

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

Be it remembered that a public hearing before the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, was begun and held at 5:30 o'clock p.m. on Tuesday the 7<sup>th</sup> day of November, 2006, in the Long Beach School District Central Office, 19148 Commission Road in said City and the same being the time, date and place fixed by order of the Mayor and Board of Aldermen for holding said public hearing.

There were present and in attendance on said Board and at the public hearing the following named persons: Mayor William Skellie, Jr., Aldermen Allen D. Holder, Jr., Charles Boggs, Richard Notter, Richard Burton, Mark Lishen, Richard Bennett, Deputy City Clerk Stacey Dahl and City Attorney Frank R. McCreary, III.

Alderman Joseph McNary and City Clerk Rebecca E. Schruoff were absent the public hearing.

There being a quorum present and sufficient to transact the business of this public hearing, the following proceedings were had and done.

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The Public Hearing to consider an application for ZONING MAP CHANGE from R-1 Residential to C-3 Neighborhood Commercial as submitted by Leon Long, 19128 Commission Road, was called to order.

The Clerk reported that pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on October 3, 2006, that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, Legal Notice, Public Hearing, as evidenced by the Publisher's Proof of Publication.

Alderman Holder made motion seconded by Alderman Notter and unanimously carried to spread said Proof of Publication upon the record of this public hearing in words and figures, as follows:

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

**PROOF OF PUBLICATION**

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Ashtey Beckrafield who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city of Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 1 times in the following numbers and on the following dates of such paper, viz:

- Vol. 123 No., 14 dated 17 day of October, 2006
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

Ashtey Beckrafield  
Clerk

Original on Record on  
October 16, 2007

Sworn to and subscribed before me this 17 day of October, A.D., 2006

Karen Shook  
Notary Public

Printer's Fee ..... \$ 43.92  
Furnishing proof of publication ..... \$ 3.00  
TOTAL ..... 46.92

**LEGAL NOTICE PUBLIC HEARING**  
NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen, Long Beach, Mississippi, will conduct a public hearing Tuesday, November 7, 2006, at 6:30 p.m., Long Beach School District Central Office, 19148 Commission Road, to consider an application for ZONING MAP CHANGE as submitted by Leon D. Long, 19128 Commission Road. The applicant is requesting to change the zoning classification from R-1, Residential to C-3, Neighborhood Commercial for a part of tax parcel number 0611E-01-023.000. The property is generally described as being on the north margin of Commission Road. Legal description is as follows: The most southeasterly portion of (aka lots 45 and 46 of proposed Red Gates Subdivision) of a parcel of land being located in and a part of the SE 1/4 of the SW 1/4 Section 2 Township 8S, Range 12 W, First Judicial District of Harrison County, Mississippi, being more particularly described as commencing at the SE corner of the E 1/2 of the SW 1/4 of said Section 2 and run thence S 89 degrees 52 minutes W along the S margin of said SE 1/4 of the SW 1/4 a distance of 607.0 feet to a point on the N margin of Commission Road for the Point of beginning of the property herein described; thence from said point of beginning run S 89 degrees 52 minutes W along the N margin of said Commission Road a distance of 294.73 feet, thence run N 00 degrees 22 minutes 28 seconds E a distance of 1354.37 feet, thence run S 83 degrees 51 minutes 53 seconds a distance of 779.41 feet, thence run S 00 degrees 06 minutes 05 seconds E a distance of 503.47 feet, thence run S 89 degrees 52 minutes W a distance of 335.8 feet, thence run S 00 degrees 05 minutes W a distance of 390 feet to the point of beginning. The application for ZONING MAP CHANGE was approved by the Long Beach Planning Commission at a public hearing duly held and convened September 28, 2006, ORDERED the 3rd day of October, 2006, by the Mayor and Board of Aldermen, Long Beach, Mississippi.  
By: Signed Rebecca E. Schuff, City Clerk  
N18,adv17,1x 1100141

The Clerk further reported that twenty-two legal notices were sent via certified mail, return receipt requested, to property owners within two hundred feet (200') of the subject property, twenty (20) were received, one (1) returned unclaimed, and one (1) with no return.

Alderman Bennett made motion seconded by Alderman Holder and unanimously carried to make the aforementioned certified receipts a part of the record of this public hearing on file in the Office of the City Clerk.

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Alderman Holder made motion seconded by Alderman Boggs and unanimously carried to make the September 28, 2006, minutes of the Long Beach Planning Commission a part of the record of this public hearing, on file in the Office of the City Clerk.

\* \* \*

The Mayor recognized the applicant, Leon Long, who requested approval of his application. It was noted for the record that the subject property will be utilized as a funeral parlor by Gulf Coast Funeral Home, for visitation with no embalming or cremations.

\* \* \*

The Mayor opened the floor for public comments either for or against the application and no one came forward to be heard.

\* \* \*

There being no further public comments or questions, Alderman Holder made motion seconded by Alderman Bennett and unanimously carried to close the public hearing, whereupon, action was taken as follows:

**ORDINANCE NO. 531**

**AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NO. 344, AS AMENDED, ENTITLED "THE ZONING ORDINANCE OF THE CITY OF LONG BEACH, MISSISSIPPI" AMENDING THE ZONING MAP INCORPORATED IN SAID ORDINANCE TO CHANGE THE CLASSIFICATION OF CERTAIN PROPERTY HAVING AN ADDRESS AT 19128 COMMISSION ROAD, LONG BEACH, MISSISSIPPI, FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO C-3 (NEIGHBORHOOD COMMERCIAL), AND FOR RELATED PURPOSES.**

WHEREAS, application was filed with the Planning Commission of the City of Long Beach, Mississippi, for the change in the zoning classification from R-1 (single family residential) to C-3 (Neighborhood Commercial) by the owner of certain property located at 19128 Commission Road, Long Beach, Mississippi, being part of that parcel bearing Harrison County tax parcel number 0611E-01-023.000, being more particularly described as follows, to-wit:

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The most southeasterly portion of (aka lots 45 and 46 of proposed Red Gates Subdivision) of a parcel of land being located in and a part of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 2, Township 8 S, Range 12 W, First Judicial District of Harrison County, Mississippi, being more particularly described as commencing at the SE corner of the E $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of said section 2 and run thence S 89 degrees 52 minutes W along the S margin of said SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  a distance of 607.0 feet to a point on the N margin of Commission Road for the Point of Beginning of the property herein described; thence from said point of beginning run S 89 degrees 52 minutes W along the N margin of said Commission Road a distance of 294.73 feet, thence run N 00 degrees 22 minutes 28 seconds E a distance of 1354.37 feet, thence run S 53 degrees 51 minutes 53 seconds E a distance of 779.41 feet, thence run S 00 degrees 06 minutes 05 seconds E a distance of 503.47 feet, thence run S 89 degrees 52 minutes W a distance of 335.8 feet, thence run S 00 degrees 05 minutes W a distance of 390 feet to the point of beginning.

Subdivision, hereinafter referred to as the "Subject Property"; and

WHEREAS, the Long Beach Planning Commission reviewed said application and, after issuing notice of Public Hearing as required by the Long Beach Zoning Ordinance, did conduct a public hearing on said application on September 28, 2006 at 7:00 p.m. and upon conclusion of said public hearing did recommend approval of the application by the Mayor and Board of Aldermen as reflected in the official minutes of the September 28, 2006, meeting of the Long Beach Planning Commission; and

WHEREAS, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, having made due investigation therefore, do now find, determine, adjudicate and declare as follows, to-wit:

a. That pursuant to legal notice published and given for the time and in the manner provided by law, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, did meet at 5:30 p.m. on Tuesday, November 7, 2006, at the Long Beach School District Administration Building on Commission Road in said City, the time, place and date fixed in said legal notice, and did conduct a public hearing at which hearing all parties interested in or opposed to the proposed zoning classification amendment changing the zoning classification of the aforesaid Subject Property, were

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given an opportunity to be heard and allowed to make oral and/or written comment to such proposed change, which proposed change was then and there on file and had been on file during the period of said notice in the office of the City Clerk at the City Hall in said City, available for public inspection and examination by any and all parties interested in or opposed to the proposed change, as more particularly hereinafter set forth in this ordinance.

b. That, as a result of the aforesaid public hearing and after consideration by the Mayor and Board of Aldermen of the testimony and evidence presented and their own knowledge and familiarity with the City, the Mayor and Board of Aldermen did then find, and do now find, determine adjudicate and declare as follows:

c. That the clear and convincing evidence establishes, based upon the examination of the municipal zoning map, the character of the surrounding neighborhood, and the minutes of the Long Beach Planning Commission that:

- 1) That Commission Road is an arterial street in the City of Long Beach and is heavily traveled; and
- 2) That the section of Commission Road immediately East of the Long Beach School District Administration Building, particularly the subject property, is undeveloped and well suited to commercial development; and
- 4) That several parcels on Commission Road to the West of the subject property have been put to commercial use for many years; and
- 5) That commercial properties within the City of Long Beach suffered substantial damage from Hurricane Katrina and many commercial parcels located south of the CSX Railroad tracks running through the City,

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including the City's only funeral home, were totally destroyed and have not been re-constructed; and

6) That the City is in dire need of commercial development and the subject property situated on Commission Road as above stated is well suited to commercial development; and

7) That the City is in dire need of a funeral home, the use for which the zoning reclassification herein is requested; and

8) That the best use for the subject property is commercial and the zoning classification of same should be changed from R-1 (single family residential) to C-3 (Neighborhood Commercial)

d. That the clear and convincing evidence establishes the public need for the said amendment changing the zoning classification of that part of the subject property from R-1 to C-3;

e. That the uses within the subject property will not be detrimental to the present and potential surrounding uses, but will benefit same in completion of development in accordance with the aforesaid development plan heretofore approved by the Governing Authority;

f. The proposed change is in conformance with the general intent of the Comprehensive Master Plan; and

g. That the Zoning Ordinance of the City of Long Beach should be amended by amending the Zoning Map incorporated therein to change the zoning classification of that part of the subject property from R-1 (Single Family Residential) to C-3 (Neighborhood Commercial). NOW THEREFORE,

**BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE  
CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:**

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**SECTION 1.** That Ordinance No. 344, as amended, entitled the "ZONING ORDINANCE OF THE CITY OF LONG BEACH, MISSISSIPPI", be and it is hereby amended as follows:

The Zoning Classification as set forth on the Zoning Map incorporated in and being a part of Ordinance No. 344, as amended, entitled "THE ZONING ORDINANCE OF THE CITY OF LONG BEACH, MISSISSIPPI", of that part of the parcel of land located at 19128 Commission Road, Long Beach, Mississippi, being part of that parcel bearing Harrison County tax parcel number 0611E-01-023.000, and being described as:

The most southeasterly portion of (aka lots 45 and 46 of proposed Red Gates Subdivision) of a parcel of land being located in and a part of the SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$ , Section 2, Township 8 S, Range 12 W, First Judicial District of Harrison County, Mississippi, being more particularly described as commencing at the SE corner of the E $\frac{1}{2}$  of the SW  $\frac{1}{4}$  of said section 2 and run thence S 89 degrees 52 minutes W along the S margin of said SE  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  a distance of 607.0 feet to a point on the N margin of Commission Road for the Point of Beginning of the property herein described; thence from said point of beginning run S 89 degrees 52 minutes W along the N margin of said Commission Road a distance of 294.73 feet, thence run N 00 degrees 22 minutes 28 seconds E a distance of 1354.37 feet, thence run S 53 degrees 51 minutes 53 seconds E a distance of 779.41 feet, thence run S 00 degrees 06 minutes 05 seconds E a distance of 503.47 feet, thence run S 89 degrees 52 minutes W a distance of 335.8 feet, thence run S 00 degrees 05 minutes W a distance of 390 feet to the point of beginning.

is hereby changed from R-1 (Single Family Residential) to C-3 (Neighborhood Commercial).

**SECTION 3. Severability**

If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof, be held by any court of competent jurisdiction to be invalid or unconstitutional, such holding shall not affect the remaining portions of this Ordinance.

**SECTION 4. Effective Date**

This ordinance shall take effect and be and force thirty (30) days after its adoption, publication and enrollment thereof as provided by law. The above and

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foregoing Ordinance No. 531 was introduced in writing by Alderman Holder who moved its adoption. Alderman Notter seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Richard Notter	voted Aye
Alderman Richard Burton	voted Aye
Alderman Charles A. Boggs	voted Aye
Alderman Richard Bennett	voted Aye
Alderman Allen D. Holder, Jr.	voted Aye
Alderman Joseph McNary	voted Absent, Not Voting
Alderman Mark Lishen	voted Aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance adopted and approved this the 7<sup>th</sup> day of November, 2006.

APPROVED:

\_\_\_\_\_  
WILLIAM SKELLIE, JR., MAYOR

ATTEST:

\_\_\_\_\_  
REBECCA E. SCHRUFF, CITY CLERK

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Be it remembered that a regular meeting of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, was begun and held at the Long Beach School District Central Office, 19148 Commission Road, in said City at 5:30 p.m. it being the first Tuesday in November, 2006, and the same being the time, date and place fixed by Laws of Mississippi and Ordinance of the City of Long Beach for holding said meeting.

There were present and in attendance on said Board and at the meeting the following named persons: Mayor William Skellie, Jr., Aldermen Allen D. Holder, Jr., Charles Boggs, Richard Notter, Richard Burton, Joseph McNary, Mark Lishen, Richard Bennett, Deputy City Clerk Stacey Dahl and City Attorney Frank R. McCreary, III.

City Clerk Rebecca E. Schruff was absent the meeting.

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Mayor and Board of Aldermen**

There being a quorum present sufficient to transact the business of the City, the following proceedings were had and done.

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Alderman McNary arrived late and was preliminarily absent the meeting.

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The meeting was called to order and the Clerk reported that pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on October 3, 2006, that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, and the Clarion-Ledger, Legal Notice, Advertisement for Bids, DEAD TREE REMOVAL-PHASE 2, as evidenced by the Publishers' Proofs of Publication.

Alderman Holder made motion seconded by Alderman Notter and unanimously carried to spread said Proofs of Publication upon the minutes of this meeting in words and figures as follows:

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

**PROOF OF PUBLICATION**

**ADVERTISEMENT FOR BIDS**  
 City of Long Beach, Mississippi  
 The City of Long Beach, Mississippi, will receive bids for **DEAD TREE REMOVAL - PHASE TWO** at the Office of the City Clerk, Temporary City Hall on Klondyke Road, Long Beach, Mississippi, during normal office hours at any time prior to the designated bid date, or at the temporary meeting place at Long Beach School District Office on Commission Road at 5:30 PM on the designated date for the bid opening. Bids will be publicly opened and read aloud at the regular meeting of the Board of Aldermen at 5:30 P.M., November 7, 2006.  
 Bids are invited for the furnishing of labor, equipment, tools and services needed to cut, load, transport and dispose of designated dead or dying trees from public and private land within that part of Long Beach which was inundated by Hurricane Katrina.  
 Contract Documents, including Bid Proposal and Technical Specifications, are on file at the Office of City Clerk, at City Hall, Long Beach, Mississippi.  
 Plans Bid Documents may be obtained at the office of A. Garner Russell & Associates, Inc., Consulting Engineers, Hewes Avenue at 33rd Street (Post Office Box 1677), Gulfport, Mississippi 39507, upon payment of \$50.00 fee, non-refundable.  
 A certified check or bank draft payable to the order of City of Long Beach, Mississippi, negotiable U. S. Government bonds (at par value), or a satisfactory Bid Bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid for City of Long Beach, DEAD TREE REMOVAL - PHASE TWO, shall be submitted with each bid.  
 The City of Long Beach, Mississippi, reserves the right to reject any or all bids or to waive any informalities in the bidding.  
 Bids may be held by the City of Long Beach, Mississippi, for a period not to exceed sixty (60) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidders, prior to awarding of the Contract.  
 Done by order of the Mayor and Board of Aldermen, October 3, 2006.  
 City of Long Beach, Mississippi.  
 By **REBECCA SCHAUFF**  
 Title CITY CLERK  
 M-43,adv11,16,2x  
 1098473

STATE OF MISSISSIPPI  
 COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Ashley Bearfield who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city of Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

- Vol. 123 No., 8 dated 11 day of October, 2006
- Vol. 123 No., 13 dated 16 day of October, 2006
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

Commission Expires on: October 16, 2007  
Ashley Bearfield  
 Clerk

Sworn to and subscribed before me this 17 day of OCTOBER, A.D., 2006

Karen Shook  
 Notary Public

Printer's Fee ..... \$ 80.08  
 Furnishing proof of publication ..... \$ 3.00  
 TOTAL ..... 83.08

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Mayor and Board of Aldermen

Proof of Publication

The State of Mississippi

Hinds County

PERSONALLY appeared before me, the undersigned  
notary public in and for Hinds County, Mississippi,

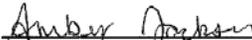
Amber Jackson

an authorized clerk of THE CLARION-LEDGER,  
a daily newspaper as defined and prescribed in  
Sections 13-3-31 and 13-3-32 of the Mississippi Code  
of 1972, as amended, who, being duly sworn, states  
that the notice, a true copy of which is hereto  
attached, appeared in the issues of said newspaper  
as follows:

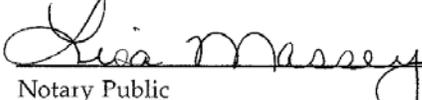
Dates of Publication:

