

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

**MUNICIPAL DOCKET  
REGULAR MEETING OF NOVEMBER 15, 2022  
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.  
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- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL AND ESTABLISH QUORUM**
- IV. PUBLIC HEARINGS**
  - 1. 320 Park Row Ave; Assessed to Green Tick LLC
  - 2. 105 Oak View Ave; Assessed to Kristopher R H Williams
  - 3. 100 LaRosa Rd; Assessed to Sheila Ladner
  - 4. 307 W. Old Pass Rd; Assessed to Curtis A Nissen
  - 5. 307 W. Old Pass Rd; Assessed to Roy J & Gwendolyn Tootle, Jr.
- V. ANNOUNCEMENTS; PRESENTATIONS; PROCLAMATIONS**
  - 1. Proclamation – Long Beach High School Volleyball
- VI. AMENDMENTS TO THE MUNICIPAL DOCKET**
- VII. APPROVE MINUTES:**
  - 1. MAYOR AND BOARD OF ALDERMEN
    - a. November 1, 2022 Regular
  - 2. PLANNING AND DEVELOPMENT COMMISSION
    - a. November 10, 2022 Regular
- VIII. APPROVE DOCKET OF CLAIMS NUMBER(S):**
  - 1. 111522
- IX. UNFINISHED BUSINESS**
  - 1. Contract – Safe Haven Baby Boxes, Inc.
  - 2. Signage Request – Safe Haven Baby Boxes, Inc.
  - 3. Appeal – 406 Klondyke Road Variance; Carl LaRosa
  - 4. Discussion – Food Truck/Vendor; Alderman Bennett
- X. NEW BUSINESS**
  - 1. Wreaths Across America Approval
  - 2. US Bicycle Route 90
  - 3. Discussion – Tri-Party Agreement; Alderman Frazer
  - 4. Update Request – Noise Ordinance Amendment; Alderman Brown
  - 5. Update Request – Tobacco/Vaping Ordinance
  - 6. Express Appreciation/Klondyke Carwash – Buddy Ray
- XI. DEPARTMENTAL BUSINESS**
  - 1. MAYOR'S OFFICE
  - 2. PERSONNEL
  - 3. CITY CLERK
    - a. Schedule School Board Trustee Interviews
    - b. Revenue/Expense Report October 2022
    - c. Budget Amendment Public Works FY 23
  - 4. FIRE DEPARTMENT
  - 5. POLICE DEPARTMENT
  - 6. ENGINEERING
    - a. GRPC Funding Request – Surface Transportation Block Grant Program
    - b. Contract Amendment – SE Bulkhead Shore Protection; Overstreet & Assoc.
    - c. Magnolia Run Subdivision – Offsite Drainage Analysis
    - d. Contract – 2<sup>nd</sup> Street Sidewalk Extension; Bottom 2 Top Construction
    - e. Change Order – Mitchell Rd Drainage Imp; Lagniappe Construction Company
  - 7. PUBLIC WORKS
    - a. Water/Sewer Services on Ferguson Avenue
    - b. ADA Ramps – Castine Point
  - 8. RECREATION
  - 9. BUILDING OFFICE
  - 10. HARBOR
  - 11. DERELICT PROPERTIES
- XII. REPORT FROM CITY ATTORNEY**
- XIII. ADJOURN (OR) RECESS**

Be it remembered that five 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 15<sup>th</sup> day of November, 2022, in the Long Beach City Hall Meeting Room, 201 Jeff Davis

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

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 George L. Bass, Aldermen Donald Frazer, Patrick Bennett, Bernie Parker, Timothy McCaffrey, Jr., Mike Brown, Pete L. McGoey, Deputy City Clerk Kini Gonsoulin, and City Attorney Stephen B. Simpson, Esq.

Absent the public hearings was Alderman Angie Johnson.

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

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The first public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, located at 320 Park Row Avenue and assessed to Green Tick, LLC, Map Parcel #0611P-05-071.000 & #0611P-05-071.001, is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the Deputy City Clerk for her report, whereupon Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to make said report a part of the record of this public hearing, as follows:

- The Clerk reported that, the Mayor and Board of Aldermen at a regular meeting duly held on October 18, 2022, she did cause to be sent, via certified mail, electronic receipt requested, Notice of Hearing, to Green Tick LLC, 8 Bayou Place, Gulfport, MS 39505, as the same appears of record on the Harrison County 2021 Official Real Property Tax Rolls. The Notice of Hearing was delivered October 20, 2022.

# Minutes of November 15, 2022 Mayor and Board of Aldermen

## City of Long Beach



October 19, 2022

91 7199 9991 7037 6360 4132

Green Tick LLC  
c/o Gabriel Thomas Swarek  
8 Bayou Place  
Gulfport, MS 39505

**MAILED**

Date: 10/19/22

### NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting October 18, 2022, hold a public hearing at 5:00 p.m., Tuesday, November 15, 2022, at the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Green Tick LLC, and situated in the City of Long Beach, Mississippi, at 320 Park Row Ave., is in such a state of uncleanliness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 320 Park Row Ave.  
Parcel Number: 0611P-05-071.000 & 0611P-05-071.001  
Legal Description: LOTS 39 TO 41 BLK 5 BRAZELTON SUBD  
LOTS 42 TO 44 BLK 5 BRAZELTON SUBD

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars (\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done. The action herein authorized shall not be undertaken against any one (1) parcel of land more than six (6) times in any one (1) calendar year, and the

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**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

Page 2 of 2

expense of cleaning of said property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. If it is determined by the governing authority that it is necessary to clean the property or land more than once within a calendar year, then the municipality may clean it provided notice to the property owner is given by United States mail to the last known address at least ten (10) days before cleaning the property. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. In the event the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned. In the event that the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes as provided by *Section 21-19-11 Mississippi Code, Annotated*.

All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 18<sup>th</sup> day of October, 2022.



Kini Gonsoulin  
Deputy City Clerk

# Minutes of November 15, 2022 Mayor and Board of Aldermen

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## Minutes of November 15, 2022 Mayor and Board of Aldermen

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- The Clerk further reported that the Notice of Hearing was posted on the subject property, 320 Park Row Avenue, Long Beach, Mississippi, on October 19, 2022, by Zoning Enforcement Officer Dale Stogner; the bulletin boards at City Hall, the Water Department, and the Building Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; and the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi.
- The Clerk submitted photographs of 320 Park Row Avenue, Long Beach, Mississippi taken by Zoning Enforcement Officer Dale Stogner on November 15,



Minutes of November 15, 2022  
Mayor and Board of Aldermen

2022, depicting subject property in its present condition; said photographs are as follows:

320 PARK RDW

1115122



320 PARK RDW

1115122





Minutes of November 15, 2022  
Mayor and Board of Aldermen

310 PARK ROW

11/15/22



320 PARK ROW

11/15/22





**Minutes of November 15, 2022  
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 DALE STOGNER, known to me to be the Zoning Enforcement Officer of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That he is serving in the capacity of Zoning Enforcement Officer of the City of Long Beach, Mississippi;

2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of photographs of those certain properties to determine the state of the properties in their then condition on the date of such public hearings; and other matters pertaining to such public hearings and the business of the zoning/code enforcement in and for the City of Long Beach;

3. That on October 19, 2022, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property located at 320 Park Row Avenue (Tax Map Parcel 0611P-05-071.000 & 0611P-05-071.000). Long Beach, Mississippi, assessed to Green Tick LLC, and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on November 15, 2022, the Zoning Enforcement Officer, Dale Stogner, did take and cause to be processed photographs depicting said property in its then condition, to be submitted as exhibits at the public hearing scheduled for November 15, 2022.

This the 15<sup>th</sup> day of November, 2022.

  
KINI GONSOLIN, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 15<sup>th</sup> day of November, 2022.

-My Commission Expires-

  
NOTARY PUBLIC



The Mayor recognized Mr. David Crane, attorney representing Green Tick LLC, who requested an additional 30 days to bring the property into compliance.

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

Alderman Frazer made motion seconded by Alderman McCaffrey and unanimously carried to grant a 30 day extension to clean and secure the property.

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

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The second public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, located at 105 Oak View Avenue and assessed to Kristopher R H Williams, Map Parcel #0612F-01-048.000, is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the Deputy City Clerk for her report, whereupon Alderman Frazer made motion seconded by Alderman McGoey and unanimously carried to make said report a part of the record of this public hearing, as follows:

- The Clerk reported that, the Mayor and Board of Aldermen at a regular meeting duly held on October 18, 2022, she did cause to be sent, via certified mail, electronic receipt requested, Notice of Hearing, to Kristopher R H Williams, 101 East Avenue, Long Beach, MS 39560, as the same appears of record on the Harrison County 2021 Official Real Property Tax Rolls. The Notice of Hearing was delivered October 20, 2022.

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

City of Long Beach



91 7199 9991 7037 6360 4095

October 19, 2022

Kristopher R H Williams  
101 East Ave  
Long Beach, MS 39560

**MAILED**

Date: 10/19/22

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting October 18, 2022, hold a public hearing at 5:00 p.m., Tuesday, November 15, 2022, at the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Kristopher R H Williams, and situated in the City of Long Beach, Mississippi, at 105 Oak View Ave., is in such a state of uncleanliness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 105 Oak View Ave.

Parcel Number: 0612F-01-048.000

Legal Description: CAUSE #C24019900110 LOT 2 OAK VIEW SUBD

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars (\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done. The action herein authorized shall not be undertaken against any one (1) parcel of land more than six (6) times in any one (1) calendar year, and the

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## Minutes of November 15, 2022 Mayor and Board of Aldermen

Page 2 of 2

expense of cleaning of said property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. If it is determined by the governing authority that it is necessary to clean the property or land more than once within a calendar year, then the municipality may clean it provided notice to the property owner is given by United States mail to the last known address at least ten (10) days before cleaning the property. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. In the event the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned. In the event that the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes as provided by *Section 21-19-11 Mississippi Code, Annotated*.

All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 18<sup>th</sup> day of October, 2022.



Kini Gonsoulin  
Deputy City Clerk



# Minutes of November 15, 2022 Mayor and Board of Aldermen

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## Minutes of November 15, 2022 Mayor and Board of Aldermen

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- The Clerk further reported that the Notice of Hearing was posted on the subject property 105 Oak View Avenue, Long Beach, Mississippi, on October 19, 2022, by Zoning Enforcement Officer Dale Stogner; the bulletin boards at City Hall, the Water Department, and the Building Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; and the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi.
- The Clerk submitted a photograph of 105 Oak View Avenue, Long Beach, Mississippi taken by Zoning Enforcement Officer Dale Stogner on November 15,

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

2022, depicting subject property in its present condition; said photograph is as follows:



**Minutes of November 15, 2022  
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 DALE STOGNER, known to me to be the Zoning Enforcement Officer of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That he is serving in the capacity of Zoning Enforcement Officer of the City of Long Beach, Mississippi;

2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of unclearness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of photographs of those certain properties to determine the state of the properties in their then condition on the date of such public hearings; and other matters pertaining to such public hearings and the business of the zoning/code enforcement in and for the City of Long Beach;

3. That on October 19, 2022, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property located at 105 Oak View Avenue (Tax Map Parcel 0612F-01-048.000). Long Beach, Mississippi, assessed to Kristopher R H Williams, and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on November 15, 2022, the Zoning Enforcement Officer, Dale Stogner, did take and cause to be processed photographs depicting said property in its then condition, to be submitted as exhibits at the public hearing scheduled for November 15, 2022.

This the 15<sup>th</sup> day of November, 2022.

  
KINI GONSOLIN, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 15<sup>th</sup> day of November, 2022.

-My Commission Expires-

  
NOTARY PUBLIC



The Mayor recognized property owner Mr. Kris Williams. Mr. Williams stated that he purchased this property in dis-repair and has plans to demolish the home, but would need time to secure the funds to do so.

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



**Minutes of November 15, 2022**  
**Mayor and Board of Aldermen**

The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 105 Oak View Avenue, Long Beach, Mississippi, to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman Frazer offered and moved the adoption of the following Resolution and Order:

**RESOLUTION AND ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF  
THE CITY OF LONG BEACH, MISSISSIPPI ADJUDICATING THE PROPERTY  
LOCATED AT 105 OAK VIEW AVENUE, LONG BEACH, MISSISSIPPI, TO BE A  
MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY AND  
REQUIRING OWNER OF SUCH PROPERTY TO CLEAN SAID PROPERTY.**

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

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 105 Oak View Avenue, Long Beach, Mississippi, (hereinafter referred to as the subject parcel), and after discussion of same, the Mayor and Board of Aldermen, at its regular meeting of October 18, 2022, on its own motion did set a hearing to determine whether or not the subject parcel, in its then condition, was in such a state of uncleanness as to be a menace to the public health and safety of the community in accordance with Miss Code Annotated Section 21-19-11, as amended, said hearing to be November 15, 2022, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section 21-19-11;

2. That, having served the owner of said property, either by registered mail as is evidenced by the return receipt included in the materials produced at said hearing, or by personal service by police officer as evidenced by the return of service of such police officer, or by posting and publication of same, such service being in accordance with said MCA Section 21-19-11, and proof of same being spread upon the minutes of the Governing Authorities taken of such hearing, hereby made a part of the record of these proceedings;

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

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3. That the Mayor and Board of Aldermen having considered testimony evidence adduced at hearing regarding the condition of the subject property and the observations of individual Aldermen concerning the condition of the subject property in its condition on the date of hearing, and being fully advised in the premises, do find and adjudicate that the property is, in its present condition, in such a state of uncleanness as to be a menace to the public health and safety of the community and/or constitutes an attractive nuisance. It is therefore,

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

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of 105 Oak View Avenue, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0612F-01-048.000, and according to said tax records is owned by Kristopher R H Williams, is at present in such a state of uncleanness as to be a menace to the public health and safety of the community and/or an attractive nuisance.

