

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, May 19, 2020 at 6:00 P.M. with Mayor Tom Ferguson presiding. Aldermen present were: Alderman Harris, 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, Community and Economic Development Director Gia Matheny, Planning Director Keith Briley, City Engineer Joe Frank Lauderdale, Police Chief Scott Worsham, Assistant Police Chief Shane Ellis, Darla Mirth, Thomas Mirth, Kevin Thorn, Natalie Lynch, Greg Smith, Jim Flanagan, Mike Mullis, Joe Whitfield, Patrick Collins, Chris Fuller, Yvonne Fuller, and Darrell Dixon.

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### PLEDGE OF ALLEGIANCE

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Pledge of Allegiance

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### INVOCATION

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Alderman Harris gave the invocation.

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### AGENDA

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Agenda  
City of Hernando  
Mayor and Board of Alderman  
Regular Meeting

May 19, 2020

6:00pm

- 1) Call the meeting to order
- 2) Pledge of Allegiance
- 3) Invocation
- 4) Approve Agenda
- 5) Approve Docket of Claims No.'s 36527 – 36749 less 36568 – 36581
- 6) Approve Docket of Claims No.'s 36568 – 36581 (Bryant)
- 7) Approve Minutes
- 8) Consent Agenda

- A) Authorize to the Mayor, Board of Aldermen, Kenny Stockton, and Department heads to attend the Annual MML Conference in Biloxi, MS on September 1-3, 2020 (travel dates August 30 – September 4), and authorize to pay registration and travel expenses. (previously approved with June/July dates)
  - B) Authorize Mayor Ferguson to sign an agreement with Start 2 Finish for services at the Water Tower 10K (Attorney has already reviewed)
  - C) Request from the Historic Desoto Foundation for funding (general fund, amount is \$6,000 - same as past years)
- 9) Request from Memory Craig to do a Senior Caravan from the Civic Center to the High School
- 10) Request to waive the requirement for sidewalks for the 333 Place Subdivision – Joe Whitfield, Owner
- 11) Request to Reduce the Bond Amount for Forest Meadows Phase 5 First Revision – Nicholas Kreunen, PE with Civil Link
- 12) PL-1403 – Request to Rezone 140+ acres of land from A Agricultural to PUD Planned Unit Development – A Portion of Parcel No. 308515000 0000502, Parcel No. 308614000 0000700, and Parcel No. 308614000 0000713 located on the North Side of West Oak Grove Road, East of Oak Crossing Drive, and South of West Commerce Street – Bob Barber, FAICP, with Orion Planning + Design
- 13) PL-1441 – Request for Final Plat Approval of Montclair Phase 5 – Southern Extension of Eden Crossing and Clair Circle South – Greg Smith with Mendrop Engineering Resources
- 14) PL-1445 – Request for Final Plat Approval for Trustmark Commercial Subdivision – Northeast Corner of East Commerce and East Parkway – David Baker with Fisher Arnold, Inc.
- 15) Approve Utility Bill Adjustment Docket
- 16) Executive Session for Negotiations
- 17) Adjourn

Motion was duly made by Alderman Miller and seconded by Alderman Harris to approve the agenda as presented, after moving item number 12 to be item number 9, moving all others down. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19<sup>th</sup> day of May, 2020.

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**APPROVE DOCKET OF CLAIMS NO.'S 36527 – 36749 LESS 36568 - 36581**

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The Board of Aldermen were presented with a docket of claims No. 36527 – 36749 less 36568 – 36581 in the amount of \$421,276.57 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 19<sup>th</sup> day of May, 2020.

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**APPROVE DOCKET OF CLAIMS NO.'S 36565 - 36581 (BRYANT)**

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Aldermen Bryant was not present for the meeting.

The Board of Aldermen were presented with a docket of claims No. 36565- 36581 in the amount of \$5,232.50 approval.

Motion was duly made by Alderman Harris 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 Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 19<sup>th</sup> day of May, 2020.

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**APPROVE THE MINUTES FROM THE REGULAR MAYOR AND BOARD OF ALDERMEN MEETING ON MAY 5, 2020**

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Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to approve the minutes from the regular Mayor and Board of Aldermen Meeting on May 5, 2020. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19<sup>th</sup> day of May, 2020.

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**CONSENT AGENDA**

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- A) Authorize to the Mayor, Board of Aldermen, Kenny Stockton, and Department heads to attend the Annual MML Conference in Biloxi, MS on September 1-3, 2020 (travel dates August 30 – September 4), and authorize to pay registration and travel expenses. (previously approved with June/July dates)
- B) Authorize Mayor Ferguson to sign an agreement with Start 2 Finish for services at the Water Tower 10K (Attorney has already reviewed)
- C) Request from the Historic Desoto Foundation for funding (general fund, amount is \$6,000 - same as past years)

Motion was duly made by Alderwoman Brooks and seconded by Alderman Hobbs 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 19<sup>th</sup> day of May, 2020.

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**PL – 1403 – REQUEST TO REZONE 140+ ACRES OF LAND FROM A  
AGRICULTURAL TO PUD PLANNED UNIT DEVELOPMENT – A PORTION OF  
PARCEL NO. 308515000 0000502, PARCEL NO. 308614000 0000700, AND PARCEL NO.  
308614000 0000713 LOCATED ON THE NORTH SIDE OF WEST OAK GROVE ROAD,  
EAST OF OAK CROSSING DRIVE, AND SOUTH OF WEST COMMERCE STREET –  
BOB BARBER, FAICP, WITH ORION PLANNING + DESIGN**

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Keith Briley stated that the applicant would like to table this item to the June 16<sup>th</sup> Mayor and Board of Aldermen meeting.

