

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, November 3, 2015, at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderwoman Brooks, Alderman McLendon, and Alderman Hobbs. Also present for the meeting were: City Clerk Katie Harbin, City Attorney Kenny Stockton, City Engineer Joe Frank Lauderdale, Fire Chief Hubert Jones, Police Chief Scott Worsham, Planning Director Jared Darby, Public Works Director Gary McElhannon, Henry Bailey, Lisa Biglane, Ali Biglane, Rachel Wright, Jason Parolli, John Tingle, David Wright, and Demery Grubbs.

INVOCATION

Alderman Higdon gave the invocation.

APPROVAL OF AGENDA

Agenda
City of Hernando
Mayor and Board of Alderman
Regular Meeting

November 3, 2015

6:00pm

- 1) Call the meeting to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 110215 – 110345 less 110222, 110223, 110242 - 110244
- 5) Approve Docket of Claims No.'s (Lauderdale) 110222
- 6) Approve Docket of Claims No.'s (Bryant) 110242 - 110244
- 7) Approve Docket of Claims No.'s (Miller) 110223
- 8) Approve Minutes
- 9) Authorize to give Charles Nelson in the Public Works Department a 90 day performance raise of \$0.50 per hour
- 10) Authorize to hire Joe Polk as a CDL driver in the Public Works Department at a rate of \$13.00 per hour
- 11) Authorize to hire Chaddrick Garrett in the Public Works Department at a rate of \$10.50 per hour
- 12) Request from ICS Hernando Head Start for funding
- 13) Authorize Mayor to sign contract with Utility Service Group for maintenance on our new tank
- 14) Agreement with Harry House to act as the City's Water Operator
- 15) Memphis Metropolitan Planning Organization Surface Transportation improvement program; McIngvale repaving and side walk installation activation.

- 16) Application for **Preliminary/Final Subdivision** for Weaver Subdivision submitted by **Walker, Brown, and Brown Law Firm**. The subdivision is comprised of one lot totaling 10.20 acres located on the south side of Bella Vista Way in Section 12, Township 3 South, Range 8 West. The property is currently zoned "A," Agricultural
- 17) Authorize to open a "Pending Forfeiture Fund" bank account
- 18) Adopt the Resolution finding and determining that the Resolution declaring the intention of the Mayor and Board of Aldermen of the City of Hernando, Mississippi (The "City"), to issue general obligation bonds, series of said City, in the principal amount of not to exceed five million dollars (\$5,000,000) adopted on the 6th day of October 2015, was duly published as required by law; that no sufficient protest against the issuance of the bonds described in said resolution has been filed by the qualified electors; and authorizing the issuance of said bonds.
- 19) Adopt the Resolution authorizing and ratifying the signing and distribution of a preliminary official statement for the sale of four million five hundred thousand dollars (\$4,500,000) General Obligations Bonds, Series 2015 (The "Bonds") of the City of Hernando, Mississippi, and approving and authorizing the form of, execution of and distribution of an official statement pertaining to the bonds.
- 20) Adopt the Resolution of the Mayor and Board of Aldermen of the City of Hernando, Mississippi, (The "City") to issue General Obligation Bonds, Series 2015 of the City in the Principal Amount of Four Million Five hundred thousand dollars (\$4,500,000) to raise money for the purpose of erecting or purchasing waterworks and other public utility plants or distributions systems and repairing, improving and extending the same; erecting municipal buildings and purchasing buildings or land therefor, and for repairing, improving, adorning and equipping the same including existing municipal buildings; constructing, improving or paving streets, sidewalks and public parking facilities and purchasing land therefor; repairing, establishing, extending and improving and improving sanitary, storm, drainage or sewerage systems; purchasing land for parks and playgrounds, and improving, equipping and adorning same, including repairing and equipping other recreational facilities; and purchasing fire-fighting equipment and apparatus, including fire hydrants, and providing housing for same, and purchasing land therefor; and paying for the costs of issuing the bonds..
- 21) Request to amend the Water Use Charge Ordinance to add an annual automatic increase
- 22) Executive Session for Police Personnel
- 23) 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 3rd day of November, 2015.

