

**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

**MUNICIPAL DOCKET  
REGULAR MEETING OF NOVEMBER 7, 2023  
THE MAYOR AND BOARD OF ALDERMEN  
THE CITY OF LONG BEACH, MISSISSIPPI  
5:00 O'CLOCK P.M. LONG BEACH CITY HALL, 201 JEFF DAVIS AVE.  
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- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL AND ESTABLISH QUORUM**
- IV. PUBLIC HEARINGS**
- V. ANNOUNCEMENTS; PRESENTATIONS; PROCLAMATIONS**
  - 1. Proclamation – Shop Small Saturday**
- VI. AMENDMENTS TO THE MUNICIPAL DOCKET**
- VII. APPROVE MINUTES:**
  - 1. MAYOR AND BOARD OF ALDERMEN**
    - a. October 17, 2023, Regular & Executive Session**
    - b. October 24, 2023, Work Session**
  - 2. PLANNING & DEVELOPMENT COMMISSION**
    - a. October 26, 2023, Regular**
- VIII. APPROVE DOCKET OF CLAIMS NUMBER(S):**
  - 1. 110723**
- IX. UNFINISHED BUSINESS**
  - 1. Short Term Rental Committee**
  - 2. Inner Bulkhead & Southern Quay**
- X. NEW BUSINESS**
  - 1. Special Event App – Carnival Assoc. of Long Beach; Jeep-A-Gras**
  - 2. Special Event App – Carnival Assoc. of Long Beach; Mardi Gras Parade**
  - 3. Waiver of Rec Center Fees – Naval Construction Group; Alderman Frazer**
  - 3. Mobile Vending Ordinance**
  - 4. Wheel Way**
  - 5. Tree Removal – 501 N. Seal Avenue**
  - 6. City Hall Generator Repairs**
  - 7. MDOT Project Funding Letter – Railroad Crossing Grade Improvements**
  - 8. Cemetery Services & Fees – Alderman Frazer**
  - 9. Tri-Party Agreement – Alderman Frazer**
  - 10. Request to Purchase City Property – Theresa Borzik**
  - 11. Amended Public Trust Tidelands Lease**
- XI. DEPARTMENTAL BUSINESS**
  - 1. MAYOR'S OFFICE**
  - 2. PERSONNEL**
    - a. Police Dept – New Hire (1); Step Increase (5)**
    - b. Fire Dept – Termination (1); New Hire (1)**
    - c. Municipal Court – Education Pay (1); Step Increase (2)**
    - d. Harbor – Step Increase (4)**
  - 3. CITY CLERK**
    - a. Audit FY 23 Letter of Engagement**
    - b. Bond Issue Project List**
  - 4. FIRE DEPARTMENT**
  - 5. POLICE DEPARTMENT**
  - 6. ENGINEERING**
    - a. 2022 Sewer Rehabilitation**
    - b. Castine Point Phase VI – Rear Yard Drainage Improvements**
    - c. Change Order – David Rush Construction, LLC; Fire Station #3**
  - 7. PUBLIC WORKS**
  - 8. RECREATION**
  - 9. BUILDING OFFICE**
  - 10. MUNICIPAL COURT**
    - a. Certificate of Completion – Court Clerks Conference**
  - 11. HARBOR**
  - 12. COMMUNITY AFFAIRS**
  - 13. DERELICT PROPERTIES**
    - a. Schedule Public Hearing – 333 E 5<sup>th</sup> Street; Assessed to John O’Beirne Sneed**
    - b. Schedule Public Hearing – 108 Park Row; Assessed to MSTREO LLC**
    - c. Schedule Public Hearing – 0 Via Don Ray; Assessed to James A Knowles**
    - d. Schedule Public Hearing – 612 Wright Ave; Assessed to Long Beach Trust**
    - e. Assess Cleaning Costs – 24 Pecan Drive; Assessed to TTLBL, LLC**
- XII. REPORT FROM CITY ATTORNEY**
- XIII. ADJOURN (OR) RECESS**

**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

Be it remembered that a regular meeting of the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held at 5:00 o'clock p.m., Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, it being the first Tuesday in November, 2023, and the same being the time, date and place fixed by Laws of the State of Mississippi and ordinance of the City of Long Beach for holding said meeting.

There were present and in attendance on said board and at the meeting the following named persons: Mayor George L. Bass, Aldermen Donald Frazer, Patrick Bennett, Bernie Parker, Angie Johnson, Timothy McCaffrey, Jr., Mike Brown, Pete L. McGoey, Deputy City Clerk Kini Gonsoulin, and City Attorney Stephen B. Simpson, Esq.

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

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The Mayor proclaimed November 25, 2023 as Small Business Saturday.

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Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to suspend the rules and add Veteran's Day Parade as item #12 under New Business.

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

- October 17, 2023 Regular
- October 17, 2023 Executive Session
- October 24, 2023 Work Session

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Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to approve the Regular minutes of the Planning & Development Commission dated October 26, 2023, as submitted.

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**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

Alderman McGoey made motion seconded by Alderman McCaffrey and unanimously carried to approve payment of invoices listed in Docket of Claims number 110723.

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Alderman Frazer made motion seconded by Alderman Johnson and unanimously carried to appoint the following citizens/Aldermen to the Short Term Rental Committee:

- Alderman Patrick Bennett
- Alderman Bernie Parker
- Alderman Angie Johnson
- Mayor George Bass
- Mayor Appointment – Phillip LeBlanc
- At-Large Appointment – Blane Sutton
- Ward 1 Appointment – Michelle Dasher
- Ward 2 Appointment – John Sigafoose
- Ward 3 Appointment – Mark Walker
- Ward 4 Appointment – Tom Carpenter
- Ward 5 Appointment – Shelda Jones
- Ward 6 Appointment – Troy Fisher

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There came on for discussion Inner Bulkhead & Southern Quay, whereupon it was the consensus of the Board to direct City Engineer David Ball and Comptroller Kini Gonsoulin to compile the funding sources and updated estimated costs of these projects and have available at the next meeting.

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Minutes of November 7, 2023  
Mayor and Board of Aldermen

Alderman Parker made motion seconded by Alderman McCaffrey and unananimously carried to approve the following Special Event Application submitted by Carnival Association of Long Beach for Jeep-a-Gras:

January 12+13, 2024  
Friday & Saturday  
Jeep meet / Parade  
Jeep-a-Gras  
Coastal Daiquiri  
City Streets

CITY OF LONG BEACH  
SPECIAL EVENT APPLICATION

City Clerk's Office \* 201 Jeff Davis Avenue \* P.O. Box 929 \* Long Beach, MS 39560

Date Received By Clerk's Office: 6/25/23 Time: \_\_\_\_\_ By: CS

Please complete this application in accordance with the City of LONG BEACH Special Events Policy, and return it to the Office of the Mayor at least 90 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Carnival Association of Long Beach

Organization Address: P.O. Box 120 Long Beach, MS 39560

Organization Agent: Chris Boudreaux Title: President

Phone: \_\_\_\_\_ Home \_\_\_\_\_ Cell 228-547-8439 During Event

Agent's Address: P.O. Box 120 Long Beach, MS 39560

Agent's E-Mail Address: calb1960@gmail.com

Event Name: Jeep-a-Gras

Please give a brief description of the proposed special event:

Jeep Meet Friday Jan 12 @ Coastal

Daiquiri

Jeep Parade - Saturday Jan 13

Event Day (s) & Date (s): Jan 12+13, 2024 Event Time (s): Parade - 5:00

Set-Up Date & Time: \_\_\_\_\_ Tear-Down Date & Time: \_\_\_\_\_

Event Location: Parade route - See attached

ANNUAL EVENT: Is this event expected to occur next year?  YES  NO

How many years has this event occurred? 2

ADOPTED: 08.18.20-BOARD ACTION

# Minutes of November 7, 2023 Mayor and Board of Aldermen

**MAP:** (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

**STREET CLOSURES:** Start Date/Time: 1/13/24 @ 4:30 Through Date/Time: end of parade

**RESERVED PARKING:** Are you requesting reserved parking? YES  NO

If yes, list the number of street spaces, City lots or locations where parking is requested:

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**VENDORS:** Food Concessions? YES  NO  Other Vendors? YES  NO

**DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT?** YES  NO

If yes, are liquor license and liquor liability insurance attached? YES  NO   
If yes, what time? \_\_\_\_\_ Until \_\_\_\_\_

**ENTERTAINMENT:** Are there any entertainment features related to this event? YES  NO

If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

**ATTENDANCE:** What is expected (estimated) attendance for this event? \_\_\_\_\_

**AMUSEMENT:** Do you plan to have any amusement or carnival rides? YES  NO

If yes, you are requested to obtain a permit through the Building/Permit Department.

**RESTROOMS:** Are you planning to provide portable restrooms at the event? YES  NO   
If yes, how many?

only @ line up - LBHS  
As an event organizer, you must consider the availability of restroom facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the restroom facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

ADOPTED: 08.18.20-BOARD ACTION

**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Department, Street closures, electrical, etc.)

police department assistance

**INSURANCE:** All sponsors of special events must carry liability insurance with coverage of at least \$1,000,000 (1 million). An event sponsor must provide a valid certificate of insurance naming the City of Long Beach as an additional insured party on the policy. A sponsor of a Low Hazard event may request the Board of Aldermen waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies consideration for Low Hazard because:

**CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:

A certificate of Insurance must be provided which names the City of Long Beach as an additional named insured party on the policy or I am requesting the Board of Aldermen waive the insurance requirement for this Low Hazard Event as identified in the paragraph above related to insurance, and I have executed the Hold Harmless and Indemnification Agreement on behalf of the event sponsor.

All food vendors must be approved by the Harrison County Health Department, and each food or other vendor must provide the City of Long Beach with a Certificate of Insurance, which names the City of Long Beach as an additional named insured party on the policy.

The approval of this Special Event may include additional requirements or limitations, based on the City's review of this application.

Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.

As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings and agree that my sponsoring organization will comply with the terms of the written confirmation of approval and all other City requirements, ordinances, and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

10/23/23

Date

Jordan Seep

Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least ninety (90) days before the first day of the event to:  
City of Long Beach \* Mayor's Office \* 201 Jeff Davis Ave. \* P. O. Box 929 \* Long Beach, MS  
39560**

ADOPTED: 08.18.20-BOARD ACTION

# Minutes of November 7, 2023 Mayor and Board of Aldermen

Event Title: Jeep & Grqs Jan 12, 13, 24

**DEPARTMENTAL USE ONLY: Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk's Office, as soon as possible.**

Approvals noted below, by departments, indicate they have been made aware of the request and the reasonability of their department has been met.

