

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, September 19, 2017 at 6:00 P.M. with Mayor Tom Ferguson presiding. Aldermen present were: Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Fire Chief Hubert Jones, Assistant Police Chief Shane Ellis, Community and Economic Development Director Gia Matheny, Zoning Administrator Kristen Duggan, Public Works Director Gary McElhannon, Assistant Public Works Director Bobby Burton, Jared Darby, Carolyn Richards, Carolyn Young, Gerald Young, Bill Roberson, Joey Roberson, Doug Thornton, Neil Waldrop, Wade Stark, Robert Long, Vickey McLendon, Chris Tong, Bob Ginn, Chris Ward, and Michael Falkner.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance

INVOCATION

Alderman Higdon gave the invocation.

AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

September 19, 2017

6:00pm

- 1) Call the meeting to order
- 2) Pledge of Allegiance
- 3) Invocation
- 4) Approve Agenda
- 5) Approve Docket of Claims No.'s 120099 – 120271 less 120139 - 120151
- 6) Approve Docket of Claims No.'s (Bryant) 120139 – 120151
- 7) Authorize to pay MS State Department of Health – EMS to re-license Medic 52 \$280.00
- 8) Approve Minutes
- 9) Consent Agenda
 - A) Authorize Kristen Duggan to attend the National Brownfields Conference on December 5 – 7, 2017 in Pittsburgh, PA, and also authorize to pay registration and travel expenses (reimbursed by the Brownfields grant)
 - B) Application for a Zoning Map Amendment, submitted by Land Development Resources requesting a zoning amendment for 2.41 acres from R-15, single family residential medium density to R-40, single-family residential, low density. The subject property is known as parcel 3081010000003500; situated in Section 1, Township 3 South, and Range 8 West (File: PL-1265) Set Public Hearing for October 17, 2017.
 - C) Application for a Zoning Map Amendment, submitted by Reiner Development, LLC requesting a zoning amendment for 2.44 acres from A, Agriculture to R-40, single-family residential, low density. The subject property is known as parcel

3081010000003500; situated in Section 1, Township 3 South, and Range 8 West
(File: PL-1266) Set Public Hearing for October 17, 2017.

- 10) Discussion/Update of the Hernando Veterans Parade (Carolyn Young)
- 11) Request from the Hernando High School Boys and Girls Golf Team for sponsorship
- 12) Appointment Historic Preservation Commissioner members (tabled from July 5, 2017 meeting)
- 13) Authorize to hire Arron Davis as a CDL Driver in the Brush Department at the rate of \$14.50
- 14) Application for a Zoning Map Amendment, submitted by Land Development Resources requesting a zoning amendment for 66 acres from PUD, planned unit development to R-12, single-family residential, medium density. The subject property is addressed as: 230 Highway 51 South; situated in Section 1, Township 3 South, and Range 8 West (File: PL-1257)
- 15) Adopt Resolution to accept the Fountain Gate sewer franchise area
- 16) Discussion of automatic increase on water rates
- 17) Authorize Mayor Ferguson to sign close out documents for the Gale Center Roof project
- 18) Executive Session for litigation
- 19) Adjourn

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of September, 2017.

APPROVE DOCKET OF CLAIMS NO.'S 120099 – 120271 LESS 120139 - 120151

The Board of Aldermen were presented with a docket of claims No. 120099 - 120271 less 120139 - 120151 in the amount of \$1,710,442.73 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of September, 2017

APPROVE DOCKET OF CLAIMS NO.'S 120139 - 120151 (BRYANT)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 120139 - 120151 in the amount of \$6,816.90 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of September, 2017

**AUTHORIZE TO PAY MS STATE DEPARTMENT OF HEALTH-EMS TO RE LICENSE
MEDIC 52**

Motion was duly made by Alderman Higdon, and seconded by Alderman Miller authorize to pay MS State Department of Health-EMS to re license Medic 52. 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 19th day of September, 2017

**APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON SEPTEMBER 5,
2017**

Motion was duly made by Alderman Higdon, and seconded by Alderman Harris to approve the Minutes from the regular Board Meeting on September 5, 2017 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 19th day of September, 2017

