

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, December 17, 2013, at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Sam Lauderdale, Sonny Bryant, Andrew Miller, Gary Higdon, Michael McLendon, Cathy Brooks, and Jeff Hobbs. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Planning Director Jared Darby, Bobby Burton, Griff Gatlin, Shelly Johnstone, Henry Bailey, Robert Long, and Jim Garrard.

INVOCATION

Alderman Miller gave the invocation.

APPROVAL OF AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

December 17, 2013

6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 101503 – 101703 less 101511, 101512, 101536 – 101539, and 101627
- 5) Approve Docket of Claims No.'s (Lauderdale) 101512 and 101627
- 6) Approve Docket of Claims No.'s (Bryant) 101536 - 101539
- 7) Approve Docket of Claims No.'s (Miller) 101511
- 8) Approve Minutes
- 9) Consent Agenda
 - A) Set Public Hearing for Application for a **Zoning Ordinance Amendment** submitted by **City of Hernando**, the proposed amendment is for the Zoning Ordinance, Article XII, Section (a), Paragraph (i) (4) to allow for earth toned

vinyl covered chain-link fencing to be associated with tennis courts located in residential zoning districts.

10) Planning Commission

- A) Application for **Preliminary and Final Plat Approval** for Shelly Johnstone Subdivision, submitted by **Shelly Johnstone**. The subdivision is comprised of two lots totaling 0.47 acres located east of Elm Street and north of West Valley Street in Section 13, Township 3, Range 8. The property is currently zoned “R-10”, Residential Single Family District (Medium Density). **Tabled until December meeting.**

11) Request from Hernando Lady Tigers for sponsorship

12) Appoint Camille Pittman to the Urban Forestry Advisory Board

13) Authorize to give Rhonda Burns a 90 day Performance raise of \$.50 per hour

14) Authorize to receive bids for Municipal Depository

15) Authorize the Mayor to sign a renewal lease with the Desoto County Board of Education for the use of the old Hernando High School baseball field

16) Authorize the Mayor to sign a Resolution Finally Granting North American Electric, Inc. exemption from Ad Valorem taxation

17) Adopt Order granting free port warehouse tax exemption to Shamrock Wood Industries, Inc.

18) Executive Session – Personnel

19) Adjourn

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

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

Those voting “Nay”: None.

ORDERED AND DONE this the 17th day of December, 2013.

APPROVE DOCKET OF CLAIMS NO.’S 101503 – 101703 LESS 101511, 101512, 101536 – 101539, AND 101627

The Board of Aldermen were presented with a docket of claims No. 101503 – 101703 less 101511, 101512, 101536 – 101539, and 101627 in the amount of \$1,205,135.68 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, and Alderman Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013.

APPROVE DOCKET OF CLAIMS NO. 101512 AND 101627 (LAUDERDALE)

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.101512 and 101627 in the amount of \$215,248.51 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 17th day of December, 2013

APPROVE DOCKET OF CLAIMS NO. 101536 - 101539 (BRYANT)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.101536 and 101539 in the amount of \$572.45 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 Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013

APPROVE DOCKET OF CLAIMS NO. 101511 (MILLER)

Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.101511 in the amount of \$38,218.99 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 McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013

APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON DECEMBER 3, 2013

Motion was duly made by Alderwoman Brooks, and seconded by Alderman Higdon to approve the Minutes from the regular Board Meeting on December 3, 2013 as presented. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013

CONSENT AGENDA

- A) Set Public Hearing for Application for a **Zoning Ordinance Amendment** submitted by **City of Hernando**, the proposed amendment is for the Zoning Ordinance, Article XII, Section (a), Paragraph (i) (4) to allow for earth toned vinyl covered chain-link fencing to be associated with tennis courts located in residential zoning districts.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013

PLANNING COMMISSION

- B) Application for **Preliminary and Final Plat Approval** for Shelly Johnstone Subdivision, submitted by **Shelly Johnstone**. The subdivision is comprised of two lots totaling 0.47 acres located east of Elm Street and north of West Valley Street in Section 13, Township 3, Range 8. The property is currently zoned "R-10", Residential Single Family District (Medium Density). **Tabled until December meeting.**

APPLICATION FOR PRELIMINARY AND FINAL PLAT APPROVAL FOR SHELLY JOHNSTONE SUBDIVISION, SUBMITTED BY SHELLY JOHNSTONE.