Police Dept: W Recommended Approval: YES NO Est. Economic Impact: \$ 0

Fire Dept: HS Recommended Approval: YES NO Est. Economic Impact: \$ 0

Public Works: f Recommended Approval: YES NO Est. Economic Impact: \$ 0

Traffic Eng: \_\_\_\_\_ Recommended Approval: YES NO Est. Economic Impact: \$ \_\_\_\_\_

Parks/Rec: RJP Recommended Approval: YES NO Est. Economic Impact: \$ 0

Have businesses been notified for street closures?: YES NO

Reason for disapproval: \_\_\_\_\_

Any special requirements/conditions: \_\_\_\_\_

Insurance/Indemnification Received: \_\_\_\_\_

Insurance Approved: \_\_\_\_\_

Board of Aldermen Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

ADOPTED: 08.18.20-BOARD ACTION

## Minutes of November 7, 2023 Mayor and Board of Aldermen



<b>BUSINESSOWNERS GENERAL LIABILITY COVERAGE PART DECLARATIONS</b>							
<b>Policy No. NBP2551522H</b>				<b>Effective Date: 06/15/2023</b>			
				<b>12:01 STANDARD TIME</b>			
<b>LIMITS OF INSURANCE</b>							
Liability and Medical Expenses						<b>\$1,000,000</b>	
Medical Expense (per person)						<b>\$5,000</b>	
Damages To Premises Rented To You (Any One Premises)						<b>\$100,000</b>	
An Aggregate Limit of Liability applies to this Coverage as defined in SECTION II - LIABILITY, paragraph D.4. of the Businessowners Coverage Form.							
<b>LIABILITY DEDUCTIBLE</b>						<b>\$0</b>	
<b>LOCATIONS OF ALL PREMISES YOU OWN, RENT OR OCCUPY</b>							
Location	Address	Territory					
1	7910 Magnolia Loop, Pass Christian, MS 39571	001					
<b>PREMIUM COMPUTATION</b>							
Loc	Classification	Code No.	Premium Basis	Rate		Advance Premium	
				Pr/Co	All Other	Pr/Co	All Other
1	Additional Insured - Designated Person	49950	3 Per Additional Insured	0.000	50.000	\$0	\$150
1	Charitable Organization - no premises owned or leased - Not-for-Profit only	41670	137 Per Members	0.000	3.107	\$0	\$426
1	Blanket Special Events Liability - Non-Profit Organizations	00041	Flat	0.000	1,200.000	\$0	\$1,200
<b>MINIMUM PREMIUM FOR GENERAL LIABILITY COVERAGE PART:</b>						<b>\$345</b>	
<b>TOTAL PREMIUM FOR GENERAL LIABILITY COVERAGE PART:</b>						<b>\$1,776</b>	
(This Premium may be subject to adjustment.)						MP - minimum premium	
Coverage Form(s)/Part(s) and Endorsement(s) made a part of this policy at time of issue: <b>See Form EOD (01/95)</b>							
<small>THESE DECLARATIONS ARE PART OF THE POLICY DECLARATIONS CONTAINING THE NAME OF THE INSURED AND THE POLICY PERIOD.</small>							



# Minutes of November 7, 2023 Mayor and Board of Aldermen

**NBP2551522G**  
Renewal of Number

**Mount Vernon Fire Insurance Company**  
**1190 Devon Park Drive, Wayne, Pennsylvania 19087**  
A Member Company of United States Liability Insurance Group

**POLICY DECLARATIONS**  
**No. NBP2551522H**

NAMED INSURED AND ADDRESS:  
**CARNIVAL ASSOCIATION OF LONG BEACH INC**  
**PO BOX 120**  
**LONG BEACH, MS 39560**

**NOTE: This insurance policy is issued pursuant to Mississippi law covering surplus lines insurance. The company issuing the policy is not licensed by the State of Mississippi, but is authorized to do business in Mississippi as a nonadmitted company. The policy is not protected by the Mississippi Insurance Guaranty Association in the event of the insurer's insolvency.**

## NO FLAT CANCEL

POLICY PERIOD: (MO. DAY YR.) From: 06/15/2023 To: 06/15/2024

12:01 A.M. STANDARD TIME AT YOUR MAILING ADDRESS SHOWN ABOVE

FORM OF BUSINESS: Non-Profit Corporation

BUSINESS DESCRIPTION: Non-Profit Directors and Officers

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.	
THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS FOR WHICH A PREMIUM IS INDICATED. THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.	
	PREMIUM
Businessowners Liability Coverage Part	\$1,776.00
Businessowners Property Coverage Part	\$50.00
Management Liability Coverage Part	\$744.00
	Wholesaler Broker Fee \$150.00
	Surplus Lines Tax \$108.80
	Stamping Fee \$6.80
	MWUA Fee \$81.60
	<b>TOTAL: \$2,917.20</b>
Coverage Form(s) and Endorsement(s) made a part of this policy at time of issue <b>See Endorsement EOD (1/95)</b>	

Agent: **JENCAP INSURANCE SERVICES, INC. (AR) (1162)**  
P.O. Box 231  
Turners, MO 65765

Issued: 06/16/2023 8:30 AM

Broker: 

By:   
Authorized Representative

UPD (08-07) **THESE DECLARATIONS TOGETHER WITH THE COMMON POLICY CONDITIONS, COVERAGE PART DECLARATIONS, COVERAGE PART COVERAGE FORM(S) AND FORMS AND ENDORSEMENTS, IF ANY, ISSUED TO FORM A PART THEREOF, COMPLETE THE ABOVE NUMBERED POLICY.**

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Minutes of November 7, 2023  
Mayor and Board of Aldermen

Alderman Frazer made motion seconded by Alderman Johnson and unananimously carried to approve the following Special Event Application submitted by Carnival Association of Long Beach for Mardi Gras Parade:

February 3, 2024  
Saturday  
Mardi Gras Parade  
6:00pm - 8:00pm  
City Streets

CITY OF LONG BEACH  
SPECIAL EVENT APPLICATION

City Clerk's Office \* 201 Jeff Davis Avenue \* P.O. Box 929 \* Long Beach, MS 39560

Date Received By Clerk's Office: 10/25/23 Time: \_\_\_\_\_ By: CS

Please complete this application in accordance with the City of LONG BEACH Special Events Policy, and return it to the Office of the Mayor at least 90 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Carnival Association of Long Beach

Organization Address: P.O. Box 120 Long Beach, MS 39560

Organization Agent: Chris Boudreaux Title: President

Phone: \_\_\_\_\_ Home \_\_\_\_\_ Cell 228-547-8439 During Event

Agent's Address: P.O. Box 120 Long Beach, MS

Agent's E-Mail Address: calb1960@gmail.com

Event Name: CALB Mardi Gras Parade

Please give a brief description of the proposed special event:

Mardi Gras Parade

Event Day (s) & Date (s): Feb. 3, 2024 Event Time (s): 6 00 PM

Set-Up Date & Time: \_\_\_\_\_ Tear-Down Date & Time: \_\_\_\_\_

Event Location: Parade route - see attached

ANNUAL EVENT: Is this event expected to occur next year?  YES  NO

How many years has this event occurred? 52

ADOPTED: 08.18.20-BOARD ACTION

# Minutes of November 7, 2023 Mayor and Board of Aldermen

**MAP:** (a) If your event will use streets or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. (b) Show any streets or parking lots that you are requesting to be blocked off, and location of vendors, if any. A final map, if different, must be provided seven (7) days before the event. (c) Please show an emergency vehicle access lane.

**STREET CLOSURES:** Start Date/Time: 30 min. prior Through Date/Time: end

**RESERVED PARKING:** Are you requesting reserved parking? YES  NO

If yes, list the number of street spaces, City lots or locations where parking is requested:

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

**VENDORS:** Food Concessions? YES  NO  Other Vendors? YES  NO

**DO YOU PLAN TO HAVE ALCOHOL SOLD/SERVED AT THIS EVENT?** YES  NO

If yes, are liquor license and liquor liability insurance attached? YES  NO

If yes, what time? \_\_\_\_\_ Until \_\_\_\_\_

**ENTERTAINMENT:** Are there any entertainment features related to this event? YES  NO

If yes, provide an attachment listing all bands/performers, type of entertainment, and performance schedule.

**ATTENDANCE:** What is expected (estimated) attendance for this event? \_\_\_\_\_

**AMUSEMENT:** Do you plan to have any amusement or carnival rides? YES  NO

If yes, you are requested to obtain a permit through the Building/Permit Department.

**RESTROOMS:** Are you planning to provide portable restrooms at the event? YES  NO

If yes, how many?

only @ line up - LBHS

As an event organizer, you must consider the availability of restroom facilities during this event. Consideration should be made regarding the type of event, the length of time it will be held, the number of people, etc. You must determine the restroom facilities in the immediate area of the event venue and then identify the potential need for portable facilities. Remember to identify accessible facilities for ADA requirements as well.

ADOPTED: 08.18.20-BOARD ACTION

# Minutes of November 7, 2023 Mayor and Board of Aldermen

**OTHER REQUESTS:** (i.e., Police Department assistance, Fire Department, Street closures, electrical, etc.)

police department assistance

**INSURANCE:** All sponsors of special events must carry liability insurance with coverage of at least \$1,000,000 (1 million). An event sponsor must provide a valid certificate of insurance naming the City of Long Beach as an additional insured party on the policy. A sponsor of a Low Hazard event may request the Board of Aldermen waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies consideration for Low Hazard because:

**CERTIFICATION AND SIGNATURE:** I understand and agree on behalf of the sponsoring organization that:

A certificate of Insurance must be provided which names the City of Long Beach as an additional named insured party on the policy or I am requesting the Board of Aldermen waive the insurance requirement for this Low Hazard Event as identified in the paragraph above related to insurance, and I have executed the Hold Harmless and Indemnification Agreement on behalf of the event sponsor.

All food vendors must be approved by the Harrison County Health Department, and each food or other vendor must provide the City of Long Beach with a Certificate of Insurance, which names the City of Long Beach as an additional named insured party on the policy.

The approval of this Special Event may include additional requirements or limitations, based on the City's review of this application.

Applicants who fail to clean up and repair damages to the Event Area may be billed for City services and such failure will be considered for future applications.

As the duly authorized agent of the sponsoring organization, I am applying for approval of this Special Event, affirm the above understandings and agree that my sponsoring organization will comply with the terms of the written confirmation of approval and all other City requirements, ordinances, and other laws, which apply to this Special Event. By signing this Special Event Application, I declare I am 21 years of age or older.

10/23/23  
Date

Jordan Seal  
Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least ninety (90) days before the first day of the event to:  
City of Long Beach \* Mayor's Office \* 201 Jeff Davis Ave. \* P. O. Box 929 \* Long Beach, MS  
39560**

ADOPTED: 08.18.20-BOARD ACTION

# Minutes of November 7, 2023 Mayor and Board of Aldermen

Event Title: Mardi Gras Parade 2/3/24 6-8 pm

**DEPARTMENTAL USE ONLY: Please contact applicant directly with any questions or concerns. Sign and return to the City Clerk's Office, as soon as possible.**

Approvals noted below, by departments, indicate they have been made aware of the request and the reasonability of their department has been met.

Police Dept: [Signature] Recommended Approval: YES NO Est. Economic Impact: \$ 0

Fire Dept: [Signature] Recommended Approval: YES NO Est. Economic Impact: \$ 0

Public Works: [Signature] Recommended Approval: YES NO Est. Economic Impact: \$ 0

Traffic Eng: \_\_\_\_\_ Recommended Approval: YES NO Est. Economic Impact: \$ \_\_\_\_\_

