

**Minutes of July 18, 2006**  
**Mayor and Board of Aldermen**

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 third Tuesday in July, 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 via telephone, Richard Notter, Richard Burton, Joseph McNary, Mark Lishen, Richard Bennett, City Clerk Rebecca E. Schruoff and City Attorney Frank R. McCreary, III.

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 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 June 6, 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, Advertisement for Bids, 'KATRINA REPAIRS-PHASE I LONG BEACH SMALLCRAFT HARBOR', as evidenced by the Publisher's Proof of Publication.

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

**Minutes of July 18, 2006  
Mayor and Board of Aldermen**

**PROOF OF PUBLICATION**

**ADVERTISEMENT FOR BIDS**  
 The City of Long Beach, Mississippi, will receive bids for: **HURRICANE KATRINA REPAIRS - PHASE 1 - LONG BEACH SMALL-CRAFT HARBOR** 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., July 18, 2006. Bids are invited for the furnishing of materials and labor to perform various items of construction and repair within Long Beach Small-Craft Harbor to restore Piers N.

**Proposals 234**  
 Item 1 and Number 5 to service. The project includes demolition of damaged pier components, new pier construction, electrical work, and water supply piping to service the berths provided. Contract Documents, including Drawings and Technical Specifications, are on file at the Office of City Clerk, at City Hall, Long Beach, Mississippi. Plans and Specifications 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 - HURRICANE KATRINA REPAIRS PHASE 1 - LONG BEACH SMALL-CRAFT HARBOR, 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, June 6, 2006.  
 City of Long Beach, Mississippi  
 By S.HEBECCA SCHLUFF  
 Title CITY CLERK  
 X-29,adv16,23,2fm -1060557

STATE OF MISSISSIPPI  
 COUNTY OF HARRISON

Before me, the undersigned Notary Public of Harrison County, Mississippi, personally appeared Tahira Crawford 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 that 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 127 No, 252 dated 16th day of June, 2006
- Vol 127 No, 263 dated 23rd day of June, 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 county for a period of more than twelve months next prior to the first publication of said notice.

Commission Expires on:  
 October 15, 2007

[Signature]  
 Clerk

Sworn to and subscribed before me this 23rd day of June, A D, 2006

[Signature]  
 Notary Public

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

**Minutes of July 18, 2006**  
**Mayor and Board of Aldermen**

The Clerk further reported that four (4) bids were properly filed whereupon said bids were then and there publicly opened and read aloud, as follows:

Gills Crane and Dozer Service, Inc.  
116 Marlin Drive  
Slidell, LA 70461  
Bid Amount: \$768,855.98

Vice Construction Company, Inc. and K & G Crane Services  
9712 Highway 63  
Moss Point, MS 39562  
Bid Amount: \$778,307.80

Twin L Construction Company, Inc.  
8292 Firetower Road  
Pass Christian, MS 39571  
Bid Amount: \$1,026,353.00

CSM, Inc.  
20065B Commission Road  
Long Beach, MS 39560  
Bid Amount: \$597,046.96 (No Certificate of Responsibility Number and No Bid Bond Included).

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 the City Engineer with a recommendation at the next regular meeting, August 1, 2006.

\*\*\*\*\*

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

Schedule Public Hearing--Fiscal Year 2006-2007 Budget.

\* \* \* \* \*

Alderman Bennett made motion seconded by Alderman Notter and unanimously carried to schedule a public hearing, Tuesday, September 5, 2006, at 5:30 p.m. to consider the Fiscal Year 2006-2007 Budget.

\*\*\*\*\*

Due to a possible conflict of interest, Alderman Lishen was recused from the open meeting.

\* \* \* \* \*

There came on for consideration the recess and executive session minutes of the Mayor and Board of Aldermen dated July 5, 2006, and discussion was held regarding

**Minutes of July 18, 2006**  
**Mayor and Board of Aldermen**

that portion of the recess meeting minutes pertaining to action taken remanding the high density ordinance to the Planning Commission, that the City immediately start the process to create a zone to accommodate high density residential uses according to the ruling by Judge Simpson on August 25, 2005, where he ordered and adjudged the adoption of ordinance 502 is reversed, the ordinance declared to be invalid, and the matter is remanded for proceedings consistent with his opinion, which state that the change to the zones in question is so significant that it constitutes a zoning change.

After considerable discussion, Alderman Holder made motion seconded by Alderman Bennett and unanimously carried to approve the aforementioned minutes, as submitted, and the Mayor apprised the Board of Aldermen that he will veto that portion of the minutes as stated above.

\* \* \*

Alderman Lishen returned to the open meeting.

