

**Minutes of June 4, 2019
Mayor and Board of Aldermen**

**MUNICIPAL DOCKET
REGULAR MEETING OF JUNE 4, 2019
THE MAYOR AND BOARD OF ALDERMEN
THE CITY OF LONG BEACH, MISSISSIPPI
5:00 O'CLOCK P.M. LONG BEACH CITY HALL, 201 JEFF DAVIS AVE.

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL AND ESTABLISH QUORUM**
- IV. ANNOUNCEMENTS; PRESENTATIONS; PROCLAMATIONS**
 - 1. 2020 Census Proclamation
- V. AMENDMENTS TO THE MUNICIPAL DOCKET**
- VI. APPROVE MINUTES:**
 - 1. **MAYOR AND BOARD OF ALDERMEN**
 - a. May 21, 2019 - Regular
 - b. May 21, 2019 - Executive Session
 - 2. **PLANNING & DEVELOPMENT COMMISSION**
 - a. May 23, 2019 - Regular
- VII. APPROVE DOCKET OF CLAIMS NUMBER(S):**
 - 1. 060419
 - 2. The All-Nighters \$800 (Jeepin The Coast Entertainment)
 - 3. Category 6 \$4,000 (Jeepin The Coast Entertainment)
- VIII. UNFINISHED BUSINESS**
 - 1. Senior Center Fee Waiver Request - Carnival Assoc. of Long Beach
 - 2. Franchise Agreements - C Spire & Southern Light
- NEW BUSINESS**
 - 1. Amendment #3 - Utility Partners Contract
 - 2. Work Session - Food Trucks; Reschedule
 - 3. Sidewalk Escrow Discussion - Alderman Frazer
- X. DEPARTMENTAL BUSINESS**
 - 1. **MAYOR'S OFFICE**
 - 2. **PERSONNEL**
 - a. Police Dept - Step Increase (4)
 - b. Fire Dept - Promotion (1); Termination (1)
 - c. Recreation - New Hire (1)
 - 3. **CITY CLERK**
 - a. Fiscal Year 2020 Budget Schedule
 - 4. **FIRE DEPARTMENT**
 - 5. **POLICE DEPARTMENT**
 - 6. **ENGINEERING**
 - a. Long Beach Paving - Term Bid
 - b. Clower Ave. Water Main Improvements
 - c. Contract Amendment - Overstreet & Assoc.; MDA/Gulf Coast Restoration Council, City Engineering Services
 - 7. **PUBLIC WORKS**
 - 8. **RECREATION**
 - 9. **DERELICT PROPERTIES**
 - a. 247 Reinike Road - Virginia Norton
- XI. REPORT FROM CITY ATTORNEY**
 - 1. Vacate Plat - Park Place Condominium
- XII. ADJOURN (OR) RECESS**

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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 June, 2019, and the same being the time, date and place fixed by Laws of the State of Mississippi and ordinance of the City of Long Beach for holding said meeting.

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

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

Through proclamation, the Mayor encouraged every citizen to participate in the 2020 Census.

Alderman Frazer made motion seconded by Alderman McCaffrey and unanimously carried to approve the Regular and Executive Session minutes of the Mayor and Board of Aldermen dated May 21, 2019, as submitted.

Alderman Frazer made motion seconded by Alderman McCaffrey and unanimously carried to approve the regular minutes of the Planning & Development Commission dated May 23, 2019, as submitted, with the exception of item #3 under VII. New Business – Case Review (Cell Tower); submitted by Tillman Infrastructure.

* * *

There came on for consideration an appeal filed by Attorney Michael J. Bradley on behalf of American Tower Corporation, as follows:

Minutes of June 4, 2019
Mayor and Board of Aldermen

Michael J. Bentley
Partner
mbentley@bradley.com
601.592.9935 direct

Bradley

Via Electronic Mail, Facsimile, and Federal Express

May 31, 2019

Stacey Dahl, City Clerk
City of Long Beach
201 Jeff Davis Avenue
Long Beach, Mississippi 39560
cityclerk@cityoflongbeachms.com

RE: Notice of Appeal of Planning Commission Action
Tillman Infrastructure – Cell Tower Application (5130 Beatline Road)

Dear Ms. Dahl:

GTP Acquisition Partners II, LLC, a wholly owned subsidiary of American Tower Corporation (“American Tower”), appeals the Planning Commission’s approval of Tillman Infrastructure’s application to erect a 180-foot cell phone tower in the Pecan Park North and Wisteria Lane neighborhoods, at 5130 Beatline Road. Tillman’s tower would be constructed only 200 feet away from American Tower’s existing cell tower—less than the length of a city block.

