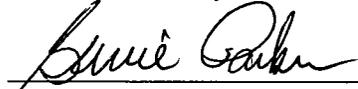


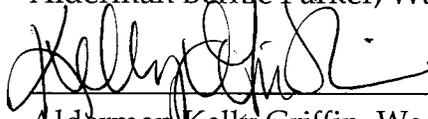
Minutes of April 1, 2014
Mayor and Board of Aldermen

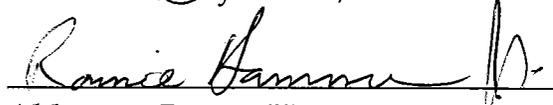
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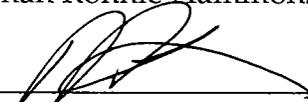

Alderman Leonard G. Carrubba, Sr., At-Large


Alderman Gary J. Ponthieux, Ward 1


Alderman Bernje Parker, Ward 2


Alderman Kelly Griffin, Ward 3


Alderman Ronnie Hammons, Jr., Ward 4


Alderman Mark E. Lishen, Ward 5

Alderman Alan Young, Ward 6

4/5/14
Date

ATTEST

Rebecca E. Schruff, City Clerk

Minutes of April 7, 20143
Mayor and Board of Aldermen

Be it remembered that a special meeting of the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held at 3:00 o'clock p.m., on the 7th day of April, 2014, at the Long Beach City Hall, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed by order of the Mayor in accordance with the Laws of the State of Mississippi and ordinance of the City of Long Beach for holding said special meeting.

There were present and in attendance on said board and at the special meeting the following named persons: Mayor William Skellie, Jr., Aldermen Leonard G. Carrubba, Sr., Gary J. Ponthieux, Bernie Parker, Kelly Griffin, Ronnie Hammons, Jr., Alan Young, City Clerk Rebecca E. Schruuff, and City Attorney James C. Simpson, Jr.

Alderman Mark E. Lishen was absent the special meeting.

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

Alderman Carrubba made motion seconded by Alderman Hammons and unanimously carried to spread the Notice and Service of Special Meeting upon the minutes of this meeting in words and figures, as follows:

Minutes of April 7, 20143
Mayor and Board of Aldermen

City of Long Beach

BOARD OF ALDERMEN

Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kelly Griffin - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Alan Young - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

CITY OF LONG BEACH
COUNTY OF HARRISON
STATE OF MISSISSIPPI

TO THE CHIEF OF POLICE OR ANY LAW ENFORCEMENT OFFICER OF THE CITY OF LONG BEACH, MISSISSIPPI:

GREETINGS:

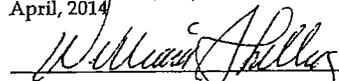
THIS IS TO COMMAND YOU TO NOTIFY Mayor William Skellie, Jr., Aldermen Leonard G. Carrubba, Sr., Gary J. Ponthieux, Bernie Parker, Kelly Griffin, Ronnie Hammons, Jr., Mark E. Lishen, Alan Young, City Clerk Rebecca E. Schruff and City Attorney James C. Simpson, Jr., all of the City of Long Beach, that a SPECIAL MEETING of the Mayor and Board of Aldermen has been called and ordered to be held on Monday, April 7, 2014, at 3:00 o'clock p.m. at the Long Beach City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi, for the purpose of transacting important business of the City of Long Beach, as follows;

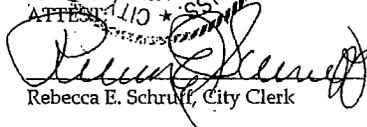
TO CONSIDER AND TAKE ACTION ON THE FOLLOWING:

- Police Department personnel matter – termination.

And you are to have this Notice of Special Meeting then and there with the endorsement of its service on the above named officers and persons who could be found personally at least three (3) hours before the time and date fixed for the special meeting aforesaid.

WITNESS MY SIGNATURE, this the 7th day of
April, 2014


William Skellie, Jr., Mayor


ATTEST:

Rebecca E. Schruff, City Clerk

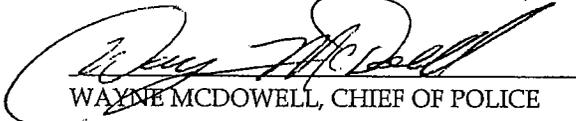
201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822
www.cityoflongbeachms.com

Minutes of April 7, 20143
Mayor and Board of Aldermen

CITY OF LONG BEACH
COUNTY OF HARRISON
STATE OF MISSISSIPPI

I HAVE THIS DAY PERSONALLY SERVED THE FOLLOWING NAMED INDIVIDUALS THAT COULD BE FOUND WITH NOTICE OF SPECIAL MEETING AT LEAST THREE (3) HOURS PRIOR TO THE DATE AND TIME FIXED FOR HOLDING SAID MEETING.