2. That the aforesaid owner is hereby ordered to clean said parcel of land within **thirty (30) days** from the entry of this Resolution and Order, and that such cleaning shall include:

**Removal of all discarded materials, dangerous items, and such other rubbish and/or debris as described in any notice or as appearing on said property contributing to the property constituting a nuisance and menace overall to the public health and safety, and abate or cause to be abated the conditions otherwise existing and constituting a menace to public safety and health as testified and/or described in general at the hearing, and as contained in the report letter from Zoning Enforcement Officer Dale Stogner dated May 11, 2022, and attached hereto.**

3. That in the event that said owner shall fail to complete cleaning of the subject property within **thirty (30) days** from entry of this Resolution and Order, then the governing authority shall proceed to clean the subject property as required by paragraph 2, above, by the use of municipal employees or by contract, with the cost of same, together with a penalty of \$1,500.00 or 50% of such actual cost, whichever is greater, to be, at the next regular meeting after completion of such clean-up, assessed against the said parcel of land.

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

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

Alderman Patrick Bennett	voted	Aye
Alderman Pete McGoey	voted	Aye
Alderman Donald Frazer	voted	Aye
Alderman Mike Brown	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Angie Johnson	voted	Absent, not voting
Alderman Bernie Parker	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 and order adopted and approved this the 15<sup>th</sup> day of November, 2022.

APPROVED:

  
George L. Bass, Mayor

ATTEST:

  
Stacey Dahl, City Clerk

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The third public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, located at 100 LaRosa Road and assessed to Sheila Ladner, Map Parcel #0611N-02-007.000, is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the Deputy City Clerk for her report, whereupon Alderman Parker made motion seconded by Alderman Brown and unanimously carried to make said report a part of the record of this public hearing, as follows:

- The Clerk reported that, the Mayor and Board of Aldermen at a regular meeting duly held on October 18, 2022, she did cause to be sent, via certified mail, electronic receipt requested, Notice of Hearing, to Sheila Ladner, 22154 Cameron Road, Kiln, MS 39556, as the same appears of record on the Harrison County 2021 Official Real Property Tax Rolls. The Notice of Hearing was returned to sender November 8, 2022

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

City of Long Beach



October 19, 2022

Sheila Ladner  
22154 Cameron Rd  
Kiln, MS 39556

91 7199 9991 7037 6360 4125

**MAILED**

Date: 10/19/22

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting October 18, 2022, hold a public hearing at 5:00 p.m., Tuesday, November 15, 2022, at the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Sheila Ladner, and situated in the City of Long Beach, Mississippi, at 100 LaRosa Road, is in such a state of uncleanness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 100 LaRosa Road

Parcel Numbers: 0611N-02-007.001; 0611N-02-007.002; 0611N-02-007.003; 0611N-02-007.004;  
0611N-02-007.009

Legal Description: UNIT A LONG BEACH MEDI-CENTER CONDOMINIUMS

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars (\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done. The action herein authorized shall not be undertaken against any one (1) parcel of land more than six (6) times in any one (1) calendar year, and the

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**Minutes of November 15, 2022**  
**Mayor and Board of Aldermen**

Page 2 of 2

expense of cleaning of said property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. If it is determined by the governing authority that it is necessary to clean the property or land more than once within a calendar year, then the municipality may clean it provided notice to the property owner is given by United States mail to the last known address at least ten (10) days before cleaning the property. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. In the event the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned. In the event that the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes as provided by *Section 21-19-11 Mississippi Code, Annotated.*

All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 18<sup>th</sup> day of October, 2022.



Kini Gonsoulin  
Deputy City Clerk

# Minutes of November 15, 2022 Mayor and Board of Aldermen

11/14/22, 2:32 PM

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#### Delivered

**Delivered, To Original Sender**  
LONG BEACH, MS 39560  
November 8, 2022, 11:33 am

#### Available for Pickup

LONG BEACH, MS 39560  
November 8, 2022, 8:59 am

#### Departed USPS Regional Facility

GULFPORT MS DISTRIBUTION CENTER  
November 7, 2022, 11:07 pm

#### Arrived at USPS Regional Facility

GULFPORT MS DISTRIBUTION CENTER  
November 6, 2022, 6:26 pm

#### In Transit to Next Facility

November 6, 2022

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1/3

# Minutes of November 15, 2022 Mayor and Board of Aldermen

11/14/22, 2:32 PM

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- **Arrived at USPS Regional Facility**  
JACKSON MS DISTRIBUTION CENTER  
November 5, 2022, 2:14 pm
- **Unclaimed/Being Returned to Sender**  
KILN, MS 39556  
November 4, 2022, 9:52 am
- **Available for Pickup**  
KILN, MS 39556  
October 25, 2022, 6:51 am
- **Reminder to Schedule Redelivery of your item**  
October 25, 2022
- **Notice Left (No Authorized Recipient Available)**  
KILN, MS 39556  
October 20, 2022, 1:28 pm
- **Departed USPS Regional Facility**  
GULFPORT MS DISTRIBUTION CENTER  
October 20, 2022, 12:48 am
- **Arrived at USPS Regional Facility**  
GULFPORT MS DISTRIBUTION CENTER  
October 19, 2022, 7:29 pm
- **Hide Tracking History**

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2/3

- The Clerk further reported that the Notice of Hearing was posted on the subject property, 100 LaRosa Road, Long Beach, Mississippi, on October 19, 2022, by Zoning Enforcement Officer Dale Stogner; the bulletin boards at City Hall, the Water Department, and the Building Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; and the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi.
- The Clerk submitted photographs of 100 LaRosa Road, Long Beach, Mississippi taken by Zoning Enforcement Officer Dale Stogner on November 15, 2022,

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

depicting subject property in its present condition; said photographs are as follows:

100 KAROSA

1115122



100 KAROSA

1115122





Minutes of November 15, 2022  
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 DALE STOGNER, known to me to be the Zoning Enforcement Officer of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That he is serving in the capacity of Zoning Enforcement Officer of the City of Long Beach, Mississippi;
2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of photographs of those certain properties to determine the state of the properties in their then condition on the date of such public hearings; and other matters pertaining to such public hearings and the business of the zoning/code enforcement in and for the City of Long Beach;
3. That on October 19, 2022, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property located at 100 LaRosa Road (Tax Map Parcel 0611N-02-007.000). Long Beach, Mississippi, assessed to Sheila Lacner, and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on November 15, 2022, the Zoning Enforcement Officer, Dale Stogner, did take and cause to be processed photographs depicting said property in its then condition, to be submitted as exhibits at the public hearing scheduled for November 15, 2022.

This the 15<sup>th</sup> day of November, 2022.

  
 KINI GONSOLIN, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 15<sup>th</sup> day of November, 2022.

-My Commission Expires-

  
 NOTARY PUBLIC



**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

The Mayor opened the floor for comments from the property owner or their representative and no one came forward.

\*

\*

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

The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 100 LaRosa Road, Long Beach, Mississippi, to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman Bennett offered and moved the adoption of the following Resolution and Order:

**RESOLUTION AND ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF  
THE CITY OF LONG BEACH, MISSISSIPPI ADJUDICATING THE PROPERTY  
LOCATED AT 100 LAROSA ROAD, LONG BEACH, MISSISSIPPI, TO BE A  
MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY AND  
REQUIRING OWNER OF SUCH PROPERTY TO CLEAN SAID PROPERTY.**

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

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 100 LaRosa Road, Long Beach, Mississippi, (hereinafter referred to as the subject parcel), and after discussion of same, the Mayor and Board of Aldermen, at its regular meeting of October 18, 2022, on its own motion did set a hearing to determine whether or not the subject parcel, in its then condition, was in such a state of uncleanness as to be a menace to the public health and safety of the community in accordance with Miss Code Annotated Section 21-19-11, as amended, said hearing to be November 15, 2022, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section 21-19-11;

2. That, having served the owner of said property, either by registered mail as is evidenced by the return receipt included in the materials produced at said hearing, or by personal service by police officer as evidenced by the return of service of such police officer, or by posting and publication of same, such service being in accordance with said MCA Section 21-19-11, and proof of same being spread upon the minutes of the Governing Authorities taken of such hearing, hereby made a part of the record of these proceedings;

## Minutes of November 15, 2022 Mayor and Board of Aldermen

3. That the Mayor and Board of Aldermen having considered testimony evidence adduced at hearing regarding the condition of the subject property and the observations of individual Aldermen concerning the condition of the subject property in its condition on the date of hearing, and being fully advised in the premises, do find and adjudicate that the property is, in its present condition, in such a state of uncleanliness as to be a menace to the public health and safety of the community and/or constitutes an attractive nuisance. It is therefore,

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

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of 100 LaRosa Road, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0611N-02-007.000, and according to said tax records is owned by Sheila Ladner, is at present in such a state of uncleanliness as to be a menace to the public health and safety of the community and/or an attractive nuisance.
2. That the aforesaid owner is hereby ordered to clean said parcel of land within ten (10) days from the entry of this Resolution and Order, and that such cleaning shall include:

Removal of all discarded materials, dangerous items, and such other rubbish and/or debris as described in any notice or as appearing on said property contributing to the property constituting a nuisance and menace overall to the public health and safety, and abate or cause to be abated the conditions otherwise existing and constituting a menace to public safety and health as testified and/or described in general at the hearing, and as contained in the report letter from Zoning Enforcement Officer Dale Stogner dated May 19, 2022, and attached hereto.

3. That in the event that said owner shall fail to complete cleaning of the subject property within ten (10) days from entry of this Resolution and Order, then the governing authority shall proceed to clean the subject property as required by paragraph 2, above, by the use of municipal employees or by contract, with the cost of same, together with a penalty of \$1,500.00 or 50% of such actual cost, whichever is greater, to be, at the next regular meeting after completion of such clean-up, assessed against the said parcel of land.

### Minutes of November 15, 2022 Mayor and Board of Aldermen

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

Alderman Patrick Bennett	voted	Aye
Alderman Pete L. McGoey	voted	Aye
Alderman Donald Frazer	voted	Aye
Alderman Mike Brown	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Angie Johnson	voted	Absent, not voting
Alderman Bernie Parker	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 and order adopted and approved this the 15<sup>th</sup> day of November, 2022.

APPROVED:



George L. Bass, Mayor

ATTEST:

  
Stacey Dahl, City Clerk

\*\*\*\*\*

The fourth public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, located at 307 W Old Pass Road and assessed to Curtis A Nissen, Map Parcel #0612C-03-015.000, is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the Deputy City Clerk for her report, whereupon Alderman Frazer made motion seconded by Alderman McCaffrey and unanimously carried to make said report a part of the record of this public hearing, as follows:

- The Clerk reported that, the Mayor and Board of Aldermen at a regular meeting duly held on October 18, 2022, she did cause to be sent, via certified mail, electronic receipt requested, Notice of Hearing, to Curtis A Nissen, 15251 Ginger Cove, Gulfport, MS 39503, as the same appears of record on the Harrison County 2021 Official Real Property Tax Rolls. The Notice of Hearing was delivered October 20, 2022.

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

**City of Long Beach**



91 7199 9991 7037 6360 4156

October 19, 2022

Curtis A Nissen  
15251 Ginger Cv  
Gulfport, MS 39503

**MAILED**

Date: 10/19/22

**NOTICE OF HEARING**

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting October 18, 2022, hold a public hearing at 5:00 p.m., Tuesday, November 15, 2022, at the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Curtis A Nissen, and situated in the City of Long Beach, Mississippi, at 307 W. Old Pass Road, is in such a state of uncleanliness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 307 W. Old Pass Road

Parcel Number: 0612C-03-015.000

Legal Description: W 35 FT OF LOT 4 & ALLEY LOT 5 BLK 2 KOHLER & RUSSELL SUBD SEC 14-8-12

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars (\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done. The action herein authorized shall not be undertaken against any one (1) parcel of land more than six (6) times in any one (1) calendar year, and the

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## Minutes of November 15, 2022 Mayor and Board of Aldermen

Page 2 of 2

expense of cleaning of said property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. If it is determined by the governing authority that it is necessary to clean the property or land more than once within a calendar year, then the municipality may clean it provided notice to the property owner is given by United States mail to the last known address at least ten (10) days before cleaning the property. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. In the event the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned. In the event that the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes as provided by *Section 21-19-11 Mississippi Code, Annotated*.

All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 18<sup>th</sup> day of October, 2022.



