

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 June, 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 Charles Boggs, Richard Notter, Richard Burton, Richard Bennett, Allen Holder, Deputy City Clerk Stacey Dahl, and City Attorney Frank R McCreary, III.

Absent the meeting were Aldermen Joseph McNary and Mark Lishen.

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

The meeting was called to order and there were no announcement, presentations of proclamations

Alderman Notter made motion seconded by Alderman Holder and unanimously carried to suspend the rules and amend the Municipal Docket to include the following:

Item X.f. UNFINISHED BUSINESS - Speed Limits

Alderman Notter made motion seconded by Alderman Bennett and unanimously carried to approve the regular and executive session minutes of the Mayor and Board of Aldermen, dated May 16, 2006, as submitted

There came on for reconsideration the Mayor and Board of Aldermen's minutes of May 2, 2006 as they pertain to a public hearing - high density uses. After considerable discussion, it was determined this item would be considered at the next meeting

Alderman Holder made motion seconded by Alderman Boggs and unanimously carried to approve the Planning Commission minutes of May 25, 2006, as submitted.

Alderman Bennett made motion seconded by Alderman Holder and unanimously carried to approve the Port Commission minutes of May 18, 2006, as submitted

Alderman Bennett made motion seconded by Alderman Notter to approve payment of invoices as listed in Docket of Claims # 060606 The question being put to a roll call vote, the results were as follows:

Alderman Boggs	voted	Nay
Alderman Notter	voted	Aye
Alderman Burton	voted	Aye
Alderman McNary	voted	Absent, not voting
Alderman Lishen	voted	Absent, not voting
Alderman Bennett	voted	Aye
Alderman Holder	voted	Aye

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

There came on for consideration a letter from City Engineer, John Campton, regarding HVAC Rehab - Library Children's Wind. Said letter ordered spread upon the minutes of this meeting in words and figures as follows:

334



A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS
520 33RD STREET, GULFPORT MS 39507 TEL (228) 863-0687
P.O. BOX 1677, GULFPORT MS 39502 FAX (228) 863-5232

AGENDA



May 17, 2006

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

Re: HVAC Rehab - Library Children's Wing

Gentlemen:

This is to advise that the referenced contract has been satisfactorily completed in accordance with the contract requirements. We therefore recommend final settlement with the contractor, in accordance with the enclosed invoice in the amount of \$8 925.80, which was the approved contract amount.

Sincerely,

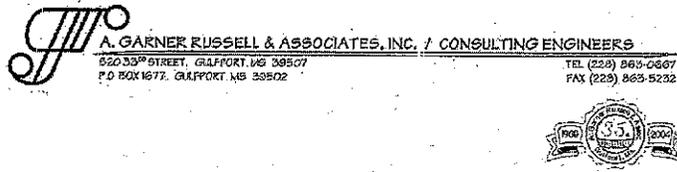
John Campton, P.E.

JC:lk308
Enclosure

cc: Max Ray

Alderman Holder made motion seconded by Alderman Notter and unanimously carried to accept the recommendation of Mr. Campton as set forth above, approving payment to Geiger Heating and Air in the amount of \$8,925 80.

There came on for consideration a letter from City Engineer, John Campton, regarding Hurricane Katrina Repairs - Phase 1 Long Beach Smallcraft Harbor. Said letter ordered spread upon the minutes of this meeting in words and figures as follows:



June 5 2006

City of Long Beach
P O. Box 829
Long Beach, MS 39560

Re: Hurricane Katrina Repairs - Phase 1
Long Beach Smallcraft Harbor

Gentlemen:

We are pleased to present herewith plans and specifications for the first phase of the repair work at the Long Beach Harbor. This contract will restore Pier #1, Pier #5, and the Cross-pier running along the wall between Pier #1 and Pier #2. Minor repairs to the existing launch ramp piers is also included, but not the replacement of these with new floating piers as is being suggested by the Port Commission as a Tidejands Project

We are still finalizing some details about how electrical service will be provided by Mississippi Power Company, but this can be complete by the time the project is advertised for bids. The Power Company has requested that the City provide an elevated platform at the head of each pier, to support the power company's power transformer and the City's main electrical distribution panel, which will be in the form of a large new meter center to provide circuits for the Harbor House, public receptacles on the pier, and private circuits for large boats.

If the City desires to proceed with this project, we suggest the following schedule:

Authorize Advertisement:	6/6/06
First Advertisement:	6/16/06
Second Advertisement:	6/23/06
Receive Bids:	7/18/06

Sincerely

John Campton - P.E.

JG:1775
Enclosure

cc: Phil Klea
Calvin Poupart

Alderman Notter made motion seconded by Alderman Holder and unanimously carried to accept the recommendation of Mr. Campton, approving the schedule as set forth above.

