

MINUTES OF THE REGULAR BOARD MEETING OF THE MAYOR AND BOARD OF
ALDERMAN OF THE CITY OF BRANDON, MISSISSIPPI
HELD ON APRIL 21, 2014

The Regular Board Meeting was held in the Brandon City Hall Boardroom, 1000 Municipal Drive, Brandon, Mississippi. The meeting was led by Mayor Butch Lee. Aldermen Morrow, Christopher, Williams, Morris, Vinson, Coker and Corley were present. Mayor Butch Lee led the prayer and led the Pledge of Allegiance. Public Comments/ Recognitions: Linda Wolfe with CMRLS made comments regarding National Library Week and thanked the board for its continued support.

1.

APPROVE MINUTES OF REGULAR BOARD MEETING APRIL 7, 2014; AND APPROVE MINUTES OF SPECIAL BOARD MEETING APRIL 14, 2014

Alderman Morrow made the motion to approve the Minutes of the Regular Board Meeting of April 7, 2014; and approve Minutes of the Special Board Meeting of April 14, 2014, which are appended hereto, seconded by Alderman Corley and upon unanimous vote the motion carried.

2.

ADOPT A RESOLUTION ALLOCATING MATCHING FUNDS IN THE AMOUNT OF \$600,000 TO BE USED IN CONJUNCTION WITH THE STATE'S COMMUNITY DEVELOPMENT BLOCK GRANT PROJECT FOR THE LUCKNEY ROAD SEWER PROJECT; APPROVE NEEL-SCHAFFER'S TASK ORDER NO. 1 FOR ENGINEERING SERVICES RELATED TO THE APPLICATION FOR PROJECT FUNDING WITH REGARD TO THE LUCKNEY ROAD SEWER PROJECT AND AUTHORIZE; AND ACCEPT A PROPOSAL FROM GUEST CONSULTANTS FOR PROFESSIONAL SERVICES TO PERFORM A BOUNDARY SURVEY OF BOYCE PROPERTY; AND APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BRANDON, RANKIN COUNTY AND MS TRANSPORTATION DEPARTMENT WITH REGARD TO THE DOWNTOWN HWY 80 BOX, SIGNALS AND WIDENING PROJECT (#STP-7314-00(027) LPA 106826-701000)

Alderman Vinson made the motion to adopt a resolution allocating matching funds in the amount of \$600,000 to be used in conjunction with the State's Community Development Block Grant Project for the Luckney Road Sewer Project; to approve Neel-Schaffer's Task Order No. 1 for engineering services related to the application for project funding with regard to the Luckney Road Sewer Project and authorize; and to accept a proposal from Guest Consultants for professional services to perform a boundary survey of Boyce Property; approve an interlocal agreement between the City of Brandon, Rankin County, and the MS Transportation Commission with regard to the Downtown Hwy 80 Box, Signals, and Widening Project, in accordance with the memos from the Mayor, which are appended hereto, seconded by Alderman Morrow and upon unanimous vote the motion carried.

3.

ACCEPT RESIGNATION OF PATROLMAN MATT GIPSON EFFECTIVE APRIL 27, 2014;
AND APPOINT JOSH MCCRORY AS MUNICIPAL COURT JUDGE PRO TEMPORE,
EFFECTIVE APRIL 9, 2014

Alderman Coker made the motion to accept resignation of Patrolman Matt Gipson effective April 27, 2014; and to appoint Josh McCrory as Municipal Court Judge Pro Tempore to serve when the Municipal Judge is unavailable, effective April 9, 2014, and to authorize payment, in accordance with the memos from Police Chief, which are appended hereto, seconded by Alderman Morris and upon unanimous vote the motion carried.

4.

PURCHASE FIFTY (50) MOTOROLA MODEL 6000 DIGITAL RADIOS IN THE AMOUNT
OF \$148,575.00 FROM JACKSON COMMUNICATIONS

Alderman Morrow made the motion to purchase fifty (50) Motorola model 6000 digital radios in the amount of \$148,575.00 from Jackson Communications, in accordance with the memo from Police Chief, which is appended hereto, seconded by Alderman Corley and upon unanimous vote the motion carried.

5.

PURCHASE UNIFORMS FROM M & D HEATH, LLC IN THE AMOUNT OF \$6,574.00

Alderman Corley made the motion to purchase uniforms from M & D Heath, LLC in the amount of \$6,574.00 as lowest and best bid received, in accordance with the memo from Fire Chief, which is appended hereto, seconded by Alderman Vinson and upon unanimous vote the motion carried.

6.

