

Minutes of May 3, 2017  
Mayor and Board of Aldermen

MUNICIPAL DOCKET  
RECESS MEETING OF MAY 3, 2017  
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 HEARING
  - 1. Zoning Map Change Application-R-4 Residential Farm to "C-2 General Commercial-Tax Map Parcel 0610N-01-004.000; John R. Lankford
- V. ANNOUNCEMENTS; PRESENTATIONS; PROCLAMATIONS
- VI. AMENDMENTS TO THE MUNICIPAL DOCKET
- VII. \* PUBLIC COMMENTS-AGENDA ITEMS ONLY
- VIII. APPROVE MINUTES:
  - 1. MAYOR AND BOARD OF ALDERMEN
    - a. April 18, 2107
  - 2. PLANNING COMMISSION
    - a. April 27, 2017
  - 3. PORT COMMISSION
    - a. April 20, 2017
- IX. APPROVE DOCKET OF CLAIMS NUMBER(S):
  - 1. 050217
- X. DEPARTMENTAL BUSINESS
  - 1. MAYOR'S OFFICE
  - 2. PERSONNEL
    - a. Police Department-(2) New Hires
    - b. Fire Department-(1) Resignation; (2) New Hires
    - c. Library-(1) Step Increase
  - 3. CITY CLERK
    - a. Harrison County Soil and Water Conservation District; Request for Funding
    - b. Special Event Application-Wind and Wave Festival
    - c. Request to Waive Rental Fees, Recreation/Senior Facility-NCBC Team Building Association
    - d. Cruisin' the Coast© Memorandum of Understanding/Funding
    - e. FY 2016-2017 Budget Amendment; General Fund
    - f. Election 2017
  - 4. DERELICT PROPERTIES-DISCUSSION/SCHEDULE PUBLIC HEARINGS
- XI. REPORT FROM CITY ATTORNEY
- XII. \* PUBLIC COMMENTS-MATTERS NOT APPEARING ON THE AGENDA
- XIII. RECESS - to Wednesday, May 17, 2017, Due to Runoff Election

\* ALL PUBLIC COMMENTS ARE LIMITED TO A MAXIMUM OF TWO (2) MINUTES PER PERSON,  
NOT TO EXCEED A TOTAL OF TEN (10) MINUTES FOR ALL PUBLIC COMMENTS.

**Minutes of May 3, 2017  
Mayor and Board of Aldermen**

Be it remembered that a public hearing before the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held, at 5:00 o'clock p.m., Wednesday, the 3<sup>rd</sup> day of May, 2017, in the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed by order of the Mayor and Board of Aldermen for holding said public hearing.

There were present and in attendance on said board and at the public hearing the following named persons: Mayor William Skellie, Jr., Aldermen Leonard G. Carrubba, Sr., Gary J. Ponthieux, Bernie Parker, Kelly Griffin, City Clerk Rebecca E. Schruuff and City Attorney James C. Simpson, Jr.

Absent the public hearing were Alderman Alan Young, deceased, Alderman Ronnie Hammons, Jr., and Alderman Mark E. Lishen.

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

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The public hearing was called to order to consider an application for Zoning Map Change from R-4 Residential Farm to C-2 General Commercial submitted by John R. Lankford for Tax Map Parcel 0610N-01-004.000.

The Clerk reported that, pursuant to that certain order of the Mayor and Board of Aldermen at regular meeting duly held and convened on the 4<sup>th</sup> day of April, 2017, she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, Mississippi, Legal Notice, Public Hearing, as evidenced by the Publisher's Proof of Publication.

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

**Minutes of May 3, 2017  
Mayor and Board of Aldermen**

**327**

**LEGAL NOTICE  
PUBLIC HEARING  
LONG BEACH, MISSISSIPPI**

NOTICE IS HEREBY GIVEN that, in accordance with Article XIX of the Comprehensive Long Beach Unified Land Ordinance (598) of the City of Long Beach, Mississippi (2013) as amended, the Mayor and Board of Aldermen, Long Beach, Mississippi, will conduct a public hearing for the purpose of considering a **zoning map change** on Wednesday May 3, 2017, at 5:00 o'clock p.m. in the City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi.

John R. Lankford, 24389 East Dubuisson Road, Pass Christian, MS 39571, has filed an application for a Zone Map change in accordance with the Comprehensive Long Beach Unified Land Ordinance. The applicant is requesting to change the zoning classification from R-4, Residential Farm to C-2, General Commercial, to accommodate a convenience store/gas station. The tax parcel number is 0610N-01-004.000. The legal description is as follows:

Lots Three (3) and Four (4), Block Thirty-Two (32), COX SUBDIVISION, in Section 35, Township 7 South, Range 12 West, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of the First Judicial District of Harrison County, Mississippi, in Plat Book 9 at Page 6 (Copy Book 4 at Page 277) thereof, reference to which is hereby made in aid of and as a part of this description.

The purpose of this proposed change is to promote uniformed development and improve public safety, thereby enhancing the quality of life for all Long Beach residents. The zoning map change was approved by the Long Beach Planning Commission at a public hearing duly held and convened on Thursday, March 23, 2017.

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

ORDERED, this the 4<sup>th</sup> day of April, 2017, by the Mayor and Board of Aldermen, Long Beach, Mississippi.

/s/signed  
Rebecca E. Schruff  
City Clerk

Minutes of May 3, 2017  
Mayor and Board of Aldermen

Proof of Publication

STATE OF MISSISSIPPI  
COUNTY OF HARRISON

LEGAL NOTICE  
PUBLIC HEARING  
LONG BEACH, MISSISSIPPI  
NOTICE IS HEREBY GIVEN  
that, in accordance with  
Article XIX of the Comprehensive  
Long Beach Unified Land  
Ordinance (598) of the City of  
Long Beach, Mississippi  
(2013) as amended, the  
Mayor and Board of  
Aldermen, Long Beach, Miss-  
issippi, will conduct a public  
hearing for the purpose of  
considering a zoning map  
change on Wednesday May  
3, 2017, at 5:00 o'clock p.m. in  
the City Hall Meeting Room,  
221 Jeff Davis Avenue, Long  
Beach, Mississippi.  
  
