

CITY OF HERNANDO REGULAR MEETING JUNE 7, 2011

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, June 7, 2011 at 6:00 P.M. with Mayor Chip Johnson presiding. Aldermen present were: Sam Lauderdale, E.R. "Sonny" Bryant, Andrew Miller, Gary Higdon, Jamie Tipton, Marcus Manning, and Jeff Hobbs.

Also present for the meeting were: City Clerk Katie Subia, City Attorney Kenny Stockton, Fire Chief Hubert Jones, Police Chief Mike Riley, City Engineer Joe Frank Lauderdale, Ellen Mulligan, Tom Mulligan, Henry Bailey, and Robert Long.

**INVOCATION**

Alderman Manning gave the invocation.

**APPROVAL OF AGENDA**

Motion was duly made by Alderman Tipton, and seconded by Alderman Bryant to approve the agenda after adding the following item – Mail box issue at 380 W Center St. A vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman Tipton, Alderman Manning, Alderman Hobbs, and Alderman Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 7<sup>th</sup> day of June 2011.

Agenda  
City of Hernando  
Mayor and Board of Alderman  
Regular Meeting

June 7, 2011

6:00pm

- 1) Meeting called to order
- 2) Invocation
- 3) Approve Agenda
- 4) Approve Docket of Claims No.'s 89843 – 90081, less 89861, 89863, 89894 – 89907, and 89994
- 5) Approve Docket of Claims No.'s (Lauderdale) 89861 and 89994
- 6) Approve Docket of Claims No.'s (Bryant) 89894 - 89907
- 7) Approve Docket of Claims No.'s (Miller) 89863
- 8) Approve Minutes
- 9) Consent Agenda
  - A) Authorize Planning Director, Bob Barber, to attend the APA Leadership retreat in Jackson, MS on June 2<sup>nd</sup>, and also approve to reimburse for travel expenses.
- 10) Request from Ashland Oil for Ad Valorem Tax Exemption
- 11) Authorize to advertise for the DWSI Water project
- 12) Authorize to advertise for asphalt paving with developers bond money

13) Mail box issue at 380 West Center Street

14) Executive Session – Personnel

15) Adjourn

**APPROVE DOCKET OF CLAIMS NO.'S 89843 – 90081, LESS 89861, 89863, 89894 – 89907, AND 89994**

The Board of Aldermen were presented with a docket of claims No. 89843 – 90081, 89861, 89863, 89894-89907, AND 89994 in the amount of \$588,620.50 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 Tipton, Alderman Manning, Alderman Hobbs, Alderman Lauderdale, and Alderman Bryant.

Those voting “Nay”: None.

ORDERED AND DONE this the 7<sup>th</sup> day of June, 2011.

**APPROVE DOCKET OF CLAIMS NO.'s (LAUDERDALE) 89861 and 89994**

Alderman Lauderdale recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.'s 89861 and 89994 in the amount of \$195,376.18 for approval.

Motion was duly made by Alderman Manning, 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 Tipton, Alderman Manning, Alderman Hobbs, Alderman Bryant, and Alderman Miller.

Those voting “Nay”: None.

ORDERED AND DONE this the 7<sup>th</sup> day of June 2011.

**APPROVE DOCKET OF CLAIMS NO.'s (BRYANT) 89894 - 89907**

Alderman Bryant recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.'s 89894 - 89907 in the amount of \$5,612.45 for approval.

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

Those voting “Aye”: Alderman Tipton, Alderman Manning, Alderman Hobbs, Alderman Lauderdale, Alderman Miller, and Alderman Higdon.

Those voting “Nay”: None.

ORDERED AND DONE this the 7<sup>th</sup> day of June 2011.

**APPROVE DOCKET OF CLAIMS NO.'s (MILLER) 89863**

Alderman Miller recused himself and left the room.

The Board of Aldermen were presented with a docket of claims No.89863 in the amount of \$30,845.26 for approval.

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

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

Those voting "Nay": None.

ORDERED AND DONE this the 7<sup>th</sup> day of June 2011.

### **APPROVE MINUTES**

Motion was duly made by Alderman Tipton, and seconded by Alderman Hobbs to approve the minutes of the regular meeting held on May 17<sup>th</sup>, 2011, as presented. A vote was taken with the following results:

Those voting "Aye": Alderman Hobbs, Alderman Bryant, Alderman Miller, Alderman Tipton, and Alderman Manning.

Those voting "Nay": None.

Alderman Lauderdale and Alderman Higdon abstained from voting.

ORDERED AND DONE this the 7<sup>th</sup> day of June 2011.

### **CONSENT AGENDA**

- A) Authorize Planning Director, Bob Barber, to attend the APA Leadership retreat in Jackson, MS on June 9<sup>th</sup>, and also approve to reimburse for travel expenses.

