

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, May 17, 2022, at 6:00 P.M. with Mayor Chip Johnson presiding. Alderpersons present were: Alderman W.I. "Doc" Harris, Alderwoman Natalie Lynch, Alderman Andrew Miller, Alderman Bruce Robinson, Alderwoman Beth Ross, and Alderman Ben Piper. Also present for the meeting were: City Clerk Pam Pyle, Public Works Director Lee Germany, City Engineer Joe Frank Lauderdale, Police Chief Scott Worsham, Assistant Police Chief Shane Ellis, Fire Chief Marshel Berry, Assistant Fire Chief Sam Witt, Planning Director Austin Cardosi, Kristen Duggen, B. J. Page, Parks Director Jared Barkley, Human Resources Director Julie Gates, City Attorney Steven Pittman, Nester Duran, Mike Foster, Kitty Dell Moore, Maureen Morgan, Hettie Lee Barnes, Michael Tilghman, Jim Flanagan, Marquita Thurman, Katherine Spears, Robert Spears, Donna E Moore, Joseph Lemley, Adam Brown, Dan Wilkerson, Lee Anderson, Greg Drumwright, Patrick Walton, Tallulah Redding, Angie Gray, Charles Gray, Alan & Karen Salt, Tracy Huffman, William Bush, Todd Steele, and Robert Barber.

Alderman Chad Wicker arrived late.

5172022-2

PLEDGE OF ALLEGIANCE

Pledge of Allegiance

5172022-3

INVOCATION

Alderman Piper gave the invocation.

5172022-4

AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

May 17, 2022

6:00 pm

- 1) Call the meeting to order
- 2) Pledge of Allegiance
- 3) Invocation
- 4) Approve Agenda
- 5) Approve Docket of Claims No.'s – 48330-48594
- 6) Approve Minutes from the regular Mayor and Board of Aldermen Meeting on May 3, 2022, and Recessed Meeting May 9, 2022.
- 7) Consent Agenda
 - A) Approve Austin Cardosi to attend the 91st MML Annual Conference June 25th-30th and pay for registration and travel.

- B) Apply for the MDA Visit Mississippi TOURISM DEVELOPMENT GRANT of \$10,000.00 for Hernando Dickens of a Christmas and \$5,000.00 for Hernando Water Tower 10K race.
 - C) Authorize Gabe Claus to attend Rope Rescue I at the State Fire Academy in Pearl, MS on July 25-29, 2022, also authorize to pay registration and travel expenses.
 - D) Authorize Jeremy McCallum to attend Fire Investigator Course at the State Fire Academy in Pearl, MS on June 13-24, 2022, also authorize to pay registration and travel expenses.
 - E) Approval for H. Porter and OIC James Scott in the Police Department to attend PEER support class in Meridian RCTA on June 14, 2022- June 17-2022 at no cost to the city.
 - F) Request for approval for Holly Bigham as Tennis Instructor June-July 2022. Contract reviewed by City Attorney.
 - G) Request for approval for Worth DuPerier to instruct a Pickleball clinic on Saturday, June 18, 2022. Contract reviewed by City Attorney.
 - H) Approval for Mayor Johnson and Gia Matheny attend the Rural Infrastructure Summit in Cleveland, MS on June 1-3, 2022 and pay registration and travel expenses.
- 8) Compel Church is requesting to bond the improvements to McIngvale in order to proceed with platting and recording, which is required for a building permit. In addition, they are requesting to pay the City in lieu of completing the entire improvements during the construction of the building, and for us to release the bond after the payment is received, prior to issuing a certificate of occupancy. They are stating that they expect the construction of the building to move faster than the proposed improvements.
- 9) Personnel Docket
- 10) Approval to promote Matt Massey to the new position of Deputy Fire Marshal set at Captains pay of \$67,132.98 effective June 5, 2022.
- 11) Adopt resolution appointing Mayor Johnson as Mississippi Municipal League 2022 voting delegate and Alderperson _____ as alternate for the City of Hernando.
- 12) Rebecca Treadway with The Arc Northwest Mississippi to address the Board for a donation.
- 13) Approval of Mental Health Awareness Proclamation from Marquita Thurman.
- 14) Authorize a donation from Tourism to the Hernando High School Softball Booster Club for the team to travel to the district regional tournament, which will promote tourism and trade to the community by bringing in favorable notice and opportunities to the city.
- 15) Approval to pay American Services LLC paving contract services invoice #2969 totaling \$58,200.00 per Joe Frank Lauderdale's approval.
- 16) PL-1602 – Request to Rezone a 155.975-acre tract of land located on the northwest corner of Getwell Road and the I-269 Interchange, in Section 23, Township 2 South, Range 7 West, from the “A,” Agricultural District to the “M-1,” Light Industrial District, Barry Bridgforth, Jr., with Bridgforth and Buntin, Attorneys, representing Arthur W. Anderson, Jr., the property-owner.
- 17) PL-1603 – Request to Rezone a 40.60-acre tract of land located on the west side of Tchulahoma Road, north of Green “Tee” Road, in Section 32, Township 2 South, Range 7 West, from the “A,” Agricultural District to the “C-2,” Highway Commercial District, Brian Bullard with UrbanArch, representing the Frances Ann Lockett Revocable Trust, the property-owner.

- 18) PL-1604 – Request for Approval of an Amendment to the Text of the Zoning Ordinance. More specifically to add “Accessory Dwelling Unit” to the list of conditional uses in the “AR,” Agricultural/Residential District. – Todd Steele, with AERC, representing Pete Cookston of 414 Green “Tee” Lake Drive East.
- 19) Medical Cannabis Ordinance Update
- 20) Resolution for Personal Property Tax Exemption from Tegra Medical. Requesting 5 Years for 2021.
- 21) Resolution for Real Property Tax Exemption from Tegra Medical. Requesting 9 years for 2020.
- 22) Request approval for a change order to install curb and gutter on the south side of Bella Vita Way alongside the soccer field for approximately \$7,500. The Parks and Recreation budget will be amended to cover this cost, if approved.
- 23) Approve DRA Resolution to accept grant funds of \$1,000,000.00 for the AWG Green T Road and McIngvale Infrastructure Improvements- Overlay and Shoulder Widening project.
- 24) Approval of lowest/best bid of \$2,401,225.50 from Philips Contracting Co, Inc for AWG Green T Road and McIngvale Infrastructure Improvements- Overlay and Shoulder Widening project.
- 25) Approval to engage Waggoner Engineering, Inc to re-design and improve traffic flow at McIngvale and Commerce for the sum of \$6,000.00.
- 26) Recess until May 23, 2022 at 6:00 PM in the City Hall Board Room to discuss Pennies for the Parks projects.

Motion was duly made by Alderman Miller and seconded by Alderman Robinson to approve the Agenda with the addition to item H to add Alderman Miller to attend the Rural Infrastructure Summit.

A vote was taken with the following results:

Those voting “Aye”: Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Robinson, Alderwoman Ross and Alderman Piper.

Those voting “Nay”: None

Absent: Alderman Wicker

ORDERED AND DONE this the 17th day of May, 2022.

5172022-5

APPROVE DOCKET OF CLAIMS NO.’S 48330-48594

The Board of Aldermen were presented with a docket of claims No. 48330-48594 in the amount of \$1,045,425.01 for approval.

Motion was duly made by Alderman Miller and seconded by Alderman Robinson to approve the docket of claims for payment as presented.

A vote was taken with the following results:

Those voting “Aye”: Alderman Piper, Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Robinson, and Alderwoman Ross.

Those voting “Nay”: None

Absent: Alderman Wicker

ORDERED AND DONE this the 17th day of May, 2022.

A copy of the Claims Docket is attached and fully incorporated into these minutes.

5172022-6

APPROVE MINUTES OF THE REGULAR MEETING OF THE MAYOR AND BOARD OF ALDERMEN MAY 3, 2022 AND RECESSED MEETING MAY 9, 2022

Motion was duly made by Alderman Harris and seconded by Alderman Piper to approve the Minutes from the Regular Mayor and Board of Aldermen Meeting on May 3, 2022 and Recessed Meeting on May 9, 2022 as presented.

A vote was taken with the following results:

Those voting "Aye": Alderwoman Ross, Alderman Piper, Alderman Harris, Alderwoman Lynch, Alderman Miller, and Alderman Robinson.

Those voting "Nay": None

Absent: Alderman Wicker

ORDERED AND DONE this the 17th day of May, 2022.

5172022-7

CONSENT AGENDA

- A) Approve Austin Cardosi to attend the 91st MML Annual Conference June 25th-30th and pay for registration and travel.
- B) Apply for the MDA Visit Mississippi TOURISM DEVELOPMENT GRANT of \$10,000.00 for Hernando Dickens of a Christmas and \$5,000.00 for Hernando Water Tower 10K race.
- C) Authorize Gabe Claus to attend Rope Rescue I at the State Fire Academy in Pearl, MS on July 25-29, 2022, also authorize to pay registration and travel expenses.
- D) Authorize Jeremy McCallum to attend Fire Investigator Course at the State Fire Academy in Pearl, MS on June 13-24, 2022, also authorize to pay registration and travel expenses.
- E) Approval for H. Porter and OIC James Scott in the Police Department to attend PEER support class in Meridian RCTA on June 14, 2022- June 17-2022 at no cost to the city.
- F) Request for approval for Holly Bigham as Tennis Instructor June-July 2022. Contract reviewed by City Attorney.
- G) Request for approval for Worth DuPerier to instruct a Pickleball clinic on Saturday, June 18, 2022. Contract reviewed by City Attorney.
- H) Approval for Mayor Johnson and Gia Matheny attend the Rural Infrastructure Summit in Cleveland, MS on June 1-3, 2022 and pay registration and travel expenses.

Motion was duly made by Alderman Miller and seconded by Alderman Robinson to approve the Consent Agenda with the addition to item H adding Alderman Miller to attend the Rural Infrastructure Summit.

A vote was taken with the following results:

Those voting "Aye": Alderwoman Ross, Alderman Piper, Alderman Harris, Alderwoman Lynch, Alderman Miller, and Alderman Robinson.

Those voting "Nay": None

Absent: Alderman Wicker

ORDERED AND DONE this the 17th day of May, 2022.

Alderman Chad Wicker joined the meeting.

Alderman Ben Piper recused himself and left the room.

5172022-8

COMPEL CHURCH IS REQUESTING TO BOND THE IMPROVEMENTS TO MCINGVALE IN ORDER TO PROCEED WITH PLATTING AND RECORDING, WHICH IS REQUIRED FOR A BUILDING PERMIT. IN ADDITION, THEY ARE REQUESTING TO PAY THE CITY IN LIEU OF COMPLETING THE ENTIRE IMPROVEMENTS DURING THE CONSTRUCTION OF THE BUILDING, AND FOR US TO RELEASE THE BOND AFTER THE PAYMENT IS RECEIVED, PRIOR TO ISSUING A CERTIFICATE OF OCCUPANCY. THEY ARE STATING THAT THEY EXPECT THE CONSTRUCTION OF THE BUILDING TO MOVE FASTER THAN THE PROPOSED IMPROVEMENTS.

Alderman Miller suggested that this item be broken into two separate motions.

Motion was duly made by Alderman Miller and seconded by Alderwoman Lynch to approve the bonding of the project for 2 years at the amount deemed appropriate by the City Engineer.

A vote was taken with the following results:

Those voting "Aye": Alderman Robinson, Alderman Wicker, Alderwoman Ross, Alderman Harris, Alderwoman Lynch, and Alderman Miller.

Those voting "Nay":

Absent: Alderman Piper

ORDERED AND DONE this the 17th day of May, 2022.

Motion was duly made by Alderwoman Lynch and seconded by Alderwoman Ross to Deny the payment in lieu of the required road improvement.

A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Robinson, Alderman Wicker, Alderwoman Ross, Alderman Harris, and Alderwoman Lynch

Those voting "Nay": None

Absent: Alderman Piper

ORDERED AND DONE this the 17th day of May, 2022



**City of
Hernando**
MISSISSIPPI

**Board of Aldermen
STAFF REPORT**

Project :	Compel Church
Request:	Request to allow to bond improvements and request for a payment in lieu
Location:	1801 McIngvale
Applicant:	Compel Church
Date:	May 17 th , 2022

INTRODUCTION:

Compel Church received final plat approval for their site at 1801 McIngvale Road on January 18th, 2022. As a part of this approval, the plat was conditioned that improvements to McIngvale and Dilworth be in place prior to platting a recording. (Staff Report attached) The Church is requesting that a letter of credit be submitted in order to proceed with recording of the plat, and prior to the improvements being installed. A bond estimate provided by Joe Frank Lauderdale is

attached. Once the plat is recorded, the Church can be authorized to proceed with a building permit. Construction plan review is ongoing.

