

REGULAR MEETING OF MAY 19, 2015
THE MAYOR AND BOARD OF ALDERMEN
THE CITY OF LONG BEACH, MISSISSIPPI

5:00 O'CLOCK P.M. LONG BEACH CITY HALL, 201 JEFF DAVIS AVE.

- I. CALL TO ORDER
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. ROLL CALL AND ESTABLISH QUORUM
- IV. PUBLIC HEARING
 - 1. Zoning Text Change; Residential Setbacks - Corner Lots
- V. ANNOUNCEMENTS; PRESENTATIONS; PROCLAMATIONS
- VI. AMENDMENTS TO THE MUNICIPAL DOCKET
- VII. * PUBLIC COMMENTS-AGENDA ITEMS ONLY
- VIII. APPROVE MINUTES:
 - 1. MAYOR AND BOARD OF ALDERMEN
 - a. May 5, 2015
 - 2. PLANNING COMMISSION
 - a. May 14, 2015
- IX. APPROVE DOCKET OF CLAIMS NUMBER(S):
 - 1. 051915
- X. DEPARTMENTAL BUSINESS
 - 1. MAYOR'S OFFICE
 - 2. HARBOR
 - a. Change Order #1-FY2014 BIG & CIAP Improvements
 - b. Change Order #2-BIG & CIAP Paving
 - 3. PERSONNEL
 - a. Police Department-(5) Step Increases
 - b. Fire Department-(7) Step Increases
 - c. Municipal Court-(2) Step Increases
 - d. Administration-(2) Step Increases
 - e. Building Office-(1) Step Increase
 - 4. BUILDING OFFICE
 - a. Terminate Vendor Duties and Services
 - 5. CITY CLERK
 - a. Water/Sewer Bill-123 South Island View; Gretchen Bell
 - b. Request to Purchase Cemetery Plots-Londa Moran
 - c. MOU-MDOT Pineville Road Pedestrian/Bicycle Feasibility Study
 - d. Resolution-Assess Cleaning Costs 20305 J Lane
 - e. Revenue/Expense Report April, 2015
 - 6. DERELICT PROPERTIES-DISCUSSION/SCHEDULE PUBLIC HEARINGS
- XI. NEW BUSINESS
 - 1. Ordinance Zoning Text Change; Residential Setbacks - Corner Lots
- XII. REPORT FROM CITY ATTORNEY
- XIII. *PUBLIC COMMENTS-MATTERS NOT APPEARING ON THE AGENDA
- XIV. ADJOURN (OR) RECESS

* ALL PUBLIC COMMENTS ARE LIMITED TO A MAXIMUM OF TWO (2) MINUTES PER PERSON, NOT TO EXCEED A TOTAL OF TEN (10) MINUTES EACH FOR PUBLIC COMMENTS.

Minutes of May 19, 2015
Mayor and Board of Aldermen

Be it remembered that a public hearing before the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held, at 5:00 o'clock p.m., Tuesday, the 19th day of May, 2015, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed by order of the Mayor and Board of Aldermen for holding said public hearing.

There were present and in attendance on said board and at the public hearing the following named persons: Mayor William Skellie, Jr., Aldermen Gary J. Ponthieux, Bernie Parker, Kelly Griffin, Ronnie Hammons, Jr., Alan Young, City Clerk Rebecca E. Schruoff and Attorney T. Russell Nobile.

Alderman Leonard G. Carrubba, Sr., Alderman Mark E. Lishen and City Attorney James Simpson, Jr., were absent the public hearing.

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

The public hearing was called to order to consider a Zoning Text Change, Add to Article XI Supplemental Use Regulations: Section 119: Lots (g) In any residential district the side yard requirements for corner lots along the street right-of-way shall have an extra width of ten (10) feet. In the absence of any further buildable lot to the rear of a corner lot the minimum side yard setback shall be eight (8) feet.

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 April 21, 2015, 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, Mississippi, Legal Notice Public Hearing, as evidenced by the Publisher's Proof of Publication.

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

Minutes of May 19, 2015 Mayor and Board of Aldermen

Proof of Publication

STATE OF MISSISSIPPI

COUNTY OF HARRISON

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

- Vol. 131 No., 207 dated 28 day of Apr, 20 15
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____
- Vol. _____ No., _____ dated _____ day of _____, 20 _____

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

Crista Brackett

Clerk

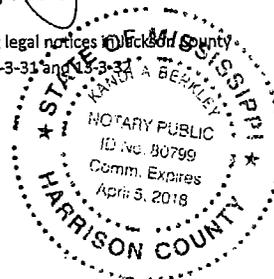
APR 29 2015

Sworn to and subscribed before me this 28 day of April, A.D., 20 15

[Signature]

Notary Public

*The Sun Herald has been deemed eligible for publishing legal notices of this county to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-31.



LONG BEACH, MISSISSIPPI
 LEGAL NOTICE
 PUBLIC HEARING
 NOTICE IS HEREBY GIVEN that, in accordance with Article XIX of the Comprehensive Long Beach Unified Land Ordinance (608) of the City of Long Beach, Mississippi (2013) as amended, the Mayor and Board of Aldermen will conduct a public hearing, Tuesday, May 19, 2015, at 5:00 o'clock p.m., City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, for the purpose of considering a zoning text change. Long Beach Planning Commission filed an application for a change in the zoning text in accordance with the Comprehensive Long Beach Unified Land Ordinance. The City proposes to make the following changes to said Ordinance:
 Add to Article XI Supplemental Use Regulations:
 Section 119: Lots
 (g) In any residential district, the side yard requirements for corner lots along the street right-of-way shall have an extra width of ten (10) feet. In the absence of any further buildable lot to the rear of a corner lot the minimum side yard setback shall be eight (8) feet.
 The purpose of this proposed change is to promote uniform development and improve public safety, thereby enhancing the quality of life for all Long Beach residents. The zoning text change was approved by the Long Beach Planning Commission at a public hearing duly held and convened on March 12, 2015. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.
 ORDERED, this 21st day of April, 2015, Mayor and Board of Aldermen, Long Beach, Mississippi.
 Signed
 Rebecca E. Schuff
 City Clerk
 ADV28,1TUE 21507244

The Clerk further reported that said Legal Notice of Public Hearing was posted on the bulletin boards at City Hall, the Water Department, the Building Official's Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; the Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi; and the city official website, www.cityoflongbeachms.com.

Alderman Parker made motion seconded by Alderman Hammons and unanimously carried to make the aforesaid report a part of the record of this public hearing.

Minutes of May 19, 2015
Mayor and Board of Aldermen

Alderman Young made motion seconded by Alderman Hammons and unanimously carried to make the March 12, 2015, minutes of the Long Beach Planning Commission a part of the record of this public hearing, on file in the Office of the City Clerk.

* * *

The Mayor opened the floor for public comments in favor of the Zoning Text Change and no one came forward to be heard.

* * *

The Mayor opened the floor for public comments opposing the Zoning Text Change and no one came forward to be heard.

* * *

There being no further public comments, Alderman Hammons made motion seconded by Alderman Griffin and unanimously carried to close the public hearing.

* * *

Upon further discussion, it was noted for the record that the corner lot setbacks were inadvertently left out of the Unified Development Ordinance 598 during the comprehensive rezoning therefore, the Zoning Text Change is to correct the oversight.

