

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, November 5, 2019 at 6:00 P.M. with Mayor Tom Ferguson presiding. Aldermen present were: Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenneth Stockton, City Engineer Joe Frank Lauderdale, Fire/EMS Chief Hubert Jones, Police Chief Scott Worsham, Assistant Police Chief Shane Ellis, Public Works Director Bobby Burton, Court Clerk Cassaundra Perry, Human Resources Manager Julie Harris, Planning Director Keith Briley, Community and Economic Development Director Gia Matheny, Judee Peck, Sarah Peck, Sibonie Swatzyna, and Austin Wilson.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance

INVOCATION

Alderman Higdon gave the invocation.

AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

November 5, 2019

6:00pm

- 1) Call the meeting to order
- 2) Pledge of Allegiance
- 3) Invocation
- 4) Approve Agenda
- 5) Approve Docket of Claims No.'s 33495 – 33448 less 33547 – 33556
- 6) Approve Docket of Claims No.'s 33547 – 33556 (Bryant)
- 7) Approve Minutes from the Regular Meeting on October 15, 2019

8) Consent Agenda

- A) Authorize Katie Harbin, Octavia Glasper, Eva Ward and Julie Harris to attend the Winter Municipal Clerks Conference on December 11-13, 2019 in Jackson, MS and also authorize to pay registration and travel expenses
 - B) Authorize the Mayor and Board of Aldermen to attend the Winter Mid Conference in Jackson, MS on January 14 - 16, 2020, and also authorize to pay registration and travel expenses
 - C) Authorize to accept a donation from Leslie Betts in the amount of \$10.00 for vetting expenses for the Animal Control Department
 - D) Authorize Joe Engel to attend the Building Officials Association of Mississippi 2019 Winter Training Conference to be held in Oxford, MS on December 4-6, 2019, also authorize to pay registration and travel expenses
 - E) Authorize to accept a donation from Jeff Patterson in the amount of \$80.00 for vetting expenses for the Animal Control Department
 - F) Authorize to accept a donation from Linsey Hargraves in the amount of \$5.00 for vetting expenses for the Animal Control Department
 - G) Authorize to accept a donation from Lauren Michael in the amount of \$10.00 for vetting expenses for the Animal Control Department
 - H) Authorize to accept a donation from Banks Ready in the amount of \$30.00 for vetting expenses for the Animal Control Department
 - I) Authorize to accept a donation from Entergy in the amount of \$500.00 for sponsorship of Play Day in the Park
 - J) Authorize to declare surplus and dispose of the following: Ice Machine Serial# P05048C and Ice Machine Serial# 110021889
- 9) Request to temporarily close streets for the Water Tower 10K race on October 10, 2020
- 10) Authorize to hire Mark Goodwin as a full time firefighter
- 11) Authorize to hire Christopher Hale as a full-time firefighter
- 12) Authorize to hire William Vick for an open position in the Sanitation Department at a rate of \$12.00 per hour
- 13) Authorize to hire Mark Burton for an open position in the Utility Department at a rate of \$15.00 per hour, pending preemployment screenings
- 14) Authorize to hire Kaycee McMullen for an open Utility Clerk position at the rate of \$13.00 per hour, pending pre employment screenings
- 15) Authorize to give Curtis Bain a 90 day probation raise of \$0.67 per hour

- 16) Authorize to give Lee Johnson a 90 day probation raise of \$0.74 per hour
- 17) PL-1417 – Appeal of the Planning Commission Denial of a Variance to Allow a Fence to Encroach Fifteen Feet (15') into the Required Front Yard Setback – 3458 Tates Way – Jodee Peck
- 18) PL-1418 – Appeal of the Planning Commission Denial of a Variance in the Allowable Size and Setback for a Ground Mounted Sign in a Residential Use Area – 2335 Memphis Street – Dale Wilson, Owner
- 19) Authorize the City to apply for the MS Delta Heritage Grant (50/50 match, but the match would be from sponsors)
- 20) Authorize to accept the best interest rate quote from Trustmark for the Tax Anticipation Loan with an interest rate of 2.28%
- 21) Adopt the Resolution of the City of Hernando Mississippi for approval and authorization to enter into a Tax Anticipation loan in the total amount of One Million Two Hundred Thousand Dollars (\$1,200,000.00)
- 22) Authorize to accept the best interest rate quote from Community Bank for the purchase of a fire truck with an interest rate of 2.59%
- 23) Receive and accept best quote for infra-structure improvements (adding fire hydrants) on Oak Grove Road
- 24) Receive and accept best quote for infra-structure improvements (adding fire hydrants) on Pleasant Hill Road
- 25) Appoint Octavia Glasper as the Hearing Officer for the Debt Setoff program
- 26) Authorize Mayor Ferguson to sign a lease agreement for Police Personnel
- 27) Authorize to adjust the utility bill for Jon and Krystal Engler
- 28) Authorize to adjust the utility bill for Richard Howell
- 29) Authorize to adjust the utility bill for Derrill A. Argo
- 30) Executive Session – Public Works Personnel and Police Personnel
- 31) Adjourn

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to approve the agenda as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019.

APPROVE DOCKET OF CLAIMS NO.'S 33495 – 33448 LESS 33547 - 33556

The Board of Aldermen were presented with a docket of claims No. 33495 – 33448 less 33547 – 33556 in the amount of \$604,769.41 for approval.

Motion was duly made by Alderman Higdon and seconded by Alderman Miller to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019.

APPROVE DOCKET OF CLAIMS NO.'S 33547 - 33556 (BRYANT)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 33547 – 33556 in the amount of \$1,015.60 for approval.

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to approve the docket of claims for payment as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019.

APPROVE THE MINUTES FROM THE REGULAR MAYOR AND BOARD OF ALDERMEN MEETING ON OCTOBER 15, 2019

Motion was duly made by Alderman McLendon and seconded by Alderman Higdon to approve the minutes from the regular Mayor and Board of Aldermen Meeting on October 15, 2019. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019.

CONSENT AGENDA

- A) Authorize Katie Harbin, Octavia Glasper, Eva Ward and Julie Harris to attend the Winter Municipal Clerks Conference on December 11-13, 2019 in Jackson, MS and also authorize to pay registration and travel expenses
- B) Authorize the Mayor and Board of Aldermen to attend the Winter Mid Conference in Jackson, MS on January 14 - 16, 2020, and also authorize to pay registration and travel expenses
- C) Authorize to accept a donation from Leslie Betts in the amount of \$10.00 for vetting expenses for the Animal Control Department
- D) Authorize Joe Engel to attend the Building Officials Association of Mississippi 2019 Winter Training Conference to be held in Oxford, MS on December 4-6, 2019, also authorize to pay registration and travel expenses
- E) Authorize to accept a donation from Jeff Patterson in the amount of \$80.00 for vetting expenses for the Animal Control Department
- F) Authorize to accept a donation from Linsey Hargraves in the amount of \$5.00 for vetting expenses for the Animal Control Department
- G) Authorize to accept a donation from Lauren Michael in the amount of \$10.00 for vetting expenses for the Animal Control Department
- H) Authorize to accept a donation from Banks Ready in the amount of \$30.00 for vetting expenses for the Animal Control Department
- I) Authorize to accept a donation from Entergy in the amount of \$500.00 for sponsorship of Play Day in the Park
- J) Authorize to declare surplus and dispose of the following: Ice Machine Serial# P05048C and Ice Machine Serial# 110021889

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to approve the consent agenda as presented. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019.