Additionally, Compel Church is requesting to pay the amount of the required improvements, in lieu of installing the full lane and sidewalk, as required. As a part of construction, the Church is proposing to add 217 feet of turn lane, curb and gutter, and sidewalk. According to the applicant, the purpose of the request is that the timeline of construction of the building and site will be faster than the construction of the road and curb and gutter and that the payment in lieu could contribute to a broader project to improve McIngvale Road.

If approved, prior to issuance of a certificate of occupancy, the Church will be required to either pay the cost of the required improvements (as estimated by the City Engineer, install the required improvements, or the bond will be pulled if not completed within the required 2 years.

Attachments:

- Compel Church's request letter
- Final Plat PL-1584 Staff Report
- Required Improvement Bond Estimate
- The current submitted site plan

** updated bond amount*

May 12, 2022,

CURRENT ENGINEERING ESTIMATE FOR CONSTRUCTION BOND FOR THE COMPEL CHURCH HERNANDO CAMPUS BASED ON THE 31.83 ACRE PROPERTY.

DILWORTH DRIVE SECTION:

CONCRETE CURB AND GUTTER—533.4 FEET @ \$20 = \$10,668.00
 CLEARING – LUMP SUM --- \$1000.00
 DIRT WORK – 300 CY @ \$20 = \$6000.00
 SEED AND MULCH – LUMP SUM - \$1000.00
 SIDEWALK – 2667 SF@ \$6.20 == \$16,535.00
 7% CONTINGENCY & ENGINEERING === \$2,464.00
 TOTAL \$37,667.00

MCINGVALE ROAD SECTION: ADD 12 FOOT LANE WITH SIDEWALK

CONCRETE CURB AND GUTTER—831 FEET @ \$20 = \$16,620.00
 CLEARING – LUMP SUM --- \$4,000.00
 DIRT WORK – 7700 CY @ \$20 = \$154,000.00
 SEED AND MULCH – LUMP SUM - \$5,000.00
 SIDEWALK – 5027 SF @ \$6.20 == \$31,167.00
 SOIL CEMENT 1100 SY @ \$11 = 12,100.00
 DRAINAGE PIPE – 48 FT. @ \$200 = \$9,600.00
 CURB INLETS –2 EACH @ \$5000 = \$10,000.00
 RELOCATE FIRE HYDRANT – LUMP SUM = \$4,500.00
 TRAFFIC CONTROL – LUMP SUM = \$4,000.00
 HEADWALLS FOR PIPE – LUMP SUM = \$9,000.00
 ASPHALT PAVING – 190 TONS @ \$150 = \$28,500.00
 7% CONTINGENCY & ENGINEERING === \$20,200.00
 TOTAL \$308,687.00

TOTAL BOND NEEDED TO RECORDING OF PLAT ===== \$346,354.00

JOSEPH F. LAUDERDALE P.E.
 HERNANDO CONSULTING ENGINEER

Alderman Piper returned to the room.

5172022-9

PERSONNEL DOCKET

Motion was duly made by Alderman Wicker and seconded by Alderman Robinson to approve the personnel docket as presented.

A vote was taken with the following results:

Those voting “Aye”: Alderwoman Lynch, Alderman Miller, Alderman Robinson, Alderman Wicker, Alderwoman Ross, Alderman Piper, and Alderman Harris.

Those voting "Nay": None.

Absent: None

ORDERED AND DONE this the 17th day of May, 2022.

PERSONNEL DOCKET

May 17, 2022

Pay Adjustments	Previous Classification	New Classification	Effective Date	Proposed Rate of Pay
Rena Daniels	PT Medic	FT Medic	5/18/2022	\$18.41/Hr
Jacob Bramlett	P4 Investigator	Lt- Patrol	6/1/2022	\$28.00/Hr
Dexter Gates	Sgt Investigations	Lt - Investigations	6/1/2022	\$28.00/Hr
Resignations/Terminations	Department	Current Position Title	Effective Date	Rate of Pay
Blake Pearson	EMS	FT Medic	5/17/2022	

5172022-10

APPROVAL TO PROMOTE MATT MASSEY TO THE NEW POSITION OF DEPUTY FIRE MARSHAL SET AT CAPTAINS PAY OF \$67,132.98 EFFECTIVE JUNE 5, 2022.

Motion was duly made by Alderman Miller and seconded by Alderwoman Lynch approval to promote Matt Massey to the new position of Deputy Fire Marshal set at Captains pay of \$67,132.98 effective June 5, 2022.

A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Robinson, Alderman Wicker, Alderwoman Ross, and Alderman Piper.

Those voting "Nay": None

Absent: None

ORDERED AND DONE this the 17th day of May, 2022

5172022-11

ADOPT RESOLUTION APPOINTING MAYOR JOHNSON AS MISSISSIPPI MUNICIPAL LEAGUE 2022 VOTING DELEGATE AND ALDERPERSON AS ALTERNATE FOR THE CITY OF HERNANDO.

Motion was duly made by Alderman Wicker and seconded by Alderman Robinson to adopt Resolution appointing Mayor Johnson as Mississippi Municipal League 2022 voting delegate and Alderman Miller as alternate for the City of Hernando.

A vote was taken with the following results:

Those voting "Aye": Alderman Piper, Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Robinson, Alderman Wicker, and Alderwoman Ross.

Those voting "Nay": None.

Absent: None

ORDERED AND DONE this the 17th day of May, 2022.

RESOLUTION APPOINTING MISSISSIPPI MUNICIPAL LEAGUE 2022 VOTING DELEGATES FOR THE CITY OF HERNANDO

WHEREAS, the Mississippi Municipal League amended the bylaws of the association to provide for a ballot election, to be conducted by the officers of the Mississippi Municipal Clerks

and Collectors Association, to be held each year at the summer convention, to elect a Second Vice President from the Southern District; and

WHEREAS, the amended bylaws require the governing authority board (Alderman, City Council, City Commission) to designate in its minutes the voting delegate and alternate to cast the vote for each member municipality.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF HERNANDO

In accordance with the bylaws of the Mississippi Municipal League, the voting delegate(s) for the 2022 Mississippi Municipal League election to be held at the annual convention on July 28th are as follows:

Voting Delegate: Mayor Chip Johnson
First Alternate: Alderman Andrew Miller

That public interest and necessity requiring same, this Resolution shall become effective upon passage.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by Alderman Wicker seconded by Alderman Robinson, and was adopted by the following vote, to-wit:

YEAS: Alderwoman Lynch, Alderman Miller, Alderman Robinson, Alderman Wicker, Alderwoman Ross, Alderman Piper, and Alderman Harris

NAYS: None.

The above and foregoing Resolution having been submitted to and approved by the Mayor, this the 17th day of May 2022.

ATTEST:

APPROVED:

Pam Pyle
CITY CLERK

Chip Johnson
MAYOR

5172022-12

REBECCA TREADWAY WITH THE ARC NORTHWEST MISSISSIPPI TO ADDRESS THE BOARD FOR A DONATION.

Rebecca Treadway spoke on the benefits to the Special Needs community that the ARC of Northwest Mississippi provides. She requested that The ARC be considered in the city's FY23 budget process.

Mayor Johnson stated that the city will consider The ARC in the FY23 budget.

No action was taken.

5172022-13

**APPROVAL OF MENTAL HEALTH AWARENESS PROCLAMATION FROM
MARQUITA THURMAN**

Motion was duly made by Alderman Harris and seconded by Alderman Robinson for approval of Mental Health Awareness Proclamation from Marquita Thurman.

A vote was taken with the following results:

Those voting “Aye”: Alderwoman Ross, Alderman Piper, Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Wicker, and Alderman Robinson.

Those voting “Nay”:

Absent: None

ORDERED AND DONE this the 17th day of May, 2022.

Mental Health Month 2022 “Back to Basics”

WHEREAS, mental health is essential to everyone’s overall health and well-being; and

WHEREAS, all Americans experience times of difficulty and stress in their lives; and

WHEREAS, prevention is an effective way to reduce the burden of mental health conditions; and

WHEREAS, there is a strong body of research that supports specific tools that all Americans can use to better handle challenges, and protect their health and well-being; and

WHEREAS, mental health conditions are real and prevalent in our nation; and

WHEREAS, with early and effective treatment, those individuals with mental health conditions can recover and lead full, productive lives; and

WHEREAS, each business, school, government agency, healthcare provider, organization, and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts.

THEREFORE, I, Mayor, Chip Johnson, do hereby proclaim May, 2022 as Mental Health Month in The City of Hernando. As the Mayor, I also call upon the citizens, government agencies, public and private institutions, businesses, and schools in Hernando to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

DATED THIS 17th day of May, 2022.

Chip Johnson, Mayor

5172022-14

AUTHORIZE A DONATION FROM TOURISM TO THE HERNANDO HIGH SCHOOL SOFTBALL BOOSTER CLUB FOR THE TEAM TO TRAVEL TO THE DISTRICT REGIONAL TOURNAMENT, WHICH WILL PROMOTE TOURISM AND TRADE TO THE COMMUNITY BY BRINGING IN FAVORABLE NOTICE AND OPPORTUNITIES TO THE CITY.

Motion was duly made by Alderman Wicker and seconded by Alderwoman Lynch to authorize a donation of \$2,500.00 from Tourism to the Hernando High School Softball Booster Club for the team to travel to the district regional tournament, which will promote tourism and trade to the community by bringing in favorable notice and opportunities to the city.

A vote was taken with the following results:

Those voting "Aye": Alderman Robinson, Alderman Wicker, Alderwoman Ross, Alderman Piper, Alderman Harris, Alderwoman Lynch, and Alderman Miller.

Those voting "Nay": None.

Absent: None

ORDERED AND DONE this the 17th day of May, 2022.

5172022-15

APPROVAL TO PAY AMERICAN SERVICES LLC PAVING CONTRACT SERVICES INVOICE #2969 TOTALING \$58,200.00 PER JOE FRANK LAUDERDALE'S APPROVAL.

Motion was duly made by Alderman Miller and seconded by Alderman Wicker for approval to pay American Services LLC paving contract services on Shelby Cove, invoice #2969 totaling \$58,200.00 per Joe Frank Lauderdale's approval.

A vote was taken with the following results:

Those voting "Aye": Alderman Robinson, Alderman Wicker, Alderwoman Ross, Alderman Piper, Alderman Harris, Alderwoman Lynch, and Alderman Miller.

Those voting "Nay": None

Absent: None

ORDERED AND DONE this the 17th day of May, 2022.

5172022-16

PL-1602 – REQUEST TO REZONE A 155.975-ACRE TRACT OF LAND LOCATED ON THE NORTHWEST CORNER OF GETWELL ROAD AND THE I-269 INTERCHANGE, IN SECTION 23, TOWNSHIP 2 SOUTH, RANGE 7 WEST, FROM THE "A," AGRICULTURAL DISTRICT TO THE "M-1," LIGHT INDUSTRIAL DISTRICT, BARRY BRIDGFORTH, JR., WITH BRIDGFORTH AND BUNTIN, ATTORNEYS, REPRESENTING ARTHUR W. ANDERSON, JR., THE PROPERTY-OWNER.

Barry Bridgeforth, 5293 Getwell Rd, David McDaniel with Huntington Industrial Partners, and Lee Anderson, 246 Tchulahoma Rd, Jim Flanagan, 8 Crocket Loop East, requested the rezoning of this site for a high end, state of the art facility. Traffic concerns are understandable. If denied, traffic will not be affected. We would not have asked if we thought it would not be good for the city. The value of the capital expended now will generate higher paying jobs, and an increase in tax revenue. This would stabilize your property taxes.

Mike Wiseman, 1100 Getwell, Rd, Bob Barber, 919 Getwell Rd South, (in the County), Jimmy French, 1188 Getwell Rd, spoke against the approval of the request stating that is not the area that an industrial complex should be built in. Warehouses were never envisioned for this and is not in the masterplan. The area is characterized by high quality neighborhoods, mixed use, walkable urbanism. This proposed rezoning is a dramatic move away from plans and

incompatible with the vision. The burden is on the applicant that was not anticipated by the masterplan. Find an appropriate place for this project and not here. This has never been the purpose for this area. We are advocating to the city to use your own plan that was adopted. Respect the Planning Commission's recommendation.

Alderman Miller suggested that we may want to look at this a little more before making a decision. I would like to take a little more time to look at it.

Motion was duly made by Alderman Wicker and seconded by Alderman Miller to Table the request until July 1, 2022.

A roll call vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Wicker, and Alderman Piper

Those voting "Nay": Alderman Robinson, Alderwoman Ross, Alderman Harris, and Alderwoman Lynch

Absent: None

Motion Failed

Motion was duly made by Alderman Robinson and second by Alderman Piper to Deny a rezoning request by Mr. Barry Bridgforth, Jr., on behalf of Arthur W. Anderson, Jr., owner of the property, of 155.98 acres identified as Parcel Number 207833000 0000201, located just west of Getwell Road North, east of McIngvale Road and north of Interstate 269, situated in Section 33, Township 2 South, Range 7 West from current zoning "A" Agricultural District to "M-1" Light Industrial District,, based upon the following findings: 1-3.

