

MINUTES OF THE BOARD MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF BRANDON, MISSISSIPPI  
HELD ON NOVEMBER 6, 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 Corley, Dobbs, Middleton, Morris, Williams, and Vinson were present. Alderman Coker was absent. Jarrett Buisson led the prayer and Chandler Johnson led the Pledge of Allegiance. Each are members of the Mayor's Youth Council. Public Comments/ Recognitions: Jenny Smith spoke with regard to Veteran's Day and Eddie Smith spoke with regard to water rates.

1.

APPROVE THE MINUTES OF THE REGULAR BOARD MEETING OF  
OCTOBER 16, 2017 AND THE MINUTES OF THE SPECIAL BOARD MEETING OF  
OCTOBER 27, 2017

Alderman Corley made the motion to approve the Minutes of the Regular Board Meeting of October 16, 2017 and the Minutes of the Special Board Meeting of October 27, 2017, which are appended hereto, seconded by Alderman Dobbs, and upon unanimous vote the motion carried.

2.

PUBLIC HEARING AND BOARD ACTION WITH REGARD TO A RESOLUTION FINDING AND DETERMINING THAT A NOTICE OF RESOLUTION OF INTENT TO ISSUE EITHER GENERAL OBLIGATION BONDS OF THE CITY OR A GENERAL OBLIGATION BOND OF THE CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK OR TO ENTER INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK WAS DULY PUBLISHED AS REQUIRED BY LAW AND THAT NO WRITTEN PROTEST OR OTHER OBJECTION OF ANY KIND OR CHARACTER AGAINST THE ISSUANCE OF SAID BONDS OR BOND OR AGAINST SAID LOAN HAS BEEN FILED BY QUALIFIED ELECTORS OF SAID CITY; AUTHORIZING AND DIRECTING THE ISSUANCE OF SAID BONDS OR BOND OR THE ENTERING INTO OF SAID LOAN IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED THIRTEEN MILLION DOLLARS (\$13,000,000) 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 SEWAGES 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 CONSTRUCTION, REPAIRING AND EQUIPPING OF OTHER RECREATIONAL FACILITIES; AND FOR RELATED PURPOSES

The Public Hearing was opened with regard to the Resolution finding that as of the hour of 6:00 p.m. on November 6, 2017, no qualified elector of the City had filed a written protest or objection of any kind or character against the issuance of the Bonds or the City Bond or the authorization of the Loan with the City Clerk of the City or any member of the Governing Body. The City Attorney then gave all persons present or represented by counsel or otherwise the opportunity to be heard concerning the issuance of the Bonds or the City Bond or the authorization of the Loan and the purposes therefor and no protest or objection of any kind or character against the issuance of the Bonds or the City Bond or the authorization of the Loan or the purposes therefor was presented. The Public Hearing was then closed. Alderman Morris made the motion to adopt the Resolution finding and determining that a notice of resolution of intent to issue either general obligation bonds of the city or a general obligation bond of the city for sale to the Mississippi Development Bank or to enter into a loan with the Mississippi Development Bank was duly published as required by law and that no written protest or other objection of any kind or character against the issuance of said bonds or bond or against said loan has been filed by qualified electors of said city; authorizing and directing the issuance of said bonds or bond or the entering into of said loan in the aggregate principal amount of not to exceed thirteen million dollars (\$13,000,000) 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 sewages 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 construction, repairing and equipping of other recreational facilities; and for related purposes, and to append the same to the minutes, seconded by Alderman Vinson, and upon unanimous vote the motion carried.

3.

