

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, December 17, 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, Assistant Police Chief Shane Ellis, Assistant Public Works Director Mikey Dyer, Court Clerk Cassaundra Perry, Planning Director Keith Briley, Community and Economic Development Director Gia Matheny, Parks and Recreation Director Dewayne Williams, Chris Tong, Steve Canizaro, and Sean Hilsdon.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance

INVOCATION

Alderman Harris gave the invocation.

AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

December 17, 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 34182 – 34434 less 34224 and 34225
- 6) Approve Docket of Claims No.'s 34224 and 34225 (Bryant)
- 7) Approve Minutes
- 8) Consent Agenda
 - A) Authorize Michael Carson to attend the MS Soccer Association AGM and Registrar Summit in Jackson, MS on January 24 – 26, 2020, and also authorize to pay travel expenses
 - B) Authorize the Gia Matheny, Kristen Duggan and Katie Harbin to attend the Mayor's Youth Council Summit meeting with the Mayor's Youth Council in Hattiesburg, MS on February 28 – 29, 2020, and also authorize to pay registration and travel expenses
 - C) Authorize Gia Matheny to attend the Sustainable Agriculture Working Group (SWAG) Conference on January 23 – 27, 2020 in Little Rock, AR (registration and travel paid by the USDA FMPP grant)
 - D) Authorize Hank Hudson, Drake Gabbard, and Chris Sims to attend the Fire Fighter 1001 I-II State Certification Course on February 24 – April 9, 2020 in

- Pearl, MS at the Mississippi State Fire Academy, and also authorize to pay registration and travel expenses
- E) Authorize to accept a donation from SPCA of Memphis in the amount of \$250.00 for vetting expenses in the Animal Control Department
 - F) Authorize to pay Pickering Invoice Package # 4 in the amount of \$46,920.13 for the McIngvale Road Realignment Project
 - G) Authorize to pay Quincy Randle Invoice 190636 in the amount of \$905.00 for Cemetery Maintenance
 - H) Authorize to pay Universal Premium Invoice 121019 in the amount of \$3,914.93 for fuel
 - I) Authorize to pay Entergy \$4,794.61 for the underground electric services at Renasant Park, for the Recreation Trails Program grant
 - J) Authorize to pay Cleveland Construction Invoice 9483 in the amount of \$14,960.00 for construction improvements to the Renasant Bridge for the Recreation Trails Program grant
 - K) Authorize to pay Cleveland Construction Invoice 9482 in the amount of \$4,385.00 for electric conduit for the Renasant Park for the Recreation Trails Program grant
 - L) Authorize to pay Cleveland Construction Invoice 9484 in the amount of \$3,120.00 for installing compacted fill clay dirt for the Animal Shelter foundation
 - M) Authorize to pay Riverside Traffic Systems Invoice 7133094 in the amount of \$1,608.75 for 4" Thermo parking stripe around the square
 - N) Authorize to pay Henry Schein Invoice 71587938 in the amount of \$544.25 for Ambulance Equipment (sscort III Suction Unit)
 - O) Authorize to pay EEP Invoice 352281 in the amount of \$1,983.20 for Ambulance Supplies (Technimount Monitor Holder Bracket Pro Series 25 Zoll and Technimount Universal Base Mount for Monitor Holder)
 - P) Authorize to pay Zoll Invoice WEB142534 in the amount of \$2,066.40 for Ambulance Supplies (4 Bay SurePower Charger w/4 charger adapters)
- 9) Discussion of closing City offices at 3pm on December 31, 2019
- 10) Authorize to hire Davis Smith as a part time Animal Shelter Tech
- 11) PL-1409 – Request approval of an Amendment to a Site Zoned C-4 Planned Commercial – Community Bank Plaza Lot 1 on the South Side of East Commerce Street, East of Mt. Pleasant Road and west of East Parkway – David Bailey with Oldacre McDonald, LLC
- 12) PL-1424 – Request for Final Plat Approval for Crossroads Subdivision Phase 2 – 380 Highway 51 – Bob Ginn with Land Development Resources, LLC
- 13) PL-1425 - Request Approval of a Zoning Text Amendment Regarding Fences in the Required Front Yard Setback on Double Frontage Lots – 475 West Commerce Street – Keith Briley, Planning Director
- 14) PL-1396 – Request Approval of an Amendment to the Design Standards Ordinance Regarding the Design Review Committee – 475 West Commerce Street – Keith Briley, AICP, Planning Director
- 15) Authorize Mayor Ferguson to sign an agreement with Cline Tours Inc. for the use of a bus for the Mayors Youth Council Summit Trip
- 16) Authorize Mayor Ferguson to sign the Blue Cross Blue Shield Healthy Hero's Grant Agreement
- 17) Authorize to hire Neel Schafer for the Design and CE&I for the Conger Park Multi Use Pathway Improvement Project with the Healthy Hero's grant and authorize Mayor Ferguson to sign documents

- 18) Authorize Mayor Ferguson to sign a Contractor Agreement with Start 2 Finish for the Water Tower 10K 2020
- 19) Authorize to hire Pickering to do a traffic study at the Intersection of McIngvale Rd and Holly Springs Rd
- 20) Authorize to advertise and receive bids for Municipal Depository
- 21) Authorize to adjust Utility Bill for Regina Fuel
- 22) Authorize to adjust Utility Bill for Cynthia Wills
- 23) Executive Session for Negotiations and Personnel
- 24) Adjourn

Motion was duly made by Alderman Miller and seconded by Alderman McLendon 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 17th day of December, 2019.

APPROVE DOCKET OF CLAIMS NO.'S 34182 – 34434 LESS 34224 AND 34225

The Board of Aldermen were presented with a docket of claims No. less 34182 - 34434 less 34224 and 34225 in the amount of \$631,260.79 for approval.

Motion was duly made by Alderman Higdon and seconded by Alderman Harris 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 17th day of December, 2019.

APPROVE DOCKET OF CLAIMS NO.'S 34224 AND 34225 (BRYANT)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 34224 and 34225 in the amount of \$106.90 for approval.