John R. Lankford, 24389 East  
Dubousson Road, Pass  
Christian, MS 39571, has filed  
an application for a Zone Map  
change in accordance with  
the Comprehensive Long  
Beach Unified Land Ord-  
inance. The applicant is  
requesting to change the  
zoning classification from R-4  
Residential Farm to C-2, Gen-  
eral Commercial, to accom-  
modate a convenience store/  
gas station. The tax parcel  
number is  
061DN-01-004.000. The legal  
description is as follows:  
Lots Three (3) and Four (4),  
Block Thirty-Two (32), COX  
SUBDIVISION, in Section 35,  
Township 7 South, Range 12  
West, is subdivision according  
to the official map or plat  
thereof on file and of record in  
the office of the Chancery  
Clerk of the First Judicial Dis-  
trict of Harrison County, Miss-  
issippi, in Plat Book 9 at Page  
6 (Copy Book 4 at Page 277)  
thereof, reference to which is  
hereby made in aid of and as a  
part of this description.  
The purpose of this proposed  
change is to promote  
uniform development and  
improve public safety, thereby  
enhancing the quality of life for  
all Long Beach residents. The  
zoning map change was ap-  
proved by the Long Beach  
Planning Commission at a  
public hearing duly held and  
convened on Thursday,  
March 23, 2017.  
The City encourages all  
residents, groups and organ-  
izations to contact the City if  
they have any questions con-  
cerning the petition.  
ORDERED, this 4th day of  
April, 2017, by the Mayor and  
Board of Aldermen, Long  
Beach, Mississippi.  
Rebecca E. Schruhl  
City Clerk  
ADV10.17  
1988136

Before me, the undersigned Notary of Harrison County,  
Mississippi personally appeared Crista Brackett who, being  
by me first duly sworn, did depose and say that she is a clerk of  
The Sun Herald, a newspaper published in the city of Gulfport, in  
Harrison County, Mississippi, and the publication of the notice, a copy of  
which is hereto attached, has been made in said paper 2 times  
in the following numbers and on the following dates of such paper, viz:


- Vol. 133 No. 189 dated 10 day of Apr, 2017
- Vol. 133 No. 196 dated 17 day of Apr, 2017
- Vol. \_\_\_\_\_ No. \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No. \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No. \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No. \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_
- Vol. \_\_\_\_\_ No. \_\_\_\_\_ dated \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Affiant further states on oath that said newspaper has been  
established and published continuously in said county for a period of  
more than twelve months next prior to the first publication of said  
notice.

Crista Brackett  
Clerk

Sworn to and subscribed before me this 17 day of  
April, A.D., 2017  
Meri A. Jackson  
Notary Public

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



The Clerk submitted an Affidavit affirming that nine (9) Legal Notices of Public Hearing were mailed to property owners within 200' of the subject property and two (2) were returned, "Unable to Forward".

Alderman Parker made motion seconded by Alderman Griffin and unanimously carried to spread said Affidavit and mail-out information upon the record of this public hearing, as follows:

Minutes of May 3, 2017  
Mayor and Board of Aldermen

AFFIDAVIT

STATE OF MISSISSIPPI  
COUNTY OF HARRISON  
CITY OF LONG BEACH

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

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

2. That in such capacity, she is responsible for mailing of Notices of Public Hearing for the purpose of notifying property owners within Two Hundred Feet (200') of the subject property, when application for zoning map changes, appeals, etc., are filled, all as stipulated in the Zoning Ordinance Number 598 of the city of Long Beach; and other matters pertaining to such public hearings and business of the Mayor and Board of Aldermen in and for the City of Long Beach;

3. That on April 5, 2017, she did cause to be mailed, Notice of Public Hearing, a copy of which is attached hereto, to nine (9) property owners within 200' of 0 28<sup>th</sup> Street, Long Beach, Mississippi, notifying them that a public hearing will be held, on Wednesday, May 3, 2017, to consider an application for Zone Map Change filed by John R. Lankford.

This the 5<sup>th</sup> day of April, 2017.

  
STACEY DAHL, AFFIANT

SWORN TO AND SUBSCRIBED before me on this the April 5, 2017.  
(DATE)

  
NOTARY PUBLIC

-My Commission Expires-



Minutes of May 3, 2017  
Mayor and Board of Aldermen

JOHN LANKFORD  
24389 E DUBUISSON RD  
PASS CHRISTIAN MS 39571

OASIS REAL ESTATE INVESTMENTS INC  
239 COWAN RD  
GULFPORT MS 39507

NECAISE LAND LP  
15350 WINDRUSH CT  
GULFPORT MS 39503

MARTHA AND JACKSON HELLMICH  
17852 FANCY RD  
FOLEY AL 36535

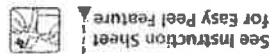
THOMAS RECORE  
PO BOX 1530  
OCEAN SPRINGS MS 39564

TODD BABIN  
3957 GRILLETTA CT  
MARRERO LA 39502

RICHARD AND LINDA LACOSTE  
16397 SAM FAVRE RD  
KILN MS 39556

CASTINE POINTE LLC  
301 N COLUMBIA ST  
COVINGTON LA 70433

ROBERT STEVENS  
808 KLONDYKE RD  
LONG BEACH MS 39560



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

THOMAS RECORE  
PO BOX 1530  
OCEAN SPRINGS MS 39564



395640929  
395641530 BC  
NIXIE 392 FE 1 0004/13/17  
RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD  
\*1855-01092-05-38

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

CASTINE POINTE LLC  
301 N COLUMBIA ST  
COVINGTON LA 70433



704330029  
NIXIE 709 FE 1 0004/13/17  
RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD  
\*1855-01090-05-38

*Handwritten initials*

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

Alderman Parker made motion seconded by Alderman Griffin and unanimously carried to make the aforesaid report a part of the record of this public hearing.