The Mayor announced that the University of Southern Mississippi would be returning to their Long Beach Campus

The Mayor recognized Mr Buddy Ray and discussion was held regarding the increase in insurance rates that is before Mississippi Insurance Commissioner George Dale. After considerable discussion, Alderman Holder made motion seconded by Alderman Richard Burton directing the City Attorney to draft the following resolution regarding the insurance rate increase, specifically in regards to the wind pool, mirroring the resolution sent forth for the Harrison County Board of Supervisors. Resolution as follows:

The Mayor and Board of Aldermen took up the matter of declaring its opposition to the request for increase in premiums for wind storm insurance coverage provided by the MWUA, and for related purposes. After a discussion of the subject, Aldermen Helder offered and moved the adoption of the following resolution:

A RESOLUTION BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, DECLARING ITS OPPOSITION TO THE REQUESTED INCREASE IN PREMIUMS FOR WIND STORM INSURANCE COVERAGE PROVIDED BY THE MWUA, AND FOR RELATED PURPOSES.

WHEREAS, the MWUA has requested of the Mississippi Insurance Commissioner premium rate increases of approximately 400% to be levied against homeowners in six southern counties of the State of Mississippi, including Harrison County; and

WHEREAS, such increase in premiums will financially devastate the citizens of Harrison County as well as cripple the efforts of citizens and businesses in the City of Long Beach as well as the other coastal counties to rebuild after the damage and destruction of Hurricane Katrina; and

WHEREAS, the Harrison County Board of Supervisors has, by resolution, declared its opposition to such proposed/requested rate increase, which resolution the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, fully endorse

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

SECTION 1. That the Mayor and Board of Aldermen do hereby declare the adamant objection of the City of Long Beach, Mississippi, to the requested insurance premium rate increase for wind storm insurance provided by the MWUA, and fully endorse the Resolution of the Harrison County Board of Supervisors registering that governing body's objection to same, a copy of which resolution is attached hereto as Exhibit "A" and incorporated herein.

SECTION 2. That the City Clerk is hereby directed to forward a certified copy of this resolution to Mississippi Insurance Commissioner George Dale.

SECTION 3. This resolution shall take effect and be in force from and after its adoption.

Alderman Burton 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 <u>Aye</u>
Alderman Richard Notter	voted <u>Aye</u>
Alderman Charles A. Boggs	voted <u>Aye</u>
Alderman Richard Bennett	voted <u>Aye</u>
Alderman Allen D. Holder, Jr	voted <u>Aye</u>
Alderman Joseph McNary	voted <u>Absent</u>
Alderman Mark E. Ishen	voted <u>Absent</u>

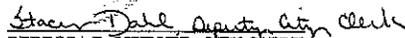
The question having received the affirmative vote of All of the Aldermen present and voting, the Mayor declared the motion carried and the resolution adopted and approved this the 6 day of June, 2006

APPROVED:



 WILLIAM SKEELE, JR., MAYOR

ATTEST:



 REBECCA B. SCHRUFF, CITY CLERK

JUN 9 2006 11:21AM

Supervisor Bobby Klentzien moved the adoption of the following Resolution:

A RESOLUTION OF THE HARRISON COUNTY BOARD OF SUPERVISORS MEMORIALIZING THAT THE MISSISSIPPI LEGISLATURE REQUIRE ALL INSUREDS IN THE COUNTIES IN THE GULF OPPORTUNITY ZONE PARTICIPATE EQUALLY IN ANY RATE INCREASES IN THE MISSISSIPPI WINDSTORM UNDERWRITING ASSOCIATION, AND FOR RELATED PURPOSES.

WHEREAS, Hurricane Katrina struck the Mississippi Gulf Coast, and the entire State of Mississippi on August 29, 2005, and devastated the infrastructure of Harrison County, and other counties in the State of Mississippi; and

WHEREAS, after Hurricane Katrina, the United States Government designated 49 of the State of Mississippi's 82 counties as the "Gulf Opportunity Zone" wherein such legislature provided tax incentives for Katrina related recovery efforts; and

WHEREAS, such counties in the "Gulf Opportunity Zone" were entitled to numerous Federal Grants and other benefits through the Katrina National Emergency Grant, and the appropriation of the \$60,000,000 to fund the Federal Disaster Relief Fund; and

WHEREAS, the United States Congress, and the President approved appropriations of the \$60,000,000 fund wherein numerous grants were issued through the Community Development Block Program (CDBP) wherein 49 states in the State of Mississippi received numerous monetary and other benefits through said legislation; and

