA. Resolution authorizing expenditures to the Biloxi Girls Softball League in the amount of \$3,635.00. Introduced by Mayor A. J. Holloway.  
{\*-[052014APR](#)}
- \_\_\_\_\_BB. Resolution to approve and authorize the lowest and best quote received to Repair Ceramic Tiles for the Public Safety Complex from TJ's Contractor in the total amount of \$25,680.00. Funding: Police Budget Introduced by Mayor A. J. Holloway.  
{\*-[052014APUR](#)}
- \_\_\_\_\_CC. Resolution authorizing settlement of workers' compensation claim regarding former employee Barney Hargrove. Introduced by Mayor A. J. Holloway.  
{\*-[052014ALEG](#)}
- \_\_\_\_\_DD. Resolution authorizing award of pre-event debris removal contract to Crowder Gulf, LLC. Introduced by Mayor A. J. Holloway.  
{\*-[052014BLEG](#)}

**5. CONSENT AGENDA-Continued**

- \_\_\_\_\_ EE. Resolution correcting omission from City of Biloxi minutes and Resolution No. 115-14, Resolution authorizing execution of agreement with W.G. Yates & Sons for professional services to be rendered as Construction Manager in conjunction with the construction of a baseball stadium, parking garage, and related facilities. Introduced by Council President Paul A. Tisdale.  
{\*-[052014COU](#)}
- \_\_\_\_\_ FF. Resolution to accept and execute Change Order No. 7 and Final, a deduction for liquidated damages, Final payment and to advertise the contract with S. H. Anthony Construction Company, Inc. for Project Nos. KG637 /K7112, COB Infrastructure Program- Rodenberg North Area 3 Phase 2 - RDN2 as complete. Introduced by Mayor A. J. Holloway.  
{\*-[052014ACP](#)}
- \_\_\_\_\_ GG. Resolution approving the law firm of Russell S. Gill, P.L.L.C. as counsel for former City of Biloxi employee Joshua Hamilton. Introduced by Mayor A. J. Holloway.  
{\*-[052014CLEG](#)}
- \_\_\_\_\_ HH. Resolution rejecting all bids for City Project No. KG630 for Biloxi Infrastructure repair program Phase 2 of Area 4 – Beauvoir (BEA2) – Edgewater. Introduced by Mayor A. J. Holloway.  
{\*-[052014ACOU](#)}

**6. ROUTINE AGENDA {\*-[052014RTN](#)}**

SECTION 1: To authorize approval of the claims listed on the docket of claims No. 2014H-01, in the amount of \$452,524.14, attached as Exhibit "A" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

SECTION 2: To authorize approval of the claims listed on the docket of claims No. 2014H-03, in the amount of \$3,073,022.57, attached as Exhibit "B" and to authorize the Mayor and/or Municipal Clerk to pay said claims.