

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

**MUNICIPAL DOCKET
REGULAR MEETING OF SEPTEMBER 17, 2019
THE MAYOR AND BOARD OF ALDERMEN
THE CITY OF LONG BEACH, MISSISSIPPI
5:00 O'CLOCK P.M. LONG BEACH CITY HALL, 201 JEFF DAVIS AVE.

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL AND ESTABLISH QUORUM**
- IV. PUBLIC HEARINGS**
 - 1. 333 E. 5th St; Assessed to John O'Beirne Sneed
 - 2. 110 Shelter Rock Dr; Assessed to Terry Tolar & Janet Eilermann
- V. ANNOUNCEMENTS; PRESENTATIONS; PROCLAMATIONS**
 - 1. Insurance Renewals – Tom Sawyer; Brown & Brown Insurance
- VI. AMENDMENTS TO THE MUNICIPAL DOCKET**
- VII. APPROVE MINUTES:**
 - 1. MAYOR AND BOARD OF ALDERMEN
 - a. September 3, 2019 – Regular & Executive Session
 - 2. PLANNING & DEVELOPMENT COMMISSION
 - a. September 12, 2019 – Regular
- VIII. APPROVE DOCKET OF CLAIMS NUMBER(S):**
 - 1. 091719
- IX. UNFINISHED BUSINESS**
 - 1. Franchise Agreements – C Spire & Southern Light
 - 2. Contract – GSE Consulting Engineers; Inspection Engineering Services

NEW BUSINESS

 - 1. Adopt Minute Book #91
 - 2. Planning & Development Commission Appointment – Ward 2
 - 3. Request City to Purchase Cemetery Plots – David & Linda Powell
 - 4. Request Reconsideration of Variance Denial – Keith Rachuba; 110 Iris St.
 - 5. Wreath Laying Ceremony LB Cemetery – Charles Martinek; American Legion
 - 6. Harrison County Order – Road Closures
- X. DEPARTMENTAL BUSINESS**
 - 1. MAYOR'S OFFICE
 - 2. PERSONNEL
 - a. Fire Dept – Step Increase (15)
 - b. City Clerk's Office – Step Increase (2)
 - c. Building Official's Office – New Hire (1)
 - d. Municipal Court – Step Increase (1)
 - e. Water Dept – Step Increase (1)
 - f. Library – Resignation (1); New Hire (1)
 - 3. CITY CLERK
 - a. Revenue/Expense Report August 2019
 - b. Budget Amendments FY 2019
 - 4. FIRE DEPARTMENT
 - 5. POLICE DEPARTMENT
 - a. Mental Health Initiative Group Letter
 - 6. ENGINEERING
 - a. Award Bid – Clower Ave. Water System Impr; Lagniappe Construction
 - b. Contract – Dredging Harbor; J.E. Borries
 - c. Change Order – Lovers Lane Drainage Imp; Lagniappe Construction
 - 7. PUBLIC WORKS
 - 8. RECREATION
 - 9. DERELICT PROPERTIES
 - a. Status of 125 Harris Ave.
 - b. Assess Cleaning Fees – 0 Park Row; assessed to Merkord & Associates
 - c. Schedule Public Hearing – 240 Alexander Rd; Lullie V & Sarah D Bullock
 - d. Schedule Public Hearing – 100 Destiney Oaks Dr; Laura Grimes Singley
 - e. Schedule Public Hearing – 18 Linda Ln; Daniel L Myers & Dawn Jones
 - f. Schedule Public Hearing – 129 Dearman; Carolyn Kanagay & Kathy Shellstrom
- XI. REPORT FROM CITY ATTORNEY**
- XII. ADJOURN (OR) RECESS**

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

Be it remembered that a public hearing before the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held, at 5:00 o'clock p.m., Tuesday, the 17th day of September, 2019, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed by order of the Mayor and Board of Aldermen for holding said public hearing.

There were present and in attendance on said board and at the meeting the following named persons: Mayor George L. Bass, Aldermen Donald Frazer, Ronald Robertson, Bernie Parker, Kelly Griffin, Timothy McCaffrey, Jr., Mark E. Lishen, Patricia Bennett, Deputy City Clerk Kini Gonsoulin, and City Attorney James C. Simpson, Jr.

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

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 333 E 5th Street and assessed to John O'Beirne Sneed, Map Parcel #0612A-03-052.000, is in such a state of uncleanness 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 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 August 20, 2019, she did cause to be sent, via certified mail, electronic receipt requested, Notice of Hearing, to John O'Beirne Sneed, 114 Driftwood Drive, Long Beach MS, as the same appears of record on the Harrison County 2018 Official Real Property Tax Rolls. The Notice of Hearing was returned to sender on 9/16/19.

Minutes of September 17, 2019 Mayor and Board of Aldermen

City of Long Beach

BOARD OF ALDERMEN
Donald Frazer - At-Large
Ronald Robertson - Ward 1
Bernie Parker - Ward 2
Kelly Griffin - Ward 3
Timothy McCaffrey, Jr. - Ward 4
Mark E. Lishen - Ward 5
Patricia Bennett - Ward 6



GEORGE L. BASS
MAYOR

CITY CLERK
TAX COLLECTOR
Stacey Dahl

CITY ATTORNEY
James C. Simpson, Jr.

August 21, 2019

MAILED
Date: 8/21/19

John O'Beirne Sneed
114 Driftwood Drive
Long Beach, MS 39560

91 7199 9991 7036 0717 8744

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 August 20, 2019, hold a public hearing at 5:00 p.m., Tuesday, September 7, 2019, 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 John O'Beirne Sneed, and situated in the City of Long Beach, Mississippi, at 333 E 5th St., 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: 333 E 5th Street

Parcel Number: 0612A-03-052.000

Legal Description: COM AT INTERS OF W MAR OF DOUGLAS AVE & S MAR OF 5TH ST FOR BEG RUN SWLY ALONG 5TH ST 75.4 FT S 28 DG E 122.14 FT N 63 DG 51 MN E 75 FT TO W MAR OF DOUGLAS NLY ALONG W LINE OF DOUGLAS AVE 114.88 FT TO BEG BEING PART OF LOTS 8 & 9 BLK 19 ORIGINAL LONG BEACH SUBD SEC 13-8-12

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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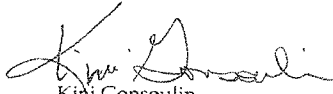
Minutes of September 17, 2019 Mayor and Board of Aldermen

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 20th day of August, 2019.


Kiri Gonsoulin
Deputy City Clerk

9/16/2019

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Your item arrived at the LONG BEACH, MS 39560 post office at 8:19 am on September 16, 2019 and is ready for pickup.

Available for Pickup

September 16, 2019 at 8:19 am
Available for Pickup
LONG BEACH, MS 39560

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September 16, 2019, 8:19 am

Available for Pickup

LONG BEACH, MS 39560

Your item arrived at the LONG BEACH, MS 39560 post office at 8:19 am on September 16, 2019 and is ready for pickup.

September 16, 2019, 8:02 am

Arrived at Unit

LONG BEACH, MS 39560

Minutes of September 17, 2019 Mayor and Board of Aldermen

9/16/2019

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September 16, 2019, 12:41 am
Arrived at USPS Regional Facility
GULFPORT MS DISTRIBUTION CENTER

September 15, 2019
In Transit to Next Facility

September 13, 2019, 11:52 am
Departed USPS Regional Facility
JACKSON MS DISTRIBUTION CENTER

September 12, 2019, 1:29 pm
Arrived at USPS Regional Facility
JACKSON MS DISTRIBUTION CENTER

September 10, 2019, 11:35 am
Unclaimed/Being Returned to Sender
LONG BEACH, MS 39560

August 22, 2019, 11:55 am
Notice Left (No Authorized Recipient Available)
LONG BEACH, MS 39560

August 22, 2019, 8:03 am
Arrived at Unit
LONG BEACH, MS 39560

August 22, 2019, 12:33 am
Departed USPS Regional Facility
GULFPORT MS DISTRIBUTION CENTER

August 21, 2019, 7:53 pm
Arrived at USPS Regional Facility
GULFPORT MS DISTRIBUTION CENTER

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2/3

- The Clerk further reported that the Notice of Hearing was posted on the subject property, 333 E. 5th Street, Long Beach, Mississippi, on August 21, 2019, 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.

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

- The Clerk submitted a photograph of 333 E. 5th Street, Long Beach, Mississippi taken by Zoning Enforcement Officer Dale Stogner on September 17, 2019, depicting subject property in its present condition; said photograph is as follows:



Minutes of September 17, 2019 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 August 21, 2019, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property located at 333 E. 5th Street (Tax Map Parcel 0612A-03-052.000). Long Beach, Mississippi, assessed to John O'Beirne Sneed, and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on September 17, 2019, 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 September 17, 2019.

This the 17th day of September 2019.


KINI GONSOULIN, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 17th day of September 2019.

-My Commission Expires-


NOTARY PUBLIC



AFFIDAVIT-PHOTOS;POST NOTICE

The Mayor opened the floor for comments and no one came forward.

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Minutes of September 17, 2019 Mayor and Board of Aldermen

After discussion, Alderman Frazer made motion seconded by Alderman McCaffrey 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 333 E 5th Street, 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 333 E 5TH STREET, 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 333 E 5th Street, 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 August 20, 2019, 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 September 17, 2019, 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 September 17, 2019 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 333 E 5th Street, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0612A-03-052.000, and according to said tax records is owned by John O'Beirne Sneed, 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 July 22, 2019, 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 September 17, 2019
Mayor and Board of Aldermen**

Alderman Robertson 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 Ronald Robertson	voted	Aye
Alderman Patricia Bennett	voted	Aye
Alderman Donald Frazer	voted	Aye
Alderman Mark E. Lishen	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Kelly Griffin	voted	Aye
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 17th day of September 2019.