REQUEST TO TEMPORARILY CLOSE STREETS FOR THE WATER TOWER 10K RACE ON OCTOBER 10, 2020

Motion was duly made by Alderman Harris and seconded by Alderman Miller to approve the request to temporarily close streets for the Water Tower 10K Race on October 10, 2020. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019.

AUTHORIZE TO HIRE MARK GOODWIN AS A FULL TIME FIREFIGHTER

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to approve to hire Mark Goodwin as a full time Firefighter, following the recommendation of the Personnel Committee, based on the recommendation of the Fire/EMS Chief. A vote was taken with the following results:

Those voting "Aye": Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019.

AUTHORIZE TO HIRE CHRISTOPHER HALE AS A FULL TIME FIREFIGHTER

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to approve to hire Christopher Hale as a full time Firefighter, following the recommendation of the Personnel Committee, based on the recommendation of the Fire/EMS Chief. A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019.

AUTHORIZE TO HIRE WILLIAM VICK FOR AN OPEN POSITION IN THE SANITATION DEPARTMENT AT A RATE OF \$12.00 PER HOUR

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to approve to hire William Vick for an open position in the Sanitation Department at a rate of \$12.00 per hour, following the recommendation of the Personnel Committee, based on the recommendation of the Public Works Director. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019.

AUTHORIZE TO HIRE MARK BURTON FOR AN OPEN POSITION IN THE UTILITY DEPARTMENT AT A RATE OF \$15.00 PER HOUR, PENDING PREEMPLOYMENT SCREENINGS

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to approve to hire Mark Burton for an open position in the Utility Department at a rate of \$15.00 per hour, pending preemployment screenings, following the recommendation of the Personnel Committee, based on the recommendation of the Public Works Director. A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019.

AUTHORIZE TO HIRE KAYCEE MCMULLEN FOR AN OPEN UTILITY CLERK POSITION AT A RATE OF \$13.00 PER HOUR, PENDING PREEMPLOYMENT SCREENINGS

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to approve to hire Kaycee McMullen for an open Utility Clerk position at a rate of \$13.00 per hour, pending preemployment screenings, following the recommendation of the Personnel Committee, based on the recommendation of the City Clerk. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019.

Alderman McLendon stated, on the consent agenda, it was already approved, but I will not need travel paid for item B.

AUTHORIZE TO GIVE CURTIS BAIN A 90 DAY PROBATION RAISE OF \$0.67 PER HOUR

Motion was duly made by Alderman Higdon and seconded by Alderman Miller to approve to give Curtis Bain a 90 day probation raise of \$0.67 per hour, following the recommendation of the Personnel Committee, based on the recommendation of the Public Works Director. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, and Alderman Higdon.

Those voting “Nay”: None.

ORDERED AND DONE this the 5th day of November, 2019.

AUTHORIZE TO GIVE LEE JOHNSON A 90 DAY PROBATION RAISE OF \$0.74 PER HOUR

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to approve to give Lee Johnson a 90 day probation raise of \$0.74 per hour, following the recommendation of the Personnel Committee, based on the recommendation of the Public Works Director. A vote was taken with the following results:

Those voting “Aye”: Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon.

Those voting “Nay”: None.

ORDERED AND DONE this the 5th day of November, 2019.

PL – 1417 – APPEAL OF THE PLANNING COMMISSION DENIAL OF A VARIANCE TO ALLOW A FENCE TO ENCROACH FIFTEEN FEET (15’) INTO THE REQUIRED FRONT YARD SETBACK – 3458 TATES WAY – JODEE PECK

Planning Director Keith Briley presented the information.



**City of
Hernando**
MISSISSIPPI

**BOARD OF ALDERMEN
STAFF REPORT**

Project No.:	PL-1417	Item No.:	___
Request:	Appeal of the Planning Commission’s Denial of a variance to Allow a Fence to Encroach into the Required Front Yard Setback		
Location:	3458 Tates Way		
Applicant:	Jodee Peck, Owner		
Date:	November 5, 2019		

INTRODUCTION:

Mr. Jodee Peck, property owner, is requesting a variance in to Allow a Fence to Encroach into the Required Front Yard Setback for the property at 3458 Tates Way.

BACKGROUND:

The subject property is located at 3458 Tates Way and is Lot 126 of the Montclair Subdivision Phase 3. The final plat for Montclair Phase 3 was approved by the Planning Commission on November 17, 2017, by the Board of Aldermen on November 21, 2017, and recorded in the DeSoto County Chancery Clerks Office on May 1, 2018, in Plat Book 124 Page 6-7. The property is zoned PUD Planned Unit Development.

DISCUSSION:

The applicants propose to build a wooden privacy fence at 6-feet tall that will encroach 15-feet into the required front yard setback of the Clair Circle West Frontage. The subject property is located on the corner of Clair Circle West and Tates Way thus, it is a double frontage lot.

*Article XII Accessory Buildings and Uses**b. Fences, Walls, and Hedges*

- i. In residential districts in a yard that adjoins a public street, fences, walls, and hedges may not exceed 4-feet in height except in a designated rear yard on a double frontage lot*

A variance from the requirements of the zoning ordinance shall not be granted by the Planning Commission unless and until the applicant submits a written explanation along with the application for a variance that demonstrates the following criteria found in Article XVI the Planning Commission, §c., ¶ii., (1) of the Zoning Ordinance.

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are applicable to other lands, structures, or buildings in the same district.

Applicant: Our lot in Montclair subdivision is a corner lot. There are several corner lots in Montclair that have a six foot privacy fence that is ten to fifteen feet off the side of their home.

Staff: The house on the subject property is configured so that the front door faces Tates Way making the Clair Circle West frontage the side of the house. The lot is only 90-feet wide resulting in a smaller area along the Clair Circle West frontage that can have a fence taller than 4-feet in height.

2. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.

Applicant: The ordinance deprives myself, the applicant, of rights commonly enjoyed by others due to the owner at 3470 Tate's Way, Corey Nix, was given approval by the city to build his fence into the setback area of his home.

Staff: The applicant will not be deprived of rights commonly enjoyed by others because all fences must meet the height and setback requirement.

3. That special conditions and circumstances do not result from the actions of the applicant.

Applicant: The condition, shape, and location of the property line is not a result from actions of the applicant.

Staff: Complying with the ordinance results in a smaller area along the Clair Circle West frontage that can have a fence taller than 4-feet in height.

4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

Applicant: The granting of the variance will not confer a special privilege to the applicant, as all residents in the city have the same remedies available to them. All citizens can apply for a variance.

Staff: If approved, the applicant would receive special privileges in that the fence along the Clair Circle West frontage will extend closer to the road than the adjoining lots.

