

MINUTES  
BRANDON BOARD OF ALDERMEN & MAYOR  
REGULAR BOARD MEETING  
BUTCH LEE, MAYOR PRESIDING  
JULY 17, 2023

1. CALL TO ORDER – Mayor Lee and Aldermen Farris, Middleton, Womack, Vinson, Craine, Williams, Middleton and Coker were present.
2. INVOCATION AND PLEDGE OF ALLEGIANCE- Alderman Vinson gave the invocation and Alderman Craine led the Pledge of Allegiance.
3. PUBLIC COMMENTS AND RECOGNITIONS
  - Larry Branch – Mineral Springs Subdivision – Discussed several issues regarding the subdivision.
  - Supervisor Brad Calhoun – Provided an update regarding pending county projects.
  - Robert Graham, Brandon Chamber - Discussed the upcoming Brandon Chamber Lemonade Day. Mayor Lee presented a Proclamation to the Brandon Chamber recognizing August 12 & 13, 2023 as Lemonade Day in the City of Brandon.
  - Charles Smith, Brandon Chamber – Presented a donation of 20 jump starters to the Brandon Police Department.
4. OLD BUSINESS
  1. Approve the Work Session and Regular Board Meeting Minutes of July 3, 2023.

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. Appoint Community Development Director, Sam Hawkins, to the Central MS Planning and Development District - Safe Streets for All Technical Committee to represent the City of Brandon.
  2. Adopt a resolution in opposition to splitting the Madison and Rankin County Circuit Court Judicial District 20.
  3. Enter into a Memorandum of Understanding with MS Department of Finance and Administration for the purpose of establishing agreed upon conditions under which the DFA may disburse funds in the amount of \$1,000,000.00 in accordance to House Bill 603 of the 2023 Regular Legislative Session to assist the City of Brandon with infrastructure repairs, maintenance and upgrades and authorize the Mayor to execute all related documents.
  4. Approve a professional services agreement with Sims, Spengler & Trussell, LLC, for an employment search to fill an open position of accountant.

Alderman Vinson made the motion to approve agenda items 5.1-5.4, 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. ANGELA BEAN, CITY CLERK

1. Approve an engagement letter from Barlow & Company for audit services for fiscal year 2023 and authorize the Mayor to execute the same.
2. Authorize Phelps Dunbar to provide professional service to update employee handbook policies under the current general engagement, not to exceed \$5,000.00.
3. Remove part-time amphitheater box office employee Jason Sickle from the payroll roster effective July 17, 2023.
4. Approve pay request #1 from Elcon Electrical Contractors for the Civic Center Lighting Renovation Project in the amount of \$37,287.83 and authorize payment of the same.
5. Consideration to approve:
  - a. Docket of Claims for July 17, 2023.
  - b. Fox Everett claims released on July 13, 2023.

Alderman Craine made the motion to approve agenda items 6.1-6.5(a)&(b), in accordance with the memos from the City Clerk's Office, which are appended hereto, seconded by Alderman Middleton and upon unanimous vote the motion carried.

7. PAUL BRANNON, PUBLIC WORKS DEPARTMENT

1. Correct salary for street department Laborer II, James Byrd, effective June 20, 2023 to address a scrivener's error regarding the same, in accordance with the memo.
2. Approve Hemphill Construction Company work projects as quoted for storm drain, sinkhole, and water repairs in various locations throughout the City utilizing commodity bid pricing, and authorize payments of the same and amend the budget accordingly.
3. Declare as an emergency in accordance with MCA Section 13-7-13(k) the repairs to Richland Creek Lift Station from Harvey Services in the amount of \$6,361.25 and authorize payment of the same.
4. Declare as an emergency in accordance with MCA Section 13-7-13(k) the water leak repairs made at 120 Orleans Way by WW Solutions, Inc in the amount of \$20,807.77 and authorize payment of the same.
5. Approve a professional services quote from Ashley Farms & Trucking not to exceed 120 hours each for grinder, shear and backhoe, not to exceed \$111,000.00, for tree grinding on Marquette Road and amend the budget accordingly.

Alderman Farris made the motion to approve agenda items 7.1-7.5, in accordance with the memos from the Public Works Department, which are appended hereto, seconded by Alderman Womack and upon unanimous vote the motion carried.

6. Approve Thornton Construction pay request # 5 in the amount of \$245,567.44 with regard to the Grants Ferry Parkway Sewer Line Extension Project and authorize payment of the same.