CONSENT AGENDA

- A) Authorize Kristen Duggan to attend the National Brownfields Conference on December 5 – 7, 2017 in Pittsburgh, PA, and also authorize to pay registration and travel expenses (reimbursed by the Brownfields grant)
- B) Application for a Zoning Map Amendment, submitted by Land Development Resources requesting a zoning amendment for 2.41 acres from R-15, single family residential medium density to R-40, single-family residential, low density. The subject property is known as parcel 308101000003500; situated in Section 1, Township 3 South, and Range 8 West (File: PL-1265) Set Public Hearing for October 17, 2017.
- C) Application for a Zoning Map Amendment, submitted by Reiner Development, LLC requesting a zoning amendment for 2.44 acres from A, Agriculture to R-40, single-family residential, low density. The subject property is known as parcel 308101000003500; situated in Section 1, Township 3 South, and Range 8 West (File: PL-1266) Set Public Hearing for October 17, 2017.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to approve the consent agenda, after changing item B to "say submitted by Reiner Development Resources instead of Land Development Resources". A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of September, 2017

DISCUSSION/UPDATE OF THE HERNANDO VETERANS PARADE

Carolyn Young presented the information on the request. Mrs. Young stated that they came before the Board and received permission to have the parade. They originally asked to have it on Friday November 10th at 10am, going down Commerce Street, around the square and then to finish down Center St, as the normal parade route. We have decided that we can change our parade to

Thursday November 9th, at 630pm, still using the same, original parade route, to help make everyone happy. We will have 3 High School bands in our parade.

Alderman Miller stated that he supports having it on a Friday if that's what you want to do. Now, we would be competing with the Middle School sports if you have it on Thursday evening.

Alderwoman Brooks asked Mrs. Young if she spoke with the businesses to see if it would affect them if the Parade is held on the Friday.

Carolyn Young answered no because our main interest was honoring the veterans and involving the children. We were told by Corinth parade director that if we didn't have it on the weekday we wouldn't have the support of the schools.

Alderman Miller stated that we will support whatever you decide. This Board was not against you having it on Friday.

Alderman Higdon stated that we can close for other things that come before the Board, we can close streets for the Veterans.

Carolyn Young stated that if the majority of you are wanted to do it on Friday, I'm sure our committee will be glad to do it on a Friday.

Alderman McLendon we voted on it coming down Center street the first time.

Carolyn Young stated no.

Alderman Bryant answered no, we didn't make a decision on that.

Carolyn Young stated that there was nothing on the minutes that even states what the route was. I remember saying that my first choice was Commerce street, down around the square, like the Christmas parade. Y'all said you'd talk about it and let us know. Well its four months later, and no one has said anything. We've been working under the assumption we would have it on Friday morning and on the main route.

Alderman McLendon stated that the Banks, Post Office will be observing the Holiday on Saturday. Mr. McLendon asked Assistant Police Chief Ellis what time we would have to close Commerce St.

Assistant Police Chief Ellis answered 10 minutes before the parade starts.

Alderman Hobbs asked how long would it last.

Assistant Police Chief Ellis answered 1 ½ to 2 hours.

Billy Witt stated that they have signed up so many veterans already.

Alderman McLendon asked if we are going to require them to get the list of business to sign off on like we do.

Alderwoman Brooks stated for races.

Alderman Miller stated we have not required that with any businesses on Commerce.

Alderman McLendon stated I'm just asking.

Alderman Hobbs stated just around the Square, correct.

Alderman Miller answered yes.

Alderman McLendon stated but we are closing Commerce St so do we have to go to the businesses and get them to sign.

Alderman Hobbs stated that we close Commerce anytime we have a parade.

Mayor stated Mr. Stockton.

Kenny Stockton stated you have not done that for parades that I'm aware of. We have done it when streets will be closed for a while.

Alderwoman Brooks stated that we've had the fourth of July parade, with the kids, and that was done during the day.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to approve the request to have the Veterans Parade on either Thursday November 9th at 630pm or Friday November 10th at 10am, using the original parade route down Commerce Street, around the Square, and down Center Street. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of September, 2017

**REQUEST FROM THE HERNANDO HIGH SCHOOL BOYS AND GIRLS GOLF TEAM
FOR SPONSORSHIP**

Motion was duly made by Alderman Hobbs and seconded by Alderwoman Brooks to approve the request from the Hernando High School Boys and Girls Golf Team for a hole sponsorship in the amount of \$100, to come out of Tourism. 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 19th day of September, 2017

**APPOINTMENT OF HISTORIC PRESERVATION COMMISSIONER MEMBERS
(TABLED FROM JULY 5, 2017 MEETING)**

Motion was duly made by Alderman Miller and seconded by Alderman McLendon to table this item until the second meeting in October. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of September, 2017

