

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, June 6, 2017 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, Police Chief Scott Worsham, Human Resources Manager Julie Harris, Assistant Parks and Recreation Director Daniel Carson, WI "Doc" Harris, Tom Ferguson, Jason Francis, Blake McLendon, Donald McKnatt, Jesse Dement, Jamie Steen, and Jim Garrard.

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### INVOCATION

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Alderman Higdon gave the invocation.

Agenda  
City of Hernando  
Mayor and Board of Alderman  
Regular Meeting

June 6, 2017

6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 118443 – 118728 less 118455, 118488 and 118489
- 5) Approve Docket of Claims No.'s (Lauderdale) 118455
- 6) Approve Docket of Claims No.'s (Bryant) 118488 and 118489
- 7) Approve Minutes
- 8) Consent Agenda
  - A) Authorize Joanna Herring to attend the MEMTA Board Meeting in Louisville, MS on July 7-8, 2017, also authorize to pay registration and travel expenses.
  - B) Authorize Joe Frank Lauderdale, Kenny Stockton, and Bobby Burton, to attend the Annual MML Conference in Biloxi, MS, on July 23-27, 2017, also authorize to pay registration and travel expenses
  - C) Authorize Kenny Stockton to attend the Annual MMA Convention on July 26-27, 2017 in Biloxi, MS, also authorize to pay registration and travel expenses.
  - D) Authorize Gia Matheny to attend the National Brownfields Conference on December 5 – 7, 2017 in Pittsburgh, PA, and also authorize to pay registration and travel expenses (reimbursed by the Brownfields grant)
  - E) Authorize Officer Markway to attend the Accident Reconstruction Level 3 Traffic Crash Reconstruction class on July 24 – August 4, 2017, in Hernando, MS, also authorize to pay registration.
  - F) Authorize Detective White and Detective Gates to attend the Statement Analysis Interviewing Techniques Seminar on July 17, 2017 in Germantown, TN, also authorize to pay registration.
  - G) Authorize Daniel Carson to attend the South Regional Soccer Tournament on June 13 – 18, 2017 in Tulsa, Oklahoma, authorize to pay registration and travel expenses.

- H) Authorization for the City of Hernando to declare Monday July 3, 2017 in further observance of the Independence Day holiday in accordance with the Governor's Proclamation dated May 22, 2017
- 9) Request for sponsorship from the Desoto Shrine Club for their annual BBQ cook off.
- 10) Request from Anne May with Windy City Grill to change the hours for Sunday on the Ordinance "Establishing regulations and hours of operation for businesses holding a valid wine, beer, and/or liquor license for on premises consumption"
- 11) Authorize to give Katie Harbin a 5% raise of \$2,728.18, for receiving her Master Clerks Certification with the International Institute for Municipal Clerks
- 12) Authorize Mayor Johnson to sign a Memorandum of Understanding with Northwest Mississippi Crisis Intervention Team
- 13) Review of Hall Road Water Line Fire Improvements with Nesbit Water Association
- 14) Authorize to accept the lowest and best quote for a 4<sup>th</sup> of July Fireworks show
- 15) Approve budget amendments
- 16) Adjourn

Motion was duly made by Alderman McLendon, and seconded by Alderman Lauderdale to approve the agenda as presented, after removing item "G" from the consent agenda and putting it on the regular agenda. 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 6<sup>th</sup> day of June, 2017.

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**APPROVE DOCKET OF CLAIMS NO.'S 118443 – 118728 LESS 118455, 118488, AND 118489**

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The Board of Aldermen were presented with a docket of claims No. 118443 - 118371 less 118455, 118488, and 118489 in the amount of \$1,178,244.50 for approval.

Motion was duly made by Alderman Higdon, and seconded by Alderman McLendon 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 6<sup>th</sup> day of June, 2017

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**APPROVE DOCKET OF CLAIMS NO.'S (LAUDERDALE) 118455**

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Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 118455 in the amount of \$39,724.97 for approval.

Motion was duly made by Alderwoman Brooks 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 6<sup>th</sup> day of June, 2017

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**APPROVE DOCKET OF CLAIMS NO.'S (BRYANT) 118488 AND 118489**

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Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 118488 and 118489 in the amount of \$1,456.95 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 McLendon, Alderwoman Brooks, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, and Alderman Higdon.

Those voting "Nay": None.