APPROVE DOCKET OF CLAIMS NO.'S 110215 – 110345 LESS 110222, 110223, 110242 - 110244

The Board of Aldermen were presented with a docket of claims No. 110215 – 110345 less 110222, 110223, 110242 - 110244 in the amount of \$695,288.16 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 3rd day of November, 2015

APPROVE DOCKET OF CLAIMS NO.'S 110222 (LAUDERDALE)

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 110222 in the amount of \$218,963.84 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 Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 3rd day of November, 2015

APPROVE DOCKET OF CLAIMS NO.'S 110242 - 110244 (BRYANT)

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 110242 - 110244 in the amount of \$177.99 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 Lauderdale, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 3rd day of November, 2015

APPROVE DOCKET OF CLAIMS NO.'S 110223 (MILLER)

Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No. 110223 in the amount of \$36,792.27 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 3rd day of November, 2015

APPROVE MINUTES FROM THE REGULAR BOARD MEETING ON OCTOBER 20, 2015

Motion was duly made by Alderman Higdon, and seconded by Alderman Bryant to approve the Minutes from the regular Board Meeting on October 20, 2015 as presented. 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 3rd day of November, 2015

**AUTHORIZE TO GIVE CHARLES NELSON IN THE PUBLIC WORKS
DEPARTMENT A 90 DAY PERFORMANCE RAISE OF \$0.50 PER HOUR**

Motion was duly made by Alderman Miller, and seconded by Alderman Higdon to authorize to give Charles Nelson in the Public Works Department a 90 day performance raise of \$0.50 per hour, based on the personnel committee's recommendation, following the recommendation of the Public Works Director. 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 3rd day of November, 2015

**AUTHORIZE TO HIRE JOE POLK AS A CDL DRIVER IN THE PUBLIC WORKS
DEPARTMENT AT A RATE OF \$13.00 PER HOUR**

Motion was duly made by Alderman Higdon, and seconded by Alderman Hobbs to authorize to hire Joe Polk in the Public Works Department at a rate of \$13.00 per hour, based on the personnel committee's recommendation, following the recommendation of the Public Works Director. 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 3rd day of November, 2015

**AUTHORIZE TO HIRE CHADDRICK GARRETT IN THE PUBLIC WORKS
DEPARTMENT AT A RATE OF \$10.50 PER HOUR**

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to hire Chaddrick Garrett in the Public Works Department at a rate of \$10.50 per hour, based on the Personnel Committee's recommendation, 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 3rd day of November, 2015

REQUEST FROM ICS HERNANDO HEAD START FOR FUNDING

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to approve the request from ICS Hernando Head Start for funding, in the amount of \$300.00. 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.

Alderman Miller abstained from voting.

ORDERED AND DONE this the 3rd day of November, 2015

**AUTHORIZE MAYOR JOHNSON TO SIGN A CONTRACT WITH UTILITY SERVICE
GROUP FOR MAINTENANCE ON OUR NEW WATER TANK**

Motion was duly made by Alderman Hobbs, and seconded by Alderman Higdon to authorize Mayor Johnson to sign a contract with Utility Service Group for maintenance on our new water tank. 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 3rd day of November, 2015

AGREEMENT WITH HARRY HOUSE TO ACT AS THE CITY'S WATER OPERATOR

Motion was duly made by Alderman Miller and seconded by Alderman Bryant to authorize Mayor Johnson to sign the agreement with Harry House to act as the City's water operator. 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 3rd day of November, 2015

MEMPHIS METROPOLITAN PLANNING ORGANIZATION SURFACE TRANSPORTATION IMPROVEMENT PROGRAM; MCINGVALE REPAVING AND SIDE WALK INSTALLATION ACTIVATION

Motion was duly made by Alderman Lauderdale and seconded by Alderman Higdon to authorize the Memphis Metropolitan Planning Organization Surface Transportation Improvement program; McIngvale Repaving and Side Walk Installation Activation. 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 3rd day of November, 2015

