

The Mayor and Board of Aldermen of the City of Hernando met in regular session at City Hall on Tuesday, January 18, 2018 at 6:00 P.M. with Mayor Tom Ferguson presiding. Aldermen present were: Alderman Harris, Alderman Bryant, Alderman Miller, 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, Assistant Police Chief Sane Ellis, Fire Chief Hubert Jones, Human Resources Manager Julie Harris, Public Works Director Gary McElhannon, Planning Director Keith Briley, Director of Community Economic Development Gia Matheny, Assistant Parks and Recreation Director Daniel Carson, Captain Kyle Hodge, Collins Simpson, and Jared Darby.

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### PLEDGE OF ALLEGIANCE

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Pledge of Allegiance

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### INVOCATION

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Alderman Miller gave the invocation.

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### AGENDA

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Agenda  
City of Hernando  
Mayor and Board of Alderman  
Special Meeting

January 18, 2018

6:00pm

- 1) Call the meeting to order
- 2) Pledge of Allegiance
- 3) Invocation
- 4) Approve Agenda
- 5) Approve Docket of Claims No.'s 121552 - 121739
- 6) Approve Minutes from the regular Board Meeting on December 19, 2017
- 7) Approve Minutes from the regular Board Meeting on January 2, 2018
- 8) Consent Agenda
  - A) Authorize step increase for Police Officer Solomon to P3
  - B) Authorize step increase for Police Officer Algee to P3
  - C) Authorize Officer Ratliff to attend the Mobile Field Force Instructor Course in Loxley, AL on January 21 – 26, 2018, also authorize to pay registration and travel expenses
  - D) Authorize Mayor, Board of Aldermen, Department Heads, Kenny Stockton, Joe Frank Lauderdale, Julie Harris, and Eva Ward to attend the MML Annual Conference in Biloxi, MS on June 24-28, 2018, also authorize to pay registration and travel expenses (budgeted for)
  - E) Authorize Katie Harbin to attend the 72<sup>nd</sup> Annual IIMC Conference in Norfolk, VA on May 20 – 24, 2018, also authorize to pay registration and travel expenses. (budgeted for)

- 9) Authorize to temporarily close streets for the 2018 Water Tower 10K
- 10) Authorize to hire Kendrick Wallace in the Water Department at a rate of \$17.00 per hour (new position)
- 11) Authorize to hire Jim Huestis as the Building Official at the rate of \$19.25 per hour, beginning date of February 5, 2018
- 12) Authorize to give Keith Harrell in the Brush Department 90 day performance raise of \$0.50 per hour
- 13) Authorize to give Michael Dyer a performance raise of \$1.00 per hour
- 14) Authorize to accept quote for spraying
- 15) Discussion of amending Smoking Ordinance adding electronic cigarette
- 16) Authorize to activate the Nesbit Square Project (TAP grant)
- 17) Authorize to accept the quote from PPM Environmental for ground water monitoring and reporting of the Green Duck site (Gale Center building)
- 18) Discussion of Memphis Street Sewer Line Extension
- 19) Authorize to advertise the I269 Sewer Force Main Relocation Project
- 20) Authorize to release the construction bond for Hernando West
- 21) Authorize to accept the best quote from First Security Bank for Municipal Depository Services
- 22) Adjourn

Motion was duly made by Alderman Harris, and seconded by Alderman Miller to approve the agenda as presented. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018.

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#### **APPROVE DOCKET OF CLAIMS NO.'S 121552 - 121739**

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The Board of Aldermen were presented with a docket of claims No. 121552 - 121739 in the amount of \$756,946.35 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 Bryant, Alderman Miller, Alderman Higdon, Alderman McLendon, Alderwoman Brooks, Alderman Hobbs, and Alderman Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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#### **APPROVE THE MINUTES FROM THE REGULAR MAYOR AND BOARD MEETING ON DECEMBER 19, 2017**

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Motion was duly made by Alderman Hobbs, and seconded by Alderman Miller to approve the Minutes from the regular Mayor and Board of Aldermen meeting on December 19, 2017. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderman McLendon and Alderwoman Brooks abstained from voting.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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**APPROVE THE MINUTES FROM THE REGULAR MAYOR AND BOARD MEETING ON  
JANUARY 2, 2018**

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Motion was duly made by Alderman Miller, and seconded by Alderman McLendon to approve the Minutes from the regular Mayor and Board of Aldermen meeting on January 2, 2018, after correcting the vote on item planning item for the application for final plat approval for a 4-lot 4.86 acre residential subdivision, by Mr. Robert Reiner, Alderman McLendon voted nay. A vote was taken with the following results:

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

Those voting "Nay": None.