Lines:	138	Wednesday, October 11, 2006
Words:	431	
Issues:	1	
Total:	\$55.22	

Signed

  
Authorized Clerk  
of The Clarion-Ledger

SWORN to and subscribed before me on  
10/11/2006

  
Notary Public



MY COMMISSION EXPIRES:  
January 12 2010

ADVERTISEMENT FOR BIDS  
City of Long Beach, Mississippi  
The City of Long Beach, Mississippi, will receive bids  
for:  
**DEAD TREE REMOVAL - PHASE TWO**  
at the Office of the City Clerk, Temporary City Hall on  
Klondyke Road, Long Beach, Mississippi, during normal  
office hours at any time prior to the designated bid date, or at  
the temporary meeting place at Long Beach School District  
Office on Commission Road at 5:30 PM on the designated  
date for the bid opening. Bids will be publicly opened and  
read aloud at the regular meeting of the Board of Aldermen at  
5:30 P.M.,  
November 7, 2006.  
Bids are invited for the furnishing of labor, equipment, tools  
and services needed to cut, load, transport, and dispose of  
designated dead or dying trees from public and private land  
within that part of Long Beach which was inundated by  
Hurricane Katrina.  
Contract Documents, including Bid Proposal and Technical  
Specifications, are on file at the Office of City Clerk, at City  
Hall, Long Beach, Mississippi.  
Plans, Bid Documents may be obtained at the office of A.  
Garner Russell & Associates, Inc., Consulting Engineers,  
Hewes Avenue at 33rd Street (Post Office Box 1677),  
Gulfport, Mississippi 39507, upon payment of \$50.00 fee,  
non-refundable.  
A certified check or bank draft payable to the order of City of  
Long Beach, Mississippi, negotiable U. S. Government bonds  
(at par value), or a satisfactory Bid Bond executed by the  
Bidder and an acceptable surety, in an amount equal to five  
percent (5%) of the total bid for City of Long Beach, DEAD  
TREE REMOVAL - PHASE TWO, shall be submitted with  
each bid.  
For bids exceeding \$50,000 Bidder must indicate his  
Certificate of Responsibility Number on outside of sealed  
proposal as required by Mississippi Law. For bids not  
exceeding \$50,000, Bidder must either indicate his Certificate  
Number, or else write clearly "Bid does not exceed \$50,000."  
The City of Long Beach, Mississippi, reserves the right to  
reject any or all bids or to waive any formalities in the  
bidding.  
Bids may be held by the City of Long Beach, Mississippi, for  
a period not to exceed sixty (60) days from the date of the  
opening of bids for the purpose of reviewing the bids, and  
investigating the qualifications of Bidders, prior to awarding of  
the Contract.  
Done by order of the Mayor and Board of Aldermen, October  
5, 2006.  
City of Long Beach, Mississippi  
By S/REBECCA SCHRUFF  
Title CITY CLERK  
October 11, 2006

The Clerk further reported that thirteen (13) bids were properly filed,  
whereupon, said bids were then and there publicly opened and read aloud, as follows:

Colonel McCrary Trucking, LLC  
15350 Highway 49 Unit A  
Gulfport, MS 39503  
Bid Amount: \$124,180.00

Salvage Nine  
112 North Ocean Wave  
Long Beach, MS 39560  
Bid Amount: \$ 94,000.00

M.B. 56  
REG/PUBHEA:11.07.06

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Michael Keaveney (Individual)  
P.O. Box 65410  
Baton Rouge, LA 70806  
Bid Amount: \$414,000.00

Spinks Construction Company, Inc.  
10592 New Dawn Lane  
St. Francisville, LA 70775  
Bid Amount: \$ 140,040.00

J. Levens Builders, Inc.  
5104 A Avenue  
Long Beach, MS 39560  
Bid Amount: \$182,290.00

Stumpman, Inc.  
53 Warwick Avenue  
Ormond Beach, FL 32174  
Bid Amount: \$ 220,000.00

TCB Construction Company, Inc.  
5913 Highway 53  
Poplarville, MS 39470  
Bid Amount: \$ 77,450.00

Worley's Tree Service  
814 Highway 90  
Bay St Louis, MS 39470  
Bid Amount: \$ 96,554.00

Adams Construction, LLC  
2308 Cherrywood Place  
Gautier, MS 39553  
Bid Amount: \$ 80,600.00

Necaise Brothers Construction Company, Inc.  
21040 Coastal Parkway  
Gulfport, MS 39503  
Bid Amount: \$123,000.00

Twin L Construction, Inc.  
8292 Firetower Road  
Pass Christian, MS 39571  
Bid Amount: \$133,500.00

Ulmer Pryor Contracting  
62 Old Highway 84 Loop Road  
Laurel, MS 39443  
Bid Amount: \$ 100,500.00

M & D Construction Company, Inc.  
4301 Mill Avenue  
Moss Point, MS 39563  
Bid Amount: \$ 102,077.00

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Upon discussion, Alderman Holder made motion seconded by Alderman Notter and unanimously carried to take the aforementioned bids under advisement for review and tabulation by City Engineer John Campton, with a recommendation at the next regular meeting.

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Alderman McNary arrived at the public meeting.

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The Clerk reported that pursuant to that certain order of the Mayor and Board of Aldermen at a regular meeting duly held and convened on October 3, 2006, that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, and The Clarion-Ledger, Legal Notice, Advertisement for Bids, "THIRD PHASE DEBRIS REMOVAL", as evidenced by the Publishers' Proofs of Publication.

Alderman Holder made motion seconded by Alderman Notter and unanimously carried to spread said Proofs of Publication upon the minutes of this meeting in words and figures, as follows:

Minutes of November 7, 2006  
 Mayor and Board of Aldermen

**PROOF OF PUBLICATION**

**ADVERTISEMENT FOR BIDS**  
 City of Long Beach, Mississippi  
 The City of Long Beach, Mississippi, will receive bids for: **THIRD PHASE DEBRIS REMOVAL** at the Office of the City Clerk, Temporary City Hall on Klondyke Road, Long Beach, Mississippi, during normal office hours at any time prior to the designated bid date, or at the temporary meeting place at Long Beach School District Office on Commission Road at 5:30 PM on the designated date for the bid opening. Bids will be publicly opened and read aloud at the regular meeting of the Board of Aldermen at 5:30 P.M., November 7, 2006.  
 Bids are invited for the furnishing of labor, equipment, tools and services needed to load and transport designated debris of various classifications from the part of Long Beach which was inundated by Hurricane Katrina. Also included is the disposal of most classifications of debris.  
 Contract Documents, including Bid Proposal and Technical Specifications, are on file at the Office of City Clerk, at City Hall, Long Beach, Mississippi.  
 Plans Bid Documents may be obtained at the office of A. Garner Russell & Associates, Inc., Consulting Engineers, Hewes Avenue at 33rd Street (Post Office Box 1677), Gulfport, Mississippi 39507, upon payment of \$50.00 fee, non-refundable.  
 A certified check or bank draft payable to the order of City of Long Beach, Mississippi, negotiable U. S. Government bonds (at par value), or a satisfactory Bid Bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid for City of Long Beach, **THIRD PHASE DEBRIS REMOVAL**, shall be submitted with each bid.  
 For bids exceeding \$50,000 Bidder must indicate his Certificate of Responsibility Number on outside of sealed proposal as required by Mississippi Law. For bids not exceeding \$50,000, Bidder must either indicate his Certificate Number, or else write clearly "Bid does not exceed \$50,000."  
 The City of Long Beach, Mississippi, reserves the right to reject any or all bids or to waive any informalities in the bidding.  
 Bids may be held by the City of Long Beach, Mississippi, for a period not to exceed sixty (60) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of Bidders, prior to awarding of the Contract. Done by order of the Mayor and Board of Aldermen, October 3, 2006.  
 City of Long Beach, Mississippi  
 By: **REBECCA SCHRUFF**  
 Title: CITY CLERK  
 M-42,adv9,16,2mon  
 1097011

STATE OF MISSISSIPPI  
 COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Ashley Bearfield who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city of Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 2 times in the following numbers and on the following dates of such paper, viz:

- Vol. 123 No., 10 dated 9 day of October, 2006
- Vol. 123 No., 13 dated 16 day of October, 2006
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

Commission Expires on: October 13, 2007  
 \_\_\_\_\_  
 Clerk

Sworn to and subscribed before me this 17 day of October, A.D., 2006

Karen Shook  
 Notary Public

Printer's Fee ..... \$ 89.10  
 Furnishing proof of publication ..... \$ 3.00  
 TOTAL ..... 92.10

Minutes of November 7, 2006  
Mayor and Board of Aldermen

Proof of Publication

The State of Mississippi

Hinds County

**ADVERTISEMENT FOR BIDS**  
City of Long Beach, Mississippi  
The City of Long Beach, Mississippi, will receive bids for:

**THIRD PHASE DEBRIS REMOVAL**

at the Office of the City Clerk, Temporary City Hall on Klondyke Road, Long Beach, Mississippi, during normal office hours at any time prior to the designated bid date, or at the temporary meeting place at Long Beach School District Office on Commission Road at 5:30 PM on the designated date for the bid opening. Bids will be publicly opened and read aloud at the regular meeting of the Board of Aldermen at 5:30 P.M., November 7, 2006.

Bids are invited for the furnishing of labor, equipment, tools and services needed to load and transport designated debris of various classifications from the part of Long Beach which was inundated by Hurricane Katrina. Also included is the disposal of most classifications of debris.

Contract Documents, including Bid Proposal and Technical Specifications, are on file at the Office of City Clerk, at City Hall, Long Beach, Mississippi.

Plans Bid Documents may be obtained at the office of A Garner Russell & Associates, Inc., Consulting Engineers, Hewes Avenue at 33rd Street (Post Office Box 1677), Gulfport, Mississippi 39507, upon payment of \$50.00 fee, non-refundable.

A certified check or bank draft payable to the order of City of Long Beach, Mississippi, negotiable U. S. Government bonds (at par value), or a satisfactory Bid Bond executed by the Bidder and an acceptable surety, in an amount equal to five percent (5%) of the total bid for City of Long Beach, THIRD PHASE DEBRIS REMOVAL, shall be submitted with each bid.

For bids exceeding \$50,000 Bidder must indicate his Certificate of Responsibility Number on outside of sealed proposal as required by Mississippi Law. For bids not exceeding \$50,000, Bidder must either indicate his Certificate Number, or else write clearly "Bid does not exceed \$50,000."

The City of Long Beach, Mississippi, reserves the right to reject any or all bids or to waive any informalities in the bidding.

Bids may be held by the City of Long Beach, Mississippi, for a period not to exceed sixty (60) days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of Bidders, prior to awarding of the Contract.

Done by order of the Mayor and Board of Aldermen, October 3, 2006.

City of Long Beach, Mississippi  
By **S/REBECCA SCHRUFF**  
Title CITY CLERK

October 11, 2006

PERSONALLY appeared before me, the undersigned notary public in and for Hinds County, Mississippi,

Amber Jackson

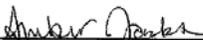
an authorized clerk of THE CLARION-LEDGER, a daily newspaper as defined and prescribed in Sections 13-3-31 and 13-3-32 of the Mississippi Code of 1972, as amended, who, being duly sworn, states that the notice, a true copy of which is hereto attached, appeared in the issues of said newspaper as follows:

Dates of Publication:

Lines: 136  
Words: 428  
Issues: 1  
Total: \$54 86

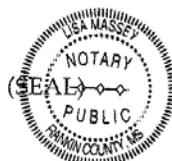
Wednesday, October 11, 2006

Signed

  
Authorized Clerk  
of The Clarion-Ledger

SWORN to and subscribed before me on  
10/11/2006

  
Notary Public



MY COMMISSION EXPIRES:  
January 12 2010

\*

\*

The Clerk further reported that ten (10) bids were properly filed, whereupon, said bids were then and there publicly opened and read aloud, as follows:

Salvage Nine  
112 North Ocean Wave  
Long Beach, MS 39560  
Bid Amount: \$ 48,965.00

Necaise Brothers Construction Company, Inc.  
21040 Coastal Parkway  
Gulfport, MS 39503  
Bid Amount: \$ 89,000.00

M.B. 56  
REG/PUBHEA:11.07.06

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

J. Levens Builders, Inc.  
5105 A Avenue  
Long Beach, MS 39560  
Bid Amount: \$ 96,875.00

Worley's Tree Service  
814 Highway 90  
Bay St Louis, MS 39520  
Bid Amount: \$ 113,850.00

Magco, Inc.  
302 Old Highway 84 Loop Road  
Laurel, MS 39443  
Bid Amount: \$ 98,000.00

Mississippi Hauling, Inc.  
1056 Highway 51 North  
Osayka, MS 39567  
Bid Amount: \$ 44,750.00

Spinks Construction, Inc.  
10592 New Dawn Lane  
St Francisville, LA 70775  
Bid Amount: \$ 81,000.00

Twin L Construction, Inc.  
8292 Firetower Road  
Pass Christian, MS 39571  
Bid Amount: \$ 137,000.00

M & D Construction Company, Inc.  
4301 Mill Avenue  
Moss Point, MS 39563  
Bid Amount: \$ 73,000.00

Gulf Equipment Corporation  
Db a Crowder-Gulf Joint Venture, Inc.  
5435 Business Parkway  
Theodore, AL 36582  
Unopened-No Certificate of Responsibility Number on Envelope

Upon discussion, Alderman Bennett made motion seconded by Alderman Notter and unanimously carried to take the aforementioned bids under advisement for review and tabulation by City Engineer John Campton, with a recommendation at the next regular meeting.

\*\*\*\*\*

There came on for consideration a letter with attachments from City Engineer John Campton, as follows:

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**



**A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS**  
520 33<sup>RD</sup> STREET, GULFPORT MS 39507  
P.O. BOX 1677, GULFPORT, MS 39502

TEL (228) 863-0667  
FAX (228) 863-5232



November 3, 2006

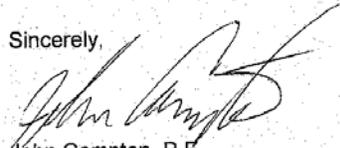
City of Long Beach  
P.O. Box 929  
Long Beach, MS 39560

Re: **Award Contract – Long Beach City Hall Exterior Doors & Windows**

Gentlemen:

Bids were received for this project on October 17. Capital Engineering is the engineer for the project. Mr. Lou Traina has provided the enclosed recommendation regarding an Award of Contract to the low bidder, and I concur with his recommendation. However, there seems to be a good possibility that 100% grant funding may become available from another source for the complete replacement of the City Hall Complex. It may be prudent to withhold immediate action on the Award for this contract, pending further information about that other grant program.

Sincerely,

  
John Campton, P.E.

JC:lt:K308  
Enclosure

cc: Lou Traina  
Mittal Rep

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

**CAPITAL**  
ENGINEERING, INC.

November 2, 2006

John Campton  
A. Garner Russell & Associates  
5230 33<sup>rd</sup> Street  
Gulfport, MS 39507

Subject: Project No. 8033  
Long Beach City Hall  
Replacement of Exterior Windows and Doors  
Bid Tabulation

John,

The following is a summary of the two bids submitted for the Replacement of Exterior Windows and Doors at the Long Beach City Hall.

Both bidders appear to meet the technical requirements of the bid documents. The order of bids is as follows:

- |  |              |
|--|--------------|
| 1. Gibson Maintenance, LLC, Long Beach, MS         | \$114,494.00 |
| 2. Flagstar Construction Company, Inc., Brandon MS | \$176,000.00 |

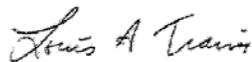
The low bidder, Gibson Maintenance, LLC is listed as a Building Construction Contractor on the Mississippi State Board of Contractors web site, and a business in good standing on the Mississippi Secretary of State's Office web site.

Based on the above data, we recommend placement of the order with the low bidder, Gibson Maintenance, LLC.

Attached is tabulation of the bids.

If you have any questions, or require additional information, please do not hesitate to contact me.

Sincerely,



Louis A. Traina, P.E.  
LAT / car

Attachment: Bid Tabulation

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6933 Indianapolis Blvd , Hammond, IN 46324 <http://www.capital-eng.com> 219-844-1984 Fax 219-845-9902

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

Project No 8033	CITY OF LONG BEACH MISSISSIPPI HURRICANE KATRINA RECOVERY LONG BEACH CITY HALL - REPLACEMENT OF EXTERIOR WINDOWS & DOORS			11/2/2006
Bid Date: October 17, 2006				
Tabulation of Bids				
Plan Holder	Cert. of Resp.	Bid Bond	Debarment Cert.	Bid Amount
Gibson Maintenance, LLC PO Box 175 Long Beach, MS 39560	13076	Yes	Yes	\$114,494 00
Flagstar Construction Company, Inc 2006 Aspen Cove Brandon, MS 39042	10817	Yes	Yes	\$176,000 00

Upon discussion, Alderman Bennett made motion seconded by Alderman Burton and unanimously carried to table bids, "HURRICANE KATRINA RECOVERY LONG BEACH CITY HALL EXTERIOR DOORS & WINDOWS REPLACEMENT".

\*\*\*\*\*

There came on for consideration a letter with attachments from City Engineer John Campton, as follows:

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**



**A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS**

520 33<sup>RD</sup> STREET, GULFPORT MS 39507  
P.O. BOX 1677 GULFPORT, MS 39502

TEL (228) 863-0667  
FAX (228) 863-5232



November 3, 2006

City of Long Beach  
P.O. Box 929  
Long Beach, MS 39560

**Re: Award Contract – Library Roof Replacement**

Gentlemen:

Bids were received for this project on October 17. Capital Engineering is the engineer for the project. Mr. Lou Traina has provided the enclosed recommendation regarding an Award of Contract to the low bidder, and I concur with his recommendation. The total planned expenditures for the permanent repairs to the Library exceed the FEMA cost estimate in the Project Worksheet by a considerable amount and we are currently working with FEMA and MEMA personnel to get the budget increased via a "Version" to the existing Project Worksheet. Progress is being made on this, but it is difficult to predict when this can be finalized.

Because of the uncertainty regarding the timetable in getting the FEMA "Version" approved, I suggest that action on this contract be tabled for at least one meeting.

Sincerely,

John Campton, P.E.

JC:lt:k308  
Enclosure

cc: Lou Traina  
Mittal Rep

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

**CAPITAL**  
ENGINEERING, INC.

November 2, 2006

John Campton  
A. Garner Russell & Associates  
5230 33<sup>rd</sup> Street  
Gulfport, MS 39507

Subject: Project No. 8033  
Long Beach Library Roof Replacement  
Bid Tabulation

John,

The following is a summary of the bids submitted for the Library Roof Replacement.