APPLICATION FOR PRELIMINARY/FINAL SUBDIVISION FOR WEAVER SUBDIVISION SUBMITTED BY WALKER, BROWN, AND BROWN LAW FIRM. THE SUBDIVISION IS COMPRISED OF ONE LOT TOTALING 10.20 ACRES LOCATED ON THE SOUTH SIDE OF BELLA VISTA WAY IN SECTION 12, TOWNSHIP 3 SOUTH, RANGE 8 WEST. THE PROPERTY IS CURRENTLY ZONED "A", AGRICULTURAL

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to table this item at the request of Walker, Brown and Brown Law firm. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 3rd day of November, 2015

AUTHORIZE TO OPEN A PENDING FORFEITURE FUND BANK ACCOUNT

Motion was duly made by Alderman Higdon and seconded by Alderman Miller to authorize to open a "Pending Forfeiture Fund" bank account. 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 3rd day of November, 2015

RESOLUTION FINDING AND DETERMINING THAT THE RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, MISSISSIPPI (THE "CITY"), TO ISSUE GENERAL OBLIGATION BONDS, SERIES 2015 OF SAID CITY, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED FIVE MILLION DOLLARS (\$5,000,000) ADOPTED ON THE 6TH DAY OF OCTOBER 2015, WAS DULY PUBLISHED AS REQUIRED BY LAW; THAT NO SUFFICIENT PROTEST AGAINST THE ISSUANCE OF THE BONDS DESCRIBED IN SAID RESOLUTION HAS BEEN FILED BY THE QUALIFIED ELECTORS; AND AUTHORIZING THE ISSUANCE OF SAID BONDS.

Motion was duly made by Alderman Lauderdale and seconded by Alderman Bryant to adopt the Resolution finding and determining that the Resolution declaring the intention of the Mayor and Board of Aldermen of the City of Hernando, Mississippi (The "City"), to issue general obligation bonds, series of said City, in the principal amount of not to exceed five million dollars (\$5,000,000) adopted on the 6th day of October 2015, was duly published as required by law; that no sufficient protest against the issuance of the bonds described in said resolution has been filed by the qualified electors; and authorizing the issuance of said bonds . 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 3rd day of November, 2015

RESOLUTION AUTHORIZING AND RATIFYING THE SIGNING AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT FOR THE SALE OF FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS (\$4,500,000) GENERAL OBLIGATION BONDS, SERIES 2015 (THE "BONDS") OF THE CITY OF HERNANDO, MISSISSIPPI AND APPROVING AND AUTHORIZING THE FORM OF, EXECUTION OF AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING TO THE BONDS.

Motion was duly made by Alderman Lauderdale and seconded by Alderman Higdon to adopt the Resolution authorizing and ratifying the signing and distribution of a preliminary official statement for the sale of four million five hundred thousand dollars (\$4,500,000) General Obligations Bonds, Series 2015 (The "Bonds") of the City of Hernando, Mississippi, and approving and authorizing the form of, execution of and distribution of an official statement pertaining to the bonds.. 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 3rd day of November, 2015

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HERNANDO, MISSISSIPPI (THE "CITY") TO ISSUE GENERAL OBLIGATION BONDS, SERIES 2015 OF THE CITY IN THE PRINCIPAL AMOUNT OF FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS (\$4,500,000) TO RAISE MONEY FOR THE PURPOSE OF ERECTING OR PURCHASING WATERWORKS AND OTHER PUBLIC UTILITY PLANTS OR DISTRIBUTION SYSTEMS, AND REPAIRING, IMPROVING AND EXTENDING THE SAME; ERECTING MUNICIPAL BUILDINGS AND PURCHASING BUILDINGS OR LAND THEREFOR, AND FOR REPAIRING, IMPROVING, ADORNING AND EQUIPPING THE SAME INCLUDING EXISTING MUNICIPAL BUILDINGS; CONSTRUCTING, IMPROVING OR PAVING STREETS, SIDEWALKS AND PUBLIC PARKING FACILITIES AND PURCHASING LAND THEREFOR; REPAIRING, ESTABLISHING, EXTENDING AND IMPROVING SANITARY, STORM, DRAINAGE OR SEWERAGE SYSTEMS; PURCHASING LAND FOR PARKS AND PLAYGROUNDS, AND IMPROVING, EQUIPPING AND ADORNING SAME, INCLUDING REPAIRING AND EQUIPPING OTHER RECREATIONAL FACILITIES; AND PURCHASING FIRE-FIGHTING EQUIPMENT AND APPARATUS, INCLUDING FIRE HYDRANTS, AND PROVIDING HOUSING

FOR SAME, AND PURCHASING LAND THEREFOR; AND PAYING FOR THE COSTS OF ISSUING THE BONDS.

