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AGENDA
BILOXI CITY COUNCIL MEETING
Tuesday, July 7, 2020
6:00 p.m.
Council Chambers, 2nd floor of City Hall
140 Lameuse Street, Biloxi, Mississippi

INVOCATION BY: Patrice Torricelli
Unified Coast Prayer Movement

1. AGENDA ORDER

2. PRESENTATION AGENDA

- A. Mayor's Report
-- 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

Citizens Comments-(Total allotted time 45 minutes)

4. POLICY AGENDA

ORDINANCES (First Reading)

Second Reading A. Ordinance to amend The Biloxi Land Development Ordinance, specifically to amend Table 23-4-1 (C) Use Table – Non-Residential and Planned Development Districts, as it relates to the allowance of specific uses as either “P” Permitted or “C” Conditional Uses within the WF Waterfront District Zone. Case No. 20-013, City of Biloxi. Submitted by the Planning Commission.
{*-070720APC}

Second Reading B. Ordinance to amend The Biloxi Land Development Ordinance, specifically to amend Section 23-6-7(C)(4) to address the modification of text related to the establishment of standards and requirements for Fences in Easements. Case No. 20-014, City of Biloxi. Submitted by the Planning Commission.
{*-070720BPC}

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

4. POLICY AGENDA-Continued

Second Reading C. Ordinance to amend The Biloxi Land Development Ordinance, specifically to amend Table 23-4-1(B) Use Table – Residential Districts, Table 23-4-1(C) Use Table – Non-Residential and Planned Development Districts, and Table 23-3-2(H) RM-10 Low-Density Multifamily Residential District. Case No. 20-015, City of Biloxi. Submitted by the Planning Commission. {*-070720CPC}

Second Reading D. Ordinance to amend The Biloxi Land Development Ordinance, specifically to amend Table 23-4-1-(B), Table 23-4-1(C), Section 23-4-3(d) and Section 23-10-2 for regulations pertaining to Short-Term Rental and Timeshare Uses. Case No. 20-016, City of Biloxi. Submitted by the Planning Commission. {*-070720DPC}

Second Reading E. Ordinance to approve a Zoning Map Amendment, to authorize a change in zoning district classification for portions of two (2) parcels of land together measuring approximately 32,726 square feet (more or less) in overall size, from their present zoning district classification of NB Neighborhood Business and RM-30 High-Density Multi-Family Residential to I Industrial, for properties collectively identified as 211 Esters Boulevard, including an unaddressed parcel fronting to Magnolia Street. Case No. 20-019, Mark D. Swetman (owner) and Gary W. Murphy, Sr. (applicant). Submitted by the Planning Commission. {*-070720FPC} Ward 2

RESOLUTIONS

Failed F. Resolution to Grant Conditional Use approval, to authorize a 48 unit apartment complex, (i.e., Beach Vista Apartments) to be utilized for Short Term Rentals, upon a property site situated within an RM-30 High-Density Multi-Family Residential Zone identified by municipal address 133 Briarfield Avenue. Case No. 20-018, Frank Zhang, DBA 133 Briarfield LLC. Submitted by the Planning Commission. {*-070720EPC} Ward 5

412-20 G. Resolution appointing Wendy Barthe Peavy to the Municipal Election Commission for a term beginning July 7, 2020, and expiring at the expiration of the terms of office of the Governing Authorities making such appointment. Introduced by Mayor A.M. Gilich, Jr. {*-070720AEXC}

4. POLICY AGENDA-Continued

413-20 H. Resolution calling a Special Election to be held in the Municipality of Biloxi, Mississippi, on Tuesday, the 4th day of August, 2020, for the purpose of submitting to the qualified electors of the Municipality of Biloxi, Mississippi, the approval or disapproval of the action of the City Council in adopting on the 7th of April, 2020 an Ordinance granting Non-exclusive Electric Franchise to Mississippi Power Company, its successors, and assigns a franchise in the Municipality of Biloxi, Mississippi. Introduced by Mayor A.M. Gilich, Jr. {*-070720BEXC}