Alderman Higdon and Alderman Hobbs abstained from voting.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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**CONSENT AGENDA**

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- A) Authorize step increase for Police Officer Solomon to P3
- B) Authorize step increase for Police Officer Algee to P3
- C) Authorize Officer Ratliff to attend the Mobile Field Force Instructor Course in Loxley, AL on January 21 – 26, 2018, also authorize to pay registration and travel expenses
- D) Authorize Mayor, Board of Aldermen, Department Heads, Kenny Stockton, Joe Frank Lauderdale, Julie Harris, and Eva Ward to attend the MML Annual Conference in Biloxi, MS on June 24-28, 2018, also authorize to pay registration and travel expenses (budgeted for)
- E) Authorize Katie Harbin to attend the 72<sup>nd</sup> Annual IIMC Conference in Norfolk, VA on May 20 – 24, 2018, also authorize to pay registration and travel expenses. (budgeted for)

Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to approve the consent agenda as presented. 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 18<sup>th</sup> day of January, 2018

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**AUTHORIZE TO TEMPORARILY CLOSE STREETS FOR THE 2018 WATER TOWER  
10K**

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Community and Economic Development Director Gia Matheny went over the event. The Water Tower 10K will be held on Saturday October 13, 2018.

Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to approve authorize to temporarily close streets for the 2018 Water Tower 10k on Saturday October 13, 2018. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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**AUTHORIZE TO HIRE KENDRICK WALLAGE IN THE WATER DEPARTMENT AT A  
RATE OF \$17.00 PER HOUR**

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Alderman Miller stated this new position was due to taking on addition water customers.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to hire Kendrick Wallace in the Water Department at a rate of \$17.00 per hour, following the recommendation from the Personnel Committee, based on the recommendation of the Public Works Director. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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**AUTHORIZE TO HIRE JIM HUESTIS AS THE BUILDING OFFICIAL AT THE RATE OF  
\$19.25 PER HOUR, WITH A START DATE OF FEBRUARY 5, 2018**

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Motion was duly made by Alderman Higdon and seconded by Alderman Hobbs to approve authorize to hire Jim Huestis as the Building Official at the rate of \$19.25 per hour, following the recommendation from the Personnel Committee, based on the recommendation of the Planning Director. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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**AUTHORIZE TO GIVE KEITH HARRELL IN THE BRUSH DEPARTMENT 90 DAY  
PERFORMANCE RAISE OF \$0.50 PER HOUR**

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Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to give Keith Harrell in the Brush Department a 90 day performance raise of \$0.50 per hour, following the recommendation from the Personnel Committee, based on 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 Harris.

Those voting "Nay": None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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**AUTHORIZE TO GIVE MICHAEL DYER A PERFORMANCE RAISE OF \$1.00 PER  
HOUR**

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Motion was duly made by Alderman Higdon and seconded by Alderman McLendon to authorize to give Michael Dyer a performance raise of \$1.00 per hour, following the recommendation from the Personnel Committee, based on the recommendation of the Public Works Director. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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**AUTHORIZE TO ACCEPT QUOTE FOR SPRAYING**

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Motion was duly made by Alderman Miller and seconded by Alderman Hobbs to accept the quote from Premier Lawn and Turf for spraying in the amount of \$16,831.50. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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**DISCUSSION OF AMENDING THE NO SMOKING ORDINANCE ADDING ELECTRONIC CIGARETTE**

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Community and Economic Development Director Gia Matheny went over the No Smoking Ordinance, what the Electronic Cigarette is and what it would mean to add it to our existing ordinance.

Alderman Miller stated that he doesn't want to regulate businesses.

Alderman Hobbs agreed. Alderman Hobbs asked if electronic cigarettes are unhealthy?

Marcus Ross, Director, Mississippi Tobacco Free Coalition answered yes, they are harmful. Mr. Ross went over some of the harmful ingredients in the electronic cigarettes. Mr. Ross stated that it is not water vapor, it is an aerosol vapor. Marcus Ross stated that this is a public health issue. We are trying to protect kids. Out of 143 cities in Mississippi, 103 have this included in their ordinance.

Mayor Ferguson asked Kenny if there are any court cases regarding this.

City Attorney, Kenny Stockton answered that he hasn't seen any. This would just be a definitional addition. The original ordinance has held up in court.

Alderman Miller stated that he still thinks that it is a business issue.

Alderman Higdon stated that he still thinks that we have to protect the employees that have to work there.

Alderman Harris stated that if you're going to prevent smoking, you have to prevent all of it.

Alderman Hobbs asked if this affects grants.

Gia Matheny answered yes, it does. We have to speak about that when answering about grants. It is a question asked. We get points taken away because our ordinance doesn't include electronic cigarettes.

Marcus Ross stated that smoking is one thing that one person can do in a room and effect everyone.

Alderman McLendon asked what does the ordinance include about space.

Kenny Stockton answered it stated inside and 25 feet from the door.

Alderman McLendon asked if vap shops are allowed to try the electronic cigarettes indoors.

Kenny Stockton answered right now yes, if we add this to the ordinance then no.

Alderman Hobbs asked if there was anyone here to speak on this item.

Alderman Miller answered no. No one invites people from the other side of the argument.

Alderman McLendon asked how many grants have we missed because of this.

Gia Matheny answered that we missed the larger of the healthy hometown award grants, but I can't say to whether we've lost any other due to this or not.

Alderman Harris stated that this isn't about the grant to me.