NAME	DATE	TIME
Rebecca Schmitt	4/7/14	11:07 AM
William Skellie, JR	4/7/14	11:07 AM
CARRY PONTI+IGUX	4/7/14	11:12 AM
Ronnie Hammons, JR	4/7/14	11:13 AM
Kelly Griffin	4/7/14	11:16 AM
Alan Young	4/7/14	11:17 AM
VIA EMAIL/TELEPHONE MARK LISHEN	4/7/14	11:18 AM
VIA EMAIL JAMES C. SIMPSON, JR	4/7/14	10:49 AM
Leonard Carruba	4/7/14	11:20 AM
Bernie Parker	4/7/14	11:33 AM


WAYNE MCDOWELL, CHIEF OF POLICE

BY: _____
POLICE OFFICER

There came on for consideration a letter from Police Chief Wayne McDowell, as follows:

Minutes of April 7, 20143
Mayor and Board of Aldermen

228-863-7292
FAX 228-863-1557



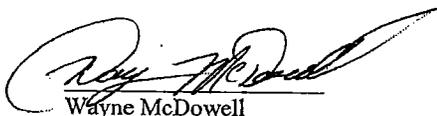
LONG BEACH POLICE DEPARTMENT

P.O. BOX 929 LONG BEACH, MS 39560

Date: April 4, 2014
To: Patrick Klis
SUBJECT: TERMINATION

Effective Friday, April 4, 2014 you are relieved of your employment with the Long Beach Police Department due to violation of Department Policy and not meeting the expectations required for your employment (Department Policy 2.10 section 5, subsection 10 Conduct Unbecoming (conduct that adversely affects efficiency, erodes public respect, or reduces confidence in government service).

All Police Department equipment and property shall be returned before your final pay check will be released.


Wayne McDowell
Chief of Police

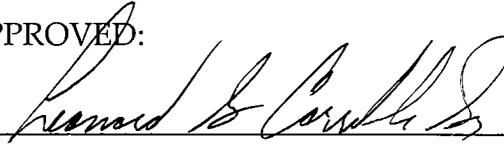
Cc: Mayor William Skellie, Jr.
Civil Service Commission
Ms. Becky Schruff for Board of Alderman
Ms. Stacey Dahl - Payroll Clerk
Assistant Chief Bond
Commander Seal
Sgt. Plavidal
Personal File

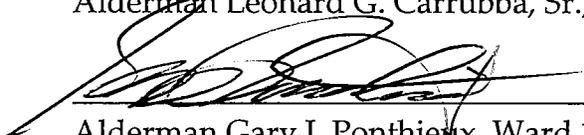
Upon discussion, Alderman Ponthieux made motion seconded by Alderman Carrubba and unanimously carried to approve the recommendation of Chief McDowell as set forth above.

There being no further business allowed under the Notice and Service of Special Meeting, Alderman Parker made motion seconded by Alderman Griffin and unanimously carried to adjourn until the next regular meeting in due course.

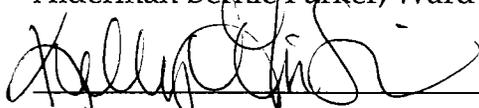
Minutes of April 7, 20143
Mayor and Board of Aldermen

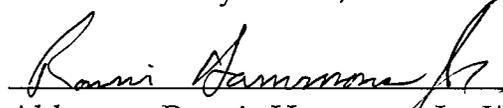
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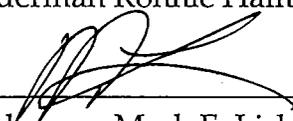

Alderman Leonard G. Carrubba, Sr., At-Large


Alderman Gary J. Ponthieux, Ward 1


Alderman Bernie Parker, Ward 2

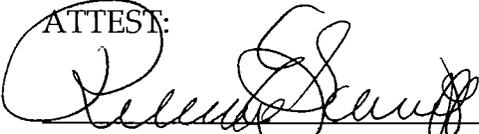

Alderman Kelly Griffin, Ward 3


Alderman Ronnie Hammons, Jr., Ward 4


Alderman Mark E. Lishen, Ward 5

Alderman Alan Young, Ward 6

4/15/14
Date

ATTEST:

Rebecca E. Schruoff, City Clerk

**Minutes of April 15, 2014
Mayor and Board of Aldermen**

Be it remembered that a regular meeting of the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held at 5:00 o'clock p.m., Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, it being the third Tuesday in April, 2014, and the same being the time, date and place fixed by Laws of the State 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 Leonard G. Carrubba, Sr., Gary J. Ponthieux, Bernie Parker, Kelly Griffin, Ronnie Hammons, Jr., Mark E. Lishen, City Clerk Rebecca E. Schruff, and City Attorney James C. Simpson, Jr.

Alderman Alan Young was absent the meeting.

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 bids, presentations, proclamations, or amendments to the agenda.

*

*

The Mayor and Board of Aldermen announced the celebration of Mrs. Glendeen Delores Lowe's 100th birthday and the celebration of Mr. Ross E. Lishen's 101st birthday.

The Mayor opened the floor for public comments regarding agenda items, as follows:

**Minutes of April 15, 2014
Mayor and Board of Aldermen**

**PUBLIC COMMENTS PERTAINING TO MATTERS ON THE AGENDA
ONLY**

NOTE: All comments shall be directed to the Chairman (Mayor).
 Comments of a personal nature regarding individual members of the Governing Authority (Mayor and Board of Aldermen), City Staff and/or Personnel, other Citizens, disruptive comments or improper actions will not be permitted.
 Public Comments will be limited to a total of **ten (10) minutes** and limited to a maximum of **two (2) minutes** per person.
 Except as otherwise directed by the Chairman (Mayor), Public Comments will not be permitted before or after the allotted time. Disruption of the regular business meeting will be cause for removal from the public meeting.

PLEASE PRINT:			AGENDA ITEM	AGENDA ITEM SUBJECT MATTER
	NAME / ADDRESS / TELEPHONE	NO.		
1	5119 Mitchell RD Long Beach ms 39560 Kim Marmalich	2a		Long Beach Market and Deli -
2	Erica Shirk 201 James Drive	2a		Long Beach Market and Deli
3	Sam Clark 223-7443 5121 MITCHELL RD	2a		Long Beach Market Deli
4	Maxim van Norden 5142 Mitchell Rd	2a		Planning Commission
5	RON & GAY IESLY 252 E. 4th St. 1	6		X1 - Building Code
6	Rocky Brewster 260 E. 4th St.	X5		" "
7				
8				
9				
10				

City of Long Beach, Mississippi
 Mayor and Board of Aldermen Meeting
 Date: _____

Excel Worksheet: public comments - agenda PUBLIC COMMENTS-AGENDA

Alderman Lishen made motion seconded by Alderman Carrubba and unanimously carried to approve the minutes of the Mayor and Board of Aldermen, as follows:

- Regular Meeting dated April 1, 2014, as submitted;
- Special Meeting dated April 7, 2014, as submitted.

Alderman Lishen made motion seconded by Alderman Carrubba and unanimously carried to approve the minutes of the Long Beach Planning Commission dated April 10, 2014, with the following exceptions:

- Public Hearing – Planning Commission denial of Application for Variance to subdivide property located at 590 West Beach Boulevard into three (3) lots as submitted by Chris Patrick.
- Action taken by the Planning Commission for approval of live music as an accessory use in accordance with the City of Long Beach Noise Ordinance #463A, Long Beach Market and Deli, 20110 Pineville Road, requested by owner Maxim F. van Norden, and with the following stipulations:
 - Only non-amplified, acoustic, live music can be played.
 - Live music can be played on Saturdays only.
 - Live music can be played only between the hours of 7:00 a.m. and 9:00 p.m., as stated in the Noise Ordinance #463A, Section IX Sound Equipment.

*

*

There came on for consideration an appeal filed by Chris Patrick, as follows:

Minutes of April 15, 2014
Mayor and Board of Aldermen

cityclerk@cityoflongbeachms.com

From: Mandy Holt <mandyleigh99@gmail.com>
Sent: Monday, April 14, 2014 3:48 PM
To: cityclerk@cityoflongbeachms.com
Subject: 590 Beach Blvd, Long Beach, MS

To whom it may concern -

This email is in reference to the decision made by the Long Beach planning commission on the above mentioned property, 590 Beach Blvd in Long Beach, MS. The purpose of this email is to appeal the decision made by the planning commission that was made on this past Thursday, April 10th, 2014. I am asking that this appeal be sent to the Board of Alderman and that a public hearing be held.

