

JULY 19, 2022

REGULAR MEETING

JULY 19, 2022

Be It Remembered that a Regular Meeting of the Mayor and Board of Aldermen of the City of Batesville was held on the third Tuesday afternoon of July, being the 19th day of July 2022, at 2:00 p.m., when and where were present the following, to-wit:

Mayor Hal Ferrell; Aldermen Stan Harrison, Dennis Land, Bill Dugger, Teddy Morrow and Bobby Walton. Also present were: City Clerk Susan Berryhill; City Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Chief Building Official Andy Berryhill; Public Works Director David Karr; Fire Chief Tim Taylor; Assistant City Clerk Shonnah Weaver and Jeremy Weldon of The Panolian.

A quorum being present, the meeting was duly opened by the Mayor and, after the invocation given by Hal Johnson, the following business was taken up.

IN RE: APPROVAL OF AGENDA

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, the agenda of July 19, 2022, was approved with the addition of a resignation in the Police Department and to rescind an order of promotion in the Police Department .

JULY 19, 2022



CITY OF BATESVILLE BOARD MEETING

JULY 19, 2022
2:00 P.M. | CITY HALL

AGENDA

CALL TO ORDER: Mayor Hal Ferrell

INVOCATION: Hal Johnson

MAYOR'S WELCOME STATEMENT: "To all in attendance, pursuant to Order by the Board of Aldermen, adopted on March 1, 2022, in order to address the Mayor and Board of Aldermen, you must be on the agenda."

CONFIRMATION OR AMENDMENT TO THE AGENDA

PROCLAMATION/RECOGNITION

MINUTES OF PRIOR MEETINGS

1. Regular Meeting – July 5, 2022

CONSENT AGENDA

1. Approval for **Shelton Hawkins, Billy Bright, Newt Benson and Steve Caldwell** to attend the Mississippi Damage Prevention Conference November 2-4, 2022, in Biloxi, Mississippi. Registration: \$259.00 each and \$250.00 for Steve Caldwell for locators training plus lodging, per diem for meals and mileage if necessary. Reimburse travel expenses if necessary.
2. Approval for **David Karr, Gary Snider and Mark Ivy** to attend the Water Environment Federation Technical Exposition and Conference October 9-12, 2022, in New Orleans, Louisiana. Registration: \$75.00 each plus lodging, per diem and mileage if necessary. Reimburse travel expenses if necessary.
3. Approval for City Officials and City personnel to attend the 92nd Annual MML Conference in June 2023 in Biloxi, Mississippi with expenses paid by the City.
4. Approval for City Officials and City personnel to attend the Small Town Conference October 13-14, 2022, in Flowood, Mississippi with expenses paid by the City.

JULY 19, 2022

PAY REQUEST AGENDA

1. Approval for payment in the amount of \$975.00 (\$325.00 previous invoice balance + \$650.00 current due) to be made to Mayo Mallette, PLLC relative to zoning dispute against Panola County.
2. Approval for payment in the amount of \$4,200.00 to be made to Central Pipe Supply, Inc. relative to the Beacon Mobile. (Board approved May 7, 2019, Minute Book A-3, Page 9)
3. Approval for payment in the amount of \$10,620.00 to be made to Air Med Care Network for employee membership.
4. Approval for payment in the amount of \$15,542.05 to be made to American Tank Maintenance relative to the maintenance program contract.
5. Approval for payment in the amount of \$646,112.75 to be made to Aldridge Construction relative to the Highway 6 Water Extension project.

HUMAN RESOURCES

1. Approval for outside employment for Lieutenant Will Parrish to work part-time at Batesville Overhead Door. No use of city equipment and will not interfere with his duties as an officer.

CLEANUP HEARINGS – 3:00 P.M.

1. Betty C. Beard – 211 Garson Street
2. Ali Khdeir – 152 Public Square
3. Teta Wooten – 201 Fisher Street

VISITORS

1. Hollis Robinson – Unfailing Love Ministries
2. Lori Barnes – First Regional Library

PERMANENT VISITORS

- Panola Partnership
- North Delta Planning and Development
- Mendrop Engineering Resources – approval to re-apply for MDOT Grant (MLK sidewalks)& change order #1 – Highway 6 Water Extension
- Panola County Board of Supervisors and department heads
- State or Federal legislators representing any part of Panola County
- Any person engaged in contractual business with the City of Batesville
- The Panolian Jeremy Weldon or his proxy

JULY 19, 2022

REPORT OF DEPARTMENT HEADS

- **CHIEF BUILDING OFFICIAL – ANDY BERRYHILL**
 1. Joe Wall – use request at 130 Morris Lane to complete development of mini-storage rentals with the addition of 2 additional units to match existing
 2. Ordinance for medical cannabis business activities

- **CHIEF OF POLICE – KERRY PITTMAN**
 1. Monthly report

- **CITY ATTORNEY – COLMON MITCHELL**

- **CITY CLERK – SUSAN BERRYHILL**
 1. Approval to adopt uniform assessment
 2. Special event resolution – Panola Partnership - \$4,000.00
 3. Mileage reimbursement rate increase – from \$.585 to \$.625
 4. Surplus property – see attached list

- **FIRE CHIEF – TIM TAYLOR**
 1. Approval of specifications and to obtain quotes for automatic external defibrillators

- **PUBLIC WORKS DIRECTOR – DAVID KARR**
 1. Gas Department
 - a. Request to hire engineer for design and specifications for power station regulator rebuild
 2. Street Department
 - a. Approval of pipe specifications and permission to obtain quotes
 3. Waste Water Treatment Plant
 - a. Approval for Mayor to sign contract for mapping of treatment facility

JULY 19, 2022

OTHER MATTERS BY MAYOR OR ALDERMAN:

MATTERS UNDER ADVISEMENT:

UNFINISHED BUSINESS

EXECUTIVE SESSION

1. Civic Center
 - a. Request to hire (1 full-time and 1 part-time)
2. Gas Department
 - a. Request to hire
3. Parks & Recreation
 - a. Personnel matter
4. Police Department
 - a. Request to hire
5. Supervision & Finance
 - a. Personnel matter

ADJOURNMENT

IN RE: APPROVAL OF MINUTES

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, the minutes of the July 5, 2022, regular meeting, were approved.