**Minutes of May 3, 2017  
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Alderman Parker made motion seconded by Alderman Griffin and unanimously carried to make the March 23, 2017, minutes of the Long Beach Planning Commission a part of the record of this public hearing, on file in the Office of the City Clerk.

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The Mayor recognized the applicant, John R. Lankford, to answer questions and provide additional information.

Mr. Lankford stated that the subject property was previously zoned C-2 General Commercial and was inadvertently zoned R-4 Residential Farm during the comprehensive rezoning in 2013.

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The Mayor opened the floor for public comments in favor of the application and no one came forward to be heard.

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The Mayor opened the floor for public comments opposed to the application and no one came forward to be heard.

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

Based upon the determination that the subject property was previously zoned C-2 General Commercial and, due to an oversight, was inadvertently zoned R-4 Residential Farm during the comprehensive rezoning in 2013; and the determination that there has been substantial growth and development in the areas near the subject property, Alderman Carrubba made motion seconded by Alderman Parker and unanimously carried to take the matter under advisement for further review and consideration under the City Attorney's report, later during the course of the recess meeting immediately following.

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Be it remembered that a recess meeting of the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held at 5:00 o'clock p.m. on Wednesday the 3<sup>rd</sup> day of May, 2017, at the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, in said City and the same being the time, date and place fixed by order of the Mayor and Board of Aldermen, recessing the meeting from April 18, 2017.

There were present and in attendance on said board and at the public hearing the following named persons: Mayor William Skellie, Jr., Aldermen Leonard G. Carrubba,



Sr., Gary J. Ponthieux, Bernie Parker, Kelly Griffin, City Clerk Rebecca E. Schruff and City Attorney James C. Simpson, Jr.

Absent the public hearing were Alderman Alan Young, deceased, Alderman Ronnie Hammons, Jr., and Alderman Mark E. Lishen.

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

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It was noted for the record that the regular meeting of the Mayor and Board of Aldermen scheduled for Tuesday, May 2, 2017, was cancelled due to the 1<sup>st</sup> Republican Primary held on May 2, 2017.

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ANNOUNCEMENTS:

- The meeting was called to order and the Mayor recognized newly elected aldermen Timothy McCaffrey, Jr., Donald Frazer, Ron Robertson and Mayor Elect George Bass.
- MSN Lifestyle named the beaches in Long Beach the best in Mississippi.

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There were no presentations, proclamations, amendments or public comments to the agenda.

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Alderman Parker made motion seconded by Alderman Ponthieux and unanimously carried to approve the public hearing and regular meeting minutes of the Mayor and Board of Aldermen dated April 18, 2017, as submitted.

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Alderman Griffin made motion seconded by Alderman Parker and unanimously carried to approve the public hearing and regular meeting minutes of the Long Beach Planning Commission dated April 27, 2017, as submitted.

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Alderman Parker made motion seconded by Alderman Griffin and unanimously carried to approve the regular meeting minutes of the Long Beach Port Commission dated April 20, 2017, as submitted.

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Alderman Griffin made motion seconded by Alderman Parker and unanimously carried to approve payment of invoices as listed in Docket of Claims number 050217.

Minutes of May 3, 2017  
Mayor and Board of Aldermen

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There was no report from the Mayor's Office.

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

POLICE DEPARTMENT:

- New Hire, Dispatcher Recruit Cabrina L. Levens, PS-1-B, effective May 16, 2017;
- New Hire, Dispatcher Recruit Page Malchow-Worthington, PS-1-B, effective May 16, 2017.

FIRE DEPARTMENT:

- Resignation, Firefighter 2<sup>nd</sup> Class Lance Dunn, effective April 26, 2017;
- New Hire, Firefighter Lionel Viera, FS-5, effective May 16, 2017;
- New Hire, Firefighter Phillip Price, FS-5, effective May 16, 2107.

LIBRARY:

- Step Increase, Assistant Librarian Rebecca Sanzin, CSA-5-VI, effective May 1, 2017.

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Alderman Parker made motion seconded by Alderman Griffin and unanimously carried to fund the Harrison County Soil and Water Conservation District in the amount of \$2,500.00.

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Alderman Carrubba made motion seconded by Alderman Parker and unanimously carried to approve the Special Event Application, Wind and Wave Festival, as follows:

Minutes of May 3, 2017  
Mayor and Board of Aldermen

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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: 4/17/17 Time: 2:00 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 City Clerk at least 90 calendar days before the first day of the event.

Sponsoring Organization's Legal Name: Long Beach Community Development Association

Organization Address: PO Box 1352

Organization Agent: Sheeda Jones Title: Coordinator

Phone: 228-380-6851 Work Home \_\_\_\_\_ During event \_\_\_\_\_

Agent's Address: 11 Partridge Place

Agent's E-Mail Address: slaj007@AOL.com

Event Name: Wind and Wave Festival

Please give a brief description of the proposed special event: kites on the

sand beach & bands food vendors

Event Day(s) & Date(s): May 27, 2017 Event Time(s): 1:00 pm 'til 8:00 pm

Set-Up Date & Time: 12:00 pm Tear-Down Date & Time: 9:00 pm

Event Location: East Harbor Parking Lot & Pavilion

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

How many years has this event occurred? 4th year

ADOPTED: 11.15.11-BOARD ACTION

**Minutes of May 3, 2017  
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: N/A through Date/ Time \_\_\_\_\_

**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:

The east parking lot in the Harbor

**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 the expected (estimated) attendance for this event? 1000

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

If yes, you are required to obtain a permit through the City Clerk's Office.

