The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, May 16, 2017 at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs. Also present for the meeting were: City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Planning Director Jared Darby, Zoning Administrator Kristen Duggan, Assistant Police Chief Shane Ellis, Captain Charles Lanphere, Human Resources Manager Julie Harris, Public Works Director Gary McElhannon, Recreation Director Dewayne Williams, Athletic Director Daniel Carson, Program Director Dolly Brechin, Karen Hedleston, Jim Goss, Jan Lauderdale, Carolyn Richards, Diane franczyk, Carolyn Young, Gerald Young, Laura Sajdak, Anne Goss, Kim Scott, J. Lzmpkins, Jenne Green, Madison Green, Vickey McLendon, Christy Thornhill, Tabitha Lauderdale, Hollie McDonald, Katherine Spears, Andella Bahn, Robert Spee, Howard Hartshorn, James Tipton, Robin Simpson, David Argroves, Shannon Moss, Stacy Reed, Logan Dunavent, Rhodes Thompson, Tom Ferguson, Steve Cubbage, Keith Bowers, Bill Witt, Derick Biglane, Wesley Callahan, Susan Ware, and Scott Sartor.

INVOCATION

Alderman Miller gave the invocation.

Agenda City of Hernando Mayor and Board of Alderman Regular Meeting

May 16, 2017 6:00pm

- 1) Call the meeting to order
 - 2) Invocation
 - 3) Approve Agenda
 - 4) Approve Docket of Claims No.'s 118187 18442 less 118197 and 118340
 - 5) Approve Docket of Claims No.'s (Lauderdale) 118197 and 118340
 - 6) Approve Minutes
 - 7) Consent Agenda
 - A) Authorize the Mayor, Board Members, Department Heads to attend the Annual MML Conference in Biloxi, MS, on July 24-26, 2017, also authorize to pay registration and travel expenses
 - B) Authorize Kyle Hodge to attend the Media Relations Class in Southaven, MS on June 12-16, 2017, also authorize to pay registration and travel expenses
 - 8) Authorize Dolly Brechin to attend the Hernando Young at Heart Mackinac Island trip as the coordinator on September 17 23, 2017, also authorize to pay travel expenses
 - Request from the Interfaith Council on Poverty to temporarily close streets for 5K
 - 10) Request from Carolyn Young to temporarily close streets for a Veterans Day Parade on November 11, 2017
 - 11) Request from the Hernando Band Boosters Club to temporarily close streets on November 11, 2017

- 12) Authorize to hire Kedric Merriweather as a seasonal employee in the Parks Department at a rate of \$8.50 per hour
- 13) Authorize to give Michael Ray a raise of \$0.20 per hour for receiving his EMT Certification
- 14) Authorize to give Frankie Barnett a raise of \$.20 per hour for receiving his EMT Certification
- 15) Authorize to hire Leonardis Cunningham as a full-time Police Office at a rate of P2
- 16) Authorize to hire Annie Campos as a full-time Police Officer at a rate of P2
- 17) Authorize to hire Alicia McCoy as a full-time Police Officer at a rate of P2
- 18) Authorize to hire Barry Parker as a full-time Police Officer at a rate of P2
- 19) Authorize to hire Ross Smith as a full-time Police Officer at a rate of P2
- 20) Authorize to declare 2005 Ford F250 surplus and dispose of VIN 1FTSX20505EB90064
- 21) Discussion of an Adult Soccer program
- 22) Authorize to increase the fee for the D2 program from \$155 to \$160
- 23) 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 May 2, 2017 meeting)
- 24) Application for a **Zoning Map Amendment**, submitted by **Stan Elam** requesting a zoning amendment for 7.52 acres from M-1, light industrial to C-2, highway commercial. The subject property is comprised of parcels: 3074180040001501 and part of parcel 307418000 0000101; situated in Section 18, Township 3 South, and Range 7 West and Section 19, Township 3 South, Range 7 West. (File: PL-1234)
- 25) Application for a Zoning Map Amendment, submitted by Butler Snow, LLP requesting a zoning amendment for 16.07 acres from M-1, light industrial to M-2, heavy industrial. The subject is comprised of parcels: 3074180100000200, 3074180100000299, 307419020000101, and 3074190200000100 better known as 720 Vaiden Drive; situated in Section 13, Township 3 South, and Range 7 West (File: PL-1237)
- 26) Application for a Zoning Map Amendment, submitted by Butler Snow, LLP requesting a zoning amendment for 9.97 acres from M-1, light industrial to M-2, heavy industrial. The subject property is comprised of parcel: 3074180040001400 better known as 2925 McCracken Road; situated in Section 13, Township 3 South, and Range 7 West (File: PL-1238)
- 27) Application for a **Zoning Ordinance Amendment** submitted by the **City of Hernando** is requesting a zoning amendment for Article XVIII, Section (a), Paragraph (vi). (File: PL-1217)
- 28) Authorize Mayor Johnson to sign an agreement with AERC, PLLC for architectural & engineering services on the office addition to the maintenance building
- 29) Authorize to advertise for quotes on 4th of July Firework show

30) Adjourn

Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to approve the agenda as presented, after adding "Permission for North MS Utility Company" to hook onto DCRUA for Fountain Gate Subdivision and authorize Mayor Johnson to sign letter". A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017.

APPROVE DOCKET OF CLAIMS NO.'S 118187 – 188442 LESS 118197 AND 118340

The Board of Aldermen were presented with a docket of claims No. 118187 - 118442 less 118197 and 118340 in the amount of \$1,026,317.91 for approval.

Motion was duly made by Alderman Miller, and seconded by Alderman Bryant 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 Lauderdale

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

APPROVE DOCKET OF CLAIMS NO.'S (LAUDERDALE) 118197 AND 118340

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 118197 and 118340 in the amount of \$46,027.44 for approval.

Motion was duly made by Alderman Higdon and seconded by Alderwoman Brooks 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 Bryant

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON MAY 2, 2017

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to approve the Minutes from the regular Board Meeting on May 2, 2017 as presented. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderman McLendon abstained from voting.

