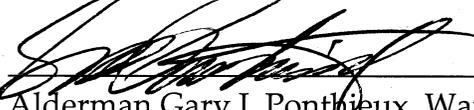
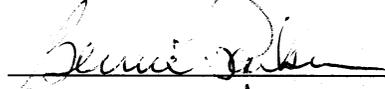


Minutes of August 16, 2016  
Mayor and Board of Aldermen

APPROVED:

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

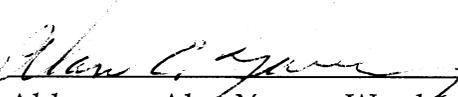
  
Alderman Gary J. Pontieux, Ward 1

  
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

9/6/16  
Date

ATTEST:  
  
Rebecca E. Schruff, City Clerk

MUNICIPAL DOCKET  
REGULAR MEETING OF SEPTEMBER 6, 2016  
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 HEARINGS
  - 1. Zoning Text Change; Short Term Rentals - Residential
  - 2. Zoning Map Change; R-1 Residential to C-2B Beachfront Commercial t  
Accommodate RV Resort Development-Tax Map Parcel 0512J-01-001.00C
- 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. August 16, 2016-Public Hearings/Regular
  - 2. PLANNING COMMISSION
    - a. August 25, 2016-Regular
  - 3. PORT COMMISSION
    - a. August 18, 2016-Regular
- IX. APPROVE DOCKET OF CLAIMS NUMBER(S):
  - 1. 090616
- X. UNFINISHED BUSINESS
  - 1. MDEQ-Confidentiality Agreement-RESTORE Act
- XI. NEW BUSINESS
  - 2. Cruisin' the Coast®-Funding 2015 and 2016
- XII. DEPARTMENTAL BUSINESS
  - 1. MAYOR'S OFFICE
  - 2. PERSONNEL
    - a. Fire Department-(2) Step Increases; (1) Education Pay
    - b. Police Department-(1) Education Pay; (1) Step Increase; (1) New l
    - c. Municipal Court-(1) Step Increase
  - 3. CITY CLERK
    - a. Resolution-Adopt FY 2016-2017 Budget
    - b. FY 2015-2016 Budget Amendments-(2) General Fund and Fiscal Yea  
End Miscellaneous Funds
    - c. Activation Letter-Pineville Road Sidewalk Request
    - d. Water/Sewer Rate Increase Ordinance
  - 4. DERELICT PROPERTIES-DISCUSSION/SCHEDULE PUBLIC HEARINGS
    - a. 103 Azalea Drive-Karen Elizabeth and Kristine Melon
    - b. 105 Azalea Drive-Jacqueline Moore
    - c. 0 Old Savannah Drive (0512P-01-003.054)-Robert Genin, Jr.
- XIII. REPORT FROM CITY ATTORNEY
- XIV. \* PUBLIC COMMENTS-MATTERS NOT APPEARING ON THE AGENDA
- XV. 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 FOR ALL PUBLIC COMMENTS.

**Minutes of September 6, 2016  
Mayor and Board of Aldermen**

Be it remembered that two (2) public hearings before the Mayor and Board of Aldermen, Long Beach, Mississippi, were begun and held, at 5:00 o'clock p.m., Tuesday, the 6th day of September, 2016, 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 hearings.

There were present and in attendance on said board and at the public hearings 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, Alan Young, City Clerk Rebecca E. Schruff and City Attorney James C. Simpson, Jr.

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

\*\*\*\*\*

The first public hearing was called to order to consider a zoning text change amending Section 131: Short Term Rentals – Residential, of the Comprehensive Long Beach Unified Land Ordinance 598. The zoning text change was approved by the Long Beach Planning Commission at a public hearing duly held and convened on June 23, 2016.

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 July 19, 2016, 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 Parker made motion seconded by Alderman Young and unanimously carried to spread said Proof of Publication and Legal Notice upon the record of this public hearing in words and figures, as follows:

Minutes of September 6, 2016  
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. 132 No., 296 dated 25 day of July, 2016
- 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

Sworn to and subscribed before me this 25 day of

July, A.D., 2016

Meri A. Jackson

Notary Public

\*The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32



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 898 of the City of  
Long Beach, Mississippi  
(2013) as amended, the  
Mayor and Board of Aldermen  
will conduct a public hearing,  
Tuesday, September 6, 2016,  
at 5:00 o'clock p.m., City Hall  
Meeting Room, 201 Jeff Davis  
Avenue, Long Beach, Missis-  
sippi, for the purpose of con-  
sidering a zoning text change.  
Long Beach Planning Com-  
mission has filed an applica-  
tion for a change in the  
zoning text in accordance with  
the Comprehensive Long  
Beach Unified Land Ord-  
inance. The City proposes to  
amend said ordinance by  
adding the following Section.  
Section 131: Short Term  
Rentals - Residential  
Short Term Rentals means any  
dwelling or condominium or  
portion thereof that is avail-  
able for use or is used for  
accommodations or lodging  
of guests, paying a fee or the  
compensation for a period of  
less than thirty (30) days.  
The full text of Section 131 will  
be available for review and  
copies available at the Long  
Beach Planning Office until  
1:00 p.m. the day of the public  
hearing.  
The purpose of this proposed  
change is to promote  
uniform development and  
encourage public safety,  
thereby enhancing the quality  
of life for all Long Beach  
residents. The Zoning Text  
Change was approved by the  
Long Beach Planning Com-  
mission at a public hearing  
duly held and convened on  
June 29, 2016. The City  
encourages all residents,  
groups and organizations to  
contact the City if they have  
any questions concerning the  
petition.  
ORDERED, by the Mayor and  
Board of Aldermen, Long  
Beach, Mississippi, this the  
19th day of July, 2016.  
Rebecca E. Schmitt  
City Clerk  
ADV25,1MON 1078998

**Minutes of September 6, 2016  
Mayor and Board of Aldermen**

**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 598 of the City of Long Beach, Mississippi (2013) as amended, the Mayor and Board of Aldermen will conduct a public hearing, Tuesday, September 6, 2016, 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 has filed an application for a change in the zoning text in accordance with the Comprehensive Long Beach Unified Land Ordinance. The City proposes to amend said ordinance by adding the following Section.

**Section 131: Short Term Rentals – Residential**

Short Term Rental means any dwelling or condominium or portion thereof that is available for use or is used for accommodations or lodging of guests, paying a fee or the compensation for a period of less than thirty (30) days.

The full text of Section 131 will be available for review and copies available at the Long Beach Planning Office until 1:00 p.m. the day of the public hearing.

The purpose of this proposed change is to promote uniformed development and encourage 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 June 23, 2016. The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

ORDERED, by the Mayor and Board of Aldermen, Long Beach, Mississippi, this the 19<sup>th</sup> day of July, 2016.

Rebecca E. Schruff  
City Clerk

\*

\*

The Clerk further reported that the aforesaid Legal Notice was posted on the bulletin boards in City Hall, the Water Department and the Building Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi; and the city's official website, [www.cityoflongbeachms.com](http://www.cityoflongbeachms.com).

\*

\*

Alderman Young made motion seconded by Alderman Griffin and unanimously carried that the official minutes of the Long Beach Planning Commission dated June 23,

Minutes of September 6, 2016  
Mayor and Board of Aldermen

2016, is incorporated by reference herein as 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 zone text change, and no one came forward to be heard.

\* \* \*

The Mayor opened the floor for public comments opposed to the zone text change, as follows:

- Pat Hudson, 112 East Avenue, Long Beach, Mississippi, opposed due to bad experience with the vacation rental in her neighborhood; requested that, upon filing of an application, for the City to notify all landowners within 500 feet of the applicant’s land boundary as opposed to 200 feet.

\* \* \*

There being no further public comments, Alderman Lishen made motion seconded by Alderman Griffin and unanimously carried to close the public hearing and take official action, as follows:

Alderman Parker made motion seconded by Alderman Griffin and unanimously carried approving the Zoning Text Change, Short Term Rentals-Residential and directing the City Attorney to draft an ordinance for review and adoption at the next regular meeting, September 20, 2016, amending the Comprehensive Land Use Ordinance Number 598 to include the Zoning Text Change.

\*\*\*\*\*

The second public hearing was called to order to consider an application for a zoning map change from R-1 Single-Family Residential to C-2B Beachfront Commercial submitted by David M. Allen, Esquire, on behalf of Huong Henry Lee to accommodate a RV Resort development for tax parcel number 0512J-01-001.000 as the same appears of record on the Harrison County Tax Rolls. The application for zoning map change was approved by the Long Beach Planning Commission at a public hearing duly held and convened on July 28, 2016.

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 August 2, 2016, 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.

Minutes of September 6, 2016  
Mayor and Board of Aldermen

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

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. 132 No., 322 dated 20 day of Aug, 2016
- 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

Sworn to and subscribed before me this 24 day of

Aug, A.D., 2016

Latisha Price

Notary Public

\*The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32



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 (598) of the City of Long Beach, Mississippi (2013) as amended, the Mayor and Board of Aldermen will conduct a public hearing, Tuesday, September 6, 2016, at 5:00 o'clock PM in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, for the purpose of considering a zoning map change.

David M. Allen, Esq., 759 Vieux Marche Mall, Biloxi, MS 39530, on behalf of Henry Henry Lee, 122 Caldwell Avenue, Biloxi, MS 39530, has filed an application for a Zone Map change in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant is requesting to change the zoning classification from R-1 Single-Family Residential to C-2B, Beachfront Commercial, to match the existing C-2B zoning of the south portion of the lot to accommodate a RV Resort. The tax parcel number is 051B-01-001-000. The legal description is as follows:

A Parcel of land situated in B. Peairin claim Section 22, all in Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows:

Commencing at an iron rod set at the point of intersection of the East margin of Marham Road with the North margin of U.S. Highway 90; thence along said East margin of Marham Road N00 degrees 52'11"W 425.30' to an "x" mark on concrete sidewalk which is 100' South of the North line of Block 5 of Thomas Subdivision; thence parallel to said North line, N89 degrees 28'01"E 125.00' to an iron rod on the East line of Thomas Subdivision, said Point being the point of beginning and lying on the current North line of property zoned C-2B as per City of Long Beach Zoning Map; thence along said East line of Thomas Subdivision, N00 degrees 52'11"W 1107.54'; thence N89 degrees 13'53"E 504.12' to a point lying on the West line of the resurvey of Marcle Drive Subdivision; thence along said West line and extension thereof, S00 degrees 46'24"E 824.94' to the current North line of property zoned C-2B as per City of Long Beach Zoning Map; thence along said North line, S59 degrees 51'13"W 576.07' to the Point of Beginning, containing 11.162 acres.

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 application for zone change was approved by the Long Beach Planning Commission at a public hearing duly held and convened on Thursday, July 28, 2016.