STAFF COMMENTS:

1. The Planning Commission met on Tuesday, June 11, 2019, and voted to deny a similar variance to allow a fence to encroach into the required front yard setback along Scott Road for the property at 3470 Tate's Way because granting the variance will confer upon the applicant a special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.
2. The Board of Aldermen met on July 16, 2019, and heard an appeal of the Planning Commission's denial of that requested variance. The Board of Aldermen voted to overturn the Planning Commission's denial and to grant approval of a variance to allow a fence to encroach into the required front yard setback along Scott Road a maximum of 10-feet for the property at 3470 Tate's Way, subject to staff comments.
3. If approved, the applicant shall acquire a fence permit prior to beginning construction.
4. In accordance with Article XVI §c. ¶ v. Any person or persons aggrieved by any decision of the Planning Commission may appeal within 10 days to the City of Hernando and the City of Hernando may affirm, reverse, remand or modify the decision as may be proper. Parties aggrieved by decisions of the City of Hernando may seek review by a Court of Record as provided by law.

PLANNING COMMISSION ACTION:

The Planning Commission met on Tuesday, October 8, 2019 and voted to deny the variance request because granting the variance will confer upon the applicant a special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

STAFF RECOMMENDATION:

Staff recommendation is withheld.

PROPOSED MOTION:***Motion to Overturn the Planning Commission Denial***

I move to overturn the Planning Commission's denial and to grant approval of a variance to allow a fence to encroach into the required front yard setback along Clair Circle West a maximum of 15-feet for the property at 3458 Tates Way, subject to staff comments.

Motion to Uphold the Planning Commission Denial

I move to uphold the Planning Commission's denial because granting the variance will confer upon the applicant a special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district, I move to deny the variance to allow a fence to encroach into the required front yard setback along Clair Circle West for the property at 3458 Tates Way, subject to staff comments.

Alderman Hobbs stated that the last one before us, what was the dimensions?

Keith Briley answered I believe the lot encroachment was the same, but I think it was 10 not 15.

Alderwoman Brooks asked if there was a reason it is 15 instead of 10?

Mr. Peck stated he just wanted up to 15.

Mayor Ferguson asked Bobby Burton if the 10 foot utility easement is enough.

Public Works Director Bobby Burton answered yes.

Alderman Miller stated if we are to be consistent.

Alderman Hobbs stated if we allow this, and there are utilities under your fence, it would be your responsibility to move and replace the fence.

Mr. Peck said yes.

Alderman Higdon stated we need to draw the line somewhere; I think 10 feet.

Alderman Harris asked Mr. Peck if he was good with 10 feet.

Mr. Peck answered yes.

Alderman Miller asked if Planning Director Keith Briley could bring us something where you can do this administratively, if a corner lot, for up to 10 feet.

Keith Briley answered yes.

Motion was duly made by Alderwoman Brooks and seconded by Alderman Hobbs to overturn the Planning Commission's denial and to grant approval of a variance to allow a fence to encroach into the required front yard setback along Clair Circle West a maximum of 10 feet for the property at 3458 Tates Way, allow the fence to be 6 feet tall, also making it known that if the fence has to be moved for utility work, it is the homeowner's responsibility to move and replace the fence, and subject to any other staff comments. A vote was taken with the following results:

Those voting "Aye": Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

**PL – 1418 – APPEAL OF THE PLANNING COMMISSION DENIAL OF A VARIANCE
IN THE ALLOWABLE SIZE AND SETBACK FOR A GROUND MOUNTED SIGN IN A
RESIDENTIAL USE AREA 2335 MEMPHIS STREET – DALE WILSON, OWNER**

Planning Director Keith Briley presented the information.



**City of
Hernando**
MISSISSIPPI

**BOARD OF ALDERMEN
STAFF REPORT**

Project No.:	PL-1418	Item No.: ____
Request:	Appeal of the Planning Commission's Denial of a variance to Allow a Fence to Encroach into the Required Front Yard Setback	
Location:	2335 Memphis Street	
Applicant:	Dale Wilson, Owner	
Date:	November 5, 2019	

INTRODUCTION:

Mr. Dale Wilson, property owner, is requesting a variance in the Allowable Size and Setback for a Ground Mounted Sign in a Residential Use Area.

BACKGROUND:

The subject property is located on the west side of Memphis Street at its intersection with West Northern Street and is north of West Valley Street. The Planning Commission recommend approval to the Board of Aldermen the rezoning of the subject property from the C-2 – Highway Commercial to PUD Planned Unit Development (case Number PL-1317) for development with five (5) townhomes on April 10, 2018. The Board of Aldermen approved the rezoning to PUD on April 17, 2018.

The Planning Commission met on Tuesday, January 8, 2018, and voted to recommend Denial to the Board of Aldermen the amendment to the Planned Unit Development (case number PL-1365) from five (5) attached townhomes to five (5) detached single family dwellings. The Board of Aldermen met on February 5, 2019, and voted to approve the amendment to the Planned Unit Development with four (4) detached single family dwellings.

DISCUSSION:

The applicant proposes to build a concrete and bronze subdivision identification sign that is 7'-0" tall and located 1'-0" behind the right-of-way of Memphis Street. As seen in the excerpt from the Zoning Ordinance, subdivision signs are to be a maximum of 6'-0" tall and 25.0 square feet in size. Additionally, the signs are to be set back a minimum 10'-0" from the street right-of-way.

ARTICLE XI SIGN REGULATIONS***b. Sign Requirements for Permanent Signs by Zone District******ii. "R" Residential Districts:***

This section shall apply to all districts designated by the zoning ordinance as Agricultural-Residential, Traditional Neighborhood Development, or Planned Unit Development

(1) Allowable Signs***(a) Ground mounted subdivision identification signs******(2) Size:***

(a) Ground Mounted Subdivision Identification Sign. The actual subdivision name shall (letters and spaces between letters) be limited to twenty-five (25) square feet on one side and in no case shall the total subdivision name exceed fifty (50) square feet

(3) Location:

(a) Ground mounted subdivision identification signs shall be set back a minimum ten (10) feet from the right-of-way. The setback requirement may be reduced by the Planning Commission providing the height of the sign does not exceed 3' - 0".

(4) *Height:*

(a) *Ground Mounted Subdivision Identification Signs shall be a maximum of six (6) feet as measured from surrounding grade.*

(5) *Landscaping. The area beneath and around a Sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the Sign with buildings, parking areas, surrounding vegetation and natural features of the landscape.*

A variance from the requirements of the zoning ordinance shall not be granted by the Planning Commission unless and until the applicant submits a written explanation along with the application for a variance that demonstrates the following criteria found in Article XVI the Planning Commission, §c., ¶ii., (1) of the Zoning Ordinance.

1. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are applicable to other lands, structures, or buildings in the same district.

Applicant: This is a micro development on a small lot so every square foot is accounted for.

Staff: The proposed development is smaller than conventional subdivisions and ground space for a subdivision identification signage is at a premium.

2. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.

Applicant: If we were to follow the sign regulations set forth, the sign for the development would be the front yard of the first house in the development.

Staff: A literal interpretation of the provisions of this ordinance would not deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance in that all properties zoned accordingly are subject to the same requirements.

3. That special conditions and circumstances do not result from the actions of the applicant.

Applicant: The lots in the surrounding area are all very small. This lot was plotted many years ago before it was purchased by Mr. Wilson.