Alderman McLendon asked if there was a time limit for the applicant to oppose or challenge the Planning Commission’s decision.

Keith Briley stated the process is it is filed with the Planning Commission; the Planning Commission make a recommend to the Mayor and Board of Aldermen. The Board can decide to challenge it. For a rezone, there is no challenge unless the applicant challenges what the Board decides.

Alderman Miller stated isn’t this too much discussion.

Kenny Stockton answered yes, it’s like y’all are having a hearing.

An audience member asked how common is it for it to be delayed and for what reason.

Mayor Ferguson answered it’s pretty common. They might be working on things, why it failed, etc.

Kenny Stockton stated there is no changes to the application.

Motion was duly made by Alderman Harris and seconded by Alderman Hobbs to table this item to the June 16, 2020 Mayor and Board of Aldermen meeting. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 19<sup>th</sup> day of May, 2020.

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**REQUEST FROM MEMORY CRAIG TO DO A SENIOR CARAVAN FROM THE  
CIVIC CENTER TO THE HIGH SCHOOL**

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Memory Craig spoke on the Caravan. Mrs. Craig stated the line up would be at 7pm, with the caravan starting at 730pm. They will travel from the Civic Center to the High School. They will need the Police Department to help with leading it and at intersections.

Motion was duly made by Alderman Miller and seconded by Alderman Harris to approve the request from Memory Craig to do a Senior Caravan from the Civic Center to the High School. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 19<sup>th</sup> day of May, 2020.

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**REQUEST TO WAIVE THE REQUIREMENT FOR SIDEWALKS FOR THE 333  
PLACE SUBDIVISION – JOE WHITFIELD, OWNER**

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Keith Briley presented the information.



**City of  
Hernando**  
MISSISSIPPI

**BOARD OF ALDERMEN  
STAFF REPORT**

Project No.: PL-1307

Item No.: \_\_

Request: Waive the Requirement for Sidewalk for 333 Place Subdivision

Location: Southeast Corner of Park Street and Church Street

Applicant: Joe Whitfield, Owner/Developer

Date: March 20, 2018

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### **INTRODUCTION:**

Mr. Joe Whitfield, owner of 333 Place Subdivision is requesting the waiver of the requirement for sidewalks.

### **BACKGROUND:**

333 Place Subdivision is located south of Park Street, east of Church Street, and north of Southern Street. 333 Place Subdivision received Planning Commission approval on March 13, 2018, Board of Aldermen approval on March 20, 2018, and was recorded in the Chancery Clerk's Office on August 19, 2019, in Plat Book 128 Page 40-41. The subject property is zoned R-10 Single Family Residential.

### **DISCUSSION:**

The following is a list of the sections from the City's Subdivision Regulations that address the design and minimum requirements of subdivision development that relate to the subdivision design and development.

#### *Article VI - Required Minimum Improvements*

##### *E. Minimum Standards*

##### *1. Street Improvements*

- i. Curb and gutter will be installed in all residential, commercial, and industrial zoned subdivisions using the Mississippi State Highway Specifications. The developer shall have material and compression tests of the concrete performed and the results submitted to the Engineer. In residential, industrial, and commercial subdivisions in rural areas, curb and gutter requirements shall be of such character as is suitable for the expected traffic and in harmony with similar improvements in the surrounding area, as determined by the City Engineer.*

##### *G. Sidewalks*

- 1. Concrete sidewalks not less than five (5) feet wide and four (4) inches in depth shall be constructed along both sides of all major and collector streets with curbs and gutters in accordance with applicable standard specifications of the City. Sidewalks shall be constructed along at least one side of every minor street shown on the plat with the exception of cul-de-sac where sidewalks are not required.*
- 2. The Mayor and Board of Aldermen may waive the above requirement for sidewalks provided that street rights-of-way are left unobstructed and graded in such manner that sidewalks may be constructed at a later date.*

**STAFF COMMENTS:**

1. The applicant is asking for the Board to approve a waiver of the required sidewalk installation.
2. Included is a copy of the minutes from the March 20, 2018, Board of Aldermen meeting where 333 Place Subdivision received approval. Highlighted is the reference to sidewalks being required as part of the subdivision.
3. Included are photographs of the subdivision. The photographs were taken from the intersection of Park Street and Church Street.

**STAFF RECOMMENDATION:**

Staff recommends enforcement of the required sidewalks.

**PROPOSED MOTION:**

I move to enforce the requirement of the installation of sidewalks along the street frontage of 333 Place Subdivision.

Alderwoman Brooks asked what the reason for requesting to waive sidewalks.

Joe Whitfield answered that we don't have a way to run them. I'm asking to mitigate them. We have places of sidewalks that need repair around town. If we did them, they will go to nowhere. I'd like to give \$5,000 for you to repair sidewalks somewhere else and allow me to not do sidewalks here.

Alderman Harris stated there really isn't anywhere to put them, no room.

Alderwoman Brooks asked Keith if he has any type of contingent plan.

Keith Briley answered I think sidewalks could be put in. He'd have to do it a little different.

Alderman Harris stated you'll have to help me see that.

Keith Briley stated go behind the utility pole.

Joe Whitfield stated there would be a lot more than that to do the sidewalk.