JULY 19, 2022

IN RE: SIGNATURE SHEET FOR MEETING OF JULY 19, 2022

The following were present at the meeting on July 19, 2022, of the Mayor and Board of Aldermen:

Board Meeting
July 19, 2022
Signature Sheet
PLEASE PRINT NAME CLEARLY

Amanda Mesas
Please print name clearly

Jim Whitaker
Please print name clearly

Jennifer Stephenson
Please print name clearly

Lori Barnes
Please print name clearly

Nancy Anderson
Please print name clearly

Kerry Pittman
Please print name clearly

Geary Williford
Please print name clearly

Enos Gee
Please print name clearly

Clayton Self
Please print name clearly

Andy Bezdoff
Please print name clearly

JOSEPH HAWKINS
Please print name clearly

DAVID KARR
Please print name clearly

JULY 19, 2022

IN RE: APPROVAL OF CONSENT AGENDA

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the following matters and items on the consent agenda be and they are hereby approved:

1. Approval for Shelton Hawkins, Billy Bright, Newt Benson and Steve Caldwell to attend the Mississippi Damage Prevention Conference November 2-4, 2022, in Biloxi, Mississippi. Registration: \$259.00 each and \$250.00 for Steve Caldwell for locators training plus lodging, per diem for meals and mileage if necessary. Reimburse travel expenses if necessary.
2. Approval for David Karr, Gary Snider and Mark Ivy to attend the Water Environment Federation Technical Exposition and Conference October 9-12, 2022, in New Orleans, Louisiana. Registration: \$75.00 each plus lodging, per diem and mileage if necessary. Reimburse travel expenses if necessary.
3. Approval for City Officials and City personnel to attend the 92nd Annual MML Conference in June 2023 in Biloxi, Mississippi with expenses paid by the City.
4. Approval for City Officials and City personnel to attend the Small Town Conference October 13-14, 2022, in Flowood, Mississippi with expenses paid by the City.

IN RE: APPROVAL OF PAY REQUEST AGENDA

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that the following matters and items on the pay request agenda be and they are hereby approved:

1. Approval for payment in the amount of \$975.00 (\$325.00 previous invoice balance + \$650.00 current due) to be made to Mayo Mallette, PLLC relative to zoning dispute against Panola County.
2. Approval for payment in the amount of \$4,200.00 to be made to Central Pipe Supply, Inc. relative to the Beacon Mobile. (Board approved May 7, 2019, Minute Book A-3, Page 9)
3. Approval for payment in the amount of \$10,620.00 to be made to Air Med Care Network for employee membership.
4. Approval for payment in the amount of \$15,542.05 to be made to American Tank Maintenance relative to the maintenance program contract.
5. Approval for payment in the amount of \$646,112.75 to be made to Aldridge Construction relative to the Highway 6 Water Extension project.

JULY 19, 2022

IN RE: APPROVAL OF HUMAN RESOURCES AGENDA

Upon motion of Alderman Morrow and second of Alderman Land and upon unanimous vote taken, it was ordered that the following matters and items on the Human Resources agenda be and they are hereby approved:

1. Approval for outside employment for Lieutenant Will Parrish to work part-time at Batesville Overhead Door. No use of city equipment and will not interfere with his duties as an officer.

IN RE: BATESVILLE PUBLIC LIBRARY - BUDGET REQUEST

The Mayor recognized Lori Barnes of the First Regional Library who presented to the Mayor and Board of Aldermen the Batesville Public Library's budget request for FY 2023.

No action was taken on the above matter.

JULY 19, 2022

**IN RE: CLEANUP HEARING - 3:00 P.M.
 CLEANUP HEARING - 211 GARSON STREET**

Chief Building Official Andy Berryhill explained the purpose of the hearing to determine whether or not the hereinafter described parcel of real property, owned by Betty C. Beard at 211 Garson Street, located in the City of Batesville is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community, to-wit:

*Parcel Number as shown in the Office of the Panola County
Tax Assessor and Collector: 3183Q0005200 30001600,
Lot (55x152), Pt W ½ S of Noble Street and West of Garson Street,
Section 8, Township 9, Range 7 recorded in Deed Book P-6 at
Page 343 in the Batesville Office of the Chancery Clerk of
Panola County, Mississippi.*

No one was present in support or opposition of said clean up hearing.

The Mayor and Board heard and received evidence relating to the condition of said property and its affect upon the public health, safety and welfare of the community.

The hearing was concluded.

IN RE: REPORT OF CLEANUP PROPERTY - 211 GARSON STREET

Chief Building Official Andy Berryhill advised the Mayor and Board of Aldermen that the property owned by Betty C. Beard and located at 211 Garson Street had been satisfactory cleaned and no further action is needed at this time on said matter.

JULY 19, 2022

**IN RE: CLEANUP HEARING - 3:00 P.M.
 CLEANUP HEARING - 152 PUBLIC SQUARE**

Chief Building Official Andy Berryhill explained the purpose of the hearing to determine whether or not the hereinafter described parcel of real property, owned by Ali Khdeir at 152 Public Square, located in the City of Batesville is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community, to-wit:

*Parcel Number as shown in the Office of the Panola County
Tax Assessor and Collector: 3183R0000100 180000900,
NW Corner Lot 1 (72x75) Block 18 Original Town of Batesville,
Section 8, Township 9, Range 7 recorded in Deed Book 2020 at
Pag 1873 in the Batesville Office of the Chancery Clerk of
Panola County, Mississippi.*

No one was present in support or opposition of said clean up hearing.

The Mayor and Board heard and received evidence relating to the condition of said property and its affect upon the public health, safety and welfare of the community.

The hearing was concluded.

