

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, June 16, 2015, at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Alderman Lauderdale, Alderman Bryant, 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, Planning Director Jared Darby, Police Chief Mike Riley, Fire Chief Hubert Jones, Court Clerk Cassandra Perry, Abbey Beecham, Henry Bailey, Carolyn Richards, Freda B. Eatwell, Roy Ketchum, Kate Ketchum, Derick Biglane, John Zeanah, Tom Ferguson, Robert Long, Wade Stark, Brian Sajdak, Karen and Andy Hedleston, Chris Ward, Jeanne Smith, Bev W Smith, Jim Seay, Jason McCaleg, Laura Sajdak, and Jason Rennaker..

INVOCATION

Alderwoman Brooks gave the invocation.

APPROVAL OF AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

June 16, 2015

6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 108428 – 108611 less 108433, 108447 and 108448
- 5) Approve Docket of Claims No.'s (Lauderdale) 108447
- 6) Approve Docket of Claims No.'s (Miller) 108433 and 108448
- 7) Approve Minutes
- 8) Consent Agenda
 - A) Authorize DW Gilbert and Kristen Duggan to attend the 2015 Building Officials Association of Mississippi Conference on July 12th – 17th, 2015 in Biloxi, MS and also authorize to pay registration and travel expenses.
 - B) Authorize a step raise of \$1.40 for Christopher Wright for going from a P2 to a P3
 - C) Authorize a step raise of \$1.48 for Robert Aliston for going from a D2 to a D3

- 9) Request from Hernando High School Marching Band to close streets for their Tiger Twilight 5K on November 7, 2015
- 10) Authorize to promote Daryle Harbin from Driver to Lieutenant
- 11) Authorize to promote Brandon Valle from firefighter to Driver
- 12) Authorize to hire Rodtavious Powell as a seasonal employee at a rate of \$8.00 per hour
- 13) Authorize to hire Abbey Beecham as a Deputy Court Clerk with a rate of \$12.50 per hour
- 14) Adopt Mid-South Greenprint 2040 Resolution
- 15) Application for a Final Plat Approval for Charleston Rowe, Section H, submitted by Charleston Group, LLC. The subdivision is comprised of 7 lots totaling 2.59 acres located on the east side of Memphis Street just south of Ferguson Road in Section 12, Township 3 South, Range 8 West. The property is currently zoned PUD Planned Unit Development.
- 16) Application for a Final Plat Approval for Magnolia Commons, Phase II, submitted by Coleman Builders. The subdivision is comprised of 43 lots totaling 18.42 acres located on the east side of Magnolia Drive south of Vaiden Drive in Section 19, Township 3 South, Range 7 West. The property is currently zoned R-12 Overlay, Residential Single-family District (Medium Density).
- 17) Discussion with the Friends of Hernando Soccer about the soccer fields and fundraising
- 18) Authorize the Mayor to sign a contract with American Municipal Services for Court Collections
- 19) Ordinance Amendment for Hernando Memorial Park
- 20) Authorize the Mayor to sign a Director of Coaching Service Agreement with Brian Sajdak for the D2 program
- 21) Authorize the Mayor to sign a Soccer Service Agreement with Blake Cooper for the Soccer Camp program
- 22) Authorize to open a Cemetery Operations Fund
- 23) Discussion and possible adoption of parking ordinance for the square
- 24) Executive Session for negotiation for Utilities
- 25) Adjourn

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of June, 2015.

APPROVE DOCKET OF CLAIMS NO.'S 108428 – 108611 LESS 108433, 108447 AND 108448

The Board of Aldermen were presented with a docket of claims No. 108428 – 108611 less 108433, 108447, and 108448 in the amount of \$744,525.59 for approval.

Motion was duly made by Alderman Higdon, 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 16th day of June, 2015

APPROVE DOCKET OF CLAIMS NO.'S 108447 (LAUDERDALE)

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 108447 in the amount of \$202,222.77 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 Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of June, 2015

APPROVE DOCKET OF CLAIMS NO. 108433 AND 108448 (MILLER)

Alderman Miller was not present.

The Board of Aldermen were presented with a docket of claims No. 108433 and 108448 in the amount of \$35,960.18 for approval.

Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to approve the docket of claims for payment 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.