Alderman Hobbs stated he'd like to see the before construction pictures. Maybe you could have graded it different. There isn't any curb and gutter on that last house.

Joe Whitfield stated it has always been that way. I was unaware that sidewalks were required. We didn't have them on our plat.

Keith Briley stated I've never seen sidewalks on plats.

Mayor Ferguson stated isn't there very few undeveloped lots in the old town.

Keith Briley answered yes, this is one of them.

Alderman Harris asked if any of you have looked at this property.

Alderman Hobbs answered yes, I did. I was actually the one who brought it up while the property was being graded.

Joe Whitfield stated I don't see why I'd need to put sidewalks to nowhere.

Alderman Hobbs answered because one day they will connect. Also, you and I both know that it will cost more than \$5,000.

Joe Whitfield stated no, it won't. Calculate the square footage.

Alderman Hobbs asked when was this issue brought to your attention.

Joe Whitfield answered when they did the final inspection.

Mayor Ferguson stated is there a difference between old town lot and a subdivision.

Kenny Stockton stated yes, because he changed it from old town to subdivision.

Mayor Ferguson asked if a building stays vacant for a year, they have to bring it up to code, right.

Keith Briley answered if they changed uses, yes.

Alderman Miller asked if it's feasible to do Parks Street, could you give us a cost to mitigate Church Street.

Alderman Miller stated if we state sidewalks must be put on Park and mitigate sidewalks on Church.



Kenny Stockton stated our ordinance does not have a clause for mitigation. Mr. Stockton stated you could possibly state a street to use the money on.

Joe Frank Lauderdale answered Alderman Miller's question, stating between \$3,500 and \$4,000.

Alderman McLendon asked did we charge the last one a fee.

Keith Briley answered no, they did sidewalks.

Kenny Stockton stated that was different, y'all waived them.

Keith Briley stated that commercial is under different regulations than residential.

Alderman McLendon stated this has happened before.

Keith Briley stated yes, and I owned up to it and apologized. It hasn't happened since.

Alderman McLendon stated yes, but it's happened several times before that.

Alderman McLendon asked who is responsible for sidewalk maintenance.

Keith Briley answered the homeowner should be.

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to require sidewalks on Parks Street and to enter into an agreement regarding the sidewalk on Church Street, also to get the cost it would be and use the funds on another sidewalk. vote was taken with the following results:

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

Those voting "Nay": Alderman McLendon.

ORDERED AND DONE this the 19<sup>th</sup> day of May, 2020.

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**REQUEST TO REDUCE THE BOND AMOUNT FOR FOREST MEADOWS PHASE 5  
FIRST REVISION – NICHOLAS KREUNEN, PE WITH CIVIL LINK**

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Keith Briley presented the information.



**City of  
Hernando**  
MISSISSIPPI

**BOARD OF ALDERMEN  
STAFF REPORT**

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Project No.: PL-1243 Item No.: \_\_  
Request: Request to Reduce the Bond Amount for Forest Meadows Phase 5 First Revision  
Location: West of Jaybird Road and South of Notting Hill Drive  
Applicant: Nicholas Kreunen, PE with Civil Link  
Date: May 19, 2020

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**INTRODUCTION:**

Nicholas Kreunen, PE with Civil Link and project engineer is requesting to Reduce the Bond Amount for Forest Meadows Phase 5 First Revision.

**BACKGROUND:**

Forest Meadows Subdivision, Phase 5 was approved by the City of Hernando Planning Commission on January 13, 2015. The subdivision was approved by the Hernando Board of Aldermen on February 3, 2015. The Final Plat was recorded in the DeSoto County Chancery Clerks Office on October 20, 2016, in Plat Book 119 Pages 16-18.

**DISCUSSION:**

The developer has surfaced the roads in Forest Meadows Subdivision Phase 5 with the final coat of asphalt. As a result, the developer request to have the amount of the subdivision bond reduced.

**STAFF COMMENTS:**

1. Attached is a copy of the request that was emailed to the Planning Director.
2. Attached is a copy of the original letter from the City Engineer that established the original subdivision bond amount.
3. Attached is a copy of the check originally submitted to the City of Hernando in the bond amount.
4. Attached is a letter from the City Engineer establishing the maintenance bond amount.

**STAFF RECOMMENDATION:**

Because the final layer of asphalt has been installed and reviewed by the City Engineer, Staff recommends approval.

**PROPOSED MOTION:**

I move to reduce the bond for Forest Meadows Subdivision, Phase 5 from \$88,500 to \$40,000, subject to Staff Comments.



## City of Hernando, Mississippi

May 14, 2020

City of Hernando Planning Dept.  
475 West Commerce Street  
Hernando, Ms. 38632

Re: Maintenance Bond for improvements for Forest Meadows Phase 5

Dear Mayor and Board of Aldermen:

I have reviewed the construction improvements for Forest Meadows Phase 5 and I recommend the following maintenance bond amount needed for the subdivision.

1. Maintenance bond for streets- \$18,000.00
2. Sidewalks - \$10,000.00
3. Erosion Control --- \$5000.00
4. Signs - \$2000.00
5. Drainage - \$5000.00

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TOTAL RECOMMENDED BOND -- \$40,000.00

Sincerely:

  
Joseph F. Lauderdale P.E.

475 West Commerce    Hernando, Mississippi 38632    662-429-9092  
[www.cityofhernando.org](http://www.cityofhernando.org)

Motion was duly made by Alderman McLendon and seconded by Alderman Miller to approve to reduce the bond for Forest Meadows Subdivision, Phase 5 from \$88,500 to \$40,000, subject to Staff comments. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19<sup>th</sup> day of May, 2020.