414-20 I. Resolution determining and allocating certain distribution of funds pursuant to Biloxi Code of Ordinances Section 12-9-9 for fiscal year 2020-2021. Introduced by Mayor A.M. Gilich, Jr. {*-070720CLEG}

5. CONSENT AGENDA

415-20 A. Resolution approving Bond of Biloxi Public School Board Member Richard Schmidt providing for filing and recording of same. Introduced by Mayor A.M. Gilich, Jr. {*-070720CEXC}

416-20 B. Resolution authorizing expenditures to CASA of Harrison County in the amount of \$5,000.00. Introduced by Mayor A.M. Gilich, Jr. {*-070720DEXC}

417-20 C. Resolution accepting report of the issuance of the \$16,206,000 principal amount City of Biloxi, Mississippi General Obligation Taxable Refunding Bonds, Series 2020A; and application of proceeds thereof. Introduced by Mayor A.M. Gilich, Jr. {*-070720ALEG}

418-20 D. Resolution accepting report of the issuance of the \$8,662,000 principal amount City of Biloxi, Mississippi General Obligation Taxable Refunding Bonds, Series 2020; and application of proceeds thereof. Introduced by Mayor A.M. Gilich, Jr. {*-070720BLEG}

5. CONSENT AGENDA-Continued

- 419-20 E. Resolution to approve and execute a sub-recipient agreement with Open Doors Homeless Coalition as approved in the program year 2019 Community Development Block Grant (CDBG) Action Plan Substantial Amendment No. 1 (CDBG-CV) and 2015-2019 Consolidated Plan Substantial Amendment No. 4 budgeting use of a CARES ACT allocation. Introduced by Mayor A.M. Gilich, Jr. {*-070720AFSP}
- 420-20 F. Resolution to approve and authorize the lowest and best quote received for One Kawasaki Utility Vehicle for use by Fire Prevention from Suzuki City in the total amount of \$11,700.00. Funding: Fire Budget via insurance rebate. Introduced by Mayor A.M. Gilich, Jr. {*-070720APUR}
- 421-20 G. Resolution amending the municipal budget for fiscal year ending September 30, 2020, to recognize reallocated Tidelands grant funds into the budget for Capital Project No. 1000: West Biloxi Boardwalk. Introduced by Mayor A.M. Gilich, Jr. {*-070720ACON}
- 422-20 H. Resolution amending the existing contingency contract with True North Emergency Management, LLC for debris removal monitoring during a declared emergency event. Introduced by Mayor A.M. Gilich, Jr. {*-070720BCON}
- 423-20 I. Resolution authorizing Change Order No. Three (3) to the construction agreement with Blackline Corporation for Capital Project No. 997: Saenger Theatre Exterior Repairs. Introduced by Mayor A.M. Gilich, Jr. {*-070720CCON}
- 424-20 J. Resolution authorizing entry into Amendment No. Six (6) to the Early Restoration Grant Agreement with the Mississippi Department of Environmental Quality Grant for Capital Project No. 990: Popps Ferry Causeway Park. Introduced by Mayor A.M. Gilich, Jr. {*-070720DCON}
- 425-20 K. Resolution accepting and approving Certificate of Substantial Completion to the Construction Agreement with J. W. Puckett & Company, Inc. for Capital Project No. 1027: Fire Station No. 10. Introduced by Mayor A.M. Gilich, Jr. {*-070720ECON}

5. CONSENT AGENDA-Continued

- 426-20 L. Resolution authorizing entry into Cost Per Copy Agreement with RJ Young Company, Inc. for the lease, maintenance and copy costs associated with two (2) new copiers to be utilized by the Community Development Department. Introduced by Mayor A.M. Gilich, Jr.
{*-070720FCON}
- 427-20 M. Resolution accepting the bid of C. B. Developers, Inc. and authorizing entry into a Construction Agreement for Capital Project No. 1065: Lorraine Road Waterline. Introduced by Mayor A.M. Gilich, Jr.
{*-070720GCON}
- 428-20 N. Resolution declaring a State of Emergency in the City of Biloxi, Mississippi for Tropical Storm Cristobal and authorizing the Mayor to do all things reasonable and necessary to protect the health and safety of the city's citizens; and for related purposes. Introduced by Mayor A.M. Gilich, Jr.
{*-070720EEXC}
- 429-20 O. Resolution to approve and authorize the lowest and best quote received and in consideration of Subsection 31-7-15 of the Mississippi Code 1972 Annotated (preference laws) for Ivy Court Pipe Repair from Suncoast Infrastructure in the total amount of \$22,075.00. Funding: Public Works Budget. Introduced by Mayor A.M. Gilich, Jr.
{*-070720BPUR}

