

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, July 7, 2015, at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Assistant Police Chief Shane Ellis, Fire Chief Hubert Jones, Public Works Director Gary McElhannon, Parks Director Dewayne Williams, Athletic Director Daniel Carson, Henry Bailey, Rob Long, Carolyn Richards, Jason McCaleb, Roy Booth, Roger Braniff, Francis Braniff, Derick Biglane, Cindy Parolli, Jason Parolli, and Bobby McRee.

INVOCATION

Alderman Miller gave the invocation.

APPROVAL OF AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

July 7, 2015

6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 108612 – 108822 less 108617, 108618, 108654 – 108668 and 108743
- 5) Approve Docket of Claims No.'s (Lauderdale) 108618 and 108743
- 6) Approve Docket of Claims No.'s (Bryant) 108654 - 108668
- 7) Approve Docket of Claims No.'s (Miller) 108617
- 8) Approve Minutes from the regular meeting on June 16, 2015
- 9) Consent Agenda
 - A) Set public hearing for public health and safety for parcel 307418003 0001000 also known as 280 East South Street Hernando, MS 38632 on August 4, 2015.
 - B) Set public hearing for public health and safety for parcel 307418002 0002600 also known as 2274 Fuhrer Street Hernando, MS 38632 on August 4, 2015.
- 10) Progress update from Friends of Soccer
- 11) Authorize to accept the DUI grant with the MS Office of Highway Safety and authorize Mayor Johnson to sign any necessary documents
- 12) Discuss the possible acceptance of the best and lowest bid for the Fire Station 1 renovation
- 13) Authorize to accept the lowest and best bid for the Commerce Street and Pleasant Hill Road Re Surfacing project; STP-0109-00(007) LPA/106814-701000 and authorize Mayor Johnson to sign any related documents required.

14) Adoption of Parking Ordinance on Square

15) Discussion about selling the old City Hall on Hwy 51

16) Adjourn

Motion was duly made by Alderman Miller, and seconded by Alderman Bryant to approve the agenda as presented, after removing items C and D from the consent agenda. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 7th day of July, 2015.

**APPROVE DOCKET OF CLAIMS NO.'S 108612 – 108822 LESS 108617, 108618, 108654
– 108668 AND 108743**

The Board of Aldermen were presented with a docket of claims No. 108612 – 10822 less 108617, 108618, 108654 – 108668 and 108743 in the amount of \$688,381.09 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 7th day of July, 2015

APPROVE DOCKET OF CLAIMS NO.'S 108618 AND 108743 (LAUDERDALE)

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 108618 and 108743 in the amount of \$217,669.18 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 7th day of July, 2015

APPROVE DOCKET OF CLAIMS NO. 108654 - 108668 (BRYANT)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 108617 in the amount of \$38,075.66 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 7th day of July, 2015

APPROVE DOCKET OF CLAIMS NO. 108617 (MILLER)

Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 108617 in the amount of \$38,075.66 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 7th day of July, 2015

APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON JUNE 16, 2015

Motion was duly made by Alderman Lauderdale and seconded by Alderman Bryant to approve the Minutes from the regular Board Meeting on June 16, 2015 as presented. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderman Miller abstained from voting.

ORDERED AND DONE this the 7th day of July, 2015

CONSENT AGENDA

A) Set public hearing for public health and safety for parcel 307418003 0001000 also known as 280 East South Street Hernando, MS 38632 on August 4, 2015.

B) Set public hearing for public health and safety for parcel 307418002 0002600 also known as 2274 Fuhrer Street Hernando, MS 38632 on August 4, 2015.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to approve the consent agenda as presented, after removing items C and D, which were already cleaned up to code. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 7th day of July, 2015

PROGRESS UPDATE FROM FRIENDS OF SOCCER

Derick Biglane spoke and presented information on the Friends of Hernando Soccers progress, donations and the work to be done. The Friends of Hernando Soccer would like the City to continue to pledge to cut the grass at the soccer fields once a week. The Friends of Hernando Soccer would also like to put together, with the City and Community, a funding plan, for the various needs of the City.

AUTHORIZE TO ACCEPT THE DUI GRANT WITH THE MS OFFICE OF HIGHWAY SAFETY AND AUTHORIZE MAYOR JOHNSON TO SIGN ANY NECESSARY DOCUMENTS

A short discussion was held about the DUI grant. Assistant Police Chief Shane Ellis stated that we currently have this grant and would like to continue to receive it. It will fund two officers salaries for about \$97,000, overtime for \$15,000 and some money for equipment such as radars, alcohol testers, etc.