A roll call vote was taken with the following results:

Those voting "Aye": Alderwoman Lynch, Alderman Robinson, Alderman Wicker, Alderwoman Ross, and Alderman Piper.

Those voting "Nay": Alderman Harris and Alderman Miller

Absent: None

ORDERED AND DONE this the 17th day of May, 2022.



**City of
Hernando**
MISSISSIPPI

**Board of Aldermen
STAFF REPORT**

Project No.: PL-1602
 Request: Rezone 155.98 Acres from "A" Agricultural District to "M-1" Light Industrial District
 Location: Northwest corner of Getwell Road and I-269 Interchange, in Section 33, Township 2 South, Range 7 West
 Applicant: Barry Bridgforth, Jr., on behalf of Arthur W. Anderson, Jr., owner of the property
 Date: May 17th, 2022

INTRODUCTION:

Mr. Barry Bridgforth, Jr., on behalf of Arthur W. Anderson, Jr., owner of the property, is requesting to rezone a 155.98-acre parcel of land from "A" Agricultural District to "M-1" Light Industrial District. The subject rezoning consists of one lot identified as Parcel Number 207833000 0000201. The lot is located just west of Getwell Road North, east of McIngvale Road and north of Interstate 269. It is situated in Section 33, Township 2 South, Range 7 West.

BACKGROUND:

The applicant proposes rezoning the subject property to "M-1" Light Industrial District. The purpose of M-1 zoning is to provide a variety of light manufacturing uses that include assembling, processing, storage and distributing activities. Properties are to be used for light

industrial and warehousing purposes that emit no more than the minimum amount of noise, odor and dust as associated with light industries. Permitted uses run the gamut from convenience stores to restaurants to manufacturing plants.

Within the M-1 Zoning District, there are also conditional uses, largely concerning parking lot surface materials, that may be permitted with Planning Commission approval.

Zoning districts surrounding the subject property are “A-R” Agricultural-Residential District to the north and east; and, “A” Agricultural District to the south and west.

The Future Land Use Map of the City’s General Development Plan designates the subject property as Mixed Use and Activity – Master Planned Commercial. The property is split between these two designations with the Activity-Master Planned Commercial land use classification situated at the intersecting corner of Interstate-269 and Getwell Road North. However, based on the Future Land Use Map, it appears that the majority of the lot falls within the Mixed Use designation.

The purpose of the Mixed-Use designation is to provide for a broad spectrum of land uses that are complementary to each other and are located near major thoroughfares. Mixed-use designations may also be appropriate for sectors of the City experiencing transition and/or revitalization. Small-scale retail, office and residential uses tend to mix well in these instances. The Mixed Use designation includes a subset of development types, of which General Mixed Use is the subset aligned with the subject property requested for rezoning. Recommended zoning districts for the General Mixed-Use designation are Planned Unit Development (PUD), “C-4” Planned Commercial, “P-B” Planned Business and Traditional Neighborhood Development (TND).

Properties with an Activity – Master Planned Commercial classification are situated in areas providing optimal access to major arterial roadways and near existing employment centers. These include nodes at interchanges along Interstate 69/ Interstate 269 and Highway 304. Development is intended to be efficient and attractive, ideal for uses like big-box retail, restaurants, office parks and hotels. The zoning district recommended for Master Planned Commercial designations is “C-4” Planned Commercial.

Therefore, based on the Future Land Use Map and General Development Plan, the applicant’s request to rezone the property to “M-1” Light Industrial District, does not conform to the goals and future land use plans for the area.

DISCUSSION:

Article XVIII Amendments of the City of Hernando Zoning Ordinance allow for the amendment of the text or map of the Zoning Ordinance provided the applicant demonstrates the appropriateness of the change and address the following criteria for the zoning amendment.

1. How the proposed amendment would conform to the General Development Plan.

Applicant Response: The City of Hernando recognizes within its General Development Plan Vision Statement that “its position as the county seat of government and a popular residential destination for in-migrants, it wants to promote job and revenue-producing opportunities in a diverse economy including industrial, retail and residential development”.

Recent events in our local and national economy have highlighted the importance of supply chain logistics and its role in job creation. Accordingly, any development plan for a city should include some Light Industrial zoned property. This is especially true for any city within the Memphis MSA. The considerable presence of FedEx, the confluence of multiple interstates (I-55, I-40, I-69, I-269, I-240, I-22), the unusual presence of (5) Class I rail carriers, and the Mississippi River make logistics a huge driver of the economy in this area. So, where should a city allocate land for Light Industrial? The General

Development Plan's policy notes recommend that the City "locate distribution centers and warehouses on sites with direct access to state and federal routes that do not require truck routes through residential areas". We believe this location at the Northwest corner Getwell Road and I-269 is such a location.

Staff Comments: Being that the Future Land Use Map designates the property as Mixed Use and Activity – Master Planned Commercial, rezoning the property to M-1 would not conform to the General Development Plan.

Additionally, although not yet adopted, the Hernando Comprehensive Plan drafted March 22, 2021, proposes the development pattern for the subject property and surrounding area be designated as Rural Community. The Rural Community designation recommends that development be confined to three-acre minimum lot sizes and development consists of undeveloped open space and low-density single-family residential.

2. Why the existing zoning district classification of the property in question is inappropriate or improper.

Applicant Response: The current zoning, Agricultural, is clearly a relic of the past. Certainly, this zoning made sense before I-269 was built; however, the property is now one exit away from the south loop intersection of I-55 and I-269. Hernando's Future Land Use Map shows a stretch of ~1,100 acres north of I-269 and east of I-55 as a combination of Mixed-Use and Master Planned Commercial development. We submit that 1,100 acres is too large of an area to have a Mixed-Use and Commercial designation. As an example, there is currently a very large mixed-use development under construction in Olive Branch, MS at Cockrum Road and I-22 that is 170 acres, a fraction of the size of this area allocated in Hernando.

Staff Comments: The subject property is currently zoned Agricultural, which does not conform to the recommended zoning district found in the General Development Plan. However, the Agricultural Zoning is consistent with properties in this area being annexed into the City. At the time of annexation, a zoning district would have been applied to the property, which Agricultural was the most appropriate zoning at that time for the area and proposed annexations.

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

Applicant Response: This agriculturally zoned property is now very close to the intersection of I-55 and I-269. Infrastructure is near this location that was previously not there. Further, the boom in commercial development in recent years has traveled south on I-55 from Memphis to Southaven, to Horn Lake, and to Hernando. These cities are no longer bedroom communities, and as noted in the General Development Plan, the City "desires to be a 'complete' city, with requisite living, working, medical, entertainment, shopping, cultural, educational, and recreational amenities". In order for this to become a reality, the General Development Plan and Future Land Use plan should include some land for Mixed-Use, Commercial, and for Light Industrial. Light Industrial traditionally is not as taxing on city infrastructure, and the tax revenue is important for funding city services that contribute to a well-rounded community.

Staff Comments: There are no changes in the area unanticipated or unaccounted for in the General Development Plan. Potential growth and/or changing development patterns initiated by major developments like the extension of McIngvale Road and the Interstate 269 interchange have been considered. Pending growth in the area supports designating the property subject to rezoning as Mixed Use and Activity – Master Planned Commercial.

STAFF COMMENTS:

1. The request is for rezoning a lot identified as Parcel Number 207833000 0000201 from “A” Agricultural District to “M-1” Light Industrial District.
2. Any future development of the property shall require approval of a Certificate of Development and Construction Plans prior to the issuance of a building permit.
3. Future division of the property shall occur through the subdivision process as defined in the City of Hernando Subdivision Regulations.
4. The Planning Commission heard this request at their April 12th meeting and recommended denial. With the negative recommendation of the Planning Commission, a 2/3 majority of the Board of Aldermen is required for the re-zoning to become effective.

PROPOSED MOTION:*Motion to Approve:*

A motion to recommend APPROVAL of a rezoning request by Mr. Barry Bridgforth, Jr., on behalf of Arthur W. Anderson, Jr., owner of the property, of 155.98 acres identified as Parcel Number 207833000 0000201, located just west of Getwell Road North , east of McIngvale Road and north of Interstate 269, situated in Section 33, Township 2 South, Range 7 West from current zoning “A” Agricultural District to “M-1” Light Industrial District, based upon the following findings:

1. How the proposed amendment would conform to the General Development Plan.

The City of Hernando recognizes within its General Development Plan Vision Statement that “its position as the county seat of government and a popular residential destination for in-migrants, it wants to promote job and revenue-producing opportunities in a diverse economy including industrial, retail and residential development”.

Recent events in our local and national economy have highlighted the importance of supply chain logistics and its role in job creation. Accordingly, any development plan for a city should include some Light Industrial zoned property. This is especially true for any city within the Memphis MSA. The considerable presence of FedEx, the confluence of multiple interstates (I-55, I-40, I-69, I-269, I-240, I-22), the unusual presence of (5) Class I rail carriers, and the Mississippi River make logistics a huge driver of the economy in this area. So, where should a city allocate land for Light Industrial? The General Development Plan’s policy notes recommend that the City “locate distribution centers and warehouses on sites with direct access to state and federal routes that do not require truck routes through residential areas”. We believe this location at the Northwest corner Getwell Road and I-269 is such a location.

2. Why the existing zoning district classification of the property in question is inappropriate or improper.

The current zoning, Agricultural, is clearly a relic of the past. Certainly, this zoning made sense before I-269 was built; however, the property is now one exit away from the south loop intersection of I-55 and I-269. Hernando’s Future Land Use Map shows a stretch of ~1,100 acres north of I-269 and east of I-55 as a combination of Mixed-Use and Master Planned Commercial development. We submit that 1,100 acres is too large of an area to have a Mixed-Use and Commercial designation. As an example, there is currently a very large mixed-use development under construction in Olive Branch, MS at Cockrum Road and I-22 that is 170 acres, a fraction of the size of this area allocated in Hernando.

3. That major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the General Development Plan and

have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate.

This agriculturally zoned property is now very close to the intersection of I-55 and I-269. Infrastructure is near this location that was previously not there. Further, the boom in commercial development in recent years has traveled south on I-55 from Memphis to Southaven, to Horn Lake, and to Hernando. These cities are no longer bedroom communities, and as noted in the General Development Plan, the City “desires to be a ‘complete’ city, with requisite living, working, medical, entertainment, shopping, cultural, educational, and recreational amenities”. In order for this to become a reality, the General Development Plan and Future Land Use plan should include some land for Mixed-Use, Commercial, and for Light Industrial. Light Industrial traditionally is not as taxing on city infrastructure, and the tax revenue is important for funding city services that contribute to a well-rounded community.

Motion to Deny:

A motion to recommend DENIAL of a rezoning request by Mr. Barry Bridgforth, Jr., on behalf of Arthur W. Anderson, Jr., owner of the property, of 155.98 acres identified as Parcel Number 207833000 0000201, located just west of Getwell Road North , east of McIngvale Road and north of Interstate 269, situated in Section 33, Township 2 South, Range 7 West from current zoning “A” Agricultural District to “M-1” Light Industrial District,, based upon the following findings:

1. How the proposed amendment would conform to the General Development Plan.

Being that the Future Land Use Map designates the property as Mixed Use and Activity – Master Planned Commercial, rezoning the property to M-1 would not conform to the General Development Plan.

Additionally, although not yet adopted, the Hernando Comprehensive Plan drafted March 22, 2021, proposes the development pattern for the subject property and surrounding area be designated as Rural Community. The Rural Community designation recommends that development be confined to three-acre minimum lot sizes and development consists of undeveloped open space and low-density single-family residential.

2. Why the existing zoning district classification of the property in question is inappropriate or improper.

The subject property is currently zoned Agricultural, which does not conform to the recommended zoning district found in the General Development Plan. However, the Agricultural Zoning is consistent with properties in this area being annexed into the City. At the time of annexation, a zoning district would have been applied to the property, which Agricultural was the most appropriate zoning at that time for the area and proposed annexations.