**REST ROOMS:** Are you planning to provide portable rest rooms at the event? YES  NO

If yes, how many? \_\_\_\_\_

As an event organizer, you must consider the availability of rest room 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 rest room 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.

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

We need barricades

ADOPTED: 11.15.11-BOARD ACTION

**Minutes of May 3, 2017  
Mayor and Board of Aldermen**

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**INSURANCE:** All sponsors of special events must carry liability insurance with coverage of at least \$500,000. 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 that Board of Aldermen waive the insurance requirement and execute a Hold Harmless and Indemnification Agreement. This event qualifies consideration for Low Hazard because:

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**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 that Board of Aldermen waive the insurance requirement for this Low Hazard Event as identified in 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.

4/7/17                      *Sheldah Jones*  
Date                                      Signature of Sponsoring Organization's Agent

**RETURN THIS APPLICATION at least ninety (90) days before the first day of the event to:  
CITY CLERK'S OFFICE - 201 JEFF DAVIS AVENUE - P.O. BOX 929 - LONG BEACH, MS  
39560**

ADOPTED: 11.15.11-BOARD ACTION

Minutes of May 3, 2017  
Mayor and Board of Aldermen

Event Title: Wind & Wave Festival

**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.: MM Recommend Approval: YES NO Est. Economic Impact: \$ ?

Fire Dept.: \_\_\_\_\_ Recommend Approval: YES NO Est. Economic Impact: \$ \_\_\_\_\_

Public Works: \_\_\_\_\_ Recommend Approval: YES NO Est. Economic Impact: \$ \_\_\_\_\_

~~Traffic Eng.~~ <sup>Harriet</sup> Traffic Eng.: Harriet Recommend Approval: YES NO Est. Economic Impact: \$ \_\_\_\_\_

Parks/REC: \_\_\_\_\_ Recommend Approval: YES NO Est. Economic Impact: \$ \_\_\_\_\_

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: \_\_\_\_\_

Approval/ Denial Mailed: \_\_\_\_\_

ADOPTED: 11.15.11-BOARD ACTION

Minutes of May 3, 2017  
 Mayor and Board of Aldermen



LONGBEA-04

SOHARE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
 02/21/2017

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.

IMPORTANT: 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).

PRODUCER Maury, Donnelly & Parr 24 Commerce St. Baltimore, MD 21202	CONTACT NAME: PHONE (A/C, No, Ext): (410) 685-4625	FAX (A/C, No): (410) 685-3071	
	E-MAIL ADDRESS:		
INSURED  Long Beach Community Development Association PO Box 1352 Long Beach, MS 38560	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: CNA Insurance Companies		52412
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

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	ADDITIONAL SUBROGATION WAIVED	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 checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER	X	6018273475	06/10/2016	06/10/2017	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 - COMPIOP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/>					COMBINED SINGLE LIMIT (Ea. accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED \$ RETENTION \$		6020158506	06/10/2016	06/10/2017	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
	WORKERS COMPENSATION AND EMPLOYERS LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N N/A If yes, describe under DESCRIPTION OF OPERATIONS below					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)  
 The City of Long Beach is an Additional Insured.

CERTIFICATE HOLDER  City of Long Beach PO Box 920 Long Beach, MS 39560	CANCELLATION 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 
--	---

Minutes of May 3, 2017  
Mayor and Board of Aldermen



P.O. Box 1352  
Long Beach MS 39560  
Email: lbmainstreet@gmail.com

April 17, 2017

Mayor Skellie  
Board of Aldermen  
Long Beach, MS

RE: Wind and Wave Festival

Dear Mayor and Board of Alderman:

The Wind and Wave Festival is a one-day event, Saturday, May 27, 2017, from 1:00 p.m. until 8:00 p.m. held in the Long Beach Harbor area, specifically the east parking lot and pavilion. The event will include kites, arts, and crafts booths, bands, food and drink. The festival is a fundraiser for the Long Beach Community Development Association (Long Beach Main Street) to benefit the city of Long Beach.

At the one-day event, we would like to have a beer concession and are therefore requesting an exception to Ordinance No. 350, Section 1 through 7.

Should you have any questions or require any additional information, please contact me at 228-380-6851. Thank you for your consideration and support of the Long Beach Community.

Sincerely,  
*Shelda Jones*  
Shelda Jones  
Long Beach Community Development Association

*Shelda Jones*  
*Mayor Skellie*



in support of Mississippi Main Street Association

\*\*\*\*\*

There came on for consideration a letter from James Lopez, Naval Facilities Engineering Command, as follows:



**Minutes of May 3, 2017  
Mayor and Board of Aldermen**

April 17, 2017

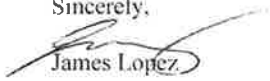
James Lopez  
Naval Facilities Engineering Command,  
Engineering and Expeditionary Warfare Center, Construction Equipment Division Two  
2404 Bussell Ave Bldg. 400  
Gulfport, MS 39501

Mayor William Skellic, Jr.  
201 Jeff Davis Avenue  
Long Beach, MS 39560

Dear Mayor Skellic and Board of Aldermen Members,  
I am James Lopez, a Department of Defense employee stationed at Naval Construction Battalion Center in Gulfport, MS and a member of our Team Building Association within the command.

Our goal is help the morale and welfare of all employees that work within our command. We do not receive any donations from any outside agency and our only source of funding is through our fundraising events. This year we would like to use the City of Long Beach's Community Center for our Spring Team Building Event and are requesting either an in-kind donation or a reduced rate. Your consideration would be greatly appreciated and recognized by our employees. Should you have any questions, please contact me directly at (228) 224-0254. Thank you for your time and I look forward to your reply in this matter.