IN RE: REPORT OF CLEANUP PROPERTY - 152 PUBLIC SQUARE

Chief Building Official Andy Berryhill advised the Mayor and Board of Aldermen that the property owned by Ali Khdeir and located at 152 Public Square had been satisfactory cleaned and no further action is needed at this time on said matter.

JULY 19, 2022

IN RE: CLEANUP HEARING - 3:00 P.M.
CLEANUP HEARING - 201 FISHER STREET

Chief Building Official Andy Berryhill explained the purpose of the hearing to determine whether or not the hereinafter described parcel of real property, owned by Teta Wooten at 201 Fisher Street, located in the City of Batesville is in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community, to-wit:

*Parcel Number as shown in the Office of the Panola County
Tax Assessor and Collector: 3183Q0000100 230001300,
SW Corner Lot 3 (75x85). Block 23 Original Town of Batesville,
Section 8, Township 9, Range 7 recorded in Deed Book 2006 at
Page 3558 in the Batesville Office of the Chancery Clerk of
Panola County, Mississippi.*

No one was present in support or opposition of said clean up hearing.

The Mayor and Board heard and received evidence relating to the condition of said property and its affect upon the public health, safety and welfare of the community.

The hearing was concluded.

JULY 19, 2022

**IN RE: ADJUDICATION OF PROPERTY OWNED BY NICHOLAS GRAMAN
LOCATED ON 201 FISHER STREET TO BE A MENACE TO THE
PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY
AND TO BE IN NEED OF CLEANING**

The Mayor and Board of Aldermen having received evidence to the condition of the hereinafter described real property at a public hearing held pursuant to Section 21-19-11 of the Mississippi Code of 1972, annotated, as amended, and having duly considered said evidence, and upon motion of Alderman Harrison and second of Land and upon unanimous vote taken, the following Resolution was adopted:

RESOLUTION

WHEREAS, the Mayor and Board of Aldermen became aware that there were concern about the condition of the following described real property owned by Teta Wooten lying and being situated in the City of Batesville, Second Judicial District of Panola County, Mississippi, to-wit:

*Parcel Number as shown in the Office of the Panola County
Tax Assessor and Collector: 3183Q0000100 230001300,
SW Corner Lot 3 (75x85). Block 23 Original Town of Batesville,
Section 8, Township 9, Range 7 recorded in Deed Book 2006 at
Page 3558 in the Batesville Office of the Chancery Clerk of
Panola County, Mississippi.*

WHEREAS, at a meeting of the Mayor and Board of Aldermen, held on the 21st day of June 2022, a hearing was set for the 19th day of July, 2022, at 3:00 p.m., at City Hall to determine whether or not said property is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community; and

WHEREAS, notice of this hearing was given to the owner of the property in the manner and for the time required by law and the evidence thereof is on file in the Office of the Code Enforcement Officer of the City of Batesville, Mississippi; and

WHEREAS, the Mayor and Board of Aldermen heard proof as to the condition of the said property and its affects upon the health, safety and welfare of the community.

NOW, THEREFORE, be it resolved as follows:

That after hearing evidence as to the condition of said property, the Board of Aldermen is of the opinion, and does hereby find and adjudicate that the property in its present condition is a menace to the public health, safety and welfare of the community and the City shall proceed to secure and clean the property by use of municipal employees or contract labor as is authorized by Section 21-19-11 of the Mississippi Code of 1972 as amended.

RESOLVED this the 19th day of July, 2022.

JULY 19, 2022



City of Batesville Code Office

Building, Planning, Zoning, & Permitting

146 Public Square
P.O. Box 689
Batesville, MS 38606
Phone: 662-563-6621

June 23, 2022

Mr. Teta Wooten
201 Fisher Street
Batesville, MS 38606

Re: Parcel Number as shown in the Office of the Panola County Tax Assessor and Collector: 3183Q0000100 230001300, SW Corner Lot 3 (75 x 85), Block 23 Original Town of Batesville, Section 8, Township 9, Range 7 recorded in Deed Book 2006 at Page 3558 in the Batesville Office of the Chancery Clerk of Panola County, Mississippi

Dear Mr. Wooten:

This notice is provided to you by the City of Batesville, Mississippi ["City"], pursuant to Section 21-19-11 of the Mississippi Code of 1972, as amended. This notice is very important and deserves your immediate attention.

The Mayor and Board of Aldermen of the City of Batesville, Mississippi ["Mayor and Board"], will conduct a hearing at City Hall located at 103 College Street, Batesville, Mississippi, on the 19th day of July, 2022, at 3:00 o'clock p.m. to determine whether your property identified above is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community.

If, at the hearing, the Mayor and Board adjudicate that said property in its then condition is a menace to the public health, safety, and welfare of the community, and is, therefore, in need

Bradley Bailey
Secretary/Receptionist

Andy Berryhill
Chief Building Official

Barry Thompson
Code Enforcement Officer

JULY 19, 2022

Mr. Teta Wooten
 June 23, 2022
 Page Two (2)

of cleaning, then: (a) if you do not do so yourself, the City of Batesville shall proceed to clean the property, by use of City of Batesville employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, abandoned or dilapidated fences, outside toilets, abandoned or dilapidated buildings, slabs, personal property, and other debris; and draining cesspools and standing water therefrom; (b) such adjudication will authorize the City of Batesville to re-enter the property for purposes of cleaning for a period of one (1) year after the final adjudication without any further hearing if notice is posted on the property and at City Hall or another place in the City of Batesville where such notices are generally posted at least seven (7) days before the property is re-entered for cleaning.

After the property has been cleaned, the Mayor and Board will adjudicate the actual cost of cleaning the property and will also impose a penalty in an amount of One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost of cleaning the property, whichever is more. This cost and penalty may become a civil debt against you and/or, at the option of the Mayor and Board, an assessment against the property.

If the Mayor and Board declares that the cost and penalty shall be collected as a civil debt against you, they may authorize the institution of a lawsuit against you for the cost and any penalty plus court costs, reasonable attorney's fees, and interest from the date that the property was cleaned.