\* \* \*

Alderman Holder made motion seconded by Alderman Notter and unanimously carried to approve the special meeting minutes of the Mayor and Board of Aldermen dated July 10, 2006, as submitted.

\*\*\*\*\*

Alderman Holder made motion seconded by Alderman Notter and unanimously carried to schedule a public hearing, Tuesday, August 15, 2006, at 5:30 p.m. to consider an application for zoning map change as submitted by Herschel Dubuisson, 19197 Commission Road, from Residential Single Family (R-1) to Neighborhood Commercial (C-3), approved by the Planning Commission at a public hearing duly held and convened on June 8, 2006.

\* \* \*

Alderman Bennett made motion seconded by Alderman Holder and unanimously carried to approve the July 13, 2006, Planning Commission minutes with exception to action taken regarding an application for zoning map change from C-2 and R-1 to R-3, approved as submitted by Vinings Holdings, Inc., of Atlanta, GA, for Hampton House, L.P., 4401 Beatline Road.

\* \* \*

Alderman Holder made motion seconded by Alderman Notter and unanimously carried to schedule a public hearing, Tuesday, August 15, 2006, at 5:30 p.m., to consider

**Minutes of July 18, 2006**  
**Mayor and Board of Aldermen**

an application for zoning map change from C-2 and R-1 to R-3, approved by the Planning Commission as submitted by Vikings Holdings, Inc., of Atlanta, GA, for Hampton House, L.P., 4401 Beatline Road.

\*\*\*\*\*

Alderman McNary made motion seconded by Alderman Notter and unanimously carried to approve payment of invoices as listed in Docket of Claims number 071806 upon the availability of funds.

\*\*\*\*\*

Reimbursement for use of personally owned 4-wheelers/3-wheelers, Hurricane Katrina, was taken under advisement for further review and deliberation at a later date.

\*\*\*\*\*

The Mayor reported that due to an error, Mr. George Casey was not placed on the agenda. He recognized Mr. Casey who commended the Mayor and Board of Aldermen for a job well done in the aftermath of Hurricane Katrina.

\*\*\*\*\*

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

- Step Increase, Firefighter 1<sup>st</sup> Class Craig Ahlers, PS-9-Basic, effective August 1, 2006;
- Step Increase Firefighter 1<sup>st</sup> Class Brandon Bates, PS-9-Basic, effective August 1, 2006;
- Step Increase Firefighter 1<sup>st</sup> Class Matthew Scott, PS-9- Basic, effective August 1, 2006;
- Step Increase Firefighter 1<sup>st</sup> Class Jeremy Damiens, PS-9-I, effective August 1, 2006;
- Education Pay, Bachelor of Science, \$150.00 per month, Firefighter 2<sup>nd</sup> Class Matthew Scott effective August 1, 1006.

\*\*\*\*\*

Alderman Holder 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.

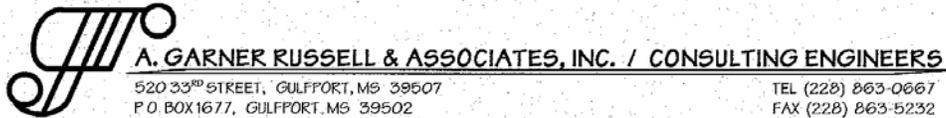
\*\*\*\*\*

Alderman Notter made motion seconded by Alderman Holder and unanimously carried to approve the placement of a FEMA mobile home, 329 East 5<sup>th</sup> Street, Long Beach, Mississippi, as submitted by Sal Giuffria.

\*\*\*\*\*

**Minutes of July 18, 2006  
Mayor and Board of Aldermen**

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



July 11, 2006

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

Re: **Final Acceptance –  
“Electrical Rehabilitation for the Long Beach Main Library Building”**

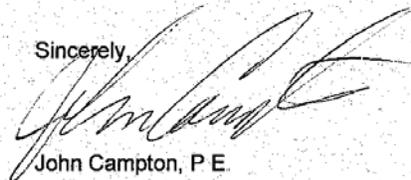
Gentlemen:

This is to advise and certify that the above referenced contract has been satisfactorily completed by the Contractor, in substantial conformance with the contract requirements.

The basic contract price was a Lump Sum of \$63,710.00, with add-prices for individual lighting fixtures or ceiling fans that required replacement. Six fans were found to be inoperative, and were replaced at a cost of  $6 \times \$286.75 = \$1,720.50$ . The final price for the work is therefore  $\$63,710.00 + \$1,720.50 = \$65,430.50$ .

We recommend final settlement with the Contractor, in accordance with the attached invoice.

Sincerely,



John Campton, P.E.

