

MINUTES
BRANDON BOARD OF ALDERMEN
REGULAR BOARD MEETING
BUTCH LEE, MAYOR PRESIDING
OCTOBER 5, 2020

1. CALL TO ORDER – Mayor Lee and Aldermen Dobbs, Middleton, Coker, Williams, Vinson and Corley were present. Alderman Morris was absent.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

- Invocation: Carson Wofford, Mayor’s Youth Council
- Pledge of Allegiance: Joseph Bailey, Mayor’s Youth Council

3. PUBLIC COMMENTS AND RECOGNITIONS – None.

4. OLD BUSINESS

1. Approve the Regular Board Meeting Minutes of September 21, 2020.

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

5. BUTCH LEE, MAYOR

1. Approve the continuation of a local emergency for an additional thirty (30) days or such time that the Governor of Mississippi lifts the State of Emergency, whichever comes first.
2. Approve a Memorandum of Understanding between Department of Finance and Administration and the City of Brandon for the purpose of establishing the agreed upon conditions under which the DFA may disburse funds to assist the City in paying costs associated with the local project specified in Section 28(tt) of Senate Bill 2969 (2020 Regular Legislative Session) and authorize the Mayor to execute the same.
3. Adopt a Resolution of the City of Brandon, MS regarding Segment 3, including the add-option, of the East Metro Corridor in Rankin County, MS, under the authority of the previously approved Interlocal Agreement, and Amendment No. 1 thereto, with the East Metro Corridor Commission.
4. Approve the 2020-2021 Top Dog Scoreboard Sponsorship payable to the B-Club, Inc. in the amount of \$10,000.00 for the purposes of advertising and bringing into favorable notice the opportunities and possibilities of the City, first finding that this mode of advertising is in the best interest of the citizenry.

5. Approve support of the Mississippi Municipal League Resolution opposing Initiative 65.

Alderman Williams made the motion to approve agenda items 5.1 – 5.5, in accordance with the related memos from the Mayor, which are appended hereto, seconded by Alderman Dobbs and upon unanimous vote the motion carried.

6. ANGELA BEAN, CITY CLERK

1. Spread onto the Minutes an approval letter from the Attorney General dated September 23, 2020 regarding an Interlocal Cooperation Agreement between the City of Brandon and West Rankin Utility Authority for the Joint Undertaking of Sewer Infrastructure Repairs or Improvements.
2. Spread onto the Minutes the EMCC Interlocal Agreement and Amendment No. 1 thereto which were previously approved by the City, approved by the Attorney General and filed with the Rankin County Chancery Clerk.
3. Approve a rental agreement with R.J. Young, a state contract vendor, for a copier to be located in Community Development and authorize the Mayor to execute the same.
4. Approve:
 - a. Docket of Claims for September 22 and October 5 & 6, 2020.
 - b. Electronic Fund Transfers for September 2020.
 - c. Fox Everett claims released on July 2, August 26, September 18 & 24, 2020.

Alderman Coker made the motion to approve agenda items 6.1 6.4(a)-(c), in accordance with the related memos from the City Clerk, which are appended hereto, seconded by Alderman Williams and upon unanimous vote the motion carried.

7. MATT DODD, COMMUNITY DEVELOPMENT DEPARTMENT

1. Approve a Comprehensive Sign Plan for Kroger, located at 1811 W. Government Street.
2. Set a public hearing for October 19, 2020 during the Regular Board Meeting with regard to the consideration of a conditional use application request by Edward Kemp for a secondary detached dwelling unit (2015 Guest Drive, Lot 4 Brenmar Place).
3. Continue the recessed Public Hearing with regard to the consideration of a rezoning application request for The Cannon Company to rezone 2.68 acres of Parcel J8-7-30 from CC: Community Center Commercial to RM-8: Suburban Mixed Neighborhood District, to the 2nd day of November, 2020 during the Regular Board Meeting.

Alderman Vinson made the motion to approve agenda items 7.1 – 7.3, in accordance with the related memos from the Community Development Department, which are appended hereto, seconded by Alderman Corley and upon unanimous vote the motion carried.

4. Public hearing and board action with regard to the consideration of a variance application request for Sun-Pine Corporation, Ltd. to reduce the side yard setback requirements (609 W. Government Street, 210 Overby Street).