All bidders appear to meet the technical requirements of the bid documents. The order of bids is as follows:

1. Freeman's Roofing & Construction, Pace, Florida	\$81,984.91
2. Reflectech, Picayune, MS 39466	\$94,980.00
3. Independent Roofing Systems, Inc., Hattiesburg, MS	\$135,000.00
4. Thomas Industries, Mobile, AL	\$155,073.00
5. Saucier Brothers Roofing, Inc., Biloxi, MS	\$185,512.00

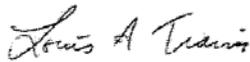
The low bidder, Freeman's Roofing and Construction is a partnership, and therefore not listed on the Mississippi Secretary of State's Office Business Entity web site. However, they are listed as a Building Construction Contractor on the Mississippi State Board of Contractors web site.

Based on the above data, we recommend placement of the order with the low bidder, Freeman's Roofing and Construction.

Attached is tabulation of the bids.

If you have any questions, or require additional information, please do not hesitate to contact me.

Sincerely,



Louis A. Traina, P.E.  
LAT / car

Attachment: Bid Tabulation

---

6933 Indianapolis Blvd., Hammond, IN 46324 <http://www.capital-eng.com> 219-844-1984 Fax 219-845-9902

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

Project No. 8033	11/2/2006			
CITY OF LONG BEACH MISSISSIPPI HURRICANE KATRINA RECOVERY LONG BEACH PUBLIC LIBRARY - ROOF REPLACEMENT				
Bid Date: October 17, 2006				
Tabulation of Bids				
Plan Holder	Cert of Resp.	Bid Bond	Debarment Cert.	Bid Amount
Freemans Roofing & Construction 4201 Auckland Road Pace, Florida 32571	15721	No Bond-Cashiers Check	Yes	\$81,984.91
Reflectech 100 Street A, Suite A Picayune, MS 39466	11133	Yes	Yes	\$94,980.00
Independent Roofing Systems, Inc. 35 Power Lane Hattiesburg, MS 39402	6047	Yes	Yes	\$135,000.00
Thomas Industries 550 St Michael Street Mobile, AL 36602	10116	Yes	Yes	\$155,073.00
Saucier Brothers Roofing, Inc. 200 Lameuse Street Biloxi, MS 39530	3663	Yes	Yes	\$185,512.00

Based upon the recommendations as set forth above, Alderman Holder made motion seconded by Alderman Bennett and unanimously carried to award the contract – HURRICANE KATRINA RECOVERY LONG BEACH PUBLIC LIBRARY ROOF REPLACEMENT – to Freeman’s Roofing and Construction in the amount of \$81,984.91, as lowest and best bid.

\*\*\*\*\*

There came on for consideration a letter with attachments from City Engineer John Campton, as follows:

Minutes of November 7, 2006  
Mayor and Board of Aldermen



A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

520 33<sup>RD</sup> STREET, GULFPORT MS 39507  
P O BOX 1677 GULFPORT MS 39502

TEL (228) 863-0667  
FAX (228) 863-5232



November 3, 2006

City of Long Beach  
P O Box 929  
Long Beach, MS 39560

Re: **Award Contract – Library Exterior Doors & Windows**

Gentlemen:

Bids were received for this project on October 17. Capital Engineering is the engineer for the project. Mr. Lou Traina has provided the enclosed recommendation regarding an Award of Contract to the low bidder, and I concur with his recommendation. The total planned expenditures for the permanent repairs to the Library exceed the FEMA cost estimate in the Project Worksheet by a considerable amount and we are currently working with FEMA and MEMA personnel to get the budget increased via a "Version" to the existing Project Worksheet. Progress is being made on this, but it is difficult to predict when this can be finalized.

Because of the uncertainty regarding the timetable in getting the FEMA "Version" approved, I suggest that action on this contract be tabled for at least one meeting.

Sincerely,

John Campton, P.E.

JC:lt:K308  
Enclosure

cc: Lou Traina  
Mittal Rep

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

**CAPITAL**  
ENGINEERING, INC.

November 2, 2006

John Campton  
A. Garner Russell & Associates  
5230 33<sup>rd</sup> Street  
Gulfport, MS 39507

Subject: Project No. 8033  
Long Beach Public Library  
Replacement of Exterior Windows and Doors  
Bid Tabulation

John,

The following is a summary of the three bids submitted for the Replacement of Exterior Windows and Doors at the Long Beach Public Library.

All three bidders appear to meet the technical requirements of the bid documents. The order of bids is as follows:

1. Gibson Maintenance, LLC, Long Beach, MS	\$146,960.00
2. Flagstar Construction Company, Inc., Brandon MS	\$184,000.00
3. Mast Construction, Inc., Tupelo, MS	\$229,000.00

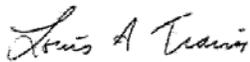
The low bidder, Gibson Maintenance, LLC is listed as a Building Construction Contractor on the Mississippi State Board of Contractors web site, and a business in good standing on the Mississippi Secretary of State's Office web site.

Based on the above data, we recommend placement of the order with the low bidder, Gibson Maintenance, LLC.

Attached is tabulation of the bids.

If you have any questions, or require additional information, please do not hesitate to contact me.

Sincerely,



Louis A. Traina, P.E.  
LAT / car

Attachment: Bid Tabulation

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6933 Indianapolis Blvd , Hammond, IN 46324 <http://www.capital-eng.com> 219-844-1984 Fax 219-845-9902

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

Project No 8033	CITY OF LONG BEACH MISSISSIPPI HURRICANE KATRINA RECOVERY LONG BEACH PUBLIC LIBRARY - REPLACEMENT OF EXTERIOR WINDOWS & DOORS			11/2/2006
Bid Date: October 17, 2006				
Tabulation of Bids				
Plan Holder	Cert of Resp.	Bid Bond	Debarment Cert.	Bid Amount
Gibson Maintenance, LLC PO Box 175 Long Beach, MS 39560	13076	Yes	Yes	\$146,960.00
Flagstar Construction Company, Inc 2006 Aspen Cove Brandon, MS 39042	10817	Yes	Yes	\$184,000.00
Mast Construction, Inc. PO Box 2699 Tupelo, MS 38803	5644	Yes	Yes	\$229,000.00

Based upon the recommendations as set forth above, Alderman Notter made motion seconded by Alderman Holder and unanimously carried to award the contract – “HURRICANE KATRINA RECOVERY LONG BEACH PUBLIC LIBRARY EXTERIOR DOORS AND WINDOWS REPLACEMENT”, to Gibson Maintenance, LLC, in the amount of \$146,960.00 as lowest and best bid.

\*\*\*\*\*

There came on for consideration a letter with attachments from City Engineer John Campton, as follows:

# Minutes of November 7, 2006 Mayor and Board of Aldermen



**A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS**

520 33<sup>RD</sup> STREET, GULFPORT, MS 39507  
P.O. BOX 1677, GULFPORT, MS 39502

TEL (228) 863-0667  
FAX (228) 863-5232



November 3, 2006

City of Long Beach  
P.O. Box 929  
Long Beach, MS 39560

**Re: Award Contract – Library & City Hall Interior Finishes**

Gentlemen:

Bids were received for this project on September 17. Capital Engineering is the engineer for the project. Mr. Lou Traina has provided the enclosed information and recommendation regarding the bids. To briefly re-summarize:

1. The bid specification as written apparently included some work items which had previously been completed by others or was otherwise unnecessary. Mr. Traina negotiated a price deduct for these items with the low bidder, who is now willing to accept a Deductive Change Order of \$52,087.00 to delete those unnecessary items from the contract, for a new net amount of \$695,913.00.
2. The bid consisted of one Lump Sum to cover repairs to both the City Hall Complex and the Library. Since these two buildings are covered by separate FEMA Project Worksheets, it is necessary to divide the bid into separate amounts for each P.W. Mr. Traina has worked with the low bidder to determine the correct breakout between the two P.W.'s.
3. There is a fairly good possibility that the City may get a large grant to replace the entire City Hall Complex, in lieu of repairing the existing one. Obviously, it makes no sense to award another contract for repairs to the old City Hall buildings until this is resolved. It is unknown at this time if the low bidder on this contract would be willing to accept a contract for the repair of just the Library.

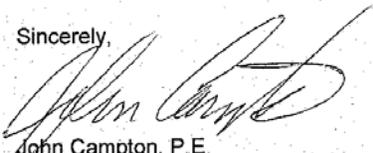
As you know, the total past and planned expenditures for repairs to the City Hall complex and the Library exceed the currently approved amounts by a considerable margin. We and the Mittal Steel engineers have been working diligently with FEMA and MEMA staff to get a "Version" of the existing Project Worksheets to cover the actual costs. Until this is accomplished, we are reluctant to recommend the award of more contracts.

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

November 3, 2006

In view of all the above, I believe it best to NOT take definitive action on an Award of Contract for this work at this time.

Sincerely,



John Campton, P.E.

JC:lt:K308  
Enclosure

cc: Lou Traina  
Mittal Rep

# Minutes of November 7, 2006 Mayor and Board of Aldermen

**CAPITAL**  
ENGINEERING, INC.

November 2, 2006

John Campton  
A. Garner Russell & Associates  
5230 33<sup>rd</sup> Street  
Gulfport, MS 39507

Subject: Project No 8033  
Long Beach Library & City Hall  
Interior Finishes  
Bid Tabulation

John,

The following is a summary of the two bids submitted for the Library and City Hall Interior Finishes.

Both bidders appear to meet the technical requirements of the bid documents. The order of bids is as follows:

- |   |              |
|---|--------------|
| 1. Flagstar Construction Company, Inc., Brandon, MS | \$748,000.00 |
| 2. Interstate Restoration Group, Fort Worth, TX     | \$962,000.00 |

The low bidder, Flagstar Construction Company, Inc. is listed as a Building Construction Contractor on the Mississippi State Board of Contractors web site, and a business in good standing on the Mississippi Secretary of State's Office web site.

Due to some confusion regarding the quantities of certain items in the specification, we requested clarifications of the bids from both bidders. We received a response from Flagstar Construction, but no response from Interstate Restoration Group. The summary of the clarifications from Flagstar are attached to this letter.

Upon review of the clarifications from Flagstar, and discussions with Flagstar representative Robert Lawrence, Flagstar deducted specific items from their bid. The deducted items total \$52,087.00. This brings their total bid price to \$695,913.00. We also asked Flagstar to break out the Library and City Hall prices. A summary of their current bid is as follows:

Original Library Bid Price:	\$325,045.00
Library Deducts:	<u>\$ 28,582.00</u>
Total Library Bid:	\$296,463.00
Original City Hall Bid Price:	\$422,955.00
City Hall Deducts:	<u>\$ 23,505.00</u>
Total City Hall Bid:	\$399,450.00
Total Library & City Hall	\$695,913.00

6933 Indianapolis Blvd , Hammond, IN 46324 <http://www.capital-eng.com> 219-844-1984 Fax 219-845-9902

# Minutes of November 7, 2006 Mayor and Board of Aldermen

November 2, 2006  
John Campton  
A. Garner Russell & Associates  
Long Beach Library & City Hall  
Interior Finishes Bid Tabulation  
Page 2 of 2

Please note that this breakdown is for information only. I did not discuss separating the contracts between the Library and City Hall with Flagstar.

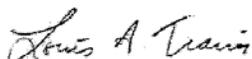
The Price Breakdown and deduct letters from Flagstar are attached. This information can be used in your discussions with FEMA/MEMA regarding funding for the projects.

Due to the large difference in the two bids, and the fact that we did not receive a response from Interstate Restoration Group on the request for clarifications, we did not pursue obtaining the deduct prices from Interstate Restoration Group.

Based on the above data, we recommend placement of the order with the low bidder, Flagstar Construction Company, Inc.

If you have any questions, or require additional information, please do not hesitate to contact me.

Sincerely,



Louis A. Traina, P.E.  
LAT / car

Attachment: Bid Tabulation  
Flagstar Price Breakdown & Deduct Letter for the Library  
Flagstar Price Breakdown & Deduct Letter for City Hall  
Flagstar Change Order No. 1

**CAPITAL**

# Minutes of November 7, 2006 Mayor and Board of Aldermen

CE PROJECT NO. 8033

LONG BEACH, MS  
PUBLIC LIBRARY CITY HALL INTERIOR FINISHES  
BIDS EVALUATION SPREADSHEET

11/02/2006

ITEM	SPECIFICATION/COMMENT	BIDDER	
		Flagstar Construction	Interstate Restoration Group, Inc.
<b>Bidder:</b>			
Contact Person		Robert Alexander Robert Lawrence	Richard Mazur
Address		2006 Aspen Cove Brandon, MS 39042	5700 Stratum Dr Fort Worth, TX 76137
Phone		601-824-4646/228-822-4702	817-293-0035
Fax		601-824-3929	817-293-0283
Email		flagstar@bellsouth.net	richardm@interstaterestoration.com
Certificate of Responsibility No.		10817	13213
Debarment Certificate	Provided w/ Bid	Yes	Yes
Bid Bond	Provided w/ Bid	Yes	Yes
Bid Price	Lump Sum	\$748,000	\$962,000
<b>COSTS BREAKDOWN: (The sum of the following items should equal bid )</b>			
		Dollars	
<b>Flooring:</b>			
Carpeting		\$59,412	
Vinyl Compositon Tile		\$104,349	
Ceramic Tile		\$14,740	
Baseboard		\$14,795	
<b>Ceilings</b>	Includes supports, tiles, insulation, etc.	\$126,839	
<b>Walls</b>	Includes studs, finshed drywall, ceramic tiles, insulation, etc.	\$51,994	
<b>Painting</b>	All	\$132,386	
<b>Plumbing</b>	Includes lavatories, water closets, urninals, faucets, dispensers, mirrors, grab bars, etc.	\$65,335	
<b>Electrical</b>	Includes fans, lights, switches, conduit, wiring, etc	\$12,321	
<b>Windows</b>	All	\$9,205	

# Minutes of November 7, 2006 Mayor and Board of Aldermen

CE PROJECT NO 8033

LONG BEACH, MS  
PUBLIC LIBRARY CITY HALL INTERIOR FINISHES  
BIDS EVALUATION SPREADSHEET

11/02/2006

<i>ITEM</i>	<i>SPECIFICATION/COMMENT</i>	<i>BIDDER</i>	
		Flagstar Construction	Interstate Restoration Group, Inc.
Doors	All	\$95,179	
Miscellaneous	Includes cabinets & water coolers Please specify any others or comment to clarify what is lumped into this category.	\$61,524	
		carpentry, elevator demo, masonry repair, re-paint logo	
Demo			
Masonry, carpentry, insulation			
Roofing			
HVAC			
	<b>TOTAL</b> (should be equal to bid price)	\$748,079	
Schedule:	Estimated total project Calendar Days:	150	
Submittals for approval	Est. number of days after receipt of order	30	
Begin work	Est. number of days after submittals approval	5	
Completion of work	Est. number of days after beginning work	150	

# Minutes of November 7, 2006 Mayor and Board of Aldermen



14116 CUSTOMS BLVD. STE. 106  
(228) 822-4720  
rdlawrence101@bellsouth.net

\* CONSTRUCTION \*

GULFPORT, MS - 39507  
FAX: (228) 822-4768  
www.flagstarconstruction.com

## COST BREAKDOWN FOR LONG BEACH LIBRARY:

1. Carpeting -	\$7130.00
2. Vinyl Composition Tile -	\$73044.00
3. Ceramic Tile -	\$12199.00
4. Baseboard -	\$5800.00
5. Ceilings -	\$87199.00
6. Walls -	\$7799.00
7. Painting -	\$62976.00
8. Plumbing -	\$28101.00
9. Electrical -	\$6720.00
10. Windows -	\$4250.00
11. Doors -	\$27424.00
12. Misc. - cabinets / carpentry / elevator demo	<u>\$22403.00</u>

TOTAL - \$325045.00

## DEDUCTS OFFERED BY FLAGSTAR CONSTRUCTION:

1. Elevator Demo -	\$1800.00
2. Anti Bacterial Spray -	\$1000.00
3. Revised ceiling s.f. -	\$10150.00
4. Revised vinyl tile s.f. -	\$13382.00
5. Revised carpet s y -	<u>\$2250.00</u>

TOTAL - \$28582.00

Robert D. Lawrence  
Project Manager



14116 CUSTOMS BLVD. STE. 106  
(228) 822-4720  
rdlawrence101@bellsouth.net

\* CONSTRUCTION \*

GULFPORT, MS - 39507  
FAX: (228) 822-4768  
www.flagstarconstruction.com

## COST BREAKDOWN FOR LONG BEACH CITY HALL:

1. Carpeting -	\$52282.00
2. Vinyl Composition Tile -	\$31305.00
3. Ceramic Tile -	\$2541.00
4. Baseboard -	\$8995.00
5. Ceilings -	\$59640.00
6. Walls -	\$44195.00
7. Painting -	\$69410.00
8. Plumbing -	\$37234.00
9. Electrical -	\$5601.00
10. Windows -	\$4955.00
11. Doors -	\$67755.00
12. Misc. - cabinets/carpentry/masonry repair/ repaint city logo/	<u>\$39042.00</u>

TOTAL - \$422955.00

## DEDUCTS OFFERED BY FLAGSTAR CONSTRUCTION:

1. Masonry repair -	\$2500.00
2. Repaint city logo -	\$1950.00
3. Revised ceiling s.f. -	\$3100.00
4. Revised vinyl tile s.f. -	\$7205.00
5. Revised carpet s y. -	<u>\$8750.00</u>

TOTAL - \$23505.00

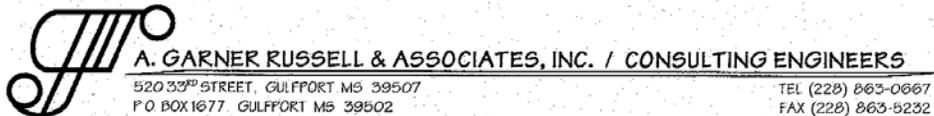
Robert D. Lawrence  
Project Manager

# Minutes of November 7, 2006 Mayor and Board of Aldermen

Upon discussion, Alderman Boggs made motion seconded by Alderman Bennett and unanimously carried to table bids – “LIBRARY AND CITY HALL INTERIOR FINISHES”.