Parks/Rec: [Signature] Recommended Approval: YES NO Est. Economic Impact: \$ 0

Have businesses been notified for street closures?: YES NO

Reason for disapproval: \_\_\_\_\_

Any special requirements/conditions: \_\_\_\_\_

Insurance/Indemnification Received: \_\_\_\_\_

Insurance Approved: \_\_\_\_\_

Board of Aldermen Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

ADOPTED: 08.18.20-BOARD ACTION

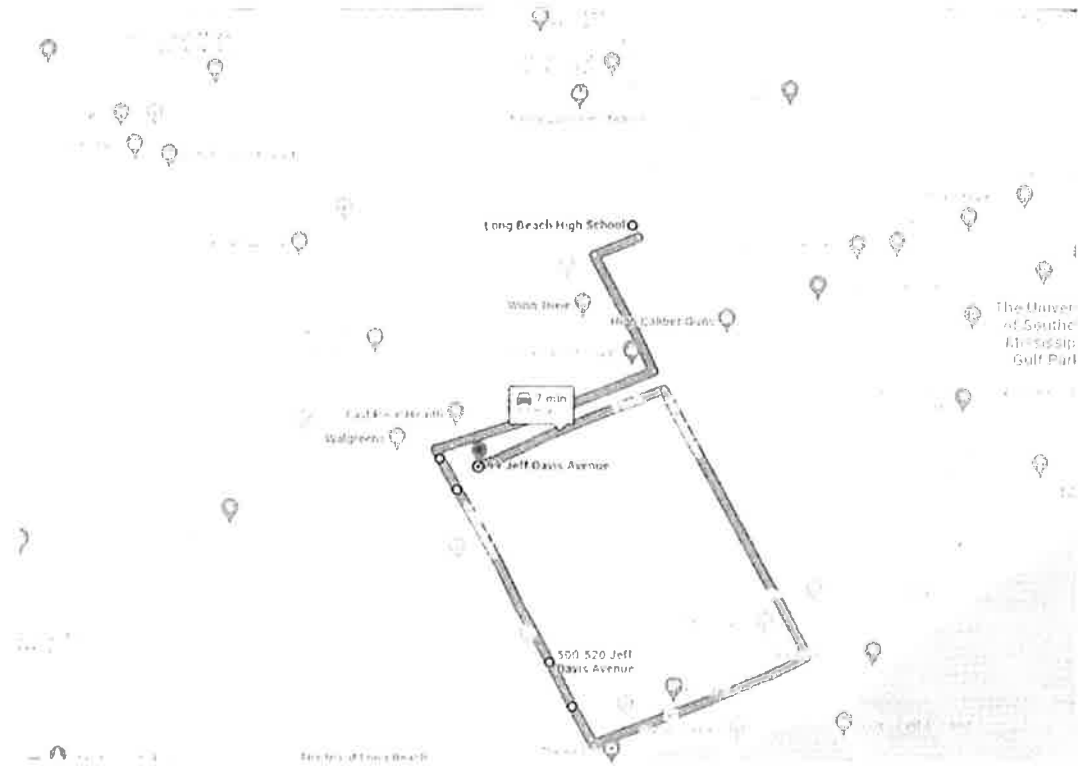
## Minutes of November 7, 2023 Mayor and Board of Aldermen

<b>ACORD</b>		<b>CERTIFICATE OF LIABILITY INSURANCE</b>		DATE (MM/DD/YYYY) 11/07/2023		
THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.						
<b>IMPORTANT:</b> If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).						
<b>PRODUCER</b> Arde Insurance Group, Inc 750 E PASS RD  Gulfport MS 39507	<b>CONTACT NAME:</b> Donald Frazer <b>PHONE (A/C, No, Ext):</b> (228) 897-2404 <b>FAX (A/C, No):</b> (228) 897-2405 <b>E-MAIL ADDRESS:</b> jennifer@ardeinsurancegroup.com <b>INSURER(S) AFFORDING COVERAGE</b> NAIC # INSURER A: MOUNT VERNON FIRE INS CO 26522 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:					
<b>INSURED</b>  Carnival Association of Long Beach PO Box 120  Long Beach MS 39560						
<b>COVERAGES</b>		<b>CERTIFICATE NUMBER:</b>		<b>REVISION NUMBER:</b>		
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.						
INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVR	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER POLICY <input type="checkbox"/> PROJ <input type="checkbox"/> LOC OTHER:	Y Y	NBP2551522F	06/15/2023	06/15/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A			PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)						
<b>CERTIFICATE HOLDER</b>				<b>CANCELLATION</b>		
City of Long Beach MS 201 Jeff Davis Ave Long Beach MS 39560				SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.		
				AUTHORIZED REPRESENTATIVE 		

ACORD 25 (2016/03)

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**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

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Alderman Frazer made motion seconded by Alderman McCaffrey and unanimously carried to waive the Rec Center fees for the C.B. Naval Construction Group Two (NCG2) for their Christmas party on December 8, 2023.

\*\*\*\*\*

**Ordinance No. 666**

**AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, REGULATING LICENSING AND OTHER REGULATIONS FOR MOBILE/STATIONARY VENDORS TO OPERATE AND/OR SELL FOOD, BEVERAGES OR MERCHANDISE IN THE CITY OF LONG BEACH, MISSISSIPPI AND PROVIDING FOR THE PENALTY FOR VIOLATION OF SUCH REGULATIONS, AND FOR RELATED PURPOSES.**

WHEREAS, the current ordinances do not provide guidance concerning mobile/stationary vendors,

WHEREAS there is no regulation at the present time providing guidance where vendors may set up, time of operations, licensing, and other general conditions.

WHEREAS The governing body does find that such activities such as mobile/stationary vendors without some regulation creates a hazard to the public safety, particularly as to where and when such activities may be conducted and without requiring inspection for fire safety and Health Department inspection and licensing.

WHEREAS the governing authority does have the authority to adopt reasonable ordinances for the regulation of mobile/stationary vendors operating within the city.

WHEREAS the governing body finds that in order to protect and preserve the public safety it is necessary to provide guidance to our Building Department to license and regulate operations of mobile/stationary vendors.

Be it ordained by the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, as follows:

**Section 1. - Definitions.**

The following words and phrases, whenever used herein, shall be construed as defined in this section:

*Mobile vendor* means any person who sells merchandise, food and/or beverages from a mobile pushcart, trailer, or motorized mobile food preparation vehicle.

*Mobile pushcart* means any portable vending device, pushcart or other wheeled vehicle or device which may be moved without the assistance of a motor and which is not required to be licensed and registered by the Department of Transportation, used for the displaying, storing or transporting of food, beverages and/or merchandise offered for sale by a vendor. Said cart may be up to four feet in width, six feet in length, excluding auxiliary items such as handles or fenders, or otherwise the cart shall not occupy space greater than a total of 24 square feet.

*Mobile food preparation vehicle* means any moveable car, van, truck or trailer that includes a self-contained kitchen in which food is prepared, processed or stored and used to sell and dispense food to the consumer. The unit must be on wheels at all times. This definition does not include pushcarts, which is defined above..

## Minutes of November 7, 2023 Mayor and Board of Aldermen

*Stationary Vendor* means any person who sells merchandise, food, and/or beverages from a stationary table, vehicle, or stationary device.

*Special Event*: A special event is a one-time or infrequently occurring event outside normal programs or activities. A Special Event means musical events, concerts, shows, pageants, sporting events, festivals, competitions, and other events of limited duration presented by Licensee. All special events must be approved by the Mayor and Board of Aldermen. After all requirements have been reviewed and signed off by required city Department Heads, certain fees may be waived by the Mayor and Board.

*Catering Event* means an event where food and drinks are paid for by an organizing entity or individual that is invited to cater an event or individual that is invited to cater an event or occasion and does not make individual sales of food and/or drinks to customers. Catering events are not subject to the mobile food vendor permit requirements.

### **Section 2. - Applicability.**

This article shall apply to all mobile/stationary vendors licensed to sell merchandise, food and/or beverages within the City of Long Beach where permitted to do so.

The provisions of this Ordinance shall not apply to the following, however all permits or licenses that may be required by the Long Beach Code Office shall be obtained.

1. Civic and nonprofit organizations
2. Any general sale, fair, auction or bazaar sponsored by a church or religious organization;
3. Garage sales held on premises devoted to residential use;
4. Duly licensed flea markets operating from a fixed location;
5. Temporary peddlers license for parades and special events. (Sec section 3.A)
6. Certified Farmers Markets

### **Section 3. – Permits/License**

Once a permit or license is approved, a designated color placard will be issued by the code office. The code office will coordinate with the Long Beach Police Department regarding the color of the placard. This placard must be placed on said vendor vehicle in plain sight for enforcement officials to see.

#### **(A) Temporary Vendors license for parades and special events**

1. Organizations and individuals desiring to peddle and/or sell food and/or other items at parades and/or certain special events (events limited to two (2) days in duration) may obtain a temporary vendors license by applying therefore as set forth in this ordinance.
2. The temporary license shall allow the holder to sell and/or peddle food and/or other items for a period of two (2) days consecutive at parades and/or special events.



## Minutes of November 7, 2023 Mayor and Board of Aldermen

3. The day that the temporary license is valid shall be marked on the face thereof by the city clerk. Vendors in possession of a temporary license may sell at any time during a parade or event and, where the event is held at night, until one hour after the close of the parade or event
4. Temporary Vendor license shall cost \$25.00 per event and is valid for (2) consecutive days. (Annual permits may be used to operate at special events). All Temporary Vendor License shall adhere to the following:
  - a. The name, mailing address, physical address, telephone number(s), and email address of the applicant(s). If any applicant is anything other than a natural person, then all documents related to the creation and maintenance of the entity such as articles of incorporation and any similar relevant documents shall be included.
  - b. A State tax identification number issued by the Mississippi Department of Revenue.
  - c. A food service permit from the Mississippi Department of Health, if required.
  - d. The permit must be submitted and approved 14 calendar days prior to the event.

**(B) Mobile/Stationary Vendors Permit requirements (other than temporary license for parades and special events)**

1. All mobile/stationary vendors shall obtain and maintain a City of Long Beach Privilege License and a Mobile Vending Permit for each mobile pushcart or mobile food preparation vehicle in operation. All applications for permit renewal shall be filed annually with the City of Long Beach Permit Office. The permit must be submitted and approved 14 days prior to the event.
2. The application may be reviewed by any department of the City as may be necessary or convenient to determine whether the application is complete or whether the permit should be granted. Permit applications shall contain the following information:
  - a. Name, mailing address, physical address, telephone number(s), and email address of the applicant(s). If any applicant is anything other than a natural person, then all documents related to the creation and maintenance of the entity such as articles of incorporation and any similar relevant documents shall be included.
  - b. A valid City of Long Beach Privilege license.
  - c. A food service permit from the Mississippi Department of Health.
  - d. All mobile pushcarts, mobile vendors, mobile food preparation vehicles and stationary vendors shall be issued a State tax number by the Mississippi Department of Revenue.
  - e. An approval from the City Fire Inspector.
  - f. A City of Long Beach Property Owner Consent form for each proposed location of operation.
  - g. A list of products to be sold.
  - h. Proof of a valid insurance policy that provides minimum liability coverage of \$1,000,000.00 per mobile food and/or beverage preparation vehicle, mobile pushcart, and merchandise vendor whether stationary or mobile with the city named as an additional insured.
  - i. If operating a mobile food preparation vehicle, proof of a valid vehicular insurance policy shall be provided to the City.
  - j.

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- k. A written indemnity agreement that will hold harmless the city, its officers, and employees, for any loss or liability or damage, including costs, for bodily injury or property damage sustained by a person as a result of the negligent installation, use, or maintenance of a permitted space.
- l. Copies of all letters and other notices from any governmental, quasi-governmental, professional, or business association or entity, related directly or indirectly to alleged or actual improper conduct in the food service business, issued to applicant or any person who will have responsibility for operations of the mobile pushcart, mobile food preparation vehicle or mobile/stationary vendor for which a permit is requested. This shall include all related response and follow up documents showing any results, findings or actions.
- m. The dates, jurisdiction, court, and disposition of the following:
  - i. All felony charges related to the applicant or any principal of the applicant; and
  - ii. All misdemeanors and violations directly or indirectly related to non-food, food, food preparation, permit operations, and/or business operations, related to the applicant or any principal of the applicant
  - iii. Such other additional information required by law, rule, or ordinance, or that any department of the City or Board of Aldermen, or the permit applicant reasonably deems appropriate to assist the City in determining whether the permit should be granted. The applicant shall be provided reasonable time to supplement the application.
- 3. Mobile/Stationary Vending permits are \$325.00 per vehicle, cart or device which covers the administrative cost of processing the application and regulating each mobile pushcart or mobile/stationary vendor vehicle. Each permit is valid for 1 year
- 4. Permit holders may be required to remove private materials or accessories to allow utility access for emergency and maintenance operation or both.
- 5. The permit shall be displayed on the mobile pushcart or mobile/stationary vehicle/device at all times.
- 6. Permits are non-transferable.
- 7. A damaged or destroyed mobile pushcart, mobile vehicle or stationary device may be replaced if and only if approval for its replacement is obtained from the City Permit office. Any such replacement pushcart, vehicle or stationary device shall be of substantially the same type, size, and dimension and with the same general characteristics as the original. Such replacement may be disallowed if the original vendor permit would not have approved the use of the replacement pushcart, vehicle or stationary device.
- 8. Any permit granted pursuant to this article shall be nonexclusive. The city may grant any number of such permits as the city deems appropriate. The granting of a permit shall not limit or abridge any power or authority of the city and shall not limit the authority of the city to commence appropriate civil, criminal, or other enforcement actions. The city retains full authority to amend the ordinances, rules and regulations that apply to any permit.
  