The Public Hearing was opened with respect to the referenced matter, whereupon the Director of Community Development advised that all prerequisites to the public hearing have been met and presented to be appended to the Minutes, proof of notice and a Staff Report prepared by the Community Development Department with respect to the same. The Director then advised that the Planning Commission voted to recommend approval of the same, with condition as set forth in the Staff Report, finding the elements required as set forth in Section 9.6.5 and Section 9.6.6 of the City's Zoning Ordinance were otherwise established. The Director then generally described the nature of the application, whereupon those desiring to speak in favor of or in opposition to or to make any public comment with respect to the same were requested to come forward and speak, whereupon Noel Daniels spoke in favor of the application. No one spoke in opposition to the application, and no one provided any other public comment with respect to the same. The Public Hearing was then closed.

First incorporating the matters and things presented at the Public Hearing, and further considering all attendant facts and circumstances and finding that the elements required in Section 9.6.1 of the City's Zoning Ordinance have been met and further finding that the conditions precedent to approving the same have been accomplished, Alderman Corley made the motion to approve agenda the application as presented, with the condition as outlined in the Staff Report, seconded by Alderman Middleton and upon unanimous vote the motion carried.

8. CHARLES SMITH, PUBLIC WORKS DEPARTMENT

1. Approve the utility adjustments/denials pursuant to the memo.
2. Hire Marcus Riley as a Water Laborer I and Christopher Miller as a Water Laborer II effective October 6, 2020 and set rates of pay pursuant the memo.
3. Accept the bids received on September 25, 2020 and award to Clear River Construction Co., Inc., as the lowest and best bid received, in the amount of \$1,037,693.55 with regard to the Highway 80 Multi-Use Trail, Pedestrian Bridge and Drainage Project and waive irregularities, if any, first finding that any irregularity was not of an omission of a mandatory statutory provision, did not destroy the competitive nature of the bid, did not have an effect as to the amount of the bid and did not give one bidder an advantage over another; and authorize the Mayor to execute any related documents

4. Accept the bids received on September 18, 2020 and award to NJ Farms, Inc., as the lowest and best bid received with regard to FY21 Concrete Construction Services commodity bid.
5. Accept the reverse auction bids received on September 11, 2020 and award to Delta Industries with regard to FY21 Concrete Materials commodity bid.

Alderman Corley made the motion to approve agenda items 8.1 – 8.5 in accordance with the related memos from the Public Works Department, which are appended hereto, seconded by Alderman Vinson and upon unanimous vote the motion carried.

6. Accept the reverse auction bids received on October 2, 2020 and award to Warren Vicksburg Stone with regard to the FY 21 Rip Rap/Limestone/Top-Soil commodity bid.
7. Approve the professional services generator maintenance agreement with Puckett Power Systems in the amount of \$15,815.00 and authorize the Mayor to execute the same.
8. Approve Utility Constructors, Inc. pay request #2 in the amount of \$108,320.65 regarding the Downtown Water Line Improvement Project and authorize payment of the same.
9. Approve Change Order #1 increasing the project total \$20,709.12, and summary Change Order #1 decreasing the project total \$7,576.00, which changes to the original contract are necessary and would better serve the purposes of the City and are being made in a commercially reasonable manner and not made to circumvent the public purchasing statutes in accordance with MCA 31-7-13(g); and approve pay request #1 (Final) in the total project amount of \$154,628.12 with regard to the 2020 Storm Drain Repair & Replacement Project and authorize execution and payment of the same.
10. Approve the Harold Hall Roofing, Inc. invoice in the amount of \$249,949.75 for repairs to the City Hall roof, which was declared an emergency at the Special Board Meeting of the City of Brandon on the 21th day of August, 2020, and authorize payment of the same.

Alderman Williams made the motion to approve agenda items 8.6 – 8.10 in accordance with the related memos from the Public Works Department, which are appended hereto, seconded by Alderman Dobbs and upon unanimous vote the motion carried.

11. Declare as an emergency the sewer main repair at Government Street and Louis Wilson by Utility Constructors, Inc., in the amount of \$16,079.00, and authorize payment of the same.
12. Declare as an emergency the water line repairs at 61 Sycamore Lane by Utility Constructors, Inc., in the amount of \$7,868.82, and authorize payment of the same.

13. Declare as an emergency the water line repairs at Oakcrest and Timber Ridge by Utility Constructors the amount of \$9,129.00 and authorize payment of the same.
14. Declare as an emergency the storm drain repair at 602 Belle Oak by Utility Constructors, Inc., in the amount of \$7,763.00 and authorize payment of the same.
15. Declare as emergency sewer line stabilization at Richland Creek by Burney Dirt and Gravel, Inc., in the amount of \$16,575.00 and authorize payment of the same.
16. Accept a Permanent Access and Utility Easement from Kennedy Farms, LLC.
17. Approve the release of the Letter of Credit from Bancorp South on behalf of Thornton Construction Inc., with respect to Cannon Ridge, Part 9.
18. Authorize Mayor to enter into a professional services agreement with Sun-Belt for concrete crushing in the amount of \$12.00 per ton with a 2500 ton minimum.