CONSENT AGENDA

- A) Authorize the Mayor, Board Members, Department Heads to attend the Annual MML Conference in Biloxi, MS, on July 24-26, 2017, also authorize to pay registration and travel expenses
- B) Authorize Kyle Hodge to attend the Media Relations Class in Southaven, MS on June 12 16, 2017, also authorize to pay registration and travel expenses

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to approve the consent agenda 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 Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

AUTHORIZE DOLLY BRECHIN TO ATTEND THE HERNANDO YOUNG AT HEART MACKINAC ISLAND TRIP AS THE COORDINATOR ON SEPTEMBER 17 – 23, 2017, ALSO AUTHORIZE TO PAY TRAVEL EXPENSES

Diane Franczyk 724 Shadow View Cove, spoke to why Dolly needs to attend the trip. Mrs. Franczyk stated that Dolly has responsibilities and duties, maintaining a list of the attendees, their information, location and safety, photographer, When I started the Young at Heard we had about 10 people, now we have about 40 or more. Dolly is instrumental in putting this together.

Alderman Miller stated that after the trip last year he spoke with seniors that went and looked at their pictures. Mr. Miller stated that he is supportive of Dolly going.

Alderman Lauderdale asked how many seniors from Hernando are going.

Diane Francyzk stated that the deadline isn't until July, last year it was 10 that were from within the City limits. There has been an increased interest lately.

Alderman Luaderdale started that last year he opposed it and this year he opposes it. I don't see where this falls into education. The Parks budget has taken over \$100,000 from the general fund. We have to be good stuwards of the City's money. I don't see this as continuing education or promotion of the City.

Alderman Miller stated that other projects went over budget, and they were still approved, this doesn't cost nearly that much.

Mayor Johnson stated that this expense would come out of the travel line item, which has money in the budget.

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to authorize Dolly Brechin to attend the Hernando Young at Heart Mackinac Island trip as the Coordinator on September 17-23, 2017, also authorize to pay travel expenses. A vote was taken with the following results:

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

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

THIS MOTION FAILED

REQUEST FROM THE INTERFAITH COUNCIL ON POVERTY TO TEMPORARILY CLOSE STREETS FOR A 5K

Kim Scott presented the request from the Interfaith Council to temporarily close streets for a 5K on April 7, 2018. Mrs. Scott stated that they service about 250-300 a month.

Alderman Hobbs asked if this was a new race.

Mrs. Scott answered that they've been doing it for 14 years.

Alderman Higdon asked which route.

Mrs. Scott stated the old route. If we need to change the route, we are open to doing that.

Motion was duly made by Alderman Higdon and seconded by Alderman Brooks to approve the from the Interfaith Council to temporarily close streets to hold a 5K on April 7, 2018, determining the exact route later. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

REQUEST FROM CAROLYN YOUNG TO TEMPORARILY CLOSE STREETS FOR A VETERANS DAY PARADE ON NOVEMBER 10, 2017

Carolyn Young presented her request to temporarily close streets for a Veterans Day Parade on November 10th or 13th, 2017, to allow for the High School Bands to participate.

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to approve the request from Carolyn Young to temporarily close streets for a Veterans Day Parade on November 10, 2017. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

REQUEST FROM THE HERNANDO BAND BOOSTERS CLUB TO TEMPORARILY CLOSE STREETS ON NOVEMBER 11, 2017

Karen Hedleston presented the request from the Hernando Band Boosters Club to temporarily close streets on November 11, 2017 for the Tiger Band 5K. Mrs. Hedleston is requesting the Longview route. This will raise money to help with uniforms, new instruments, etc.

Motion was duly made by Alderman Higdon, and seconded by Alderman McLendon to approve the request from the Hernando Band Boosters Club to temporarily close streets on November 11, 2017, using the Longview route. 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 Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

AUTHORIZE TO HIRE KEDRIC MERRIWEATHER AS A SEASONAL EMPLOYEE IN THE PARKS DEPARTMENT AT A RATE OF \$8.50 PER HOUR

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to authorize to hire Kedric Merriweather as a seasonal employee in the Parks Department at a rate of \$8.50 per hour,

based on the recommendation of the Personnel Committee, following the recommendation of the Parks and Recreation Director. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

AUTHORIZE TO GIVE MICHAEL RAY A RAISE OF \$0.20 PER HOUR FOR RECEIVING THE EMT CERTIFICATION

Motion was duly made by Alderman Higdon and seconded by Alderman McLendon to authorize to give Michael Ray a raise of \$0.20 per hour for receiving the EMT Certification, based on the recommendation of the Personnel Committee, following the recommendation of the Fire/EMS Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

AUTHORIZE TO GIVE FRANKIE BARNETT A RAISE OF \$0.20 PER HOUR FOR RECEIVING THE EMT CERTIFICATION

Motion was duly made by Alderman Miller and seconded by Alderman McLendon to authorize to give Frankie Barnett a raise of \$0.20 per hour for receiving the EMT Certification, based on the recommendation of the Personnel Committee, following the recommendation of the Fire/EMS Chief. 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 Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

AUTHORIZE TO HIRE LEONARDIS CUNNINGHAM AS A FULL-TIME POLICE OFFICER AT A RATE OF P2

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to authorize to hire Leonardis Cunningham as a full-time Police Officer at a rate of P2, based on the recommendation of the Personnel Committee, following the recommendation of the Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

AUTHORIZE TO HIRE ANNIE CAMPOS AS A FULL-TIME POLICE OFFICER AT A RATE OF P2

Motion was duly made by Alderman Miller and seconded by Alderman Bryant to authorize to hire Annie Campos as a full-time Police Officer at a rate of P2, based on the recommendation of the Personnel Committee, following the recommendation of the Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

AUTHORIZE TO HIRE ALICIA MCCOY AS A FULL-TIME POLICE OFFICER AT A RATE OF P2

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to authorize to hire Alicia McCoy as a full-time Police Officer at a rate of P-2, based on the recommendation of the Personnel Committee, following the recommendation of the Police Chief. 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 Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

AUTHORIZE TO HIRE BARRY PARKER AS A FULL-TIME POLICE OFFICER AT A RATE OF P2

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to hire Barry Parker as a full-time Police Officer at a rate of P2, based on the recommendation of the Personnel Committee, following the recommendation of the Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

AUTHORIZE TO HIRE ROSS SMITH AS A FULL-TIME POLICE OFFICER AT A RATE OF P2

Motion was duly made by Alderman Higdon and seconded by Alderman McLendon to authorize to hire Ross Smith as a full-time Police Officer at a rate of P2, based on the recommendation of the Personnel Committee, following the recommendation of the Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

AUTHORIZE TO DECLARE 2005 FORD F250 SURPLUS AND DISPOSE – VIN 1FTSX20505EB90064

Motion was duly made by Alderman Miller, and seconded by Alderwoman Brooks to approve to declare the 2005 Ford F250, VIN 1FTSX20505EB90064, surplus and dispose of. 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 Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May 2017

DISCUSSION OF ADULT SOCCER PROGRAM

Dewayne Williams stated that Adult Soccer is a line item in the budget. We have almost 50 adults that want to participate. There is a citizen who has agreed to volunteer.