The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

ORDERED, this the 2nd day of August, 2016, by the Mayor and Board of Aldermen, Long Beach, Mississippi.  
Rebecca E. Schrieff  
City Clerk  
ADV20,1SAT 1579007

**Minutes of September 6, 2016  
Mayor and Board of Aldermen**

**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 (598) of the City of Long Beach, Mississippi (2013) as amended, the Mayor and Board of Aldermen will conduct a public hearing, Tuesday, September 6, 2016, at 5:00 o'clock p.m. in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, for the purpose of considering a **zoning map change**.

David M. Allen, Esq., 759 Vieux Marche Mall, Biloxi, MS 39530, on behalf of Huong Henry Le, 122 Caldwell Avenue, Biloxi, MS 39530, has filed an application for a Zone Map change in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant is requesting to change the zoning classification from R-1, Single-Family Residential to C-2B, Beachfront Commercial, to match the existing C2-B zoning of the south portion of the lot to accommodate a RV Resort. The tax parcel number is 0512J-01-001.000. The legal description is as follows:

A Parcel of land situated in B. Pellerin claim Section 22, all in Township 8 South, Range 12 West, City of Long Beach, First Judicial District of Harrison County, Mississippi, and being more particularly described as follows:

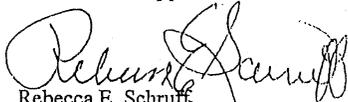
Commencing at an iron rod set at the point of intersection of the East margin of Markham Road with the North margin of U.S. Highway 90; thence along said East margin of Markham Road, N00°52'11"W 425.30' to an "x"-mark on concrete sidewalk which is 100' South of the North line of Block 8 of Thomas Subdivision; thence parallel to said North line, N89°26'01"E 125.00' to an iron rod on the East line of Thomas Subdivision, said Point being the point of beginning and lying on the current North line of property zoned C-2B as per City of Long Beach Zoning Map; thence along said East line of Thomas Subdivision, N00°52'11"W 1107.54'; thence N89°13'53"E 504.12' to a point lying on the West line of the resurvey of Marcie Drive Subdivision; thence along said West line and extension thereof, S00°45'24"E 824.94' to the current North line of property zoned C-2B as per City of Long Beach Zoning Map; thence along said North line, S59°51'13"W 576.07' to the Point of Beginning, containing 11.162 acres.

The purpose of this proposed change is to promote uniformed development and improve public safety, thereby enhancing the quality of life for all Long Beach residents.

The application for zone change was approve by the Long Beach Planning Commission at a public hearing duly held and convened on Thursday, July 28, 2016.

The City encourages all residents, groups and organizations to contact the City if they have any questions concerning the petition.

**ORDERED**, this the 2<sup>nd</sup> day of August, 2016, by the Mayor and Board of Aldermen, Long Beach, Mississippi.

  
Rebecca E. Schruoff  
City Clerk

The Clerk submitted a sworn affidavit affirming that sixty-one (61) of the aforesaid Notices of Public Hearing were mailed to property owners within 160 feet of the subject property; Alderman Griffin made motion seconded by Alderman Young and unanimously carried to spread said affidavit upon the record of this public hearing, as follows:

Minutes of September 6, 2016  
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
CITY OF LONG BEACH

BEFORE ME, the under signed legal authority authorized to administer oaths in and for the jurisdiction aforesaid, on this day personally appeared before me, REBECCA E. SCHRUFF, known to me to be the City Clerk in and for the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That she is the duly appointed and acting City Clerk in and for the City of Long Beach, Mississippi;

2. That in such capacity, she is responsible for mailing Notices of Public Hearing for the purpose of notifying property owners within One Hundred Sixty (160') of the subject property, when applications for zoning map changes, variances, appeals, etc., are filed, all as stipulated in The Zoning Ordinance Number 598 of the City of Long Beach; and other matters pertaining to such public hearings and the business of the Mayor and Board of Aldermen in and for the City of Long Beach;

3. That on August 3, 2016, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to 61 property owners within 160' of property situated North of U.S. Highway 90; West of Marcie Drive; East of Markham Drive and further described as 0 West Beach Boulevard – Tax Parcel No. 0512J-01-001.000, notifying them that a public hearing will be held, September 6, 2016, to consider an application for Zoning Map Change filed by David M. Allen, Esq., on behalf of Huong Henry Le.

Given under my hand this the 3<sup>rd</sup> day of August, 2016.

Stacey Dahl  
STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 3<sup>rd</sup> day of August, 2015.

Michelle B. McMATH  
NOTARY PUBLIC

-My Commission Expires-



AFFIDAVIT-PHOTOS;POST NOTICE

## Minutes of September 6, 2016 Mayor and Board of Aldermen

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SOUTHAVEN MS 38672

THOMAS RALPH  
PO BOX 174  
WINONA MO 65588-0174

DAVID AND VICKI REED  
125 MARKHAM DR  
LONG BEACH MS 39560

STACEY ROGERS AND KIMBERLY MORAND  
601 N SOLOMON ST  
NEW ORLEANS LA 70119

SUDARSHAN SABHARWAL  
3908 HOLMBANK CT  
RICHMOND VA 23233

DANIEL AND JANIE SPERBECK  
129 MARCIE DR  
LONG BEACH MS 39560

VANCE AND HEATHER SPRAGUE  
114 CAMILLIA DR  
PASS CHRISTIAN MS 39571

TERRAPIN HOLDINGS LLC  
PO BOX 1386  
LONG BEACH MS 39560

JAMES AND SANDRA THOMPSON  
4656 E MANSFIELD RD  
CARBON IN 47852

HARVY THORNTON -EST-  
C/O MARIA CUNNINGHAM  
7455 LONGRIDGE RD  
LONG BEACH MS 39560

MAUREEN TIERNEY  
1022 BEGONIA AVE  
COSTA MESA CA 92626

CHARLES AND SUSAN WILDER  
156 MARKHAM DR  
LONG BEACH MS 39560

DOLLY WILLIAMSON  
504 HICKORY DR  
LONG BEACH MS 39560

LISA ROGERS YOUNG  
141 MAGNOLIA CT  
LULING LA 70070

THOMAS AND JANET GARIN  
108 MARCIE DR  
LONG BEACH MS 39560

LISA ANTON  
18613 SANTA MARIA DR  
BATON ROUGE LA 70809

LEE AND CHRISTIE BARRON  
10381 ROAD 791  
PRESTON MS 39354

MICHAEL AND KELLY BECK  
203 W MADISON ST  
LOUISA KY 41230

HENRY AND JANE BLANTON  
PO BOX 1615  
LONG BEACH MS 39560

JENA BONAZZOLI  
476 ALLING FARM ROAD  
ORANGE CT 06477

SAMUEL BRIDGES  
13557 BRAYTON BLVD  
GULFPORT MS 39503

MARTY AND LEIGH ANNE BROADUS  
162 LAKE RD  
MCHENRY MS 39561

BARBARA BUCKLEY  
16156 MARINER DR  
GULFPORT MS 39503

HUY THE BUI  
12165 HARMONY CR  
GULFPORT MS 39503

PEGGY AND CLAYTON CARRUBBA  
159 MARKHAM DR  
LONG BEACH MS 39560

LEE AND CHRISTIE BARRON  
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DAVID M ALLEN ESQ  
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Minutes of September 6, 2016  
 Mayor and Board of Aldermen

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LYNDA MARIE DEFELICE  
 610 NORTH PEARL ST  
 NATCHEZ MS 39120

HENRY AND PEGGY DESANDRE  
 16373 CLEARWATER CR  
 GULFPORT MS 39503

SHERRILL FINKELSTEIN  
 206 REEVES ST  
 LONG BEACH MS 39560

LARRY AND CYNTHIA FISHER  
 117 MARCIE DR  
 LONG BEACH MS 39560

THOMAS AND JANET GARIN  
 5816 LINDSEY LN  
 OCEAN SPRINGS MS 39564

JOSEPH AND CHERYL GASCON  
 158 MARKHAM DR  
 LONG BEACH MS 39560

GEORGE AND NANETTE GROH  
 800 LAKESHORE PKWY  
 NEW ORLEANS LA 70124

GULF COAST BANK AND TRUST  
 ATTN: AL WIEBELT  
 1825 VETERANS BLVD  
 METAIRIE LA 70005

RANDALL JOHN HARGRAVE  
 6060 CORTEZ CT  
 KILN MS 39556

J & L BUILDERS COMPANY INC  
 25240 EAST DUBUISSON RD  
 PASS CHRISTIAN MS 39571

SUE KELLY  
 1380 HWY 277  
 CHIPLEY FL 32428

JAMES KRAMER  
 110 MARCIE DR  
 LONG BEACH MS 39560

DENNIS KURELIS  
 3561 CALUMET DR  
 CINCINNATI OH 45245

WILLIAM AND MARY CARLA LANSDALE  
 219 ROYAL DR  
 LONG BEACH MS 39560

PETER LASSALLE  
 PO BOX 208  
 POPLARVILLE MS 39470

CARRIE CHANTELE LEE  
 10518 PIN OAKS DR  
 BILOXI MS 39532

GWENDOLYN LEITZ  
 157 MARKHAM DR  
 LONG BEACH MS 39560

JOHN LINDORFER  
 155 MARKHAM DR  
 LONG BEACH MS 39560

MICHAEL AND KAREN LIVENGOOD  
 154 MARKHAM DR  
 LONG BEACH MS 39560

DAVID MARCHMAN AND JANET NELSON  
 1001 NORTH MILL ST APT 212  
 NAPERVILLE IL 60563-2555

DAVID MARTIN  
 113 MARCIE DR  
 LONG BEACH MS 39560

BRENDA JONES MCGEE  
 89343 DIAMONDHEAD DR E  
 DIAMONDHEAD MS 39525

PAUL MCKNIGHT  
 19581 RIVERLINE DR E  
 SAUCIER MS 39574

NADINE MELTON  
 614 S FOREST AVE  
 LONG BEACH MS 39560

PHILIP AND EUGENIE MORAND  
 115 MARCIE DR

JEFFREY MORSE  
 4 REGENCY DR

ROBERT AND REBECCA NORRIS  
 160 MARKHAM DR

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GOLDEN BAY INVESTMENTS LTD  
 122 CALDWELL AVE  
 BILOXI MS 39530

\*

\*

**Minutes of September 6, 2016**  
**Mayor and Board of Aldermen**

The Clerk further reported that the Legal Notice of Pubic Hearing was posted on the bulletin board in City Hall, the Water Department, and the Building Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi; and the city's official website [www.cityoflongbeachms.com](http://www.cityoflongbeachms.com).

\*

\*

Alderman Lishen made motion seconded by Alderman Parker and unanimously carried to make the official minutes of the Long Beach Planning Commission dated July 28, 2016, is incorporated by reference herein as part of the record of this public hearing, on file in the Office of the City Clerk.

