

MINUTES OF THE BOARD MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF BRANDON, MISSISSIPPI  
HELD ON OCTOBER 2, 2017

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 Middleton, Dobbs, Morris, Williams, Corley, Vinson and Coker were present. Savannah Robbins led the prayer and Sadie Stocks led the Pledge of Allegiance. Each are members of the Mayor's Youth Council. Public Comments/ Recognitions: Jimmy Stark, 55 Sunline Drive, thanked Donnie Sullivan for helping with his water problem.

1.

APPROVE THE MINUTES OF THE REGULAR BOARD MEETING OF  
SEPTEMBER 18, 2017

Alderman Corley made the motion to approve the Minutes of the Regular Board Meeting of September 18, 2017, which are appended hereto, seconded by Alderman Morris, and upon unanimous vote the motion carried.

2.

ADOPT RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF BRANDON TO EITHER ISSUE COMBINED WATER AND SEWER SYSTEM REVENUE BONDS OF THE CITY, ISSUE A REVENUE BOND OF THE CITY FOR SALE TO THE MS DEVELOPMENT BANK OR ENTER INTO A LOAN WITH THE MS DEVELOPMENT BANK, ALL IN A TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000.00) FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, REPAIRING AND EXTENDING THE COMBINED WATER AND SEWER SYSTEM OF THE CITY, AND FOR RELATED PURPOSES; ADOPT RESOLUTION HIRING LEGAL COUNSEL AND A MUNICIPAL ADVISOR IN CONNECTION WITH THE SALE AND ISSUANCE BY THE CITY OF BRANDON OF EITHER COMBINED WATER AND SEWER SYSTEM REVENUE BONDS OF THE CITY OR A REVENUE BOND OF THE CITY FOR SALE TO THE MS DEVELOPMENT BANK AND/OR THE EXECUTION AND DELIVERY OF THE DOCUMENTS NECESSARY TO SECURE A LOAN WITH THE MS DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000.00), AND FOR RELATED PURPOSES; ADOPT RESOLUTION DECLARING THE INTENTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF BRANDON, TO EITHER ISSUE GENERAL OBLIGATION BONDS OF THE CITY, ISSUE A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MS DEVELOPMENT BANK OR ENTER INTO A LOAN WITH THE MS DEVELOPMENT BANK, IN ONE OR MORE SERIES, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION DOLLARS (\$13,000,000.00) TO RAISE MONEY FOR THE PURPOSE OF ERECTING, REPAIRING, IMPROVING AND EXTENDING WATERWORKS, GAS, ELECTRIC AND DISTRIBUTION SYSTEMS AND FRANCHISES, ESTABLISHING SANITATION, STORM, DRAINAGE AND SEWAGE SYSTEMS AND REPAIRING, IMPROVING AND EXTENDING THE SAME, CONSTRUCTING BRIDGES AND CULVERTS, CONSTRUCTING, IMPROVING

AND PAVING STREETS, SIDEWALKS, DRIVEWAYS, PARKWAYS, WALKWAYS AND PUBLIC PARKING FACILITIES AND PURCHASING LAND THEREFOR, AND IMPROVING, EQUIPPING AND ADORNING PARKS AND PUBLIC PLAYGROUNDS INCLUDING THE CONSTRUCTING, REPAIRING AND EQUIPPING OF OTHER RECREATIONAL FACILITIES, ALL AS AUTHORIZED BY THE LAWS OF THE STATE OF MS, DIRECTING THE PUBLICATION OF A NOTICE OF SUCH INTENTION, AND FOR RELATED PURPOSES; AND ADOPT RESOLUTION HIRING LEGAL COUNSEL AND A MUNICIPAL ADVISOR IN CONNECTION WITH THE SALE AND ISSUANCE BY THE CITY OF BRANDON OF EITHER GENERAL OBLIGATION BONDS OF THE CITY OR A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MS DEVELOPMENT BANK AND/OR THE EXECUTION AND DELIVERY OF THE DOCUMENTS NECESSARY TO SECURE A LOAN WITH THE MS DEVELOPMENT BANK, ALL IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED THIRTEEN MILLION DOLLARS (\$13,000,000.00), DESIGNATING AN UNDERWRITER FOR THE PURCHASE AND SALE OF BONDS ISSUED BY THE MS DEVELOPMENT BANK ON BEHALF OF THE CITY, AND FOR RELATED PURPOSES