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

Those voting "Aye": Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman Tipton, Alderman Manning, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 7<sup>th</sup> day of June 2011.

### **REQUEST FROM ASHLAND OIL FOR AD VALOREM TAX EXEMPTION**

Chris McGee, General Manager of Ashland Oil was present and gave some information about Ashland Oil and their improvements.

Mayor Johnson asked Mr. McGee where someone would apply for job positions with the company. Mr. McGee stated that they would need to go to Ashland Oil's website, [www.ashland.com](http://www.ashland.com). Alderman Miller asked if their website was more user friendly, he had concerns that residents have had problems using their website in the past. Mr. McGee wasn't sure if anything has been changed on their website with the job search process. Mayor Johnson advised that he would contact someone to see if they could make their website more user friendly so it would be easier for our residents to search their job openings.

### **GRANTING EXEMPTION FROM AD VALOREM TAXES**

The Mayor and Board of Aldermen took up for consideration the matter of granting tax exemption from ad valorem taxes for ASHLAND INC., the following Resolution having first been reduced to writing, was introduced:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN FO THE CITY OF HERNANDO, MISSISSIPPI, GRANTING TAX EXEMPTION FROM AD VALOREM TAXES FOR A PERIOD OF FIVE (5) YEARS FOR PERSONAL PROPERTY TO ASHLAND INC., AS AUTHORIZED BY SECTION 27-31-101 ET SEQ., OF THE MISSISSIPPI CODE OF 1972, AS AMENDED.

WHEREAS, ASHLAND INC., filed in triplicate with this Board its Application for exemption from ad valorem taxation; and

WHEREAS, ASHLAND INC., has produced written verification and documentation to this Board as to the authenticity and correctness of its Application in regard to the true value of the prayed for exemption and the completion date of said enterprise: and

WHEREAS, this Board finds as a fact that the property described in the aforesaid Application constitutes an industrial enterprise of public utility which was completed on the 31st day of December, 2010, and that said Company is entitled to the exemption sought for a period of five (5) years for personal property beginning on the 1<sup>st</sup> day of January, 2011, subject to approval and certification by the Mississippi State Tax Commission.

NOW, THEREFORE, BE IT RESOLVED BY The Mayor and Board of Aldermen of the City of Hernando, DeSoto County, Mississippi, as follows:

1. That the Application for ad valorem tax exemption by ASHLAND INC., for five (5) years for personal property beginning January 1, 2011 on the property described in the Application filed by said Company for tax exemption, be and the same is hereby approved, five (5) years for personal property subject to approval and certification by the Mississippi State Tax Commission.

2. That ASHLAND INC., is hereby granted tax exemption on ad valorem taxes, except Library Fund, Park Fund, G O Bond Fund, State, School District and Road and Bridge ad valorem taxation, for five (5) years for personal property, beginning January 1, 2011.

3. That the Clerk of this Board is hereby directed to spread a copy of this Order on the minutes of this Board; and that said Clerk shall forward the original and three (3) certified copies of the Application and a certified copy of the transcript of this Order approving said Application to the Mississippi State Tax Commission for its approval and certification: and said Clerk shall also forward one certified copy to the Tax Assessor of DeSoto County and obtain the Certificate of said Tax Assessor stating that the personal property as itemized in the Application has been placed on the appropriate tax roll as "Non-Taxable", except for Library Fund, Park Fund, G O Bond Fund, State, School District and Road and Bridge ad valorem taxes, for the duration of the exemption period only and the Position Statement of Tax Assessor.

Motion was duly made by Alderman Higdon, seconded by Alderman Tipton to adopt the foregoing Resolution Granting Tax Exemption from Ad Valorem Taxes. A roll call vote was taken with the following results:

Those voting "Aye": Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman Tipton, Alderman Manning, Alderman Hobbs, and Alderman Lauderdale.

Those voting "Nay": None.

ORDERED AND DONE this the 7<sup>th</sup> day of June, 2011.

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CHIP JOHNSON, MAYOR

CITY OF HERNANDO

SEAL

ATTEST:

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KATIE SUBIA, CITY CLERK

**AUTHORIZE TO ADVERTISE FOR THE DWSI WATER PROJECT**

Joe Frank Lauderdale, City Engineer, gave details on this project. It will replace three water lines, at Robinson Road, Magnolia Street at Dale cove, and Highway 51 North of J.R.'s Bait shop. It will also include a half million gallon elevated water tank, change the gas chlorinator to liquid chlorine, and will enlarge the fenced area.

Mayor Johnson made sure that everyone was aware that just because we advertise, when the bids come in if we don't have the money to pay the loan back we are not obligated to go forward with the project.

Motion was duly made by Alderman Tipton, and seconded by Alderman Manning to authorize to advertise for the DWSI water project. A vote was taken with the following results:

Those voting "Aye": Alderman Miller, Alderman Higdon, Alderman Tipton, Alderman Manning, Alderman Hobbs, Alderman Lauderdale, and Alderman Bryant.