\*

\*

Alderman Ponthieux made motion seconded by Alderman Parker and unanimously carried that the protest email from John Lindorfer dated August 4, 2016, stating his opposition to the application for Zoning Map Change, is incorporated by reference herein as part of the record of this public hearing, on file in the Office of the City Clerk.

\*

\*

The clerk submitted petitions signed by residents within one hundred sixty feet (160') of the subject property opposed to the application for zoning map change. It was noted for the record that the signatures were verified and meet all the percentage requirements to invoke a super majority vote; said petitions are as follows:

Minutes of September 6, 2016  
Mayor and Board of Aldermen

125 Markham Drive  
Long Beach, MS  
August 22, 2016

Ms. Rebecca Schruff  
City Clerk  
City of Long Beach, MS

Ms. Schruff:

Please see the thirteen (13) attached petition forms to appeal the zoning application for Mr. Huong Henry Le. These people are property owners within 160 feet of the property referenced in the application.

Thank you.

  
Dave Reed  
125 Markham Drive  
Long Beach, MS 39560  
985-788-0536  
vickianddave1@gmail.com

RECEIVED AUG 22 2016

Minutes of September 6, 2016  
Mayor and Board of Aldermen

Date: Aug 3, 2016

To: City of Long Beach Board of Aldermen  
Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
Location: North of U.S. Highway 90; west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 052J-01-001.000  
Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question, object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

Daniel J. Speck  
Name (Property Owner)  
[Signature]  
Signature

129 Marcie Dr.  
Address  
0512I-03-034.000  
Tax Parcel Number

Larry S. Fisher  
Name (Property Owner)  
[Signature]  
Signature

117 MARCIE DR  
Address  
0512I-03-029.000  
Tax Parcel Number

Cynthia L. Fisher  
Name (Property Owner)  
[Signature]  
Signature

117 MARCIE  
Address  
0512I-03-029.000  
Tax Parcel Number

Philip L. Morand  
Name (Property Owner)  
[Signature]  
Signature

115 MARCIE DR.  
Address  
0512I-03-028.000  
Tax Parcel Number

DR Jim Kramer  
Name (Property Owner)  
[Signature]  
Signature

110 MARCIE DR.  
Address  
0512J-01-019.000  
Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

Minutes of September 6, 2016  
Mayor and Board of Aldermen

Aug 6, 2016

To: City of Long Beach Board of Aldermen  
Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
Location: North of U.S. Highway 90; west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 052J-01-001.000  
Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question, object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

<u>James R. Thompson</u> Name (Property Owner)	<u>120 Marcie Dr.</u> Address
<u>[Signature]</u> Signature	<u>05121-03-021.000</u> Tax Parcel Number and
_____ Name (Property Owner)	<u>123 Marcie Dr.</u> Address
_____ Signature	<u>05121-03-032.000</u> Tax Parcel Number
_____ Name (Property Owner)	_____ Address
_____ Signature	_____ Tax Parcel Number
_____ Name (Property Owner)	_____ Address
_____ Signature	_____ Tax Parcel Number
_____ Name (Property Owner)	_____ Address
_____ Signature	_____ Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

Minutes of September 6, 2016  
 Mayor and Board of Aldermen

City of Long Beach Petition of Protest – Zoning Change

Date: 8/4/15

To: City of Long Beach Board of Aldermen  
 Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
 Location: North of U.S. Highway 90; west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 052J-01-001.000  
 Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question, object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

DAVID + Vicki Reed 125 MARKHAM DR. Long Beach, MS  
 Name (Property Owner) Address  
David Reed 0512J-01-031-000  
 Signature Tax Parcel Number

MICHAEL + KAREN LIVENGOOD 154 MARKHAM DR  
 Name (Property Owner) Address  
Michael Anthony Karen Livengood 0512J-01-017-000  
 Signature Tax Parcel Number

Charles + Susan Wilder 156 MARKHAM DR, LB  
 Name (Property Owner) Address  
Susan Wilder 012G-03-006-001  
 Signature Tax Parcel Number

Cheryl Gascon 158 Markham Dr.  
 Name (Property Owner) Address  
CHERYL GASCON 0512G-03-006-000  
 Signature Tax Parcel Number

John Lindorfer 155 Markham Dr.  
 Name (Property Owner) Address  
John Lindorfer 0512J-01-018-000  
 Signature Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

Minutes of September 6, 2016  
Mayor and Board of Aldermen

Date: 8-3-16

To: City of Long Beach Board of Aldermen  
Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
Location: North of U.S. Highway 90; west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 052J-01-001.000  
Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question,  
object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

GEORGE L. GROH 128 MARKHAM DR  
Name (Property Owner) Address  
[Signature] 0512J-01-007.000  
Signature Tax Parcel Number

NANNETTE A. GROH 128 MARKHAM DR  
Name (Property Owner) Address  
[Signature] 0512J-01-007.000  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

Minutes of September 6, 2016  
Mayor and Board of Aldermen

Date: Aug 5, 2016

To: City of Long Beach Board of Aldermen  
Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
Location: North of U.S. Highway 90; west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 052J-01-001.000  
Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question, object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

PATRICIA A. COTO 112 MARCIE DRIVE, LONG BEACH, MS  
Name (Property Owner) Address  
[Signature] 05121-03-025.000  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

Minutes of September 6, 2016  
Mayor and Board of Aldermen

Date: 8.4.16

To: City of Long Beach Board of Aldermen  
Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
Location: North of U.S. Highway 90; west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 0521-01-001.000  
Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question, object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

Christie Barron 122 MARCIE DR  
Name (Property Owner) Address  
[Signature] 05121-03-020.000  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

Minutes of September 6, 2016  
Mayor and Board of Aldermen

Date: 8/6/16

To: City of Long Beach Board of Aldermen  
Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
Location: North of U.S. Highway 90; west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 052J-01-001.000  
Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question, object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

BARBARA BUCKLEY  
Name (Property Owner)  
Barbara Buckley  
Signature

128 MARKHAM DR  
Address  
0517J-01-006.000  
Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner)  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_  
Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner)  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_  
Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner)  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_  
Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner)  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_  
Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

Minutes of September 6, 2016  
Mayor and Board of Aldermen

City of Long Beach Petition of Protest – Zoning Change

Date: Aug 8, 2016

To: City of Long Beach Board of Aldermen  
Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
Location: North of U.S. Highway 90; west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 052J-01-001.000  
Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question, object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

Carla Lansdale  
Name (Property Owner)  
Carla Lansdale  
Signature

134 Markham Dr.  
Address  
0512J-01-009.000 + 0512J-01-009-001  
Tax Parcel Number

WILLIAM E LANSDALE  
Name (Property Owner)  
William E Lansdale  
Signature

134 Markham Drive  
Address  
0512J-01-009.000 + 0512J-01-009-001  
Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner)  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_  
Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner)  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_  
Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner)  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_  
Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

Minutes of September 6, 2016  
Mayor and Board of Aldermen

City of Long Beach Petition of Protest – Zoning Change

Date: 7 AUG 2016

To: City of Long Beach Board of Aldermen  
Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
Location: North of U.S. Highway 90; west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 052J-01-001.000  
Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question, object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

THOMAS RALPH. 144 MARKHAM DR LONG BEACH, MS  
Name (Property Owner) Address  
[Signature] 0512J-01-013.000  
Signature ( PO Box 174 WINDONA, MD 65588 ) Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner) Address  
\_\_\_\_\_  
Signature Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

Minutes of September 6, 2016  
Mayor and Board of Aldermen

Date: 8/4/16

To: City of Long Beach Board of Aldermen  
Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
Location: North of U.S. Highway 90; west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 052J-01-001.000  
Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question, object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

Dennis M. Kurelis  
Name (Property Owner)  
D M Kurelis  
Signature

130 Markham Dr  
Address  
0512J-01-007.001  
Tax Parcel Number  
Current residence: 3561 Calumet Dr  
City, OH 45245

\_\_\_\_\_  
Name (Property Owner)  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_  
Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner)  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_  
Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner)  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_  
Tax Parcel Number

\_\_\_\_\_  
Name (Property Owner)  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address  
\_\_\_\_\_  
Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

Minutes of September 6, 2016  
Mayor and Board of Aldermen

Date: 8/8/14

To: City of Long Beach Board of Aldermen  
Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
Location: North of U.S. Highway 90; west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 052J-01-001.000  
Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question, object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

STACEY ROGERS / Kim MDRAND 114 MARCIE  
Name (Property Owner) Address  
[Signature] 05121-03-024.000  
Signature Tax Parcel Number

Name (Property Owner) Address  
Signature Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

Minutes of September 6, 2016  
Mayor and Board of Aldermen

Date: 8/8/2016

To: City of Long Beach Board of Aldermen  
Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
Location: North of U.S. Highway 90, west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 0521-01-001.000  
Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question, object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

HENRY A. DESANDRE 121 MARKHAM DR  
Name (Property Owner) Address  
Henry A. Desandre 01521-01-032,000  
Signature Tax Parcel Number

Name (Property Owner) Address  
Signature Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

Minutes of September 6, 2016  
Mayor and Board of Aldermen

Date: Aug 4, 2016

To: City of Long Beach Board of Aldermen  
Applicant: David M. Allen, Esq., on behalf of Huong Henry Le  
Location: North of U.S. Highway 90; west of Marcie Drive; east of Markham Drive  
Tax Map Parcel 052J-01-001.000  
Date of Hearing: September 6, 2016-Zoning Map Change from R-1 Single Family  
Residential to C-2B Beachfront Commercial

The below signed property owners, being within 160 feet of the rezoned parcel in question, object to the decision of the Board of Aldermen to rezone the petitioned parcel to C-2B.

<u>Brenda Chapman</u> Name (Property Owner)	<u>111 Marcie Dr, L.B.</u> Address
<u>Brenda Chapman</u> Signature	<u>05124-03-019.000</u> Tax Parcel Number
<u>Robert &amp; Rebecca Nbrais</u> Name (Property Owner)	<u>160 MARKHAM DRIVE</u> Address
<u>[Signature]</u> Signature	<u>05126-03-005.000</u> Tax Parcel Number

_____ Name (Property Owner)	_____ Address
_____ Signature	_____ Tax Parcel Number
_____ Name (Property Owner)	_____ Address
_____ Signature	_____ Tax Parcel Number
_____ Name (Property Owner)	_____ Address
_____ Signature	_____ Tax Parcel Number

If additional names are necessary to achieve the 20% requirement, please make copies of this page for additional names.

**Minutes of September 6, 2016  
Mayor and Board of Aldermen**

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\*

Alderman Carrubba made motion seconded by Alderman Griffin and unanimously carried that emails dated August 31, 2016, by and between City Attorney James C. Simpson, Jr., Attorney Charles Boggs, and Tony Wilder, are incorporated by reference herein as part of the record of this public hearing, on file in the Office of the City Clerk.

