

MINUTES OF CITY OF  
BRANDON BOARD OF ALDERMEN & MAYOR  
REGULAR BOARD MEETING  
BUTCH LEE, MAYOR PRESIDING  
SEPTEMBER 18, 2023

1. CALL TO ORDER – Mayor Lee and Aldermen Middleton, Farris, Womack, Coker, Williams, Vinson and Craine were present.
2. INVOCATION AND PLEDGE OF ALLEGIANCE – Lexi York gave the invocation and Lauren Stingley led the pledge of allegiance.
3. PUBLIC COMMENTS AND RECOGNITIONS
  - Mayor’s Youth Council – Ellen Waites and Madelyn McElwaine held the drawing for Hardy tickets – winners are: Amy Ware and Yvonne Bain.
4. OLD BUSINESS
  1. Approve the Work Session and Regular Board Meeting Minutes of September 5, 2023 and the Special Board Meeting Minutes of September 11, 2023.

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

5. BUTCH LEE, MAYOR

1. Consideration to adopt a resolution of the Mayor and Board of Aldermen of the City of Brandon, Mississippi approving the forms of and authorizing the execution and delivery of an Interlocal Cooperation Agreement and an amended and restated Development and Reimbursement Agreement in connection with the issuance by the City of Tax Increment Financing Bonds of said City in an aggregate principal amount of not to exceed two million dollars (\$2,000,000), for the purpose of providing financing for the cost of installing and constructing certain infrastructure improvements in connection with a retail development in said City known as Crossgates Crossing; and for related purposes.

Alderman Vinson made the motion to approve agenda item 5.1, 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.

2. Consideration to approve the professional services agreement with Neel-Schaffer for civil site design services for the Quarry Baseball Complex, City Park Tennis, and Shiloh Park at the terms listed in the attached agreement and authorize the Mayor to execute the same.
3. Consideration to approve Georganna Keenum to travel to Hattiesburg, MS November 9- 10,2023 to attend the Welcome Home MS Fall Managers Meeting and authorize reimbursement of travel expenses.
4. Consideration to approve release of survey and easement information to the City of Pearl regarding the Hwy 80/Old Brandon Road ditch.

Alderman Williams made the motion to approve agenda items 5.2- 5.4, in accordance with the

memos from the Mayor's office which are appended hereto, seconded by Alderman Vinson and upon unanimous vote the motion carried.

6. ANGELA BEAN, CITY CLERK

1. Consideration to adopt a retention policy for livestream recordings of Board meetings consistent with MDAH Local Government Records Office's retention schedule for municipalities.
2. Consideration to approve the transfer of the following vehicles:
  - 2023 Ford Maverick (Last 4 of VIN #3532) from Water Department to Community Development.
  - 2022 Ford Maverick (Last 4 of VIN #2299) from Community Development to Water Department.
3. Consideration to approve a Flu Shot Clinic for City personnel on Wednesday, October 18, 2023 and Thursday, October 19, 2023; finding that this benefit is critical to ensuring adequate staffing during the cold and flu season, which is a direct benefit to the citizenry and results in an overall savings to the City from the standpoint of lost time from work.
4. Consideration to approve:
  - a. Docket of Claims for 09/18/2023.
  - b. Fox Everett claims released on 09/05/2023 and 09/12/2023.

Alderman Coker 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 Farris and upon unanimous vote the motion carried.

7. CARLEY KEYES, EVENT SERVICES

1. Consideration to approve a professional services agreement for the purpose of promoting tourism in accordance with HB 1521 (2023 MS Legislative Session) and such other lawful and related purposes, for the following, and authorize the Mayor to execute the same; and approve and authorize all related show expenditures:
  - Live Nation Worldwide, Inc for a performance of Lana Del Rey Show - Wednesday, September 27, 2023.

Alderman Middleton made the motion to approve agenda item 7.1 in accordance with the memo of the Event Services Department, which is appended hereto, seconded by Alderman Williams and upon unanimous vote the motion carried.