I appreciate your time and consideration. Thank you so much!

Chris Patrick, Quality Built Homes

Sent from my iPhone

1

Upon discussion, Alderman Ponthieux made motion seconded by Alderman Carrubba and unanimously carried to schedule a public hearing, Tuesday, May 20, 2014, 5:00 o'clock, Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, to consider said appeal.

*

*

There came on for consideration the matter of allowing live music as an accessory use at the Long Beach Market and Deli, 20110 Pineville Road, approved with stipulations by the Planning Commission, and an appeal filed by Maxim F. van Norden, as follows:

Minutes of April 15, 2014
Mayor and Board of Aldermen

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Maxims, LLC
d/b/a Long Beach Market and Deli
20110 Pineville Road
Long Beach, MS 39560

RECEIVED APR 14 2014

9:56 AM
[Signature]

April 14, 2014

Honorable Mayor William "Billie" Skellie, Jr. and City Council
City of Long Beach
201 Jeff Davis Ave.
Long Beach, MS.

Subj: Appeal of Planning Commission Decision of April 10, 2014 Concerning Live music as an Accessory use in Accordance with the City of Long Beach Noise Ordinance #463A

Dear Sir:

We, Maxim F. van Norden and Lucia H. van Norden, owners of Long Beach Market and Deli, located at 20110 Pineville Road, respectfully request reconsideration of the subject Planning Commission decision of April 10, 2014.

Our operation of amplified sound equipment is fully in compliance with Ordinance 463A, Sect IX. Paragraph (1) which specifically allows for the operation of sound equipment within 150 feet of the premises of a residence from 7:00 AM to 9:00 PM. Our operation of sound equipment is also fully in compliance with Paragraphs (3) through (5) of said ordinance.

We further contend that Paragraph (2) of 463A, Sect. IX is purely subjective with no measurable standard, is unreasonably and capriciously enforced by the City Police at the whims of a complainant, and that such enforcement is detrimental to business activities in Long Beach. We believe that we should be allowed to freely exercise our rights to play music as an accessory to the serving of food.

We desire to be good neighbors and are willing to install noise barriers/noise absorbers around our stage area. However, without measurable standards, we believe we will continue to be subject to the whims of a complainant under Paragraph (2). We believe that adoption of a measurable noise standard in-place of Paragraph (2) would be fair to all concerned. We suggest the City of Long Beach adopt noise standards similar to those used by Harrison County. The Harrison County standards are 68 dB (at human hearing) measured at the residential property receiving the noise, measured using the Type 1 or Type 2 calibrated sound level meter. Furthermore, twice a month permits are available for up to 75 dB sound equipment. We have attached the applicable Harrison County standard for your review.

Respectfully,
Maxim F. van Norden
Maxim F. van Norden

The Mayor recognized Mr. Maxim F. van Norden, who expressed his concerns regarding the language contained in Noise Ordinance 463A, stating that the operation of amplified sound equipment is fully in compliance with said ordinance.

The Mayor recognized Ms. Kim Marmalich, 5119 Mitchell Road, owner of the property adjacent to the Long Beach Market and Deli, to state her objections and concerns regarding live music as an accessory use as well as the operation of a lounge for consumption of alcoholic beverages on premise and the operation of same outside a fully enclosed building.

Minutes of April 15, 2014
Mayor and Board of Aldermen

After considerable discussion and debate, Alderman Carrubba made motion seconded by Alderman Hammons to take the aforesaid appeal filed by Maxim F. van Norden under advisement for further review and consideration at the next regular meeting, May 6, 2014. The motion carried upon the affirmative voice vote of a majority of the Aldermen present and voting, with Alderman Parker casting a negative vote.

Alderman Lishen left the meeting and was absent the proceedings.

Alderman Ponthieux made motion seconded by Alderman Griffin and unanimously carried to approve payment of invoices as listed in Docket of Claims Number 041514.

There was no report from the Mayor's Office.