ORDERED AND DONE this the 16th day of June, 2015

APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON JUNE 2, 2015

Motion was duly made by Alderman Hobbs and seconded by Alderman Bryant to approve the Minutes from the regular Board Meeting on June 2, 2015 as presented. A vote was taken with the following results:

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

Those voting "Nay": Alderman McLendon.

Alderman Lauderdale and Alderman Higdon abstained from voting.

ORDERED AND DONE this the 16th day of June, 2015

CONSENT AGENDA

- A) Authorize DW Gilbert and Kristen Duggan to attend the 2015 Building Officials Association of Mississippi Conference on July 12th – 17th, 2015 in Biloxi, MS and also authorize to pay registration and travel expenses.
- B) Authorize a step raise of \$1.40 for Christopher Wright for going from a P2 to a P3
- C) Authorize a step raise of \$1.48 for Robert Aliston for going from a D2 to a D3

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of June, 2015

REQUEST FROM THE HERNANDO HIGH SCHOOL MARCHING BAND TO CLOSE STREETS FOR THEIR TIGER TWILIGHT 5K ON NOVEMBER 7, 2015

Jeanne Smith presented the request from the Hernando High School Marching Band. The event will start around dusk.

Motion was duly made by Alderman Higdon, and seconded by Alderman McLendon to approve the request from the Hernando High School Marching Band to close streets for their Tiger Twilight 5K on November 7, 2015. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of June, 2015

**AUTHORIZE TO PROMOTE DARYLE HARBIN FROM DRIVER TO LIEUTENANT
IN THE FIRE DEPARTMENT**

Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to authorize to promote Daryle Harbin from Driver to Lieutenant in the Fire Department, based on the recommendation of the Personnel Committee, following the recommendation of the Fire Chief. 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 16th day of June, 2015

**AUTHORIZE TO PROMOTE BRANDON VALLE FROM FIREFIGHTER TO DRIVER
IN THE FIRE DEPARTMENT**

Motion was duly made by Alderman Higdon, and seconded by Alderman Bryant to authorize to promote Brandon Valle from Firefighter to Driver in the Fire Department, based on the recommendation of the Personnel Committee, following the recommendation of the Fire Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of June, 2015

**AUTHORIZE TO HIRE RODTAVIOUS POWELL AS A SEASONAL EMPLOYEE AT
A RATE OF \$8.00 PER HOUR**

Motion was duly made by Alderman Higdon and seconded by Alderwoman Brooks to authorize to hire Rodtavious Powell as a seasonal employee at a rate of \$8.00 per hour, based on the recommendation of the Personnel Committee, following the recommendation of the Parks and Recreation Director. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of June, 2015

AUTHORIZE TO HIRE ABBEY BEECHAM AS A DEPUTY COURT CLERK WITH A RATE OF \$12.50 PER HOUR

Motion was duly made by Alderman Higdon, and seconded by Alderman Bryant to authorize to hire Abbey Beecham as a Deputy Court Clerk with a rate of \$12.50 per hour, based on the recommendation of the Personnel Committee, following the recommendation of the Court Clerk. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of June, 2015

ADOPT RESOLUTION FOR GREENPRINT 2015/2040, ALSO KNOWN AS THE MID-SOUTH REGIONAL GREENPRINT AND SUSTAINABILITY PLAN

Planning Director Jared Darby introduced John Zeanah. Mr. Zeanah went over the 2040 Resolution. Mr. Zeanah stated this is to adopt a regional greenspace plan. The City is not required to do any particular plan, do eminent domain, or be financially obligated.

RESOLUTION TO ADOPT GREENPRINT 2015/2040, ALSO KNOWN AS THE MID-SOUTH REGIONAL GREENPRINT AND SUSTAINABILITY PLAN, A TRI-STATE PLANNING INITIATIVE FUNDED BY A GRANT AWARD FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

WHEREAS, On November 21, 2011, Shelby County Government was awarded a Regional Planning Grant from the U.S. Department of Housing and Urban Development Office of Sustainable Housing and Communities in the amount of \$2,619,999 for the period of February 1, 2012 to January 31, 2015;

WHEREAS, the Regional Planning Grant funded the development of the Mid-South Regional Greenprint and Sustainability Plan to develop a unified, 25-year vision for a network of green space connecting Shelby County, TN, Fayette County, TN, Crittenden County, AR, and DeSoto County, MS;