Staff: Special conditions and circumstances do not result from the actions of the applicant in that the sign will not block the site area of drivers that would be exiting the property.

4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district.

Applicant: By granting this request you are allowing the development to have signage the same as any other development just taking into account the small nature of said project. The size of the sign is still less than the 25 square feet that is allowed by sign regulations. All of the surrounding lots are very small and were plotted that way many years. The regulations of today do not take in account for the micro-lots in this area.

Staff: Granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district provided the provision of the variance procedure is followed.

STAFF COMMENTS:

5. The applicant is asking for a variance in one (1) foot in the height of the sign.
6. The applicant is asking for a variance of nine (9) feet in the setback distance.
7. The proposed sign is 84" x 30" (7' x 2.5') with a total area of 17.5 square feet.
8. If approved, the applicant shall acquire a sign permit prior to beginning construction of the sign.
9. In accordance with Article XVI §c. ¶ v. Any person or persons aggrieved by any decision of the Planning Commission may appeal within 10 days to the City of Hernando and the City of Hernando may affirm, reverse, remand or modify the decision as may be proper. Parties aggrieved by decisions of the City of Hernando may seek review by a Court of Record as provided by law.

PLANNING COMMISSION ACTION:

The Planning Commission met on Tuesday, October 8, 2019, and voted to deny the variance for the sign location and height for the Ivy development because a literal interpretation of the provisions of this ordinance would not deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.

STAFF RECOMMENDATION:

Staff recommendation is withheld.

PROPOSED MOTION:

Motion to Overturn the Planning Commission Denial

I move to Overturn the Planning Commission Denial and to grant approval of a variance to allow a subdivision sign to be located one (1) foot behind the street right-of-way and to exceed the

allowable sign height by one (1) foot because there are special conditions and circumstances that exist which are peculiar to the land, subject to staff comments.

Motion to Uphold the Planning Commission Denial

I move to Uphold the Planning Commission Denial for the sign location and height for the Ivy development at 2335 Memphis Street because a literal interpretation of the provisions of this ordinance would not deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance, subject to staff comments.

Alderman McLendon asked if we sent letters out.

Planning Director Keith Briley answered for the Planning Commission meeting, yes. Not for the Board of Aldermen Meeting. That is not a requirement nor the practice.

Alderman McLendon stated it was denied at the meeting, the people wouldn't know about this.

City Attorney Kenny Stockton stated that they are generally done for the original meeting, those interested should have known then, when they attended the Planning Commission meeting.

Alderman McLendon stated he will want to table, until I can get adequate notification to all the residents in that area.

Alderman Miller stated that's fine, you can do that, but it's not required and it won't matter.

Alderman McLendon stated it's wrong.

Alderman Miller stated it's not. The Planning Commission tells them that they have a right to appeal, that is their notification right there.

Kenny Stockton stated that Keith always states that someone has 10 days to appeal the decision. They City has always done their job with that.

Keith Briley stated the notices were mailed for the Planning Commission meeting, 1 person showed up, in support. No one showed up in opposition.

Motion was duly made by Alderman McLendon and seconded by Alderman Miller to table this item until the November 19, 2019 Board Meeting. A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

**AUTHORIZE THE CITY TO APPLY FOR THE MS DELTA HERITAGE GRANT
(50/50 MATCH, THE MATCH WOULD BE FROM SPONSORS)**

Mayor Ferguson stated that Gia Matheny is here for any questions.

Community and Economic Development Director Gia Matheny went over the grant information and stated we can use cash and volunteer time as the match.

Alderman Hobbs asked how much is the grant for.

Gia Matheny answered they don't have a max amount. One received \$25,000. I think we just need around \$5,000.

Alderman Hobbs asked is the event this Saturday.

Gia Matheny answered yes. We are working with several businesses and groups. We are doing this to help the businesses.

Alderman McLendon asked did you speak with the High School.

Gia Matheny answered yes, but they already have a show this weekend.

Alderman Hobbs asked if landscaping will be done.

Gia Matheny answered our portion is. The square project will have some done, and the lighting is done.

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to approve the City to apply for the MS Delta Heritage Grant. A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

**AUTHORIZE TO ACCEPT THE BEST INTEREST RATE QUOTE FROM
TRUSTMARK FOR THE TAX ANTICIPATION LOAN WITH AN INTEREST RATE
OF 2.28%**

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to accept the best interest rate quote from Trustmark for the Tax Anticipation Loan with an interest rate of 2.28%. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

ADOPT THE RESOLUTION OF THE CITY OF HERNANDO, MISSISSIPPI, FOR APPROVAL AND AUTHORIZATION TO ENTER INTO A TAX ANTICIPATION LOAN IN THE TOTAL AMOUNT OF ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00)

RESOLUTION OF NOVEMBER 5, 2019 of THE CITY OF HERNANDO MISSISSIPPI FOR APPROVAL AND AUTHORIZATION TO ENTER INTO A TAX ANTICIPATION LOAN IN THE TOTAL AMOUNT OF ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000.00)

WHEREAS, The Mayor and Board of Alderman of the City of Hernando, Mississippi have determined that it is necessary for the City of Hernando to borrow money to meet the current expenses of the City of Hernando; and

WHEREAS, The Mayor and Board of Alderman of the City of Hernando are authorized to borrow funds necessary to meet the current expenses of the City of Hernando in anticipation of the ad valorem taxes to be collected for the current fiscal year, being the year 2019-2020, and which authority is found at Section 21-33-325 of the Mississippi Code of 1972, as Amended; and

WHEREAS, The anticipated ad valorem tax revenue for the fiscal year 2019-2020 for the City of Hernando is anticipated to be six million, four hundred nineteen thousand, four hundred twenty and no/100 dollars (\$6,419,420.00) as of September 30, 2019; and

WHEREAS, The Mayor and Board of Alderman resolve to borrow an amount of money not to exceed the sum of one million two hundred thousand and no/100 dollars (\$1,200,000.00) which is less than the fifty percent (50%) maximum amount allowed pursuant to section 21-33-325 of the Mississippi Code of 1972, Annotated, as Amended; and

WHEREAS, The Mayor and Board of Alderman, resolve to repay such money on or before March 15, 2020 as prescribed by the aforementioned statutory authority.

THEREFORE BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF HERNANDO, MISSISSIPPI AS FOLLOWS:

1. That the City of Hernando, Mississippi shall borrow the sum of one million two hundred thousand and no/100 dollars (~~\$1,200,000.00~~) from TRUSTMARK NATIONAL BANK for the purpose of paying the current expenses of the City of Hernando, Mississippi. That said loan is made in anticipation of ad valorem taxes to be collected for the current fiscal year. The money borrowed from Trustmark National Bank shall bear interest at the rate of ~~2.28%~~ per annum and shall be paid in full on or before March 15, 2020. That said repayment shall be paid from the first of moneys collected by virtue of the tax levy and the anticipation of which the money is being

borrowed. That said funds being borrowed shall be used for no other purpose than the payment of the current expenses of the City of Hernando and which is authorized by Section 21-33-325 of the Mississippi Code of 1972 Annotated, as amended.

