The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, April 4, 2017 at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Alderman Lauderdale, Alderman Bryant, Alderman Higdon, Alderman McLendon, and Alderman Hobbs. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Planning Director Jared Darby, Zoning Administrator Kristen Duggan, Police Chief Scott Worsham, Human Resources Manager Julie Harris, Public Works Director Gary McElhannon, Parks and Recreation Director Dewayne Williams, Saundra McElhannon, Henry Bailey, Vickey McLendon, Trip Rezevant, Bob Pelts, Donald Breshears, Cliff McLemore, Marion McLemore, Kathy White, Charley Short, Daniel Dunlap, Daniel Murphy, Andy Richardson, Wesley Callahan, and Ben Piper.

INVOCATION

Alderman Higdon gave the invocation.

Agenda City of Hernando Mayor and Board of Alderman Regular Meeting

April 4, 2017 6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 117499 117712 less 117505, 117624 and 117625
- 5) Approve Docket of Claims No.'s (Lauderdale) 117505, 117624 and 117625
- 6) Approve Minutes
- 7) Request from Friends of Baseball to purchase advertising in the amount of \$1,000 at the Civic Center Fields
- 8) Authorize Mayor Johnson to sign a Tennis Agreement with Holly Bigham
- 9) Authorize to declare the following surplus and dispose of:

John Deere weed eater P# 02304 – Parks Dept
John Deere weed eater P#02302 – Parks Dept
Stihl weed eater P#02300 – Parks Dept
Stihl weed eater P#27743 – Parks Dept
2008 International Brush Truck #415 VIN# 1HTMMAA69H131654 – Public Works Dept
Buntun zero turn lawn mower #418 – Public Works Dept

- 10) Request from the 51 South Foundation to temporarily close streets for a 5K on November 4, 2017
- 11) Request from The Optimist Club to temporary close a street for A'Fair
- 12) Authorize to hire Brittany McGowen as an Animal Control Officer with the pay \$12.50
- 13) Authorize to hire Daricus Thornton in the Sanitation Department at a rate of \$10.50 per hour

- 14) Application for Preliminary Subdivision approval, submitted by Daniel Murphy Consulting Engineer. The subdivision is comprised of 9 lots totaling 0.71 acres located on the south side of East Valley Street between Northview St. and Mt. Pleasant; situated in Section 18, Township 3 South, and Range 7 West. The property is currently zoned PUD, planned unit development. (File: PL-1218)
- 15) Public, Safety and Welfare hearing concerning parcel 308613001 0012400. The subject property is comprised of 2.86 acres and is zoned C-2, Highway Commercial. According to the DeSoto Chancery Court Clerk's Office the subject property is registered under Donald Breshears. The subject property is located to the north of the city's tennis court complex. Board tabled from January 17, 2017 meeting
- 16) Authorize Mayor Johnson to sign an agreement with US Lawns for grass cutting for the I-55 off/on ramps
- 17) Preliminary discussion of Street Overlays
- 18) Authorize appraisal of property on McIngvale Road for sidewalk if necessary
- 19) Executive Session for Police Personnel
- 20) Adjourn

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April, 2017.

APPROVE DOCKET OF CLAIMS NO.'S 117499 – 117712 LESS 117505, 117624 AND 117625

The Board of Aldermen were presented with a docket of claims No. 117499 - 117712 less 117505, 117624 and 117625 in the amount of \$1,460,379.11 for approval.

Motion was duly made by Alderman Bryant, 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 Higdon, Alderman McLendon, Alderman Hobbs, and Alderman Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April, 2017

APPROVE DOCKET OF CLAIMS NO.'S 117505, 117624 AND 117625 (LAUDERDALE)

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 117505, 117624 and 117625 in the amount of \$41,638.81for 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 Higdon, Alderman McLendon, Alderman Hobbs, and Alderman Bryant.

Those voting "Nay": None.

APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON MARCH 21, 2017

Motion was duly made by Alderman Higdon, and seconded by Alderman McLendon to approve the Minutes from the regular Board Meeting on March 21, 2017 as presented. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April, 2017

REQUEST FROM FRIENDS OF BASEBALL TO PURCHASE ADVERTISING IN THE AMOUNT OF \$1,000 AT THE CIVIC CENTER FIELDS

Daniel Dunlap, Friends of Baseball, spoke about the request. Mr. Dunlap stated that they have collected about \$3600 so far. It has all been from people that are here in Hernando.

Alderman Higdon stated that he thinks it's a great thing that you're doing, it's a great thing for Hernando.

Alderman Lauderdale stated that he thinks we should get 2 signs, \$500 each, and put at two different locations at the Civic Center, where they are most visible. He would like the signs to state something like "shop at home, support local, etc..) Friends of Baseball will also take the signs down and store them in the winter months, so they will not have as much weather damage.

Mayor stated that Gia can get with you on the design.

Motion was duly made by Alderman Lauderdale and seconded by Alderman McLendon to approve the request from the Friends of Baseball for advertising, with the purchase of two 4x6 signs at \$500 each, for the Civic Center, to be paid out of tourism. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April, 2017

AUTHORIZE MAYOR JOHNSON TO SIGN A TENNIS AGREEMENT WITH HOLLY BIGHAM

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to authorize Mayor Johnson to sign a Tennis agreement with Holly Bigham. A vote was taken with the following results:

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

Those voting "Nay": None.