SET PUBLIC HEARINGS FOR MAY 5, 2014 FOR A VARIANCE REQUEST OF GARY
AND DIANE KING TO INSTALL AN 8 FT. PRIVACY FENCE IN THE REAR YARD AT
THEIR RESIDENCE LOCATED AT 231 EAST TOWNE DRIVE; AND A VARIANCE
REQUEST OF PATSY ROBINSON TO INSTALL AN 8 FT. PRIVACY FENCE IN THE
REAR YARD AT HER RESIDENCE LOCATED AT 239 EAST TOWNE DRIVE

Alderman Morris made the motion to set public hearings for May 5, 2014 for a variance request of Gary and Diane King to install an 8 ft. privacy fence in the rear yard at their residence located at 231 East Towne Drive; and a variance request of Patsy Robinson to install an 8 ft. privacy fence in the rear yard at her residence located at 239 East Towne Drive, in accordance with the memos from Community Development Director, which are appended hereto, seconded by Alderman Corley and upon unanimous vote the motion carried.

7.

APPROVE AN EXTERIOR RENOVATION FOR LOS PARRILLEROS LOCATED AT 1382 W. GOVERNMENT STREET (FORMER ANNIE D'S) IN A C-3 ARCHITECTURAL CONTROL DISTRICT

Alderman Morrow approve an exterior renovation for Los Parrilleros located at 1382 W. Government Street (former Annie D's) in a C-3 architectural control district, in accordance with the memo from Community Development Director, which is appended hereto, seconded by Alderman Vinson and upon unanimous vote the motion carried.

8.

APPROVE PROPOSED PLANS FOR A 720 SQ. FT. PRAYER CHAPEL TO BE LOCATED AT CROSSGATES UNITED METHODIST CHURCH, 23 CROSSGATES DRIVE, IN AN R-4 ZONED DISTRICT

Alderman Williams made the motion to approve proposed plans for a 720 sq. ft. Prayer Chapel to be located at Crossgates United Methodist Church, 23 Crossgates Drive, in an R-4 zoned district, in accordance with the memo from Community Development Director, which is appended hereto, seconded by Alderman Coker and upon unanimous vote the motion carried.

9.

APPROVE THE PROPOSED PLANS FOR A FAÇADE RENOVATION AT CROSSGATES CORNER RETAIL STRIP BUILDING LOCATED AT 315 CROSSGATES BLVD. IN A C-3 ARCHITECTURAL CONTROL DISTRICT

Alderman Coker made the motion to approve the proposed plans for a façade renovation at Crossgates Corner retail strip building located at 315 Crossgates Blvd. in a C-3 architectural control district, in accordance with the memo from Community Development Director, which is appended hereto, seconded by Alderman Morris and upon unanimous vote the motion carried.

10.

PUBLIC HEARING AND ACTION RE: DETERMINATION OF PUBLIC NUISANCE AT 124 SHADY LANE DRIVE, PARCEL NO. H9Q-30

This matter came before the Board on consideration of the condition of the property and improvements located at 124 Shady Lane Drive, Parcel No. H9Q-30, in accordance with MCA Section 21-19-11 (1972 as amended). Whereupon the City Attorney opened the Public Hearing and recognized the Director of Community Development who provided the Board with a Staff Report dated April 16, 2014 which is appended hereto and incorporated herein, generally describing the condition of the subject property and the improvements thereon. The Police Chief and Fire Chief provided further information to support the assessment and conclusions in the referenced report. The Police Chief stated that it was apparent that the subject property and improvements was being used by transients and that there was evidence of illegal drug use and further stated that the vehicles located thereon were inoperable according the definition in the City's Ordinances, (i.e., no valid tag or inspection sticker) and that one of the vehicles was not registered by VIN. The Fire Chief stated that the property was a safety and fire hazard.