APPROVED:


George L. Bass, Mayor

ATTEST:


Stacey Dahl, City Clerk

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 110 Shelter Rock Drive and assessed to Terry Tolar & Janet Eilermann, Map Parcel #0612F-02-051.000, 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 Griffin 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 August 20, 2019, she did cause to be sent, via certified mail, electronic receipt requested, Notice of Hearing, to Terry Tolar & Janet Eilermann, 2620 Rue Palafox, Biloxi MS, as the same appears of record on the Harrison County 2018 Official Real Property Tax Rolls. The Notice of Hearing was delivered on 8/23/19.

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

City of Long Beach

BOARD OF ALDERMEN
Donald Frazer - At-Large
Ronald Robertson - Ward 1
Bernie Parker - Ward 2
Kelly Griffin - Ward 3
Timothy McCaffrey, Jr. - Ward 4
Mark E. Lishen - Ward 5
Patricia Bennett - Ward 6



GEORGE L. BASS
MAYOR

CITY CLERK
TAX COLLECTOR
Stacey Dahl

CITY ATTORNEY
James C. Simpson, Jr.

August 21, 2019

MAILED
Date: 8/21/19

Terry Tolar & Janet Eilermann
2620 Rue Palafox
Biloxi, MS 39531

91 7199 9991 7036 0717 8751

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 August 20, 2019, hold a public hearing at 5:00 p.m., Tuesday, September 7, 2019, 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 Terry Tolar & Janet Eilermann, and situated in the City of Long Beach, Mississippi, at 110 Shelter Rock Dr., 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: 110 Shelter Rock Drive
Parcel Number: 0612F-02-051.000
Legal Description: LOT 5 SHELTER ROCK ESTATES

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 September 17, 2019 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 20th day of August, 2019.


Kivi Gonsoulin
Deputy City Clerk

9/16/2019

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 **Delivered**

August 23, 2019 at 2:09 pm
Delivered
BILOXI, MS 39531

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August 23, 2019, 2:09 pm
Delivered

BILOXI, MS 39531

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August 22, 2019, 11:50 am

Delivery Attempted - No Access to Delivery Location

BILOXI, MS 39531

August 22, 2019, 7:09 am

Out for Delivery

BILOXI, MS 39531

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1/2

Minutes of September 17, 2019 Mayor and Board of Aldermen

9/16/2019

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August 22, 2019, 6:30 am

Arrived at Unit

BILOXI, MS 39531

August 22, 2019, 1:42 am

Departed USPS Regional Facility

GULFPORT MS DISTRIBUTION CENTER

August 21, 2019, 7:53 pm

Arrived at USPS Regional Facility

GULFPORT MS DISTRIBUTION CENTER

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FAQs

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2/2

- The Clerk further reported that the Notice of Hearing was posted on the subject property, 110 Shelter Rock Drive, Long Beach, Mississippi, on August 21, 2019, 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.

M.B. 91

09.17.19 Pub Hear/Reg

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

- The Clerk submitted a photograph of 110 Shelter Rock Drive, Long Beach, Mississippi taken by Zoning Enforcement Officer Dale Stogner on September 4, 2019, depicting subject property in its present condition; said photograph is as follows:



**Minutes of September 17, 2019
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 uncleanliness 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 August 21, 2019, he did cause to be posted, Notice of Hearing, a copy of which is attached hereto, on property located at 110 Shelter Rock Drive (Tax Map Parcel 0612F-02-051.000). Long Beach, Mississippi, assessed to Terry Tolar & Janet Eilermann, and at the City Hall, 201 Jeff Davis Avenue, Long Beach, Mississippi; and that on September 4, 2019, 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 September 17, 2019.

This the 17th day of September 2019.


KINI GONSOULIN, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the 17th day of September 2019.

-My Commission Expires- 
NOTARY PUBLIC



AFFIDAVIT-PHOTOS;POST NOTICE

The Mayor opened the floor for comments and no one came forward.

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**Minutes of September 17, 2019
Mayor and Board of Aldermen**

After discussion, Alderman Frazer made motion seconded by Alderman Robertson and unanimously carried to close the public hearing and take official action as follows:

Alderman Robertson made motion seconded by Alderman Griffin and unanimously carried to declare the property in compliance.

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 September, 2019, 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, Ronald Robertson, Bernie Parker, Kelly Griffin, Timothy McCaffrey, Jr., Mark E. Lishen, Patricia Bennett, Deputy City Clerk Kini Gonsoulin, and City Attorney James C. Simpson, Jr.

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

The Mayor recognized Mr. Tom Sawyer, Senior Corporate Sales Executive, Brown & Brown Insurance, to present the 2019/2020 insurance renewals for the City. After discussion, Alderman Frazer made motion seconded by Alderman McCaffrey and unanimously carried to accept the report and approve the insurance renewal as presented by Mr. Sawyer. A copy of the proposed renewal is on file in the City Clerk's Office.

Alderman McCaffrey made motion seconded by Alderman Griffin and unanimously carried to approve the Regular and Executive Session minutes of the Mayor and Board of Aldermen meeting dated September 3, 2019, as submitted.

Alderman Frazer made motion seconded by Alderman Lishen and unanimously carried to approve the Regular minutes of the Planning & Development Commission dated September 12, 2019, as submitted with the exception of Item #2 under New Business, Planning Commission Approval – 20164 Pineville Road.

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

There came on for discussion Item #2 under New Business, Planning Commission Approval – 20164 Pineville Road, submitted by Linda N. Taquino (owner) and Marlon Patterson (lessee) from the Planning & Development Commission’s minutes dated September 12, 2019. Mr. Patterson explained the nature of his request and his intentions with the property. After continued discussion, Alderman Lishen made motion seconded by Alderman Frazer and unanimously carried to uphold the Planning & Development Commission’s decision to allow the operation of an Assisted Living Facility at subject property.

Alderman McCaffrey made motion seconded by Alderman Griffin and unanimously carried to approve payment of invoices listed in Docket of Claims number 091719.

Franchise Agreements – C Spire & Southern Light were tabled until the October 1, 2019 meeting.

Contract – GSE Consulting was tabled until the October 1, 2019 meeting.

Alderman Frazer made motion seconded by Alderman Griffin and unanimously carried to adopt Minute Book #91.

The Planning & Development Commission Appointment for Ward 2 was tabled until the October 1, 2019 meeting.

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

Alderman Frazer made motion seconded by Alderman Robertson and unanimously carried to approve the following request to purchase cemetery plots from David & Linda Powell:

September 5, 2019

Mayor
Board of Alderman
P.O. Box 929
Long Beach, Ms. 39560

To Whom It May Concern:

Please accept this letter of request to sell four (4) plots in the Long Beach Cemetery back to the City of Long Beach.

We have sold our home and are no longer residents of Long Beach.

Our purchase price was \$500 per lot for a total of \$2,000.

Thank you



David and Linda Powell
7 Nelson Lane
Pass Christian, Ms. 39571

901-246-8845

There came on for discussion a request from Mr. Keith Rachuba of 1110 Iris Street to reconsider his denial of a variance for a power pole. Alderman Griffin made motion seconded by Alderman Robertson to approve his variance request. After continued discussion, Mr. Rachuba was informed that he must begin construction of a primary structure at the aforesaid address within 6 months, or the power meter would be removed. The Mayor put the question to a vote, and it was approved unanimously.

Alderman Parker made motion seconded by Alderman McCaffrey and unanimously carried to approve the City's participation in this year's Wreath's Across America event on December 14, 2019.

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

Alderman Lishen made motion seconded by Alderman McCaffrey and unanimously carried to acknowledge the following Order from Harrison County regarding road closures:

JOHN McADAMS
CHANCERY CLERK

HARRISON COUNTY, MISSISSIPPI
Post Office Drawer CC
Gulfport, Mississippi 39502

Telephone: (228) 865-4164
Facsimile: (228) 214-1583

September 6, 2019

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

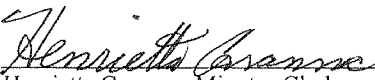
Re: Order requiring municipalities and/or other utility providers to issue a thirty (30) days notice for all road closures prior to commencement of utilities installation

Dear Mayor Bass:

Enclosed is certified copy of Order of the above referenced Order, which was approved by the Harrison County Board of Supervisors on July 8, 2019.

Sincerely yours,

JOHN McADAMS, Chancery Clerk and
Clerk of the Board of Supervisors of
Harrison County, Mississippi

By: 
Henrietta Caranna, Minutes Clerk

enclosure

Minutes of September 17, 2019 Mayor and Board of Aldermen

Supervisor **CONNIE M. ROCKCO** moved the adoption of the following Order:

ORDER REQUIRING MUNICIPALITIES AND/OR OTHER UTILITY PROVIDERS TO ISSUE A THIRTY (30) DAYS NOTICE FOR ALL ROAD CLOSURES PRIOR TO COMMENCEMENT OF UTILITIES INSTALLATION

WHEREAS, on December 14, 2015, the Board adopted the form of application for Permits for Work on County Road, Easement and Property. A copy of Harrison County's permit application is attached hereto as Exhibit "A"; and

WHEREAS, the permit application does not require municipalities and/or other utility providers to issue notice to the County prior to initiating road closures; and

WHEREAS, notice of road closures is critical to ensure Harrison County's ability to protect the public health, safety and welfare of motorists using County roads; and

WHEREAS, the Board does hereby establish a policy that any road closures shall be coordinated with Harrison County Road Department, by submitting a request in writing to the Road Department with all details of any such closure and obtain written permission to close any county roadway; and

WHEREAS, municipalities and/or other utility providers shall be responsible for ensuring the public health, safety and welfare of motorists using County roads during said closure, including appropriate notices and warnings to the public.

NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF SUPERVISORS OF HARRISON COUNTY, MISSISSIPPI, AS FOLLOWS:

SECTION I. The findings, conclusions and statements of fact contained in the foregoing preamble are hereby adopted, ratified and incorporated herein.

SECTION II. In order to protect the public health, safety and welfare of persons using Harrison County roadways, the Board hereby finds and determines that effective August 1, 2019, municipalities and/or other utility providers shall be required to obtain an utility permit from the Harrison County Engineer prior to undertaking any work in County Rights of Way or Easements. Road closures shall be required to be identified in the permitting process. Upon the receipt of a permit and prior to the commencement of construction, municipalities and/or other utility providers shall be required to coordinate any road closures

Minutes of September 17, 2019 Mayor and Board of Aldermen

with the Harrison County Road Manager by submitting a request in writing to the Harrison County Road Manager with all details of any such closure and obtain written permission to close any county roadway. The municipalities and/or other utility providers shall provide a minimum thirty (30) days written notice to Harrison County Road Manager prior to the commencement of any County road closure for purposes of installing utilities and received written confirmation from the Road Manager permission is granted for such closure. In the event of an emergency, municipalities and/or other utility providers shall immediately notify the County Engineer by telephone and within twelve (12) hours in writing of said emergency. Harrison County will make all efforts to accommodate the municipalities and/or other utility providers during any emergency event while ensuring public safety. Failure by municipalities and/or other utilities to comply with the requirements of this Order shall result in the revocation of any permit(s) previously issued by Harrison County for said utilities' project. Such municipalities and/or other utility providers shall be responsible for ensuring the public health, safety and welfare of motorists using County roads during said closure, including appropriate notices and warnings to the public of said closure.

Supervisor **BEVERLY MARTIN** seconded the motion to adopt the above and foregoing Order, whereupon the question was put to a vote with the following results:

Supervisor BEVERLY MARTIN	voted	AYE
Supervisor ANGEL KIBLER-MIDDLETON	voted	AYE
Supervisor MARLIN R. LADNER	voted	AYE
Supervisor KENT JONES	voted	AYE
Supervisor CONNIE M. ROCKCO	voted	AYE

The majority of the members present having voted in the affirmative, the motion was declared carried, and the Order adopted on this the 8th day of July 2019.

Minutes of September 17, 2019
Mayor and Board of Aldermen



Harrison County, MS

Certified Copy

Resolution: 19-1200

File Number: 19-1200

ORDER requiring the cities of D'Iberville, Biloxi, Gulfport, Long Beach and Pass Christian to get the proper permits from the County Road Department prior to working on county roads.

I, John McAdams, Chancery Clerk and Ex Officio Clerk of the Board of Supervisors of Harrison County, Mississippi, certify that this is a true copy of Resolution No. 19-1200, passed by the Board of Supervisors on 7/8/2019.

THIS 6th day of September 2019.

JOHN McADAMS, Chancery Clerk and Clerk of the Board of Supervisors

By: *Hensrietta Caranna*
Deputy Clerk

There came on for discussion a quote received from Puckett Power Systems to perform annual maintenance on the generator at City Hall for \$1,660.95. After discussion, Alderman Robertson made motion seconded by Alderman McCaffrey and unanimously carried to authorize the work per the following quote:

Minutes of September 17, 2019
 Mayor and Board of Aldermen



PARTS AND SERVICE QUOTATION

3263 Hwy 80 West
 Jackson, MS 39204
 601-696-6000

14028 Hwy 49 North
 Gulfport, MS 39505
 228-832-1711

1 of 1 pages

Customer No:	2062000
Company Name:	CITY OF LONG BEACH
Project Name:	CITY OF LONG BEACH LEVEL 2
Individual Contact:	GRIFF KELLY
Phone No:	228-697-2115

Quote No:	20190905JT
Date:	9/5/2019
Salesman:	JASON TURMAN
Phone No:	601-978-0297
Engine Model:	C18
Serial No:	C5E02943

QTY	DESCRIPTION	PRICE EACH	SUBTOTAL
1	PARTS AND LABOR TO PERFORM LEVEL 2 SERVICE PERFORM COOLANT AND OIL TESTING.		\$1,597.07
1	MISC AND ENVIROMENTAL 4%		\$63.88
Total			\$1,660.95

PPS TERMS AND CONDITIONS OF SALE 092010 ARE APPLICABLE.
 REPAIRS INCLUDE 12 MONTHS WARRANTY ON PARTS, AND 90 DAYS WARRANTY ON SERVICE LABOR AND WORKMANSHIP
 THIS QUOTE IS VALID FOR 90 DAYS
 HAULING, TRAVEL, MILEAGE, MISC SUPPLIES, AND EMERGENCY FREIGHT ARE NOT INCLUDED EXCEPT AS NOTED

Accepted by: _____

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

Fire Department:

- Step Increase, Lieutenant Craig Ahlers, FS-12-VII, effective October 1, 2019
- Step Increase, Driver/Operator Jared Allen, FS-10-VIII, effective October 1, 2019
- Step Increase, Lieutenant Brandon Bates, FS-12-VI, effective October 1, 2019

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

- Step Increase, Lieutenant Tim Darden, FS-12-XIV, effective October 1, 2019
- Step Increase, Driver/Operator Chase Hendry, FS-10-II, effective October 1, 2019
- Step Increase, Lieutenant Darren Koenenn, FS-12-X, effective October 1, 2019
- Step Increase, Lieutenant Rocky Ladnier, FS-12-X, effective October 1, 2019
- Step Increase, Lieutenant Jay Lonthair, FS-12-VI, effective October 1, 2019
- Step Increase, Battalion Chief Jarod McGill, FS-13-VII, effective October 1, 2019
- Step Increase, Battalion Chief Pete McGoey, FS-13-VIII, effective October 1, 2019
- Step Increase, Driver/Operator Johnathan Malley, FS-10-VI, effective October 1, 2019
- Step Increase, Driver/Operator Heath Mitchell, FS-10-VI, effective October 1, 2019
- Step Increase, Lieutenant Brian Moore, FS-12-V, effective October 1, 2019
- Step Increase, Division Chief Joseph Stapleton, FSA-13-XVI, effective October 1, 2019
- Step Increase, Driver/Operator Kelly Whitman, FS-10-IV, effective October 1, 2019

City Clerk’s Office:

- Step Increase, City Clerk Stacey Dahl, CSA-10-XVI, effective November 1, 2019
- Step Increase, Finance Officer Kini Gonsoulin, CSA-11-VII, effective November 1, 2019

Building Official’s Office:

- New Hire, Zoning Enforcement Officer Dale Stogner, CSA-3-B, effective October 1, 2019

Municipal Court:

- Step Increase, Deputy Court Clerk Donna Gaddy, CSA-4-I, effective October 1, 2019

Water Department:

- Step Increase, Office Manager Susan Bowes, CSA-6-X, effective October 1, 2019

Library:

- Resignation, Part-time Clerk Shanna Yarbrough, effective July 31, 2019
- New Hire, Part-time Clerk Jennifer Bone, \$8.00 per hour, effective October 1, 2019

Minutes of September 17, 2019 Mayor and Board of Aldermen

Alderman Griffin made motion seconded by Alderman McCaffrey and unanimously carried to accept the August 2019 Revenue/Expense Report, as submitted.

Alderman Frazer made motion seconded by Alderman Griffin and unanimously carried to approve the following budget amendments for Fiscal Year 2019:

**Finance Officer's
Office**

Memo

To: Mayor and Board of Aldermen
From: Kini Gonsoulin
Date: 9/12/2019
Re: Budget Amendment

Please find the attached budget amendments for consideration on the September 17, 2019 board meeting. These are the year end amendments that are made to make sure our budget is in compliance.

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

City of Long Beach Budget Amendment Request

Fund Name General Fund Date 9/17/2019
Department # 111 Budget Entry # _____
Department Name Mayor's Office

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Gasoline, Oil & Grease 111-614000	1,500	-	304	1,804
Travel 111-626900	4,500	-	5,787	10,287
Wages & Salaries 111-600100	102,648	-	(4,300)	98,348
State Retirement 111-601900	26,780	-	(1,791)	24,989

Amendment to move funds within the Mayor's Office budget.

Amendment #27

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

**City of Long Beach
Budget Amendment Request**

Fund Name	<u>General Fund</u>	Date	<u>9/17/2019</u>
Department #	<u>125</u>	Budget Entry #	<u> </u>
Department Name	<u>Municipal Court</u>		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Wages & Salaries 125-600100	95,882	13,667	24,833	134,382
Other Pay 125-601600	2,400	-	600	3,000
State Retirement 125-601900	16,030	2,152	4,201	22,383
FICA Taxes 125-602200	7,588	1,046	1,876	10,510
Vision Insurance 125-602300	245	-	66	311
Dental Insurance 125-602400	744	-	25	769
Life Insurance 125-602500	220	-	8	228
Health Insurance 125-602600	13,320	-	3,186	16,506
Legal Fees 125-621500	42,000	(11,958)	3,072	33,114
Operating Supplies 125-610700	1,000	250	(921)	329
Fund Balance			(34,795)	
Court Collection Funds			(2,151)	

Amendment to correct error in payroll budget and budget court collection funds received.

Amendment #28

**City of Long Beach
Budget Amendment Request**

Fund Name	<u>General Fund</u>	Date	<u>9/17/2019</u>
Department #	<u>135</u>	Budget Entry #	<u> </u>
Department Name	<u>Legal - City Attorney</u>		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Legal Fees 135-621300	12,000	-	4,000	16,000
Fund Balance			(4,000)	(4,000)
				-
				-

Amendment to budget extra funds for legal fees due to timing of billing from City Attorney's office.