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

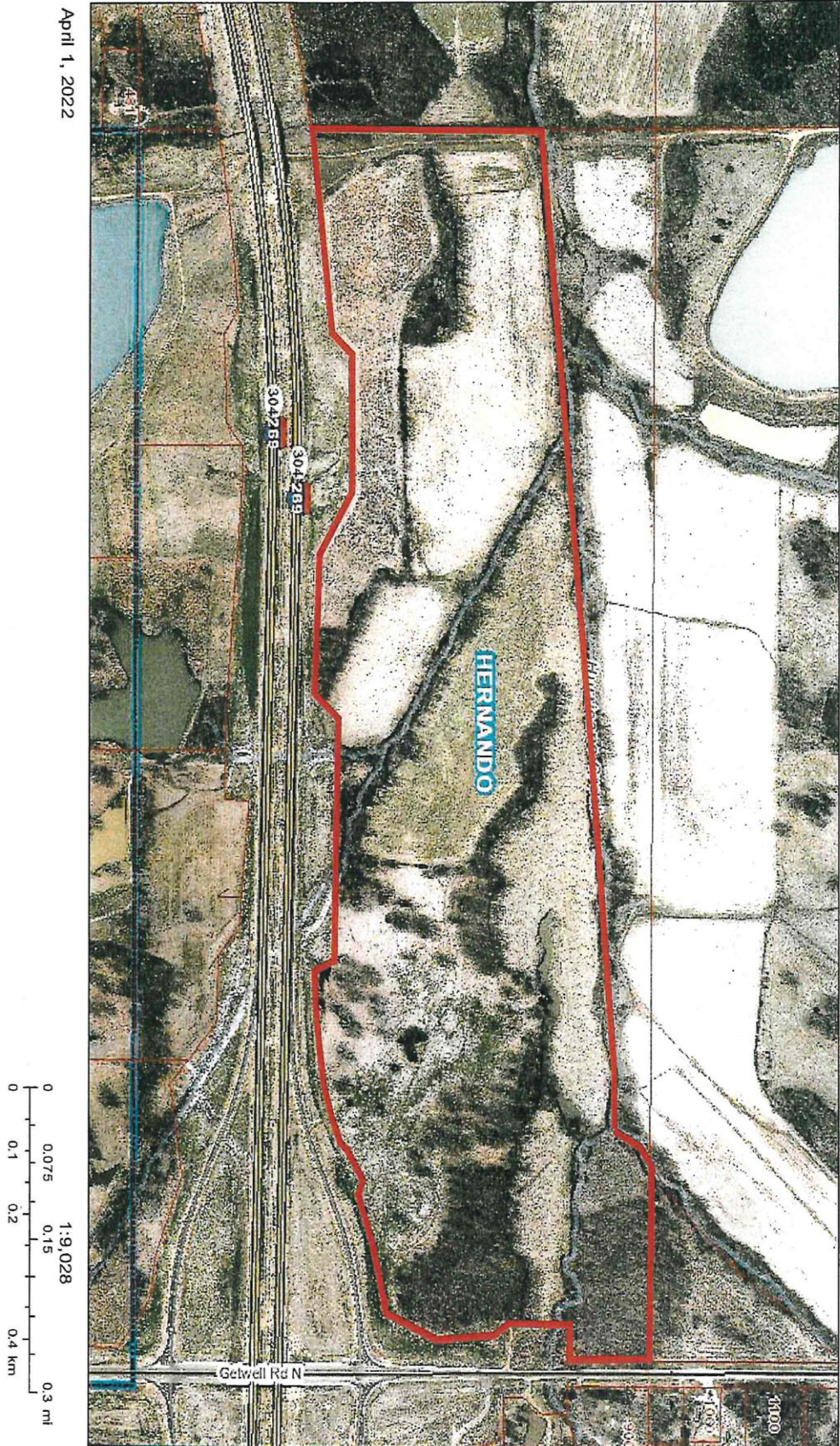
There are no changes in the area unanticipated or unaccounted for in the General Development Plan. Potential growth and/or changing development patterns initiated by major developments like the extension of McIngvale Road and the Interstate 269 interchange have been considered. Pending growth in the area supports designating the property as Mixed Use and Activity – Master Planned Commercial, which recommend Planned Unit Development (PUD), “C-4” Planned Commercial, “P-B” Planned Business and Traditional Neighborhood Development (TND) Zoning Districts.

Motion to Table:

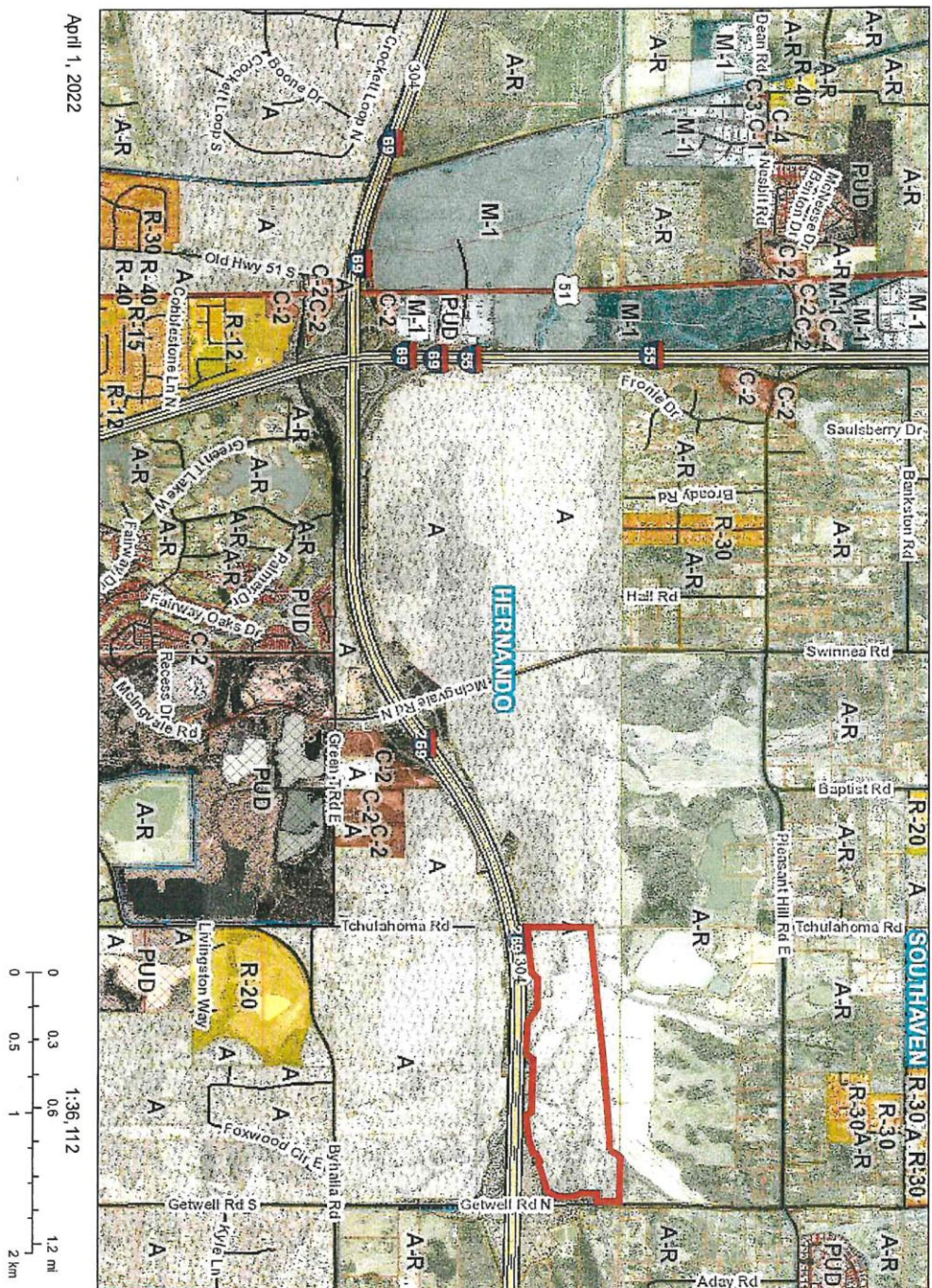
The Board of Aldermen may wish to table the item to the next regularly scheduled meeting in the event they should feel that additional information submitted by the applicant is necessary or if there is a need for more time to consider the request.

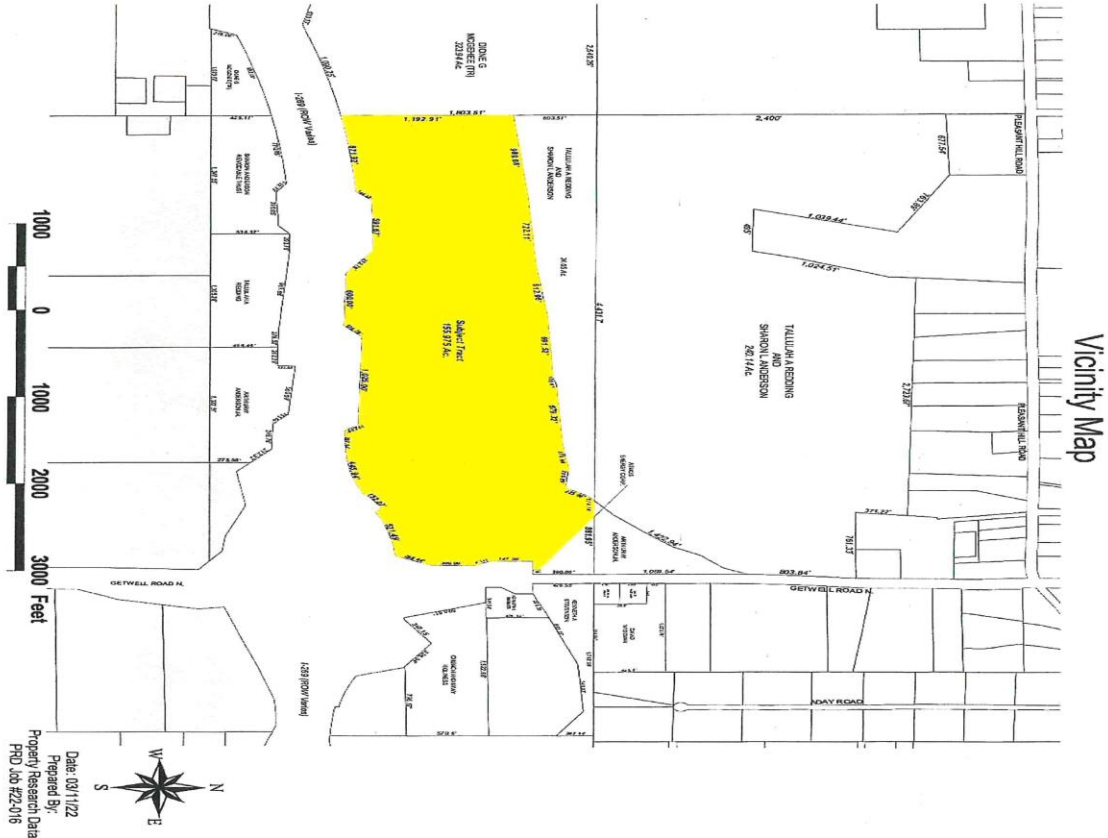


Arthur W. Anderson, Jr. - "A" to "M-1" Rezoning Site Map



Arthur W. Anderson, Jr. - "A" to "M-1" Rezoning - Zoning Map





5172022-17

PL-1603 – REQUEST TO REZONE A 40.60-ACRE TRACT OF LAND LOCATED ON THE WEST SIDE OF TCHULAHOMA ROAD, NORTH OF GREEN “TEE” ROAD, IN SECTION 32, TOWNSHIP 2 SOUTH, RANGE 7 WEST, FROM THE “A,” AGRICULTURAL DISTRICT TO THE “C-2,” HIGHWAY COMMERCIAL DISTRICT, BRIAN BULLARD WITH URBANARCH, REPRESENTING THE FRANCES ANN LUCKETT REVOCABLE TRUST, THE PROPERTY-OWNER.

Brian Bullard, UrbanArch, 498 Main, Memphis, TN, stated they believe this request is in alignment with the city’s plan. It is a natural corridor with retail and mixed use. The building will be complimentary with an available easement at the Fieldhouse. The comprehensive plan is appropriate for this location.

Alan Salt, 1860 Green T Rd, Charles Craig, 515 Tchulahoma Rd, James Ellis, 1688 Green T Rd, Lee Anderson, 246 Tchulahoma are not in favor of this request. There has been no plan for this property presented and no communication. Tchulahoma is not equipped for the traffic of any kind and cannot handle it. Trees were pushed down and criss cross on Hurricane Creek. There is a sharp turn on that road, and you expect traffic to get on that. If they get C-2, they can do whatever they want. This need to be well thought out and detailed. We were annexed 15 years ago and have no amenities.

Alderman Harris stated this request is for a zoning change and the next step will be plan submittals.

Motion was duly made by Alderman Harris and seconded by Alderman Robinson to approve the rezoning of Parcel No. 2079-3200.0-00005.00, the Frances Ann Luckett Revocable Trust property, which is a 40.60-acre tract located on the west side of Tchulahoma Road, north of Green "T" Road, and east of McIngvale Road, in Section 32, Township 2 South, Range 7 West, from the "A," Agricultural District to the "C-2," Highway Commercial District, based upon the following findings:1-3.

A roll call vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Robinson, Alderman Wicker, Alderman Piper, and Alderman Harris

Those voting "Nay": Alderwoman Lynch and Alderwoman Ross

Absent: None

ORDERED AND DONE this the 17th day of May, 2022.



