

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, November 18, 2014, at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Sam Lauderdale, Sonny Bryant, Andrew Miller, Gary Higdon, Alderman McLendon, Cathy Brooks, and Jeff Hobbs. Also present for the meeting were: City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Police Chief Mike Riley, Fire Chief Hubert Jones, Public Works Director Gary McElhannon, Planning Director Jared Darby, Robert Carter, Julie Harris, Edward Pidgeon, Henry Bailey, and Robert Long.

INVOCATION

Alderman Higdon gave the invocation.

APPROVAL OF AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

November 18, 2014

6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 105971 – 106150 less 105977, 105978, and 106003 - 106006
- 5) Approve Docket of Claims No.'s (Lauderdale) 105977
- 6) Approve Docket of Claims No.'s (Bryant) 106003 - 106006
- 7) Approve Docket of Claims No.'s (Miller) 105978
- 8) Approve Minutes from the Special meeting on October 28, 2014
- 9) Approve Minutes from the Regular meeting on November 4, 2014
- 10) Consent Agenda
 - A) Authorize Mayor and one alderman to attend the Blue Ribbon trip in Washington, DC on March 4-6, 2015, also authorize to pay registration and travel expenses.
 - B) Authorize Mayor, Board of Aldermen, and Kenny Stockton to attend the MML Mid-Winter Conference in Jackson, MS on January 27 -29, 2014, also authorize to pay registration and travel expenses.
 - C) Authorize Crystal Kester, Cheryl Tolbert, and Kalon Hailey to attend the APCO school in Southaven, MS on December 8, 2014, also authorize to pay registration and travel expenses
 - D) Authorize to declare microwave from Fire Station 1 surplus and dispose of (inventory # 2015)
 - E) Authorize to declare the Narcotics 2000 Ford Explorer, VIN 1FMYU60E3YUA45066, surplus and dispose of
 - F) Authorize to declare the 2003 Chevrolet Impala, VIN 2G1WFSSK349283854, surplus and dispose of
 - G) Authorize the Fire Department to apply for an Assistance to Firefighter grant (AFG) through FEMA with a 5% match

- H) Authorize the Fire Department to apply for the firefighters grant program at 100% (no match)
- 11) Request from the Hernando Main Street Chamber of Commerce to temporarily close streets for the 2014 Christmas Parade on Monday December 1, 2014
- 12) Request from Hernando High School Interact to temporarily close streets for the Bolt for Blue 5k on March 29, 2015
- 13) Application for a Design Standards Amendment, submitted by City of Hernando, the proposed amendment is for Article XII, Section (d), Paragraph (vi) of the City of Hernando Design Standards, Required Off street parking and loading.
- 14) Application for a Zoning Ordinance Amendment, submitted by City of Hernando, the proposed amendment is for Article XII, Section (b), Paragraph (v) of the City of Hernando Zoning Ordinance, Accessory Buildings and Uses.
- 15) Application for a Design Standards Amendment, submitted by City of Hernando, the proposed amendment is for Article XII, Section (l), Paragraph (iii)(d) of the City of Hernando Design Standards, Wall and Fence Standards.
- 16) Application for a Design Standards Amendment, submitted by City of Hernando, the proposed amendment is for Article XII, Section (f), Paragraph (viii) of the City of Hernando Design Standards, Building Form and Materials.
- 17) Adopt the Water System Emergency Response Plan
- 18) Authorize to advertise for Request for Proposal for a design/build of the skatepark
- 19) Adoption of a Resolution authorizing the employment of Butler Snow, LLP, as special counsel to assist the City of Hernando with the participation in the Municipal Continuing Disclosure Cooperation Initiative as created by the SEC and to approve the Questionnaire to be submitted to the SEC, in the event a determination is made that the city should participate in the Initiative and authorize the Mayor to sign the Engagement Agreement and any other necessary documents related to any filings required in regard to the Initiative.
- 20) Authorize the Mayor to sign the Memorandum of Understanding with DeSoto County, Mississippi in regard to the NRCS project for the improvement of Tulane Bridge over Hurricane Creek. This project requires a twenty-five percent (25%) match by the city and county, to split equally twelve and one-half percent (12.5%) each. Natural Resource Conservation Service (NRCS) is providing seventy five percent (75%) of the funding for the project.
- 21) Executive Session for Negotiations on Water
- 22) Adjourn

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to approve the 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 18th day of November, 2014.