ORDERED AND DONE this the 6<sup>th</sup> day of June, 2017

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**APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON MAY 16, 2017**

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Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to approve the Minutes from the regular Board Meeting on May 16, 2017 as presented. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 6<sup>th</sup> day of June, 2017

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**CONSENT AGENDA**

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- A) Authorize Joanna Herring to attend the MEMTA Board Meeting in Louisville, MS on July 7-8, 2017, also authorize to pay registration and travel expenses.
- B) Authorize Joe Frank Lauderdale, Kenny Stockton, and Bobby Burton, to attend the Annual MML Conference in Biloxi, MS, on July 23-27, 2017, also authorize to pay registration and travel expenses
- C) Authorize Kenny Stockton to attend the Annual MMA Convention on July 26-27, 2017 in Biloxi, MS, also authorize to pay registration and travel expenses.
- D) Authorize Gia Matheny to attend the National Brownfields Conference on December 5 – 7, 2017 in Pittsburgh, PA, and also authorize to pay registration and travel expenses (reimbursed by the Brownfields grant)
- E) Authorize Officer Markway to attend the Accident Reconstruction Level 3 Traffic Crash Reconstruction class on July 24 – August 4, 2017, in Hernando, MS, also authorize to pay registration.
- F) Authorize Detective White and Detective Gates to attend the Statement Analysis Interviewing Techniques Seminar on July 17, 2017 in Germantown, TN, also authorize to pay registration.
- G) Authorization for the City of Hernando to declare Monday July 3, 2017 in further observance of the Independence Day holiday in accordance with the Governor's Proclamation dated May 22, 2017

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to approve the consent agenda as presented, after moving item "G" from the consent agenda and placing it on the regular agenda. 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 6<sup>th</sup> day of June, 2017

**AUTHORIZE DANIEL CARSON TO ATTEND THE SOUTH REGIONAL SOCCER  
TOURNAMENT ON JUNE 13-18, 2017 IN TULSA, OKLAHOMA, AND AUTHORIZE TO  
PAY REGISTRATION AND TRAVEL EXPENSES**

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McLendon asked what the registration is.

Daniel Carson answered there is no registration fee.

Alderman Lauderdale asked Daniel to explain the benefits for the taxpayers if you go.

Daniel Carson stated that the kids want to know that someone from the City is there to support them. This is regional, a big deal. The kids work and train very hard. I want to be there supporting them.

Alderman Lauderdale stated that he just doesn't see the benefit.

Daniel Carson stated that they like to recruit and keep their players.

Alderwoman Brooks asked how many of the kids live in the city limits.

Daniel Carson stated that he didn't know an exact number at the moment, but they have quite a few. 8 out of 12 teams have went on to win tournaments. Hernando has become the place to play soccer.

Mayor Johnson stated that these are city kids, it is a city league.

Alderman McLendon asked if this is a competitive or rec team.

Daniel Carson answered Competitive.

Motion was duly made by Alderman Lauderdale and seconded by Alderman McLendon to deny the request for Daniel Carson to attend the South Regional Soccer Tournament on June 13-18, 2017 in Tulsa, OK. A vote was taken with the following results:

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

Those voting "Nay": Alderman Bryant and Alderwoman Brooks.

ORDERED AND DONE this the 6<sup>th</sup> day of June, 2017

**REQUEST FOR SPONSORSHIP FROM THE DESOTO SHRINE CLUB FOR THEIR  
ANNUAL BBQ COOK OFF**

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Jason Francis presented the request on behalf of the Desoto County Shrine Club.

Motion was duly made by Alderman Hobbs and seconded by Alderman Higdon to approve the request from the Desoto Shrine Club for their annual BBQ Cook off, in the amount of \$300.00, to come out of the tourism fund. 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":

ORDERED AND DONE this the 6<sup>th</sup> day of June, 2017

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**REQUEST FROM ANNE MAY WITH WINDY CITY GRILL TO CHANGE THE HOURS FOR SUNDAY ON THE ORDINANCE “ESTABLISHING REGULATIONS AND HOURS OF OPERATION FOR BUSINESS HOLDING A VALID WINE, BEER, AND/OR LIQUOR LICENSE FOR ON PREMISES CONSUMPTION”**

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Anne May with Windy City Grill presented her request to change the hours in the Ordinance establishing regulations and hours of operation for business holding a valid wine, beer, and/or liquor license for on premises consumption to 11am on Sundays. Anne May stated that we are missing out on sales tax. The customers leave when they find out that we can serve until 1pm.

Aaron Hahn with AC's Steakhouse agreed.

Jesse Dement with the Chamber also agreed.

Alderman Lauderdale asked what the hours were in Southaven.

Aaron Hahn answered 10am.

Alderman Hobbs asked why does it start at 1pm.

Mayor Johnson answered that back when they came up with the ordinance, there were no sales allowed on Sunday. Mr. Johnson stated that he believes that 1pm was a compromise.

Alderman Higdon stated that he personally doesn't want to change it to 11, he will do 12. Mr. Higdon stated that there are still people in Church at 11.

Alderman Hobbs stated that he doesn't agree with government dictating when people can drink.

Alderman Higdon stated that they tell him he can do 60 mph on certain streets.