There being no further discussion, official action was taken as follows:

* * *

- Alderman Parker made motion seconded by Alderman Hammons and unanimously carried to take the Zoning Text Change, Add to Article XI Supplemental Use Regulations: Section 119: Lots (g) In any residential district the side yard requirements for corner lots along the street right-of-way shall have an extra width of ten (10) feet. In the absence of any further buildable lot to the rear of a corner lot the minimum side yard setback shall be eight (8) feet, under advisement for further review and consideration during the course of the regular meeting immediately following.

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 May, 2015, 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.

**Minutes of May 19, 2015
Mayor and Board of Aldermen**

There were present and in attendance on said board and at the meeting the following named persons: Mayor William Skellie, Jr., Aldermen Gary J. Ponthieux, Bernie Parker, Kelly Griffin, Ronnie Hammons, Jr., Alan Young, City Clerk Rebecca E. Schruff, and Attorney T. Russell Nobile.

Alderman Leonard G. Carrubba, Sr., Alderman Mark E. Lishen and City Attorney James C. Simpson, Jr., were 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 announcements, presentations, proclamations, amendments or public comments regarding the agenda.

Alderman Young made motion seconded by Alderman Griffin and unanimously carried to approve the regular meeting minutes of the Mayor and Board of Aldermen dated May 5, 2015, as submitted.

Alderman Hammons made motion seconded by Alderman Young and unanimously carried to approve the regular meeting minutes of the Long Beach Planning Commission dated May 14, 2015, as submitted.

Alderman Griffin made motion seconded by Alderman Parker and unanimously carried to approve payment of invoices as listed in Docket of Claims Number 051915.

The Mayor stated that Bill Legier, Larson Real Estate, LLC, requested a curb cut at the Kelinci Spa and Boutique, 112 West 3rd Street, to construct a drive that connects with the parking lot behind his development at 200 Jeff Davis Avenue. The cut will cost approximately \$1,200.00 in actual expenditures with Utility Partners, LLC, providing in-house labor cost for an additional \$1,200.00. The Mayor stated that Mr. Legier declined to participate in the costs.

After considerable discussion, Alderman Ponthieux made motion seconded by Alderman Hammons and unanimously carried to approve the request, with the city absorbing the entire cost, stipulating that Mr. Legier open the lot for public parking and post a "Public Parking" sign.

Minutes of May 19, 2015
Mayor and Board of Aldermen

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



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

520 33RD STREET
GULFPORT, MS 39507

TEL (228) 863-0657
FAX (228) 863-5232

May 6, 2015

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

**RE: Proposed Change Order #1
FY2014 - BIG & CIAP Improvements
Long Beach Smallcraft Harbor**

Ladies and Gentlemen:

Per the Harbormaster's direction, five additional trash and recycle bin restraints are required in the Harbor. The attached proposed change order modifies the contract to compensate the Contractor for such work. A future change order will be required to grant additional contract time to the Contractor, due to continuing delays outside of his control. We request your approval of this change order so that this work may be completed.

Sincerely,

David Ball, P.E.

DB-2025-Misc
Enclosure

Minutes of May 19, 2015 Mayor and Board of Aldermen

Change Order

No. 1

Date of Issuance: 5/5/2015 Effective Date: 5/21/2015

Project: _____ Owner: City of Long Beach Owner's Contract No.: _____

Contract: Long Beach Smallcraft Harbor - 2014 Improvements (B.I.G. & C.I.A.P.) Date of Contract: 2/26/2015

Contractor: Gibson Maintenance, LLC. Engineer's Project No.: 2025-Misc.

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

1. Add additional pay item for installation of 5 trash & recycle bin restraints, at locations designated by the Harbormaster.

Attachments: (List documents supporting change):

1. Contractor's quote.

CHANGE IN CONTRACT PRICE:

Original Contract Price: \$133,668.30

(Decrease) in Contract Price from previous Change Orders No. \$0.00

Contract Price prior to this Change Order: \$133,668.30

(Increase) in Contract Price due to this Change Order: \$555.00

Revised Contract Price incorporating this Change Order: \$134,223.30

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working Days 45 Calendar days

Substantial completion (days or date): 4/17/2015

Ready for final payment (days or date): _____

Change In Contract Time from previous Change Orders No. _____

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

Contract Times prior to this Change Order: _____

Substantial completion (days or date): 4/17/2015

Ready for final payment (days or date): _____

Change in Contract Time due to this Change Order: _____

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

Contract Times incorporating this Change Order: _____

Substantial completion (days or date): 4/17/2015

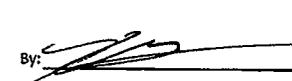
Ready for final payment (days or date): _____

RECOMMENDED:
(ENGINEER)

ACCEPTED:
(CONTRACTOR)

ACCEPTED:
(OWNER)

By: 

By: 

By: _____

Date: 5.7.2015

Date: 5/5/2015

Date: _____

Minutes of May 19, 2015 Mayor and Board of Aldermen

ATTACHMENT TO CHANGE ORDER NUMBER

1

PROJECT NO.

2025-Misc.

NO.	DESCRIPTION	CURRENT CONTRACT QUANTITY	UNIT PRICE	CURRENT CONTRACT AMOUNT	QUANTITY THIS C.O.	EXTENSION THIS C.O.	TOTAL CONTRACT QUANTITY	TOTAL CONTRACT AMOUNT
BASE BID								
B.L.G. IMPROVEMENTS								
1-A	6' BENCH	5 EA.	\$1,388.00	\$6,940.00		\$0.00	5	\$6,940.00
3-A	FLAGPOLE INSTALLATION	1 LS.	\$7,728.00	\$7,728.00		\$0.00	1	\$7,728.00
5-G	INSTALL PIER BUMPERS ON NORTHERN PIER	1 LS.	\$7,442.00	\$7,442.00		\$0.00	1	\$7,442.00
6-A	CHAIN LINK FENCE & GATE - FUEL FACILITY	1.0 LS.	\$3,498.00	\$3,498.00		\$0.00	1	\$3,498.00
TOTAL B.L.G. IMPROVEMENTS				\$25,608.00		\$0.00		\$25,608.00
CIAP IMPROVEMENTS								
1-A	6' BENCH	26 EA.	\$1,388.00	\$36,088.00		\$0.00	26	\$36,088.00
1-B	6' PICNIC TABLE	2 EA.	\$1,638.65	\$3,277.30		\$0.00	2	\$3,277.30
1-C	INSTALL OWNERS-PROVIDED SIGN	5 EA.	\$395.00	\$1,975.00		\$0.00	5	\$1,975.00
1-D	TRASH/RECYCLE RESTRAINT - PIER 1	1 LS.	\$444.60	\$444.60		\$0.00	1	\$444.60
1-E	TRASH/RECYCLE RESTRAINT - PIER 2	1 LS.	\$444.60	\$444.60		\$0.00	1	\$444.60
1-F	TRASH/RECYCLE RESTRAINT - PIER 3	1 LS.	\$444.60	\$444.60		\$0.00	1	\$444.60
1-G	TRASH/RECYCLE RESTRAINT - PIER 4	1 LS.	\$444.60	\$444.60		\$0.00	1	\$444.60
1-H	TRASH/RECYCLE RESTRAINT - PIER 5	1 LS.	\$444.60	\$444.60		\$0.00	1	\$444.60
2-A	COVERED PAVILION - LOCATION 1	1 LS.	\$28,223.00	\$28,223.00		\$0.00	1	\$28,223.00
2-B	COVERED PAVILION - LOCATION 2	1 LS.	\$28,155.00	\$28,155.00		\$0.00	1	\$28,155.00
3-B	SEAMAN'S MEMORIAL	1 LS.	\$7,144.00	\$7,144.00		\$0.00	1	\$7,144.00
COI-1	ADDITIONAL TRASH/RECYCLE RESTRAINTS	0 LS.	\$111.00	\$0.00	5	\$555.00	5	\$555.00
TOTAL CIAP IMPROVEMENTS				\$108,060.80		\$555.00		\$108,615.80
TOTAL				\$133,668.80		\$555.00		\$134,223.80