APPROVE DOCKET OF CLAIMS NO.'S 105971 – 106150 LESS 105977, 105978, AND 106003 - 106006

The Board of Aldermen were presented with a docket of claims No. 105971 – 106150 less 105977, 105978, and 106003 - 106006 in the amount of \$451,205.79 for approval.

Motion was duly made by Alderman Miller 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 Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale.

Those voting “Nay”: None.

ORDERED AND DONE this the 18th day of November, 2014.

APPROVE DOCKET OF CLAIMS NO. 105977 (LAUDERDALE)

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 105977 in the amount of \$201,273.33 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 Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Bryant.

Those voting “Nay”: None.

ORDERED AND DONE this the 18th day of November, 2014

APPROVE DOCKET OF CLAIMS NO. 106003 - 106006 (BRYANT)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 106003 - 106006 in the amount of \$1941.20 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 Lauderdale, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting “Nay”: None.

ORDERED AND DONE this the 18th day of November, 2014

APPROVE DOCKET OF CLAIMS NO. 105569 (MILLER)

Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 105978 in the amount of \$35,173.83 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 18th day of November, 2014.

APPROVE MINUTES FROM THE SPECIAL BOARD MEETING ON OCTOBER 28, 2014

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to approve the Minutes from the special Board Meeting on October 28, 2014 as presented. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderman Higdon, Alderman McLendon, and Alderman Hobbs abstained from voting.

ORDERED AND DONE this the 18th day of November, 2014

APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON NOVEMBER 4, 2014

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higon to approve the minutes from the regular Board meeting on November 4, 2014, after adding Chip Hatcher's name to list of present, and Mayor Johnson and Alderwoman Brooks abstained from item #12. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderwoman Brooks and Alderman Lauderdale abstained from voting.

ORDERED AND DONE this the 18th day of November, 2014

CONSENT AGENDA

- A) Authorize Mayor and one alderman to attend the Blue Ribbon trip in Washington, DC on March 4-6, 2015, also authorize to pay registration and travel expenses.
- B) Authorize Mayor, Board of Aldermen, and Kenny Stockton to attend the MML Mid-Winter Conference in Jackson, MS on January 27 -29, 2014, also authorize to pay registration and travel expenses.
- C) Authorize Crystal Kester, Cheryl Tolbert, and Kalon Hailey to attend the APCO school in Southaven, MS on December 8, 2014, also authorize to pay registration and travel expenses
- D) Authorize to declare microwave from Fire Station 1 surplus and dispose of (inventory # 2015)

- E) Authorize to declare the Narcotics 2000 Ford Explorer, VIN 1FMYU60E3YUA45066, surplus and dispose of
- F) Authorize to declare the 2003 Chevrolet Impala, VIN 2G1WFSSK349283854, surplus and dispose of
- G) Authorize the Fire Department to apply for an Assistance to Firefighter grant (AFG) through FEMA with a 5% match
- H) Authorize the Fire Department to apply for the firefighters grant program at 100% (no match)

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of November, 2014

**REQUEST FROM HERNANDO MAIN STREET CHAMBER OF COMMERCE TO
TEMPORARILY CLOSE STREETS FOR THE 2014 CHRISTMAS PARADE ON
MONDAY DECEMBER 1, 2014**

Robert Carter was present on behalf of the Main Street Chamber of Commerce.

Motion was duly made by Alderman Miller, and seconded by Alderman Bryant to approve the request from the Hernando Main Street Chamber of Commerce to temporarily close streets for the 2014 Christmas Parade on Monday December 1, 2014. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of November, 2014

**REQUEST FROM HERNANDO HIGH SCHOOL INTERACT TO TEMPORARILY
CLOSE STREETS FOR THE BOLT FOR BLUE 5K ON MARCH 29, 2015**

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to approve the request from Hernando High School Interact to temporarily close streets for the Bolt for Blue 5k on March 29, 2015. 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 18th day of November, 2014

**APPLICATION FOR A DESIGN STANDARDS AMENDMENT, SUBMITTED BY CITY
OF HERNANDO, THE PROPOSED AMENDMENT IS FOR ARTICLE XII, SECTION
(D), PARAGRAPH (VI) OF THE CITY OF HERNANDO DESIGN STANDARDS,
REQUIRED OFF STREET PARKING AND LOADING**

