

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, November 19, 2013 at 6:00 P.M. with Mayor Pro Temp Sam Lauderdale presiding. Aldermen present were: 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, Police Chief Mike Riley, Fire Chief Hubert Jones, Public Works Director Gary McElhannon, Trip Trezevant, Mariah Wallace, Raquel Espitia, 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 19, 2013

6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Appoint Special Mayor Pro Temp
- 5) Approve Docket of Claims No.'s 101102 – 101332 less 101135, 101136, 101160 – 101165, 101332
- 6) Approve Docket of Claims No.'s (Lauderdale) 101136
- 7) Approve Docket of Claims No.'s (Bryant) 101160 - 101165
- 8) Approve Docket of Claims No.'s (Miller) 101135 and 101332
- 9) Approve Minutes
- 10) Consent Agenda

- A) Authorize Chief Hubert Jones and Deputy Chief Marshel Berry to attend the MS Fire Chief's Association Mid-Winter Conference in Brandon, MS on January 22-24, 2013. Also, authorize to pay for registration and travel expenses
 - B) Authorize Dewayne Williams to attend the MRPA Leadership Conference on December 4 – 5, 2013, in Clinton, MS, and also authorize to pay registration and travel expenses.
 - C) Authorize Daniel Carson to attend the MS Soccer Association General Meeting on January 24 – 26, 2013 in Jackson, MS and also authorize to pay registration and travel expenses
- 11) Planning Commission
- A) Zoning Amendment; Light Industrial, M-1 to Highway Commercial, C-2; 467 McCracken Road
 - B) Scrivener's Error; Notting Hill Subdivision, Section G, Lauderdale Engineering, LLC
- 12) Adopt Resolution to borrow funds from the Utility fund for the General fund
- 13) Adopt Resolution directing the City Attorney to prepare the necessary documents to borrow funds for the General fund in anticipation of taxes and to advertise
- 14) Acceptance of Heritage Oaks Streets
- 15) Authorize to accept the lowest and best bid for the Bella Vita Dr Box Culvert project
- 16) Discussion of the Board member to attend the Blue Ribbon trip in Washington DC (travel previously approved)
- 17) Adjourn

Motion was duly made by Alderman Higdon, and seconded by Alderman McLendon to approve the agenda as presented, after adding item to appoint Special Mayor Pro Tem Gary Higdon. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013.

APPOINT SPECIAL MAYOR PRO TEMP

Motion was duly made by Alderman Bryant, and seconded by Alderman Hobbs to appoint Gary Higdon as Special Mayor Pro Temp. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013.

APPROVE DOCKET OF CLAIMS NO.'S 101102 – 101332 LESS 101135, 101136, 101160 – 101165, AND 101332

The Board of Aldermen were presented with a docket of claims No. 101102 - 101332 less 101135, 101136, 101160 - 101165 and 101332 in the amount of \$1,279,148.22 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013.

APPROVE DOCKET OF CLAIMS NO. 101136 (LAUDERDALE)

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.101136 in the amount of \$212,955.82 for approval.

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013

APPROVE DOCKET OF CLAIMS NO. 101160 - 101165 (BRYANT)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.101160 - 101165 in the amount of \$2,051.35 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 Miller, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013

APPROVE DOCKET OF CLAIMS NO. 101135 AND 101332 (MILLER)

Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.101135 and 101332 in the amount of \$37,927.80 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": Alderwoman Brooks, Alderman Hobbs, Alderman Bryant, Alderman Higdon, and Alderman McLendon.

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013

APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON NOVEMBER 5, 2013

Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to approve the Minutes from the regular Board Meeting on November 5, 2013 as presented. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013

CONSENT AGENDA

- A) Authorize Chief Hubert Jones and Deputy Chief Marshel Berry to attend the MS Fire Chief's Association Mid-Winter Conference in Brandon, MS on January 22-24, 2013. Also, authorize to pay for registration and travel expenses
- B) Authorize Dewayne Williams to attend the MRPA Leadership Conference on December 4 – 5, 2013, in Clinton, MS, and also authorize to pay registration and travel expenses.
- C) Authorize Daniel Carson to attend the MS Soccer Association General Meeting on January 24 – 26, 2013 in Jackson, MS and also authorize to pay registration and travel expenses

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013

PLANNING COMMISSION

- D) Zoning Amendment; Light Industrial, M-1 to Highway Commercial, C-2; 467 McCracken Road
- E) Scrivener's Error; Notting Hill Subdivision, Section G, Lauderdale Engineering, LLC

ZONING AMENDMENT; LIGHT INDUSTRIAL, M-1 TO HIGHWAY COMMERCIAL, C-2; 467 MCCRACKEN ROAD

Jared Darby presented the information.

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to approve the zoning amendment; light industrial, M-1 to Highway Commercial, C-2; 467 McCracken Road, based on the recommendation of the Planning Commission. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013

SCRIVENER'S ERROR; NOTTING HILL SUBDIVISION, SECTION G, LAUDERDALE ENGINEERING, LLC

Jared Darby presented the information.