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to authorize to accept the DUI Grant with the MS Office of Highway Safety and authorize Mayor Johnson to sign any necessary documents. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 7th day of July, 2015

DISCUSS THE POSSIBLE ACCEPTANCE OF THE BEST AND LOWEST BID FOR THE FIRE STATION 1 RENOVATION

Mayor Johnson went over the bid received. The bid received was from Albro Construction for \$86,690. The Fire Chief Hubert Jones and John Albro have been negotiation the price since Albro was the only bid received. Mr. Albro has brought his price down to \$76,127.

Alderman Hobbs asked what we could do to legally re bid?

Kenny Stockton stated that the Board could reject it.

Alderman Miller stated that a log of companies just don't like renovations.

Mayor Johnson stated that we budgeted money in this budget to do this renovation. Mayor stated that he doesn't like the bid amount being over budget, but the renovation needs to be done.

Alderman Hobbs asked why the price was over budget so much.

Mayor Johnson answered that we had based the budget off of some estimates that we received.

Alderman Miller asked if we would be able to stay under budget.

Mayor Johnson stated that the Fire budget appears that it will be under in some areas, and he thinks it will come out overall under budget.

John Albro stated that there aren't a lot of other areas to trim off the cost. He has already brought it down a lot, took a lot off of the mechanical and plumbing costs.

Hubert Jones answered that he couldn't promise, but will try is best to work it out.

Alderman Miller stated that the Board has said we would reevaluate the budget for raises after 6 months, bud haven't done so.

Mayor Johnson stated that we could do that if the Board wants.

Motion was duly made by Alderman Lauderdale, and seconded by Alderman McLendon to authorize to accept the best and lowest bid for the Fire Station 1 renovation from Albro Construction, not to exceed \$76,127.00 in cost. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 7th day of July, 2015

AUTHORIZE TO ACCEPT THE LOWEST AND BEST BID FOR THE COMMERCE STREET AND PLEASANT HILL ROAD RE SURFACING PROJECT; STP-0109-00(007) LPA/106814-701000 AND AUTHORIZE MAYOR JOHNSON TO SIGN ANY RELATED DOCUMENTS REQUIRED

Joe Frank Lauderdale presented the bid results. The only bid received was from Lehman Roberts in the amount of \$343,211.61. The City will have a 20% match on this MPO project.

Motion was duly made by Alderman Higdon and seconded by Alderman McLendon to authorize to accept the lowest and best bid from Lehman Roberts in the amount of \$343,211.61 for the Commerce Street and Pleasant Hill Road Re Surfacing project; STP-0109-00(007) LPA/106814-701000 and authorize Mayor Johnson to sign any related documents required. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 7th day of July, 2015

ADOPTION OF PARKING ORDINANCE ON THE SQUARE

Kenny Stockton went over the information on the Ordinance. The Ordinance will be for parking on the outer section of the square on Monday through Friday from 8am to 5pm for a 2 hour limit.

ORDINANCE ESTABLISHING TIME RESTRICTIONS ON MONDAY THROUGH FRIDAY (WEEKDAYS) FOR PARKING ON CERTAIN PUBLIC STREETS AND HIGHWAYS ADJACENT TO THE TOWN SQUARE AS LOCATED WITHIN THE CITY LIMITS OF HERNANDO, MISSISSIPPI

WHEREAS, the Mayor and Board of Alderman of the City of Hernando, Mississippi have recognized the need for parking time limits on certain city streets and/or highway immediately adjacent to the town square area in the City of Hernando, Mississippi; and

WHEREAS, pursuant to Section 21-19-15 of the Mississippi Code of 1972, Annotated, as Amended the City of Hernando, Mississippi is duly authorized to enact "needful police regulations fo the preservation of good order and peace of the municipality"; and

WHEREAS, the Mayor and Board of Alderman have determined that it is in the best interest of the City of Hernando, Mississippi to encourage and foster the retail businesses located in the "downtown" area of the city adjacent to the town square and which businesses are dependent in part on public parking; and

WHEREAS, pursuant to Section 21-37- 3 and more specifically Section 63-3-211 of the Mississippi Code of 1972, Annotated, as Amended the City of Hernando, Mississippi, being a local governmental entity has the right and authority to regulate the "standing or parking of vehicles"; and