**MAYOR AND BOARD OF ALDERMEN
18, 2014
FILE: PL-1073**

DATE: November

CAPTION: City of Hernando Design Regulation Amendment, Article XV Required Off-street Parking and Loading

INTRODUCTION:

Parking and loading areas section of the Zoning Ordinance does not address heavy machinery, fork lifts, tracked construction apparatuses, or farm equipment. Therefore, the Planning Commission is presenting an ordinance amendment to allow the outside storage of vehicles and apparatuses not listed under the Federal Highway Vehicle Classification in M-1 and M-2 industrial zones.

CURRENT ORDINANCE LANGUAGE:

Article VII, Section (d), Paragraph (vi), Section (vi) of the City of Hernando Design Regulations:

Parking areas/Loading areas – All areas used for access, maneuvering, standing, parking, or display of motorized vehicles, trailers, boats, recreational vehicles, or manufactured or mobile homes; whether for customer or business purposes, shall be hard surfaced of either portland cement or asphaltic concrete, maintained adequately for all-weather use, and so drained as to avoid the flow of water across sidewalks. Additionally, the following vehicle storage parking areas shall also be paved: vehicle sales, mobile and/or manufactured homes, wrecker service/impound yard, boat sales/marina, and tractor-trailer drop-off and/or service lots.

PROPOSED ORDINANCE LANGUAGE:

Article VII, Section (d), Paragraph (vi), Section (vi) of the City of Hernando Design Regulations:

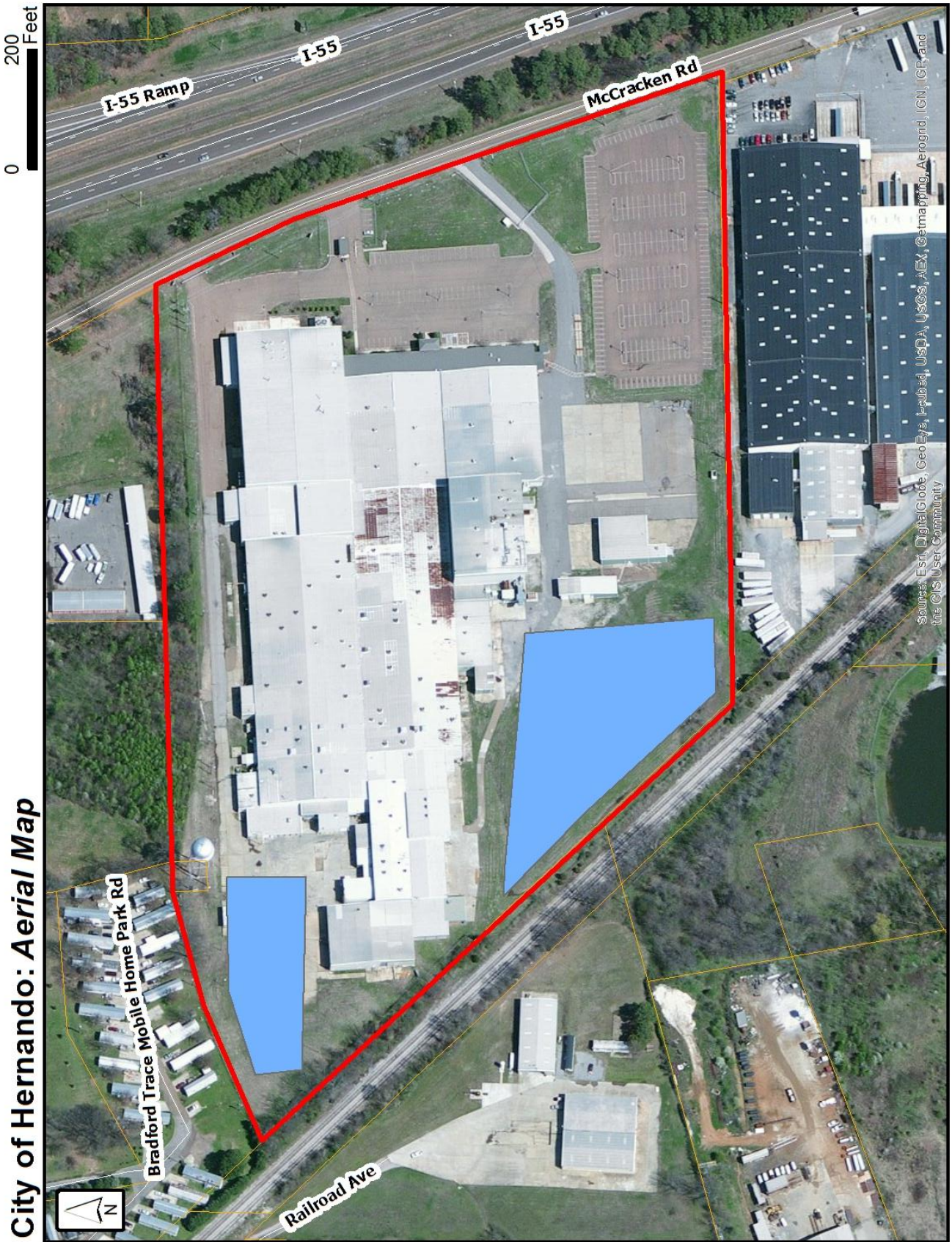
Parking areas/Loading areas – All areas used for access, maneuvering, standing, parking, or display of motorized vehicles, trailers, boats, recreational vehicles, or manufactured or mobile homes; whether for customer or business purposes, shall be hard surfaced of either portland cement or asphaltic concrete, maintained adequately for all-weather use, and so drained as to avoid the flow of water across sidewalks. Additionally, the following vehicle storage parking areas shall also be paved: vehicle sales, mobile and/or manufactured homes, wrecker service/impound yard, boat sales/marina, and tractor-trailer drop-off and/or service lots.

