

MINUTES OF THE REGULAR BOARD MEETING OF THE
BRANDON BOARD OF ALDERMEN OF JUNE 3, 2024
MAYOR BUTCH LEE, MAYOR PRESIDING

1. CALL TO ORDER - Mayor Lee and Aldermen Farris, Middleton, Coker, Womack, Williams, Vinson and Craine were present.
2. INVOCATION AND PLEDGE OF ALLEGIANCE - gave the invocation and led the Pledge of Allegiance.
3. PUBLIC COMMENTS AND RECOGNITIONS – Greg Vaughn, CPA, Barlow & Company, PLLC presented the 2023 audit.
4. OLD BUSINESS
 1. Approve the Regular Board Meeting Minutes of May 20, 2024.

Alderman Craine made the motion to approve agenda item 4.1, seconded by Alderman Vinson and upon unanimous vote the motion carried.

5. BUTCH LEE, MAYOR

1. Approve sponsorship of B Club, Inc. in the amount of \$10,000 in accordance with the agreement adopted December 2, 2021, for purposes of advertising and bringing into favorable notice, the opportunities and possibilities of the City, first finding that this mode of advertising is in the best interest of the citizenry.
2. Adopt an Order of the Mayor and the Board of Aldermen of the City of Brandon to proclaim a Local State of Emergency with regard to the trees that died as a result of the 2023 drought.

Alderman Farris made the motion to approve agenda items 5.1 & 5.2, in accordance with the memos from the Mayor's office, which are appended hereto, seconded by Alderman Coker and upon unanimous vote the motion carried.

6. MARY ANN HESS, CITY CLERK

1. Accept the fiscal year 2023 audit report as prepared by Barlow & Company and authorize publication of notice regarding the same.
2. Approve professional services agreement for the purposes of promoting tourism in accordance with HB1521 (2023 MS Legislative Session) and for such other lawful and related purposes; and authorize the Mayor to execute the same; and approve payment of all show related expenditures, to-wit:
 - Whitney Morgan Music, LLC for a performance on Thursday, June 27, 2024, for a performance by WHITNEY MORGAN AND THE 78'S
3. Accept the Certificate of Substantial Completion for the Civic Center Renovations and authorize the Mayor to execute all related documents and issue the final payment in the amount of \$22,613.30.

4. Approve:

- a. Docket of Claims for June 3, 2024; and
- b. Fox Everett claims released on May 17, May 20 and May 30, 2024.

Alderman Womack made the motion to approve agenda items 6.1-6.4(a)&(b), in accordance with the memos of the City Clerk's office which are appended hereto, seconded by Alderman Craine and upon unanimous vote the motion carried.

7. CARLY DEARMAN, PUBLIC WORKS DEPARTMENT

1. Approve certain Public Works Department employees to house city vehicles pursuant to the memo.
2. Approve Change Order #3 in the amount of \$9,804.00 & Pay Request #2 FINAL in the amount of \$34,620.67, first finding that after the contract was let this change to the original contract is necessary or would better serve the purpose of the City, first finding that such change is being made in a commercially reasonable manner and is not being made to circumvent the public purchasing statutes, and approve the Final Summary Change Order (decrease in \$108,706.00 in the final payment cost due to quantity changes), from Utility Constructors, Inc. for the Highway 80 Waterline Relocation Project and authorize payment of the same.
3. Approve Pay Request #2 in the amount of \$5,235.00 from Hemphill Construction Company for the Marquette Road Fire Hydrant Relocation Project and authorize payment of same.
4. Approve invoice #H24023-04 in the amount of \$128,778.63 from Hemphill Construction Company for General Construction Services for the month of April 2024, under commodity pricing, authorize payment of the same, and amend the budget accordingly.
5. Authorize permission for Sunbelt Sealing, Inc. to perform crack sealing services along various city streets at the Ranking County FY24 Spring commodity pricing, not to exceed \$30,000.00, in preparation for the 2024 Overlay Project.
6. Authorize permission to proceed with the development of plans and to advertise for bids for the construction of a new city parking lot at the Southwest corner of Dining Street and Poindexter.

Alderman Womack made the motion to approve agenda items 7.1-7.6 in accordance with the memos from the Public Works Department, which are appended hereto, seconded by Alderman Craine and upon unanimous vote the motion carried.

7. Approve Pay Request #1 in the amount of \$231,087.50 from Griner Drilling Service, Inc. for the Cornerstone Water Well Project and authorize payment of the same.
8. Approve utility adjustment approvals and denials as presented by the Public Works Department, first finding that the approvals are required because of unforeseen circumstances of which the customer did not receive the benefits of the water service thereby warranting a reduction or compromise.
9. Accept the bid of Hemphill Construction Company in the amount of \$103,593.00 for the Edgewood Waterline Loop Project as the best and lowest bid received and authorize the Mayor to execute contract documents.