David Argos spoke in favor of having an adult soccer program, and has agreed to handle the administration.

Daniel Carson stated that the program will run from July to September. Games will be on Sunday afternoon, and will be \$65 per player which will include uniforms, referees, etc. It will generate addition revenue for the City.

Alderman Lauderdale stated that there is time involved, play at the soccer fields.

Daniel Carson stated 150 minutes with min wear and tear, each week.

Alderman McLendon questioned the cost difference.

Alderman Hobbs asked what Derick Biglane thought about it.

Derick Biglane stated that he was in favor of the program. A shortened season may be better for this year. In favor of a trial run.

Alderman Lauderdale asked Mr. Biglane about adult use of the fields.

Derick Biglane answered that he is not in favor of playing on wet fields, the goals can be moved around. The rotation of goals will help fields recover. No other cities offer adult soccer in the county. Mr. Biglane said we would have to see how the fields hold up.

Scott Sartor stated that nothing wants to be done to tear up the fields.

Alderman Higdon stated it will be 6 on 6.

A member of the audience stated that this will be a good attraction for the City.

Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to approve starting an Adult Soccer Program. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

AUTHORIZE TO INCREASE THE FEE FOR THE D2 PROGRAM FROM \$155 TO \$160

Dewayne Williams presented information on the need to increase the fee for the D2 program. It is a growing program, more kids are wanting to play competitive. This will help purchase more supplies that are needed for the coaches and kids.

Motion was duly made by Alderman Higdon, and seconded by Alderman Miller to authorize to increase the fee of D2 soccer from \$155 to \$160. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 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 MAY 2, 2017 MEETNG)

Jared Darby presented the information.

MAYOR AND BOARD OF ALDERMEN FILE: CE-1564

DATE: May 16, 2017

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

INTRODUCTION:

This 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:

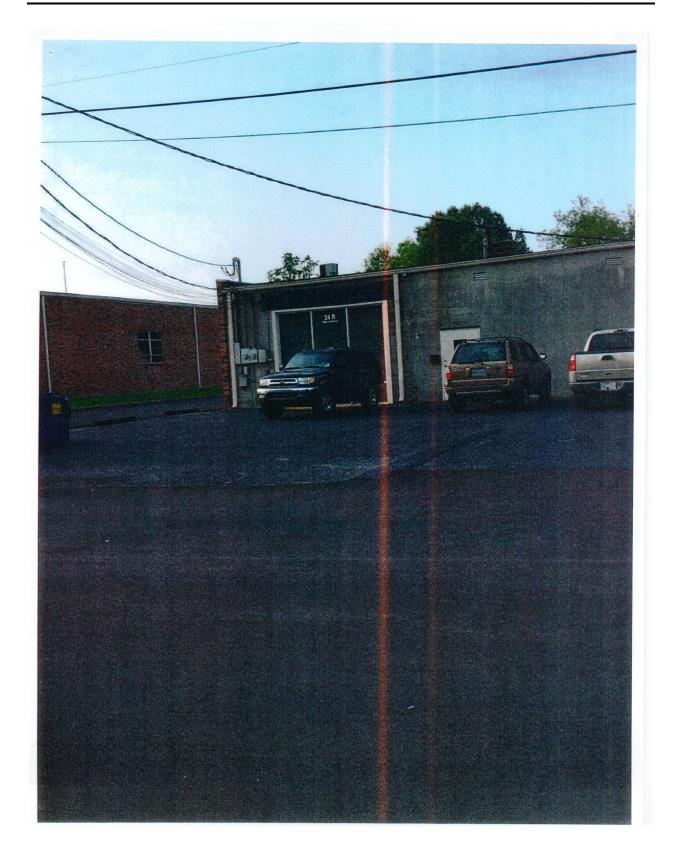
- Parking area in disrepair

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

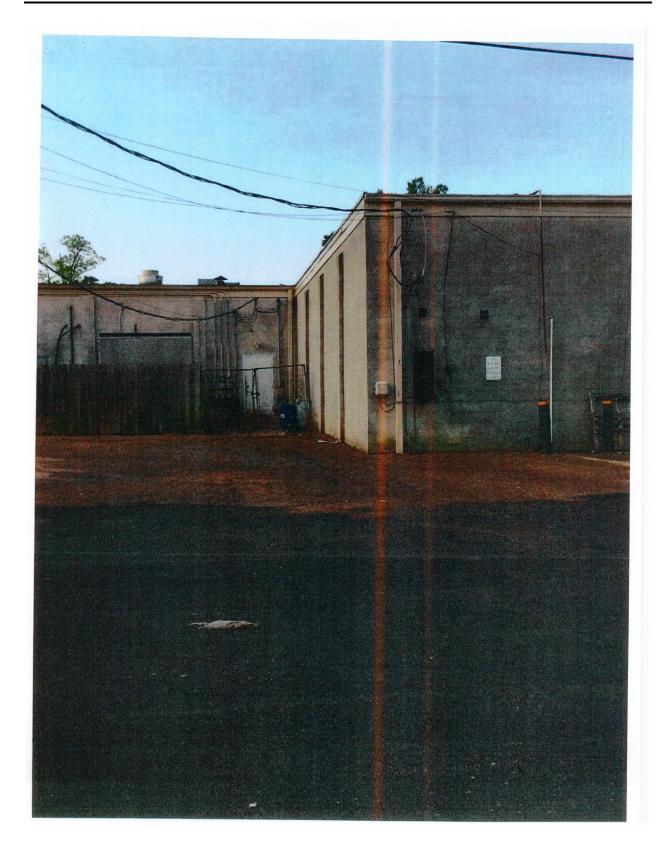
The City of Hernando has received numerous complaints from citizens regarding the state of the parking area. Many have reported that they have fallen due to the large potholes and crumbling asphalt. It is the recommendation of the Office of Planning that the Mayor and Board of Aldermen find the property 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.

UPDATE:

As of May 10, 2017, asphalt has been laid in the front and rear of parking area and striping has been done. Most recent pictures attached.











Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to authorize to release the public safety and welfare hearing upon the following conditions being met, the two down spouts to go into the storm water drain and the back parking lot completed, with staff inspecting and making the final determination. 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 Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

APPLICATION FOR A ZONING MAP AMENDMENT, SUBMITTED BY STAN ELAM REQUESTING A ZONING AMENDMENT FOR 7.52 ACRES FROM M-1, LIGHT INDUSTRIAL TO C-2, HIGHWAY COMMERCIAL. THE SUBJECT PROPERTY IS COMPRISED OF PARCELS: 3074180040001501 AND PART OF PARCEL 307418000 0000101; SITUATED IN SECTION 18, TOWNSHIP 3 SOUTH, AND RANGE 7 WEST AND SECTION 19, TOWNSHIP 3 SOUTH, RANGE 7 WEST. (FILE: PL1234)

Jared Darby presented the information on the application. The Planning Commission recommended unanimously.

MAYOR AND BOARD OF ALDERMAN FILE: PL-1234

DATE: May 16, 2017

CAPTION: Zoning Map Amendment, Parcel 3074180040001501 and 307418000000101, Stan Elam

INTRODUCTION:

Stan Elam., the owner of the subject property, is requesting a zoning map amendment for 7.52 acres located along the west side of McIngvale Road just north of the McIngvale Road and Holly Springs turn. The subject property is better known as parcel 3074180040001501 and part of 3074180000000101. The property is currently zoned "M-1", light industrial. The requested zone is for "C-2", highway commercial. The subject property has one telecommunications tower located at the southern boundary of the subject property. The subject property is bordered by "PUD", planned unit development to the east and south, which includes Lee Summit and Edgewater. The boundary to the north is adjacent to "C-2", highway commercial and to the west is the I-55 interstate.

ZONING AMENDMENT CRITERIA:

The Mayor and Board of Alderman can recommend a zoning map amendment if the Board should find suitable evidence supporting the following criteria:

1. Why the existing zoning district classification of the property is inappropriate or improper?

 $\underline{Applicant} : The \ original \ zoning \ of \ M-1 \ was \ designated \ for \ the \ property \ years \ ago \ when \ the \ thought \ was \ that \ property \ along \ I-55 \ would \ develop \ as \ industrial \ property.$

<u>Planning Commission</u>: The Commission found that there was no mistake for the current property. The property has been M-1 as far back as the '60s. However, the City of Hernando's General Development Plan's Future Land Use Map labels this area as Activity-Retail. M-1, light industrial does not fit this classification.

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

<u>Applicant</u>: The property along McIngvale Road is developing as commercial property rather than industrial. The industrial zoning in today's planning does not fit the area along McIngvale Road. Developing the property as a commercial development would be the highest and best use for the property.

<u>Planning Commission</u>: The Commission agrees with the economic and social changes that the applicant discusses in their response. Clearly the McIngvale corridor is Hernando's future commercial hub and retail center. The Commission does not agree with the statement that the property once zoned as C-2, would be the "highest and best use." Furthermore, the Commission recommends that the Board not consider the phrase "highest and best use" as a criterion for a zoning map amendment. The Commission recommends the Board focus their attention on the City's General Development Plan and overall changes that were not accounted for by the Plan regarding social, economic, and physical characteristics of the neighborhood.

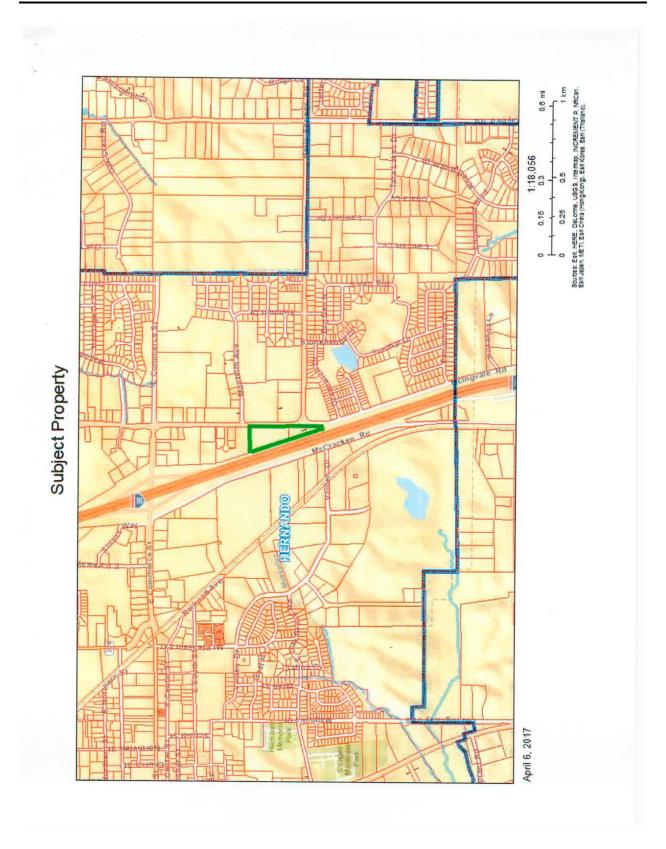
3. The public need for the rezoning.

<u>Applicant</u>: The commercial use would provide the City with an increased tax base and sales tax and the residents with additional home town shopping.

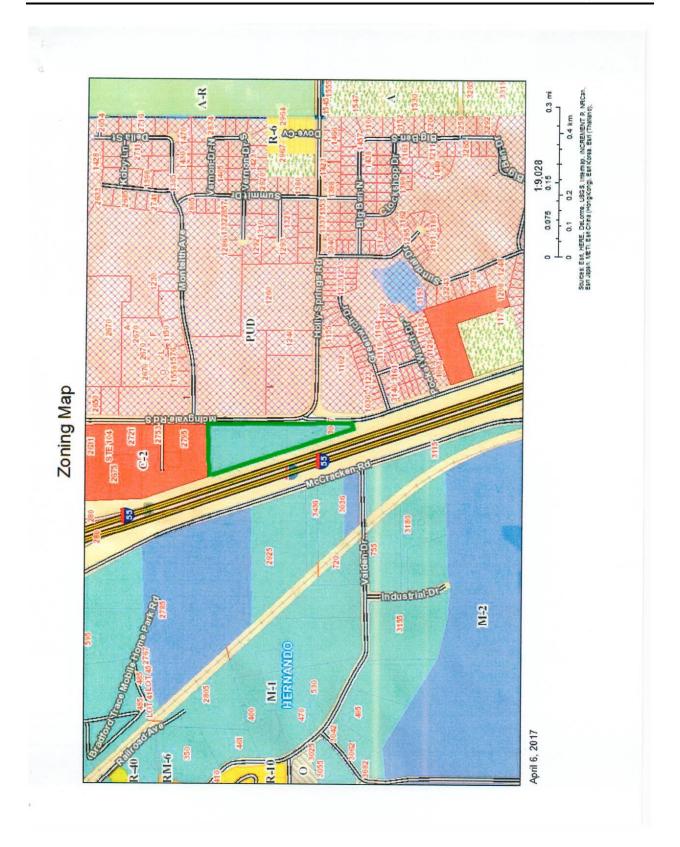
<u>Planning Commission</u>: The Commission highly recommends that the applicant's statements be ignored and not considered for criterion #3. The comments are based on financial considerations. However, the Commission finds that large acreage commercial areas are scarce within the City of Hernando. As a result, those retail services that require larger parcels are unable to do develop and provide retail services to the community.