Alderman Coker made the motion to adopt a Resolution declaring the intention of the Mayor and Board of Aldermen of the City of Brandon to either issue combined water and sewer system revenue bonds of the city, issue a revenue bond of the city for sale to the MS Development Bank or enter into a loan with the MS Development Bank, all in a total aggregate principal amount of not to exceed two million dollars (\$2,000,000.00) for the purpose of acquiring, constructing, enlarging, improving, repairing and extending the combined water and sewer system of the city, and for related purposes; to adopt a Resolution hiring legal counsel and a municipal advisor in connection with the sale and issuance by the City of Brandon of either combined water and sewer system revenue bonds of the city or a revenue bond of the city for sale to the MS Development Bank and/or the execution and delivery of the documents necessary to secure a loan with the MS Development Bank, all in an aggregate principal amount not to exceed two million dollars (\$2,000,000.00), and for related purposes; to adopt a Resolution declaring the intention of the Mayor and Board of Aldermen of the City of Brandon, to either issue general obligation bonds of the city, issue a general obligation bond of the city for sale to the MS Development Bank or enter into a loan with the MS Development Bank, in one or more series, all in an aggregate principal amount not to exceed thirteen million dollars (\$13,000,000.00) to raise money for the purpose of erecting, repairing, improving and extending waterworks, gas, electric and distribution systems and franchises, establishing sanitation, storm, drainage and sewage systems and repairing, improving and extending the same, constructing bridges and culverts, constructing, improving and paving streets, sidewalks, driveways, parkways, walkways and public parking facilities and purchasing land therefor, and improving, equipping and adorning parks and public playgrounds including the constructing, repairing and equipping of other recreational facilities, all as authorized by the laws of the State of MS, directing the publication of a notice of such intention, and for related purposes; and to adopt a Resolution hiring legal counsel and a municipal advisor in connection with the sale and issuance by the City of Brandon of either general obligation bonds of the city or a general obligation bond of the city for sale to the MS Development Bank and/or the execution and delivery of the documents necessary to secure a loan with the MS Development Bank, all in an aggregate principal amount not to exceed thirteen million dollars (\$13,000,000.00), designating an underwriter for the purchase and sale of bonds issued by the MS Development Bank on behalf of

the city, and for related purposes, in accordance with the memos from the Mayor, which are appended hereto, seconded by Alderman Corley, and upon unanimous vote the motion carried.

3.

PRESENTATION OF LIFE SAVING AWARD

Chief Thompson presented Officer Kristen Liberto with Life Saving Award for assisting Scott Gilbert when he sustained a self-inflicted gunshot wound.

4.

APPROVE TRAVEL FOR CHIEF WILLIAM THOMPSON TO TRAVEL TO STARKVILLE, MS TO ATTEND THE 2017 CHIEF OF POLICE WINTER CONFERENCE ON DECEMBER 10-15, 2017; HIRE JOSHUA CHATHAM AS A COMMUNICATIONS OFFICER EFFECTIVE OCTOBER 3, 2017, AND SET RATE OF PAY; ACCEPT RESIGNATION OF MUNICIPAL PUBLIC DEFENDER SHANNON ELLIOTT AND TRANSFER MUNICIPAL ASSISTANT PROSECUTOR TO THE AVAILABLE POSITION EFFECTIVE OCTOBER 3, 2017, AND SET SALARY; AND SURPLUS EQUIPMENT THAT IS NO LONGER OF USE OR VALUE TO THE CITY AND TRANSFER THE EQUIPMENT TO JACKSON COMMUNICATIONS FOR DISPOSAL

Alderman Morris made the motion to approve travel for Chief William Thompson to travel to Starkville, MS to attend the 2017 Chief of Police Winter Conference on December 10-15, 2017; to hire Joshua Chatham as a Communications Officer effective October 3, 2017, and to set rate of pay; to accept the resignation of Municipal Public Defender Shannon Elliott and transfer Municipal Assistant Prosecutor to the available position effective October 3, 2017, and to set salary; and to surplus equipment that is no longer of use or value to the City and transfer the equipment to Jackson Communications for disposal, in accordance with the memos from the Police Chief which are appended hereto, seconded by Alderman Vinson, and upon unanimous vote the motion carried.