If the Mayor and Board declares that the cost and penalty shall be collected as an assessment against the property, then the assessment shall be a lien against the property and may be enrolled in the Batesville Office of the Chancery Clerk of Panola County, Mississippi, as other judgments are enrolled. The lien against the property shall be an encumbrance upon the property and shall follow title to the property. The assessment will be included with the municipal ad valorem taxes on the property and payment of the assessment will be enforced in the same manner in which payment is enforced for municipal ad valorem taxes on the property. The assessment levied shall become delinquent at the same time municipal ad valorem taxes become delinquent.

These proceedings are instituted by the Mayor and Board pursuant to Section 21-19-11 of the Mississippi Code of 1972, as amended. All decisions rendered by the Mayor and Board of Aldermen pursuant to this Section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

A copy of this Notice shall be recorded in the minutes of the Mayor and Board in conjunction with the above referenced hearing.

Mr. Teta Wooten
 June 23, 2022
 Page Three (3)

This is a very serious and important matter. You should take steps to clean this property immediately. You should make every effort to be present at the hearing or have someone appear on your behalf. The hearing will be conducted as scheduled whether or not you or someone on your behalf appears at the hearing. The Mayor and Board earnestly solicits your cooperation in resolving this matter.

Very truly yours,

CITY OF BATESVILLE, MISSISSIPPI

By: 
 Andy Berry
 Chief Building Official

JULY 19, 2022

*Teta Wooten
201 Fisher St.*

AFFIDAVIT OF MAILING AND POSTING

STATE OF MISSISSIPPI

COUNTY OF PANOLA

The undersigned after having been duly sworn states upon oath as follows:

1.

A true and correct copy of the Notice to the owner of the property referred to herein is attached hereto as Exhibit "A".

2.

At least two (2) weeks before the date of the hearing set forth in the Notice, I mailed, by United States Mail postage prepaid, the Notice to the address of the subject property identified in the Notice unless it is vacant, and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax.

3.

At least two (2) weeks before the date of the hearing set forth in the Notice, I posted the Notice on the property identified in the Notice and at the Batesville City Hall located at 103 College Street, Batesville, Mississippi 38606.

[Handwritten Signature]

SWORN TO AND SUBSCRIBED before me, on this the 24th day of June, 2022.

[Handwritten Signature]
NOTARY PUBLIC

(SEAL)

My Commission Expires: _____



JULY 19, 2022

IN RE: USE REQUEST - JOE WALL

Upon motion of Alderman Dugger and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the use request from Joe Wall to complete development of mini-storage rentals with the addition of two (2) additional units to match existing units at 130 Morris Lane, be and it is hereby approved.

IN RE: APPROVAL TO RESCIND ORDER - ZONING - MEDICAL CANNABIS

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the order setting a public hearing relative to medical cannabis zoning, adopted July 5, 2022, recorded in Minute Book E-3 at Page(s) 584-585, be and it is hereby rescinded.

JULY 19, 2022

IN RE: SET PUBLIC HEARING - ZONING - MEDICAL CANNABIS

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, the following Order was adopted:

ORDER SETTING TIME, DATE, AND PLACE OF PUBLIC HEARING
ON AMENDMENTS TO THE COMPREHENSIVE ZONING PLAN OF
THE CITY OF BATESVILLE, MISSISSIPPI, AND TO THE BATESVILLE
ZONING ORDINANCE AND AUTHORIZING THE CITY CLERK TO PUBLISH
NOTICE OF SAID HEARING

WHEREAS, Senate Bill No. 2095, Mississippi Legislature, Regular Session 2022, "Mississippi Medical Cannabis Act" [the "Act"] passed by the Mississippi Legislature and signed into law by the Governor of the State of Mississippi provides for the operation of certain medical cannabis establishments, namely: Medical Cannabis Dispensary; Cannabis Research Facility; Cannabis Testing Facility; Cannabis Cultivation Facility; Cannabis Processing Facility; Cannabis Transportation Entity; and Cannabis Disposal Entity [collectively "Medical Cannabis Establishments"]; and

WHEREAS, the Mayor and Board of Aldermen of the City of Batesville, Mississippi ["Governing Authority"] is considering amendments to the Comprehensive Zoning Plan of the City of Batesville, Mississippi, and to the Batesville Zoning Ordinance ["Ordinance"] in order to address Medical Cannabis Establishments allowed by the Act; and

WHEREAS, the proposed amendments to the Batesville Zoning Ordinance ["Ordinance"] and to the Comprehensive Zoning Plan of the City of Batesville, Mississippi, are as follows, to-wit:

1.

Amend Article IV, Section 401 "Table of Permissible Uses" to allow the following medical cannabis establishments in the following zoning districts:

- (i) Medical Cannabis Dispensary shall be permitted in zoning district C-3;
- (ii) Cannabis Research Facility shall be permitted in zoning district C-3.
- (iii) Cannabis Testing Facility shall be permitted in zoning district C-3.
- (iv) Cannabis Cultivation Facility shall be permitted in zoning districts I-1 and I-2.
- (v) Cannabis Processing Facility shall be permitted in zoning districts I-1 and I-2.
- (vi) Cannabis Transportation Entity shall be permitted in zoning districts I-1 and I-2.
- (vii) Cannabis Disposal Entity shall be permitted in zoning districts I-1 and I-2.

JULY 19, 2022

WHEREAS, said amendments were reviewed and recommended by the Planning Commission of the City of Batesville at their meeting held on June 20, 2022; and

WHEREAS, statutes controlling such amendments require a public hearing to be held prior the approval of said amendments.

NOW, THEREFORE, BE IT ORDERED that on the 16th day of August, 2022, at 3:00 o'clock P.M. in the City Hall of the City of Batesville, Mississippi, the Mayor and Board of Aldermen will hold a public hearing on said amendments and the Clerk of the City of Batesville, Mississippi, is hereby ordered and authorized to place a notice of said public hearing for publication in The Panolian, a newspaper having a general circulation in the City of Batesville, Mississippi.