EXCDD No. C-641 (2002 Edition)
Prepared by the Engineers' Joint Contract Documents Committee and endorsed by the Associated General Contractors of America and the Construction Specifications Institute.

Minutes of May 19, 2015
 Mayor and Board of Aldermen

GIBSON MAINTENANCE, LLC
 P.O. BOX 175
 LONG BEACH, MS 39560

CHANGE ORDER

DATE	C/O #
5/5/2015	17-209

NAME / ADDRESS
CITY OF LONG BEACH P.O. BOX 929 LONG BEACH, MS 39560

	PROJECT
	LB HARBOR
DESCRIPTION	TOTAL
COST TO INSTALL (5) TRASH CAN RESTRAINTS @\$111 EACH	555.00
Bill Middleton, Project Manager	TOTAL \$555.00

Phone #	Fax #
228-214-3529	228-822-0651

STATE LICENSE
 #13076

Based upon the recommendation of Mr. Ball, Alderman Ponthieux made motion seconded by Alderman Hammons and unanimously carried to approve Change Order #1, FY2014 – BIG and CIAP Improvements, Long Beach Smallcraft Harbor, all as set forth above.

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

Minutes of May 19, 2015
Mayor and Board of Aldermen



A. GARNER RUSSELL & ASSOCIATES, INC. / CONSULTING ENGINEERS
520 33RD STREET
GULFPORT, MS 39507

TEL (228) 868-0667
FAX (228) 868-5232

May 6, 2015

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

**RE: Proposed Change Order #2
BIG & CIAP Improvements – Paving
Long Beach Smallcraft Harbor**

Ladies and Gentlemen:

The referenced contract required the Contractor to provide a fully designed lighting plan providing an average illumination in the parking lot of one foot-candle. The bid was based on an estimated 4 poles and 8 fixtures to accomplish this level of lighting. The contractor has submitted a plan which meets the minimum criteria; however, the plan requires 6 poles and 6 fixtures. The fixtures are a different model than our original design required, and the poles referenced by the Contractor's plan are slightly cheaper than the designed poles.

Therefore, we request your approval of the attached change order modifying contract amounts per the contractor's lighting plan, resulting in an overall increase to the contract. In order to handle time delays associated with the drainage repairs, we have also adjusted contract time as detailed in the Notice to Proceed for this contract.

Sincerely,

David Ball, P.E.

DB:2025-Paving
Enclosure

Minutes of May 19, 2015 Mayor and Board of Aldermen

Change Order
No. 2

Date of Issuance: 5/5/2015 Effective Date: 5/21/2015

Project: _____ Owner: City of Long Beach Owner's Contract No.: _____
Contract: Smtalcraft Harbor - BIG & CIAP Improvements - Paving Date of Contract: 3/25/2015
Contractor: Landmark Contracting, Inc. Engineer's Project No.: 2025-Paving

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

1. Modify quantities and contract unit prices for lighting items per the lighting plan submitted by Contractor.
2. Add contract time for delays to Contractor for City-performed replacement of drainage system.

Attachments: (List documents supporting change):

1. Contractor's quote.

CHANGE IN CONTRACT PRICE:

Original Contract Price:
\$235,692.24

(Decrease) in Contract Price from previous Change Orders No.
\$0.00

Contract Price prior to this Change Order:
\$235,692.24

(Increase) in Contract Price due to this Change Order:
\$6,768.68

Revised Contract Price incorporating this Change Order:
\$242,460.92

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working Days 45 Calendar days
Substantial completion (days or date): 5/20/2015
Ready for final payment (days or date): _____

Change in Contract Time from previous Change Orders No.
Substantial completion (days or date): _____
Ready for final payment (days or date): _____

Contract Times prior to this Change Order:
Substantial completion (days or date): 5/20/2015
Ready for final payment (days or date): _____

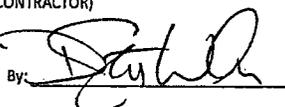
(Increase) in Contract Time due to this Change Order:
Substantial completion (days or date): 13
Ready for final payment (days or date): _____

Contract Times incorporating this Change Order:
Substantial completion (days or date): 6/2/2015
Ready for final payment (days or date): _____

RECOMMENDED:
(ENGINEER)

By: 
Date: 5/7/2015

ACCEPTED:
(CONTRACTOR)

By: 
Date: 5/7/15

ACCEPTED:
(OWNER)