6. CODE ENFORCEMENT HEARINGS

- Cleared A. Gulfshore Hospitality, Inc., 1410L-03-016.000/950 Beach Blvd.
- Cleared B. Gulfshore Hospitality, Inc., 1410L-03-017.000/956 Beach Blvd.
- Still in violation C. Frank G. Parker-Estate, 1210K-03-075.000/176 Daisy St.
- Still in violation D. Frank G. Parker-Estate, 1210K-03-074.000/180 Daisy St.
- Still in violation E. State of Mississippi, Attn: Derrick Cooper, 1410H-05-059.000/316 Strangi Ave.
- Cleared F. Welch Family Limited Partnership 5, 1110M-01-004.000/0 Beach Blvd.

430-20 **7. ROUTINE AGENDA** {*-070720RTN}

Section 1: 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) Football Supplies & Uniforms/
Parks & Recreation
VENDOR - See Attached
AMOUNT - See Attached

Section 2: To adjudicate the following parcels a menace to the public health and safety of the community:

- A. CITY PARCEL NO.: 1410A-01-033.000
OWNED BY: Luevinnia Fortenberry
DATE OF HEARING: June 23, 2020

Section 3: To authorize special assessment to code enforcement action taken to clean the following parcels:

- A. CITY PARCEL NO: 1210A-01-004.000
OWNER & ADDRESS: Shirley A. Bilancich, Estate
1616 Hollywood Boulevard
Biloxi, MS 39531
CONTRACTOR: Robert Sidaway
RESOLUTION NO.: 547-19
ASSESSMENT AMOUNT: \$315.00
- B. CITY PARCEL NO: 1210K-03-026.000
OWNER & ADDRESS: Delux Homes, LLC
P. O. Box 442225
Lawrence, KS 66044
CONTRACTOR: Michael Wood
RESOLUTION NO.: 356-20
ASSESSMENT AMOUNT: \$1,765.00
- C. CITY PARCEL NO: 1310A-03-027.000
OWNER & ADDRESS: Thao Oanh Doan
391 Main Street
Biloxi, MS 39530
CONTRACTOR: Michael Wood
RESOLUTION NO.: 468-19
ASSESSMENT AMOUNT: \$565.00

7. ROUTINE AGENDA-Continued

- D. CITY PARCEL NO: 1210G-02-080.000
OWNER & ADDRESS: Maria Gisterek
274 Bleuer Drive
Biloxi, MS 39531
CONTRACTOR: Michael Wood
RESOLUTION NO.: 469-19
ASSESSMENT AMOUNT: \$345.00
- E. CITY PARCEL NO: 1410E-03-064.000
OWNER & ADDRESS: Lucy Patricia O. Saunders – Estate
C/O Renee Ueham Kurtriscia
1606 Kaleilani Street
Pearl City, HI 96782
CONTRACTOR: Michael Wood
RESOLUTION NO.: 673-19
ASSESSMENT AMOUNT: \$590.00
- F. CITY PARCEL NO: 1410I-06-086.000
OWNER & ADDRESS: Cong Thanh Tran
390 Howard Avenue
Biloxi, MS 39530
CONTRACTOR: Michael Wood
RESOLUTION NO.: 350-20
ASSESSMENT AMOUNT: \$295.00

Section 4: To authorize approval of the claims listed on the docket of claims No. 2020H-04, in the amount of \$973,696.48, attached as Exhibit "A" and to authorize the Mayor and/or Municipal Clerk to pay said claims.

Section 5: 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.