(1) For industrial zoned areas, engineered limestone parking and storage areas may be allowed in the side or rear yards for vehicles and apparatuses that are not listed on the Federal Highway Administration Vehicle Classification List.

PLANNING COMMISSION COMMENTS:

The ordinance amendment is to allow for mobile heavy machinery, tracked construction apparatuses, or farm equipment that is normally associated with industrial operations to be stored in a manner that is the least visible from the public right-of-way, but allows for a surface that will not be damaged by the storage or movement of such equipment. Staff has attached examples of where engineered limestone parking areas would be allowed under the proposed ordinance for industrial zoned properties.





City of Hernando: Aerial Map

Jared Darby presented the request, and the need to allow engineered limestone in side and rear yards for Industrial zones. Those vehicles not listed on the Federal Highway classification list and such as, tractors and fork lifts, which allows flexibility in the rear and side yards.

Alderman Lauderdale was concerned about Commercial areas not being included.

Jared Darby advised that it can be requested as a variance in a commercial area.

Motion was duly made by Alderman Hobbs, and seconded by Alderman Bryant to approve the application for a Design Standards amendment, submitted by the City of Hernando, the proposed amendment is for Article XII, section (D), paragraph (VI), of the City of Hernando Design Standards, required off street parking and loading. 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 18th day of November, 2014

APPLICATION FOR A ZONING ORDINANCE AMENDMENT, SUBMITTED BY CITY OF HERNANDO, THE PROPOSED AMENDMENT IS FOR ARTICLE XII, SECTION (B), PARAGRAPH (V) OF THE CITY OF HERNANDO ZONING ORDINANCE, ACCESSORY BUILDINGS AND USES

**MAYOR AND BOARD OF ALDERMEN
18, 2014
FILE: PL-1074**

DATE: November

CAPTION: City of Hernando Zoning Ordinance Amendment, Article XII Accessory Buildings and Uses

INTRODUCTION:

The Zoning Ordinance lists allowable fence materials under the Accessory Buildings and Uses article. Section (b) of Article XII describes the physical properties of fences and where they are allowed to be constructed. The article also describes the type of fence material that is required. All of these criteria are in place to insure that the city's fence environment is aesthetically pleasing and consistent across the city. There are many varieties of fence materials that are allowed including wood, wrought iron, and vinyl/fiberglass.

Although these materials insure a quality environment amongst the city's commercial and residential properties; large industrial complexes or properties often times have large areas to fence to insure security and privacy where stone, wrought iron, fiberglass/vinyl, and wood materials are impractical. Especially where large distribution warehouses are concerned.