MAYOR AND BOARD OF ALDERMEN
STAFF REPORT: Jared Darby

DATE: November 19, 2013
CASE: PL-1019

CAPTION: Scrivener’s Error; Notting Hill Subdivision, Section G, Lauderdale Engineering, LLC

INTRODUCTION:

Lauderdale Engineering, the representative of the property owner, is requesting that the side yard utility easement widths be reduced from 10 ft. to 5 ft. for Lots 136 and 137. The subdivision is located on the east side of McIngvale Road and west of Jaybird Road.

DESCRIPTION:

Both lots are zoned PUD, planned unit development, and have a bit of an awkward shape as they are located in the corner of an L-shaped road. The standard utility easements that the Subdivision Regulations call for are 10 ft. for the front and rear yards and 5 ft. for the side yards. However, the utility easements can be adjusted during the planning and approval process.

In this particular case, Lot 136’s southern side yard utility easement is 10 ft. instead of 5 ft., and Lot 137’s northern side yard utility easement has also been expanded to 10 ft. The expanded easement (highlighted in yellow) is in contradiction to the plat notes, which call for the standard 5 ft. easements. The plat note is also highlighted in yellow. Staff discussed the contradictions with the City Engineer and it has been determined that no special conditions exist to warrant the expanded utility easements.

STAFF COMMENTS:

Staff has been alerted by the property owners, Lifestyle Communities, that the enlarged utility easements are causing issues with construction of a potential home. Therefore, staff recommends that the Mayor and Board of Aldermen consider the expanded side yard utility easements as a scrivener’s error and direct staff to amend the plat.

DATE:
MOTION:

Johnson	Hobbs	Brooks	McLendon	Higdon	Miller	Bryant	Lauderdale

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FINAL PLAT
COTTON HILL
SUBDIVISION
SECTION 8, TOWNSHIP 1 SOUTH, RANGE 11 WEST
HERDANDO, DE SOTO COUNTY, MISSISSIPPI
TOTAL AREA: 234.77 AC.
DATE: 08/07/13

VICINITY MAP

GRAPHIC SCALE
SCALE: 1" = 100'

*CONVENIENCE BE
RECORDED IN THE
OFFICE OF THE CLERK OF
DE SOTO COUNTY
AT CLARKSBURG*

REGISTERED PROFESSIONAL SURVEYOR
DAVID L. RAY, M.S.
No. 2036
MISSISSIPPI

REGISTERED PROFESSIONAL SURVEYOR
JAMES M. JONES, M.S.
No. 2037
MISSISSIPPI

REGISTERED PROFESSIONAL SURVEYOR
ROBERT L. SMITH, M.S.
No. 2038
MISSISSIPPI

REGISTERED PROFESSIONAL SURVEYOR
WALTER A. HARRIS, M.S.
No. 2039
MISSISSIPPI

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Motion was duly made by Alderman Miller, and seconded by Alderman Higdon to approve the Scrivener’s error; Notting Hill Subdivision, section G, Lauderdale Engineering,

LLC, based on the recommendation of the Planning Commission. 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 19th day of November, 2013

MAYOR'S YOUTH COUNCIL MEMBERS RECOGNIZED

Mayor Pro Temp Lauderdale recognized Mayor's Youth Council members Mariah Wallace and Roquel Espitia that were in attendance.

ADOPT RESOLUTION TO BORROW FUNDS FROM THE UTILITY FUND FOR THE GENERAL FUND

Motion was duly made by Alderman Miller, seconded by Alderman Higdon to adopt the Resolution to borrow funds from the Utility fund for the General fund. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this day 19th day of November, 2013.

ADOPT RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE THE NECESSARY DOCUMENTS TO BORROW FUNDS FOR THE GENERAL FUND IN ANTICIPATION OF TAXES AND TO ADVERTISE

Motion was duly made by Alderman Hobbs, seconded by Alderman Higdon adopt the Resolution directing the City Attorney to prepare the necessary documents to borrow funds for the general fund in anticipation of taxes and to advertise. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013.

ACCEPTANCE OF HERITAGE OAKS STREETS

Joe Frank Lauderdale presented the information to the Board. Joe Frank advised that the streets have been repaired and inspected. The maintenance bond may be released.

Motion was duly made by Alderman Hobbs, seconded by Alderwoman Brooks to accept the streets of Heritage Oaks and release the maintenance bond. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013.

**AUTHORIZE TO ACCEPT THE LOWEST AND BEST BID FOR THE BELLA VITA
DR BOX CULVERT PROJECT**

Joe Frank Lauderdale presented the bid results to the Board.

Motion was duly made by Alderman Higdon, seconded by Alderman Hobbs to accept the lowest and best bid from Encor LLC in the amount of \$80,420.00 for the Bella Vita Dr Box Culvert project. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013.

**DISCUSSION OF THE BOARD MEMBER TO ATTEND THE BLUE RIBBON TRIP IN
WASHINGTON DC (TRAVEL PREVIOUSLY APPROVED)**

Motion was duly made by Alderman Miller, seconded by Alderman McLendon for Alderman Hobbs to attend the Blue Ribbon trip in Washington DC with Mayor Johnson. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 19th day of November, 2013.

ADJOURN

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

Motion passed with a unanimous vote of "Aye".

MAYOR PRO TEMP SAM LAUDERDALE

ATTEST:

KATIE HARBIN, CITY CLERK