8. PAUL BRANNON, PUBLIC WORKS DEPARTMENT

1. Consideration to approve updated Utility Adjustment Policy for the Public Works Department.
2. Consideration to approve a quote (lowest and best received) from Harvey Services, Inc. in the amount of \$34,090.43 for the rebuild of pump #1 at the Richland Creek Lift



Station in accordance with the memo.

3. Consideration to approve pay request #7 in the amount of \$469,637.65 from Thornton Construction Company for the Grants Ferry Parkway Sewer Line Extension Project and authorize payment of the same.
4. Consideration to approve a Subaward Agreement modification (56-1-DW-5.15) from MS Department of Environmental Quality and authorize the Mayor to execute the same.
5. Consideration to approve Change Order No. 2 from Utility Constructors, Inc. in the amount of \$146,851.32 for the Highway 80 Waterline Relocation Project (Value Rd.), first finding that for the reasons presented by the Public Works Director and the City's Engineer and otherwise that the change is necessary and will better serve the purposes of the City and finding that the change is made in a commercially reasonable manner and not to circumvent the public purchasing statutes.

Alderman Coker made the motion to approve agenda items 8.1-8.5 in accordance with the memos of the Public Works Department, which are appended hereto, seconded by Alderman Farris, whereupon Aldermen Farris, Womack, Coker, Williams and Vinson voted "AYE" and Aldermen Middleton and Craine voted "NAY", and the motion carried.

6. Consideration to award the bid for the Highway 80/Stonegate/Woodgate Signal Improvements Project to Hemphill Construction Company, Inc. in the amount of \$2,236,318.45 as the lowest and best bid received and authorize the Mayor to execute all related documents.

Alderman Coker made the motion to approve agenda item 8.6 in accordance with the memo of the Public Works Department, which is appended hereto, seconded by Alderman Farris and upon unanimous vote the motion carried.

## 9. SAM HAWKINS, COMMUNITY DEVELOPMENT

1. Public Hearing and board action regarding a conditional use application for Airspaces LLC to construct a monopole cell tower at 3006 Greenfield Rd. (Parcel # H8-10-140).

The public hearing was opened and the Community Development Director advised that all of the prerequisites to the public hearing have been met and he presented to the Mayor and Board, Staff Report 23-015, which includes the matters and things related to the application which is appended to the Minutes and incorporated into the public hearing and any action taken in this matter. The Director then advised that the matter had been presented to the Planning Commission which recommended approval of the application. After explaining the nature of the application, those desiring to make public comments regarding the same were given an opportunity to speak on the matter whereupon the following addressed the Mayor and Board of Aldermen: Todd Jenkins, Airspaces. There being no others desiring to speak, the public hearing was then closed.

Thereafter, Alderman Womack, first incorporating the Staff Report in this matter, and considering the recommendation of the Planning Commission and the matters and things presented at the Public Hearing, and first finding that the applicant has made satisfactory provision of the elements to be considered with respect to the granting of a conditional use as provided in Section 82-114 of the City's Code of Ordinances and has met the requirements and made satisfactory provision of the elements to be considered with respect to the granting of a conditional use as provided in Section 9.7.2 of the City's Zoning Ordinance, made the motion to approve the application as

presented subject to the terms and conditions as determined by the Planning Commission and included in the referenced Staff Report, which is appended hereto, and subject to the permission of the City to collocate for emergency communication purposes, at a mutually agreeable height, seconded by Alderman Coker made the motion to approve agenda items 8.1-8.5 in accordance with the memos of the Public Works Department, which are appended hereto, seconded by Alderman Coker and upon unanimous vote the motion carried.

2. Public hearing and board action regarding a conditional use application for Senior Care Living Solutions to operate an assisted living facility at 6100 Old Brandon Rd (Parcel # H9E-1).