Amendment #29

Minutes of September 17, 2019 Mayor and Board of Aldermen

City of Long Beach Budget Amendment Request

Fund Name	General Fund	Date	9/17/2019
Department #	145	Budget Entry #	
Department Name	General Admin		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Operating Supplies 145-610700	2,000	-	645	2,645
State Retirement 145-601900	22,191	-	(645)	21,546
				-
				-

Amendment to move money within the General Admin Budget.

Amendment #30

City of Long Beach Budget Amendment Request

Fund Name	General Admin	Date	9/17/2019
Department #	146	Budget Entry #	
Department Name	Municipal Operations		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Building Maintenance 146-611000	3,000		4,280	7,280
Business Retention & Promotion 146-623700	52,500	25,000	178,190	255,690
Donations			(40,000)	(40,000)
Fund Balance			(142,470)	(142,470)

Amendment to budget donations to be received and unbudgeted expenses.

Amendment #31

Minutes of September 17, 2019 Mayor and Board of Aldermen

City of Long Beach Budget Amendment Request

Fund Name	General Fund	Date	9/17/2019
Department #	409 & 410	Budget Entry #	
Department Name	Library		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Electric Utilities 409-626004	17,500	-	636	18,136
Wages & Salaries 409-600100	186,428	-	(636)	185,792
Operating Supplies 410-610700	-	-	4,043	4,043
Leo Seal Funds			(4,043)	

Amendment to transfer funds within the Library budget and to budget Leo Seal funds expended.

Amendment #32

City of Long Beach Budget Amendment Request

Fund Name	General Fund	Date	9/17/2019
Department #	425	Budget Entry #	
Department Name	Senior Citizens		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Entertainment 425-623900	1,400	-	67	1,467
Gasoline, Oil & Grease 425-614000	3,000	-	(67)	2,933
				-
				-

Amendment to move funds within the Senior Citizens budget.

Amendment #33

Minutes of September 17, 2019 Mayor and Board of Aldermen

City of Long Beach Budget Amendment Request

Fund Name	General Fund	Date	9/17/2019
Department #	435	Budget Entry #	
Department Name	Recreation		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Operating Supplies 435-610700	5,000	3,015	4,275	12,290
Donations			(4,275)	(4,275)
				-
				-

Amendment to budget donation funds recieved.

Amendment #34

City of Long Beach Budget Amendment Request

Fund Name	General Fund	Date	9/17/2019
Department #	611	Budget Entry #	
Department Name	Planning & Zoning		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Maintenance Contract 611-621700	2,400	-	1,119	3,519
Motor Vehicle Repairs 611-611300	1,000	-	(172)	828
Wages & Salaries 611-600100	99,144	-	(550)	98,594
Health Insurance 611-602600	8,010	-	(397)	7,613

Amendment to move funds within the Planning & Zoning budget.

Amendment #35

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

**City of Long Beach
Budget Amendment Request**

Fund Name	<u>State Seizure Fund</u>	Date	<u>9/17/2019</u>
Department #	<u>238</u>	Budget Entry #	<u> </u>
Department Name	<u>State Seizure Fund</u>		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Misc Services 238-627900	-	-	125	125
Capital Outlay 238-630100	-	-	5,315	5,315
New Equipment 238-631000	-	-	5,190	5,190
State Seizure Funds Received			(10,630)	(10,630)

Amendment to budget State Seizure Funds recieved.

Amendment #36

**City of Long Beach
Budget Amendment Request**

Fund Name	<u>Hurricane Fund</u>	Date	<u>9/17/2019</u>
Department #	<u>166</u>	Budget Entry #	<u> </u>
Department Name	<u>Hurricane Nate</u>		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Contractual Fees 166-620900	-	-	87,106	87,106
FEMA Reimbursement			(87,106)	(87,106)
				-
				-

Amendment to budget funds spent on Hurricane Nate repairs to be reimbursed by FEMA.

Amendment #37

Minutes of September 17, 2019 Mayor and Board of Aldermen

City of Long Beach Budget Amendment Request

Fund Name	Capital Projects	Date	9/17/2019
Department #	345	Budget Entry #	
Department Name	Capital Projects		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Capital Project - Pineville Rd Sidewalks 345-640100-10009	-	-	24,277	24,277
Capital Project - Klondyke & Commission 345-640100-10011	-	-	11,060	11,060
MDOT Reimbursement			(35,337)	(35,337)
				-

Amendment to budget capital project funds to be reimbursed by MDOT

Amendment #38

City of Long Beach Budget Amendment Request

Fund Name	Port/Harbor	Date	9/17/2019
Department #	445	Budget Entry #	
Department Name	Port/Harbor Operations		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Capital Projects 445-640100	-	-	27,578	27,578
Harbor Fund Balance			(8,265)	(8,265)
FEMA Reimbursement			(15,413)	(15,413)
Tidelands Reimbursement			(3,900)	(3,900)

Amendment to budget capital project funds in the Port/Harbor budget.

Amendment #39

Minutes of September 17, 2019
Mayor and Board of Aldermen

City of Long Beach
Budget Amendment Request

Fund Name	<u>Port/Harbor</u>	Date	<u>9/17/2019</u>
Department #	<u>446</u>	Budget Entry #	<u> </u>
Department Name	<u>Tidelands</u>		

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Engineering Fees 446-621100	-	-	119,872	119,872
Administrative Fees 446-624100	-	-	150	150
Contractual 446-620900	-	-	12,518	12,518
Tidelands Funds			(132,540)	(132,540)

Amendment to budget Tidelands Funds expended.

Amendment #40

Alderman Griffin made motion seconded by Alderman McCaffrey and unanimously carried to authorize Chief Billy Seal to execute the following letter from the Mental Health Initiative Group on behalf of the City of Long Beach:

Minutes of September 17, 2019 Mayor and Board of Aldermen

Mental Health Initiative Group

September 19, 2019

Dear _____:

This letter is being written on behalf of the Mental Health Initiative Group (MHIG) comprised of the following agencies and regarding the mental health crisis in Region XIII, and specifically, Harrison County.

Hospitals:

GPCH-GP, Inc. d/b/a Garden Park Medical Center (GPMC)
Memorial Hospital at Gulfport (Memorial)
Biloxi, H.M.A., LLC d/b/a Merit Health Biloxi (Merit Health Biloxi)

Mental Health Providers:

Gulf Coast Mental Health Center (GCMHC)
Gulfport Behavioral Health System (GBH)
Oceans Behavioral Hospital (OBH)
Mental Health Association of South Mississippi (MHA)

Transportation:

Harrison County American Medical Response (AMR)

Local Government:

City of Gulfport
Harrison County Board of Supervisors

Local Police/Sheriff:

City of Biloxi Police Department
City of D'Iberville Police Department
City of Gulfport Police Department
City of Long Beach Police Department
City of Pass Christian Police Department
Harrison County Sheriff's Department

For the past eight months, representatives of these agencies have met regularly to propose cooperative processes which would provide access to mental health treatment in Harrison and Hancock Counties. The goal of MHIG has been to devise systems that provide appropriate crisis intervention, stabilization, transportation and ongoing treatment for people in need, and thereby to alleviate the undue stress that is imposed upon healthcare facilities, law enforcement agencies, jails, and patients by inappropriate placement in a non-therapeutic environment.

Pursuant to the goal of increasing accessibility of mental health treatment, the member agencies of MHIG have identified a profound deficiency in the number of acute, adult, mental health treatment beds as a barrier to treatment. This is evidenced by the fact that the 206,650 Mississippians who reside in Harrison County, making it the second most populous county in the state, are served by only one Crisis Stabilization Unit (CSU). The CSU in Gulfport has 16 available beds to serve four (4) Mississippi counties: Harrison (11 beds), Hancock (3 beds), Stone (1 bed) and Pearl River (1 bed).

P.O. Box 1810 ... 4500 Thirteenth Street ... Gulfport, MS 39502

Minutes of September 17, 2019 Mayor and Board of Aldermen

Mental Health Crisis
Page 2 of 4

Another barrier to treatment that MHIG has identified is a gap in coverage by Medicaid. Mississippi Medicaid provides very limited coverage for acute psychiatric treatment for adults between the ages of 19 and 64. Additionally, Medicaid currently provides even less reimbursement for the acute psychiatric treatment of adults without any insurance coverage. This GAP of care-funding exacerbates the crisis by making the few available beds less accessible for indigent Mississippians in need of care.

The status of mental health treatment in the region already represents a public health crisis for a large number of Mississippians. In calendar year 2018, Harrison County hospitals had around 4,157 patients present to the Emergency Department with symptoms of mental illness with a total of 222 psychiatric patient transfers per month.

CY 2018	Memorial	Garden Park	Merit	Total
Presented with Symptoms of Mental Illness	1,764	1,270	1,123	4,157
Behavioral Health Holds	1,153	1,037	912	3,102
Number of Psych Transfers Per Month	65	25	132	222

On July 16, 2019, the current crisis became a **mental health emergency** when a letter was received from the Gulf Coast Mental Health Center Board of Commissioners regarding the impending closing of all services offered by Gulf Coast Mental Health. These included The Mental Health Center, two supervised living group homes, The Crossroads Recovery Center, and the Crisis Stabilization Unit. Immediately, upon receipt of the letter, a plan was devised by the County Supervisors from Harrison, Hancock, Pearl River and Stone Counties and the Mississippi Department of Mental Health's Board of Governors to implement a corrective action plan. This calls for EMERGENT assistance.

MHIG is Urgently Requesting the Assistance of Our Legislators to:

1. Fund a plan to sustain and improve treatment for the mental health community, and
2. Provide funds to cover the GAP for Medicaid insured and uninsured adults in need of acute mental treatment for the population between the ages of 19 - 64.

These barriers have the effect of delaying services to Mississippians in need of mental health treatment, causing unnecessary stress for already vulnerable individuals. These individuals are forced to spend numerous days in hospital emergency rooms, jail cells, or in many cases, on the streets of our communities until appropriate placement becomes available.