Motion was duly made by Alderman McLendon and seconded by Alderman Higdon to have Kenny prepare an amendment to the Ordinance changing the time to 12pm on Sundays. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, and Alderman McLendon,

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

**THIS MOTION FAILED**

Aaron Hahn stated that they are allowed to serve some alcohol, just not every kind. We are at a disadvantage, because they go elsewhere. We lose business. It doesn't make a difference with what the alcohol is, but it makes a difference in business.

Mayor Johnson stated that he agreed with Aaron.

Motion was duly made by Alderman Hobbs and seconded by Alderman Bryant to have Kenny prepare an amendment to the Ordinance changing the time to 11am on Sundays. A vote was taken with the following results:

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

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

**ORDERED AND DONE** this the 6<sup>th</sup> day of June, 2017.

**AUTHORIZE TO GIVE KATIE HARBIN A 5% RAISE OF \$2,728.18, FOR RECEIVING HER MASTER CLERKS CERTIFICATION WITH THE INTERNATIONAL INSTITUTE FOR MUNICIPAL CLERKS**

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Mayor Johnson presented the request to give Katie Harbin a raise for receiving her Master Clerks Certification with the International Institute for Municipal Clerks, stating that the personal committee has approved it. Mrs. Harbin is one in 12 clerks to have this designation in the State of Mississippi.

Alderman Higdon stated that he has since changed his mind, he now thinks that we should involve the new administration.

Mayor Johnson stated that the citizens elected us to run the city, make decisions until the morning of July 3<sup>rd</sup>.

Alderman McLendon asked if it was in the budget.

Mayor Johnson answered yes, it is such a little amount stretched over a year.

Motion was duly made by Alderman Bryant and seconded by Alderwoman Brooks to authorize to give Katie Harbin a 5% raise of \$2,728.18, for receiving her Master Municipal Clerks Certification with the International Institute for Municipal Clerks. A vote was taken with the following results:

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

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

ORDERED AND DONE this the 6<sup>th</sup> day of June, 2017

**AUTHORIZE MAYOR JOHNSON TO SIGN A MEMORANDUM OF UNDERSTANDING WITH NORTHWEST MISSISSIPPI CRISIS INTERVENTION TEAM**

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Kenny Stockton presented the Memorandum of Understanding.

Scott Worsham went over how it would work.

Motion was duly made by Alderman Higdon, and seconded by Alderwoman Brooks to authorize Mayor Johnson to sign a Memorandum of Understanding with Northwest Mississippi Crisis Intervention team. 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 6<sup>th</sup> day of June, 2017

**REVIEW OF HALL ROAD WATER LINE FIRE IMPROVEMENTS WITH NESBIT WATER ASSOCIATION**

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Mayor Johnson and Kenny Stockton went over the information.

Kenny Stockton recommended that we bid the project out.

Alderman Hobbs asked how large the lines would be.

Joe Frank stated they would go from a 2 to 8.

This project will be paid out of bond money.

Motion was duly made by Alderman Hobbs and seconded by Alderman McLendon to authorize Kenny Stockton to draw up the paper work and authorize us to enter into an interlocal agreement with Nesbit Water Association for Hall Road Water Line Fire Improvements, including the Motor Scooter area. 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 6<sup>th</sup> day of June, 2017

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**AUTHORIZE TO ACCEPT THE LOWEST AND BEST QUOTE FOR A 4<sup>TH</sup> OF JULY  
FIREWORKS SHOW**

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Alderman Higdon stated that he reviewed both bids, and he doesn't see clean up or radio station on Pyro Fire's quote. We are not comparing apples to apples here.

Donald McKnatt stated that they do clean up, that is required by regulations, we also do the radio stations. Mr. McKnatt stated that he is a citizen of the City of Hernando. Mr. McKnatt stated that they've done shows for Cities and MML, we have been all over the world doing shows and competitions.

Jason Coleman stated that he is also from Hernando. Mr. Coleman stated that he has been doing shows for over 20 years. Palmer Home, Wesley Meadows, the Tim Tebow foundation.

Alderman Hobbs asked what the difference between a 6 and 10 inch shell.

Jason Coleman answered more space. I've been doing the City shows for the past 4 years. I've always used the 10 inch shells.

Alderman Hobbs asked the Fire Work Committee if we indicated what size shells were to be used.

Alderman McLendon answered no. Mr. McLendon stated that he was just trying to get the same show that we are used to. Mr. McLendon stated that he has seen Colemans show before and it was good.

Alderman Higdon stated that he still doesn't think we are looking at the same thing.

Kenny Stockton stated that they both meet the specs put out.

Alderman Hobbs asked if Mr. McKnatt and Mr. Coleman can tell the Board more about their shows.

Donald McKnatt went over information about his show, spoke about the bigger shells and distance away, smaller shells will allow him to be closer, and you will be able to see it all.