**AUTHORIZE TO HIRE ARRON DAVIS AS A CDL DRIVER IN THE BRUSH
DEPARTMENT AT THE RATE OF \$14.50**

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to authorize to hire Arron Davis as a CDL Driver in the Brush Department at the rate of \$14.50, following the recommendation of the Personnel Committee, based on the recommendation of the Public Works Director. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of September, 2017

APPLICATION FOR A ZONING MAP AMENDMENT, SUBMITTED BY LAND DEVELOPMENT RESOURCES REQUESTING A ZONING MAP AMENDMENT FOR 66 ACRES FROM PUD, PLANNED UNIT DEVELOPMENT TO R-12, SINGLE-FAMILY RESIDENTIAL, MEDIUM DENSITY. THE SUBJECT PROPERTY IS ADDRESSED AS: 230 HIGHWAY 51 SOUTH; SITUATED IN SECTION 1, TOWNSHIP 3 SOUTH, AND RANGE 8 WEST (FILE: PL-1257)

Jared Darby presented the application, stated that the Planning Commission recommended approval, with the conditions listed in the staff report.

**MAYOR AND BOARD OF ALDERMAN
FILE: PL-1257**

DATE: September 19, 2017

CAPTION: Zoning Map Amendment, 230 Highway 51 South, Land Development Resources

INTRODUCTION:

Land Development Resources, representing the owner of the subject property, is requesting a zoning map amendment for 66 acres located along the east side of Highway 51 and west of Interstate 55. The subject property is better known as 230 Highway 51 South. The subject property is currently zoned PUD, planned unit development, titled: "Crossroads Planned Unit Development". The requested zone is for R-12, single-family residential, medium density residential. The subject property is bordered by R-15 to the south, A and AR to the west and east respectively, and C-2 to the north.

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?

Applicant: We originally rezoned it from AG to a commercial PUD. A bad economy and fruitless marketing for 10 years has proven a lack of interest in commercial zoning at this location. Everything south of us all the way to Commerce, is residential. we know there is a demand for lots in the City, and we think R-12 is what the market is looking for at this time.

Planning Commission: The Commission agrees with the applicant.

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?

Applicant: The character of the property has not changed, and that is the point. residential has been successful and needed as the City has grown. we already have interested buyers.

Planning Commission: The Commission finds that there has been considerable amount of physical change in the area, that would have allowed for the type of PUD that the subject property is currently zoned for. However, Crossroads PUD is a niche

product at best not only for the City, but also the region. After 10 years, planning staff and the Planning Commission can verify there has been little interest in the niche product, especially with the economic changes that have occurred with the Great Recession. In addition, the demand for housing in the area is high.

3. The public need for the rezoning.

Applicant: Yes. More residential lots are needed in the City. we hope to provide them.

Planning Commission: The Commission agrees with the applicant.

PLANNING COMMISSION COMMENTS:

The Commission finds that the General Development Plan's Future Land Use Map has this area labeled as Employment - Professional Services. Obviously, that is not conducive to Single-family residential (Medium density). The Board will need to make solid findings that a change in zone is necessary and that the change does conflict with the General Development Plan.