JULY 19, 2022

IN RE: APPROVAL TO ADOPT ORDINANCE - MEDICAL CANNABIS ESTABLISHMENTS

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, the following Ordinance was adopted, with changes as discussed:

AN ORDINANCE FOR THE REGULATION OF MEDICAL CANNABIS BUSINESS ESTABLISHMENTS

SECTION I. Short Title

This Ordinance shall be known as the City of Batesville Medical Cannabis Ordinance and referred to herein as the “Ordinance.”

WHEREAS, Senate Bill 2095, Mississippi Legislature, Regular Session 2022, "Mississippi Medical Cannabis Act" (the “Act”), passed by the Mississippi Legislature and signed into law by the governor of the State of Mississippi, provides for certain Medical Cannabis Establishments, namely: Cannabis Cultivation Facilities, Cannabis Disposal Entities, Cannabis Processing Facilities, Cannabis Research Facilities, Cannabis Testing Facilities, Cannabis Transportation Entities, and Medical Cannabis Dispensaries (collectively “Medical Cannabis Establishments”), and

WHEREAS, it is the express intent of the Mayor and Board of Aldermen (the “Governing Authority”) for the City of Batesville, Mississippi (the “City”) and of this Ordinance, to establish reasonable time, place, and manner procedures and regulations for Medical Cannabis Establishments to supplement the Act and to incorporate and where applicable supplement the rules and regulations adopted, or to be adopted, by the State of Mississippi Department of Revenue [“DOR”] and the State of Mississippi Department of Health [“DOH”], and

WHEREAS, the regulations, procedures, limitations, and prohibitions established in this Ordinance are necessary to encourage safe, reasonable and responsible operation of Medical Cannabis Establishments within the City in a manner that reduces negative impacts on the community and environment, increases public awareness, and protects community health, safety and wellbeing while creating a clear and attainable path for Medical Cannabis Establishments to follow and authorities to enforce, and

WHEREAS, pursuant to § 21-19-1 et seq., Mississippi Code Annotated as amended, the Board of Aldermen of the City of Batesville has the authority to enact such ordinances as necessary and in the best interest of the public.

SECTION II. Legislative Intent

These adopted regulations are intended to ensure the public health, safety and welfare of residents of the City, persons engaged in Medical Cannabis Establishments including their employees, neighboring property owners, and end users of medical cannabis. To this end, these regulations identify criteria and regulations of Medical Cannabis Establishments in supplementation to such other laws, requirements, and regulations that may be adopted by the State of Mississippi and the Governing Authority applicable to the Medical Cannabis Establishments.

SECTION III. General Provisions Applicable to Medical Cannabis Establishments

- a. Required Privilege Permit in Accordance with State and Local Law:
 - i. Prior to the initiation of any Medical Cannabis Establishments, a business privilege license as required by state law must be obtained from the City Clerk.

JULY 19, 2022

- ii. Prior to the initiation of any Medical Cannabis Establishments, a Medical Cannabis Permit must be obtained from the City Clerk.
 - iii. An applicant seeking a Medical Cannabis Permit shall submit information to the City Clerk in conformity with such forms and procedures as the Clerk may prescribe. The Clerk is hereby authorized to promulgate forms to accomplish the intent of this provision.
 - iv. The applicant shall further provide a copy of all documents it intends to submit to the Mississippi Department of Health (“DOH”) or Mississippi Department of Revenue (“DOR”), as appropriate, for the required State of Mississippi licensing, including license renewal applications. Unless otherwise waived by the City, applicant shall continue to timely supplement the filed documents with any additional documents provided to, or received from, DOH and DOR that were not originally filed with the City including, but not limited to, annual licenses, license revocations, reports, notices, etc.
 - v. A Medical Cannabis Establishment Permit may be denied or revoked for failure to comply with the requirements herein or any applicable state law or regulation.
- b. Required Application and Permit Fee: Due to the unique character of Medical Cannabis Establishments including, but not limited to, legal compliance elements, security concerns, potential for nuisances arising from odors, potential for fire hazards, potential for soil and water contamination and like conditions, extensive review of applications not typically associated with other business is required by multiple departments of the City. Therefore, applicant shall pay to the City Clerk a non-refundable application fee of Two Thousand Five Hundred and no/100 Dollars (\$2,500.00) and it shall be renewed annually for a non-refundable fee of One Thousand and no/100/Dollars (\$1,000.00).
- c. Site Plans: Prior to the initiation of any Medical Cannabis Establishments, and in addition to any other standard development approval or Design Review Application required by the City of Batesville Code Office, the applicant shall submit to the City Planning Commission a comprehensive site plan which, at a minimum, shall include the following:
- i. Property survey
 - ii. Odor and ventilation control plan demonstrating that no excessive odor, capable of being detected by persons of normal sense of smell, escapes to neighboring property
 - iii. Lighting plans demonstrating that no excessive light escapes to neighboring property between sunset and sunrise
 - iv. Security plans
 - v. Water and wastewater service plans
 - vi. Materials management plan for proper disposal of related waste at legally authorized disposal sites. If the activities involve storage and use of hazardous materials at a reportable quantity, applicants shall include a hazardous materials management plan.
 - vii. There shall be no outdoor storage, display, sales, or dispensing of Medical Cannabis. All signage and advertising of any nature shall conform to the City Sign Ordinance and applicable State Medical Cannabis regulations.

JULY 19, 2022

- viii. Medical Cannabis Establishments shall have sufficient off-street parking for Medical Cannabis Establishments. No on-street parking by customers will be allowed. State regulations and the City's Parking Ordinance are applicable.
- d. Remediation Plan: The City Planning Commission [City Code Office ?] may require the submission of a property remediation plan addressing site reclamation in the event the approved Medical Cannabis Establishments ceases to remain active for twelve (12) or more consecutive months. Such plan may require, in the discretion of the City, the posting of a surety bond or letter of credit in an amount sufficient to cover the costs of the proposed remediation plan.
- e. Inspections: All operators of Medical Cannabis Establishments shall allow access by City Code Office officers, law enforcement officers or other agents or employees requesting access for the purpose of determining compliance with these standards and other applicable City standards and regulations, and further consent to an annual on-site compliance inspection, with at least 24 hours prior notice, to be conducted by appropriate City officials during regular business hours (Monday - Friday, 9:00 am - 5:00 pm, excluding holidays). Such inspections may include inspection of the facility, equipment, books, records, licenses, permits and real and personal property that are a part of the Medical Cannabis Establishments and a business conducted at the Establishment.