WHEREAS, now, the Mississippi Windstorm Underwriting Association, which covers insureds throughout the "Gulf Opportunity

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JUN 9 2006 11:28AM

NO 1916 1 1

Zone," has sought an approval in insurance premium rates of approximately 400% to homeowners, 268% for commercial businesses, and 60.4% for mobile homes, restricted to the residents living in the six southern most counties, being Harrison, Hancock, Jackson, Pearl River, George, and Stone Counties; and

WHEREAS, the Harrison County Board of Supervisors feel that it is imperative due to the health, safety, and welfare of its Citizens, that any increase in the wind-pool be distributed to all insurance companies and insureds located in the 49 counties receiving benefits as a result of Hurricane Katrina.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, AS FOLLOWS:

SECTION I: The findings, conclusions and statements of fact contained in the foregoing Preamble are hereby adopted, ratified and incorporated in this Resolution.

SECTION II: Upon the adoption of this Resolution, the Harrison County Board of Supervisors do hereby memorialize the Mississippi Legislature to require that the Mississippi Insurance Commissioner, George Dale, be prohibited from taxing the noted six southern most counties, with all Mississippi Windstorm Underwriting Association increases, and that instead the costs be spread throughout the 49 counties which are participating in the "Gulf Opportunity Zone," thereby receiving numerous financial and other benefits as a result of Hurricane Katrina.

SECTION III: That a certified copy of this Resolution shall be forwarded to the Harrison County Legislative Delegation to be disseminated to all members of the Mississippi Legislature.

Supervisor Marlin Ladner seconded the Motion to adopt the above and forgoing Resolution whereupon the President put the question to a vote with the following results:

Supervisor BOBBY ELEGIERIUS	voted, <u>AYE</u> ,
Supervisor MARIIN LADNER	voted, <u>AYE</u> ,
Supervisor LARRY BENEFIELD	voted, <u>AYE</u> ,
Supervisor CONNIE ROCKCO	voted, <u>AYE</u> ,
Supervisor WILLIAM MARIIN	voted, <u>(ABSENT & EXCUSED)</u>

The majority of the members present having voted in the affirmative, the President then declared the Motion carried and the Resolution adopted on this the 5th day of June, 2006.

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

There came on for consideration engineering services for the design of the police station - Hurricane Katrina recovery. Based upon the recommendation of the selection committee, Alderman Bennett made motion seconded by Alderman Holder to award the contract to Capital Engineering, Inc. Proposals are on file in the office of the City Clerk. The question being put to a roll call vote, the result was as follows:

Alderman Boggs	voted	Aye
Alderman Notter	voted	Aye
Alderman Burton	voted	Aye
Alderman McNary	voted	Absent, not voting
Alderman Lishen	voted	Absent, not voting
Alderman Bennett	voted	Aye
Alderman Holder	voted	Aye

The question having received the Affirmative vote of all the aldermen present and voting, the Mayor declared the motion carried

Alderman Holder made motion seconded by Alderman Notter and unanimously carried to approve the step increases and new hire in the Police Department as follows:

Jeaneen Knight, CSA-6-III, effective June 16, 2006
 Derrick Rowe, PS-3-I, effective June 1, 2006
 Craig DeRoche, PS-10-II, effective June 1, 2006
 Thomas Ease, PS-7, effective June 16, 2006

There came on for consideration a letter from Derrel Wilson, Project Manager, OPTech, with attached rental agreement from Gulf Hydraulics & Pneumatics, Inc, as follows:

**OPERATIONS
TECHNOLOGIES, INC.**

Memo

To: REBECCA SCHRUFF CITY CLERK

From: DERREL WILSON, PROJECT MANAGER *Derrel*

CC:

Date: 5/19/2006

Re: RENTAL AGREEMENT

Attached is a rental agreement from Gulf Hydraulics & Pneumatics, Inc. for a pneumatic sign post driver. This rental has been approved by FEMA as part of the traffic sign installation Project Worksheet. This is an essential tool for this project since we will need to drive approximately 1100 sign posts.

Please place this on the agenda at the next Board Meeting for consideration.

Gulf Hydraulics & Pneumatics Inc.

10420 Lamey Bridge Road
D'Iberville Mississippi

City Of Long Beach
Attn: Bryan
Equipment rental
Proposal:

Rental Agreement

The City of Long Beach will agree to rent the following equipment for a period of six consecutive months at a monthly cost of \$ 1480.00 due by the 10th day of each month. The City of Long Beach will agree to fulfill the Contract Period or agree to pay any balance due not to exceed a total of \$ 8,880.00. A written request to amend the contract is required. At the end of the contract period GHPI Will agree to sell the equipment to the City Of Long Beach for a sum of \$1.00.