Alderman Vinson made the motion to approve agenda items. 8.11 – 8.18, in accordance with the related memos from the Public Works Department, which are appended hereto, seconded by Alderman Coker and upon unanimous vote the motion carried.

9. WILLIAM THOMPSON, POLICE CHIEF

1. Spread on the Minutes the Default Judgment entered on September 29, 2020 and the Agreed Order of Forfeiture entered on September 24, 2020 in Rankin County Circuit Court Cause No. 20-185 and declare \$1,143,690.00 as forfeited funds and authorize deposit into the Drug Seizure Fund and declare the personal property referenced therein as forfeited property and authorize the Police Department to obtain a Certificate of Title, as necessary, and to add all such personal property to the inventory of the Police Department and to authorize monetary disbursements to the Rankin County District Attorney and the Rankin County Sheriff's Department in accordance with MCA Section 41-29-181, as presented by the Police Department, and to acknowledge and approve the return of specified funds to claimant as set forth in the referenced Agreed Order.
2. Promote Lieutenant Dan Carter to Captain, Sergeant Joseph French to Lieutenant and Officer Drew Decker to Patrol Sergeant effective October 5, 2020 and adjust salaries pursuant to the memo.
3. Purchase, from drug seizure funds, a 3D High Resolution Crime Scene Camera Kit from L-Tron Corporation, a single/sole source item/vendor, as defined in MCA Section 31-7-13 (M)(viii), in the amount of \$9,613.95 and authorize payment of the same.

Alderman Coker made the motion to approve agenda items 9.1 – 9.3, in accordance with the related memos from the Police Department, which are appended hereto, seconded by Alderman Corley and upon unanimous vote the motion carried.

10. BRIAN ROBERTS, FIRE CHIEF

1. Monthly Reports:

Siren Report; functions properly: No Issues: Rickett Benkiser, Shiloh Park & Burnham Rd. sirens need repair. As of 10/5, all have been repaired and are functioning.

EMS Report; # of P1 calls: 165 Average Response Time: 8:01

2. Authorize the drive shaft repairs to the '99 Pierce Quantum Fire Engine from Fire Service Equipment, in accordance with MCA Section 31-7-13(m)(ii), in the amount of \$6,638.36 and authorize payment of the same.

Alderman Dobbs made the motion to approve agenda item 10.2, in accordance with the related memo from the Fire Department, which is appended hereto, seconded by Alderman Middleton 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 Corley and upon unanimous vote the motion carried.

Alderman Williams then made the motion to enter into executive session to discuss the transaction of business and discussions or negotiations regarding the location, relocation or expansion of a business in the City, personnel matters, and pending litigation with Gold Coast, seconded by Alderman Dobbs and upon unanimous vote the motion carried.

Alderman Williams made the motion to terminate Employee No. 1500 effective October 5, 2020, based upon the recommendation, seconded by Alderman Coker and upon unanimous vote the motion carried. A memo from the Public Works Director regarding this matter is to be included in the employee's personnel file.

Alderman Williams made the motion to approve professional services agreements with Sports Facilities Advisory, LLC and Fortune & Williamson with respect to the economic development project in development, and which is subject to non-disclosure agreement, and authorize the Mayor to execute the same, with the agreements to be maintained by the City Clerk, with public disclosure limited by the terms of the Mississippi Public Records Act of 1983, as applicable, seconded by Alderman Coker and upon unanimous vote the motion carried.

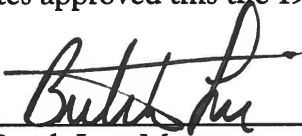
Alderman Corley made the motion to resume the Regular Board Meeting out of Executive Session, seconded by Alderman Coker and upon unanimous vote the motion carried.

(The votes taken in Executive Session were announced upon return to the board room).

12. ADJOURN

Alderman Corley made the motion to adjourn the Regular Board Meeting, seconded by Alderman Williams and upon unanimous vote the motion carried. (Next Regular Board Meeting: October 19, 2020).

Minutes approved this the 19th day of October 2020.



Hon Butch Lee, Mayor

Attest:



Hon. Angela Bean, City Clerk

