

**Minutes of January 16, 2024
Mayor and Board of Aldermen**

**MUNICIPAL DOCKET
REGULAR MEETING OF JANUARY 16, 2024
THE MAYOR AND BOARD OF ALDERMEN
THE CITY OF LONG BEACH, MISSISSIPPI
5:00 O'CLOCK P.M. LONG BEACH CITY HALL, 201 JEFF DAVIS AVE.

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL AND ESTABLISH QUORUM**
- IV. PUBLIC HEARINGS**
- V. ANNOUNCEMENTS; PRESENTATIONS; PROCLAMATIONS**
- VI. AMENDMENTS TO THE MUNICIPAL DOCKET**
- VII. APPROVE MINUTES:**
 - 1. MAYOR AND BOARD OF ALDERMEN**
 - a. January 2, 2024 Regular
 - b. January 2, 2024 Executive Session
 - c. January 9, 2024 Work Session
 - 2. PLANNING & DEVELOPMENT COMMISSION**
 - a. January 11, 2024 Regular
- VIII. APPROVE DOCKET OF CLAIMS NUMBER(S):**
 - 1. 011624**
- IX. UNFINISHED BUSINESS**
 - 1. 2023 Paving Plan**
- X. NEW BUSINESS**
 - 1. Eagle Scout Project – Tobin Loftus; Courtyard at Long Beach Library**
 - 2. Grant Award & Agreement – MS Library Comm.; Collection Development 2024**
 - 3. Sheri Messino – Bullard living at 106 N. Lang**
 - 4. CSX Railroad Crossing update**
 - 5. LED Stop Sign Purchase – Alderman Brown**
 - 6. Police Servers & Body Cameras – Alderman Brown**
 - 7. Cemetery Ordinance; Fees & Services – Alderman Frazer**
 - 8. Sidewalk Ordinance – Alderman Brown**
 - 9. 208 Lantana Blvd.**
- XI. DEPARTMENTAL BUSINESS**
 - 1. MAYOR'S OFFICE**
 - 2. PERSONNEL**
 - a. Police Dept – New Hire (1), Step Increase (7)
 - b. Fire Dept – Resignation (1)
 - 3. CITY CLERK**
 - a. Revenue Expense Report – December 2023
 - b. Budget Amendment FY 24 – Streets & Drainage
 - c. City Depository Bid Award
 - 4. FIRE DEPARTMENT**
 - a. Part-Time Employees
 - b. Add Kux Road to Long Beach Fire District
 - 5. POLICE DEPARTMENT**
 - 6. ENGINEERING**
 - a. Change Order – J.E. Borries, Inc.; Harbor SE Shoreline Bulkhead
 - b. 500 W. Railroad Drainage Issues
 - 7. PUBLIC WORKS**
 - 8. RECREATION**
 - 9. BUILDING OFFICE**
 - 10. MUNICIPAL COURT**
 - 11. HARBOR**
 - 12. COMMUNITY AFFAIRS**
 - 13. DERELICT PROPERTIES**
 - a. 108 Park Row Ave – Assess Cleanup & Penalty
 - b. 0 Via Don Ray – Assess Cleanup & Penalty
- XII. REPORT FROM CITY ATTORNEY**
- XIII. ADJOURN (OR) RECESS**

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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 January, 2024, 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, Angie Johnson, Timothy McCaffrey, Jr., Mike Brown, Pete L. McGoey, Deputy City Clerk Kini Gonsoulin, and City Attorney Stephen B. Simpson, Esq.

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

At the request of Mayor Bass, Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to suspend the rules and add item a. Repeater Installation Agreement under Departmental Business #5. Police Department.

Alderman McCaffrey made motion seconded by Alderman Frazer and unanimously carried to approve the following sets of minutes of the Mayor and Board of Aldermen, as submitted:

- January 2, 2024 Regular
- January 2, 2024 Executive Session
- January 9, 2024 Work Session

Alderman Brown made motion seconded by Alderman McGoey to approve the January 11, 2024 minutes of the Planning & Development Commission, as submitted. After discussion, Alderman Frazer offered substitute motion seconded by Alderman Brown and unanimously carried to approve the January 11, 2024 minutes of the Planning & Development Commission, as submitted with the following conditions in relation to item New Business #2. Certificate of Resubdivision – 0 North Nicholson Ave., submitted by MSL Properties:

- The City will allow private grinder stations along N. Nicholson Ave.
- The private grinder stations will connect to the existing City 2" force main in the right of way.

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- The private connections will be installed in a cast iron meter box with a shut-off valve and check valve.
- The City will take no ownership or responsibility of the installation, operation or maintenance of the private grinder stations.

Alderman McGoey made motion seconded by Alderman Brown and unanimously carried to pay invoices listed on Docket of Claims number 011624.

There came on for discussion 2023 Paving Plan, whereupon City Engineer David Ball provided the following:



**OVERSTREET
& ASSOCIATES**
CONSULTING ENGINEERS

overstreeteng.com
161 Lameuse St. Suite 203
Biloxi, MS 39530
228.967.7137

January 12, 2024

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

RE: 2023 Paving Plan

Ladies and Gentlemen:

At the last meeting, the Mayor and Board requested revisions to the proposed paving plan to allow for delays in paving Railroad St. to a later period/budget, modifications to the estimate for paving Pineville Rd. in recognition of the intersection improvements at Pineville/Railroad which are currently under contract, and other similar modifications.

The below table with footnotes represents the requested modifications:

ROAD	WORK TYPE(S)	ESTIMATED PROJECT COST	CUMULATIVE COST
1 Pineville Rd. (Royal - Beatline)	Microsurface, Striping	\$106,200	\$106,200
2 Pineville Rd. (Froogel's - RR)	Shoulder Stabilization	\$123,800	\$230,000
3 Pineville Rd. (Froogel's - RR)	Edge Mill, Overlay, Striping	\$154,900	\$384,900
4 Pineville Rd. (Espy - Beatline)	2' Max. Strip Widening	\$133,100	\$518,000
5 Pineville Rd. (Espy - Beatline)	Overlay, Striping	\$227,700	\$745,700
6 Beatline Rd. (Canal 1 - Railroad)	Overlay, Striping	\$115,500	\$861,200
7 Commission Rd. (Daugherty - Klondyke)	Overlay, Striping	\$369,600	\$1,230,800
8 Gates Ave.	Overlay	\$58,800	\$1,289,600
9 Regal Dr.	Edge Mill, Overlay	\$13,600	\$1,303,200
10 Congress Pl.	Edge Mill, Overlay	\$3,000	\$1,306,200
11 Edwards Dr.	Edge Mill, Overlay	\$7,300	\$1,313,500
12 Magnolia St.	Microsurface	\$48,600	\$1,362,100
13 S. Lang Ave.	Microsurface	\$19,500	\$1,381,600
14 White Harbor Rd.	Microsurface	\$25,700	\$1,407,300
15 Cleveland Ave.	Microsurface	\$21,900	\$1,429,200
16 4th St.	Microsurface	\$13,900	\$1,443,100
17 Old Pass Rd	Microsurface	\$25,900	\$1,469,000
18 Cypress Dr.	Edge Mill, Overlay	\$15,700	\$1,484,700