PLANNING COMMISSION COMMENTS:

The Planning Commission recommends the zoning map amendment based upon the General Development Plan's Future Land Use Map illustrating the subject property as Activity-Retail. The change social and economic changes that have occurred near the subject property, and the need for additional commercial space. Commissioner Pirtle made a motion to recommend approval to the Mayor and Board of Alderman. Commissioner Wills seconded the motion. No one was present in opposition to the proposal. The application was recommended unanimously to the Board.







Alderman Higdon stated that it brings it in line with what is being done out there.

Alderman McLendon read through the permitted uses.

Holly McDaniel mentioned the storage units in the area, concerned about the use of mobile homes.

Alderman McLendon reaffirmed that they were speaking about mobile home sales.

Alderwoman Brooks was concerned about M-1 to C-2 being beter.

Rhodes Thompson uses for C-2 are more in line with M-1.

Alderman McLendon read C-2 Highway Commercia District current permitted uses.

Alderman Gary Higdon noted the difference of M-1 permitted uses.

Beth Rone Ross noted that she had concerns about the design guidelines.

Alderwoman Brooks noted that C-2 is better than M-1.

Mayor Johnson noted that the design guidelines had been followed.

Alderman Lauderdale stated that the market will dictate use of the property. We need to be careful.

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to accept the Planning Commissions recommendation to approve the application for a zoning map amendment, submitted by Stan Elam requesting a zoning amendment for 7.52 acres from M-1, light industrial to C-2, highway commercial. The subject property is comprised of parcels: 3074180040001501 and part parcel 307418000 0000101; situated in section 18, township 3 south, and range 7 west and section 19, township 3 south, range 7 west. A vote was taken with the following results:

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

Those voting "Nay": Alderman McLendon. ORDERED AND DONE this the 16th day of May, 2017

APPLICATION FOR A ZONING MAP AMENDMENT, SUBMITTED BY BUTLER SNOW, LLP REQUESTING A ZONING AMENDMENT FOR 16.07 ACRES FROM M-1, LIGHT INDUSTRIAL TO M-2 HEAVEY INDUSTRIAL. THE SUBJECT IS COMPRISED OF PARCELS: 3074180100000200, 3074180100000299, 3074190200000101, AND 3074190200000100 BETTER KNOWN AS 720 VAIDEN DRIVE; SITUATED IN SECTION 13, TOWNSHIP 3 SOUTH, AND RANGE 7 WEST (FILE: PL-1237)

Jared Darby presented the information on the application, and stated that the Planning Commission recommended with some findings.

MAYOR AND BOARD OF ALDERMAN FILE: PL-1237

DATE: May 16, 2017

CAPTION: Zoning Map Amendment, Parcel 3074180100000200, 3074180100000299, 307419020000101 and 3074190200000100, Butler Snow, LLP

INTRODUCTION:

Butler Snow, LLP., representing the owner of the subject property, is requesting a zoning map amendment for 16.07 acres located along the north side of Vaiden Road just west of the Vaiden Road and McCracken intersection. The subject property consists of all or part of parcels: 3074180100000200, 3074180100000299, 3074190200000101 and 3074190200000100. The property is currently zoned "M-1", light industrial. The requested zone is for "M-2", heavy industrial. The subject property has one manufacturing plant as well as associated accessory structures including chemical storage tanks. The subject property is surrounded by industrial zoning districts with rail access to the east.

ZONING AMENDMENT CRITERIA:

The Mayor and Board of Alderman can approve a zoning map amendment if the Board should find suitable evidence supporting the following criteria:

1. Why the existing zoning district classification of the property is inappropriate or improper?

<u>Applicant</u>: The applicant is not familiar with the original zoning of the property; however, the applicant's current use of the property is consistent with the historical use by the previous owner.

<u>Planning Commission</u>: The Commission recognized staff's research regarding the zoning map and recognized some inconsistencies with the subject property zoning. The zones seem to go back and forth between "M-1" and "M-2" with no rhyme or reason. However, the current zoning map was confirmed by the Mayor and Board of Alderman in 2008 as "M-1", light industrial. The General Development Plan does call for Industrial-Employment, which is appropriate for "M-2", heavy industrial.

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

 $\underline{Applicant:} \ \ The \ property \ is \ located \ in \ an \ industrial \ area. \ Based \ on \ the \ current \ uses \ of \ the \ property, \ a \ zoning \ classification \ change \ from \ "M-1" \ to \ "M-2" \ is \ desired \ to \ ensure \ compliance \ with \ the \ applicable \ City \ of \ Hernando \ zoning \ regulations.$

<u>Planning Commission</u>: The Commission found that the subject property's land use matches those land uses listed under the "M-2", heavy industrial zoning district. The majority of the surrounding land uses also match "M-2", heavy industrial zoning district.