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**PL – 1441 – REQUEST FOR FINAL PLAT APPROVAL OF MONTCLAIR PHASE 5 –  
SOUTHERN EXTENSION OF EDEN CROSSING AND CLAIR CIRCLE SOUTH –  
GREG SMITH WITH MENDROP ENGINEERING RESOURCES**

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Keith Briley presented the information.



**City of  
Hernando**  
MISSISSIPPI

**BOARD OF ALDERMEN  
STAFF REPORT**

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Project No.:	PL-1441	Item No.:	__
Request:	Final Subdivision Plat – Montclair Subdivision Phase 5		
Location:	West End of Scott Road situated in Section 23, Township 3, Range 8		
Applicant:	Greg Smith with Mendrop Engineering		
Date:	May 12, 2020		

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**INTRODUCTION:**

Mr. Greg Smith with Mendrop Engineering is requesting Final Plat approval of Montclair Subdivision Phase 5, a 66-lot single-family residential subdivision. The subject property is located in the southwest portion of the City of Hernando.

**BACKGROUND:**

Ivy Meadows was approved as a 192.40 acres Planned Residential Neighborhood by the City of Hernando in 2005. The area in which the proposed development is located was annexed into the City of Hernando in November of 2005. In 2007, the property underwent ownership change and a change in the name of the project to Montclair Planned Residential Development. The subject property is located within a PUD Overlay District.

*Montclair Subdivision Previously Approved Phases*

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	<u>Phase 1</u>	<u>Phase 2</u>	<u>Phase 3</u>	<u>Phase 4</u>
Planning Commission	8 Aug 2006	12 Sept 2016	17 Nov 2017	13 Feb 2019
Board of Aldermen	15 Aug 2006	4 Oct 2016	21 Nov 2017	21 May 2019
Chancery Clerks Office	15 Feb 2007	31 Jan 2017	1 May 2018	16 Sept 2019

### **DISCUSSION:**

Montclair Subdivision Phase 5 is part of the Montclair (Ivy Meadows) Development Plan. The subdivision consists of 66 residential lots with varying lot sizes as outlined in the Montclair (Ivy Meadows) Development Plan. The lots will be located along a southern extension of Clair Circle South and Eden Crossing.

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 and the Montclair (Ivy Meadows) Development Plan.

### **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. 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.
4. Sidewalks shall be installed on the both sides of all streets.
5. Finished floor elevations shall be listed for each lot.
6. Prior to Construction Plan approval, Streetlight plans shall be submitted to the Office of Planning for City Engineer and Planning Director approval.

7. All utilities and services (electric, telephone, cable, etc.) are to be installed underground.
8. 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. Following Plat Approval, the Developer shall submit two (2) complete sets of construction plans for review and approval to the Office of Planning.
13. Prior to recoding the final plat, all Public Improvements shall be installed, completed, and accepted by the City of Hernando.
14. Prior to recording the final plat, the Developer shall include all required certificates and execute those that are applicable to him and his assigns.
15. 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.
16. Prior to submitting the plat for recording, the applicant shall coordinate with the Post Office the centralized delivery location of the mail boxes.
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 the beginning of construction, the Developer shall enter into a Development Agreement 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.

***Project Specific Comments***

1. The Pattern Book required by Article IV B. h. of the City of Hernando Subdivision Regulations Ordinance has been supplied and approved as part of the Planned Unit Development approval process.
2. Prior to recording the Final Plat, street names shall be assigned.

3. Prior to recording the Final Plat, the developer shall enter into a Development Contract for public infrastructure with the City of Hernando.
4. Prior to recording the Final Plat, the developer shall submit a list of lot numbers and corresponding street addresses for phase 5.
5. Because the street labeled as Eden is an extension of Eden Crossing it shall be renamed accordingly.
6. Because the street labeled as Street #1 is an extension of Clair Circle South it shall be renamed accordingly.

**PLANNING COMMISSION ACTION:**

The Planning Commission met on Tuesday, May 12, 2020, and voted to grant Final Plat approval for Montclair Subdivision Phase 5, a 66-lot residential subdivision, located in the Southwest portion of the City of Hernando, subject to Staff Comments.

**STAFF RECOMMENDATION:**

Staff recommends approval subject to staff comments.

**PROPOSED MOTION:**

I move to grant Final Plat approval for Montclair Subdivision Phase 5, a 66-lot residential subdivision, located in the Southwest portion of the City of Hernando, subject to Staff Comments.

Alderman McLendon asked what the closest the structures will be to the ditch.

Greg Smith stated that the common area is approximately 75 to 80 feet, then the set back, so around 100 feet.

Mayor Ferguson asked who maintains the common open space.

Greg Smith answered the HOA.

Mayor Ferguson stated we need to figure something out about this.

Kenny Stockton stated that a lot of HOA's have gotten better. Mr. Stockton said maybe when its fully developed they'll turn it over to a company that handles those.

Mayor Ferguson stated once it becomes the States property it is pulic land.

Kenny Stockton stated he doesn't have that answer.

Mayor Ferguson asked why can't this ditch be solved by Soil and Conservation or the CORE.

Joe Frank Lauderdale stated because of environmental aspects.

Mayor Ferguson stated but soil and conservation can come in and rip rap it, will that not work.

Joe Frank Lauderdale stated the CORE still has to approve that.