- 9. The city may revoke and terminate the permit in the event the vendor violates any term,

## Minutes of November 7, 2023 Mayor and Board of Aldermen

condition, or provision of the permit, the City of Long Beach Code of Ordinances and/or zoning ordinances, state and/or federal law, or if the business license issued by the city for the permitted activity is revoked. The procedures for revoking or terminating a permit shall be the same as revoking or terminating a business license. The revocation may be sought as a remedy in a civil action. The vendor may terminate or surrender the permit at will any time prior to the expiration of the permit by providing written notice to City Permit Office. Termination of the permit shall not operate to relieve the vendor of the obligation to release, hold harmless, and indemnify the city and its officers, agents, and employees.

### **Section 4. - Location and Operation.**

Mobile pushcarts, mobile vehicles and stationary vendors shall conduct business on private property, in designated areas approved by the Long Beach Building Official and on certain designated public areas during approved parades, events or festivals. The Long Beach Building Official may limit the number of mobile/stationary vendors located in any one area.

The City Permit Office, Department of Planning, Department of Public Works and the Code Enforcement Officer shall have continuing authority to approve locations, grant conditions for approval, revoke prior approval of locations, make conditional revocations of approved locations, require adjustments by the mobile food vendor in setup or location to accommodate public safety and convenience, and to otherwise maintain full lawful control over all public ways of the city. The City of Long Beach Police and Fire Departments shall have concurrent authority to oversee locations and setup of mobile pushcarts and mobile/stationary vehicles. If an applicant is denied and wishes to appeal his grievance, he may request an order approving his application to the Board of Aldermen at a regular scheduled meeting and said item will be considered "approved or disapproved."

Mobile pushcarts and mobile/stationary vehicles/devices shall conform to the following regulations regarding location and operation:

1. Mobile pushcarts and mobile/stationary vehicles/devices must be located in accordance with approved permit at all times during operation.
  - a) Proof of said permission must be filed with the City Permit office.
2. A mobile Food Vendor licensed to operate in an approved district may operate Monday-Sunday between the hours of 8:00 a.m. and 10:00 p.m. A 2 hour extension may be granted by the code office during special events if warranted.
3. Area Cleanup is required and removal of the pushcart or vehicle shall be completed within 1 hour from closing.
4. Mobile pushcarts and mobile/stationary vehicles/devices must not be locked or attached to trees, garbage receptacles, or street furniture.
5. Mobile pushcarts and mobile/stationary vehicles/devices may not locate within 20 feet of any bus stop.
6. Mobile pushcarts and mobile/stationary vehicles/devices may not locate within any area which would block the view of traffic or traffic signals or traffic signs.
7. Mobile pushcarts and mobile/stationary vehicles/devices may not locate within ten feet of any fire hydrant.
8. The operators must be present at all times, unless in conjunction with an event.

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9. Sales of goods are limited to food, beverage and merchandise.
10. The sale of alcoholic beverages is prohibited, unless approved by the Mayor and Board of Aldermen or their designee.
11. In no event shall any mobile pushcart or mobile/stationary vehicle/device display any device, or accessory container be located inside any public building or structure or at any place the general public is prohibited.
12. Mobile/Stationary vendors are responsible for all waste and trash removal. The containment area must be kept clear of grease, trash, paper, cups or cans associated with the operation. No liquid waste or grease is to be disposed of in tree pits or onto sidewalks, streets, or other public places; nor shall it be disposed of in drains or sanitary sewers.
13. The mobile/stationary vendor shall not provide stands, shelves, bins, equipment, signs, covers, or any kind of accessory or feature unless the same was accurately described and included in the application, and was fairly included in the picture or other graphics required as part of the application.
14. During the hours of operation, the permit holder shall provide a trash receptacle for use by customers located adjacent to the mobile pushcart or mobile food preparation vehicle in such a manner as not to block or otherwise obstruct pedestrian or vehicular traffic.
15. The mobile food vendor shall contain all refuse, trash and litter within the mobile food preparation vehicle.
16. The vendor shall be responsible for the proper disposal of such refuse, trash, and litter utilizing disposal facilities other than those provided by the City for public use.
17. The vendor is responsible for all litter and trash within 15 feet of the mobile pushcart or mobile food preparation vehicle at any time the vendor is selling or offering to sell any merchandise or service.
18. The mobile pushcart or mobile/stationary vehicle/device must have self-contained utilities and shall not use the city's utilities or private utilities that are not self-contained and integral to the vendor unit.
19. If the mobile/stationary vehicle utilizes a generator, it shall be in compliance with the City of Long Beach noise ordinance.
20. No speakers or other noise production devices are allowed.
21. No mobile/stationary vendor shall sell or attempt to sell any item to the occupant of any motor vehicle, unless it is parked in a lawful parking space.
22. Mobile pushcarts and mobile/stationary vehicles must comply with all local, state, and federal rules regarding sanitation and protection of food from airborne contamination.
23. Every mobile/stationary vendor shall keep records utilizing generally accepted accounting practices for the purposes of compliance with all federal, state and local tax laws.
24. All approved mobile pushcarts and mobile/stationary vehicles must collect or pay the applicable sales tax required by all food providers in the City of Long Beach, along with all other tax and licensing fees required by the State of Mississippi.
  - a) All mobile pushcarts and mobile/stationary vehicles must be issued a State tax number by the Mississippi Department of Revenue.

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**Section 5. - Design Standards.**

- A. All mobile pushcarts and mobile food preparation vehicles must meet the following design standards:
1. All mobile pushcarts and mobile food preparation vehicles must be capable of Independently providing all necessary utilities for operation in order to maintain compliance with all Mississippi Department of Health Codes.
  2. Umbrellas or canopies must be attached to the pushcart or vehicle and must not exceed eight feet in height above grade. Maximum diameter of canopies and umbrellas shall not exceed six feet and shall not interfere with pedestrian movement. No mobile pushcart or mobile food preparation vehicle shall have more than two umbrellas.
  3. All signage on mobile pushcarts and mobile food preparation vehicles shall comply with the City of Long Beach Sign Ordinance.
  4. Exterior lighting must be hooded or shielded so that the light source does not hinder traffic and is not directly visible to a residential area.
  5. Mobile food vendors may place a maximum of three coolers within their containment area so long as the coolers are neatly stacked to avoid visual clutter.
  6. No accessory container shall be more than three feet from the unit.
  7. Accessory containers must be made of hard substances such as hard plastic or a metal and may not be made by expanded polystyrene plastic, paper, paperboard, or cardboard.
  8. Mobile pushcarts and mobile food preparation vehicles may not be stored, parked or left overnight on city property unless approved by the City Building Inspector and Board of Aldermen.

**Section 6. - Violations and penalties.**

- A. All mobile food vending must be performed in compliance with said ordinance. Failure to abide by said ordinance shall result in the following:
1. A fine not exceeding \$300.00 for a first violation.
  2. A fine not exceeding \$500.00 for a second violation within 12 months of any prior violation.
  3. A fine not exceeding \$1,000.00 for a third or more violation within 12 months of the first.
- B. Any offense shall be considered a misdemeanor and is subject to being cited by any authorized law enforcement official in the City of Long Beach or with authority to do so in the City of Long Beach.
- C. Violation of this article may result in the suspension or revocation of any city permit or license issued to the owner or operator of the mobile pushcart or mobile food preparation vehicle.
- D. Each day on which an infraction of the ordinance occurs shall be considered a separate and distinct violation.
- E. All fines collected shall go to the City's general fund.

**Section 7. REPEALING CLAUSE**

All ordinances or parts of ordinances in conflict herein shall be, and the same are hereby repealed.

**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

**EFFECTIVE DATE**

All ordinances shall take effect and be in force as provided by law.

The above ordinance having been first reduced to writing and read and considered section by section at a public meeting of the governing authorities of the City of Long Beach Mississippi on motion of Alderman McGoey, seconded by Alderman McCaffrey, and the roll being called, the same by the following votes:

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

The above and foregoing, having received the majority vote of the City Council of the City of Long Beach, Mississippi, the Mayor declared the same carried and adopted, this the 7<sup>th</sup> day of November, 2023.

APPROVED:

\_\_\_\_\_  
GEORGE L. BASS, MAYOR

ATTEST:

\_\_\_\_\_  
STACEY DAHL, CITY CLERK

**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

**CITY OF LONG BEACH, Mississippi**

**APPLICATION FOR MOBILE VENDING PERMIT  
THIS APPLICATION MUST BE NOTARIZED.  
PERMIT FEE: \$250 PER MOBILE VENDING UNIT PER YEAR**

**APPLICANT INFORMATION (PLEASE PRINT)**

Name: \_\_\_\_\_

Home Phone Number \_\_\_\_\_ Cell Phone Number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

\_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code)

Mailing Address \_\_\_\_\_

\_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code)

Social Security Number and/or Federal ID Number: \_\_\_\_\_

**BUSINESS INFORMATION (PLEASE PRINT)**

Name of Business: \_\_\_\_\_

Business Owner: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business Telephone Number: \_\_\_\_\_ Business Fax Number: \_\_\_\_\_

State Tax ID Number: \_\_\_\_\_ Zoning Classification: \_\_\_\_\_

City of Long Beach Privilege License

Number: \_\_\_\_\_

MS Department of Health Food Service Permit  
Number: \_\_\_\_\_

Location Applied For (Street Address or Description of  
Location): \_\_\_\_\_

Vending Type:       Mobile Push       Mobile Food Vehicle  
    Stationary Vendor

**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

**CITY OF LONG BEACH, MISSISSIPPI**

**OWNER'S CONSENT FORM FOR MOBILE VENDOR OPERATION**

**BUSINESS INFORMATION (PLEASE PRINT)**

Name of Business: \_\_\_\_\_

Business Owner: \_\_\_\_\_

Business Telephone Number: \_\_\_\_\_

City of Long Beach Mobile Food Vendor Permit Number: \_\_\_\_\_

Vending Type:     Mobile Push Cart     Mobile Food Vehicle  
 Stationary Vendor

**PROPERTY OWNER INFORMATION (PLEASE PRINT)**

Name of Property Owner: \_\_\_\_\_

Home Phone Number: \_\_\_\_\_ Cell Phone  
Number: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Physical Address: \_\_\_\_\_

\_\_\_\_\_ , \_\_\_\_\_  
(City) (State) (Zip Code)

Zoning Classification: \_\_\_\_\_

Days of Operation: \_\_\_\_\_ to \_\_\_\_\_ Hours of Operation: \_\_\_\_\_ to \_\_\_\_\_

\_\_\_\_\_  
(Business Owner Signature)

\_\_\_\_\_  
(Date)

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

\_\_\_\_\_  
(Date)



Minutes of November 7, 2023  
Mayor and Board of Aldermen

CITY OF LONG BEACH, Mississippi

APPLICATION FOR MOBILE VENDING PERMIT  
THIS APPLICATION MUST BE NOTARIZED.  
PERMIT FEE: \$250 PER MOBILE VENDING UNIT PER YEAR

Brief description of food and beverages to be sold:

\_\_\_\_\_

Days of Operation: \_\_\_\_\_ to \_\_\_\_\_ Hours of Operation: \_\_\_\_\_ to \_\_\_\_\_

Number of Employees for Request Site: \_\_\_\_\_

PLEASE READ LONG BEACH CODE OF ORDINANCES No. \_\_\_\_\_

I, \_\_\_\_\_ hereby attest that the information provided above is true and accurate to the best of my knowledge and is submitted for the purpose of applying to the City of Long Beach for a Mobile Food Vending Permit. I agree to comply with the City of Long Beach policies and procedures as described in ORDINANCE \_\_\_\_\_ for obtaining a permit pursuant to the City of Long Beach Mobile Food Vending Ordinance. In the event that the permit is terminated, the Mobile Food Vending Permit is immediately suspended and all operations must cease.