The public hearing was opened and the Community Development Director advised that all of the prerequisites to the public hearing have been met and he presented to the Mayor and Board, Staff Report 23-018, which includes the matters and things related to the application which is appended to the Minutes and incorporated into the public hearing and any action taken in this matter. The Director then advised that the matter had been presented to the Planning Commission which recommended approval of the application. After explaining the nature of the application, those desiring to make public comments regarding the same were given an opportunity to speak on the matter whereupon the following addressed the Mayor and Board of Aldermen : Katie Bowling, Parkwood Realty. There being no others desiring to speak, the public hearing was then closed.

Thereafter, Alderman Coker, first incorporating the Staff Report in this matter, and considering the recommendation of the Planning Commission and the matters and things presented at the Public Hearing, and first finding that the applicant has met the requirements and made satisfactory provision of the elements to be considered with respect to the granting of a conditional use as provided in Section 9.7.2 of the City's Zoning Ordinance, made the motion to approve the application as presented subject to the terms and conditions as determined by the Planning Commission and included in the referenced Staff Report, which is appended hereto, seconded by Alderman Vinson and upon unanimous vote the motion carried.

3. Consideration to adopt a Resolution and Order adjudicating the cost of cleaning of property located at 30 Quail Ridge Dr.
4. Consideration to adopt a Resolution and Order adjudicating the cost of cleaning of property located at 131 Meadow Lane.

Alderman Williams made the motion to approve agent items 9.3 and 9.4, in accordance with the memos from the Community Development Department, which are appended hereto, seconded by Alderman Vinson and upon unanimous vote the motion carried.

#### 10. WAYNE DEARMAN, POLICE CHIEF

1. Consideration to authorize the Police Department to apply for the Homeland Security Grant and authorize the Mayor to execute any related documents.
2. Consideration to accept the resignations of
  1. Communication Officer Kevin Ypya effective September 14, 2023.
  2. Officer Thomas Lowe effective September 26, 2023.



3. Consideration to hire Elizabeth Stodghill as a Communications Officer effective September 18, 2023 and set rate of pay in accordance with the memo.

Alderman Vinson made the motion to approve agenda items 10.1-10.3 in accordance with the memos of the Police Department, which are appended hereto, seconded by Alderman Farris and upon unanimous vote the motion carried.

#### 11. BRIAN ROBERTS, FIRE CHIEF

1. Consideration to promote Lt. Keith Hall to Captain and set the rate of pay in accordance with the memo.
2. Consideration to hire William Tharp as a certified firefighter and set a rate of pay in accordance with the memo.
3. Consideration to permit Division Chief Jerry King to garage a city vehicle at his residence in accordance with City policy.
4. Consideration to declare as an emergency in accordance MCA Section 31-7-13(k), the repair of Engine 3-E-One (last 4 of VIN# 9942) in the amount of \$9,798.51 by Cummins Sales and Service, first finding that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governmental entity, and further approving the repairs in accordance with MCA Section 31-7-13(m)(ii), and to revise the budget accordingly.

Alderman Womack made the motion to approve agenda items 11.1- 11.4 in accordance with the memos of the Fire Department, which are appended hereto, seconded by Alderman Middleton and upon unanimous vote the motion carried.

#### 12. 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 Coker then made the motion to enter into Executive Session to discuss personnel matters in the police department and the transaction of business and discussions or negotiations of a business, seconded by Alderman Middleton and upon unanimous vote the motion carried.

Alderman Williams made the motion to terminate employee #2167, effective immediately, based on the recommendation of the Police Chief, with a memo regarding the action to be included in the employee's personnel file, seconded by Alderman Vinson and upon unanimous vote the motion carried.

Alderman Farris then 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 a vote regarding a personnel matter was taken in Executive Session was announced upon return to the Board Room).


Alderman Williams absented himself from the board meeting.

13. ADJOURN

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

(NEXT REGULAR BOARD MEETING: OCTOBER 2, 2023)

Minutes approved this 2<sup>nd</sup> day of October, 2023.

  
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Hon. Butch Lee, Mayor

Attest:

  
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Hon. Angela Bean, City Clerk

