

MINUTES OF THE BOARD MEETING OF THE MAYOR AND BOARD OF ALDERMEN  
OF THE CITY OF BRANDON, MISSISSIPPI  
HELD ON JUNE 4, 2018

The Regular Board Meeting was held in the Brandon City Hall Board Room, 1000 Municipal Drive, Brandon, Mississippi. The meeting was led by Mayor Butch Lee. Aldermen Dobbs, Middleton, Morris, Coker, Williams, Vinson, Williams, and Corley were present. Ben Miller of the Mayor's Youth Council led the prayer and the Pledge of Allegiance. Public Comments/ Recognitions: Edward Hamilton, 513 Busick Well Road, expressed concerns regarding water from Hastings and Longleaf subdivisions. Michael Mann, 143 Meadow Lane Road, expressed concerns about drainage issues on Meadow Lane Road. He provided pictures which are appended to the Minutes.

1.

APPROVE THE MINUTES OF THE REGULAR BOARD MEETING OF  
MAY 21, 2018

Alderman Coker made the motion to approve the Minutes of the Regular Board Meeting of May 21, 2018, which are appended hereto, seconded by Alderman Corley, and upon unanimous vote the motion carried.

2.

APPROVE AMENDED AND RESTATED SERVICE AGREEMENT WITH WEST RANKIN  
UTILITY AUTHORITY

Alderman Vinson made the motion to approve the amended and restated service agreement with West Rankin Utility Authority and to authorize the Mayor and City Clerk to execute the same, in accordance with the memo from the Mayor, which is appended hereto, seconded by Alderman Morris, and upon unanimous vote the motion carried.

3.

APPROVE TRAVEL FOR INVESTIGATOR MICHAEL CASE AND LT. RICK FOWLER  
AND LT. ROD BURCH

Alderman Corley made the motion to approve travel for Michael Case and Lt. Rick Fowler and Lt. Rod Burch, in accordance with the memos from the Police Chief, which are appended hereto, seconded by Alderman Williams, and upon unanimous vote the motion carried.

4.

HIRE BOBBY EVERETT, JR., AS A PART-TIME FIREFIGHTER/EMT, APPROVE  
TRAVEL FOR LT. SAMANTHA RANER AND CHIEF TERRY WAGES, REMOVE  
INACTIVE PART-TIME EMPLOYEES FROM PAYROLL SYSTEM AND ACCEPT  
RESIGNATION OF FIREFIGHTER JAMES FOLEY

Alderman Morris made the motion to hire Bobby Everett, Jr., as a part-time Firefighter/EMT effective June 5, 2018 and set rate of pay, to approve travel for Lt. Samantha Raner and Chief Terry Wages, to remove inactive part-time employees from payroll system and to accept the resignation of Firefighter James Foley effective May 23, 2018, in accordance with the memos from the Fire Chief, which are appended hereto, seconded by Alderman Dobbs, and upon unanimous vote the motion carried.

5.

PUBLIC HEARING AND ACTION RE: DIMENSIONAL VARIANCE REQUEST OF JASON CARROLL AT 8 TREEWAY DRIVE

The Public Hearing was opened with respect to the dimensional variance request of Jason Carroll, 8 Treeway Drive (Parcel#H9C-8-50), whereupon the Director of Community Development advised that all prerequisites to the public hearing have been met and further advised that the Planning Commission voted to recommend approval of the application with conditions and further advised Mayor and Board of Aldermen with respect to the nature of the application and that the staff's recommendations regarding the same, all of which is contained in the Staff Report regarding this matter, which is incorporated herein by reference. Thereafter those in favor of or in opposition to the application were requested to come forward and speak, whereupon Jason Carroll, Scott Ewing, 6 Treeway Drive, and William Pace spoke in favor of the request but in opposition to the recommendation of the Planning Commission for a privacy fence. No one spoke in opposition and no one provided any additional comment regarding the matter and the Public Hearing was then closed. Thereafter, Alderman Middleton, for the reasons expressed in the Staff Report and for such other reasons that such variances are granted, made the motion to approve the variance request with only the conditions recommended by Community Development Staff and not by the Planning Commission and to append the Staff Report and attachments thereto to the Minutes, seconded by Alderman Williams and upon unanimous vote the motion carried.

6.