AUTHORIZE TO DELCARE THE FOLLOWING SURPLUS AND DISPOSE OF

John Deere weed eater P# 02304 – Parks Dept

John Deere weed eater P#02302 - Parks Dept

Stihl weed eater P#02300 - Parks Dept

Stihl weed eater P#27743 – Parks Dept

2009 International Brush Truck #415 VIN# 1HTMMAA69H131654 – Public Works Dept Buntun zero turn lawn mower #418 – Public Works Dept

Motion was duly made by Alderman Hobbs and seconded by Alderman Bryant to authorize to declare the following surplus and dispose of: John Deere weed eater P# 02304 – Parks Dept, John Deere weed eater P#02302 – Parks Dept, Stihl weed eater P#02300 – Parks Dept, Stihl weed eater P#27743 – Parks Dept, 2008 International Brush Truck #415 VIN# 1HTMMAA69H131654 – Public Works Dept, and a Buntun zero turn lawn mower #418 – Public Works Dept. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April, 2017

REQUEST FROM THE 51 SOUTH FOUNDATION TO TEMPORARILY CLOSE STREETS FOR A 5K ON NOVEMBER 4, 2017

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to approve the request from 51 South Foundation to temporarily close streets for a 5K on November 4, 2017, with the route being approve by the Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April, 2017

REQUEST FROM THE OPTIMIST CLUB TO TEMPORARILY CLOSE A STREET FOR A'FAIR

Motion was duly made by Alderman Higdon, and seconded by Alderman Lauderdale to approve the request from the Optimist Club to temporarily close a street for A'Fair, contignet upon getting approval from the owners at the duplex, or finding a way around blocking their entrance. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April, 2017

AUTHORIZE TO HIRE BRITTANY MCGOWEN AS AN ANIMAL CONTROL OFFICER WITH THE PAY OF \$12.50 PER HOUR

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to hire Brittany McGowen as an Animal Control Officer with a pay of \$12.50 per hour, 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 Lauderdale, Alderman Bryant, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": None.

AUTHORIZE TO HIRE DARICUS THORNTON IN THE SANITATION DEPARTMNET AT A RATE OF \$10.50 PER HOUR

Motion was duly made by Alderman Higdon and seconded by Alderman Bryant to authorize to hire Daricus Thornton in the Sanitation Department with a pay of \$10.50 per hour, following the recommendation of the Personnel Committee, based on the recommendation of the Public Works Director. A vote was taken with the following results:

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

Those voting "Nay": None. ORDERED AND DONE this the 4th day of April, 2017

APPLICATION FOR FINAL SUBDIVISION APPROVAL, SUBMITTED BY DANIEL MURPHY CONSULTING ENGINEER. THE SUBDIVISION IS COMPRISED OF 9 LOTS TOTALING 0.71 ACRES LOCATED ON THE SOUTH SIDE OF EAST VALLEY STREET BETWEEN NORTHVIEW ST AND MT. PLEASANT; SITUATED IN SECTION 18, TOWNSHIP 3 SOUTH, AND RANGE 7 WEST. THE PROPERTY IS CURRENTLY ZONED PUD, PLANNED UNIT DEVELOPMENT

DATE: April 4, 2017

MAYOR AND BOARD OF ALDERMEN

FILE: PL-1218

CAPTION: Final Subdivision, West Layne Townhomes Subdivision, Daniel L. Murphy

INTRODUCTION:

Daniel L. Murphy, representing the owner of the subject property, is requesting a preliminary subdivision approval for West Layne Townhomes. The subdivision will consist of eight residential lots with one lot representing common open space. The subdivision is located on the south side of East Valley Street between Northview Street and Mount Pleasant. The subdivision is zoned PUD, planned unit development.

DESCRIPTION:

The subdivision has eight lots separated into two groupings of four lots. The eight lots will serve to house the attached townhomes. The ninth lot will house the common open space. The common open space in turn will have the required parking, storm water detention, and park space. The residential spaces are roughly 16 ft. wide and 57 ft. in length. The sq. ft. of each lot ranges from 902.36 sq. ft. to 945.12 sq. ft. Lot nine consists of 23, 632.27 sq. ft. The total linear frontage of the subdivision is 206.57 ft.

PLANNING COMMISSION COMMENTS:

The Planning Commission has found that the geometry of the proposed plat meets the City of Hernando's Subdivision Regulations, and the lots are within keeping of the character of the neighborhood. If the Mayor and Board of Aldermen chooses to approve the application, the Planning Commission recommends the following conditions of approval:

A. 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.

- B. Improvements to be the responsibility of the developer and not the responsibility of the City of Hernando.
- C. Grading, drainage, and engineering construction plans to be approved by the City Engineer and Public Works Director.
- D. 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.
- E. Sidewalks to be installed on the south side of East Valley Street.
- F. Finished floor elevations shall be listed for each lot.
- G. Streetlights to be installed at the developer's expense. Streetlight plans to be submitted to the City Engineer and Planning Director for approval.
- H. All utilities and services (electric, telephone, cable, etc.) to be installed underground. The water service lines shall be installed with tracing wire at the top.
- I. Final approval by the Board of Aldermen and recording of the plat.
- J. No relocated buildings will be allowed.
- K. Location map shall be referenced by Section-Township-Range.
- L. Location Map shall have a map boundary
- M. Surrounding properties that are within 100 ft. shall be outlined with ownership records given.
- N. All infrastructure illustrations and notations shall be removed.