The City of Long Beach will be required to maintain the equipment during the rental period as per the OEM SPECIFICATIONS AND GUIDELINES. The City of Long Beach is responsible for any repair cost to the equipment resulting from misuse and improper care. This equipment will have a warranty for one year from the beginning of the rental period. Any warranty claims are to be approved by the OEM.

If this agreement is satisfactory we will prepare an agreement requiring signatures for approval.

Please call if you have any questions

- 1) Rhino Pneumatic Sign Post Driver Model PD-45
- 2) Champion Compressor Model # BGR-10
- 3) Post adaptor
- 4) 50 feet 3/4" air hose w/ Quick Disconnects

Thanks ,
Jackie Weaver

PO Box 6356 D'Iberville Ms. (228) 392-1275
Fax (228) 392-5784
e-mail GHPI@Bellsouth.com

Upon discussion, Alderman Holder made motion seconded by Alderman Bennett and unanimously carried to approve the rental agreement as set forth above.

There came on for consideration the following letter in regards to a declaration of surplus property and donation:

**OPERATIONS
TECHNOLOGIES, INC.**

Memo

To: MAYOR SKELLIE

From: DERREL WILSON, PROJECT MANAGER *Derrel*

CC:

Date: 6/1/2006

Re: SURPLUS TRUCKS

Public Works has been fortunate enough to have 4 dump trucks and 2 large diesel trucks donated to the department from Peoria, Arizona, and Long Beach, California. We now find ourselves with more dump trucks than we really need.

After reviewing our inventory, I feel like we can declare 2 trucks as surplus. The City of Pass Christian has expressed a need for these trucks. Please note that, if these trucks are released, we will still have 8 dump trucks and 2 large diesel trucks that can be outfitted with dump bodies.

The following may be declared as surplus and donated to another municipality as discussed above:

PW4 - 1994 GMC 1 TON 3500 SERIES - (asphalt truck) VIN# 1GOHC34K6RE526510

PW122 - 1998 CHEVY CHEYENNE 3500 SERIES (debris truck) # 1TGBJC34J7WF046774

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After brief discussion, Alderman Notter made motion seconded by Alderman Burton and unanimously carried to approve the aforesaid donation, pending investigation by the City Attorney as to the legality of transferring the trucks to another municipality.

There came on for consideration a request for an adjustment in the water bill for Christ United Methodist Church. Said request spread upon the minutes of this meeting in words and figures as follows:

APR-04-2006 07:59 AM CHRIST UMC

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29 March 2006

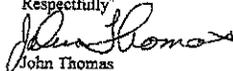
From: Christ United Methodist Church
6121 Beatline Rd
Long Beach, Ms

To: City of Long Beach
Water Billing Dept.

Subj: Water Bill After Hurricane Katrina

Approximately 2 weeks after hurricane Katrina hit the Coast. A water leak in the front yard of the church was brought to my attention. It was found at the base of the church sign post in the flower bed that had blown over due to the high winds. The water line was used to water the plants in the bed around the sign. The sign post broke below the ground level, thus broke the line, and was not discovered for several weeks after the storm. I dug up the area and found the 3/4" PVC line had been snapped into. I cut the line and capped the line with a 3/4" cap.

Respectfully,



John Thomas
Board of Trustees Member
Christ United Methodist Church

After considerable discussion, Alderman Holder made motion seconded by Alderman Notter and unanimously carried to adjust the water portion only of the aforesaid service.

**RESOLUTION
AUTHORIZING PREPARATION AND SUBMITTAL
OF AN APPLICATION FOR CDBG SUPPLEMENTAL FUNDS FROM THE
MISSISSIPPI DEVELOPMENT AUTHORITY**

WHEREAS, the Mississippi Development Authority has Community Development Block Grant (CDBG) Supplemental funds available to assist local governments to rebuild after Hurricane Katrina; and

WHEREAS, regulations governing the CDBG Supplemental funds allow the utilization of said funds for the hiring of additional code enforcement officials for communities; and

WHEREAS, the City of Long Beach desires to request CDBG Supplemental funds from the Mississippi Development Authority to hire additional code enforcement officials to allow for a faster response to the growing community needs; and

WHEREAS, the City of Long Beach deem it to be in the best interests of the citizens of the City to hire additional code enforcement officials to serve its citizenry

NOW THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Long Beach that:

- 1 William Skellie, Jr., Mayor of the City of Long Beach, is hereby authorized and directed to submit an application for CDBG Supplemental Funds, and along with said application, all understandings and assurances contained therein and to provide such additional information as may be required; and
- 2 William Skellie, Jr., Mayor of the City of Long Beach, is hereby authorized to post the necessary public notices in accordance with the guidelines governing the CDBG Supplemental funds application process; and
- 3 William Skellie, Jr., Mayor of the City of Long Beach, is hereby authorized to execute any and all documents necessary and pertinent to the application; and
- 4 William Skellie, Jr., Mayor of the City of Long Beach, is hereby authorized to execute a grant offer and any other documents necessary to the acceptance and implementation of the program should the project be approved.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by Alderman Bennett seconded by Alderman Notter, and was adopted by the following vote, to-wit:

YEAS:

Alderman Richard Notter
Alderman Richard Burton
Alderman Charles A. Boggs
Alderman Richard Bennett
Alderman Allen D. Holder, Jr.