Alderman Higdon stated that it's about public safety and health.

Assistant Parks Director Daniel Carson stated what about our parks. Kids can't help it, they have to be there. Also, the electronic cigarettes smell differently, so they don't know they are inhaling something bad for them. They make them now to smell like candy.

Alderwoman Brooks stated that we already have the ordinance, so it would only make sense to add it.

Alderman McLendon asked what about the businesses that are there, they won't be able to smoke in there.

Kenny Stockton stated that you can't drink in a liquor store or smoke where you buy cigarettes.

Mayor Ferguson stated that I think we need to hear the other side.

Alderman Higdon stated that Hernando was first in the county to go "no smoking", we have prospered since we did. It's up to us to provide a no smoking work environment.

Mayor Ferguson asked if Keith can notify the vapor stores that we will be speaking on this again.

Motion was duly made by Alderman Higdon and seconded by Alderwoman Brooks to authorize City Attorney to draft an amendment to add the electronic cigarette to the No Smoking Ordinance. A vote was taken with the following results:

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

Those voting "Nay": Alderman Miller.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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#### **AUTHORIE TO ACTIVATE THE NESBIT SQUARE PROJECT (TAP GRANT)**

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Joe Frank Lauderdale stated that this was the sidewalk and drainage issues project in Nesbit. It is using MPO money.

Alderman Miller stated that total was based on the design sent forward, if we don't have the money, we can change it. For example, the lighting, we can change it to a cheaper kind.

Alderman Hobbs stated if we don't have the money, we have people that might be willing to help, like the county or private organizations.

Alderman Higdon stated that we have to open the project in order for anyone to help.

Alderman McLendon asked if this will hold us back with any other projects.

Collins Simpson, Waggoner Engineering, stated if you activate and didn't pay, became delinquent, it could affect it. As long as you're not delinquent, it won't affect anything.

Motion was duly made by Alderman Hobbs and seconded by Alderman Miller to authorize to activate the Nesbit Square Project and authorize the Mayor to sign any necessary documents. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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#### **AUTHORIZE TO ACCEPT THE QUOTE FROM PPM ENVIRONMENTAL FOR GROUND WATER MONITORING AND REPORTING OF THE GREEN DUCK SITE (GALE CENTER BUILDING)**

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Mayor Ferguson went over what these services are for.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to accept the quote from PPM Environmental from ground water monitoring and reporting of the Green Duck Site (Gale Center Building). A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

**DISCUSSION OF MEMPHIS STREET SEWER LINE EXTENSION**

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Joe Frank Lauderdale went over the project. Mr. Lauderdale stated that he is asking the City to pay \$4989.00 of the cost for the materials.

Alderman Higdon asked if we have done this before.

Joe Frank Lauderdale answered yes.

Alderman Miller asked if we can do this.

Kenny Stockton answered yes, we can go to his property line, not straight to his business.

Joe Frank Lauderdale stated just for labor and materials up to Green T Road, correct?

Kenny Stockton answered yes, to the property line or you could put a cap on the amount.

Mayor Ferguson stated the value will go up, the tax money will go up.

Alderman Higdon stated that it is good for the City.

Motion was duly made by Alderman Higdon and seconded by Alderman Miller to approve to pay for labor and materials up to \$5,000.00 for the Memphis Street sewer line extension project. A vote was taken with the following results:

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

Those voting "Nay": None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

**AUTHORIZE TO ADVERTISE THE I269 SEWER FORCE MAIN RELOCATION PROJECT**

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Joe Frank Lauderdale presented the information. Mr. Lauderdale stated that it has to be extended 30 feet south, to be accepted by the Stated Highway Department.

Mayor Ferguson asked don't we have to get an easement.

Joe Frank Lauderdale answered that he was working on it.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to advertise the I269 Sewer Force Main relocation project. 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 18<sup>th</sup> day of January, 2018

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**AUTHORIZE TO RELEASE THE CONSTRUCTION BOND FOR HERNANDO WEST**

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Joe Frank Lauderdale presented information on releasing the construction bond for Hernando West.

Mayor Ferguson stated that he would like to see something more like “I recommend” not just “to the best of my knowledge” in your letter.

Joe Frank Lauderdale stated that he recommends releasing the construction bond for Hernando West, he has received the plans and inspected it.

Motion was duly made by Alderman Miller and seconded by Alderman Higdon to authorize to release the construction bond for Hernando West based on the City Engineer’s recommendation. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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**AUTHORIZE TO ACCEPT THE BEST QUOTE FROM FIRST SECURITY BANK FOR MUNICIPAL DEPOSITORY SERVICES**

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Motion was duly made by Alderman Harris and seconded by Alderwoman Brooks to authorize to accept the best quote from First Security Bank for Municipal Depository Services. A vote was taken with the following results:

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

Those voting “Nay”: None.

ORDERED AND DONE this the 18<sup>th</sup> day of January, 2018

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**ADJOURN**

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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”.

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MAYOR TOM FERGUSON

ATTEST:

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KATIE HARBIN, CITY CLERK