5.

PROMOTE CAPTAIN JUSTIN ADCOCK TO MEDICAL OFFICER AND ADJUST SALARY; APPROVE EMERGENCY EQUIPMENT PROFESSIONALS INVOICE IN THE AMOUNT OF \$5,200.00 FOR REPAIRS TO LADDER TRUCK AND AUTHORIZE PAYMENT OF THE SAME; ACCEPT RESIGNATION OF FIREFIGHTER JOHN BRIAN BOYLES EFFECTIVE OCTOBER 3, 2017; APPROVE MUTUAL AID AGREEMENT WITH RANKIN COUNTY BOARD OF SUPERVISORS AND BRANDON FIRE DEPARTMENT AND AUTHORIZE THE MAYOR TO EXECUTE THE SAME; ACCEPT DONATIONS IN THE TOTAL AMOUNT OF \$460.00 TO THE BRANDON FIRE DEPARTMENT FOR COMMUNITY RISK REDUCTION; AND ACCEPT MS OFFICE OF HOMELAND SECURITY GRANT FOR THE CERT AND FIRE CORPS PROGRAM IN THE AMOUNT OF \$1,250.00, AUTHORIZE THE MAYOR TO EXECUTE ANY RELATED DOCUMENTS, AND AMEND THE FY 18 BUDGET ACCORDINGLY

Alderman Corley made the motion to promote Captain Justin Adcock to Medical Officer and adjust salary; to approve Emergency Equipment Professionals invoice in the amount of \$5,200.00 for repairs to ladder truck and authorize payment of the same; to accept the resignation

of Firefighter John Brian Boyles effective October 3, 2017; to approve the Mutual Aid Agreement with the Rankin County Board of Supervisors and the Brandon Fire Department and authorize the Mayor to execute the same; to accept donations in the total amount of \$460.00 to the Brandon Fire Department for community risk reduction; and to accept the MS Office of Homeland Security Grant for the CERT and Fire Corps Program in the amount of \$1,250.00, authorize the Mayor to execute any related documents, and amend the FY 18 budget accordingly, in accordance with the memos from the Fire Chief, which are appended hereto, seconded by Alderman Dobbs, and upon unanimous vote the motion carried.

6.

APPROVE TRAVEL FOR DONNIE SULLIVAN TO TRAVEL TO OXFORD, MS TO ATTEND THE BUILDING OFFICIALS ASSOCIATION OF MS WINTER CONFERENCE ON OCTOBER 6-8, 2017

Alderman Morris made the motion to approve travel for Donnie Sullivan to travel to Oxford, MS to attend the Building Officials Association of MS Winter Conference on October 6-8, 2017, in accordance with the memo from the Community Development Director, which is appended hereto, seconded by Alderman Williams, and upon unanimous vote the motion carried.

7.

PUBLIC HEARING AND BOARD ACTION WITH REGARD TO THE DETERMINATION OF A PUBLIC NUISANCE AT 103 BULLDOG CIRCLE (PARCEL #I8L-3-20/PPIN 032588)