INCLUDED EXHIBITS:

- West Layne Townhomes Preliminary Plat



Alderman Lauderdale recused himself and left the room.

Alderman McLendon asked where the log cabin was compared to this development, how close.

Daniel Murphy answered that the water will run out onto the street. The water detention pond will be behind the log cabin.

Mayor Johnson stated that the detention pond will slow down the water before it gets to the street.

Alderman McLendon asked who will maintain the detention pond.

Daniel Murphy answered the HOA. Mr. Murphy stated that the log cabin will be above the drain.

Alderman McLendon stated that mosquitoes will be a concern.

Daniel Murphy stated that the pond will drain dry, with in an hour.

Alderman McLendon asked if the detention pond was his ideal or the Cities.

Daniel Murphy answered that it was their idea.

Alderman McLendon asked if there will be storm drains behind them.

Daniel Murphy stated that all of the storm drains will be toward the street.

Mayor Johnson stated that there is a state law that new development will not cause any more water onto surrounding property.

Daniel Murphy stated that they have engineered the drain to ensure that won't happen.

Motion was duly made by Alderman Bryant, and seconded by Alderman Higdon to approve the application for final subdivision approval, submitted by Daniel Murphy Consulting Engineer, for 9 lots totaling 0.71 acres located on the south side of East Valley Street between Northview Street and Mt. Pleasant; situated in section 18, township 3 south, and range 7 west, property is currently zoned PUD, with the Planning Commissions conditions listed in the report. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April 2017

PUBLIC SAFETY AND WELFARE HEARING CONCERNING PARCEL 308613001 0012400. THE SUBJECT PROPERTY IS COMPRISED OF 2.86 ACRES AND IS ZONED C-2, HIGHWAY COMMERCIAL. ACCORDING TO THE DESOTO CHANCERY COURT CLERK'S OFFICE THE SUBJECT PROPERTY IS REGISTERED UNDER DONALD BRESHEARS. THE SUBJECT PROPERTY IS LOCATED TO THE NORTH OF THE CITY'S TENNIS COURT COMPLEX. BOARD TABLED FROM JANUARY 17, 2017 MEETING

MAYOR AND BOARD OF ALDERMEN FILE: CE-1564

DATE: April 4, 2017

CAPTION: Public Health, Safety, and Welfare; Parcel 308613001 0012400, Donald Breshears

INTRODUCTION:

This case is tabled item from the January 17, 2017 meeting. It is a Public Health and Safety Hearing for the property located at the northeast corner of Northview St and E Commerce St. It has become a menace to public health, safety, and welfare. The subject property is occupied, but the parking area is in disrepair.

DESCRIPTION:

Parcel number 308613001 0012400 is comprised of 2.86 acres and is zoned C-2, Highway Commercial. The one structure on the property is a commercial strip center that is occupied by several businesses. It is currently registered to Donald Breshears

STAFF COMMENTS:

Upon inspection of the property staff found that the property is a hazard. The Zoning Administrator has completed an assessment of the property and has found the following issues:

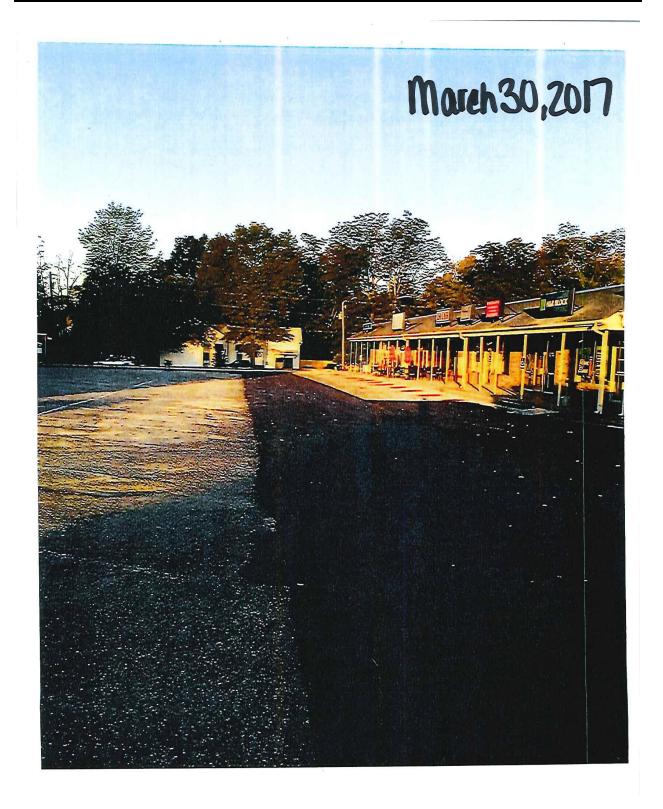
Parking area in disrepair

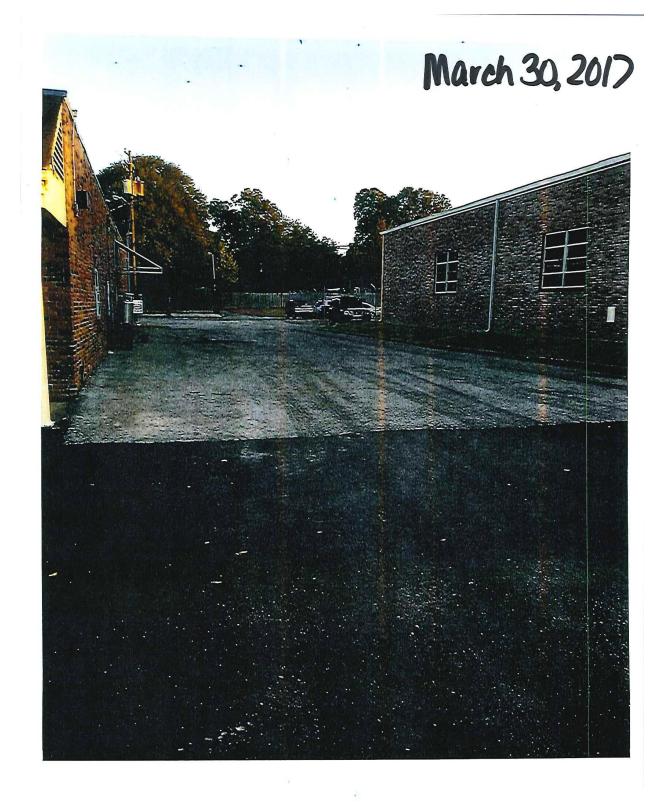
The Zoning Administrator has inspected the property. It is the staff's recommendation that the parking area be repaired.

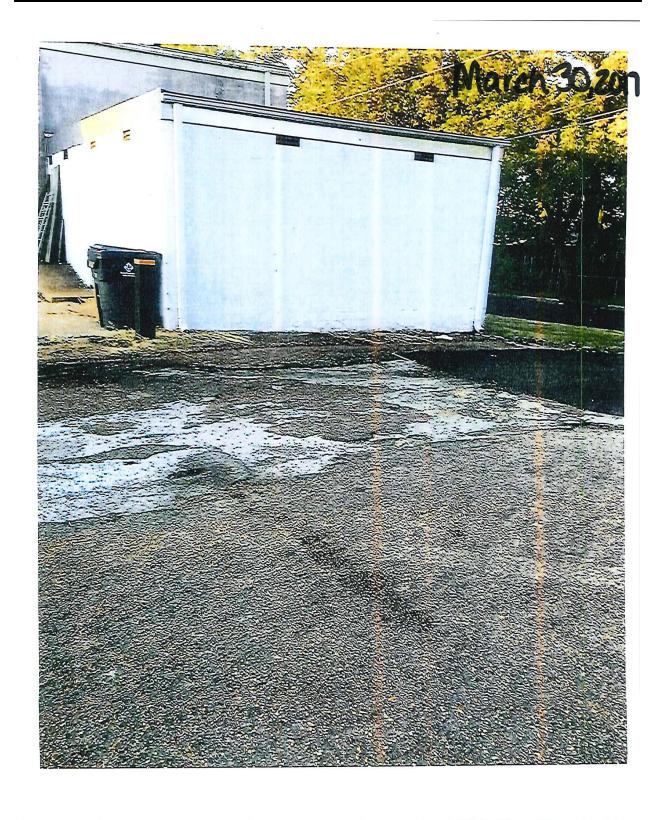
The City of Hernando has received numerous complaints from citizens regarding the state of the parking area. Many have reported that they have fallen due to the large potholes and crumbling asphalt. It is the recommendation of the Office of Planning that the Mayor and Board of Aldermen find the property a menace to public health, safety, and welfare and instruct staff to have the property cleaned pursuant of Section 21-19-11 of the Mississippi Code of 1972.

IIPDATE.

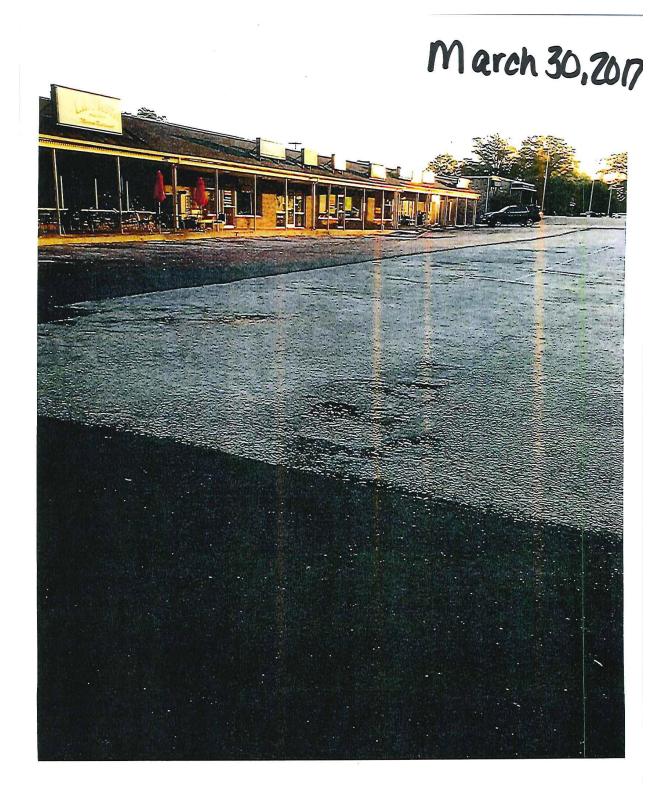
As of March 30, 2017, there have been no changes to the subject property. A letter was sent to the property owner outlining the request of the Mayor and Board of Alderman. The letter was received and signed for on January 31, 2017. The property owner has not submitted a plan for the repairs of the parking area.

