

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, July 2, 2019 at 6:00 P.M. with Mayor Tom Ferguson presiding. Aldermen present were: Alderman Harris, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs. Also present for the meeting were: Deputy Clerk Eva Ward, City Attorney Kenneth Stockton, City Engineer Joe Frank Lauderdale, Fire Lieutenant Rowland, Assistant Police Chief Shane Ellis, Public Works Director Bobby Burton, Court Clerk Cassaundra Perry, Planning Director Keith Briley, Community and Economic Development Director Gia Matheny, Stacy Michael, Shirley McLendon, Lynn Brown, Mitch Lemon, Sibonie Swatzyna, Vickey McLendon, and Billy Myers.

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### PLEDGE OF ALLEGIANCE

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Pledge of Allegiance

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### INVOCATION

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Alderman Higdon gave the invocation.

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### AGENDA

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Agenda  
City of Hernando  
Mayor and Board of Alderman  
Regular Meeting

July 2, 2019

6:00pm

- 1) Call the meeting to order
- 2) Pledge of Allegiance
- 3) Invocation
- 4) Approve Agenda
- 5) Approve Docket of Claims No.'s 31364 - 31529
- 6) Approve Minutes of the regular Mayor and Board Meeting on June 18, 2019
- 7) Consent Agenda
  - A) Authorize to accept a donation from Paula Johnson, Magnolia Apartments in the amount of \$150.00 for Scavenger Hunt Sponsorship
  - B) Authorize to accept a donation from AllState Insurance in the amount of \$50.00 for Scavenger Hunt Sponsorship
  - C) Authorize John Cotter to attend the Mississippi Law Enforcement Officers Training Academy in Pearl, MS on July 7-11, 2019, also authorize to pay registration and travel expenses.
  - D) Authorize Officer James Michael O'Quin to attend the MDCC LETA in Moorehead, MS on July 7-11, 2019, also authorize to pay registration and travel expenses
  - E) Authorize Shermonica Wilson to attend the International Academies of Emergency Dispatch in Jackson, MS on August 6-8, 2019, also authorize to pay registration and travel expenses

- 8) Approve FYE 2017 (Table August 19, 2019).
- 9) Hire Todd Butler with Phelps Dunbar assist and review with the new Employee Handbook.
- 10) Authorize to change Brian Spencer from Paramedic to EMS Driver/Firefighter with a reduction in pay
- 11) Authorize to hire Brandon Hylander as a part time certified Police Officer
- 12) Authorize to hire Lynn Brown as a full time certified Police Officer
- 13) Request from the Hernando Chamber of Commerce to temporarily close streets for the 2019 Water Tower Festival (tabled)
- 14) PL-1394 – Appeal of the Planning Commission’s Denial of a Request for a Variance in the Rear Yard Setback Requirements of the C-2 Zoning District – 284 Pleasant Hill Road – Fasil Kebede with Beruk Properties
- 15) PL-1397 – Appeal of the Planning Commissions Denial of a Variance to Allow a Fence to Encroach into the Required Front Yard Setback – 3470 Tates Way – Corey Nix, Property Owner
- 16) PL-1369 – Request for Final Plat Approval for Montclair Subdivision Phase 4 – West end of Scott Road – Greg Smith with Mendrop Engineering (tabled)
- 17) Authorize to accept the lowest and best interest rate quote from Renasant Bank with a quote of 3.25% for a 15 year term for a loan to purchase the building at 630 Whitfield Dr
- 18) Discussion of no parking signs on Mt. Pleasant - 1521 Mt Pleasant to Desoto Ave (tabled)
- 19) Authorize Mayor Ferguson to sign a Planned Maintenance Agreement with RP Power (Hurricane Creek Pump Station)
- 20) Authorize to release the Road Bond for Principle Toyota, \$52,000
- 21) Authorize to use Todd Butler with Phelps Dunbar to update Employee Handbook
- 22) Authorize to adjust the Utility Bill for Laura Bostain.
- 23) Executive Session (negotiations)
- 24) Adjourn

Motion was duly made by Alderman Higdon and seconded by Alderman Harris to approve the agenda as presented, after tabling item #8, #13, #15, add #21 to hire Todd Butler to update the Employee Handbook, add #22 Executive Session and #23 to adjourn. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019.