By: _____
Date: _____

Minutes of May 19, 2015
Mayor and Board of Aldermen

2

PROJECT NO. 2025-Paving

ATTACHMENT TO CHANGE ORDER NUMBER

NO.	DESCRIPTION	CURRENT QUANTITY	UNIT PRICE	CURRENT CONTRACT AMOUNT	QUANTITY THIS C.O.	EXTENSION THIS C.O.	TOTAL CONTRACT QUANTITY	TOTAL CONTRACT AMOUNT
BID SCHEDULE NO. 1								
3-A-1	HOT BITUMINOUS ASPHALT OVERLAY COURSE (ST-12.5mm)	385 TON	\$111.09	\$42,769.65		\$0.00	385	\$42,769.65
3-B-1	HOT BITUMINOUS ASPHALT REPAIR/LEVELING COURSE (ST-9.5mm)	50 TON	\$114.71	\$5,735.50		\$0.00	50	\$5,735.50
4-C	TEMPORARY STRIPING	1 L.S.	\$3,018.75	\$3,018.75		\$0.00	1	\$3,018.75
				\$51,523.90		\$0.00		\$51,523.90
Total Bid Schedule No. 1								
BID SCHEDULE NO. 2 - ALL OTHER WORK								
2-A	INSTALL TRENCH DRAIN	1 L.S.	\$9,660.00	\$9,660.00		\$0.00	1	\$9,660.00
1-B	INSTALL SIGNAGE	1 L.S.	\$862.25	\$862.25		\$0.00	1	\$862.25
1-C	MISCELLANEOUS SITEWORK	1 L.S.	\$12,075.00	\$12,075.00		\$0.00	1	\$12,075.00
2-A	CONCRETE HEADER CURB	2,154 L.F.	\$18.11	\$39,008.94		\$0.00	2,154	\$39,008.94
2-B	CONCRETE SIDEWALK	63 S.Y.	\$43.47	\$2,738.61		\$0.00	63	\$2,738.61
3-A	HOT BITUMINOUS ASPHALT OVERLAY COURSE (ST-12.5mm)	550 TON	\$111.09	\$61,099.50		\$0.00	550	\$61,099.50
3-B	HOT BITUMINOUS ASPHALT REPAIR/LEVELING COURSE (ST-9.5mm)	100 TON	\$114.71	\$11,471.00		\$0.00	100	\$11,471.00
4-A	THERMOPLASTIC DETAIL (ANY COLOR)	2,851 L.F.	\$2.72	\$7,781.92		\$0.00	2,851	\$7,781.92
4-B	THERMOPLASTIC LEGEND (ANY COLOR)	525 S.F.	\$9.66	\$5,071.50		\$0.00	525	\$5,071.50
5-A	LIGHT POLE	4 EA.	\$4,021.70	\$16,086.80	(4)	(\$16,086.80)	0	\$0.00
5-B	LIGHT FIXTURE	8 EA.	\$1,821.44	\$14,571.52	(8)	(\$14,571.52)	0	\$0.00
5-C	1" PVC UNDERGROUND CONDUIT	730 L.F.	\$5.81	\$4,241.30	100	\$581.00	830	\$4,822.30
CO2-5-A	LIGHT POLE (PER FINAL LIGHTING PLAN)	0 EA.	\$3,966.00	\$0.00	6	\$23,808.00	6	\$23,808.00
CO2-5-B	LIGHT FIXTURE (PER FINAL LIGHTING PLAN)	0 EA.	\$2,173.00	\$0.00	6	\$13,038.00	6	\$13,038.00
				\$184,168.34		\$6,768.68		\$190,937.02
				\$235,692.24		\$6,768.68		\$242,460.92
			TOTAL					

EXCOP No. C-841 (2002 Edition)
Prepared by the Engineer and Contract Documents Committee and endorsed by the
Associated General Contractors of America and the Construction Specifications Institute.

Minutes of May 19, 2015
Mayor and Board of Aldermen



Concrete Contractors
Certified W.B.E. & Section 3

May 4, 2015

PROPOSED ELECTRICAL CHANGE ORDER
LONG BEACH HARBOR IMPROVEMENTS
City of Long Beach, Mississippi

Original Bid Prices and Quantities

<u>Item</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total</u>
5-A Light Poles	4 EA	\$ 4,021.70	\$ 16,086.80
5-B Light Fixtures	8 EA	\$ 1,821.44	\$ 14,571.52
1" PVC Underground Conduit	730 LF	\$ 5.81	\$ 4,241.30
			\$ 34,899.62

Revised Bid Prices and Quantities

<u>Item</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Total</u>
Light Poles	6 EA	\$ 3,968.00	\$ 23,808.00
Light Fixtures	6 EA	\$ 2,173.00	\$ 13,038.00
1" PVC Underground Conduit	830 LF	\$ 5.81	\$ 4,822.30
			\$ 41,668.30

Change Order Total \$ 6,768.68

D. Steven Waller
Secretary/Treasurer

"AN EEO M/F - H/V EMPLOYER"

P.O. Box 2391 • Gulfport, MS 39505 • PHONE (228) 831-4425 • FAX (228) 831-4467
INTERNET www.landmarkcontracting.com • EMAIL Steve@landmarkcontracting.com

LongBeachHarborRevisedelectrical

Based upon the recommendation of Mr. Ball, Alderman Ponthieux made motion seconded by Alderman Hammons and unanimously carried to approve Change Order #2, BIG and CIAP Improvements – Paving, Long Beach Smallcraft Harbor, all as set forth above.

Based upon the recommendation of Departments Heads and certification by the Civil Service Commission, Alderman Parker made motion seconded by Alderman Griffin and unanimously carried to approve personnel matters, as follows:

Minutes of May 19, 2015
Mayor and Board of Aldermen

POLICE DEPARTMENT:

- Step Increase, Sergeant Ray Bell, PS-11-IX, effective June 1, 2015;
- Step Increase, Clerk Cynthia Bolton, CSA-3-VI, effective June 1, 2015;
- Step Increase, Admin Detective Craig DeRoche, PSA-10-IX, effective June 1, 2015;
- Step Increase, Police Officer Recruit Kenneth French, PS-7-B, effective June 1, 2015;
- Step Increase, Police Officer 1st Class Scott Grady, PS-9-I, effective June 1, 2015;

FIRE DEPARTMENT:

- Step Increase, Fire Chief Mike Brown, FS-16-XIII, effective July 1, 2015;
- Step Increase, Battalion Chief George Byrd, FS-12-VI, effective July 1, 2015;
- Step Increase, Lieutenant Tim Darden, FS-12-VIII, effective June 1, 2015;
- Step Increase, Battalion Chief Neal Gatian, FS-13-VI, effective July 1, 2015;
- Step Increase, Lieutenant Rocky Ladnier, FS-12-VIII, effective June 1, 2015;
- Step Increase, Lieutenant Jared Mc Gill, FS-12-VIII, effective June 1, 2015;
- Step Increase, Assistant Fire Chief Griff Skellie, FS-15-XV, effective July 1, 2015.

MUNICIPAL COURT:

- Step Increase, Deputy Court Clerk Tina Dupree, CSA-4-VII, effective May 1, 2015;
- Step Increase, Court Clerk Jane Marsland, CSA-8-XIII, effective May 1, 2015.

ADMINISTRATION:

- Step Increase, Deputy City Clerk Stacey Dahl, CSA-9-XVI, effective June 1, 2015;
- Step Increase, City Clerk Rebecca Schruff, CSA-10-XVII, effective July 1, 2015.

BUILDING OFFICE:

- Step Increase, Building Permit Clerk Veronica Howard, CSA-7-VIII, effective June 1, 2015.

There came on for consideration a letter from Building Official Josh Hayes, as follows:

Minutes of May 19, 2015
Mayor and Board of Aldermen



Building Department
201 Jeff Davis Ave.
Long Beach, MS 39560
228-863-1554

May 12, 2015

Re: Relieved of Duties

To: Claire Leatherwood

Effective Tuesday, May 12, 2015; you are relieved of your duties with the Long Beach Building Department due to the lack of needed services in the department. This change will conserve money in the budget for much needed training. It is also for the betterment of the City by reducing the Building Departments workforce to fit necessity. I will handle all responsibilities of Code Enforcement in the field.

Your last check will be held until all of the City's property is returned.

Thank you,

Josh Hayes, CFM
Building Official

Cc: Mayor William Skellie, Jr.
Ms. Becky Schruoff for Board of Alderman
Ms. Mimi McMath – A/P Clerk
Vendor File

Upon discussion, Alderman Parker made motion seconded by Alderman Griffin and unanimously carried to approve the recommendation of the Building Official as set forth above.

Alderman Ponthieux made motion seconded by Alderman Parker and unanimously carried to take the delinquent water/sewer bill, Gretchen Bell, 213 South Island View, under advisement until the next regular meeting, June 2, 2015, at the request of Ms. Bell.