We have attached information on what the Mental Health patient experience looks like today and what it can look like with your financial assistance.

What Can Access to Mental Health Look Like?

- Emergency Departments become hubs for coordination of care (Point of Entry in respective catchment areas). The ER staff can assess, stabilize and determine the proper level of care.
- Set fees established to transport patient
- Set fees established with psychiatric facilities within and outside of the service area, and an expected payment to the facility per patient.

MHIG has committed leadership and demonstrated pathways for success and implementation steps. We are requesting our State Legislators sufficiently fund a payment structure allocated proportionately to ensure the mental health community receives adequate services and care. Also, the State Board of Mental Health consists of nine (9) members with no representation for Harrison County, which is the second largest county in the State.

P.O. Box 1810 ... 4500 Thirteenth Street ... Gulfport, MS 39502

Minutes of September 17, 2019 Mayor and Board of Aldermen

Mental Health Crisis
Page 3 of 4

As stated in the Mental Health America 2018 report, for every 820 people living in Mississippi, there is at least one (1) mental health provider. Mississippi has the highest prevalence of youth and adult alcohol and substance abuse of all 50 states and DC. Mississippi also has the worst access to care. One in three adults ages 19 – 64 with disability in Mississippi couldn't see a doctor due to the cost of care and no ability to have a resource sponsored by the State. Mental Health issues affect 1 in 5 youth and adults in the United States.

As you are aware, the Department of Justice is suing Mississippi for discriminating against adults with mental illness and alleges violations with ADA and CRIPA by failing to provide adults with mental illness with necessary, integrated, community-based mental health services. The *SunHerald* released an article on August 12, 2019, regarding the mental health crisis. The article is titled, 'Lives are at stake. This is how mental health treatment became a Coast crisis'.

We are in a **Crisis** and **Immediate** assistance is required. We request your support to stabilize this crisis as we move forward with a viable solution.

Respectfully,

By: _____
Harrison County Board of Supervisors

By: _____
Executive Director of Gulf Coast Mental Health

By: _____
CEO of Memorial Hospital at Gulfport

By: _____
Executive Director of Mental Health
Association of South Mississippi

By: _____
CEO of Biloxi H.M.A., LLC
d/b/a Merit Health Biloxi

By: _____
CEO of GPCH-GP, Inc. d/b/a
Garden Park Medical Center

By: _____
CEO of Gulfport Behavioral Health System

By: _____
CEO of Oceans Behavioral Hospital

By: _____
Harrison County Sheriff's Department

By: _____
City of Biloxi on behalf of the
Biloxi Police Department

By: _____
City of D'Iberville on behalf of the
D'Iberville Police Department

By: _____
City of Gulfport on behalf of the
Gulfport Police Department

P.O. Box 1810 ... 4500 Thirteenth Street ... Gulfport, MS 39502

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

Mental Health Crisis
Page 4 of 4

By: _____
City of Long Beach on behalf of the
Long Beach Police Department

By: _____
City of Pass Christian on behalf of the
Pass Christian Police Department

By: _____
American Medical Response South
Mississippi Director

KGJ:alj

Attachment

P.O. Box 1810 ... 4500 Thirteenth Street ... Gulfport, MS 39502

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

Alderman Lishen made motion seconded by Alderman Robertson and unanimously carried to award the Clower Avenue Water System Improvements project to Lagniappe Construction Co., per City Engineer David Ball's recommendation below:

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



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

September 11, 2019

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

RE: Clower Ave. Water System Improvements – REBID

Ladies and Gentlemen:

We opened the referenced bids on September 10, 2019 and have attached a Certified Tabulation of the bids. As depicted on the Bid Tabulation, we received six bids for the work, with the two lowest total bids (Base bid + Alt. Bids 1 & 2) separated by only ~\$167. Lagniappe Construction Co., LLC is the low bid, at a combined total bid price of \$336,282.30.

Therefore, on the basis of the Bid Tabulation, we recommend award of the Base Bid plus Alternate Bids 1 and 2 of the referenced project to Lagniappe Construction Co., LLC, in the combined amount of their total bid, \$336,282.30.

Sincerely,

David Ball, P.E.