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\*

The Mayor recognized the applicant, David Allen, Esq., on behalf of Huong Henry Le, who came forward to answer questions and provide additional information. He stated that the application and exhibits are included in the Planning Commission minutes dated July 28, 2016, incorporated by reference herein, on file in the Office of the City Clerk. He displayed various zoning maps for the City of Long Beach from 1990, 2002 and 2013, depicting the zone classification for the subject property, noting for the record that the parcel is a split zone and stated that he is of the opinion that there was a mistake in the zoning; after considerable discussion regarding velocity/flood zones, elevation requirements and rising insurance rates hindering development, and the growth of the RV industry, he submitted a letter from David Nichols, Chief Administrative Officer, City of Biloxi, incorporated herein as part of the record of this public hearing, on file in the Office of the City Clerk.

Project Engineer Dennis Stieffel, on behalf of Huong Henry Le, Golden Bay Investments, LTD, came forward to answer questions and provide additional information. Discussion was held regarding challenges for construction due to velocity/flood zones, elevation requirements and rising insurance rates; he cited these challenges as the reason the area has not seen development. The proposed development would be a Class A, high end RV resort.

Mississippi Certified General Real Estate Appraiser Quentin Ball, addressed the Mayor and Board of Aldermen, stating that the RV market is very strong and would be the highest and best use for the property. He is confident that the development would not lower property values and might even raise them.

\*

\*

The Mayor opened the floor for public comments in favor of the application for zoning map change, as follows:

**Minutes of September 6, 2016  
Mayor and Board of Aldermen**

- Ron Robertson, 7 Southern Oaks Road, Long Beach, Mississippi, submitted a letter, incorporated herein as part of the record of this public hearing, on file in the Office of the City Clerk.
- David M. Allen, 759 Vieux Marche, Biloxi, Mississippi, representing the applicant;
- Linda Powell, 504 Gulf View Avenue, Long Beach, Mississippi;
- Dennis Stieffel, 13061 Shriners Boulevard C, Project Engineer for the development.

\*

\*

The Mayor opened the floor for public comments in opposition to the application for zoning map change, as follows:

- Tony Wilder, 156 Markham Drive, Long Beach, Mississippi, submitted his written statement and emails from residents opposing the Zoning Map Change, all incorporated herein as part of the record of this public hearing, on file in the Office of the City Clerk.
- Sue Wilder, 156 Markham Drive, Long Beach, Mississippi, submitted her written statement, incorporated herein as part of the record of this public hearing, on file in the Office of the City Clerk;
- Bill Woodcock, 162 Markham Drive, Long Beach, Mississippi;
- David Reed, 125 Markham Drive, Long Beach, Mississippi, submitted his written statement, incorporated herein as part of the record of this public hearing, on file in the Office of the City Clerk. ;
- Vicki Reed, 125 Markham Drive, Long Beach, Mississippi, submitted her written statement, incorporated herein as part of the record of this public hearing, on file in the Office of the City Clerk;
- Margaret Martin, 132 Destiny Oaks Drive, Long Beach, Mississippi;
- Jennifer Buchanan, 906 West Railroad Street, Long Beach, Mississippi;
- John Lindorfer, 155 Markham Drive, Long Beach, Mississippi;
- Paul Taylor, 135 Destiny Oaks Drive, Long Beach, Mississippi;
- Donna Wilson, 161 Markham Drive, Long Beach, Mississippi;
- Sammy Wilson, 161 Markham Drive, Long Beach, Mississippi;
- David Youmans, Destiny Oaks Drive, Long Beach, Mississippi;
- Susan Taylor, 135 Destiny Oaks Drive, Long Beach, Mississippi;
- R. Karen Livengood, 154 Markham Drive, Long Beach, Mississippi;
- Mike Livengood, 154 Markham Drive, Long Beach, Mississippi;
- Cheryl Gascon, 158 Markham Drive, Long Beach, Mississippi;

**Minutes of September 6, 2016  
Mayor and Board of Aldermen**

- Robert Hansen, 158 Markham Drive, Long Beach, Mississippi;
- Robert Norris, 160 Markham Drive, Long Beach, Mississippi, submitted his written statement, incorporated herein as part of the record of this public hearing, on file in the Office of the City Clerk;
- Rebecca Norris, 160 Markham Drive, Long Beach, Mississippi, submitted her written statement, incorporated herein as part of the record of this public hearing, on file in the Office of the City Clerk;
- Babe Buckley, 128 Markham Drive, Long Beach, Mississippi.

\*

\*

The Mayor recognized the applicant for rebuttal and Project Engineer Dennis Stieffel responded to questions, as follows:

- The RV resort will be a Class A high end resort and parking pads will be 30-50% larger than required specifications;
- All wetlands and mitigation permit applications have been secured, construction plans complete, however, the zone change is needed to proceed any further;
- Buffers/green space exceed required specifications;

\*

\*

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

\*

\*

After considerable discussion, Alderman Ponthieux made motion seconded by Alderman Young that, due to a change in the character of the entire beachfront area, to approve the application for zone change to C2B as submitted on behalf of Henry Huong Le, directing the City Attorney to draft an ordinance for review and adoption at the next regular meeting, September 20, 2016, amending the Comprehensive Land Use Ordinance Number 598 to include the zoning map change, all based upon the following findings:

**Minutes of September 6, 2016  
Mayor and Board of Aldermen**

Motion by Mr. Ponthieux:

Mr. Mayor and members of the Board,)

Based on the totality of the record of proceedings before the Planning Commission, and the discussions taking place here tonight, as well as the Board's own familiarity and common knowledge of the area sought to be rezoned, I move that the application for a zoning change be granted, based upon the following:

The Applicant has shown factually that there has been a change in the character of the neighborhood, which consists not simply of the area between Markham and Marci Drives, but the entire beachfront area of the city which has been subjected to the long term devastating effects of Hurricane Katrina, many of which we continue to endure and only now seem to more fully understand, such as rising insurance rates, changing flood elevation maps and rising building costs in these areas, and market effects on properties and development in our beachfront areas.

These continuing burdens and evolving changes are profound on the west side of our City, and have continued to worsen and become more acute since the previous zoning considerations of this parcel and area. Although our understanding of these changes was not quite sufficient to convince this Board of a change in 2013, it appears now that these changes, which have continued to occur, have undoubtedly inhibited and prevented anticipated growth, and now become insurmountable obstacles to rebuilding in many areas of the beachfront neighborhood in the City. These changes have become more and more apparent and in my judgment, the record of proceedings in this matter has demonstrated by clear and convincing evidence that a change in the character of the beachfront neighborhood has occurred in many locations, including but not limited to just this parcel, which justifies a change.

**Minutes of September 6, 2016  
Mayor and Board of Aldermen**

The burdens and changes are many; building codes continue to become more restrictive; flood maps and elevations continue to make building of residential structures along the beachfront more and more expensive and less and less desirable. Insurance rates continue to cause development of beachfront properties in areas such as this to simply be no longer affordable. These matters and other changing conditions as contained in the record before us have made development on many parcels now impossible under current zoning classifications. This certainly constitutes a change in the character of the neighborhood warranting action by this Board.

The information contained in the record of proceedings here and before the Planning Commission provides plain and undeniable proof that we have reached the point that we must acknowledge the change in character of the beachfront neighborhood and face the new reality that many parcels, including the specific parcel before us, are now undevelopable without changes in zoning to reflect and accommodate the changes which have occurred.

I believe the requested change will be in conformance with the city's comprehensive plan, and the record shows to me that there is a need for new commercial properties in the area to accommodate the type of development proposed, and the other uses permitted by right in the requested zoning classification. Due to the existing C2-B property located directly adjacent to the proposed project, this re-zoning would not constitute a situation of spot zoning.

In sum, it is my opinion the applicant has conformed to the Long Beach Zoning Ordinance and proven by clear and convincing evidence that the character of the neighborhood has changed to such an extent as to justify re-zoning, and that there is a public need for the re-zoning.

Upon further discussion, Alderman Kelly made substitute motion seconded by Alderman Ponthieux to approve the Zoning Map Change to R-4, directing the City Attorney to draft an ordinance for review and adoption at the next regular meeting, September 20, 2016, amending the Comprehensive Land Use Ordinance Number 598 to include the zoning map change, all based upon the findings set forth in the original motion by Alderman Ponthieux.

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

Alderman Bernie Parker	voted	Nay
Alderman Gary Ponthieux	voted	Aye

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Alderman Kelly Griffin	voted	Aye
Alderman Alan Young	voted	Aye
Alderman Leonard Carrubba, Sr.	voted	Nay
Alderman Mark Lishen	voted	Nay
Alderman Ronnie Hammons, Jr.	voted	Aye

The question having failed to receive the required number of affirmative votes of the Aldermen present and voting to constitute the required super majority, the Mayor declared the motion NOT CARRIED.

\* \* \* \* \*

The question on the ORIGINAL MOTION was put to a roll call vote by the Mayor and the result was as follows:

Alderman Bernie Parker	voted	Nay
Alderman Gary Ponthieux	voted	Aye
Alderman Kelly Griffin	voted	Nay
Alderman Alan Young	voted	Aye
Alderman Leonard Carrubba, Sr.	voted	Nay
Alderman Mark Lishen	voted	Nay
Alderman Ronnie Hammons, Jr.	voted	Aye

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

\* \* \* \* \*

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 first Tuesday in September, 2016, 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, Alan Young, City Clerk Rebecca E. Schruoff, and City Attorney James C. Simpson, Jr.

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

\* \* \* \* \*

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The meeting was called to order and there were no announcements, presentations, proclamations, amendments, or comments to the agenda.

\*\*\*\*\*

Alderman Carrubba made motion seconded by Alderman Griffin and unanimously carried to approve the public hearing and regular meeting minutes of the Mayor and Board of Aldermen dated August 16, 2016, as submitted.

\*\*\*\*\*

Alderman Hammons made motion seconded by Alderman Parker and unanimously carried to approve the regular meeting minutes of the Long Beach Planning Commission dated August 25, 2016, noting for the record that there were an insufficient number of duly appointed commissioners present to constitute a quorum.

\*\*\*\*\*

Alderman Carrubba made motion seconded by Alderman Hammons and unanimously carried to approve the regular meeting minutes of the Long Beach Port Commission dated August 18, 2016, as submitted.

\*\*\*\*\*

Alderman Griffin made motion seconded by Alderman Ponthieux and unanimously carried to approve payment of invoices as listed in Docket of Claims number 090616.