City of
Hernando
MISSISSIPPI

BOARD OF ALDERMEN
STAFF REPORT

Project No.: PL-1603
Request: Zoning Map Amendment from the "A," Agricultural District to the "C-2," Highway Commercial District, 40.60 acres.
Location: West side of Tchulahoma Road, North of Green "T" Road, and East of McIngvale Road in Section 32, Township 2 South, Range 7 West.
Applicant: Brian Bullard with UrbanArch, representing the Frances Ann Luckett Revocable Trust, the owner of the property
Date: May 17, 2022

INTRODUCTION:

Mr. Brian Bullard, with UrbanArch, representing the Frances Ann Luckett Revocable Trust, the owner of the property, is requesting the rezoning of a 40.60-acre parcel of land from its current zoning in the "A," Agricultural District to the "C-2," Highway Commercial District. The subject property (Parcel No. 2079-3200.0-00005.00) is located on the west side of Tchulahoma Road, north of Green "T" Road, and east of McIngvale Road, in Section 32, Township 2 South, Range 7 West.

The Future Land Use Map for the City's currently adopted General Development Plan identifies the subject property in the "**Master Plan Residential – Low Density**" land use designation. This category is to provide for modern, attractive, and efficient development with access needs that demand location along major arterial roadways. This category strives for the highest quality private-and public-sector development. This includes nodes at interchanges along the I-269/Highway 304 corridor. It does not allow distribution centers, and open space dedication is required, and clustering of residential uses encouraged.

The purpose of the **Master Planned Residential – Low Density** designation is intended to give the developer the ability to be flexible and creative for development of a residential project, while at the same time giving the City adequate control over the design and impact of the project. The **MPR** designation allows the developer, and the City, the opportunity for a well-integrated design that is responsive to the unique locational and physical features of a site.

It is intended that **MPR** designated land be developed based on an overall plan (master plan) prepared by the developers of the property and approved by the City. In instances where this designation covers contiguous parcels, all individual parcels should be included in the master planning effort. The master plan should detail the site and include Hernando General Development Plan 2007 - 2027 street improvements, as well as the timing (phasing) of the

project. The overall plan will be evaluated upon its adequacy in the following areas: (1) Compatibility with the natural contours of the land and a drainage/erosion control plan that emphasizes water quality as well as erosion control and flooding issues. (2) The development is well connected to surrounding areas, with stub out streets on all sides. (3) The development provides a complete circulation system within the neighborhood. (4) The development preserves mature tree canopy as much as possible and provides for appropriate street trees and landscaped entrance features. (5) The development provides a variety of housing types in a single project. (6) The development provides a residential pattern book detailing the quality of the architectural features of the housing units, accessory structures, lighting, landscaping, mailboxes, traffic signs, and amenity buildings and structures.

The zoning classification recommended by the General Development Plan for properties identified as the “**Master Planned Residential – Low Density**” land use designation is the **Planned Unit Development District**. Therefore, the applicant’s request to rezone the property to the “C-2,” Highway Commercial District, **would not** conform to the recommendations of the General Development Plan since the Plan recommends the **Planned Unit Development District** as the preferred zoning district for the **MPR** designated properties.

DISCUSSION:

Article XVIII Amendments of the City of Hernando Zoning Ordinance allows for the amendment of the text or map of the Zoning Ordinance provided the applicant demonstrates the appropriateness of the change and addresses the following criteria for the zoning amendment.

1. How the proposed amendment would conform to the General Development Plan.

Applicant Response: The applicant wishes to change the property zoning to the “C-2” district due to the natural progression in the zoning of adjacent and nearby properties. Due to the recent construction of the I-269 Interstate and on/off ramp interchange at McIngvale Road nearby, some properties on the south and west side of the subject property have already been rezoned to the “C-2” district previously.

Staff Comments: The applicant’s response does not address how their request conforms to the City’s adopted General Development Plan. Their request to rezone the subject property to the “C-2,” Highway Commercial District **does not conform** to the recommendations of the City’s adopted General Development Plan, which recommends the Planned Unit Development District as the preferred zoning district for properties identified as the “**Master Planned Residential – Low Density**” land use designation by the Plan’s Future Land Use Map.

2. Why the existing zoning district classification of the property in question is inappropriate or improper.

Applicant Response: The highest and best use of the subject property will be afforded by the “C-2” zoning due to the factors of surrounding “C-2” properties and the proximity to the Green T Road/McIngvale Road interchange and the I-269 Interstate. Agricultural use of the property is no longer feasible.

Staff Comments: The current “A,” Agricultural District zoning is not appropriate as it does not conform with the “**Master Planned Residential – Low Density**” land use designation recommended in the Future Land Use Plan. However, although the General Development Plan does recognize I-269 and its impacts, it does not recommend commercial zoning for the properties in this area.

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

Applicant Response: The character of the area around the subject property has been changed through the natural progression of the development of the State and Interstate Highway systems, and the resultant rezoning of properties immediately adjacent to the subject property

to the “C-2” district, and not due to any action on the part of the applicant. Other properties to the west and south of the subject property have already been rezoned to the “C-2” district; therefore, allowing the applicant the ability to change the zoning is not a special privilege.

Staff Comments: The key to this criterion is whether changes have occurred that **were not anticipated** by the General Development Plan. The adopted General Development Plan included the proposed interchange between McIngvale Road and Interstate 269 and evaluated its impacts in identifying the land use designations of the properties in this area. In this instance, the subject property and all of the property to the north and east of the subject property falls within the “**Master Planned Residential – Low Density**” land use designation, while to the south of Green “T” Road is the Madison Lakes PUD. Therefore, these changes **were anticipated** by the General Development Plan in establishing these land use designations. Finally, it should also be noted that the, as yet unadopted, 2020 Comprehensive Plan maintains the residential character of the area by designating these same properties for “Suburban Neighborhood – Medium Density” land use, not as commercial.

STAFF COMMENTS:

1. This request is for a rezoning of the subject property from the “A,” Agricultural District to the “C-2,” Highway Commercial District. Copies of the “A,” Agricultural District and the “C-2,” Highway Commercial District regulations from the Zoning Ordinance are attached for your review. In evaluating this rezoning request, the Board should keep in mind that it is less important what the applicant may be specifically proposing to use the property for, and more importantly as to all of the uses permitted in the “C-2” district, what the subject property could be potentially used at some point in the future, and the appropriateness of those commercial uses in light of the adjacent surrounding land uses.
2. Any future division of the property shall occur through the subdivision process as defined in the City of Hernando Subdivision Regulations. Because the “C-2” district is not a planned district, such as “PUD” or an overlay district, subdivision plat approval is not a part of this request.
3. In evaluating this rezoning application, the staff would note that since the Madison Lakes PUD is located south of Green “T” Road, the land use there is relatively fixed. However, as noted above, the subject property and all of the property to the north and west of the subject property are all large acreage properties that fall within the **Master Planned Residential – Low Density** land use designation. If the Commission should consider approving the requested rezoning to the “C-2” district the question that the Commission must ask is how far east along Green “T” Road will any future commercial zoning be considered?
4. The Planning Commission reviewed this request by Brian Bullard, with UrbanArch, on behalf of the Frances Ann Luckett Revocable Trust, the owner of the property, for a Rezoning of a 13.55-acre parcel of land, known as (Parcel No. 207932000-00007.00), being located on the north side of Green “T” Road, between McIngvale Road and Tchulahoma Road in Section 32, Township 2 South, Range 7 West, from its current zoning of the “A,” Agricultural District to the “C-2,” Highway Commercial District, at their meeting on April 12, 2022, and voted unanimously, with Commissioner Brumbelow recusing himself, to recommend denial of the Rezoning request to the Board of Aldermen, based upon the findings specified below under the proposed “Motion to Deny.”
5. **Super-Majority:** Article XVIII of the Zoning Ordinance, “Amendments,” states that in the event of an adverse report by the Planning Commission, such amendment shall not become effective except by the favorable vote of two-thirds ($\frac{2}{3}$) of the members of the Board of Aldermen not required by law or ethical considerations to recuse themselves. In this instance, due to the Planning Commission’s recommendation to deny this rezoning application, a two-thirds majority vote of the Board of Aldermen will be required to overturn the Commission’s negative report.

PROPOSED MOTIONS:

Motion to Deny:

A motion to recommend **DENIAL** to the Board of Aldermen of the rezoning of Parcel No. 2079-3200.0-00005.00, the Frances Ann Luckett Revocable Trust property, which is a 40.60-acre tract located on the west side of Tchulahoma Road, north of Green “T” Road, and east of McIngvale Road, in Section 32, Township 2 South, Range 7 West, from the “A,” Agricultural District to the “C-2,” Highway Commercial District, based upon the following findings:

1. How the proposed amendment would conform to the General Development Plan.

The applicant’s request to rezone the subject property to the “C-2,” Highway Commercial District does not conform to the recommendations of the City’s adopted General Development Plan, which recommends the Planned Unit Development District as the preferred zoning district for properties identified as the “Master Planned Residential – Low Density” land use designation, which would also require submission of a master plan for the entire development as part of the rezoning approval process.

2. Why the existing zoning district classification of the property in question is inappropriate or improper.

The current “A,” Agricultural District zoning is not appropriate as it does not conform with the “Master Planned Residential – Low Density” land use designation recommended in the Future Land Use Plan. However, although the General Development Plan does recognize I-269 and its impacts, it does not recommend commercial zoning for the properties in this area.

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

The key to this criterion is whether changes have occurred that **were not anticipated** by the General Development Plan. The adopted General Development Plan included the proposed interchange between McIngvale Road and Interstate 269 and evaluated its impacts in identifying the land use designations of the properties in this area. In this instance, the subject property, and all of the property to the north and east of the subject property, falls within the “Master Planned Residential – Low Density” land use designation, while to the south of Green “T” Road is the Madison Lakes PUD. Therefore, these changes **were anticipated** by the General Development Plan. Finally, it should also be noted that the, as yet unadopted, 2020 Comprehensive Plan designates these same properties for “Suburban Neighborhood – Medium Density” land use, not as commercial.

Motion to Approve:

A motion to recommend **APPROVAL** to the Board of Aldermen of the rezoning of Parcel No. 2079-3200.0-00005.00, the Frances Ann Luckett Revocable Trust property, which is a 40.60-acre tract located on the west side of Tchulahoma Road, north of Green “T” Road, and east of McIngvale Road, in Section 32, Township 2 South, Range 7 West, from the “A,” Agricultural District to the “C-2,” Highway Commercial District, based upon the following findings:

1. How the proposed amendment would conform to the General Development Plan.

The request to rezone the subject property to the “C-2,” Highway Commercial District does deviate from the recommendations of the General Development Plan, which was adopted by the City in 2007, due to the natural progression in the zoning of adjacent and nearby properties. Due to the recent construction of the I-269 Interstate and on/off ramp interchange at McIngvale Road nearby, some properties on the south and west side of the subject property have already been rezoned to the “C-2” district previously. The current “A” zoning is less conducive to the higher traffic and commercialization caused by construction of I-269 and the New McIngvale interchange/access.

2. Why the existing zoning district classification of the property in question is inappropriate or improper.

The highest and best use of the subject property will be afforded by the “C-2” zoning due to the factors of surrounding “C-2” properties already having been rezoned to the “C-2” district

as a result of the proximity to the Green T Road/McIngvale Road interchange and the I-269 Interstate. Agricultural use of the property is no longer feasible.

- 3. That major economic, physical, or social changes, if any, have occurred in the vicinity of the property in question that were not anticipated by the General Development Plan and have substantially altered the basic character of the area, which make the proposed amendment to the Zoning District Map appropriate.**

The character of the area around the subject property has been changed through the natural progression of the development of the State and Interstate Highway systems, and the resultant rezoning of properties immediately adjacent to the subject property to the “C-2” district, and not due to any action on the part of the applicant. Other properties to the west and south of the subject property have already been rezoned to the “C-2” district; therefore, allowing the applicant the ability to change the zoning is not a special privilege.

Motion to Table or Refer:

The Board of Aldermen may wish to table the item to the next regularly scheduled meeting in the event the Board should feel that they need additional information submitted by the applicant or if the Board feels that they need more time to consider the request. The Board also has the option of referring the application back to the Planning Commission for further consideration if the Board feels that there are aspects to the case that were not adequately reviewed or considered initially by the Planning Commission.

5172022-18

PL-1604 – REQUEST FOR APPROVAL OF AN AMENDMENT TO THE TEXT OF THE ZONING ORDINANCE. MORE SPECIFICALLY TO ADD “ACCESSORY DWELLING UNIT” TO THE LIST OF CONDITIONAL USES IN THE “AR,” AGRICULTURAL/RESIDENTIAL DISTRICT. – TODD STEELE, WITH AERC, REPRESENTING PETE COOKSTON OF 414 GREEN “TEE” LAKE DRIVE EAST.

Motion was duly made by Alderman Piper and seconded by Alderman Wicker to Table until June 21, 2022.

A roll call vote was taken with the following results:

Those voting “Aye”: Alderman Piper, Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Robinson, Alderman Wicker, and Alderwoman Ross.

