

MINUTES OF THE REGULAR BOARD MEETING OF THE
MAYOR AND BOARD OF ALDERMEN OF THE CITY OF BRANDON, MISSISSIPPI
HELD ON SEPTEMBER 3, 2024 at 6:00 P.M.
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 - Chaplain Landry Singletary, Mayor's Youth Council, gave the invocation and led the Pledge of Allegiance.
3. PUBLIC COMMENTS AND RECOGNITIONS
 - Mayor Lee presented the Brandon Garden Club a Proclamation recognizing their award as the Deep South Garden Club of the Year and other recent awards and recognitions.
4. OLD BUSINESS
 1. Approve the Work Session and Regular Board Meeting Minutes of August 19, 2024.

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

5. BUTCH LEE, MAYOR

1. Approve a right-of-entry agreement between the Stonebridge Public Improvement District and the City of Brandon, Mississippi and authorize the Mayor to execute the same.
2. Approve the Mayor to travel to Wintergreen Corp., 205 Curie Drive, Alpharetta, Georgia for the purpose of evaluating Christmas light purchases for the City of Brandon.

Alderman Craine made the motion to approve agenda items 5.1 and 5.2, 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. MARY ANN HESS, CITY CLERK

1. Approve the following professional services agreements for the purposes of promoting tourism, parks and recreation, in accordance with HB1521 (2023 MS Legislative Session) and other lawful and related purposes; authorize the Mayor to execute the same; and approve payment of all show related expenditures, to-wit:
 - Creed – Live Nation Sell-off Agreement Brandon Amphitheater 09.16.2024
 - Drayton Farley - 10.19.2024 - Brandon Amphitheater - Contract
 - The Mavericks - 10.19.2024 - Brandon Amphitheater - Contract

- Dwight Yoakam - 10.19.2024 - Brandon Amphitheater – Contract
2. Adopt a Section 3 Resolution and the Maintenance Plan Resolution related to the Community Development Block Grant that the City of Brandon authorized to apply for on March 4, 2024, and authorize the Mayor to execute the all related documents including the Site Inspection Acknowledgement, HUD 2880 form, and the City's Maintenance Plan related to this CDBG grant application.
 3. Accept the quote of Insight in the amount of \$5,646.00 for the annual renewal of Adobe Acrobat Pro for teams as the lowest and best quote received and authorize payment for the same.
 4. Approve payment of an additional \$97.36 in lease payment to the Rankin County School District on a piece of 16th Section Land (Parcel: 16-5-3 I8J-50-10) due to a new CPI Rent Adjustment.
 5. Set the start date of the Fiscal Year 2025 pay raises on Monday, September 30, 2024, instead of Tuesday, October 1, 2024, to coincide with the beginning date of the pay period.
 6. Approve a health screening opportunity with the Mississippi Diabetes Network for the City of Brandon employees and their spouses on November 13, 2024.
 7. Approve travel for City Clerk Mary Ann Hess to attend the International Institute of Municipal Clerks (IIMC) Mid-Year Board- Meeting in St. Louis, Missouri on November 14 -17, 2024. (All travel-related expenses are paid by the IIMC).
 8. Approve:
 - a. Docket of Claims for September 3, 2024.
 - b. Fox Everett claims released on August 22, 2024 and August 23, 2024.
 - c. Electronic fund transfers for August 30, 2024

Alderman Womack made the motion to approve agenda items 6.1-6.8(a)-(c), in accordance with the memos of the City Clerk's office which are appended hereto, seconded by Alderman Farris and upon unanimous vote the motion carried.

7. CARLY DEARMAN, PUBLIC WORKS DEPARTMENT

1. Approve invoice #S24121-01Fin the amount of \$12,600.00 from Suncoast Infrastructure, Inc. for emergency CCTV services performed near 437 & 439 Greenfield Ridge Circle and authorize payment of the same. (These CCTV services were part of the emergency sewer repair declaration as approved by the Board on August 19, 2024.)

