

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, November 19, 2019 at 6:00 P.M. with Mayor Tom Ferguson presiding. Aldermen present were: Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderman Hobbs. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenneth Stockton, Fire/EMS Chief Hubert Jones, Fire Captain Sam Witt, 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, Parks and Recreation Director Dewayne Williams, Ross Bryan, David Daquilla, Carolyn Richards, Sarah Ainsworth, Jim Ainsworth, Chris Couch, Robert Carter, Austin Wilson, Brandi Arton, and Sarita Kramer.

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 19, 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 33830 – 34061 less 33876 – 33879
- 6) Approve Docket of Claims No.'s 33876 – 33879 (Bryant)
- 7) Approve Minutes from Regular meeting on November 5, 2019
- 8) Approve Minutes from Special meeting on November 14, 2019
- 9) Consent Agenda
 - A) Authorization for the City of Hernando to declare Friday November 29, 2019 in further observance of the Thanksgiving holiday and Tuesday December 24, 2019 in further observance of the Christmas Holiday, in accordance with the Governor's Proclamation dated October 8, 2019.
 - B) Authorize Dewayne Williams to attend the MRPA Executive Leadership Summit for Directors on January 28 – 29, 2020 in Richland, MS, also authorize to pay registration and travel expenses.

- C) Authorize Katie Harbin and Eva Ward to attend the 74 Annual IIMC Conference on May 17 – 21, 2020, in St. Louis, MO, and authorize to pay registration and travel expenses.
 - D) Authorize to accept a donation from Cynthia Wills in the amount of \$100.00 for the Animal Control Department
 - E) Authorize to accept a donation from Johnnie Rogers in the amount of \$50.00 for the Animal Control Department
 - F) Authorize to accept a donation from Cathy Williams in the amount of \$25.00 for sponsorship of the Young at Heart Luncheon
 - G) Authorize to declare surplus and dispose of a 1998 Ford Crown Victoria, VIN 2FAFP71W6WX129104
 - H) Authorize to declare surplus and dispose of a 2003 Ford Crown Victoria, VIN 2FAHP71W23X183942
 - I) Approve to put a stop sign at Middle Buster and Single Tree
 - J) Authorize the Mayor to sign Street Light Installation agreement with Entergy for the street lights in Montclair Subdivision
 - K) Authorization for the Planning Director to advertise for applicants to fill two (2) vacant Historic Preservation Commission positions
- 10) Presentation from the Hernando 10U All Stars
- 11) Authorize to hire Eric Lampley in the Public Works Department as a Utility Locator, subject to pre employment screening
- 12) Authorize Mayor Ferguson to sign the Feasibility Study & Business Plan for Recreation Facilities and Sports Tournaments with Neel-Schaffer
- 13) Authorize Mayor Ferguson to sign a Professional Services agreement with The Walker Collaborative, LLC to update the City's Comprehensive Plan
- 14) Request for a scrivener's error for Williams Brooke Subdivision Phase 2 Lots 55, 56, 57, and 58, Section 2, Township 3 South, Range 8 West, Book 126 Pages 8-9 to change internal lot line dimensions – Keith Briley, AICP, Planning Director
- 15) 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
- 16) Approve budget amendments fye 2020
- 17) Approve the Resolution to Borrow Funds from the Utility Fund for the GO Bond Debt Service Fund in Anticipation of Taxes
- 18) Appeal for Utility Adjustment denial for Brandi Arton
- 19) Executive Session for Fire Personnel, Negotiations, and Litigation
- 20) Adjourn

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to approve the agenda as presented, after adding "House of Grace" to the consent agenda. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019.

APPROVE DOCKET OF CLAIMS NO.'S 33830 - 34061 LESS 33876 - 33879

The Board of Aldermen were presented with a docket of claims No. 33495 – 33448 less 33547 – 33556 in the amount of \$731,968.95 for approval.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon 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, Alderman Hobbs, and Alderman Harris.

Those voting “Nay”: None.

ORDERED AND DONE this the 19th day of November, 2019.

APPROVE DOCKET OF CLAIMS NO.’S 33876 - 33879 (BRYANT)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 33876 - 33879 in the amount of \$2,304.20 for approval.

Motion was duly made by Alderman Hobbs and seconded by Alderman Higdon 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, Alderman Hobbs, and Alderman Harris.

Those voting “Nay”: None.

ORDERED AND DONE this the 19th day of November, 2019.

APPROVE THE MINUTES FROM THE REGULAR MAYOR AND BOARD OF ALDERMEN MEETING ON NOVEMBER 5, 2019

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to approve the minutes from the regular Mayor and Board of Aldermen Meeting on November 5, 2019. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 19th day of November, 2019.