\_\_\_\_\_

SIGNATURE

\_\_\_\_\_

DATE

Subscribed and sworn before me, this the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ .

My Commission Expires: \_\_\_\_\_

DATE

\_\_\_\_\_

NOTARY PUBLIC

PLEASE COMPLETE THIS CHECKLIST BEFORE SUBMITTING THE APPLICATION:

- MS Department of Revenue Sales Tax Account Number
- MS Department of Health Food Service Permit
- Proof of a Valid Insurance Policy with a Minimum Liability Coverage of \$1,000,000
- City Fire Inspector Approval
- Property Owner Consent Form

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**C E R T I F I C A T E**

**STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
CITY OF LONG BEACH**

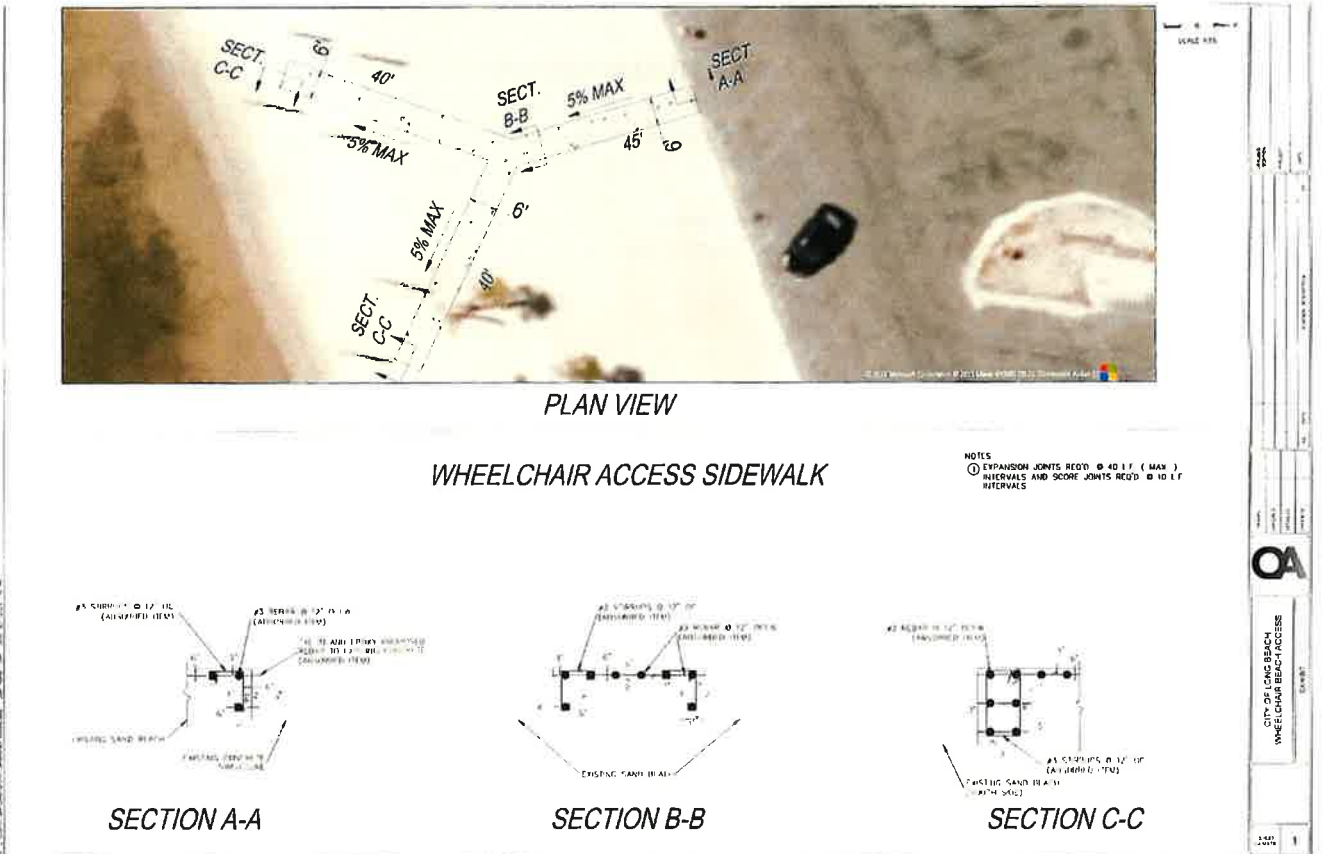
I, the undersigned, **Stacey Dahl, City Clerk** within and for the City of Long Beach, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of that certain Ordinance #666 of the City of Long Beach, Mississippi, adopted by the Mayor and Board of Aldermen at a regular meeting duly held and convened on the 7th day of November, 2023, as the same appears of record in Ordinance Book #9, pages \_\_\_\_\_, inclusive, in my office at the City Hall in said City.

Given under my hand and the official seal of my office this the 8<sup>th</sup> day of November, 2023.

(SEAL) **Stacey Dahl, City Clerk**

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There came on for discussion Wheel Way, whereupon Alderman Frazer made motion seconded by Alderman McGoey and unanimously carried to direct Landscape Architect Christian Preus to include replacing the Wheel Way within the Gateway project, based on the following drawing from City Engineer David Ball:



**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

After continued discussion regarding the price of concrete, Alderman Frazer made motion seconded by Alderman McGoey to take up a review of the Sidewalk Ordinance on the next meeting. After further discussion, Alderman McCaffrey offered to obtain current concrete pricing and provide it at the next meeting.

\*\*\*\*\*

There came on for discussion the following tree in the right of way in front of 501 N. Seal Avenue:



After continued discussion, Alderman Parker made motion seconded by Alderman Brown and unanimously carried to table this item until the next meeting on Tuesday, November 21, 2023.



Minutes of November 7, 2023  
Mayor and Board of Aldermen

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There came on for discussion City Hall Generator, whereupon Building Official Mike Gundlach provided the following:

City of Long Beach



November 2, 2023

Mayor and Board of Aldermen  
Re: City Hall Generator

Upon an inspection of the generator that provides power to city hall when regular power is not available, the inspector from Taylor Sudden Service, Stephen Crayden, expressed a concern for the rust corrosion on the base of the generator. The base of the generator houses the diesel fuel tank which has rust on the top, east and southern sides that needs to be repaired asap to prevent the replacement of the tank. He also said that we need to add a cover over the generator and the transfer switch as they are out in the weather. The generator platform and transfer switch have water resting on them and the transfer switch panel can no longer be replaced like for like as the manufacturer does not make that model any longer. He recommends we take care of the above listed issues asap.

Sincerely,

Mike Gundlach  
Building Official/Floodplain Manager

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

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After further discussion, Alderman Johnson made motion seconded by Alderman Brown and unanimously carried to table this item until the next meeting on Tuesday, November 21, 2023.

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**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to approve the following funding letter for the Railroad Crossing Grade Improvements project, and authorize the Mayor to execute same:

**City of Long Beach**



September 19, 2023

Mr. Chuck Starita, P.E.  
Mississippi Department of Transportation  
16499 Highway 49  
Saucier, MS 39574

Re: PS&E Assembly Funding Overage Letter  
STP-0295-00(021)LPA/108427-701000  
Long Beach Railroad Crossing Grade Improvements  
City of Long Beach, Mississippi, Harrison County

Dear Mr. Starita:

The City of Long Beach, MS is submitting the PS&E Assembly documents for the above referenced project to MDOT. Per the requirements of the Project Development Manual, we are submitting a project funding overage letter. The City of Long Beach is aware that Article 1, Section A, Item 8 of the Memorandum of Understanding (MOU) prepared by MDOT and approved and executed by the Mayor of the City of Long Beach on August 17, 2021 states the following:

*"The LPA shall be solely responsible for payment of any and all funds required to complete the PROJECT, over and above the available federal aid funds for the PROJECT."*

The City of Long Beach will honor the MOU and this specific requirement regarding project funding.

Sincerely,

George L. Bass, Mayor  
City of Long Beach

cc: David Seyfarth, P.E., Neel-Schaffer, Inc.

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

\*\*\*\*\*

There came on for discussion Cemetery Services & Fees, whereupon Alderman Frazer made motion seconded by Alderman McCaffrey and unanimously carried to review the cemetery ordinance and set a work session at the next meeting.

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**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

Alderman Frazer made motion seconded by Alderman McCaffrey to approve a Tri-Party Agreement with SMPDD for property located 317 Jeff Davis Avenue. After discussion, Alderman Parker made a substitute motion seconded by Alderman Brown to table this issue to allow the Board a chance to review the agreement. The question having received the Affirmative voice vote of a majority of the Aldermen present and voting, the Mayor declared the motion carried. Alderman Frazer cast the only dissenting vote.

\*\*\*\*\*

Mayor Bass recognized Ms. Theresa Borzik of 129 E First Street, Long Beach, MS, who requested to purchase right of way from the City in front of her lot due to not having enough space for required setbacks for her proposed house. After discussion, it was determined that requesting a variance through the Planning & Development Commission would be the quicker course of action to get to construction.

\*\*\*\*\*

Alderman Johnson made motion seconded by Alderman McCaffrey and unanimously carried to table Amended Public Trust Tidelands Lease to allow City Attorney Steve Simpson to review it.

\*\*\*\*\*

Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to waive the insurance requirements for the Veteran's Day Parade.

\*\*\*\*\*

Mayor Bass announced the groundbreaking for the Canal #1 improvements on November 9, 2023 at 11:00 am on Pineville Road.

\*\*\*\*\*

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

Police Dept:

- New Hire, Police Officer 1<sup>st</sup> Class Mark Marabe, PS-9-B, effective November 16, 2023
- Step Increase, Police Officer 1<sup>st</sup> Class Haley Breaux, PS-9-III, effective November 16, 2023
- Step Increase, Police Officer 1<sup>st</sup> Class Eddie Gossett, PS-9-IV, effective November 16, 2023



**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

- Step Increase, Dispatcher Officer 1<sup>st</sup> Class Bailey Jones, PS-3-II, effective November 1, 2023
- Step Increase, Police Officer 1<sup>st</sup> Class Nathaniel Stirrat, PS-9-VI, effective November 1, 2023
- Step Increase, Dispatcher 1<sup>st</sup> Class Page Malchow-Worthington, PS-3-V, effective November 16, 2023

Fire Dept:

- Resignation, Firefighter Daniel Uebler, effective November 1, 2023
- New Hire, Firefighter Brian Sumrall, FS-9-B, effective November 16, 2023

Municipal Court:

- Education Pay, Deputy Court Clerk Mary Coludrovich, Bachelor’s Degree, effective November 1, 2023
- Step Increase, Deputy Court Clerk Mary Coludrovich, CSA-4-II, effective October 1, 2023
- Step Increase, Deputy Court Clerk Kyra Williams, CSA-4-II, effective October 1, 2023

Harbor:

- Step Increase, Harbor Guard Larry Edwards, CSH-2-6, effective October 16, 2023
- Step Increase, Assistant Harbor Master David Falks, CSH-4-10, effective October 16, 2023
- Step Increase, Harbor Guard Jay Miller, CSH-2-4, effective October 16, 2023
- Step Increase, Harbor Guard Tim Smith, CSh-2-7, effective October 16, 2023

\*\*\*\*\*

## Minutes of November 7, 2023 Mayor and Board of Aldermen

Alderman Johnson made motion seconded by Alderman Parker and unanimously carried to approve the following Letter of Engagement with Wolfe, McDuff & Oppie for the FY 2023 audit, and authorize the Mayor and City Clerk to execute same:



**Wolfe • McDuff & Oppie**  
CERTIFIED PUBLIC ACCOUNTANTS  
(A Professional Association)

Michelle Oppie Gist, CPA

Julia Whitley Johnson, CPA

Jesse J. Wolfe, CPA (1927-2009)

Grover B. McDuff, CPA (1923-2016)

Jack A. Oppie, CPA (1960-2014)

3103 Pascagoula Street • Pascagoula, MS 39567 • Phone: 228-762-6348 • Fax: 228-762-4498 • www.wmocpas.com

October 25, 2023

To the Board of Aldermen and Management  
City of Long Beach, Mississippi  
201 Jeff Davis Highway  
Long Beach, MS 39560

We are pleased to confirm our understanding of the services we are to provide for the City of Long Beach, Mississippi for the year ended September 30, 2023.