PUBLIC HEARING AND BOARD ACTION WITH REGARD TO A RESOLUTION FINDING AND DETERMINING THAT A NOTICE OF RESOLUTION OF INTENT TO EITHER ISSUE COMBINED WATER AND SEWER SYSTEM REVENUE BONDS OF SAID CITY, ISSUE A REVENUE BOND OF SAID CITY FOR SALE TO THE MISSISSIPPI DEVELOPMENT BANK OR ENTER INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK, ALL IN A TOTAL AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED TWO MILLION DOLLARS (\$2,000,000) WAS DULY PUBLISHED AS REQUIRED BY LAW AND THAT NO WRITTEN PROTEST OR OTHER OBJECTION OF ANY KIND OR CHARACTER AGAINST THE ISSUANCE OF SUCH REVENUE BONDS OR BOND OR AGAINST SAID LOAN HAS BEEN FILED BY QUALIFIED ELECTORS OF SAID CITY; DECLARING THE NECESSITY FOR THE SALE AND ISSUANCE OF SUCH REVENUE BONDS OR BOND OR ENTERING INTO SAID LOAN; AND FOR RELATED PURPOSES

The Public Hearing was opened with regard to the Resolution finding that as of the hour of 6:00 p.m. on November 6, 2017, no qualified elector of the City had filed a written protest or objection of any kind or character against the issuance of the Bonds or the City Bond or the authorization of the Loan with the City or any member of the Governing Body. The City

Attorney then gave all persons present or represented by counsel or otherwise the opportunity to be heard concerning the issuance of the Bonds or the City Bond or the authorization of the Loan and the purpose for which the proceeds of the Bonds, the City Bond or the Loan will be used and no protest or objection of any kind or character against the issuance of the Bonds or the City Bond or the authorization of the Loan or the purposes therefor was presented. The Public Hearing was then closed. Alderman Morris made the motion to adopt the Resolution finding and determining that a notice of resolution of intent to either issue combined water and sewer system revenue bonds of said city, issue a revenue bond of said city for sale to the Mississippi Development Bank or enter into a loan with the Mississippi Development Bank, all in a total aggregate principal amount of not to exceed two million dollars (\$2,000,000) was duly published as required by law and that no written protest or other objection of any kind or character against the issuance of such revenue bonds or bond or against said loan has been filed by qualified electors of said city; declaring the necessity for the sale and issuance of such revenue bonds or bond or entering into said loan; and for related purposes, and to append the same to the minutes, seconded by Alderman Vinson, and upon unanimous vote the motion carried.

4.

DECLARE SIXTEEN THOUSAND NINE HUNDRED DOLLARS (\$16,900) AS FORFEITED FUNDS TO BE DEPOSITED INTO THE DRUG SEIZURE FUND AND AUTHORIZE DISBURSEMENTS IN ACCORDANCE WITH MS CODE 41-29-181; APPROVE A MEMORANDUM OF UNDERSTANDING AS AMENDED WITH THE MS DEPARTMENT OF MENTAL HEALTH WITH REGARD TO THE MEDICATION DROP BOX AT THE BRANDON POLICE DEPARTMENT AND AUTHORIZE THE MAYOR TO EXECUTE THE SAME; HIRE HELEN HILL AS A PART-TIME COMMUNICATIONS OFFICER EFFECTIVE NOVEMBER 7, 2017 AND SET RATE OF PAY; AND TRANSFER SCHOOL RESOURCE OFFICER BRAD TURNER TO PATROL EFFECTIVE NOVEMBER 6, 2017

Alderman Williams made the motion to declare sixteen thousand nine hundred dollars (\$16,900) as forfeited funds to be deposited into the drug seizure fund and to authorize disbursements in accordance with MS Code 41-29-181; to approve a Memorandum of Understanding as amended, with the MS Department of Mental Health with regard to the medication drop box at the Brandon Police Department and to authorize the Mayor to execute the same; to hire Helen Hill as a part-time Communications Officer effective November 7, 2017 and to set rate of pay; and to transfer School Resource Officer Brad Turner to Patrol effective November 6, 2017, 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.