Kini Gonsoulin  
Deputy City Clerk

# Minutes of November 15, 2022 Mayor and Board of Aldermen

11/14/22, 2:35 PM

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#### Delivered

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GULFPORT, MS 39503  
October 20, 2022, 12:15 pm



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October 20, 2022, 1:31 am



#### Arrived at USPS Regional Facility

GULFPORT MS DISTRIBUTION CENTER  
October 19, 2022, 7:29 pm



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1/2

# Minutes of November 15, 2022 Mayor and Board of Aldermen

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2/2

- The Clerk further reported that the Notice of Hearing was posted on the subject property, 307 W Old Pass Road, Long Beach, Mississippi, on October 19, 2022, by Zoning Enforcement Officer Dale Stogner; the bulletin boards at City Hall, the Water Department, and the Building Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; and the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi.
- The Clerk submitted a photograph of 307 W Old Pass Road, Long Beach, Mississippi taken by Zoning Enforcement Officer Dale Stogner on November 15,

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

2022, depicting subject property in its present condition; said photograph is as follows:



**Minutes of November 15, 2022  
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 DALE STOGNER, known to me to be the Zoning Enforcement Officer of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That he is serving in the capacity of Zoning Enforcement Officer of the City of Long Beach, Mississippi;

2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of photographs of those certain properties to determine the state of the properties in their then condition on the date of such public hearings; and other matters pertaining to such public hearings and the business of the zoning/code enforcement in and for the City of Long Beach;

3. That on October 19, 2022, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property located at 307 W Old Pass Road (Tax Map Parcel 0612C-03-015.000). Long Beach, Mississippi, assessed to Curtis A Nissen, and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on November 15, 2022, the Zoning Enforcement Officer, Dale Stogner, did take and cause to be processed photographs depicting said property in its then condition, to be submitted as exhibits at the public hearing scheduled for November 15, 2022.

This the 15<sup>th</sup> day of November, 2022.

  
KINI GONSOULIN, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 15<sup>th</sup> day of November, 2022.

-My Commission Expires-

  
NOTARY PUBLIC



The Mayor recognized Mr. Roy & Mrs. Gwendolyn Tootle. The Tootles reside next to this property and stated they were granted use of the empty lot by Mr. Curtis Nissen. Mrs. Tootle read a letter from her husband, Roy, referencing his health issues as they relate to the timeliness of property clean up.

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

M.B. 100  
11.15.22 Pub Hear/Reg



**Minutes of November 15, 2022**  
**Mayor and Board of Aldermen**

The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 307 W Old Pass Road, Long Beach, Mississippi, to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman Brown offered and moved the adoption of the following Resolution and Order:

**RESOLUTION AND ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF  
THE CITY OF LONG BEACH, MISSISSIPPI ADJUDICATING THE PROPERTY  
LOCATED AT 307 W OLD PASS ROAD, LONG BEACH, MISSISSIPPI, TO BE A  
MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY AND  
REQUIRING OWNER OF SUCH PROPERTY TO CLEAN SAID PROPERTY.**

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

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 307 W Old Pass Road, Long Beach, Mississippi, (hereinafter referred to as the subject parcel), and after discussion of same, the Mayor and Board of Aldermen, at its regular meeting of October 18, 2022, on its own motion did set a hearing to determine whether or not the subject parcel, in its then condition, was in such a state of uncleanness as to be a menace to the public health and safety of the community in accordance with Miss Code Annotated Section 21-19-11, as amended, said hearing to be November 15, 2022, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section 21-19-11;

2. That, having served the owner of said property, either by registered mail as is evidenced by the return receipt included in the materials produced at said hearing, or by personal service by police officer as evidenced by the return of service of such police officer, or by posting and publication of same, such service being in accordance with said MCA Section 21-19-11, and proof of same being spread upon the minutes of the Governing Authorities taken of such hearing, hereby made a part of the record of these proceedings;

**Minutes of November 15, 2022**  
**Mayor and Board of Aldermen**

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3. That the Mayor and Board of Aldermen having considered testimony evidence adduced at hearing regarding the condition of the subject property and the observations of individual Aldermen concerning the condition of the subject property in its condition on the date of hearing, and being fully advised in the premises, do find and adjudicate that the property is, in its present condition, in such a state of uncleanliness as to be a menace to the public health and safety of the community and/or constitutes an attractive nuisance. It is therefore,

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

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of 307 W Old Pass Road, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0612C-03-015.000, and according to said tax records is owned by Curtis A Nissen, is at present in such a state of uncleanliness as to be a menace to the public health and safety of the community and/or an attractive nuisance.
2. That the aforesaid owner is hereby ordered to clean said parcel of land within **thirty (30) days** from the entry of this Resolution and Order, and that such cleaning shall include:

**Removal of all discarded materials, dangerous items, and such other rubbish and/or debris as described in any notice or as appearing on said property contributing to the property constituting a nuisance and menace overall to the public health and safety, and abate or cause to be abated the conditions otherwise existing and constituting a menace to public safety and health as testified and/or described in general at the hearing, and as contained in the report letter from Zoning Enforcement Officer Dale Stogner dated September 14, 2022, and attached hereto.**

3. That in the event that said owner shall fail to complete cleaning of the subject property within **thirty (30) days** from entry of this Resolution and Order, then the governing authority shall proceed to clean the subject property as required by paragraph 2, above, by the use of municipal employees or by contract, with the cost of same, together with a penalty of \$1,500.00 or 50% of such actual cost, whichever is greater, to be, at the next regular meeting after completion of such clean-up, assessed against the said parcel of land.

Minutes of November 15, 2022  
Mayor and Board of Aldermen

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

Alderman Patrick Bennett	voted	Aye
Alderman Pete McGoey	voted	Aye
Alderman Donald Frazer	voted	Aye
Alderman Mike Brown	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Angie Johnson	voted	Absent, not voting
Alderman Bernie Parker	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 and order adopted and approved this the 15<sup>th</sup> day of November, 2022.

APPROVED:

  
George L. Bass, Mayor

ATTEST:

  
Stacey Dahl, City Clerk

\*\*\*\*\*

The fifth and final public hearing was called to order to determine whether or not a parcel of property situated in the City of Long Beach, located at 307 W Old Pass Road and assessed to Roy J & Gwendolyn Tootle, Jr., Map Parcel #0612C-03-015.001, is in such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

The Mayor recognized the Deputy City Clerk for her report, whereupon Alderman Brown made motion seconded by Alderman Frazer and unanimously carried to make said report a part of the record of this public hearing, as follows:

- The Clerk reported that, the Mayor and Board of Aldermen at a regular meeting duly held on October 18, 2022, she did cause to be sent, via certified mail, electronic receipt requested, Notice of Hearing, to Kristopher R H Williams, 101 East Avenue, Long Beach, MS 39560, as the same appears of record on the Harrison County 2021 Official Real Property Tax Rolls. The Notice of Hearing was returned to sender November 8, 2022.

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

City of Long Beach



October 19, 2022

**MAILED**

Date: 10/19/22

Roy J & Gwendolyn Tootle, Jr.  
307 W. Old Pass Road  
Long Beach, MS 39560

91 7199 9991 7037 6360 4163

**NOTICE OF HEARING**

NOTICE IS HEREBY GIVEN that the Mayor and Board of Aldermen of The City of Long Beach, Mississippi, will, in accordance with motion duly made, seconded and adopted at its regular meeting October 18, 2022, hold a public hearing at 5:00 p.m., Tuesday, November 15, 2022, at the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not a parcel of land owned by and/or assessed to Roy J & Gwendolyn Tootle, Jr., and situated in the City of Long Beach, Mississippi, at 307 W. Old Pass Road, is in such a state of uncleanliness as to be a menace to the public health and safety of the community, all in accordance with Section 21-19-11 of the Mississippi Code of 1972, as amended. Said property is more particularly described, as follows:

Address: 307 W. Old Pass Road

Parcel Number: 0612C-03-015.001

Legal Description: W ½ OF LOT 2 & ALL LOTS 3 & E 15 FT OF LOT 4 BLK 2 KOHLER & RUSSELL  
SUBD SEC 14-8-12

If at such hearing, the governing authority shall, in its resolution, adjudicate such parcel of land in its then condition to be a menace to the public health and safety of the community, the governing authority shall, if the owner does not do so himself, proceed to clean the land, by the use of municipal employees or by contract, by cutting weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris; filling swimming pools; and draining cesspools and standing water therefrom. Thereafter, the governing authority shall, at its next regular meeting, by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty of One Thousand Five Hundred Dollars (\$1,500.00) or fifty (50%) of such actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The cost assessed against the property means the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done. The action herein authorized shall not be undertaken against any one (1) parcel of land more than six (6) times in any one (1) calendar year, and the

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**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

Page 2 of 2

expense of cleaning of said property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. If it is determined by the governing authority that it is necessary to clean the property or land more than once within a calendar year, then the municipality may clean it provided notice to the property owner is given by United States mail to the last known address at least ten (10) days before cleaning the property. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice. In the event the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned. In the event that the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes as provided by *Section 21-19-11 Mississippi Code, Annotated.*

All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

Done by order of the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, this the 18<sup>th</sup> day of October, 2022.

  
Kim Gonsoulin  
Deputy City Clerk



# Minutes of November 15, 2022 Mayor and Board of Aldermen

11/14/22, 2:38 PM

USPS.com® - USPS Tracking® Results

## USPS Tracking®

[FAQs >](#)

Tracking Number:

[Remove X](#)

### 9171999991703763604163

[Copy](#)   [Add to Informed Delivery](#)  
(<https://informedelivery.usps.com/>)

#### Latest Update

Your package is moving within the USPS network and is on track to be delivered to its final destination. It is currently in transit to the next facility.

Feedback

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#### Moving Through Network

- **In Transit to Next Facility**  
November 13, 2022
- **Arrived at USPS Regional Facility**  
JACKSON MS DISTRIBUTION CENTER  
November 12, 2022, 2:32 pm
- **Unclaimed/Being Returned to Sender**  
LONG BEACH, MS 39560  
November 8, 2022, 3:21 pm
- **Reminder to Schedule Redelivery of your item**  
October 25, 2022
- **Notice Left (No Authorized Recipient Available)**  
LONG BEACH, MS 39560  
October 20, 2022, 10:22 am

<https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tlc=2&text28777=&tlLabels=9171999991703763604163%2C>

1/2

# Minutes of November 15, 2022 Mayor and Board of Aldermen

11/14/22, 2:38 PM

USPS.com® - USPS Tracking® Results

- **Departed USPS Regional Facility**  
GULFPORT MS DISTRIBUTION CENTER  
October 19, 2022, 11:15 pm
- **Arrived at USPS Regional Facility**  
GULFPORT MS DISTRIBUTION CENTER  
October 19, 2022, 7:29 pm
- **Hide Tracking History**

**Text & Email Updates**



**USPS Tracking Plus®**



**Product Information**



**See Less** ^

Feedback

Track Another Package

Enter tracking or barcode numbers

## Need More Help?

Contact USPS Tracking support for further assistance.

**FAQs**

<https://tools.usps.com/go/TrackConfirmAction?tRef=fullpage&tLc=2&text28777=&tLabels=9171999991703763604163%2C>

2/2

- The Clerk further reported that the Notice of Hearing was posted on the subject property, 307 W Old Pass Road, Long Beach, Mississippi, on October 19, 2022, by Zoning Enforcement Officer Dale Stogner; the bulletin boards at City Hall, the Water Department, and the Building Office, 201 Jeff Davis Avenue, Long Beach, Mississippi; and the Long Beach Public Library, 209 Jeff Davis Avenue, Long Beach, Mississippi.
- The Clerk submitted photographs of 307 W Old Pass Road, Long Beach, Mississippi taken by Zoning Enforcement Officer Dale Stogner on November 15,

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

2022, depicting subject property in its present condition; said photographs are as follows:



Minutes of November 15, 2022  
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 DALE STOGNER, known to me to be the Zoning Enforcement Officer of the City of Long Beach, Mississippi, who being by me first duly sworn, deposes and says on oath as follows, to-wit:

1. That he is serving in the capacity of Zoning Enforcement Officer of the City of Long Beach, Mississippi;

2. That in such capacity, he is responsible for the posting of notices of public hearings for the purpose of determining whether or not certain properties are in such a state of uncleanness as to constitute a menace to the public health and safety of the community; he is responsible for the taking of photographs of those certain properties to determine the state of the properties in their then condition on the date of such public hearings; and other matters pertaining to such public hearings and the business of the zoning/code enforcement in and for the City of Long Beach;

3. That on October 19, 2022, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property located at 307 W Old Pass Road (Tax Map Parcel 0612C-03-015.001). Long Beach, Mississippi, assessed to Roy J & Gwendolyn Tootle, Jr., and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on November 15, 2022, the Zoning Enforcement Officer, Dale Stogner, did take and cause to be processed photographs depicting said property in its then condition, to be submitted as exhibits at the public hearing scheduled for November 15, 2022.

This the 15<sup>th</sup> day of November, 2022.

  
KINI GONSOULIN, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 15<sup>th</sup> day of November, 2022.

  
NOTARY PUBLIC

-My Commission Expires-



Alderman Bennett made motion seconded by Alderman McCaffrey and unanimously carried to accept the Tootle’s testimony from the prior hearing for this hearing as well.