\*\*\*\*\*

There came on for consideration a letter with attachments from City Engineer David Ball, as follows:



November 2, 2006

City of Long Beach  
P.O. Box 929  
Long Beach, MS 39560

**RE: Katrina Water & Sewer Replacement – Phase 2**

Gentlemen:

This project consists of the replacement of water and sewer infrastructure along Highway 90, from the western City Limits to Girard Avenue. It also includes the pump stations on Highway 90 and the sewer lines north along each side-street, to the first manhole north of Highway 90. Bids were received on October 17, 2006. A Certified Tabulation of Bids is enclosed.

The low bid was \$3,555,466.75 made by Onyx, Inc. from Bessemer, Alabama. Since we have not previously worked with Onyx, we requested a short list of references from similar jobs. After contacting several of their references, we can see no reason to withhold the award of this contract to them. We also requested a proposed plan for completion of the work in this project. We have enclosed letters from Onyx addressing the plan for completing the work and assurances from them concerning their intention to fully complete the project within the allotted contract time.

Furthermore, we have compared the costs associated with this job against the total allocation of funds as declared in the appropriate FEMA Project Worksheets. We feel that the scope of this project is within the approved scope of those Project Worksheets and that the cost is reasonable and does leave sufficient amounts to complete the remaining two phases of the needed replacement work. The bidding was certainly competitive, and we are unlikely to receive better prices by re-bidding the job.

At this time, we are pleased to suggest that the Award of Contract be made to Onyx, Inc., but that the Notice to Proceed be withheld until we have full concurrence from FEMA on the legitimacy of the project as-bid. We are hopeful that there will not be substantial delays like we experienced with the Phase 1 project. If you have any questions, please call. Thank you.

Sincerely,

David Ball, P.E.

DB:539  
Enclosure

cc: Tom Hale, Onyx Inc. (Fax: 205-425-5038)

Minutes of November 7, 2006  
Mayor and Board of Aldermen

FROM

(WED) NOV 1 2006 2:41/ST 2:40/No 6851685702 P 1



1240 POWDER PLANT RD SW  
BESSEMER, AL 35022

PHONE (205) 425-5045  
FAX (205) 425-5038

October 31, 2007

Mr. David Ball, P.E.  
A. Garner Russell & Associates, inc.  
520 33<sup>rd</sup> Street  
Gulfport, MS 39507

Re : Long Beach, MS  
Katrina Water & Sewer Replacement – Phase 2

Mr. Ball,

As requested, we are pleased to provide additional information regarding the above referenced project.

1. Time to Complete the Project

We believe the following is a reasonable allocation of crews to complete the installation of approximately 16,000 LF each of water and sewer in the (180) days required for this project.

Pipe Crew – works the approx. 10,000 LF of water/sewer along Hwy 90

Pipe Crew – works the approx. 6,000 LF of water/sewer along the interior roads

Service/Cleanup Crew – tie in water/sewer services, cleanup

2. Experience along Coast

Our superintendents and foremen each have 20+ years of pipeline experience. I say without hesitation that they are as qualified as any you will find. They have experience working in all conditions – swamps, underwater, rock, conventional dirt, and most importantly to this project, coastline sand, wellpointing, and dewatering.

We trust that these briefs statements have addressed your questions. Should you have any other questions, please call me at office ph 205-425-5045 or cell ph 205-966-5718.

Regards,

Tom Hale  
Vice-President

1770-JE		
GR		
JC	/	
JO		
DR		
SB	/	
DB	/	DB
JaO		
F	/	

UTILITY LINES • WATER AND WASTEWATER TREATMENT • SEWER REHAB

Minutes of November 7, 2006  
Mayor and Board of Aldermen

FROM

(WED) NOV 1 2006 21:14/ST 21:13/No 6851885705 P 1



1240 POWDER PLANT RD. SW  
BESSEMER, AL 35022

PHONE (205) 425-5045  
FAX (205) 425-5038

November 1, 2006

Mr. David Ball, P.E.  
A. Garner Russell & Associates, inc.  
520 33<sup>rd</sup> Street  
Gulfport, MS 39507  
Ph (228) 863-0667  
Fax (228) 863-5232

1770 II - KY	
GR	
JC	
JO	
DR	
SB	
DB	
JaQ	
F	

Re: Long Beach, MS  
Katrina Water & Sewer Replacement -- Phase 2

Mr. Ball,

I am pleased to respond to your inquiry regarding the time to complete the above referenced project. Onyx understands the time sensitive nature of this project and is prepared to complete the project in the (180) days required by the Contract Documents. Onyx has the personnel, equipment, and resources to complete this project in the allotted time.

We trust that these briefs statements have addressed your questions. Should you have any other questions, please call me at office ph 205-425-5045 or cell ph 205-966-5718.

Regards,  
*Tom Hale*  
Tom Hale  
Vice-President

UTILITY LINES • WATER AND WASTEWATER TREATMENT • SEWER REHAB

Based upon the recommendation as set forth above, Alderman Holder made motion seconded by Alderman Bennett and unanimously carried to award the contract – “PHASE 2 KATRINA WATER AND SEWER REPLACEMENT” – to Onyx, Inc., in the amount of \$3,555,466.75 as lowest and best bid.

\*\*\*\*\*

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

There came on for consideration a letter from Derrel Wilson, Project Manager, OPTECH, as follows:

**OPERATIONS  
TECHNOLOGIES, INC.**

# Memo

**To:** REBECCA SCHRUFF, CITY CLERK  
**From:** DERREL WILSON, PROJECT MANAGER *Derrel*  
**CC:**  
**Date:** 10/26/2006  
**Re:** BIDS FOR "PVC SEWER PIPE & FITTINGS, WATER PIPE & FITTINGS, FIRE HYDRANTS & GATE VALVES"

---

I have reviewed the bids received for the above referenced items and find that Central Pipe Supply, Inc. has submitted the lowest and best bid. I recommend the City of Long Beach award the bid for "PVC Sewer Pipe & Fittings, Water Pipe & Fittings, Fire Hydrants & Gate Valves to:

CENTRAL PIPE SUPPLY, INC.,  
101 Ware Road -- P.O. Box 5470  
Pearl, MS 39288-5470 (601) 939-3322

Based upon the recommendation of Mr. Wilson as set forth above, Alderman Notter made motion seconded by Alderman Boggs and unanimously carried to award the contract – "PVC SEWER PIPE & FITTINGS, WATER PIPE & FITTINGS, FIRE HYDRANTS & GATE VALVES" – to Central Pipe Supply, Inc. as lowest and best bid.

\*\*\*\*\*

There came on for consideration a letter with attachment from City Engineer John Campton, as follows:

Minutes of November 7, 2006  
Mayor and Board of Aldermen



A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

520 33<sup>RD</sup> STREET, GULFPORT MS 39507  
P.O. BOX 1677, GULFPORT MS 39502

TEL (228) 863-0667  
FAX (228) 863-5232



November 2, 2006

City of Long Beach  
P O Box 929  
Long Beach, MS 39560

Re: **Award of Contract – Phase 1 Harbor Repairs**

Gentlemen:

Bids were received for this contract (for the second time) on September 5. A discussion about the bids was provided in a letter dated September 14, 2006 (copy enclosed). Since the bids exceeded the FEMA cost estimate by so much, I recommended that the Board delay an Award of Contract to allow time to negotiate an increase in the allowed FEMA budget. Good progress is being made with FEMA on this, but the needed "Version" of the Project Worksheet is still not approved.

Somewhat to my surprise, the local MEMA Supervisor has recently advised that he sees no reason to delay proceeding with this contract, as long as the cost of the Phase 1 contract does not exceed the total of the current Project Worksheet (it does not). In his view, the Version which we are waiting for is needed only to fund the remainder of the work included in the Project Worksheet. In other words, it is OK if the Phase 1 contract uses all of the approved funding, even if it includes less than one half of the Scope of Work described in the Project Worksheet. I am not totally comfortable with this interpretation, but his opinion carries a lot of weight, so I suggest that we proceed based upon his assurance. My feeling on this is partially influenced by my belief that the Version will in fact be completed and approved soon, anyway.

If the Board agrees, I now recommend that a formal Award of Contract be made to the low bidder for the Phase One contract – Vice Construction Company. The amount of the contract will be \$666,502.00.

Sincerely,

John Campton, P.E.

JC:lt:1775  
Enclosure

cc: Calvin Poupart

O:\1775\Award 1775-1 110206.doc

Page 1 of 1

# Minutes of November 7, 2006 Mayor and Board of Aldermen



A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

520 53<sup>rd</sup> STREET GULFPORT MS 39507  
P.O. BOX 1677 GULFPORT MS 39502

TEL (228) 863-0667  
FAX (228) 863-5232



September 14, 2006

City of Long Beach  
P.O. Box 929  
Long Beach, MS 39560

Re: **Award of Contract –  
Hurricane Katrina Repairs – Phase 1 Long Beach Smallcraft Harbor**

Gentlemen:

This project consists of repairs to three of the six piers within the Long Beach Harbor, as authorized by FEMA. A first set of bids were received on July 18, but the two lowest of the four bids received at that time had fatal defects which eliminated them from consideration. The prices also seemed somewhat excessive, so the Board rejected those bids. New bids for the identical same project were received on September 5, and a Certified Tabulation of Bids is enclosed. All of these bids were in order.

Combining the first and second bids, a total of eight bids were received from five different bidders. All bids except for one were within a range of \$666,502 and \$783,927 – a range of less than 20%. This indicates very competitive bidding, and it appears very unlikely that better bids can be obtained.

Unfortunately, the low bid is still 59% over the estimate which we provided to FEMA for this portion of the harbor repair work, and 269% over the official estimate that FEMA used in the Project Worksheet. The enclosed worksheet entitled "Analysis of Estimated and Actual Costs" shows this. Clearly, the dollar amount of the existing Project Worksheet will require an upward adjustment before the City can proceed with this contract.

The suggested amount of this adjustment is shown on the worksheet entitled "Suggested Recalculation of Project Worksheet." Actually, two calculations are shown – one increases our original estimates by 59% (for the items yet-to-be-bid), and the other increases the FEMA estimates by 269%. Since the ratio between our estimates and the actual bids are more consistent than the ratio between the FEMA estimates and the actual bids, we suggest using the first method, which results in a lower total figure. The total amount of the P.W. would increase from \$720,830 to \$2,430,848.

Regarding the bids, we believe that the low bidder Vice Construction Company, Inc. is fully qualified to perform the work, so we will recommend an Award of Contract to them as lowest and best bidder. However, the Board may consider deferring that action for at least one meeting, to allow time for the needed adjustment in funding.

Sincerely,

John Campton, P.E.

JC:ltt:1775  
Enclosure

cc: Dexter Drayton, MEMA

F:\Temp\Award 2nd Bid 091406 doc

Page 1 of 1

Based upon the recommendation as set forth above, Alderman Holder made motion seconded by Alderman Notter and unanimously carried to award the contract – "PHASE 1 HARBOR REPAIRS" - to Vice Construction Company in the amount of \$666,502.00 as lowest and best bid.

\*\*\*\*\*

The Clerk reported that pursuant to that certain order of the Mayor and Board of Aldermen that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, Legal M.B. 56  
REG/PUBHEA:11.07.06

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

Notice, Request for Proposals, "FROM QUALIFIED FIRMS FOR PROFESSIONAL SERVICES REQUIRED FOR APPLICATION PREPARATION AND SUBSEQUENT IMPLEMENTATION OF THEIR COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC FACILITIES AND ECONOMIC DEVELOPMENT DISASTER PROGRAM", as evidenced by the Publisher's Proof of Publication.

Alderman McNary made motion seconded by Alderman Bennett and unanimously carried to spread said Proof of Publication upon the minutes of this meeting in words and figures, as follows:

**PROOF OF PUBLICATION**

**LONG BEACH, MISSISSIPPI REQUEST FOR PROPOSALS:** The City of Long Beach, Mississippi will accept sealed proposals from qualified firms for professional services required for application preparation and subsequent implementation of their Community Development Block Grant Public Facilities and Economic Development Disaster Program and/or any other program as designated for Disaster Relief by the Mississippi Development Authority. The City is seeking funding for Community Development Block Grant Public Facilities and Economic Development Disaster Assistance and a Project Administrator, Project Architect, Project Engineer, and Project Attorney will be selected to oversee various Disaster projects. Information packages concerning the request for proposals are available at City Hall, 645 Klondyke Road, P.O. Box 929, Long Beach, MS 38660-0929, between the hours of 8 A.M. and 5 P.M., Monday through Friday. The services required for this project are:

**ADMINISTRATIVE:** Assist the City and its agents in the application preparation and subsequent program administration, including management accounting, required reports to HUD and the State, implementation of applicable State and Federal laws, regulations, and requirements, establishment and maintenance of filing system, and serve as liaison between the City and the State. Firms or individuals proposing to perform administrative services should submit a list of their qualifications, experience, and capacity for performance.

**ARCHITECT:** Architectural design for construction of the proposed improvements including: all design surveys, preliminary design work, final design phase, preparation of plans and specifications, and construction inspection. Firms or individuals should submit a list of their experience, qualifications, and capacity for performance.

**ENGINEERING:** The selected engineer shall complete engineering services in accordance with applicable state and federal laws, regulations and procedures. Activities will include insuring compliance with all aspects of project design and implementation. More specific services required for this project include:

(a) Prepare plans and specifications for project.  
 (b) Construct and distribute bid packets (insuring that all Federal and State requirements are met in contract preparation).  
 (c) Assist in bid opening and prepare bid tabulation.  
 (d) Provide resident project representative to insure contractors conform to plans and specifications.  
 (e) Conduct work-in-progress inspections giving monthly reports to the City and approving any and all partial payment requests.  
 (f) Review and approve all change order requests prior to submission to the Mayor and Board of Aldermen or their designee for final approval.

**LEGAL:** Consultation services as required for the implementation of the proposed improvements as outlined in the Disaster application in accordance with State and Federal laws and regulations. Legal services shall include but not be limited to consultation services, the evaluation of all contracts and land acquisition, etc. Offerors should submit a list of their experience, qualifications, capacity for performance or within hourly rate charge. Consultation services include preparation of property records, related to any easements which might be required. Proposals for this project will be rated according to the following criteria:

1. **EXPERIENCE** with similar Community Development Block Grant Projects;  
 2. **QUALIFICATIONS**, knowledge, and technical expertise in this and similar projects;  
 3. **CAPACITY FOR PERFORMANCE** to perform required services in a timely manner, given current workload and staff.

All proposals will be rated on the following system to determine the best offer: Description and maximum points: Qualifications - 40, Experience - 40, Capacity - 20, Total - 100 Points.

Proposals will be reviewed by the selection committee using the above selection criteria. A written contract will be awarded to the firm whose proposal is within the competitive range and determined by the committee to be the most advantageous to the City, cost and other factors considered. The contract will include scope and extent of work and other essential requirements. The Mayor and Aldermen of the City of Long Beach reserve the right to reject any and all proposals and to waive any irregularities or informalities in the proposal process. The City of Long Beach is an equal opportunity employer.

Proposals should be sealed and properly labeled as CDBG DISASTER ASSISTANCE FUNDS and may be delivered or mailed to: City Clerk, City of Long Beach, 645 Klondyke Road, P.O. Box 929, Long Beach, MS 38660-0929 no later than 1:00 P.M., Thursday, October 19, 2006, after which time they will be opened by the Selection Committee. The Selection Committee will then review each proposal and select a qualified firm or individual. M-63,adv10,1,1ue

1088042

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Ashley Bearfield who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city of Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 1 times in the following numbers and on the following dates of such paper, viz:

- Vol. 123 No., 7 dated 10 day of October, 2006
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_
- Vol. \_\_\_\_\_ No., \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

Affiant further states on oath that said newspaper has been established and published continuously in said country for a period of more than twelve months next prior to the first publication of said notice.

  
Clerk

Sworn to and subscribed before me this 10 day of October, A.D., 2006

Commission Expires on:  
October 16, 2007

  
Notary Public

Printer's Fee ..... \$ \_\_\_\_\_  
 Furnishing proof of publication ..... \$ \_\_\_\_\_  
 TOTAL..... \$ \_\_\_\_\_

# Minutes of November 7, 2006 Mayor and Board of Aldermen

Upon consideration of Architectural Services, minutes of the Procurement Selection Committee were ordered spread upon the minutes of this meeting in words and figures, as follows:

## MINUTES PROCUREMENT SELECTION COMMITTEE

Nov. 1, 2006  
Date

RE: Architectural Services -- City of Long Beach

Members Present: WILLIAM SKELLIE, JR  
RICHARD BENNETT  
GEORGE BASS

The Committee reviewed 3 proposals submitted for the services referenced above using the following selection criteria for evaluation:

<u>Criteria</u>	<u>Maximum Points</u>
Qualifications	40
Experience	40
Capacity for Performance (Work Force)	<u>20</u>
<b>Total Points</b>	<b>100</b>

The Committee members assigned points to each firm or individual based on a careful review of the content of the proposal. The firm receiving the highest number of points from each Committee member received one (1) vote from each member.

