

MINUTES  
BRANDON BOARD OF ALDERMEN & MAYOR  
REGULAR BOARD MEETING  
BUTCH LEE, MAYOR PRESIDING  
AUGUST 21, 2023, at 6:00 p.m.

1. CALL TO ORDER – Mayor Lee and Aldermen Farris, Middleton, Womack, Vinson, Craine, Williams, and Coker were present.

2. INVOCATION AND PLEDGE OF ALLEGIANCE - Isabelle Johnson gave the invocation and Christian Harrell led the Pledge of Allegiance.

3. PUBLIC COMMENTS AND RECOGNITIONS -

Jason Clement – CEO Sports Facilities Companies, advised that they are on pace to exceed the revenue forecast and are working on field maintenance issues and have implemented a daily, weekly and monthly maintenance checklist process. He announced the presentation of the Rise to Greatness program which they will be underwriting, and which will be presented in December.

Chris Wallace – North Brandon Church of Christ – Spoke in opposition to the proposed liquor store on Hwy. 471.

Mayor Lee – Provided information regarding recent fires in Maui and how they relate to Brandon and how they provide an example of the impact of a lack of attention to building codes and life safety codes can negatively impact a community.

4. OLD BUSINESS

1. Approve the Regular Board Meeting Minutes of August 7,2023.

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

5. BUTCH LEE, MAYOR

1. Public Hearing regarding the Tax Increment Financing Plan for the Crossgates Crossing Development Project.

The Public Hearing was opened with respect to the referenced Tax Increment Financing Plan For the Crossgates Crossing Development Project, City of Brandon, Rankin County, Mississippi, September 2016, as amended and restated August 2023, as presented, whereupon the City Clerk advised that all of the pre-requisites to the public hearing have been met, proof of publication of which is appended to the Minutes, and thereafter those interested in providing public comment regarding the same were given the opportunity to come forward and speak, whereupon Christianna Sugg and Sue Fairbank addressed the board and no other public comments were made, and the public hearing was closed.

2. Adopt a resolution approving the adoption and implementation of the Tax Increment Financing plan for the Crossgates Crossing Development Project, City of Brandon, Rankin County, Mississippi, September 2016, as amended and restated August 2023 and authorize the Mayor to execute the same.

Alderman Vinson made the motion to approve agenda item 5.2, in accordance with the memo from the Mayor's Office, which is appended hereto, seconded by Alderman Craine and upon unanimous vote the motion carried.

3. Authorize permission to travel to Meridian, MS to attend the 2023 Small Town Conference October 25-26, 2023, and to Oxford, MS to attend MML Board of Director's meeting September 22, 2023 and authorize payment of all related travel expenses.

Alderman Williams made the motion to approve agenda item 5.3, in accordance with the memo from the Mayor's Office, which is appended hereto, seconded by Alderman Womack and upon unanimous vote the motion carried.

6. ANGELA BEAN, CITY CLERK

1. Set public hearing for August 24, 2023, at 6:00 p.m. regarding the fiscal year 2024 Taxing and Spending Plan and adoption of the fiscal year 2024 tax levy.
2. Authorize permission for Joshua Sutton to enroll in the Municipal Clerk certification program, attend all required classes for certification and authorize payment of related course registrations and travel expenses.
3. Appoint Josh Sutton as petty cash custodian for the clerk's office fund in the amount of \$200.00.
4. Approve a quote from M & R Protective Services, as the lowest and best received, in the amount of \$14,800.00 to install seven (7) new access control door locks and authorize payment of the same.
5. Approve the renewal of the CivicPlus Mass Notification System professional service agreement for one (1) year in the amount of \$15,955.38 and authorize payment of the same.
6. Authorize permission to accept a quote from Insight as the lowest and best received, in the amount of \$6,172.65 for the renewal of the city-wide Adobe license.
7. Consideration to approve:
  - a. Docket of Claims for August 21, 2023.
  - b. Fox Everett claims released on July 27 and August 10, 2023.

Alderman Womack made the motion to approve agenda items 6.1-6.7(a)&(b), in accordance with the memos from the City Clerk's Office, which are appended hereto, seconded by Alderman Farris and upon unanimous vote the motion carried.

7. PAUL BRANNON, PUBLIC WORKS DEPARTMENT

1. Approve the Construction Engineering & Inspection (CE&I) contract with Benchmark Engineering for the Highway 80 Signal Upgrades Stonegate Dr and Woodgate Drive Project and authorize the Mayor to execute the same.
2. Approve pay request #2 in the amount of \$397,012.40 from Adcamp, Inc for the 2023 Overlay Project and authorize payment of the same.

3. Approve pay request #6 in the amount of \$220,906.92 from Thornton Construction Company for the Grants Ferry Parkway Sewer Line Extension Project and authorize payment of the same.
4. Approve invoice #H23069-01 (final) in the amount of \$5,629.00 from Hemphill Construction Company, Inc., under commodity pricing, for the repair to the storm drain inlet near 132 W. Legacy Drive, authorize payment of the same, and amend the budget accordingly.