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\*

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

M.B. 100  
11.15.22 Pub Hear/Reg

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

The Mayor and Board of Aldermen took up the matter of the public hearing on the property located at 307 W Old Pass Road, Long Beach, Mississippi, to determine and consider the condition of said property. After conducting the hearing and considering all matters produced there at and after hearing all persons interested and appearing, the Board of Aldermen declared the hearing finally closed. After a discussion of the subject, Alderman Brown offered and moved the adoption of the following Resolution and Order:

**RESOLUTION AND ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF  
THE CITY OF LONG BEACH, MISSISSIPPI ADJUDICATING THE PROPERTY  
LOCATED AT 307 W OLD PASS ROAD, LONG BEACH, MISSISSIPPI, TO BE A  
MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY AND  
REQUIRING OWNER OF SUCH PROPERTY TO CLEAN SAID PROPERTY.**

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

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 307 W Old Pass Road, Long Beach, Mississippi, (hereinafter referred to as the subject parcel), and after discussion of same, the Mayor and Board of Aldermen, at its regular meeting of October 18, 2022, on its own motion did set a hearing to determine whether or not the subject parcel, in its then condition, was in such a state of uncleanness as to be a menace to the public health and safety of the community in accordance with Miss Code Annotated Section 21-19-11, as amended, said hearing to be November 15, 2022, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section 21-19-11;

2. That, having served the owner of said property, either by registered mail as is evidenced by the return receipt included in the materials produced at said hearing, or by personal service by police officer as evidenced by the return of service of such police officer, or by posting and publication of same, such service being in accordance with said MCA Section 21-19-11, and proof of same being spread upon the minutes of the Governing Authorities taken of such hearing, hereby made a part of the record of these proceedings;



**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

3. That the Mayor and Board of Aldermen having considered testimony evidence adduced at hearing regarding the condition of the subject property and the observations of individual Aldermen concerning the condition of the subject property in its condition on the date of hearing, and being fully advised in the premises, do find and adjudicate that the property is, in its present condition, in such a state of uncleanliness as to be a menace to the public health and safety of the community and/or constitutes an attractive nuisance. It is therefore,

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

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of 307 W Old Pass Road, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0612C-03-015.001, and according to said tax records is owned by Roy J & Gwendolyn Tootle, Jr., is at present in such a state of uncleanliness as to be a menace to the public health and safety of the community and/or an attractive nuisance.
2. That the aforesaid owner is hereby ordered to clean said parcel of land within thirty (30) days from the entry of this Resolution and Order, and that such cleaning shall include:

Removal of all discarded materials, dangerous items, and such other rubbish and/or debris as described in any notice or as appearing on said property contributing to the property constituting a nuisance and menace overall to the public health and safety, and abate or cause to be abated the conditions otherwise existing and constituting a menace to public safety and health as testified and/or described in general at the hearing, and as contained in the report letter from Zoning Enforcement Officer Dale Stogner dated September 14, 2022, and attached hereto.

3. That in the event that said owner shall fail to complete cleaning of the subject property within thirty (30) days from entry of this Resolution and Order, then the governing authority shall proceed to clean the subject property as required by paragraph 2, above, by the use of municipal employees or by contract, with the cost of same, together with a penalty of \$1,500.00 or 50% of such actual cost, whichever is greater, to be, at the next regular meeting after completion of such clean-up, assessed against the said parcel of land.

### Minutes of November 15, 2022 Mayor and Board of Aldermen

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

Alderman Patrick Bennett	voted	Aye
Alderman Pete McGoey	voted	Aye
Alderman Donald Frazer	voted	Aye
Alderman Mike Brown	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Angie Johnson	voted	Absent, not voting
Alderman Bernie Parker	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 and order adopted and approved this the 15<sup>th</sup> day of November, 2022.

APPROVED:

  
George L. Bass, Mayor

ATTEST:

  
Stacey Dahl, City Clerk

\*\*\*\*\*

Be it remembered that a regular meeting of the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held at 5:00 o'clock p.m., Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, it being the third Tuesday in November, 2022, 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 George L. Bass, Aldermen Donald Frazer, Patrick Bennett, Bernie Parker, Timothy McCaffrey, Jr., Mike Brown, Pete L. McGoey, Deputy City Clerk Kini Gonsoulin, and City Attorney Stephen B. Simpson, Esq.

Absent the meeting was Alderman Angie Johnson.

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

\*\*\*\*\*

The Mayor proclaimed Friday, November 18, 2022 as The 2022 Long Beach Lady Bearcats Volleyball Team Day.

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

\*\*\*\*\*

Alderman Parker made motion seconded by Alderman McCaffrey and unanimously carried to approve the Regular & Executive Session minutes of the Mayor and Board of Aldermen dated November 1, 2022, as submitted.

\*\*\*\*\*

Alderman Brown made motion seconded by Alderman Frazer and unanimously carried to approve the regular minutes of the Planning & Development Commission dated November 10, 2022, as submitted.

\* \* \*

Alderman Brown made motion seconded by Alderman Frazer and unanimously carried to schedule a work session to discuss the Planning & Development Commission’s proposed changes to the subdivision ordinance on Tuesday, January 10, 2023 at 5:00 p.m., Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi.

\*\*\*\*\*

Alderman McCaffrey made motion seconded by Alderman Parker and unanimously carried to approve the payment of invoices listed in Docket of Claims number 111522.

\*\*\*\*\*

There came on for discussion Contract – Safe Haven Baby Boxes, whereupon Alderman Brown made motion seconded by Alderman Parker and unanimously carried to direct City Attorney Steve Simpson to work with Caitlyn Kelly and the attorney for Safe Haven Baby Boxes, Inc. to make necessary changes to the contract.

\*\*\*\*\*

Alderman McCaffrey left the meeting at this time.

\*\*\*\*\*

There came on for discussion Signage Request – Safe Haven Baby Boxes, whereupon Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to consider the signage request when the contract with Safe Haven Baby Boxes is approved.

\*\*\*\*\*

Per the request of applicant Mr. Carl LaRosa, Alderman Frazer made motion seconded by Alderman McGoey and unanimously carried to table Appeal – 406 Klondyke Road until the next meeting on Tuesday, December 6, 2022.

## Minutes of November 15, 2022 Mayor and Board of Aldermen

\*\*\*\*\*

There came on for discussion Food Truck/Vendor, whereupon Alderman Bennett made motion seconded by Alderman Brown and unanimously carried to schedule a work session to discuss this topic on Tuesday, January 10, 2023 at 5:00 p.m., Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi.

\*\*\*\*\*

Alderman Parker made motion seconded by Alderman McGoey and unanimously carried to approve the following Wreaths Across America event scheduled for Saturday, December 17, 2022, and authorize the Mayor to execute same:



In December 1992, wreath maker Morrill Worcester found himself with a surplus of 5,000 wreaths during the holiday season. Worcester saw the surplus as an opportunity to pay tribute to our country's veterans and arranged for the wreaths to be placed at Arlington National Cemetery. The now annual tribute to our country's veterans has continued ever since, touching the lives of millions of veterans' families and volunteers and growing in scope through the years.

In 2007, the Worcester family along with veterans and volunteers formed the non-profit organization Wreaths Across America to expand their efforts and to support those around the country who wished to do the same. Wreaths Across America's mission is simple: **Remember** the fallen, **Honor** those that serve, and **Teach** the next generation about the value of freedom. In 2021, Wreaths Across America and its national network of volunteers placed approximately 1.7 million veterans' wreaths at more than 2,500 locations in all 50 U.S. states, at sea, and abroad.

This year, National Wreaths Across America day will be held on Saturday, December 17, 2022. This will be the fifth year VFW Post 3937 and American Legion Post 1995 will be participating in the national program. The ceremony will begin at 1:00 pm at the Long Beach City Cemetery. The public is invited to attend the ceremony; volunteers who would like to assist in the wreath laying after the ceremony are very welcome.

In 2021, with the financial support of businesses, organizations, and veterans' families and friends, we were able to lay a wreath at every one of the more than 260 known veterans' gravesites. We intend to do the same this year. If you know of a veteran at the Long Beach City Cemetery who does not have a gravesite indication that he/she is a veteran, please let us know so that we can ensure that he/she also receives a wreath.

Each hand made, fresh, live wreath costs \$15 and is made in the USA with Maine balsam. Although the Long Beach City Cemetery will be the location of the wreath laying ceremony, wreaths for veterans interred at other Long Beach and neighboring cemeteries can be sponsored and picked up that afternoon.

If you wish to remember and honor our deceased veterans, sponsorships or donations can be:

- mailed or delivered to VFW Post 3937, 213 Klondyke Road, Long Beach MS 39560
- mailed to American Legion Post 1995, PO Box 550, Long Beach MS 39560

If sponsoring, please let us know who you are sponsoring.

The event's POC is Charles Martinek who can be reached at (228) 236-4200 or [charlesmartinek66@gmail.com](mailto:charlesmartinek66@gmail.com). Thank you for your consideration!

Minutes of November 15, 2022  
Mayor and Board of Aldermen

Contact at Location Approval Form

This form needs to be filled out by the contact person associated with the cemetery/ memorial/ miscellaneous location in order to be approved as a location. This can be a town official if your cemetery is not manned on a daily basis. (Please submit this form by emailing it to [locations@wreathscrossamerica.org](mailto:locations@wreathscrossamerica.org), by faxing it to 1-866-956-1625, or by mailing it to PO Box 249 Columbia Falls, ME 04623.)

Name of Location: Long Beach City Cemetery

Name of Contact at Location (must work at cemetery/location): Stacey Dahl

Contact at Location's Physical and Mailing Address:

201 Jeff Davis Avenue  
Long Beach MS 39560  
Attn: City Clerk

Contact at Location's Information: (both are required for office purposes only)

Phone Number: (228) 863 - 1556

Email Address: www.cityoflongbeachms.com


Would you like to be copied on delivery information or special announcements from Wreaths Across America by email.  Yes  No

Are there any special rules for your location that Wreaths Across America needs to comply with?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Questions or Comments:

\_\_\_\_\_  
\_\_\_\_\_

  
Signature of Contact at Location

11-16-22  
Date Signed

Thank you for allowing us to participate at your location and for providing your contact information.

\*\*\*\*\*

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to approve the following letter of support and Resolution for designation of proposed U.S. Bicycle Route 90 through Long Beach, and authorize the Mayor to execute same:

**City of Long Beach**



November 15, 2022

Lindsey Killebrew  
Mississippi Department of Transportation [lkillebrew@mdot.ms.gov](mailto:lkillebrew@mdot.ms.gov)  
601-359-7685

Dear Lindsey Killebrew,

Long Beach would like to offer our support for the designation of proposed U.S. Bicycle Route 90 (USBR 90) through Long Beach. We recognize that bicycle tourism is a growing industry in North America, contributing \$50 billion a year to the economies of communities that provide facilities for such tourists. As a city, we stand to benefit from this opportunity both economically and from the health and environmental related benefits of encouraging bicycle travel in our region.

The American Association of State Highway and Transportation Officials (AASHTO) has designated a bicycle route corridor through Kansas to be developed as USBR 90. Long Beach lies within that corridor and we have investigated the proposed route and found it to be suitable for bicycle tourists.

I am contacting you to indicate our support for designating USBR 90 through Long Beach.

The proposed route for USBR 90 will provide a benefit to our city and we endorse having the route mapped and signed, thereby promoting bicycle tourism in our area. Therefore, Long Beach hereby expresses its support for the designation of USBR 90, and requests that the appropriate officials nominate the route for AASHTO designation as soon as this can be achieved.

Sincerely,

A handwritten signature in blue ink that reads "George L. Bass". The signature is written in a cursive, flowing style.

George L. Bass, Mayor

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[www.cityoflongbeachms.com](http://www.cityoflongbeachms.com)



**Minutes of November 15, 2022**  
**Mayor and Board of Aldermen**

There came on for consideration at a duly constituted meeting of the Board of Aldermen and Mayor of the City of Long Beach held on the 15<sup>th</sup> day of November, 2022, the following Resolution, which was reduced to writing and presented in advance of the meeting for reading and examination:

**RESOLUTION EXPRESSING APPROVAL AND SUPPORT FOR THE  
DEVELOPMENT OF USBR 90, AS PART OF A NATIONAL EFFORT TO EXPAND  
THE US BICYCLE ROUTE SYSTEM**

**WHEREAS**, bicycle tourism is a growing industry in North America, contributing \$50 billion a year to the economies of communities that provide facilities for such tourists; and

**WHEREAS**, the American Association of State Highway and Transportation Officials (AASHTO) have designated a corridor crossing Kansas to be developed as United States Bicycle Route (USBR 90); and

**WHEREAS**, the Adventure Cycling Association in participation with MDOT, have proposed specific routes to be designated as USBR 90; and

**WHEREAS**, the proposed route for USBR 90 comes through Long Beach and can therefore provide benefits to our City; and

**WHEREAS**, we have investigated the proposed route and found it to be a suitable route, and desire that the route be designated so that it can be mapped and signed, thereby promoting bicycle tourism in our area.

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Board of Aldermen of the City of Long Beach express their approval and support for the development of USBR 90, and requests that MDOT get the route officially designated by AASHTO as soon as this can be achieved, and authorizes the posting of signs within Long Beach right-of-way identifying the route

# Minutes of November 15, 2022 Mayor and Board of Aldermen

through the City once the official designation has been made.

The above and foregoing Resolution having been introduced in writing, was first read and considered section by section and then as a whole. Alderman xx made motion seconded by Alderman xx to approve the resolution, as presented.