#### **Audit Scope and Objectives**

We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the disclosures, which collectively comprise the basic financial statements, of the City of Long Beach, Mississippi as of and for the year ended September 30, 2023. Accounting standards generally accepted in the United States of America (GAAP) provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City of Long Beach, Mississippi's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City of Long Beach, Mississippi's RSI in accordance with auditing standards generally accepted in the United States of America (GAAS). These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient appropriate evidence to express an opinion or provide any assurance. The following RSI is required by GAAP and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis
- 2) Budgetary Comparison Schedule
- 3) Schedule of City's Proportionate Share of the Net Pension Liability
- 4) Schedule of City's Contributions – (PERS)
- 5) Schedule of City's Proportionate Share of the Net OPEB Liability
- 6) Schedule of City's Contributions – (OPEB)

We have also been engaged to report on supplementary information other than RSI that accompanies the City of Long Beach, Mississippi's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with GAAS, and we will provide an opinion on it in relation to the financial statements as a whole in a report combined with our auditor's report on the financial statements.

- 1) Schedule of expenditures of federal awards

#### *Membership in:*

American Institute of Certified Public Accountants • Mississippi Society of Certified Public Accountants  
AICPA Governmental Audit Quality Center • AICPA Center for Audit Quality • AICPA Employee Benefit Plan Audit Quality Center



## Minutes of November 7, 2023 Mayor and Board of Aldermen

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The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and issue an auditor's report that includes our opinions about whether your financial statements are fairly presented, in all material respects, in conformity with GAAP, and report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the financial statements. The objectives also include reporting on:

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

### **Auditor's Responsibilities for the Audit of the Financial Statements and Single Audit**

We will conduct our audit in accordance with GAAS; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. As part of an audit in accordance with GAAS and *Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit.

We will evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management. We will also evaluate the overall presentation of the financial statements, including the disclosures, and determine whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements or noncompliance may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the government's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and direct confirmation of receivables and certain assets and liabilities by correspondence with selected individuals, funding

## Minutes of November 7, 2023 Mayor and Board of Aldermen

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sources, creditors, and financial institutions. We will also request written representations from your attorneys as part of the engagement.

We have identified the following significant risk(s) of material misstatement as part of our audit planning:

- Improper revenue recognition
- Management override of controls

We may, from time to time and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will remain responsible for the work provided by any such third-party service providers.

Our audit of financial statements does not relieve you of your responsibilities.

### **Audit Procedures—Internal Control**

We will obtain an understanding of the government and its environment, including the system of internal control, sufficient to identify and assess the risks of material misstatement of the financial statements, whether due to error or fraud, and to design and perform audit procedures responsive to those risks and obtain evidence that is sufficient and appropriate to provide a basis for our opinions. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentation, or the override of internal control. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and the Uniform Guidance.

### **Audit Procedures—Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City of Long Beach, Mississippi's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance, and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations, and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the City of Long Beach, Mississippi's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the

## Minutes of November 7, 2023 Mayor and Board of Aldermen

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Compliance Supplement identifies as being subject to audit. The purpose of these procedures will be to express an opinion on the City of Long Beach, Mississippi's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

### **Other Services**

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of the City of Long Beach, Mississippi in conformity with accounting principles generally accepted in the United States of America and the Uniform Guidance based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statements, schedule of expenditures of federal awards, and related notes services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

You agree to assume all management responsibilities for the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, the schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, the schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

### **Responsibilities of Management for the Financial Statements and Single Audit**

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with accounting principles generally accepted in the United States of America; and for compliance with applicable laws and regulations (including federal statutes), rules, and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

You are also responsible for making drafts of financial statements, schedule of expenditures of federal awards, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance; (3) additional information that we may request for the purpose of the audit; and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements; and related matters.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements of each opinion unit taken as a whole.

## Minutes of November 7, 2023 Mayor and Board of Aldermen

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You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. You are also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review on March 1, 2024.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received, and COVID-19-related concepts, such as lost revenues, if applicable) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains, and indicates that we have reported on, the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the other supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles (GAAP). You agree to include our report on the supplementary information in any document that contains, and indicates that we have reported on, the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Scope and Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions for the report, and for the timing and format for providing that information.

### **Engagement Administration, Fees, and Other**

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings,

## Minutes of November 7, 2023 Mayor and Board of Aldermen

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auditor's reports, and corrective action plan) along with the Data Collection Form to the Federal Audit Clearinghouse. We will coordinate with you the electronic submission and certification. The Data Collection Form and the reporting package must be submitted within the earlier of 30 calendar days after receipt of the auditor's reports or nine months after the end of the audit period.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Wolfe, McDuff & Oppie, P.A. and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to the Office of the State Auditor or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Wolfe, McDuff & Oppie, P.A. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by the Office of the State Auditor. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

Michelle Oppie Gist, CPA is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. We expect to begin our audit on approximately March 1, 2024.

Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, confirmation service provider fees, etc.) except that we agree that our gross fee, including expenses, will not exceed \$37,800. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the engagement. If significant additional time is necessary, we will keep you informed of any problems we encounter and our fees will be adjusted accordingly.

### Reporting

We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Board of Aldermen and Management of the City of Long Beach, Mississippi. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will state that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will state that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Minutes of November 7, 2023  
Mayor and Board of Aldermen

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We appreciate the opportunity to be of service to the City of Long Beach, Mississippi and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the attached copy and return it to us.

Very truly yours,

*Wolfe, McDuff + Oppie*

Wolfe, McDuff & Oppie, P.A.

RESPONSE:

This letter correctly sets forth the understanding of the City of Long Beach, Mississippi.

Management signature: *Stacey Dahl*

Title: *City Clerk*

Date: *11/8/23*

Governance signature: *George Brown*

Title: *Mayor*

Date: *11-8-23*

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There came on for discussion Bond Issue Project List, whereupon Alderman Brown made motion seconded by Alderman McCaffrey and unanimously carried to table this item until the next meeting on Tuesday, November 21, 2023.

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## Minutes of November 7, 2023 Mayor and Board of Aldermen

There came on for discussion 2022 Sewer Rehabilitation, whereupon City Engineer David Ball provided the following:



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

November 2, 2023

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

**RE: 2022 Sewer Rehabilitation**

Ladies and Gentlemen:

The referenced project was begun near the end of 2022, but immediately ran into supply chain problems which have caused significant delays to the Contractor (Suncoast Infrastructure, Inc.), as detailed in the attached letter from Suncoast, and at this point, the work is 277 calendar days overdue. In lieu of forfeiting liquidated damages for failure to complete the work on-time, the Contractor has offered to perform an additional scope of work valued at approximately \$30,000 at no cost to the City.

Additionally, the contract currently includes the performance of inspection & rehabilitation of many sewer services on the sewer mains in the project area, which is a recommended item of work when performing this sort of work. However, the subcontractor who will perform the work no longer performs the contractually required scope of work. The prime contractor has agreed to perform additional sewer main rehabilitation in lieu of the sewer service work at a cost of approximately \$70,000, which we believe would be advantageous to the City, because sewer mains carrying the sewer for many properties are more costly to repair than a single sewer service.

If it is acceptable to the City, we suggest that the City authorize us to work with the Contractor to perform additional sewer main lining work of approximately \$100,000 (the combined total of alternate work items detailed above) in lieu of charging liquidated damages and in lieu of performing the sewer service rehabilitation. **This does not represent an increase in the total contract amount; the total contract amount will not be changed by these conditions.** In fact, the City will receive approximately \$30,000 of work for no cost under these terms. If these suggestions are acceptable, we will prepare a change order reflecting these changes and coordinate with Public Works and Suncoast to rehabilitate the sewer mains which are most in need.

Sincerely,

David Ball, P.E.

DB:1219

Biloxi | Long Beach | Pascagoula | Daphne

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## Minutes of November 7, 2023 Mayor and Board of Aldermen



P.O. Box 397  
Florence, MS 39073

Phone: 601-420-9682  
Fax: 601-420-9300

October 10, 2023

Overstreet & Associates  
161 Lameuse Street Suite 203  
MS, Biloxi 39530

Subject: Long Beach 2022 Sewer Rehabilitation Time Extension Request

Dear Mr. Yarbrough,

As you are aware, since mid-2020 there has been a significant disruption in the supply chain for many construction-related materials, particularly those involved in the manufacturing of cured-in-place pipe liners. Our operations have continued to be directly affected by shortages of raw materials essential for the production of our liners, causing significant delays to our wetout processes.

In late 2021 Suncoast began working diligently to source our catalyst from alternative suppliers and to find potential substitutes where possible, but given the specialized nature of our products, our options were limited. We understand the importance of adhering to schedules in the construction industry, therefore, we began the transition to a more readily available alternative resin and catalyst combination mid-2022.

Previously, our standard combination would have been a COR72-AA-451 isophthalic neat polyester resin with Perkadox-16-di4-tert-butylcyclohexyl-peroxydicarbonate. The new system is a COR72-AA-471OS isophthalic filled polyester resin with Norox CHP-cumyl hydroperoxide. This cumyl hydroperoxide initiator requires completely different catalyst pumps and static mixing equipment compared to the peroxydicarbonate system we have used for the last two decades. Our wetout manufacturing team worked closely with industry experts and manufacturers' representatives sparing no expense to ensure our facilities would continue to produce high quality CIPP liners for our installation crews.

The most vital aspect of this process is the matrix of catalyst to resin. All of our raw materials suppliers' documents state a 1.2% CHP to resin rate should be utilized. This is exactly the rate at which liners were manufactured for the subject project in January 2023. Once onsite Suncoast crews noticed liners were not curing properly throughout the entirety of the pipe segment and were developing lifts. After an extensive investigation it was determined these specific defects would require open cut excavation. This task exacerbated the existing project delays due to the backlog of work for utility contractors in the area.

*"Taking Utilities into the 21st Century"*  
www.suncoastinfrastructure.com

# Minutes of November 7, 2023 Mayor and Board of Aldermen



P.O. Box 397  
Florence, MS 39073

Phone: 601-420-9682  
Fax: 601-420-9300

Following weeks of research and discussion with other industry professionals, Suncoast wetout determined its manufacturing catalyst to resin rate should be adjusted up to 1.4%. This is the rate at which liners were manufactured for the subject project in March 2023. Unfortunately, our crews again reported issues with the liners not curing properly requiring the installation of a dry liner tube to re-heat the recently installed CIPP and extending the cook time to ensure satisfactory results.

Additional investigation as to why these 1.4% CHP initiated liners still resulted in under cured installations pointed to the filled resin requiring greater catalyzation rates compared to the neat resins utilized by the industry professionals we had previously consulted. Our wetout manufacturing facility then increased its catalyst to resin rate up to 1.65% for all future liners.