Motion was duly made by Alderman Harris 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 17th day of December, 2019.

APPROVE THE MINUTES FROM THE REGULAR MAYOR AND BOARD OF ALDERMEN MEETING ON DECEMBER 3, 2019

Motion was duly made by Alderman Harris and seconded by Alderman Hobbs to approve the minutes from the regular Mayor and Board of Aldermen Meeting on December 3, 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 17th day of December, 2019.

CONSENT AGENDA

- A) Authorize Michael Carson to attend the MS Soccer Association AGM and Registrar Summit in Jackson, MS on January 24 – 26, 2020, and also authorize to pay travel expenses
- B) Authorize the Gia Matheny, Kristen Duggan and Katie Harbin to attend the Mayor’s Youth Council Summit meeting with the Mayor’s Youth Council in Hattiesburg, MS on February 28 – 29, 2020, and also authorize to pay registration and travel expenses
- C) Authorize Gia Matheny to attend the Sustainable Agriculture Working Group (SWAG) Conference on January 23 – 27, 2020 in Little Rock, AR (registration and travel paid by the USDA FMPP grant)
- D) Authorize Hank Hudson, Drake Gabbard, and Chris Sims to attend the Fire Fighter 1001 I-II State Certification Course on February 24 – April 9, 2020 in Pearl, MS at the Mississippi State Fire Academy, and also authorize to pay registration and travel expenses
- E) Authorize to accept a donation from SPCA of Memphis in the amount of \$250.00 for vetting expenses in the Animal Control Department
- F) Authorize to pay Pickering Invoice Package # 4 in the amount of \$46,920.13 for the McIngvale Road Realignment Project
- G) Authorize to pay Quincy Randle Invoice 190636 in the amount of \$905.00 for Cemetery Maintenance
- H) Authorize to pay Universal Premium Invoice 121019 in the amount of \$3,914.93 for fuel
- I) Authorize to pay Entergy \$4,794.61 for the underground electric services at Renasant Park, for the Recreation Trails Program grant
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- P) Authorize to pay Zoll Invoice WEB142534 in the amount of \$2,066.40 for Ambulance Supplies (4 Bay SurePower Charger w/4 charger adapters)

Motion was duly made by Alderman Miller and seconded by Alderman Hgidon 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 17th day of December, 2019.

DISCUSSION OF CLOSING CITY OFFICES AT 3PM ON DECEMBER 31, 2019

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to authorize to allow City Offices to close at 3pm on December 31, 2019. 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 17th day of December, 2019.

AUTHORIZE TO HIRE DAVIS SMITH AS A PART TIME ANIMAL SHELTER TECH

Motion was duly made by Alderman Higdon and seconded by Alderman Miller to authorize to hire Davis Smith as a part time Animal Shelter Tech, following the recommendation of the Personnel Committee, based on the recommendation of the Police 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 17th day of December, 2019.

PL – 1409 – REQUEST APPROVAL OF AN AMENDMENT TO A SITE ZONED C-4 PLANNED COMMERCIAL – COMMUNITY BANK PLAZA LOT 1 ON THE SOUTH SIDE OF EAST COMMERCE STREET, EAST OF MT. PLEASANT ROAD AND WEST OF EAST PARKWAY – DAVID BAILEY WITH OLDACRE MCDONALD, LLC

Planning Director Keith Briley presented the information.



**City of
Hernando**
MISSISSIPPI

**BOARD OF ALDERMEN
STAFF REPORT**

Project No.:	PL-1409	Item No.:	___
Request:	Request Approval of an Amendment to a Site Zoned C-4 Planned Commercial		
Location:	Community Bank Plaza Lot 1 on the South Side of East Commerce Street, East of Mt. Pleasant Road and west of East Parkway		
Applicant:	David Bailey with Oldacre McDonald, LLC		
Date:	December 17, 2019		

INTRODUCTION:

Mr. David Bailey with Oldacre McDonald, LLC is requesting approval of an Amendment to a Site Zoned C-4 Planned Commercial.

BACKGROUND:

The subject property is Lot 1 of the Community Bank Plaza located the South Side of East Commerce Street and has a Parcel ID Number of 307418543 0000100. The property was rezoned from C-2 to C-4 during a comprehensive rezoning in 2007 and is currently vacant.

The application was previously heard and approved by the Planning Commission on September 10, 2019, and by the Board of Aldermen on September 17, 2019. During the previous approval process, the applicant did not erect the Red Zoning Action Sign on the property. As a result, the application is being resubmitted.

DISCUSSION:

Article XVIII Amendments of the City of Hernando Zoning Ordinance allows for the amendment of the text or map of the Zoning Ordinance provided the applicant demonstrates the appropriateness of the change and address the following criteria for the zoning amendment.

1. How the proposed amendment would conform to the General Development Plan.

Applicant: The original zoning was not thorough enough to include the highest and best use of the property.

Planning Staff: The Future Land Use Plans designates this area as Activity – Retail. This designation can be supported by the C-4 Planned Commercial Zoning District.

2. Why the existing zoning district classification of the property in question is inappropriate or improper.

Applicant: Given the nature of the location and the surrounding developments, the uses listed in the current C-4 zoning do not adequately capture the best use for the property. The C-4 zoning simply needs to be modified to include our use of an automotive repair shop.

Planning Staff: The existing zoning is not inappropriate as the C-4 Planned Commercial District allows more flexibility in the determination of uses to be allowed.

3. That major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the General Development Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate;

Applicant: Market dictates that there is a need for this use in the area. Additionally, it will bring high quality and sustainable jobs to the region.

Planning Staff: The properties around the site have developed as commercial uses in keeping with the Future Land Use Plan, thus adding to the existing Commercial Corridor along East Commerce Street.

PLANNED COMMERCIAL DISTRICT ANALYSIS:

Permitted Uses

In the documentation provided by the applicant, language has been included that states the allowable uses of the C-4 Planned Commercial District for the subject property. One of the uses stated therein is an auto body repair shop with onsite storage of vehicles.