Photographs of the subject property and improvements in its current condition were also reviewed by the Board and are appended hereto. Jonathan Crain, one of the children of the owner of the subject property agreed with the assessment of the condition of the property but asked the Board to give him some time to clean-up the property and to make the necessary repairs. It was reiterated by the Director of Community Development that the condition of the improvements was such that in order to make the repairs complete construction plans and engineering reports would be required as the damage is extensive and substantially in excess of 50% of the apparent fair market value and that the repairs would necessarily have to be considered to require a complete re-build. At the conclusion of the Public Hearing, Alderman Morrow made the motion to adjudicate the subject property and improvements in their then condition to be a menace to the public health and safety of the community and directed the City, if the Owner, or the designee thereof, does not do so himself, as provided herein, to use municipal employees or by contract to clean the subject property by removing all buildings and structures all of which are dilapidated, by removing all vehicles located thereon all of which are inoperable and by cutting and removing all weeds, filling cisterns, removing rubbish, dilapidated fences, outside toilets, dilapidated buildings and other debris, and thereafter, at the board meeting next after the completion of such work, to adjudicate the actual cost of cleaning and to impose a penalty as provided by statute and further in order to prevent the City from proceeding as provided herein, the Owner, or designee of the Owner, a determination which is expressly not being made by the City, and by this action expressly does not confer any right in and to any person or entity to perform such work, shall: (1) on or before April 25, 2014, completely secure all improvements located on the subject property such that the same cannot reasonably be entered or accessed by unauthorized persons, with the sufficiency of such work to be approved by the Director of Community Development; (2) on or before May 5, 2014, completely clean the subject property by removing all vehicles and debris and by cutting all weeds and grass and generally providing a clean and neat appearance of the exterior of all buildings and improvements and the subject property overall, the sufficiency of such work to be approved by the Director of Community Development; (3) on or before May 23, 2014, submit to the Community Development Department all required plans, reports or other documentation necessary to obtain a building permit for the rebuild/renovation of the improvements remaining on the subject property and to obtain from the Community Development Department a permit for such work; and (4) complete all work as permitted with respect to the rebuild and renovation of the improvements on the subject property in accordance with the permit issued and all plans and building codes and other applicable ordinances of the City, within 90 days of the issuance of the permit; and further that the failure to perform at any stage provided herein-above in the time and manner required will result in immediate action by the City as provided herein-above, seconded by Alderman Vinson, whereupon Aldermen Morrow, Christopher, Williams, Vinson and Corley voted "AYE" and Aldermen Morris and Coker voted "NAY" and the motion carried.

11.

RESCIND BOARD ACTION TAKEN ON APRIL 7, 2014 WITH REGARD TO THE BID RENEWAL WITH WEED PRO, L.L.C. IN THE AMOUNT OF \$27,900 AND AUTHORIZE ADVERTISEMENT FOR BIDS FOR HERBICIDE TREATMENT SERVICES; TO DECLARE AN EMERGENCY THE REPAIRS TO THE MARQUETTE WELL IN THE AMOUNT OF \$8,824 AND AUTHORIZE PAYMENT OF THE SAME TO GRINER DRILLING SERVICES, INC.; TO DECLARE AN EMERGENCY THE REPAIRS TO A 14 IN. SEWER MAIN THAT

RUNS NORTH OF SUNSET DRIVE BEHIND ORR DRIVE IN THE AMOUNT OF \$4,950.00 AND AUTHORIZE PAYMENT OF THE SAME TO DELTA CONSTRUCTORS, INC.; TO HIRE ANTONIO WIGGINS AS DRAINAGE SUPERINTENDENT EFFECTIVE MAY 19, 2014, AND APPROVE JOB DESCRIPTION; TO PROMOTE JAMES SPANN TO STREET SUPERINTENDENT EFFECTIVE APRIL 28, 2014; AND TO APPROVE A 45 DAY TIME EXTENSION FOR THE HWY 471 UTILITY RELOCATE PROJECT DUE TO INCLEMENT WEATHER

Alderman Coker made the motion to rescind board action taken on April 7, 2014 with regard to the bid renewal with Weed Pro, L.L.C. in the amount of \$27,900, as the contractor has failed and/or refused, after repeated requests, to provide a current and adequate Surety Bond, and authorize advertisement for bids for herbicide treatment services; to declare an emergency the repairs to the Marquette Well in the amount of \$8,824 and authorize payment of the same to Griner Drilling Services, Inc.; to declare an emergency the repairs to a 14 in. sewer main that runs north of Sunset Drive behind Orr Drive in the amount of \$4,950.00 and authorize payment of the same to Delta Constructors, Inc.; to hire Antonio Wiggins as Drainage Superintendent effective May 19, 2014, and approve job description; to promote James Spann to Street Superintendent effective April 28, 2014; and to approve a 45 day time extension for the Hwy 471 Utility Relocate Project due to inclement weather, in accordance with the memos from Public Works Director, which are appended hereto, seconded by Alderman Corley and upon unanimous vote the motion carried.

12.

HIRE PART-TIME SPLASH PARK EMPLOYEES EFFECTIVE MAY 10, 2014; TO RESCIND BOARD ACTION TAKEN ON APRIL 7, 2014, WITH REGARD TO THE PURCHASE OF THE SHADE STRUCTURE AT CITY PARK FROM PLAYSAPES, DUE TO A WARRANTY DIFFERENCE IN THE QUOTES RECEIVED; AND TO ACCEPT THE PROPOSAL FROM JEFCOAT RECREATION FOR THE REPLACEMENT OF THE SHADE STRUCTURE AT CITY PARK IN THE AMOUNT OF \$11,000.00 AS THE LOWEST QUOTE AND AUTHORIZE PAYMENT FROM THE PARK PALS ACCOUNT; HIRE BRANDON SLEDGE AS PART-TIME LABORER EFFECTIVE APRIL 21, 2014