Biloxi | Long Beach | Pascagoula | Daphne

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19	North Forest Ave.	Edge Mill, Overlay	\$56,300	\$1,541,000
20	Evergreen Dr.	Edge Mill, Overlay	\$56,000	\$1,597,000
21	Hickory Dr.	Edge Mill, Overlay	\$52,900	\$1,649,900

Total "Phase 1" Paving Cost Estimate \$1,649,900

- 1 This represents our estimate of the cost to stabilize the shoulder of Pineville Rd., mostly along the west edge of pavement where the ditch is very close; the recommended method to stabilize the shoulder is via culvert installation; included based on instructions at the previous meeting
- 2 This estimate was modified to exclude the small area of pavement which will be performed as part of the Pineville/Railroad intersection improvements which is already under contract.
- 3 Estimate for this work added by request of Mayor and/or Aldermen
- 4 Assumes that the widening of this segment can be varied & constructed without construction of drainage/culvert systems, which should be possible. Maximum widening will be 2' but some segments may be less.

As noted previously, most of these road recommendations come directly from the City's Road Rehab/Maintenance planning tool as prepared by SMPDD and are therefore based on the highest benefit-cost ratio, but some are included based on conversations with the Mayor or Aldermen.

The final column indicates the running cost if the road rehab segments were selected in numerical order. Previously, the City has approved an initial "Phase 1" expenditure of \$1.2 million, leaving approximately \$150,000 as contingency (to cover unforeseen construction costs or to be spent on additional paving efforts in "Phase 2").

Based on the City's direction, we will begin preparing to perform the work, either by use of the City's current conventional asphalt term bid or by partnering with the County on their pavement preservation term bid.

Sincerely,

 David Ball, P.E.

DB:1271

After continued discussion, and based on recommendation of Mr. Ball, Alderman McGoeY made motion seconded by Alderman Brown and unanimously carried to authorize the paving of the first seven roads on the foregoing list.

Mayor Bass recognized Mr. Tobin Loftus of Boy Scout Troop 205 who requested to improve the children's courtyard at the Long Beach Library as an Eagle Scout project. His project would include removing and relocating a camelia bush, trimming shrubbery, cleaning engraved brick walkway and adding two small reading benches and an ADA accessible picnic table. After thanking Mr. Loftus' efforts to improve the City, Alderman Parker made motion seconded by Alderman Frazer and unanimously carried to approve the foregoing request.

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Alderman McGoey made motion seconded by Alderman Brown and unanimously carried to approve the following Subgrant Award & Agreement with Mississippi Library Commission for Collection Development 2024, and authorize the Mayor to execute same:



IMLS LSTA Funds SUBGRANT AWARD AND AGREEMENT



Starting Date of Subgrant Agreement: **07/01/2023** Closing Date of Subgrant Agreement: **5/31/2024**

This agreement is made between the **Mississippi Library Commission (MLC)** and the **Library/Library System** named below which shall hereby be known/referred to as the Subgrantee.

SUBGRANTEE: Long Beach Public Library
209 Jeff Davis Avenue
Long Beach, MS 39560

This Subgrant Agreement is made for the following project and amounts:

SUBGRANT: Project Number: **FIA24-25-0** Project Title: **Collection Development 2024**
Program: **Information Access** Subgrant Award: **\$1,989.08**

Dear Denise,

Congratulations on your LSTA Funds Subgrant award. LSTA funding is being awarded as subgrants to allow funding for libraries to determine what services are best needed in their communities and provide funds for the resources to meet those needs. To accept this subgrant, print out a copy of this award letter and agreement form, sign it, scan it, and then email the scanned copy to grantsprog@mlc.lib.ms.us.

This subgrant is made available through the Institute of Museum and Library Services (IMLS), a federal grant-making agency. Federal regulations require a grant file be retained until January 2032, a minimum of three (3) years after the Library Commission submits its final expenditure report. By signing and returning this agreement, you acknowledge that this project is subject to a compliance audit which means a grant folder must be kept at your library, properly labeled with the project number and should contain (at the least):

- Grant application
- Signed copy of the Subgrant Award and Agreement
- Invoices or other payment documentation
- All reimbursement requests and related correspondence (including any emails with MLC which affect the grant)
- Evaluations
- MLC Grant Manual

Important Dates:

- Subgrant funds open July 1, 2023 and close May 31, 2024.
- Application opens July 1, 2023 and closes May 1, 2024.
- Subgrant reimbursement requests received (and approved) by the 10th of each month will be processed for payment in that month. Those received after the 10th (and approved) will process the next month.
- Final date to submit all reimbursement requests is June 10, 2024.

By the Authorized Official for Subgrantee signing below, Subgrantee agrees to accept the award listed above and understands and agrees to adhere to all deadlines listed herein and further agrees and certifies compliance with the points listed above, as well as all information set forth in MLC's LSTA Program Manual, the Subgrantee's IMLS LSTA Funds Subgrant Application, and all applicable federal regulations.

Jennifer Lena
Mississippi Library Commission, LSTA Coordinator

January 08, 2024

Date

George Brown
Authorized Official for Subgrantee

1-17-24

Date

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There came on for discussion Marcus Bullard still living at 106 N. Lang Ave., whereupon Mayor Bass recognized Ms. Sherri Messino of 102 N. Lang Ave., who expressed concern of the living conditions and trash accumulated at said location. After further discussion, Alderman Bennett made motion seconded by Alderman McGoey and unanimously carried to direct Building Official Mike Gundlach to start the adjudication process again on 106 N. Lang Ave.

There came on for discussion CSX Railroad Crossing update, whereupon Mayor Bass recognized Mr. David Seyfarth, Senior Project Manager at Neel-Schaffer who provided the following:

Estimated Timeline or Long Beach Rail Crossing Improvements Project

Day 0	CSX issues costs to MDOT Rails Division proceed to Rails Agreement process
Day 1	NS SUBMITS PS&E to MDOT
+21 days	MDOT authorizes contract for bid
+7 days	Long Beach advertises Project
+22 Days	Minimum to receive/open Bids
+14 days	Long Beach Awards project contingent on MDOT/MTC concurrence
+14 days	MTC concurs in award of project/Long Beach Issues Notice of Award to Contractor
+1 day	Long Beach Issues Notice of Award to Contractor
+60 days	NTP for construction
+275 days	Approximate final completion of project. (130 working days)

Approximately 14-16 Months from time CSX issues cost to MDOT Rails Division until project is accomplished (estimated time for total process 440 days)

No further action was required or taken.