2. That the money being borrowed by the City of Hernando, Mississippi from Trustmark National Bank does not violate the interest rate cap as found in Section 75-17-105 of the Mississippi Code of 1972, Annotated, as Amended.
3. That the money borrowed, as set forth in paragraph number one (1) above shall be evidenced by a negotiable promissory Note of the City of Hernando, Mississippi in accordance with the following provisions and conditions:
 - A. The money borrowed, shall be payable, principal and all accrued interest to Trustmark National Bank on or before March 15, 2020, in lawful money.
 - B. That said repayment shall be payable without penalty on or before the maturity date.
 - C. That the Note shall be executed by the Mayor of the City of Hernando who shall personally affix his signature to the same and witnessed by the City Clerk of the City of Hernando, Mississippi, under the official seal of the City of Hernando, Mississippi in substantially the form on the attached Exhibit "A", being the proposed Tax Anticipation Note.
 - D. That said Note shall be issued in all respects and in conformity with the law, and the full faith, credit and resources of the City of Hernando, Mississippi, the same being irrevocably pledged to the payment of principal of one million two hundred thousand and no/100 dollars (\$1,200,000.00), and the interest on, said Note as the same matures and becomes due, with said funds to be repaid out of the first money collected by virtue of the tax levy, the anticipation of which such money is to be borrowed.

- E. The amount of the Note does not exceed 50% of the anticipated, but uncollected, revenue to be produced by the current tax levy of the City of Hernando against which such money is borrowed.
- F. The Note is hereby designated as a Qualified Tax Exempt Obligation, within the meaning and for the purposes as set forth in Section 265(b) of the Internal Revenue Code of 1986, as amended.
- G. That said money borrowed by the City of Hernando pursuant to this resolution shall not be applicable to any statutory limitation on indebtedness by a municipality as set forth in Section 21-33-325 of the Mississippi Code of 1972, Annotated, as Amended.
- H. That when said Note shall have been executed by the Mayor of the City of Hernando as provided, the Clerk of the City shall deliver said Note to Trustmark National Bank at its office in Hernando, Mississippi. That the City upon receipt of any note proceeds shall immediately deposit the same in the lawful depository bank for the City of Hernando and shall be placed in the "General Fund" account to be used for the purposes of paying the current expenses of the City of Hernando and for no other such purpose.

That the Motion to approve said Resolution was made as follows:

Alderman _____ (*Introduced Motion*)
Alderman _____ (*Seconded Motion*)

Record Vote:

	<u>YES</u>	<u>NO</u>
ALDERMAN HIGDON	_____	_____
ALDERWOMAN BROOKS	_____	_____
ALDERMAN BRYANT	_____	_____
ALDERMAN HARRIS	_____	_____
ALDERMAN HOBBS	_____	_____
ALDERMAN MCLENDON	_____	_____
ALDERMAN MILLER	_____	_____

MAYOR - TOM FERGUSON

ATTEST:

CITY CLERK
(SEAL)

UNITED STATES OF AMERICA
STATE OF MISSISSIPPI
CITY OF HERNANDO, MISSISSIPPI

DRAFT

TAX ANTICIPATION NOTE

For value received the City of Hernando, Mississippi (the "Municipality"), acting by and through the Mayor and Board of Aldermen of the Municipality, acknowledges itself indebted and hereby promises to pay Trustmark National Bank, at its office in Hernando, Mississippi, in lawful money of the United States of America the principal amount of the advances made on this note, not to exceed the principal sum of one million two hundred thousand and no/100 Dollars (\$1,200,000.00), on or before March 15, 2020. Interest shall be payable on this Note from the date of each such advance at the rate of two and twenty-eight one hundreds of a percent (2.28%).

This Tax Anticipation Note may be prepaid at any time, in whole or in part, without penalty.

The principal amount of the Note will be drawn down by the City of Hernando, Mississippi from time to time. The amount of each advance will be recorded by the City Clerk in the place provided therefor on this Note, along with the date of such advance, and the signature of the City Clerk shall be affixed in witness of each such advance in the place provided therefor.

The Note is issued to raise money for the purpose of providing money for current expenses of the City of Hernando in anticipation of the ad valorem taxes to be collected for the then current fiscal year as authorized by Section 21-33-325, Mississippi Code of 1972 Annotated, as Amended. This note is issued under the authority of the Constitution of the State of Mississippi and in accordance with the foregoing statute.

It is hereby certified, recited and declared that all things, conditions, and acts required by the Constitution and laws of the State of Mississippi to exist, to happen, and to be performed, precedent to and in the issuance of this Note do exist, have happened, and have been performed in regular and due form, time and manner, as required by the Constitution and Laws of said State. The Note shall be payable out of the first moneys collected by reason of the tax levy for the Municipality for the current fiscal year, in anticipation of which the Note has been directed to be issued.

Exhibit A

IN TESTIMONY WHEREOF, the City of Hernando, acting herein by the City of Hernando, and through the Board of Aldermen has caused this Note to be manually signed by the Mayor of the City of Hernando attested by the City Clerk and the seal to be impressed hereon on this the _____ day of November, 2019.

CITY OF HERNANDO, MISSISSIPPI

TOM FERGUSON, MAYOR

ATTEST:

KATIE HARBIN, CITY CLERK
CITY OF HERNANDO

(SEAL)

RECORD OF MULTIPLE ADVANCES BY MUNICIPALITY

The Municipality acknowledges that the purchase price of this Note has been paid in multiple advances in the amounts and on the dates set forth below, as endorsed by the signature of the City Clerk of the City of Hernando, Mississippi.

<u>AMOUNT ADVANCED</u>	<u>DATE ADVANCED</u>	<u>TOTAL AMOUNT ADVANCED</u>	<u>SIGNATURE OF CITY CLERK</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

DRAFT

Motion was duly made by Alderman Harris and seconded by Alderman Bryant to adopt the Resolution of the City of Hernando, Mississippi, for approval and authorization to enter into a Tax Anticipation Loan in the total amount of One Million Two Hundred Thousand Dollars and (\$1,200,000.00). A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

**AUTHORIZE TO ACCEPT THE BEST INTEREST RATE QUOTE FROM
COMMUNITY BANK FOR THE PURCHASE OF A FIRE TRUCK WITH AN
INTEREST RATE OF 2.59%**

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to accept the best interest rate quote from Community Bank for the purchase of a fire truck with an interest rate of 2.59%. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Harris, Alderman Bryant, and Alderman Miller.

Those voting "Nay": Alderman Hobbs.

ORDERED AND DONE this the 5th day of November, 2019

AUTHORIZE TO RECEIVE AND ACCEPT BEST QUOTE FOR INFRA-STRUCTURE IMPROVEMENTS (ADDING FIRE HYDRANTS) ON OAK GROVE ROAD

Alderman McLendon asked where on Oak Grove.

Public Works Director Bobby Burton answered west of River Oaks Drive

Alderwoman Brooks asked if this was coming out of the utility fund.

Bobby Burton answered yes.

Alderwoman Brooks asked if it was budgeted for.

Bobby Burton answered no.

Alderman Hobbs asked how much will it cost.

Bobby Burton answered around \$45K to \$50K

Alderwoman Brooks about what about the one on Pleasant Hill.