Prohibited Uses

Article IX Planned and Overlay Districts §a. “C-4” Planned Commercial Districts ¶ iii. Prohibits the following uses.

1. Adult Entertainment
2. Night Clubs, Bars, and Taverns
3. Salvage Yards
4. Outside Storage

Site Plan

The applicant has supplied a site plan showing the proposed 14,718 square foot building centered in the rear of the lot. There will be a driveway from Commerce Street extending to the rear of the lot. The site will have parking on all sides of the building. The site plan indicates that there will be a landscaped buffer yard on all sides of the property. The site plan indicates that there will be a site proof fence surrounding the parking lot storage area.

Site Development Regulations

The bulk regulation requirements are found in Article IX Planned and Overlay Districts §a. “C-4” Planned commercial Districts ¶ v. of the City of Hernando Zoning Ordinance.

Landscape Bufferyard Requirements

There will be landscaped bufferyards along all four sides of the property.

Visibility Area at Entrances / Intersections

The connection to East Commerce Street will be by an existing driveway that is part of Lot 1. Visibility will not change as a result of the proposed project.

Traffic Access Control Standards

The applicant has supplied a Transportation Impact Questionnaire for the proposed project. The anticipated peak hour impact is 24 trips base on ITE Trip Generation Manual.

STAFF COMMENTS:

1. Highlighted text in the Plan Text indicate changes that were made to address comments from the Board of Aldermen at the September 17, 2019, Board meeting.
2. The access drive for the property is a part of the Lot 1 of the Community Bank Plaza. See attached copy of the final plat.
3. If approved by the Board of Aldermen, the applicant shall submit for Certificate of Development approval.
4. Prior to Certificate of Development approval, the applicant shall revise the building elevations to eliminate the Stage Set Façade of the building. Chapter 7. §G. ¶ 3. of the Design Standards Ordinance states that *"Stage-set" facades are prohibited. The continuity of design goes beyond the primary elevation of the building. The materials and colors of the street face shall continue on the sides and rear of the building.*
5. After Certificate of Development approval, the applicant shall submit for Construction Permit approval.

PLANNING COMMISSION ACTION:

The Planning Commission met on Tuesday, December 10, 2019, and voted to recommend Approval of an amendment to the C-4 Planned Commercial zoning of Parcel ID Number of 307418543 0000100, said parcel being Lot 1 of the Community Bank Plaza, subject to Staff Comments.

STAFF RECOMMENDATION:

Because the requested zoning amendment is in keeping with the flexibility of the C-4 Planned Commercial Zoning District, Staff recommends approval subject to staff comments.

PROPOSED MOTION:

I move to approve an amendment to the C-4 Planned Commercial zoning of Parcel ID Number 307418543 0000100, said parcel being Lot 1 of the Community Bank Plaza, subject to Staff Comments.

Alderman McLendon asked if we can keep the C-4 and keep what they wanted, add it.

Keith Briley answered that we are not changing the C-4, just adding.

Alderwoman Brooks asked if it is still in there that they are responsible for the street.

Keith Briley answered yes, the drive is part of their property.

Motion was duly made by Alderman Harris and seconded by Alderman Miller to approve an amendment to the C-4 Planned Commercial zoning of Parcel ID Number 307418543 0000100, said parcel being Lot 1 of the Community Bank Plaza, 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, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2019.

**PL – 1424 – REQUEST FOR FINAL PLAT APPROVAL FOR CROSSROADS
SUBDIVISION PHASE 2 – 380 HIGHWAY 51 – BOB GINN WITH LAND
DEVELOPMENT RESOURCES, LLC**

Planning Director Keith Briley presented the information.



**City of
Hernando**
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**BOARD OF ALDERMEN
STAFF REPORT**

Project No.:	PL-1424	Item No. ___
Request:	Final Plat Approval for Crossroads Subdivision Phase 2	
Location:	East of Highway 51, South of I-269, and West of I-55	
Applicant:	Mr. Bob Ginn with Land Development Resources, LLC	
Date:	December 17, 2018	

INTRODUCTION:

Mr. Bob Ginn with Land Development Resources, LLC is requesting Final Plat approval for a 44-Lot 19.07-Acre Residential Subdivision located East of Highway 51, South of I-269, and West of I-55.

BACKGROUND:

The subject property is Parcels No. 307306000 0000300 and 308101000 0002200. The subject property is part of a larger area that the Planning Commission recommended approval of rezoning of the subject property from PUD Planned Unit Development to R-12 Single-Family Residential, Medium Density. On September 19, 2017, the Board of Aldermen approved the rezoning. On January 9, 2018, the Planning Commission approved the Preliminary Plat for Wilkins Subdivision an outline of the entire proposed development.

The Final Plat for Crossroads Subdivision Phase 1 (PL-1310) was approved by the Planning Commission on March 13, 2018, and by the Board of Aldermen on March 20, 2018. A Subdivision Development Agreement for Phase 1 was approved by the Board of Aldermen on August 21, 2018.

DISCUSSION:

The proposed phase 2 will consist of 44 residential lots varying in size from a minimum of 12,000 square feet to a maximum lot size of 22,922 square feet. There will be one (1) Open Space lot of 112,966 square feet (2.59 acres) in the southwest corner of Phase 2 which is a detention pond. The proposed subdivision will have an access point to U.S. Highway 51 via

Crossroads Boulevard. Secondary access to the site will be by connection to Fawn Grove Trail in the southeast corner of the property. The proposed streets will have a right-of-way width of 50-feet, meeting the requirements of the Subdivision Regulations. Each lot will have the required setbacks listed below which conform to the zoning district requirements.