SECTION IV. Hours of Operation

Hours of active operation of Medical Cannabis Establishments shall not exceed the hours set forth below, unless the Governing Authority determines different hours of operation as stated in the City Permit.

- i. Cannabis Cultivation Facilities shall be limited to 7:00 o'clock a.m. to 7:00 o'clock p.m., Monday through Sunday.
- ii. Cannabis Processing Facilities shall be limited to 7:00 o'clock a.m. to 7:00 o'clock p.m., Monday through Sunday.
- iii. Cannabis Testing Facilities shall be limited to 7:00 o'clock a.m. to 7:00 o'clock p.m., Monday through Sunday.
- iv. Cannabis Research Facilities shall be limited to 7:00 o'clock a.m. to 7:00 o'clock p.m., Monday through Sunday.
- v. Cannabis Disposal Facilities shall be limited to 7:00 o'clock a.m. to 7:00 o'clock p.m., Monday through Sunday.
- vi. Medical Cannabis Dispensary Facilities shall be limited to 7:00 o'clock a.m. to 7:00 o'clock p.m., Monday through Saturday (closed Sunday).
- vii. Cannabis Transportation Facilities shall be limited to 7:00 o'clock am. to 7:00 o'clock p.m., Monday through Sunday.

Inactive or passive operations of minimal activity, such as security surveillance, automated irrigation and "grow lighting," are not limited by these hours of operation.

SECTION V. Applicability

- a. All requirements of all state and local laws, ordinances, codes and regulations shall be met, and licenses for operation shall be obtained from the Mississippi Department of Health or Mississippi Department of Revenue as applicable, and maintained in good standing at all times. To the extent state law or

JULY 19, 2022

regulations are more restrictive and/or in direct conflict with the provisions herein, state law shall control.

- b. Expressly incorporated herein are the following state regulations which are made a part of this ordinance:
1. Medical Cannabis Dispensary Regulations (DOR)
 2. Work Permit Regulations (DOH)
 3. Cannabis Testing Facility Regulations (DOH)
 4. Advertising and Marketing Regulations (DOH)
 5. Cannabis Cultivation Facility Regulations (DOH)
 6. Cannabis Processing Facility Regulations (DOH)
 7. Cannabis Transportation Entity Regulations (DOH)
 8. Cannabis Disposal Regulations (DOH)
- c. “Medical Cannabis Establishment”, “Cannabis Cultivation Facility”, “Cannabis Processing Facility”, “Cannabis Testing Facility”, “Medical Cannabis Dispensary”, “Cannabis Transportation Entity”, “Cannabis Disposal Entity”, and “Cannabis Research Facility” have the meanings as set forth in the Act.

VI. Location of Medical Cannabis Dispensaries.

No Medical Cannabis Dispensary may be located within a three thousand feet (3,000’) radius from the main point of entry of the Dispensary to the main point of entry of another Medical Cannabis Dispensary.

VII. Enforcement

1. A violation of any provision of this Ordinance or any state or City laws, regulations, ordinances, or codes applicable to Medical Cannabis Establishments shall be deemed to be a public nuisance and subject to enforcement as set forth herein.
2. Any person violating any provision of this Ordinance or any other ordinance or regulation of the City of Batesville for which no penalty is otherwise specifically provided for, or violating any provision of any applicable state laws or regulations for which no penalty is otherwise specifically provided for, shall be deemed guilty of a misdemeanor and shall be punished by a fine of Two Hundred Fifty and no/100 Dollars (\$250.00) for the first offense. For a second offense occurring within a two (2) year period of time, a fine in the amount of Five Hundred and no/100 Dollars (\$500.00), and/or a period of incarceration not to exceed thirty (30) days shall be imposed. For a third or subsequent offense occurring within a two (2) year period of time there shall be assessed a fine of One Thousand and no/100 Dollars (\$1,000.00) and/or a period of incarceration not to exceed one hundred and eighty (180) days. Each violation of any provision of this ordinance shall be deemed a separate offense. Each day of violation is a separate, continuing offense.

The Court, in addition to the penalties provided herein, may order the person violating this ordinance to pay restitution to any person suffering damages resulting from the violation.

3. The City may seek to abate the violation of this Ordinance or any state or local laws, regulations, ordinances or codes applicable to Medical Cannabis Establishments by the prosecution of a civil action, including an action for injunctive relief. Such injunctive relief may take the form of a court order prohibiting ongoing violations and/or requiring compliance with this Ordinance. The City may also proceed as necessary under Miss. Code Ann. Section 21-19-11

In the event the City is the prevailing party, in addition to the penalties provided herein, the City will be entitled to the recovery of the cost of prosecuting the civil action including, but not limited to, the administrative costs of the City to inspect,

JULY 19, 2022

investigate, and pursue compliance with this Ordinance, Court filing fees, expert witness expenses and reasonable attorney fees.

4. The remedies and penalties above are cumulative to all other remedies available to the City by law.

SECTION VIII. Effective Date

Due to the immediate need to protect and preserve the peace, health, safety, and welfare of the public, this Ordinance shall be in force and effect from and after its passage and shall remain in effect until such time as it is properly repealed or amended.

SECTION IX. Severability

If any provision of this Ordinance is ruled illegal, unconstitutional or otherwise unenforceable by a Court of competent jurisdictions, the remaining provisions shall continue in full force and effect.

SECTION X. Conflict

Any other ordinances of the City which are conflicting or inconsistent with this ordinance, are hereby repealed to the extent of any inconsistencies or conflicts.

SECTION XI. Ordinance Cumulative

This Ordinance shall be cumulative and in addition to any other laws, ordinances, and regulations in force.