ACCEPT DONATION FROM MARY FORREST CHAPTER IN THE AMOUNT OF \$700.00 FOR THE PURCHASE OF A NEW SPARKY COSTUME AND AMEND THE BUDGET ACCORDINGLY; ACCEPT DONATION FROM ROGERS DABBS CHEVROLET IN THE AMOUNT OF \$500.00 FOR THE PURCHASE OF A STEP MILL AND AMEND THE BUDGET ACCORDINGLY; APPROVE TRAVEL FOR LT. SAMANTHA RANER TO TRAVEL TO MERIDIAN, MS TO ATTEND THE ADVANCED SEARCH AND RESCUE CLASS ON NOVEMBER 12-16, 2017; ACCEPT THE RESIGNATION OF FIREFIGHTER

HARRY HORTON EFFECTIVE NOVEMBER 7, 2017; AND REJECT BIDS RECEIVED FOR BID #2017-027, SALE OF A 1997 FERRARA PUMPER, THAT WERE RECEIVED ON OCTOBER 23, 2017 AND AUTHORIZE POSTING OF NOTICE TO SELL THE SAME

Alderman Corley made the motion to accept the donation from Mary Forrest Chapter in the amount of \$700.00 for the purchase of a new Sparky costume and to amend the budget accordingly; to accept the donation from Rogers Dabbs Chevrolet in the amount of \$500.00 for the purchase of a step mill and to amend the budget accordingly; to approve travel for Lt. Samantha Raner to travel to Meridian, MS to attend the Advanced Search and Rescue Class on November 12-16, 2017; to accept the resignation of Firefighter Harry Horton effective November 7, 2017; and to reject bids received for Bid #2017-027, sale of a 1997 Ferrara Pumper, that were received on October 23, 2017 and to authorize posting of notice to sell the same, in accordance with the memos from the Fire Chief, which are appended hereto, seconded by Alderman Morris, and upon unanimous vote the motion carried.

6.

APPROVE TRAVEL FOR JORDAN HILLMAN TO TRAVEL TO GOLDEN, CO TO ATTEND THE ENGAGING LOCAL GOVERNMENT LEADERS 2018 CONFERENCE ON MAY 16-19, 2018; SET A PUBLIC HEARING FOR NOVEMBER 20, 2017 DURING THE REGULAR BOARD MEETING WITH REGARD TO THE CONSIDERATION OF A ZONING REQUEST FROM JETT INVESTMENTS, LLC TO REZONE PARCELS I8C-5 AND I8C-7-10 FROM HASTINGS PUD TO THE PROPOSED LONGLEAF PLACE PUD; APPROVE THE CANON RIDGE PART 9 FINAL PLAT; APPROVE THE CROSSGATES CROSSING FINAL PLAT; SUBMIT A LETTER TO THE FEDERAL DELEGATION ON BEHALF OF THE BOARD OF ALDERMEN AND MAYOR IN SUPPORT OF THE RETENTION OF THE FEDERAL HISTORIC TAX CREDIT IN ANY TAX REFORM LEGISLATION THAT MAY BE CONSIDERED BY CONGRESS; AND APPROVE THE ARCHITECTURAL PLANS FOR 2 OVERBY STREET

Alderman Morris made the motion to approve travel for Jordan Hillman to travel to Golden, CO to attend the Engaging Local Government Leaders 2018 Conference on May 16-19, 2018; to set a public hearing for November 20, 2017 during the Regular Board Meeting with regard to the consideration of a zoning request from Jett Investments, LLC to rezone parcels I8C-5 and I8C-7-10 from Hastings PUD to the proposed Longleaf Place PUD; to approve the Canon Ridge Part 9 Final Plat; to approve the Crossgates Crossing Final Plat; to submit a letter to the Federal Delegation on behalf of the Board of Aldermen and Mayor in support of the retention of the Federal Historic Tax Credit in any tax reform legislation that may be Considered by Congress; and to approve the architectural plans for 2 Overby Street, in accordance with the memos from the Community Development Director, which are appended hereto, seconded by Alderman Dobbs, and upon unanimous vote the motion carried.

7.