APPROVE THE MINUTES FROM THE SPECIAL MAYOR AND BOARD OF ALDERMEN MEETING ON NOVEMBER 14, 2019

Motion was duly made by Alderman Hobbs and seconded by Alderman McLendon to approve the minutes from the special Mayor and Board of Aldermen Meeting on November 14, 2019. A vote was taken with the following results:

Those voting “Aye”: Alderman McLendon, Alderman Hobbs, Alderman Bryant, and Alderman Higdon.

Those voting “Nay”: None.

Alderman Harris and Alderman Miller abstained from voting

ORDERED AND DONE this the 19th day of November, 2019.

CONSENT AGENDA

- A) Authorization for the City of Hernando to declare Friday November 29, 2019 in further observance of the Thanksgiving holiday and Tuesday December 24, 2019 in further observance of the Christmas Holiday, in accordance with the Governor's Proclamation dated October 8, 2019.
- B) Authorize Dewayne Williams to attend the MRPA Executive Leadership Summit for Directors on January 28 – 29, 2020 in Richland, MS, also authorize to pay registration and travel expenses.
- C) Authorize Katie Harbin and Eva Ward to attend the 74 Annual IIMC Conference on May 17 – 21, 2020, in St. Louis, MO, and authorize to pay registration and travel expenses.
- D) Authorize to accept a donation from Cynthia Wills in the amount of \$100.00 for the Animal Control Department
- E) Authorize to accept a donation from Johnnie Rogers in the amount of \$50.00 for the Animal Control Department
- F) Authorize to accept a donation from Cathy Williams in the amount of \$25.00 for sponsorship of the Young at Heart Luncheon
- G) Authorize to declare surplus and dispose of a 1998 Ford Crown Victoria, VIN 2FAFP71W6WX129104
- H) Authorize to declare surplus and dispose of a 2003 Ford Crown Victoria, VIN 2FAHP71W23X183942
- I) Approve to put a stop sign at Middle Buster and Single Tree
- J) Authorize the Mayor to sign Street Light Installation agreement with Entergy for the street lights in Montclair Subdivision
- K) Authorization for the Planning Director to advertise for applicants to fill two (2) vacant Historic Preservation Commission positions
- L) House of Grace

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019.

HOUSE OF GRACE

Sarita Kramer spoke on behalf of House of Grace. Mrs. Kramer thanked the Mayor and Board for the contribution from the City to the House of Grace. Mrs. Kramer stated that if it wasn't for the House of Grace, her and her two kids wouldn't have had a place to go. She was a victim of domestic abuse for 31 years. House of Grace was able to provide her and her children with a home and assistance so she could get on her feet. Mrs. Kramer stated if it wasn't for people like the Board, the House of Grace wouldn't be able to be there.

PRESENTATION FROM THE HERNANDO 10U ALL STARS

Chris Couch with Parks and Recreation introduced the coaches from the Hernando U All Stars team.

Robert Carter introduced the 2019 Dizzy Dean 10 U Softball All Stars team. They were able to take home the 3rd and then 5th in the World Series.

**AUTHORIZE TO HIRE ERIC LAMPLEY IN THE PUBLIC WORKS DEPARTMENT
AS A UTILITY LOCATOR, SUBJECT TO PREEMPLOYMENT SCREENINGS**

Motion was duly made by Alderman Higdon and seconded by Alderman Bryant to approve to hire Eric Lampley in the Public Works Department, 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 Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019.

**AUTHORIZE MAYOR FERGUSON TO SIGN THE FEASIBILITY STUDY &
BUSINESS PLAN FOR RECREATION FACILITIES AND SPORTS TOURNAMENTS
WITH NEEL-SCHAFFER**

Motion was duly made by Alderman Hobbs and seconded by Alderman Harris to authorize Mayor Ferguson to sign the Feasibility Study & Business Plan for Recreation Facilities and Sports Tournaments with Neel-Schaffer. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019.

**AUTHORIZE MAYOR FERGUSON TO SIGN A PROFESSIONAL SERVICES
AGREEMENT WITH THE WALKER COLLABORATIVE, LLC TO UPDATE THE
CITY'S COMPREHENSIVE PLAN**

Planning Director Keith Briley presented the information.



**City of
Hernando**
MISSISSIPPI

**BOARD OF ALDERMEN
STAFF REPORT**

| | | |
|--------------|--|---------------|
| Project No.: | | Item No. ____ |
| Request: | Authorize the Mayor to sign a Professional Services agreement with The Walker Collaborative, LLC for the purpose of updating the City's Comprehensive Plan | |
| Location: | City of Hernando | |
| Applicant: | Keith Briley, AICP – Planning Director | |
| Date: | November 19, 2019 | |

INTRODUCTION:

The request before you is for the Authorization for the Mayor to sign a Professional Services agreement with The Walker Collaborative, LLC for the purpose of updating the City's Comprehensive Plan for a projected base cost of approximately \$110,000 including expenses.