**MAYOR AND BOARD OF ALDERMEN
REPORT: PL-1013**

DATE: December 17, 2013

CAPTION: Preliminary-Final Plat, Johnstone Subdivision, Shelly Johnstone

INTRODUCTION:

Shelly Johnstone, owner of the subject property, is requesting a preliminary-final subdivision plat approval. The subdivision will consist of two lots and is located on the east side of Elm Street and north of West Valley Street.

DESCRIPTION:

Lot A is a rectangular shaped lot with 80 feet of width at the right-of-way and is 110 feet deep. The total area equals 11,000 sq. ft. or 0.25 acres. The property's primary dwelling unit is located on lot A. Lot B is a flag shaped lot with a 20 foot width at the right-of-way. Total width of the lot is 100 feet. The secondary dwelling is located on Lot B and totals 7,200 sq. ft. or 0.17 acres. Both proposed lots are zoned R-10, medium density residential.

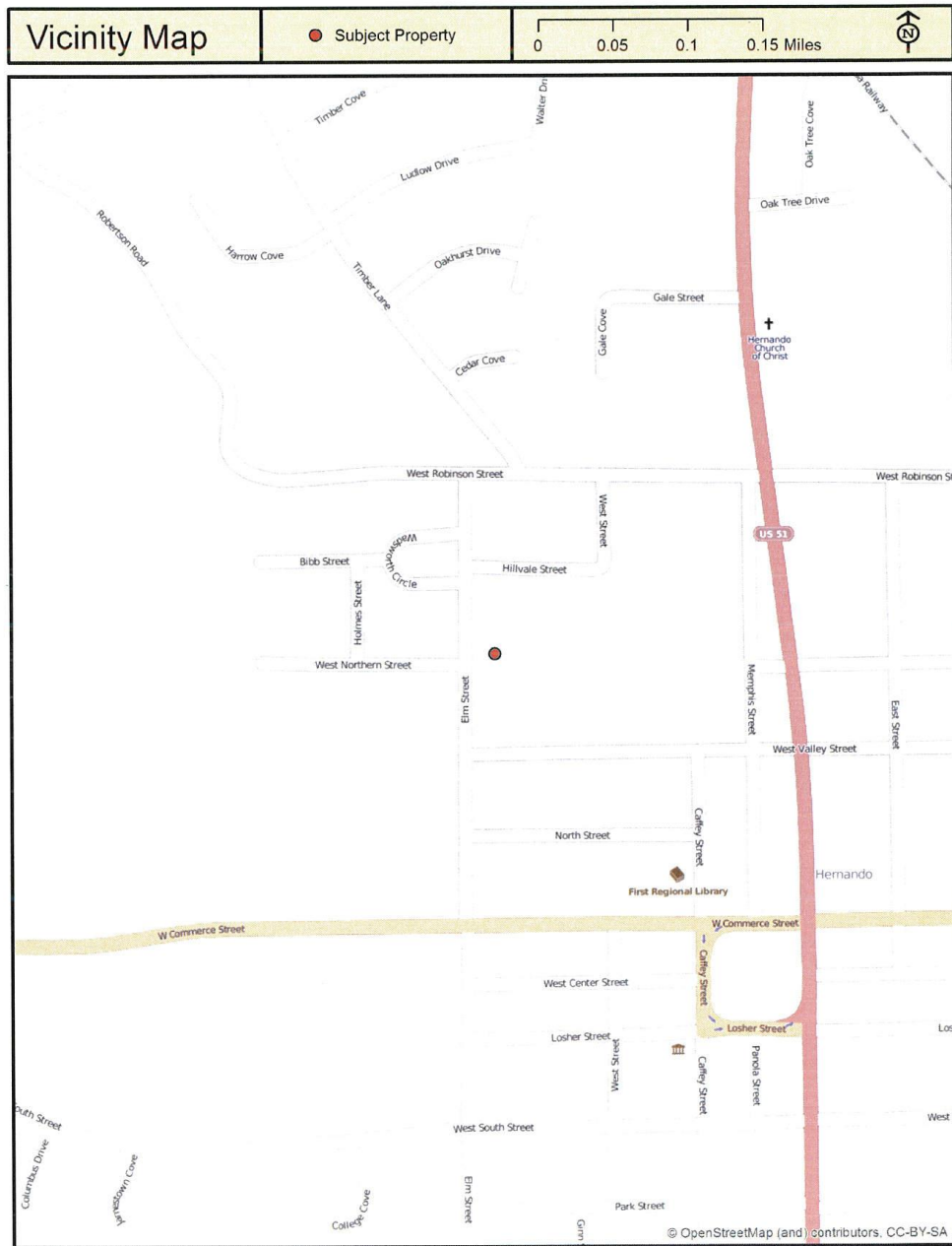
COMMISSION COMMENTS:

Planning Commission has found that the geometry of the proposed plat meets the City of Hernando's Subdivision Regulations. Therefore, the Commission recommended unanimously to recommend plat approval to the Mayor and Board of Aldermen. Commissioner Carter moved to recommend the plat and Commissioner Pirtle seconded the motion.

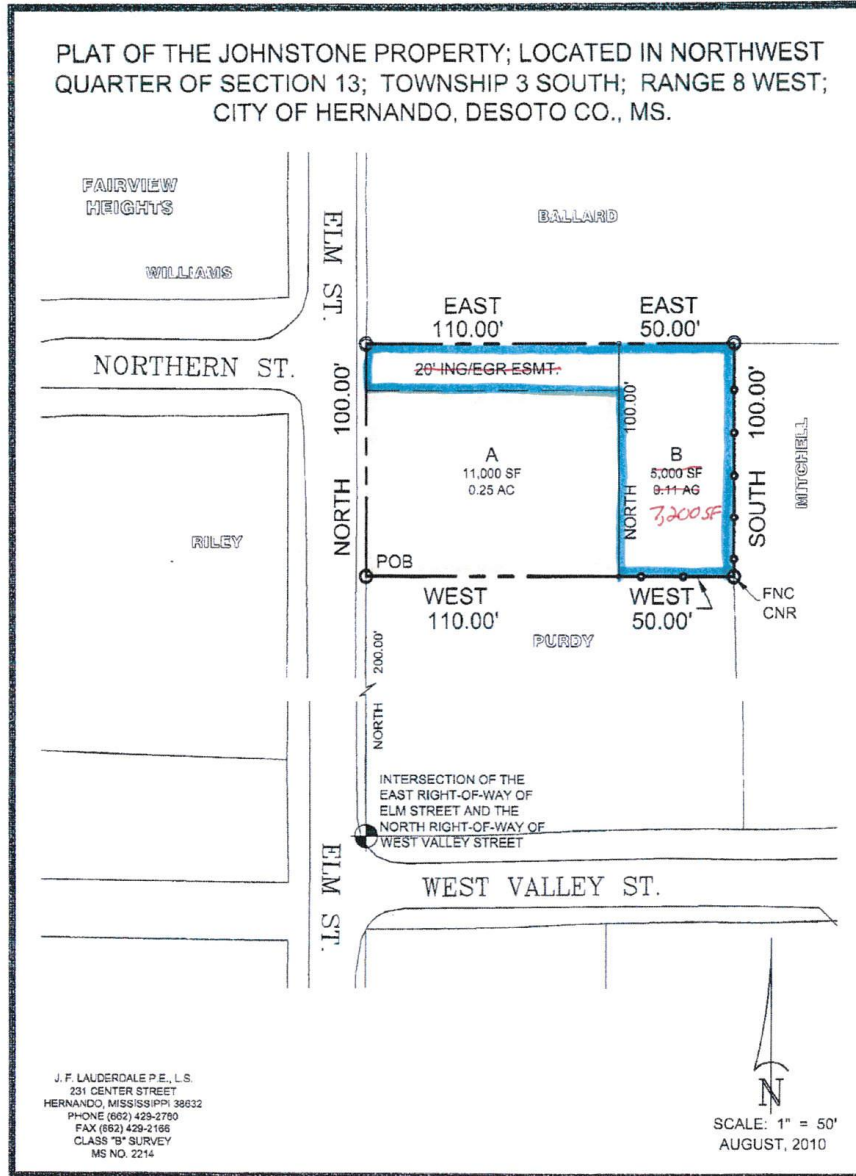
Many of the conditions of approval that the Board is familiar with that are associated with a subdivision plat approval are not included in this report. Staff considers any subdivision that is not associated with a larger, preliminary subdivision and that is zoned residential with five lots are less as a minor subdivision. That being the case many of the conditions of approval do not apply since no right-of-way or infrastructure improvements are required.