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

Alderman Patrick Bennett	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Absent, not voting
Alderman Angie Johnson	voted	Absent, not voting
Alderman Bernie Parker	voted	Aye
Alderman Mike Brown	voted	Aye
Alderman Pete L. McGoey	voted	Aye
Alderman Donald Frazer	voted	Aye

The question having received the Affirmative vote all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this 15<sup>h</sup> day of November, 2022.

APPROVED:  


George L. Bass, Mayor

ATTEST:



Stacey Dahl, City Clerk

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There came on for discussion Tri-Party Agreement, whereupon Alderman Frazer made motion seconded by Alderman Bennett and unanimously carried to schedule a work session to discuss this topic on Tuesday, January 24, 2023 at 5:00 p.m., Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi.

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**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

There came on for discussion Update Request – Noise Ordinance Amendment, whereupon Alderman Brown made motion seconded by Alderman Frazer and unanimously carried to schedule a work session to discuss this topic on Tuesday, January 24, 2023 at 5:00 p.m., Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi.

\*\*\*\*\*

There came on for discussion Update Request – Tobacco/Vaping Ordinance Amendment, whereupon City Attorney Steve Simpson apprised the Mayor and Board that he would have a draft of this amendment for the next meeting on Tuesday, December 6, 2022, pending Police Chief Seal’s review.

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Mayor Bass recognized Mr. Buddy Ray, owner of Rosalie Station Car Wash & Detail LLC, who expressed his appreciation to the Mayor and City Attorney for helping to resolve the property line dispute at his business. At the request of Mr. Ray, Alderman Parker made motion seconded by Alderman Bennett and unanimously carried to enter the following letter from City Attorney Steve Simpson regarding public right of ways into the minutes of this meeting in words and figures, as follows:

Minutes of November 15, 2022  
Mayor and Board of Aldermen



**PURVIS & CO**  
PLLC

229 Debuys Road, Gulfport, MS 39507  
P.O. Box 2307 Gulfport, MS 39505

US & Canada: (228) 206-7174  
London & UK: +44 20 3769 1057

www.purviscolaw.com

October 28, 2022

Mr. Buddy Ray  
470 W. Beach Blvd.  
Long Beach, MS 39560

Re: Rosalie Station Car Wash & Detail, LLC

Dear Mr. Ray:

Thank you for meeting with Mayor Bass and myself this morning. As we discussed, I have reviewed the March 22, 2022, Boundary and Topographic Survey and the September 23, 2015, Mississippi Valley Title Commitment for Title Insurance on the Rosalie Station Car Wash & Detail, LLC property. The property legal description in both instruments are identical to the legal description in the Corrected Warranty Deed recorded in the office of the Chancery Clerk of Harrison County on September 9, 2014, being instrument no. 2014 6776D-J1.

Although the 2022 survey made no attempt to verify public right-of-way, none of the instruments described above make any reference to any right-of-way. Absent a title opinion establishing a recorded public right-of-way, it is reasonable to assume the property is not subject to any public right-of-way to the south boundary of Railroad Street. You have assured the city multiple title searches have previously failed to identify any right-of-way and the City has no reason to perform another title opinion search. I hope this satisfies your needs.

Sincerely,

Stephen B. Simpson, Attorney  
City of Long Beach, MS

SBS :rsk

cc: Mayor George Bass

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Mr. Ray then stated that he had received a Notice of Violation for his property at Klondyke and Commission and requested that the violation be suspended due to pending imminent domain of his adjacent car wash property. Alderman Brown made motion seconded by Alderman Parker and unanimously carried to acknowledge the information presented by Mr. Ray and encourage each Alderman to meet with the Building Official to discuss the violation. City Attorney Simpson apprised the Mayor and Board that the property violation was not on the meeting agenda and that this discussion should not continue.

M.B. 100

11.15.22 Pub Hear/Reg

# Minutes of November 15, 2022 Mayor and Board of Aldermen

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Alderman Bennett recused himself from the meeting.

\*\*\*\*\*

Alderman Brown made motion seconded by Alderman Parker and unanimously carried to schedule interviews in 20-minute intervals for the School Board Trustee Applicants on Tuesday, December 13, 2022 at 5:00 p.m., Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi.

\*\*\*\*\*

Alderman Frazer made motion seconded by Alderman Parker and unanimously carried to accept the October 2022 Revenue/Expense Report.

\*\*\*\*\*

Alderman Bennett returned to the meeting at this time.

\*\*\*\*\*

Alderman Parker made motion seconded by Alderman Brown and unanimously carried to approve the following Budget Amendment for FY 23 for Public Works:

### City of Long Beach Budget Amendment Request

Fund Name	<u>Water/Sewer</u>	Date	<u>11/15/2022</u>
Department #	<u>815</u>	Budget Entry #	<u>          </u>
Department Name	<u>Water Operations</u>		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Capital Outlay 815-630100	90,500	-	41,148	131,648
Fund Balance			(41,148)	(41,148)

Amendment to rollover encumbered but unspent funds from prior year

Amendment #2



TO: KINI GONSOLIN  
 FROM: JOE CULPEPPER, DIRECTOR OF PUBLIC WORKS  
 RE: ROLLOVER OF FUNDS  
 DATE: NOVEMBER 9, 2022

Kini,

Per our discussion, this is to request that the City approve rolling over \$41,148 (unspent amount from our 2021/2022 budget - Sewer Capital Outlay - 825-630100) to our 2022/2023 budget - Water Capital Outlay - 815-630100.

We will be using this rolled over amount to purchase a new F350 truck (that we did not receive in 2022.)

Please present on the next Board of Aldermen's meeting agenda.

Thank you.

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

\*\*\*\*\*

Alderman Frazer made motion seconded by Alderman Parker and unanimously carried to approve the following funding request to Gulf Regional Planning Commission for a Transportation Planning/Master Plan Study, and authorize the Mayor to execute same:

161 Lameuse St., Suite 203  
Biloxi, MS 39530  
228-967-7137



630 Delmas Ave., Suite B  
Pascagoula, MS 39567  
228-967-7137

November 10, 2022

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

**RE: GRPC Funding Request – Surface Transport. Block Grant Program**

Ladies and Gentlemen:

We have attached a proposed letter to send to Gulf Regional Planning Commission (GRPC) requesting funding to perform a Transportation Planning / Master Plan Study related to transportation issues. We estimate the project will cost approximately \$100,000 and this funding program requires a 20% local match.

If this is acceptable, please authorize the Mayor to execute and submit the attached letter on City letterhead to GRPC for their consideration.

Sincerely,

David Ball, P.E.

DB:1252  
Attachment



Minutes of November 15, 2022  
Mayor and Board of Aldermen

City of Long Beach



November 16, 2022

Mr. Kenneth Yarrow  
Executive Director  
Gulf Regional Planning Commission  
1635-G Popps Ferry Road  
Biloxi, MS 39532

**RE: City of Long Beach, Harrison County  
Request for Funding – Transportation Planning / Master Plan Study  
Surface Transportation Block Grant Program (STBG)**

Mr. Yarrow,

Please accept this letter as an official request by the City of Long Beach to the Gulf Regional Planning Commission (GRPC) for the funding of a Transportation Planning / Master Plan Study for the City of Long Beach under the Surface Transportation Block Grant Program (STBG). We understand that the STBG Program will provide 80% funding for the project, with 20% local match. The estimated cost of the project is \$100,000.00. The City of Long Beach is requesting \$80,000.00 from the STBG Program, and pledges to provide the required \$20,000.00 match.

We appreciate the opportunity to request assistance under this program. Please let us know if further information is required to initiate your review and approval of this request.

Sincerely,

George L. Bass  
Mayor  
City of Long Beach

201 Jeff Davis • P.O. Box 929 • Long Beach, MS 39560 • (228) 863-1556 • FAX (228) 865-0822  
www.cityoflongbeachms.com

\*\*\*\*\*

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

Alderman Parker made motion seconded by Alderman Brown and unanimously carried to approve the following Contract Amendment with Overstreet & Associates for SE Bulkhead Shore Protection, and authorize the Mayor to execute same:

161 Lameuse St., Suite 203  
Biloxi, MS 39530  
228-967-7137



630 Delmas Ave., Suite B  
Pascagoula, MS 39567  
228-967-7137

November 11, 2022

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

**RE: SE Bulkhead Shore Protection – Long Beach Smallcraft Harbor**

Ladies and Gentlemen:

Please find the attached proposed amendment to the professional services contract for the referenced project. When this project was originally planned, funds for construction weren't available so Resident Project Representative (RPR) services or what is commonly known as "inspection services" were excluded from the Contract due to the unknown timeline. The project has now been bid and awarded, and we anticipate that construction will begin shortly pending a preconstruction conference to determine the Contractor's timeline for material delivery, etc.

Therefore, the proposed amendment modifies the agreement to provide the needed RPR services for the construction period. The fee requested is \$111,000 which exactly matches the funds requested and received from the GOMESA funds. We hereby request your approval of this contract so that work on the project may continue appropriately.

Sincerely,

David Ball, P.E.

DB:1076

Minutes of November 15, 2022  
Mayor and Board of Aldermen

AMENDMENT NUMBER 1 TO AGREEMENT BETWEEN  
CITY OF LONG BEACH AND OVERSTREET & ASSOCIATES, INC.

LONG BEACH SMALLCRAFT HARBOR – SE BULKHEAD SHORE  
PROTECTION

It is agreed to undertake the following work in accordance with the provisions contained in the Agreement dated December 17, 2019:

A. DESCRIPTION OF ASSIGNMENT

- 1. Engineer will provide Resident Project Representative ("RPR") services necessary to perform construction monitoring services during the construction of the project.
- 2. RPR services will be performed in accordance with the attached "Exhibit A - Duties, Responsibilities, and Limitations of Authority of Resident Project Representative" and shall also be limited as indicated therein.

B. BASIS OF COMPENSATION

- 1. Fees for the above-described services will be in accordance with Appendix 1 of the referenced Agreement, more particularly via the hourly rates included therein
  - a. Total of fees for RPR services shall not exceed \$111,000 without City approval.
  - b. This total fee is based upon construction being completed within 240 calendar days of the notice to proceed per the current contract time. If contract time is extended, additional fees for RPR services and Construction Admin services may be negotiated by Owner and Engineer.
- 2. Fees for services rendered under this Amendment will be made separate from any other project.

OWNER:

CITY OF LONG BEACH, MISSISSIPPI

By:   
George Bass, Mayor

ENGINEER:

OVERSTREET & ASSOCIATES, P.L.L.C.

By:   
F. Jason Overstreet, P.E.; President

Date Signed: 11-16-22

Date Signed: 11/10/2022

## Minutes of November 15, 2022 Mayor and Board of Aldermen

This is **EXHIBIT A**, consisting of [ 5 ] pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated [ Dec. 17, 2019 ].

### **Duties, Responsibilities, and Limitations of Authority of Resident Project Representative**

---

Article 1 of the Agreement is supplemented to include the following agreement of the parties:

#### **ARTICLE 1 - SERVICES OF ENGINEER**

##### *D1.01 Resident Project Representative*

- A. Engineer shall furnish a Resident Project Representative ("RPR") to assist Engineer in observing progress and quality of the Work. The RPR may provide full time representation or may provide representation to a lesser degree. RPR is Engineer's representative at the Site, will act as directed by and under the supervision of Engineer, and will confer with Engineer regarding RPR's actions.
- B. Through RPR's observations of the Work, including field checks of materials and installed equipment, Engineer shall endeavor to provide further protection for Owner against defects and deficiencies in the Work. However, Engineer shall not, as a result of such RPR observations of the Work, supervise, direct, or have control over the Work, nor shall Engineer (including the RPR) have authority over or responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by any Constructor, for security or safety at the Site, for safety precautions and programs incident to the Work or any Constructor's work in progress, for the coordination of the Constructors' work or schedules, or for any failure of any Constructor to comply with Laws and Regulations applicable to the performing and furnishing of its work. The Engineer (including RPR) neither guarantees the performances of any Constructor nor assumes responsibility for any Constructor's failure to furnish and perform the Work, or any portion of the Work, in accordance with the Construction Contract Documents.
- C. The duties and responsibilities of the RPR are as follows:
  - 1. *General:* RPR's dealings in matters pertaining to the Work in general shall be with Engineer and Contractor. RPR's dealings with Subcontractors shall only be through or with the full knowledge and approval of Contractor. RPR shall generally communicate with Owner only with the knowledge of and under the direction of Engineer.
  - 2. *Schedules:* Review the progress schedule, schedule of Shop Drawing and Sample submittals, schedule of values, and other schedules prepared by Contractor and consult with Engineer concerning acceptability of such schedules.
  - 3. *Conferences and Meetings:* Attend meetings with Contractor, such as preconstruction conferences, progress meetings, job conferences, and other Project-related meetings (but not including Contractor's safety meetings), and as appropriate prepare and circulate copies of minutes thereof.

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**Exhibit A**

EJCDC® E-500, Agreement Between Owner and Engineer for Professional Services.