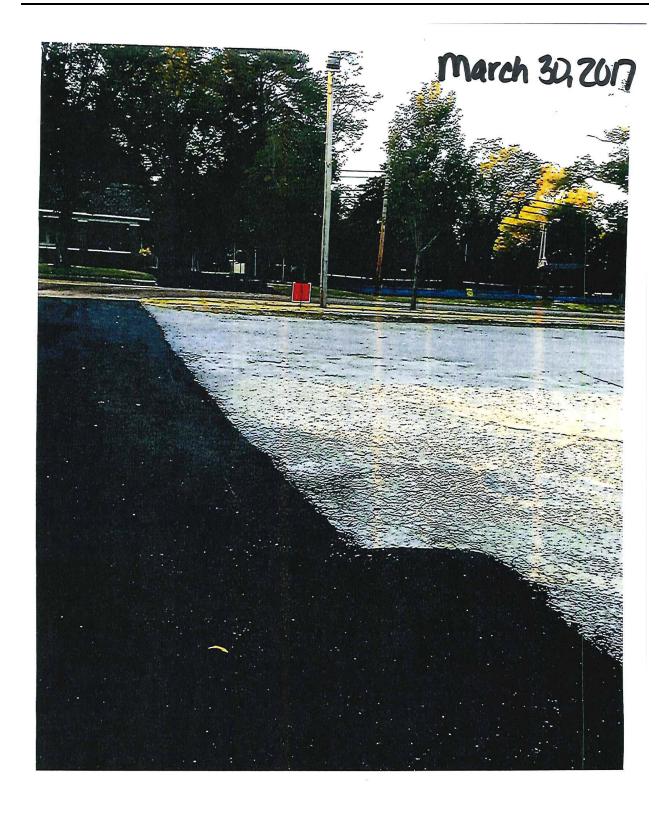






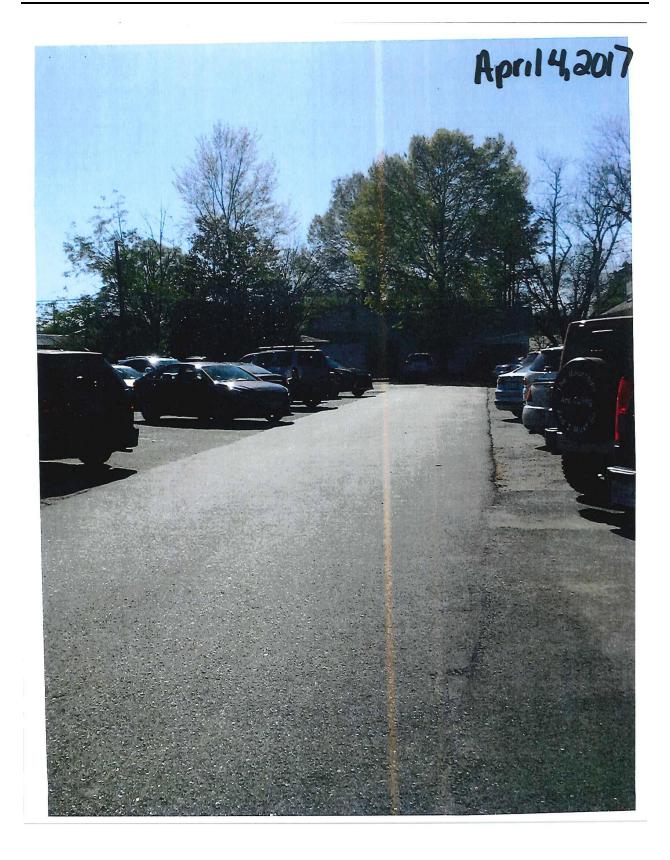


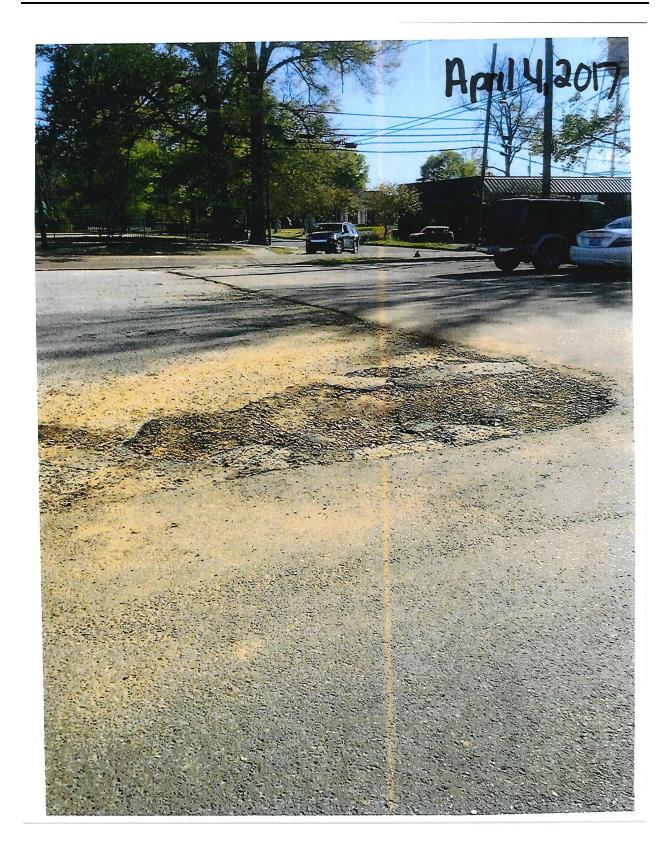


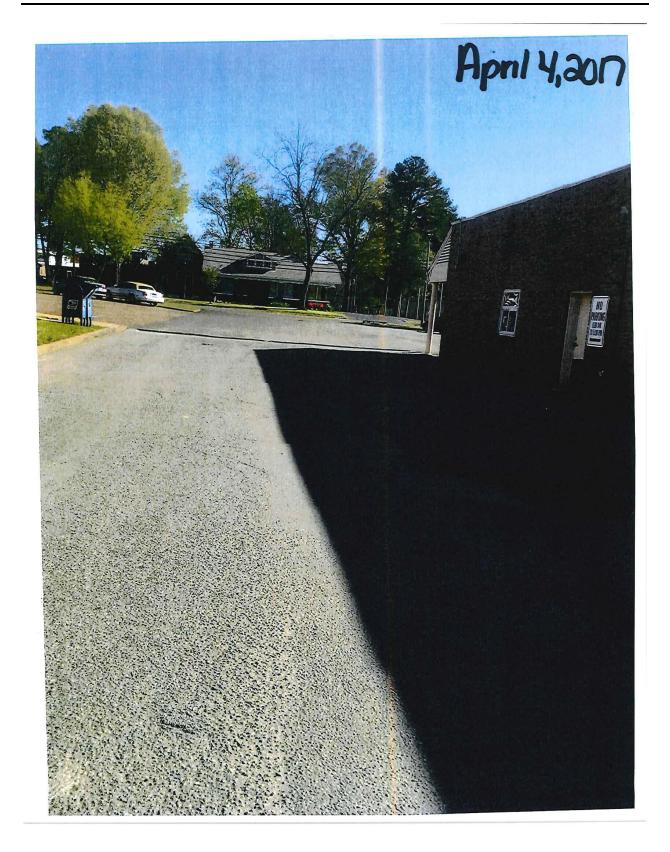