A public hearing was held regarding the condition of the property located at 103 Bulldog Circle (Parcel #I8L-3-20/PPIN 032588), whereupon the City Attorney opened the same and asked the Director of Community Development whether all the pre-requisites to the public hearing had been met. The Director advised that they had and accordingly the statutory notice is appended hereto and incorporated herein by reference together with a memo from the Director describing in detail the current condition of the property. After presentation by the Director of the facts and matters pertaining to the subject property, the property owner or any other person having an interest in and to the subject property and/or other person desiring to make any public comment or to present and additional matters related to the subject of the public hearing were requested to come forward and address the board and Larry Quillen made comment regarding the same. Thereupon, having considered the facts and matters presented and having considered all attendant facts and circumstances related to the subject matter of the public hearing and the subject property and first incorporating all documents and things presented by the Director relative thereto, and first finding that the subject property in its current condition constitutes a menace to the public health and safety of the community, Alderman Vinson made the motion to adopt a Resolution regarding the same which is appended hereto, and for the clean-up of the property as described in the memo relative to the same, to-wit: cutting grass, drain above ground pool and address grinder pump issues, as presented by the Director and for the filing of a Lis Pendens regarding the action of the board relative thereto and thereafter to present to the board for the assessment of penalties and costs as provided by statute, seconded by Alderman Coker, and upon unanimous vote the motion carried.

8.

PUBLIC HEARING AND BOARD ACTION WITH REGARD TO THE DETERMINATION OF A PUBLIC NUISANCE AT 704 BRENMAR STREET (PARCEL #I8A-8-20/PPIN 31479)

A public hearing was held regarding the condition of the property located at 704 Brenmar Street (Parcel #I8A-8-20/PPIN 31479), whereupon the City Attorney opened the same and asked the Director of Community Development whether all the pre-requisites to the public hearing had been met. The Director advised that they had and accordingly the statutory notice is appended hereto and incorporated herein by reference together with a memo from the Director describing in detail the current condition of the property. After presentation by the Director of the facts and matters pertaining to the subject property, the property owner or any other person having an interest in and to the subject property and/or other person desiring to make any public comment or to present and additional matters related to the subject of the public hearing were requested to come forward and address the board and none presented. Thereupon, having considered the facts and matters presented and having considered all attendant facts and circumstances related to the subject matter of the public hearing and the subject property and first incorporating all documents and things presented by the Director relative thereto, and first finding that the subject property in its current condition constitutes a menace to the public health and safety of the community, Alderman Corley made the motion to adopt a Resolution regarding the same which is appended hereto, and for the clean-up of the property as described in the memo relative to the same, to-wit: remove rubbish, garbage and debris, and drain pool, as presented by the Director and for the filing of a Lis Pendens regarding the action of the board relative thereto and thereafter to present to the board for the assessment of penalties and costs as provided by statute, seconded by Alderman Vinson, and upon unanimous vote the motion carried.

9.

APPROVE THE PRELIMINARY PLAT FOR EASTWOOD ESTATES

Alderman Dobbs made a motion to approve the preliminary plat for Eastwood Estates, in accordance with the memo from the Community Development Director, which is appended hereto, seconded by Alderman Williams, and upon unanimous vote the motion carried.

10.

DECLARE AS AN EMERGENCY, THE REPAIRS TO MEADOW POINTE COVE DRAINAGE AND AUTHORIZE PAYMENT OF MURPHY'S LAWN AND LANDSCAPE, INC. INVOICE IN THE AMOUNT OF \$9,924.98; ACCEPT AND AWARD BID #2017-015, GENERAL CONSTRUCTION SERVICES, BID #2017-009, HYDRATED LIME, BID #2017-023, ONE USED HYDRAULIC EXCAVATOR, AND BID #2017-024, ONE USED CRAWLER DOZER THAT WERE ACCEPTED ON AUGUST 8, 2017 AND SEPTEMBER 15, 2017, AS THE LOWEST AND BEST BIDS RECEIVED; ADVERTISE REQUEST FOR PROPOSALS FOR THE BRANDON UTILITY WATER METER PROJECT; APPROVE THORNTON CONSTRUCTION PAY REQUEST #1 IN THE AMOUNT OF \$27,688.94 AND AUTHORIZE PAYMENT OF THE SAME WITH REGARD TO THE 2017 PHASE A SEWER REPAIR PROJECT; APPROVE UTILITY CONSTRUCTORS, INC. PAY REQUEST #4 IN THE AMOUNT OF \$60,214.04 AND AUTHORIZE PAYMENT OF THE SAME WITH REGARD TO THE EAST BRANDON SANITARY SEWER IMPROVEMENT PROJECT, PHASE IV; AND APPROVE LEASE AGREEMENT WITH RANKIN COUNTY BOARD OF