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There came on for discussion LED Stop Sign Purchase, whereupon Alderman Brown made motion seconded by Alderman McCaffrey to purchase said stop signs per the following quote. After further discussion, Alderman Frazer made substitute motion seconded by Alderman McGoey and unanimously carried to authorize purchase of the stop signs per the following quote and authorize the purchase of 4 decorative sign posts at \$460 each:

Quote

LED Lighting Solutions
42410 Winchester Rd
Temecula, CA, 92590
Phone: 888-925-1966
Web: www.ledlighting-solutions.com

Order No.: EST11135
Order Date: 1/8/2024
Expiration Date: 2/7/2024
Customer ID: C007444

BILL TO:
Long Beach, Mississippi
404 Kohler St
Long Beach MS 39560-4573
United States of America
Attn: Mike Glass

SHIP TO:
Long Beach, Mississippi
404 Kohler St
Long Beach MS 39560-4573
United States of America
Attn: Mike Glass
mglass228@gmail.com
228-863-0440

CUSTOMER P.O. NO.	TERMS	CONTACT	SHIP VIA				
	Due Upon Receipt		UPS® Ground				
NO.	ITEM	QTY.	UOM	PRICE	DISC.	DISC. PRICE	EXTENDED PRICE
1	LG-R11XX-0030-EGR-RED-RLD: Legacy Series: R1-1 30" Flashing Perimeter LEDs "STOP" Sign - Engineer Grade Reflective Sheeting - Requires: 12V Junction Box	8.0000	EACH	889.9900	0%	889.9900	5,399.94
2	SCNTL-003-7200-12V-D-SF: Solar Flashing Control Box - Single Flash - Includes: PCB, 15W/18V Solar Panel, Battery (12V/7200mAh) and bluetooth - With Timer Control Work Mode Functions - Dimmable Function (Only available with Helios Signs)	6.0000	EACH	0.0000	0%	0.0000	0.00
3	SIGN-HDWR-003: Hardware for LED Flashing Traffic Signs - Kit includes 2) Fully notched Metal Band Brackets and 2 Sign Bracket Sliders	6.0000	EACH	0.0000	0%	0.0000	0.00

NOTE: Thank you for choosing LED Lighting Solutions
NET 30 terms offered with formal PO
In stock (subject to availability at time of purchase)
Sales tax not applicable
UPS Ground shipping quoted
Estimate good for 30 days

Sales Total: 5,399.94
Freight & Misc.: 126.78
Less Discount: 0.00
Tax Total: 0.00
Total (USD): 5,526.72

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There came on for discussion Police Servers & Body Cameras, whereupon Alderman Brown made motion seconded by Alderman McCaffrey to authorize purchase of two servers needed for dispatch and police department at a cost of \$104,000. The question being put to a roll call vote by the Mayor, the result was as follows:

Alderman Donald Frazer	voted	Aye
Alderman Patrick Bennett	voted	Nay
Alderman Bernie Parker	voted	Aye
Alderman Angie Johnson	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Mike Brown	voted	Aye
Alderman Pete McGoey	voted	Aye

The question having received the Affirmative vote of a majority of the Aldermen present and voting, the Mayor declared the motion carried.

There came on for discussion Cemetery Ordinance; Fees and Services, whereupon Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to direct City Attorney Steve Simpson to draft an amendment to the Cemetery Ordinance #588 to include the following changes:

- Increase price per plot to \$1,500
- Allow up to one casket or four urns per plot with one headstone
- Increase disinterment fee to \$750
- Increase cemetery fee for open/close for a casket to \$750
- Increase cemetery fee for open/close for an urn to \$250 for the first in each plot and \$400 for the second through fourth urn in each plot
- Discontinue Saturday & Holiday burials

There came on for discussion Sidewalk Ordinance, whereupon Alderman McCaffrey made motion seconded by Alderman Brown and unanimously carried to direct City Attorney Steve Simpson to draft an amendment to the Sidewalk Ordinance removing the in lieu of payment requirement for sidewalk variances.

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There came on for discussion 208 Lantana Blvd., whereupon Mayor Bass recognized the property owner Mr. Christopher Sanchez, who apprised the Board of flooding issues he experiences due to his rear neighbor's fence encroaching onto the City's right of way behind his house. After continued discussion, Alderman McGoey made motion seconded by Alderman McCaffrey to direct City Attorney Simpson to send a demand letter to remove the encroaching fence. After further discussion, Alderman Frazer offered substitute motion seconded by Alderman McCaffrey to direct City Attorney Simpson to send demand letters to all property owners whose fence encroach onto the City's right of way behind Old Town Gardens.

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

Police Department:

- New Hire, Police Officer 1st Class Tony Duncan, PS-9-II, effective February 1, 2024
- Step Increase, Sergeant Jeremy Bammert, PS-11-VIII, effective February 16, 2024
- Step Increase, Sergeant David Butler, PS-11-VI, effective February 16, 2024
- Step Increase, Police Officer 1st Class Jeremy Castillon, PS-9-II, effective February 1, 2024
- Step Increase, Police Officer 1st Class Joey Denton, PS-9-I, effective February 1, 2024
- Step Increase, Sergeant Scott Grady, PS-11-VI, effective February 16, 2024
- Step Increase, Police Officer 1st Class James Hammer, PS-9-III, effective February 16, 2024
- Step Increase, Dispatcher 1st Class Danielle Zeigler, PS-3-II, effective February 1, 2024

Fire Department:

- Resignation, Driver/Operator Lionel Viera, effective January 15, 2024

Alderman Brown made motion seconded by Alderman Frazer and unanimously carried to accept the December 2023 Revenue/Expense Report, as submitted.

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Alderman McCaffrey made motion seconded by Alderman McGoey and unanimously carried to approve the following Budget Amendment FY 24 for Streets & Drainage:

City of Long Beach
Budget Amendment Request

Fund Name General Fund Date 1/16/2024
Department # 311 Budget Entry # _____
Department Name Streets & Drainage

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Equipment Maintenance 3115-612200	50,000	-	1,920	51,920
Insurance Proceeds		-	(1,920)	(1,920)
		-		-

Amendment to budget insurance proceeds for damaged tractor.

Amendment #3



TO: KINI GONSOULIN
FROM: JOE CULPEPPER, DIRECTOR OF PUBLIC WORKS
RE: TRANSFER OF FUNDS
DATE: JANUARY 2, 2024

Kini,

This is to request that the City approve transferring \$1,920.00 to 311-612200 – Street Department – Equipment Maintenance.