DB:539
Attachment

M.B. 91
09.17.19 Pub Hear/Reg

TABULATION OF BIDS
CITY OF LONG BEACH
CLOWER AVENUE WATER SYSTEM IMPROVEMENTS (Re-Bid)
Bid Date: September 10, 2019

CONTRACTORS BIDDING:			Legnapp Construction Co, LLC		Jay Bearden Construction, Inc.		Twin I. Construction, Inc.		Bottom 2 Top Construction, LLC		JLB Contractors		DNA Underground, LLC	
Certificate of Responsibility No.:			22526-mc		09155-MC		08365-MC		73104-MC		21884-MC		20907-MC	
Bid Bond:			Yes		Yes		Yes		Yes		Yes		Yes	
Acknowledgment Addendum No. 1:			Yes		Yes		No		No		No		No	
BASE BID:														
ITEM NO.	ITEM	PLAN	UNIT	EXTENSION	UNIT	EXTENSION	UNIT	EXTENSION	UNIT	EXTENSION	UNIT	EXTENSION	UNIT	EXTENSION
NO.		QUANTITY	PRICE		PRICE		PRICE		PRICE		PRICE		PRICE	
10-A	MOBILIZATION	1 L.S.	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 6,473.50	\$ 6,473.50	\$ 27,621.50	\$ 27,621.50	\$ 15,000.00	\$ 15,000.00	\$ 30,000.00	\$ 30,000.00
100-A	8" WATER MAIN	2680 L.F.	\$ 18.72	\$ 50,169.60	\$ 14.50	\$ 38,860.00	\$ 19.40	\$ 51,992.00	\$ 15.00	\$ 40,200.00	\$ 23.00	\$ 61,640.00	\$ 24.00	\$ 64,320.00
100-B	DUCTILE IRON FITTINGS	3.5 TON	\$ 4,244.69	\$ 14,856.42	\$ 5,920.00	\$ 20,720.00	\$ 5,697.00	\$ 19,839.50	\$ 5,245.14	\$ 18,357.99	\$ 5,000.00	\$ 17,500.00	\$ 5,300.00	\$ 18,550.00
110-A	8" GATE VALVE AND VALVE BOX	4 EA.	\$ 1,592.00	\$ 6,368.00	\$ 1,433.00	\$ 5,732.00	\$ 1,172.00	\$ 4,688.00	\$ 1,332.74	\$ 5,330.96	\$ 1,300.00	\$ 5,200.00	\$ 2,000.00	\$ 8,000.00
120-A	FIRE HYDRANT ASSEMBLY	6 EA.	\$ 3,570.05	\$ 21,420.30	\$ 3,690.00	\$ 22,140.00	\$ 3,327.00	\$ 19,962.00	\$ 4,337.25	\$ 26,023.50	\$ 4,500.00	\$ 27,000.00	\$ 5,200.00	\$ 31,200.00
130-A	LOCATE AND DISCONNECT EXISTING WATER MAIN	3 EA.	\$ 481.50	\$ 1,444.50	\$ 600.00	\$ 1,800.00	\$ 259.00	\$ 777.00	\$ 1,059.30	\$ 3,177.90	\$ 500.00	\$ 1,500.00	\$ 1,500.00	\$ 4,500.00
130-B	6"X6" TAPPING SLEEVE WITH VALVE AND VALVE BOX	2 EA.	\$ 3,584.55	\$ 7,169.10	\$ 2,480.00	\$ 4,960.00	\$ 2,848.00	\$ 5,696.00	\$ 2,495.59	\$ 4,991.18	\$ 2,800.00	\$ 5,600.00	\$ 1,800.00	\$ 3,600.00
130-C	4" LINE STOP VALVE	2 EA.	\$ 5,518.53	\$ 11,037.06	\$ 5,850.00	\$ 11,700.00	\$ 7,509.00	\$ 15,018.00	\$ 8,450.33	\$ 16,900.66	\$ 5,000.00	\$ 10,000.00	\$ 6,700.00	\$ 13,400.00
130-D	REMOVE EXISTING VALVE	3 EA.	\$ 321.00	\$ 963.00	\$ 300.00	\$ 900.00	\$ 64.74	\$ 194.22	\$ 527.87	\$ 1,583.61	\$ 500.00	\$ 1,500.00	\$ 1,000.00	\$ 3,000.00
130-E	REMOVE EXISTING FIRE HYDRANT	3 EA.	\$ 321.00	\$ 963.00	\$ 500.00	\$ 1,500.00	\$ 129.50	\$ 388.50	\$ 527.87	\$ 1,583.61	\$ 600.00	\$ 1,800.00	\$ 1,000.00	\$ 3,000.00
130-F	CONNECT TO EXISTING MAIN, VALVE, FITTING, OR STUB	2 EA.	\$ 374.50	\$ 749.00	\$ 500.00	\$ 1,000.00	\$ 3,800.00	\$ 7,600.00	\$ 1,029.21	\$ 2,058.42	\$ 1,500.00	\$ 3,000.00	\$ 500.00	\$ 1,000.00
140-A	1" SINGLE WATER SERVICE ASSEMBLY (TYPE 1)	14 EA.	\$ 557.16	\$ 7,800.24	\$ 770.00	\$ 10,780.00	\$ 441.50	\$ 6,181.60	\$ 608.75	\$ 8,522.50	\$ 1,200.00	\$ 16,800.00	\$ 725.00	\$ 10,150.00
140-B	1-1/2" DOUBLE WATER SERVICE ASSEMBLY (TYPE 2)	6 EA.	\$ 1,075.89	\$ 6,455.34	\$ 1,886.00	\$ 11,316.00	\$ 958.10	\$ 5,748.60	\$ 1,473.03	\$ 8,838.18	\$ 1,400.00	\$ 8,400.00	\$ 1,100.00	\$ 6,600.00
140-C	1" SINGLE WATER SERVICE ASSEMBLY (TYPE 3)	25 EA.	\$ 551.91	\$ 13,797.75	\$ 568.00	\$ 14,200.00	\$ 427.25	\$ 10,681.25	\$ 384.77	\$ 9,619.25	\$ 600.00	\$ 15,000.00	\$ 725.00	\$ 18,125.00
140-D	1-1/2" DOUBLE WATER SERVICE ASSEMBLY (TYPE 4)	2 EA.	\$ 1,104.80	\$ 2,209.60	\$ 1,176.00	\$ 2,352.00	\$ 1,392.00	\$ 2,784.00	\$ 1,187.70	\$ 2,375.40	\$ 1,500.00	\$ 3,000.00	\$ 1,200.00	\$ 2,400.00
140-E	2" SINGLE WATER SERVICE ASSEMBLY	1 EA.	\$ 1,428.73	\$ 1,428.73	\$ 1,400.00	\$ 1,400.00	\$ 1,243.00	\$ 1,243.00	\$ 1,261.37	\$ 1,261.37	\$ 1,600.00	\$ 1,600.00	\$ 1,500.00	\$ 1,500.00
140-F	LOCATE AND CONNECT TO EXISTING WATER SERVICE	56 EA.	\$ 192.60	\$ 10,785.60	\$ 100.00	\$ 5,600.00	\$ 88.40	\$ 21,750.40	\$ 450.00	\$ 25,200.00	\$ 200.00	\$ 11,200.00	\$ 200.00	\$ 11,200.00
310-A	15" RCP CURBVERT	32 EA.	\$ 36.30	\$ 1,181.60	\$ 33.00	\$ 1,056.00	\$ 143.70	\$ 4,598.40	\$ 48.15	\$ 1,548.80	\$ 35.00	\$ 1,220.00	\$ 88.00	\$ 2,816.00
320-A	55-2 CURB INLET	2 EA.	\$ 3,745.00	\$ 7,490.00	\$ 2,070.00	\$ 4,140.00	\$ 1,553.65	\$ 3,107.30	\$ 3,266.18	\$ 6,532.36	\$ 3,200.00	\$ 6,400.00	\$ 500.00	\$ 1,000.00
500-B	PIPE BEDDING/PIPE FOUNDATION MATERIAL (PM)	125 C.Y.	\$ 21.06	\$ 2,632.50	\$ 12.00	\$ 1,500.00	\$ 23.00	\$ 2,875.00	\$ 15.00	\$ 1,875.00	\$ 65.00	\$ 8,125.00	\$ 50.00	\$ 6,250.00
500-B	SELECT SANDY BACKFILL (FM)	1000 C.Y.	\$ 7.06	\$ 7,060.00	\$ 8.00	\$ 8,000.00	\$ 11.65	\$ 11,650.00	\$ 13.52	\$ 13,520.00	\$ 15.00	\$ 15,000.00	\$ 14.00	\$ 14,000.00
500-C	GEOTEXTILE FABRIC	500 S.Y.	\$ 2.94	\$ 1,470.00	\$ 2.80	\$ 1,400.00	\$ 9.10	\$ 4,550.00	\$ 2.25	\$ 1,125.00	\$ 4.00	\$ 2,000.00	\$ 1.00	\$ 500.00
510-A	8" LIMESTONE ROAD BASE	938 S.Y.	\$ 21.40	\$ 20,273.20	\$ 24.50	\$ 22,981.00	\$ 41.40	\$ 38,833.20	\$ 42.00	\$ 39,396.00	\$ 25.00	\$ 23,450.00	\$ 48.00	\$ 45,024.00
510-C	19.0 MM MIX	938 S.Y.	\$ 34.13	\$ 32,013.94	\$ 36.00	\$ 33,768.00	\$ 36.25	\$ 34,002.50	\$ 49.22	\$ 46,168.36	\$ 95.00	\$ 89,110.00	\$ 55.00	\$ 51,590.00
510-D	MILLING EXISTING ASPHALT PAVEMENT	3600 S.Y.	\$ 4.12	\$ 14,832.00	\$ 4.70	\$ 17,120.00	\$ 4.55	\$ 16,380.00	\$ 6.75	\$ 24,300.00	\$ 7.50	\$ 27,000.00	\$ 6.50	\$ 23,400.00
510-E	CONCRETE DRIVE RESTORATION	100 S.Y.	\$ 44.94	\$ 4,494.00	\$ 50.00	\$ 5,000.00	\$ 58.25	\$ 5,825.00	\$ 58.85	\$ 5,885.00	\$ 100.00	\$ 10,000.00	\$ 145.00	\$ 14,500.00
510-F	CONCRETE CURB & GUTTER RESTORATION	100 LF.	\$ 18.19	\$ 1,819.00	\$ 19.50	\$ 1,950.00	\$ 28.50	\$ 2,850.00	\$ 19.42	\$ 1,942.00	\$ 50.00	\$ 5,000.00	\$ 52.00	\$ 5,200.00
510-G	VEGETATIVE COVER	1 L.S.	\$ 2,354.00	\$ 2,354.00	\$ 3,000.00	\$ 3,000.00	\$ 1,942.00	\$ 1,942.00	\$ 2,050.00	\$ 2,050.00	\$ 4,500.00	\$ 4,500.00	\$ 10,350.00	\$ 10,350.00
510-H	SOLID SOD	100 S.Y.	\$ 6.42	\$ 642.00	\$ 9.00	\$ 900.00	\$ 7.80	\$ 780.00	\$ 12.36	\$ 1,236.00	\$ 10.00	\$ 1,000.00	\$ 7.00	\$ 700.00
520-A	MAINTENANCE OF TRAFFIC	1 L.S.	\$ 3,210.00	\$ 3,210.00	\$ 2,500.00	\$ 2,500.00	\$ 4,532.00	\$ 4,532.00	\$ 8,500.00	\$ 8,500.00	\$ 5,000.00	\$ 5,000.00	\$ 20,000.00	\$ 20,000.00
530-A	STORM WATER MANAGEMENT	1 L.S.	\$ 535.00	\$ 535.00	\$ 3,000.00	\$ 3,000.00	\$ 2,580.00	\$ 2,580.00	\$ 8,500.00	\$ 8,500.00	\$ 5,000.00	\$ 5,000.00	\$ 20,000.00	\$ 20,000.00
TOTAL BASE BID:				\$ 267,466.18		\$ 266,775.00		\$ 315,669.87		\$ 365,516.55		\$ 408,445.00		\$ 454,875.00
ALTERNATE BID SCHEDULE 1														
100-C	LOCATE AND ABANDON EXISTING WATER MAIN IN-PLACE	2680 L.F.	\$ 2.46	\$ 6,592.80	\$ 2.50	\$ 6,700.00	\$ 1.30	\$ 3,484.00	\$ 3.95	\$ 10,586.00	\$ 5.00	\$ 13,400.00	\$ 3.50	\$ 9,380.00
TOTAL ALTERNATE BID SCHEDULE 1				\$ 6,592.80		\$ 6,700.00		\$ 3,484.00		\$ 10,586.00		\$ 13,400.00		\$ 9,380.00
ALTERNATE BID SCHEDULE 2														
510-B	1-1/2" HOT BITUMINOUS PAVEMENT OVERLAY (ST-12.5MM MIX)	7817 S.Y.	\$ 7.96	\$ 62,223.32	\$ 8.12	\$ 63,474.04	\$ 9.10	\$ 71,134.70	\$ 10.77	\$ 84,189.09	\$ 11.00	\$ 85,987.00	\$ 13.00	\$ 101,621.00
TOTAL ALTERNATE BID SCHEDULE 2				\$ 62,223.32		\$ 63,474.04		\$ 71,134.70		\$ 84,189.09		\$ 85,987.00		\$ 101,621.00
TOTAL BID (BASE BID + ALTERNATE BID 1 + ALTERNATE BID 2):				\$ 336,282.30 *		\$ 336,449.04		\$ 390,288.57		\$ 460,291.64 *		\$ 507,832.00		\$ 565,876.00

* = Engineer's corrected figures


David Ball, P.E.
Cert. No. 16546
9/10/2019



**Minutes of September 17, 2019
Mayor and Board of Aldermen**

Alderman Parker made motion seconded by Alderman Robertson and unanimously carried to approve the following contract with J.E. Borries for Harbor Dredging, and authorize 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

September 13, 2019


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

**RE: Dredging & Debris Removal (Rebid)
Long Beach Harbor – Hurricane Nate Repairs**

Ladies and Gentlemen:

At a previous meeting, the referenced construction Contract was approved. Since then, the Contract has been executed by the Contractor and is herewith submitted for final City approval and execution by the Mayor.

Sincerely,



David Ball, P.E.

DB:1041-Rebid
Attachment

Minutes of September 17, 2019 Mayor and Board of Aldermen

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

THIS AGREEMENT is by and between City of Long Beach, MS PO Box 929 Long Beach, MS 39560

(Owner) and J.E. Borries, Inc. 16701 Hwy 57 Vancleave, MS 39565

(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:

LONG BEACH SMALLCRAFT HARBOR HURRICANE NATE – DREDGING & DEBRIS
REMOVAL

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:

BASE BID

ARTICLE 3 - ENGINEER

3.01 The Project has been designed by

Overstreet & Associates, PLLC.
161 Lameuse St., Suite 203
Biloxi, MS 39530

(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.

EJCDC C-520 Suggested Form of Agreement Between Owner and Contractor for Construction Contract (Stipulated Price)
Copyright © 2002 National Society of Professional Engineers for EJCDC. All rights reserved.
00520-1

Minutes of September 17, 2019 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 30 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 30 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 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 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: N/A

_____ (\$ _____)
(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 September 17, 2019 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.

<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.

