The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, January 17, 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, Fire Chief Hubert Jones, City Engineer Joe Frank Lauderdale, Planning Director Jared Darby, Zoning Administrator Kristen Duggan, Police Chief Scott Worsham, Public Works Director Gary McElhannon, Henry Bailey, Wesley Callahan, Andrew Ward, Greg Carrico, Daniel Dunlap, Vickey McLendon, John Tingle, Billy Sears, Hannah Laurie, Will Amminger, Molly Smith, Matt Davis, Kathryn Carritt, Keith Hawkins, Donald Breshears, Ben Piper, Darla Mirth, and Celiale.

#### **INVOCATION**

Alderman Miller gave the invocation.

#### Agenda City of Hernando Mayor and Board of Alderman Regular Meeting

January 17, 2017 6:00pm

- 1) Call the meeting to order
  - 2) Invocation
  - 3) Approve Agenda
  - 4) Approve Docket of Claims No.'s 116440 116595 less 116449, 116451, and 116541
  - 5) Approve Docket of Claims No.'s (Lauderdale) 116449, 116451 and 116541
  - 6) Approve Minutes
  - 7) Consent Agenda
    - A) Authorize Eva Ward, Nicole Kee, Kristen Duggan, and Annabelle Ibsen to attend the Clerks Certification Training in Oxford, MS on March 22-24, 2017, also authorize to pay registration and travel expenses.
  - 8) Parks and Recreation Foundation discussion of concession stands and sponsorships
- 9) Authorize Mayor Johnson and some board members to attend the Blue Ribbon Trip in Washington D.C on April 5-7, 2017 and authorize to pay registration and travel expenses.
- 10) Authorize to give Dispatcher Betty Christopher a raise of \$1.20 per hour for becoming certified.
- 11) Application for <u>Subdivision Revision</u> titled "Kroger Center, 1<sup>st</sup> Revision" submitted by <u>Pickering Firm</u>. The subdivision is comprised of 3 lots totaling 24.22 acres located north of Commerce Street, west of E. Parkway Street; situated in Section 18, Township 3 South, and Range 7 West. The property is currently zoned C-2, highway commercial. (File: PL-1207)
- 12) Letter of credit expiration for JIB Subdivision
- 13) Letter of credit expiration for Nesbit Industrial Subdivision

- 14) Letter of credit expiration for Winningham Subdivision
- 15) Letter of credit expiration for SXP Subdivision
- 16) 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. Tabled from December 20, 2016 meeting
- 17) Public Health, Safety, and Welfare; Parcel # 307418014 0000601; The subject property is comprised of 1.51 acres and is zoned C-2, Highway Commercial. Better known as the lot east of the Hampton Inn. According to the Desoto County Chancery Clerk's Office the subject is registered under Rafael Angel ETAL. Assessment of fees from the November 15, 2016 clean up order.
- 18) Authorize the following police cars to be unmarked

Dodge Chargers 2C3CDXAT8HH525919 2C3CDXAT8HH525920 2C3CDXAT8HH525918

DODGE DURANGO 1C4RDHFG6HC737003

CHEVY IMPALA 2G11X5SA1H9147456 2G11X5SA6H9146447

CROWN VICTORIA 2FAHP71V39X131252 2FAHP71V49X139733 2FABP7BV5AX112825

NISSAN FRONTER 1N6DD0EV8HN719082

- 19) Authorize Mayor Johnson to sign a Interlocal Agreement for Digital Orthophotography
- 20) Authorize Mayor Johnson to sign an agreement for Butler Snow to complete our annual Continuing Disclosure
- 21) Authorize Public Works to purchase a Dodge Ram pick-up truck on at state contract pricing
- 22) Executive Session for Negotiations
- 23) Adjourn

Motion was duly made by Alderwoman Brooks, and seconded by Alderman Higdon to approve the agenda as presented. 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 17th day of January, 2017.

## APPROVE DOCKET OF CLAIMS NO.'S 116440 – 116595 LESS 116449, 116451, AND 116541

The Board of Aldermen were presented with a docket of claims No. 116440 - 116595 less 116449, 116451, and 116541 in the amount of \$1,195,721.81 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of January, 2017

## APPROVE DOCKET OF CLAIMS NO.'S 116285 (LAUDERDALE) 116449, 116451, AND 116541

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 116449, 116451, and 116541 in the amount of \$78,472.03 for approval.