Alderman Craine made the motion to approve agenda items 7.1-7.4, in accordance with the memos from the Public Works Department, which are appended hereto, seconded by Alderman Vinson and upon unanimous vote the motion carried.

5. Declare and confirm an emergency in accordance with MCA Section 31-7-13(k), the repairs to the water line at 301 Cornerstone Drive, so that the delay incident to giving opportunity for competitive bidding would be detrimental and approve the bill in the amount of \$8,423.42 from WW Solutions, Inc., for such emergency repairs, as certified by the Public Works Director, and authorize payment of the same.
6. Approve the quote from Hemphill Construction Company in the amount of \$36,190.00 as the lowest and best quote received for the 2023 Grandeur Drainage Improvements Project.
7. Approve pay request #10 (final) in the amount of \$85,207.48, including the final change order summary, from Hemphill Construction for the College Street Waterline Improvements Project and authorize payment of the same.

Alderman Coker made the motion to approve agenda items 8.5-8.7, 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. Approve the lowest and best quotes from WC's Concrete in the amount of \$10,600.00, and Jackson Redi-Mix in the amount of \$8,060.00 for the construction of a paved ditch at Old Town detention pond and amend the budget accordingly, first finding that because of the inability to provide concrete by Canton Concrete at \$8,030.00 as quoted by them at the time required by the City, the lowest and best quote in this regard was from Jackson Redi-Mix.

Alderman Middleton made the motion to approve agenda item 7.8, in accordance with the memo from the Public Works Department, which is appended hereto, seconded by Alderman Womack and upon unanimous vote the motion carried.

Action Item 8.8 was amended subsequently in the meeting as follows:

Alderman Craine made the motion to amend the action regarding Item 8.8 as to the purchase of 50 yds. of 4000 PSI concrete with large fiber, from Jackson Redi-Mix, as the lowest and best quote received and to amend said action to provide that the Public Works Director is authorized to purchase the referenced quantity and kind of concrete from the lowest and best quote received, not to exceed \$8,060.00, from at lowest and best of two qualified quotes (which requires that the quoting vendor be able to provide the commodity as and when required by the City) to be presented to the board at the next Regular Board Meeting, seconded by Alderman Vinson and upon unanimous vote the motion carried.

## 8. SAM HAWKINS, COMMUNITY DEVELOPMENT

1. Public hearing and board action regarding conditional use approval for liquor store located at 1032 Hwy 471 (Parcel # I9F-1-111)

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, proof of which is appended hereto, 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 #23-008 regarding the application which is appended hereto 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 John Tillery, 318 Speer's Valley, Heather Biddle, 640 Wild Horse Lane, Jared Thomas, 609 Wild Horse Lane, spoke in opposition to the application and additionally there were 17 attendees recognized as being present in opposition to the application and in addition a petition of 68 signatures of the members of North Brandon Church of Christ in opposition to the application was presented as part of the record, and thereafter the applicant Lovepreet Khinda spoke in favor of the application, and no one provided any additional public comments and the public hearing was closed. Thereafter, Alderman Vinson, first finding that the applicant failed to provide satisfactory provision and arrangement of the requirements for granting a conditional use or conditional use permit in accordance with Section 9.7.2(a)-(h) of the Zoning Ordinance of the Code of Ordinances and further incorporating the matters presented at the Public Hearing, and finding a general incompatibility with adjacent properties and other property in the district, made the motion to deny agenda item 8.1 as presented, seconded by Alderman Middleton and upon unanimous vote the motion carried.

2. Public hearing and board action regarding conditional use approval for Region 8 Mental Health to operate a hospital at 615 Marquette Rd (Parcel # H8Q-1-50).

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, proof of which is appended hereto, 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 #23-012 regarding the application which is appended hereto 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 Womack, first finding that the applicable requirements Section 9.7.2 of the Zoning Ordinance of the Code of Ordinances have been met by the applicant 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, seconded by Alderman Coker, and upon unanimous vote the motion carried.

3. Public hearing and board action regarding conditional use approval to build small cell towers in Crossgates.

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, proof of which is appended hereto, 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 #23-011 regarding the application which is appended hereto 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 Eric Lovvorn, Extenet spoke in favor of the application and thereafter no one provided any additional public comments and the public hearing was closed. Thereafter, Alderman Williams, first finding that the applicable requirements of Section 82-111 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 8.3 as presented, seconded by Alderman Farris, and upon unanimous vote the motion carried.

4. Set Public Hearing for September 5, 2023 to request zoning change from R-12 to NC for Burnham Road Properties to operate a nursing home on Louis Wilson Dr. (Parcel # J7-64-10 and J8-2-10)

No action taken. (Community Development advises that additional information is required before setting the public hearing.)