NAYS:

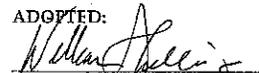
Aldermen Mark Lishen and Joseph McNary were absent the meeting.

The Mayor thereby declared the motion carried and the Resolution adopted on this the 6th day of June, 2006

ATTEST:


Rebecca E. Schuff, City Clerk

ADOPTED:


William Skelton, Jr., Mayor

It was the consensus of the board to table the sign ordinance until the next meeting.

There came on for consideration the Zone Change Ordinance as it pertains to Tiffany Gardens LLC , and action was taken as follows:

ORDINANCE NO. 522

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 626 EAST BEACH BLVD., LONG BEACH, MISSISSIPPI, FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO R-3 (MULTI-FAMILY RESIDENTIAL), 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 R-3 (Multi-Family Residential) by the owner of certain property located at 626 East Beach Blvd., Long Beach, Mississippi, being more particularly described as follows:

A certain parcel of land situated in and being located in the City of Long Beach, First Judicial District of Harrison County, Mississippi, lying and being situated in the Widow N. Ladner Private Claim in Township 8 South, Range 11 and 12 West, according to the official plat of the Government Survey, and more particularly described as: Beginning on the seashore of the Gulf of Mexico or Mississippi Sound at a point 100 feet to the Eastward of the point of intersection of said seashore with the Eastern boundary line of Lot Five (5) in Square Number Twenty (20) of the Survey of Long Beach, according to the Plat of said survey on file in the office of the Chancery Clerk of Harrison County, Mississippi, and running thence North 28 degrees West approximately a distance of 700 feet to the line of land now or formerly of James Thomas; thence run Eastwardly a distance of 100 feet to the land now or formerly of William and Laura McCaughn; thence run in a Southwardly direction along and with the Western boundary of said McCaughn lot to the seashore; and thence run Westerly along the seashore to the place of beginning; being a strip of land having a front of approximately 100 feet on the Gulf of Mexico and running back approximately a distance of 700 feet between parallel lines, 100 feet apart, and running North 28 degrees West, together with all improvements thereon and subject to all existing easements and servitude, and all rights including riparian and littoral.

and 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 July 14, 2005 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 July 14, 2005, 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 6:00 p.m. on Tuesday, August 16, 2005, at the City Hall 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 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 the apartment complex known as "Tiffany Garden Apartments" has been situated upon the subject property for at least ten (10) years and has been operated as an apartment complex continuously for that time;

- 2) That in spite of such multi-family use of the subject property, the subject property is bears a zoning classification of R-1 (Single Family Residential);
- 3) The long established and actual use of the subject property is Multi-Family Residential Use;
- 4) The changing conditions in the area in the neighborhood surrounding the subject property, particularly along U.S. Highway 90, including but not limited to the damage and destruction caused by Hurricane Katrina, the anticipated development of the area for mixed commercial uses and multifamily residential uses, make it unlikely that an R-1 zoning classification of the subject property now, or in the future, is either necessary or desirable, and is, in fact, contrary to the character of the neighborhood along U.S. Highway 90 and contrary to the orderly development of the community; and
- 5) That it is necessary and desirable and the best interest of the public requires that the zoning classification of the subject property be changed from R-1 to R-3.
- 6) 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 development plan heretofore approved by the Governing Authority;
- 7) The proposed change is in conformance with the general intent of the Comprehensive Master Plan; and

d. 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 the subject property from R-1 (Single Family Residential) to R-3 (Multi-Family Residential)
NOW IHEREFORE,

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

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 626 East Beach Blvd., Long Beach, Mississippi, being more particularly described as follows:

A certain parcel of land situated in and being located in the City of Long Beach, First Judicial District of Harrison County, Mississippi, lying and being situated in the Widow N. Ladner Private Claim in Township 8 South, Range 11 and 12 West, according to the official plat of the Government Survey, and more particularly described as: Beginning on the seashore of the Gulf of Mexico or Mississippi Sound at a point 100 feet to the Eastward of the point of intersection of said seashore with the Eastern boundary line of Lot Five (5) in Square Number Twenty (20) of the Survey of Long Beach, according to the Plat of said survey on file in the office of the Chancery Clerk of Harrison County, Mississippi, and running thence North 28 degrees West approximately a distance of 700 feet to the line of land now or formerly of James Thomas; thence run Eastwardly a distance of 100 feet to the land now or formerly of William and Laura McCaughn; thence run in a Southwardly direction along and with the Western boundary of said McCaughn lot to the seashore; and thence run Westerly along the seashore to the place of beginning; being a strip of land having a front of approximately 100 feet on the Gulf of Mexico and running back approximately a distance of 700 feet between parallel lines, 100 feet apart, and running North 28 degrees West, together with all improvements thereon and subject to all existing easements and servitude, and all rights including riparian and littoral.

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

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 foregoing Ordinance No. 522 was introduced in writing by Alderman Boggs 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 Absent, Not
	Voting	

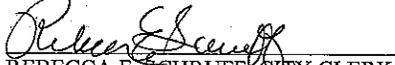
The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance adopted and approved this the 6th day of June, 2006

APPROVED:



WILLIAM SKELLIE, JR., MAYOR

ATTEST:


REBECCA E. SCHRUFF, CITY CLERK

There came on for consideration a request by Janis A Alexander to discount her water bill to July, 29, 2005, at which time she made her initial request Documentation was presented on that date, but lost due to the devastation of City Hall by Hurricane Katrina. After brief discussion, Alderman Bennett made motion seconded by Alderman Notter and unanimously carried to retro the discount to July 29, 2005, and make necessary adjustments on her account.

It was the consensus of the board to remove Building Inspector Department Head from the agenda.

There came on for discussion the location and nuisance of dumpsters at the Pimlico Apartments on the corner of Daugherty and Commission Roads Mr. Ken Price, Zoning Enforcement Officer, will pursue a solution to this problem There was no official action taken.

There came on for consideration the following recommendation for speed limits within Long Beach:

 <p style="text-align: center;">L.B.P.D. DEPARTMENT NOTICE</p>	DATE OF ISSUE	EFFECTIVE DATE	NO
		JUNE 7 2006	08-04
SUBJECT SPEED LIMIT CHANGES	DISTRIBUTION	RESCINDS:	

I PURPOSE

To notify all Department personnel of new speed limits for the City of Long Beach

II PROCEDURE

Effective June 7, 2006 speed limits for city streets will be as follows:

40 MPH

- Beatline Road
- Klondyke Road (north of Commission Road)
- Railroad Street

35 MPH

- Commission Road
- Daugherty Road
- Pineville Road

30 MPH

- | | |
|--|--|
| <ul style="list-style-type: none"> W. 2nd Street Allen Road Alexander Avenue Beach Park Cleveland Avenue Clover Avenue Gates Avenue Girard Avenue (south of Railroad Street) N. Island View Avenue S. Island View Avenue Klondyke Road (south of Commission Road) Lang Avenue Lovers Lane Magnolia Street | <ul style="list-style-type: none"> Mitchell Road Nicholson Avenue E. Old Pass Road W. Old Pass Road Paula Drive Richards Avenue Seal Avenue Simmons Drive Trautman Avenue White Harbor Road Wright Avenue |
|--|--|

25 MPH

The speed limit on all other residential streets not listed above will be 25 MPH.

Harley Schinker
Chief of Police

Alderman Notter made motion seconded by Alderman Holder and unanimously carried to approve the aforesaid recommendations as submitted.

Mr. Scott Will, Will & Pierce Agency, was not present to speak regarding the use of "pex" plastic tubing; however, discussion was held and action was taken as follows:

ORDINANCE NO. 523

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NO. 478, ENTITLED, "AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, ADOPTING VARIOUS BUILDING AND RELATED CODES AND STANDARDS, AND APPENDIXES REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF BUILDINGS AND STRUCTURES, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE WHEN USED WITH MONEY; PROVIDING FOR AND RELATING TO INSPECTION ACTIVITIES AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN VARIOUS CODES; AND FOR RELATED PURPOSES", AS HERETOFORE AMENDED, TO ADOPT THE 2005 ELECTRICAL CODE AND TO PERMIT THE USE OF "PEX" PLASTIC TUBING, AND FOR RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen (the "Governing Body") of the City of Long Beach, Mississippi, (the "Municipality") having made due investigation therefore, do now find, determined, adjudicate and declare as follows:

1 That the 2003 international building and related codes and standards and the 2005 Electrical Code and Appendixes have been published and in order to protect the public health and safety, it is necessary to adopt the 2003 building and related codes and the 2005 Electrical Code and Appendixes; and