American Tower requests a duly noticed hearing on its appeal, as provided for in Sections 68-73 of the City’s Zoning Ordinance.

At the hearing, American Tower will present evidence and arguments in support of its appeal, including but not limited to:

- The Planning Commission acted without having all relevant information, including objections and evidence from American Tower, and without providing notice to American Tower despite its express request for notice and an opportunity to be heard.
- Tillman’s proposed cell tower will not improve or expand existing wireless voice and data coverage for the citizens of Long Beach and the Mississippi Gulf Coast, as American Tower’s existing tower already provides substantially similar coverage for the community.

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Notice of Appeal of Planning Commission Action
May 31, 2019
Page 2

- Tillman’s announced rationale for constructing another tower in Long Beach, which is to further Tillman’s private business interests by creating redundant infrastructure without providing any coverage benefits to Long Beach, does not support approval of an additional tower in the targeted community.
- Tillman’s proposed 180-foot cell tower requires a height variance because it will be located in an area zoned C-2, which is subject to a 45-foot height limitation. Tillman has not requested or obtained a height variance in accordance with the procedures established by the City’s Zoning Ordinance—including Section 61 and Sections 68-73.

Again, these are just some of American Tower’s anticipated objections to the Planning Commission’s action. Additional reasons, arguments, and evidence will be presented at the hearing on American Tower’s appeal.

Please let me know the date on which the appeal hearing will be held.

If you have any questions or require additional information regarding American Tower’s appeal, please do not hesitate to contact me.

Sincerely,



Michael Bentley
Attorney for American Tower Corporation

cc: Mayor George L. Bass (via email mayor@cityoflongbeachms.com)
Ward 5 Alderman Mark Lishen (via email mlishen@egh.ms)
Tina Dahl (via email at tina@cityoflongbeachms.com)
William D. Drinkwater, Esq. (via email at wdrinkwater@brunini.com)

Upon discussion, Alderman Frazer made motion seconded by Alderman McCaffrey and unanimously carried to schedule a public hearing, Tuesday, July 2, 2019, 5:00 o’clock p.m., Long Beach City Hall Meeting Room, 201 Jeff Davis Avenue, to consider said appeal.

Alderman Griffin made motion seconded by Alderman Frazer and unanimously carried to approve payment of invoices listed in Docket of Claims number 060419.

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**Minutes of June 4, 2019
Mayor and Board of Aldermen**

Alderman Frazer made motion seconded by Alderman Lishen and unanimously carried to pay invoices to The All-Nighters for \$800 and Category 6 for \$4,000 for Jeepin The Coast entertainment.

There came on for consideration a request to use the Senior Center and waive all applicable fees, as follows:



Carnival Association of Long Beach
P.O. Box 120
Long Beach, MS 39560

To: City of Long Beach

Re: Use of the Senior Center

Carnival Association of Long Beach would like to request the following dates to utilize the Senior Center on Daughtery Rd. We are also asking for reduced or waived fees. Please feel free to contact myself or Jason Green with any questions.

July 7th – Kids Dance

July 27th - Announcement Party

August 17th – Back to School Dance for kids

September 21st – Bunco

October 12 – Kids Dance

November 16 – Holiday Tea

December 14 – Bunco

January 11 – Kids Dance

February 1 – Drawdown

Sincerely,

Jennifer Glenn
Immediate Past President
Carnival Association of Long Beach

Alderman Frazer made motion seconded by Alderman Griffin and unanimously carried to approve the foregoing request.

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The Franchise Agreements – C Spire & Southern Light was tabled until the June 18, 2019 meeting.