Front.....25 feet

Side5 feet min, total of 15 feet

Rear.....20

STAFF COMMENTS:

Standard Subdivision Comments

1. All landscaping in all common open space areas, natural areas, buffer areas, streetscape areas, medians, islands, and the entrance signage areas and such other associated improvements shall be installed/constructed prior to the issuance of any building permit within that respective phase of the development. Street trees may be bonded insuring their installation prior to the final inspection and occupancy of the residence upon each lot.
2. Improvements are to be the responsibility of the developer and not the responsibility of the City of Hernando.
3. Grading, drainage, and engineering construction plans shall be submitted to the Office of Planning for review and approval by the City Engineer and Public Works Director.
4. The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, gas mains and service, curb and gutter for all streets, and gravel or soil cement base for the streets and one (1) layer of blacktop, 1½" thick, before the plat of the subdivision, or any phase of the subdivision, is recorded. A performance guarantee must be filed for the remainder of the improvements in an amount set by the City Engineer. This includes another 1½" of blacktop making a total of three (3") of blacktop surface and sidewalks.
5. Sidewalks shall be installed on the both sides of all streets.
6. Finished floor elevations shall be listed for each lot.
7. The Developer shall submit a Streetlight plan to the Office of Planning for City Engineer and Planning Director approval. The City will then submit to Entergy for installation.
8. All utilities and services (electric, telephone, cable, etc.) are to be installed underground. The water service lines shall be installed with tracing wire at the top.
9. No relocated buildings will be allowed.
10. Surrounding properties that are within 100 ft. shall be outlined with ownership records given.
11. Federal Emergency Management Agency (FEMA) designated floodplain and flood elevations shall be illustrated on the plat.
12. Prior to recoding the final plat, all Public Improvements shall be installed, completed, and accepted by the City of Hernando.
13. Prior to recording the final plat, the Developer shall include all required certificates and execute those that are applicable to him and his assigns.
14. Following Final Plat Approval by the Board of Aldermen, the Developer shall submit two (2) complete sets of construction plans for review and approval to the Office of Planning.
15. Following Final Plat Approval by the Board of Aldermen and prior to the beginning of construction, the Developer shall enter into a Development Contract with the City of Hernando for the installation of all required Public Improvements. This is in accordance

with Article VI Required Minimum Improvements, §B. Procedures for Posting or Release of Bonds of the City of Hernando's Land Subdivision Ordinance.

16. Prior to recording the final plat, the Developer shall submit for approval a schedule of Lot Numbers and associated street addresses to the Office of Planning. Corner lots shall include potential addresses for both streets.
17. Prior to Construction Plan approval, the Developer shall obtain a Large Area Grading Permit from the Mississippi Department of Environmental Quality (MDEQ) and submit a copy to the Office of Planning.
18. Prior to submitting the plat for recording, the applicant shall coordinate with the Post Office the centralized delivery location of the mail boxes.

Project Specific Comments

1. Prior to Recording Final Plat, the Developer shall enter into a Subdivision Development Agreement with the City of Hernando. The Bond Amounts for the public improvement will be set at this time.
2. The Restrictive Covenants for Phase 2 shall be the same as Phase 1.

PLANNING COMMISSION ACTION:

The Planning Commission met on Tuesday, December 10, 2019, and voted to grant Final Plat approval for Crossroads Subdivision Phase 2, a 44-Lot 19.07-Acre Residential Subdivision located east of Highway 51, south of I-269, and West of I-55, subject to Staff Comments.

STAFF RECOMMENDATION:

Staff recommends approval subject to staff comments.

PROPOSED MOTION:

I move to grant Final Plat approval for Crossroads Subdivision Phase 2, a 44-Lot 19.07-Acre Residential Subdivision located east of Highway 51, south of I-269, and West of I-55, subject to Staff Comments.

Alderman Higdon asked who is responsible for the detention pond.

Keith Briley answered it's common open space, so the HOA.

Mayor Ferguson asked what if the HOA fails.

Keith Birley answered whomever would get the property at the tax sale would then be responsible.

Mayor Ferguson stated if it fails it will revert back to the State of MS.

Keith Briley stated they will sale it at a tax sale.

Alderman Miller stated I don't think there's anything we can do.

Mayor Ferguson asked when will the HOA be established.

Crossroads Subd stated as soon as the first person moves in, we already have it set up with a management company.

Alderman McLendon asked about the entrance from Crossroads to Deer Creek, could we add a speed hump on the street.

Kenny Stockton stated you would have to do that when they turn the streets over, you'd have to look into that.

Alderman McLendon asked if the developer is willing to pay for it.

Alderman Miller stated it's a safety issue, I've been waiting on one for 8 years.

Alderman McLendon stated the difference is this is a new subdivision and the developer might pay for it, versus the one you're speaking of is an existing subdivision, the City would have to pay.

Motion was duly made by Alderman McLendon and seconded by Alderman Harris to grant Final Plat approval for Crossroads Subdivision Phase 2, a 44-Lot 19.07 Acre Residential Subdivision located east of Highway 51, south of I-269, and West of I-55, subject to Staff Comments. 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 17th day of December, 2019.

**PL – 1425 – REQUEST APPROVAL OF A ZONING TEXT AMENDMENT
REGARDING FENCES IN THE REQUIRED FRONT YARD SETBACK ON DOUBLE
FRONTAGE LOTS – 475 WEST COMMERCE STREET – KEITH BRILEY, AICP,
PLANNING DIRECTOR**

Planning Director Keith Briley presented the information.



**City of
Hernando**
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**BOARD OF ALDERMEN
STAFF REPORT**

Project No.:	PL-1425	Item No.:	__
Request:	Approval of a Zoning Text Amendment Regarding Fences in the Required Front Yard Setback on Double Frontage Lots		
Location:	475 West Commerce Street		
Applicant:	Keith Briley, AICP		
Date:	December 17, 2019		

INTRODUCTION:

Mr. Keith Briley, AICP, Planning Director for the City of Hernando, is requesting Approval of a Zoning Ordinance Text Amendment Regarding Fences in the Required Front Yard Setback on Double Frontage Lots.

BACKGROUND:

Currently the City of Hernando Zoning Ordinance requires that all fences located within the required front yard setback be no taller than 48-inches (4-feet) in height.