Final liner installations on the subject project in June 2023 at the 1.65% rate showed exceptional results. Suncoast has successfully installed nearly five million feet of CIPP liners throughout the South and although the catalyst change presented a challenge spanning nearly nine months, our team remained committed to providing Long Beach with the highest quality finished products.

The sole remaining phase of the project involves the rehabilitation of sanitary sewer laterals. At the time of bid the rehabilitation method was packer injection chemical grouting, however, our subcontractor no longer offers grouting services. Instead they have offered a service of cured-in-place lining of the lateral. This CIPPL system has a design life ten times that of chemical grouting. The allotted contract funds for service lateral rehabilitation will cover the installation of cured-in-place lateral liners on twenty-one total services.

To adjust for these unforeseeable challenges and adjusted scope of work, we respectfully request a time extension of 275 calendar days. In exchange for extension of time, Suncoast is prepared to facilitate CIPPL on an additional nine services at no cost to the owner.

Once you have completed review of this request please notify our team promptly, to allow scheduling of the final scope of work. Should you require further documentation to process this request please do not hesitate to reach out with any questions.

Sincerely,  
  
Daniel Harris  
Senior Project Manager

"Taking Utilities into the 21st Century"  
[www.suncoastinfrastructure.com](http://www.suncoastinfrastructure.com)

After further discussion and upon recommendation of City Engineer David Ball, Alderman McCaffrey made motion seconded by Alderman Johnson and unanimously carried to authorize the aforementioned work.

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**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

There came on for discussion Castine Point Phase 6 – Rear Yard Drainage Improvements, whereupon City Engineer David Ball provided the following:



**OVERSTREET  
& ASSOCIATES**  
CONSULTING ENGINEERS

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

October 31, 2023

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

**RE: Castine Point Ph. 6 – Rear Yard Drainage Improv.**

Due to unforeseen conditions at the time of the final plat, the existing ditch constructed just to the south of the referenced phase of Castine Point was constructed significantly larger than the easement obtained as part of the plat. Therefore, the ditch banks are not contained within the limits of the easement and therefore are nearly impossible for Public Works to properly maintain. After significant coordination with the subdivision developer and the various owners of the properties in that area, it has been determined that installing a culvert in the ditch is the best way to create a maintainable drainage area.

Public Works has assembled an exhibit and an approximate cost estimate for the needed improvements, which we have attached hereto. The current plan as discussed by all involved parties is that these materials will be purchased by the City and provided to the subdivision developer who will perform the actual installation. We recommend that the City authorize this purchase so that these improvements can proceed.

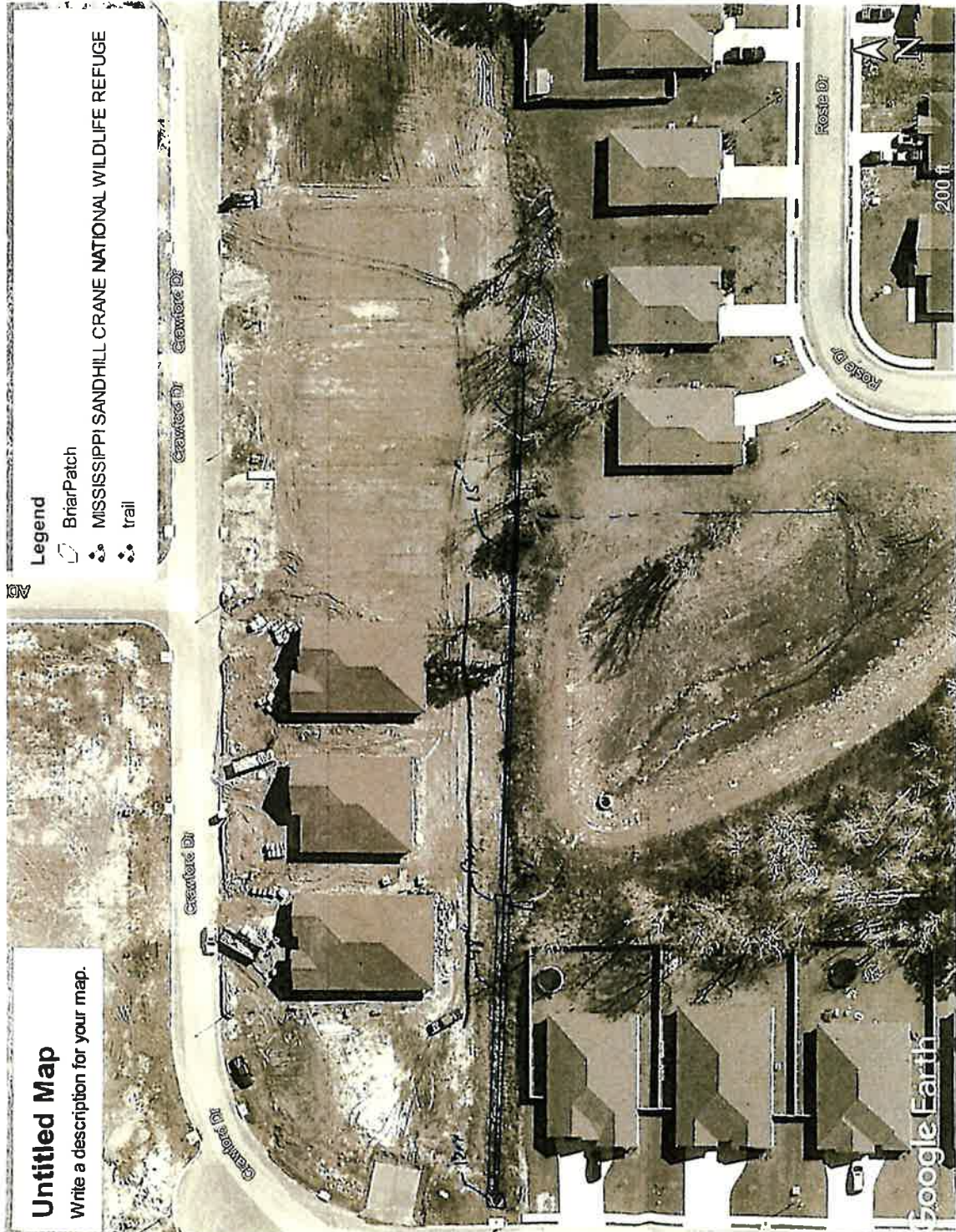
Sincerely,

David Ball, P.E.

DB:539



Minutes of November 7, 2023  
 Mayor and Board of Aldermen



Castine Pt/Rosie Dr Pipe Job		
Item	Ft	Price
48" HDPE	160'	\$15,000.00
15" HDPE	400'	\$6,000.00
36" HDPE	20'	\$1,200.00
15" Tees		\$800.00
Concrete		\$2,000.00
<b>Total</b>		<b>\$25,000.00</b>

After continued discussion, Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to authorize the purchase of the aforementioned materials for the drainage project.

Minutes of November 7, 2023  
Mayor and Board of Aldermen

\*\*\*\*\*

Alderman McCaffrey made motion seconded by Alderman Brown and unanimously carried to approve the following Change Order with David Rush Construction, LLC for Fire Station #3, and authorize the Mayor to execute same:



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

October 30, 2023

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

**RE: Proposed Change Order 1  
Fire Station #3**

Ladies and Gentlemen:

We have attached the first proposed change order for the referenced project for your official review and acceptance. Previously, on Oct. 20, the Board took informal action to approve this change order to allow the modifications to move forward without delay. A ratification via official Board action is now in order. If you have any questions, please advise.

Sincerely,

David Ball, P.E.

DB:1245  
Attachment

# Minutes of November 7, 2023 Mayor and Board of Aldermen

Change Order  
No. 1

Date of Issuance: 10/18/2023 Effective Date: 11/7/2023




Project: <u>Fire Station No. 3</u>	Owner: <u>City of Long Beach</u>	Owner's Contract No.: <u></u>
Contractor: <u>David Rush Construction, LLC</u>	Date of Contract: <u>5/8/2023</u>	Engineer's Project No.: <u>1245</u>

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

- Description:
1. Add a gas heater in the apparatus bay, including all required labor, materials, and equipment.
  2. Install commercial grade Tyvek on interior of firewall and substitute 2" closed cell foam in lieu of R19 fiberglass insulation on firewall, including all required labor, materials, and equipment.
  3. Add fire rated door, jamb, hardware, and viewing glass from exercise room to apparatus bay, including all required labor, materials, and equipment.

Attachments: (List documents supporting change):  
\_\_\_\_\_  
\_\_\_\_\_

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price: <u>\$1,139,700.00</u>	Original Contract Times: <input type="checkbox"/> Working Days <input checked="" type="checkbox"/> Calendar days Substantial completion (days or date): <u>240</u> Ready for final payment (days or date): _____
(Decrease) in Contract Price from previous Change Orders No. <u>n/a</u> to No. <u>n/a</u> _____	Change In Contract Time from previous Change Orders No. <u>n/a</u> to No. <u>n/a</u> Substantial completion (days or date): _____ Ready for final payment (days or date): _____
Contract Price prior to this Change Order: <u>\$1,139,700.00</u>	Contract Times prior to this Change Order: Substantial completion (days or date): <u>1/2/2024</u> Ready for final payment (days or date): _____
(Increase) in Contract Price due to this Change Order: <u>\$13,326.00</u>	(Increase) In Contract Time due to this Change Order: Substantial completion (days or date): <u>30</u> Ready for final payment (days or date): _____
Revised Contract Price incorporating this Change Order: <u>\$1,153,026.00</u>	Contract Times incorporating this Change Order: Substantial completion (days or date): <u>2/1/2024</u> Ready for final payment (days or date): _____

RECOMMENDED: (ENGINEER) By:  Date: <u>10/26/2023</u>	ACCEPTED: (CONTRACTOR) By:  Date: <u>10-26-23</u>	ACCEPTED: (OWNER) By:  Date: <u>10/8/23</u>
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Mayor and Board of Aldermen

ATTACHMENT TO CHANGE ORDER NUMBER 1 PROJECT NO. 1245

ITEM NO.	DESCRIPTION	CURRENT CONTRACT QUANTITY	UNIT PRICE	CURRENT CONTRACT AMOUNT	QUANTITY THIS C.D.	EXTENSION THIS C.D.	REVISED CONTRACT QUANTITY	REVISED CONTRACT AMOUNT
<b>BID SCHEDULE 1</b>								
1-A	BUILDING AND ALL APPURTENANCES	1	\$995,000.00	\$995,000.00			1	\$995,000.00
CO1-1	INSTALL GAS HEATER IN APPARATUS BAY	0	\$5,566.23	\$0.00	1	\$5,566.23	1	\$5,566.23
CO1-2	INSTALL COMM. GRADE TYVEK ON INTERIOR OF FIREWALL	0	\$5,743.71	\$0.00	1	\$5,743.71	1	\$5,743.71
CO1-3	INSTALL FIRE-RATED DOOR & HARDWARE AT DOOR FROM EXERCISE ROOM TO APPARATUS BAY	0	\$5,616.07	\$0.00	1	\$5,616.07	1	\$5,616.07
CO1-4	CREDIT - DEDUCT 1x4 PURLINS FOR METAL ROOF	0	(\$3,600.00)	\$0.00	1	(\$3,600.00)	1	(\$3,600.00)
<b>BID SCHEDULE 1 - ALTERNATE BID ITEMS</b>								
1-B	NORTH & SOUTH PORCHES (ROOMS 001 & 002)	1	\$55,000.00	\$55,000.00			1	\$55,000.00
1-D	MEDIA CABINET & MIRRORS IN TRAINING ROOM (PER SCHED. 2/A 9)	1	\$4,200.00	\$4,200.00			1	\$4,200.00
<b>TOTAL - BID SCHEDULE 1</b>						<b>\$13,326.00</b>		<b>\$1,067,526.00</b>
<b>BID SCHEDULE 2</b>								
2-A	CIVIL SITEWORK	1	\$35,000.00	\$35,000.00			1	\$35,000.00
2-B	EXCAVATION OF UNSUITABLE MATERIALS & INSTALLATION OF OWNER-PROVIDED SOILS (FIELD MEASURE)	150	\$30.00	\$4,500.00			150	\$4,500.00
<b>BID SCHEDULE 2 - ALTERNATE BID ITEM</b>								
2-C	CONCRETE PAVING (REAR PARKING)	1	\$46,000.00	\$46,000.00			1	\$46,000.00
<b>TOTAL - BID SCHEDULE 2</b>						<b>\$0.00</b>		<b>\$86,500.00</b>
<b>TOTAL BASE BID:</b>						<b>\$13,326.00</b>		<b>\$1,153,026.00</b>