As a result, the Planning Commission is presenting an ordinance amendment that would allow for heavy gauge, black vinyl cyclone fencing to be allowed in industrial zoned areas. The cyclone fence materials would only be allowed in side and rear yards that do not forward face public right-of-ways. The materials list in paragraph (v) would be required for all fences that forward face public right-of-ways. This requirement will preserve the aesthetic value throughout the city's industrial corridors, but allow for an alternate fence material to the rear and side yards.

CURRENT ORDINANCE LANGUAGE:

Article XII, Section (b), Paragraph (b), Section (v) of the City of Hernando Zoning Ordinance:

Permitted materials. Materials permitted are wood, wrought iron, stone, and masonry. Vinyl or fiberglass composite materials may be utilized if the material is listed, designed and constructed for fencing materials.

(1) Information on plans.

(a) Plans shall include the following:

(i) Building locations and area to be fenced.

(ii) Copy of the platted lot for corner lots.

(iii) Height of fence and type of materials to be used.

(iv) Intersections of streets, roads, highways, alleys and driveways.

(v) Zoning.

(vi) Corner "visibility range," when required, shall be shown.

PROPOSED ORDINANCE LANGUAGE:

Article XII, Section (b), Paragraph (b), Section (v) of the City of Hernando Zoning Ordinance:

Permitted materials. Materials permitted are wood, wrought iron, stone, and masonry. Vinyl or fiberglass composite materials may be utilized if the material is listed, designed and constructed for fencing materials. In industrial zoned areas cyclone fence materials may be used in side and rear yards that do not forward face the public right-of-way. The cyclone fence shall be comprised of nine (9) gauge mesh or below and covered in black vinyl or other similar material.

(1) Information on plans.

(a) Plans shall include the following:

- (i) Building locations and area to be fenced.
- (ii) Copy of the platted lot for corner lots.
- (iii) Height of fence and type of materials to be used.
- (iv) Intersections of streets, roads, highways, alleys and driveways.
- (v) Zoning.
- (vi) Corner "visibility range," when required, shall be shown.

STAFF COMMENTS:

Planning staff has attached examples of how the proposed fence ordinance can affect industrial zoned properties. The blue lines represents where cyclone fencing is permitted. The green lines represents fences that would adhere to the other materials listed in the ordinance.

City of Hernando: Aerial Map

0 200 Feet



Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AeroGRID, IGN, IGP, and the GIS User Community

0 25 Feet

City of Hernando: Aerial Map





Jared Darby presented the application request. Amendment is to allow in the rear and side yards for black coated chain link fence but not along the front in industrial zones. The amendment will allow for a lower maintenance option with increased security for large areas to be fenced often associated with manufacturing and distribution.

Alderman Miller does not want color to be dictated, due to concerns. Alderman Miller is concerned about the vinyl holding up.

Alderman Hobbs mentioned property adjoining residential.

Alderman Lauderdale asked about other City regulations.

Motion was made by Alderman Higdon to allow the chain link fence with earth tone colors, currently used in our design standards. A second was not made.

Motion was duly made by Alderman Miller, and seconded by Alderman Hobbs to approve the request for a Zoning Ordinance Amendment for Article XII, Section (b), Paragraph (v) of the City of Hernando Zoning Ordinance, accessory buildings and uses, allowing chain link fencing with no color requirement on the side and rear yard. A vote was taken with the following results:

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

Those voting "Nay": Alderman Higdon.

ORDERED AND DONE this the 18th day of November, 2014

**APPLICATION FOR A DESIGN STANDARDS AMENDMENT, SUBMITTED BY
CITY OF HERNANDO, THE PROPOSED AMENDMENT IS FOR ARTICLE XII,
SECTION (L), PARAGRAPH (III)(D) OF THE CITY OF HERNANDO DESIGN
STANDARDS, WALL AND FENCE STANDARDS**

**MAYOR AND BOARD OF ALDERMEN
18, 2014
FILE: PL-1075**

DATE: November

CAPTION: City of Hernando Design Regulations Amendment, Article XII, Wall and Fence Standards

INTRODUCTION:

The Design Regulations state that walls and fences shall be constructed in a manner that does not create a stockade effect. Ultimately, any commercial or industrial zoned property with fences that are 80 feet or longer are required to be setback 6 feet for 50% of the length of the fence with evergreen plantings located within the setback. This is certainly necessary to reduce the stockade appearance along public right-of-ways. However, the ordinance does not make any delineation between fences being constructed along public right-of-ways vs. side or rear yard fencing.