#### 9. WAYNE DEARMAN, POLICE CHIEF

1. Approve the salary increase of five (5) officers effective August 21, 2023, as presented in the memo from the Police Chief, upon completion of MLEOTA training.
2. Authorize transfer of Christen Parker from Deputy Court Clerk to Municipal Court Clerk effective August 21, 2023, and set rate of pay in accordance with the memo.
3. Accept the resignation of:
  - a. Sergeant Jarrot Langston, effective August 15, 2023.
  - b. Patrolman Ziera Bates, effective August 27, 2023
4. Authorize permission for Investigators Robbie Reid and Ricky Myers to travel to MLEOTA to participate in the Less Lethal Instructor course on September 26-28, 2023.
5. Authorize permission to accept and receive grant funding in the amount of \$99,323.60 for the FY24 Mississippi Office of Highway Safety grant and authorize the Mayor to execute any related documents. Further authorize necessary city administrative and police department staff (Joshua Sutton, Lt. Taaffe McGruder, and Lydia Easley) to attend required grant implementation training workshop on 9/12/23.

Alderman Craine made the motion to approve agenda items 9.1-9.5, in accordance with the memos from the Police Department, which are appended hereto, seconded by Alderman Vison and upon unanimous vote the motion carried.

#### 10. BRIAN ROBERTS, FIRE CHIEF

1. Approve Emergency Vehicle Technical Certification Proctor Agreement and authorize Deputy Chief Wofford to execute the same.
2. Authorize permission to add volunteers/reserve members to the Fire Department.
3. Authorize permission to hire Joshua Moloney as a Probationary Firefighter upon completion of his prerequisites effective August 22, 2023, and set rate of pay in accordance with the memo.
4. Accept the resignation of Firefighter Conner Pruitt effective August 17, 2023.
5. Authorize permission to purchase a 2021 Silverado 2500 HD in the amount of \$54,999.00 from Mak Haik Chevrolet as the lowest and best quote received.

Alderman Farris made the motion to approve agenda items 10.1-10.5 in accordance with the memos from the Fire Department, which are appended hereto, seconded by Alderman Craine and upon unanimous vote the motion carried.

#### 11. EXECUTIVE SESSION

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

Alderman Womack then made the motion to enter into Executive Session to discuss personnel, potential litigation involving code enforcement matter and acquisition of real property for public improvement purposes, seconded by Alderman Coker and upon unanimous vote the motion carried.

Alderman Craine made the motion to terminate employee #2234 effective immediately, in accordance with the recommendation of the Police Chief with a memo regarding the same to be included in the employee's personnel file, seconded by Alderman Williams and upon unanimous vote the motion carried.

Alderman Coker made the motion to approve the acceptance of a warranty deed from Micheal Dennis on Eastwood Drive for .11 +/- acres which is adjacent to the City's right of way and which is required for necessary for public improvements and repairs in conjunction with the existing right of way, for the consideration of the removal of 4 trees on his property as identified in correspondence from counsel for Mr. Dennis dated July 27, 2023, at a cost at or less than \$5,000.00, first finding that the cost to remove the trees is the lesser of the best negotiated price or the approved appraisal by Robert Morrow of the fair value of the property which is \$15,574.00 (permanent right of way) or \$7,787.00 (easement), in accordance with MCA Section 43-37-3 (1972 as amended), in accordance with the memo of the Mayor's Office which is attached hereto, seconded by Alderman Womack and upon unanimous vote the motion carried.

Alderman Womack made the motion to resume the Regular Board Meeting out of Executive Session, seconded by Alderman Coker and upon unanimous vote the motion carried.

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

#### 13. ADDITIONAL ITEMS:

a. Authorize the Mayor to rent fans and temporary air conditioning and related equipment for the Brandon Amphitheater from the lowest and best quote received, not to exceed \$12,000.00.

Alderman Craine made the motion to approve agenda item 13(a) seconded by Alderman Vinson and upon unanimous vote the motion carried.

#### 12. RECESS UNTIL AUGUST 24, 2023, AT 6:00 P.M. FOR PURPOSES OF HOLDING A PUBLIC HEARING FOR THE FY 2023-2024 TAXING AND SPENDING PLAN AND ADOPTION OF FY 2023-2024 TAX LEVY

Alderman Williams made the motion to recess the Regular Board Meeting to August 24, 2023 at 6:30 p.m., for purposes of holding a hearing for the FY 2023-2024 Taxing and Spending Plan and to adopt the FY 2023-2024 Tax Levy, seconded by Alderman Coker and upon unanimous vote the motion carried.

(Next Regular Board Meeting: September 4, 2023)

Minutes approved this the 4<sup>th</sup> day of September 2023.

*Butch Lee*

Hon. Butch Lee, Mayor

Attest:

*Angela Bean*

Hon. Angela Bean, City Clerk