Bobby Burton answered I'm expecting less than \$10K

Motion was duly made by Alderwoman Brooks and seconded by Alderman Bryant to authorize to receive and accept best quote for Infra-Structure Improvements, adding fire hydrants, on Oak Grove Rd. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

AUTHORIZE TO RECEIVE AND ACCEPT BEST QUOTE FOR INFRA-STRUCTURE IMPROVEMENTS (ADDING FIRE HYDRANTS) ON PLEASANT HILL ROAD

Alderman Hobbs asked where will this be.

Bobby Burton answered west of Getwell Rd.

Alderman Hobbs asked how far.

Bobby Burton answered every 600 feet., for a total close to 2000 feet.

Motion was duly made by Alderman Hobbs and seconded by Alderwoman Brooks to authorize to receive and accept best quote for Infra-Structure Improvements, adding fire hydrants, on Pleasant Hill Rd. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

APPOINT OCTAVIA GLASPER AS THE HEARING OFFICER FOR THE DEBT SETOFF PROGRAM

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to appoint Octavia Glasper as the Hearing Officer for the Debt Setoff Program. A vote was taken with the following results:

Those voting "Aye": Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

AUTHORIZE MAYOR FERGUSON TO SIGN A LEASE AGREEMENT FOR POLICE PERSONNEL

Alderwoman Brooks asked what this is for.

Police Chief Worsham answered investigative officers.

Alderman Miller asked if this is budgeted for.

Police Chief Worsham answered that this is not coming out of city funds, it will be paid for out of forfeiture.

Motion was duly made by Alderwoman Brooks and seconded by Alderman Hobbs to authorize Mayor Ferguson to sign a Lease Agreement for Police Personnel, with modifications to the lease from the City Attorney. A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

AUTHORIZE TO ADJUST THE UTILITY BILL FOR JON AND KRISTAL ENGLER

WATER LEAK REPAIR VERIFICATION

City of Hernando Water and Sewer Department
475 West Commerce Street Hernando, MS 38632
662-429-9092

Customer Information (please print)

Name as it appears on bill JON & KRISTAL ENGLER

Service address 3228 IVY LANE

Daytime phone number () 901 550-0497

Do you rent the property at this address? N If yes, the property owner or manager must complete the remainder of this form.

REPAIR INFORMATION (please print)

Property owner or managers name _____ Date of repair 9/26/19

Daytime phone number () _____

Type of repair and location of property CONNECTOR @ WATER MAIN CRACKED

Documentation and property owner's or manager's signature

Attach plumbing bill or receipts for repair parts. Sorry, no adjustments will be considered without this/these document(s).

By signing below, I certify that the information providing regarding this repair is correct. I understand that providing fraudulent information with the intent of lowering a utility bill may be punishable by applicable law.

I hereby grant permission to the City of Hernando Water and Sewer Department personnel to come onto my property to verify the repair of an outdoor leak.

I certify that I am the owner or rental property manager of the property located at this service address

Signature [Signature] For Office use only _____

Account Number 04-1207302 Billing period ending 10-31-19

High month usage 16 minus 6 month average 7 = Amount of Adjustment # 81.81

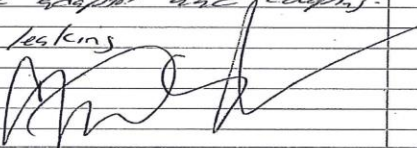
OK B.BQ

MACK PLUMBING
204 MARVIN ST.
SENATOBIA, MS 38668
PH. 662-288-6565

748512

Invoice

BILL TO <i>John Egger</i>		SHIP TO	
ADDRESS <i>3328 W. 1st Lane</i>		ADDRESS	
CITY, STATE, ZIP <i>Hernando MS</i>		CITY, STATE, ZIP	
CUSTOMER ORDER NO.	SOLD BY	TERMS	F.O.B.
			DATE <i>9/24/19</i>

ORDERED	SHIPPED	DESCRIPTION	PRICE	UNIT	AMOUNT
		<i>Dig up water meter put out</i>			
		<i>burst adapter and replaced</i>			
		<i>with pressure adapter and coupling</i>			<i>Material</i>
		<i>that was leaking</i>			<i>LABOR</i>
					<i>285.00</i>

Form 8810

15-10

Account Maintenance

Account: 04-1207302 Name: RIGLER, JOH & KRISTAL

General Services Deposits Back Flow Notes Work Orders History Attachments

Billing History Payment History

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
10/31/2019	10				13.22
09/30/2019	10	183	194	11	138.35
08/31/2019	10	180	183	3	61.54
07/31/2019	10	172	180	8	105.44
06/30/2019	10	163	172	9	114.36
05/31/2019	10	159	163	4	70.11
04/30/2019	10	154	159	5	78.68
03/31/2019	10	148	154	6	87.69
02/28/2019	10	143	148	5	78.68
01/31/2019	10	138	143	5	78.68
12/31/2018	10	134	138	4	70.11
11/30/2018	10	129	134	5	78.68
10/31/2018	10	123	129	6	87.60

Print for the Period: 10/18/2019 Thru 10/15/2019

Last Update: 08/12/2018 12:17:16 User: HPC28/Hitevman

BB1 Login: Hitevman

Print Old History Report

Apply Type here to search

Taskbar: WTR321 - Water Bill, WTR321

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
11/30/2019	10				0.00
10/31/2019	10	194	210	16	199.02
09/30/2019	10	183	194	11	128.35
08/31/2019	10	180	183	3	61.54
07/31/2019	10	172	180	8	185.44
06/30/2019	10	163	172	9	114.26
05/31/2019	10	159	163	4	79.11
04/30/2019	10	154	159	5	76.68
03/31/2019	10	148	154	6	87.60
02/28/2019	10	143	148	5	78.68
01/31/2019	10	138	143	5	78.68
12/31/2018	10	134	138	4	70.11
11/30/2018	10	130	134	4	78.68

$$\begin{array}{r} 16 \\ - 7 \\ \hline 9 \end{array}$$

$$9 \times 3.50 = 31.50$$

$$31.50 \div 2 = 15.75$$

$$9 \times 3.84 = 34.56$$

$$81.81 \text{ credit}$$

Motion was duly made by Alderman Harris and seconded by Alderman Hobbs to authorize to adjust the utility bill for Jon and Krystal Engler in the amount of \$81.81, finding that the customer had a leak and did not receive the benefit of receiving the water services, also request that the water leak repair verification form and attached documents are put in the minutes. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

AUTHORIZE TO ADJUST UTILITY BILL FOR RICHARD HOWELL

WATER LEAK REPAIR VERIFICATION

City of Hernando Water and Sewer Department
475 West Commerce Street Hernando, MS 38632
662-429-9092

Customer Information (please print)

Name as it appears on bill RICHARD HOWELL
Service address 1309 HOLLY SPRINGS RD
Daytime phone number () 901-674-5875
Do you rent the property at this address? NO If yes, the property owner or manager must complete the remainder of this form.