Minutes of May 19, 2015
Mayor and Board of Aldermen

There came on for consideration a letter from Linda Rogers Moran, as follows:

May 12, 2015

To: Long Beach

Dear Sirs,

I would like to purchase two cemetery lots in the Long Beach Cemetery. My father, Mother, Brother and his wife is buried there. I want to be with my family. Can you find it in your heart for me to be buried there with them? We were a loving family once, and will be again. Please find it in your heart for us to be together, for I am the only one without a place to rest. The two plots would be for me & my husband.

Thank you so much
Linda Rogers Moran
23043 Willow Estates Rd
Spencer, MS 39574
228-669-9002

P.S. - Once again please help me.

Upon discussion, Alderman Parker made motion seconded by Alderman Ponthieux and unanimously carried, that due to fact that family members are interred in the Long Beach Cemetery, to waive the residency requirement, allowing Mrs. Moran to purchase two (2) cemetery plots.

Alderman Ponthieux made motion seconded by Alderman Parker and unanimously carried to approve the Memorandum of Understanding, Mississippi Department of Transportation, as follows:

**Minutes of May 19, 2015
Mayor and Board of Aldermen**

STP-0295-00(014)LPA/107068-711000
Pineville Road Pedestrian/Bicycle Feasibility Study
City of Long Beach

5.13.2015

Memorandum of Understanding

STP-0295-00(014)LPA/107068-711000
Pineville Road Pedestrian/Bicycle Feasibility Study
City of Long Beach, Mississippi

This Agreement is made between the Mississippi Transportation Commission, a body Corporate of the State of Mississippi (hereinafter referred to as the "COMMISSION"), acting by and through the duly authorized Executive Director of the Mississippi Department of Transportation ("MDOT") and the City of Long Beach, Mississippi (hereinafter referred to as the "LPA"), for the purpose of establishing the agreed conditions under which the LPA may utilize Surface Transportation Program funds and subsequent acts to complete the proposed project as described below, effective as of the date of the last execution below.

WHEREAS, the LPA has announced its intentions to conduct a feasibility study of Pineville Road to add sidewalks and/or a bicycle path between Beatline Road and Railroad Street; (hereinafter referred to as the "PROJECT"); and

WHEREAS, it is anticipated that approximately \$60,000.00 in federal funds (80% match) and \$15,000.00 in local funds (20% match) will be available for the PROJECT. The above funds are subject to normal reductions and obligational limitations; and

WHEREAS, the LPA agrees that if funds from FHWA are utilized that the LPA will be bound by, and will comply with, any and all federal requirements and the MDOT operating procedures, and

WHEREAS, the LPA will be responsible for all PROJECT cost over and above the maximum amount of Federal Funds allocated to the PROJECT by the COMMISSION, and

WHEREAS, the MDOT requires the LPA to provide the local share previously stated; and

WHEREAS, the COMMISSION is hereby consenting to allow the LPA to manage the PROJECT under the terms and provisions of this Memorandum of Understanding; and

WHEREAS, the COMMISSION and the LPA desire to set forth more fully the understanding of the parties with respect to the process by which this will be accomplished, and this document supersedes all other agreements unless herein specified.

NOW, THEREFORE, for and in consideration of the premises and agreements of the parties as hereinafter contained, the LPA and the COMMISSION mutually enter into the following Memorandum of Understanding for these and any future federal funds that may be allocated to this PROJECT

ARTICLE I. DUTIES AND RESPONSIBILITIES

Page 1 of 7

Minutes of May 19, 2015

Mayor and Board of Aldermen

STP-0295-00(014)LPA/107068-711000
Pineville Road Pedestrian/Bicycle Feasibility Study
City of Long Beach

5.13.2015

A. The LPA, which is hereby designated as the Local Sponsor for the purposes herein, will:

1. Designate a full time employee of the LPA as the Project Director, who will serve as the person of responsible charge for the PROJECT and will coordinate all PROJECT activities with the MDOT Planning Representative.

2. Follow the procedures set out in the latest online version of the Project Development Manual (PDM) for Local Public Agencies necessary for the PROJECT. This shall include, but not necessarily be limited to, the use of the latest version of the LPA Consultant Operating Procedures for Professional Services. In addition, it shall be understood that the MDOT District LPA Coordinator referenced in the PDM shall be MDOT's Planning Representative.

3. Agree that if any act of omission or commission on the part of the LPA causes loss of Federal funding from FHWA or any other source, or any penalty being imposed by the United States of America under the Clean Water Act, 33 U.S.C. § 1251, et seq. or any other provision of law, the LPA will be solely responsible for all additional costs.

4. Promptly pay any consultants monies due them within 45 days of submittal of invoice from the consultant or contractor. MDOT reserves the right to withhold Federal reimbursement until adequate proof of payment has been produced should the above not be followed.

5. If there is any requirement for "matching" funds, or if the anticipated cost of the PROJECT will exceed the available Federal-aid funds, the LPA shall be solely responsible for providing said local share or any funds above the Federal-aid funds at such time as the funds may be required.

6. All contracts and subcontracts shall include a provision for compliance with Senate Bill 2988 from the 2008 Session of the Mississippi Legislature entitled "The Mississippi Employment Protection Act," as published in the General Laws of 2008 and codified in the Mississippi Code of 1972, as amended (Sections 71-11-1 and 71-11-3), and any rules or regulations promulgated by the COMMISSION, the Department of Employment Security, the State Tax Commission, the Secretary of State, or the Department of Human Services in accordance with the Mississippi Administrative Procedures Law (Section 25-43-1, et seq., Mississippi Code of 1972, as amended) regarding compliance with the Act. Under this Act, the LPA and every sub-recipient or subcontractor shall register with and participate in a federal work authorization program operated by the United States Department of Homeland Security to electronically verify information of newly hired employees pursuant to the Illegal Immigration Reform and Immigration Responsibility Act of 1996, Public Law 104-208., Division C, Section 403(a); 8 USC, Section 1324a .

7. The LPA will be required to acknowledge the MDOT and the FHWA for their participation in the project in any news releases or other promotional material for the PROJECT. The PROJECT sponsor shall notify the MDOT Planning Division of any ceremonies related to the PROJECT.

Minutes of May 19, 2015 Mayor and Board of Aldermen

STP-0295-00(014)LPA/107068-711000
Pineville Road Pedestrian/Bicycle Feasibility Study
City of Long Beach

5.13.2015

8. The LPA agrees to maintain, and make available to Commission, a sufficient accounting system with proper internal controls and safeguards. The accounting system and its controls should at all times maintain adequate recording and reporting of federal funds received by the LPA. If sufficient internal controls over the LPA's federal funding are not maintained, federal funds may be withheld and future transportation projects will not be considered.

B. THE COMMISSION WILL:

1. Allow the LPA to conduct the PROJECT provided that the design meets with MTC and FHWA approval and that all costs of the improvements that are not covered by federal funds are borne by the LPA.

2. Enter into cooperative agreements or permits necessary to allow the LPA access to the property of the COMMISSION for the purposes of conducting the PROJECT.

3. Work with the LPA, through the MDOT Planning Representative, during the various phases of the work with the goal of producing a project that will be acceptable to the COMMISSION upon completion.

4. Review all submittals in a timely manner, in accordance with the PDM, to allow the project to progress in an orderly fashion.