This amount is for the check in the same amount that Geico Insurance sent in error to the City of Long Beach, instead of to the vendor, Crain Tractor.

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

Thank you.

Joe

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Based on the following recommendation of Comptroller Kini Gonsoulin, Alderman McGoey made motion seconded by Alderman McCaffrey and unanimously carried to award the City's Depository to The Peoples Bank for the next four years:

Finance Office

Memo

To: Mayor and Board of Aldermen
From: Kini Gonsoulin
Date: 1/12/2024
Re: Municipal Depositories Bid 2024

We received three qualified proposals from the following banks:

Hancock Whitney Bank
The Peoples Bank
Cadence Bank

After reviewing their submittals, I have determined that although all three institutions have met the required qualifications, my recommendation is to award the City's Depository to The Peoples bank for the next four years as they offer the best interest rate and lowest fee structure.

I would also recommend that Hancock Whiteny Bank and Cadence Bank be considered for any future investment or borrowing needs of the City.

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

Alderman Brown made motion seconded by Alderman Parker and unanimously carried to approve the following request from Fire Chief Skellie to hire Part-Time Employees:

LONG BEACH FIRE DEPARTMENT

Chief Griff Skellie

645 Klondyke Road
Long Beach MS 39560

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

To: Mayor and Board of Aldermen
From: Fire Chief Griff Skellie
Date:1/10/2024
Ref: Part- Time Empolyees

Dear Mayor and Board

I am writing to you today to get your blessing for the Fire Department to hire some part-time help. This past year we lost 7-8 people due to retirement, and people looking to take other routes in their lives. With that said, we will be sending 7 new employees through the fire academy. They will be at the academy for 7 weeks at a time, and will leave their shifts shorthanded. We can work some of our people for over-time, but we are unsure if we will be able to cover all of the open positions.

I spoke with Mrs. Stacey about the difference in pay, between over-time and part-time employees, and it is a significant difference. Part-time employees will cost the city about 1/3 compared to over-time employees. Another plus with the part-time employees is those that we will allow to work will have extensive experience. This is something that we will use until the new employees are trained, and finished with the academy.

I appreciate your consideration.

Respectfully,



Fire Chief Griff Skellie

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Alderman Brown made motion seconded by Alderman McGoey and unanimously carried to approve the following request from Fire Chief Skellie to add Kux Road to the City of Long Beach's Fire District with a review to be completed in six months:

LONG BEACH FIRE DEPARTMENT
Chief Griff Skellie

645 Klondyke Road
Long Beach MS 39560

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

To: Mayor and Board of Aldermen
From: Fire Chief Griff Skellie
Date: 1/10/2024
Ref: Kux Road

Dear Mayor and Board

I am writing you today for your consideration of the Kux Road area to be added to our Fire District.

As you are aware LBFD will resume the coverage in the Long Beach Industrial Park when we move into the new fire station on Johnson Road. Chief Pat Sullivan has asked that we also add Kux Road to that fire district. In the past Long Beach Fire has covered this area, and have no problem serving it now. This area does not have water to fight fire with as of now. We would have a mutual aid response with Harrison County on any fires. They can provide water for us in those situations. We also plan on speaking to Supervisor Ladner to have several waterlines, and fire hydrants installed in the future.

I did speak to our Fire Rating Bureau representative about adding this to our coverage area, and he stated it would not affect our fire rating at all.

I'm seeking your approval before I take any action.

Thank you for your consideration

Respectfully,



Fire Chief Griff Skellie

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Alderman Brown made motion seconded by Alderman McCaffrey and unanimously carried to approve the following Repeater Installation Agreement with C Spire Wireless and authorize the Mayor to execute same:

REPEATER INSTALLATION AGREEMENT

This Repeater Installation Agreement (this "Agreement") is made this 12 day of January, 2024 (the "Effective Date"), by and between Long Beach Police Department ("Licensor") and Cellular South, Inc., the provider of C Spire Wireless service ("Licensee"). Licensor and Licensee are sometimes referred to collectively herein as the "Parties" and individually as a "Party."

RECITALS:

WHEREAS, Licensor currently purchases wireless telephone service from Licensee; and

FURTHERMORE, Licensor has requested that Licensee, and Licensee has agreed to, install a wireless telecommunications repeater at Licensor's location on the terms and conditions set forth herein.

NOW, THEREFORE, premises considered and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties hereto agree as follows.

WITNESSETH:

1. Definitions. Licensor and Licensee agree that the respective terms as used herein shall, unless the context otherwise requires, have the following meanings:

"Site" means Licensor's real property located at 201 Alexander Rd., Long Beach, MS 39560.

"Repeater Site" means the applicable portions of the Site designated by Licensor as Site space, any necessary route of ingress and egress through the Site to reach the Repeater Site and connect Licensee's Repeater (as hereinafter defined) as specified on Exhibit A.

"Repeater" means the wireless telecommunications repeater described on Exhibit B attached hereto and all cabling, wiring, and accessories used therewith for its installation, operation, and maintenance on the Repeater Site.

Licensor and Licensee agree that capitalized terms defined elsewhere in this Agreement shall, unless the context requires otherwise, have the meaning there given.

2. License to Use. Subject to and upon the terms, provisions, and conditions hereinafter set forth, and in consideration of the duties, covenants, and obligations of Licensee hereunder, Licensor has granted and does hereby grant unto Licensee, a nonexclusive license (the "License") to use the Site for the installation, operation, and maintenance, at Licensee's sole expense and risk (except for the electricity required to operate the Repeater which will be paid for by Licensor in accordance with Section 5 of this Agreement), of Licensee's Repeater. Additionally, Licensor hereby grants unto Licensee rights of access, ingress, and egress to the

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Repeater and Repeater Site seven (7) days per week, twenty-four (24) hours per day with advance notice to Licensor by Licensee.

3. Term.

(a) The term of this Agreement shall commence on the Effective Date and shall continue for a period of two (2) years, unless earlier terminated pursuant to Section 3(b) of this Agreement (the "Term"). At the end of the Term, this Agreement shall continue in full force and effect on a month-to-month basis cancelable by either Party upon thirty (30) days written notice to the other Party.