Those voting “Nay”: None

Absent: None

ORDERED AND DONE this the 17th day of May, 2022



**City of
Hernando**
MISSISSIPPI

**Board of Aldermen
STAFF REPORT**

Project No.: PL-1604
Request: Request to Amend List of Conditional Uses within “A-R” Agricultural-Residential Zoning District of the Zoning Ordinance
Location: “A-R” Agricultural-Residential Zoning District (Conditional Uses)
Applicant: Todd Steele – AERC, PLLC
Date: May 17th, 2022

INTRODUCTION:

Todd Steele, with AERC, PLLC, representing Pete Cookston of 414 Green “Tee” Lake Drive East is requesting an amendment to the Zoning Ordinance text. The request is to amend the list of conditional uses found in the “A-R” Agricultural-Residential Zoning District of the City of Hernando Zoning Ordinance, thereby adding Accessory Dwelling Units (ADUs) to the conditional uses list. From the American Planning Association publication of *PAS QuickNotes*:

Accessory dwelling units (ADUs) are small, self-contained living units that typically have their own kitchen, bedroom(s), and bathroom space. Often called granny flats, elder cottage housing opportunities (ECHO), mother-daughter residences, or secondary dwelling units, ADUs are apartments that can be located within the walls of an existing or newly constructed single-family home or can be an addition to an existing home. They can also be freestanding cottages on the same lot as the principal dwelling unit or a conversion of a garage or barn.

DISCUSSION:

The City of Hernando Zoning Ordinance currently permits ADUs in the “C-1” Neighborhood Commercial District, “C-2” Highway Commercial District and “C-3” General Commercial District.

In addition to being permitted by right in the aforementioned commercial zones, the “TND” Traditional Neighborhood Development District allows a mix of residential uses including, secondary dwelling units that the zoning district also refers to as granny flats. The TND Zoning District defines secondary dwelling units as “an additional dwelling unit located within the principal dwelling on the lot, in a freestanding building or above a residential garage.”

Additionally, per Article VI, Section 1., ix. Other Provisions of the Zoning Ordinance, it is stated that in the “A” Agricultural District, more than one residential structure may be located on a lot provided that:

- (a) *The structures are situated so as to meet the yard requirements of an actual subdivision;*
- (b) *All property is vested in a single ownership.*

STAFF COMMENTS:

Considering the different zones and conditions already in place to permit ADUs in the City, a precedent currently exists to allow this type of dwelling. If the applicant’s request is ultimately granted, the method by which ADUs in the A-R District are regulated would be constrained by an ADU only being permitted if approved on a case-by-case basis. Therefore, a Conditional Use Permit would be required for every ADU request located in the A-R District. And approval of the subject text amendment would only apply to the A-R District.

Furthermore, if the request to add ADUs to the list of conditional uses in the A-R District, is approved, a Conditional Use Permit would be required for an ADU to be permitted at 414 Green “Tee” Lake Drive East.

Lastly, staff recommends applying similar controls to those found in the Agricultural District described above (Article VI, Section 1., ix. Other Provisions). An additional stipulation to consider adding would be that the exterior appearance of the ADU is compatible with the character of the residences in the neighborhood and/or surrounding area.

PROPOSED MOTIONS:

- *Motion to Approve:*

A motion to recommend APPROVAL of an Amendment to the Text of the Zoning Ordinance to add “Accessory Dwelling Unit” to the list of conditional uses in the “AR,” Agricultural-Residential District with the following additional standards:

- a) The accessory dwelling unit is situated on the lot so as to meet the yard requirements of an actual subdivision;
- b) All property is vested in single ownership; and,

- c) The exterior appearance of the accessory dwelling is compatible with the character of residences in the neighborhood and/or immediate surrounding area.

➤ *Motion to Deny:*

A motion to recommend DENIAL of an Amendment to the Text of the Zoning Ordinance to add "Accessory Dwelling Unit" to the list of conditional uses in the "AR," Agricultural-Residential District.

➤ *Motion to Table:*

The Planning Commission may wish to table the item to the next regularly scheduled meeting in the event the Planning Commission should feel that additional information submitted by the applicant is necessary or if the Planning Commission should feel that more time to consider the request is required.

ALTERNATIVE ACCESSORY DWELLING UNIT AMENDMENT

A motion to APPROVE an Amendment to the Text of the Zoning Ordinance to:

1. Amend Article II, "Definitions," Section "b," "Definitions," of the Zoning Ordinance to add the following definition of "Accessory Dwelling Unit," in the appropriate alphabetical order, and re-number the Section accordingly:

"ACCESSORY DWELLING UNIT: Accessory dwelling units (ADUs) are small, self-contained living units that have their own kitchen, bedroom(s), and bathroom space. Often called granny flats, elder cottage housing opportunities (ECHO), mother-daughter residences, or secondary dwelling units, ADUs are apartments that can be located within the walls of an existing or newly constructed single-family home or can be an addition to an existing home. They can also be freestanding cottages on the same lot as the principal dwelling unit or a conversion of a garage or barn."

2. Amend Article V, "Agricultural Districts," Section "b," "A-R Agricultural-Residential District," Sub-section "iii," "Conditional Uses," to add "Accessory Dwelling Unit (ADU)" to the list of conditional uses in the appropriate alphabetical order, and re-number the Sub-section accordingly, with the following additional standards

- a) All of the property is vested in single ownership.
- b) Setbacks:

- (1) Attached ADUs shall meet the same yard setbacks as the principal dwelling on the property for the Zoning District within which it is located.
- (2) Detached ADUs shall be situated upon the property such that the detached ADU will meet the yard setback requirements of the Zoning District within which it is located in the event of a subdivision of the property.

- c) Appearance and Design

- (1) Attached ADUs shall use the same materials and colors as the principal dwelling on the property and shall be designed to appear solely as an extension of the principal dwelling unit on the property and not as a separate, distinct dwelling unit.
- (2) Detached, freestanding ADUs shall use the same materials and colors as the principal dwelling on the property and shall be compatible in design with the appearance and character of the principal dwelling on the property and the other residences in the neighborhood, and/or immediate surrounding area.

5172022-19

MEDICAL CANNABIS ORDINANCE UPDATE

Discussion was on the amount to charge for a business license and the times of operation. Change verbiage from “the Historic District” to “any Historic District Zoning”. The suggestions will be presented to the Planning Commission for their approval.

No action taken



**City of
Hernando**
MISSISSIPPI

**PLANNING COMMISSION
STAFF REPORT**

Project No.: Zoning Text Amendment – Medical Cannabis
Request: To add definitions and uses, as specified on the attached exhibit

Date: 5-17-22

INTRODUCTION:

By the Board’s action of not opting out of Medical Cannabis, there is a need to update the Zoning Ordinance to add definitions and classify these definitions in the use chart of Commercial, Industrial and Agricultural zones. Based on feedback from an AG opinion (attached) regarding the local jurisdiction’s rights concerning Medical Cannabis and zoning, the Board created a committee to recommend the changes to be brought back for consideration.

The Committee met on Monday April 25th, and recommended the following regulations be brought to the Planning Commission and Board of Aldermen for review:

- Follow all State guidelines regarding the licensure and setback requirements of all facilities
- Prohibit all Medical Cannabis facilities from the Historic District and also 500 feet from the Courthouse, measured parcel line to parcel line
- Adopt a \$1000 business license fee
- Add all definitions, as listed in the State Law
- Add these defined uses, as shown on the attached chart

DISCUSSION:

This purpose of this discussion is to confirm the committee’s recommendation and receive approval to advertise for the Planning Commission and Board of Aldermen meeting for official consideration.

STAFF COMMENTS:

6. If authorized to proceed, Staff will take these regulations to the Planning Commission for a recommendation at the 6-14 meeting. Once this hearing is held, we will bring this recommendation to the 6-21 Board of Aldermen meeting for an official vote and adoption.

Proposed Definitions

Cannabis cultivation facility - means a business entity licensed and registered by the Mississippi Department of Health that acquires, grows, cultivates and harvests medical cannabis in an indoor, enclosed, locked and secure area.

Cannabis disposal entity - a business licensed and registered by the Mississippi Department of Health that is involved in the commercial disposal or destruction of medical cannabis.

Cannabis processing facility - a business entity that is licensed and registered by the Mississippi Department of Health that: (i) Acquires or intends to acquire cannabis from a cannabis cultivation facility; (ii) Possesses cannabis with the intent to manufacture a cannabis product; (iii) Manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and S. B. No. 2095 *SS26/R512SG* ~ OFFICIAL ~ 22/SS26/R512SG PAGE 7 (iv) Sells or intends to sell a cannabis product to a medical cannabis dispensary, cannabis testing facility or cannabis research facility.

"Cannabis research facility" or "research facility" - a research facility at any university or college in this state or an independent entity licensed and registered by the Mississippi Department of Health pursuant to this chapter that acquires cannabis from cannabis cultivation facilities and cannabis processing facilities in order to research cannabis, develop best practices for specific medical conditions, develop medicines and provide commercial access for medical use.

"Cannabis testing facility" or "testing facility" - an independent entity licensed and registered by the 260 Mississippi Department of Health that analyzes the safety and potency of cannabis.

"Cannabis transportation entity" - an independent entity licensed and registered by the Mississippi Department of Health that is involved in the commercial transportation of medical cannabis.

"Medical cannabis dispensary" or "dispensary" - an entity licensed and registered with the MDOR that acquires, possesses, stores, transfers, sells, supplies or dispenses medical cannabis, equipment used for medical cannabis, or related supplies and educational materials to cardholders. *Hours of operation are limited to 9 a.m. to 9 p.m. and shall be located outside of the historic district and at least 500 feet from The Desoto County Courthouse, measured parcel line to parcel line.*

In addition, a \$1000 business license fee is proposed.

Use Chart Amendments

	C1	C2	C3	C4	PUD	M1	M2	AR	A
Cannabis cultivation facility	NP	NP	NP	NP	NP	P	P	NP	C
Cannabis disposal entity	NP	NP	NP	NP	NP	P	P	NP	C
Cannabis processing facility	NP	NP	NP	NP	NP	P	P	NP	C
Cannabis research facility" or "research facility"	P	P	P	by plan text	by plan text	P	P	P	P
"Cannabis testing facility" or "testing facility"	P	P	P	by plan text	by plan text	P	P	P	P
"Cannabis transportation	P	P	P	by plan	by plan	P	P	NP	NP

entity"				text	text				
"Medical cannabis dispensary" or "dispensary"	P	P	P	by plan text	by plan text	NP	NP	NP	NP
	NP - not permitted								
	P - Permitted by Right								
	C - permitted with conditional use approval								

5172022-20

RESOLUTION FOR PERSONAL PROPERTY TAX EXEMPTION FROM TEGRA MEDICAL REQUESTING 5 YEARS FOR 2021.

Motion was duly made by Alderman Miller and seconded by Alderman Robinson to approve Resolution for Personal Property Tax Exemption from Tegra Medical. Requesting 5 Years for 2021.

A vote was taken with the following results:

Those voting "Aye": Alderman Wicker, Alderwoman Ross, Alderman Piper, Alderman Harris, Alderwoman Lynch, Alderman Miller, and Alderman Robinson.

Those voting "Nay": None

Absent: None

ORDERED AND DONE this the 17th day of May, 2022

RESOLUTION GRANTING EXEMPTION FROM AD VALOREM TAXES

The Mayor and Board of Aldermen took up for consideration the matter of granting tax exemption from ad valorem taxes for TEGRA MEDICAL (MS) LLC, the following Resolution having first been reduced to writing, was introduced:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN FOR THE CITY OF HERNANDO, MISSISSIPPI, GRANTING TAX EXEMPTION FROM AD VALOREM TAXES FOR A PERIOD OF FIVE (5) YEARS FOR PERSONAL PROPERTY TO TEGRA MEDICAL (MS) LLC, AS AUTHORIZED BY SECTION 27-31-101 ET SEQ., OF THE MISSISSIPPI CODE OF 1972, AS AMENDED.

WHEREAS, TEGRA MEDICAL (MS) LLC, filed in triplicate with this Board its Application for exemption from ad valorem taxation; and

WHEREAS, TEGRA MEDICAL (MS) LLC, has produced written verification and documentation to this Board as to the authenticity and correctness of its Application in regard to the true value of the prayed for exemption and the completion date of said enterprise: and

WHEREAS, this Board finds as a fact that the property described in the aforesaid Application constitutes an industrial enterprise of public utility which was completed on the 31st day of December, 2021, and that said Company is entitled to the exemption sought for a period of five (5) years for personal property in the amount of \$789,828.09 beginning on the 1st day of January, 2022, subject to approval and certification by the Mississippi Department of Revenue.

NOW, THEREFORE, BE IT RESOLVED BY The Mayor and Board of Aldermen of the City of Hernando, DeSoto County, Mississippi, as follows:

1. That the Application for ad valorem tax exemption by TEGRA MEDICAL (MS) LLC, for five (5) years for personal property in the amount of \$789,828.09 beginning January 1, 2022 on the property described in the Application filed by said Company for tax exemption, be and the same is hereby approved, five (5) years for personal property subject to approval and certification by the Mississippi Department of Revenue.