Alderman Lishen made motion seconded by Alderman Frazer and unanimously carried to approve the following Amendment #3 to Contract for Public Works Services:

**AMENDMENT NO. 3
To Contract For
Public Works Services
For The
City of Long Beach, MS**

In consideration of the promises set forth in the contract dated December 1st, 2009, between the **City of Long Beach, Mississippi** (hereinafter referred to as the Owner), and **Utility Partners, LLC**, hereinafter referred to as the Operator, whose address is 1710 23rd Avenue, Gulfport, MS 39501 regarding the above captioned project, the parties agree the contract is amended as follows:

Owner and Operator agree to the following:

A. ARTICLE 2, SCOPE OF SERVICES

- 2.11 Perform other contract utility system operations services as directed by the City. Such services must be pre-authorized by the Owner and the cost of those services will be negotiated between the Owner and the Operator prior to any work being performed.
- 2.24 Provided sufficient staff to perform services on behalf of the Long Beach Water Management District.

B. ARTICLE 4, COST OF WORK

Item 4.2, The Cost of Services to be adjusted according to the following table:

Operator shall be limited to an annual increase for cost of living adjustment of 1.85% per year beginning on December 1, 2018 and in ensuing years of this Agreement as scheduled below. The base fees presented in Article 4 shall be in accordance with the schedule shown below.

	AMEND. # 2
December 1, 2018 – November 30, 2019	\$ 1,956,949
December 1, 2019 – November 30, 2020	\$ 1,993,153
December 1, 2020 – November 30, 2021	\$ 2,030,026

Additionally, Operator shall be compensated for services related to the Long Beach Water Management District. This service shall begin on July 1st, 2019 and be billed according to the following schedule:

	AMEND. # 3
July 1, 2019 – November 30, 2019	\$45,151
December 1, 2019 – November 30, 2020	\$108,363
December 1, 2020 – November 30, 2021	\$110,368

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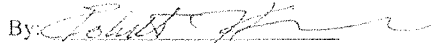
All other paragraphs remain as originally written.

IN WITNESS WHEREOF, the parties hereto have indicated their approval of this Amendment by their signatures below:

City of Long Beach, MS
(Owner)

Utility Partners, LLC
(Operator)

By: 
Mayor George Bass

By: 
Robert J. Knesal, Senior Vice President

Date: 5-5-19

Date: MAY 30, 2019

By: 
Title: City Clerk

By: 
Joe Culpepper, Project Manager

Date: 6/5/19

Date: May 30, 2019

Alderman Lishen made motion seconded by Alderman Griffin and unanimously carried to reschedule the Work Session to discuss Food Trucks, previously scheduled for June 11, 2019, to June 25, 2019.

After considerable discussion, Alderman Frazer made motion seconded by Alderman McCaffrey and unanimously carried to direct City Attorney Jim Simpson to draft an ordinance to allow the City to accept a payment in lieu of sidewalk installation if applicable.

**Minutes of June 4, 2019
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The Mayor reminded the Board that the Planning & Development Commission appointees' terms will expire this month and to be prepared to have appointments at the June 18, 2019 meeting. He also reminded the Board that one of the Library Board appointee positions will be expiring soon.

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

Police Department:

- Step Increase, Detective Brad Gross, PSA-10-VI, effective June 1, 2019
- Step Increase, Sergeant Ray Bell, PS-11-XIII, effective June 1, 2019
- Step Increase, Police Officer 1st Class Chelsey Ann Dulong, PS-9-III, effective June 16, 2019
- Step Increase, Police Officer Recruit Marcus Kaszubowski, PS-9-B, effective June 1, 2019

Fire Department:

- Promotion, Lieutenant Josh Allen, FS-12-V, effective June 1, 2019
- Termination, Firefighter Michael J. Brown, effective May 31, 2019

Recreation:

- New Hire, Tina M. Bradley, CSA-I, effective June 1, 2019

Alderman Frazer made motion seconded by Alderman McCaffrey and unanimously carried to schedule two Work Sessions, Tuesday, July 9, 2019 at 5:00 o'clock p.m., and Tuesday, July 30, 2019 at 5:00 o'clock p.m., City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi, to DISCUSS FISCAL YEAR 2019-2020 BUDGET; and to schedule the PUBLIC HEARING ON THE PROPOSED BUDGET AND PROPOSED TAX LEVIES FOR FISCAL YEAR 2019-2020, Tuesday, August 20, 2019 at 5:00 o'clock p.m., City Hall Meeting Room, 201 Jeff Davis Avenue, Long Beach, Mississippi.