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of January, 2017

#### APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON JANUARY 3, 2017

Motion was duly made by Alderman McLendon, and seconded by Alderman Bryant to approve the Minutes from the regular Board Meeting on January 3, 2017 as presented. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderman Higdon and Alderman Miller abstained from voting.

ORDERED AND DONE this the 17<sup>th</sup> day of January, 2017

#### **CONSENT AGENDA**

A) Authorize Eva Ward, Nicole Kee, Kristen Duggan, and Annabelle Ibsen to attend the Clerks Certification Training in Oxford, MS on March 22-24, 2017, also authorize to pay registration and travel expenses.

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

Those voting "Nay": None.

ORDERED AND DONE this the 17<sup>th</sup> day of January, 2017

## PARKS AND RECREATION FOUNDATION DISCUSSION OF CONCESSION STANDS AND SPONSORSHIPS

Wesley Callahan presented the information. Mr. Callahan stated that the three main reasons for the foundation was to raise money, get volunteers, and be an advocate for the programs. Mr. Callahan stated that they want to do concessions and sign sponsorships to raise money. The short-term goal for the soccer complex is paving and the short-term goal for the baseball field is to replace

dugout roofs with metal ones, line the dugouts and backstops with railroad ties to prevent drainage problems, repair the tball field, and to add bleachers to the tball field.

Kenny Stockton stated that he would look into seeing if it is legal and possible for them to do the concessions and signs. Mr. Stockton will also check with the Civic groups for the baseball fields.

Motion was duly made by Alderman Hobbs and seconded by Alderman Miller to authorize table this item until the next meeting, to give Kenny time to review. 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 17th day of January, 2017

# AUTHORIZE MAYOR JOHNSON AND SOME BOARD MEMEBERS TO ATTEND THE BLUE RIBBON TRIP IN WASHINGTON D.C. ON APRIL 5-7, 2017 AND AUTHORIZE TO PAY REGISTRATION AND TRAVEL EXPENSES

Motion was duly made by Alderman Hobbs and seconded by Alderman Bryant to authorize Mayor Johnson and Alderman Miller to attend the Blue Ribbon trip in Washington D.C. on April 5 – 7, 2017 and authorize to pay registration and travel expenses. 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.

ORDERED AND DONE this the 17th day of January, 2017

## AUTHORIZE TO GIVE DISPATCHER BETTY CHRISTOPHER A RAISE OF \$1.20 PER HOUR FOR ACQUIRING CERTIFICATION

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to change the to give Betty Christopher a raise of \$1.20 per hour for acquiring certification. 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 17th day of January, 2017

APPLICATION FOR SUBDIVISION REVISION TITLED "KROGER CENTER, 1<sup>ST</sup> REVISION" SUBMITTED BY PICKERING FIRM. THE SUBDIVISION IS COMPRISED OF 3 LOTS TOTALING 24.22 ACRES LOCATED NORTH OF COMMERCE STREET, WEST OF E PARKWAY STREET; SITUATED IN SECTION 18, TOWNSHIP 3 SOUTH, AND RANGE 7 WEST. THE PROPERTY IS CURRENTLY ZONED C-2, HIGHWAY COMMERCIAL (FILE: PL-1207)

Planning Director, Jared Darby presented the application.

Motion was duly made by Alderman Higdon and seconded by Alderwoman Brooks to approve the application for subdivision revision titled "Kroger Center, 1st Revision" submitted by Pickering Firm for the 3 lots totaling 24.22 acres located North of Commerce Street, West of East Parkway Street; situated in Section 18, Township 3 South, and Range 7 West, currently zoned C-2 Highway Commercial. 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 17<sup>th</sup> day of January, 2017

#### LETTER OF CREDIT EXPIRATION FOR JIB SUBDIVISION

Planning Director, Jared Darby presented the information. Mr. Darby stated that this is the location next to Dollar General on Hwy 51. Mr. Darby's recommendation is to call the bond.

Alderman Miller asked about the notes on boring and the fire hydrant that is needed at that location, that still needs to be done.