One Hundred Twenty-Nine Thousand Five Hundred dollars and 00/100 ----(\$129,500.00)

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 third Tuesday 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.

Minutes of September 17, 2019

Mayor and Board of Aldermen

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.

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 of _____ percent per annum.

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.

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.

Minutes of September 17, 2019 Mayor and Board of Aldermen

ARTICLE 9 - CONTRACT DOCUMENTS

9.01 Contents

A. The Contract Documents consist of the following:

1. This Agreement (pages 1 to 2, inclusive).
2. Performance bond (pages 1 to 2, inclusive).
3. Payment bond (pages 1 to 2, inclusive).
4. Other bonds (pages ____ to ____, inclusive).
 - a. Bid Bond (pages 1 to 2, inclusive).
 - b. ____ (pages ____ to ____, inclusive).
 - c. ____ (pages ____ to ____, inclusive).
5. General Conditions (pages 1 to 53, inclusive).
6. Supplementary Conditions (pages 1 to 9, inclusive).
7. Specifications as listed in the table of contents of the Project Manual.
8. Appendix A consisting of 1 sheet with each sheet bearing the following general title: Long Beach Small Craft Harbor – Diver Surveyed Debris.
9. Addenda (numbers ____ to ____, inclusive). N/A
10. Exhibits to this Agreement (enumerated as follows):
 - a. Contractor's Bid (pages 1 to 3, inclusive).
 - b. Documentation submitted by Contractor prior to Notice of Award (pages ____ to ____, inclusive). N/A
 - c. Certification of Compliance with MS Dept of Employment Security (pages 1 to 1, inclusive).
 - d. Certified Employment Plan Form for Certain Public Works Projects (pages 1 to 1, 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.

Minutes of September 17, 2019

Mayor and Board of Aldermen

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.

10.05 Other Provisions

Minutes of September 17, 2019 Mayor and Board of Aldermen

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 9/17/19 (which is the Effective Date of the Agreement)

OWNER:
George L. Bass
By: [Signature]
Title: Mayor
[CORPORATE SEAL]
Attest: Stacy Dahl
Title: City Clerk

CONTRACTOR:
J.E. Borries, Inc.
By: [Signature]
Title: Jason Borries, President
[CORPORATE SEAL]
Attest: Roxanna Borries
Title: Roxanna Borries, Vice President

Address for giving notices:
City of Long Beach
P.O. Box 929
Long Beach, MS 39500

Address for giving notices:
J.E. Borries, Inc.
16701 Hwy 57
Vancleave, Ms. 39565

(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.: 09360-MC
(Where applicable)

Agent for service or process: Jason Borries



(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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**Minutes of September 17, 2019
Mayor and Board of Aldermen**

Alderman Lishen made motion seconded by Alderman Frazer and unanimously carried to approve the following Change Order No. 3 for the Lovers Lane Drainage Improvements:

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

September 13, 2019

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

**RE: Change Order No. 3
Lovers Lane Drainage Improvements**

Ladies and Gentlemen:

We have attached a proposed change order for the referenced project, which is for the sealing & repair/improvement to the existing drainage boxes on the south side of Lovers Lane. These existing drainage boxes have been leaking for some time and have required occasional repair by Public Works. Recently, through no apparent fault of the Contractor, the adjacent construction along the northern side of the street may have worsened the leaks in the existing drainage boxes. This change order proposes to use an expanding foam/grout to seal the boxes and prevent future leaks. While we personally have not used this product before, we are aware of its use for this and other types of repairs and understand the product has been used in the area successfully.

Therefore, we recommend approval of this change order, which also includes a time adjustment relative to this additional work. As we near the completion of construction on the project, we advise that there will be at least one additional change order to rectify quantity overruns and underruns, which we typically term the "Summary Change Order". We believe this summary change order will result in a net savings on the expected contract price, and will include a time adjustment for the delays encountered by the Contractor due to 3rd party utility conflicts, for which the total delay has not yet been fully accounted.

Sincerely,

David Ball, P.E.

DB:1022
Attachment

Minutes of September 17, 2019 Mayor and Board of Aldermen

Change Order

No. 3

Date of Issuance: 9/11/2019 Effective Date: 9/17/2019

Project: 311-640100-10010 Owner: City of Long Beach Owner's Contract No.: _____
 Contract: Lovers Lane Drainage Improvements Date of Contract: 2/14/2019
 Contractor: Lagnippe Construction Company, LLC Engineer's Project No.: 1022

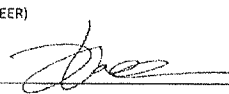
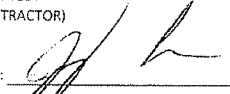
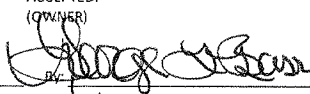
The Contract Documents are modified as follows upon execution of this Change Order:

Description:

1. This change order is for the sealing/repair of existing drainage boxes on the south side of Lovers Lane, which leak and allow soil into the City's drainage system. These existing boxes have been leaking for some time; however, the recent construction efforts in near proximity may have worsened the problem. This damage, if attributable to the recent construction, was unavoidable and not the fault of the Contractor.
2. This change order also includes an adjustment in Contract Time for the additional work.

Attachments: (list documents supporting change):

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: <u>\$529,637.80</u>	Original Contract Times: <input type="checkbox"/> Working Days <u>120</u> Calendar days Substantial completion (days or date): <u>7/22/2019</u> Ready for final payment (days or date): _____
(Increase) in Contract Price from previous Change Orders No. <u>n/a</u> to No. <u>2</u> <u>\$48,401.20</u>	Change in Contract Time from previous Change Orders No. <u>n/a</u> to No. <u>2</u> Substantial completion (days or date): <u>15</u> Ready for final payment (days or date): _____
Contract Price prior to this Change Order: <u>\$578,039.00</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>8/6/2019</u> Ready for final payment (days or date): _____
(Increase) in Contract Price due to this Change Order: <u>\$10,065.00</u>	(Increase) in Contract Time due to this Change Order: Substantial completion (days or date): <u>4</u> Ready for final payment (days or date): _____
Revised Contract Price incorporating this Change Order: <u>\$588,104.00</u>	Contract Times incorporating this Change Order: Substantial completion (days or date): <u>8/10/2019</u> Ready for final payment (days or date): _____

RECOMMENDED: (ENGINEER)	ACCEPTED: (CONTRACTOR)	ACCEPTED: (OWNER)
By: 	By: 	By: 
Date: <u>9/11/2019</u>	Date: <u>9/12/19</u>	Date: <u>9/17/19</u>

EJCDC No. C-941 (2002 Edition)
 Prepared by the Engineers' Joint Contract Documents Committee and endorsed by the
 Associated General Contractors of America and the Construction Specifications Institute.

