

**AGENDA**  
**BILOXI CITY COUNCIL MEETING**  
**Tuesday, September 6, 2016**  
**6:00 p.m.**  
**Council Chambers, 2<sup>nd</sup> floor of City Hall**  
**140 Lameuse Street, Biloxi, Mississippi**

**INVOCATION BY: Sister Mary Jo Mike**  
**Nativity BVM Elementary School**

**1. AGENDA ORDER**

**2. PRESENTATION AGENDA**

A. Mayor's Report

--Mayor Gilich to present Proclamation to Sgt. Jason Gruich and Sgt. Eugene Palmer in recognition of retirement of K-9 officers Sampson and Diesel.

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

B. Departmental Report

C. Council's Report

**3. PUBLIC AGENDA**

**CODE ENFORCEMENT HEARINGS**

\_\_\_\_\_A. Audrey Griffin, 1410F-02-043.000/225 Baptist Alley  
**30 day extension on July 19, 2016**

\_\_\_\_\_B. 3-D, LLC, 1210F-02-034.000/1984 Pass Road  
**2 week extension on August 16, 2016**

\_\_\_\_\_C. Luther V. Leach, Sr., 1107J-01-001.001/8540 Victory Lane  
**14 day extension on August 16, 2016**

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

#### 4. POLICY AGENDA

##### ORDINANCES (First Reading)

- \_\_\_\_\_A. Ordinance to amend Sections 16-2-1 through 16-2-8 and to Repeal Section 16-2-9 of the Code of Ordinances, City of Biloxi, Mississippi of 1992 Relating to Legal Financial Obligations, Bonds and Community Service. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-090616CLEG}
- \_\_\_\_\_B. Ordinance to amend Section 14-1-11 of the Code of Ordinances, City of Biloxi, Mississippi of 1992 Relating to Live Entertainment in Municipal Facilities, Parks and Other Public Properties in the City of Biloxi. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-090616ELEG}
- \_\_\_\_\_C. Ordinance to amend Sections 22-2-23, 22-2-35, 22-2-37, 22-2-38 and 22-2-39 10.5-2-1 of the Code of Ordinances, City of Biloxi, Mississippi of 1992 Relating to Rates Charged for Disconnection of Water Services, Responsibility for Payment, Water Deposits, Payment of Water Bills, and Related Matters. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-090616FLEG}
- \_\_\_\_\_D. Ordinance to approve a Zoning Map Amendment, to authorize a change in the Geographical Information System Zoning District Map of the City of Biloxi, Mississippi, with respect to two parcels of land, from their present zoning district classification of LB-Limited Business to NB-Neighborhood Business, for properties individually identified as 2432 & 2436 Pass Road. Case No. 16-040, Stephen E. Dietz and Jimmy Taylor. Submitted by the Planning Commission.  
{\*-090616APC} Ward 3

##### RESOLUTIONS

- \_\_\_\_\_E. Resolution to grant Preliminary Subdivision Re-Plat approval to reconfigure and re-subdivide an existing residential subdivision known as Brown Oaks Subdivision resulting in a subdivision with four (4) residential lots for the properties identified as 9162, 9190 & 9194 Pinecrest Drive. Case No. 16-041, Winfred R. & Bernice Brown, James K & Kimberly Ivy Talley, Janet Kay Williams (owners) and John & Jennifer Williams (applicant). Submitted by the Planning Commission.  
{\*-090616BPC} Ward 7

#### 4. POLICY AGENDA-Continued

- \_\_\_\_\_ F. Resolution accepting appointment of Peter C. Abide (Currie Johnson Law Firm) as City Attorney and Director of the Legal Department. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-[090616AEXC](#)}
- \_\_\_\_\_ G. Resolution authorizing engagement of Gerald Blessey Law Firm as Special Counsel for Certain Legal Representation of the City of Biloxi. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-[090616BEXC](#)}
- \_\_\_\_\_ H. Resolution authorizing execution of Engagement Letter Retaining the services of Page Mannino Peresich & McDermott, Inc. to serve as Bond Counsel for the City of Biloxi's Issuance of Limited Tax Port Bonds Series 2017 and refinancing of Limited Tax Port Bonds Series 1999. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-[090616BLEG](#)}

#### 5. CONSENT AGENDA

- \_\_\_\_\_ A. Resolution authorizing the Harrison County Board of Supervisors to pave the Dog Park located across from the Margaret Sherry Library, pursuant to the terms of the Interlocal Agreement between the County and the City of Biloxi. Introduced by Council President Robert L Deming III.  
{\*-[090616COU](#)}
- \_\_\_\_\_ B. Resolution authorizing execution of Use Agreement with the Catholic Dioceses of Biloxi, Inc. for Use of the Biloxi Natatorium by the St. Patrick Catholic High School Swimming Team Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-[090616ALEG](#)}
- \_\_\_\_\_ C. Resolution to execute a funding agreement for the City of Biloxi's 2016 Action Plan for use of funds allocated to the City of Biloxi through the Community Development Block Grant (CDBG) Program. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-[090616AFSP](#)}