Those voting "Nay": None.

ORDERED AND DONE this the 7<sup>th</sup> day of June 2011.

**AUTHORIZE TO ADVERTISE FOR ASPHALT PAVING WITH DEVELOPERS BOND MONEY**

Joe Frank Lauderdale, City Engineer, gave details on this project. This would include Hernando Pointe, Forest Meadows, and on Memphis Street in front of Laurel Wood.

Alderman Manning asked if it would repair the bad sink spot in Hernando Pointe. Joe Frank Lauderdale said it would.

Motion was duly made by Alderman Higdon, and seconded by Alderman Tipton to authorize to advertise for asphalt paving with Developers Bond money. A vote was taken with the following results:

Those voting "Aye": Alderman Higdon, Alderman Tipton, Alderman Manning, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, and Alderman Miller.

Those voting "Nay": None.

ORDERED AND DONE this the 7<sup>th</sup> day of June 2011.

**MAIL BOX ISSUE AT 380 WEST CENTER STREET**

Alderman Tipton spoke about this issue. He had a call from the resident at 380 West Center Street about vehicles parking on the street in front of their home and blocking the mail box, therefore they were not getting their mail delivered. Alderman Tipton spoke with the Mayor

about this earlier today and he spoke with the Police Chief. The recommendation was that we mark out that curb for 25 feet to make it a no parking area in front of the mail box at that address. Mayor Johnson stated that he confirmed with the postal worker that they will not deliver mail if the mail box is blocked. Alderman Tipton also stated that there has been lost mail in the handling of the mail being taken back and forth from the home to the post office.

Alderman Miller stated that he knew where 380 West Center Street was, and asked if we were going to make every area a no parking zone when a citizen comes in here and states that someone is parking in front of their mail box.

Alderman Tipton answered that we are asking to make it on this half of a block west of the Courthouse because we feel like it is Courthouse generated parking is what's creating this, maybe not one hundred percent of the time, but we think due to court and people looking for places to park is the reason this is happening. And this is in a commercial area.

Kenny Stockton stated that there are days, heavy court days, and cars are parked there, other days they are not. It may be setting a precedent but you don't have to address it every time, only if the Board finds that there is a problem at a particular location.

Mayor Johnson asked Police Chief Mike Riley if we have ever had another complaint that you can remember. Mike Riley stated that there hasn't been.

Alderman Manning asked if we should look at the whole block around the square and any place with a box could be treated the same way and that way we wouldn't have to treat these one at a time.

Kenny Stockton advised that most of the others are businesses and are inside.

Mayor Johnson agreed that most of the rest are businesses and have their boxes on the inside. He thinks that there is only one other resident in that area and they have never complained.

Kenny Stockton asked if there were any other businesses with outside boxes around there.

Alderman Miller stated that all around the block, on the east, west, north and south residents have an outside mail box.

Alderman Tipton stated that another issue that could come into light would be when the fire truck goes up West Center Street when it comes out of the station.

Mayor Johnson stated that the Chief did note that the south side of that block is no parking.

Motion was duly made by Alderman Higdon, and seconded by Alderman Lauderdale to approve to mark out on the street a 25 foot 'No Parking' section on the street in front of 380 West Center Street. A vote was taken with the following results:

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

Those voting "Nay": Alderman Miller.

ORDERED AND DONE this the 7<sup>th</sup> day of June 2011.

#### **EXECUTIVE SESSION - PERSONNEL**

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

Those voting "Aye": Alderman Manning, Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, and Alderman Tipton.

Those voting "Nay": None.

ORDERED AND DONE this the 7<sup>th</sup> day of June 2011.

**COME OUT OF EXECUTIVE SESSION - PERSONNEL**

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

Those voting "Aye": Alderman Hobbs, Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman Tipton, and Alderman Manning.

Those voting "Nay": None.

ORDERED AND DONE this the 7<sup>th</sup> day of June 2011.

**AUTHORIZE TO GIVE SALARY INCREASES – PARKS DEPARTMENT**

Motion was duly made by Alderman Higdon, and seconded by Alderman Tipton to, per the Parks Committee recommendation, give Dewayne Williams, Parks Director, a 7.5% salary increase, Melissa Zizmann, Assistant Parks Director, a 6% salary increase, and Ruthie Dearth, Parks Department Receptionist, a \$0.25 per hour raise. A vote was taken with the following results:

Those voting "Aye": Alderman Lauderdale, Alderman Bryant, Alderman Miller, Alderman Higdon, Alderman Tipton, Alderman Manning, and Alderman Hobbs.

Those voting "Nay": None.

ORDERED AND DONE this the 7<sup>th</sup> day of June 2011.

**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".

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MAYOR CHIP JOHNSON

ATTEST:

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KATIE SUBIA, CITY CLERK