10. Approve the quote in the amount of \$6,599.13 from Gray-Daniels Ford Fleet Service and authorize repairs to the 2003 Ford F250 - VIN #4212, first finding that the need for component replacement was unknown before disassembly and further that invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required in conjunction with the payment for such repairs.
11. Approve the hiring of James Meadows as Water Laborer II effective July 1, 2024, and set rate of pay in accordance with the memo.
12. Approve the increase in the number of MagCor employees available for use from 8 to 12 effective immediately.

Alderman Williams made the motion to approve agenda items 7.7-7.12 in accordance with the memos from the Public Works Department, which are appended hereto, seconded by Alderman Craine and upon unanimous vote the motion carried.

8. SAM HAWKINS, COMMUNITY DEVELOPMENT

1. Public Hearing and Board Action regarding Case # 23-028: consideration of a rezoning request from Jett Investments LLC and S & S Builders of MS Inc regarding property located on Old Hwy 471 - 13.8 acres (Parcel # I9E-2)

The Public Hearing was opened with regarding re-zoning request of Jett Investments with regard the subject application. The Community Development Director then advised that all of the prerequisites to the Public Hearing have been met and that the Planning Commission voted to recommend approval of the application, with conditions. The Director presented Staff Report #23-028 regarding the application which is included in the Minutes. The Director described the nature of the application and those in favor of or in opposition to the application were given an opportunity to come forward and speak, whereupon no one other than the Director addressed the board. The Public Hearing was then closed. Thereafter, Alderman Farris made the motion to adopt an ordinance approving the same, which is appended hereto, seconded by Alderman Coker, whereupon Aldermen Farris, Coker and Williams voted "AYE" and Aldermen Middleton, Womack, Vinson and Craine voted "NAY", and the motion failed.

2. Public Hearing and Board action regarding Case # 24-004: consideration of a conditional use application to operate a liquor store at 1578 W. Government St (Parcel # H9B-8)

The Public Hearing was opened with respect to the application for conditional use permit by Top Shelf Wine and Spirits. The Community Development Director advised that all of the prerequisites to the Public Hearing have been met and that the Planning Commission recommended that the application be denied. The Director presented Staff Report #24-004 regarding the application which is included in the Minutes. The Director described the nature of the application and those in favor of or in opposition to the application were given an opportunity to come forward and speak, whereupon Andy Stewart, attorney for the applicant, addressed the board and provided information in support of the application which is appended to the Minutes, and Rev. Kyle Reno, Crossgates Baptist Church, who provided a petition signed by 65 members of the church who reside in the Crossgates area in opposition to the application, which is appended to the Minutes, and Steve and Sherry Lanier, 130 Woodgate Drive, Monica Baldwin, 154 Woodgate Drive, and Linda Whitaker, 104 Longmeadow Cove, spoke in opposition to the application. No additional public comments were received, and the Public Hearing was closed.

Thereafter, Alderman Williams, first finding that the applicant failed to establish by the requisite burden of proof evidence satisfactory to meet the requirements for granting a conditional use in accordance with Chapter 6, Section 6-10.2 of the Alcohol Ordinance of the Code of Ordinances of the City and Section 9.7.2(a)-(h), of the Zoning Ordinance of the Code of Ordinances of the City, including failing to establish that the proposed use is generally compatible with adjacent properties and other property in the district, and further incorporating the matters presented at the Public Hearing, and for such other reasons that such applications are denied, made the motion to deny the conditional use application, seconded by Alderman Vinson and upon unanimous vote the motion carried.

3. Public Hearing and Board Action regarding Case # 24-005: consideration of conditional use application to operate a liquor store at 1659 W. Government Cove (parcel # H8N-5-33).

The Public Hearing was opened with respect to the application for conditional use permit by Pushpinder Sharma. The Community Development Director advised that all of the prerequisites to the Public Hearing have been met and that the Planning Commission recommended that the application be denied. The Director presented Staff Report #24-005 regarding the application which is included in the Minutes. The Director described the nature of the application and those in favor of or in opposition to the application were given an opportunity to come forward and speak, whereupon Ken Coombs and Marta Sharma spoke in favor of the application and Monica Baldwin and David Jefcoat spoke in opposition to the application. No additional public comments were received, and the Public Hearing was closed. Thereafter, Alderman Womack, first finding that the applicant failed to establish by the requisite burden of proof evidence satisfactory to meet the requirements for granting a conditional use in accordance with Chapter 6, Section 6-10.2 of the Alcohol Ordinance of the Code of Ordinances of the City and Section 9.7.2(a)-(h), of the Zoning Ordinance of the Code of Ordinances of the City, including failing provide for sufficient off-street parking and loading areas, and further incorporating the matters presented at the Public Hearing, and for such other reasons that such applications are denied, made the motion to deny the conditional use application, seconded by Alderman Craine and upon unanimous vote the motion carried.