Aerial Map

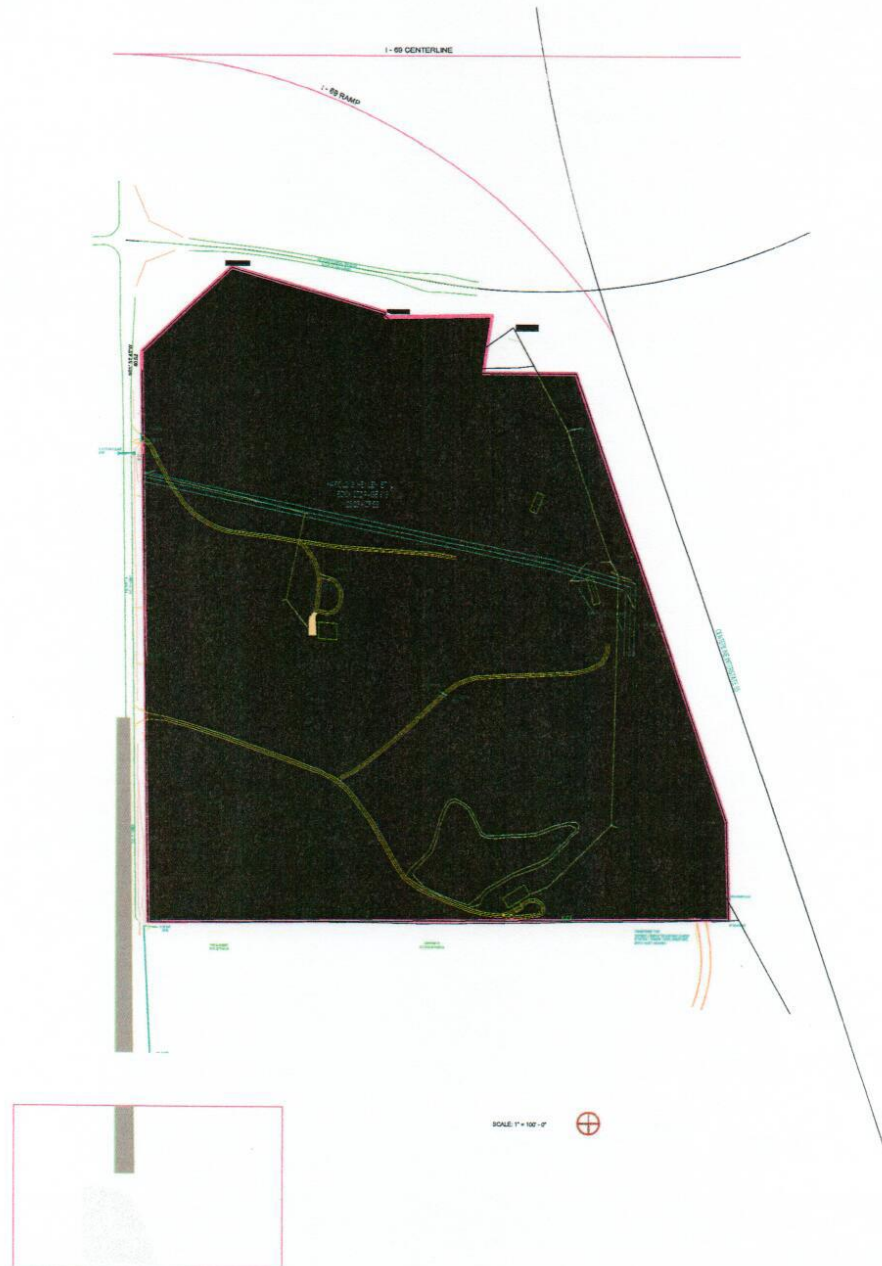


August 6, 2017

Zoning Map



August 6, 2017



Alderman Miller stated that he disagreed with the recommendation of the zoning amendment needed listed as #3, public need for residential lots in the City. I see incomplete neighborhoods and grass lots. That does not match their statement. Mr. Miller asked Mr. Darby how many neighborhoods are not even 25% complete.

Jared Darby answered maybe 3. Mr. Darby stated yes, you do see vacant lots, but they have been bought to build on. There is hardly any more bank owned ones to finish. We will eventually see that we will not run out of lots. I don't consider the change to C-2 of lots north the same as this commercial.

Alderman Miller stated this would get expensive for residents, that statement is incorrect.

Alderwoman Brooks asked if they considered changing it to C2.

Jared Darby stated as a Planning Director, I'm not privy to that information. We did try to discuss different options. If that's not what the property owner wants then it won't work.

Alderman Higdon stated I'm sure the property owner wants to do something with the property. It's been sitting for 10 years. He's done major improvement to the property.

Alderman McLendon stated that there is a road out of Deer Creek that dead ends into that property.

Jared Darby stated when they plat it, we will work to try to get them to connect to it.

Bob Ginn, Land Development Resources 342 W Valley, stated that Cal Wilkins has owned the property for a long time. He bought it, maybe 20 years ago. He sold the dirt off of it for I69. He's had it leveled and it has good exposure on both ends. Over the course of the years people have come to him to do some sort of commercial there. Mr. Wilkins would come and discuss it different options with Mr. Barber. At that point the comprehensive plan it showed residential up to Green T Rd. It was commercial northward. Deer Creek was under development. There was a hesitancy to entertain that because it would be considered spot zoning. Mr. Wilkins came to me to see what we could do about it. The possible solution thought we could assemble all of the property from there up to Green T Rd and scoot the boundary down a little bit to allow for commercial zoning. That was approved in 2007, as a planned development. At that time we thought we had someone for a commercial spot. We've worked on it for 10 years, and did not receive 1 officer. We did a lot of marketing. After the market crashed and banks ended up owning a lot of land, that put us out. From then up until today, we have had a lot of builders come to us to build homes. That is what is needed in Hernando. There has been a change in trends, people don't want large yards anymore.