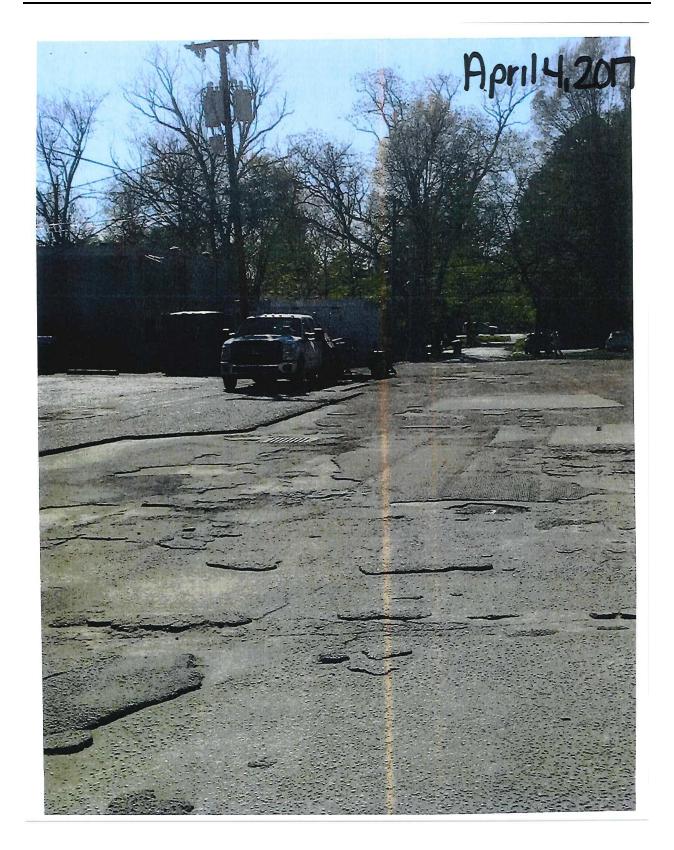
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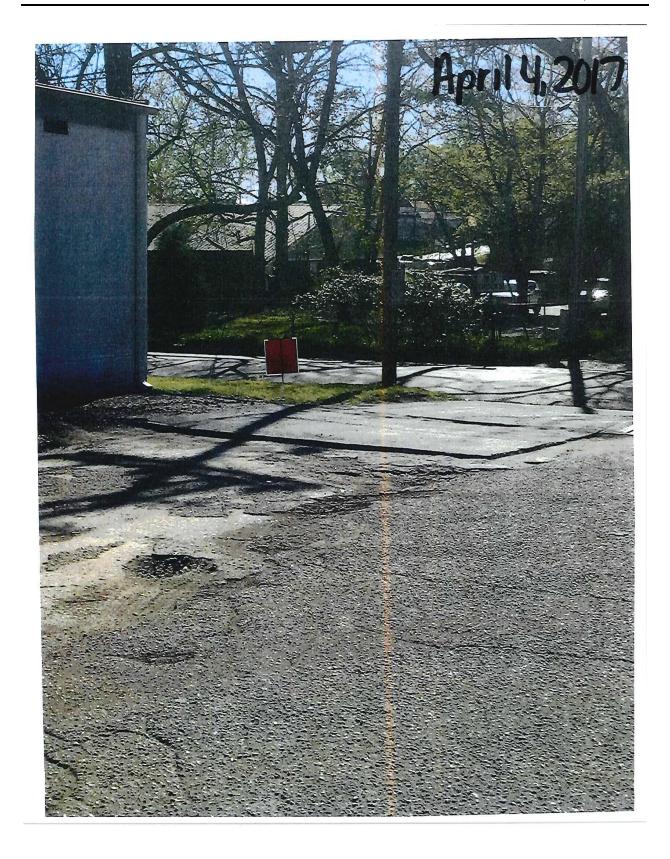