Mayor Ferguson asked can we put the ditch on the lots, so that it's the homeowner's property.

Kenny Stockton stated he'd put it on the plat. Mr. Stockton stated that from the City's side, if you put it on the plat, it's noticeable to the whole world.

Joe Frank Lauderdale asked so we will not have the easement through there.

Mayor Ferguson stated if we have the easement, we'd have to repair it.

Joe Frank Lauderdale stated the same as all of these others that we are being asked to repair.

Mayor Ferguson asked Mr. Smith if it was ok with him to city the City the easement through there.

Greg Smith answered no problem, we can do that.

Alderman Hobbs asked where is the construction crossings.

Greg Smith answered there is 2 across the ditch for construction, probably the northern crossing.

Alderman Hobbs asked if we will name the road and bond it.

Greg Smith stated we can, it's Eden Crossing.

Alderman Hobbs asked Joe Frank if he agrees.

Joe Frank Lauderdale answered yes.

Motion was duly made by Alderman Harris and seconded by Alderman Higdon to grant Final Plat approval for Montclair Subdivision Phase 5, a 66-lot residential subdivision, located in the Southwest portion of the City of Hernando, noting that the ditch is not City maintained, it will be the responsibility of the Homeowners Association, also giving the City a drainage easement on the ditch for the City, also bond Scott Road and Eden Crossing, subject to Staff comments. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19<sup>th</sup> day of May, 2020.

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**PL – 1445 – REQUEST FOR FINAL PLAT APPROVAL FOR TRUSTMARK  
COMMERCIAL SUBDIVISION – NORTHEAST CORNER OF EAST COMMERCE  
AND EAST PARKWAY – DAVID BAKER WITH FISHER ARNOLD, INC.**

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Keith Briley presented the information.



**City of  
Hernando**  
MISSISSIPPI

**BOARD OF ALDERMEN  
STAFF REPORT**

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Project No.:	PL-1445	Item No. __
Request:	Final Plat Approval for Trustmark Commercial Subdivision	
Location:	Northeast Corner of East Commerce and East Parkway	
Applicant:	David Baker with Fisher Arnold, Inc.	
Date:	May 19, 2020	

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**INTRODUCTION:**

Mr. David Baker with Fisher Arnold, Inc. is requesting Final Plat Approval for Trustmark Commercial Subdivision.

**BACKGROUND:**

The subject property is located on the Northeast Corner of East Commerce and East Parkway. The property is zoned C-2 Highway Commercial. The two lots that are being combined into one are 534 East Commerce Street (Trustmark Bank) and 554 East Commerce Street (Colemans BBQ).

**DISCUSSION:**

The subject property is currently two (2) lots known as 534 East Commerce and 554 East Commerce. The proposed plat will combine the two (2) existing lots into a single one (1) lot commercial subdivision.

Development within the subdivision shall meet the development regulations for the C-2 Highway Commercial Zoning District.

***COMMERCIAL ZONE DISTRICT SITE DEVELOPMENT REGULATIONS***

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Zone District	Required Site Area	Minimum Lot Area	Minimum Yard Requirements (feet)			Maximum Building Height	Maximum Floor Area Ratio (FAR)
	/ Building		Front	Rear	Side		
C-2	None	None	50	20*	None	35 Feet / 2 Stories	N/A

**STAFF COMMENTS:**

19. Any future development of the property shall be required to submit for Certificated of Development approval and Construction Plan approval. Neither of these are requested with this application.
20. Any future division of the property shall occur through the subdivision process as defined in the City of Hernando Subdivision Regulations.
21. If approved, the applicant shall submit the final plat for recording.

**PLANNING COMMISSION ACTION:**

The Planning Commission met on Tuesday, May 12, 2020, and voted to grant Final Plat approval for Trustmark Commercial Subdivision a one-lot commercial subdivision located at the Northeast Corner of East Commerce and East Parkway, subject to Staff Comments.

**STAFF RECOMMENDATION:**

Staff recommends approval subject to staff comments.

**PROPOSED MOTION:**

I move to grant Final Plat approval for Trustmark Commercial Subdivision a one-lot commercial subdivision located at the Northeast Corner of East Commerce and East Parkway, subject to Staff Comments.

Alderman McLendon asked how will this affect Ad valorem.

Keith Briley answered it's still based on value. Mr. Briley stated I'm thinking combining two lots someone would build bigger and the tax would go up.

Joe Frank Lauderdale stated he'll need to show easements because there are utilities out there.

Alderman McLendon asked so if its changing uses will we require sidewalks.

Keith Briley answered if it changes, yes.

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to grant Final Plat approval for Trustmark Commercial Subdivision a one-lot commercial subdivision located at Northeast Corner of East Commerce and East Parkway, subject to Staff comments. 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 19<sup>th</sup> day of May, 2020.

---

### APPROVE UTILITY BILL ADJUSTMENT DOCKET

---

**Utility Bill Adjustment Docket**  
5/19/2020

The addresses listed below experienced a leak and did not receive the benefit of receiving water service.

	House #	Street	Adjusted Amount	Reason for Leak Adjustment
1	2060	Byhalia Rd	308.10	water pipe busted next to the meter
2	2348	Mt. Pleasant	1,154.43	leak at meter

To Mikey 5-11-20

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 Mrs Wayne Lamar  
Service address 2060 Byhalia Rd Hernando ms 38632  
Daytime phone number (601) 356-7386

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 Mrs Wayne Lamar Date of repair 4/26/20  
Daytime phone number (601) 356-7386  
Type of repair and location of property water pipe busted next to the 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).