WHEREAS, the Mayor and Board of Alderman are aware that pursuant to Section 21-19-15 of the Mississippi Code of 1972, Annotated, as Amended that certain signage must be posted that “adequately describes the parking regulation or restriction”; and

WHEREAS, the Mayor and Board of Alderman have likewise consulted with the Chief of Police and the City Engineer in regard to this matter; and

WHEREAS, the Mayor and Board of Alderman after careful and informed consideration, as well as public discussion on the matter at a public meeting, have determined that it would be in the best interest of the City of Hernando, Mississippi and its citizens that certain time limits on certain municipal streets and highways be set by ordinance; and

WHEREAS, the Mayor and Board of Alderman having directed the City Attorney to put the same in ordinance form and the same having been accomplished, the Mayor and Board of Alderman do hereby set forth the parking restrictions on certain public city streets and/or highways and the penalties thereto in the ordinance form as provided by statute.

BE IT ORDAINED by the Mayor and Board of Alderman of the City of Hernando, Mississippi as follows:

1. That parking shall be limited during the weekdays of Monday through Friday of each week from 8:00 a.m. through 5:00 p.m. for a period of time not to exceed two (2) hours in length. That the limited parking areas are set forth herein.
2. That limited parking areas in the city limits of Hernando, Mississippi be and are hereby designated on the following City of Hernando public streets and highway as follows:
 - A. From the intersection of U.S. Hwy. 51 and Commerce Street west to the intersection of Commerce Street and Memphis Street as to the parking area located on the north side of Commerce Street.
 - B. From the intersection of Memphis Street and Commerce Street west to the intersection of Commerce Street and Caffey Street as to the parking area located on the north side of Commerce Street.
 - C. From the intersection of Commerce Street and Caffey Street south to the intersection of Caffey Street and West Center Street as to the parking area located on the west side of Caffey Street.
 - D. From the intersection of Caffey Street and West Center Street south to the intersection of Caffey Street and Losher Street as to the parking area located on the west side of Caffey Street.
 - E. From the intersection of Caffey Street and Losher street east to the intersection of Losher Street and Panola Street as to the parking area located on the south side of Losher Street.
 - F. From the intersection of Panola Street and Losher Street east to the intersection of Losher Street and U.S. Highway 51 as to the parking area on the south side of Losher Street.
 - G. From the intersection of U.S. Highway 51 and Losher Street north to the intersection of U.S. Highway 51 and West Center Street as to the parking area on the east side of U.S. Highway 51.

That it is the intention of the Mayor and Board of Alderman to describe by street and highway references the “outer” parking areas of the those streets adjacent to the DeSoto County Courthouse as located in the City of Hernando, DeSoto County, Mississippi. That the City of Hernando, Mississippi does not control the parking areas located on the “inner” parking spaces located directly adjacent to the yard and sidewalks immediately adjacent to the DeSoto County Courthouse.

3. That the Chief of Police for the City of Hernando with the assistance of the City Engineer and/or the Public Works Director shall duly mark by signage describing, in part, the parking regulation and restrictions as set forth by this ordinance. That said signage shall meet the requirement as set forth in Section 21-19-15(5) of the Mississippi Code of 1972, Annotated, as Amended. That no citations for a violation of this ordinance shall be issued until such time as the signage has been erected by the City of Hernando, Mississippi.
4. That the Chief of Police and the City of Hernando Police Department is hereby charged with the enforcement of this ordinance once the same has become final in accordance with the laws of the State of Mississippi. That any such said offense shall lie within the jurisdiction of the Municipal Court for the City of Hernando, Mississippi, unless transfer is required to the Justice Court of DeSoto County, Mississippi.
5. That the fine for any such violation of this section shall be \$25.00, per occurrence, with any and all municipal court assessments and/or costs being applied thereto in addition to said fine.
6. That pursuant to Section 21-23-19 of the Mississippi Code of 1972, Annotated, as Amended, it shall not be necessary to name any person in a traffic ticket/citation and/or general affidavit for any such parking violation. That all tickets/citations and/or general affidavit issued by the City of Hernando, Mississippi shall be enforced in accordance with the aforementioned section of the Mississippi Code of 1972, Annotated, as Amended.
7. That in the event there are more than eight (8) unpaid parking citations that have been issued as to the same vehicle and which have not been paid then the City of Hernando, Mississippi Police Department shall have the authority to “immobilize” any such vehicle for such failure of the record title holder of said vehicle to pay such parking fines. That the cost of immobilization and the cost of such removal of any installed immobilization device shall be that of the record title holder and which amount must be paid by the record title holder before the removal of any such device. That the Chief of Police may engage the services of a provider of such immobilization devices as necessary to enforce this ordinance. That this provision is made in accordance with the authority provided to a municipality as found at Section 21-19-15(4) of the Mississippi Code of 1972, Annotated, as Amended.
8. That in the event any portion of this ordinance shall be declared unconstitutional by a court of competent jurisdiction it shall not affect any of remaining portion thereof.