2. That TEGRA MEDICAL (MS) LLC, is hereby granted tax exemption on ad valorem taxes, except Library Fund, Park Fund, G O Bond Fund, State, School District and Road and Bridge ad valorem taxation, for five (5) years in the amount of \$789,828.09 for personal property, beginning January 1, 2022.

3. That the Clerk of this Board is hereby directed to spread a copy of this Order on the minutes of this Board; and that said Clerk shall forward the original and three (3) certified copies of the Application and a certified copy of the transcript of this Order approving said Application to the Mississippi Department of Revenue for its approval and certification: and said Clerk shall also forward one certified copy to the Tax Assessor of DeSoto County and obtain the Certificate of said Tax Assessor stating that the personal property as itemized in the Application has been placed on the appropriate tax roll as "Non-Taxable", except for Library Fund, Park Fund, G O Bond Fund, State, School District and Road and Bridge ad valorem taxes, for the duration of the exemption period only and the Position Statement of Tax Assessor.

Motion was duly made by Alderman Miller, seconded by Alderman Robinson to adopt the foregoing Resolution Granting Tax Exemption from Ad Valorem Taxes. A roll call vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Robinson, Alderman Wicker, Alderwoman Ross, and Alderman Piper.

Those voting "Nay": None

ORDERED AND DONE this the 17th day of May, 2022

CHIP JOHNSON, MAYOR
CITY OF HERNANDO

SEAL

ATTEST:

PAM PYLE, CITY CLERK

5172022-21

**RESOLUTION FOR REAL PROPERTY TAX EXEMPTION FROM TEGRA MEDICAL
REQUESTING 9 YEARS FOR 2020.**

Motion was duly made by Alderman Miller and seconded by Alderman Harris to approve Resolution for Real Property Tax Exemption from Tegra Medical. Requesting 9 Years for 2020.

A vote was taken with the following results:

Those voting "Aye": Alderman Robinson, Alderman Wicker, Alderwoman Ross, Alderman Piper, Alderman Harris, Alderwoman Lynch, and Alderman Miller.

Those voting "Nay": None

Absent: None

ORDERED AND DONE this the 17th day of May, 2022

RESOLUTION GRANTING EXEMPTION FROM AD VALOREM TAXES

The Mayor and Board of Aldermen took up for consideration the matter of granting tax exemption from ad valorem taxes for TEGRA MEDICAL (MS) LLC, the following Resolution having first been reduced to writing, was introduced:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN FOR THE CITY OF HERNANDO, MISSISSIPPI, GRANTING TAX EXEMPTION FROM AD VALOREM TAXES FOR A PERIOD OF NINE (9) YEARS FOR REAL PROPERTY TO TEGRA MEDICAL (MS) LLC, AS AUTHORIZED BY SECTION 27-31-101 ET SEQ., OF THE MISSISSIPPI CODE OF 1972, AS AMENDED.

WHEREAS, TEGRA MEDICAL (MS) LLC, filed in triplicate with this Board its Application for exemption from ad valorem taxation; and

WHEREAS, TEGRA MEDICAL (MS) LLC, has produced written verification and documentation to this Board as to the authenticity and correctness of its Application in regard to the true value of the prayed for exemption and the completion date of said enterprise: and

WHEREAS, this Board finds as a fact that the property described in the aforesaid Application constitutes an industrial enterprise of public utility which was completed on the 30th day of September, 2020, and that said Company is entitled to the exemption sought for a period of nine (9) years for real property beginning on the 1st day of January, 2022, subject to approval and certification by the Mississippi Department of Revenue.

NOW, THEREFORE, BE IT RESOLVED BY The Mayor and Board of Aldermen of the City of Hernando, DeSoto County, Mississippi, as follows:

1. That the Application for ad valorem tax exemption by TEGRA MEDICAL (MS) LLC, for nine (9) years for real property in the amount of \$712,111.28 beginning January 1, 2022 on the property described in the Application filed by said Company for tax exemption, be and the same is hereby approved, nine (9) years for real property subject to approval and certification by the Mississippi Department of Revenue.

2. That TEGRA MEDICAL (MS) LLC, is hereby granted tax exemption on ad valorem taxes, except Library Fund, Park Fund, G O Bond Fund, State, School District and Road and Bridge ad valorem taxation, for nine (9) years in the amount of \$712,111.28 for real property, beginning January 1, 2022.

3. That the Clerk of this Board is hereby directed to spread a copy of this Order on the minutes of this Board; and that said Clerk shall forward the original and three (3) certified copies of the Application and a certified copy of the transcript of this Order approving said Application to the Mississippi Department of Revenue for its approval and certification: and said Clerk shall also forward one certified copy to the Tax Assessor of DeSoto County and obtain the Certificate of said Tax Assessor stating that the personal property as itemized in the Application has been placed on the appropriate tax roll as "Non-Taxable", except for Library Fund, Park Fund, G O Bond Fund, State, School District and Road and Bridge ad valorem taxes, for the duration of the exemption period only and the Position Statement of Tax Assessor.

Motion was duly made by Alderman Miller, seconded by Alderman Harris to adopt the foregoing Resolution Granting Tax Exemption from Ad Valorem Taxes. A roll call vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Robinson, Alderman Wicker, Alderwoman Ross, and Alderman Piper.

Those voting "Nay": None

ORDERED AND DONE this the 17th day of May, 2022

CHIP JOHNSON, MAYOR
CITY OF HERNANDO

SEAL

ATTEST:

PAM PYLE, CITY CLERK

5172022-22

REQUEST APPROVAL FOR A CHANGE ORDER TO INSTALL CURB AND GUTTER ON THE SOUTH SIDE OF BELLA VITA WAY ALONGSIDE THE SOCCER FIELD FOR APPROXIMATELY \$7,500. THE PARKS AND RECREATION BUDGET WILL BE AMENDED TO COVER THIS COST, IF APPROVED.

Motion was duly made by Alderman Harris and seconded by Alderman Robinson to approve a change order to install curb and gutter on the south side of Bella Vita Way alongside the soccer field for approximately \$7,500. The Parks and Recreation budget will be amended to cover this cost.

A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Robinson, Alderman Wicker, Alderwoman Ross, and Alderman Piper.

Those voting "Nay": None

ORDERED AND DONE this the 17th day of May, 2022

5172022-23

APPROVE DRA RESOLUTION TO ACCEPT GRANT FUNDS OF \$1,000,000.00 FOR THE AWG GREEN T ROAD AND MCINGVALE INFRASTRUCTURE IMPROVEMENTS- OVERLAY AND SHOULDER WIDENING PROJECT.

Motion was duly made by Alderman Miller and seconded by Alderman Harris to approve DRA Resolution to accept grant funds of \$1,000,000.00 for the AWG Green T Road and McIngvale Infrastructure Improvements- Overlay and Shoulder Widening project.

A vote was taken with the following results:

Those voting "Aye": Alderman Piper, Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Robinson, Alderman Wicker, and Alderwoman Ross.

Those voting "Nay":

ORDERED AND DONE this the 17th day of May, 2022

RESOLUTION

WHEREAS, the Delta Regional Authority (hereinafter "DRA") was created by Congress by the *Delta Regional Authority Act of 2000*, as amended, as a federal/state partnership now comprised of 252 counties and parishes within the eight states of Alabama, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri and Tennessee in order to remedy severe and chronic economic distress by stimulating economic development and fostering partnerships that will have a positive impact on the Delta Region's economy;

WHEREAS, the City of Hernando, acting by and through its Board of Aldermen proposes to apply for an award with DRA for the Fiscal Year 2022 federal award program cycle;

WHEREAS, DRA requires that a person be designated, appointed, and given the authority to perform certain duties and administration of said award for and on behalf of the Awardee;

WHEREAS, the Board of Aldermen met in a regular session on May 17, 2022 whereby a quorum was present;

WHEREAS, a motion was made by Alderman Miller, was seconded by Alderwoman Harris, to designate and appoint Chip Johnson to perform all duties and administration of said award, which carried unanimously by voice vote and was recorded on the minutes;

WHEREAS, a motion was made by Alderman Miller, was seconded by Alderwoman Harris, to provide additional funds in the amount of \$1,401,225.50 to said award which carried unanimously by voice vote and was recorded on the minutes;

WHEREAS, a motion was made by Alderman Miller, was seconded by Alderwoman Harris, that in the event of an administration change, the new Mayor shall continue to have such authority under this Resolution.

NOW THEREFORE, *BE IT RESOLVED THAT*, by the Board of Aldermen, as follows:

THAT, Chip Johnson, be and is hereby designated and appointed to perform on behalf of the City of Hernando and has the authority to make those acts and assume any and all duties in dealing with the award with DRA for the Fiscal Year - 2022 federal award program cycle;

THAT, Chip Johnson is hereby authorized to execute and submit any and all documents including, but not limited to, applications, award closing documents, request for funds, status reports to DRA for the Fiscal Year – 2022 federal award program cycle;

THAT, the Awardee agrees to provide additional funds in the amount of \$1,401,225.50 to said award;

THAT, in the event of an administration change, the new Mayor shall continue to have such authority under this Resolution.

READ AND ADOPTED, this the 17th day of May, 2022

Chip Johnson
Mayor

Pam Pyle
City Clerk

5172022-24

**APPROVAL OF LOWEST/BEST BID OF \$2,401,225.50 FROM PHILIPS
CONTRACTING CO, INC FOR AWG GREEN T ROAD AND MCINGVALE
INFRASTRUCTURE IMPROVEMENTS- OVERLAY AND SHOULDER WIDENING
PROJECT.**

Motion was duly made by Alderman Miller and seconded by Alderwoman Lynch to Approval of lowest/best bid of \$2,401,225.50 from Phillips Contracting Co, Inc for AWG Green T Road and McIngvale Infrastructure Improvements- Overlay and Shoulder Widening project with a MOU deadline of September 30, 2022, and Mayor Johnson to sign the contract.

A vote was taken with the following results:

Those voting "Aye": Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Robinson, Alderwoman Ross, and Alderman Piper.

Those voting "Nay": Alderman Wicker

ORDERED AND DONE this the 17th day of May, 2022

5172022-25

**APPROVAL TO ENGAGE WAGGONER ENGINEERING, INC TO
RE-DESIGN AND IMPROVE TRAFFIC FLOW AT MCINGVALE AND
COMMERCE FOR THE SUM OF \$6,000.00.**

Motion was duly made by Alderman Wicker and seconded by Alderman Robinson to Approval to engage Waggoner Engineering, Inc to re-design and improve traffic flow at McIngvale and Commerce for the sum of \$6,000.00.

A vote was taken with the following results:

Those voting "Aye": Alderman Piper, Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Robinson, Alderman Wicker, and Alderwoman Ross.

Those voting "Nay":

ORDERED AND DONE this the 17th day of May, 2022

5172022-26

**RECESS MAY 17, 2022 REGULAR MEETING UNTIL MAY 23, 2022 TO DISCUSS
PENNIES FOR THE PARKS PROJECTS**

Motion was duly made by Alderman Wicker and seconded by Alderwoman Ross to Recess until May 23, 2022 at 6:00 PM in the City Hall Board Room to discuss Pennies for the Parks projects.

A vote was taken with the following results:

Those voting "Aye": Alderwoman Ross, Alderman Piper, Alderman Harris, Alderwoman Lynch, Alderman Miller, Alderman Robinson, and Alderman Wicker.