Alderman Miller stated that he thinks the description needs to be narrowed down.

Motion was duly made by Alderman Higdon and seconded by Alderman to adopt the Resolution of the Mayor and Board of Aldermen of the City of Hernando, Mississippi, (The "City") to issue General Obligation Bonds, Series 2015 of the City in the Principal Amount of Four Million Five hundred thousand dollars (\$4,500,000) to raise money for the purpose of erecting or purchasing waterworks and other public utility plants or distributions systems and repairing, improving and extending the same; erecting municipal buildings and purchasing buildings or land therefor, and for repairing, improving, adorning and equipping the same including existing municipal buildings; constructing, improving or paving streets, sidewalks and public parking facilities and purchasing land therefor; repairing, establishing, extending and improving and improving sanitary, storm, drainage or sewerage systems; purchasing land for parks and playgrounds, and improving, equipping and adorning same, including repairing and equipping other recreational facilities; and purchasing fire-fighting equipment and apparatus, including fire hydrants, and providing housing for same, and purchasing land therefor; and paying for the costs of issuing the bonds. 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 3rd day of November, 2015

REQUEST TO AMEND THE WATER USE CHARGE ORDINANCE TO ADD AN ANNUAL AUTOMATIC INCREASE

Alderman Higdon stated that this would be tied into the Federal cost of living.

Alderman McLendon stated that he thinks we need to talk about raising fees in the Parks Department.

Alderman Miller stated that it is not law that we raise the fees automatically to cover costs. If the utility fund operates in the black, we shouldn't raise fees.

Alderman Lauderdale stated that DCRUA is already on an auto increase. We made a profit of \$117,000.00, but we had \$500,000.00 in depreciation. We are now being charged more for garbage. Mr. Lauderdale also stated that the base rate wouldn't change per Alderman Higdon's proposal. When we put more meters in we become more efficient.

Mayor Johnson stated that we should be replacing meters every 10 years.

Alderman Higdon stated that his proposal is just to increase if there is a cost of living increase.

Alderman Hobbs stated that prices of things still increase even if there isn't a cost of living increase issued.

Alderman McLendon stated that he isn't for auto pilot for government.

Motion was duly made by Alderman Higdon and seconded by Alderman Lauderdale to amend the Water Use Charge Ordinance to include an automatic increase based on the cost of living increase provided by the Federal Government. A vote was taken with the following results:

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

Those voting "Nay": Alderman Bryant, Alderman Miller, Alderman McLendon, and Alderwoman Brooks.

ORDERED AND DONE this the 3rd day of November, 2015

This item did not pass.

GO INTO CLOSED SESSION TO DISCUSS GOING INTO EXECUTIVE SESSION FOR POLICE PERSONNEL

Motion was duly made by Alderman Lauderdale and seconded by Alderman Miller to go into closed session to discuss going into executive session for police 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 3rd day of November, 2015

GO INTO EXECUTIVE SESSION FOR POLICE PERSONNEL

Motion was duly made by Alderman Miller and seconded by Alderwoman Brooks to go into executive session for police personnel. 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 3rd day of November, 2015

COME OUT OF EXECUTIVE SESSION FOR POLICE PERSONNEL

Motion was duly made by Alderman Hobbs and seconded by Alderman Lauderdale to come out of executive session for police personnel. 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 3rd day of November, 2015

POLICE PERSONNEL

Motion was duly made by Alderman Miller and seconded by Alderman McLendon to demote Russell Perry from Captain to a P4 in rank and from \$27.59 per hour to \$21.00 per hour in pay, per the recommendation of Police Chief Scott Worsham, also to put a memo in Mr. Perry's file. 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 3rd day of November, 2015

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