2. Approve the following from Thornton Construction Company for the Grants Ferry Parkway Sewer Line Extension Project, to-wit:
 - Change Order #4 in the amount of \$6,075.00 as an increase in the project cost, first finding that the change to the original contract is necessary and would better serve the purposes of the City, and that the change is being made in a commercially reasonable manner and is not made to circumvent the public purchasing laws and authorize the Mayor to execute the same.
 - Final Summary Change Order in the amount of \$100,540.71 as an increase in the project cost, first finding that the change to the original contract is necessary and would better serve the purposes of the City, and that the change is being made in a commercially reasonable manner and is not made to circumvent the public purchasing laws and authorize the Mayor to execute the same.
 - Pay Request #14 (FINAL) (which includes the Final Summary Change Order) in the amount of \$108,179.25, authorize payment of the same, and authorize the Mayor to execute the same.
3. Declare as an emergency in accordance with MCA Section 31-7-13(k) repairs to the motor at the Hwy. 468 Well and approve invoice #5182822 in the amount of \$12,550.00 from Griner Drilling Service, Inc., for the work and authorize payment of the same.
4. Declare as an emergency in accordance with MCA Section 31-7-13(k) repairs to the motor at the Marquette Well and approve invoice #5 182829 in the amount of \$22,000.00 from Griner Drilling Service, Inc., for the work and authorize payment of the same.
5. Approve invoice #7040 in the amount of \$12,198.33 from Harvey Services, Inc. for emergency repairs to the Provance Park Lift Station and authorize payment of the same. (This repair was declared an emergency by the Board on August 19, 2024.)
6. Approve utility adjustment approvals and denials pursuant to the memo, first finding that the approved adjustments are required because of unforeseen circumstances and that the customer did not receive the benefit of the services thereby warranting a reduction or compromise of the same.
7. Approve Pay Request #1 in the amount of \$88,171.97 from Cain, Inc. for the Shiloh Park EWP Bank Stabilization Project and authorize payment of the same.

8. Approve the following for the 2024 Eastgate Sidewalk Project, to-wit:
 - Change Order #1, in the amount of \$4,122.75, first finding that the change to the original contract is necessary and would better serve the purposes of the City, and that the change is being made in a commercially reasonable manner and is not made to circumvent the public purchasing laws, and authorize the Mayor to execute the same.
 - Pay Request #2 (including Change Order #1) in the amount of \$154,149.22 from Simmons Erosion Control Company and authorize payment of the same.

Alderman Craine made the motion to approve agenda items 7.1-7.8, in accordance with the memos of the Public Works Department which are appended hereto, seconded by Alderman Middleton and upon unanimous vote the motion carried.

8. SAM HAWKINS, COMMUNITY DEVELOPMENT

1. Adopt an ordinance extending the temporary moratorium of residential subdivision development, with exceptions, originally adopted on March 6, 2023.

Alderman Coker made the motion to approve agenda item 8.1, in accordance with the memo from the Community Development Department, which is appended hereto, seconded by Alderman Vinson and upon unanimous vote the motion carried.

2. Public hearing and board action regarding Case #24-031 regarding a rezoning request and conditional use approval for Rankin County property located on Eastmark Dr - Parcel# H8L-3

The Public Hearing was opened with regard to the re-zoning and conditional use request of Rankin County as presented in the subject applications. The Community Development Director then advised that all of the prerequisites to the Public Hearing have been met, proof of which is appended hereto, and that the Planning Commission voted to recommend approval of the application. The Director presented Staff Report #24-031 regarding the applications which is included in the Minutes. The Director described the nature of the applications and those in favor of or in opposition to the same 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 Womack made the motion to adopt an ordinance rezoning the subject property identified as Tax Parcel #H08L-3 (PPIN: 21980) and being 40.66 acres +/-, as presented in the application which is appended hereto, first finding that notice of said public hearing was given as required by law, that the application for re-zoning is based upon the evidence and testimony received in connection with the proposed re-zoning of the subject property, is consistent with the recommendation of the Planning Commission and the Community Development Department, and input from citizens and others, and that the applicant has shown by the requisite burden of proof that proposed re-zoning change of the subject property is necessary because of changing conditions in the City and will more suitably promote the public health, safety and welfare than the exiting district which the amendment would replace and a public need for the re-zoning exists, and that such change is consistent with the City's Comprehensive Plan, seconded by Alderman Craine and upon unanimous vote the motion carried.