WHEREAS, a consortium of 82 organizations, represented by over 300 individuals, from the tri-state area formally agree to cooperatively develop the Mid-South Regional Greenprint and Sustainability Plan over a three-year period;

WHEREAS, eight working groups were formed in order to address the comprehensive focus on the Mid-South Regional Greenprint and Sustainability Plan: Parks and Greenways, Social Equity, Alternative Transportation and Fuels, Community Health and Wellness, Housing and Neighborhood Land Use, Resource Conservation and Environmental Protection, Workforce Development and Regional Employment, and Data Mapping and Evaluation;

WHEREAS, GREENPRINT 2015/2040 is the culmination of work by the consortium and working groups that includes a regional vision plan, an implementation strategies report, a bus transit to workplace study, a health impact assessment, a fair housing and equity assessment, data and mapping, community engagement and capacity building, and 20 local subplans;

NOW THEREFORE BE IT RESOLVED, that the City of Hernando formally adopts GREENPRINT 2015/2040, also known as the Mid-South Regional Greenprint and Sustainability Plan, as the regional green space and sustainability plan;

BE IT FURTHER RESOLVED, that the Mayor of the City of Hernando shall direct parks, planning, or other appropriate staff to consider recommendations of GREENPRINT 2015/2040 in plans developed for Hernando;

BE IT FURTHER RESOLVED, that the concept map for a regional network of green space contained in GREENPRINT 2015/2040 shall serve as a foundation for connecting greenways and trails across city, county, and state lines in the Mid-South region;

BE IT FURTHER RESOLVED, that the Mayor of Hernando shall direct staff to coordinate with neighboring jurisdictions on greenways and trails to ensure connectivity.

Mayor Chip Johnson

Date

Motion was made by Alderman McLendon to table this item. The motion died due to lack of a second.

Motion was duly made by Alderman Lauderdale, and seconded by Alderman Bryant to adopt the Resolution for Greenprint 2015/2040, also known as the Mid-South Regional Greenprint and Sustainability plan, emphasizing that the City is not required to do any particular plan, do eminent domain, or be financially obligated. A vote was taken with the following results:

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

Those voting "Nay": Alderman McLendon.

ORDERED AND DONE this the 16th day of June, 2015

APPLICATION FOR A FINAL PLAT APPROVAL FOR CHARLESTON ROWE, SECTION H, SUBMITTED BY CHARLESTON GROUP, LLC. THE SUBDIVISION IS COMPRISED OF 7 LOTS TOTALING 2.59 ACRES LOCATED ON THE EAST SIDE OF MEMPHIS STREET JUST SOUTH OF FERGUSON ROAD IN SECTION 12, TOWNSHIP 3 SOUTH, RANGE 8 WEST. THE PROPERTY IS CURRENTLY ZONED PUD PLANNED UNIT DEVELOPMENT

Jared Darby presented the application. The Planning Commission recommends approval with the following conditions.

1. Homeowners Association to be established prior to the recording of any final plat. Any buffer areas, retention basins, landscape areas, open areas, street medians, entrance signs, and any other common elements, proposed to be dedicated to the Homeowners Association in that phase shall be deeded over to the Homeowners Association with the recording of the final plat of that respective phase. A copy of the finalized incorporation papers and any deeds transferring common elements to the Homeowners Association shall be submitted to the staff for inclusion in the file.
2. All landscaping in all common open space areas, natural areas, buffer areas, streetscape areas, medians, islands, and the entrance signage areas and such other associated improvements shall be installed/constructed prior to the issuance of any building permit within that respective phase of the development. Street trees may be bonded insuring their installation prior to the final inspection and occupancy of the residence upon each lot.
3. Homeowners Association covenants shall be approved by planning staff prior to recording of the plat.
4. Improvements to be the responsibility of the developer and not the responsibility of the City of Hernando.
5. Grading, drainage, and engineering construction plans to be approved by the City Engineer and Public Works Director.
6. The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, gas mains and service, and gravel or soil cement base for the streets and one (1) layer of blacktop, 1½" thick, before the plat of the subdivision, or any phase of the subdivision, is recorded. A performance guarantee must be filed for the remainder of the improvements in an amount set by the City Engineer. This includes another 1½" of blacktop making a total of three (3") of blacktop surface and sidewalks.
7. Sidewalks to be installed on the east side of Memphis Street not including coves.
8. Finished floor elevations shall be listed for each lot.
9. Drainage pipe table shall be provided that will include drainage pipe diameter for each lot and be approved by the City Engineer.
10. Streetlights to be installed at the developer's expense. Streetlight plans to be submitted to the City Engineer for approval.
11. All utilities and services (electric, telephone, cable, etc.) to be installed underground. The water service lines shall be installed with tracing wire at the top.
12. Final approval by the Board of Aldermen and recording of the plat.
13. No relocated buildings will be allowed.
14. Lines of property within 100 ft. of the subject property shall be illustrated.
15. Property owner information within 100 ft. of the subject property shall be given.
16. The geometry being recorded shall have a heavier weight.
17. The lots shall be in numerical order starting with one.
18. The private drive shall be labeled as "COS A" or other similar designation.
19. Note number three shall be amended to include five ft. utility easements and not three ft. utility easement.
20. Rear yard setback shall be 25 ft.