<u>Committee Member</u>	<u>Firm</u>	<u>Total Points</u>	<u>Vote</u>	<u>Total Votes</u>
<u>SELECTION COMMITTEE</u>	<u>JBHM ARCHITECTS</u>	<u>100</u>	<u>Aye</u>	<u>3</u>
	<u>COMPTON ENGINEERING</u>	<u>95</u>	<u>Aye</u>	<u>3</u>
	<u>DUNN ASSOCIATES</u>	<u>95</u>	<u>Aye</u>	<u>3</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Based upon a tabulation of points, the proposal submitted by JBHM ARCHITECTS received the highest number of points

Pursuant to the HUD regulation entitled "Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments", said regulation being referred to as the "Common Rule" and the Selection and Procurement Procedures for the City of Long Beach, Mississippi, the Committee, therefore, recommends the selection of the firm of JBHM ARCHITECTS to perform Architectural Services

William Skellie, Jr  
Member Consultant Selection Committee

George Bass  
Member Consultant Selection Committee

Richard Bennett  
Member Consultant Selection Committee

\_\_\_\_\_  
Member Consultant Selection Committee

\_\_\_\_\_  
Member Consultant Selection Committee

# Minutes of November 7, 2006 Mayor and Board of Aldermen

## RECOMMENDATION OF PROCUREMENT SELECTION COMMITTEE

RE: Architectural (Type of Services)

Pursuant to HUD regulation entitled "Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments"; said regulation being referred to as the "Common Rule", Long Beach, Mississippi requested proposals for Architectural services.

The following proposals were received in the City Clerk's Office no later than 1:00 P.M. on ~~THURSDAY, OCTOBER 19,~~ 2006. The Selection Committee met on ~~WEDNESDAY~~ NOVEMBER 1, 2006 to review the proposals received from the following firms and/or individuals:

1. Dunn + Associates
2. JBHM Architects
3. Compton Engineering
4. \_\_\_\_\_
5. \_\_\_\_\_

Each Committee member assigned points to each proposal based on the content of the proposal. The firm receiving the highest number of points is deemed by this Committee to be the most advantageous to the City. We, therefore, recommend award of a contract to JBHM ARCHITECTS. The firms that were evaluated are listed in order of the points assigned.

Firm	Total Points
<u>JBHM ARCHITECTS</u>	<u>100</u>
<u>COMPTON ENGINEERING</u>	<u>95</u>
<u>DUNN + ASSOCIATES</u>	<u>95</u>
_____	_____
_____	_____

William Sullivan  
Member Consultant Selection Committee

Richard Bennett  
Member Consultant Selection Committee

[Signature]  
Member Consultant Selection Committee

\_\_\_\_\_  
Member Consultant Selection Committee

\_\_\_\_\_  
Member Consultant Selection Committee

# Minutes of November 7, 2006 Mayor and Board of Aldermen

CITY OF LONG BEACH, MISSISSIPPI  
SELECTION COMMITTEE

DATE:

SELECTION OF:      **Architectural Services**

	<u>CRITERIA</u>	<u>MAXIMUM POINTS</u>
1.	<b>QUALIFICATIONS</b> - Information reflecting qualifications of persons to be assigned to provide services	40
2.	<b>EXPERIENCE</b> - Information regarding the experience of the firm particularly Community Development Programs. The information submitted should as a minimum include: (1) Type of Federal Program; (2) The amount of Federal funds; (3) Types of project activities undertaken; (4) The Request for Proposals request detailed information with regard to experience in specific areas pertinent to Federally assisted projects	40
3.	<b>CAPACITY FOR PERFORMANCE</b> - Identify number and title of staff available to provide services. As evidence of ability, the City will consider previous record with regard to performance in Federally assisted programs	20
	<b>TOTAL POINTS</b>	<b>100</b>

<u>NAME</u>	<u>CRITERIA</u> <u>1 2 3</u>	<u>TOTAL POINTS</u>
<u>Dunn + Associates</u>	<u>40 40 15</u>	<u>95</u>
<u>JBHm Architects</u>	<u>40 40 20</u>	<u>100</u>
<u>Compton Engineering</u>	<u>40 40 15</u>	<u>95</u>
_____	----	---
_____	----	---
_____	----	---
_____	----	---
_____	----	---
_____	----	---
_____	----	---

# Minutes of November 7, 2006 Mayor and Board of Aldermen

## CERTIFICATION

This is to certify that I, WILLIAM SKELLIE, JR, am a member of the Selection Committee for the CDBG Disaster Relief Program for the City of Long Beach, Mississippi, and that I understand that I am prohibited by law from participating in the selection of or the award of a contract to a professional if a conflict of interest exists. Such a conflict would arise when:

- a. The employee, officer or agent;
- b. Any member of his immediate family;
- c. His or her partner, or
- d. An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

I have no conflict of interest in the selection of the Architects listed below:

1. Dunn + Associates
2. J B H M Architects
3. Compton Engineering
4. \_\_\_\_\_
5. \_\_\_\_\_

William Skellie, Jr  
Signature

Nov. 1, 2006  
Date

## CERTIFICATION

This is to certify that I, RICHARD BENNETT, am a member of the Selection Committee for the CDBG Disaster Relief Program for the City of Long Beach, Mississippi, and that I understand that I am prohibited by law from participating in the selection of or the award of a contract to a professional if a conflict of interest exists. Such a conflict would arise when:

- a. The employee, officer or agent;
- b. Any member of his immediate family;
- c. His or her partner, or
- d. An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

I have no conflict of interest in the selection of the Architects listed below:

1. Dunn + Associates
2. J B H M Architects
3. Compton Engineering
4. \_\_\_\_\_
5. \_\_\_\_\_

Richard Bennett  
Signature

Nov. 1, 2006  
Date

# Minutes of November 7, 2006 Mayor and Board of Aldermen

## CERTIFICATION

This is to certify that I, GEORGE BASS, am a member of the Selection Committee for the CDBG Disaster Relief Program for the City of Long Beach, Mississippi, and that I understand that I am prohibited by law from participating in the selection of or the award of a contract to a professional if a conflict of interest exists. Such a conflict would arise when:

- a. The employee, officer or agent;
- b. Any member of his immediate family;
- c. His or her partner, or
- d. An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

I have no conflict of interest in the selection of the Architects listed below:

1. Dunn + Associates
2. JBHM Architects
3. Compton Engineering
4. \_\_\_\_\_
5. \_\_\_\_\_

  
Signature

Nov. 1, 2006  
Date

Based upon the recommendation of the Procurement Selection Committee as set forth above, Alderman Notter made motion seconded by Alderman Burton and unanimously carried to award the Architectural Services to JBHM Architects.

\*

\*

Upon consideration of Engineering Services, minutes of the Procurement Selection Committee were ordered spread upon the minutes of this meeting in words and figures, as follows:

# Minutes of November 7, 2006 Mayor and Board of Aldermen

## MINUTES PROCUREMENT SELECTION COMMITTEE

Nov. 1, 2006  
Date

RE: Engineering Services – City of Long Beach

Members Present: WILLIAM SKELLIE, JR.  
RICHARD BENNETT  
GEORGE BASS

The Committee reviewed 4 proposals submitted for the services referenced above using the following selection criteria for evaluation:

Criteria	Maximum Points
Qualifications	40
Experience	40
Capacity for Performance (Work Force)	20
<b>Total Points</b>	<b>100</b>

The Committee members assigned points to each firm or individual based on a careful review of the content of the proposal. The firm receiving the highest number of points from each Committee member received one (1) vote from each member.

Committee Member	Firm	Total Points	Vote	Total Votes
SELECTION COMMITTEE <u>RNESAL ENGINEERING</u> <u>_____</u> <u>_____</u>	<u>NEEL-SCHAFFER, INC</u>	<u>100</u>	<u>Aye</u>	<u>3</u>
	<u>KARSAL ENGINEERING</u>	<u>95</u>	<u>Aye</u>	<u>3</u>
	<u>ABMB ENGINEERS INC</u>	<u>85</u>	<u>Aye</u>	<u>3</u>
	<u>CDM</u>	<u>75</u>	<u>Aye</u>	<u>3</u>

Based upon a tabulation of points, the proposal submitted by NEEL-SCHAFFER, INC received the highest number of points.

Pursuant to the HUD regulation entitled "Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments", said regulation being referred to as the "Common Rule" and the Selection and Procurement Procedures for the City of Long Beach, Mississippi, the Committee, therefore, recommends the selection of the firm of NEEL-SCHAFFER, INC to perform Engineering Services

William Skellie, Jr.  
Member Consultant Selection Committee

George Bass  
Member Consultant Selection Committee

Richard Bennett  
Member Consultant Selection Committee

\_\_\_\_\_  
Member Consultant Selection Committee

\_\_\_\_\_  
Member Consultant Selection Committee

# Minutes of November 7, 2006 Mayor and Board of Aldermen

## RECOMMENDATION OF PROCUREMENT SELECTION COMMITTEE

RE: Engineering (Type of Services)

Pursuant to HUD regulation entitled "Uniform Administrative Requirements for Grants and Cooperative Agreements to State, Local and Federally Recognized Indian Tribal Governments"; said regulation being referred to as the "Common Rule", Long Beach, Mississippi requested proposals for Engineering services

The following proposals were received in the City Clerk's Office no later than 1:00 P.M. on Thursday, October 19, 2006. The Selection Committee met on WEDNESDAY NOVEMBER 1, 2006 to review the proposals received from the following firms and/or individuals:

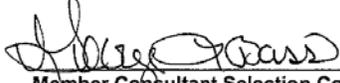
1. Neel-Schaffer, Inc
2. ABMB Engineers, Inc
3. CDM
4. Knesal Engineering Services, Inc.
5. \_\_\_\_\_

Each Committee member assigned points to each proposal based on the content of the proposal. The firm receiving the highest number of points is deemed by this Committee to be the most advantageous to the City. We, therefore, recommend award of a contract to NEEL-SCHAFFER, INC. The firms that were evaluated are listed in order of the points assigned.

Firm	Total Points
<u>NEEL-SCHAFFER, INC</u>	<u>100</u>
<u>KNESAL ENGINEERING</u>	<u>95</u>
<u>ABMB ENGINEERS INC</u>	<u>85</u>
<u>CDM</u>	<u>75</u>

  
\_\_\_\_\_  
Member Consultant Selection Committee

  
\_\_\_\_\_  
Member Consultant Selection Committee

  
\_\_\_\_\_  
Member Consultant Selection Committee

\_\_\_\_\_  
Member Consultant Selection Committee

\_\_\_\_\_  
Member Consultant Selection Committee

# Minutes of November 7, 2006 Mayor and Board of Aldermen

CITY OF LONG BEACH, MISSISSIPPI  
SELECTION COMMITTEE

DATE:

SELECTION OF:      Engineering Services

	<u>CRITERIA</u>	<u>MAXIMUM POINTS</u>
1	<b>QUALIFICATIONS</b> - Information reflecting qualifications of persons to be assigned to provide services	40
2	<b>EXPERIENCE</b> - Information regarding the experience of the firm particularly Community Development Programs. The information submitted should as a minimum include: (1) Type of Federal Program; (2) The amount of Federal funds; (3) Types of project activities undertaken; (4) The Request for Proposals request detailed information with regard to experience in specific areas pertinent to Federally assisted projects.	40
3	<b>CAPACITY FOR PERFORMANCE</b> - Identify number and title of staff available to provide services. As evidence of ability, the City will consider previous record with regard to performance in Federally assisted programs.	20
<b>TOTAL POINTS</b>		<b>100</b>

<u>NAME</u>	<u>CRITERIA</u> <u>1 2 3</u>	<u>TOTAL POINTS</u>
<u>Neel-Schaffer, Inc</u>	40 40 20	100
<u>ABMB Engineers, Inc</u>	35 35 15	85
<u>CDM</u>	30 30 15	75
<u>Knesal Engineering Services, Inc</u>	40 40 15	95
_____	---	---
_____	---	---
_____	---	---
_____	---	---
_____	---	---
_____	---	---

# Minutes of November 7, 2006 Mayor and Board of Aldermen

## CERTIFICATION

This is to certify that I, WILLIAM SKELLIE, JR, am a member of the Selection Committee for the CDBG Disaster Relief Program for the City of Long Beach, Mississippi, and that I understand that I am prohibited by law from participating in the selection of or the award of a contract to a professional if a conflict of interest exists. Such a conflict would arise when:

- a. The employee, officer or agent;
- b. Any member of his immediate family;
- c. His or her partner, or
- d. An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

I have no conflict of interest in the selection of the Engineers listed below:

1. NEEL-SCHAFFER, INC.
2. ABMB ENGINEERS, INC.
3. CDM
4. KUESAL ENGINEERING SERVICES, INC.
- 5.

William Skellie  
Signature

Nov. 1, 2006  
Date

## CERTIFICATION

This is to certify that I, RICHARD BENNETT, am a member of the Selection Committee for the CDBG Disaster Relief Program for the City of Long Beach, Mississippi, and that I understand that I am prohibited by law from participating in the selection of or the award of a contract to a professional if a conflict of interest exists. Such a conflict would arise when:

- a. The employee, officer or agent;
- b. Any member of his immediate family;
- c. His or her partner, or
- d. An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

I have no conflict of interest in the selection of the Engineers listed below:

1. NEEL-SCHAFFER, INC.
2. ABMB ENGINEERS, INC.
3. CDM
4. KUESAL ENGINEERING, INC.
- 5.

Richard Bennett  
Signature

Nov. 1, 2006  
Date

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

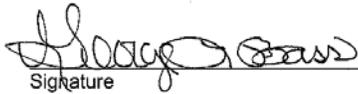
**CERTIFICATION**

This is to certify that I, GEORGE BASS, am a member of the Selection Committee for the CDBG Disaster Relief Program for the City of Long Beach, Mississippi, and that I understand that I am prohibited by law from participating in the selection of or the award of a contract to a professional if a conflict of interest exists. Such a conflict would arise when:

- a. The employee, officer or agent;
- b. Any member of his immediate family;
- c. His or her partner, or
- d. An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award

I have no conflict of interest in the selection of the Engineers listed below:

- 1. NEEL-SCHAFFER, INC.
- 2. ADM ENGINEERS, INC.
- 3. CDM
- 4. KNESAL ENGINEERING SERVICES, INC.
- 5. \_\_\_\_\_

  
\_\_\_\_\_  
Signature

NOV. 1, 2006  
\_\_\_\_\_  
Date

Based upon the recommendation of the Procurement Selection Committee as set forth above, Alderman Notter made motion seconded by Alderman Burton and unanimously carried to award Engineering Services to Neel-Shaffer, Inc.

\* \* \*

The Procurement Selection Committee reported that one (1) proposal for Administrative Services was properly filed, whereupon, Alderman Holder made motion seconded by Alderman Bennett and unanimously carried to award Administrative Services to Jimmy G. Gouras Urban Planning Consultants, Inc.

\* \* \*

It was noted that no proposals for legal services were submitted and it was determined that legal counsel would be retained if and when necessary.

\* \* \*

Upon further discussion of the Community Development Grant Public Facilities and Economic Development Disaster Program, Alderman Bennett offered and moved the adoption of the following resolution:

# Minutes of November 7, 2006 Mayor and Board of Aldermen

## RESOLUTION DESIGNATING THE BOUNDARIES OF THE DOWNTOWN AREA OF THE CITY OF LONG BEACH, MISSISSIPPI, AND FOR RELATED PURPOSES

WHEREAS, the State of Mississippi has received 2006 Katrina Supplemental Community Development Block Grant (CDBG) funds through the U.S. Department of Housing and Urban Development (HUD), said funds to be used for the rebuilding, recovery, and renaissance of Mississippi municipalities and counties lying within the presidentially declared disaster area impacted by Hurricane Katrina; and

WHEREAS, the Mississippi Development Authority (MDA) is designated as the State of Mississippi's lead agency for administering the 2006 Katrina Supplemental CDBG disaster funds and has developed an Amended Partial Action Plan No. 4, which, among other things, has allocated 2006 Katrina Supplemental CDBG funds for community revitalization in downtown areas of the six coastal counties of Mississippi, including Hancock County, Harrison County, Jackson County, George County, Stone County, and Pearl River County; and

WHEREAS, the 2006 Katrina Supplemental CDBG disaster funds is restricted for use in eligible CDBG projects lying exclusively within downtown areas of the municipalities situated within the six coastal counties listed above; and

WHEREAS, the City of Long Beach intends to apply for the said 2006 Katrina Supplemental CDBG funds for the rebuilding, recovery, and renaissance of the downtown area of the City of Long Beach; and

WHEREAS, it is deemed necessary and appropriate for the Mayor and Board of Aldermen to exercise its legislative powers and authority to define the boundaries of the downtown area as depicted on the map entitled "Map Designating the Boundaries of the Downtown Area of the City of Long Beach", said map attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH THAT:

SECTION ONE: The map entitled "Map Designating the Boundaries of the Downtown Area of the City of Long Beach" attached hereto and made a part hereof is the official map of the downtown areas of the City of Long Beach, and the boundaries delineated on the said map are hereby declared to be the official boundaries of the downtown areas of the City of Long Beach.

SECTION TWO: William Skellie, Mayor in and of the City of Long Beach, be and is hereby authorized to submit applications for 2006 Katrina Supplemental CDBG disaster funding to assist in the rebuilding, recovery, and renaissance of the downtown areas of the City of Long Beach

SECTION THREE: William Skellie, Mayor in and of the City of Long Beach, be and is hereby authorized to execute any and all documents necessary and pertinent to the preparation and submittal of applications for CDBG funds for rebuilding, recovery, and renaissance of the downtown areas and is hereby authorized to execute grant agreements and other documents necessary for the acceptance of such grants and subsequent implementation of said grants if any are offered by the MDA to the City of Long Beach.

RESOLVED, this the 7<sup>th</sup> day of NOV. 2006

City of Long Beach, Mississippi

\_\_\_\_\_  
William Skellie, Mayor

ATTEST:

  
\_\_\_\_\_  
Rebecca E. Schruoff, City Clerk

Alderman Boggs seconded the motion and, the question being put to a roll call vote by the Mayor, the result was as follows:

The question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Richard Notter	voted	Aye
Alderman Richard Burton	voted	Aye
Alderman Charles Boggs	voted	Aye
Alderman Richard Bennett	voted	Aye



Minutes of November 7, 2006  
Mayor and Board of Aldermen



A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

520 33<sup>RD</sup> STREET, GULFPORT, MS 39507  
P.O. BOX 1677, GULFPORT, MS 39502

TEL (228) 863-0667  
FAX (228) 863-5232



November 2, 2006

City of Long Beach  
P.O. Box 929  
Long Beach, MS 39560

**RE: Bid Schedule:  
Drainage Ditch Reconditioning  
Drainage Pipe Cleaning – South of the CSX Railroad  
Restoration of Drainage Structures**

Gentlemen:

We are pleased to present herewith the bid documents for the three referenced projects, all of which aim to restore the City's ditches, drainage culverts, and drainage structures to their condition prior to Hurricane Katrina, as approved by FEMA Project Worksheets.