(b) The permission granted to Licensee to use the Site granted by this Agreement may be canceled by Licensor for any breach by Licensee of its obligations under this Agreement if such breach, after written notice of such noncompliance has been given to Licensee, continues for thirty (30) days after Licensee's receipt of written notice of breach from Licensor or Licensee has failed to take action to cure the breach within the aforementioned thirty (30) day period (for those breaches which cannot reasonably be cured within thirty (30) days). Licensee may cancel this Agreement at any time during the Term upon thirty (30) days written notice to the Licensor in the event (i) Licensee is for any reason unable to operate its Repeater in compliance with all applicable specifications at the Site, (ii) Licensor breaches any of its obligations under this Agreement and fails to cure such breach within thirty (30) days of receipt of notice from the Licensee; or (iii) Licensor discontinues its purchase of cellular telephone services from Licensee.

4. Consideration. Licensee agrees to install the Repeater at the Site solely at Licensee's expense. In exchange therefore, Licensor (a) grants Licensee the License to use the Site as set forth herein during the Term, and (b) agrees to enter into a minimum of a two (2) year contract with Licensee for cellular telephone services.

5. Electrical and Telecommunications Facilities. Licensor shall allow Licensee to hook up the necessary electrical power line or lines to the Repeater in order to furnish sufficient power to operate the Repeater. Licensor shall be solely responsible for the payment of the cost of the electricity used by the Repeater. Additionally, Licensor shall allow Licensee to connect the Repeater by "T-1" or other telecommunications wire and/or cable to the telecommunications facility termination point located on the Site in order to interconnect the Repeater with landline telecommunication facilities, if necessary. Licensee shall be solely responsible for obtaining such landline telecommunication facilities as are necessary to operate the Repeater, including any fees and expenses in connection therewith.

6. Assignment and Sublicensing. Neither Party may assign this Agreement or its rights hereunder without the prior written consent of the other Party; provided, however, Licensee may assign or sublicense this Agreement or its rights hereunder as required by its lender, or by or to its parent or sister corporation, or to a purchaser of all or substantially all of its assets or stock.

7. Removal of Repeater. Licensee may remove its Repeater at any time after termination of this Agreement. Licensee shall take care to leave the Repeater Site in the same condition as it was at the time of installation, reasonable wear and tear excepted. Licensor shall

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**Minutes of January 16, 2024
Mayor and Board of Aldermen**

inspect the Repeater Site following the removal of the Repeater(s) and shall notify Licensee of any damages to the Repeater Site caused by Licensee, if any, which need to be repaired by Licensee.

8. Insurance; Waiver of Subrogation. Both Parties shall at all times during the Term of this Agreement maintain such policies of property and casualty insurance as are necessary to fully insure their respective property interests. Such policies shall name the other Party as an additional insured. In addition, each Party shall maintain workers' compensation insurance as required by Mississippi law.

Licensor and Licensee agree to release each other from and against any and all loss of or damage to property arising out of or incident to any peril required to be insured against in this License. The effect of such release is not limited to the amount of insurance actually carried or required to be carried, to the actual proceeds received after a loss, or to any deductibles applicable thereto. Each Party shall have the insurance company that issues property and casualty coverage and workers' compensation coverage waive any rights of subrogation and shall have the insurance company include an endorsement acknowledging this waiver, if necessary. Any cost associated with obtaining such a waiver from each Parties' insurance company shall be borne by that Party. Either Party's failure to carry the required insurance shall not invalidate this waiver.

9. Licensee's Property. At all times the Repeater shall remain the sole personal property of Licensee and nothing herein shall be construed as the Repeater becoming a fixture, attachment, or otherwise appurtenant to Licensor's real property. Licensor shall not cause or allow any liens, encumbrances, or security interests, including without limitation any mechanic's or material men's liens, to attach to Licensee's Repeater, and in the event such a lien, encumbrance, or security interest does occur or attach to the Repeater, Licensor shall immediately take all necessary steps to procure the release of any such lien, encumbrance, or security interest.

10. Notice. Any notice, communication, request, reply or advise (herein severally and collectively, for convenience, called "notice") in this Agreement provided or permitted to be given, made, or accepted by either party to the other must be in writing and shall effectively be given upon successful transmission by facsimile with a confirmative copy deposited in the U.S. Mail, first class, postage prepaid, on the date of such facsimile and addressed as follows:

If to Licensor:

Long Beach Police Department
201 Alexander Rd.
Long Beach, MS 39560

If to Licensee:

Cellular South, Inc. dba C Spire Wireless
1018 Highland Colony Parkway, Suite 520
Ridgeland, MS 39157
Attn: Craig Jackson – General Manager, Wireless Markets
Facsimile: (601) 974-7139

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**Minutes of January 16, 2024
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The Parties hereto and their respective heirs, successors, legal representative, and permitted assigns shall have the right from time to time at any time to change their respective addresses by giving the other Party at least fifteen (15) days prior notice of their new address.

11. Amendment. This Agreement may not be altered, changed, or amended, except by an instrument in writing signed by both Parties hereto.

12. Miscellaneous. The Agreement shall be binding upon and inure to the benefit of the permitted successors and assigns of Licensor and shall be binding upon and inure to the benefit of Licensee and any permitted successors and assigns. The pronouns of any gender shall include the other genders, and either the singular or the plural shall include the other.

All rights and remedies of Licensor and Licensee under this Agreement shall be cumulative and none shall exclude any other rights or remedies allowed by law. This Agreement is declared to be a Mississippi contract, and all of the terms thereof shall be governed by, and construed according to, the laws of the State of Mississippi. This Agreement may be executed in counterparts which may be delivered by facsimile, each of which shall be considered an original instrument, but all of which shall be considered one and the same Agreement and shall become binding when one or more counterparts have been signed by each of the Parties hereto and delivered to each of the other Parties hereto. This Agreement and the exhibits referred to herein constitute the entire understanding of the Parties with respect to the subject matter contained herein, and supersede all prior agreements and understandings between the Parties.

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IN TESTIMONY WHEREOF, the Parties hereto have executed this Agreement effective as of the Effective Date.

LICENSOR:

By: *[Signature]*
Its: Mayor

LICENSEE:

CELLULAR SOUTH, INC. dba C SPIRE WIRELESS

By: *Craig Jackson*
Its: _____

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**Minutes of January 16, 2024
Mayor and Board of Aldermen**

Alderman Brown made motion seconded by Alderman Johnson and unanimously carried to approve the following Change Order with J.E. Borries, Inc. for Southeastern Shoreline Bulkhead, and authorize the Mayor to execute same:



overstreeteng.com
161 Lameuse St., Suite 203
Biloxi, MS 39530
228.967.7137

January 10, 2024

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

**RE: Change Order No. 3
Long Beach Harbor – Southeastern Shoreline Bulkhead**

Ladies and Gentlemen:

Per the request of the City at an Oct. 31 meeting with the Contractor, we have attached a proposed change order for the installation of the remaining five (5) test piles needed for the Inner Bulkhead & Southern Quay bulkhead projects in the Long Beach Harbor. Similar to the pricing offered for the previous (2) test piles, the cost for these additional test piles is significantly higher than we would normally pay for pile installation; however, the increased cost is due to the separate mobilization and preparation of the test pile installation site, all of which is costly and time-consuming work which is not currently in the Contractor's scope of work. We do note that a time extension for this work has been included in the change order which includes casting and curing timelines, but additional time may be required if the geotechnical conditions require additional delay between driving and restriking.