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## Minutes of November 15, 2022 Mayor and Board of Aldermen

4. *Safety Compliance:* Comply with Site safety programs, as they apply to RPR, and if required to do so by such safety programs, receive safety training specifically related to RPR's own personal safety while at the Site.
5. *Liaison:*
  - a. Serve as Engineer's liaison with Contractor. Working principally through Contractor's authorized representative or designee, assist in providing information regarding the provisions and intent of the Construction Contract Documents.
  - b. Assist Engineer in serving as Owner's liaison with Contractor when Contractor's operations affect Owner's on-Site operations.
  - c. Assist in obtaining from Owner additional details or information, when required for proper execution of the Work.
6. *Clarifications and Interpretations:* Receive from Contractor submittal of any matters in question concerning the requirements of the Construction Contract Documents (sometimes referred to as requests for information or interpretation—RFIs), or relating to the acceptability of the Work under the Construction Contract Documents. Report to Engineer regarding such RFIs. Report to Engineer when clarifications and interpretations of the Construction Contract Documents are needed, whether as the result of a Contractor RFI or otherwise. Transmit Engineer's clarifications, interpretations, and decisions to Contractor. ,
7. *Shop Drawings and Samples:*
  - a. Record date of receipt of Samples and Contractor-approved Shop Drawings.
  - b. Receive Samples that are furnished at the Site by Contractor, and notify Engineer of availability of Samples for examination.
  - c. Advise Engineer and Contractor of the commencement of any portion of the Work requiring a Shop Drawing or Sample submittal, if RPR believes that the submittal has not been received from Contractor, or has not been approved by Contractor or Engineer.
8. *Proposed Modifications:* Consider and evaluate Contractor's suggestions for modifications to the Drawings or Specifications, and report such suggestions, together with RPR's recommendations, if any, to Engineer. Transmit Engineer's response (if any) to such suggestions to Contractor.
9. *Review of Work; Defective Work:*
  - a. Report to Engineer whenever RPR believes that any part of the Work is defective under the terms and standards set forth in the Construction Contract Documents, and provide recommendations as to whether such Work should be corrected, removed and replaced, or accepted as provided in the Construction Contract Documents.
  - b. Inform Engineer of any Work that RPR believes is not defective under the terms and standards set forth in the Construction Contract Documents, but is

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Exhibit A

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## Minutes of November 15, 2022 Mayor and Board of Aldermen

nonetheless not compatible with the design concept of the completed Project as a functioning whole, and provide recommendations to Engineer for addressing such Work. ; and

- c. Advise Engineer of that part of the Work that RPR believes should be uncovered for observation, or requires special testing, inspection, or approval.
10. *Inspections, Tests, and System Start-ups:*
- a. Consult with Engineer in advance of scheduled inspections, tests, and systems start-ups.
  - b. Verify that tests, equipment, and systems start-ups and operating and maintenance training are conducted in the presence of appropriate Owner's personnel, and that Contractor maintains adequate records thereof.
  - c. Observe, record, and report to Engineer appropriate details relative to the test procedures and systems start-ups.
  - d. Observe whether Contractor has arranged for inspections required by Laws and Regulations, including but not limited to those to be performed by public or other agencies having jurisdiction over the Work.
  - e. Accompany visiting inspectors representing public or other agencies having jurisdiction over the Work, record the results of these inspections, and report to Engineer.
11. *Records:*
- a. Maintain at the Site orderly files for correspondence, reports of job conferences, copies of Construction Contract Documents including all Change Orders, Field Orders, Work Change Directives, Addenda, additional Drawings issued subsequent to the execution of the Construction Contract, RFIs, Engineer's clarifications and interpretations of the Construction Contract Documents, progress reports, approved Shop Drawing and Sample submittals, and other Project-related documents.
  - b. Prepare a daily report or keep a diary or log book, recording Contractor's hours on the Site, Subcontractors present at the Site, weather conditions, data relative to questions of Change Orders, Field Orders, Work Change Directives, or changed conditions, Site visitors, deliveries of equipment or materials, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures; and send copies to Engineer.
  - c. Upon request from Owner to Engineer, photograph or video Work in progress or Site conditions.
  - d. Record and maintain accurate, up-to-date lists of the names, addresses, fax numbers, e-mail addresses, websites, and telephone numbers (including mobile numbers) of all Contractors, Subcontractors, and major Suppliers of materials and equipment.

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**Exhibit A**

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## Minutes of November 15, 2022 Mayor and Board of Aldermen

- e. Maintain records for use in preparing Project documentation.
  - f. Upon completion of the Work, furnish original set of all RPR Project documentation to Engineer.
12. *Reports:*
- a. Furnish to Engineer periodic reports as required of progress of the Work and of Contractor's compliance with the progress schedule and schedule of Shop Drawing and Sample submittals.
  - b. Draft and recommend to Engineer proposed Change Orders, Work Change Directives, and Field Orders. Obtain backup material from Contractor.
  - c. Furnish to Engineer and Owner copies of all inspection, test, and system start-up reports.
  - d. Immediately inform Engineer of the occurrence of any Site accidents, emergencies, acts of God endangering the Work, possible force majeure or delay events, damage to property by fire or other causes, or the discovery of any potential differing site condition or Constituent of Concern.
13. *Payment Requests:* Review applications for payment with Contractor for compliance with the established procedure for their submission and forward with recommendations to Engineer, noting particularly the relationship of the payment requested to the schedule of values, Work completed, and materials and equipment delivered at the Site but not incorporated in the Work.
14. *Certificates, Operation and Maintenance Manuals:* During the course of the Work, verify that materials and equipment certificates, operation and maintenance manuals and other data required by the Contract Documents to be assembled and furnished by Contractor are applicable to the items actually installed and in accordance with the Contract Documents, and have these documents delivered to Engineer for review and forwarding to Owner prior to payment for that part of the Work.
15. *Completion:*
- a. Participate in Engineer's visits to the Site regarding Substantial Completion, assist in the determination of Substantial Completion, and prior to the issuance of a Certificate of Substantial Completion submit a punch list of observed items requiring completion or correction.
  - b. Participate in Engineer's visit to the Site in the company of Owner and Contractor, to determine completion of the Work, and prepare a final punch list of items to be completed or corrected by Contractor.
  - c. Observe whether all items on the final punch list have been completed or corrected, and make recommendations to Engineer concerning acceptance and issuance of the Notice of Acceptability of the Work (Exhibit E).
- D. Resident Project Representative shall not:

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Exhibit A

EJCDC® E-500, Agreement Between Owner and Engineer for Professional Services.

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# Minutes of November 15, 2022 Mayor and Board of Aldermen

1. Authorize any deviation from the Construction Contract Documents or substitution of materials or equipment (including "or-equal" items).
2. Exceed limitations of Engineer's authority as set forth in this Agreement.
3. Undertake any of the responsibilities of Contractor, Subcontractors, or Suppliers, or any Constructor.
4. Advise on, issue directions relative to, or assume control over any aspect of the means, methods, techniques, sequences or procedures of the Work, by Contractor or any other Constructor.
5. Advise on, issue directions regarding, or assume control over security or safety practices, precautions, and programs in connection with the activities or operations of Owner or Contractor.
6. Participate in specialized field or laboratory tests or inspections conducted off-site by others except as specifically authorized by Engineer.
7. Accept Shop Drawing or Sample submittals from anyone other than Contractor.
8. Authorize Owner to occupy the Project in whole or in part.

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Exhibit A

EJCDC® E-500, Agreement Between Owner and Engineer for Professional Services.

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Page 5

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**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

There came on for discussion Magnolia Run Subdivision – Offsite Drainage Analysis, whereupon City Engineer David Ball provided the following:

161 Lameuse St., Suite 203  
Biloxi, MS 39530  
228-967-7137



**OVERSTREET  
& ASSOCIATES**  
CONSULTING ENGINEERS

630 Delmas Ave., Suite B  
Pascagoula, MS 39567  
228-967-7137

**MEMORANDUM**

Date: 11/10/2022  
To: City of Long Beach  
From: David Ball, P.E.  
Re: Magnolia Run S/D – Offsite Drainage Analysis

We have completed the drainage analysis requested by the City for the referenced subdivision. The purpose of the analysis was:

1. To determine what culvert sizes are needed to cross Pineville Rd.
2. To ensure that existing infrastructure downstream of Pineville Rd. can handle an increase in the culverts crossing Pineville. These elements of drainage will often be referenced via "Charleston" or "Charleston detention" herein.
3. To determine an estimated cost to perform any needed improvements (north & south of Pineville Rd.).

Besides the issues discovered in our initial effort, our more extensive analysis indicates that the culverts & drainage infrastructure downstream of Pineville Rd. are under-sized and detrimental to the flow in this basin. These downstream culverts are detrimental in multiple ways:

1. By way of its design intent, the detention system behind Charleston Lane (Pecan Park Estates Ph. 3) causes "backups" in the ditch between Charleston and Pineville, leading to slow drainage across Pineville. The only solution to this problem would be to create a separate detention system for the Charleston subdivision which could separately retain runoff, which seems unreasonable due to the need for land/space to construct such a detention facility.
2. Apart from the design intent, we believe the culvert which carries the off-site (areas north of Pineville) flow through the Charleston detention facility is undersized due to a miscalculation of the contributing drainage area.

The obvious choice would be to simply increase the size of the culvert to carry all needed off-site flow through the Charleston detention, which would eliminate the "backups" in the ditch south of Pineville, subsequently facilitating quicker drainage across Pineville. However, the problem with such a solution is that it would eliminate any flowrate reduction which the Charleston detention performs, perhaps leading to detrimental increases in flowrates in Canal 1, which could impact upstream and downstream areas along its length.

Our proposed solution is to increase the culvert carrying off-site flow to the size which we believe would have been appropriate at the initial design in 2003, keeping the original design intent. This will still result in "backups" in the ditch between Charleston

## Minutes of November 15, 2022 Mayor and Board of Aldermen

November 10, 2022

and Pineville, but they will be reduced and the greater carrying capacity of the culvert will improve the flowrate at Pineville. The benefits of such a solution are:

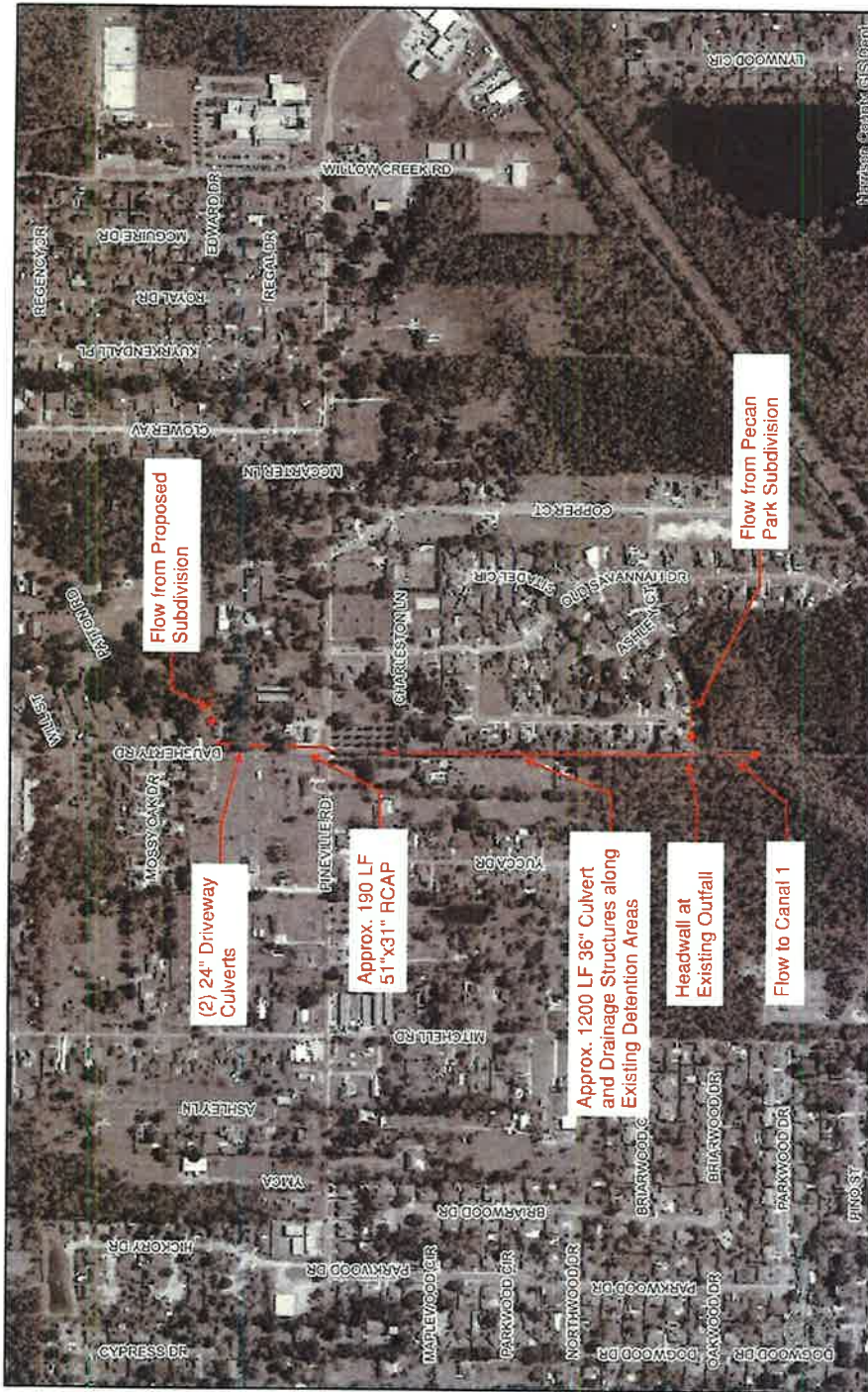
1. Increase flowrates across Pineville Rd. and through the detention facility, providing the improvements needed for Magnolia Run S/D.
2. Maintain the function and purpose of the Charleston detention, which is to limit post-development runoff rates from Charleston to pre-development rates.
3. Limit negative impacts to Canal 1 insofar as possible.