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**APPROVE DOCKET OF CLAIMS NO.'S 31364 - 31529**

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The Board of Aldermen were presented with a docket of claims No. 31364 - 31529 in the amount of \$332,491.41 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 Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019.

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**APPROVE THE MINUTES FROM THE SPECIAL MAYOR AND BOARD MEETING  
ON JUNE 18, 2019**

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Motion was duly made by Alderman Miller and seconded by Alderman Higdon to approve the Minutes from the regular Mayor and Board of Aldermen meeting on June 18, 2019. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderwoman Brooks abstained from voting.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019.

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**CONSENT AGENDA**

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- A) Authorize to accept a donation from Paula Johnson, Magnolia Apartments in the amount of \$150.00 for Scavenger Hunt Sponsorship
- B) Authorize to accept a donation from AllState Insurance in the amount of \$50.00 for Scavenger Hunt Sponsorship
- C) Authorize John Cotter to attend the Mississippi Law Enforcement Officers Training Academy in Pearl, MS on July 7-11, 2019, also authorize to pay registration and travel expenses.
- D) Authorize Officer James Michael O'Quin to attend the MDCC LETA in Moorehead, MS on July 7-11, 2019, also authorize to pay registration and travel expenses
- E) Authorize Shermonica Wilson to attend the International Academies of Emergency Dispatch in Jackson, MS on August 6-8, 2019, also authorize to pay registration and travel expenses

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019.

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**APPROVE AUDIT FYE 2017**

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Motion was duly made by Alderman Higdon and seconded by Alderman Harris to table the Audit FYE 2017 until August 20, 2019. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019.

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**AUTHORIZE TO CHANGE BRIAN SPENCER FROM PARAMEDIC TO EMS DRIVER  
/ FIREFIGHTER WITH A REDUCTION IN PAY**

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Motion was duly made by Alderman Higdon and seconded by Alderwoman Brooks to authorize to change Brian Spencer from Paramedic to EMS Driver / Firefighter with a reduction in pay. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**AUTHORIZE TO HIRE BRANDON HYLANDER AS A PART TIME CERTIFIED  
POLICE OFFICER**

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Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to hire Brandon Hylander as a part time Certified Police Officer, following the recommendation of the Personnel Committee, based on the recommendation of the Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**AUTHORIZE TO HIRE LYNN BROWN AS A FULL TIME CERTIFIED POLICE  
OFFICER**

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Motion was duly made by Alderman Higdon and seconded by Alderman Miller to authorize to hire Lynn Brown as a full time Certified Police Officer, following the recommendation of the Personnel Committee, based on the recommendation of the Police Chief. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**REQUEST FROM THE HERNANDO CHAMBER OF COMMERCE TO  
TEMPORARILY CLOSE STREETS FOR THE 2019 WATER TOWER FESTIVAL  
(tabled)**

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Motion was duly made by Alderman Hobbs and seconded by Alderwoman Brooks to approve the request from the Hernando Chamber of Commerce to temporarily close streets for the 2019 Water Tower Festival. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**PL – 1394 – APPEAL OF THE PLANNING COMMISSION’S DENIAL OF A REQUEST FOR A VARIANCE IN THE REAR YARD SETBACK REQUIREMENTS OF THE C-2 ZONING DISTRICT – 284 PLEASANT HILL ROAD – FASIL KEBEDE WITH BERUK PROPERTIES**

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Bill Myers stated that they would like to post pone the meeting, so they can answer more questions and resolve issues.

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to table this item until the July 16<sup>th</sup> meeting. A vote was taken with the following results:

Those voting “Aye”: Alderman Hobbs, Alderman Harris, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman McLendon.