Alderman Lauderdale asked about the sidewalks, letter 'G' in the report, not being required in coves.

Jared Darby answered that he would have to research it further. He believes it was amended to not require sidewalks.

Motion was duly made by Alderman Lauderdale, and seconded by Alderman McLendon to approve the application for a final plat for Charleston Rowe, Section H, submitted by Charleston Group, LLC., following the Planning Commission's conditions of approval, after removing the words "not including coves" on letter 'G'. 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 16th day of June, 2015

**APPLICATION FOR A FINAL PLAT APPROVAL FOR MAGNOLIA COMMONS,
PHASE II, SUBMITTED BY COLEMAN BUILDERS. THE SUBDIVISION IS
COMPRISED OF 43 LOTS TOTALING 18.42 ACRES LOCATED ON THE EAST SIDE
OF MAGNOLIA DRIVE SOUTH OF VAIDEN DRIVE IN SECTION 19, TOWNSHIP 3
SOUTH, RANGE 7 WEST. THE PROPERTY IS CURRENTLY ZONED R- 12
OVERLAY, RESIDENTIAL SINGLE-FAMILY DISTRICT (MEDIUM DENSITY)**

Jared Darby presented the application. The Planning Commission recommends approval with the following conditions.

- A) Homeowners Association to be established prior to the recording of any final plat. Any buffer areas, retention basins, landscape areas, open areas, street medians, entrance signs, and any other common elements, proposed to be dedicated to the Homeowners Association in that phase shall be deeded over to the Homeowners Association with the recording of the final plat of that respective phase. A copy of the finalized incorporation papers and any deeds transferring common elements to the Homeowners Association shall be submitted to the staff for inclusion in the file.
- B) All landscaping in all common open space areas, natural areas, buffer areas, streetscape areas, medians, islands, and the entrance signage areas and such other associated improvements shall be installed/constructed prior to the issuance of any building permit within that respective phase of the development. Street trees may be bonded insuring their installation prior to the final inspection and occupancy of the residence upon each lot.
- C) Homeowners Association covenants shall be approved by planning staff prior to recording of the plat.
- D) Improvements to be the responsibility of the developer and not the responsibility of the City of Hernando.
- E) Grading, drainage, and engineering construction plans to be approved by the City Engineer and Public Works Director.
- F) The developer shall install drainage pipe, erosion control material, sewer mains and service, water mains, fire hydrants, and service, gas mains and service, and gravel or soil cement base for the streets and one (1) layer of blacktop, 1½" thick, before the plat of the subdivision, or any phase of the subdivision, is recorded. A performance guarantee must be filed for the remainder of the improvements in an amount set by the City Engineer. This includes another 1½" of blacktop making a total of three (3") of blacktop surface and sidewalks.
- G) Sidewalks to be installed on both sides of all newly created streets and the extent of Magnolia Drive which is to be developed.
- H) Finished floor elevations shall be listed for each lot.
- I) Streetlights to be installed at the developer's expense. Streetlight plans to be submitted to the City Engineer for approval.
- J) All utilities and services (electric, telephone, cable, etc.) to be installed underground. The water service lines shall be installed with tracing wire at the top.
- K) Final approval by the Board of Aldermen and recording of the plat.
- L) Future street signs shall be placed at the end of the stub streets at the developer's expense.
- M) No relocated buildings will be allowed.
- N) A note shall be included on the plat that references common open space amenities to the Magnolia Commons Development Plan.
- O) Lines of property within 100 ft. of the subject property shall be illustrated.
- P) The geometry being recorded shall have a heavier weight. No hatched lines allowed.
- Q) The lots shall be in numerical order starting with one.
- R) Vicinity map shall be referenced to Section, Township, and Range
- S) A note shall be included on the plat stating 1,600 sq. ft. is the minimum home size.
- T) Subdivision sign and entrance shall be constructed in accordance with the Magnolia Commons Development Plan's Entrance and Planting Exhibit.
- U) The submitted covenants shall match the covenants that were recorded with Phase I of Magnolia Commons. If amendments are requested by the developer they shall be approved