The Planning Commission found, especially in industrial areas, that setbacks and additional landscape along rear or side yard fencing unnecessary. Therefore, the Commission is requesting that the Board amend the Wall and Fence Standards to remove the required setbacks and landscape from side and rear yard fences that do not front a public right-of-way.

CURRENT ORDINANCE LANGUAGE:

Article XII, Section (b), Paragraph (iii)(d) of the City of Hernando Design Regulations:

Solid walls and fences shall not create a stockade appearance. This can be accomplished by undulating the plane of the fence. Fences over eighty (80) feet long shall have no more than fifty (50) percent of their length on a continuous line. The remaining length shall be set back a minimum of six (6) feet, with evergreen landscaping within the setback area.

PROPOSED ORDINANCE LANGUAGE:

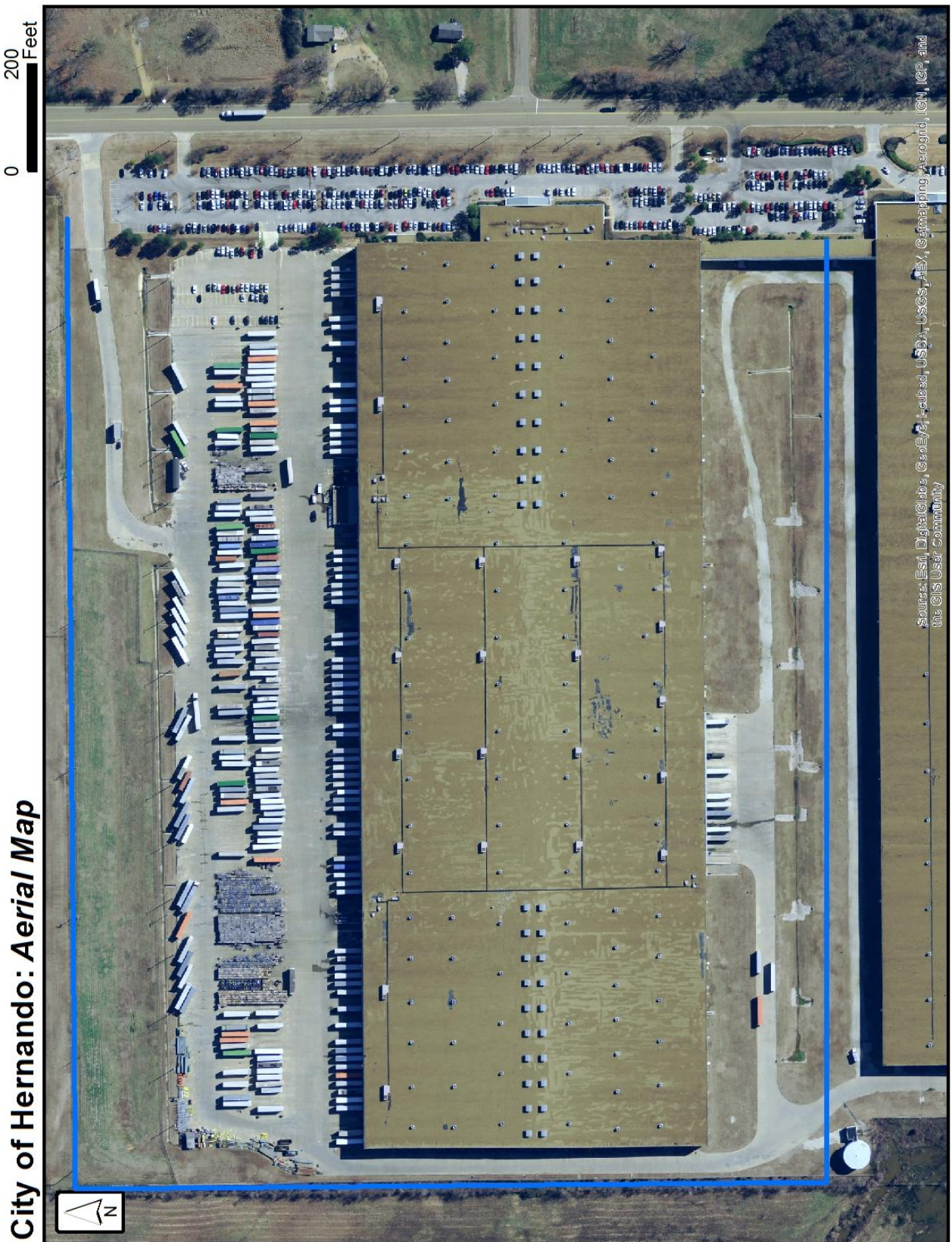
Article XII, Section (b), Paragraph (iii)(d) of the City of Hernando Design Regulations:

*Solid walls and fences shall not create a stockade appearance. This can be accomplished by undulating the plane of the fence. Fences **that parallel and front public-right-of-ways that are** over eighty (80) feet long shall have no more than fifty (50) percent of their length on a*

continuous line. The remaining length shall be set back a minimum of six (6) feet, with evergreen landscaping within the setback area.

STAFF COMMENTS:

Staff has attached examples of areas where the proposed fence amendment would be in effect. The blue lines represent fencing (areas) that would be altered by the proposed ordinance. The illustration is somewhat counterintuitive as the ordinance language being added refers to the front yard fence or fences that front public right-of-way; however, the requirements of landscape setbacks are removed from the areas in blue.



Jared Darby presented the application. The City of Hernando design standards requires 50% of a fence that is greater than 80 feet long to be set back 6 feet with evergreen plantings in

commercial and industrial zones. This is to prevent a stockade appearance from the right of way. However the ordinance does not delineate between side, rear and front yard fencing therefore the Planning Commission recommends the elimination of the setback requirements for rear and side yard fencing that does not parallel a public right of way.

Motion was duly made by Alderwoman Brooks, seconded by Alderman Hobbs to approve the application allowing an exception to the requirement for rear and side yards so that a fence in a rear and side yard does not have to meet the required 6 foot offset. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of November, 2014.

APPLICATION FOR A DESIGN STANDARDS AMENDMENT, SUBMITTED BY CITY OF HERNANDO, THE PROPOSED AMENDMENT IS FOR ARTICLE XII, SECTION (F), PARAGRAPH (VIII) OF THE CITY OF HERNANDO DESIGN STANDARDS, BUILDING FORM AND MATERIALS

**MAYOR AND BOARD OF ALDERMEN
18, 2014
FILE: PL-1076**

DATE: November

CAPTION: City of Hernando Design Regulations Amendment, Article XII, Building Form and Materials

INTRODUCTION:

The Design Regulations has a section that lists allowable building materials as well as descriptions in regards to the form of the building. The Design Regulations exist to insure that new construction adds to the economic value of the subject property as well as surrounding properties, which in turn provides for orderly and harmonious relationships between man-made objects and nature. Furthermore, well designed communities encourage stabilization of commercial areas, promotes control and regulation on the adverse effects of development, and enhances the visual appearance of the living environment.

In general, the city's Design Regulations provides a canvas and guidelines for a design professional to produce a product that promotes the goals of a well-designed community. One particular element within the Design Regulations focuses on the type of roof pitch that is allowed if a pitched roof is proposed. The provision limits roof slopes to greater than 6/12. This particular provision limits to a high degree the types of buildings that can be constructed. For example, most small industrial buildings are pre-designed metal frame buildings that utilize a particular roof form factor that is a key factor in the stabilization of the structure. The roof pitches are often well below 6/12 slope.

The Planning Commission recommends that new construction, where a pitched roof is proposed, be considered by the Design Review Committee as part of the overall duties of the Committee as outlined in Article XII, Section 9 of the Design Regulations. In other words, the Design Review Committee will determine if the proposed roof pitch is appropriate with the building style and is architecturally compatible with the surrounding community.

CURRENT ORDINANCE LANGUAGE:

Article XII, Section (f), Paragraph (viii) of the City of Hernando Design Regulations:

Pitched Roofs – Where pitched roofs are utilized, the primary roof form shall be on a slope of no less than 6/12. Porches shall be on a slope of not less than 3/12. Pitched roofs shall be shingled in accordance with the materials list contained under the “Optional Requirements” of this section.