Sincerely,



James Lopez

Upon discussion, Alderman Parker made motion seconded by Alderman Carrubba and unanimously carried to approve the request as set forth above, waiving rental fees in accordance with city policy regarding government entities and their affiliates, to promote the City of Long Beach and advertise the opportunities and resources available.

\*\*\*\*\*

There came on for consideration the Memorandum of Understanding and funding of Cruisin' the Coast®. After considerable discussion, it was the consensus of the Mayor

Minutes of May 3, 2017  
 Mayor and Board of Aldermen

and Board of Aldermen to table the matter for further review and consideration at the July 5, 2017, meeting under the new administration and directing the city attorney to obtain financial reports from Cruisin' the Coast® and funding information from other municipalities.

\*\*\*\*\*

Alderman Griffin made motion seconded by Alderman Parker and unanimously carried to approve the Fiscal Year 2016-2017 General Fund Budget Amendment, as follows:

City of Long Beach  
 Budget Amendment Request

Fund Name	Department #	Department Name	General Fund	Date	Budget Entry #
	311	Streets & Drainage		5/3/2017	

	Original Budget	Prior Amendments	This Amendment	Revised Budget
Capital Outlay 311-630100	-	-	14,220	14,220
Auction Proceeds 010-580700	-	-	(14,220)	(14,220)

Amendment to budget auction proceeds received from the sale of Public Works assets.

Amendment #9



M E M O

TO: Kini Gonsoulin  
FROM: Derrel Wilson  
DATE: April 26, 2017  
RE: Long Beach Auction Proceeds

Kini,

Please deposit proceeds for Public Works equipment sold at recent auction to Capital Outlay – Streets. Code is 311-6310.

Please confirm with Jan the amount and when this is finalized.

Your assistance in this matter is appreciated.

Thank you.

\*\*\*\*\*

The Clerk reported that she did cause to be published in The Sun Herald, a newspaper with a general circulation in the City of Long Beach and published in Harrison County, Mississippi, Public Notice, Poll Manager Training/L&A Testing of Voting Equipment to be used in the Primary Election held on May 2, 2017, as evidenced by the Publisher's Proof of Publication.

Alderman Parker made motion seconded by Alderman Griffin and unanimously carried to spread said Proof of Publication upon the minutes of this meeting in words and figures, as follows:

Minutes of May 3, 2017
Mayor and Board of Aldermen

Proof of Publication

STATE OF MISSISSIPPI

COUNTY OF HARRISON

Before me, the undersigned Notary of Harrison County, Mississippi personally appeared Coisra Brackett who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a newspaper published in the city of Gulfport, in Harrison County, Mississippi, and the publication of the notice, a copy of which is hereto attached, has been made in said paper 1 times in the following numbers and on the following dates of such paper, viz:

- Vol. 133 No. 197 dated 18 day of Apr 20 17
Vol. No. dated day of 20
Vol. No. dated day of 20
Vol. No. dated day of 20
Vol. No. dated day of 20
Vol. No. dated day of 20
Vol. No. dated day of 20

LONG BEACH, MISSISSIPPI
PUBLIC NOTICE
POLL MANAGER TRAINING
L & A TESTING OF VOTING
EQUIPMENT
NOTICE IS HEREBY GIVEN
that the City of Long Beach, Mississippi, election officials will conduct poll manager training (if necessary) at the Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, Mississippi, on Thursday, April 27, 2017, at 10:00 a.m. A public test of the automatic tabulating equipment to be used in the Primary Election scheduled for May 2, 2017, will be conducted at the City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, on Thursday, April 27, 2017, 12:00 p.m., to ascertain that the equipment will accurately count the votes cast for all offices and on all measures. The training session and testing of voting equipment is open to all representatives of the political parties, candidates, the press, and the general public.
ADVISE: TUE 1587879

Affiant further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

Coisra Brackett (handwritten signature)

Clerk

Sworn to and subscribed before me this 18 day of April, 20 17

Meri A. Jackson (handwritten signature)

Notary Public

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



\*\*\*\*\*

Discussion was held regarding derelict property; no official action was required or taken.

\*\*\*\*\*

The Mayor recognized the City Attorney for his report and official action was taken, as follows:

**Minutes of May 3, 2017  
Mayor and Board of Aldermen**

**ORDINANCE NO. 626**

**AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI AMENDING ORDINANCE NUMBER 598, THE COMPREHENSIVE LONG BEACH UNIFIED DEVELOPMENT ORDINANCE BY AMENDING SECTION 69, AND FOR RELATED PURPOSES.**

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

WHEREAS, in accordance with the Comprehensive Long Beach Unified Land Use Ordinance 598, and pursuant to legal notice published and given for the time and in the manner provided by law, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, did meet at 5:00 o'clock p.m. on Tuesday, the 18th day of April 2017 at the City Hall in said City at the time, place and date fixed in said legal notice, and did on such date conduct a public hearing at which hearing all parties interested in or opposed to adoption of the text change application and amendments to the Comprehensive Long Beach Unified Land Use Ordinance 598 proposed were given an opportunity to be heard and allowed to make oral and/or written comment to such proposed changes, which proposed changes to the ordinance were then and there on file and had been on file during the period of said notice in the office of the City Clerk at the City Hall in said City, available for public inspection and examination by any and all parties interested in or opposed to the proposed changes, all as more particularly hereinafter set forth in this ordinance; and

WHEREAS, such application has previously been the subject of a public hearing held and conducted by Long Beach Planning Commission in accordance with the Comprehensive Long Beach Unified Land Use Ordinance 598, such hearing conducted on March 9, 2017; and