DISCUSSION:

Over the past six months there has been several variance requests that have come before the Planning Commission (PC) to allow a fence taller than 48-inches to encroach into the required

front yard setback on corner lots. All have gone before the Board of Aldermen (BOA) for appeal.

<u>Case No.</u>	<u>Location</u>	<u>PC Meeting</u>	<u>PC Action</u>	<u>BOA Meeting</u>	<u>BOA Action</u>
PL-1397	3470 Bates Way	June 11, 2019	Denied	July 16, 2019	Overturned
PL-1417	3458 Bates Way	Oct. 8, 2019	Denied	Nov. 5, 2019	Overturned
PL-1419	3459 Bates Way	Nov. 12, 2019	Denied	Dec. 3, 2019	Overturned

Following the November 5, 2019, appeal of Case No. PL-1417 to the Board of Aldermen, the Board of Aldermen instructed Staff has drafted an amendment to the Zoning Ordinance that would address the possibility of not needing a variance to have a fence at full height in the required front yard of a corner lot. Staff has drafted a amendment to Article XII Accessory Buildings and Uses §b. Fences, Walls, and Hedges of the Zoning Ordinance that will address a fence encroaching into the required setback of a corner lot at a height greater than 48-inches.

STAFF COMMENTS:

6. When drafting the amendment, Staff examined the requirements of Horn Lake, Southaven, and Olive Branch. All three municipalities have similar language that allows the side yard of a corner lot to have a slight fence encroachment at 6-feet in height.
7. The proposed amendment does not remove the maximum fenced height for the front yard designated as the entrance for the property as determined by the street address.
8. The proposed amendment allows for the front yard which is not designated for the entrance to have a fence at a maximum height of 6-feet tall encroach into the required front yard setback.

PLANNING COMMISSION ACTION:

The Planning Commission met on Tuesday, December 10, 2019, and voted to recommend Approval of a Zoning Ordinance Text Amendment to Article XII Accessory Buildings and Uses §b. Fences, Walls, and Hedges of the Zoning Ordinance to allow fences to encroach the required front yard setback of a corner lot, subject to staff comments.

STAFF RECOMMENDATION:

Staff Recommendation is for approval

PROPOSED MOTION:

I move to approve the Zoning Ordinance Text Amendment to Article XII Accessory Buildings and Uses §b. Fences, Walls, and Hedges of the City of Hernando Zoning Ordinance to allow fences to encroach into the required front yard setback of a corner lot, subject to staff comments.

PROPOSED AMENDMENT:***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.

(1) Corner Lots

(a) The front yard designated as the entrance, which shall be determined by the street address for the subject property, must conform to the requirements stated above in paragraph i. of this section.

(b) The front yard which is not designated for the entrance may have a fence not taller than six (6) feet encroach a maximum distance of ten (10') feet into the required yard setback, provided the fence is at least ten (10') feet from the street right-of-way.

- ii. In the Office Commercial Zones, fences in yards adjoining streets are not allowed
- iii. Any privacy fence containing cross members between posts shall expose cross members to the interior of the area being fenced.
- iv. No fence shall exceed ten feet in height measured from the finished grade of the lot or property upon which the fence is being erected except as otherwise provided for in this article.
- v. Permitted materials. Materials permitted are wood, wrought iron, stone, and masonry. Vinyl or fiberglass composite materials may be utilized if the material is listed, designed, and constructed for fencing materials.

(1) Information on plans.

(a) Plans shall include the following:

- (i) Building locations and area to be fenced.
- (ii) Copy of the platted lot for corner lots.
- (iii) Height of fence and type of materials to be used.
- (iv) Intersections of streets, roads, highways, alleys and driveways.
- (v) Zoning.
- (vi) Corner "visibility range," when required, shall be shown.

Alderman Hobbs asked if it can be added if they go the 10 ft, if over a utility easement, it is there homeowners responsibility to pay.

Keith Briley stated that the City Attorney has given him some language, he can use a "hold harmless" or "encroachment agreement".

Kenny Stockton stated I think that should be a policy instead of in the ordinance.

Mayor Ferguson asked don't we have the right to our ROW.

Kenny Stockton answered yes, but this would be better to cover the gray area.

Alderman McLendon asked if this affected the historic district.

Keith Briley answered yes, all districts.

**ORDINANCE OF THE CITY OF HERNANDO FOR THE PURPOSE OF AMENDING
THE ARTICLE XVI THE PLANNING COMMISSION OF THE CITY OF HERNANDO
ZONING ORDINANCE**

WHEREAS, the Mayor and Board of Aldermen of the City of Hernando, Mississippi, are empowered, pursuant to Chapter 1 of Title 17 of the Mississippi Code of 1972, as amended, to establish, enforce, amend, supplement, or change zoning regulations; and

WHEREAS, pursuant to § 21-19-1 et seq., of the Mississippi Code of 1972, as amended, the Mayor and Board of Aldermen have the power to make regulations to secure the general health of the City; to preserve good order and peace of the City; and to adopt codes dealing with general public health, safety, and welfare; and

WHEREAS, pursuant to § Section 21-17-5, of the Mississippi Code of 1972, as amended, the Mayor and Board of Aldermen have the authority to adopt any orders, resolutions, or ordinances with respect to the municipal affairs of the City, which are not inconsistent with the Mississippi Constitution of 1890 or any other statute or law of the State; and

WHEREAS, the City of Hernando Planning Commission (the "Planning Commission") scheduled a public hearing on the proposed amendments for the 10th day of December 2019; and

WHEREAS, notice of the December 10, 2019, public hearing was published in the DeSoto Times-Tribune, a newspaper published, or of general circulation, in the City of Hernando, DeSoto County, Mississippi, in the manner and for the time required by law, and as shown by proof of publication on file with the City; and

WHEREAS, at the December 10, 2019, Planning Commission meeting, the Planning Commission reviewed, considered, and approved the proposed amendments, and did thereafter, forward its recommendation to the Mayor and Board of Aldermen; and

WHEREAS, the Mayor and Board of Aldermen have found and determined that the following regulations as set forth in this Ordinance are in the best interest of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Hernando, Mississippi, as follows:

That Article XII Accessory Buildings and Uses Section b. Fences, Walls, and Hedges of the City of Hernando Zoning Ordinance shall be amended in its entirety to read as follows.