JC:ltt:K308  
Enclosure

cc: Roger Glennon

# Minutes of July 18, 2006 Mayor and Board of Aldermen

6/20/2006 14:37 FAX 2288320608

KROL ELECTRIC INC

002/002

Krol Electric, Inc.  
12090 New Orleans Avenue  
Gulfport, MS 39503 Phone# 832-9911  
Fax# 832-0608,

## Invoice

Date	Invoice #
6/30/2006	9047

Bill To
Gardner Russel & Associates, Inc 520-33rd Street Gulfport Ms. 39502 <i>CITY OF LONG BEACH</i> Attn: John Campton

P.O. No.	Terms	Project
<i>666-00</i>		

Quantity	Description	Rate	Amount
	Now 100% complete for Long Beach Library, Long Beach, as per bid of 4-25-06. Original Bid Price: \$63,710.00 Extras: \$1,720.50 - Hunter Ceiling Fans Overall Amount Due: \$65,430.50 MS Sales Tax	65,430.50	65,430.50
		7.00%	0.00
<b>Total</b>			<b>\$65,430.50</b>

Upon discussion, Alderman Holder made motion seconded by Alderman Bennett and unanimously carried to accept the recommendation of Mr. Campton as set forth above, approving final acceptance—'Electrical Rehabilitation for the Long Beach Main Library Building', authorizing payment to Krol Electric, Inc., in the amount of \$65,430.50 as it appears in Docket of Claims number 071806.

\*\*\*\*\*

Alderman Notter made motion seconded by Alderman Burton and unanimously carried to schedule a work session, Tuesday, July 25, 2006, at 5:30 p.m., to discuss

**Minutes of July 18, 2006**  
**Mayor and Board of Aldermen**

reduction in building permit fees for Katrina impacted residents and non-conforming use properties prior to Hurricane Katrina.

\*\*\*\*\*

Based upon the recommendation of Police Chief Harley Schinker and certification by the Civil Service Commission, to approve Police Department personnel matters, as follows:

Retirement of Desk Clerk Doris King effective July 31, 2006, with regret;

Hire Police Officer 2<sup>nd</sup> Class Michael Gruich, PS-7, effective August 1, 2006;

Step Increase Patrolman 1<sup>st</sup> Class Patrick Craig, PS-10-B, effective August 1, 1006;

Step Increase Dispatch Crystal Pittman, PS-3-I, effective August 16, 2006.

\*\*\*\*\*

The model ordinance, youth commission, was taken under advisement for further consideration at the work session scheduled for Tuesday, July 25, 2006, at 5:30 p.m. and placed on the agenda for August 1, 1006.

\*\*\*\*\*

The Mayor recognized Richard Wilson who spoke in favor of the non-binding land based gaming referendum. No formal action was required or taken.

\*\*\*\*\*

There came on for consideration the matter of directing the Planning Commission to establish a zoning district for gaming/entertainment/recreation on U. S. Highway 90 from Douglas Avenue to Mason Avenue.

After considerable discussion and debate, Alderman Holder made motion seconded by Alderman Bennett and unanimously carried directing the Planning Commission to include in the Master Plan from the charettes, a gaming district on U. S. Highway 90 across from the harbor as stated in the non-binding referendum, between Cleveland and Burke; and to include other entertainment, resort and recreation districts between Douglas and Mason Avenue.

\*\*\*\*\*

The Mayor recognized Tanya Alexander, Operation Hope, Hope Coalition of America, to address the various services available for Gulf Coast residents through the organization. She provided brochures and documents for handouts.

\*\*\*\*\*

The Mayor and Board of Aldermen took up the matter of adopting the Uniform Motor Vehicle Assessment Schedule for the City of Long Beach, Mississippi, and the Long Beach

**Minutes of July 18, 2006**  
**Mayor and Board of Aldermen**

Separate School District for the fiscal year, 2006-2007. After a discussion of the subject, Alderman Notter offered and moved the adoption of the following Order:

**AN ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, ADOPTING THE UNIFORM MOTOR VEHICLE ASSESSMENT SCHEDULE FOR THE FISCAL YEAR, 2006-2007 FOR AD VALOREM TAXES OF THE CITY OF LONG BACH, MISSISSIPPI, AND THE LONG BEACH SEPARATE SCHOOL DISTRICT, PROVIDING FOR A HEARING ON ANY COMPLAINT, FILED IN WRITING, OBJECTING TO AND PETITIONING FOR A SPECIFIED REDUCTION ON ANY PORTION OR PORTIONS OF THE ASSESSMENT SCHEDULE AFFECTING THE COMPLAINANT DIRECTLY AND PROVIDING FOR PUBLICATION OF NOTICE OF SUCH HEARING, AND FOR RELATED PURPOSES.**