Passage of this Ordinance is now official and the same shall take effect upon passage and be enforced as provided by law.

ADOPTED, ORDAINED AND APPROVED this 19th day of July, 2022.

HAL FERRELL, Mayor

ATTEST:

SUSAN S. BERRYHILL, CITY CLERK

JULY 19, 2022

IN RE: RESIGNATION - STEVEN COLLINS

Upon motion of Alderman Dugger and second of Alderman Land and upon unanimous vote taken, it was ordered that the resignation of Officer Steven Collins be and it is hereby accepted, effective July 26, 2022.

IN RE: APPROVED TO RESCIND ORDER - PROMOTION

Upon recommendation of Chief of Police Kerry Pittman and upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that the order to promote Steven Collins to Sergeant, adopted July 5, 2022, recorded in Minute Book E-3 at Page 622, be and it is hereby rescinded.

JULY 19, 2022

IN RE: ORDINANCE - VIDEOING IN CITY BUILDINGS

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, the following Ordinance and registration form, in substantially the following form, were adopted, with changes as discussed:

JULY 19, 2022

VIDEO REGISTRATION FOR CITY OF BATESVILLE BUILDINGS

1. The undersigned intends to video inside a building of the City of Batesville, Mississippi:

2. Names of any persons accompanying but not videoing:

(Each of these people must complete and submit to the City Clerk a Video Registration Form also.)
3. The undersigned's mailing address: _____
4. The undersigned's fiscal address: _____
5. The undersigned's telephone number: _____
6. The undersigned's email address: _____
7. Provide current photo identification.

I hereby certify that the above and foregoing information is true and correct.

DATE

SIGNATURE

PRINT NAME

NOTE: Illegible registrations shall not be accepted

JULY 19, 2022

**IN RE: APPROVAL TO ADOPT THE UNIFORM ASSESSMENT SCHEDULE
2022-2023**

There came on for further consideration by the Mayor and Board of Aldermen of the City of Batesville, the matter of the Uniform Assessment Schedule for the year 2022-2023.

And it appearing to the Board, and the Board finding that there has been no objection, or complaint filed, to the adoption of said Schedule, said matter having been in every respect, handled and conducted as provided in Section 27-51-21 of the Mississippi Code.

Upon motion of Alderman Dugger and second of Alderman Land and upon unanimous vote taken, the following Resolution is hereby adopted:

RESOLVED that the Uniform Assessment Schedule for the year 2022-2023 as prepared by the Department of Revenue be and the same is hereby adopted as the Uniform Assessment Schedule for the City of Batesville for the year 2022-2023 and that a copy of this order be forwarded to the Tax Collector of Panola County, Mississippi, for his use in collecting taxes for the City of Batesville for the year 2022-2023, in accordance with previous orders of the Mayor and Board of Aldermen.

This the 19th day of July, 2022.

JULY 19, 2022

IN RE: CONTRIBUTION TO PANOLA PARTNERSHIP

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, the following Resolution was adopted:

R E S O L U T I O N

WHEREAS, Mississippi House Bill No. 1837 of the 1997 Legislative Session, as amended by Mississippi House Bill 1587 of the 2016 Regular Legislative Session, authorizes the City of Batesville, Mississippi ["City"], to levy and collect the tax specified therein for the purpose of providing funds for the promotion of tourism, economic development, and industry in the City and the surrounding area, and authorizes the City to expend said funds for the purpose of carrying out programs and activities designed to attract visitors, tourists, and industry in order to promote and enhance the tourism, industry, and economic development of the City and the surrounding area; and

WHEREAS, Section(s) 21-19-44 and 21-19-44.1 of the Mississippi Code of 1972, as amended, authorizes municipal governing authorities of municipalities to appropriate, contribute, and donate to, or expend budgeted funds for, local economic development organizations; and

WHEREAS, Panola Partnership, Inc. is a local economic development organization and is a Mississippi non-profit corporation organized and existing under and by virtue of the laws of the State of Mississippi for the purpose of promoting economic development, commerce, trade, business, education, and industry in Panola County, Mississippi; and

WHEREAS, the Mayor and Board of Aldermen do hereby find and determine that the Panola Partnership, Inc. is an organization to which the City may appropriate, contribute, and donate to, or expend budgeted funds for, pursuant to the authority of Section(s) 21-19-44 and 21-19-44.1 of the Mississippi Code of 1972 as amended; and

WHEREAS, the Mayor and Board of Aldermen do hereby find and determine that monies contributed to the Panola Partnership, Inc. for special events pursuant to Section(s) 21-19-44 and 21-19-44.1 and are used for the purpose of carrying out programs and activities designed to attract visitors, tourists, and industry in order to promote and enhance the tourism, industry, and economic development of the City and the surrounding area; and

WHEREAS, the Mayor and Board of Aldermen do hereby find and determine that the

JULY 19, 2022

City is authorized by Section(s) 21-19-44 and 21-19-44.1 and Mississippi House Bill No. 1837 of the 1997 Legislative Session, as amended by Mississippi House Bill 1587 of the 2016 Regular Legislative Session, to contribute funds received from the tax authorized by said House Bill to the Panola Partnership, Inc. for special events for the purposes set forth above.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, as follows:

1.

That the recitations set forth above are true and correct.

2.

That the City of Batesville shall set aside and appropriate from the City's tourism and industry promotion tax fund and expend and contribute such funds to the Panola Partnership, Inc. for special events in the amount of \$4,000.00, and the City Clerk is authorized to do so.

RESOLVED, this the 19th of July, 2022.

JULY 19, 2022

IN RE: CHANGE IN MILEAGE RATE - TRAVEL EXPENSES

Upon motion of Alderman Dugger and second of Alderman Land and upon unanimous vote taken, it was ordered that the City's mileage rate be increased from \$0.585 cents per mile to \$0.625 cents per mile in accordance with the current State reimbursement rate, effective, July 19, 2022.