Alderman McLendon asked what size would the heated square feet be.

Bob Ginn answered 2500 square feet and up, is what we are being told.

Alderman McLendon stated he has a concern with R15 being next to it, and those will be going down in size.

Bob Ginn stated they are R12 on the other side.

Alderman McLendon asked so the PUD could not be altered to do houses.

Jared Darby answered that it could, but this is the easier route, with the same end result. R 12 is governed by 2 pages, it is clear and concise. Hernando is full of PUD's, they are all very thick, and all different.

Alderman McLendon stated why do people move to Hernando, because we are different.

Jared Darby answered quality of life. R12, R15, R8, and PUD. This is the best way to do what the applicant is requesting to do. To do the PUD's and do them correctly, you'll need more staff.

Alderman McLendon stated that he's ok with that to keep the quality of life. I know lot size doesn't dictate that though.

Alderman Higdon stated that from the builders he's spoken to there is a need for lots. The proper criteria is meet.

Mike Farmer asked how many residents would be there? The traffic at Highway 51 and Green T is bad.

Jared Darby answered it may be 80 to 100 homes, it would border the Highway.

Mike Farmer asked what fire station would service that area.

Fire Chief Jones answered Station 2.

Alderman McLendon stated so smaller lots than the subdivision next to it. Zonings are supposed to enhance, not take away.

Mayor Ferguson asked if there way any reason for the R12 instead of R15?

Bob Ginn stated that is what the people want. Less grass to cut.

Jared Darby stated that if approved, when they bring the plats back, the subdivision regulations would dictate the size, you would see them then.

Alderman McLendon asked if they wanted to do half R12.

Jared Darby stated that if only ½ is done, the PUD is destroyed and won't work. You can't just take a portion of it.

Alderman Higdon stated he can build any size home he wants as long as it fits.

Bob Ginn stated if we decided in the second phase the trend has changed and people wanted larger lots, we can change the square footage. They just can't be less than 12,000 square foot. We could do have now and later decide to do the other half rezoned commercial. The current two houses can stay.

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to approve the application for a Zoning Map Amendment, submitted by Land Development Resources, rezoning for 66 acres from PUD, Planned Unit Development, to R-12, Single Family Residential, medium density, property is located at 230 Highway 51 South, with the conditions listed in, following the recommendation of the Planning Commission. A vote was taken with the following results:

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

Those voting "Nay": Alderman Miller

ORDERED AND DONE this the 19th day of September, 2017

ADOPT RESOLUTION TO ACCEPT THE FOUNTAIN GATE SEWER FRANCHISE AREA

RESOLUTION OF THE CITY OF HERNANDO, MISSISSIPPI IN REGARD TO SEWER SERVICE IN FOUNTAIN GATE SUBDIVISION AS LOCATED IN DESOTO COUNTY, MISSISSIPPI

WHEREAS, pursuant to Section 21-27-39 of the Mississippi Code Annotated (1972), annotated, as amended, which provides that the governing authority of any municipality, in its discretion, may furnish services to consumers outside of its municipal boundaries; and

WHEREAS, there is a subdivision known as Fountain Gate Subdivision located in Section 9, Township 3 South, Range 7 West, DeSoto County, Mississippi and to which a plat is filed at Plat Book 79 Pages 33-38 in the office of the Chancery Clerk of DeSoto County, Mississippi and which subdivision lies within one (1) mile of the existing corporate limits of the City of Hernando, Mississippi; and

WHEREAS, there is currently sewer service provided to the residents of the aforesaid subdivision by virtue of a Certificate of Convenience and Necessity as issued by the Mississippi Public Service Commission to North Mississippi Utility Company, Inc.; and

WHEREAS, North Mississippi Utility Company, Inc. has expressed its desire to surrender its Certificate of Convenience and Necessity for the aforesaid subdivision and which area of sewer service the City of Hernando, Mississippi agrees to "take over" for the purpose of the continuation of providing sewer service to the residents of Fountain Gate Subdivision; and

WHEREAS, the City of Hernando, Mississippi is currently in the process of purchasing the Certificated Area for water service from North Mississippi Utility Company, Inc. for the area commonly referred to as the "Brights Water" area and to which the residents of Fountain Gate Subdivision are a part of said water system as well; and