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.

(1) Corner Lots

- (a) The front yard designated as the entrance, which shall be determined by the street address for the subject property, must conform to the requirements stated above in paragraph i. of this section.
- (b) The front yard which is not designated for the entrance may have a fence not taller than six (6) feet encroach a maximum distance of ten (10') feet into the required yard setback, provided the fence is at least ten (10') feet from the street

right-of-way.

- ii. In the Office Commercial Zones, fences in yards adjoining streets are not allowed
- iii. Any privacy fence containing cross members between posts shall expose cross members to the interior of the area being fenced.
- iv. No fence shall exceed ten feet in height measured from the finished grade of the lot or property upon which the fence is being erected except as otherwise provided for in this article.
- v. Permitted materials. Materials permitted are wood, wrought iron, stone, and masonry. Vinyl or fiberglass composite materials may be utilized if the material is listed, designed, and constructed for fencing materials.

(1) Information on plans.

(a) Plans shall include the following:

- (i) Building locations and area to be fenced.
- (ii) Copy of the platted lot for corner lots.
- (iii) Height of fence and type of materials to be used.
- (iv) Intersections of streets, roads, highways, alleys and driveways.
- (v) Zoning.
- (vi) Corner "visibility range," when required, shall be shown.

SO Adopted, on this the 17th day of December 2019

VOTE:

VOTE:	YEA	NAY
ALDERMAN HARRIS	<u> X </u>	<u> </u>
ALDERMAN BRYANT	<u> X </u>	<u> </u>
ALDERMAN MILLER	<u> X </u>	<u> </u>
ALDERMAN HIGDON	<u> X </u>	<u> </u>
ALDERMAN MCCLENDON	<u> X </u>	<u> </u>
ALDERMAN BROOKS	<u> X </u>	<u> </u>
ALDERMAN HOBBS	<u> X </u>	<u> </u>

APPROVED:

TOM FERGUSON, MAYOR

ATTEST:

KATIE HARBIN, CITY CLERK

(SEAL)

PL – 1396 – REQUEST APPROVAL OF AN AMENDMENT TO THE DESIGN STANDARDS ORDINANCE REGARDING THE DESIGN REVIEW COMMITTEE – 475 WEST COMMERCE STREET – KEITH BRILEY, AICP, PLANNING DIRECTOR

Planning Director Keith Briley presented.



**City of
Hernando**
MISSISSIPPI

**BOARD OF ALDERMEN
STAFF REPORT**

Project No.:	PL-1396	Item No.:	__
Request:	Amendment to the Design Standards Ordinance		
Location:	475 West Commerce Street		
Applicant:	Keith Briley, AICP, Planning Director		
Date:	December 17, 2019		

INTRODUCTION:

At the instruction of the Mayor, the Planning Director for the City of Hernando is requesting approval of a text amendment to the Design Standards Ordinance.

BACKGROUND:

The Board of Aldermen adopted the Zoning Ordinance, Zoning Map, Design Standards, and Subdivision Regulations on August 19, 2008. The new ordinances were based upon the 2007 Hernando General Development Plan.

On September 11, 2018, the Planning Commission voted to recommend approval to the Board of Aldermen text amendments to the Design Standards Ordinance. On September 18, 2018, the Board of Aldermen voted to approve the amendments to correct various grammatical errors and reference errors that were a part of the text as previously adopted and additional amendments resulting from review and recommendation of the Planning Staff.

DISCUSSION:

This amendment is requested to the Chapter 8 of the Design Standards Ordinance to add the Police Chief, Fire Chief, Public Works Director, and Mayor to the list of Site Plan Review Committee members.

STAFF COMMENTS:

1. The Design Standards adopted on August 19, 2008, established the Site Plan Review Committee with the following members: Building Official, Planning Director, Chief of Police, Fire Chief, Director of Public Works, City Clerk, and Mayor and the Chairman of the Planning Commission.
2. The Design Standards amendment adopted on September 18, 2018, amended the makeup of the Site Plan Review Committee to the following: Planning Director, Zoning Administrator, Building Official, and any other such employee of the City of Hernando as considered necessary by the Planning Director to properly review Development Plan applications.

3. The following is an excerpt from the discussion at the September 18, 2018, Board of Aldermen concerning the Site Plan Review Committee.
 - *Alderman Miler asked about page 35.*
 - *Keith Briley answered that is for the site plan review committee, I'm proposing to do what the county does.*
 - *Alderman Miller asked Mr. Briley why he wants to change it.*
 - *Keith Briley answered that the committee hasn't met regularly.*Please see the attached copy of the Board of Aldermen minutes for item PL-1348 for the entire discussion regarding the previously approved amendment.
4. This exchange was the only discussion about the Site Plan Review Committee by the Board or the Mayor. When the overall amendment passed, no conditions or revision for the Site Plan Review Committee were included.
5. In addition to the Site Plan Review Committee not meeting during the first year of the current Planning Director's tenure, even though there were several applications for Certificate of Development, the change was proposed to assist the Office of Planning in reducing review time and simplifying the Certificate of Development approval process.
6. Certificate of Development Approval is a review of a proposed development for Zoning Ordinance and Design Standards Ordinance compliance only.
7. Certificate of Development Approval review does not include Building Code and Fire Code reviews. For this reason, Staff believes the Building Official should be removed from the list of Site Plan Review Committee members.
8. Staff believes adding members to the Site Plan Review Committee will only slow down the approval process due to having to coordinating the schedules of all the proposed members.
9. Staff believes that adding members to the Site Plan Review Committee will complicate the approval process and not simplify it any further.
10. The current proposed amendment to Chapter 8 of the Design Standards Ordinance is because the Mayor has expressed multiple times to the Planning Director that this committee was taken away from him and that he wants it changed back to put him on the committee.