BACKGROUND:

The Board of Aldermen adopted the current City's Comprehensive Plan on August 21, 2007. Twelve (12) years have passed since the plan was adopted. It is recommended that the Comprehensive Plan be updated or amended every five (5) to seven (7) years.

STAFF COMMENTS:

1. Included with the contract are three (3) exhibits.

- a. Exhibit A outlines the Scope of Work for the updating of the Comprehensive Plan.
 - b. Exhibit B is the consultants cost projections for the project.
 - c. Exhibit C is the cost of additional services that the Board may desired to be a part of the comprehensive plan update, but that are not included in the base price of the contract, are included for your review and consideration.
2. Philip L. Walker is the Principal of The Walker Collaborative, LLC and will be the point of contact for the Consultant.
 3. The update process will include several on site meetings with City and community leaders and a charrette for public input into the plan.
 4. The cost of the update will be spread of two (2) budget cycles.

Alderman Miller stated that he is troubled because we have local planners, he's from where.

Planning Director Keith Briley answered Nashville.

Alderman Miller stated we are in North Mississippi, we have planners local. I have a problem with that.

Alderman Harris stated I know it's professional service, we don't have to put it out to bid, but why wouldn't we want to get more than one quote.

Keith Briley stated I pick a professional, and bring it to you.

Mayor Ferguson stated no sir, we work together.

Keith Briley stated back in May I submitted O'Rien Group, with Bob Barber. He's been the planner here, he is known around the world. I don't know why it wasn't brought to you, the Board.

Alderman Hobbs asked Keith if he looked local.

Keith Briley answered yes, 2 of them had a conflict of interest.

Alderman McLendon asked if it would be a conflict that the one we pick works for a developer.

Keith Briley answered no sir, I don't believe so. Every contractor will work for a developer at some time or another.

Alderman Hobbs stated that there are very few to choose from. If we bid, you'll have to take the lowest and the lowest may not be the best one.

Alderman Miller stated you'll have to do the same for quotes.

Alderman Hobbs stated if this what you recommend. I trust you in this position, it's why we hired you.

Keith Briley stated if I'd had to pick the optional item, I'd pick the Market Analysis.

Alderman McLendon asked would you say they do a road around to the west.

Keith Briley stated whomever is chosen, they'd get an engineer to look at it.

Alderman McLendon stated they will look at future growth.

Keith Briley answered yes.

Alderman McLendon stated like if there was growth down south and an exit south of Hernando was put in and a road going from there.

Keith Briley answered that would be something form them to look at. They would ask MDOT if they have plans for that and take it into consideration.

Alderman McLendon stated he's been living downtown for 30 years. How hard is it to project the future of a downtown area. Would there be future historic districts.

Philip Walker stated they typically look at historic districts and see if there is cause for future districts. There are different types, state and local. We'd look at both if there is potential for growth. I haven't done work for developers for a long while. People on our team do, but I don't. About the Market Analysis, we'd look at existing market analysis conditions, and what's going on with the market. We recommend the Commercial Market Analysis, for future market demand.

Alderman McLendon asked how old does historic become historic.

Philip Walker answered the National Register says 50 years. WWII is kind of the demarcation line. The 50 year rule is a federal guideline, you don't have to adhere to it. More local preservation isn't just about saving old buildings, its economic too.

Mayor Ferguson asked Walker to tell us what you can do for the City.

Philip Walker stated your plan is from 2007. Circumstances have changed a lot. Zoning is based on the comprehensive plan. It's about you as a community being in the driver seat on future growth. It's an incremental process. We engage the community by doing workshops. We take those ideas to use as a spring board, then come up with a plan to present. We would be taking what the public wants, what the land offers, and what the market says.

Alderman Hobbs asked if it takes 2 years.

Philip Walker answered hopefully not, it can be done in a year.

Alderman Miller stated it was 2 years for 2 budget years. Alderman Miller asked about exhibit B, it says \$124,000 what's the extra from the \$110,000?

Philip Walker answered \$110,000 was the base if you add an optional item, it's the \$124,000. It's a fixed fee.

Alderman Miller asked under market analysis you have \$10,000 to \$15,000.

Philip Walker answered it depends on which analysis you choose. The commercial market is on the higher end.

Alderman Miller asked where the associates were from.

Philip Walker answered Franklin, TN, Nashville, TN and Southaven, MS.

Alderman Miller stated a lot from TN.

Philip Walker stated that he does a lot of work in MS for what it's worth.

Alderman Hobbs asked Mr. Walker if this was his original.

Walker answered no, we had another proposal, with an additional member.

Alderman Hobbs asked why didn't you keep him in there.