ACCEPT CORRESPONDENCE FROM THE ATTORNEY GENERAL WITH REGARD TO THE CITY OF BRANDON AND THE CITY OF PEARL INTER-LOCAL AGREEMENT REGARDING UTILITY CUSTOMERS ON LUDLOW ROAD AND LAKESHORE DRIVE IN PEARL, MS; APPROVE THE INTER-LOCAL AGREEMENT BETWEEN THE CITY OF BRANDON AND THE CITY OF PEARL REGARDING UTILITY AND SANITATION BILLING AND AUTHORIZE THE MAYOR TO EXECUTE THE SAME; APPROVE THE 36-MONTH ADVANTAGE BUSINESS SYSTEM (STATE CONTRACT VENDOR) AGREEMENTS FOR THE COPIERS AT THE PUBLIC WORKS OFFICE IN THE AMOUNT OF \$222.00 PER MONTH AND CITY SHOP IN THE AMOUNT OF \$169.00 PER MONTH AND AUTHORIZE THE MAYOR TO EXECUTE THE SAME; APPROVE THE MID DELTA EQUIPMENT, LLC INVOICE IN THE AMOUNT OF \$53,903.07 WITH REGARD TO THE CONCRETE CRUSHING FOR THE AMPHITHEATER AND TO AUTHORIZE PAYMENT OF THE SAME; AND REQUEST PERMISSION TO OPERATE THE STREET SWEEPER AND LEAF VACUUM FROM DECEMBER 1, 2017 TO MARCH 1, 2018

Alderman Corley made the motion to accept the correspondence from the Attorney General with regard to the City of Brandon and the City of Pearl inter-local agreement regarding utility customers on Ludlow Road and Lakeshore Drive in Pearl, MS; to approve the inter-local agreement between the City of Brandon and the City of Pearl regarding utility and sanitation billing and to authorize the Mayor to execute the same; to approve the 36-month Advantage Business System (state contract vendor) agreements for the copiers at the Public Works Office in the amount of \$222.00 per month and City Shop in the amount of \$169.00 per month and to authorize the Mayor to execute the same; to approve the Mid Delta Equipment, LLC invoice in the amount of \$53,903.07 with regard to the concrete crushing for the amphitheater and to authorize payment of the same; and to request permission to operate the street sweeper and leaf vacuum from December 1, 2017 to March 1, 2018, in accordance with the memos from the Public Works Department, which are appended hereto, seconded by Alderman Williams, and upon unanimous vote the motion carried.

8.

APPROVE UTILITY ACCOUNT ADJUSTMENTS RE: MR. TAYLOR JONES AT 106 W. SUNSET DRIVE AND TAWANA & LADONNA PROCTOR AT 116 TAWANA ANN DRIVE

Alderman Vinson made the motion to approve utility account adjustments re: Mr. Taylor Jones at 106 W. Sunset Drive and Tawana & Ladonna Proctor at 116 Tawana Ann Drive, in accordance with the memos from the Public Works Department, which are appended hereto, seconded by Alderman Middleton, and upon unanimous vote the motion carried.

9.

APPROVE SAMPLE, HICKS AND ASSOCIATES TO SERVE AS GRANT ADMINISTRATOR FOR THE CDBG PROJECT-LUCKNEY ROAD SEWER PHASE B

Alderman Williams made the motion to approve Sample, Hicks and Associates to serve as Grant Administrator for the CDBG Project-Luckney road Sewer Phase B, in accordance with the memo from the Economic Development Director, which is appended hereto, seconded by Alderman Morris, and upon unanimous vote the motion carried.

10.

APPROVE RJ YOUNG (STATE CONTRACT VENDOR) COPIER AGREEMENT FOR THE SENIOR SERVICE COPIER IN THE AMOUNT OF \$215.00 PER MONTH AND AUTHORIZE THE MAYOR TO EXECUTE THE SAME; AND ACCEPT THE RESIGNATION OF COREY HOLLOWAY EFFECTIVE NOVEMBER 6, 2017

Alderman Corley made the motion to approve the RJ Young (state contract vendor) copier agreement for the Senior Service copier in the amount of \$215.00 per month and to authorize the Mayor to execute the same; and to accept the resignation of Corey Holloway effective November 6, 2017, in accordance with the memos from the Parks & Recreation Director, which are appended hereto, seconded by Alderman Williams, and upon unanimous vote the motion carried.