PLANNING COMMISSION ACTION:

The Planning Commission met on Tuesday, December 10, 2019, and voted to recommend Approval of the text amendment to the Design Standards Ordinance amending the makeup of the Site Plan Review Committee

PROPOSED AMENDMENT:

Chapter 8. Site Plan Review Committee Established

There is hereby established a Site Plan Review Committee ("Committee") for the City of Hernando, Mississippi, which shall have the structure, powers, and functions as hereinafter provided.

A Membership

The Site Plan Review Committee shall consist of the Planning Director, Zoning Administrator, ~~Building Official~~, Police Chief, Fire Chief, Public Works Director, Mayor, and any other such employee of the City of Hernando as considered necessary by the Planning Director to properly review Development Plan applications.

B. Meetings and Voting

Meetings shall be at the call of the Planning Director. The Committee shall keep minutes of its proceedings.

C. Powers and Duties

The Site Plan Review Committee shall be responsible for implementing the Design Review Standard for the City of Hernando.

STAFF RECOMMENDATION:

Because amending the makeup of the Site Plan Review Committee will slow down the approval process and will complicate the approval process instead of simplifying it any further, Staff recommendation is for denial.

PROPOSED MOTION:

Motion to Approve

I move to approve the text amendment to the Design Standards Ordinance amending the makeup of the Site Plan Review Committee, subject to Staff Comments.

Motion to Deny

Because amending the makeup of the Site Plan Review Committee will slow down the approval process and will complicate the approval process instead of simplifying it, I move to Deny the text amendment to the Design Standards Ordinance amending the makeup of the Site Plan Review Committee.

Mayor Ferguson asked without the committee, how do you decide where speed limit signs go and how many.

Keith Briley stated the committee doesn't decide on that.

Mayor Ferguson stated what about street lights. Mayor Ferguson asked who long will it slow the process down.

Keith Briley answered it could be a couple of weeks.

Alderman Brooks asked would all of these have to be there, a quorum?

Keith Briley answered you'd have to have a quorum, so at least 4 out of the 6 would have to be there.

Mayor Ferguson stated I think we should work as a team, some may see something that someone else missed.

Alderman Hobbs asked how long has it been changed.

Keith Briley answered over a year.

Alderman Hobbs asked how many mistakes were made in that time?

Keith Briley answered one that he knows of, the commercial strip on Hwy 51. He told them that they didn't have to do a sidewalk. I've apologized and corrected that.

Alderman Higdon stated the real problem you said is it will slow the process down.

Keith Briley answered in my professional opinion, yes.

Mayor Ferguson stated I think we can make it a priority. I think other department heads need to look, make sure things are where they need to be.

Alderman Hobbs asked if Horn Lake have a committee at one time?

Keith Briley answered not to my knowledge.

Alderman Hobbs asked how long were you there.

Keith Briley answered 2 years.

Alderman Hobbs stated yes, they did have one, my dad was on it.

Keith Briley stated that other cities have some, or commissions.

Mayor Ferguson asked if we have gotten a site plan for the houses by the Public Works building, the grading plan. How did that get missed.

Keith Briley answered so you bring in a building plan for a house and it has to go through the whole city for a house.

Mayor Ferguson stated no, that's not it. That's fine.

Keith Briley stated no, I want to say this. What I have brought is what I believe is what will be best for the City.

Mayor Ferguson stated I think these need to go quickly.

Alderwoman Brooks asked if there was a way to try this without changing the Ordinance, like a trial run.

Keith Briley answered that he has one or two we can try a trial run with.

Alderman Hobbs stated there has to be a reason we stopped.

Keith Briley stated that his understanding after conversations with staff was that this stopped 1 ½ years before I started working for the City.

Alderman Miller asked can we have the review without a physical meeting, instead of a committee.

Kenny Stockton stated if you do that it would require a set time frame to get the information back.

Alderman Miller stated he thinks this would be easier, more efficient.

Mayor Ferguson stated we'll just take the word committee out.

Alderman Hobbs stated we can just make it a policy.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to have the Planning Director and the Mayor bring back a Policy letter with the items discussed. 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 17th day of December, 2019

AUTHORIZE MAYOR FERGUSON TO SIGN AN AGREEMENT WITH CLINE TOURS INC. FOR THE USE OF A BUS FOR THE MAYORS YOUTH COUNCIL SUMMIT TRIP

Motion was duly made by Alderman Hobbs and seconded by Alderwoman Brooks to authorize Mayor Ferguson to sign an agreement with Cline Tours Inc. for the use of a bus for the Mayor's Youth Council Summit Trip. 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 17th day of December, 2019

**AUTHORIZE MAYOR FERGUSON TO SIGN THE BLUE CROSS BLUE SHIELD
HEALTHY HERO'S GRANT AGREEMENT**

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize Mayor Ferguson to sign the Blue Cross Blue Shield Healthy Hero's Grant Agreement, after changing the date in Exhibit A to 2019 instead of 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 17th day of December, 2019

**AUTHORIZE TO HIRE NEEL SCHAFFER FOR THE DESIGN AND CE&I FOR THE
CONGER PARK MULTI USE PATHWAY IMPROVEMENT PROJECT WITH THE
HEALTHY HERO'S GRANT AND AUTHORIZE MAYOR FERGUSON TO SIGN
DOCUMENTS**

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to hire Neel Schaffer for the Design and CE&I for the Conger Park Multi Use Pathway Improvement Project with the Healthy Hero's Grant and authorize Mayor Ferguson to sign the documents. 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 17th day of December, 2019

**AUTHORIZE MAYOR FERGUSON TO SIGN A CONTRACTOR AGREEMENT WITH
START 2 FINISH FOR THE WATER TOWER 10K 2020**

Motion was duly made by Alderwoman Brooks and seconded by Alderman Miller to table this item for the Attorney to review with Gia Matheny. 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 17th day of December, 2019

**AUTHORIZE TO HIRE PICKERING TO DO A TRAFFIC STUDY AT THE
INTERSECTION OF MCINGVALE RD AND HOLLY SPRINGS RD**

Alderwoman Brooks asked how much?