4. Site Plan and Architectural Review Approval for 1382 W. Government Street Case # 23-031 (Parcel # H09-1-71).

Alderman Womack made the motion to approve the site plan and architectural review for the proposed development at 1382 W. Government Street, in accordance with the memo from the Community Development Department, which is appended hereto, seconded by Alderman Coker, and upon unanimous vote the motion carried.

9. JOSEPH FRENCH, POLICE CHIEF

1. Authorize Captain Brian Elwell and Officer Palmer Robbins to assist in the escort of the Vietnam Traveling Memorial Wall from The Harley Davidson Dealership in Jackson, MS to the Bolivar County Expo Center in Cleveland, MS on June 12, 2024.
2. Hire Margaret Ely as a Communications Officer effective June 3, 2024 and set rate of pay in accordance with the memo.

3. Authorize travel and related expenses of Lt. Paige Ramage and Sgt. JP Drago to attend the Mississippi Command College in Oxford Mississippi from July 14-19, 2024

Alderman Craine made the motion to approve agenda items 9.1-9.3 in accordance with the memo from the Police Department, which is appended hereto, seconded by Alderman Vinson and upon unanimous vote the motion carried.

10. BRIAN ROBERTS, FIRE CHIEF

1. Authorize travel and related expenses for Chief Roberts to attend the Mississippi Municipal League Conference in Biloxi, Mississippi from June 23-26, 2024.

Alderman Craine made the motion to approve agenda item 10.1 in accordance with the memo from the Fire Department, which is appended hereto, seconded by Alderman Womack and upon unanimous vote the motion carried.

11. EXECUTIVE SESSION

Alderman Coker made the motion to consider the need to enter into Executive Session, seconded by Alderman Craine and upon unanimous vote the motion carried.

Alderman Coker then made the motion to enter into Executive Session to discuss personnel matters regarding administration/event services employees, seconded by Alderman Farris and upon unanimous vote the motion carried.

Based on the recommendation of the Mayor, Alderman Coker made the motion to terminate employee #1383, effective immediately, with a memo regarding the same to be included in the personnel file of the employee, seconded by Alderman Farris, whereupon Aldermen Coker, Farris, Williams and Middleton voted "AYE" and Aldermen Vinson, Craine and Womack voted "NAY" and the motion carried.

Based on the recommendation of the Mayor, Alderman Farris made the motion to terminate employee #10014858, effective immediately, with a memo regarding the same to be included in the personnel file of the employee, seconded by Alderman Vinson, whereupon Aldermen Middleton, Farris, Vinson, Williams and Coker voted "AYE" and Aldermen Womack and Craine voted "NAY" and the motion carried.

Based on the recommendation of the Mayor, Alderman Middleton made the motion to terminate employee #10014859, effective immediately, with a memo regarding the same to be included in the personnel file of the employee, seconded by Alderman Vinson, whereupon Aldermen Middleton, Farris, Vinson, Williams and Coker voted "AYE" and Aldermen Craine and Womack voted "NAY" and the motion carried.

Alderman Farris made the motion to resume the Regular Board meeting out of Executive Session, seconded by Alderman Williams and upon unanimous vote the motion carried.

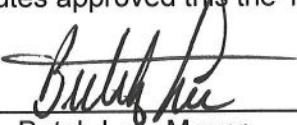
(That there were votes taken in Executive Session was announced upon resuming the Regular Board Meeting out of Executive Session).

12. ADJOURN

Alderman Coker made the motion to adjourn the Regular Board Meeting, seconded by Alderman Womack and upon unanimous vote the motion carried.

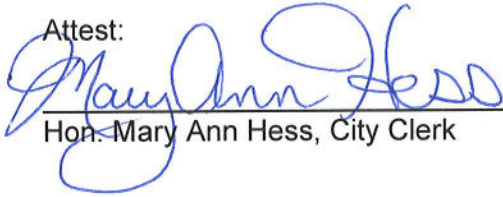
(Next Regular Board Meeting: June 17, 2024)

Minutes approved this the 17th day of June 2024.



Hon. Butch Lee, Mayor

Attest:



Hon. Mary Ann Hess, City Clerk