EDUCATION IN THE AMOUNT OF \$300 PER YEAR FOR PLACEMENT OF A NEW WELL AND TANK

Alderman Williams made the motion to declare as an emergency, the repairs to Meadow Pointe Cove drainage and authorize payment of Murphy's Lawn and Landscape, Inc. Invoice in the amount of \$9,924.98; to accept and award Bid #2017-015, General Construction Services (Primary - Utility Constructors, Inc.; Secondary - Hemphill Construction Co.), Bid #2017-009, Hydrated Lime, Bid #2017-023, one used Hydraulic Excavator, and Bid #2017-024, one used Crawler Dozer that were accepted on August 8, 2017 and September 15, 2017, as the lowest and best bids received; to advertise a request for proposals for the Brandon Utility Water Meter Project; to approve Thornton Construction Pay Request #1 in the amount of \$27,688.94 and authorize payment of the same with regard to the 2017 Phase A Sewer Repair Project; to approve Utility Constructors, Inc. Pay Request #4 in the amount of \$60,214.04 and authorize payment of the same with regard to the East Brandon Sanitary Sewer Improvement Project, Phase IV; and to approve a Lease Agreement with Rankin County Board of Education in the amount of \$300 per year for placement of a new well and tank, in accordance with the memos from the Public Works Department, which are appended hereto, seconded by Alderman Coker, and upon unanimous vote the motion carried.

11.

AUTHORIZE REPAIR OF INGERSOLL RAND DRUM OWNED BY RANKIN COUNTY, NOT TO EXCEED FIVE THOUSAND DOLLARS (\$5,000.00), AS CONSIDERATION FOR THE AUTHORIZATION OF THE USE OF THE SAME BY RANKIN COUNTY

Alderman Vinson made the motion to authorize repair of Ingersoll Rand Drum owned by Rankin County, not to exceed five thousand dollars (\$5,000.00), as consideration for the authorization of the use of the same by Rankin County, seconded by Alderman Morris, and upon unanimous vote the motion carried.

12.

APPROVE CAL-MAR CONSTRUCTION CO. PAY REQUEST #1 IN THE AMOUNT OF \$16,788.40 AND AUTHORIZE PAYMENT OF THE SAME WITH REGARD TO THE TENNIS COURT CONVERSION/BLENDED LINE PROJECT; AND APPROVE THRASH COMMERCIAL CONTRACTORS, INC. CHANGE ORDER #5 IN THE AMOUNT OF \$793,670.00 WITH REGARD TO THE RANKIN TRAILS BASEBALL AND AMPHITHEATER PROJECT/THE QUARRY CONTINGENT UPON THE ISSUANCE OF THE 2017 PARK RENOVATION BOND AND AUTHORIZE THE MAYOR TO EXECUTE THE SAME

Alderman Corley made the motion to approve Cal-Mar Construction Co. Pay Request #1 in the amount of \$16,788.40 and authorize payment of the same with regard to the Tennis Court Conversion/Blended Line Project; and to approve Thrash Commercial Contractors, Inc. Change Order #5 in the amount of \$793,670.00 with regard to the Rankin Trails Baseball and Amphitheater Project/The Quarry contingent upon the issuance of the 2017 Park Renovation Bond and authorize the Mayor to execute the same, first finding that the change is being made in a commercially reasonable manner and further finding that the change is not being made to circumvent the public purchasing statutes and that the change is within the scope of work as

originally bid with the project, in accordance with the memos from the City Clerk, which are appended hereto, seconded by Alderman Williams, and upon unanimous vote the motion carried.

13.