PROPOSED ORDINANCE LANGUAGE:

Article XII, Section (f), Paragraph (viii) of the City of Hernando Design Regulations:

Pitched Roofs – Where pitched roofs are utilized, the Design Review Committee shall determine the appropriateness of the slope of the roof. ~~primary roof form shall be on a slope of no less than 6/12. Porches shall be on a slope of not less than 3/12.~~ Pitched roofs shall be shingled in accordance with the materials list contained under the “Optional Requirements” of this section.

Jared Darby presented the application. Roof pitch issues are a problem in design of building. In lieu of a set roof pitch the Design Review Committee could determine to allow a roof pitch.

Motion was duly made by Alderman Hobbs, seconded by Alderman Miller to approve the application for a Design Standards Amendment for Article XII, Section (f), paragraph (viii) of the City of Hernando Design Standards, Building Form and Materials. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 18th day of November, 2014.

ADOPT THE WATER SYSTEM EMERGENCY RESPONSE PLAN

Motion was duly made by Alderman Miller, seconded by Alderman Hobbs to authorize to adopt the Water System Emergency Response Plan. 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 18th day of November, 2014.

AUTHORIZE TO ADVERTISE FOR REQUEST FOR PROPOSAL FOR A DESIGN/BUILD OF THE SKATEPARK

Motion was duly made by Alderman Higdon, seconded by Alderman Hobbs to authorize to advertise for request for proposal for a Design/Build of the Skate Park. 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 18th day of November, 2014.

ADOPTION OF RESOLUTION AUTHORIZING THE EMPLOYMENT OF BUTLER SNOW, LLP, AS SPECIAL COUNSEL TO ASSIST THE CITY OF HERNANDO WITH THE PARTICIPATION IN THE MUNICIPAL CONTINUING DISCLOSURE COOPERATION INITIATIVE AS CREATED BY THE SEC AND TO APPROVE THE QUESTIONNAIRE TO BE SUBMITTED TO THE SEC, IN THE EVENT A DETERMINATION IS MADE THAT THE CITY SHOULD PARTICIPATE IN THE INITIATIVE AND AUTHORIZE THE MAYOR TO SIGN THE ENGAGEMENT AGREEMENT AND ANY OTHER NECESSARY DOCUMENTS RELATED TO ANY FILINGS REQUIRED IN REGARD TO THE INITIATIVE

Motion was duly made by Alderman Miller, seconded by Alderman Hobbs to adopt the Resolution to retain Butler Snow, LLP as special counsel to assist the City of Hernando with the participation in the Municipal Continuing Disclosure Cooperation Initiative. 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 18th day of November, 2014.

AUTHORIZE THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING WITH DESOTO COUNTY, MISSISSIPPI IN REGARD TO THE NRCS PROJECT FOR THE IMPROVEMENT OF TULANE BRIDGE OVER HURRICANE CREEK. THIS PROJECT REQUIRES A TWENTY-FIVE PERCENT (25%) MATCH BY THE CITY AND COUNTY, TO SPLIT EQUALLY TWELVE AND ONE-HALF PERCENT (12.5%) EACH. NATURAL RESOURCE CONSERVATION SERVICE (NRCS) IS PROVIDING SEVENTY FIVE PERCENT (75%) OF THE FUNDING FOR THE PROJECT

Motion was duly made by Alderman Hobbs, seconded by Alderman Higdon to authorize Mayor Johnson to sign the MOU with Desoto County, Mississippi, in regard to the NRCS project for the improvement of Tulane Bridge over Hurricane Creek. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18th day of November, 2014.

GO INTO CLOSED SESSION TO DISCUSS GOING INTO EXECUTIVE SESSION

Motion was duly made by Alderman Higdon, seconded by Alderman Hobbs to authorize to go into closed session to discuss going into Executive Session for Negotiations on Water. 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 18th day of November, 2014.

GO INTO EXECUTIVE SESSION FOR NEGOTIATIONS ON WATER

Motion was duly made by Alderman Miller, seconded by Alderwoman Brooks to authorize to go into Executive Session for Negotiations for Water. 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 18th day of November, 2014.

COME OUT OF EXECUTIVE SESSION FOR NEGOTIATIONS ON WATER

Motion was duly made by Alderman Hobbs, seconded by Alderman Higdon to come out of Executive Session for Negotiations on Water. 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 18th day of November, 2014.

ADJOURN

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

Motion passed with a unanimous vote of "Aye".

MAYOR CHIP JOHNSON

ATTEST:

KATIE HARBIN, CITY CLERK