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 Mrs Wayne Lamar  
For Office use only

Account Number 04-1713400 Billing period ending 4-30-20  
High month usage 90 minus 6 month average 12 = Amount of Adjustment 78

\$ <sup>308.10</sup>

[Signature]  
5/13/20



Accurate Plumbing  
Richard L. King  
4936 Bilrae Cir. N.  
Millington, TN 38053  
901-229-6039 901-230-3948

646429

customer's order no. \_\_\_\_\_ phone \_\_\_\_\_ date 4/26/20

name Rose Lamer

address 2060 Byhalia Rd

city, state, zip Hernando, Ms. 38632

sold by \_\_\_\_\_ cash  charge  check  shipping information  
 card  on acct.  # \_\_\_\_\_

quantity	description	price	amount
1	Repaired leak at		
2	Meter @ water		
3	meter		
4			
5			
6			
7			
8			
9			
10	labor		200.00
11			
12			
13			
14			
15			
16			

received by \_\_\_\_\_

© 2008 ecfarmers

keep this slip for reference

DC5808UV/10-13



More saving.  
More doing.™

STORE MANAGER MICHAEL COBBS  
MICHAEL\_COBBS@HOMEDEPOT.COM

2903 00052 86208 04/26/20 01:49 PM  
SALE SELF CHECKOUT

611942112555	3/4INX2FT PV -A>	1.60
	3/4" X2" PVC PIPE	
038753302485	CMT HANDIPAK -A>	7.97
	80Z PVC CEMENT/PRIMER COMBO	
038753308630	PVC CEMENT -A>	8.39
	80Z PVC CEMENT HEAVY DUTY CLEAR	
820633976059	SJ UNION -A>	
	3/4" PVC COMPRESSION COUPLING	
	204.86	9.72
611942088343	3/4 M ADAPTR -A>	
	3/4" PVC MALE ADAPTER SXMP	
	200.61	1.22
021449236317	THREAD SEAL -A>	7.58
	40Z THP.3 SEALANT W/PTE T + 2	

SUBTOTAL	36.48
SALES TAX	2.55
TOTAL	\$39.03
CASH	40.00
CHANGE DUE	0.97



2903 52 86208 04/26/2020 7735

RETURN POLICY DEFINITIONS		
POLICY ID	DAYS	POLICY EXPIRES ON
A	1	10/23/2020

Due to COVID-19 we have extended our returns policy for most items. Please see homedepot.com for details.

\*\*\*\*\*  
**DID WE NAIL IT?**

Take a short survey for a chance to WIN A \$5,000 HOME DEPOT GIFT CARD

Opine en español

[www.homedepot.com/survey](http://www.homedepot.com/survey)

User ID: H86 175603 172757  
PASSWORD: 20226 172705

Entries must be completed within 14 days of purchase. Entrants must be 18 or older to enter. See complete rules on website. No purchase necessary.

Account Maintenance

Account: 04-1703400      Name: CASAR, FRS WAYNE

General Services    Deposits    Back Flow    Notes    Work Orders    History    Attachments

Billing History    Payment History

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
05/31/2020	30				0.00
04/30/2020	30	165	275	90	346.19
03/31/2020	30	167	185	18	84.05
02/28/2020	30	141	167	26	111.01
01/31/2020	30	127	141	14	61.64
12/31/2019	30	120	127	7	32.50
11/30/2019	30	117	120	3	16.00
10/31/2019	30	112	117	5	26.00
09/30/2019	30	105	112	7	39.56
08/31/2019	30	101	105	4	22.59
07/31/2019	30	54	101	7	33.20
06/30/2019	30	89	94	5	24.66
05/31/2019	30	86	89	3	16.00

Past 12 Months: High: 90, Low: 3, Avg: 15, Data: 0

Print for the Period: 05/11/2020

Last Update: 05/16/2019 14:55:27    User: HPET19/ASTOTLER

SBI Login: ASTOTLER

90  
- 12  
-----  
78    X    3.95 =    308.10



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 TJS Investment Group, LLC

Service address 2348 Mt Pleasant

Daytime phone number ( )

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 Date of repair

Daytime phone number ( )

Type of repair and location of property

Documentation and property owner's or manager's signature

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

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

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

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

Signature

For Office use only

Account Number 05-012-9503 Billing period ending 11-30-19

High month usage 174 minus 6 month average 47 = Amount of Adjustment 127

\$1,154.43

Account: 05-0125503      Item: JFS INVESTMENT GROUP LLC

General Services Deposits Back Flow Notes Work Orders History Attachments

Billing History      Payment History

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
05/31/2020	20				0.00
04/30/2020	20	24	27	3	52.28
03/31/2020	20	14	24	10	115.68
02/28/2020	20	1147	1137	10	115.68
01/31/2020	20	1137	1147	10	113.72
12/31/2019	20	1129	1137	8	258.18
11/30/2019	20	955	1129	174	1,610.19
10/31/2019	20	955	955	0	118.19
09/30/2019	20	861	955	94	962.04
08/31/2019	20	773	861	88	897.25
07/31/2019	20	695	773	78	737.92
06/30/2019	20	686	695	9	107.51
05/31/2019	20	675	686	11	113.67

Print for the Period: 05/15/2020 Thru 05/15/2020

Last Update: Date 03/27/2020 14:27:56 User COHSV33/AScodsr

BB1 Login AScodsr

Apply      Water Billing      (WTR321) Water Co.