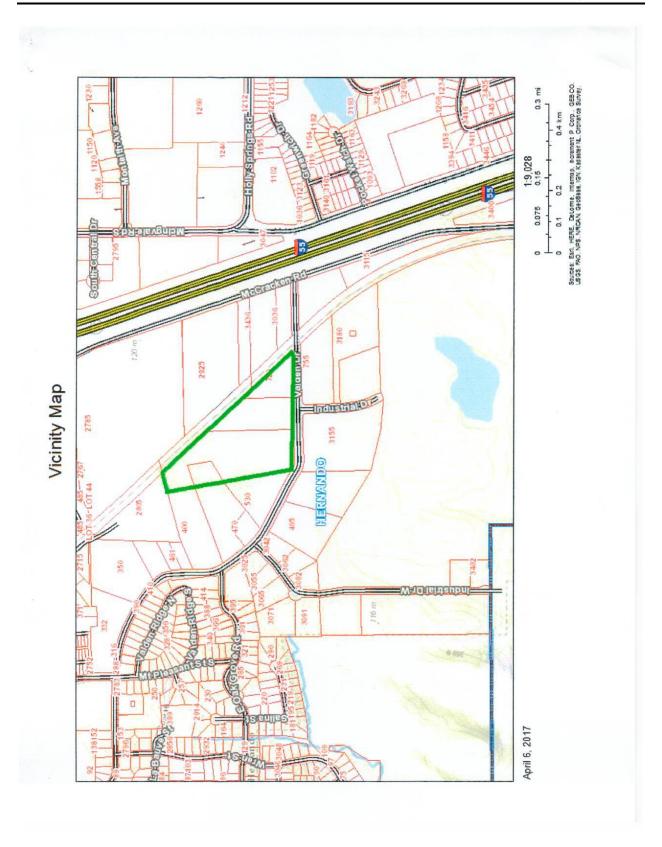
3. The public need for the rezoning.

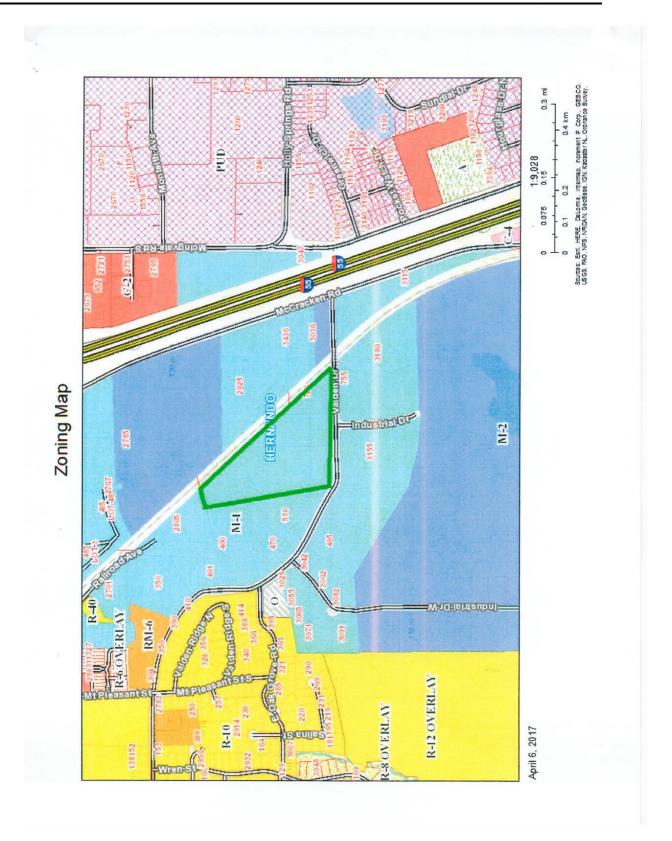
<u>Applicant</u>: The applicant's manufacturing and distribution facilities employ the citizens of Hernando. The rezoning of the property for the current uses will allow for the continuous operations of the applicant's facilities, which allows for the continued employment of the current employees. Additionally, in order to expand the operations and improvements located on the property, which leads to future growth and job opportunities for the citizens of Hernando, the property must be in compliance with the zoning ordinance.

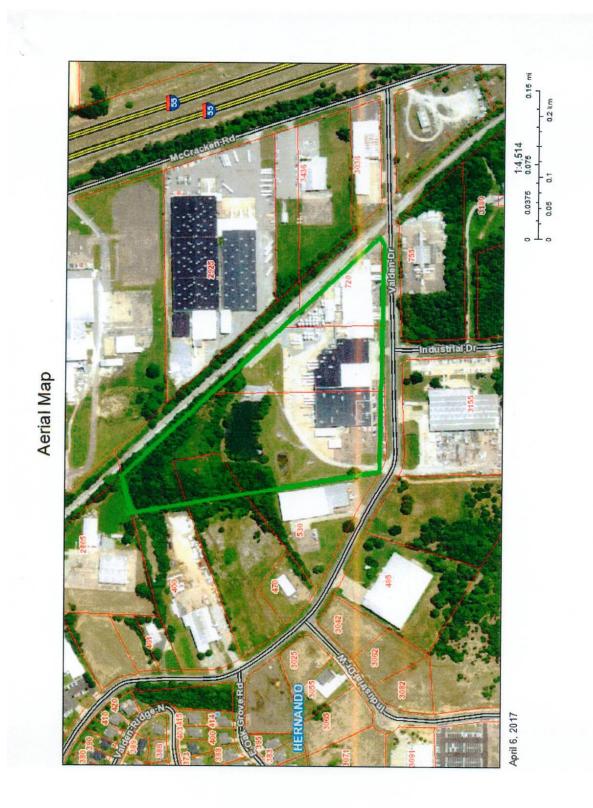
<u>Planning Commission</u>: The Commission agrees with the applicant's statements in regards to future growth and expansion of uses for the subject property. Currently, the city considers the land use as a legal-nonconforming use. (M-2, land use in an M-1 zoning district.) In the future, if the land owner wishes to expand that would not be possible under the current zoning district.

PLANNING COMMISSION COMMENTS:

The Planning Commission recommends the zoning map amendment based upon the General Development Plan's Future Land Use Map illustrating the subject property as Industrial-Employment. The economic changes that have occurred for the subject property, and the need for additional industrial expansion. Commissioner Hawkins made a motion to recommend approval to the Mayor and Board of Alderman. The motion was seconded by Commissioner Jernigan. No one was present to speak against the application. The motion passed unanimously.







Motion was duly made by Alderman Higdon, and seconded by Alderman Miller to accept the Planning Commission recommendation, with findings, to approve the application for a zoning map amendment, submitted by Butler Snow, LLP, requesting a zoning amendment for 16.07 acres from M-1, light industrial to M-2, heavy industrial. The subject is comprised of Parcels: 307418010000200, 3074180100000299, 3074190200000101, and 3074190200000100 better known as 720 Vaiden Drive; situated in section 13, township 3 south, and range 7 west. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

APPLICATION FOR A ZONING MAP AMENDMENT, SUBMITTED BY BUTLER SNOW, LLP REQUESTING A ZONING AMENDMENT FOR 9.97 ACRES FROM M-1, LIGHT INDUSTRIAL TO M-2, HEAVY INDUSTRIAL. THE SUBJECT PROPERTY IS COMPRISED OF PARCEL: 3074180040001400 BETTER KNOWN AS 2925 MCCRACKEN

ROAD; SITUATED IN SECTION 13, TOWNSHIP 3 SOUTH, AND RANGE 7 WEST. (FILE: PL-1238)

Jared Darby presented the information on the application, and stated that the Planning Commission recommended approval, with some findings.