DATE:
MOTION:

Johnson	Bryant	Higdon	Miller	Lauderdale	McLendon	Brooks	Hobbs







Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to approve the application for preliminary and final plat approval for Shelly Johnstone Subdivision, submitted by Shelly Johnstone. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013

REQUEST FROM HERNANDO LADY TIGERS FOR SPONSORSHIP

Motion was duly made by Alderman Lauderdale, and seconded by Alderwoman Brooks to approve the request from the Hernando Lady Tigers for sponsorship by purchasing a banner in the amount of \$250.00, to be paid out of tourism. 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.

Alderman Miller abstained from voting.

ORDERED AND DONE this the 17th day of December, 2013

APPOINT CAMILLE PITTMAN TO THE URBAN FORESTRY ADVISORY BOARD

Motion was duly made by Alderman Miller, seconded by Alderman Hobbs to appoint Camille Pittman to the Urban Forestry Advisory Board. 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 day 17th day of December, 2013.

AUTHORIZE TO GIVE RHONDA BURNS A 90 DAY PERFORMANCE RAISE OF \$0.50 PER HOUR

Motion was duly made by Alderman Miller, seconded by Alderman Bryant to give Rhonda Burns in the Court Department a 90 day performance raise of \$0.50 per hour, based on the personnel committee, following the recommendation of the Court Clerk. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013.

AUTHORIZE TO RECEIVE BIDS FOR MUNICIPAL DEPOSITORY

Motion was duly made by Alderman Hobbs, seconded by Alderman Higdon to authorize to receive bids for Municipal Depository. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013.

AUTHORIZE THE MAYOR TO SIGN A RENEWAL LEASE WITH THE DESOTO COUNTY BOARD OF EDUCATION FOR THE USE OF THE OLD HERNANDO HIGH SCHOOL BASEBALL FIELD

Motion was duly made by Alderman Miller, seconded by Alderman Higdon to authorize the Mayor to sign a renewal lease with the Desoto County Board of Education for the use of the old Hernando High School Baseball field. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013.

Mayor Johnson thanked Superintendent Milton Kuykendall for their continued help.

AUTHORIZE THE MAYOR TO SIGN A RESOLUTION FINALLY GRANTING NORTH AMERICAN ELECTRIC, INC. EXEMPTION FROM AD VALOREM TAXATION

Motion was duly made by Alderman Hobbs, seconded by Alderman Higdon to authorize the Mayor to sign a Resolution Finally Granting North American Electric, Inc. exemption from Ad Valorem Taxation. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013.

**ADOPT ORDER GRANTING FREE PORT WAREHOUSE TAX EXEMPTION TO
SHAMROCK WOOD INDUSTRIES, INC.**

Jamie Steen with Shamrock Wood Industries, Inc. was present.

Motion was duly made by Alderman Higdon, seconded by Alderman Hobbs to adopt the Order Granting Free Port warehouse tax exemption to Shamrock Wood Industries, Inc. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013.

**AUTHORIZE TO DECLARE CAGES FROM THE OLD POLICE CARS SURPLUS
AND DONATE TO THE COUNTY**

Motion was duly made by Alderman Miller, seconded by Alderman Bryant to declare cages from the old police cars surplus and donate to the county. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013.

GO INTO CLOSED SESSION

Motion was duly made by Alderman Higdon, seconded by Alderwoman Brooks to go into closed session to discuss going into executive session for personnel. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013.

GO INTO EXECUTIVE SESSION FOR PERSONNEL

Motion was duly made by Alderman Higdon, seconded by Alderman Hobbs to go into executive session for personnel. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013.

COME OUT OF EXECUTIVE SESSION FOR PERSONNEL

Motion was duly made by Alderwoman Brooks, seconded by Alderman Higdon to come out of executive session for personnel. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013.

PERSONNEL

Regenald Simmons was notified of his right to appeal and chose not to.

Motion was duly made by Alderman Higdon, seconded by Alderman Hobbs to terminate Regenald Simmons for violation of City Policy, per the recommendation of the Personnel Committee, following the recommendation of the Public Works Director. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 17th day of December, 2013.

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