The first contract referenced provides for the reconditioning of drainage ditches throughout the City. This contract will repair the drainage ditches within the City, both roadside and easement ditches. Any debris remaining in the ditches will be removed, a typical ditch cross-section will be utilized to restore the ditches, and rip-rap erosion control will be used in some high-flow areas of ditches to prevent erosion after the repair efforts. A stand of grass will be established after the reconditioning of the ditches to secure the ditch banks.

The second and third contracts referenced are for the cleaning of the drainage pipes and the repair or replacement of drainage structures south of the CSX Railroad within the City of Long Beach. These contracts provide for the cleaning of drainage boxes, culverts, and road crossings, including the removal of debris, sand, and other unwanted elements from the structures; included in the third project is the repair or replacement of various drainage boxes throughout the inundated area of the City which were damaged by the hurricane.

If the City is ready to proceed with this contract at this time, the following bidding schedule is suggested for each of the three contracts:

Authorize Advertisement:	November 7, 2006
First Advertisement:	November 13, 2006
Second Advertisement:	November 20, 2006
Receive Bids:	December 19, 2006

Sincerely,

David Ball, P.E.

DB:1783/1794/1795

O:\1783\Advert Schedule 110206.doc

Page 1 of 1

Upon discussion, Alderman Holder made motion seconded by Alderman Burton and unanimously carried to approve the advertisement for bids as set forth above.

\*\*\*\*\*

The Mayor announced that the varsity football team made the second round play-offs.

\*\*\*\*\*

Alderman Boggs made motion seconded by Alderman Burton to suspend the rules and amend the Municipal Docket to include the following:

M.B. 56  
REG/PUBHEA:11.07.06

**Minutes of November 7, 2006**  
**Mayor and Board of Aldermen**

Item X.6. UNFINISHED BUSINESS – Amendments to Zoning Ordinance, Section 704, Nonconforming Structures.

The question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Richard Notter	voted	Aye
Alderman Richard Burton	voted	Aye
Alderman Charles Boggs	voted	Aye
Alderman Richard Bennett	voted	Nay
Alderman Allen D. Holder, Jr.	voted	Nay
Alderman Mark Lishen	voted	Aye
Alderman Joseph McNary	voted	Aye

The question having received the affirmative vote of a majority of the Aldermen present and voting, the Mayor declared the motion carried.

\*\*\*\*\*

Alderman McNary made motion seconded by Alderman Notter and unanimously carried to approve the regular meeting and executive session minutes of the Mayor and Board of Aldermen dated October 17, 2006, as submitted.

\*\*\*\*\*

Alderman McNary made motion seconded by Alderman Notter and unanimously carried to approve the October 26, 2006, Planning Commission minutes, as submitted.

\*\*\*\*\*

Alderman McNary made motion seconded by Alderman Notter and unanimously carried to approve the September 19, 2006, Port Commission minutes, as submitted.

\*\*\*\*\*

Upon clarifications and corrections, Alderman McNary made motion seconded by Alderman Notter and unanimously carried to approve payment of invoices as listed in Docket of Claims number 110706.

\*\*\*\*\*

Based upon the recommendation of Deputy Fire Chief Jerry Dubuisson and certification by the Civil Service Commission, Alderman Bennett made motion seconded by Alderman McNary and unanimously carried to approve Fire Department personnel matters, as follows:

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

Resignation Firefighter 1<sup>st</sup> Class Bobby Powell effective November 15, 2006;  
Resignation Lieutenant Brian Dees effective November 15, 2006;  
Resignation Firefighter 1<sup>st</sup> Class Pat Ladner effective November 15, 2006;  
Resignation Firefighter 1<sup>st</sup> Class Kevin Dill effective November 15, 2006;  
Hire Firefighter 1<sup>st</sup> Class Clayton Franklin, PS-9-Basic, effective November 16, 2006  
Hire Firefighter Recruit Jay Lonhair, PS-5, effective November 16, 2006;  
Hire Firefighter 1<sup>st</sup> Class John Byrd, PS-9-II, effective November 16, 2006;  
Hire Firefighter 1<sup>st</sup> Class Heath Mitchell, PS-9-Basic, November 16, 2006;  
Step Increase Lieutenant Griff Skillie, PS-14-VI, effective December 1, 2006;  
Step Increase Lieutenant Van Seal, PS-14-VI, effective December 1, 2006;  
Step Increase Battalion Chief Scott Dubuisson, PS-18-III, December 1, 2006;  
Step Increase Deputy Chief Jerry Dubuisson, PS-19-V, November 1, 2006;  
Step Increase Deputy Mike Brown, PS-19-V, November 1, 2006;

\*\*\*\*\*

Alderman Notter made motion seconded by Alderman Bennett and unanimously carried to extend the Proclamation of Civil Emergency – Hurricane Katrina, to protect and preserve the public health and safety of the community.

\*\*\*\*\*

Based upon the recommendation of Police Chief Wayne McDowell and certification by the Civil Service Commission, Alderman Holder made motion seconded by Alderman Notter and unanimously carried to approve Police Department personnel matters, as follows:

Reinstate Dispatcher 1<sup>st</sup> Class Crystal Pittman, PS-3-I, effective November 1, 2006;  
Promote Patrol Sergeant Ray Bell, PS-12-III, effective December 1 2006.

\*\*\*\*\*

There came on for consideration a letter from City Engineer David Ball, as follows:

Minutes of November 7, 2006  
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A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS

520 33<sup>RD</sup> STREET, GULFPORT, MS 39507  
P.O. BOX 1677, GULFPORT, MS 39502

TEL (228) 863-0667  
FAX (228) 863-5232



October 31, 2006

City of Long Beach  
P.O. Box 929  
Long Beach, MS 39560

**RE: Abandon Right-of-Way of Cheri Lane**

Gentlemen:

We have received a complaint to vacate a portion of the right-of-way of Cheri Lane. Cheri Lane only served the Cheri Lane apartments, which were destroyed by storm surge during Hurricane Katrina. The Plaintiff proposed to abandon only that portion of Cheri Lane which is surrounded on both sides by his property, leaving an approximate 100' length of right-of-way for access to the property from Magnolia Street.

We see no problem with abandoning the right-of-way proposed by the Plaintiff, assuming that the City's water main on the property will be abandoned in place. Furthermore, a portion of the property is served by an existing sewer line which connects to the City sewer system on Shelter Rock; the Plaintiff should have no right to demolish any sewer system not actually within his property to ensure that no third party is inadvertently cut off from the public sewer system.

If you have any questions, please call. Thank you.

Sincerely,

David Ball, P.E.

DB:539

Based upon the information as set forth above, Alderman Bennett made motion seconded by Alderman McNary and unanimously carried to abandon the right-of-way, Cheri Lane, directing the City Attorney to prepare the necessary documents.

\*\*\*\*\*

Alderman Bennett made motion seconded by Alderman Holder and unanimously carried authorizing the advertise for school board appointment.

\*\*\*\*\*

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

Alderman Holder made motion seconded by Alderman Notter and unanimously carried to take the allocation of funds – Harrison County Soil and Water Conservation District – under advisement for additional review and information.

\*\*\*\*\*

There came on for consideration again the abandonment of drainage easement, English Village Subdivision, as filed by Jocelyn Turnbough.

After considerable discussion, Alderman Burton made motion seconded by Alderman Holder and unanimously carried directing the City Attorney to file answer, “no contest”, and defer to the discretion of the court.

\*\*\*\*\*

There came on for discussion Robert’s Rules of Order and Alderman Holder made motion seconded by Alderman Bennett to conduct business meetings under the present format.

\* \* \* \* \*

Alderman Burton offered substitute motion seconded by Alderman Boggs to table the matter and the question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Richard Notter	voted	Aye
Alderman Richard Burton	voted	Aye
Alderman Charles Boggs	voted	Aye
Alderman Richard Bennett	voted	Nay
Alderman Allen D. Holder, Jr.	voted	Nay
Alderman Mark Lishen	voted	Nay
Alderman Joseph McNary	voted	Nay

The question having received the NEGATIVE vote of a majority of the Aldermen present and voting, the Mayor declared the motion NOT CARRIED.

\* \* \* \* \*

The question on the original motion being put to a roll call vote by the Mayor, the result was as follows:

Alderman Richard Notter	voted	Nay
Alderman Richard Burton	voted	Nay
Alderman Charles Boggs	voted	Nay
Alderman Richard Bennett	voted	Aye

**Minutes of November 7, 2006  
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Alderman Allen D. Holder, Jr.	voted	Aye
Alderman Mark Lishen	voted	Aye
Alderman Joseph McNary	voted	Aye

The question having received the AFFIRMATIVE vote of a majority of the Aldermen present and voting, the Mayor declared the motion to conduct business meetings under the present format carried.

\*\*\*\*\*

Alderman Lishen made motion seconded by Alderman Holder and unanimously carried directing the Planning Commission to draft amendments and conduct public hearings regarding the 100 year storm ordinance, retention ponds.

\*\*\*\*\*

There came on for consideration a letter with attachment from Hayes and Colleen Johnson regarding the Long Beach Youth Commission, as follows:

# Minutes of November 7, 2006 Mayor and Board of Aldermen

**Long Beach Youth Commission**  
P.O. Box 717  
Long Beach, MS 39560-0717

Mayor and Board of Aldermen  
c/o Rebecca E. Schruoff, City Clerk  
City of Long Beach  
P.O. Box 929  
Long Beach, MS 39560

Re: Long Beach Youth Commission

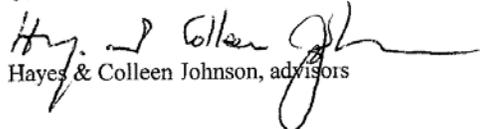
Dear Mayor and Board of Aldermen:

We are proud to present the attached list of candidates to become members of the first Long Beach Youth Commission. We request that you place the commission on the city's agenda for Nov. 7, 2006, and appoint these candidates and advisors to serve the city.

As you recall, you created the commission through Ordinance No. 526. We advertised for applicants through local media, schools and churches. Some of Long Beach's brightest young citizens applied, and we are confident these candidates represent a cross section of our community.

We look forward to meeting with you on November 7.

Sincerely;

  
Hayes & Colleen Johnson, advisors

---

**LONG BEACH YOUTH COMMISSION**  
P.O. Box 717 Long Beach, MS 39560  
228.822.0016-office; 228.868.5499-fax

Hayes & Colleen Johnson, advisors  
228.214.9626-home; 228.669.8845-cell  
Email: [ihavesj@aol.com](mailto:ihavesj@aol.com), [cafahey@aol.com](mailto:cafahey@aol.com)

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

<b>COMMISSIONER</b>	<b>SCHOOL/YR</b>	<b>ADDRESS</b>
Hayley Alexander	LBHS, 12	12 Barbara Ct. Long Beach, MS 39560
Katy Koon	LBHS, 12	133 N. Seashore Ave. Long Beach, MS 39560
Stephen D. Passman	SSC, 12	122 Valentine Dr. Long Beach, MS 39560
Tahera Taylor	LBHS, 12	20296 Longview Rd Long Beach, MS 39560
Lindsay Ward	LBHS, 12	730 Briarwood Dr. Long Beach, MS 39560
Cassie Bryant	LBHS, 11	4 Beau Braun Dr. Long Beach, MS 39560
Alphonso Campbell	LBHS, 11	5508 Paula Drive Long Beach, MS 39560
Megan Gargiulo	OLA, 11	8 Beau Braun Drive Long Beach, MS 39560
Samantha Owen	LBHS, 11	4401 Beatline Rd., Apt. 1A Long Beach, MS 39560
Kristin Sharp	LBHS, 11	205 James Dr. Long Beach, MS 39560
Katie Cook	LBHS, 10	319 Ferguson Ave. Long Beach, MS 39560
Matthew Magandy	St John, 10	5519 Gates Ave. Long Beach, MS 39560
Tyler McCaleb	LBHS, 10	5558 Gates Ave. Long Beach, MS 39560
Gage Weeks	LBHS, 10	316 E. 3 <sup>rd</sup> St. Long Beach, MS 39560
Dyian Wren	Home, 10	418 St. Augustine Ave. Long Beach, MS 39560
Michelle Bullock	LBHS, 9	207 Greenwood Long Beach, MS 39560
Hayes & Colleen Johnson Advisors		2 Beau Braun Drive Long Beach, MS 39560

Upon discussion, Alderman Notter made motion seconded by Alderman Burton and unanimously carried to approve the appointments as set forth above.

\*\*\*\*\*

Be it remembered that at a duly constituted meeting of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, held on the 7<sup>th</sup> day of November, 2006, Alderman Holder moved the adoption the following Resolution:

**A RESOLUTION OF THE CITY OF LONG BEACH, MISSISSIPPI  
DECLARING PRIVATE PROPERTY TO BE NECESSARY FOR THE  
PUBLIC USE AND RESOLVING TO EMPLOY AND AUTHORIZE**

**Minutes of November 7, 2006  
Mayor and Board of Aldermen**

**VIRGIL G. GILLESPIE, ATTORNEY AT LAW, ON BEHALF OF THE CITY OF LONG BEACH, MISSISSIPPI TO NEGOTIATE ACQUISITION OF PROPERTY TO BE USED TO WIDEN AND IMPROVE CERTAIN ROADS AND BRIDGES AND TO PROSECUTE SUITS FOR EMINENT DOMAIN PERTAINING TO SUCH BRIDGE-WIDENING PROJECTS ON PINEVILLE ROAD AND KLONDYKE ROAD.**

WHEREAS, it is necessary to consider the acquisition of private property for the public use for the purpose of widening and improving certain roads and bridges within the City of Long Beach, Mississippi; and,

WHEREAS, said parcels of property are necessary and needed for the public use; and ,

WHEREAS, it is necessary for the public welfare and safety to widen the right-of-way and bridges over Canal # 1 on Pineville Road and on Klondyke Road; and,

WHEREAS, it is necessary to employ Virgil G. Gillespie, Attorney at Law, who is experienced in such matters, to represent the City in this matter; and,

WHEREAS, it is necessary to authorize Virgil G. Gillespie, on behalf of the City of Long Beach, to employ two licensed Real Estate Appraisers, for the purpose of determining just compensation and damages based on fair market value that the City may reasonably be expected to pay to acquire such property; and,

WHEREAS, Virgil G. Gillespie should be authorized to proceed with employing such Appraisers, negotiation and acquisition of said properties for such purpose, and to proceed with suits for Eminent Domain if efforts to acquire the property interests by negotiation (by way of either donation or for the appraised value) are unsuccessful; and,

WHEREAS, the City Clerk should be authorized to issue checks in the amount of \$115.00 for each case for the deposit on costs as required by the Special Court of Eminent Domain in order to file eminent domain suits; and, if suit is filed and the Special Court of Eminent Domain appoints an Appraiser for quicktake purposes pursuant to statutory authority, special checks in the amount of \$1,000.00 for each case should be authorized for payment to the Court appointed Appraiser; and, special checks should be authorized for payment into Court of quicktake compensation set by the Court in each case; and,

WHEREAS, the City Clerk would be authorized to issue special checks to the property owners and interested parties for the conveyance of their rights and required

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property interest for the appraised values as herein set forth, if negotiations with such owners and interested parties are successful.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

Section 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the City of Long Beach, Mississippi.

Section 2. That Virgil G. Gillespie, Attorney at Law, be, and he hereby is, employed and authorized to do any and all things necessary to acquire the property herein described on behalf of the City of Long Beach and to otherwise fulfill the purpose and intent of this Resolution.

Section 3. That Virgil G. Gillespie, Attorney at Law be authorized on behalf of the City of Long Beach, Mississippi, to employ Doug Singletary and Sidney Cullifer (or other licensed appraisers, if they are not available) as Appraisers to determine just compensation for the properties to be acquired from the property owners and interested parties.

Section 4. That said Virgil G. Gillespie be authorized to commence and prosecute suits for eminent domain to take and condemn said properties where negotiations fail; and, when suit is required, a check in the amount of \$115.00 for each case is hereby authorized to be issued to the Clerk of the County Court of the First Judicial District of Harrison County, Mississippi for the filing fee in each case. Checks for \$1,000.00 are hereby authorized to be issued to the Court appointed Appraiser in each such case in the event a quicktake appraisal is necessary and ordered by the Court. Checks for quicktake amounts as authorized by the Court are hereby authorized to be issued, payable to the Court, for each such property where so ordered.

Section 5. The said Virgil G. Gillespie is authorized hereby to institute proceedings for immediate possession under the authority of Section 11-27-81(c) of the Mississippi Code, so that immediate ownership and possession may be acquired by the City of Long Beach for this project, which is for the purpose of acquiring rights of way for widening existing roads and streets of the City of Long Beach, Mississippi.

Section 4. The aforesaid Virgil G. Gillespie, Attorney at Law, is hereby authorized to do any and all things necessary and proper to acquire the fee simple title to the property interests hereinabove recited by donation or for the appraised value of compensation and damages as set forth above; and, in the event negotiations are

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successful, checks are hereby authorized to be issued to the owners and interested parties for the total sum not to exceed the appraised value (in the event of negotiated purchases of properties). Checks are also authorized to pay jury verdicts, not to exceed the jury verdict and applicable statutory interest in appropriate situations.