REPAIR INFORMATION (please print)

Property owner or managers name RICHARD HOWELL Date of repair 10-28-19
Daytime phone number () 901-674-5875

Type of repair and location of property REPAIRED LEAK AT WATER METER WITH NEW COMPRESSION COUPLER AND MALE ADAPTER. WITH WRIGHT PLUMBING, 1309 HOLLY SPRINGS RD
Documentation and property owner's or manager's signature

Attach plumbing bill or receipts for repair parts. Sorry, no adjustments will be considered without this/these document(s).

By signing below, I certify that the information providing regarding this repair is correct. I understand that providing fraudulent information with the intent of lowering a utility bill may be punishable by applicable law.

I hereby grant permission to the City of Hernando Water and Sewer Department personnel to come onto my property to verify the repair of an outdoor leak.

I certify that I am the owner or rental property manager of the property located at this service address

Signature Richard Howell

For Office use only

Account Number 06-3293140 Billing period ending 10-31-19

High month usage 8 minus 6 month average 4 = Amount of Adjustment \$ 36.36

3

Handwritten initials/signature

Mitch Wright
Plumbing, Heating & Air
8710 Highway 51 North
Southaven, MS 38671
662-349-3547
901-795-9044

CUSTOMER NAME (Financially Responsible Party) *Richard Howell* **CALLER NAME** _____
JOB ADDRESS *1309 Holly Springs Rd* **CITY** *Hernando* **STATE** *MS* **ZIP** *38632*
BILLING ADDRESS (if Different) _____ **PH1** _____ **PH2** _____
E-MAIL ADDRESS *E* **901-674-5875**

ORIGINAL REASON FOR THE CALL: *Leak @ water*
SUMMARY: *Repaired leak via new compression cup + New male adapter. Total investment \$119.15*
 See Summary of Findings sheet for additional information

WORK AUTHORIZATION: I, the undersigned, am owner/authorized representative/tenant of the premises at which the work above is being done. I hereby authorize you to perform the above recommendation, and to use such labor and materials as you deem advisable. Unless prior authorization for billing, payment for all work done is due upon completion (C.O.D.). A \$10.00 BILLING CHARGE is due thereafter. An office billing charge and/or finance charge of 1.75% per month (21% per annum) will be added after 10 days past due. I agree to pay reasonable attorney's fees, court costs and collection fees in the event of legal action. I have read this contract, including the terms and conditions on the reverse side hereof and agree to be bound by all the terms contained herein. All old parts will be removed from premises and discarded, unless otherwise specified herein.
I HEREBY AUTHORIZE YOU TO PROCEED WITH THE ABOVE WORK AT THE UPFRONT FEE OF \$ _____ Signature: _____ Print Name: _____

For your peace of mind, should the repair amount exceed 25% of your system's replacement value, our technician is required to inform you of options for both repairing and replacing the equipment.

Qty	Task#	Description	Rate
		Diagnostic Fee	
		Mitch Wright Club Membership	
		Leak @ water	519.15
		Auth# 02896P	

Note: Mitch Wright Club Membership is required to keep warranty active.

Pre-Approved Financing Terms: Please pay from this invoice - Work performed C.O.D.
PAYMENT 1 Cash Check Check #: _____
 MC Visa Disc AmEx Auth #: _____
 Card #: _____ Exp: [][] [][]
PAYMENT 2 Cash Check Check #: _____
 MC Visa Disc AmEx Auth #: _____
 Card #: _____ Exp: [][] [][]

WANT TO PAY LESS?
 My Service Technician presented me with a Mitch Wright Maintenance Plan Brochure and explained the benefits.
 I want to save money and become a Member
 OR
 At this time I decline the offer

DISCOUNT	
SUBTOTAL	519.15
TAX	36.34
TOTAL COST	555.49

ACCEPTANCE OF WORK PERFORMED: I acknowledge satisfactory completion of the above described work and that the premises has been left in satisfactory condition. I understand that if my check does not clear, I am liable for the check and any charges from the bank. I agree to pay 1.75% per month for past due contracts (minimum charge \$15). In the event that collection efforts are initiated against me, I shall pay for all associated fees at the posted rates as well as all cost of collection fees and reasonable attorney fees. I agree that the amount set forth in the space marked "TOTAL COST" is the total flat price I have agreed to.
 SIGNATURE *Richard Howell*

SERVICE TECHNICIAN ACKNOWLEDGEMENT
 Prior to the customer entering into the contract, I have discussed the nature of the service and cost and I have given a copy of the contract to the customer. All work I have done has been in compliance with company standards in a workmanship manner, to building codes when applicable.
 SIGNATURE *Steve*

CUSTOMER SERVICE IS OUR #1 FOCUS
 If you are not completely satisfied for any reason, please call and ask to speak with the Customer Service Manager. Your feedback is very important to us.
THANK YOU FOR CHOOSING US FOR YOUR SERVICE NEEDS!

I decline to have the recommended work performed at this time. SIGNATURE _____ DATE _____

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
11/30/2019	10				0.00
10/31/2019	10	1136	1144	8	101.40
09/30/2019	10	1132	1136	4	66.07
08/31/2019	10	1127	1132	5	74.64
07/31/2019	10	1123	1127	4	66.07
06/30/2019	10	1119	1123	4	66.07
05/31/2019	10	1115	1119	4	66.07
04/30/2019	10	1112	1115	3	57.50
03/31/2019	10	1109	1112	3	57.50
02/28/2019	10	1106	1109	3	57.50
01/31/2019	10	1102	1106	4	66.07
12/31/2018	10	1099	1102	3	57.50
11/30/2018	10	1096	1099	3	57.50

$$\begin{array}{r} 8 \\ - 4 \\ \hline 4 \end{array} \times 3.50 = 14.00$$

$$4 \times 3.84 = 15.36$$

$$\underline{\$36.36 \text{ credit}}$$

Motion was duly made by Alderman Bryant and seconded by Alderman McLendon to authorize to adjust the utility bill for Richard Howell in the amount of \$36.36, finding that the customer had a leak and did not receive the benefit of receiving the water services, also request that the water leak repair verification form and attached documents are put in the minutes. A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

AUTHORIZE TO ADJUST UTILITY BILL FOR DERRILL A. ARGO

WATER LEAK REPAIR VERIFICATION

City of Hernando Water and Sewer Department
475 West Commerce Street Hernando, MS 38632
662-429-9092

Customer Information (please print)

Name as it appears on bill Derrill A. Argo
Service address 1778 Hillshire East
Daytime phone number (no) 834-7087

Do you rent the property at this address? NO If yes, the property owner or manager must complete the remainder of this form.

REPAIR INFORMATION (please print)

Property owner or managers name Derrill & Helen Argo Date of repair 9-20-19
Daytime phone number (no) 834-7087

Type of repair and location of property leak beneath air conditioner unit outside - Had been leaking for undetermined time. Required removal of unit pad to get to pipes then replacement of same
Documentation and property owner's or manager's signature

Attach plumbing bill or receipts for repair parts. Sorry, no adjustments will be considered without this/these document(s).

By signing below, I certify that the information providing regarding this repair is correct. I understand that providing fraudulent information with the intent of lowering a utility bill may be punishable by applicable law.

I hereby grant permission to the City of Hernando Water and Sewer Department personnel to come onto my property to verify the repair of an outdoor leak.