Those voting "Nay": None

Absent: None

ORDERED AND DONE this the 17th day of May, 2022

MAYOR CHIP JOHNSON

ATTEST:

PAM PYLE, CITY CLERK

CITY OF HERNANDO
DOCKET OF PAID CLAIMS

DATE: 05/17/2022

PAGE: 2

DOCKET		*-----INVOICE-----*				
NUMBER	*-----	VENDOR	-----*	NUMBER	DATE	AMOUNT
		108-402-553	FARMERS MARKET SUPPL	GREENVILLE, MS CORR		264.00
		108-402-553	FARMERS MARKET SUPPL	FRANKLIN, TN CORR		54.90
		108-402-553	FARMERS MARKET SUPPL	JACKSON, MS CORR		38.00
48347	32845	MCCALLUM, JEREMY		04242022	04/24/2022	160.00
		001-160-610	TRAVEL, PER DIEM, TR	FIRE ACADEMY 1041 INST.CL		160.00
48348	7775	MS DEPARTMENT OF REVENUE		PD CAR TAG	05/11/2022	12.00
		001-100-606	MISC SERVICES & CHAR	TAG FOR VIN:600608		12.00
48349	7775	MS DEPARTMENT OF REVENUE		PD CAR TAG.	05/11/2022	12.00
		001-100-606	MISC SERVICES & CHAR	TAG FOR VIN: 600522		12.00
48350	7775	MS DEPARTMENT OF REVENUE		POL CAR TAG	05/11/2022	12.00
		001-100-606	MISC SERVICES & CHAR	TAG FOR VIN: 109629		12.00
48351	7775	MS DEPARTMENT OF REVENUE		TAG-PD.CAR	05/11/2022	12.00
		001-100-606	MISC SERVICES & CHAR	TAG FOR VIN:600515		12.00
48352	30436	PARK FUND		05042022	05/04/2022	42,125.00
		001-040-900	TRANSFER TO PARK	TRANSFER TO PARK		42,125.00
48353	7950	PAYROLL ACCOUNT		05132022	05/11/2022	328,396.40
		001-000-136	DUE TO PAYROLL CLEAR	DUE TO PAYROLL CLEARING		328,396.40
48354	36451	PYLE, PAMELA		42722	04/29/2022	92.00
		001-040-610	MYR/ADMIN TRAVEL, PR	UNIV MS SPRING CONF		92.00
48355	32304	WARD, EVA		42722	04/29/2022	299.60
		001-040-610	MYR/ADMIN TRAVEL, PR	UNIV MS SPRING CONFERENCE		299.60
TOTAL >>>						587,824.49
						587,824.49

CITY OF HERNANDO
DOCKET OF PAID CLAIMS

DATE: 05/17/2022

PAGE: 3

DOCKET		*-----INVOICE-----*				
NUMBER	*-----*	VENDOR	-----*	NUMBER	DATE	AMOUNT
				108-000-000		2,099.95
				001-000-000		576,562.50
				106-000-000		7,127.80
				200-000-000		320.00
				105-000-000		1,664.24
				605-000-000		50.00

CITY OF HERNANDO

DOCKET OF UNPAID CLAIMS

DATE: 05/17/2022

PAGE: 1

DOCKET		*-----INVOICE-----*				
NUMBER	*-----	VENDOR	-----*	NUMBER	DATE	AMOUNT
48356	31328	95.3 THE REBEL		43280001100	04/30/2022	268.00
		108-402-553 FARMERS MARKET SUPPL		FARMERS MARKET AD		268.00
48357	30964	A to Z ADVERTISING, INC.		61771	05/10/2022	120.00
		001-160-535 UNIFORMS/PROTECTIVE		CHARCOAL NAVY MESH CAPS		120.00
48358	36867	ADAMS, BRIANNA MARIE		51122	05/11/2022	150.00
		105-500-684 BASEBALL OTHER SERV/		UMPIRE		150.00
48359	31896	AFFINITY LAWNSCAPES, LLC		2182333	05/15/2022	1,440.00
		001-201-602 LANDSCAPING SERVICE/		TWN SQ MEDIANS COMMERCE W		1,440.00
48360	36870	AINSWORTH, BENNY EARL		T2021-00595	05/04/2022	500.00
		605-000-122 POLICE BONDS HELD		BOND REFUND		500.00
48361	30986	AL WILLIAMS BAIL BONDING CO.		01102022	01/10/2022	950.00
		605-000-122 POLICE BONDS HELD		BOND REFUND		950.00
48362	33124	AMBULANCE MEDICAL BILLING		0106655IN	04/30/2022	4,471.89
		001-160-683 PROFESSIONAL EXPENS		APRIL 2022 PYMNT COLLECTI		4,471.89
48363	31777	AMERICAN MUNICIPAL SERVICES		53530	04/30/2022	190.38
		400-650-602 COLLECTION FEES		UTILITY APRIL 22 COLLECTE		190.38
48364	36854	AMERICAN SERVICES, LLC		2927	04/21/2022	51,450.00
		001-201-720 CAP. IMP. STREET OVE		ASPHALT SRVC BID RATE		51,450.00
48365	35481	ANDERSON, WYATT		51122	05/11/2022	190.00
		105-500-684 BASEBALL OTHER SERV/		UMPIRE		190.00
48366	31801	APA MS		271094-2243	04/14/2022	252.00
		001-090-683 COMMISSIONER - PER D		APA MEMBERSHIP CAT A MS C		252.00
48367	35466	ASHWORTH, TERRY		51022	05/10/2022	100.00
		001-090-683 COMMISSIONER - PER D		PLANNING MTG		100.00
48368	31420	ASSOC. OF STATE FLOODPLAIN		5622	05/06/2022	80.00
		001-090-683 COMMISSIONER - PER D		RENEWAL APPLICATION		80.00
48369	35743	AT HOME MEMPHIS & MIDSOUTH		2022-15841	05/01/2022	500.00
		108-402-553 FARMERS MARKET SUPPL		FOUR COLOR 1/3 PG AD		500.00
48370	33796	AT&T		422222	04/22/2022	105.06
		001-130-605 COMMUNICATION		NCIC 662 429 0294 1440593		105.06
48371	33796	AT&T		5122	05/01/2022	2,225.00
		001-100-637 SOFTWARE MAINTENANCE		INTERACT RMS 0599		2,225.00
48372	6015	AT&T MOBILITY		97X04272022	04/19/2022	1,147.64
		105-500-605 COMMUNICATIONS		APRIL 2022 COLLECTIVE BIL		257.38
		001-135-605 COMMUNICATIONS		APRIL 2022 COLLECTIVE BIL		108.73

CITY OF HERNANDO
DOCKET OF UNPAID CLAIMS DATE: 05/17/2022 PAGE: 11

DOCKET NUMBER	*-----*	VENDOR	*-----*	NUMBER	DATE	AMOUNT
48511	7233	HERNANDO ANIMAL CLINIC		161240	05/09/2022	40.50
	001-400-600	OTHER SERV & CHARGES		ITALIAN WEDDING		40.50
48512	7233	HERNANDO ANIMAL CLINIC		161242	05/09/2022	201.50
	001-400-600	OTHER SERV & CHARGES		MARBLE		201.50
48513	7233	HERNANDO ANIMAL CLINIC		161244	05/09/2022	40.50
	001-400-600	OTHER SERV & CHARGES		ORANGE BERRY		40.50
48514	7233	HERNANDO ANIMAL CLINIC		161245	05/09/2022	63.90
	001-400-600	OTHER SERV & CHARGES		RASPBERRY		63.90
48515	7233	HERNANDO ANIMAL CLINIC		161246	05/09/2022	70.20
	001-400-600	OTHER SERV & CHARGES		ROCKY ROAD		70.20
48516	7233	HERNANDO ANIMAL CLINIC		161247	05/09/2022	64.00
	001-400-600	OTHER SERV & CHARGES		SANDY		64.00
48517	7233	HERNANDO ANIMAL CLINIC		161249	05/09/2022	81.50
	001-400-600	OTHER SERV & CHARGES		SOUP MOM		81.50
48518	7245	HERNANDO EQUIPMENT, LLC		10868	04/28/2022	76.81
	001-201-565	REPAIR & MAINT. EQUI		STIHL COVER OIL		76.81
48519	7315	HOLLIDAY EXTERMINATING CO INC		27410	05/03/2022	65.00
	400-200-630	UTILITIES		PEST CONTROL MAY 2022		65.00
48520	7315	HOLLIDAY EXTERMINATING CO INC		27413	05/03/2022	277.40
	001-040-609	PEST CONTROL CONTRAC		PEST CONTROL MAY2022		17.87
	001-160-609	PEST CONTROL CONTRAC		PEST CONTROL MAY2022		89.94
	001-400-609	Pest Contol		PEST CONTROL MAY2022		30.89
	001-100-609	PEST CONTROL		PEST CONTROL MAY2022		46.23
	105-500-609	PEST CONTROL		PEST CONTROL MAY2022		46.23
	001-135-609	PEST CONTROL		PEST CONTROL MAY2022		46.24
48521	32661	HORIZON MANAGED SERVICES		229199	05/02/2022	93.40
	001-160-605	COMMUNICATIONS		PAX 8 SEMTINAL 1 CONTROL		93.40
48522	36872	HUDSON, REGGIE LAMAR		M2022-00335	05/04/2022	288.50
	605-000-122	POLICE BONDS HELD		BOND REFUND		288.50
48523	36682	JAMES, MARY		51122	05/11/2022	240.00
	105-500-684	BASEBALL OTHER SERV/		UMPIRE		240.00
48524	36858	JAMES, WILLIAM C. JR.		51122	05/11/2022	190.00
	105-500-684	BASEBALL OTHER SERV/		UMPIRE		190.00
48525	32455	JENKINS GRAPHICS, INC.		011919	05/06/2022	115.50
	001-090-620	PRINTING AND BINDING		PLANNING BUSINESS CARDS		115.50
48526	35986	JETER, CHRIS		51122	05/11/2022	965.00

CITY OF HERNANDO
DOCKET OF UNPAID CLAIMS DATE: 05/17/2022 PAGE: 13

DOCKET NUMBER	*----- VENDOR	-----*	*-----INVOICE-----*	NUMBER	DATE	AMOUNT
48543	7655	MISSISSIPPI DEVELOPMENT AUTHOR	208	05/02/2022	1,200.98	
	400-451-820	DEBT RET. SEWER CAP	GMS50378	JUNE 2022 PYMNT	1,136.77	
	400-451-832	INTEREST-SEWER CAP L	GMS50378	JUNE 2022 PYMNT	64.21	
48544	7710	MISSISSIPPI MUNICIPAL LEAGUE	24907899734	05/09/2022	275.00	
	001-090-681	EDUCATION & SEMINARS	AUSTIN CARDOSI MML		275.00	
48545	7710	MISSISSIPPI MUNICIPAL LEAGUE	33921	05/09/2022	4,675.00	
	001-040-681	MYR/ADMN EDUC&SEMINA	MML ADMIN ALDERMEN CRT		1,787.50	
	001-040-682	BOARD EDUCATION&SEMI	MML ADMIN ALDERMEN CRT		1,925.00	
	001-135-681	EDUCATION & SEMINARS	MML ADMIN ALDERMEN CRT		275.00	
	105-500-681	EDUCATION & SEMINARS	MML ADMIN ALDERMEN CRT		275.00	
	400-650-681	EDUCATION & SEMINARS	MML ADMIN ALDERMEN CRT		412.50	
48546	31958	MISSISSIPPI SOCCER ASSOCIATION	5922	05/09/2022	1,018.00	
	105-500-685	SOCCER OTHER SERV/CH	REGISTRATION FEES		1,018.00	
48547	7840	NAPA AUTO PARTS	2755-168953	04/21/2022	28.79	
	400-650-570	MOTOR VEHICLE REP. &	ELECTRICAL TAPE WIRE NUT		28.79	
48548	7840	NAPA AUTO PARTS	2755-169345	04/25/2022	18.52	
	001-160-565	REPAIR & MAINT. - EQ	CURVED RADIATOR HOSE		18.52	
48549	7840	NAPA AUTO PARTS	2755-169460	04/25/2022	12.00	
	400-650-501	SUPPLIES	FREIGHT		12.00	
48550	7840	NAPA AUTO PARTS	2755-169757	04/28/2022	8.79	
	400-650-570	MOTOR VEHICLE REP. &	OIL FILTER		8.79	
48551	7840	NAPA AUTO PARTS	2755-169773	04/28/2022	11.99	
	400-650-570	MOTOR VEHICLE REP. &	OIL FILTER		11.99	
48552	7840	NAPA AUTO PARTS	2755-170813	05/06/2022	5.49	
	105-500-575	REPAIRS & MAINT VEHI	2008 SILVERADO NAPA LIGHT		5.49	
48553	7864	NESBIT WATER ASSOC.	04252022	04/25/2022	71.00	
	001-160-630	UTILITIES	957 HWY 51 N		71.00	
48554	7864	NESBIT WATER ASSOC.	4252022	04/25/2022	27.50	
	400-210-630	UTILITIES	LIFT STATION HWY 51		27.50	
48555	7864	NESBIT WATER ASSOC.	42522	04/25/2022	27.50	
	400-210-630	UTILITIES	LIFT STATION OLD HWY 51		27.50	
48556	33723	NORTH DELTA PLANNING & DEVELOP	588	05/11/2022	10,605.00	
	400-210-640	OUTSIDE SERVICES PJC	ADMIN CHRGS DRA MS 54316		10,605.00	
48557	33906	NORTH MS UTILITY COMPANY	41	05/02/2022	36,673.41	
	400-451-839	N MS UTILITY - INTER	JUNE 2022 PYMNT		9,269.42	
	400-451-840	N MS UTILITY - PRINC	JUNE 2022 PYMNT		27,403.99	

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DOCKET NUMBER	*----- VENDOR	*-----*	*-----INVOICE-----*	AMOUNT
			NUMBER DATE	
			108-000-000	14,908.00
			001-000-000	213,205.79
			105-000-000	41,807.64
			605-000-000	26,036.00
			400-000-000	151,050.59
			300-000-000	6,612.50
			103-000-000	3,980.00
		TOTAL DOCKET >>		1,045,425.01
				1,045,425.01

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