Alderman McLendon asked if the 1600 minimum square feet was heated or under roof.

Mayor Johnson asked what the developer proposing?

Ben Smith stated the homes will be 1600 minimum square feet heated.

Alderman Lauderdale asked about the ditches on the property. He asked if any of the houses were going to back up to the ditches.

Ben Smith answered that they will back up to it, but their property line will be 150 or more feet away from the ditch.

Motion was duly made by Alderman Lauderdale, and seconded by Alderman McLendon to approve the application for a final plat for Magnolia Commons, Phase II, submitted by Coleman Builders, following the Planning Commissions conditions of approval, and adding the word "heated" to the 1600 sq ft minimum on item 'S', at the request of the developer's representative, Ben Smith. 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.

ORDERED AND DONE this the 16th day of June, 2015

DISCUSSION WITH THE FRIENDS OF HERNANDO SOCCER ABOUT THE SOCCER FIELDS AND FUNDRAISING

Derick Biglane, 1640 Cedar Grove Dr, spoke representing the Friends of Hernando Soccer. Mr. Biglane spoke about how the group has families that they are raising here in Hernando, that they want them to have good places to play. Mr. Biglane stated that they have raised money for the irrigation on 6 acres of the soccer fields and that the need about \$25,000 more to get the fields ready to play. Derick Biglane spoke about how the community needed to come together, put together the top needs of the City and work toward them, together as a community.

Carolyn Richards, 339 Kimber Lane, stated that she understood that the Friends of Hernando Soccer wants the City to donate money for the Parks, but the City can't take care of the cemetery as it is.

Derick Biglane stated that they came together for the City, the community, to help in all areas and departments of the City. Mr. Biglane wants everyone to come together and get a comprehensive plan to help the City.

Amy Brown, stated that she wanted to thank Mr. Biglane. Mrs. Brown stated that we are getting new residents in the City, that means more kids. We are continuing to grow. We need to think of new ways to come up with ways to get the money to create and maintain parks.

Alderman McLendon stated that we often get compared to different, bigger cities, but we have different situations, we have started differently.

Derick Biglane stated that when they did their research, they used comparable cities.

Bobby McCrary stated that he supported everything. Mr. McCrary stated that Olive Branch recently held a baseball tournament, and that the parking lots were packed, everywhere, including the restaurants. This benefits everyone, the parks and the businesses.

**AUTHORIZE THE MAYOR TO SIGN A CONTRACT WITH AMERICAN
MUNICIPAL SERVICES FOR COURT COLLECTIONS**

Kenny Stockton went over the American Municipal Services contract.

Motion was duly made by Alderman Lauderdale, and seconded by Alderwoman Brooks to authorize the Mayor to sign a contract with American Municipal Services for Court Collections. 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 16th day of June, 2015

ORDINANCE AMENDMENT FOR HERNANDO MEMORIAL PARK

Alderwoman Brooks went over the Cemetery Committee's recommendations. They are for the City to keep the cemetery, require vaults, best practices, separate funds and the perpetual fund.

Alderman McLendon asked how much the City spends for maintenance expenses and how much was the revenue.

Mayor Johnson answered that the expenses were roughly \$26,000 and the revenue was roughly \$24,000.

Roy Ketchum, 385 Kimber Ln, asked if we were amending the 1955 Ordinance.

Alderwoman Brooks answered yes.

Roy Ketchum went over section 8 and 9 of the 1955 Ordinance and asked about the perpetual fund and separate funds for the cemetery and how much money is in the cemetery fund. Mr. Ketchum stated that we should find where we amended the original Ordinance.

Mayor Johnson answered that we do not have one. At some point, the City got rid of it. We know that there hasn't been a separate fund in place since 1972. The Cemetery maintenance currently goes through the Parks department, they have been maintaining it. We will be setting up a separate bank account for the cemetery.