I certify that I am the owner or rental property manager of the property located at this service address

Signature Helen C. Argo
For Office use only

Account Number 06-3317520 Billing period ending 10-31-19

High month usage 50 minus 6 month average 19 = Amount of Adjustment \$281.79 BB

Handwritten notes: OK per ON 11-1-19

Daniel McDowell Plumbing & Drain
2102 Bett Thyatira Rd.
Coldwater MS 38618

JOB COMPLETE	<input type="checkbox"/> YES <input type="checkbox"/> NO
MATERIAL LIST MADE	<input type="checkbox"/> YES <input type="checkbox"/> NO
PAYMENT COLLECTED	<input type="checkbox"/> YES <input type="checkbox"/> NO
HELP ON JOB	<input type="checkbox"/> YES <input type="checkbox"/> NO

WORK TICKET

CUSTOMER / JOB NAME: <i>Helen Argo</i>		
JOB ADDRESS: <i>1798 Hillshire E.</i>		
DESCRIPTION OF WORK: <i>Leak under A/c unit</i> <i>Found & Repaired leak</i>		
QTY.	INVENTORY MATERIAL	PRICE

\$530.00
Tax \$37.10

\$567.10

2124
567.10

WORKMAN:

DATE	MON.	TUES.	WED.	THURS.	FRI.	SAT.	SUN.
S.T.							
T.H.							
D.T.							
MILEAGE							

PO#	_____	SUPPLIER	_____
PO#	_____	SUPPLIER	_____
PO#	_____	SUPPLIER	_____

ARRIVAL TIME _____
 DEPARTURE TIME _____
 TRAVEL TIME 15 Min 30 Min

I/We do hereby authorize Daniel McDowell Plumbing & Drain to perform such services and make repairs to the property listed on the above work ticket. It is understood that I am personally responsible to Daniel McDowell Plumbing & Drain for any and all charges due immediately upon completion. I agree to also be responsible for any and all costs of collection and court costs, including a reasonable attorney fee, if this account is turned over to an attorney for collection. It is understood that finance charges will be assessed at an annual rate of 18% if payment is not received within 60 days of the invoice date.

Signature *Helen Argo*

ELDRIDGE SERVICES INC.
AIR CONDITIONING & HEATING
 www.eldridgeair.com *Colossians 3:23*



29088

P.O. Box 548
 Hernando, MS 38632
 Phone (662) 449 - 3024
 Fax (901) 470-1082

DATE 9/20/19 T&M SC WARRANTY QUOTED JOB # 09201973 CUST. P.O. #
 CUSTOMER NAME Derrill Argo CONTACT _____ PHONE # _____
 JOB SITE LOCATION Hernando MS
 ADDRESS, CITY, STATE, ZIP 1772 Hillshire E
 BILL TO INFORMATION NAME _____ BILL TO PHONE # _____
 ADDRESS, CITY, STATE, ZIP _____
 WORK TO BE PERFORMED Remove unit for plumbing work set back

MAKE #1	MAKE #2	MAKE #3
MN #1	MN #2	MN #3
SN #1	SN #2	SN #3

DESCRIPTION OF WORK PERFORMED
Jason came and removed condenser so plumbers could fix plumbing issue. Taylor came and set unit back in place soldered copper and pulled vacuum. Charged system, open valves.

- CHECK LIST
- VOLTAGE
 - AMPS
 - PRESSURE
 - BELT
 - FILTERS
 - DRAINS
 - COILS

MATERIAL SOURCE P.O. #, T/S, CASH	QTY	MATERIAL DESCRIPTION	MATERIAL SOURCE P.O. #, T/S, CASH	QTY	MATERIAL DESCRIPTION
		R-22 19			
		410 A			
	1	unit set			
	1	vacuum			

TECH	DATE	STRAIGHT TIME	OVERTIME
JL	9/20	1	
Taylor	9/20	2	06:30
			50

I HAVE EXAMINED THE CHARGES AND THE TERMS ON THE REVERSE SIDE AND FIND THEM TO BE SATISFACTORY.
 SIGNATURE: [Signature]
 REG. RATE CONTRACT SR. RATE
 Thank you for your business.

(ACCOUNTING DEPT. ONLY)

TOTAL MATERIALS	
TRUCK CHARGE	179
EQUIPMENT CHARGE	
LABOR	20
TAX	
TOTAL CHARGES	395.90

TECHNICIAN SIGNATURE _____

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
11/30/2019	10			50	0.00
10/31/2019	10	2026	2028	22	476.04
09/30/2019	10	2001	2028	27	270.68
08/31/2019	10	1984	2001	17	191.68
07/31/2019	10	1956	1984	28	278.80
06/30/2019	10	1930	1956	26	261.96
05/31/2019	10	1923	1930	7	91.78
04/30/2019	10	1915	1923	8	101.40
03/31/2019	10	1908	1915	7	91.78
02/29/2019	10	1901	1908	7	166.78
01/31/2019	10	1893	1901	8	101.40
12/31/2018	10	1886	1893	7	91.78
11/30/2018	10	1872	1886	14	184.92

$$\begin{array}{r} 50 \\ - 19 \\ \hline \end{array}$$

$$31 \times 3.50 = 108.50$$

$$108.50 \div 2 = 54.25$$

$$31 \times 3.84 = 119.04$$

$$\underline{\hspace{1.5cm}}$$

$$\$ 281.79 \text{ credit}$$

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to authorize to adjust the utility bill for Derrill A. Argo in the amount of \$281.79, finding that the customer had a leak and did not receive the benefit of receiving the water services, also request that the water leak repair verification form and attached documents are put in the minutes. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

GO INTO CLOSED SESSION TO DISCUSS GOING INTO EXECUTIVE SESSION FOR PUBLIC WORKS PERSONNEL AND POLICE PERSONNEL

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to go into Executive Session for Public Works Personnel and Police Personnel. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

GO INTO EXECUTIVE SESSION FOR PUBLIC WORKS PERSONNEL AND POLICE PERSONNEL

Motion was duly made by Alderman Higdon and seconded by Alderman Bryant to go into Executive Session for Public Works Personnel and Police Personnel. A vote was taken with the following results:

Those voting "Aye": Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

COME OUT OF EXECUTIVE SESSION

Motion was duly made by Alderwoman Brooks and seconded by Alderman Higdon to come out of executive session for negotiations. A vote was taken with the following results:

Those voting "Aye": Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

PUBLIC WORKS PERSONNEL

Motion was duly made by Alderman Hobbs and seconded by Alderwoman Brooks to terminate employment with Steven Menne. A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 5th day of November, 2019

POLICE PERSONNEL

Motion was duly made by Alderman Bryant and seconded by Alderman Higdon to accept the Police Chief recommendation and suspend Dexter Gates without pay for 16 hours, with the dates being at the desecration of the Police Chief. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Bryant, and Alderman Miller.

Those voting "Nay": Alderman Harris.

ORDERED AND DONE this the 5th day of November, 2019

ADJOURN

There being no further business at this time a motion was duly made by Alderman Bryant, seconded by Alderman Hobbs to adjourn.

Motion passed with a unanimous vote of "Aye".

MAYOR TOM FERGUSON

ATTEST:

KATIE HARBIN, CITY CLERK