Section 5. The properties to be acquired and which are required for the public purpose and the public use is owned and described as follows:

(1) Owner: Jacqueline Gordon

Tax Parcel No. 0611N-04-006.000

DESCRIPTION: (Parcel P1) A parcel of land located in Lot 53 of the Henderson-Shipman-Hughes Partition of the Bartholomew Pellerin Grant, Township 8 South, Range 12 West, First Judicial District of Harrison County, Mississippi and being more particularly described as follows:

BEGINNING at a point situated on the present Northeasterly margin of Pineville Road with the East line of the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 8 South, Range 12 West, if land had been regularly surveyed by the United States into Congressional Subdivision, said point also being North 34 degrees 25 minutes 38 seconds East a distance of 20.00 feet from station 3+01.82 of project Pineville Road at Canal Number 1-Bridge "B" and thence run North 00 degrees 16 minutes 44 seconds East a distance

of 30.21 feet to a point; thence run North 55 degrees 34 minutes 22 seconds West a distance of 82.54 feet to a point; thence run along a curve to the right with a radius of 455.00 feet a distance of 41.51 feet, ( chord bearing and distance = North 52 degrees 57 minutes 33 seconds West, 41.50 feet ); thence run North 50 degrees 20 minutes 44 seconds West a distance of 96.35 feet to a point situated on the Southeasterly margin of Canal #1; thence run South 32 degrees 54 minutes 24 seconds West along said Southeasterly margin a distance of 27.45 feet to a point situated on the present Northeasterly margin of Pineville Road; thence run South 50 degrees 16 minutes 10 seconds East along said Northeasterly margin a distance of 39.64 feet to a point; thence run South 52 degrees 55 minutes 44

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seconds East along said Northeasterly margin a distance of 99.09 feet to a point; thence run South 55 degrees 34 minutes 22 seconds East along said Northeasterly margin a distance of 97.71 feet to the point of beginning. Said parcel contains 5,844.3 square feet, more or less. Said parcel is also described as being located in the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 8 South, Range 12 West if land had been regularly surveyed by the United States into Congressional Subdivision.

(2) Owner: Jones Builders, Inc.

Tax Parcel No. 0611L-04-001.000

DESCRIPTION: (Parcel P2) A parcel of land located in Lot 53 of the Henderson-Shipman-Hughes Partition of the Bartholomew Pellerin Grant, Township 8 South, Range 12 West, First Judicial District of Harrison County, Mississippi and being more particularly described as follows:

BEGINNING at a point situated on the present Northeasterly margin of Pineville Road with the Northwesterly margin of Canal #1, said point also being North 39 degrees 39 minutes 16 seconds East a distance of 17.78 feet from station 5+70.10 of project Pineville Road at Canal Number 1-Bridge "B"; thence from said point of beginning run North 32 degrees 54 minutes 24 seconds East a distance of 27.41 feet to a point; thence run North 50 degrees

20 minutes 44 seconds West a distance of 47.11 feet to a point; thence run along a curve to the right with a radius of 1,955.00 feet a distance of 75.78 feet, ( chord bearing and distance = North 49 degrees 14 minutes 06 seconds West, 75.78 feet ) to a point; thence run North 48 degrees 07 minutes 29 seconds West a distance of 87.14 feet to a point; thence run South 41 degrees 52 minutes 31 seconds West a distance of 25.10 feet to a point situated on the present Northeasterly margin of Pineville Road; thence run South 48 degrees 04 minutes 41 seconds East along said Northeasterly margin a distance of 84.98 feet to a point; thence run South 48 degrees 17 minutes 14 seconds East along said Northeasterly margin a

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distance of 99.70 feet to a point; thence run South 50 degrees 16 minutes 10 seconds East a distance of 29.60 feet to the point of beginning. Said parcel contains 5,455.8 square feet, more or less. Said parcel is also described as being located in the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 8 South, Range 12 West if land had been regularly surveyed by the United States into Congressional Subdivision.

(3) Easement

Owner of Easement: Mississippi Power Company

(Parcel P3) A portion of land lying within Parcel P2 that encumbers the Mississippi Power Company Easement.

DESCRIPTION (Parcel P3) A parcel of land located in Lot 53 of the Henderson-Shipman-Hughes Partition of the Bartholomew Pellerin Grant, Township 8 South, Range 12 West, First Judicial District of Harrison County, Mississippi and being more particularly described as follows:

Commencing at a point situated on the present Northeasterly margin of Pineville Road with the Northwesterly margin of Canal #1, said point also being North 39 degrees 39 minutes 16 seconds East a distance of 17.78 feet from station 5+70.10 of project Pineville Road at Canal Number 1-Bridge "B"; thence run North 32 degrees 54 minutes 24 seconds East a distance of 27.41 feet to a point; thence run North 50 degrees 20 minutes 44 seconds West

a distance of 27.88 feet to the POINT OF BEGINNING; thence from said point of beginning, continue North 50 degrees 20 minutes 44 seconds West a distance of 19.23 feet to a point; thence run along a curve to the right with a radius of 1,955.00 feet a distance of 75.78 feet, ( chord bearing and distance = North 49 degrees 14 minutes 06 seconds West, 75.78 feet ) to a point; thence run North 48 degrees 07 minutes 29 seconds West a distance of 6.25 feet to a point; thence run South 31 degrees 37 minutes 35 seconds West a distance of 25.57 feet to a point situated on the present Northeasterly margin of Pineville Road; thence run South 48 degrees 17

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minutes 14 seconds East along said Northeasterly margin a distance of 99.23 feet to a point; thence run South 50 degrees 16 minutes 10 seconds East along said Northeasterly margin a distance of 2.33 feet to a point; thence run North 31 degrees 37 minutes 35 seconds East a distance of 27.45 feet to the point of beginning. Said parcel contains 2,615.5 square feet, more or less. Said parcel is also described as being located in the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 8 South, Range 12 West if land had been regularly surveyed by the United States into Congressional Subdivision.

(4) Owner: Coast Cable TV

Tax Parcel No. 0611M-01-004.002

DESCRIPTION: (Parcel P4) A parcel of land located in Lot 53 of the Henderson-Shipman-Hughes Partition of the Bartholomew Pellerin Grant, Township 8 South, Range 12 West, First Judicial District of Harrison County, Mississippi and being more particularly described as follows:

BEGINNING at an iron rod situated on the present Southwesterly margin of Pineville Road with the Northwesterly margin of Canal #1, said point also being South 39 degrees 39 minutes 16 seconds West a distance of 22.99 feet from station 5+70.82 of project Pineville Road at Canal Number 1-Bridge "B"; thence from said point of beginning run South 53 degrees 50 minutes 20 seconds West a distance of 12.39 feet to a point; thence run North 50 degrees 20 minutes 44 seconds West a distance of 46.57 feet to a point; thence run along a curve to the right with a radius of 2,035.00 feet a distance of 78.88 feet, ( chord bearing and distance = North 49 degrees 14 minutes 06 seconds West, 78.88 feet ) to a point; thence run North 41 degrees 52 minutes 31 seconds East a distance of 14.84 feet to a point situated on the present Southwesterly margin of Pineville Road; thence run South 48 degrees 17 minutes 14 seconds East along said Southwesterly margin a distance of 98.34 feet to a point; thence run South 48 degrees 46 minutes 05 seconds East along said Southwesterly margin a distance of 29.63 feet to the point of beginning. Said parcel contains 1,748.3 square

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feet, more or less. Said parcel is also described as being located in the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 8 South, Range 12 West if land had been regularly surveyed by the United States into Congressional Subdivision.

(5) Easement

Owner: Mississippi Power Company

(Parcel P5) A portion of land lying within Parcel P4 that encumbers the Mississippi.

DESCRIPTION (Parcel P5) A parcel of land located in Lot 53 of the Henderson-Shipman-Hughes Partition of the Bartholomew Pellerin Grant, Township 8 South, Range 12 West, First Judicial District of Harrison County, Mississippi and being more particularly described as follows:

Commencing at an iron rod situated on the present Southwesterly margin of Pineville Road with the Northwesterly margin of Canal #1, said point also being South 39 degrees 39 minutes 16 seconds West a distance of 22.99 feet from station 5+70.82 of project Pineville Road at Canal Number 1-Bridge "B"; thence run South 53 degrees 50 minutes 20 seconds West a distance of 12.39 feet to a point; thence run North 50 degrees 20 minutes 44 seconds West a distance of 16.06 feet to the POINT OF BEGINNING; thence from said point of beginning, continue North 50 degrees 20 minutes 44 seconds West a distance of 30.51 feet to a point; thence run along a curve to the right with a radius of 2,035.00 feet a distance of 70.66 feet, ( chord bearing and distance = North 49 degrees 21 minutes 03 seconds West, 70.66 feet ) to a point; thence run North 31 degrees 37 minutes 35 seconds East a distance of 15.08 feet to a point situated on the present Southwesterly margin of Pineville Road; thence run South 48 degrees 17 minutes 14 seconds East along said Southwesterly margin a distance of 92.80 feet to a point; thence run South 48 degrees 46 minutes 05 seconds East along said Southwesterly margin a distance of 8.75 feet to a point; thence run South 31 degrees 37 minutes 35 seconds West a distance of

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12.71 feet to the point of beginning. Said parcel contains 1,419.1 square feet, more or less. Said parcel is also described as being located in the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 8 South, Range 12 West if land had been regularly surveyed by the United States into Congressional Subdivision.

(6) Owner: A. J. Davidson

Tax Parcel No. 0611M-01-001.000

DESCRIPTION: (Parcel P6) A parcel of land located in Lot 53 of the Henderson-Shipman-Hughes Partition of the Bartholomew Pellerin Grant, Township 8 South, Range 12 West, First Judicial District of Harrison County, Mississippi and being more particularly described as follows:

Commencing at the Northwest corner of Lot 17 of Seal's Subdivision of the East 1/2 of Sections 11 and 12, in Township 8 South, Range 12 West, and thence run South 00 degrees 16 minutes 44 seconds West a distance of 7.76 feet to a point on the present Southwesterly margin of Pineville Road; thence run North 56 degrees 57 minutes 49 seconds West along said Southwesterly margin a distance of 24.90 feet to the POINT OF BEGINNING, said point also being South 34 degrees 25 minutes 38 seconds West a distance of 20.00 feet from station 3+00 of project Pineville Road at Canal Number 1-Bridge "B"; thence from said point of beginning, run North 63 degrees 59 minutes 39 seconds West a distance of 102.42 feet to a point; thence run along a curve to the right with a radius of 535.00 feet a distance of 48.81 feet, ( chord bearing and distance = North 52 degrees 57 minutes 33 seconds West, 48.79 feet ); thence run North 50 degrees 20 minutes 44 seconds West a distance of 79.45 feet to a point on the apparent Southeasterly margin of Canal #1; thence run North 53 degrees 50 minutes 20 seconds East along said Southeasterly margin a distance of 13.12 feet to a point on the present Southwesterly margin of Pineville Road; thence run South 50 degrees 16 minutes 10 seconds East along said Southwesterly margin a distance of 23.62 feet to a point; thence run South 52 degrees 55 minutes 44 seconds East along said Southwesterly margin a distance of

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100.94 feet to a point; thence run South 55 degrees 34 minutes 22 seconds East along said Southwesterly margin a distance of 100.46 feet to the point of beginning. Said parcel contains 2,552.1 square feet, more or less.

(7) Owner: Mississippi Power Company

Tax Parcel No. 0611K-01-003.000

DESCRIPTION: ( K1) A parcel of land located in Fractional Section Twelve (12), Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi and being more particularly described as follows:

Commencing at the Northeast corner of Fractional Section Twelve (12), Township 8 South, Range 12 West, being the intersection of Commission Road and Klondyke Road and thence run South 00 degrees 15 minutes 08 seconds East along the centerline of project "Klondyke Road at Canal #1-Bridge "A", a distance of 419.72 feet to Station 8+14.80; thence run South 89 degrees 44 minutes 52 seconds West a distance of 25.20 feet to an iron rod set on the present west margin of Klondyke Road for the POINT OF BEGINNING; thence from said point of beginning continue South 89 degrees 44 minutes 52 seconds West a distance of 24.80 feet to an iron rod set; thence run South 00 degrees 15 minutes 08 seconds East a distance of 289.42 feet to a point in the centerline of canal #1; thence run North 64 degrees 16 minutes 43 seconds East along said centerline of canal #1 a distance of 26.14 feet to a point on the present west margin of Klondyke Road; thence run North 00 degrees 00 minutes 20 seconds West along the present west margin of Klondyke Road a distance of 278.18 feet to the point of beginning. Said parcel contains 6,864.2 square feet, more or less.

(8) Owner: George and Matt D. Thomas

Tax Parcel No. 0611K-01-025.000

DESCRIPTION: (K2) A parcel of land located in Fractional Section Twelve (12), Township 8 South, Range 12 West, City of Long Beach, First Judicial

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District of Harrison County, Mississippi and being more particularly described as follows:

Commencing at the Northeast corner of Fractional Section Twelve (12), Township 8 South, Range 12 West, being the intersection of Commission Road and Klondyke Road and thence run South 00 degrees 15 minutes 08 seconds East along the centerline of project "Klondyke Road at Canal #1-Bridge "A", a distance of 732.52 feet to Station 5+01.99; thence run South 89 degrees 44 minutes 52 seconds West a distance of 19.77 feet to an iron rod set on the present west margin of Klondyke Road and the south margin of canal #1 for the POINT OF BEGINNING; thence from said point of beginning run South 65 degrees 08 minutes 35 seconds West along the south margin of canal #1 a distance of 33.25 feet to an iron rod set; thence run South 00 degrees 15 minutes 08 seconds East a distance of 45.45 feet to an iron rod set; thence run South 11 degrees 00 minutes 27 seconds East a distance of 101.81 feet to an iron rod set on the south line of property of Matt Thomas; thence run North 89 degrees 37 minutes 37 seconds East along the south line of Matt Thomas a distance of 11.44 feet to an iron rod set on the present west margin of Klondyke Road; thence run North 00 degrees 19 minutes 44 seconds West along the present west margin of Klondyke Road a distance of 159.29 feet to the point of beginning. Said parcel contains 3,673.4 square feet, more or less.

(9) Owner: Margurite E. Cuevas

Tax Parcel No. 0611J-01-034.000

DESCRIPTION: (K3) A parcel of land located in Fractional Section Thirteen (13), Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi and being more particularly described as follows:

Commencing at the Northwest (N.W.) corner of Fractional Section Thirteen (13), Township 8 South, Range 12 West, being the intersection of Commission Road and Klondyke Road and thence run South 00 degrees

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15 minutes 08 seconds East along the centerline of project "Klondyke Road at Canal #1-Bridge "A", a distance of 419.72 feet to Station 8+14.80; thence run North 89 degrees 59 minutes 47 seconds East a distance of 25.00 feet to an iron rod set on the present east margin of Klondyke Road and the north line of property of Marguerite Cuevas for the POINT OF BEGINNING; thence from said point of beginning run North 89 degrees 36 minutes 54 seconds East along the north line of Marguerite Cuevas a distance of 20.00 feet to an iron rod set; thence run South 00 degrees 15 minutes 08 seconds East a distance of 466.60 feet to an iron rod set on the north margin of Ray Road; thence run North 88 degrees 54 minutes 35 seconds West along the north margin of Ray Road a distance of 20.01 feet to an iron rod set on the present east margin of Klondyke Road; thence run North 00 degrees 15 minutes 08 seconds West along the present east margin of Klondyke Road a distance of 466.08 feet to the Point of Beginning. Said parcel contains 9,326.8 square feet, more or less.

(10) Easement

Owner: Mississippi Power Company

PARCEL (K4), a portion of land lying within Parcel K3 that encumbers the Mississippi Power Company Right of Way.

DESCRIPTION: (K4) A parcel of land located in Fractional Section Thirteen (13), Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi and being more particularly described as follows:

Commencing at the Northwest (N.W.) corner of Fractional Section Thirteen (13), Township 8 South, Range 12 West, being the intersection of Commission Road and Klondyke Road and thence run South 00 degrees 15 minutes 08 seconds East along the centerline of project "Klondyke Road at Canal #1-Bridge "A", a distance of 492.27 feet to Station 7+42.25; thence run North 89 degrees 44 minutes 52 seconds East a distance of 25.00 feet to a point on the present east margin of Klondyke Road for the POINT OF

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BEGINNING; thence from said point of beginning, run North 68 degrees 16 minutes 06 seconds East a distance of 21.49 feet to a point; thence run South 00 degrees 15 minutes 08 seconds East a distance of 107.46 feet to a point; thence run South 68 degrees 16 minutes 06 seconds West a distance of 21.49 feet to a point situated on the present east margin of Klondyke Road; thence run North 00 degrees 15 minutes 08 seconds West along said present east margin a distance of 107.46 feet to the Point of Beginning. Said parcel contains 2,149.3 square feet, more or less.

Section 6. The properties owned by the above mentioned property owners are determined to be for public purposes and necessary for the public use in widening the bridges over Canal #1 on Pineville Road and over Canal #1 on KLONDYKE Road in the City of Long Beach, Mississippi.

Section 6. This Resolution shall take effect and be in force from and after its adoption.

Alderman Notter seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Richard Burton	Voted:	Aye
Alderman Richard Notter	Voted:	Aye
Alderman Charles A. Boggs	Voted:	Aye
Alderman Richard Bennett	Voted:	Aye
Alderman Allen D. Holder, Jr.	Voted:	Aye
Alderman Joseph McNary	Voted:	Aye
Alderman Mark E. Lishen	Voted:	Aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution adopted and approved this the 7th day of November, 2006.

APPROVED:

\_\_\_\_\_  
WILLIAM SKELLIE, JR., MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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Alderman Boggs made motion seconded by Alderman Holder and unanimously carried directing the Planning Commission to review and conduct public hearings regarding amendments to the zoning ordinance, Section 704, Nonconforming Structures.

\*\*\*\*\*

The garbage can ordinance was taken under advisement for further consideration at a later date.

\*\*\*\*\*

Alderman Notter made motion seconded by Alderman Burton and unanimously carried to accept the resignation of Lucy Dessommes from the Long Beach Library Board and based upon the recommendation of the Library Board, to appoint Allisa Beck to fill the term of deceased board member Howard May.