WHEREAS, the stated purpose of such application being to promote uniform

**Minutes of May 3, 2017**  
**Mayor and Board of Aldermen**

development and encourage public safety, thereby enhance the quality of life for all citizens of the City of Long Beach; and

WHEREAS, periodically it is necessary and proper and in the best interests of the City to incorporate and adopt zoning text changes from time to time as appropriate to reflect changes in circumstances and public need to accommodate and encourage the orderly growth of the City as well as the protection of property owners within the City; and

WHEREAS, after due consideration, hearings and discussion, the Planning and Zoning Commission of the City of Long Beach has reviewed the proposed zone text changes at a regular meeting, duly considered same, and after public hearing, input, and thorough consideration as to all relevant factors required and available under law, and has adopted same and recommended approval thereof by the Mayor and Board of Aldermen as reflected in the official minutes of said meeting; and

WHEREAS, as a result of the aforesaid public hearing and after consideration by the Mayor and Board of Aldermen of the testimony and evidence presented, and after due deliberation by the Mayor and Board of Aldermen, the Mayor and Board of Aldermen did then find, and do now find, determine, adjudicate and declare that the proposed text changes to the Comprehensive Long Beach Unified Land Use Ordinance 598 applied for are necessary and proper, needed and by clear and convincing evidence justified; that public need exists for changing the zoning text to provide for and foster orderly development and growth of the City in accordance with a comprehensive plan.

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

**Section 1.** That the Mayor and Board of Aldermen having considered the comments and testimony at the said hearing, all of the documentary evidence submitted into evidence and their own knowledge and familiarity of the City of Long Beach hereby find

and adjudicate as follows:

(a) That the clear and convincing evidence established that the proposed text changes to the Comprehensive Long Beach Unified Land Use Ordinance 598 applied for are necessary and proper, needed and by clear and convincing evidence justified; that public need exists for changing the zoning text to provide for and foster orderly development and growth of the City in accordance with a comprehensive plan and further, such action is fully supported by the opinion of the Long Beach Planning Commission;

(b) The changes will not be detrimental to present and potential uses but will have a beneficial effect, which could not be achieved without the map changes.

(c) The proposed change is in conformance with the general intent of the Comprehensive Master Plan of the City.

(d) The proposed changes do not cause or result in any change in zoning classification of any property within the City.

**Section 2.** That the Comprehensive Long Beach Unified Land Use Ordinance Number 598 of the City of Long Beach should be and hereby is amended by deleting the current Section 69(2) and inserting the following Section 69(2) in its place:

(2) Notice may be given to the neighboring property owners by mailing a written notice not later than 15 days before the hearing to those persons who have listed for taxation real property any portion of which is located within 160 feet of the property, excluding public right of way, that is the subject of the application or appeal.

This Ordinance and Resolution of the Mayor and Board of Aldermen of the City of Long Beach shall be deemed effective in the manner and time prescribed by law.

The City Clerk is hereby ordered to publish this Ordinance and Resolution in the manner and time required by law.

The above and foregoing Ordinance No. 626 was introduced in writing by Alderman Ponthieux who moved its adoption. Alderman Carrubba seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of

**Minutes of May 3, 2017**  
**Mayor and Board of Aldermen**

Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kelly Griffin	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	Aye
Alderman Mark E. Lishen	voted	Absent, Not Voting
Alderman Ronnie Hammons, Jr.	voted	Absent, Not Voting


The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance Number 626 adopted and approved this, the 3<sup>rd</sup> day of May, 2017.

APPROVED:

  
 \_\_\_\_\_

WILLIAM SKELLIE, JR., MAYOR

ATTEST:

  
 \_\_\_\_\_

REBECCA E. SCHRUFF, CITY CLERK

\*

\*



**ORDINANCE NO. 627**

**AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI AMENDING ORDINANCE NUMBER 598, THE COMPREHENSIVE LONG BEACH UNIFIED DEVELOPMENT ORDINANCE BY AMENDING SECTION 143, AND FOR RELATED PURPOSES.**

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

WHEREAS, in accordance with the Comprehensive Long Beach Unified Land Use Ordinance 598, and pursuant to legal notice published and given for the time and in the manner provided by law, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, did meet at 5:00 o'clock p.m. on Tuesday, the 18th day of April 2017 at the City Hall in said City at the time, place and date fixed in said legal notice, and did on such date conduct a public hearing at which hearing all parties interested in or opposed to adoption of the text change application and amendments to the Comprehensive Long Beach Unified Land Use Ordinance 598 proposed were given an opportunity to be heard and allowed to make oral and/or written comment to such proposed changes, which proposed changes to the ordinance were then and there on file and had been on file during the period of said notice in the office of the City Clerk at the City Hall in said City, available for public inspection and examination by any and all parties interested in or opposed to the proposed changes, all as more particularly hereinafter set forth in this ordinance; and

WHEREAS, such application has previously been the subject of a public hearing held and conducted by Long Beach Planning Commission in accordance with the Comprehensive Long Beach Unified Land Use Ordinance 598, such hearing conducted on March 9, 2017; and

WHEREAS, the stated purpose of such application being to promote uniform development and encourage public safety, thereby enhance the quality of life for all citizens of the City of Long Beach; and

WHEREAS, periodically it is necessary and proper and in the best interests of the City to incorporate and adopt zoning text changes from time to time as appropriate to reflect changes in circumstances and public need to accommodate and encourage the orderly growth of the City as well as the protection of property owners within the City;

**Minutes of May 3, 2017**  
**Mayor and Board of Aldermen**

and

WHEREAS, after due consideration, hearings and discussion, the Planning and Zoning Commission of the City of Long Beach has reviewed the proposed zone text changes at a regular meeting, duly considered same, and after public hearing, input, and thorough consideration as to all relevant factors required and available under law, and has adopted same and recommended approval thereof by the Mayor and Board of Aldermen as reflected in the official minutes of said meeting; and

WHEREAS, as a result of the aforesaid public hearing and after consideration by the Mayor and Board of Aldermen of the testimony and evidence presented, and after due deliberation by the Mayor and Board of Aldermen, the Mayor and Board of Aldermen did then find, and do now find, determine, adjudicate and declare that the proposed text changes to the Comprehensive Long Beach Unified Land Use Ordinance 598 applied for are necessary and proper, needed and by clear and convincing evidence justified; that public need exists for changing the zoning text to provide for and foster orderly development and growth of the City in accordance with a comprehensive plan.