\*\*\*\*\*

Alderman Carrubba made motion seconded by Alderman Griffin and unanimously carried to approve the Confidentiality Agreement – Mississippi Deepwater Horizon Restoration Project, as follows:

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### Confidentiality Agreement

This Confidentiality Agreement (the "**Agreement**"), effective as of 8/1/16 (the "**Effective Date**"), is entered into by and between the Mississippi Department of Environmental Quality ("**MDEQ**") and the City of Long Beach having its principal place of business at 201 Jeff Davis Avenue, Long Beach, Mississippi (the "**Recipient**", and together with the MDEQ, the "**Parties**", and each, a "**Party**").

WHEREAS, in connection with potential projects to be funded through RESTORE Act, hereinafter "Potential Projects," the Recipient desires to participate in discussions with MDEQ containing information that is non-public, confidential, or proprietary in nature; and

WHEREAS, the MDEQ desires enter into such discussions with Recipient, subject to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions set forth herein, the Parties agree as follows:

1. **Confidential Information.** Except as set forth in Section 2 below, "**Confidential Information**" means the contents of any discussions before, on or after the Effective Date, between MDEQ and Recipient or its affiliates, or any of such Recipient's or its affiliates' employees, officers, directors, partners, shareholders, agents, attorneys, accountants or advisors (collectively, "**Representatives**") related to Potential Projects; and all non-public, confidential or proprietary information disclosed before, on or after the Effective Date, by MDEQ to the Recipient or its Representatives, whether disclosed orally or disclosed or accessed in written, electronic or other form or media, and whether or not marked, designated or otherwise identified as "confidential," including, without limitation, all information disclosed by MDEQ to the Recipient related to any Potential Project, as well as all notes, analyses, compilations, reports, forecasts, studies, samples, data, statistics, summaries, interpretations, correspondence and other materials (the "**Documents**") prepared by or for the Recipient or its Representatives that contain, are based on, or otherwise reflect or are derived from, in whole or in part, any of the foregoing.

Should Recipient in good faith consider any documents submitted to MDEQ to be confidential, proprietary and/or trade secret information of Recipient that is exempt from public disclosure under the Mississippi Public Records Act, Miss. Code Ann. §§ 25-61-1 *et seq.*, or by operation of other state or federal law, Recipient should clearly designate and label such documents "Confidential" prior to their submission to MDEQ. Notwithstanding the foregoing, the omission of a "Confidential" label from such documents submitted to MDEQ shall not in any way operate as a waiver of any claims of Recipient or MDEQ regarding the confidential nature of the documents or information exchanged, or otherwise

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effect the confidential nature of any Confidential Information exchanged by the parties pursuant to this Agreement.

2. Exclusions from Confidential Information. Except as required by applicable federal, state or local law or regulation, the term "**Confidential Information**" as used in this Agreement shall not include information that:

(a) at the time of disclosure is, or thereafter becomes, generally available to and known by the public other than as a result of, directly or indirectly, any breach of this Agreement or act or omission by the Recipient or any of its Representatives;

(b) at the time of disclosure is, or thereafter becomes, available to the Recipient on a non-confidential basis from a third-party source, provided that such third party is not and was not prohibited from disclosing such Confidential Information to the Recipient by any legal, fiduciary or contractual obligation;

(c) was known by or in the possession of the Recipient, as established by documentary evidence, prior to being disclosed by or on behalf of MDEQ pursuant to this Agreement; or

(d) was or is independently developed by the Recipient, as established by documentary evidence, without reference to or use of, in whole or in part, any of MDEQ's Confidential Information.

3. Recipient Obligations. The Recipient shall:

(a) Unless otherwise required by law, Recipient shall not make any public announcement or otherwise communicate with any news media or third party regarding Confidential Information.

(b) protect and safeguard the confidentiality of all such Confidential Information with at least the same degree of care as the Recipient would protect its own Confidential Information, but in no event with less than a commercially reasonable degree of care;

(c) not use the Confidential Information, or permit it to be accessed or used, for any purpose other than discussions with MDEQ regarding Potential Projects or any related transactions between the Parties, or otherwise in any manner to MDEQ's detriment;

(d) not disclose any such Confidential Information to any person or entity, except to the Recipient's Representatives who:

(i) need to know the Confidential Information to assist the Recipient, or act on its behalf, in relation to the discussions with MDEQ regarding Potential Projects;

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(ii) are informed in writing by the Recipient of the confidential nature of the Confidential Information; and

(iii) are subject to confidentiality duties or obligations to the Recipient that are no less restrictive than the terms and conditions of this Agreement;

(e) comply with all applicable on-site access, remote access and related security rules and procedures of MDEQ;

(f) immediately notify MDEQ of any unauthorized disclosure of Confidential Information or other breaches of this Agreement by the Recipient or its Representatives of which the Recipient has knowledge;

(g) fully cooperate with MDEQ in any effort undertaken by MDEQ to enforce its rights related to any such unauthorized disclosure; and

(h) be responsible for any breach of this Agreement caused by any of its Representatives.

4. Additional Confidentiality Obligations. Except as required by applicable federal, state or local law or regulation, or otherwise as mutually agreed to in writing by the Parties, the Recipient shall not, and shall not permit its Representatives to, disclose to any person:

(a) that the Confidential Information has been made available to the Recipient or its Representatives, or that it has inspected any portion of the Confidential Information;

(b) that discussions or negotiations may be, or are, underway between the Parties regarding the Confidential Information or the Potential Projects, including the status thereof; or

(c) any terms, conditions or other arrangements that are being discussed or negotiated in relation to the Confidential Information or the Potential Projects.

5. Recipient Representations and Warranties. The Recipient represents and warrants that:

(a) the performance of its obligations herein does not and will not violate any other contract or obligation to which the Recipient is a party, including covenants not to compete and confidentiality agreements;

(b) it is not legally or contractually prohibited from:

(i) discussing a potential relationship with MDEQ;

(ii) receiving information about a potential relationship with MDEQ; or

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(iii) entering into a principal agreement with MDEQ; and

(c) it has implemented and will continue to maintain sufficient information security protocols to secure and protect the confidentiality of all Confidential Information in the Recipient's or its Representatives' possession or control.

6. Required Disclosure. Any Disclosure by the Recipient or its Representatives of any of MDEQ's Confidential Information pursuant to applicable federal, state or local law, regulation or a valid order issued by a court or governmental agency of competent jurisdiction (a "Legal Order") shall be subject to the terms of this Section. Prior to making any such disclosure, the Recipient shall provide MDEQ with:

(a) prompt written notice of such requirement so that MDEQ may seek a protective order or other remedy; and

(b) reasonable assistance in opposing such disclosure or seeking a protective order or other limitations on disclosure.

If, after providing such notice and assistance as required herein, the Recipient remains subject to a Legal Order to disclose any Confidential Information, the Recipient (or its Representatives or other persons to whom such Legal Order is directed) shall disclose no more than that portion of the Confidential Information which, on the advice of the Recipient's legal counsel, such Legal Order specifically requires the Recipient to disclose and shall use commercially reasonable efforts to obtain assurances from the applicable court or agency that such Confidential Information will be afforded confidential treatment.

7. Return of Confidential Information. Upon the expiration or termination of this Agreement, or at MDEQ's request at any time during the term of this Agreement, the Recipient and its Representatives shall promptly return to MDEQ all copies, whether in written, electronic or other form or media, of MDEQ's Confidential Information.

8. Term and Termination. The term of this Agreement shall commence on the Effective Date and shall expire 3 years from the Effective Date, provided that either Party may terminate this Agreement at any time by providing written notice to the other Party. Notwithstanding anything to the contrary herein, each Party's rights and obligations under this Agreement shall survive the expiration or termination of this Agreement for a period of 1 year from the date of such expiration or termination, even after the return of Confidential Information by the Recipient (the "Survival Period").

9. Indemnification. The Recipient shall defend, indemnify and hold harmless MDEQ, its affiliates and their respective shareholders, officers, directors, employees, agents, successors and permitted assigns from and against all losses, damages, liabilities, deficiencies, actions, judgments, interest, awards, penalties, fines, costs or expenses of

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whatever kind, including reasonable attorneys' fees, in connection with any third party claim, suit, action or proceeding arising out of or resulting from a breach of this Agreement by the Recipient or any of its Representatives.

10. No MDEQ Representations or Warranties. Neither MDEQ nor any of its Representatives make any representation or warranty, expressed or implied, as to the accuracy or completeness of the Confidential Information disclosed to the Recipient hereunder. Neither MDEQ nor any of its Representatives shall be liable to the Recipient or any of its Representatives relating to or resulting from the Recipient's use of any of the Confidential Information or any errors therein or omissions therefrom.

11. No Transfer of Rights, Title or Interest. MDEQ hereby retains its entire right, title and interest, including all intellectual property rights, in and to all Confidential Information. Any disclosure of such Confidential Information hereunder shall not be construed as an assignment, grant, option, license or other transfer of any such right, title or interest whatsoever to the Recipient or any of its Representatives.

12. No Other Obligation. The Parties agree that:

(a) this Agreement does not require or compel MDEQ to disclose any Confidential Information to the Recipient;

(b) neither Party shall be under any legal obligation of any kind whatsoever, or otherwise be obligated to enter into any business or contractual relationship, investment, or transaction, by virtue of this Agreement, except for the matters specifically agreed to herein; and

(c) either Party may at any time, at its sole discretion with or without cause, terminate discussions and negotiations with the other Party, in connection with the Potential Projects or otherwise.

13. Remedies. The Recipient acknowledges and agrees that money damages might not be a sufficient remedy for any breach or threatened breach of this Agreement by the Recipient or its Representatives. Therefore, in addition to all other remedies available at law (which MDEQ does not waive by the exercise of any rights hereunder), MDEQ shall be entitled to seek specific performance and injunctive and other equitable relief as a remedy for any such breach or threatened breach, and the Recipient hereby waives any requirement for the securing or posting of any bond or the showing of actual monetary damages in connection with such claim. The Recipient also acknowledges that a breach of this Agreement by the Recipient, as determined by MDEQ at its sole discretion, may result in the conclusion of any current and future discussions between the Parties regarding Potential Projects. Recipient further acknowledges and agrees that a breach of this Agreement, as determined by MDEQ at its sole discretion, shall provide MDEQ with the independent right to disqualify Recipient from receiving any award, grant, subgrant,

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contract or subcontract related to Potential Projects, in addition to providing MDEQ with the independent right to terminate any existing or future award, grant, subgrant, contract or subcontract between Recipient and MDEQ, or Recipient and MDEQ's contractors and grant recipients, related to Potential Projects.

14. Governing Law, Jurisdiction and Venue. This Agreement shall be governed by and construed in accordance with the internal laws of the State of Mississippi without giving effect to any choice or conflict of law provision or rule (whether of the State of Mississippi or any other jurisdiction) that would cause the application of Laws of any jurisdiction other than those of the State of Mississippi. Any legal suit, action or proceeding arising out of or related to this Agreement or the matters contemplated hereunder shall be instituted exclusively in the courts of Hinds County, Mississippi.