The original design of the Charleston detention system was based on a "10-year design", which was appropriate per then-current City ordinances. Despite current City design requirements, it seems sensible to us to keep a similar design standard for our analysis and estimates, which we have done. We believe this to be reasonable because while an increase in the design standard would result in improved performance of the upstream areas (Pineville), it would also result in greater negative impacts to downstream areas (Canal 1).

On the basis of all the foregoing, we have prepared the attached exhibit showing the needed improvements along Daugherty, across Pineville, and through the Charleston detention system. Further, we have calculated a preliminary construction cost estimate for the recommended improvements, in two phases: 1 – to improve drainage performance north of Pineville and across Pineville (~\$121,000); 2 – to improve drainage performance south of Pineville (~\$271,000). These estimates include estimated construction cost, a 10% contingency, design, survey, and inspection costs.

Minutes of November 15, 2022  
Mayor and Board of Aldermen

EXHIBIT 1 - 10 YEAR STORM



0 750 1,500  
Feet

**HARRISON COUNTY, MISSISSIPPI**

DISCLAIMER: THIS MAP IS FOR PROPERTY TAX ASSESSMENT PURPOSES ONLY. IT WAS CONSTRUCTED FROM PROPERTY INFORMATION RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS AND IS NOT CONCLUSIVE AS TO LOCATION OF PROPERTY OR LEGAL OWNERSHIP.  
TAL FLURRY, TAX ASSESSOR  
MAP DATE: November 9, 2022



After continued discussion, Alderman Brown made motion seconded by Alderman Frazer and unanimously carried to request the Mayor to meet with the developer regarding a financial contribution for Phase I of the aforesaid recommendation.

\*\*\*\*\*

**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

Alderman Parker made motion seconded by Alderman McGoey and unanimously carried to approve the following contract with Bottom 2 Top Construction LLC for the 2<sup>nd</sup> Street Sidewalk Extension project, and authorize the Mayor to execute same:

**EJCDC  
SUGGESTED FORM OF AGREEMENT  
BETWEEN OWNER AND CONTRACTOR FOR  
CONSTRUCTION CONTRACT (STIPULATED PRICE)**

THIS AGREEMENT is by and between City of Long Beach, P.O. Box 929, Long Beach, MS 39560

(Owner) and Bottom 2 Top Construction, LLC.

(Contractor),

Owner and Contractor, in consideration of the mutual covenants set forth herein, agree as follows:

**ARTICLE 1 – WORK**

1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

**2<sup>nd</sup> Street Sidewalk Extension**

**ARTICLE 2 - THE PROJECT**

2.01 The Project for which the Work under the Contract Documents may be the whole or only a part is generally described as follows:

**2<sup>ND</sup> Street Sidewalk Extension**

**ARTICLE 3 - ENGINEER**

3.01 The Project has been designed by: Overstreet & Associates, PLLC  
161 Lameuse Street, Suite 203  
Biloxi, MS 39503

(Engineer), who is to act as Owner's representative, assume all duties and responsibilities, and have the rights and authority assigned to Engineer in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

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EJCDC C-520 Suggested Form of Agreement Between Owner and Contractor for Construction Contract (Stipulated Price)  
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00520-1

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# Minutes of November 15, 2022 Mayor and Board of Aldermen

## ARTICLE 4 - CONTRACT TIMES

### 4.01 Time of the Essence

A. All time limits for Milestones, if any, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

### 4.02 Days to Achieve Substantial Completion and Final Payment

A. The Work will be substantially completed within 90 days after the date when the Contract Times commence to run as provided in Paragraph 2.03 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 14.07 of the General Conditions within 120 days after the date when the Contract Times commence to run.

### 4.03 Liquidated Damages

A. Contractor and Owner recognize that time is of the essence of this Agreement and that Owner will suffer financial loss if the Work is not completed within the times specified in Paragraph 4.02 above, plus any extensions thereof allowed in accordance with Article 12 of the General Conditions. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty), Contractor shall pay Owner \$500.00 for each day that expires after the time specified in Paragraph 4.02 for Substantial Completion until the Work is substantially complete. After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Time or any proper extension thereof granted by Owner, Contractor shall pay Owner \$500.00 for each day that expires after the time specified in Paragraph 4.02 for completion and readiness for final payment until the Work is completed and ready for final payment.

## ARTICLE 5 - CONTRACT PRICE

5.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents an amount in current funds equal to the sum of the amounts determined pursuant to Paragraphs 5.01.A, 5.01.B, and 5.01.C below:

A. For all Work other than Unit Price Work, a Lump Sum of:

\_\_\_\_\_ (\$\_\_\_\_\_) (words) (numerals)

All specific cash allowances are included in the above price and have been computed in accordance with paragraph 11.02 of the General Conditions.

B. For all Unit Price Work, an amount equal to the sum of the established unit price for each separately identified item of Unit Price Work times the estimated quantity of that item as indicated in this paragraph 5.01.B:

## Minutes of November 15, 2022 Mayor and Board of Aldermen

As provided in Paragraph 11.03 of the General Conditions, estimated quantities are not guaranteed, and determinations of actual quantities and classifications are to be made by Engineer as provided in Paragraph 9.07 of the General Conditions. Unit prices have been computed as provided in Paragraph 11.03 of the General Conditions.

UNIT PRICE WORK					
<u>Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Estimated</u>

AS PER ATTACHED BID

TOTAL OF ALL ESTIMATED PRICES \_\_\_\_\_ \$ \_\_\_\_\_  
(words) (numerals)

C. For all Work, at the prices stated in Contractor's Bid, attached hereto as an exhibit.

**Two Hundred Thirty-Three Thousand Three Hundred Forty-Six Dollars and 64/100 --- \$233,346.64**

ARTICLE 6 - PAYMENT PROCEDURES

6.01 Submittal and Processing of Payments

A. Contractor shall submit Applications for Payment in accordance with Article 14 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.

6.02 Progress Payments; Retainage

A. Owner shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment on or about the **first or third** day of each month during performance of the Work as provided in Paragraphs 6.02.A.1 and 6.02.A.2 below. All such payments will be measured by the schedule of values established as provided in Paragraph 2.07.A of the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no schedule of values, as provided in the General Requirements:

1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Engineer may determine or Owner may withhold, including but not limited to liquidated damages, in accordance with Paragraph 14.02 of the General Conditions:

a. **95** percent of Work completed (with the balance being retainage). If the Work has been 50 percent completed as determined by Engineer, and if the character and progress of the Work have been satisfactory to Owner and Engineer, Owner, on recommendation of Engineer, may determine that as long as the character and progress of the Work remain satisfactory to them, there will be no additional retainage; and

b. **95** percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).

2. Upon Substantial Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to **98** percent of the Work completed, less such amounts as Engineer shall determine in accordance with Paragraph 14.02.B.5 of the General Conditions and less **98** percent of Engineer's estimate of the value of Work to be completed or corrected as shown on the tentative list of items to be completed or corrected attached to the certificate of Substantial Completion.

6.03 Final Payment

A. Upon final completion and acceptance of the Work in accordance with Paragraph 14.07 of the General Conditions, Owner shall pay the remainder of the Contract Price as recommended by Engineer as provided in said Paragraph 14.07.

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EJCDC C-520 Suggested Form of Agreement Between Owner and Contractor for Construction Contract (Stipulated Price)  
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00520-3

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## Minutes of November 15, 2022 Mayor and Board of Aldermen

### ARTICLE 7 - INTEREST

7.01 All moneys not paid when due as provided in Article 14 of the General Conditions shall bear interest at the rate allowed by law at the place of the project.

### ARTICLE 8 – CONTRACTOR'S REPRESENTATIONS

8.01 In order to induce Owner to enter into this Agreement Contractor makes the following representations:

A. Contractor has examined and carefully studied the Contract Documents and the other related data identified in the Bidding Documents.

B. Contractor has visited the Site and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.

C. Contractor is familiar with and is satisfied as to all federal, state, and local Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or contiguous to the Site and all drawings of physical conditions in or relating to existing surface or subsurface structures at or contiguous to the Site (except Underground Facilities) which have been identified in the Supplementary Conditions as provided in Paragraph 4.02 of the General Conditions and (2) reports and drawings of a Hazardous Environmental Condition, if any, at the Site which has been identified in the Supplementary Conditions as provided in Paragraph 4.06 of the General Conditions.

## Minutes of November 15, 2022 Mayor and Board of Aldermen

E. Contractor has obtained and carefully studied (or assumes responsibility for doing so) all additional or supplementary examinations, investigations, explorations, tests, studies, and data concerning conditions (surface, subsurface, and Underground Facilities) at or contiguous to the Site which may affect cost, progress, or performance of the Work or which relate to any aspect of the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor, including any specific means, methods, techniques, sequences, and procedures of construction expressly required by the Bidding Documents, and safety precautions and programs incident thereto.

F. Contractor does not consider that any further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract Documents.

G. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.

H. Contractor has correlated the information known to Contractor, information and observations obtained from visits to the Site, reports and drawings identified in the Contract Documents, and all additional examinations, investigations, explorations, tests, studies, and data with the Contract Documents.

I. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.

J. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.

### ARTICLE 9 - CONTRACT DOCUMENTS

#### 9.01 Contents

- A. The Contract Documents consist of the following:
1. This Agreement (pages 1 to 7, inclusive).
  2. Performance bond (pages 1 to 2, inclusive).
  3. Payment bond (pages 1 to 2, inclusive).
  4. Other bonds (pages \_\_\_\_\_ to \_\_\_\_\_, inclusive):
    - a. \_\_\_\_\_ (pages \_\_\_\_\_ to \_\_\_\_\_, inclusive).
    - b. \_\_\_\_\_ (pages \_\_\_\_\_ to \_\_\_\_\_, inclusive).
    - c. \_\_\_\_\_ (pages \_\_\_\_\_ to \_\_\_\_\_, inclusive).
  5. General Conditions (pages 1 to 68, inclusive).
  6. Supplementary Conditions (pages 1 to 9, inclusive).
  7. Special Conditions (pages 1 to 12, inclusive).
  7. Specifications as listed in the table of contents of the Project Manual.

## Minutes of November 15, 2022 Mayor and Board of Aldermen

8. Drawings consisting of 17 sheets with each sheet bearing the following general title: 2<sup>nd</sup> STREET SIDEWALK EXTENSION
9. Addenda (numbers 1 to 1, inclusive).
10. Exhibits to this Agreement (enumerated as follows):
- a. Contractor's Bid (pages 1 to 171, inclusive).
  - b. Documentation submitted by Contractor prior to Notice of Award (pages N/A to N/A, inclusive).
11. The following which may be delivered or issued on or after the Effective Date of the Agreement and are not attached hereto:
- a. Notice to Proceed (pages 1 to 1, inclusive).
  - b. Work Change Directives.
  - c. Change Order(s).
- B. The documents listed in Paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above).
- C. There are no Contract Documents other than those listed above in this Article 9.
- D. The Contract Documents may only be amended, modified, or supplemented as provided in Paragraph 3.04 of the General Conditions.

### ARTICLE 10 - MISCELLANEOUS

#### 10.01 Terms

- A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

#### 10.02 Assignment of Contract

- A. No assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, moneys that may become due and moneys that are due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

#### 10.03 Successors and Assigns

- A. Owner and Contractor each binds itself, its partners, successors, assigns, and legal representatives to the other party hereto, its partners, successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

#### 10.04 Severability

- A. Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

# Minutes of November 15, 2022 Mayor and Board of Aldermen

10.05 Other Provisions

IN WITNESS WHEREOF, Owner and Contractor have signed this Agreement in duplicate. One counterpart each has been delivered to Owner and Contractor. All portions of the Contract Documents have been signed or identified by Owner and Contractor or on their behalf.

This Agreement will be effective on Nov 15, 22 (which is the Effective Date of the Agreement).

OWNER:  
City of Long Beach

CONTRACTOR:  
Bottom 2 Top Construction, LLC.

By: [Signature]  
Title: Mayor

By: [Signature]  
Title: owner



[CORPORATE SEAL]

Attest: [Signature]  
Title: C. [Signature]

Attest: \_\_\_\_\_  
Title: \_\_\_\_\_

Address for giving notices:  
P.O. Box 929  
Long Beach, MS 39560  
228-863-1556

Address for giving notices:  
23272 Hwy 49 Frontage Rd.  
Suite B. Saucier, MS 39574  
228-731-3795

(If Owner is a corporation, attach evidence of authority to sign. If Owner is a public body, attach evidence of authority to sign and resolution or other documents authorizing execution of Owner-Contractor Agreement.)