PUBLIC HEARING AND ACTION RE: RE-ZONING REQUEST OF RW DISTRIBUTORS, INC., 1046 HWY. 471

The Public Hearing was opened with respect to the re-zoning request of RW Distributors, Inc., regarding that certain property located at 1046 Hwy. 471 (Parcels #I9-16-210 and I9-16-200), whereupon the Director of Community Development advised that all prerequisites to the public hearing have been met and further advised that the Planning Commission voted to recommend approval of the application and further advised Mayor and Board of Aldermen with respect to the nature of the application and that the staff's recommendations regarding the same all of which is contained in the Staff Report regarding this matter, which is incorporated herein by reference. Thereafter those in favor of or in opposition to the application were requested to come forward and speak, whereupon Robert Whitehead spoke in favor of the request. No one spoke in opposition and no one provided any additional comment regarding the matter, and the Public Hearing was then closed. Thereafter, Alderman Dobbs, for the reasons expressed in the Staff Report and first finding that the applicant has met its burden of proof that the re-zoning will correct a manifest error in the zoning ordinance and will more suitable promote and protect the

public health, safety, and welfare that the existing district boundaries, which the amendment will replace, made the motion to adopt an Ordinance re-zoning the subject property from the current classifications to ORC (Office and Research Campus) and to amend the City's official zoning map accordingly, and to append the Staff Report and attachments thereto to the Minutes, seconded by Alderman Vinson and upon unanimous vote the motion carried.

7.

APPROVE APPLICATION FOR CERTIFIED TREE CITY AND APPROVE DEVELOPMENT REVIEW OF BRANDON ELEMENTARY SCHOOL

Alderman Corley made the motion to approve an application for the City to be a certified tree city through the Mississippi Forestry Commission and to approve the development review of the Brandon Elementary School, in accordance with the memos from the Community Development Department which are appended hereto, seconded by Alderman Coker and upon unanimous vote the motion carried.

Alderman Corley exits the board room.

8.

APPROVE DEVELOPMENT REVIEW OF BRANDON MIDDLE SCHOOL

Alderman Vinson made the motion to approve the development review of the Brandon Middle School, in accordance with the memo from the Community Development Department which is appended hereto, seconded by Alderman Coker and upon unanimous vote, with the exception of Alderman Corley who was absent from the board room, the motion carried.

Alderman Corley returns to the board room.

9.

PUBLIC HEARINGS AND ACTION RE: DELINQUENT GARBAGE ACCOUNTS

The next matter for consideration were public hearings and action regarding certain delinquent garbage accounts as set forth in the memo from the Public Works Director dated May 30, 2018. Whereupon the Public Works Director advised that all pre-requisites to the public hearings have been met and that each of the accounts and property holders for which public hearings are to be held were given Notice of Intent of the City of Brandon to Declare a Lien on Real Property and Provide Notice to the Rankin County Tax Collector Regarding Unpaid Fees and Charges for Rubbish Collection and Disposal per Section MCA Section 21-19-2 (1972 as Amended). Thereafter all account and property holders so identified in the said memo were called and given an opportunity to appear and address the Mayor and Board of Aldermen concerning the same. None appeared. With the exception of the accounts at 153 Mary Miles Drive and 284 Mary Miles Drive, which were determined to be vacant and to be removed from active collection accounts and moved into delinquent status. Alderman Coker made the motion to declare those given notice to appear and failing to do so as indicated herein-above to be in default and that liens be filed with the Chancery Clerk on the real property identified as the account location and that notices of delinquency be provided to Tax Collector, unless full payment and/or

a payment plan has been executed by the account holder and/or property owner and the Director of Economic Development, subsequent to the public hearings and before the same are filed, consistent with the directives of the Mayor and Board of Aldermen and that specific authority be granted to the Director of Economic Authority to cancel any liens and notices for any account brought current and to enter into payment plans consistent with the directives of the Mayor and Board of Alderman, and further that where adjustments are indicated herein-above, that based on the evidence submitted such adjustments be approved as indicated, and further that all documents related to these public hearings be appended to the minutes, seconded by Alderman Williams and upon unanimous vote the motion carried.

10.

APPROVE PAY REQUEST #6 TO HEMPHILL CONSTRUCTION CO.; DECLARE AS AN EMERGENCY THE SEWER CCTV AND SEWER REPAIR TO MEADOW LANE ROAD, DECLARE AS AN EMERGENCY REPAIRS TO HWY. 468 LIFT STATION; HIRE AUSTIN MURPHY AS SEWER LABORER III

Alderman Dobbs made the motion to approve Pay Request #6 to Hemphill Construction Co., re: Hwy. 80 Improvements Project; to declare as an emergency and approve expenditures re: CCTV and sewer repair to Meadow Lane Road; to declare as an emergency and approve expenditures for repairs to Hwy. 468 Lift Station and to hire Austin Murphy as a Sewer Laborer III, effective June 5, 2018 and set rate of pay, in accordance with the memos of the Public Works Director which are appended hereto, seconded by Alderman Morris and upon unanimous vote the motion carried.