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Based on the following recommendation from City Engineer David Ball, Alderman Lishen made motion seconded by Alderman Griffin and unanimously carried to reject the single bid received for Long Beach Paving – Term Bid, and rebid per schedule below:

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



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

May 31, 2019

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

RE: Long Beach Paving – Term Bid

Ladies and Gentlemen:

The City had scheduled to received and open bids for the referenced term bid project on Tuesday, May 28. We followed the typical advertisement process, including digital planroom availability at 2 locations, along with emailed notifications of the advertisement for work to several of the "local" asphalt companies in our area. However, we only received one bid for the project, submitted by T.L. Wallace Construction, Inc., of Columbia, MS. Further, the bid proposal didn't include prices for certain contract items, meaning the Contractor was unable or unwilling to perform those types of work. This seems to be the case because the proposed work included both types of asphalt work in one contract: typical asphalt repairs (base repairs, overlay, etc.) which may be called conventional asphalt work, along with the "maintenance" or rehabilitation asphalt work (chip seal, cape seal, microsurfacing, etc.). Apparently, no single contractor performs both types of work. We have attached a Certified Tabulation of the Bids.

This is an unfortunate situation, but our recommendation is to reject the single bid from T.L. Wallace, and to proceed to readvertise the project for competitive bidding a second time. However, this time we proposed to advertise for two separate projects (Asphalt Repairs & Asphalt Maintenance). There will be a bit of additional work to prepare Bid Documents for the two different projects, but we believe we will obtain more bids for the work if they are separated as described.

If this is acceptable to the City, we recommend the following advertising schedule:

Authorize Advertisement:	June 4, 2019
First Advertisement:	June 7, 2019
Second Advertisement:	June 14, 2019
Receive Bids:	July 9, 2019

If approved, we hope to have a Bid Tabulation and Recommendation of Award at the July 16, 2019 meeting.

Sincerely,


David Ball, P.E.

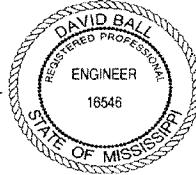
DB.1044
Attachment

Minutes of June 4, 2019 Mayor and Board of Aldermen

TABULATION OF BIDS
CITY OF LONG BEACH
ANNUAL TERM BIDS - ASPHALT REPAIR/RESTORATION
Bid Date: May 28, 2019

CONTRACTORS BIDDING:			T.L. Wallace, Inc.
Certificate of Responsibility No.:			03770-MC
Bid Bond:			YES
ITEM NO.	ITEM	UNIT OF MEASURE	UNIT PRICE
BID SCHEDULE 1 (SMALL WORK):			
02.1-A	REJUVENATING FOG SEAL (1-300 SY)	SY	\$2.00
03.1-A	HIGH PERFORMING FOG SEAL (1-300 SY)	SY	\$2.25
04.11-A	CHIP SEAL (1-300 SY)	SY	\$4.00
05.1-A	REJUVENATING SCRUB SEAL (1-300 SY)	SY	\$4.25
10-7A-1	COLD MILLING OF ASPHALT (ALL DEPTHS) (1-300 SY)	SY	NO BID
10-7B-A	HOT BITUMINOUS PAVEMENT SURFACE COURSE (ST-12.5 mm)(1-20 tons)	TON	NO BID
10-7B-D	HOT BITUMINOUS PAVEMENT LEVELING COURSE (ST-9.5 mm)(1-20 tons)	TON	NO BID
10-7B-G	HOT BITUMINOUS PAVEMENT BASE COURSE (ST-25 mm)(1-20 tons)	TON	NO BID
10-7B-J	CLASS 9, GROUP B SHOULDER MATERIAL (LVM) (1-10 CY)	CY	NO BID
11.01-A	MICRO SURFACING (1-300 SY)	SY	\$6.50
11.11-A	HIGH POLYMER MICRO SURFACING (1-300 SY)	SY	\$7.00
BID SCHEDULE 2 (MEDIUM WORK):			
02.1-B	REJUVENATING FOG SEAL (301-3000 SY)	SY	\$1.90
03.1-B	HIGH PERFORMING FOG SEAL (301-3000 SY)	SY	\$2.15
04.11-B	CHIP SEAL (301-3000 SY)	SY	\$3.80
05.1-B	REJUVENATING SCRUB SEAL (301-3000 SY)	SY	\$4.05
10-7A-2	COLD MILLING OF ASPHALT (ALL DEPTHS) (301-3000 SY)	SY	NO BID
10-7B-B	HOT BITUMINOUS PAVEMENT SURFACE COURSE (ST-12.5 mm)(21-400 tons)	TON	NO BID
10-7B-E	HOT BITUMINOUS PAVEMENT LEVELING COURSE (ST-9.5 mm)(21-400 tons)	TON	NO BID
10-7B-H	HOT BITUMINOUS PAVEMENT BASE COURSE (ST-25 mm)(21-400 tons)	TON	NO BID
10-7B-K	CLASS 9, GROUP B SHOULDER MATERIAL (LVM) (10-100 CY)	CY	NO BID
11.01-B	MICRO SURFACING (301-3000 SY)	SY	\$6.25
11.11-B	HIGH POLYMER MICRO SURFACING (301-3000 SY)	SY	\$6.75
BID SCHEDULE 3 (LARGE WORK):			
02.1-C	REJUVENATING FOG SEAL (3000+ SY)	SY	\$1.80
03.1-B	HIGH PERFORMING FOG SEAL (3000+ SY)	SY	\$2.05
04.11-C	CHIP SEAL (3000+ SY)	SY	\$3.70
05.1-C	REJUVENATING SCRUB SEAL (3000+ SY)	SY	\$3.90
10-7A-3	COLD MILLING OF ASPHALT (ALL DEPTHS) (3000+ SY)	SY	NO BID
10-7B-C	HOT BITUMINOUS PAVEMENT SURFACE COURSE (ST-12.5 mm)(400+ tons)	TON	NO BID
10-7B-F	HOT BITUMINOUS PAVEMENT LEVELING COURSE (ST-9.5 mm)(400+ tons)	TON	NO BID
10-7B-I	HOT BITUMINOUS PAVEMENT BASE COURSE (ST-25 mm)(400+ tons)	TON	NO BID
10-7B-L	CLASS 9, GROUP B SHOULDER MATERIAL (LVM) (100+ CY)	CY	NO BID
11.01-C	MICRO SURFACING (3000+ SY)	SY	\$6.00
11.11-C	HIGH POLYMER MICRO SURFACING (3000+ SY)	SY	\$6.50