License No.: 23104-MC  
(Where applicable)

Agent for service or process: \_\_\_\_\_

(If Contractor is a corporation or a partnership, attach evidence of authority to sign.)

EJCDC C-520 Suggested Form of Agreement Between Owner and Contractor for Construction Contract (Stipulated Price)  
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00520-7

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**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

Alderman Brown made motion seconded by Alderman Frazer and unanimously carried to approve the following Change Order with Lagniappe Construction Company, LLC for the Mitchell Road Drainage Improvements project, and authorize the Mayor to execute same:

161 Lameuse St., Suite 203  
Biloxi, MS 39530  
228-967-7137



630 Delmas Ave., Suite B  
Pascagoula, MS 39567  
228-967-7137

November 10, 2022

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

**RE: Change Order No. 1  
Mitchell Rd. Drainage Improvements**

Ladies and Gentlemen:

We have attached proposed Change Order No. 1 for the referenced project and hereby request your review and approval. The reason for this change order is to modify the connection point at the southern end of the project slightly from the design. The proposed connection point was an existing drainage box that proved unfeasible to serve as the connection point once uncovered and investigated. A concrete collar was utilized to make the connection instead. This change order provides a method of compensating the Contractor for that concrete collar connection, while also capturing some savings on work currently estimated to be performed. This change order results in an overall decrease to the contract cost, and we anticipate further savings to be realized on a future final change order. Your approval is requested. Please advise if you have any questions.

Sincerely,

David Ball, P.E.

DB:1110  
Attachment

# Minutes of November 15, 2022 Mayor and Board of Aldermen

Change Order  
No. 1

Date of Issuance: 11/1/2022 Effective Date: 11/15/2022

Project:	Owner: <u>City of Long Beach</u>	Owner's Contract No.:
Contract:	<u>Mitchell Road Drainage Improvements</u>	Date of Contract: <u>5/3/2022</u>
Contractor:	<u>Lagniappe Construction Company, LLC.</u>	Engineer's Project No.: <u>1110</u>

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

- Description:
1. Adjust contract quantities for 30" RCP due to field conditons.
  2. Add pay item for installation of concrete collar to connect the new culvert to the existing culvert at Sta. ~13+00.

Attachments: (List documents supporting change):

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CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
<p>Original Contract Price:</p> <p style="text-align: center;"><u>\$146,313.88</u></p> <p>(Decrease) in Contract Price from previous Change Orders No. <u>n/a</u> to No. <u>n/a</u></p> <p style="text-align: center;"><u>\$0.00</u></p> <p>Contract Price prior to this Change Order:</p> <p style="text-align: center;"><u>\$146,313.88</u></p> <p>(Decrease) in Contract Price due to this Change Order:</p> <p style="text-align: center;"><u>-\$893.82</u></p> <p>Revised Contract Price incorporating this Change Order:</p> <p style="text-align: center;"><u>\$145,420.06</u></p>	<p>Original Contract Times: <input type="checkbox"/> Working Days <input checked="" type="checkbox"/> Calendar days</p> <p>Substantial completion (days or date): <u>60</u></p> <p>Ready for final payment (days or date):</p> <p>Change in Contract Time from previous Change Orders No. <u>n/a</u> to No. <u>n/a</u></p> <p>Substantial completion (days or date):</p> <p>Ready for final payment (days or date):</p> <p>Contract Times prior to this Change Order:</p> <p>Substantial completion (days or date): <u>9/8/2022</u></p> <p>Ready for final payment (days or date):</p> <p>Change in Contract Time due to this Change Order:</p> <p>Substantial completion (days or date):</p> <p>Ready for final payment (days or date):</p> <p>Contract Times incorporating this Change Order:</p> <p>Substantial completion (days or date): <u>9/8/2022</u></p> <p>Ready for final payment (days or date):</p>

<p>RECOMMENDED: (ENGINEER)</p> <p>By: <u>[Signature]</u></p> <p>Date: <u>11-10-2022</u></p>	<p>ACCEPTED: (CONTRACTOR)</p> <p>By: <u>[Signature]</u></p> <p>Date: <u>11/2/22</u></p>	<p>ACCEPTED: (OWNER)</p> <p>By: <u>[Signature]</u></p> <p>Date: <u>11-16-22</u></p>
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Minutes of November 15, 2022  
Mayor and Board of Aldermen

ATTACHMENT TO CHANGE ORDER NUMBER 1 PROJECT NO. 1110

ITEM NO.	DESCRIPTION	CURRENT CONTRACT QUANTITY	UNIT PRICE	CURRENT CONTRACT AMOUNT	QUANTITY THIS C.O.	EXTENSION THIS C.O.	REVISED CONTRACT QUANTITY	REVISED CONTRACT AMOUNT
<b>BASE BID</b>								
010-A	MOBILIZATION	1	LS \$ 9,095.00	\$ 9,095.00	0	\$ -	1	\$ 9,095.00
301-A	ADJUST SEWER SERVICES	6	EA \$ 1,731.57	\$ 10,389.42	0	\$ -	6	\$ 10,389.42
301-B	ADJUST WATER SERVICES	6	EA \$ 575.13	\$ 3,450.78	0	\$ -	6	\$ 3,450.78
301-C	ADJUST 6" WATER MAIN	1	LS \$ 3,450.75	\$ 3,450.75	0	\$ -	1	\$ 3,450.75
301-D	RELOCATE FIRE HYDRANT VALVE	1	LS \$ 3,745.00	\$ 3,745.00	0	\$ -	1	\$ 3,745.00
310-A	15" RCP CULVERT	168	LF \$ 43.55	\$ 7,316.40	0	\$ -	168	\$ 7,316.40
310-B	18" RCP CULVERT	120	LF \$ 55.05	\$ 6,606.00	0	\$ -	120	\$ 6,606.00
310-C	24" RCP CULVERT	504	LF \$ 71.80	\$ 36,187.20	0	\$ -	504	\$ 36,187.20
310-D	30" RCP CULVERT	90	LF \$ 92.07	\$ 8,286.30	-26	\$ (2,393.82)	64	\$ 5,892.48
310-E	15" RCP FLARED END SECTION	1	EA \$ 716.83	\$ 716.83	0	\$ -	1	\$ 716.83
320-A	CATCH BASIN (PEDESTAL TYPE)	8	EA \$ 3,284.90	\$ 26,279.20	0	\$ -	8	\$ 26,279.20
500-A	PIPE BEDDING/PIPE FOUNDATION MATERIAL	126	CY \$ 53.77	\$ 6,775.02	0	\$ -	126	\$ 6,775.02
500-B	SELECT SANDY BACKFILL	236	CY \$ 21.83	\$ 5,151.88	0	\$ -	236	\$ 5,151.88
510-A	CONCRETE DRIVE RESTORATION	65	SY \$ 44.94	\$ 2,921.10	0	\$ -	65	\$ 2,921.10
510-B	VEGETATIVE COVER	950	SY \$ 2.14	\$ 2,033.00	0	\$ -	950	\$ 2,033.00
510-C	MISCELLANEOUS RESTORATION	1	LS \$ 3,210.00	\$ 3,210.00	0	\$ -	1	\$ 3,210.00
520-A	MAINTENANCE OF TRAFFIC	1	LS \$ 8,025.00	\$ 8,025.00	0	\$ -	1	\$ 8,025.00
530-A	STORMWATER MANAGEMENT	1	LS \$ 2,675.00	\$ 2,675.00	0	\$ -	1	\$ 2,675.00
CO1-1	INSTALLATION OF CONCRETE COLLAR	0	LS \$ 1,500.00	\$ -	1	\$ 1,500.00	1	\$ 1,500.00
				<b>TOTAL BASE BID:</b>		<b>\$ 146,313.88</b>		<b>\$ 146,313.88</b>
						<b>\$ (853.82)</b>		<b>\$ 145,460.06</b>

\* \* \* \* \*

EJCDC No. C-341 (2002 Edition)  
Provided by the Engineer/Architect/Contractor Document Committee and adopted by the  
Associated General Contractors of America and the Associated Builders and Contractors

## Minutes of November 15, 2022 Mayor and Board of Aldermen

There came on for discussion Water/Sewer Services on Ferguson Avenue, whereupon Public Works Director Joe Culpepper provide the following:

### **Kini Gonsoulin**

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**From:** Joe Culpepper <joe.culpepper@h2oinnovation.com>  
**Sent:** Wednesday, November 9, 2022 11:19 AM  
**To:** Kini Gonsoulin  
**Cc:** George Bass (geobass1954@gmail.com)  
**Subject:** Jay Levens on Ferguson Ave.  
**Attachments:** FERGUSON AVE.PROPOSED.pdf; City Tap Cost Ferguson.pdf

Kini,

Jay Leven owns two lots on the north side of Ferguson. There is no sewer and water for these lots and Jay has offered to do the work needed to get utilities up to his lots, if the city will supply the materials.

Attached is a list and price for these materials. I have also attached a sketch of the proposed work.

The City is obligated to service these lots.

Can you please place this under my heading for the next meeting.



**Joe Culpepper**  
 Project Manager  
 T: 228-861-8457  
 E: joe.culpepper@h2oinnovation.com  
 Long Beach, United States  
 www.h2oinnovation.com



N'imprimer que si nécessaire - Print only if necessary

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**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

City Tap Cost: Ferguson				
Date: 11-08-22				
SEWER AND WATER TAP				
<b>MATERIALS:</b>				
<b>QTY.</b>		<b>ITEM</b>	<b>PRICE</b>	<b>TOTAL</b>
1	EA	8"X6" TEE	\$66.27	\$66.27
2	EA	CLEAN OUT ASSEMBLY'S	\$53.04	\$106.08
252	FT	8" SDR 26	\$16.62	\$4,188.24
14	FT	8" DUCTILE	\$36.20	\$506.80
1	EA	4" GATE VALVE	\$617.76	\$617.76
1	EA	4"X 6" REDO	\$69.30	\$69.30
2	EA	6" MEGLUG	\$57.81	\$115.62
3	EA	4" MEGLUG	\$48.56	\$145.68
4	EA	2" GATE VALVE	\$35.44	\$141.76
160	FT	6" C900	\$15.44	\$2,470.40
2	EA	2"X 6" SADDLE	\$39.60	\$79.20
		<b>TOTAL MATERIAL COST</b>		<b>\$8,507.11</b>
<b>EQUIPMENT:</b>				
<b>QTY.</b>		<b>ITEM</b>	<b>PRICE</b>	<b>TOTAL</b>
		<b>TOTAL EQUIPMENT COST</b>		<b>\$0.00</b>
<b>LABOR:</b>				
		<b>LABOR</b>		<b>TOTAL</b>
				<b>\$0.00</b>
		<b>TOTAL LABOR COST</b>		<b>\$0.00</b>
<b>FUEL:</b>				
				<b>TOTAL</b>
		<b>TOTAL MATERIAL COST</b>		<b>\$8,507.11</b>
		<b>TOTAL EQUIPMENT COST</b>		<b>\$0.00</b>
		<b>TOTAL LABOR COST</b>		<b>\$0.00</b>
		<b>TOTAL</b>		<b>\$8,507.11</b>
<b>PLEASE REMIT MATERIAL AND EQUIPMENT COST TO:</b>				<b><u>\$8,507.11</u></b>
City of Long Beach				
P.O. Box 591				
Long Beach, MS 39560				
<b>PLEASE REMIT LABOR &amp; FUEL COST TO:</b>				<b><u>\$0.00</u></b>
H2O Innovation				
P.O. Box 591				
Long Beach, MS 39560				
<b>TOTAL WATER TAP FEE COST</b>				<b>\$8,507.11</b>



Minutes of November 15, 2022  
Mayor and Board of Aldermen



After continued discussion and upon the advice of the City Attorney, Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to authorize the purchase of materials as stated in the aforesaid and accept the donation of labor from property owner Jay Levens.

\*\*\*\*\*

There came on for discussion ADA Ramps in Castine Point Subdivision, whereupon Public Works Director Joe Culpepper apprised the Mayor and Board approximately a dozen ramps need to be constructed in Phase I of Castine Point to allow residents to access the cluster mailboxes. Mr. Culpepper stated that if they were to



**Minutes of November 15, 2022  
Mayor and Board of Aldermen**

be constructed in-house they would cost around \$500 each, but if they were outsourced, the cost would be closer to \$1,000 each. After continued discussion, Alderman McGoey made motion seconded by Alderman Parker and unanimously carried to contact the US Postal Service and request cost sharing since the cluster mailboxes were required by the Post Office.

\*\*\*\*\*

The Mayor recognized the City Attorney for his report, whereupon no action was required or necessary.

\*\*\*\*\*

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

\*\*\*\*\*

APPROVED:

\_\_\_\_\_  
Alderman Donald Frazer, At-Large

\_\_\_\_\_  
Alderman Patrick Bennett, Ward 1

\_\_\_\_\_  
Alderman Bernie Parker, Ward 2

\_\_\_\_\_  
Alderman Angie Johnson, Ward 3

\_\_\_\_\_  
Alderman Timothy McCaffrey, Jr., Ward 4

\_\_\_\_\_  
Alderman Mike Brown, Ward 5

\_\_\_\_\_  
Alderman Pete L. McGoey, Ward 6

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Kini Gonsoulin, Deputy City Clerk