Joe Frank Lauderdale stated that he didn't think the 8-inch line was required back when this was done. We can't require something that wasn't required when it was done. The main is on that side of the road, not sure why the boring was in there.

Mayor Johnson asked that the only thing required is the fire hydrant, sewer tap, side walk and to improve the Highway, correct?

Joe Frank Lauderdale answered yes.

Mayor Johnson stated that since we are on a tight deadline, we should go ahead give the Office of Planning authority to call the bond if not renewed, then advise them the work has to be done in the 12 months.

Alderman Miller stated we can look at the difference in pricing of the 4 and 8-inch line. The City could pay the difference if it is worth it.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to renew the bond, giving the Office of Planning authority to call the bond if not renewed, and having the City Engineer get the cost of running an 8-inch line at that location. 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 17th day of January, 2017

#### LETTER OF CREDIT EXPIRATION FOR NESBIT INDUSTRIAL SUBDIVISION

Planning Director, Jared Darby presented the information. Mr. Darby stated that this bond is for \$57,600 and is an automatic roll over bond, so no action is needed unless the Board wanted to take an action

Joe Frank Lauderdale stated that he thought it was ok to let it roll over.

Motion was duly made by Alderman Hobbs and seconded by Alderman Higdon to let the bond automatically roll over. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of January, 2017

#### LETTER OF CREDIT EXPIRATION FOR WINNINGHAM SUBDIVISION

Planning Director, Jared Darby presented the information.

Joe Frank Lauderdale recommends to raise the bond amount. Mr. Lauderdale stated that the street is in worse shape than last year. There are drainage issues. Mr. Lauderdale stated that the bond needs to be \$265,000.00.

Mayor Johnson asked who will manage the detention pond when the developers are gone.

Jared Darby answered the HOA.

Kenny Stockton stated that the Board either needs to call the bond at \$200,000 or renew for \$265,000.

Motion was duly made by Alderman Higdon and seconded by Alderman Hobs to renew the bond at \$265,000.00, if the developer chooses not to renew, the Office of Planning has the authority to call the \$200,000.00 bond. 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 17<sup>th</sup> day of January, 2017

#### LETTER OF CREDIT EXPIRATION FOR SXP SUBDIVISION

Planning Director, Jared Darby presented the information. Mr. Darby stated that the bond was for \$100,000.00, to do the lane addition and sidewalks.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize the Office of Planning to call the bond if we don't receive a renewed letter of credit. 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 17th day of January, 2017

PUBLIC HEALTH, 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. (THIS WAS TABLED FROM THE **DECEMBER 20, 2016 MEETING)** 

Planning Director, Jared Darby presented the information.

Donald Breshears spoke to the Board stated that he has contracted with Mr. Holmes to finish the work needed. The contract will include for the front parking lot to sweep and clean up, mill existing old asphalt to prepare for new asphalt, and overlay remaining parking lot. To grind and fill the pavement on the side between Subway and the Post Office. To clean, grind, sweep and overlay the back parking lot, sloping the pavement toward the grates for proper drainage. Mr. Breshears stated that Mr. Holmes could possibly start in 2-4 weeks.

Mr. Roy Holmes of Roy Holmes Construction, 260 Getwell Rd Hernando, stated that they have cleaned and paved some already. Mr. Holmes stated that they have signed a contract to totally complete the front parking lot, the center and back. Mr. Holmes stated that Mr. Breshears wants to do this in two phases for financial reasons. We are working with the weather. Weather permitting, next week we can get asphalt.

Mayor Johnson asked Joe Frank Lauderdale if this will satisfy the Board.

Joe Frank Lauderdale answered yes.

Mr. Holmes stated that he thinks it can all be completed in 60 days.

Mr. Breshears stated that he has the money for the first section, the front. In the spring time, we can come back and seal coat it.

Mayor Johnson asked if we came back in April, you would be good with that?

Mr. Holmes answered yes.

Mr. Breshears answered yes.

Mayor Johnson recommended that we ask Mr. Breshears to come back to the first meeting in April, unless he gets done earlier.

Kenny Stockton stated that Mr. Breshears needs to supply a copy of the contract, and Jared needs to send another letter re stating everything that is to be done, and that was said tonight.