5. During the progress of the PROJECT, assist the LPA in obtaining reimbursements of federal funding for any phase that is eligible for reimbursement. All costs associated with this process, and any other involvement by the MDOT staff in this PROJECT, will be charged as a project cost.

6. Submit all documents to the Federal Highway Administration (FHWA) when required or requested by the FHWA.

ARTICLE II. GENERAL PROVISIONS

A. Should the LPA fail to complete the feasibility study as contemplated by this agreement, the LPA agrees that it will bear all costs of completion over and above the funds supplied by the FHWA through MDOT. The COMMISSION shall have the right to audit all accounts associated with the PROJECT, and should there be any overpayment by the COMMISSION to the LPA, the LPA agrees to refund any such overpayment within 30 days of written notification. Should the LPA fail to reimburse the COMMISSION, the COMMISSION shall have the right to offset the amount due from any other funds in its possession that are due the LPA on this or any other project, current or future.

B. This Memorandum of Understanding shall be subject to termination at any time upon thirty (30) days written notice by either party. Such notice shall not, however, cancel any contract made in reliance upon this agreement and underway at the time of termination. Any contract underway shall be allowed to conclude under its own terms. The LPA agrees to bear complete and total legal and financial responsibility for any such agreement. Additionally, funds may be suspended/terminated under the provisions of Section F.

Minutes of May 19, 2015 Mayor and Board of Aldermen

STP-0295-00(014)LPA/107068-711000
Pineville Road Pedestrian/Bicycle Feasibility Study
City of Long Beach

5.13.2015

C. It is understood that this is a Memorandum of Understanding and that more specific requirements for the conduct of the feasibility study are contained in the Federal Statutes, the Code of Federal Regulations, the Mississippi Code, and the Standard Operating Procedures for MDOT, and other related regulatory authorities. The LPA agrees that it will abide by all such applicable authority.

D. In the event that any act of omission or commission on the part of the LPA causes loss of Federal funding from FHWA or any other source, or any penalty being imposed by the United States of America under the Clean Water Act, 33 U.S.C. § 1251, et seq. or any other provision of law, the LPA shall be solely responsible for all additional costs.

E. Should the LPA miss the obligation deadline set in this MOU, MDOT reserves the right to obligate funds for the project as obligation authority becomes available, and may not authorize the obligation of those funds until after the obligation of other projects that are set to meet their individual deadlines.

F. It is understood by all Parties that regardless of the results of the PROJECT, the COMMISSION has no responsibility or obligations as a result of the study.

G. The Executive Director of MDOT may withhold federal funds for the PROJECT for any of the following reasons:

- a. Failure to proceed with the work when so instructed by the MDOT or to adhere to the requirements of the contract.
- b. Failure to perform the work with sufficient workmen, equipment and materials to assure completion within contract time.
- c. Performing unacceptable work, or neglecting or refusing to remove materials or to perform any such work as may be rejected as unacceptable.
- d. Discontinuing the prosecution of the work.
- e. Failure to comply with all federal, state and local laws, ordinances, regulations, permits, and all orders and decrees of bodies or tribunals having jurisdiction or authority which affect those engaged or employed on the work or affect the conduct of the work.
- f. Becoming insolvent, being declared bankrupt or committing any act of bankruptcy or insolvency.
- g. Allowing a final judgment to stand unsatisfied.
- h. Making an assignment for the benefit of creditors.
- i. Failure for any other cause whatsoever to carry on the work in an acceptable manner.

Minutes of May 19, 2015 Mayor and Board of Aldermen

STP-0295-00(014)LPA/107068-711000
Pineville Road Pedestrian/Bicycle Feasibility Study
City of Long Beach

5.13.2015

H. It is understood that obligation authority is uncertain and should MDOT or the MPO exceed its obligation authority for the year, the LPA understands that it may be required to move the project to another fiscal year for the funds to be obligated.

Before federal Funds are terminated, the LPA will be notified in writing by the Executive Director of the conditions which make termination of funds imminent. If no effective effort has been made by the LPA, its agents, employees, contractors or subcontractors, to correct the conditions of which complaint is made, within fifteen (15) calendar days after notice is given, the Executive Director may declare the Federal Funds suspended for the PROJECT and notify the LPA accordingly. The LPA will then have forty-five (45) days in which to correct all conditions of which complaint is made. If all conditions are not corrected within forty-five (45) days, the Executive Director may declare the federal funds for the PROJECT terminated and notify the LPA accordingly. If all conditions are corrected, within the forty-five (45) day period, the LPA will be reimbursed under the terms of this agreement, for all work satisfactorily completed during the forty-five days period.

ARTICLE III. NOTICE & DESIGNATED AGENTS

A. For purposes of implementing this section and all other sections of this Agreement with regard to notice, the following individuals are herewith designated as agents for the respective parties unless otherwise indentured in the addenda hereto:

For Contractual Administrative Matters:

COMMISSION:
Melinda L. McGrath
Executive Director, MDOT
P.O. Box 1850
Jackson, MS 39215-1850
Phone: (601) 359-7002
Fax: (601) 359-7110

LPA:
Mayor William Skellie, Jr.
City of Long Beach, Mississippi
P.O. Box 929
Long Beach, MS 39560
Phone: (228) 863-1556
Fax: (228) 865-0822

For Technical Matters:

COMMISSION:
Andy Jeffrey, E.I.T.
Planning Division (85-01), MDOT
401 N. West St.
Jackson, MS 39201
Phone: (601) 359-7685
Fax: (601) 359-7652

LPA:
Kini Gonsoulin, Comptroller
City of Long Beach
P.O. Box 929
Long Beach, MS 39560
Phone: (228) 863-1556
Fax: (228) 865-0822

B. All notices given hereunder shall be by U.S. Certified Mail, return receipt requested, or by facsimile and shall be effective only upon receipt by the addressee at the above addresses or telephone numbers.

**Minutes of May 19, 2015
Mayor and Board of Aldermen**

STP-0295-00(014)LPA/107068-711000
Pineville Road Pedestrian/Bicycle Feasibility Study
City of Long Beach

5.13.2015

ARTICLE IV. RELATIONSHIP OF THE PARTIES

A. The relationship of the LPA to the COMMISSION is that of an independent contractor, and said LPA, in accordance with its status as an independent contractor, covenants and agrees that it will conduct itself consistent with such status, that it will neither hold itself out as, nor claim to be, an officer or employee of the COMMISSION by reason hereof. The LPA will not by reason hereof, make any claim, demand or application or for any right or privilege applicable to an officer or employee of the COMMISSION, including but not limited to workers' compensation coverage, unemployment insurance benefits, social security coverage, retirement membership or credit, or any form of tax withholding whatsoever.

B. The COMMISSION executes all directives and orders through the MDOT. The LPA executes all directives and orders pursuant to applicable law, policies, procedures and regulations. All notices, communications, and correspondence between the COMMISSION and the LPA shall be directed to the designated agent shown above in Article III.

ARTICLE V. RESPONSIBILITIES FOR CLAIMS AND LIABILITY

To the extent permitted by law, the Commission and the LPA agree that neither party nor their agents, employees, contractors or subcontractors, will be held liable for any claim, loss, damage, cost, charge or expenditure arising out of any negligent act, actions, neglect or omission caused solely by the other party, its agents, employees, contractors or subcontractors.