Kenny Stockton stated that by law, the City is responsible for maintaining the Cemetery.

Carolyn Richards, 339 Kimber Lane, stated that she is concerned with the maintenance of the cemetery. Mrs. Richards stated that it has not been mowed or weed eaten properly. The marker for her dads grave is messed up, the vase on her husbands was messed up and the City did not fix it. There is a lot of emphasis on Parks, but there are a lot of people that don't have children. It seems like more emphasis has been placed on the parks and not the cemetery.

Wade Stark, 145 Sweetbriar Avenue, asked how the City came up with the 20% for the perpetual fund. Y'all haven't said anything about personnel, we need to do something right. To do it we will have to spend some money. Who will take care of over seeing what goes on? The percent doesn't sit well with me.

Alderwoman Brooks, answered that they did research to come up with the 20%. The research showed that the normal was 15% – 20%.

Wade Stark, asked who will take care of the cemetery?

Mayor Johnson answered that we hired someone, Eva, to take care of it. She takes it seriously, is compassionate and does a great job.

Wade Stark asked when these amendments will be effective.

Mayor Johnson answered stating that the Ordinance is effective 30 days after approval.

Alderman McLendon asked if we could get prices on the maintenance.

Mayor Johnson answered yes.

Freda Eatwell, 3232 Shady Hill Dr, stated that her complaint is the up keep of the cemetery. She has graves that are sinking, not taken care of. Mrs. Eatwell stated that she has called to report it, asked for someone to fill it. Mrs. Eatwell spoke with Dewayne at the Parks Department and met with him at the cemetery. She stated that Dewayne advised her that it would be handled in a 3 days. Mrs. Eatwell stated that called again after 3 weeks because it was not taken care of. Mrs. Eatwell aslo stated that she had items that were removed on the 12th, and that is before the 15th, when the sign stated they would be taken up.

Mayor Johnson answered that some things are not allowed at all on the grave site.

Freda Eatwell, stated that there is another grave down from hers that is not being taken care of.

Mayor Johnson asked Mrs. Eatwell if they could go together and look at her issues at the cemetery.

Freda Eatwell answered yes.

Carolyn Richards asked if the fund that will be receiving the 80 % of funds will be assured to stay there for the cemetery and not be moved for anything else.

Mayor Johnson stated that it would stay there to be used for the cemetery.

Gene Norwood, stated that management is the problem and that problem is not being addressed.

Roy Ketchum asked how many lots we have left.

Joe Frank Lauderdale answered several thousand.

Roy Ketchum asked why we weren't doing the 50% for the perpetual fund.

Alderman Higdon answered that we came up short last year, we didn't have any money left. The 50% wouldn't work.

ORDINANCE OF THE CITY OF HERNANDO, MISSISSIPPI
AMENDING THE
ORDINANCE FIXING PRICE OF LOTS IN THE TOWN CEMETERY, DESCRIBING
TERMS OF PURCHASE, AGREEMENT AND CERTIFICATES OF OWNERSHIP,
PROVIDING FOR TRANSFER OF INTERESTS, PERMANENT CARE AND
DISTRIBUTION OF PROCEEDS FROM SALE OF LOTS, ETC. AS ORIGINALLY
ADOPTED ON MARCH 9, 1955

**BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMAN OF THE CITY OF HERNANDO,
STATE OF MISSISSIPPI:**

THE PURPOSE OF THIS ORDINANCE AMENDMENT IS TO AMEND THE ORDINANCE AS ADOPTED ON MARCH 9, 1955 IN REGARD TO THE CEMETERY LOT COSTS, VAULT REQUIREMENTS, PERPETUAL CARE FUND AND SUCH OTHER MATTERS AS SET FORTH HEREIN.

SECTION 2:

1. That the following amounts are hereby set forth as the costs of the cemetery lots in Hernando Memorial Park and Springhill Cemetery as located in the City of Hernando, Mississippi:

A.	City of Hernando, Mississippi Resident	\$ 500.00 *
B.	DeSoto County, Mississippi Resident	\$ 850.00
C.	Resident outside of DeSoto County, Mississippi	\$1,200.00

- * Such residents must be located within the corporate limits of the City of Hernando, Mississippi.