7. Approve Pay Request 2 (Final), including the Final Summary Change Order, in the amount of \$3,014.24 (including Change Orders 1 & 2) from Thornton Construction Company, Inc., first finding that the changes to the contract are necessary under the circumstances and made in a commercially reasonable manner and not made to circumvent the bid laws, regarding the Martin Road Drainage Improvement Project and authorize payment of the same.
8. Approve Pay Request 2 (Final) in the amount of \$4,291.09 from Ambiance Landscape, LLC for the Pecan Ridge Subdivision Entrance Rehab Project and authorize payment of the same.

Alderman Coker made the motion to approve agenda items 7.6-7.8, 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 action regarding a request for a variance from section 5.5.1 of the City's Zoning Ordinance which addresses distance between curb cuts and intersections, to-wit: a 23% deviation due to site specific constraints at the point of vehicular ingress/egress at Chick-Fil-A (Parcel H08M000004 00010).

The public hearing was opened with respect to the referenced variance request whereupon the Community Development Department 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 certain conditions and that the Community Development Department prepared a Staff Report #23-009 which is appended to the Minutes of the public hearing and thereafter the Director described the nature of the application whereupon those interested in providing public comment regarding the same were given the opportunity to come forward and speak, whereupon no others provided any additional public comments and the public hearing was closed. Thereafter, Alderman Vinson, first incorporating the matters presented at the public hearing and in the Staff Report, which is appended hereto, and first finding that the conditions and requirements for the City's approval of the application as set forth in Section 5.5.1 *et. seq.* of the City's Zoning Ordinance have been met, and that the applicant has met the requisite burden of proof for the City to approve the request, made the motion to approve the variance request subject to the conditions by the Planning Commission as set forth in the Staff Report, seconded by Alderman Craine and upon unanimous vote the motion carried.

#### 9. WAYNE DEARMAN, POLICE CHIEF

1. Approve the 2023 Police Department Record Production Fee Schedule.
2. Accept a donation of twenty (20) Gooloo 1500A 12V jump starters from Palmer & Slay, PLLC and The Brandon Chamber of Commerce.

Alderman Williams made the motion to approve agenda items 9.1-9.2 in accordance with the memos from the Police Department, which are appended hereto, seconded by Alderman Womack and upon unanimous vote the motion carried.

## 10. BRIAN ROBERTS, FIRE CHIEF

1. Accept Resignation of Firefighter Jeremy Jackson effective July 30, 2023.

Alderman Womack 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 Coker and upon unanimous vote the motion carried.

## 11. EXECUTIVE SESSION

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

Alderman Vinson then made the motion to enter into Executive Session (1) to discuss personnel matters with the police department and the public works department, (2) for purposes of having a strategy session with respect to prospective litigation with Clear River Construction and regarding multiple delinquent utility accounts, (3) to discuss the transaction of business and discussion regarding the prospective purchase of lands, and (4) to discuss the transaction of business and discussions or negotiations regarding the location, relocation or expansion of a business in the City, seconded by Alderman Coker and upon unanimous vote the motion carried.

Alderman Coker made the motion to authorize proceeding with the prerequisites for the prospective purchase of 4.0 +/- acres behind the Brandon Substation from Entergy, including the completion of a survey by Benchmark Engineering, and an appraisal by Robert Morrow in accordance with the Mississippi Real Estate Property Acquisition Act, seconded by Alderman Farris 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 Middleton and upon unanimous vote the motion carried.

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

## 12. ADDITIONAL ITEMS

1. Accept the resignation of Randy Morehead effective immediately.
2. Approve Clear River Construction pay request #10 in the amount of \$13,652.68 and pay request #11 in the amount of \$89,841.72 regarding the Multi-Use Trail and Sidewalk Improvements Project and authorize payment of the same.

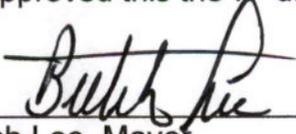
Alderman Coker made the motion to approve agenda items 12.1 & 12.2, in accordance with the memos from the Public Works Director, which are appended hereto, seconded by Alderman Womack and upon unanimous vote the motion carried.

12. ADJOURN

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

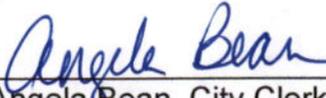
(Next Regular Board Meeting: August 7, 2023)

Minutes approved this the 7<sup>th</sup> day of August 2023.



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Hon. Butch Lee, Mayor

Attest:



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Hon. Angela Bean, City Clerk

