

MINUTES
BRANDON BOARD OF ALDERMEN
REGULAR BOARD MEETING
BUTCH LEE, MAYOR PRESIDING
SEPTEMBER 19, 2022

1. CALL TO ORDER - Mayor Lee and Aldermen Middleton, Womack, Coker, Williams, Vinson and Craine were present.
2. INVOCATION AND PLEDGE OF ALLEGIANCE - Graylon Blackshear with Mayor's Youth Council gave invocation and Dylan Chapman with Mayor's Youth Council led the Pledge of Allegiance.
3. PUBLIC COMMENTS AND RECOGNITIONS -
 - Members of Scouts BSA Troop 2719, presented wood duck boxes for Quarry Park.
 - Reed Johnson, 121 Bentley Drive, and Kay Montavano, 122 Bentley Drive, discussed a flooding issues affecting he and his neighbors along Bentley Drive and expressed concerns about drainage issues under Luckney Dr., trees in the ditch between Bentley and Luckney Drive, and concerns about water from the new development on Luckney Drive.
4. OLD BUSINESS
 1. Approve the Regular Board Meeting Minutes of September 6, 2022 and the Special Board Meeting Minutes of September 12, 2022.

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

5. BUTCH LEE, MAYOR
 1. Authorize advertisement for bids for the City Hall Civic Center-Audio Visual Upgrades Project and the City Hall Civic Center Lighting Upgrades Project.
 2. Approve a 5-year agreement with the B-Club, Inc. for a \$10,000 per year sponsorship for the purpose of advertising and to bring into favorable notice of the opportunities and possibilities of the City in accordance with MCA Section 17-3-1, first finding that this mode of advertising is in the best interest of the City and authorize the Mayor to execute the same.
 3. Approve the professional services agreement with Orion Planning Design, On-Call Services to provide interim planning services and authorize the Mayor and City Clerk to execute the same.

Alderman Craine made the motion to approve agenda items 5.1-5.3 in accordance with the memos from the Mayor's Office which are appended hereto, seconded by Alderman Womack and upon unanimous vote the motion carried.

6. ANGELA BEAN, CITY CLERK

1. Approve the professional services agreements for the purpose of promoting tourism in accordance with HB 1629 (2018 MS Legislative Session) and other lawful and related purposes and authorize the Mayor to execute the same and approve and authorize all related show expenditures in accordance with the agreements:
 - a. Summersoulstice, Inc. (Maxwell) and Shesangz Tours, Inc. (Leela James) for a performance at the Brandon Amphitheater on October 22, 2022.
 - b. 21st Century Artists (A Tribute to ABBA) for a City Hall Live Performance on October 8, 2022.
2. Authorize permission to deposit excess funds into the Trustmark Investment Account in accordance with memo.
3. Approve the IPAWS Memorandum of Agreement Application with regard to granting access to the NOAA Weather Radio alert system and authorize the Fire Chief to execute the same.
4. Declare one (1) refrigerator as surplus property that is no longer of use or value to the city and authorize disposition of the same through sale on GovDeals online auction or through disposal as scrap.
5. Approve payment for flu shots for City of Brandon employees from TrustCare in the amount of \$30.00 per shot, first finding that the benefit is critical to ensuring adequate staffing during cold and flu season which is a direct benefit to the citizenry and overall savings to the City from the standpoint of lost time from work.
6. Approve the employee salary increases effective October 1, 2022.
7. Approve:
 - a. Docket of Claims for September 19, 2022.
 - b. Fox Everett claims released on September 9, 2022.

Alderman Womack made the motion to approve agenda items 7.1(a)-(b) -7.7(a)-(b) in accordance with the related memos of the City Clerk which are appended hereto, seconded by Alderman Coker and upon unanimous vote the motion carried.

7. CHARLES SMITH, PUBLIC WORKS DEPARTMENT

1. Declare as an emergency and approve commodity pricing repairs (invoice #4495-H22079-Final) by Hemphill Construction Co. in accordance with MCA 31-7-13(k) and 31-7-13(n) and authorize payment of the same.
2. Declare as an emergency in accordance with MCA Section 31-7-13(k), the Provonce #2 lift station repairs from Harvey Services in the amount of \$13,200.22 and authorize payment of the same.

3. Spread onto the minutes the written notice from Rankin County with regard to the asphalt commodity.
4. Spread onto the minutes the written notice from Miller Materials, Inc. with regard to the FY22 Rip Rap/Limestone/Top Soil commodity.
5. Approve the extension of the General Construction Services commodity bid with Hemphill Construction Services for the FY23 term effective October 1, 2022-September 30, 2023 in accordance with MCA Section 31-7-13(n).