David Ball
Cert. No. 16546
5/31/2019



Minutes of June 4, 2019
Mayor and Board of Aldermen

Alderman Lishen made motion seconded by Alderman Griffin and unanimously carried to approve the following advertisement schedule for Clower Avenue Water Main Improvements:

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



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

May 31, 2019

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

RE: Clower Avenue Water Main Improvements

Ladies and Gentlemen:

We have nearly completed the Bid Documents for the referenced project, and are ready to request competitive bids for the construction of the project. Therefore, if it pleases the Board, we recommend the following advertising schedule:

Authorize Advertisement:	June 4, 2019
First Advertisement:	June 7, 2019
Second Advertisement:	June 14, 2019
Receive Bids:	July 9, 2019

If approved, we hope to have a Bid Tabulation and Recommendation of Award at the July 16, 2019 meeting.

Sincerely,

David Ball, P.E.

DB:1037

**Minutes of June 4, 2019
Mayor and Board of Aldermen**

Alderman Robertson made motion seconded by Alderman Frazer and unanimously carried to approve the following Amendment 2019-2.1 to the contract with Overstreet & Associates for City Engineering Services:

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



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

May 31, 2019

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

**RE: Amendment 2019-2.1
MDA/Gulf Coast Restoration Council
City Engineering Services**

Ladies and Gentlemen:

We have had several meetings with the Board of Aldermen and with the Mayor as projects have been selected and clarified for the referenced application process. We expect continuing meetings and coordination with the City as the selected projects are "fleshed out" for the application process. Further, it seems profitable that the City would also apply for some desired projects through the GOMESA funding/application process, in addition to the BP/RESTORE projects previously discussed. The projects that have been selected so far for the application process are:

- Jeff Davis Gateway
- Quarles House Improvements
- Beatline Road Widening/Corridor
- Drainage Improvements
- Sewer Improvements at Railroad/Klondyke

Additionally, Overstreet & Associates offers to the City through this amendment the services of Mr. Howard Page, a local grant-writer with particular knowledge and experience in these environmental funding opportunities. Not only does Mr. Page bring considerable ability to the process but we believe we will realize increased efficiency and economy by his addition to the project. The rate for such services is included in the attached proposed Amendment.

As part of this Amendment, Overstreet is asking for an increase in the maximum allowable fee for the application process, in consideration of the forthcoming meetings and work necessary to complete these applications.