That residency requirements shall be determined and established by actual physical address and not by any post office box address or any other such address.

SECTION 3.

That the cemetery lots must be purchased and paid for in full by the responsible party before any interment may occur.

The City of Hernando, Mississippi shall no longer offer any type of financing for its cemetery lots.

SECTION 8.

That the City of Hernando, Mississippi shall create a Perpetual Care Fund for the purposes of maintaining and preserving the City of Hernando's two (2) cemeteries, being Hernando Memorial Park and Springhill Cemetery by depositing twenty (20%) per cent from the actual sale price of each cemetery lot into a separate and distinct account for such purposes. That the City of Hernando shall use only the interest earned from said fund for the maintenance and preservation of the cemetery properties. That the corpus of said fund shall not be disturbed or distributed as it is the intention of the City of Hernando to establish an ongoing perpetual care fund for the purposes as set forth herein.

SECTION 9.

That the City of Hernando, Mississippi shall place the remaining eighty (80%) per cent from the actual sale price of each cemetery lot into a cemetery operations fund of the City of Hernando, Mississippi for the purposes of caring for and maintaining the Cemetery properties and providing for the necessary personnel to administer the cemetery properties.

SECTION 10.

This section shall be repealed. That the cost of "clerical help" is addressed in Section 9 of this amendment.

SECTION 13.

- A. That all funeral service companies and/or funeral directors shall be required to pay unto the City of Hernando, Mississippi the sum of \$100.00 for the cost of following up with the cemetery lot maintenance after the closing of the grave has been completed by such funeral company and/or funeral director. That this additional provision does not and shall not be construed in any manner as a requirement that the City of Hernando, Mississippi open or close a gravesite. This fee is for the purpose of "tidying up" a burial site.
- B. That all internments shall be done using a vault and which vaults must be constructed of material(s) made in accordance with existing industry standards. That the purpose of this provision is to insure that the vaults so used shall be of a material that will not rot or decay so as to cause the collapse of a particular gravesite. That any cemetery lot owner may use the least expensive option available so long as any such vault will fulfill the intended purpose as set forth herein.

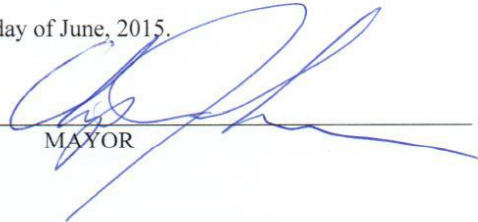
That upon the passage of this Ordinance Amendment the City Clerk of the City of Hernando shall forward a copy of this Ordinance to the three (3) current funeral homes having offices in the city limits of the City of Hernando, Mississippi at this time. However, this ordinance shall apply to all entities or persons who use the City of Hernando cemetery properties.

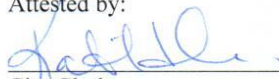
That this Amendment shall amend the March 9, 1955 ordinance only to the extent as modified herein and any provision of the original ordinance not so amended or modified shall remain in full force and effect. That further it is expressly stated that this Amendment and the aforementioned March 9, 1955 ordinance regulations shall not only apply to Hernando Memorial Park but shall also apply to the cemetery property known as Springhill Cemetery.

That in the event any part of this ordinance may be found to be invalid or unconstitutional by any court of competent jurisdiction then in such event the remaining ordinance provisions shall remain valid and enforceable. Any finding of any such invalidity or unconstitutional of any provision of this ordinance shall not render the whole ordinance void or invalid.

The effective date of this ordinance amending the aforementioned "Ordinance Fixing Price of Lots in the Town of Cemetery, Describing Terms of Purchase, Agreement and Certificates of Ownership, Providing for Transfer of Interests, Permanent Care and Distribution of Proceeds from Sale of Lots, etc. as Originally Adopted on March 9, 1955" shall be (1) one month after it's passage.

SO ADOPTED, on this the 16th day of June, 2015.


MAYOR

Attested by:

City Clerk
(SEAL)



VOTE:

<u>ALDERMEN</u>	<u>YEA</u>	<u>NO</u>
SAM LAUDERDALE	X	
CATHY BROOKS	X	
SONNY BRYANT	X	
GARY HIGDON	X	
JEFF HOBBS	X	
MIKE MCLENDON	X	

Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to approve the Ordinance Amendment for Hernando Memorial Park and waive the reading. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of June, 2015

**AUTHORIZE THE MAYOR TO SIGN A DIRECTOR OF COACHING SERVICE
AGREEMENT WITH BRIAN SAJDAK FOR THE D2 PROGRAM**

Mayor Johnson stated that he wanted to make it a 1 year contract.