Philip Walker stated I think there was concern about Bob Barber being in there, maybe that he wouldn't have a fresh set of eyes.

Mayor Ferguson asked who had concerns about this.

Philip Walker answered I believe it was you sir.

Mayor Ferguson stated yes it was.

Alderman Hobbs stated he would like to see the original and the first proposal Keith had.

Mayor Ferguson stated that he wanted 3 proposals, and for them to go to the Planning Commission, they make notes and send them to the Board for review, as a team. I didn't receive 3 from Keith.

Alderman Hobbs asked why didn't you send what you have Keith, why didn't we get your original?

Keith Briley answered it wasn't added to the agenda.

Mayor Ferguson asked who didn't add it.

Keith Briley answered you Mayor.

Mayor Ferguson asked Kenny who decides on the agenda.

Kenny Stockton answered the Mayor.

Alderman McLendon asked if it would be inappropriate for one of the associates to have something brought forward to the Planning Commission.

Philip Walker answered, probably. For example, Neel Schaffer, they are local, if any conflicts they would probably bow out.

Mayor Ferguson asked if Mr. Walker ever works with Mayors.

Philip Walker answered yes, depends on different ones want to be more involved and some not.

Mayor Ferguson stated so you work with Mayors. What about in MS.

Philip Walker answered yes, some.

Alderman Hobbs stated I'd expect you, Mayor, to work with them, but I wouldn't expect the Mayor to blind side us or for you to shoot holes in a plan before we see it, to accommodate what you want.

Mayor Ferguson stated he asked for 3 proposals to go to the planning commission and I didn't get them, that's why we are here tonight.

Mr. Hobbs asked if we typically send a comprehensive plan to the Planning Commission.

Mayor Ferguson stated he just wants a team effort from the planning Commission to the Board.

Keith Briley answered the only time a comprehensive plan goes to the Planning Commission is when it's ready to be adopted and reviewed. It goes to them for recommendation.

Philip Walker stated the option with Bob Barber as an associate, was the same price as without. It's the same workload just spread to fewer people now.

Alderman Higdon stated I think the current plan has caused many problems. It think we need fresh eyes.

Philip Walker stated well the older it gets the more outdated it is. Mr. Walker stated most of the people on this team would have fresh eyes, whether you include Bob or not.

Alderman Hobbs stated that's why we are having problems, we haven't updated it.

Mayor Ferguson stated it has had problems before, with commercial.

Alderman Hobbs asked wasn't this done in house before.

Keith Briley answered that a person from the state was in charge in the beginning, it was in shambles so Bob and Shelley picked it up and did the best they could.

Alderman Hobbs stated he'd like to see the original proposal and the original recommendation from the Planner, who we hired to do this. I don't want someone or you putting holes in this. You know less than I do about Planning and I couldn't do it.

Mayor Ferguson stated he just wants it to go through the Planning Commission, whether their experienced or not... we can use their knowledge and ours.

Alderman Hobbs stated let us all sit together and talk about it, not you just pick it yourself. I'd like a recommendation from our Planner, who went to school for this.

Alderman McLendon stated he thinks Mr. Barber has done an outstanding job with what he had to pick up and finish with the comprehensive plan. People want to move to Hernando. My concern if he's working on the comprehensive plan and working for a developer to rezoning a property.

Alderman Harris stated that we are not ready to vote on this, I think we should table it.

Motion was duly made by Alderman Harris and seconded by Alderman Hobbs to table this item to get more information back to the Board, including all original proposals/quotes the Planning Director received. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019.

**REQUEST FOR A SCRIVENERS' ERROR FOR WILLIAMS BROOKE SUBDIVISION
PHASE 2 LOTS 55, 56, 57, AND 58, SECTION 2, TOWNSHIP 3 SOUTH, RANGE 8
WEST, BOOK 126 PAGES 8-9 TO CHANGE INTERNAL LOT LINE DIMENSIONS –
KEITH BRILEY, AICP, PLANNING DIRECTOR**

Keith Briley presented the information.



**City of
Hernando**
MISSISSIPPI

**BOARD OF ALDERMEN
STAFF REPORT**

Project No.:

Item No.: ____

Request: Request for a scriveners' error for Williams Brooke Subdivision Phase 2 Lots 55, 56, 57, and 58, Section 2, Township 3 South, Range 8 West, Book 126 Pages 8-9 to change internal lot line dimensions

Location: Montclair Subdivision

Applicant: Keith Briley, AICP, Planning Director

Date: November 19, 2019

INTRODUCTION:

Request for a scrivener's error for Williams Brooke Subdivision Phase 2 Lots 55, 56, 57, and 58, Section 2, Township 3 South, Range 8 West, Book 126 Pages 8-9 to change internal lot line dimensions.