Thereafter, first finding that the applicant has presented sufficient evidence to meet the elements of Section 9.7.2 of the Zoning Ordinances of the City, and further incorporating the matters set forth in the referenced Staff Report, Alderman Williams made the motion to adopt an Order granting the Conditional Use Application to permit the operation of a recycling center within a 17.58 acres +/- tract which is part of the property which is the subject of the re-zoning action and as described in the Order, in the same manner as the current recycling center on Marquette Road, seconded by Alderman Craine and upon unanimous vote the motion carried.

3. Public Hearing and Action re: zoning amendment regarding Sections 3.7.1, 4.1 and 4.4.5 of the City's Zoning Ordinance – Case # 24-011.

The Public Hearing was opened with regard to the proposed amendments to Sections 3.7.1, 4.1 and 4.4.5 of the City's Zoning Ordinance as presented by the application of the Community Development Department. The Community Development Director then advised that all of the prerequisites to the Public Hearing have been met, proof of which is appended hereto, and that the Planning Commission voted to recommend approval of the application. The Director presented Staff Report #24-011 regarding the applications which is included in the Minutes. The Director described the nature of the application and those in favor of or in opposition to the same 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 Coker made the motion to adopt an ordinance amending the referenced sections of the City's Zoning Ordinance as presented, first finding that notice of said public hearing was given as required by law and that the requisite burden of proof has been established that the amendments are necessary for all relevant purposes, including to address changing conditions in the City and to more suitably promote the public health, safety and welfare, and that the amendments are consistent with the City's Comprehensive Plan, seconded by Alderman Craine and upon unanimous vote the motion carried.

9. JOSEPH FRENCH, POLICE CHIEF

1. Authorize Sgt. Daniel Connor Smith to become deputized with the Drug Enforcement Administration as a part-time Task Force Officer.
2. Approve adding the attached lists of firearms to the city inventory, consistent with the Court Orders declaring the weapons as forfeited property to the Brandon Police Department. (The firearms were confiscated and entered into evidence.)

Alderman Womack made the motion to approve agenda items 9.1 and 9.2 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

Monthly Report for August. All weather sirens worked correctly except two, i.e., the Hwy. 468 siren by the National Guard Armory and the Rankin Chamber siren. Pafford Priority Calls -187, Pafford Avg. Response Time - 8:48, BFD total calls – 235, Avg. Response Time- 4:34, Fire calls -12, EMS Calls – 150, Wrecks – 15 and Other – 58. BFD Total Training Hours – 1261, Building Inspections – 40 and Public Education Hours – 7.

1. Approve the agreement for the Baron Threat Net license in the amount of \$2,040.00, for one year and authorize Chief Brian Roberts to execute the same.
2. Amend the action previously approved by the Board on August 19, 2024 with Timeclock Plus for the City's fire department scheduler software program from a three (3) year to a one (1) year contract in the amount of \$4,996.19 and authorize the Mayor to execute the same and the payment of the same.

Alderman Farris 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 Middleton 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 Womack and upon unanimous vote the motion carried.

Alderman Coker then made the motion to enter into Executive Session to discuss pending and potential litigation and personnel matters involving all departments, seconded by Alderman Vinson and upon unanimous vote the motion carried.

Alderman Farris made the motion to approve the engagement agreement with Phelps Dunbar to assist the City regarding the Live Nation/Ticketmaster litigation, seconded by Alderman Williams and upon unanimous vote the motion carried.

Alderman Williams made the motion to accept the resignation of employee # 2001 effective August 29, 2024, and to declare that for the reasons presented, the employee is ineligible for rehire, with a memo regarding the matter to be included in the employee's personnel file, seconded by Alderman Coker 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 Farris and upon unanimous vote the motion carried.

(That there were two 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.

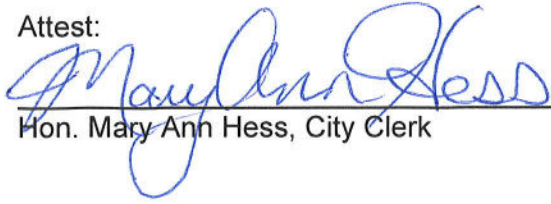
(Next Regular Board Meeting: September 16, 2024)

Minutes approved this the 16th day of September 2024.



Hon. Butch Lee, Mayor

Attest:



Hon. Mary Ann Hess, City Clerk