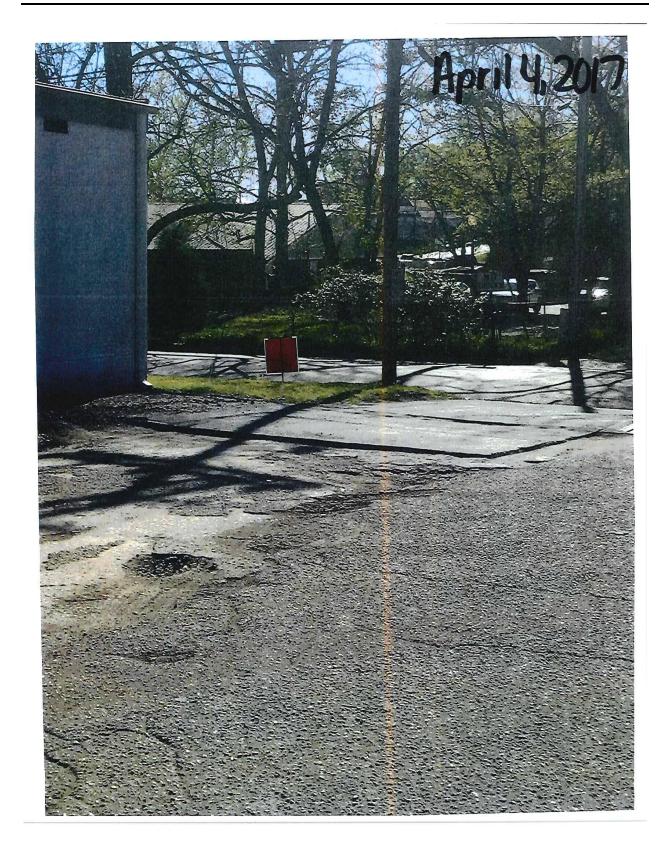


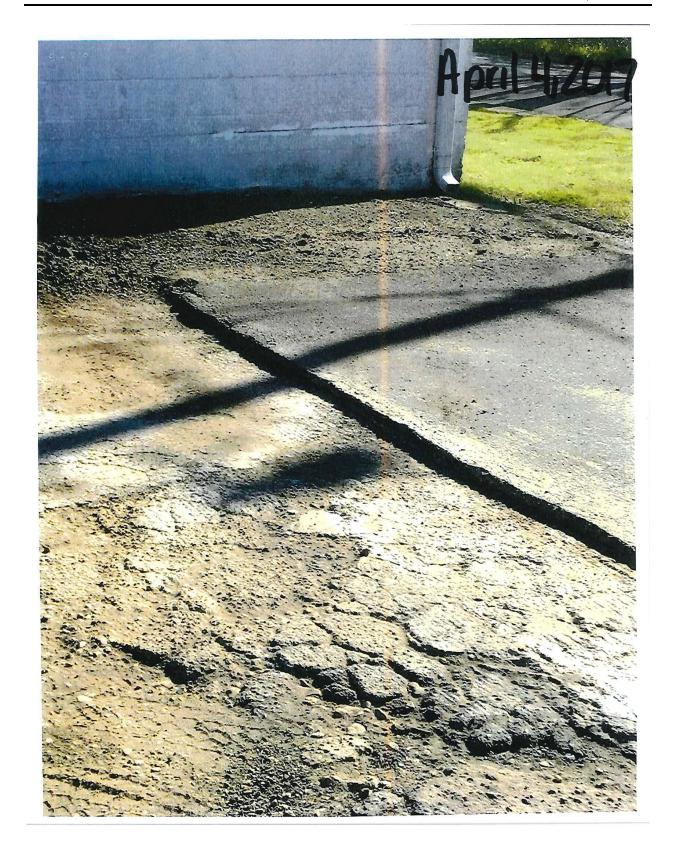


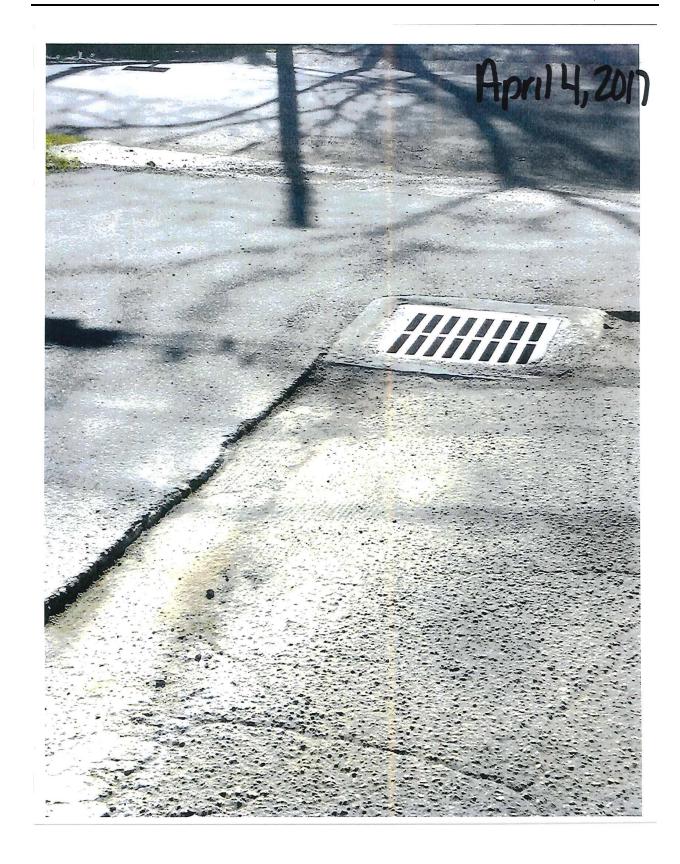












Jared Darby presented the information. Mr. Darby stated that there has been some activity in the parking lot, brushing, cleaning, but no paving.

Mayor Johnson stated that per the phone call he received, they will be paving tomorrow.

Donald Breshears stated that he apologized for the last minute work and update. Mr. Breshears stated that the paving should be done in the next couple of days.

Mayor Johnson asked if he will be paving all that is on the list from the Board.

Donald Breshears answered that he will pave the front parkig lot and in the back up to the car wash.

Mayor Johnson stated that what you are telling us appears to meet what was listed in the letter from the Board.

Donald Breshears stated that his contractor will build up and pave so that the water will run into the drains. If that doesn't work, we can put in speed bumps to help the drainage.

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to table this item until the April 18th Board Meeting, to see if all of the work has been completed. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April 2017

AUTHORIZE MAYOR JOHNSON TO SIGN AN AGREEMENT WITH US LAWNS FOR GRASS CUTTING FOR THE I55 OFF/ON RAMPS

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to authorize Mayor Johnson to sign an agreement with US Lawns for Grass Cutting for the I55 Off / On ramps. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April, 2017

PRELIMINARY DISCUSSION OF STREET OVERLAYS

Mayor Johnson stated that Joe Frank Lauderdale is going to get started on a list of streets that need to be paved. We have about \$406,000 in the budget for street overlays. I would like the Board to get street names that you think need to be paved, to me and Joe Frank Lauderdale.

Joe Frank Lauderdale stated that we may need to consider stripping also.

Alderman Lauderdale stated that we should get with the Police Chief, he would know what needs to be stripped, they deal with that all of the time.

AUTHORIZE APPRAISAL OF PROPERTY ON MCINGVALE ROAD FOR SIDEWALK, IF NECESSARY