BACKGROUND:

Williams Brooke Subdivision Phase 2 received final plat approval from the Planning Commission on March 13, 2018, and from the Board of Aldermen on March 20, 2018. The plat was recorded in the DeSoto County Chancery Clerks Office on November 20, 2018, in Plat Book 126 Pages 8-9.

DISCUSSION:

City of Hernando Subdivision Regulations

Article VII – Revision of Recorded Plats

A. Errors

Errors on recorded subdivision plats may be corrected by the Subdivider by making a written request to the Mayor and Board of Aldermen to have such correction made. The Mayor and Board of Aldermen may direct that the correction be made directly on the existing recorded plat, or they may direct that a complete new plat be filed as in Paragraph B below.

B. Revision of Plats

1. The Mayor and Board of Aldermen on such terms and conditions as it imposes, may authorize revision of recorded plat combining lots, changing lot lines or calls, correcting errors, and other revisions on application by the owners of the lots being changed. The corrected plat shall be filed as a separate revision of the subdivision to include a notation attached to the originally recorded plat showing revisions made and location of corrected plat. A title certificate may be required on the corrected plat.

During a preparation of a foundation survey as part a building permit, the surveyor discovered that the internal lot line dimensions for lots 55, 56, 57, and 58 were incorrect on the final plat.

STAFF COMMENTS:

1. The Engineer of Record for the plat has supplied a drawing with the correct lot line dimensions.
2. The bearings for these lot lines are correct as recorded and the lot areas do not change.
3. Upon approval, Staff will coordinate with the Chancery Clerk's Office the amending of the final plat to correct the lot line dimensions for lots 55, 56, 57, and 58.

STAFF RECOMMENDATION:

Staff recommendation is for approval.

PROPOSED MOTION:

I move to approve the scrivener's error for Williams Brooke Subdivision Phase 2 Lots 55, 56, 57, and 58, Section 2, Township 3 South, Range 8 West, Book 126 Pages 8-9 to change internal lot line dimensions.

Motion was duly made by Alderman Higdon and seconded by Alderman McLendon to approve the request for a Scriveners' Error for Williams Brooke Subdivision Phase 2 Lots 55, 56, 57, and 58, Section 2, Township 3 South, Range 8 West, Book 126 pages 8-9, to change Internal Lot Line Dimensions. 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 19th 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 19, 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 platted 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:

4. The applicant is asking for a variance in one (1) foot in the height of the sign.
5. The applicant is asking for a variance of nine (9) feet in the setback distance.
6. The proposed sign is 84" x 30" (7' x 2.5') with a total area of 17.5 square feet.
7. If approved, the applicant shall acquire a sign permit prior to beginning construction of the sign.
8. 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 Miller asked why is the extra foot on the sign needed.

Austin Wilson stated we are not really not overly concerned with the 1 foot difference, more concerned with the setback. However, we don't want the sign to look miniscule. The scale fits the development and area.

Alderman Higdon stated I don't mind the set back but I don't think we should give an extra foot.

Alderman Harris asked Alderman Higdon if he has looked at it.

Alderman Higdon answered yes.

Alderman Harris stated he doesn't think it look bad at all, the scale looks fine. There will also be a fence and landscaping.

Sara Ainsworth stated that she grew up on Memphis Street. Hernando has been her hometown for more than 70 years. Mrs. Ainsworth stated that her and her husband have supported efforts for commercial and bringing more families to Hernando. We would like to encourage you to make an exception and allow for the extra foot and setback.

Alderman McLendon stated that he thinks our Ordinance should be a guideline, but each property should be it's own deal. Each one should be weighed upon. We don't want to be cookie cutter. I met with them with a closed mind, but after seeing it for 2 weeks and talking to them, it fits in. We are fine with it, my neighbors are all fine with it.

Motion was duly made by Alderman McLendon and seconded by Alderman Harris to overturn 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. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019

APPROVE BUDGET AMENDMENTS FYE 2020

ORDER AMENDING BUDGET FOR FISCAL YEAR ENDING SEPTEMBER 30, 2020

Pursuant to Section 21-35-25 of the Mississippi Code 1972, Annotated, it is hereby ordered by the Mayor and Board of Aldermen of the City of Hernando, DeSoto County, State of Mississippi, that the budget for the fiscal year beginning October 1, 2019 and ending September 30, 2020, be amended and approved to wit:

| | <u>PRIOR BUDGET</u> | <u>AMENDMENT</u> | <u>NEW BUDGET</u> |
|---|-------------------------|------------------|-------------------|
| <u>GENERAL FUND</u> | | | |
| REVENUE | | | |
| State Shared Revenues | \$5,514,406.27 | \$12,697.00 | \$5,527,103.27 |
| License and Permit | \$639,000.00 | \$32,000.00 | \$671,000.00 |
| EXPENDITURES | | | |
| General Government Other Services & Charges | \$471,722.00 | \$32,543.00 | \$504,265.00 |
| General Government Capital Outlay | \$98,000.00 | \$6,175.00 | \$104,175.00 |
| General Contingency | \$169,093.82 | \$5,979.00 | \$175,072.82 |
| <u>PARK FUND</u> | | | |
| EXPENDITURES | | | |
| PERSONNEL SERVICES | \$456,739.00 | \$18,360.00 | \$438,379.00 |
| SUPPLIES | \$132,542.00 | \$5,770.00 | \$126,772.00 |

| | | | |
|----------------------------|--------------|-------------|--------------|
| OTHER SERVICES AND CHARGES | \$273,619.00 | \$17,330.00 | \$290,949.00 |
| CAPITAL OUTLAY | \$25,000.00 | \$6,800.00 | \$31,800.00 |

UTILITY FUND

REVENUE

| | | | |
|------------|--------------|-------------|--------------|
| WATER TAPS | \$100,000.00 | \$10,000.00 | \$110,000.00 |
|------------|--------------|-------------|--------------|

EXPENDITURES

| | | | |
|-------------------------------------|----------------|---------------------|----------------|
| SUPPLIES | \$318,550.00 | \$12,000.00 | \$330,550.00 |
| OTHER SERVICES & CHARGES | \$3,557,258.00 | \$10,000.00 | \$3,567,258.00 |
| CAPITAL OUTLAY | \$96,000.00 | \$96,800.00 | \$192,800.00 |
| DEBT SERVICE | \$0.00 | \$158,130.00 | \$158,130.00 |
| CONTINGENCY | \$535,819.00 | \$266,930.00 | \$268,889.00 |

| | | | |
|--|----------------------|-------------------------|--------------------------|
| | <u>PRIOR</u> | <u>AMENDMENT</u> | <u>NEW BUDGET</u> |
| | <u>BUDGET</u> | | |

GENERAL FUND

EXPENDITURES

| | | | |
|--|--------------|-------------------|--------------|
| Public Safety - Other Services & Charges | \$307,800.00 | \$7,000.00 | \$300,800.00 |
| Public Safety - Capital Outlay | \$448,000.00 | \$5,000.00 | \$453,000.00 |

BE IT ORDERED, that the Budget of Estimated Revenues and Expenditures for the Fiscal Year Ending September 30, 2020, for the City of Hernando, Mississippi be amended in the following respects:

BE IT FURTHER ORDERED that these amendments are necessary in the following funds:

General Fund – Amended expenses to cover for unexpected server upgrade.

IT IS FURTHER ORDERED by the Mayor and Board of Aldermen that the foregoing budget amendments shall be published one (1) time as required by law in the DeSoto Times Tribune, a newspaper of general circulation in said city, fully qualified under the provisions of Chapter 497, General Laws of Mississippi, if amendment meets the requirements to be published.

Each amendment having been presented separately and as a whole, motion was duly made by Alderman Miller seconded by Alderman Higdon to adopt the foregoing resolution amending the budget of the City of Hernando. A roll call vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 19th day of November 2019.

Tom Ferguson, Mayor

Attest:

Katie Harbin, City Clerk

APPROVE THE RESOLUTION TO BORROW FUNDS FROM THE UTILITY FUND FOR THE GO BOND DEBT SERVICE FUND IN ANTICIPATION OF TAXES

RESOLUTION TO BORROW FUNDS FROM THE UTILITY FUND FOR THE
GO BOND DEBT SERVICE FUND IN ANTICIPATION OF TAXES

WHEREAS, the City of Hernando, a lawful municipality of the State of Mississippi, is acting pursuant to the power and authority vested to the governing authorities to borrow money for the current expenses of such municipality in anticipation of the ad valorem taxes to be collected for the current fiscal year pursuant to Section 21-33-325 of the Mississippi Code of 1972, Annotated, as Amended; and

WHEREAS, the City of Hernando has a need to borrow funds from the municipal Utility Fund Treasury account to pay current expenses in the GO Bond Debt Service Fund; and

WHEREAS, the amount to be borrowed shall not exceed fifty percent (50%) of the anticipated, but uncollected, revenue to be produced by the current tax levy, against which such money is borrowed; and

WHEREAS, the City of Hernando has the authority to set the interest rate.

BE IT RESOLVED, that the City of Hernando, acting through its Mayor and Board of Aldermen, has determined the need to borrow for the GO Bond Debt Service Fund, Two Hundred Thousand Dollars (\$200,000.00), at zero interest, for a period not to exceed repayment by March 15, 2020. Said funds shall be transferred from the General Fund to the GO Bond Debt Service Fund as needed.