SO ORDAINED by the Mayor and Board of Alderman for the City of Hernando, Mississippi, on this the 7th day of July 2015.

MAYOR CHIP JOHNSON

ATTESTED TO:

CITY CLERK

(SEAL)

VOTE

	<u>YEA</u>	<u>NAY</u>
Alderman Sam Lauderdale	X	
Alderman Cathy Brooks	X	
Alderman Sonny Bryant	X	
Alderman Gary Higdon	X	
Alderman Jeff Hobbs	X	
Alderman Mike McLendon	X	
Alderman Andrew Miller	X	

DISCUSSION ABOUT SELLING THE OLD CITY HALL ON HWY 51

Alderman McLendon asked how much the lease is for.

Mayor Johnson answered it is \$575 a month and the lease is up on March 3, 2016.

Alderwoman Brooks asked if it has any historical significance.

Mayor Johnson answered that it is not on a historical registration.

Alderman Miller stated that it does have historical significance, and that he is not for getting rid of it.

Mayor Johnson stated that we are about to have major maintenance issues with the building.

Alderman McLendon asked if it was in a historical district.

Mayor Johnson answered no.

Alderman Hobbs asked what kind of maintenance issues.

Mayor Johnson answered a roof leak and flooding in the jail cell.

Alderman McLendon asked is it was sold, could it be torn down.

Mayor stated that he thinks we could put some stipulations on it, but he wasn't positive.

Kenny Stockton answered that they could not put stipulations on it. Mr. Stockton stated that we could use the auction process also.

Mayor Johnson stated that if we did accept bids to sell it and the Board didn't like the prices, the Board could reject them. Mr. Johnson stated that one developer and one real estate person has already contacted him inquiring about the property, wanting to purchase it.

Alderman McLendon asked what the process would be.

Kenny Stockton answered that there are several ways. The Board could accept bids, hire a relator, or use the auction process.

Alderman Hobbs asked if we knew what it would appraise for.

Mayor Johnson answered No.

Francis Braniff stated that the Mayor mentioned a developer, and asked if would they use the entire lot.

Mayor Johnson answered that he did not know.

Alley Ballard stated that he was disappointed. It is part of Hernando. Mr. Ballard stated that his grandfather was a clerk in 1941 and his name is on the building. If you sell it, I hope it is a fair process. Mr. Ballard stated that he would be interested in purchasing it.

Kenny Stockton stated that the Board could put restrictions on it when selling, not for tearing it down, but it could limit the bids you received.

Carolyn Richards asked if this would need to go before the public for a meeting to decide to sell or not.

Mayor Johnson answered that this was the public meeting. The Board can decide to table it or put it up for sale. Mayor Johnson asked, to verify, if Mrs. Richards was stating that this needed to have public input.

Carolyn Richards answered yes.

Alley Ballard asked if the street beside it was public.

Mayor Johnson answered that he didn't know.

Kenny Stockton stated that the City would have to follow its own rules about splitting property.

Mayor Johnson stated that we should table this item, it sounds like there needs to be more discussion. We will start coming into maintenance cost soon.

Alderman Miller stated that is a part of owning property. We need to keep some history.

Mayor Johnson asked Kenny if he could look into if we can put restrictions on the sell.

Kenny Stockton answered yes.

Motion was duly made by Alderman McLendon, and seconded by Alderman Higdon to table this issue and have Kenny Stockton to do a title examination of the Old City Hall building. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 7th day of July, 2015

ADJOURN

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

Motion passed with a unanimous vote of "Aye".

MAYOR CHIP JOHNSON

ATTEST:

KATIE HARBIN, CITY CLERK