BJCC, No. C-341-2023 General  
Prepared by the Engineer, Joint Contract Documents Committee and endorsed by the Associated Groups, Contractors of Annapolis and the Construction Specifications Institute



# Minutes of November 7, 2023 Mayor and Board of Aldermen



**David Rush Construction, LLC**  
18391 Runnymede Rd  
Pass Christian, MS 39571  
Phone: (228) 255-1286 Fax: (228) 255-8842

### Change Order Request Form

Date: 10/10/23 COR #: 002

<b>Owner</b>	<b>Engineer</b>	<b>Architect</b>
City of Long Beach 201 Jeff Davis Avenue Long Beach MS 39560,	Overstreet and Associates 161 Lameuse St, Ste 203 Biloxi MS 39530	Watters Architecture 133 Davis Avenue, Suite K Pass Christian MS 39571

**PROJ.:** 1245 Long Beach Fire Station No. 3

**RE:** Change order #2

- 1) Added a gas heater as approved, Lennox LF25-150A-1. Cost includes Furnishing and installing gas heater, wall brackets, ventilation through block wall, installing gas supply, installing 110 electrical supply. Total labor & materials \$ 4,579.00
  
- 2) Install commercial grade Tyvek on interior of firewall. Place 2" of close cell foam in fire wall in place of R19 fiberglass insulation. Total labor & materials \$ 4,725.00  
(note: 6" of open cell foam will be same cost as 2" of closed cell foam)
  
- 3) Add a fire rated door, jam, hardware, and viewing glass from the exercise room to Apparatus Bay. The door will match the door going into the kitchen. Includes: door, jam, hardware, fire rated glass, installation, reframing wall.
 

Total labor & materials	<u>\$ 4,620.00</u>
Subtotal	\$13,924.00
15% Overhead/Profit	\$ 2,089.00
Taxes / Bond	<u>\$ 913.00</u>
Total	\$16,926.00
Credit from removing the 1X4's on roof	<u>\$ -3,600.00</u>
Balance	<u>\$13,326.00</u>

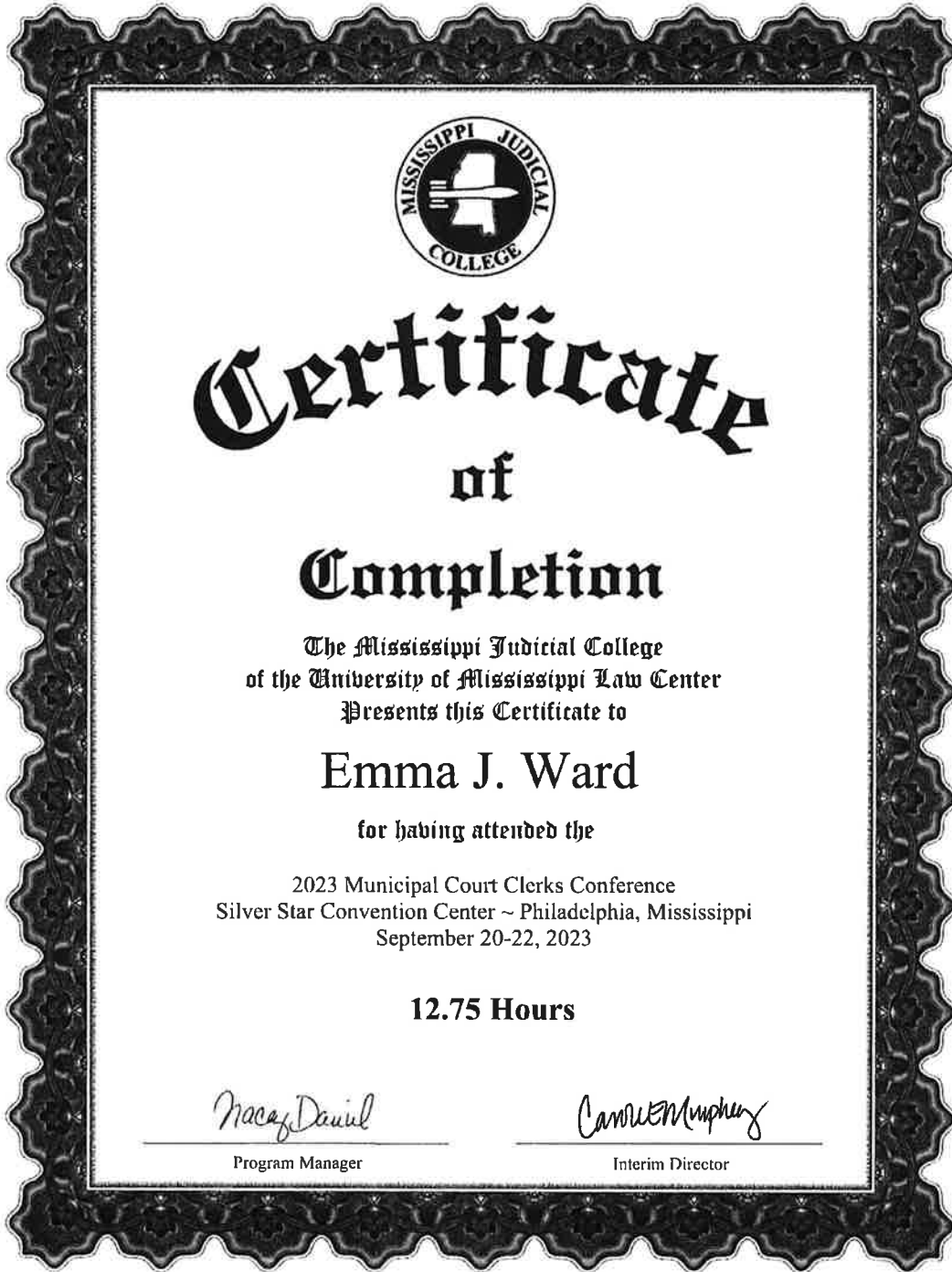
This change order will add 30 days to project due to the time it takes to order the fire rated door.

<b>Submitted By</b>	David Rush	<b>Date Needed</b>	
	Managing Member	<b>By:</b>	10/12/2023

\*\*\*\*\*

Minutes of November 7, 2023  
Mayor and Board of Aldermen

Alderman Parker made motion seconded by Alderman McCaffrey and unanimously carried to spread the following Certificate of Completion for Municipal Court Clerk Emma Ward for the 2023 Municipal Court Clerks Conference:



\*\*\*\*\*

Alderman Frazer made motion seconded by Alderman Brown and unanimously carried to schedule a public hearing for property located at 333 W 5<sup>th</sup> Street and assessed to John O'Bierne Sneed, Tuesday, December 5, 2023, at 5:00 pm, Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not this property situated in the City of Long Beach are is such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

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**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

Alderman Johnson made motion seconded by Alderman Brown and unanimously carried to schedule a public hearing for property located at 108 Park Row and assessed to MSTREO LLC, Tuesday, December 5, 2023, at 5:00 pm, Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not this property situated in the City of Long Beach are is such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

\*\*\*\*\*

Alderman Brown made motion seconded by Alderman Frazer and unanimously carried to schedule a public hearing for property located at 0 Via Don Ray and assessed to James A. Knowles, Tuesday, December 5, 2023, at 5:00 pm, Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not this property situated in the City of Long Beach are is such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

\*\*\*\*\*

Alderman Johnson made motion seconded by Alderman Brown and unanimously carried to schedule a public hearing for property located at 612 Wright Avenue and assessed to Long Beach Trust, Tuesday, December 5, 2023, at 5:00 pm, Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to determine whether or not this property situated in the City of Long Beach are is such a state of uncleanliness as to constitute a menace to the public health and safety of the community.

\*\*\*\*\*

**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

The Mayor and Board of Aldermen took up the matter of assessing the costs of cleaning property located at 24 Pecan Drive, Long Beach, Mississippi. After a discussion of the subject, Alderman Frazer offered and moved the adoption of the following Resolution and Order:

**RESOLUTION AND ORDER BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI ASSESSING THE COSTS OF CLEANING CERTAIN PROPERTY LOCATED AT 24 PECAN DRIVE, 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 24 Pecan Drive, 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 September 5, 2023, on its own motion did set a hearing to determine whether or not the subject parcel, in its then condition, was in such a state of uncleanness as to be a menace to the public health and safety of the community in accordance with Miss Code Annotated Section 21-19-11, as amended, said hearing to be held October 3, 2023, and directed notice of said hearing be served on the owner of said property in the manner as provided by said MCA Section 21-19-11;

2. That such hearing was conducted on October 3, 2023, having previously served the owner of said property, either by registered mail as is evidenced by the return receipt included in the materials produced at said hearing, or by personal service by police officer as evidenced by the return of service of such police officer, or by posting and publication of same, such service being in accordance with said MCA Section 21-19-11, and proof of same being spread upon the minutes of the Governing Authorities taken of such hearing;

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

**Minutes of November 7, 2023**  
**Mayor and Board of Aldermen**

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

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

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

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

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

1. That the parcel of land lying and being situated in the City of Long Beach, First Judicial District of Harrison County, Mississippi, and having the street address of 24 Pecan Drive, Long Beach, Mississippi, which parcel of land is identified by Harrison County Tax Parcel Number 0511O-02-049.000, and according to said tax records is owned by TTLBL, LLC, having heretofore been adjudicated to be a menace to the public health and safety of the community in accordance with Miss. Code Annotated Section 21-19-11, and the owner of same failing to have same cleaned as required within the time allowed by law; and same being thereupon cleaned by the City, the City does hereby assess the costs of such cleanup against the property, does hereby impose same as a lien against the property as allowed by law, and does hereby order and direct such lien against the property to be enrolled in the office of the circuit clerk of the county as other judgments are enrolled.

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.


**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

3. The fine assessed and imposed hereby is in the TOTAL amount of \$2,450.27, \$950.27 being the cost of such clean up in accordance with the attached Exhibit A, together with a penalty of \$1,500.00, being not more than either One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost of clean-up, whichever is greater, as allowed by law, all to be assessed against the said parcel of land.

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

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

The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this 7<sup>th</sup> day of November, 2023.

APPROVED:  
  
George L. Bass, Mayor

ATTEST:

  
Stacey Dahl, City Clerk

\*\*\*\*\*

Upon the request of City Attorney Steve Simpson, Alderman Brown made motion seconded by Alderman McCaffrey and unanimously carried to declare an Executive Session for the transaction of public business, to wit: To seek the legal advice and counsel of the City Attorney in regards to potential litigation.

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, and based on information received in Executive Session, Alderman Frazer made motion seconded by Alderman McGoey and unanimously carried to direct City Attorney Steve Simpson to initiate imminent domain proceedings for property located at the Northwest Corner of Klondyke and Commission Roads, owned by Coastal Carwash.

\*\*\*\*\*

**Minutes of November 7, 2023  
Mayor and Board of Aldermen**

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

\*\*\*\*\*

APPROVED:

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

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

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

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

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

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

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

\_\_\_\_\_  
Date

ATTEST:

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