Past 12 Months  
 High 174  
 Low 0  
 Avg 41  
 Delinq 11

Avg 47

174  
 - 47

127 x 3.50 = 444.50  
 444.50 ÷ 2 = 222.25  
 127 x 3.84 = 487.68

1,154.43 credit

Old Pizza Acct

Account Maintenance

Current Scan Orders Account No Chg 3 Count

Account: 05-0129302 Name: CRISTIER PIZZA BIC

General Services Deposits Back Flow Notes Work Orders History Attachments

Billing History Payment History

Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
02/28/2019	20	648	654	6	67.84
01/31/2019	20	637	648	11	113.67
12/31/2018	20	630	637	7	76.26
11/30/2018	20	618	630	12	122.83
10/31/2018	20	609	618	9	95.34
09/30/2018	20	595	609	14	141.16
08/31/2018	20	591	595	4	49.89
07/31/2018	20	583	591	8	86.17
06/30/2018	20	576	583	7	76.26
05/31/2018	20	569	576	7	76.26
04/30/2018	20	561	569	8	85.92
03/31/2018	20	555	561	6	71.59
02/28/2018	20	550	555	5	62.42

Print for the Period: 05/15/2020 Thru 05/19/2020

Last Update: Date 02/14/2019 10:08:31 User COHSVLD/JHawks

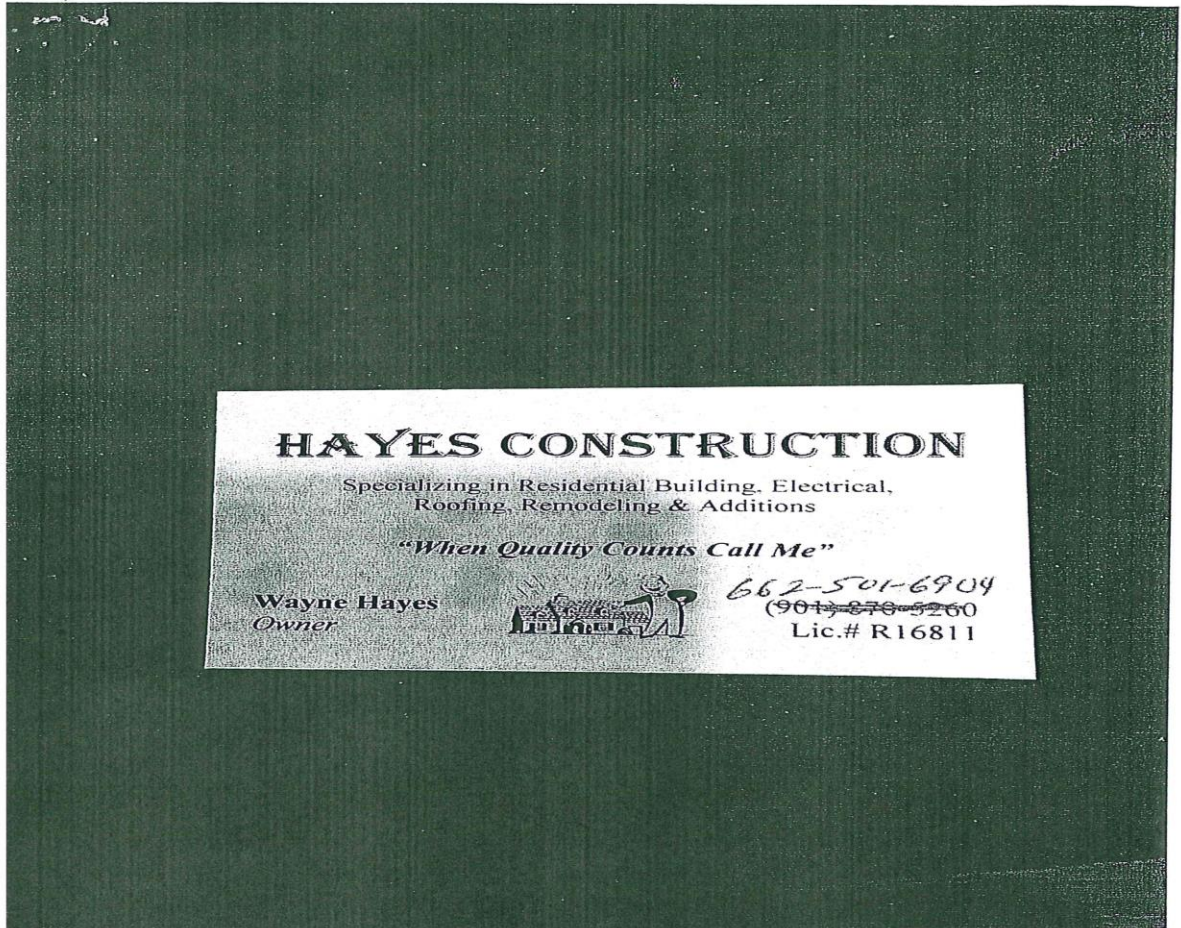
BB1 Login JHawks

Print: OM History Report

CITY OF HERNANDO  
 BILLING HISTORY  
 CT: 50129503 TJS INVESTMENT GROUP LLC SVC ADDR: 2348 MT PLEASANT RD  
 OM: 01/01/2019 TO: 01/22/2020 DATE: 01/22/2020