Those voting “Nay”: None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**PL – 1397 – APPEAL OF THE PLANNING COMMISSIONS DENIAL OF A VARIANCE TO ALLOW A FENCE TO ENCROACH INTO THE REQUIRED FRONT YARD SETBACK – 3470 TATES WAY – COREY IX, PROPERTY OWNER**

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Motion was duly made by Alderman McLendon and seconded by Alderman Miller to table this item until the July 16<sup>th</sup> meeting. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**PL – 1369 – REQUEST FOR FINAL PLAT APPROVAL FOR MONTCLAIR SUBDIVISION PHASE 4 – WEST END OF SCOTT ROAD – GREG SMITH WITH MENDROP ENGINEERING (tabled)**

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Motion was duly made by Alderman McLendon and seconded by Alderman Higdon to table this item until the July 16<sup>th</sup> meeting. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**AUTHORIZE TO ACCEPT THE LOWEST AND BEST INTEREST RATE QUOTE FROM RENASANT BANK WITH A QUOTE OF 3.25% FOR A 15 YEAR TERM FOR A LOAN TO PURCHASE THE BUILDING AT 630 WHITFIELD DRIVE**

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Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs authorize to accept the lowest and best interest rate quote from Renasant Bank with a quote of 3.25% for a 15 year term for a loan to purchase the building at 630 Whitfield Drive. A vote was taken with the following results:

Those voting “Aye”: Alderman Hobbs, Alderman Harris, Alderman Higdon, Alderman McLendon, and Alderwoman Brooks.

Those voting “Nay”: Alderman Miller.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**DISCUSSION OF NO PARKING SIGNS ON MT. PLEASANT – 1521 MT. PLEASANT  
TO DESOTO AVE (tabled)**

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Alderman Miller stated that his only problem is going got Desoto Ave.

Assistant Police Chief stated that we should know what that lane is going to be used for. If it is a bike lane, you can't park there anyway. If you're coming out of Desoto Ave, and a car is parked off of Mt. Pleasant right by it, it blocks the view.

Alderman Hobbs asked when are we supposed to put a bike lane there.

Joe Frank Lauderdale stated when we get the stencils in.

Alderman Hobbs stated so we don't need "no parking" signs, there is no parking in bike lanes, correct.

Alderman Miller asked who approved bike lanes.

Joe Frank Lauderdale answered that is was in the master plan that was approved.

Mayor Ferguson stated so we need Board approval.

Kenny Stockton answered yes.

Alderman Higdon stated that this was a public safety issue.

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**AUTHORIZE MAYOR FERGUSON TO SIGN A PLANNED MAINTENANCE  
AGREEMENT WITH RP POWER (Hurricane Creek Pump Station)**

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Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize Mayor Ferguson to sign a planned maintenance agreement with RP Power for the Hurricane Creek Pump Station. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**AUTHORIZE TO RELEASE THE ROAD BOND FOR PRINCIPLE TOYOTA, \$52,000**

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City Engineer Joe Frank Lauderdale stated that there were no additional issues.

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to authorize to release the Road Bond to Principal Toyota in the amount of \$52,000.00. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**AUTHORIZE TO USE TODD BUTLER WITH PHELPS DUNBAR TO UPDATE THE  
EMPLOYEE HANDBOOK**

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Motion was duly made by Alderman Higdon and seconded by Alderman Harris authorize to use Todd Butler with Phelps Dunbar to update the Employee Handbook. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

**AUTHORIZE TO ADJUST THE UTILITY BILL FOR LAURA BOSTAIN**

**WATER LEAK REPAIR VERIFICATION**

City of Hernando Water and Sewer Department  
475 West Commerce Street Hernando, MS 38632  
662-429-9092

*[Handwritten scribbles]*

Customer Information (please print)

Name as it appears on bill Laura Bostain

Service address 170 Tara Lakes Dr

Daytime phone number ( ) 901 282 8202

Do you rent the property at this address?  If yes, the property owner or manager must complete the remainder of this form.