Jason Coleman went over information about his show, spoke about the difference distances for different size shells, and it being visible for everyone.

Kenny Stockton advised the Board on the bid laws.

Alderman McLendon stated that when he and Mr. Miller put the specs together, they only knew what they've seen.

Motion was duly made by Alderman McLendon and seconded by Alderman Higdon to approve the quote from Desoto Fireworks because of the size of the shell, and due to past experience. A vote was taken with the following results:

Those voting "Aye": Alderman McLendon.

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

THIS MOTION FAILED.

Alderman Lauderdale asked what was the justification of taking the higher bid.

Kenny Stockton answered that he said it was because it was what he was used to, bigger shells. Mr. Stockton advised the Board that they have to follow the bid laws, they don't have to like them, but you have to follow them.

Motion was duly made by Alderman Hobbs and seconded by Alderwoman Brooks to approve the lowest and best quote from Pyro Fire Displays, with them doing cleanup and syncing to a radio station. 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 6<sup>th</sup> day of June, 2017.

**APPROVE BUDGET AMENDMENTS**

Alderman Hobbs asked why do we have amendments.

Mayor Johnson answered that a budget is our best, education guess on a 20-million-dollar budget. Some Cities do them every month.

**ORDER AMENDING BUDGET FOR FISCAL YEAR ENDING  
SEPTEMBER 30, 2017**

Pursuant to Section 21-35-25 of the Mississippi Code 1972, Annotated, it is hereby ordered by the Mayor and Board of Aldermen of the City of Hernando, DeSoto County, State of Mississippi, that the budget for the fiscal year beginning October 1, 2015 and ending September 30, 2017, be amended and approved to wit:

	<u>PRIOR BUDGET</u>	<u>AMENDMENT</u>	<u>NEW BUDGET</u>
<b><u>GENERAL FUND</u></b>			
<b>REVENUE</b>			
STATE SHARED REVENUES	\$7,805,691.00	\$42,346.00	\$7,848,037.00
MISCELLANEOUS	\$490,985.00	\$40,945.00	\$531,930.00
<b>EXPENDITURES</b>			
GENERAL SUPPLIES	\$17,350.00	\$600.00	\$17,950.00
GENERAL OTHER SERVICES & CHARGES	\$409,330.00	\$9,500.00	\$418,830.00
GENERAL CAPITAL IMPROVEMENT	\$7,500.00	\$1,962.00	\$9,462.00
FIRE OTHER SERVICES & CHARGES	\$161,000.00	\$19,139.00	\$180,139.00
PUBLIC SAFETY SUPPLIES	\$175,500.00	\$18,000.00	\$193,500.00
PUBLIC SAFETY OTHER SERVICES & CHARGES	\$256,500.00	\$17,000.00	\$273,500.00
PUBLIC SAFETY CAPITAL OUTLAY	\$377,000.00	\$52,346.00	\$429,346.00
DEBT SERVICE	\$254,010.00	\$45,000.00	\$299,010.00
CONTINGENCY	\$126,186.06	\$9,744.00	\$135,930.06
<b><u>PARKS FUND</u></b>			
<b>EXPENDITURES</b>			
SUPPLIES	\$123,700.00	\$2,250.00	\$125,950.00
OTHER SERVICES & CHARGES	\$239,445.00	\$4,500.00	\$243,945.00
CAPITAL OUTLAY	\$33,200.00	\$2,250.00	\$35,450.00



**BE IT ORDERED**, that the Budget of Estimated Revenues and Expenditures for the Fiscal Year Ending September 30, 2017, for the City of Hernando, Mississippi be amended in the following respects:

**BE IT FURTHER ORDERED** that these amendments are necessary in the following funds:

General Fund - We increased revenues and expenses for a grant, insurance claim and donations. We received a grant for police workout equipment, received insurance to repair a fire truck, also increased expenses for legal expenses, inspections, computer equipment, etc.

**IT IS FURTHER ORDERED** by the Mayor and Board of Aldermen that the foregoing budget amendments shall be published one (1) time as required by law in the DeSoto Times Tribune, a newspaper of general circulation in said city, fully qualified under the provisions of Chapter 497, General Laws of Mississippi, if amendment meets the requirements to be published.

Each amendment having been presented separately and as a whole, motion was duly made by Alderman Hobbs, seconded by Alderwoman Brooks, to adopt the foregoing resolution amending the budget of the City of Hernando. A roll call 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 6<sup>th</sup> day of June, 2017.

\_\_\_\_\_  
Chip Johnson, Mayor

Attest:

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Katie Harbin, City Clerk

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**ADJOURN**

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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".

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MAYOR CHIP JOHNSON

ATTEST:

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KATIE HARBIN, CITY CLERK