MAYOR AND BOARD OF ALDERMAN FILE: PL-1238

DATE: May 16, 2017

CAPTION: Zoning Map Amendment, Parcel 3074180040001400, Butler Snow, LLP

INTRODUCTION:

Butler Snow, LLP., representing the owner of the subject property, is requesting a zoning map amendment for 9.97 acres located along the west side of McCracken Road just north of the Vaiden Road and McCracken intersection. The subject property consists of parcel: 3074180040001400. The property is currently zoned "M-1", light industrial. The requested zone is for "M-2", heavy industrial. The subject property has one manufacturing plant as well as associated accessory structures including chemical storage tanks. The subject property is surrounded by industrial zoning districts with rail access to the west.

ZONING AMENDMENT CRITERIA:

The Mayor and Board of Alderman can recommend a zoning map amendment if the Board should find suitable evidence supporting the following criteria:

1. Why the existing zoning district classification of the property is inappropriate or improper?

<u>Applicant</u>: The applicant is not familiar with the original zoning of the property; however, the applicant's current use of the property is consistent with the historical use by the previous owner.

<u>Planning Commission</u>: The Planning Commission recognized staff's research of the subject property and found some inconsistencies with the subject property zoning. The zones seem to go back and forth between "M-1" and "M-2" with no rhyme or reason. However, the current zoning map was confirmed by the Mayor and Board of Aldermen in 2008 as "M-1", light industrial. The General Development Plan does call for Industrial-Employment, which is appropriate for "M-2", heavy industrial.

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

<u>Applicant</u>: The property is located in an industrial area. Based on the current uses of the property, a zoning classification change from "M-1" to "M-2" is desired to ensure compliance with the applicable City of Hernando zoning regulations.

<u>Planning Commission</u>: The Planning Commission found that the subject property's land use matches those land uses listed under the "M-2", heavy industrial zoning district. The majority of the surrounding land uses also match "M-2", heavy industrial zoning district.

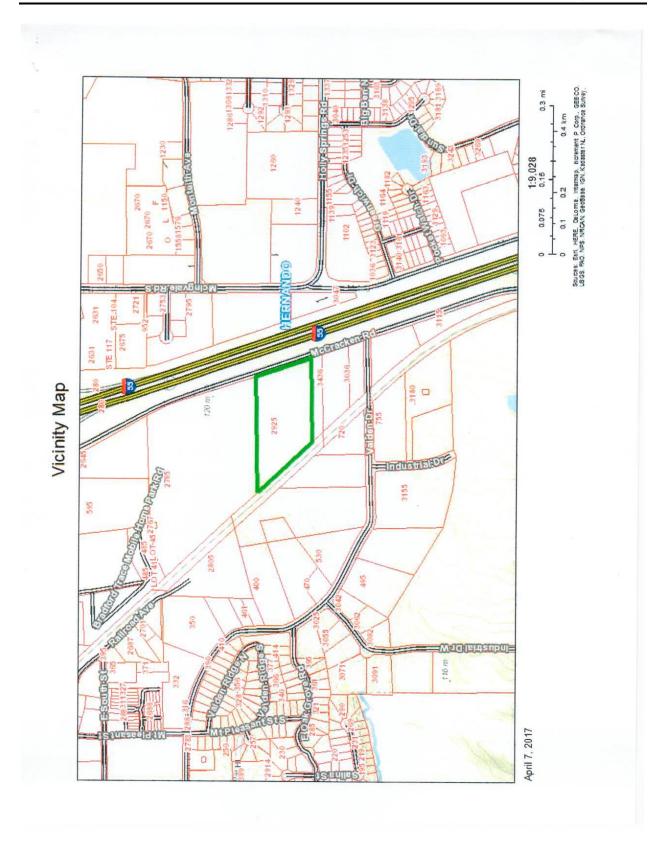
3. The public need for the rezoning.

<u>Applicant</u>: The applicant's manufacturing and distribution facilities employ the citizens of Hernando. The rezoning of the property for the current uses will allow for the continuous operations of the applicant's facilities, which allows for the continued employment of the current employees. Additionally, in order to expand the operations and improvements located on the property, which leads to future growth and job opportunities for the citizens of Hernando, the property must be in compliance with the zoning ordinance.

<u>Planning Commission</u>: The Planning Commission agrees with the applicant's statements in regards to future growth and expansion of uses for the subject property. Currently, the city considers the land use as a legal-nonconforming use. (M-2, land use in an M-1 zoning district.) In the future, if the land owner wishes to expand that would not be possible under the current zoning district.

PLANNING COMMISSION COMMENTS:

The Planning Commission recommends the zoning map amendment based upon the General Development Plan's Future Land Use Map illustrating the subject property as Industrial-Employment. The economic changes that have occurred for the subject property, and the need for additional industrial expansion. Commissioner Sims made a motion to recommend approval to the Mayor and Board of Alderman. Commissioner Wills seconded the motion. No one was present in opposition. The motion passed unanimously.







Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to accept the Planning Commission recommendation, with findings, to approve the application for a zoning map amendment, submitted by Butler Snow, LLP, requesting a zoning amendment for 9.97 acres from M-1, light industrial to M-2, heavy industrial. The subject property is comprised of parcel: 3074180040001400 better known as 2925 McCracken Road; situated in section 13, township 3 south,

3074180040001400 better known as 2925 McCracken Road; situated in section 13, township 3 south, and range 7 west. 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 16th day of May, 2017

APPLICATION FOR A ZONING ORDINANCE AMENDMENT SUBMITTED BY THE CITY OF HERNANDO IS REQUESTING A ZONING AMENDMNET FOR ARTICLE XVIII, SECTION (A), PARAGRAPH (VI). (FILE: PL-1217)

MAYOR AND BOARD OF ALDERMAN FILE: PL-1217

DATE: May 16th, 2017

CAPTION: Zoning Ordinance Amendment, Article XVIII, Section (a), Paragraph (vi), City of Hernando

INTRODUCTION:

The City of Hernando Mayor and Board of Aldermen has requested that the Planning Commission provide a recommendation for Zoning Map Amendment advertisement procedures.