Whereas, in accordance with the provisions of Chapter 340, Laws of Mississippi, 1990, there has been filed with the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, a certified copy of the Uniform Motor Vehicle Assessment Schedule adopted by Order of the State Tax Commission of the State of Mississippi dated June 14, 2006, which motor vehicle assessment schedule has been examined and considered by the Mayor and Board of Aldermen of the City and is now on file in the office of the City Clerk of the City of Long Beach, Mississippi, who is also the Tax Assessor of said City and of the Long Beach Municipal Separate School District; and such motor vehicle assessment schedule is now open and ready for inspection and examination by any interested taxpayer of the City of Long Beach, Mississippi, and of the Long Beach Municipal Separate School District; now therefore,

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

SECTION 1. That the aforesaid Uniform Motor Vehicle Assessment Schedule for motor vehicle ad valorem taxes for the fiscal year, 2006-2007, adopted by the State Tax Commission of the State of Mississippi, now on file with the Mayor and Board of Aldermen in the office of the City Clerk at the City Hall of the City of Long Beach, Mississippi, be, and the same hereby is adopted as and for the motor vehicle assessment schedule for the City of Long Beach, Mississippi, and the Long Beach Separate School District for the collection of ad valorem taxes for the ensuing fiscal year of 2006-2007 for the City and the Municipal Separate School District subject to the hearing of objection as hereinafter provided.

SECTION 2. That the aforesaid motor vehicle assessment schedule is now open and ready for inspection and examination by any interested taxpayer of the City of Long Beach, Mississippi, and of the Long Beach Municipal Separate School District; and that a public hearing be and is hereby called and ordered to be held in the Administration Building of the Long Beach Municipal Separate School District on Commission Road in said City of Long Beach, Mississippi, at 5:30 P.M. on Tuesday, the 15<sup>th</sup> of August, 2006, for the purpose of hearing and

**Minutes of July 18, 2006**  
**Mayor and Board of Aldermen**

taking action on any complaint, filed in writing, objecting to and petitioning for a specific reduction on any portion or portions of the aforesaid motor vehicle assessment schedule affecting the complainant directly.

SECTION 3. That the City Clerk of the City be, and said City Clerk is hereby ordered and directed to give notice that the aforesaid motor vehicle assessment schedule is now ready and open for inspection and examination by any interested taxpayer of the City of Long Beach, Mississippi, and of the Long Beach Municipal Separate School District and of the public hearing hereinabove ordered and directed to be held for the purpose of hearing and taking action on any complaint, filed in writing, objecting to and petitioning for a specified reduction on any portion or portions of the aforesaid motor vehicle assessment schedule affecting the complainant directly, at the City Hall of the City of Long Beach, Mississippi, at the time and on the date specified hereinabove in Section 2 for said hearing. The said notice shall be given by publication of this Order in its entirety at least two (2) times in the Sun Herald, a newspaper published and having general circulation and Harrison County, Mississippi, and having general circulation in the City of Long Beach, Mississippi, and in the Long Beach Municipal Separate School District, the first publication to be made not less than fifteen (15) days prior to the date hereinabove fixed for said public hearing, all as is provided by Section 27-51-21, Mississippi Code of 1972, as amended.

SECTION 4. This Order shall take effect and be in force from and after its adoption Alderman Holder seconded the motion to adopt the foregoing Order, 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 Aye
Alderman Allen D. Holder, Jr.	voted Aye
Alderman Mark Lishen	voted Aye
Alderman Joseph McNary	voted Aye

**Minutes of July 18, 2006**  
**Mayor and Board of Aldermen**

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the order adopted this the 18<sup>th</sup> day of July, 2006.

APPROVED:

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

ATTEST:

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

\*\*\*\*\*

The Mayor will contact Harrison County Supervisor Marlin Ladner and representatives of MDOT to discuss the Highway 601 (I-310) tie-in.

\*\*\*\*\*

Alderman Holder made motion seconded by Alderman Burton directing the Clerk to issue a city warrant in the amount of \$20,000.00 to the Humane Society of South Mississippi for their new facility, upon the availability of funds.

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

Alderman Richard Notter	voted	Nay
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	Nay
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.

\*\*\*\*\*

There came on for discussion an application submitted to the Planning Commission by Joseph Guaci for the development of a condominium project in a C-2 zoning district, 229 Klondyke Road. The application was approved by the Planning Commission, overruled by the Mayor and Board of Aldermen and the matter remanded to the Planning Commission for additional information and clarification. The Planning Commission met July 13, 2006, to reconsider the application, however, no action was taken.



**Minutes of July 18, 2006**  
**Mayor and Board of Aldermen**

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