15. Notices. All notices, requests, consents, claims, demands, waivers and other communications hereunder shall be in writing and shall be deemed to have been given: (a) when delivered by hand (with written confirmation of receipt); (b) when received by the addressee if sent by a nationally recognized overnight courier (receipt requested); (c) on the date sent by facsimile or e-mail of a PDF document (with confirmation of transmission) if sent during normal business hours of the recipient, and on the next business day if sent after normal business hours of the recipient; or (d) on the third day after the date mailed, by certified or registered mail, return receipt requested, postage prepaid. Such communications must be sent to the respective parties at the following addresses (or to such other address that may be designated by a Party from time to time in accordance with this Section).

If to MDEQ:                   Mississippi Department of Environmental Quality  
  Attn: Marc Wyatt  
  P.O. Box 2261  
  Jackson, MS 39225  
  Phone: 601-961-5367

If to Recipient:               City of Long Beach  
  Mayor William "Billy" Skellie, Jr.  
  P.O. Box 929  
  Long Beach, MS 39560  
  Phone: 228-863-1556

16. Entire Agreement. This Agreement constitutes the sole and entire agreement of the Parties with respect to the subject matter contained herein, and supersedes all prior and contemporaneous understandings, agreements, representations and warranties, both written and oral, with respect to such subject matter. This Agreement may only be amended, modified or supplemented by an agreement in writing signed by each Party hereto.

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17. Severability. If any term or provision of this Agreement is invalid, illegal or unenforceable in any jurisdiction, such invalidity, illegality or unenforceability shall not affect any other term or provision of this Agreement or invalidate or render unenforceable such term or provision in any other jurisdiction.

18. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall be deemed to be one and the same agreement. A signed copy of this Agreement delivered by facsimile, e-mail or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

19. Assignment. Recipient shall not assign, subcontract, or otherwise transfer this agreement, in whole or in part, without the prior written consent of MDEQ, which MDEQ may, in its sole discretion, approve or deny without reason. Any purported assignment or delegation in violation of this Section shall be null and void. No assignment or delegation shall relieve the Recipient of any of its obligations hereunder. This Agreement is for the sole benefit of the parties hereto and their respective successors and permitted assigns and nothing herein, express or implied, is intended to or shall confer upon any other person or entity any legal or equitable right, benefit or remedy of any nature whatsoever under or by reason of this Agreement.

20. Waivers. No waiver by any Party of any of the provisions hereof shall be effective unless explicitly set forth in writing and signed by the Party so waiving. No waiver by any Party shall operate or be construed as a waiver in respect of any failure, breach or default not expressly identified by such written waiver, whether of a similar or different character, and whether occurring before or after that waiver. No failure to exercise, or delay in exercising, any right, remedy, power or privilege arising from this Agreement shall operate or be construed as a waiver thereof; nor shall any single or partial exercise of any right, remedy, power or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, remedy, power or privilege. To the extent that any Confidential Information shared by MDEQ with Recipient is otherwise an attorney-client privileged communication or attorney work product, disclosure by MDEQ to Recipient is not a waiver of such privileges; however, to the extent that a court of law determines that such disclosure is a waiver of these privileges, any waiver is expressly limited to the Confidential Information disclosed and is not a waiver of the privileges as to any other privileged information that has not been shared by MDEQ with Recipient.

[SIGNATURE PAGE FOLLOWS]

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IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of the Effective Date.

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

City of Long Beach

By William Skellie, Jr.  
Name: WILLIAM SKELLIE, JR.  
Title: MAYOR

\*\*\*\*\*

There came on for consideration a letter from Sherwood R. Bailey, Jr., Vice Chairman and Executive Director, Cruisin' the Coast®, as follows:

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August 15, 2016

Becky Schruff  
City Clerk, City of Long Beach  
201 Jeff Davis Ave./P.O. Box 929  
Long Beach, MS 39560

Dear Becky:

Please submit this letter to the Mayor and Board of Alderman.

Cruisin' The Coast® is grateful for the City of Long Beach's past support of the event. We hope that the City views its ongoing participation in Cruisin' The Coast® as an arm of economic development.

This letter is to request that the City of Long Beach keep its 2016 investment at the current \$8,500 funding level.

Our records indicate that Cruisin' The Coast has not received the city's investment for our 2015 event, as requested in our letter of June 19, 2015, which is enclosed.

Cruisin' The Coast® is a non-profit corporation. The events are largely non-gated for local spectators. Therefore, we need to have the participating cities continue to assist us financially.

We look forward to a long and mutually beneficial association with the City of Long Beach. Special thanks in advance to the Mayor, Board of Alderman, and the Police Department.

Sincerely,

Sherwood R. Bailey, Jr.  
Vice Chairman and Executive Director

Upon discussion, Alderman Carrubba made motion seconded by Alderman Ponthieux and unanimously carried to approve the request for funding as set forth above, to promote the City of Long Beach and advertise the opportunities and resources available.

\*\*\*\*\*

There was no report from the Mayor's Office.

\*\*\*\*\*

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

FIRE DEPARTMENT:

- Step Increase, Battalion Chief Pete McGoey, FS-13-VII, effective October 1, 2016;
- Step Increase, Division Chief of Training Joe Stapleton, FSA-13-XIII, effective October 1, 2016;
- Education Pay, Firefighter 1<sup>st</sup> Class Josh McGoey, EMT Pay-\$50.00 per month, effective October 1, 2016.

POLICE DEPARTMENT:

- Education Pay, Dispatcher Jolee Knight, PS-3-I, Associates Degree-\$100.00 per month, effective September 1, 2016;
- Step Increase, Admin Lieutenant Keith Ladner, PSA-12-XII, effective September 16, 2016;
- New Hire, Patrolman 1<sup>st</sup> Class Glen D. Powell, PS-9-B (certified), effective September 16, 2016.

MUNICIPAL COURT:

- Step Increase, Deputy Court Clerk Emma Ward, CSA-4-II, effective October 1, 2016.

\*\*\*\*\*

## Minutes of September 6, 2016 Mayor and Board of Aldermen

The Mayor and Board of Aldermen took up for consideration the matter of final approval and adoption of the Municipal Budget for the fiscal year beginning October 1, 2016 and ending September 30, 2017, and for related purposes. After a discussion of the subject, Alderman Ponthieux offered and moved the adoption of the following resolution:

**A RESOLUTION BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, SETTING FORTH ANTICIPATED REVENUES AND EXPENDITURES OF SAID CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING ON SEPTEMBER 30, 2017; APPROVING AND ADOPTING THE MUNICIPAL BUDGET FOR THE CITY FOR SAID FISCAL YEAR; APPROPRIATING FUNDS FOR SAID BUDGET; AND FOR RELATED PURPOSES.**

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

(A) Pursuant to the provisions of MCA §21-35-5, the Governing Body of the Municipality prepared or caused to be prepared a complete budget of the municipal revenues, expenses, and working cash balances for the next fiscal year, including the amount to be raised by levy of ad valorem taxes, sales, fines and forfeitures, and other sources for the ensuing fiscal year beginning October 1, 2016 and ending September 30, 2017; and said Governing Body has further prepared a statement showing the aggregate revenues collected during the current fiscal year in the Municipality for municipal purposes, which statement shows every source of revenue along with the amount derived from each source;

(B) The Governing Body, on the 2nd day of August, 2016, in regular meeting duly assembled, did adopt that certain order providing for a proposed municipal budget for the City of Long Beach, Mississippi, for the fiscal year beginning October 1, 2016, and ending September 30, 2017; providing for a public hearing to give the general public an opportunity to make oral or written comment on the taxing and spending plan incorporated in said budget; providing for notice of such hearing; and for related purposes.

(C) Pursuant to the aforesaid order a copy of said proposed Municipal Budget in detail was filed and remained on file in the office of the City Clerk at the City Hall in the Municipality and at the Long Beach Public Library, in the Municipality for public inspection and examination during business hours as provided in the said resolution;

(D) Notice of the Budget and Tax Levy Public Hearing provided for in the said resolution to be held at the Long Beach City Hall in said Municipality at 5:00 o'clock p.m. on Tuesday, August 16, 2016, was published in *The Sun Herald*, a newspaper qualified under the provisions of MCA §13-3-31, which newspaper is published in Harrison County, Mississippi, wherein the Municipality is located, and has a general circulation in said Municipality; such publication having been made in said newspaper in the issue of August 1, 2016, and August 8, 2016 and proof of publication of which notice with clipping attached is on file in the office of the City Clerk of the Municipality;

(E) The Governing Body of the Municipality did meet at the Long Beach City Hall Meeting Room in said Municipality at 5:00 p.m. on Tuesday, August 16, 2016, the date fixed for holding of said public hearing, and did hold such hearing on the taxing and spending plan incorporated in the aforesaid proposed Municipal Budget; at which hearing all persons and the general public were given an opportunity to be heard and to make oral or written comment on the taxing and spending plan incorporated in said proposed Municipal Budget and Tax Levy for Municipality for the ensuing fiscal year; and

(F) At and after the aforesaid public hearing the Governing body did provide for amendments to said Municipal Budget, and thereafter, on the 6<sup>th</sup> day of September, 2016, at least one (1) week following the said public hearing, the said Municipal Budget was finalized, which final Municipal

## Minutes of September 6, 2016 Mayor and Board of Aldermen

Budget for the Municipality for the fiscal year beginning October 1, 2016, and ending September 30, 2017, should be now finally approved and adopted and appropriations therefore made in words and figures made a part of this resolution as hereinafter set forth.

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

**SECTION 1. Adoption of Municipal Budget**

The Municipal Budget for the City of Long Beach, Mississippi, for the fiscal year beginning October 1, 2016, of anticipated revenues and the estimated expenditures for the said fiscal year be, and the aforesaid Municipal Budget is finally approved and adopted as and for the Municipal Budget for the Municipality in words and figures as follows:

See Attached Exhibit "A"

**SECTION 2. Appropriations**

The amounts, respectively, hereinabove in Section 1 set forth as anticipated revenues and the corresponding anticipated expenditures in each of the funds and categories as authorized to be expended, be, and the same are hereby, appropriated for the purposes and in the amounts hereinabove set forth, as and for the Municipal Budget Appropriation of Revenues and Expenditures to be made for the fiscal year, October 1, 2016, through September 30, 2017.

**SECTION 3. Publication of Budget**

As provided by MCA §21-35-5, the Budget Summaries as hereinabove in Sections 1 and 2 set forth in the Municipal Budget aforesaid, shall be published one (1) time in The Sun Herald, a newspaper qualified under the provisions of MCA §13-3-31, published in Harrison County, Mississippi, having a general circulation in the city of Long Beach, Mississippi, there being no newspaper published in the Municipality so qualified to publish legal notices.