11.

APPROVE SUPPLEMENTAL AGREEMENTS RE: HWY. 80 IMPROVEMENTS PROJECT

Alderman Morris made the motion to approve a change order via a Supplemental Agreement with Hemphill Construction Co., with respect to the Hwy. 80 Improvements Project first finding that the change to the original contract are necessary and would better serve the city's purposes without the necessity of further bids and that the change is being made in a commercially reasonable manner and is not being made to circumvent the public purchasing statutes and to approve Supplemental Agreements with MDOT with respect to said Project, and to authorize the Mayor and City Clerk to execute the same, in accordance with the memos of the Public Works Director which are appended hereto, seconded by Alderman Dobbs and upon unanimous vote the motion carried.

12.

HIRE PART-TIME EMPLOYEES AT THE PARKS DEPARTMENT; APPROVE REVISED JUSTICE, LLC REVISED RATE SCHEDULE; APPROVE SECOND ADDENDUM TO EVENT CONCESSIONS, INC., AGREEMENT AND APPROVE ADDITIONAL TRAFFIC STUDIES WITH NEEL-SCHAFFER

Alderman Corley made the motion to hire part-time employees effective June 5, 2018 and to set rate of pay; to approve the amended rate schedule for Justice, LLC re: Brandon Amphitheater security services for 2018 Concert Series events; to approve the Second

Addendum to the Event Concessions Inc., agreement regarding concession sales at the Brandon Amphitheater and to approve two additional traffic studies by Neel-Schaffer at the rate of \$5,000 per event, in accordance with the memos of the Director of Parks and Recreation which are appended hereto, seconded by Alderman Vinson and upon unanimous vote the motion carried.

13.

AUTHORIZE TRUSTMARK CREDIT CARD FOR DAWN ERRINGTON AT PARK OFFICE; APPOINT DAWN ERRINGTON AS PETTY CASH CUSTODIAN, HIRE JEFF BYNUM AS PART-TIME IT/NETWORK MANAGER AND APPROVE THE DOCKET OF CLAIMS FOR MAY 18 AND JUNE 5, 2018 AND ELECTRONIC TRANSFERS FOR MAY 2018

Alderman Coker made the motion to authorize a Trustmark Credit card for use by Dawn Errington as the Park Office, to appoint Dawn Errington as Petty Cash Custodian, to hire Jeff Bynum as part-time IT/Network Manager effective June 5, 2018 and set rate of pay, to approve the Docket of Claims for May 18 and June 5, 2018 and electronic transfers for May 2018, in accordance with the memos from the City Clerk, which are appended hereto, seconded by Alderman Morris, and upon unanimous vote the motion carried.

14.

#### EXECUTIVE SESSION

Alderman Vinson made the motion to consider the need to go into executive session to discuss personnel matters, potential litigation, 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 Williams then made the motion to go into executive session for the reasons stated and in particular to discuss personnel matters involving the police and fire departments, potential litigation with regard to Womack's Auto Sales and the exclusive use of the Amphitheater on a date to be determined and the associated offers related thereto as presented by Red Mountain Entertainment, Inc., seconded by Alderman Coker, 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 #2018.009.v3 (supersedes and replaces Event #2018.009.v2), Event #2018.013.v2 (supersedes and replaces Event #2018.013)Event # 2018.016.v2 (supersedes and replaces Event # 2018.016), Event # 2018.024.v3 (supersedes and replaces Event # 2018.024.v2), Event #2018-035, Event #2019-001 and Event #2019.002 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 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 events have been publicly announced by RME, the City Clerk shall present the executed contracts 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 segregated event files 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 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 Dobbs, and upon unanimous vote the motion carried.

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

Alderman Vison exited the board room.

15.

APPROVE AGREEMENT WITH CS TOURING, INC., AND EVENT CANCELLATION  
AND RAIN INSURANCE FOR RELATED EVENT

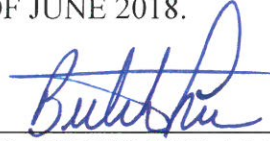
Alderman Morris made the motion to approve the Professional Services Agreement with CS Touring, Inc., to authorize the Mayor and City Clerk to execute the same and to make expenditures in accordance with the agreement and to purchase event cancellation and rain insurance related to this agreement, in accordance with the memos from the City Clerk which are appended hereto, seconded by Alderman Coker and upon unanimous vote of the members present, the motion carried.

16.

ADJOURN

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

MINUTES APPROVED THIS THE 18<sup>th</sup> DAY OF JUNE 2018.



HON. BUTCH LEE, MAYOR

ATTEST:



ANGELA BEAN, CITY CLERK