2 That use of PEX products have heretofore been prohibited in the City of Long Beach, Mississippi, but sufficient testing data has been published to evaluate same and it is in the best interest of the community to allow use of PEX products Now therefore,

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

MB: 55
REG:06 06 06

SECTION 1. Section 1 of Ordinance No. 523 of the City of Long Beach, Mississippi, entitled "AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, ADOPTING VARIOUS BUILDING AND RELATED CODES AND STANDARDS, AND APPENDIXES REGULATING AND CONTROLLING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF BUILDINGS AND STRUCTURES, PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE WHEN USED WITH MONEY; PROVIDING FOR AND RELATING TO INSPECTION ACTIVITIES AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN VARIOUS CODES; AND FOR RELATED PURPOSES ", as Amended, be and it is hereby amended to read as follows:

"SECTION 1. Adoption

The following Standards, Revisions, and Appendixes are hereby and herein adopted as if copied in words and figures in full and ordered, ordained, decreed and declared an ordinance of the City of Long Beach, Mississippi.

- 2003 International Building Code and Appendixes, less and except Section 105.2.1 and Section 105.2.2, which subsections are hereby deleted, and less and except part A101.4 of Appendix A to said International Building Code, which part A101.4 is hereby deleted.
- 2003 International Residential Code for One- and Two-Family Dwellings and Appendixes
- 2003 International Property Maintenance Code
- 2003 International Code Council Performance Code
- 2003 International Mechanical Code and Appendixes
- 2003 International Existing Building Code
- 2003 International Fuel Gas Code and Appendixes
- 2003 International Plumbing Code and Appendixes, with Tables 605.3, 605.4 and 605.5 amended to be as is set forth on Exhibit "A" attached hereto, which exhibit is made a part hereof as though fully copied herein
- 2003 NFPA Life Safety Code and Appendixes
- 2003 International Energy Conservation Code and Appendixes
- 2003 International Private Sewage Disposal Code and Appendixes
- 2003 International Fire Code and Appendixes
- 2005 Electrical Code and Appendixes
- Standards for Hurricane Residential Construction SSTD 10-99 and Appendixes
- 1987 Standard for Sound Control
- 1985 Standard Unsafe Building Abatement Code
- 1985 Standard Amusement Device Code
- 1997 Standard Swimming Pool Code
- ANSI/NSPI - 1 1991 Standard for Public Swimming Pools
- ANSI/NSPI - 2 1999 Standard for Public Spas
- ANSI/NSPI - 3 1999 Standard for Permanently Installed Residential Spas
- ANSI/NSPI - 4 1992 Standard for Above Ground/Onground Swimming Pools
- ANSI/NSPI - 5 1995 Residential in ground Swimming Pools Standard for Public Swimming Pools
- ANSI/NSPI - 6 1999 Standard for Residential Portable Spas
- ANSI/NSPI - 8 1996 Model Barrier Code for Residential Pools and Spas
- NSPI Workmanship Standards"

SECTION 2. 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 3. Effective Date

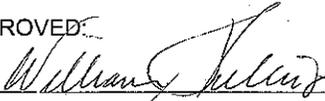
It being necessary and in the best interests of the public health, safety and welfare, and to provide continuing regulations concerning the construction and use of buildings and structures within the City of Long Beach, Mississippi, and the immediate preservation of order and the public health, safety and welfare requiring it, this Ordinance shall take effect and be in force from and after its adoption; but notice shall nevertheless be given as provided by law and this Ordinance shall be enrolled in the Ordinance Book of the City as by law.

The above and foregoing Ordinance No 523 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 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 Absent, Not Voting

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried in the said Ordinance adopted and approved this the 6th day of June, 2006.

APPROVED:



 WILLIAM "BILLY" SKELLIE, JR., MAYOR

ATTEST:



 REBECCA E. SCHRUFF, CITY CLERK

MB: 55
 REG:06.06.06

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Per

**Mayor and Board of Aldermen
June 6, 2006**

EXHIBIT A

TABLE 605.3
WATER SERVICE PIPE

MATERIAL	STANDARD
Brass Pipe	ASTM B 43
Copper or copper-alloy pipe	ASTM B 42; ASTM B 302
Copper or copper-alloy tubing (Type K WK L WL, M or WM)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 447
Galvanized steel pipe	ASTM A 53
Polyvinyl chloride (PVC) plastic piping	ASTM D 1785; ASTM D 2241; ASTM D 2672; CSA CAN/CSA-B137.3
Cross-linked polyethylene (PEX) plastic tubing	ASTM F 876; ASTM F 877; CSA-B137.5