**SECTION 4. Repeal of Conflicting Resolutions**

All orders and resolutions of the Governing Body of the Municipality in conflict with the provisions of this resolution are hereby modified, rescinded and repealed to the extent of such conflict.

**SECTION 5. Effective Date**

It being necessary and in the public interest that appropriations for the fiscal year beginning October 1, 2016, be made and expenditures thereof authorized in order to provide necessary municipal services, including services, sewer services, fire protection services, police protection services, and other proper municipal purposes and in order to provide for the immediate and

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temporary preservation of the public peace, and the immediate preservation of order and of the public health and safety and to provide for the general welfare of the community, this resolution shall take effect and be in full force and effect from and after its adoption.

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

Alderman 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	Aye
Alderman Mark E. Lishen	voted	Aye
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 resolution adopted and approved this the 6<sup>th</sup> day of September, 2016.

APPROVED:

  
WILLIAM SKELLIE, JR., MAYOR

ATTEST:

  
REBECCA E. SCHRIEFF, CITY CLERK

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Exhibit A								
City of Long Beach, Mississippi - Proposed Municipal Budget								
Fiscal year 2016 - 2017								
Revenues								
Source	General Government 47.68 Mills	Municipal Debt Serv 1.3 Mills	Debt Serv Schools	Water/Sewer	Port/Harbor	Capital Imp. Funds	Special Revenue	Total
Cash Reserves	145,605					1,000,000	451,613	1,597,218
Property Tax	4,190,561	114,256						4,304,817
Lot Clean Up	15,000							15,000
Personal Property Taxes	169,359	4,618						173,977
Public Utility Taxes	163,538	4,459						167,997
Automobile Tags	894,053	24,376						918,429
Mobile Home	-							-
Prior Year	48,673	1,327						50,000
Payments in Lieu of Taxes	12,100							12,100
Penalties & Interest	100,000							100,000
Maintenance Fee	60,000							60,000
Sales Tax	1,360,000			9,000	18,795			1,387,795
Privilege Licenses	25,000							25,000
Building Permits	40,000							40,000
Plumbing Permits	15,000							15,000
Electrical Permits	10,000							10,000
Contractors Permits	3,000							3,000
Home Occupancy Permits	1,000							1,000
Franchise Fees	650,000							650,000
Police Grants	150,050							150,050
Federal Fire Grants	21,515							21,515
Library Insurance Grant	23,000							23,000
Fines/Forfeits	800,000							800,000
Library Fines	15,000							15,000
Vehicle Usage	8,850							8,850
State Municipal Aid	8,000							8,000
ABC License	15,000							15,000
Fire Rebate	80,000	68,372						148,372
DPS Grant	10,000							10,000
Fuel Tax	10,250							10,250
Homeslead Reimbursement	150,000	3716						153,716
Police Academy	10,000							10,000
County Road Tax	100,000							100,000
County Rail Tax	3,000							3,000
Maps/Copies	100							100
Zoning Fees	2,500							2,500
User Fees	8,000							8,000
Summer Rec Program	15,000							15,000
Senior Nutrition	10,000							10,000
Senior Crafts	7,000							7,000
F/D Other Grans	2,500							2,500
Admin Reimbursement	332,802			15,235				348,037
Police Sys Reimbursement	5,000							5,000
Cemetary	16,000							16,000
Rents	15,000							15,000
Interest Earned	20,000							20,000
Other Revenue	20,000			18,000				38,000
Credit Card Fees	5,000							5,000
Loan Proceeds	-							-
Cemetery Lots	15,000							15,000
Dockage Fees					265,000			265,000
Rents (Land Leases)					70,000			70,000
Store Sales					500			500
Delinquent Charges				130,000	3,000			133,000
Contingency				150,000				150,000
Water Charges				1,281,175				1,281,175
Sewer Charges				1,271,175				1,271,175
Sewer Treatment				800,000				800,000
Waste Water Debt				1,860,000				1,860,000
Solid Waste				886,080				886,080
Water Tap				7,000				7,000
Sewer Tap				12,000				12,000
Bond Proceeds								-
<b>Total Revenues</b>	<b>9,781,456</b>	<b>221,124</b>	<b>-</b>	<b>6,439,665</b>	<b>357,295</b>	<b>1,000,000</b>	<b>451,613</b>	<b>18,251,153</b>

Minutes of September 6, 2016  
Mayor and Board of Aldermen

Exhibit A						
City of Long Beach, Mississippi - Proposed Municipal Budget						
Fiscal year 2016 - 2017						
<b>Expenditures</b>	<b>Personnel</b>	<b>Supplies</b>	<b>Other Charges/Services</b>	<b>Capital Outlay</b>	<b>Transfers Out</b>	<b>Total</b>
Mayor's Office	117,891	1,800	950	-	-	120,641
Aldermen	90,700	-	-	-	-	90,700
Municipal Court	212,569	6,845	356,459	-	-	575,873
Legal	-	-	12,000	-	-	12,000
General Administration	238,813	5,000	2,950	-	-	246,763
Municipal Operations	-	18,475	1,048,750	-	-	1,067,225
Police Dept	2,828,024	334,240	220,000	120,000	-	3,502,264
Fire	2,174,129	117,676	62,325	15,000	68,372	2,437,502
Streets & Drainage	-	168,400	678,058	-	-	846,458
Vehicle Maintenance	-	6,800	-	-	-	6,800
Parks & Cemeteries	-	4,325	-	-	-	4,325
Library	265,997	34,700	26,555	-	-	327,252
Senior Citizens	104,187	35,526	20,836	-	-	160,549
Recreation	159,126	43,056	38,385	-	-	240,567
Planning & Zoning	120,837	6,300	15,400	-	-	142,537
<b>Total General Fund</b>	<b>6,312,273</b>	<b>783,143</b>	<b>2,482,668</b>	<b>135,000</b>	<b>68,372</b>	<b>9,781,456</b>
<b>Enterprise Funds</b>						
Water/Sewer Operation & Maintenance	88,413	566,601	4,789,852	99,300	-	5,544,166
Port/Harbor	225,609	6,800	112,597	-	-	345,006
<b>Total Enterprise Funds</b>	<b>314,022</b>	<b>573,401</b>	<b>4,902,449</b>	<b>99,300</b>	<b>-</b>	<b>5,889,172</b>
<b>Capital Improvement Fund</b>						
Drainage Projects						
<b>Total Capital Improvement Funds</b>						
<b>Capital Improvement Funds - Special Revenue</b>						
Capital Improvement - Mittal Steel Escrow				1,000,000	-	1,000,000
Capital Improvement - W/S Infrastructure				282,962	-	282,962
Capital Improvement - Developers Proceeds				168,651	-	168,651
<b>Total Special Revenue</b>				<b>1,451,613</b>	<b>-</b>	<b>1,451,613</b>
<b>Debt Service Funds</b>						
			<b>Fees</b>	<b>Principal</b>	<b>Interest</b>	<b>Total</b>
Municipal			6,000	181,442	33,406	220,848
Water/Sewer			-	217,899	28,981	246,880
<b>Total Debt Service Funds</b>			<b>6,000</b>	<b>399,341</b>	<b>62,387</b>	<b>467,728</b>
<b>Total Expenditures</b>						<b>\$ 17,589,969</b>

\*\*\*\*\*

Alderman Ponthieux made motion seconded by Alderman Griffin and unanimously carried to approve Fiscal Year 2015-2016 Budget Amendments, as follows:

Minutes of September 6, 2016  
Mayor and Board of Aldermen

8/29/2016

To: Mayor and board of Alderman

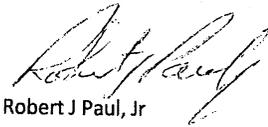
From: Director Long Beach Parks @ Recreation

Subj: Requesting budget amendment for the Recreation Department to transfer funds from Capital

Outlay, (630100) (vehicle purchase) to Landscape Beautification (613600) in the amount of \$15,000.00

to be used to complete the following projects

1. safety surfacing for 4 playgrounds-\$3795.00
2. chain link fence for softball fields-\$945.00
3. 2 exterior doors for west railroad park-\$1,096.00
4. Replace exterior fence at youth football fields-\$9168.00



Robert J Paul, Jr

Director Long Beach Parks @Recreation

City of Long Beach  
 Budget Amendment Request

Fund Name	General Fund	Date	9/6/2016
Department #	435	Budget Entry #	
Department Name	Recreation		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Capital Outlay 435-6330100	15,000	-	(15,000)	-
Landscaping/Beautification	4,000	-	15,000	19,000

Amendment to move funds from Capital Outlay to Landscaping/Beautification to complete projects before the end of the fiscal year.

Amendment #18

**Comptroller's Office**

# Memo

**To:** Becky Schuff, City Clerk  
**From:** Kini Gonsoulin, Comptroller  
**Date:** 8/31/2016  
**Re:** Building Repairs line item of budget

---

Please find attached, a budget amendment request for the General Administration department.

I am requesting to budget \$10,000 from fund balance into the Building Maintenance line item of the General Admin budget. This request is to fund repairs to the door locks and cameras, and purchase a radio signal repeater for City Hall.

If you have any questions, please feel free to contact me. Thank you.

City of Long Beach  
 Budget Amendment Request

Fund Name	General Fund	Date	9/6/2016
Department #	146	Budget Entry #	
Department Name	General Admin		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Building Maint 146-611000	2,000	18,000	10,000	30,000
Fund Balance			(10,000)	(10,000)

Amendment to budget funds to purchase radio signal repeater, and repair door locks and cameras at City Hall

Amendment #19

Comptroller's Office

# Memo

**To:** Becky Schuff  
**From:** Kini Gonsoulin  
**Date:** 8/31/2016  
**Re:** Budget Amendment

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Please submit the attached budget amendments for consideration on the September 6, 2016 board meeting. These are the year end amendments that are made to make sure our budget is in compliance.

If you have any questions regarding this request, please do not hesitate to ask. Thank You.

Minutes of September 6, 2016  
 Mayor and Board of Aldermen

City of Long Beach  
 Budget Amendment Request

Fund Name \_\_\_\_\_ Date \_\_\_\_\_  
 Department # 214 Budget Entry # \_\_\_\_\_  
 Department Name Federal Seizure  
 Federal Seizure

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Capital Outlay 214-630100	-	-	116	116
Federal Seizure Funds			(116)	(116)

Amendment to budget funds from the Federal Seizure fund.