The Contractor states that Gulf Coast Prestress can cast the piles within ten days of approval. Similar to the previous test piles, these expenses will need to be covered by available funding sources such as Tideland or other sources, per the advice of the City's construction manager. We request the City's approval of this change order.

Sincerely,

David Ball, P.E.

DB:1076
Attachment

Biloxi | Long Beach | Pascagoula | Daphne

<https://overstreetengms.sharepoint.com/sites/AllTeam/Shared Documents/docs/1076 - LB Harbor - SE Shoreline Bulkhead/90 CONSTRUCTION/20231117 1076 Recommend CO3.docx> Page 1/1

Minutes of January 16, 2024 Mayor and Board of Aldermen

Change Order

No. 3

Date of Issuance: 1/10/2024 Effective Date: 1/16/2024

Project:	Owner:	City of Long Beach	Owner's Contract No.:
Contract:	LB Harbor SE Shoreline Bulkhead		Date of Contract:
Contractor:	J.E. Borries, Inc.		Engineer's Project No.:
			1076

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

Description:

- Per the City's request, provide pay items needed for installation of five (5) total additional test pile for the Inner Bulkhead & Southern Quay bulkhead projects, with restrikes, and coordination with the 3rd-party geotechnical engineer.
- Adjust contract time for the installation of the needed test piles for the test pile program, based on a 4-day installation timeline for each test pile, including driving and restrike. Additional time may be required subject to the geotechnical recommendations for restrike delays.

Attachments: (List documents supporting change):

- Contractor's request.

CHANGE IN CONTRACT PRICE:

Original Contract Price:
\$2,529,098.00

(Increase) in Contract Price from previous Change Orders No. 1 to No. 2
\$89,694.00

Contract Price prior to this Change Order:
\$2,612,792.00

(Increase) in Contract Price due to this Change Order:
\$161,211.00

Revised Contract Price Incorporating this Change Order:
\$2,774,003.00

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working Days Calendar days
Substantial completion (days or date): 12/19/2023
Ready for final payment (days or date): _____


Change in Contract Time from previous Change Orders No. 1 to No. 2
Substantial completion (days or date): _____
Ready for final payment (days or date): _____

Contract Times prior to this Change Order:
Substantial completion (days or date): 12/19/2023
Ready for final payment (days or date): _____

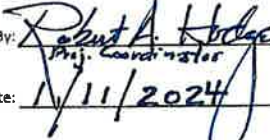
(Increase) in Contract Time due to this Change Order:
Substantial completion (days or date): 58
Ready for final payment (days or date): _____

Contract Times Incorporating this Change Order:
Substantial completion (days or date): 2/15/2024
Ready for final payment (days or date): _____

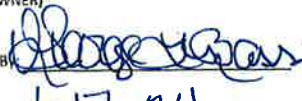
RECOMMENDED:
(ENGINEER)

By: 
Date: 1/12/2024

ACCEPTED:
(CONTRACTOR)

By: 
Date: 1/11/2024

ACCEPTED:
(OWNER)

By: 
Date: F-17-24

Minutes of January 16, 2024 Mayor and Board of Aldermen

PROJECT NO. 1076

3

ATTACHMENT TO CHANGE ORDER NUMBER

NO.	DESCRIPTION	CURRENT QUANTITY	UNIT PRICE	CURRENT CONTRACT AMOUNT	QUANTITY THIS C.O.	EXTENSION THIS C.O.	TOTAL CONTRACT QUANTITY	TOTAL CONTRACT AMOUNT
	BASE BID							
3-A	DEMOLITION & REMOVAL OF EXISTING OBSTRUCTIONS	11 L.S.	\$ 110,000.00	\$ 110,000.00			11	\$ 110,000.00
3-B	REMOVE EXISTING TIMBER PIER	1 L.S.	\$ 150,000.00	\$ 150,000.00			1	\$ 150,000.00
2-B	REMOVE EXISTING TIMBER PIER	1 L.S.	\$ 20,000.00	\$ 20,000.00			1	\$ 20,000.00
2-C	REMOVE AND REPLACE EXISTING RIP-RAP	31 L.S.	\$ 162,000.00	\$ 5,022,000.00			31	\$ 5,022,000.00
3-A	10" PRECAST CONCRETE SHEET PILES	9715 L.F.	\$ 92.00	\$ 893,790.00			9,715	\$ 893,790.00
3-B	REMOVAL OF BURIED DEBRIS	200 C.Y.	\$ 100.00	\$ 20,000.00			200	\$ 20,000.00
3-C	16"x16" PRECAST CONCRETE BULKHEAD PILING	3953 L.F.	\$ 153.00	\$ 603,009.00			3,953	\$ 603,009.00
3-D	10"x16" PRECAST CONCRETE BULKHEAD PILING (WITH ADDITIONAL DRIVING)	35 L.F.	\$ 250.00	\$ 8,750.00			35	\$ 8,750.00
3-E	16"x16" PRECAST CONCRETE BULKHEAD PILING (WITHOUT ADDITIONAL DRIVING)	35 L.F.	\$ 200.00	\$ 7,000.00			35	\$ 7,000.00
4-A	CAST IN PLACE CONCRETE PILE CAP	189 C.Y.	\$ 1,598.00	\$ 2,999,434.00			189	\$ 2,999,434.00
4-B	CAST IN PLACE STEIN WALL	38 C.Y.	\$ 1,225.00	\$ 46,550.00			38	\$ 46,550.00
5-A	CLEAN SAND FILL A4.1 MM	2000 C.Y.	\$ 35.00	\$ 70,000.00			2,000	\$ 70,000.00
5-B	SHIP RAP 1.5MM	389 C.Y.	\$ 170.00	\$ 66,130.00			389	\$ 66,130.00
310-A	15" REINFORCED CONCRETE PIPE	72 L.F.	\$ 170.00	\$ 12,240.00			72	\$ 12,240.00
310-B	CATCH BASIN, SS-2 TYPE	21 E.A.	\$ 9,000.00	\$ 189,000.00			21	\$ 189,000.00
300-B	BORROW EXCAVATION, M1, LUM, CLASS P-3	205 C.Y.	\$ 35.00	\$ 7,175.00			205	\$ 7,175.00
510-A	2" HOT BITUMINOUS PAVEMENT SURFACE COURSE (ST 3.2.5 MM MAX)	505 S.Y.	\$ 49.00	\$ 24,745.00			505	\$ 24,745.00
510-B	REINFORCED CONCRETE PAVEMENT	605 S.Y.	\$ 120.00	\$ 72,600.00			605	\$ 72,600.00
510-C	CONCRETE CURB AND GUTTER INSTALLATION OR RESTORATION	200 L.F.	\$ 56.00	\$ 11,200.00			200	\$ 11,200.00
CO1-1	REMOBILIZATION FOR ADULT TEST PILE	1 L.S.	\$ 5,436.00	\$ 5,436.00			1	\$ 5,436.00
CO1-2	SUPPORT PILE DRIVING ANALYZING TEST FOR ADULT TEST PILE	1 L.S.	\$ 6,586.00	\$ 6,586.00			1	\$ 6,586.00
CO1-3	PILE CUT-OFF AND DRILING DOWNHOLES	1 L.S.	\$ 892.00	\$ 892.00			1	\$ 892.00
CO1-4	ADDITIONAL RESTRIKE (UP TO 72 HOURS AFTER PDA TEST)	0 E.A.	\$ 2,000.00	\$ -			0	\$ -
CO1-5	ADDITIONAL RESTRIKE STAND BY (MORE THAN 72 HOURS AFTER PDA TEST)	0 DAY	\$ 2,364.00	\$ -			0	\$ -
CO2-1	EASTERN BULKHEAD - ADDITIONAL TEST PILE INSTALL & RESTRIKE	2 E.A.	\$ 34,297.50	\$ 68,595.00			2	\$ 68,595.00
CO2-2	SOUTHERN QUAY - ADDITIONAL TEST PILE INSTALL & RESTRIKE	0 E.A.	\$ 31,302.00	\$ -	3	\$ 93,906.00	3	\$ 93,906.00
CO2-3	INNER BULKHEAD - ADDITIONAL TEST PILE INSTALL & RESTRIKE	0 E.A.	\$ 33,652.50	\$ -	2	\$ 67,305.00	2	\$ 67,305.00
	TOTAL CHANGE ORDER AMOUNTS			\$ 2,612,792.00		\$ 161,211.00		\$ 2,774,003.00