Alderman Craine made the motion to approve agenda items 8.1-8.5, in accordance with the related memos from the Public Works Department which are appended hereto, seconded by Alderman Womack and upon unanimous vote the motion carried.

6. Approve Hemphill Construction Co. pay request #4 in the amount of \$202,480.46 with regard to the College Street Waterline Improvements Project and authorize payment of the same.
7. Approve Red Oak Construction, LLC pay request #2 (Final) in the amount of \$48,868.87 with regard to the Industrial Park Waterline Extension Project and authorize payment of the same.
8. Approve Joe McGee Construction Co. pay request #4 in the amount of \$113,839.66 with regard to the Dining Street Extension Project and authorize payment of the same.
9. Approve AJ Construction pay request #1 in the amount of \$1,058,294.72 with regard to the 2022 Street Overlay and Paving Improvements Project and authorize payment of the same.

Alderman Vinson made the motion to approve agenda items 8.6-8.9, in accordance with the related memos from the Public Works Department which are appended hereto, seconded by Alderman Craine and upon unanimous vote the motion carried.

8. MATT DODD, COMMUNITY DEVELOPMENT

1. Public hearing and board action regarding the consideration of a conditional use application request from of 042 Wine & Spirits, LLC to operate a liquor store/package store at 1378 W. Government Street (Parcel #H9D-1-72).

The public hearing was opened with respect to the referenced application whereupon the Director of Community Development advised that all of the pre-requisites to the public hearing have been met, and that the matter was presented to the Planning Commission which recommended approval of the application and that the Community Development Department prepared a Staff Report #22-030 regarding the application which is appended to the Minutes of the public hearing and thereafter the Director described the nature of the application and those in favor of or in opposition to the application were given the opportunity to come forward and speak whereupon no one provided any additional public comments and the public hearing was closed. Thereafter, Alderman Coker, first finding that the applicable requirements of Chapter 6 of the Code of Ordinances and Section 9.7 of the Zoning Ordinance of the Code of Ordinances have been met and further incorporating the

matters presented in the Staff Report, which is appended hereto, made the motion to approve agenda item 8.1 as presented, in accordance with the recommendation of the Community Development Department as included in the Staff Report, which is appended hereto, conditioned upon the Mississippi Department of Revenue - Bureau of Alcohol Beverage Control issuing a license to operate a package store to the applicant at the location described in the application, and continuing compliance with Chapter 6 of the Code of Ordinances of the City of Brandon, Mississippi, including but not limited to Section 6-10.2, such other applicable ordinances of the City, applicable state law and the applicable regulations of the Mississippi Department of Revenue, including but not limited to Title 35, Part II Alcohol Beverage Control, seconded by Alderman Vinson and upon unanimous vote the motion carried.

2. Public hearing and board action regarding the consideration of a conditional use application request from Greenfield Wine and Spirits, LLC to operate a liquor store/package store at 3006 Greenfield Road (Parcel #H8-10-140).

The public hearing was opened with respect to the referenced application whereupon the Director of Community Development advised that all of the pre-requisites to the public hearing have been met, and that the matter was presented to the Planning Commission which recommended approval of the application with the additional condition that the dumpster enclosure fence be raised, and that the Community Development Department prepared a Staff Report #22-029 regarding the application which is appended to the Minutes of the public hearing and thereafter the Director described the nature of the application and those in favor of or in opposition to the application were given the opportunity to come forward and speak whereupon no one provided any additional public comments and the public hearing was closed. Thereafter, Alderman Craine, first finding that the applicable requirements of Chapter 6 of the Code of Ordinances and Section 9.7 of the Zoning Ordinance of the Code of Ordinances have been met and further incorporating the matters presented in the Staff Report, which is appended hereto, made the motion to approve agenda item 8.2 as presented, in accordance with the recommendation of the Community Development Department as included in the Staff Report, which is appended hereto, but not to require the dumpster enclosure to be raised, and conditioned upon the Mississippi Department of Revenue - Bureau of Alcohol Beverage Control issuing a license to operate a package store to the applicant at the location described in the application, and continuing compliance with Chapter 6 of the Code of Ordinances of the City of Brandon, Mississippi, including but not limited to Section 6-10.2, such other applicable ordinances of the City, applicable state law and the applicable regulations of the Mississippi Department of Revenue, including but not limited to Title 35, Part II Alcohol Beverage Control, seconded by Alderman Womack and upon unanimous vote the motion carried.