Amendment #20

Minutes of September 6, 2016  
 Mayor and Board of Aldermen

City of Long Beach  
 Budget Amendment Request

Fund Name	Hurricane	Date	9/6/2016
Department #	169	Budget Entry #	
Department Name	Hurricane Isaac		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Contractual Fees 169-620900-749	-	-	158,382	158,382
Contractual Fees 169-620900-763	-	-	134,012	134,012
Engineering Fees 169-621100-749	-	-	5,296	5,296
Engineering Fees 169-621100-763	-	-	15,176	15,176
Admin Fee 169-624100-747	-	-	3,560	3,560
Admin Fee 169-624100-749	-	-	2,440	2,440
Admin Fee 169-624100-751	-	-	4,280	4,280
Admin Fee 169-624100-763	-	-	1,580	1,580
FEMA/MEMA Proceeds 030-455502	-	-	(324,725)	(324,725)

Amendment to budget funds to be reimbursed by FEMA/MEMA for Hurricane Isaac

Amendment #21

City of Long Beach  
 Budget Amendment Request

Fund Name \_\_\_\_\_ Date \_\_\_\_\_ 9/6/2016  
 Department # \_\_\_\_\_ Budget Entry # \_\_\_\_\_  
 Department Name \_\_\_\_\_ Library Grant \_\_\_\_\_

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Operating Supplies 410-610700	-	-	2,861	2,861
Building Maint 410-611000	-	-	300	300
Leo Seal Funds			(3,161)	

Amendment to budget funds spent from the Leo Seal library funds.

Amendment #22

City of Long Beach  
 Budget Amendment Request

Fund Name \_\_\_\_\_ Date \_\_\_\_\_  
 Department # 444 Budget Entry # \_\_\_\_\_  
 Department Name \_\_\_\_\_ CIAP Grant \_\_\_\_\_

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Admin Serv 444-620800	-	-	6,378	6,378
Engineering Fees 444-621100	-	-	13,413	13,413
Cap Projects 444-646209	-	-	268,680	
Grant Revenue 420-450900	-	-	(288,471)	

Grant to budget funds expended and to be reimbursed by the CIAP grant.

Amendment #23

City of Long Beach  
 Budget Amendment Request

Fund Name \_\_\_\_\_ Port/Harbor \_\_\_\_\_ Date \_\_\_\_\_ 9/6/2016  
 Department # \_\_\_\_\_ 446 \_\_\_\_\_ Budget Entry # \_\_\_\_\_  
 Department Name \_\_\_\_\_ Tidelands \_\_\_\_\_

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Contractual Fee 446-620900	-	-	230,739	230,739
Engineering Fee 446-621100	-	-	14,741	14,741
Grant Revenue 420-460500			(245,480)	(245,480)

Grant to budget funds expended and to be reimbursed by the Tidelands grant

Amendment #24

City of Long Beach

Budget Amendment Request

Fund Name \_\_\_\_\_ Date \_\_\_\_\_ 9/6/2016  
 Department # \_\_\_\_\_ Budget Entry # \_\_\_\_\_  
 Department Name \_\_\_\_\_  
 Port/Harbor \_\_\_\_\_  
 449  
 BIG Grant \_\_\_\_\_

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Admin Serv 449-620800	-	-	2,120	2,120
Cap Projects 449-646211	-	-	475	475
Grant Revenue 420-450800			(2,595)	

Grant to budget funds expended and to be reimbursed by the BIG grant

Amendment #25

City of Long Beach  
 Budget Amendment Request

Fund Name	Water/Sewer	Date	9/6/2016
Department #	850	Budget Entry #	
Department Name	Contingency		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Operating Supplies 850-610700	45,000	-	(45,000)	-
Contractual Fees 850-620900	75,000		114,743	189,743
Engineering Fees 850-621100	-		50,270	50,270
Contingency Fund			(120,013)	

Amendment to budget funds spent from the Water/Sewer Contingency fund

Amendment #26

\*\*\*\*\*

Alderman Carrubba made motion seconded by Alderman Griffin and unanimously carried to approve the Pineville Road Sidewalk Project Activation Request letter, authorizing the Mayor to execute same, as follows:

Minutes of September 6, 2016  
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. Schruoff

CITY ATTORNEY  
James C. Simpson, Jr.

September 7, 2016

David Seyfarth, P.E.  
District 6, LPA Coordinator  
Mississippi Department of Transportation  
16499 Highway 49 – North Trailer  
Saucier, MS 39574-9740

Reference – Pineville Road Sidewalk Project Activation Request

Dear Mr. Seyfarth,

The City of Long Beach respectfully requests that the Mississippi Department of Transportation (MDOT) activate the above referenced project. This project will include the construction of sidewalks along Pineville Road near Harper McCaughan school.

Enclosed, please find a vicinity map, a copy of the most current annual audit on file with the State of Mississippi Office of the State Auditor, and a copy of the LPA certificate for the Alternate LPA Project Director, Rebecca Schruoff, City Clerk. Our LPA Project Director, Kini Gonsoulin, was on maternity leave last October, but is scheduled to re-certify on October 19, 2016. We will forward a copy of her certificate upon completion of the class.

The point of contact for The City of Long Beach regarding this project will be our Comptroller and LPA Project Director, Kini Gonsoulin. Mrs. Gonsoulin may be reached at (228) 863-1556 or [kgonsoulin@cityoflongbeachms.com](mailto:kgonsoulin@cityoflongbeachms.com). I will serve as the LPA Official and can be reached at (228) 863-1556 or [mayor@cityoflongbeachms.com](mailto:mayor@cityoflongbeachms.com).

Thank you for your attention in this matter.

Sincerely,

William Skellie, Jr.  
Mayor

Enclosures

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • 863-1556 • FAX 865-0822  
[www.cityoflongbeachms.com](http://www.cityoflongbeachms.com)



**Minutes of September 6, 2016  
Mayor and Board of Aldermen**

ORDINANCE NO. 621

AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NO. 230, AS PREVIOUSLY AMENDED, BY ADOPTING A NEW WATER AND SEWER RATE CALCULATION SHEET, AND AMENDEING SECTION 36 OF SAID ORDIANCE 230 BY REVISING THE AMOUNT OF THE RECONNECTION FEE TO BE CHARGED ON DELINQUENT ACCOUNTS, AND OTHER RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, having made due investigation, do now find as follows:

1. That the costs of providing municipal water and sewerage services to the customers of the combined waterworks and sewer department have now increased and that those increased costs do now require that the water and sewer user fees presently assessed and charged by the City be increased, and further, that the costs of managing and collecting delinquent accounts and restoring service to disconnected accounts has increased and the delinquency fees for reconnection of discontinued service should be increased, and that such increase is necessary for the general health, welfare, safety and convenience of the citizens of the City of Long Beach and to pay the costs of providing such municipal water and sewerage services.

2. That in order to improve and maintain the City's ability to supply necessary water to businesses and residences within the City and to achieve and maintain an improved rating of its water system from the Mississippi Department of Health under the Capacity Development Program developed in accordance with the revised Federal Safe Water Drinking Act it is necessary to further increase the water user fees presently assessed and charged by the City by an amount necessary to assure that water system revenues exceed water system expenditures by ten per cent (10%), to be shown on statements for water service as Acontingency fund".

Now therefore,

**Minutes of September 6, 2016  
Mayor and Board of Aldermen**

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

**SECTION 1. Rate Calculation Sheets.**

The User Charges for water and sewer service within the corporate limits of the City of Long Beach shall be based upon the formulas and calculation sheets attached hereto as Appendix A. This Appendix A shall replace the equivalent Appendix A previously adopted and attached to Ordinance No. 569 of the City of Long Beach, which most recently amended Ordinance No. 230. The user charges calculated according to this new APPENDIX A shall be applied to all water and sewer services billed for by the City on and after October 1, 2016.

**SECTION 2. Section 36 of said Ordinance No. 230, as previously amended, entitled, *Disconnection of Service for Non-Payment of Bill, Reconnection Charge* is hereby amended to read as follows:**

**ASection 36. Disconnection of Service For Non-Payment Of Bill, Reconnection Charge. All bills covering water and sewer service not paid on or prior to the due date thereof shall be deemed past due and in default and the City shall have the right to discontinue eater service at any time thereafter, and in the event such service is discontinued, there shall be a charge of \$ 35.00 for each reconnection of service.**

**SECTION 3. Severability. Savings Clause.**

If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof to any person or circumstance, shall be held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining provisions or application of this ordinance which can be given effect without the invalid or constitutional provision or application; and to that end, the provisions of this ordinance are hereby declared to be severable.

**SECTION 4. Effective Date.**

**Minutes of September 6, 2016  
Mayor and Board of Aldermen**

This ordinance shall take effect and be in full force from and after its adoption; all for the immediate preservation of order and of the public health and safety; nevertheless notice of the adoption of this ordinance shall be given and the same enrolled in the Ordinance as provided by law.

The above and foregoing Ordinance No. 621 was introduced in writing by Alderman Lishen who moved its adoption. Alderman Griffin seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Gary J. Ponthieux	Voted	Aye
Alderman Bernie Parker	Voted	Aye
Alderman Kelly Griffin	Voted	Aye
Alderman Ronnie Hammons, Jr.	Voted	Aye
Alderman Mark E. Lishen	Voted	Aye
Alderman Alan Young	Voted	Aye
Alderman Leonard G. Carrubba, Sr.	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 621 adopted and approved this the 6<sup>th</sup> day of September, 2016.

APPROVED: \_\_\_\_\_

  
WILLIAM SKELLIE, JR., MAYOR

ATTEST:

  
REBECCA E. SCHRUFF, CITY CLERK

Minutes of September 6, 2016  
 Mayor and Board of Aldermen

Appendix A

Flat Rates	Water	Sewer	Sewer Trmt	Sewer Debt	Garbage	Total
standard	16.85	18.49	10.83	20.83	13.00	80.00
senior	14.19	14.85	10.83	20.83	13.00	73.70
county	24.28	26.74	16.25	31.25		98.52

Metered Rates	Water	Sewer	Sewer Trmt	Sewer Debt	Garbage	Total
standard	2.02	2.22	1.30	2.50		8.04
senior	1.84	1.93	1.30	2.50		7.57
county	2.91	3.21	1.95	3.75		11.82

\*\*\*\*\*

Minutes of September 6, 2016  
Mayor and Board of Aldermen

Alderman Carrubba made motion seconded by Alderman Griffin and unanimously carried to schedule public hearings to determine whether or not certain properties situated in the City of Long Beach, Mississippi, are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; said properties are as follows:

- 103 Azalea Drive-Karen Elizabeth and Kristine Melon
- 105 Azalea Drive-Jacqueline Moore
- 0 Old Savannah Drive (0512P-01-003.054)-Robert Genin, Jr.

\*\*\*\*\*

There was no report from the City Attorney.

\*\*\*\*\*

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 Carrubba made motion seconded by Alderman Griffin and unanimously carried to adjourn until the next regular meeting in due course.

\*\*\*\*\*

Minutes of September 6, 2016  
Mayor and Board of Aldermen

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. Schruff, City Clerk