\*\*\*\*\*

There came on for consideration water bill adjustments and action was taken as follows:

\* \* \*

Alderman Bennett made motion seconded by Alderman Holder and unanimously carried to deny the request as submitted by The LYNO Company, Long Beach Square Apartments, unless additional information is provided.

\* \* \*

Alderman Bennett made motion seconded by Alderman Boggs and unanimously carried to deny the request as submitted William L. Richards, Park Row Apartments, 339 Park Row Avenue.

\* \* \*

Alderman Holder made motion seconded by Alderman Lishen and unanimously carried to approve the request submitted by Paul Dauro, 102 North Burke Street, retaining the \$80.00 consumer deposit and withdrawing the City's claim for water services provided based upon the determination that the building in question was uninhabitable and no water used.

\* \* \*

Alderman Lishen made motion seconded by Alderman Holder and unanimously carried to deny the request as submitted by Nick Panas, Philly's Restaurant, 20048-C Pineville Road.

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\* \* \*

Alderman Bennett made motion seconded by Alderman Boggs to deny the request as submitted by David F. Smith, 121 Trautman Avenue, subject to obtaining additional information.

Upon further discussion, Alderman Notter offered substitute motion seconded by Alderman Boggs and unanimously carried to table the request as submitted.

\*\*\*\*\*

Discussion of city employee raises was taken under advisement for consideration in executive session later during the course of this meeting.

\*\*\*\*\*

The maintenance agreement, Peak Technologies, was taken under advisement for further review and information at the next regular meeting, November 21, 2006.

\*\*\*\*\*

The need to fund a city planner in the near future was discussed, however, no formal action was required or taken at this time.

\*\*\*\*\*

Upon discussion, it was determined that new bridges will accommodate sidewalks in the future and no formal action was required or taken.

\*\*\*\*\*

There was no formal action required or taken regarding scheduling a work session for the implementation of smart codes.

\*\*\*\*\*

The Mayor opened the floor for public comments, as follows:  
Marcia Kruse, 19015 Redbud Drive, Long Beach, Mississippi.

\*\*\*\*\*

The Mayor recognized the City Attorney for his report and action was taken, as follows:

**ORDINANCE NO. 532**

**AN ORDINANCE TO ENLARGE, EXTEND AND DEFINE THE CORPORATE LIMITES AND BOUNDARIES OF THE CITY OF LONG BEACH, FIRST JUDICIAL DISTRICT OF HARRISON COUNTY, MISSISSIPPI, AND TO DESCRIBE PROPOSED IMPROVEMENTS AND SERVICES FOR THIS ANNEXATION AREA**

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BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN (herein the  
AGoverning Authority@ OF THE CITY OF LONG BEACH, in the First Judicial District of  
Harrison County, Mississippi, as follows:

SECTION 1. WHEREAS, Laguna Land Development, Inc. of Fort Walton Beach,  
Florida, by virtue of Warranty Deed from Timothy James Gansert and Adriana Leticia  
Gansert dated April 13, 2006, recorded in the Land Deed Records of the First Judicial  
District of Harrison County, Mississippi, as Instrument No. 2006-5405 D-J1 is vested  
with ownership, right to possession and title to certain real property adjoining the  
present western boundary line of the City of Long Beach, which parcel constitutes a  
part of the property hereby sought to be annexed and incorporated into the boundary  
lines and corporate limits of the City of Long Beach, and Robert D. Cain of Gulfport,  
Mississippi, by virtue of Warranty Deed from John W. New, Sr. and wife, Mary Sue  
New dated March 17, 1976, recorded in the Land Deed Records of the First Judicial  
District of Harrison County, Mississippi, in Deed Book 769 at page 205, is vested with  
ownership, right to possession and title to certain real property adjoining the preceding  
parcel of Laguna Land Development, Inc. and including the rest of the property hereby  
sought to be annexed and incorporated into the boundary lines and corporate limits of  
the City of Long Beach; and

SECTION 2. WHEREAS, the Governing Authority finds and adjudicates that the  
annexation of the subject property is important to the development of the City for  
municipal purposes and for overall public welfare, and that annexation by the City of  
said property would be conducive to planned commercial and residential development  
and will benefit the property owner, the City, and the citizens of Long Beach and  
adjoining areas; and

SECTION 3. WHEREAS, the annexation territory in its present form is totally  
uninhabited and the Governing Authority finds that at this time no individual rights,

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voting rights or school district interests shall be presently affected by this annexation, though the Governing Authority is advised that the intended development of the annexation territory is for commercial and residential purposes and in the future, voting rights as well as school district interests will be affected, and that extension of municipal services and facilities to the area is needed to improve the commercial opportunities and the residential opportunities and availability of housing in the area and in the entire City of Long Beach; and

SECTION 4. WHEREAS, economic development of the property annexed and of the properties of other landowners in the vicinity of the annexation area in particular, and of the citizens of Long Beach as a whole, shall increase economic development opportunities for all citizens of Long Beach, and the construction of commercial buildings and of residential dwelling houses in the area annexed shall provide much needed additional housing opportunities and job opportunities for the citizens of the City of Long Beach; and

SECTION 5. WHEREAS, the Governing authority finds that the private owners of property in the proposed annexation area have agreed in writing with the City of Long Beach to the annexation of said properties, and that such annexation is reasonable and required by the public convenience and necessity and shall result in improvement; and

SECTION 6. The Governing Authority therefore adjudicates that the corporate boundaries and limits of the City of Long Beach, in the First Judicial District of Harrison County, Mississippi, be and they are hereby extended and enlarged so as to embrace the following described additional lands and territory in the First Judicial District of Harrison County, Mississippi, to-wit:

**LEGAL DESCRIPTION OF AREA BEING ANNEXED:**

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Beginning at the Northeast corner of Section 9, Township 8 South, Range 12 West, Harrison County, Mississippi; thence southerly along the east line of said Section 9 to the centerline of Canal Number 3 as presently constructed; thence southwesterly along said centerline of Canal Number 3 a distance of 1450 feet more or less to the southerly extension of the east margin of an unimproved right-of-way sometimes known as Wisewood Lane, also being the west line of Block 9, Andrew's Land Company's Subdivision of the SE 3 of Section 4 and The Fractional Part of the NE 3 of Section 10 (sic), T. 8S, R. 12W; thence northerly along said east margin a distance of 1,020 feet more or less to the north line of the south 2 of Block 10 of said Andrew's Land Company Subdivision; thence easterly along said north line of the south 2 of Block 10 and the north line of the south 2 of Block 8 of said Andrew's Land Company Subdivision a distance of 1,310 feet more or less to the East line of Section 4, Township 8 South, Range 12 West, Harrison County, Mississippi; thence southerly along said east Section line 345 feet more or less to the Point of Beginning.

Being partially within and a part of the SE 3 of the SE 3 of Section 4, Township 8 South, Range 12 West, and partially within the NE 3 of the NE 3 of Section 9, Township 8 South, Range 12 West, Harrison County, Mississippi. Contains approximately 21 acres.

SECTION 7. The entire boundary and corporate limits of the City of Long Beach, Mississippi, as enlarged, modified, extended and fixed by this Ordinance to include the property hereinabove described in Section 6, shall be defined and described as a whole, as follows, to-wit:

**LEGAL DESCRIPTION (OVERALL BOUNDARY  
LINE OF ENLARGED CITY OF LONG BEACH):**

Beginning at a point 5,000 feet South, 28 degrees East of the Southeast corner of Lot #7 of the Gottschalk's Survey, said point of beginning being the Southwest corner of the corporate limits of the City of Gulfport; thence Westerly parallel with and 5,000 feet distant from the shore line of the Mississippi Sound or Gulf of Mexico to its intersection with the Southerly extension of the Eastern line of Section 21, Township 8 South, Range 12 West, if the same were regularly surveyed in government sections, townships and ranges; thence North along said Eastern line of said Section 21 to the Northern margin of the right-of-way of the Louisville and Nashville Railroad Company; thence continue North along said section line to the Northeast corner of said Section 21; thence Westerly along the North line of said Section 21 to the Southwest corner of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 16, Township 8 South, Range 12 West; thence Northerly along the West line of said East 1/2 of the East 1/2 and along the West line of the East 1/2 of the East 1/2 of the Northeast 1/4 of said Section 16 to the North line of said Section 16; thence Westerly along said North line of Section 16 a distance of 1987.13 feet, more or less, to the North mid-section corner of Section 16; thence Northerly along the North-South mid-section line of Section 9 a distance of 2591.28 feet, more

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or less, to the South margin of Pineville Road; thence Westerly along said South margin of Pineville Road to the West line of said Section 9; thence Northerly along the West line of said Section 9 to the centerline of a drainage canal known and designated as County Canal Number 3; thence Easterly following the meanderings of said Canal Number 3 to its intersection with the South line of the North 1/2 of the North 1/2 of the Northeast 1/4 of said Section 9; thence Easterly along said South line to the East line of said Section 9; thence northerly along said east line of Section 9 to the centerline of Canal Number 3 as presently constructed; thence southwesterly along said centerline of Canal Number 3 a distance of 1450 feet more or less to the southerly extension of the east margin of an unimproved right-of-way sometimes known as Wisewood Lane, also being the west line of Block 9, Andrew=s Land Company=s Subdivision of the SE 3 of Section 4 and The Fractional Part of the NE 3 of Section 10 (sic), T. 8S, R. 12W; thence northerly along said east margin a distance of 1,020 feet more or less to the north line of the south 2 of Block 10 of said Andrew=s Land Company Subdivision; thence easterly along said north line of the south 2 of Block 10 and the north line of the south 2 of Block 8 of said Andrew=s Land Company Subdivision a distance of 1,310 feet more or less to the East line of Section 4, Township 8 South, Range 12 West, Harrison County, Mississippi; thence Northerly along the East line of said Section 4, Township 8 South, Range 12 West to a point on the south margin of 28<sup>th</sup> Street, approximately 25 feet south of the Northeast corner of said Section 4; thence westerly 25 feet, more or less, to the southwest corner of the intersection of Beatline Road with 28<sup>th</sup> Street; thence northerly 25 feet, more or less, to the centerline of 28<sup>th</sup> Street; thence westerly along said centerline of 28<sup>th</sup> Street 468 feet, more or less, to the southerly extension of a line drawn parallel with and 453.47 feet west of the west margin of Beatline Road; thence northerly parallel with said west margin of Beatline Road 328.21 feet, more or less, to the north line of Lot 4, Block 4, Cox's Subdivision of the E 1/2 of the SE 1/4 of Section 32, Township 7 South, Range 12 West, Harrison County, Mississippi; thence S 89° 57' 18" E along said north line of Lot 4 a distance of 300.0 feet to a point 153.47 feet west of the west margin of Beatline Road; thence south parallel with Beatline Road 150.0 feet; thence east parallel with said north line of Lot 4 a distance of 193.47 feet to the centerline of Beatline Road; thence south along said centerline 153 feet, more or less, to the north margin of 28<sup>th</sup> Street; thence east 40 feet to the northeast corner of the intersection of Beatline Road and 28<sup>th</sup> Street; thence south 25 feet to the North line of Section 3, Township 8 South, Range 12 West, Harrison County Mississippi; thence Easterly along the North line of Section 3, Section 2 and Section 1, Township 8 South, Range 12 West, to the North mid-section corner of said Section 1, said point also being the Northwest corner of the U.S. Naval Reservation; thence Southerly along the North-South mid-section line to the center of said Section 1; thence Easterly and Southeasterly along the Western boundary of the U.S. Naval Reservation to the Southeast corner of Section 1, which point is also on the Western Corporate limits of the City of Gulfport; thence Southerly, Northeasterly and Southeasterly along the Western Corporate limits of the City of

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Gulfport, said corporate limits line being more particularly described as follows:

From the last described point; thence Southerly along the East line of Section 12, Township 8 South, Range 12 West, to the North line of the Widow N. Ladner Claim; thence Northeasterly along said North line to the Northeast corner of said Widow N. Ladner Claim; thence Southeasterly along the East line thereof to the North line of the Claud Ladner Claim; thence Northeasterly along said North line to the East line of Lot #7 of the Gottschalk's Survey; thence Southeasterly along said East line to the Southeast corner of said Lot #7; thence South 28 degrees East 5,000 feet to the Point of Beginning, and there terminating.

SECTION 8. The proposed improvements to be made, and/or extended in and to the said annexed territory shall be completed where needed and economically feasible, as new development shall require, and in accordance with regulations for new development generally imposed upon the property owners, and shall include the following:

- (a) Prepare and adopt appropriate land use, zoning and environmental regulations to preserve and protect the public health, safety and welfare, and to promote orderly and compatible use and development of undeveloped properties, as quickly as good planning procedures allow the annexation territory to be incorporated within the City of Long beach Comprehensive Zoning Ordinance, and within a period not to exceed nine (9) months after the effective date of annexation;
- (b) Develop an amended Master Plan for capital improvements within municipal boundaries that include the annexed area within a period not to exceed eighteen (18) months;
- (c) Provide an adequate water supply for potable and firefighting purposes; and expand and extend water utility services or encourage such expansion by private utility providers with exclusive certificates of convenience and necessity within a period not to exceed five (5) years;
- (d) Develop and interconnect, or encourage certified private utility providers to develop and interconnect sewerage collector systems to the Harrison County Wastewater Management District sewer interceptors as access to said collection system is available, and where necessary and economically

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feasible, and as development may occur within a period not to exceed five (5) years.

SECTION 9. The City of Long Beach proposes to render municipal or public services beginning twenty (20) days after the effective date of this Ordinance, or as soon thereafter as otherwise provided, to the extent needed and economically feasible, as follows:

- (a) Police Protection;
- (b) Fire Protection;
- (c) Maintenance of drainage facilities already installed or subsequently installed and constructed appurtenant to property development;
- (d) Garbage pickup and removal as soon as development may require such services;
- (e) Maintenance of public streets at such time as the same may be constructed by the property owner, and/or a governmental unit, and dedicated and accepted according to City standards; and
- (f) All rights and privileges extended to property owners of the City of Long Beach, and the use and benefits of all municipal services and facilities furnished all present property owners and citizens of the municipality of the City of Long Beach shall be extended to the enlarged area to the extent needed and economically feasible.

SECTION 10. The City of Long Beach, by its Mayor and City Attorney are hereby directed to file a Petition to Confirm this Ordinance in the Chancery Court of the First Judicial District of the County of Harrison, State of Mississippi, which Petition shall recite the fact of the adoption of this Ordinance and the approval of the owners of private property to be annexed, to have the territory included within the boundaries and limits of the City of Long Beach, and shall respectfully demand the Court to enter its Order approving, ratifying and confirming the enlargement and extension of the municipal boundaries and

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limits of the City of Long Beach, Mississippi, as herein fixed and determined. Said Petition shall have attached thereto a certified copy of this Ordinance and a plat or map showing the boundaries of the area or territory unto which the municipal corporate boundaries and limits are hereby extended and enlarged, and also the boundaries of the City of Long Beach, Mississippi, as they shall exist in the event such enlargement and annexation shall become effective. The Mayor and City Attorney of the City of Long Beach shall, to the extent required by the laws of the United States of America, seek ratification and approval of this Ordinance of incremental annexation by the United States Department of Justice, or such other branch of the United States Government as may be required by laws of the United States of America.

SECTION 11. This Ordinance shall become effective after passage of ten (10) days after the date that a decree, judgment or order ratifying, approving and confirming the enlargement and annexation of boundaries of the City of Long Beach, Mississippi, as adopted herein, shall be entered by the Chancery Court of the First Judicial District of Harrison County, Mississippi, in accordance with the provisions of Section 21-1-17, Mississippi Code of 1972, Annotated and as Amended, and the provision for services to be provided under this Ordinance shall become effective as provided herein after the passage of twenty (20) days after the date that such decree, judgment or order of the Chancery Court, ratifying, approving and confirming the annexation shall become effective.

The above and foregoing Ordinance No. 532 was introduced in writing by Alderman Bennett who moved its adoption. Alderman Notter seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of

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Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Richard Notter	voted Aye
Alderman Richard Burton	voted Aye
Alderman Charles A. Boggs	voted Aye
Alderman Richard Bennett	voted Aye
Alderman Allen D. Holder	voted Aye
Alderman Mark E. Lishen	voted Aye
Alderman Joseph McNary	voted Aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance adopted and approved this, the 7<sup>th</sup> day of November, 2006.

APPROVED:

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WILLIAM SKELLIE, JR.,

MAYOR  
ATTEST:

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REBECCA E. SCHRUFF, CITY CLERK

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There came on for consideration raises for city employees and discussion was held to preliminarily determine whether or not to declare an executive session.

Alderman Notter made motion seconded by Alderman Holder to meet in executive session for the transaction of public business, to-wit: to discuss raises for city employees.

The question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Richard Notter	voted	Aye
Alderman Richard Burton	voted	Aye
Alderman Charles Boggs	voted	Aye
Alderman Richard Bennett	voted	Aye
Alderman Allen D. Holder, Jr.	voted	Aye
Alderman Mark Lishen	voted	Aye
Alderman Joseph McNary	voted	Aye

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The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried, whereupon, the Mayor and Board of Aldermen met in executive session.

\* \* \* \* \*

The meeting resumed in open session and based upon information obtained and discussion held in executive session, no formal action was required or taken in open session.

\* \* \* \* \*

There being no further business to come before the Mayor and Board of Aldermen at this time, Alderman Bennett made motion seconded by Alderman Lishen and unanimously carried to adjourn until the next regular meeting in due course.

\* \* \* \* \*

APPROVED:

\_\_\_\_\_  
Alderman Allen D. Holder, Jr., At-Large

\_\_\_\_\_  
Alderman Charles A. Boggs, Ward 1

\_\_\_\_\_  
Alderman Richard Notter, Ward 2

\_\_\_\_\_  
Alderman Richard Burton, Ward 3

\_\_\_\_\_  
Alderman Joseph McNary, Ward 4

\_\_\_\_\_  
Alderman Mark Lishen, Ward 5

\_\_\_\_\_  
Alderman Richard Bennett, Ward 6

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Rebecca E. Schruff, City Clerk