PAGE 1

RIOD	WATER	TAX	SEWER	GARB	OTHER	MISC	L/C	AMOUNT
/28/2019	.00	.00	.00	.00	.00	.00	.00	.00
/31/2019	42.95	3.01	20.47	.00	47.24	.00	.00	113.67
/30/2019	39.45	3.56	18.89	.00	43.40	.00	11.37	116.67
/31/2019	42.95	3.01	20.47	.00	47.24	.00	.00	113.67
/30/2019	35.95	3.32	17.31	.00	39.56	.00	11.37	107.51
/31/2019	277.45	20.09	126.33	.00	304.52	.00	9.53	737.92
/31/2019	312.45	26.96	142.13	.00	342.92	.00	72.77	897.23
/30/2019	333.45	29.08	151.61	.00	365.96	.00	81.94	962.04
/31/2019	12.50	7.00	6.25	.00	5.00	.00	87.44	118.19
/30/2019	613.45	43.11	278.01	.00	673.16	.00	2.46	1,610.19
/31/2019	32.45	13.52	15.73	.00	35.72	.00	160.76	258.18



**HAYES CONSTRUCTION**

Specializing in Residential Building, Electrical,  
Roofing, Remodeling & Additions

*"When Quality Counts Call Me"*

Wayne Hayes  
*Owner*



662-501-6904  
~~(901) 878-5260~~  
Lic.# R16811

2:00 Appointment

Account: 05-0129503 Name: REINVESTMENT GROUP LLC

General Services Deposits Back Flow Notes Work Orders History Attachments

Mailing Address 1: LITTLE CEASERS  
Mailing Address 2: 101 DUKE ST STE 204  
City, St, Zip: GULFPEPPER VA 22791  
Bar Code Zip: 22791

Service Address: 2248 RY PLEASANT RD  
City, St, Zip: [Empty]

Type: SHALL COMMERCIAL Status: Active Beat: 0 Credit Code: 0  
Date Opened: 02/12/2019 Date Terminated: 02/18/2020

Bank: 0 FIDELITY Acct: [Empty]

Rate: [Empty]

Phone: [Empty] Cell Phone: 5827469-9768  
DL No: [Empty] Race: Unknown  
Telephone: 2027345-0308  
Current Period: 02/20/2020

Do NOT Process Bank Draft: [Checked]

Water Wrt: [Checked] Late Charge: [Checked]

Account App: [Empty] Savings: [Empty]

Current	124.00
30 Day	258.18
60 Day	1,650.19
90 Day	0.00
Balance Due	2,033.27
Unapplied Receipts	0.00
Account Balance	2,033.27

Last Payment: 02/13/2019 Amount: -24.63

1 file

703-919-1563

Water Billing Account Maintenance

Current Scan Order: Account No [50129503] Chg 3 Count

Account: [50129503] Name: [TJS INVESTMENT GROUP LLC]

General Services Deposits Back Flow Notes Work Orders History Attachments

Date	Follow Up Date	Type
11/20/2019		GEN
01/24/2020		GEN

(WTR150) Notes

Account No [50129503] Name [TJS INVESTMENT GROUP LLC]

Date [03/24/2020] Type [2 GENERAL NOTE] Alert On  Account Maint  Receipts

Follow Up  [02/18/2020]  Follow Up Completed

Author [JH]

CUSTOMER HAS BEEN GIVEN 3 MONTHS TO PAY THIS HIGH BILL. OK PER MR DESAI - 202-345-0306 - 1/24/20 JH

Buttons: Previous Next Save Cancel

Bottom Bar: Add Edit Delete

Taskbar: In-box - J.Hawke@... 2 Reminder(s) (WTR21) Water Co. Water Billing (WTR11) Account

TJ - 202-345-0306  
403-919-1563 Mr Resei -

The screenshot shows a web application interface for account management. The account number is 05-0129503 and the name is TJS INVESTMENT GROUP LLC. The address is 101 DUKE ST STE 204, CULPEPPER VA 22701. A note is visible with the following text: "CUSTOMER SENT IN AN INVOICE FROM A PLUMBER THAT INDICATED OUR METER WAS BAD. BOBBY EXCHANGED METERS AND THE NEW ONE WAS SPINNING ALSO. NO ADJUSTMENT PER BOBBY. 11/19/19". The note is dated 11/20/2019 and is a GENERAL NOTE. There are checkboxes for "Account Maint" and "Receipts" which are checked. The author is JH. There are "Previous", "Next", "Save", and "Cancel" buttons at the bottom of the note window.

plumber - ~~W8449~~

November 8 - 2019  
12:16 PM  
Meter change

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to approve the Utility Bill Adjustment Docket, finding that the customers 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 McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Harris, Alderman Miller, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 19<sup>th</sup> day of May, 2020.



**GO INTO CLOSED SESSION TO DISCUSS GOING INTO EXECUTIVE SESSION FOR NEGOTIATIONS**

---

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to go into closed session to discuss going into executive session for negotiations. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19<sup>th</sup> day of May, 2020.

**EXECUTIVE SESSION FOR NEGOTIATIONS**

---

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 19<sup>th</sup> day of May, 2020.

**COME OUT OF EXECUTIVE SESSION**

---

Motion was duly made by Alderwoman Brooks and seconded by Alderman Higdon to come out of executive session. 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 19<sup>th</sup> day of May, 2020.

**ADJOURN**

---

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

Motion passed with a unanimous vote of "Aye".

---

MAYOR TOM FERGUSON

ATTEST:

---

KATIE HARBIN, CITY CLERK