Joe Frank Lauderdale presented the information on the sidewalks. Mr. Joe Frank Lauderdale stated that we proposed a sidewalk from Walgreens to the school. We've been through some paperwork, but we will need the right of ways.

Alderman McLendon asked if the sidewalks would stay in place if it is five laned later?

Joe Frank Lauderdale answered no, they would have to be redone.

Mayor Johnson stated that it might be millions, and years down the road before the five lanes are done. It would be worth it to go ahead with the sidewalks now.

Alderman McLendon asked if there was a way to go from the school to the apartments through a walking trail.

Motion was duly made by Alderman Lauderdale, and seconded by Alderman Higdon to authorize to have an appraisal done on the property on McIngvale, for the right of ways needed for the sidewalk. A vote was taken with the following results:

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

Those voting "Nay": None.

GO INTO CLOSED SESSION TO DISCUSS GOING INTO EXECUTIVE SESSION FOR POLICE PERSONNEL

Motion was duly made by Alderman Hobbs and seconded by Alderman Lauderdale to go into closed session to discuss going into executive session for police personnel. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April, 2017

GO INTO EXECUTIVE SESSION FOR POLICE PERSONNEL

Motion was duly made by Alderman Hobbs and seconded by Alderman Higdon to go into executive session for police personnel. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April, 2017

COME OUT OF EXECUTIVE SESSION FOR POLICE PERSONNEL

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 4th day of April, 2017

AUTHORIZE TO SUSPEND POLICE OFFICER BRIAN DARBY

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to suspend Police Officer Brian Darby for one 12 hour day, without pay, on the date to be determined by the Police Chief, following the recommendation of the Police Chief. A vote was taken with the following results:

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

ADJOURN

Those voting "Nay": None.

There being no further business Lauderdale, seconded by Alderman Bry Motion passed with a unanimou	
ATTEST:	MAYOR CHIP JOHNSON
KATIE HARBIN, CITY CLERK	