There came on for consideration a letter from Assistant Fire Chief Mike Brown, as follows:

LONG BEACH FIRE DEPARTMENT

Assistant Chief Mike Brown

*645 Klondyke Road
Long Beach MS 39560*

*Phone(228) 863-7292
Fax (228) 868-0070*

April 3, 2014

Mayor William Skellie
P. O. Box 929
Long Beach, MS 39560

Re: Replacement of Self Contain Breathing Apparatus

Dear Mayor Skellie,

After two unsuccessful attempts to purchase SCBA's (Air Packs) through the Assistance of the Firefighters Grant program, we feel it is time to start pursuing other options for this necessary purchase.

Our air packs are over ten (10) years old and two (2) National Fire Protection Association Standards behind. The approximate cost for twenty one (21) air packs and forty two (42) air bottles would be one hundred twenty five thousand dollars (\$125,000).

In order for us to purchase these, our two options are to increase our 2015 budget for the purchase or secure a short term note for the purchase using fire rebate money for repayment. In July or August of this year, we will be able to pay off the Fire Management System that was purchased using fire rebate money. This would free up approximately \$30,000 yearly to use towards a short term note; therefore, we feel this is the best option. While we are in the very early stages of this purchase, we are asking for approval to pursue this option.

I would appreciate your consideration in this matter and should you have any questions, please do not hesitate to call. I will be present at the next City Council meeting for questioning.

Sincerely,



Mike Brown
Assistant Fire Chief

CC: Chief George Bass

Based upon the recommendation of Assistant Chief Brown, Alderman Parker made motion seconded by Alderman Ponthieux and unanimously carried to approve the purchase of Self Contained Breathing Apparatus funded by an Equipment Purchase Note utilizing Fire Rebate Funds to meet the note obligation.

Alderman Ponthieux made motion seconded by Alderman Griffin and unanimously carried to approve personnel matters, as follows:

Minutes of April 15, 2014
Mayor and Board of Aldermen

FIRE DEPARTMENT:

- Step Increase, Firefighter 1st Class Kyle Castelin, FS-9-B, effective May 1, 2014.

MUNICIPAL COURT:

- Step Increase, Municipal Court Clerk Jane Marsland, CSA-8-XI, effective May 1, 2014.

There came on for consideration Community Development Block Grant (CDBG) Fire Station #2 Project, whereupon, Alderman Carrubba made motion seconded by Alderman Parker and unanimously carried to approve CDBG purchases totaling \$955.00, as follows:

- One (1) 6152 Wireless Vantage Pro2™ with Standard Radiation Shield in the amount of \$595.00;
- One (1) 6555 WeatherLinkIP™ for Vantage Stations in the amount of \$295.00;
- One (1) 7717 Mounting Pole Kit in the amount of \$35.00;
- \$30.00 Shipping/Handling.

Alderman Carrubba made motion seconded by Alderman Griffin and unanimously carried to acknowledge receipt of the March, 2014, Revenue/Expense Report.

Alderman Carrubba made motion seconded by Alderman Parker and unanimously carried to approve the purchase of two (2) cemetery plots, SW ¼ of Lot 151, Long Beach Cemetery, in the total amount of \$1,000.00, from Patrick C. Bishop.

There came on for consideration a letter from Jeffrey D. May, P.E., Project Engineer, Klondyke Road and 28th Street Intersection Improvements, as follows:

Minutes of April 15, 2014
Mayor and Board of Aldermen

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THE LPA GROUP INCORPORATED
A Unit of Michael Baker Corporation
2113 Government Street, Suite D-3
Ocean Springs, Mississippi 39564
Phone: (228) 818-2839
Fax: (228) 875-5187

April 11, 2014

Mayor William Skellie
City of Long Beach
645 Klondyke Road
Long Beach, MS 39560

Re: KLONDYKE ROAD AND 28TH STREET INTERSECTION IMPROVEMENTS
STP-9082-00 (003) LPA 105719-701000
Final Acceptance and Release of Maintenance

Mayor Skellie:

The Mississippi Department of Transportation (MDOT) has issued Final Acceptance of the above referenced project. However, in order to officially close out the project and release all remaining grant funds to the City, MDOT requires that the City of Long Beach issue a letter indicating its final acceptance to the General Contractor. We certify that the project has been completed in accordance with the contract documents and recommend the City grant final acceptance and release of maintenance to Bond Paving Co., Inc.