ARTICLE VI. MISCELLANEOUS

No modification of this Memorandum of Understanding shall be binding unless such modification shall be in writing and signed by all parties. If any provision of this Memorandum of Understanding shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Memorandum of Understanding is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

Minutes of May 19, 2015
Mayor and Board of Aldermen

STP-0295-00(014)LPA/107068-711000
Pineville Road Pedestrian/Bicycle Feasibility Study
City of Long Beach

5.13.2015

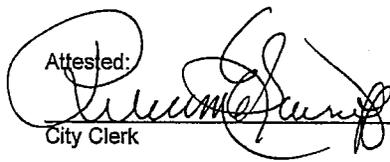
ARTICLE VII. AUTHORITY TO CONTRACT

Both parties hereto represent that they have authority to enter into this Memorandum of Understanding.

This Agreement may be executed in one or more counterparts (facsimile transmission, email or otherwise), each of which shall be an original Agreement, and all of which shall together constitute but one Agreement.

So agreed this the 19th day of May, 2015

City of Long Beach, Mississippi
By and through the Mayor

Attested:

City Clerk

William Skellie, Jr., Mayor

So agreed this the _____ day of _____, 20____.

MISSISSIPPI TRANSPORTATION COMMISSION
By and through the duly authorized
Executive Director

Melinda L. McGrath, PE
Executive Director
Mississippi Department of Transportation

Book _____, Page _____.

Alderman Hammons was temporarily absent the meeting.

**Minutes of May 19, 2015
Mayor and Board of Aldermen**

The Mayor and Board of Aldermen took up the matter of assessing the costs of cleaning property located at 20305 J Lane, Long Beach, Mississippi, and assessed to Alvin Durel ~Estate~. After a discussion of the subject, Alderman Parker offered and moved the adoption of the following Resolution and Order:

RESOLUTION AND ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI ASSESSING THE COSTS OF CLEANING CERTAIN PROPERTY LOCATED AT 20305 J LANE, LONG BEACH, MISSISSIPPI, PREVIOUSLY ADJUDICATED BY THE CITY TO BE A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY, AND ORDERING SAME TO BE ENROLLED AS A LIEN AGAINST THE PROPERTY, AND THE PROPERTY TO BE SOLD FOR COLLECTION OF SAME BY THE COLLECTOR OF MUNICIPAL TAXES AND THE NEXT SALE CONDUCTED BY SUCH TAX COLLECTOR FOR SUCH PURPOSES, AND RELATED PURPOSES.

WHEREAS, the Mayor and Board of Aldermen having made due investigation therefore do now find, determine, declare and order as follows:

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 20305 J Lane, Long Beach, Mississippi, (hereinafter referred to as the subject parcel), and after discussion of same, the Mayor and Board of Aldermen, at its regular meeting of January 20, 2015, on its own motion did set a hearing to determine whether or not the subject parcel, in its then condition, was in such a state of uncleanliness as to be a menace to the public health and safety of the community in accordance with Miss Code Annotated Section 21-19-11, as amended, said hearing to be held March 3, 2015, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section 21-19-11;

2. That such hearing was conducted on March 3, 2015, having previously served the owner of said property, either by registered mail as is evidenced by the return receipt included in the materials produced at said hearing, or by personal service by police officer as evidenced by the return of service of such police officer, or by posting and publication of same, such service being in accordance with said MCA Section 21-19-11, and proof of same being spread upon the minutes of the Governing Authorities taken of such hearing;

3. That the Mayor and Board of Aldermen having considered testimony evidence adduced at hearing regarding the condition of the subject property and the observations of individual Aldermen concerning the condition of the subject property in

Minutes of May 19, 2015
Mayor and Board of Aldermen

its condition on the date of hearing, and being fully advised in the premises, did find and adjudicate on the hearing date that the property was in such a state of uncleanness as to be a menace to the public health and safety of the community;

4. That having adjudicated such property to be in such a state of uncleanness as to be a menace to the public health and safety of the community, notice of such adjudication was provided to the owner of same in accordance with the Resolution and as required by law, proof of which is attached hereto as Exhibit A, without action by the owner to resolve and remedy the condition of said property in the time allowed in accordance with Miss. Code Annotated Section 21-19-11, the City thereupon proceeded to cause same to be cleaned as allowed by law.

5. That it is now the intention of the City of Long Beach, in accordance with Miss. Code Annotated Section 21-19-11 to assess the costs of such cleanup against the property, to impose a lien against the said property as allowed by law, to cause such assessment to be a lien against the property and enrolled in the office of the circuit clerk of the county as other judgments are enrolled.

6. That further, the City desires that tax collector of the municipality proceed to sell the land to satisfy the lien now imposed at its next tax sale date as provided by law for the sale of lands for delinquent municipal taxes.

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

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of 20305 J Lane, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0511B-02-006.000 and according to said tax records is owned by Alvin Durel ~Estate~, having heretofore been adjudicated to be a menace to the public health and safety of the community in accordance with Miss. Code Annotated Section 21-19-11, and the owner of same failing to have same cleaned as required within the time allowed by law; and same being thereupon cleaned by the City, the City does hereby assess the costs of such cleanup against the property, does hereby impose same as a lien against the property as allowed by law, and does hereby order and direct such lien

**Minutes of May 19, 2015
Mayor and Board of Aldermen**

against the property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled.

2. That further, the City hereby orders and directs the tax collector of the municipality proceed to sell the land to satisfy the lien now imposed at its next tax sale date as provided by law for the sale of lands for delinquent municipal taxes.

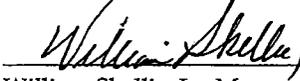
3. The lien assessed and imposed hereby is in the total amount of \$4,402.15, \$2,902.15 being the actual cost of such cleanup in accordance with the attached Exhibit A, together with a penalty of \$1,500.00, not more than One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost of cleanup in accordance with Miss. Code Annotated Section 21-19-11, whichever is greater, as allowed by law, to be assessed against said parcel of land.

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

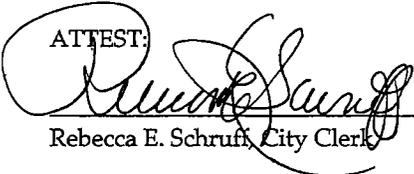
Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kelly Griffin	voted	Aye
Alderman Alan Young	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	Absent, Not Voting
Alderman Mark E. Lishen	voted	Absent, Not Voting
Alderman Ronnie Hammons, Jr.	voted	Absent, Not Voting

The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this the 19th day of May, 2015.

APPROVED:


William Skellie, Jr., Mayor

ATTEST:


Rebecca E. Schruft, City Clerk

Minutes of May 19, 2015
Mayor and Board of Aldermen



Memo

To: MAYOR SKELLIE & BOARD OF ALDERMEN
From: DERREL WILSON, PROJECT MANAGER *DW*
CC: REBECCA SCHRUFF, CITY CLERK
Date: May 12, 2015
Re: LOT CLEANUP – 20305 "J" LANE

Attached is the cost summary for cleaning an abandoned lot at 20305 "J" Lane, Long Beach, MS, as directed by the Mayor and Board of Aldermen by letter dated April 3, 2015. Additionally, the work order outlining equipment, employees, time and materials used to perform this task is attached.