## 5. CONSENT AGENDA-Continued

- \_\_\_\_\_D. Resolution authorizing execution of Cooperative State and Local Drug Enforcement Task Force Agreement regarding Gulfport Group. Introduced by Mayor Andrew “FoFo” Gilich. {\*-[090616ACON](#)}
- \_\_\_\_\_E. Resolution authorizing execution of State and Local HIDTA Task Force Agreement- Drug Enforcement. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-[090616BCON](#)}
- \_\_\_\_\_F. Resolution authorizing execution of State-Local Disaster Assistance Reimbursement Agreement. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-[090616CCON](#)}
- \_\_\_\_\_G. Resolution authorizing Contract Amendment Two (2) with Neel-Schaffer, Inc. for Pass Road Intersections, Project No. 814. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-[090616AENG](#)}
- \_\_\_\_\_H. Resolution authorizing Contract Amendment Five (5) with A Garner Russell & Associates, Inc. for the Woolmarket Sewer Collection A & E, Project No. 818. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-[090616BENG](#)}
- \_\_\_\_\_I. Resolution authorizing Contract Amendment Two (2) with A. Garner Russell & Associates, Inc. for Woolmarket Sewer Collection A & E, Phase 3, Project No. 944. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-[090616CENG](#)}
- \_\_\_\_\_J. Resolution to accept, enter into and execute Supplemental Agreement/Quantity Adjustment Number Three (3) on the contract with Lane Construction Co. of Mississippi, Inc. for Project No. 843, Popp's Ferry Road Widening. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-[090616DENG](#)}
- \_\_\_\_\_K. Resolution authorizing Contract Amendment One (I) with Burk-KleinPeter, Inc. for Sediment Removal from Existing Back Bay Canals. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-[090616EENG](#)}

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

## 5. CONSENT AGENDA-Continued

- \_\_\_\_\_L. Resolution authorizing Contract Amendment One (I) with Right of Way Technologies, Inc. for Woolmarket Sewer Collection, Phase 3, Project No. 944. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-090616FENG}
- \_\_\_\_\_M. Resolution authorizing Contract Amendment One (1) with Right of Way Technologies, Inc. for Ward Seven Water/Sewer, Project No. 896. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-090616GENG}
- \_\_\_\_\_N. Resolution for acceptance of Ellzey Place Subdivision infrastructure improvements. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-090616HENG}
- \_\_\_\_\_O. Resolution to increase A Garner Russell & Associates, Inc design services contract to include additional scopes of work. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-090616IENG}
- \_\_\_\_\_P. Resolution amending the Municipal Budget for the fiscal year to end September 30, 2016, to transfer appropriations from within the Engineering Department. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-090616KENG}
- \_\_\_\_\_Q. Resolution amending the Municipal Budget for the Fiscal Year to end September 30, 2016 for the water and sewer fund. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-090616AADM}
- \_\_\_\_\_R. Resolution amending the Municipal Budget for the Fiscal Year to end September 30, 2016. Introduced by Mayor Andrew “FoFo” Gilich.  
{\*-090616BADM}
- \_\_\_\_\_S. Resolution to accept and enter into the Supply Maintenance Plan Agreement for each of the thirteen copiers that will be serviced by

R.J. Young Company as specified by Resolution No. 323-16.  
Introduced by Mayor Andrew "FoFo" Gillich.

{\*-090616ACP}

**6. ROUTINE AGENDA** {\*-090616RTN}

SECTION 1: To authorize special assessment to code enforcement action taken to clean the following parcels:

- A. CITY PARCEL NO.: 1209E-03-106.000  
OWNED BY: Darell Choina  
ADDRESS: 2163 Baywood Drive  
Biloxi, MS 39532  
CONTRACTOR: Clifton McCormick  
RESOLUTION NO.: 358-16 ASSESSMENT AMOUNT: \$405.00
- B. CITY PARCEL NO.: 1410J-07-034.002  
OWNED BY: Henry Thanh Nguyen Family  
ADDRESS: Post Office Box 8155  
Gulfport, MS 39506-8155  
CONTRACTOR: Clifton McCormick  
RESOLUTION NO.: 358-16 ASSESSMENT AMOUNT: \$315.00
- C. CITY PARCEL NO.: 1410F-02-057.000  
OWNED BY: Biloxi Main Street, LLC,  
c/o Realty World McCay Homes  
ADDRESS: 3333 Bowers Avenue, Ste. 130  
Santa Clara, CA 95054  
CONTRACTOR: John Boggan  
RESOLUTION NO.: 671-15 ASSESSMENT AMOUNT: \$343.00
- D. CITY PARCEL NO.: 1410I-06-070.000  
OWNED BY: Ramona Scruggs  
ADDRESS: 191 Brady Drive  
Biloxi, MS 39531  
CONTRACTOR: Mike Supple  
RESOLUTION NO.: 544-15 ASSESSMENT AMOUNT: \$354.00

Section 2: To authorize approval of the claims listed on the docket of claims No. 2016K-04, in the amount of \$161,791.80, attached as Exhibit "A" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

Section 5: To authorize approval of the claims listed on the docket of claims No.

{\*}-Denotes document name for internet access <http://biloxi.ms.us>

Also available in alternative format.

2016K-06, in the amount of \$1,002, 178.08, attached as Exhibit "B" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

Section 6: 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.