REPAIR INFORMATION (please print)

Property owner or managers name Laura Bostain Date of repair 6.20.19

Daytime phone number ( ) 901 282 8202

Type of repair and location of property Faucet repair back of home

Documentation and property owner's or manager's signature outside -

Attach plumbing bill or receipts for repair parts. Sorry, no adjustments will be considered without this/these document(s).

By signing below, I certify that the information providing regarding this repair is correct. I understand that providing fraudulent information with the intent of lowering a utility bill may be punishable by applicable law.

I hereby grant permission to the City of Hernando Water and Sewer Department personnel to come onto my property to verify the repair of an outdoor leak.

I certify that I am the owner or rental property manager of the property located at this service address

Signature Laura Bostain

For Office use only

Account Number 06-3301120 Billing period ending 5-31-19

High month usage 49 minus 6 month average 8 = Amount of Adjustment 41

\$372.69 credit

Complete Home Center Lic  
32 E Commerce St  
Hernando, MS 38632  
662-429-0400

Transaction#: C511814  
Associate: EL  
Date: 06/26/2019 Time: 10:15:33 AM

\*\*\* SALE \*\*\*

Bill To:  
Our Valued Customer

3/4 BOILER DRAIN  
6452825  
1.00 EACH @ \$5.99 T \$5.99

Subtotal: \$5.99  
7% - State Tax: \$0.42  
TOTAL: \$6.41

DEBIT: \$6.41  
CHANGE: \$0.00

BUYER AGREES TO PAY TOTAL AMOUNT ABOVE  
ACCORDING TO CARDHOLDER'S AGREEMENT  
WITH ISSUER

US DEBIT \*\*\*\*\*6610 0  
APPROVAL: 00  
EXP: \*\*/\*\*  
AID: A000000980840  
TC 9EBF5698E61463D3 40  
TERMINAL: 88610881 8000048000  
VALIDATION: ONLINE PIN  
PAYMENT SERVICE: 05  
PIN VERIFIED  
NAME: BOSTAIN/ LAURA  
AMT: \$6.41

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Thank You!



Period	Code	Previous Reading	Present Reading	Consumption	Amount Due
06/30/2019	10				47.11
05/31/2019	10	974	1023	49	471.12
04/30/2019	10	968	974	6	87.56
03/31/2019	10	960	968	8	105.40
02/28/2019	10	952	960	8	105.40
01/31/2019	10	945	952	7	95.78
12/31/2018	10	933	945	12	141.08
11/30/2018	10	927	933	6	87.56
10/31/2018	10	917	927	10	123.24
09/30/2018	10	907	917	10	123.24
08/31/2018	10	898	907	9	114.32
07/31/2018	10	886	898	12	141.08

$$\begin{array}{r} 49 \\ 8 \\ \hline 41 \end{array} \times 3.50 = 143.50$$

$$143.50 \div 2 = 71.75$$

$$41 \times 3.84 = 157.44$$

$$\$ \overline{372.69} \text{ credit}$$

Motion was duly made by Alderman Harris and seconded by Alderman Miller to authorize to adjust the utility bill for Laura Bostain in the amount of \$372.69, finding that the customer had a leak and did not receive the benefit of receiving the water services, also request that the water leak repair verification form and attached documents are put in the minutes. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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

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Motion was duly made by Alderman Higdon and seconded by Alderman Miller to authorize to go into closed session to discuss going into executive session for negotiations. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**GO INTO EXECUTIVE SESSION FOR NEGOTIATIONS**

---

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**COME OUT OF EXECUTIVE SESSION FOR LITIGATION**

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**EXTEND CLOSING DAY FOR PURCHASE OF 630 WHITFIELD DRIVE**

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Motion was duly made by Alderman Higdon and seconded by Alderwoman Brooks to authorize to extend the closing day for the purchase of 630 Whitfield Drive until July 31<sup>st</sup>. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 2<sup>nd</sup> day of July, 2019

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**ADJOURN**

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

Motion passed with a unanimous vote of "Aye".

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MAYOR TOM FERGUSON

ATTEST:

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KATIE HARBIN, CITY CLERK