Alderman Williams made the motion to hire part-time splash park employees effective May 10, 2014; to rescind board action taken on April 7, 2014, with regard to the purchase of the shade structure at City Park from Playscapes, due to a warranty difference in the quotes received; and to accept the quote from Jefcoat Recreation for the replacement of the shade structure at City Park in the amount of \$11,000.00 as the lowest and best quote received and to authorize payment from the Park Pals Account; hire Brandon Sledge as part-time laborer effective April 21, 2014, in accordance with the memos from Recreation Program Coordinator, which are appended hereto, seconded by Alderman Morris and upon unanimous vote the motion carried.

13.

APPROVE A LEASE PURCHASE AGREEMENT WITH TRUSTMARK BANK FOR THE PURCHASE OF THE MOTOROLA DIGITAL RADIOS IN THE AMOUNT OF \$148,575.00, PENDING APPROVAL OF THE PURCHASE AGREEMENT BY THE CITY ATTORNEY

AND AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE ALL RELATED DOCUMENTS; DISBURSE THE 2009 CLG SURPLUS GRANT FUNDS RECEIVED FROM MDAH TO THE BRANDON HISTORICAL & GENEALOGICAL SOCIETY IN THE AMOUNT OF \$703.65; APPROVE THE DOCKET OF CLAIMS FOR APRIL 9, APRIL 15, AND APRIL 21, 2014; AND APPROVE THE FOX EVERETT CLAIMS RELEASED ON APRIL 7 AND APRIL 10, 2014

Alderman Corley made the motion to approve a lease purchase agreement with Trustmark Bank for the purchase of the Motorola digital radios in the amount of \$148,575.00, as the lowest and best financing quote received, pending approval of the lease purchase agreement by the City Attorney and to authorize the Mayor and City Clerk to execute all related documents; to disburse the 2009 CLG surplus grant funds received from MDAH to the Brandon Historical & Genealogical Society in the amount of \$703.65; to approve the Docket of Claims for April 9, April 15, and April 21, 2014; and to approve the Fox Everett claims released on April 7 and April 10, 2014, in accordance with the memos from City Clerk, which are appended hereto, seconded by Alderman Coker and upon unanimous vote the motion carried.

14.
EXECUTIVE SESSION

Alderman Coker made the motion to consider the need to go into executive session to discuss potential litigation and the acquisition of real property, seconded by Alderman Corley and upon unanimous vote the motion carried.

Alderman Morrow then made the motion to go into executive session for the reasons stated and more specifically to discuss potential litigation involving CSpire Wireless and the acquisition of real property at Shiloh Park, seconded by Alderman Corley and upon unanimous vote the motion carried.

With respect to the Grubbs property purchase previously approved and authorized, the City Attorney presented the survey of the same and the appraisal and the previously approved purchase agreement and whereupon Alderman Morris made the motion to declare that based on all attendant facts and circumstances the value allocated in the appraisal for the improvements is less than the actual construction and/or replacement value of such improvements and accordingly properly offsets any allocated value of the real property in light of the final survey reflecting the actual size of the parcel as 3.39 acres, instead of 4.0 acres, and further finding that as such the appraised value which is the same as the best negotiated price, is reasonable, prudent and in the best interests of the public such that the City should proceed with the purchase of the subject property and improvements for the appraised value and agreed upon price of \$95,000.00, first finding that the subject property is uniquely located adjacent to Shiloh Park and is immediately contiguous to property owned by the City which is being used as a Parks Department and that the purchase of the subject property will result in substantial cost savings to the City and will enable the City to provide optimum services relating to the usage of Shiloh Park and for the continued upkeep and maintenance of Shiloh Park, seconded by Alderman Coker and upon unanimous vote the motion carried.

Alderman Morris made the motion to authorize the City Attorney to initiate legal action against CSpire Wireless and any others involved with causing the damage to the City's water

line at Stonebridge to recover damages for the repairs thereto and related costs and expenses, seconded by Alderman Morrow and upon unanimous vote the motion carried.

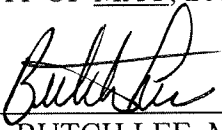
Alderman Corley made the motion to resume the Regular Board Meeting out of executive session, seconded by Alderman Coker and upon unanimous vote the motion carried.

15.
ADJOURN

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

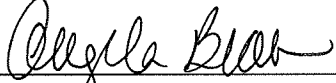
(Next Regular Board Meeting will be on May 5, 2014).

MINUTES APPROVED THIS THE 5th DAY OF MAY, 2014.



HON. BUTCH LEE, MAYOR

ATTEST:



ANGELA BEAN, CITY CLERK