DESIGNATE THE CITY CLERK AS A SECONDARY SIGNATORY OFFICIAL FOR THE FY 18 MS OFFICE OF HIGHWAY SAFETY GRANT; AND APPROVE THE DOCKET OF CLAIMS FOR SEPTEMBER 18 & 25, 2017 AND OCTOBER 2, 2017 (FY17 AND FY18), FOX EVERETT CLAIMS RELEASED ON SEPTEMBER 28, 2017, AND ELECTRONIC FUND TRANSFERS FOR SEPTEMBER 2017

Alderman Middleton made the motion to designate the City Clerk as a secondary signatory official for the FY 18 MS Office of Highway Safety Grant; and to approve the Docket of Claims for September 18 & 25, 2017 and October 2, 2017 (FY17 and FY18), Fox Everett claims released on September 28, 2017, and Electronic Fund Transfers for September 2017, in accordance with the memos from the 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 personnel matters and transaction of business and discussion regarding the prospective exclusive use of lands which includes commercial, financial information exempt from the provisions of public access, seconded by Alderman Corley, and upon unanimous vote the motion carried.

Alderman Corley then made the motion to go into executive session for the reasons stated and in particular to discuss matters pertaining personnel matters involving an employee of the Fire Department and the exclusive use of the Amphitheater on dates to be determined and the associated offers related thereto as presented by Red Mountain Entertainment, Inc., seconded by Alderman Morris, and upon unanimous vote the motion carried.

The Mayor advised that City has received commercial and financial information of a proprietary nature from Red Mountain Entertainment, Inc., (RME), who is the City's exclusive provider of promotional and booking services for the Amphitheater regarding the booking of Event #2018.022, at the Amphitheater and for the exclusive use of the same on dates certain to be determined, which information is required to be submitted by RME to the City for approval in accordance with the RME's professional services agreement with the City, and based on such trade secrets and commercial and financial information submitted by RME, all of which is proprietary to RME, Alderman Williams made the motion to authorize the Mayor to execute the offer on behalf of the City for said event, as presented by RME, which offer contains trade secrets and confidential and proprietary commercial and financial information and accordingly is exempt from the provisions of the Mississippi Public Records Act of 1983, and to direct the City Clerk to maintain the approved and executed offer in a segregated file with accompanying and associated information received from RME regarding said event, which file shall, unless otherwise directed by the Mayor and Board of Aldermen, be accessible only by the Mayor, City Attorney and City Clerk and further that in the event the offer for said event is accepted, the

Mayor is authorized to execute contract documents and set ticket pricing including associated fees and municipal charges, as recommended by RME, and to receive revenue and incur costs and expend monies and to take action consistent with the accepted offer and the agreement with RME relative to the advertising, promotion and staging of said event at the Amphitheater and after said event has been publicly announced by RME, the City Clerk shall present the executed contract for said event to be spread on the Minutes, with any proprietary commercial or financial information or trade secrets redacted therefrom, and shall thereafter provide a full accounting of all revenue and expenditures of said event to the Mayor and Board of Aldermen, all of which shall be maintained and reflected in a segregated event file for said event, and shall be reported and reconciled based on standards acceptable to the City's auditors with proprietary commercial and financial information and trade secrets of RME redacted therefrom, to be spread on the Minutes as soon as practical after said event, seconded by Alderman Coker and upon unanimous vote the motion carried.

Alderman Corley made the motion to terminate employee #940 effective September 28, 2017, in accordance with the memo from the Fire Chief, which shall be placed in the employee's personnel file, seconded by Alderman Vinson, 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 Dobbs, and upon unanimous vote the motion carried.

(The votes taken in Executive Session were announced upon return to the Board Room.)

15.  
ADJOURN

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

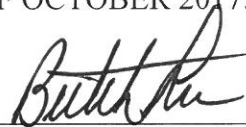
(Next Regular Board Meeting October 16, 2017.)

MINUTES APPROVED THIS THE 16<sup>th</sup> DAY OF OCTOBER 2017.

ATTEST:

  
ANGELA BEAN, CITY CLERK





BUTCH LEE, MAYOR