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J.E. BORRIES, INC.

16701 HAY 57
VANCLEAVE, MS 39565
PHONE: (228) 826-4947
FAX: (228) 826-2251

January 2, 2024

Overstreet & Associates

161 Lameuse Street

Biloxi, MS 39530

ATTN: Mr. David Ball, P.E.

REF: Testing of 3 Each 14" X 65' and 2 Each 16" X 50' Prestressed Piles for

Long Beach Harbor Eastern Bulkhead

Gentlemen,

J.E. Borries, Inc. proposes to Perform the above listed Test Piles in Advance

Of New Construction at the Long Beach Harbor. The Five (5) Added Test Pile Locations were furnished by Overstreet & Associates and our pricing includes

Assisting the Owner Furnished Dynamic Testing Engineer :

- Furnish 3 Ea. 14" Square Prestressed Test Piles X 65' Long and 2 Ea. 16" Square Prestressed Test Piles X 50' Long with Jet Tubes
- Survey Locate, Clean Template Area of Rip Rap & Debris, Deposit on Adjacent Area for Reuse
- Set Templates Which Adequately Support the Batter Piles During Installation
- Advance the Piles to an Approximate Tip by Jetting as Directed by the Engineer, Presently Assumed to be 20 Feet Above Target Tip Elevation for 14" Piles and 15' Above Target Tip Elevation for 16" Piles
- Assist Owner's Soils Engineer in Attaching the Dynamic Sensors
- Drive as Directed by the Engineer, Assist Soils Engineer in Removal of the Sensors and Wait for Restrikes as Directed
- Upon Conclusion of Wait Time, Reset Hammer, Assist with placing Dynamic Sensors, Restrike the Pile as Directed, Assist in Sensor Removal
- Upon Results, At Engineer's Direction Remove Test Pile Templates

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- Page 2 - Continue Long Beach Harbor Test Pile Proposal -

Cost for these procedures follows :

14" X 65' Test Piles \$31,302.00 X 3 Locations = \$93,906.00

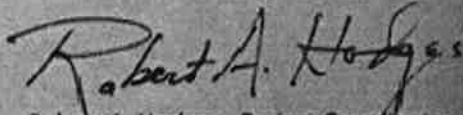
16" X 50' Test Piles \$33,652.50 X 2 Locations = \$67,305.00

TOTAL COST THIS CHANGE \$161,211.00

Please do not hesitate to call should you have questions .

Thank You ,

J.E. Borries , Inc.



Robert A. Hodges , Project Coordinator

Email: jeborries@gmail.com or (228)669-2626

Minutes of January 16, 2024 Mayor and Board of Aldermen

There came on for discussion 500 W. Railroad Drainage Issues, whereupon City Engineer David Ball provided the following:



**OVERSTREET
& ASSOCIATES**
CONSULTING ENGINEERS

overstreeteng.com
161 Lameuse St. Suite 203
Biloxi, MS 39530
228.967.7137

MEMORANDUM

Date: 1/12/2024
To: City of Long Beach
From: David Ball, P.E.
RE: 500 W. Railroad property drainage issues

Based on a short conversation with Mayor Bass, we offer this revised information regarding drainage concerns at the referenced property. The Board will recall that this property was discussed in December 2023, and at that time directed Public Works to clean out and regrade the rear-yard swale/ditch which flows west from the property in question and eventually crosses Railroad St. near the Fuji restaurant.

The attached exhibit shows the previously discussed alternative solutions, but in addition includes an area termed "BASE", representing what we understand to be the apparent area of major concern. We offer the following short explanations and cost estimates for each of the 4 possible projects areas:

1. "BASE" (purple): Construct a small swale which facilitates drainage on the shoulder of Kohler St., draining west to the SE corner of Kohler/Alexander, where a culvert will convey flow south to the outfall of the 500 W. Railroad St. property. **Estimated project cost: \$55,700.**
2. "ALT. 1" (orange): Construct a new drainage line that drains south alongside the east side of Alexander Road, crossing Railroad St. and draining into the ditch along Railroad. **Estimated project cost: \$116,600.**
3. "ALT. 2" (red): Enlarge the culvert which crosses Alexander Rd., improve the existing rear-yard ditch/swale system which drains behind the Chevron station and beside the Fuji restaurant, and enlarge the culvert across Railroad St. **Estimated project cost: \$126,000.**
4. "ALT. 3" (blue): Enlarge the culvert which crosses Alexander Rd., improve the existing rear-yard ditch/swale system which drains behind the Chevron station and install a new culvert system which continues behind the Fuji restaurant, and enlarge the culvert across Railroad St. **Estimated project cost: \$177,000.**

As before, these estimates are performed without the benefit of survey and a detailed design effort. Each of the above methods will necessitate utility relocations (water & possibly sewer) and coordination with 3rd party utilities (gas main) to facilitate these projects. As noted previously, we've tried to provide the "worst-case" estimated project cost based on our recent bid experience, so it is possible that the competitive bid process could improve these estimates some. For possibly substantial savings, the City could choose to perform the work mostly or entirely in-house, subject to the capabilities & recommendations of the City's Public Works department.