11.

SPONSOR THE BRANDON MIDDLE SCHOOL 9<sup>TH</sup> ANNUAL DOG JAM EVENT IN THE AMOUNT OF \$500.00 AND AUTHORIZE PAYMENT OF THE SAME; APPROVE THE FISCAL YEAR 2017 BUDGET AMENDMENTS AND AUTHORIZE PUBLICATION OF THE SAME; AND APPROVE THE DOCKET OF CLAIMS FOR OCTOBER 16, 24, 25 & 31, 2017 AND NOVEMBER 6, 2017

Alderman Morris made the motion to sponsor the Brandon Middle School 9<sup>th</sup> Annual Dog Jam event in the amount of \$500.00, for the purpose of advertising and to bring into favorable notice of the opportunities and possibilities of the City, first finding that this mode of advertising is in the best interests of the City, and to authorize payment of the same; to approve the Fiscal Year 2017 budget amendments and to authorize publication of the same; and to approve the Docket of Claims for October 16, 24, 25 & 31, 2017 and November 6, 2017, in accordance with the memos from the City Clerk, which are appended hereto, seconded by Alderman Vinson, and upon unanimous vote the motion carried.

12.

#### EXECUTIVE SESSION

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

Alderman Morris 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 Police Department, the acquisition of real property re: Grant's Ferry Parkway and the Downtown Revitalization Plan, potential litigation re: Gold Coast/utility issues, 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 Williams, and upon unanimous vote the motion carried.

Alderman Vinson made the motion to accept the resignation of Employee #1331 effective October 31, 2017, and to find that had the employee not resigned he would have been terminated and to authorize the Police Chief to complete the Peace Officer Standards and Training Form to indicate that the employee resigned to prevent termination and to indicate ineligibility for rehire and to include a memo in the employee's personnel file to this effect, seconded by Alderman Williams, 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 Events #2018-024, 2018-025, and 2018-026, 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 Corley made the motion to authorize the Mayor to execute the offers on behalf of the City for said events, as presented by RME, which offers contain trade secrets and confidential and proprietary commercial and financial information and accordingly are exempt from the provisions of the Mississippi Public Records Act of 1983, and to direct the City Clerk to maintain the approved and executed offers in segregated files with accompanying and associated information received from RME regarding said events, which files 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 offers for said events are 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 offers and the agreement with RME relative to the advertising, promotion and staging of said events at the Amphitheater and after said event has been publicly announced by RME, the City Clerk shall present the executed contract for said events 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 events to the Mayor and Board of Aldermen, all of which shall be maintained and reflected in a segregated event file for said events, 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 events, seconded by Alderman Dobbs 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 Middleton, and upon unanimous vote the motion carried.

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

13.

ADOPT AN ORDER NUNC PRO TUNC TO CORRECTLY EVIDENCE A PREVIOUS ACTION WHICH IS ALLEGED TO NOT HAVE BEEN ACCURATELY REFLECTED IN THE OFFICIAL ACTION TAKEN

Alderman Corley made the motion to adopt an order nunc pro tunc, as presented and appended hereto, to correctly evidence a previous action on August 21, 2017, regarding the revision of the rate schedule as included in Appendix C of the Code of Ordinances to reflect a revised rate schedule for users charges for municipal water and sewer customers which is alleged to not have been accurately reflected in the official action taken and to append the same to the minutes of August 21, 2017 and the original order adopted on said date, seconded by Alderman Middleton, and upon unanimous vote the motion carried.

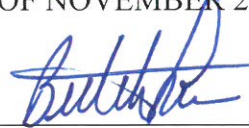
14.

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 November 20, 2017.)

MINUTES APPROVED THIS THE 20<sup>TH</sup> DAY OF NOVEMBER 2017.



HON. BUTCH LEE, MAYOR

ATTEST:



ANGELA BEAN, CITY CLERK