Minutes of September 17, 2019 Mayor and Board of Aldermen

ATTACHMENT TO CHANGE ORDER NUMBER		3		PROJECT NO		1022		
NO	DESCRIPTION	CURRENT CONTRACT QUANTITY	UNIT PRICE	CURRENT CONTRACT AMOUNT	QUANTITY THIS C.O.	EXTENSION THIS C.O.	TOTAL CONTRACT QUANTITY	TOTAL CONTRACT AMOUNT
BASE BID								
D10-A	MOBILIZATION	1	L.S.	\$55,000.00				\$55,000.00
300-A	REMOVE EXISTING DRAINAGE PIPE (8-15" DIA. OR EQUIV.)	1,000	L.F.	\$3.00	\$3,000.00			\$3,000.00
300-B	REMOVE EXISTING TRENCH (6" DIA.)	5	CA.	\$1,500.00	\$7,500.00			\$7,500.00
301-A	ADJUST WATER MAIN (8" THRU 8" DIA.)	140	L.F.	\$94.17	\$13,183.80			\$13,183.80
301-C	8" DUCTILE IRON SEWER CONFLICT	2	E.A.	\$72.00	\$144.00			\$144.00
310-C	24" RCP CULVERT	28	L.F.	\$68.00	\$1,904.00			\$1,904.00
310-D	36" RCP CULVERT	72	L.F.	\$101.00	\$7,272.00			\$7,272.00
310-E	48" RCP CULVERT	116	L.F.	\$125.00	\$14,500.00			\$14,500.00
310-F	24" HDPE CULVERT	359	L.F.	\$38.00	\$13,642.00			\$13,642.00
310-G	30" HDPE CULVERT	184	L.F.	\$49.00	\$9,016.00			\$9,016.00
310-H	36" HDPE CULVERT	268	L.F.	\$59.00	\$15,812.00			\$15,812.00
310-K	6'X4' BOX CULVERT	32	L.F.	\$485.00	\$15,520.00			\$15,520.00
320-B	CATCH BASIN, PEDESTAL TYPE (436" CULVERT)	4	E.A.	\$7,950.00	\$31,800.00			\$31,800.00
320-D	DOUBLE CATCH BASIN, PEDESTAL TYPE	1	E.A.	\$4,200.00	\$4,200.00			\$4,200.00
320-E	CURB INLET (436" CULVERT)	3	E.A.	\$4,350.00	\$13,050.00			\$13,050.00
320-F	DOUBLE CURB INLET	3	E.A.	\$5,500.00	\$16,500.00			\$16,500.00
320-G	CATCH BASIN #2650 (AT STA. 26+50)	1	E.A.	\$5,000.00	\$5,000.00			\$5,000.00
320-H	CATCH BASIN #2688, PEDESTAL TYPE (AT STA. 26+88)	1	E.A.	\$5,700.00	\$5,700.00			\$5,700.00
500-A	PIPE BEDDING / PIPE FOUNDATION MATERIAL	550	C.Y.	\$17.00	\$9,350.00			\$9,350.00
500-B	SELECT SANDY BACKFILL	750	C.Y.	\$13.00	\$9,750.00			\$9,750.00
500-C	GEOTEXTILE FABRIC	300	S.Y.	\$2.60	\$780.00			\$780.00
510-A	1" LIMESTONE ROAD BASE	660	S.Y.	\$20.00	\$13,200.00			\$13,200.00
510-B	HOT BITUMINOUS PAVEMENT (57-12.5 mm MIX)	150	TON	\$130.00	\$19,500.00			\$19,500.00
510-C	CONCRETE DRIVE RESTORATION	230	S.Y.	\$42.00	\$9,660.00			\$9,660.00
510-D	SAWCUT JOINT	460	L.F.	\$4.95	\$2,277.00			\$2,277.00
510-E	VEGETATIVE COVER	1,500	S.Y.	\$2.00	\$3,000.00			\$3,000.00
510-F	CHAINLINK FENCE RESTORATION	80	L.F.	\$20.00	\$1,600.00			\$1,600.00
510-G	WOODEN FENCE RESTORATION	290	L.F.	\$15.00	\$4,350.00			\$4,350.00
510-H	SOLID SOD	50	S.Y.	\$4.25	\$212.50			\$212.50
510-I	FENCE/SIOR BLANKET	50	S.Y.	\$2.50	\$125.00			\$125.00
510-J	MISCELLANEOUS RESTORATION (BASE BID)	1	L.S.	\$8,000.00	\$8,000.00			\$8,000.00
520-A	MAINTENANCE OF TRAFFIC (BASE BID)	1	L.S.	\$10,000.00	\$10,000.00			\$10,000.00
530-A	STORMWATER MANAGEMENT (BASE BID)	1	L.S.	\$15,000.00	\$15,000.00			\$15,000.00
CO2-1	INSTALL LINE STOP ON EXISTING FORCE MAIN	2	E.A.	\$9,246.80	\$18,493.60			\$18,493.60
CO2-2	INSTALL GATE VALVE ON EXISTING FORCE MAIN	2	E.A.	\$5,999.60	\$11,999.20			\$11,999.20
CO2-3	BYPASS & RELOCATE EXISTING FORCE MAIN	1	L.S.	\$16,208.40	\$16,208.40			\$16,208.40
CO2-4	CONFLICT BOX (3 AT 1 LINE)	1	L.S.	\$7,700.00	\$7,700.00			\$7,700.00
CO3-1	REPAIR/SEAL EXISTING DRAIN BOXES ON LOVERS LANE	0	L.S.	\$10,065.00	\$0.00	1	\$10,065.00	\$10,065.00
TOTAL BASE BID					\$369,503.50		\$10,065.00	\$379,568.50
ALT. BID 1								
300-A	REMOVE EXISTING DRAINAGE PIPE (8-15" DIA. OR EQUIV.)	700	L.F.	\$3.00	\$2,100.00			\$2,100.00
301-A	ADJUST WATER MAIN (8" THRU 8" DIA.)	250	L.F.	\$94.17	\$23,542.50			\$23,542.50
301-B	ADJUST WATER SERVICE	3	E.A.	\$1,150.00	\$3,450.00			\$3,450.00
301-D	DUCTILE IRON SEWER SERVICE CONFLICT (48" DIA.)	3	E.A.	\$5,650.00	\$16,950.00			\$16,950.00
310-A	18" RCP CULVERT	32	L.F.	\$80.00	\$2,560.00			\$2,560.00
310-B	18" RCP CULVERT	24	L.F.	\$133.00	\$3,192.00			\$3,192.00
310-E	48" RCP CULVERT	304	L.F.	\$125.00	\$38,000.00			\$38,000.00
320-A	CATCH BASIN (436" CULVERT)	1	E.A.	\$5,500.00	\$5,500.00			\$5,500.00
320-C	CATCH BASIN, PEDESTAL TYPE (436" CULVERT)	3	E.A.	\$1,700.00	\$5,100.00			\$5,100.00
320-E	HEADWALL, EXTENSION (AT STA. 20+20)	1	E.A.	\$8,600.00	\$8,600.00			\$8,600.00
500-A	PIPE BEDDING / PIPE FOUNDATION MATERIAL	130	C.Y.	\$17.00	\$2,210.00			\$2,210.00
500-B	SELECT SANDY BACKFILL	200	C.Y.	\$16.00	\$3,200.00			\$3,200.00
500-C	GEOTEXTILE FABRIC	160	S.Y.	\$2.60	\$416.00			\$416.00
510-C	CONCRETE DRIVE RESTORATION	125	S.Y.	\$42.00	\$5,250.00			\$5,250.00
510-D	SAWCUT JOINT	150	L.F.	\$6.85	\$1,027.50			\$1,027.50
510-E	VEGETATIVE COVER	850	S.Y.	\$2.00	\$1,700.00			\$1,700.00
510-F	SOLID SOD	50	S.Y.	\$4.25	\$212.50			\$212.50
510-I	FENCE/SIOR BLANKET	50	S.Y.	\$2.50	\$125.00			\$125.00
510-K	MISCELLANEOUS RESTORATION (ALTERNATE BID 1)	1	L.S.	\$8,000.00	\$8,000.00			\$8,000.00
520-B	MAINTENANCE OF TRAFFIC (ALTERNATE BID 1)	1	L.S.	\$10,000.00	\$10,000.00			\$10,000.00
530-B	STORMWATER MANAGEMENT (ALTERNATE BID 1)	1	L.S.	\$8,000.00	\$8,000.00			\$8,000.00
TOTAL ALTERNATE BID 1					\$178,335.50	\$0.00		\$178,335.50
ALT. BID 2								
320-M	HEADWALL (AT STA. 29+08)	1	E.A.	\$8,600.00	\$8,600.00			\$8,600.00
320-N	HEADWALL (AT STA. 39+05)	1	E.A.	\$6,700.00	\$6,700.00			\$6,700.00
320-O	HEADWALL (AT STA. 39+23)	1	E.A.	\$8,600.00	\$8,600.00			\$8,600.00
320-P	HEADWALL (AT STA. 40+55)	1	E.A.	\$6,300.00	\$6,300.00			\$6,300.00
TOTAL ALTERNATE BID 2					\$30,200.00	\$0.00		\$30,200.00
TOTAL WORK COMPLETED					\$578,039.00	\$10,065.00		\$588,104.00

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There came on for discussion the status of 125 Harris Ave. After discussion with the owner, Ms. Susan Mullican, Alderman Frazer made motion seconded by Alderman Robertson and unanimously carried to declare the aforesaid property in compliance.

Minutes of September 17, 2019 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 Park Row Avenue, Long Beach, Mississippi. After a discussion of the subject, Alderman Griffin 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 RE-CLEANING CERTAIN PROPERTY LOCATED AT 0 PARK ROW AVENUE, 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 Park Row 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 December 4, 2018, 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 January 2, 2019, 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 January 2, 2019, 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

Minutes of September 17, 2019 Mayor and Board of Aldermen

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 subsequently, at its meeting on August 20, 2019, the municipal building and code enforcement officials did again present facts and information sufficient to determine and find that the property was again in such a state of uncleanliness as to be a menace to the public health and safety of the community, and that, as allowed under statute, a cleaning of the property was again necessary if the property was not adequately cleaned by the owner thereof;

6. That notice of such intent to again enter upon the property and clean same as required to bring the property into a satisfactory state or condition was provided to the owner of same through posting of same as required by law without action by the landowner;

7. That subsequently the city caused the property to be re-cleaned, and 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.

8. 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 Park Row Avenue, Long Beach, Mississippi, which parcel of land is identified by

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

Harrison County Tax Parcel Number 0611P-05-073.000, and according to said tax records is owned by Merkord & Associates, Inc., 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.

3. The fine assessed and imposed hereby is in the TOTAL amount of \$220.13, \$220.13 being the cost of such clean up in accordance with the attached Exhibit A, together with a penalty of \$0.00, 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 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 Ronald Robertson	voted	Aye
Alderman Patricia Bennett	voted	Aye
Alderman Donald Frazer	voted	Aye
Alderman Mark Lishen	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Kelly Griffin	voted	Aye
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 17th day of September, 2019.

APPROVED:

George L. Bass, Mayor

ATTEST:

Stacey Dahl, City Clerk

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

There came on for discussion derelict properties, whereupon Alderman McCaffrey made motion seconded by Alderman Griffin and unanimously carried to schedule a public hearing, Tuesday, October 15, 2019, at 5:00 o'clock p.m., Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not certain properties situated in the City of Long Beach are in such a state of uncleanliness as to constitute a menace to the public health and safety of the community; said properties are as follows:

- 240 Alexander Road; assessed to Lullie V & Sarah D Bullock
- 100 Destiny Oaks Drive; assessed to Laura Grimes Singley
- 18 Linda Lane; assessed to Daniel L Myers & Dawn Jones
- 129 Dearman Lane; assessed to Carolyn Kanagay & Kathy Shellstrom

At the request of City Attorney Jim Simpson, Alderman Robertson made motion seconded by Alderman McCaffrey and unanimously carried to declare an Executive Session for the transaction of public business, to wit: To discuss with and seek legal advice and counsel of the City Attorney regarding potential litigation and lease negotiations.

The question having received the affirmative voice vote of all of the Aldermen present and voting, the Mayor declared the motion carried, whereupon the Board entered into Executive Session

* * *

The meeting resumed in Open Session, whereupon no action was taken.

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

**Minutes of September 17, 2019
Mayor and Board of Aldermen**

APPROVED:

Alderman Donald Frazer, At-Large

Alderman Ronald Robertson, Ward 1

Alderman Bernie Parker, Ward 2

Alderman Kelly Griffin, Ward 3

Alderman Timothy McCaffrey, Jr., Ward 4

Alderman Mark E. Lishen, Ward 5

Alderman Patricia Bennett, Ward 6

Date

ATTEST:

Kini Gonsoulin, Deputy City Clerk