Biloxi | Long Beach | Pascagoula | Daphne

O:\0539\20240112 MEMO 500 W Railroad drainage issues.docx

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After continued discussion, Alderman Brown made motion seconded by Alderman Parker to direct Public Works to construct a swale to direct run-off from Kohler Avenue to the drainage pipe on Alexander Road.

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The Mayor and Board of Aldermen took up the matter of assessing the costs of cleaning property located at 108 Park Row Ave., Long Beach, Mississippi. 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 ASSESSING THE COSTS OF CLEANING CERTAIN PROPERTY LOCATED AT 108 PARK ROW AVE., LONG BEACH, MISSISSIPPI, PREVIOUSLY ADJUDICATED BY THE CITY TO BE A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY, AND ORDERING SAME TO BE ENROLLED AS A LIEN AGAINST THE PROPERTY, AND THE PROPERTY TO BE SOLD FOR COLLECTION OF SAME BY THE COLLECTOR OF MUNICIPAL TAXES AND THE NEXT SALE CONDUCTED BY SUCH TAX COLLECTOR FOR SUCH PURPOSES, AND RELATED PURPOSES.

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

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 108 Park Row Ave., 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 November 7, 2023, 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 held December 5, 2023, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section 21-19-11;

2. That such hearing was conducted on December 5, 2023, having previously served the owner of said property, either by registered mail as is evidenced by the return receipt included in the materials produced at said hearing, or by personal service by police officer as evidenced by the return of service of such police officer, or by posting and publication of same, such service being in accordance with said MCA Section 21-19-11, and proof of same being spread upon the minutes of the Governing Authorities taken of such hearing;

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

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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, did find and adjudicate on the hearing date that the property was in such a state of uncleanliness as to be a menace to the public health and safety of the community;

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

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

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

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

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of 108 Park Row Ave., Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0611P-05-066.002, and according to said tax records is owned by MSTREO, LLC, having heretofore been adjudicated to be a menace to the public health and safety of the community in accordance with Miss. Code Annotated Section 21-19-11, and the owner of same failing to have same cleaned as required within the time allowed by law; and same being thereupon cleaned by the City, the City does hereby assess the costs of such cleanup against the property, does hereby impose same as a lien against the property as allowed by law, and does hereby order and direct such lien against the property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled.

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

3. The fine assessed and imposed hereby is in the TOTAL amount of \$2,271.70, \$771.70 being the cost of such clean up in accordance with the attached Exhibit A, together with a penalty of \$1,500.00, being not more than either One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost of clean-up, whichever is greater, as allowed by law, all to be assessed against the said parcel of land.

Alderman Bennett 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 Donald Frazer	voted	Aye
Alderman Patrick Bennett	voted	Aye
Alderman Bernie Parker	voted	Aye
Alderman Angie Johnson	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Mike Brown	voted	Aye
Alderman Pete McGoey	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 16th day of January, 2024.

APPROVED:

George L. Bass, Mayor

ATTEST:


Stacey Dahl, City Clerk

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Mayor and Board of Aldermen**

The Mayor and Board of Aldermen took up the matter of assessing the costs of cleaning property located at 0 Via Don Ray, Long Beach, Mississippi. 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 ASSESSING THE COSTS OF CLEANING CERTAIN PROPERTY LOCATED AT 0 VIA DON RAY, LONG BEACH, MISSISSIPPI, PREVIOUSLY ADJUDICATED BY THE CITY TO BE A MENACE TO THE PUBLIC HEALTH AND SAFETY OF THE COMMUNITY, AND ORDERING SAME TO BE ENROLLED AS A LIEN AGAINST THE PROPERTY, AND THE PROPERTY TO BE SOLD FOR COLLECTION OF SAME BY THE COLLECTOR OF MUNICIPAL TAXES AND THE NEXT SALE CONDUCTED BY SUCH TAX COLLECTOR FOR SUCH PURPOSES, AND RELATED PURPOSES.

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

1. That on complaint and motion of the Governing Authorities of the City of Long Beach wherein lies the property known as 0 Via Don Ray, 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 November 7, 2023, on its own motion did set a hearing to determine whether or not the subject parcel, in its then condition, was in such a state of uncleanliness as to be a menace to the public health and safety of the community in accordance with Miss Code Annotated Section 21-19-11, as amended, said hearing to be held December 5, 2023, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section 21-19-11;

2. That such hearing was conducted on December 5, 2023, having previously served the owner of said property, either by registered mail as is evidenced by the return receipt included in the materials produced at said hearing, or by personal service by police officer as evidenced by the return of service of such police officer, or by posting and publication of same, such service being in accordance with said MCA Section 21-19-11, and proof of same being spread upon the minutes of the Governing Authorities taken of such hearing;

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

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

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

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

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

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

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of 0 Via Don Ray, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0511G-01-001.023, and according to said tax records is owned by James A. Knowles, having heretofore been adjudicated to be a menace to the public health and safety of the community in accordance with Miss. Code Annotated Section 21-19-11, and the owner of same failing to have same cleaned as required within the time allowed by law; and same being thereupon cleaned by the City, the City does hereby assess the costs of such cleanup against the property, does hereby impose same as a lien against the property as allowed by law, and does hereby order and direct such lien against the property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled.

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

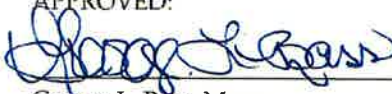
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3. The fine assessed and imposed hereby is in the TOTAL amount of \$2,225.70, \$725.70 being the cost of such clean up in accordance with the attached Exhibit A, together with a penalty of \$1,500.00, being not more than either One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost of clean-up, whichever is greater, as allowed by law, all to be assessed against the said parcel of land.

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 Donald Frazer	voted	Aye
Alderman Patrick Bennett	voted	Aye
Alderman Bernie Parker	voted	Aye
Alderman Angie Johnson	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Mike Brown	voted	Aye
Alderman Pete McGoey	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 16th day of January, 2024.

APPROVED:

George L. Bass, Mayor

ATTEST:


Stacey Dahl, City Clerk

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

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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