WHEREAS, the Mayor and Board of Alderman of the City of Hernando, Mississippi, find and determine that the acquisition of the Fountain Gate sewer system is in the best interest of the residents thereof, the City of Hernando, Mississippi and North Mississippi Utility Company, Inc.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Board of Aldermen of the City of Hernando, Mississippi, that the City of Hernando, Mississippi, does hereby agree to provide sewer service to the residents of the area know as Fountain Gate Subdivision as located in Section 9, Township 3 South, Range 7 West, DeSoto County, Mississippi and which area lies within one (1) mile of the existing corporate limits of the City of Hernando, Mississippi.

The reading of the Resolution having been waived, it was introduced by Alderman Hobbs and seconded by Aldermen McLendon.

Thereafter, the Resolution was put to a roll call vote, and the results were as follows, to-wit:

ALDERMAN	VOTE
Alderman Gary Higdon	<u>Yes</u>
Alderwoman Cathy Brooks	<u>Yes</u>
Alderman Sonny Bryant	<u>Yes</u>
Alderman Doc Harris	<u>Yes</u>
Alderman Jeff Hobbs	<u>Yes</u>
Alderman Mike McLendon	<u>Yes</u>
Alderman Andrew Miller	<u>Yes</u>

The said Resolution, having received the majority vote of all of the Aldermen present, was declared adopted on this, the 19 day of September, 2017.

CITY OF HERNANDO, MISSISSIPPI

BY: _____

TOM FERGUSON
MAYOR

ATTESTED TO:

Katie Harbin
KATIE HARBIN
CITY CLERK

(S E A L)



Motion was duly made by Alderman Hobbs and seconded by Alderman McLendon to adopt and authorize Mayor Ferguson to sign the Resolution to accept the Fountain Gate Sewer Franchise area. 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 19th day of September, 2017

DISCUSSION OF AUTOMATIC INCREASE ON WATER RATES

Bobby Burton stated that a 3% increase will cost \$0.50 a month per customer for 0-2000 gallons, \$0.70 a month per customer for 2000-3000 gallons and \$0.85 a month per customer for 4000 gallons and up. Mr. Burton stated that we don't want this to be forgotten about, and then we end up in the same situation we are currently in.

Alderman Hobbs stated no, we don't want to forget about it again.

Alderman Higdon stated that the Federal Government does a cost of living increase yearly, I think we should do that. That is why we have had to do such a large increase at once.

Alderwoman Brooks stated you are saying that we should tie it to the Federal Government cost of living rate increase.

Alderman Higdon answered yes.

Bobby Burton stated that the cost for water parts goes up more than the cost of living increase. We can generate \$1.2 million with the 3% increase if you do it every year, we won't get behind so much. We do need to look at the very few customers that are outside the city limits but are on our water and sewer.

Kenny Stockton stated that the benefit of having it in the Ordinance, you won't have to repeal and amend the Ordinance every time. It takes 30 days for an Ordinance to go into effect after it is adopted.

Alderman McLendon asked if we do the increase with the customers outside the limits.

Kenny Stockton answered yes, we can, up to a mile out of the limits.

Alderman Hobbs asked how will we flag this to remember to revisit.

Kenny Stockton answered that someone will have to have a reminder set.

Motion was duly made by Alderman Hobbs and seconded by Alderman Harris to approve to add an automatic increase up to 3% in the Ordinance, and to revisit this yearly. 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 19th day of September, 2017

**AUTHORIZE MAYOR FERGUSON TO SIGN CLOSE OUT DOCUMENTS FOR THE
GALE CENTER ROOF PROJECT**

Alderman Hobbs asked what was the warranty and how much of the roof got re done.

Doug Thornton answered I believe 20 years and almost all of it.

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to authorize Mayor Ferguson to sign close out documents for the Gale Center Roof Project. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of September, 2017

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

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of September, 2017

GO INTO EXECUTIVE SESSION FOR LITIGATION/NEGOTIATIONS

Motion was duly made by Alderwoman Brooks and seconded by Alderman Higdon to go into executive session for litigation/ negotiations. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of September, 2017

COME OUT OF EXECUTIE SESSION FOR LITIGATION/NEGOTIATIONS

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of September, 2017

ADJOURN

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

Motion passed with a unanimous vote of "Aye".

MAYOR TOM FERGUSON

ATTEST:

KATIE HARBIN, CITY CLERK