STAFF COMMENTS:

There are two authorities that govern advertisement requirements for Zoning Map Amendment applications for the City of Hernando. Mississippi state law and of course the city's zoning ordinance. Miss. Code Ann. § 17-1-15 (2016) and City of Hernando, Zoning Ordinance: Article XVIII, Section (a), Paragraph (vi) essentially has the same language. The subject article states:

The Planning Commission shall make its recommendation on such request for any amendment, supplement, change, or modification, or repeal to the City of Hernando, and the City of Hernando shall proceed to hold a public hearing in relation thereto after giving 15 days notice of the hearings in an official newspaper specifying the time and place for said hearing.

In addition to the newspaper notice, planning staff sends out a certified letter to all parcel owners within 500 ft. of the subject property. The actual zoning map amendment application requires the applicant to provide a sign to certain specifications as outlined in the attached example application. The sign is provided at the applicant's own expense.

The Mayor and Board of Aldermen has requested the Planning Commission to review our notification procedures and to provide recommendations if warranted. As the City Planner, I have expressed to the Mayor and Board of Aldermen in open meeting that our procedures are thorough and are comparable to what other neighboring jurisdictions have in place. Some Alderman agree with staff, other Aldermen believe we do too much, while others say more is needed.

Therefore, I thought it would be helpful to have a small workshop to discuss everyone's thoughts on the matter and try to provide the Mayor and Board of Aldermen with a statement or procedure revisions if necessary. Since we are discussing revisions, I believe our procedures should remain as is except to eliminate the sign requirements. The sign is often difficult to read and the information provided is overload and often incorrect. (Not by the applicant's doing necessarily, but other variables often come into play throughout the course of the land entitlement process.) It is an additional burden for the applicant. The City of

Olive Branch eliminated their sign requirement well over 15 years ago. During my time as an employee, I never heard a complaint. The City of Hernando also never required a sign until it was administratively required to be a part of the application.

Commissioners, I encourage you to brain storm and have some discussion points prepared. I will also caution you and steer you away from the following:

- As you are most likely aware, the Commissioners cannot alter Article XVIII, Section
 (a), Paragraph (vi) as it needs to match the state law. However, you can add to it if
 necessary.
- 2) We often want to jump to social media and websites as a tool, and rightly so. Social media is how I get my news and it is probably how you get yours. Our City Attorney has strongly cautioned the use of social media for a variety of reasons. He will be in attendance and he can elaborate further.
- 3) As I explained to the Mayor and Board of Aldermen, any procedures that include extra steps to advertise Zoning Map Applications will result in extra costs for tax payers. Please keep that in mind.

Please feel free to call and discuss or set an appointment.

UPDATE:

Based upon the Planning Commission's recommendations staff has provided the following ordinance amendment to bring consistent notification procedures to the community by clearly identifying the subject property that is under consideration:

viii. The Office of Planning shall install a 4x8 ft. red sign to be located on the parcel sought to be amended under the procedures of Article XVIII. The sign shall include the following information: City of Hernando Public Notice: Zoning District, Hernando City Hall address, City Hall phone number, and the case file number. The information shall be displayed with white letters no less than 3" in size. The sign shall be placed on the subject property no less than 15 days from the scheduled hearing date for the application.

Jared Darby presented the amendment, with the Planning Commission findings. Mr. Darby stated that the staff would be in charge of proofing the signs.

Alderman Hobbs wants the case number on the website to find more information.

Alderman McLendon thinks the date should be on it.

Alderman Hobbs wants the website address on the sign.

Motion was duly made by Alderman Higdon, and seconded by Alderman Miller to accept the Planning Commission recommendation to approve the zoning ordinance amendment of article XVIII, section (A), paragraph (VI), written to include the Planning Commission recommendation, adding the website address on the sign and to have staff determine the cost that the sign will be. A vote was taken with the following results:

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

Those voting "Nay": None.

AUTHORIZE MAYOR JOHNSON TO SIGN AN AGREEMENT WITH AERC, PLLC FOR ARCHITECTURAL & ENGINEERING SERVICES ON THE OFFICE ADDITION TO THE MAINTENANCE BUILDING

Motion was duly made by Alderman Miller, and seconded by Alderman Hobbs to authorize Mayor Johnson to sign an agreement with AERC, PLLC for the architectural & Engineering services on the office addition to the maintenance building. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of May, 2017

AUTHORIZE TO ADVERTISE FOR QUOTES ON 4TH OF JULY FIREWORK SHOW

Alderman Higdon was concerned about the fireworks time frame.

Mayor Johnson stated that the reason this came up is because a company that lives in the City asked about why he couldn't bid after the last show. I asked Kenny about it, and he said that we should be putting it out for quotes.

Kenny stated I called the auditors office last year, they said that we have to get quotes on it.

Alderman Higdon stated we have to have cause to not bid it. I don't see how it can be done.

Alderman Lauderdale asked who was responsible for getting the two quotes for the fireworks shows.

Mayor answered that the board has been telling me to let Jason Coleman do it. There really hasn't been anyone to handle it.

Lauderdale stated were we just not going to do the show.

Mayor answered no, we were going to get quotes on it.

Alderman Higdon stated that Coleman has done Wesley Meadows show and ours.

Mayor asked Kenny what his professional opinion is.

Kenny stated that we have to follow the bid laws. We have to have specs to bid by.

Alderman Miller asked about the time line.

Mayor stated that we can bring it back to the first Board meeting in June. They Board can set the specs.

Alderman McLendon stated that he will volunteer to get specs.

Alderman Miller stated that he will volunteer to get specs also.

Motion was duly made by Alderman Miller, and seconded by Alderman McLendon to authorize to have two Aldermen set specs for a show with the city staff's help. A vote was taken with the following results:

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

Those voting "Nay": None.

AUTHORIZE NORTH MISSISSIPPI UTILITY TO HOOK ONTO DCRUA LINE FOR FOUNTAIN GATE SUBDIVISION AND AUTHORIZE MAYOR TO SIGN LETTER

Joe Frank Lauderdale presented the information.

Motion was duly made by Alderman Miller, and seconded by Alderman Hobbs to authorize North Mississippi Utility to hook Fountain Gate Subdivision onto the DCRUA line, at their own expense, and authorize the Mayor to sign the letter. 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.

ADJOURN There being no further business at this time a motion was duly made by Alderman Lauderdale, seconded by Alderman Bryant to adjourn. Motion passed with a unanimous vote of "Aye".	
KATIE HARBIN, CITY CLERK	