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

**Section 1.** That the Mayor and Board of Aldermen having considered the comments and testimony at the said hearing, all of the documentary evidence submitted into evidence and their own knowledge and familiarity of the City of Long Beach hereby find and adjudicate as follows:

(a) That the clear and convincing evidence established that the proposed text changes to the Comprehensive Long Beach Unified Land Use Ordinance 598 applied for are necessary and proper, needed and by clear and convincing evidence justified; that public need exists for changing the zoning text to provide for and foster orderly development and growth of the City in accordance with a comprehensive plan and further, such action is fully supported by the opinion of the Long Beach Planning Commission;

(b) The changes will not be detrimental to present and potential uses but will have a beneficial effect, which could not be achieved without the map changes.

(c) The proposed change is in conformance with the general intent of the Comprehensive Master Plan of the City.

(d) The proposed changes do not cause or result in any change in zoning classification of any property within the City.

**Section 2.** That the Comprehensive Long Beach Unified Land Use Ordinance Number 598 of the City of Long Beach should be and hereby is amended by adding the following

**Minutes of May 3, 2017  
Mayor and Board of Aldermen**

language to the current Section 143:

- (c) No accessory building shall be located within ten (10) feet of any other structure, excluding swimming pools.

This Ordinance and Resolution of the Mayor and Board of Aldermen of the City of Long Beach shall be deemed effective in the manner and time prescribed by law.

The City Clerk is hereby ordered to publish this Ordinance and Resolution in the manner and time required by law.

The above and foregoing Ordinance No. 627 was introduced in writing by Alderman Carrubba who moved its adoption. Alderman Griffin seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kelly Griffin	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	Aye
Alderman Mark E. Lishen	voted	Absent, Not Voting
Alderman Ronnie Hammons, Jr.	voted	Absent, Not Voting

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance Number 627 adopted and approved this, the 3<sup>rd</sup> day of May, 2017.

APPROVED:

  
WILLIAM SKELLIE, JR., MAYOR

ATTEST:

  
REBECCA E. SCHRUFF, CITY CLERK

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**Minutes of May 3, 2017  
Mayor and Board of Aldermen**

**ORDINANCE NO. 628**

**AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NO. 598 AS AMENDED, ENTITLED THE UNIFIED LAND ORDINANCE OF THE CITY OF LONG BEACH, MISSISSIPPI AND AMENDING THE ZONING MAP INCORPORATED IN SAID ORDINANCE TO CHANGE THE CLASSIFICATION OF CERTAIN PROPERTY LOCATED AT THE NORTHWEST CORNER OF 28<sup>TH</sup> STREET AND KLONDYKE ROAD LOCATED IN THE CITY OF LONG BEACH, MISSISSIPPI, AND BEARING TAX PARCEL NUMBER 0610NK-01-004.000 FROM R-4, RESIDENTIAL FARM TO C-2 GENERAL COMMERCIAL, AND FOR RELATED PURPOSES.**

WHEREAS, the City of Long Beach Planning Commission received an application for a zoning map change from the owner of the property located at the northwest corner of 28th street and Klondyke Road located in the City Of Long Beach, Mississippi, and bearing tax parcel number 0610K-01-004.000 seeking rezoning of the said "subject property" from R-4, Residential Farm To C-2 General Commercial; and

WHEREAS, after first publishing notice of such hearing as required by law the Planning Commission did, at its meeting of March 23, 2017, conduct a public hearing on said application, during which hearing proponents and opponents of the application were heard, the application was reviewed and discussed and after such hearing, review and discussion, did recommend approval of the application to the Mayor and Board of Aldermen as reflected in the official minutes of the March 23, 2017 meeting of the Long Beach Planning Commission; and

WHEREAS, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, having made due investigation therefore, do now find, determine, adjudicate and declare as follows, to-wit:

a. That pursuant to legal notice published and given for the time and in the manner provided by law, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, did meet at 5:00 p.m. on Wednesday May 3, 2017, at the Long Beach City Hall at 201 Jeff Davis Avenue, in said City, the time, place and date fixed in said legal notice, and did on said date conduct a public hearing at which hearing all parties interested in or opposed to the proposed zoning classification amendment changing the zoning classification of the aforesaid Subject Property, were given an opportunity to be heard and allowed to make oral and/or written comment to such proposed change, which proposed change was then and there on file and had been on file during the period of

said notice in the office of the City Clerk at the City Hall in said City, available for public inspection and examination by any and all parties interested in or opposed to the proposed change, all as more particularly hereinafter set forth in this ordinance.

b. That, as a result of the aforesaid public hearing and consideration by the Mayor and Board of Aldermen of the testimony and evidence presented during same and made a part of the record of such proceeding, and further upon consideration of their own knowledge and familiarity with the City, the municipal zoning map, the character of the surrounding neighborhood, the application submitted by the Applicant, and all of the other materials, arguments, comments, evidence and testimony presented at hearing, that the Mayor and Board of Aldermen did then and do now find, determine adjudicate and declare that the clear and convincing evidence establishes:

- (1) Applicant has shown factually that by increased traffic, by developing and anticipated continued growth to the north of the entire City as a result of Hurricane Katrina, the continued and increasing use and utilization of Klondyke Road as a major transportation artery; new, expanding commercial uses along Klondyke Road, and the other information and changes presented by applicant at the time of such request, and as otherwise and also contained in the record of the proceedings of the matter that the character of the neighborhood has changed sufficiently to justify the requested change and to further establish that there is a public need for the said amendment;
- (2) The applicant has conformed to Article XIX, Section 221 of the Long Beach Zoning Ordinance which outlines the requirements for a zoning change;
- (3) That by clear and convincing evidence the proposed zone change to the Comprehensive Long Beach Unified Land Use Ordinance 598 applied for is necessary and proper, needed and justified; that public need exists for changing the zoning text to provide for and foster orderly development and growth of the City in accordance with a comprehensive plan, and further, such action is fully supported by the opinion of the Long Beach Planning Commission; that the said change will not be detrimental to present and potential uses but will have a beneficial effect, which could not be achieved without the proposed change; that the proposed change is in conformance with the general intent of the Comprehensive Master Plan of the City.
- (4) Finally, the opponents of the proposed zoning change have failed to

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demonstrate or provide objective proof of the percentage of the adjoining land or lands within 160 feet the boundary of the subject property owned by them such as to require application of the provisions of the Mississippi Code and the City=s ordinance requiring a two- thirds majority vote in this.

d. That in sum, the clear and convincing evidence establishes the change in the character of the neighborhood and the public need for the said amendment adopting the zoning classification of the subject property from its present R-1 zoning to the requested zoning classifications.

e. That the Zoning Ordinance of the City of Long Beach should be amended and the Zoning Map incorporated therein amended to change the zoning classification of the subject property from R-4, Residential Farm to C-2 General Commercial.

**NOW THEREFORE**, be it ordained by the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, as follows:

**SECTION 1.** That Ordinance No. 598, as amended, entitled THE UNIFIED LAND ORDINANCE OF THE CITY OF LONG BEACH, MISSISSIPPI be and is hereby amended as follows:

The Zoning Map and legal description of the City contained, incorporated in and being a part of Ordinance No. 598, as Amended, is hereby amended to change the Zoning Classification from R-4, Residential Farm to C-2 General Commercial the ASubject Parcel@ described as follows, to wit:

Lots Three (3) and Four (4), Block Thirty Two (32), COX SUBDIVISION, in Section 35, Township 35 South Range 12 West, a subdivision according to the official map or plat thereof on file and of record in the office of the Chancery Clerk of Harrison County, Mississippi, First Judicial District in Plat Book 9 at Page 6 (Copy Book 4 at Page 277).

**SECTION 2.** Ordinance No. 598, as amended is hereby amended as set forth above only, to otherwise remain in full force and effect.

**SECTION 3.** If any section, subsection, sentence, clause or phrase of this Ordinance, or the application thereof, be held by any court of competent jurisdiction to be invalid or unconstitutional, such holding shall not affect the remaining portions of this Ordinance.

**SECTION 4.** This ordinance shall take effect and be and force thirty (30) days after its adoption, Publication and enrollment thereof as provided by law.

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Mayor and Board of Aldermen**

The above and foregoing Ordinance No. 628 was introduced in writing by Alderman Carrubba who moved its adoption. Alderman Parker seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Bernie Parker	voted	Aye
Alderman Gary J. Ponthieux	voted	Aye
Alderman Kelly Griffin	voted	Aye
Alderman Leonard G. Carrubba, Sr.	voted	Aye
Alderman Mark E. Lishen	voted	Absent, Not Voting
Alderman Ronnie Hammons, Jr.	voted	Absent, Not Voting

The question having received the affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance Number 628 adopted and approved this, the 3<sup>rd</sup> day of May, 2017.

APPROVED:

  
WILLIAM SKELLIE, JR., MAYOR

ATTEST:

  
REBECCA E. SCHRUFF, CITY CLERK

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Minutes of May 3, 2017  
Mayor and Board of Aldermen

There were no public comments regarding general matters not appearing on the agenda.

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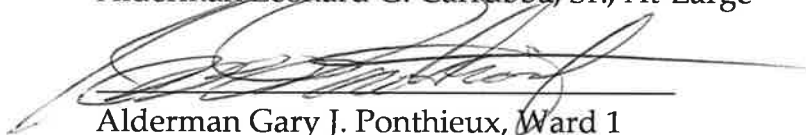
There being no further business to come before the Mayor and Board of Aldermen at this time, Alderman Ponthieux made motion seconded by Alderman Griffin and unanimously carried to adjourn until the next regular meeting in due course.

\*\*\*\*\*

APPROVED:



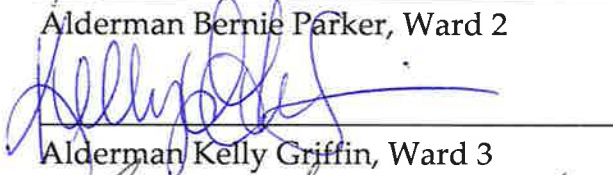
Alderman Leonard G. Carrubba, Sr., At-Large



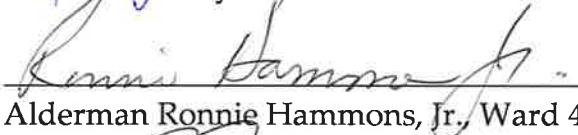
Alderman Gary J. Ponthieux, Ward 1



Alderman Bernie Parker, Ward 2



Alderman Kelly Griffin, Ward 3



Alderman Ronnie Hammons, Jr., Ward 4



Alderman Mark E. Lishen, Ward 5

Alderman Alan Young, Ward 6

5/6/17

Date

ATTEST:



Rebecca E. Schruoff, City Clerk