Minutes of May 19, 2015
Mayor and Board of Aldermen

JOB SITE: 20305 "J" LANE
SERVICE PERFORMED: Cleaning and removing debris from lot
DATE OF SERVICE: April 23-24, 2015

EQUIPMENT COST:

314 Trackhoe – 8 hrs @ \$44/hr	\$ 352.00
161 Trackhoe – 4 hours @ \$21/hr	84.00
Knuckle Boom Loader – 12 hrs @ \$75/hr	900.00
Dump Truck #91 – 12 hrs @ \$43/hr	<u>516.00</u>

TOTAL EQUIPMENT COST: \$1,852.00

TOTAL LABOR COST: \$ 911.95

Sub Total: \$2,763.95

5% Fuel Charge 138.20

TOTAL JOB COST: \$2,902.15

PLEASE REMIT LABOR & FUEL COST TO: \$1,050.15

Utility Partners, LLC
P.O. Box 591
Long Beach, MS 39560

PLEASE REMIT EQUIPMENT COST TO: \$1,852.00

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

**Minutes of May 19, 2015
Mayor and Board of Aldermen**

Alderman Hammons returned to the open meeting.

Alderman Griffin made motion seconded by Alderman Young and unanimously carried acknowledging receipt of the April, 2015, Revenue/Expense Report.

There was no action required or taken regarding derelict properties at this time.

There came on for consideration the corner lot setbacks inadvertently left out of the Unified Development Ordinance 598 during the comprehensive rezoning and considered at the public hearing duly held and convened on May 19, 2015. Upon discussion, official action was taken as follows:

**Minutes of May 19, 2015
Mayor and Board of Aldermen**

ORDINANCE NO. 608

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI AMENDING THE COMPREHENSIVE LONG BEACH UNIFIED DEVELOPMENT ORDINANCE 598 BY REVISING ARTICLE XI, SUPPLEMENTAL USE REGULATIONS BY ADOPTING REVISED LANGUAGE, AND FOR RELATED PURPOSES.

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:

WHEREAS, in accordance with the Comprehensive Long Beach Unified Land Use Ordinance 598, and pursuant to legal notice published and given for the time and in the manner provided by law, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, did meet at 5:00 o'clock p.m. on Tuesday, the 21st day of March 2015 at the City Hall in said City at the time, place and date fixed in said legal notice, and did on such date conduct a public hearing at which hearing all parties interested in or opposed to adoption of the text change application and amendments to the Comprehensive Long Beach Unified Land Use Ordinance 598 proposed were given an opportunity to be heard and allowed to make oral and/or written comment to such proposed changes, which proposed changes to the ordinance were 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 changes, all as more particularly hereinafter set forth in this ordinance; and

WHEREAS, such application has previously been the subject of a public hearing held and conducted by Long Beach Planning Commission in accordance with the Comprehensive Long Beach Unified Land Use Ordinance 598; and

WHEREAS, the stated purpose of such application being to promote uniform development and encourage public safety, thereby enhance the quality of life for all citizens of the City of Long Beach; and

WHEREAS, periodically it is necessary and proper and in the best interests of the City to incorporate and adopt zoning text changes from time to time as appropriate to reflect changes in circumstances and public need to accommodate and encourage the orderly growth of the City as well as the protection of property owners within the City; and

**Minutes of May 19, 2015
Mayor and Board of Aldermen**

WHEREAS, after due consideration, hearings and discussion, the Planning and Zoning Commission of the City of Long Beach has reviewed the proposed zone text changes at a regular meeting, duly considered same, and after public hearing, input, and thorough consideration as to all relevant factors required and available under law, and has adopted same and recommended approval thereof by the Mayor and Board of Aldermen as reflected in the official minutes of said meeting; and

WHEREAS, 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 after due deliberation by the Mayor and Board of Aldermen, the Mayor and Board of Aldermen did then find, and do now find, determine, adjudicate and declare that the proposed text changes to the Comprehensive Long Beach Unified Land Use Ordinance 598 applied for are necessary and proper, needed and by clear and convincing evidence justified; that public need exists for changing the zoning text to provide for and foster orderly development and growth of the City in accordance with a comprehensive plan.

NOW THEREFORE, BE IT RESOLVED AND ORDERED 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 having considered the comments and testimony at the said hearing, all of the documentary evidence submitted into evidence and their own knowledge and familiarity of the City of Long Beach hereby find and adjudicate as follows:

- (a) That the clear and convincing evidence established that the proposed text changes to the Comprehensive Long Beach Unified Land Use Ordinance 598 applied for are necessary and proper, needed and by clear and convincing evidence justified; that public need exists for changing the zoning text to provide for and foster orderly development and growth of the City in accordance with a comprehensive plan and further, such action is fully supported by the opinion of the Long Beach Planning Commission;
- (b) The changes will not be detrimental to present and potential uses but will have a beneficial effect, which could not be achieved without the map changes.
- (c) The proposed change is in conformance with the general intent of the Comprehensive Master Plan of the City.
- (d) The proposed changes do not cause or result in any change in zoning classification of any property within the City.

Minutes of May 19, 2015
Mayor and Board of Aldermen

Section 2. That the Comprehensive Long Beach Unified Land Use Ordinance Number 598 of the City of Long Beach should be and hereby is amended by amending the current Article XVI by inserting the following new language to Section 119:

Section 119: Lots

(g) In any residential district, the side yard requirements for corner lots along the street right-of-way shall have an extra width of ten (10) feet. In the absence of any future buildable lot to the rear of a corner lot the minimum side yard setback shall be eight (8) feet.

Section 3. This Ordinance and Resolution of the Mayor and Board of Aldermen of the City of Long Beach shall be deemed effective in the manner and time prescribed by law.

The City Clerk is hereby ordered to publish this Ordinance and Resolution in the manner and time required by law.

Alderman Ponthieux Made motion to approve the Ordinance creating a new official zoning map with legal descriptions. Alderman Hammons seconded the motion and the question being put to a roll call vote by the Mayor, the result was as follows:

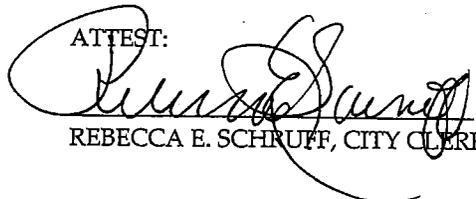
Alderman Bernie Parker	voted Aye
Alderman Gary J. Ponthieux	voted Aye
Alderman Kelly Griffin	voted Aye
Alderman Alan Young	voted Aye
Alderman Leonard G. Carrubba, Sr.	voted Absent, Not Voting
Alderman Mark E. Lishen	voted Absent, Not Voting
Alderman Ronnie Hammons, Jr.	voted Aye

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance Number 608 adopted and approved this, the 19th day of May, 2015.

APPROVED:


WILLIAM SKELLIE, JR., MAYOR

ATTEST:


REBECCA E. SCHRUFF, CITY CLERK

Minutes of May 19, 2015
Mayor and Board of Aldermen

There was no report from Attorney Nobile.

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 Griffin made motion seconded by Alderman Young 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

Date

ATTEST:

Rebecca E. Schruoff, City Clerk