Upon the Board's approval, please forward a copy of the signed final acceptance letter to our office so that we may submit it to the appropriate MDOT personnel. Upon receipt MDOT will process closeout and release the final reimbursement of construction costs immediately. You should expect funds from MDOT within 30 days.

Feel free to contact me if you have any questions or comments at (228) 818-2839.

Respectfully submitted,



Jeffrey D. May, P.E.
Project Manager

Cc: James Bond, Jr. – Bond Paving Co.

File: 08430002

Minutes of April 15, 2014
Mayor and Board of Aldermen

City of Long Beach

BOARD OF ALDERMEN
Leonard G. Carrubba, Sr. - At-Large
Gary J. Ponthieux - Ward 1
Bernie Parker - Ward 2
Kelly Griffin - Ward 3
Ronnie Hammons, Jr. - Ward 4
Mark E. Lishen - Ward 5
Alan Young - Ward 6



WILLIAM SKELLIE, JR.
MAYOR

CITY CLERK
TAX COLLECTOR
Rebecca E. Schruff

CITY ATTORNEY
James C. Simpson, Jr.

April 10, 2014

Bond Paving Co., Inc.
P. O. Box 3147
Gulfport, MS 39505
Project: Klondyke Rd & 28th St Intersection Improvements
STP-9082-00(003) LPA/105719-701000

County: Harrison

Gentlemen:

This is our formal notice that all work required by your contract with the City of Long Beach, known as the Local Surface Transportation Program Project No. 9082-00 (003) LPA/105719-701000, Harrison County, has been satisfactorily completed and said work is hereby officially accepted by the undersigned, effective October 8, 2013.

This acceptance terminates your contract and releases you of any further obligations to the City of Long Beach.

Sincerely,

Mayor William Skellie, Jr.
City of Long Beach

pc:
Secretary to Commission (Amy Hornback)
Auditor - MDOT
LPA Engineer (Jeff May, P.E.)
State Construction Engineer (Brad Lewis, P.E.)
State Materials Engineer (James Williams, P.E.)
Planning Engineer (Jeff Pierce, P.E.)
Financial Management Director (Mark Valentine, P.E.)
District Engineer (Kelly Castleberry, P.E.)
District LPA Coordinator (David Seyfarth, P.E.)
Central Records (Ruth Ann Vercher)
FHWA

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822
www.cityoflongbeachms.com

Upon discussion, it was noted for the record that there is a sinkhole in the project area, whereupon, Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried to take the matter under advisement for further investigation and discussion at the next regular meeting, May 6, 2014.

The Mayor recognized Mr. Ron Irby to discuss property rights, Block 10, Original Long Beach.

After considerable discussion and debate, no official action was required or taken regarding this matter.

Minutes of April 15, 2014
Mayor and Board of Aldermen

The Mayor recognized the City Attorney for his report, as follows:

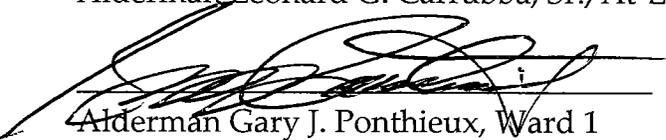
- Update on the Ronald Jefferson litigation.
- Signage at the Town Green.

There were no public comments regarding general matters not appearing on the agenda.

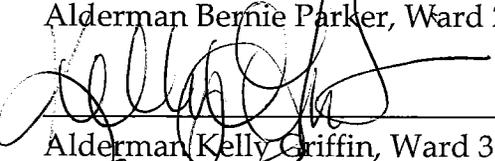
There being no further business to come before the Mayor and Board of Aldermen at this time, Alderman Parker made motion seconded by Alderman Griffin and unanimously carried to adjourn until the next regular meeting in due course.

APPROVED:


Alderman Leonard G. Carrubba, Sr., At-Large

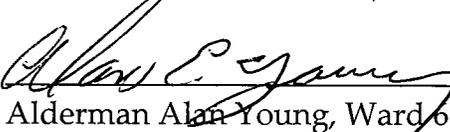

Alderman Gary J. Ponthieux, Ward 1


Alderman Bernie Parker, Ward 2


Alderman Kelly Griffin, Ward 3


Alderman Ronnie Hammons, Jr., Ward 4


Alderman Mark E. Lishen, Ward 5


Alderman Alan Young, Ward 6

5/6/14
Date

ATTEST:

Rebecca E. Schruoff, City Clerk