Mayor Ferguson answered \$10,000.

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to authorize to hire Pickering to do a traffic study at the intersection of McIngvale Rd and Holly Springs 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 17th day of December, 2019

AUTHORIZE TO ADVERTISE AND RECEIVE BIDS FOR MUNICIPAL DEPOSITORY

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to advertise and receive bids for Municipal Depository. 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 17th day of December, 2019

AUTHORIZE TO ADJUST THE UTILITY BILL FOR REGINA FUEL

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 Regina Fuel
Service address 2189 E. Parkway Street
Daytime phone number () (901) 212-9016

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

REPAIR INFORMATION (please print)

Property owner or managers name Clair Cox Date of repair 11-4-19
Daytime phone number () (901) 268-4641

Type of repair and location of property broken pipe by water meter

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).

You have the receipt in your office

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 02-0172408 Billing period ending 10-31-19

High month usage 14 minus 6 month average 3 = Amount of Adjustment 11

\$ 99.99 credit

OK B.D. 12-2-19

AUTHORIZE TO ADJUST THE UTILITY BILL FOR CYNTHIA WILLS

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 Cynthia Wills
 Service address 44 W. Northern St. Hernando
 Daytime phone number () 901 268 3002

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

REPAIR INFORMATION (please print)

Property owner or managers name Cynthia Wills Date of repair 11-14-19
 Daytime phone number () 901 268 3002
 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 Cynthia Wills

For Office use only

Account Number 02-0244003 Billing period ending 11-30-19

High month usage 17 minus 6 month average 6 = Amount of Adjustment 11

\$ 99.99 Credit



AMERICAN LEAK DETECTION

THE ORIGINAL LEAK SPECIALISTS™

BILLING NAME/ADDRESS
 Wills, Cynthia
 44 West Northern St
 Hernando, MS 38632

P.O. BOX 280882
 MEMPHIS, TN 38168
 Tax Id 81-3524079
 901-829-5325 Office

Invoice

COMPLETION DATE	INVOICE #
11/8/2019	20063
SITE NAME/ADDRESS	

Claim #/P.O. #	Tech	Order Date	Referral	Billing Phone
	MP	11/8/2019		901-268-3002

ITEM	DESCRIPTION	AMOUNT
Res. Slab	Slab detection (residential) I completed an electronic leak detection at the above location. The water line is leaking in front flower bed area where stop and waste valve is located. This was marked with flag and shown to homeowner.	425.00
Thank You, We appreciate your business.		Total \$425.00
		Balance Due \$0.00

Guarantee on Detections; American Leak Detection will use its best efforts to accurately detect the location of the leak. In the event that American Leak Detection fails to accurately locate a leak on the first attempt, we will retest for leak. This must be proven within 5 working days of the original detection. American Leak Detection is not liable for any damages or costs arising from inaccurate location in excess of the fee paid.

Dennis Wright Plumbing LLC
 PO BOX 791
 SOUTHAVEN, MS 38671
 (662)429-1116
 jdwwfish103@aol.com



INVOICE

BILL TO
 Cynthia Wills
 44 W. Northern
 Hernando, MS 38632

INVOICE # 33900
DATE 11/14/2019
DUE DATE 11/14/2019
TERMS Due on receipt

MECHANIC
 106BS / 108RT

HELPER
 103JW

ACTIVITY	QTY	RATE	AMOUNT
Labor	1	4,200.00	4,200.00T

We dug up outside the house and found the 3/4 main line. We found a galvanized pipe was rusted and leaking. We ran a new main into the house and tied in the water heater, front hose bibb, kitchen sink and vanity. Insulated all hot and cold water lines, strapped and stabilized and tested. The hot and cold water systems are working correctly.

You will need to run hot and cold water at the kitchen sink every time there are below freezing conditions. We installed freeze boxes at the front and back hose bibbs. Everything is functioning optimally with no leaks. All galvanized pipe is discontinued and everything is now above ground.

PAID

SUBTOTAL	4,200.00
TAX (7%)	294.00
TOTAL	4,494.00
PAYMENT	4,494.00
BALANCE DUE	\$0.00

CK # 1975
 pd (SDW)

PAYMENT DUE UPON RECEIPT

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
12/31/2019	10				0.00
11/30/2019	10	109	126	17	185.72
10/31/2019	10	97	109	12	141.12
09/30/2019	10	92	97	5	76.68
08/31/2019	10	87	92	5	76.68
07/31/2019	10	82	87	5	76.68
06/30/2019	10	79	82	3	61.54
05/31/2019	10	75	79	4	70.11
04/30/2019					0.00

Handwritten note: avg

$$\begin{array}{r}
 17 \\
 - 6 \\
 \hline
 11 \times 3.50 = 38.50 \\
 38.50 \div 2 = 19.25 \\
 11 \times 3.84 = 42.24 \\
 \hline
 99.99
 \end{array}$$

Motion was duly made by Alderman Bryant and seconded by Alderman Higdon to authorize to adjust the utility bill for Cynthia Wills in the amount of \$99.99, 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 Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2019

**AUTHORIZE TO GO INTO CLOSED SESSION TO DISCUSS GOING INTO
EXECUTIVE SESSION FOR NEGOTIATIONS AND PERSONNEL**

Motion was duly made by Alderman Higdon and seconded by Alderwoman Brooks to go into Closed Session to discuss going into Executive Session for Negotiations and Personnel. 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 17th day of December, 2019

GO INTO EXECUTIVE SESSION FOR NEGOTIATIONS AND PERSONNEL

Motion was duly made by Alderman Harris and seconded by Alderman Higdon to go Executive Session for Negotiations and 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 17th day of December, 2019

COME OUT OF EXECUTIVE SESSION FOR NEGOTIATIONS AND PERSONNEL

Motion was duly made by Alderman Higdon and seconded by Alderwoman Brooks to come out of Executive Session for Negotiations and 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 17th day of December, 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