If this is agreeable, we request your approval of this amendment.

Sincerely,

David Ball, P.E.

DB:539
Attachment

**Minutes of June 4, 2019
Mayor and Board of Aldermen**

**AMENDMENT 1 TO AMENDMENT 2019-2 TO MASTER AGREEMENT BETWEEN
CITY OF LONG BEACH AND OVERSTREET & ASSOCIATES, PLLC.
(AMENDMENT 2019-2.1)**

It is agreed to modify the standard rates for Professional Services for City Engineering Services in accordance with the provisions contained in the Master Agreement dated August 7, 2018:

A. SCOPE

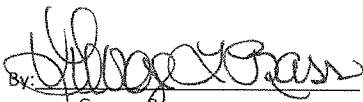
1. Certain projects will also be applied for using the GOMESA funding/application process, as directed by the City.

B. BASIS OF COMPENSATION

1. Hourly fees as allowed in the Master Agreement will be modified in accordance with the hourly rates recited on the attached EXHIBIT "A".
2. The total of all fees for services will not exceed \$10,000 without further authorization by the City.

OWNER:

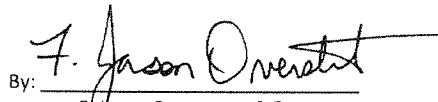
CITY OF LONG BEACH, MISSISSIPPI

By: 
George Bass
Mayor

Date Signed: 5-5-19

ENGINEER:

OVERSTREET & ASSOCIATES, PLLC.

By: 
Jason Overstreet, P.E.
President
MS PE #18601

Date Signed: 5/31/2019

Minutes of June 4, 2019
Mayor and Board of Aldermen

EXHIBIT "A"

OVERSTREET & ASSOCIATES
STANDARD HOURLY RATES SCHEDULE
EFFECTIVE SEPTEMBER 1, 2018

<u>Position</u>	<u>Billing Rate</u>
Principal	\$150.00
Senior Professional Engineer	\$145.00
Professional Engineer.....	\$130.00
Engineer Intern	\$95.00
CADD Technician III / Designer.....	\$90.00
CADD Technician II	\$80.00
CADD Technician I	\$70.00
Project Technician.....	\$65.00
Professional Land Surveyor	\$100.00
Sr. Survey Crew Chief.....	\$85.00
Survey Technician II	\$70.00
Survey Technician I	\$55.00
Survey Crew III	\$175.00
Survey Crew II	\$130.00
Survey Crew I	\$110.00
Grant Writer.....	\$100.00

It came on for discussion the derelict property at 247 Reinike Road. City Attorney Jim Simpson apprised the Board that he would have the lawsuits ready to file on all the properties that had been previously condemned in two weeks. The Mayor recognized Mrs. Virginia Norton of 108 W. Azalea Drive to speak regarding the condemned property at 247 Reinike Road, whereupon there was no further action required or taken.

**Minutes of June 4, 2019
Mayor and Board of Aldermen**

There came upon for consideration, a lawsuit filed by Robert M. Daley requesting vacation of the plat of Park Place Condominium. After discussion, and upon the recommendation of City Attorney Jim Simpson, Alderman Parker made motion, seconded by Alderman Frazer and unanimously carried to authorize Mr. Simpson to answer the request to vacate plat of the Park Place Condominium with no objections.

The City Attorney apprised the Mayor and Board of the status of the Tidelands Lease, whereupon no action was action required or taken.

Alderman Frazer made motion seconded by Alderman Robertson and unanimously carried to declare an Executive Session for the transaction of public business, to wit: To discuss with and seek legal advice and counsel of the City Attorney regarding pending 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

* *

Alderman Frazer made motion seconded by Alderman Robertson and unanimously carried to return to Open Session, whereupon the Board of Aldermen voted to direct the City Attorney to proceed to resolve the pending litigation as discussed in Executive Session.

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Mayor and Board of Aldermen**

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

APPROVED:

Alderman Donald Frazer, At-Large

Alderman Ronald Robertson, Ward 1

Alderman Bernie Parker, Ward 2

Alderman Kelly Griffin, Ward 3

Alderman Timothy McCaffrey, Jr., Ward 4

Alderman Mark E. Lishen, Ward 5

Alderman Patricia Bennett, Ward 6

Date

ATTEST:

Kini Gonsoulin, Deputy City Clerk