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to adopt the foregoing "Resolution to Borrow Funds from the Utility Fund in Anticipation of Taxes. A roll call vote was taken with the following results:

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

Those voting "Nay":

WITNESS our signatures on this the 19th day of November, 2019.

ATTEST:

Tom Ferguson, Mayor

Katie Harbin, City Clerk

APPEAL FOR UTILITY ADJUSTMENT DENIAL FOR BRANDI ARTON

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 Brandi Anton
Service address 1839 Danas Cove Hernando MS 38632
Daytime phone number (704) - 277-3481

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)

* See info on back
Property owner or managers name B Date of repair
Daytime phone number ()
Type of repair and location of property

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 Brandi Anton
For Office use only

Account Number 06-3305340 Billing period ending 10-31-19
High month usage 71 minus 6 month average 11 = Amount of Adjustment \$ 545.40 credit

11-13-19 Denied B.B.
* put on docket for appeal

My water bill was extremely high - over \$500 increase from previous month. The suspicion is that c-spire cut my line or used my water while working near my property.

- My bill due on 5/17 was 130.20
bill due on 6/14 was 118.36
bill due on 7/15 was 180.80
bill due on 8/14 was 136.20
bill due on 9/12 was 180.80
bill due on 10/10 was 90.95
* bill due on 11/15 is 671.40*

On 10/15 meter read was 2137
On 11/1 there was a water technician who went to the meter and it read 2142... this is only 7 in 16 days so - the 71 \$ from the previous month makes no sense. Please call me and advise if this can be adjusted.

Thank you,
Brandi Anton
704 277 3481

leak spot / call plumber
C-spire

Gary Higdon 901-262-7212



CITY OF HERNANDO
475 W. COMMERCE ST.
HERNANDO, MS 38632-2197

g.higdon@comcast.net

| ACCOUNT INFORMATION | |
|---------------------|------------|
| Account Number | 06-3305340 |
| Due Date | 11/15/2019 |
| Cutoff Date | 11/21/2019 |
| Amount Due | 671.40 |

Brandi Arton
1839 Danas Cv
Hernando MS 38632-8825

BUSINESS HOURS:
MONDAY - FRIDAY
8:00 A.M. - 5:00 P.M.
DAYTIME BUSINESS PHONE
662-429-9092
EMERGENCY NIGHT PHONE
662-429-9096

2144

SERVICE ADDRESS: 1839 DANAS COVE BILLING PERIOD: 09/15/2019 THRU 10/15/2019

| SERVICE | CHARGE | PREVIOUS | PRESENT | USAGE |
|------------------------|--------|----------|---------|-------|
| WTR | 252.95 | 2066 | 2137 | .71 |
| SWR | 115.27 | | | |
| GRB | 21.50 | | | |
| WW | 5.00 | | | |
| RECYCLE | 4.04 | | | |
| DCRUA | 272.64 | | | |
| AMOUNT DUE | 671.40 | | | |
| LC (APPLIED AFTER 15) | 67.14 | | | |
| AMOUNT DUE (AFTER 15) | 738.54 | | | |

2142

20
9-20

Dickens of a Christmas Sat, Nov 9, 1-5pm on Town Sq, with Christmas Open House. Farmers Mkt, caroling, carriage rides, ornament decorating, Meet Santa & get a book, register to make Christmas mailbox swags with Civic Garden Club.
YOUR CONSUMER CONFIDENCE REPORT IS AVAILABLE AT <http://cityofhernando.org/wp-content/uploads/2011/06/CCR-2017.pdf>.
CCR REPORT IS AVAILABLE AT CITY HALL.
TO AVOID DISCONNECTION AND A CHARGE OF \$40, PAYMENT MUST BE RECEIVED BEFORE 5PM ON THE 20TH OF THE MONTH. IF MAILING, PLEASE MAIL EARLY TO INSURE PAYMENT REACHES US ON TIME. FOR YOUR CONVENIENCE, BILLS MAY ALSO BE PAID ONLINE AT WWW.CITYOFHERNANDO.ORG OR BY BANK DRAFT.