3. Public hearing and board action regarding the determination of a public nuisance at 96 Summit Ridge Drive (Parcel #H9J-2-460)

The public hearing was opened with respect to the referenced property in accordance with MCA Section 21-19-11 (1972, as amended), whereupon the Director of Community Development advised that all of the pre-requisites to the public hearing have been met and thereupon presented a Memorandum and Case File #221014 regarding the subject matter and correspondence from an adjoining landowner, which are appended hereto and thereafter the Director described the nature of the condition of the property and requested the adoption of a Resolution of the governing authority determining that the property in its present condition is a menace to the public health, safety and welfare of the community and authorizing, if the owner does not do so himself, to proceed to clean the land by to remediate the conditions generally described in the Notice provided in accordance

with MCA Section 21-19-11, and as generally outlined in the referenced Memorandum and Case File. The in interest were then given an opportunity to address the subject matter and whereupon none came forward and addressed the matters presented and no additional public comments were received, and the public hearing was closed. Thereafter, Alderman Williams, first incorporating the matters as described in the Memorandum and Case File and otherwise presented at the public hearing, which are incorporated herein by reference, made the motion to find that the subject property in its present condition constitutes a menace to the public health, safety and welfare of the community and further authorizing and directing that, if the owner does not do so himself, that the City proceed to clean the property and remediate the same in general accordance with the recommendation of the Community Development Department, and to adopt a Resolution in this respect accordingly, which is appended hereto, seconded by Alderman Coker and upon unanimous vote the motion carried.

4. Approve the appointment of Tom Evans to the Planning Commission.

Alderman Craine made the motion to approve agenda items 8.4 in accordance with the related memos from the Community Development Department which are appended hereto, seconded by Alderman Womack and upon unanimous vote the motion carried.

9. CHRIS BUTTS, ASST. POLICE CHIEF

1. Accept the Mississippi Office of Homeland Security Grant in the amount of \$60,000 and authorize the Mayor and City Clerk to execute the same.
2. Accept the resignation of Officer Deon Allen effective September 25, 2022 and Sergeant Elizabeth Burkhalter effective September 27, 2022.
3. Authorize Lt. Brad Conner to travel to Pearl, MS to attend the CDR-Trainers Analysis class on November 14-18, 2022.

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

10. BRIAN ROBERTS, FIRE CHIEF

1. Accept the resignation of Captain Chris Nickens effective September 21, 2022.
2. Amend item 6.4 from the Regular Board Meeting held on September 6, 2022, to correct a scrivener's error regarding the pay adjustment of Captain Heath Clark, in accordance with memo.

Alderman Craine made the motion to approve agenda items 10.1 & 10.2 in accordance with the memos from the Fire Department which are appended hereto, seconded by Alderman Coker and upon unanimous vote the motion carried.

10. EXECUTIVE SESSION

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

Alderman Womack then made the motion to enter into Executive Session to discuss the acquisition of real property to address drainage issues at Windsong on Hwy. 468, Trickhambridge Road at McDonald Lane and property on Luckney Road, personnel matters related to City Hall and the Public Works Department, and transaction of business and discussions and negotiations regarding the location, relocation or expansion of a business or industry, seconded by Alderman Craine and upon unanimous vote the motion carried.

Alderman Williams made the motion to terminate employee #714, in accordance with recommendation of the Public Works Director, seconded by Alderman Womack and upon unanimous vote the motion carried. The Public Works Director's Employment Termination memo is to be placed in the employee's personnel file.

Alderman Craine then 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 a vote was taken in Executive Session was announced upon return to the board room.)

11. SUPPLEMENTAL ITEMS

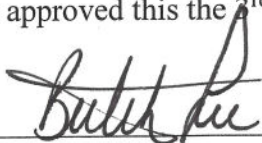
1. Hire Candace Hunley, as a Deputy Clerk, effective on or before October 3, 2022, and set rate of pay according to the memo.
2. Accept resignation of Christopher Miller effective September 30, 2022.

Alderman Coker made the motion to approve agenda items 11.1 & 11.2 in accordance with the memos from the City Clerk and Public Works Department, which are appended hereto, seconded by Alderman Williams and upon unanimous vote the motion carried.

ADJOURN

Alderman Coker made the motion to adjourn the Regular Board Meeting, seconded by Alderman Craine and upon unanimous vote the motion carried. (Next Regular Board Meeting September 19, 2022).

Minutes approved this the 3rd day of October 2022.



Hon. Butch Lee, Mayor

Attest:



Hon. Angela Bean, City Clerk