Motion was duly made by Alderman Miller and seconded by Alderman McLendon to accept Mr. Breshears plan and timeline, and have him report back to the April 4, 2017 Board meeting. 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.

ORDERED AND DONE this the 17th day of January, 2017

PUBLIC HEALTH, SAFETY, AND WELFARE HEARING CONCERNING PARCEL 307418014 0000601; THE SUBJECT PROPERTY IS COMPRISED OF 1.51 ACRES AND IS ZONED C-2, HIGHWAY COMMERCIAL. BETTER KNOWN AS THE LOT EAST OF THE HAMPTON INN. ACCORDING TO THE DESOTO COUNTY CHANCERY CLERK'S OFFICE THE SUBJECT PROPERTY IS REGISTERED UNDER RAFAEL ANGEL ETAL. ASSESSMENT OF FEES

Planning Director, Jared Darby presented the information and recommended assessing a lien of \$450 on the taxes. Public works clean up fee of \$350 and a planning violation fee of \$100.

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to assess a \$450 lien on the taxes for parcel 307418014 0000601, Rafael Angel ETAL. 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 17<sup>th</sup> day of January, 2017

#### AUTHORIZE THE FOLLOWING POLICE CARS TO BE UNMARKED

**Dodge Chargers** 2C3CDXAT8HH525919 2C3CDXAT8HH525920 2C3CDXAT8HH525918

**DODGE DURANGO** 1C4RDHFG6HC737003

**CHEVY IMPALA** 2G11X5SA1H9147456 2G11X5SA6H9146447

**CROWN VICTORIA** 2FAHP71V39X131252 2FAHP71V49X139733 2FABP7BV5AX112825

**NISSAN FRONTER** 1N6DD0EV8HN719082

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to authorize the following police cars to be unmarked:

**Dodge Chargers** 2C3CDXAT8HH525919

2C3CDXAT8HH525920 2C3CDXAT8HH525918

**DODGE DURANGO** 1C4RDHFG6HC737003

**CHEVY IMPALA** 2G11X5SA1H9147456 2G11X5SA6H9146447

**CROWN VICTORIA** 2FAHP71V39X131252 2FAHP71V49X139733 2FABP7BV5AX112825

**NISSAN FRONTER** 1N6DD0EV8HN719082

A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of January, 2017

#### AUTHORIZE MAYOR JOHNSON TO SIGN A INTERLOCAL AGREEMENT FOR DIGITAL ORTHOPHOTOGRAPHY

Motion was duly made by Alderman Hobbs and seconded by Alderman Higdon to authorize Mayor Johnson to sign a Interlocal Agreement for Digital Orthophotography. 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 17th day of January, 2017

#### AUTHORIZE MAYOR JOHNSON TO SIGN AN AGREEMENT WITH BUTLER SNOW TO COMPLETE OUR ANNUAL CONTINUING DISCLOSURE

Motion was duly made by Alderman Miller and seconded by Alderman Bryant to authorize Mayor Johnson to sign an agreement with Butler Snow to complete our annual continuing disclosure. 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 17th day of January, 2017

#### AUTHORIZE PUBLIC WORKS TO PURCHASE A DODGE RAM PICK-UP TRUCK ON A STATE CONTRACT PRICING

Motion was duly made by Alderman Higdon and seconded by Alderman Miller to authorize public works to purchase a Dodge Ram pick-up truck on state contract pricing. 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.

ORDERED AND DONE this the 17th day of January, 2017

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

Motion was duly made by Alderwoman Brooks and seconded by Alderman McLendon to authorize to go into closed session to discuss going into executive session or negotiations. 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 17th day of January, 2017

#### AUTHORIZE TO GO INTO EXECUTIVE SESSION FOR NEGOTIATIONS

Motion was duly made by Alderman McLendon and seconded by Alderwoman Brooks to authorize to go into executive session or 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 Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of January, 2017

#### AUTHORIZE TO COME OUT OF EXECUTIVE SESSION FOR NEGOTIATIONS

Motion was duly made by Alderman Higdon and seconded by Alderman Bryant to authorize to come out of executive session or negotiations. 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 17<sup>th</sup> day of January, 2017

### **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".

ATTEST:	MAYOR CHIP JOHNSON	
KATIE HARRIN CITY CLERK		