TABLE 605.4
WATER DISTRIBUTION PIPE

MATERIAL	STANDARD
Copper or copper-alloy pipe	ASTM B 42; ASTM B 302
Copper or copper-alloy tubing (Type K WK L WL, M or WM)	ASTM B 75; ASTM B 88; ASTM B 251; ASTM B 447
Galvanized steel pipe	ASTM A 53
Cross-linked polyethylene (PEX) plastic tubing	ASTM F 877; CSA-B137.5

TABLE 605.5
PIPE FITTINGS

MATERIAL	STANDARD
Copper or copper alloy	ASME B16 15; ASME B16 18; ASME B16 22; ASME B16 23; ASME B16 26; ASME B16 29; ASME B16.32
Steel	ASME B16.9; ASME B16.11; ASME B16.28
Fittings for cross-linked polyethylene (PEX) plastic tubing (slide-on compression or crimped type fittings, only, shall be used)	ASTM F 1807; ASTM F 1960; ASTM F 2080

Installation: PEX Tubing and fittings shall be installed utilizing a manifold and with proper labeling. Further, such PEX tubing and fittings shall be installed in accordance with the manufacturer's published instructions, the applicable codes and any ES report regarding the particular PEX product. Where differences exist, the instructions in any ES Report pertaining to the applicable PEX product shall govern

**Mayor and Board of Aldermen
June 6, 2006**

The board recognized Mr Ken Price, Zoning Enforcement Officer Mr Price expressed the need for the Boards full support regarding his position and office. There was no action required or taken.

The board recognized Mr. James Wedworth regarding his dissatisfaction in the length of time it takes to issue building permits. Mr. Wedworth again requested reconsideration of a fine that was assessed to Jimmy Wedworth for commencing construction on his development without proper permits. It was the consensus of the board to table any action until the next meeting to allow the City Attorney to further research the matter.

The board was furnished documentation of competitive bids for debris removal, monitoring, and tree cutting. There was no action required or taken

The board recognized Mr. Frank McCreary for the City Attorney's report. The following request was made by the Long Beach School District and action by the board as follows:

**Mayor and Board of Aldermen
June 6, 2006**

**ORDER APPROVING PROPOSAL OF LONG BEACH SCHOOL DISTRICT
FOR CITY TO BE PARTNER WITH SCHOOL DISTRICT IN EMERGENCY
RESPONSE AND CRISIS MANAGEMENT PLAN**

WHEREAS, the Mayor and Board of Aldermen, having made due investigation, do find as follows:

a. That the Long Beach School District is in the process of applying for a grant to review and rewrite its Emergency Response and Crisis Management Plan, which plan requires it to work closely with community partners to ensure the safety and well-being of the students and their families during emergency, has proposed that the City be a partner in its new Emergency Response and Crisis Management Plan, and has presented a proposed partnership agreement for completion by the City; and

b. Its is in the best interest of the City and necessary to protect the public health and safety, particularly during emergency and/or crisis events, to coordinate its emergency activities and efforts with other public entities, including the Long Beach School District; and

c. The City should enter into the proposed partnership agreement with the Long Beach School District to the extent, but only to the extent, that same does not require activities, contributions or services mandating an interlocal agreement between the two entities

IT IS THEREFORE, ORDERED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:

Section 1 That the proposal by the Long Beach School District for the City of Long Beach to partner with the Long Beach School District in its new Emergency Response and Crisis Management District, should be and is hereby approved, to the extent, but only to the extent that neither the said partnership nor the agreement evidencing same requires the City to engage in activities or provide contributions or services or assets which mandate an interlocal agreement between the two entities, unless and until such interlocal agreement is adopted and approved as by law provided.

Section 2 That the Mayor and City Clerk are hereby authorized to execute the proposed Partnership Agreement proposed by the Long Beach School District.

Section 3 That a true copy of this Order shall be attached as an exhibit to the Partnership Agreement executed and delivered to the Long Beach School District for the purpose of evidencing the extent of the approval provided by this Order.

Upon discussion, Alderman Bennett moved the adoption of the above and foregoing Order seconded by Alderman Holder, 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 Absent, Not Voting
Alderman Mark E. Lishen	voted Absent, Not Voting

Mayor and Board of Aldermen
June 6, 2006

The question having received the affirmative vote of all the Alderman present and voting, the Mayor declared the motion carried and the Order adopted and approved this the 6th day of June, 2006.

APPROVED:

William Skellie, Jr.
WILLIAM SKELLIE, JR., MAYOR

ATTEST:

Rebecca E. Schruff
REBECCA E. SCHRUFF, CITY CLERK

There being no further business to come before the Mayor and Board of Aldermen at this time, Alderman Holder made motion seconded by Alderman Notter 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