PLEASE DETACH AND RETURN THIS PORTION IF PAYING BY MAIL

10/18 90.95
9/12 180.80
8/14 136.20

| | |
|---------------------------|-----------------|
| Account Number | 06-3305340 |
| Service Address | 1839 DANAS COVE |
| Amount Due | 671.40 |
| Due Date | 11/15/2019 |
| Amount Due After Due Date | 738.54 |

7/15 180.80
6/14 118.36 5/17 130.20

BRANDI ARTON
1839 DANAS CV
HERNANDO MS 38632-8825

Plumber receipt

| Period | Code | Previous Reading | Present Reading | Consumption | Amount Due |
|------------|------|------------------|-----------------|-------------|------------|
| 11/30/2019 | 10 | | | | 0.00 |
| 10/31/2019 | 10 | 2066 | 2137 | 71 | 676.67 |
| 09/30/2019 | 10 | 2061 | 2066 | 5 | 82.66 |
| 08/31/2019 | 10 | 2045 | 2061 | 16 | 180.80 |
| 07/31/2019 | 10 | 2034 | 2045 | 11 | 136.20 |
| 06/30/2019 | 10 | 2018 | 2034 | 16 | 169.60 |
| 05/31/2019 | 10 | 2009 | 2018 | 9 | 118.36 |
| 04/30/2019 | 10 | 2000 | 2009 | 9 | 130.20 |
| 03/31/2019 | 10 | 1991 | 2000 | 9 | 118.36 |
| 02/28/2019 | 10 | 1984 | 1991 | 7 | 99.82 |
| 01/31/2019 | 10 | 1975 | 1984 | 9 | 118.36 |
| 12/31/2018 | 10 | 1965 | 1975 | 10 | 122.28 |
| 11/15/2018 | 10 | 1947 | 1965 | 18 | 169.44 |

71
- 11
60 X 3.50 = 210.00
210 ÷ 2 = 105.00
60 X 3.84 = 230.40
545.40

Brandi Arton presented her information for appealing the denial. Mrs. Arton stated that she thinks Cspire did something and used her water. Mrs. Arton stated she doesn't and have a leak.

Alderman Higdon stated the usage definitely wen up and back down.

Alderman Hobbs stated you'd definitely notice a big leak.

Brandi Arton stated I agree, I can't explain it, no leaks.

Alderman Higdon asked if there is a new meter at this address.

Public Works Director Bobby Burton answered no sir.

Alderman Higdon stated Cspire does use lots of water when drilling.

Brandi Arton stated right. They could have used mine, I don't know, might not have.

Alderman Higdon asked Mr. Burton if he had any recommendation.
Bobby Burton answered no sir.

Alderman Higdon asked how many gallons flow through an open line, garden hose.

Bobby Burton stated 1,000 every 57 mins.

Alderman Higdon stated you had someone watch the meter.

Brandi Arton answered yes, for 30 mins, it didn't move.

Alderman Hobbs asked Mr. Burton if you have a toilet leak, how many gallons go through.

Bobby Burton answered it varies. A slow leak would be 4 to 5,000 a month. If its is a wide open flap it would be 150,000 gallons in 28 days, but they should have heard that.

Alderman McLendon asked when was Cspire there.

Brandi Arton answered she isn't exactly sure, still had flags there around Halloween.

Alderman Miller asked if we can look at the historic reading.

Bobby Burton answered not with that meter.

Alderman Hobbs asked if Mrs. Arton went through the correct process.

Brandi Arton answered yes. Mrs. Arton stated she even called a plumber out, he didn't see any obvious leaks. There was no leak.

Alderman Harris stated you're a school teacher, so no one is at home during the day.

Brandi Arton answered no sir.

Motion was duly made by Alderman Miller and seconded by Alderman Harris to authorize to adjust the utility bill for Brandi Arton in the amount of \$545.40, 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, Alderman Hobbs, Alderman Harris, Alderman Bryant, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019

**GO INTO CLOSED SESSION TO DISCUSS GOING INTO EXECUTIVE SESSION FOR
FIRE/EMS PERSONNEL, NEGOTIATIONS, AND LITIGATION**

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to go into Closed Session to discuss going into executive session for Fire/EMS Personnel, Negotiations, Litigation. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019

**GO INTO EXECUTIVE SESSION FOR FIRE/EMS PERSONNEL, NEGOTIATIONS,
AND LITIGATION**

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to go into Executive Session for Fire/EMS Personnel, Negotiations, and Litigation. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019

COME OUT OF EXECUTIVE SESSION

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019

FIRE/EMS PERSONNEL

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to demote Damon Rickett from Lieutenant to Driver in the Fire Department, effective immediately, per the Fire/EMS Chief's recommendation. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019

WREN STREET ROW

Motion was duly made by Alderman Hobbs and seconded by Alderman Bryant to Authorize the City Attorney to provide notice to the current occupants and have a notice posted at the home and on the fence, giving them to December 4, 2019 to remove the fence from the City ROW. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019

LANIER PARK

Motion was duly made by Alderman Hobbs and seconded by Alderman Higdon to Authorize the Mayor to move forward with the Lanier Park project, adjusting the Nesbit Square project funding, MPO to Lanier Park project from the Nesbit Square project. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2019

ADJOURN

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

Motion passed with a unanimous vote of "Aye".

MAYOR TOM FERGUSON

ATTEST:

KATIE HARBIN, CITY CLERK