Brian Sajdak went over the program. Mr. Sajdak stated that he wants to be able to have this program in Hernando, instead of kids driving out of our town to play this soccer.

Alderman McLendon stated that he didn't understand why our staff can't do this program. He wants this item to go to the Parks Committee.

Mayor Johnson answered that we want our staff to focus on recreational soccer. He doesn't understand why we would need to take this to the Parks Committee. The Parents are the ones that pay for the tournaments.

David Cox stated that the Mississippi Soccer Association provides liability insurance for the select soccer players.

Alderman Higdon stated that we need money, he can't see spending money.

Motion was made by Alderman McLendon to take this item back to the Parks Committee. Motion died due to lack of a second.

Mayor Johnson stated that the Board has had this information for a month and that they could have asked questions.

Alderman McLendon stated that we should just do away with the Parks Committee.

Mayor Johnson said I agree.

Motion was duly made by Alderwoman Brooks and seconded by Alderman Hobbs to authorize the Mayor to sign a 1 year director of coaching service agreement with Brian Sajdak for the D2 program. A vote was taken with the following results:

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

Those voting "Nay": Alderman Higdon and Alderman McLendon.

ORDERED AND DONE this the 2nd day of June, 2015

**AUTHORIZE THE MAYOR TO SIGN A SOCCER SERVICE AGREEMENT WITH
BLAKE COOPER FOR THE SOCCER CAMP PROGRAM**

Alderman McLendon suggested that we use our own staff to run this program.

Motion was duly made by Alderman McLendon, and seconded by Alderman Lauderdale to not authorize this agreement, but to run this program using the Parks and Recreation department staff. A vote was taken with the following results:

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

Those voting "Nay": Alderwoman Brooks.

ORDERED AND DONE this the 16th day of June, 2015

AUTHORIZE TO OPEN A CEMETERY OPERATIONS FUND

Motion was duly made by Alderman Lauderdale, and seconded by Alderwoman Brooks to authorize to open a Cemetery Operations Fund at the bank. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 16th day of June, 2015

**DISCUSSION AND POSSIBLE ADOPTION OF PARKING ORDINANCE FOR THE
SQUARE**

Alderman Higdon recommended that we have the signs on the square to allow 2 hour parking Monday – Friday on the outside of the square.

Police Chief Mike Riley stated that he doesn't think an Ordinance will work alone, they will have an issue enforcing it.

Gene Norwood, stated that he disagreed with there being plenty of parking. Parking is taken up by Desoto County employees. Businesses need people to have parking spaces open in order to make money. Mr. Norwood suggested that they go ahead with the plan, try something, we can change it later.

Alderman Higdon stated that he thinks the signs will help, he thinks the county employees parking is the problem.

Alderman Hobbs stated that he agreed with Mr. Norwood.

Kenny Stockton stated that there will have to be a type of Ordinance. A lot of businesses start the 2 hour parking a little later in the morning. We also need to set a fine amount.

Motion was duly made by Alderman Higdon, and seconded by Alderman McLendon to direct Kenny Stockton to write an Ordinance to approve a 2 hour parking limit on the outside of the square Monday through Friday from 8-5, with a fine of \$25. Also to allow the appropriate signage. 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 16th day of June, 2015

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

Motion was duly made by Alderman Higdon, and seconded by Alderman Lauderdale to approve to go into closed session to discuss going into executive session for negotiations for utilities. 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.

ORDERED AND DONE this the 16th day of June, 2015

GO INTO EXECUTIVE SESSION FOR NEGOTIATIONS FOR UTILITIES

Motion was duly made by Alderman Bryant, and seconded by Alderman Lauderdale to approve to go into executive session for negotiations for utilities. 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.

ORDERED AND DONE this the 16th day of June, 2015

COME OUT OF EXECUTIVE SESSION FOR NEGOTIATIONS FOR UTILITIES

Motion was duly made by Alderman Lauderdale, and seconded by Alderman Higdon to approve to come out of executive session for negotiations for utilities. 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.

ORDERED AND DONE this the 16th day of June, 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