IN RE: SURPLUS PROPERTY - SUPERVISION AND FINANCE

Upon motion of Alderman Dugger and second of Alderman Morrow and upon unanimous vote taken, the following Resolution was adopted:

RESOLUTION

BE IT RESOLVED that the following equipment is obsolete and is not needed for municipal purposes and therefore, the equipment should be and is hereby declared to be surplus property and further ordered that said equipment, having no value, shall be destroyed as junk, described as follows, to-wit:

Keypads:	M/N:	P/N:	S/N:
Logitech K350	yR0053	820:002546	
RF Wireless Property of City of Batesville 6864			17co1498
Logitech K330	yR0009	820-004987	14115y03QEG8
Logitech K350	yR0053	820-007885	
Logitech K120	yu0036	820-009241	2123dc34JFE8
Printers:	Model:	Serial #:	
Epson	M115A	JAX0004335	
Epson	M115A	JAX0004348	
TPG Color POS	AT16-720D-T000	K120600096	
Typewriter:			
TA, Royal Tap (Righter City of Batesville 02787			
Computer Case:	S/N:	Service Tag:	Other:
LG CA-s21w2-b1	1.14429E+12		
Dell HLH2731			
Dell		CG8PXV1	
Coole Master LG			RC33oukn11115301156
LG Super Multi	F113JH500103100041		
LG Super Multi	F113JH500103100202		
HP Color Laser Jet Pro MFP M477 FNW			
Dell DOSD City of Batesville 5956	22LGQW1		
LG RC335UKN11121700022			
LG - No Numbers			
LG Windows XP E85-05687			

JULY 19, 2022

IN RE: APPROVAL TO OBTAIN QUOTES - FIRE DEPARTMENT

Upon motion of Alderman Walton and second of Alderman Dugger and upon unanimous vote taken, it was ordered that the following specifications for automatic external defibrillators (AEDs), be and they are hereby approved and further ordered that Fire Chief Tim Taylor be and he is hereby authorized to obtain quotes for said automatic external defibrillators (AEDs):

City of Batesville MS, Fire Department

Specification for AEDs

July 2022

**P.O.C Tim Taylor, Fire Chief,
P.O. Box 689
132 Van Voris Street
Batesville MS, 38606
662-563-6610**

Request for Quotes:

Please provide a written quote for three 3 AED units as specified.

Specification

Supply and Deliver (3) three new and unused Automatic External Defibrillators.

Defibrillator

**Physio control Lifepak 1000
3 wire leads
Display screen to provide patient information to include but not limited to ECG readings and battery gauge
2 sets of electrodes
Long life non-rechargeable battery
Sturdy rigid carry case with shoulder strap
AED inspection tag
Size NLT 3.5" X 10" X 12"
Weight NMT 8 lbs.**

Justification

The defibrillators specified is a Physio-Control LifePak 1000. These are the same brand devices used by the Local EMS transport provider therefore the components (lead & electrode pads connections) will interchange reducing time and procedures on patients. These are the same AEDs used by all county fire department first responders and is the same unit as one recently granted to the Fire Department by the EMA office. By keeping all AEDs in the department the same, the need for training on multiple units is not necessary which therefore reduces the chance of mistakes. Maintenance and inspection procedures are the same as well as the useable components such as batteries and electrode pads.

JULY 19, 2022

IN RE: APPROVAL TO HIRE ENGINEER - GAS DEPARTMENT

Upon recommendation of Public Works Director David Karr and upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that Mid South Engineering Consultants be and they are hereby hired under professional services as engineer for the design and specifications for a power station regulator rebuild at Cooperative Energy (LS Power) for an estimated cost of \$37,650.00.



July 13, 2022

Mr. David Karr
Public Works Director
City of Batesville
Batesville, MS

RE: Gas Regulator Station Rehab Project, South Batesville – Engineering Cost Proposal

Dear Mr. Karr,

Thank you for considering MSEC to work with you on this project. We will design new facilities for this site per your recent directions. More specifically we will provide plans and specifications for:

1. New pressure regulators and control valves throughout the station.
2. New pressure relief valves throughout the station.
3. Reworked piping throughout the station
4. Design new odorizer system
5. Design monitoring of station pressure at strategic points

Following is our cost estimate for the project:

Design Engineer: Field Work –	40 hrs @	\$ 135.00	/hr =	\$5,400.00
Piping Design:	40 hrs @	\$ 135.00	/hr =	\$5,400.00
Odorization and Relief Valve/OPP Design	40 hrs @	\$ 135.00	/hr =	\$5,400.00
Material Specs, Const Procedures	32 hrs @	\$ 135.00	/hr =	\$4,320.00
CAD Technician: Drawing of plans –	120 hrs @	\$ 75.00	/hr =	\$9,000.00
Senior Engineer: Project Plans Review –	24 hrs @	\$ 245.00	/hr =	\$5,880.00
			Miscellaneous (mikeage, copies, etc.) =	\$2,250.00
			Total Estimated Cost:	\$37,650.00

We request that you provide us with design flows for the existing stations along with the related gas maps. Please feel free to call should you have any questions concerning this proposal. If you wish to move forward with this project, please sign below and return to me. We plan to invoice on a monthly basis and request payment within 15 days of invoice submittal.

Respectfully,

Bob Conrad

Bob Conrad, P.E.
Consulting Engineer

APPROVED: _____ DATE: _____
(customer signature)

JULY 19, 2022

IN RE: APPROVAL TO OBTAIN QUOTES - STREET DEPARTMENT

Upon motion of Alderman Dugger and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the following pipe specifications for a driveway located on Shagbark Drive, be and they are hereby approved and further ordered that Public Works Director David Karr be and he is hereby authorized to obtain quotes for said pipe for a driveway located on Shagbark Drive:

HP Storm 12"—60" Pipe Specification

Scope

This specification describes 12- through 60-inch (300 to 1500 mm) HP Storm pipe for use in gravity-flow storm drainage applications.

Pipe Requirements

- 12- through 60-inch (300 to 1500 mm) pipe shall have a smooth interior and annular exterior corrugations and meet or exceed ASTM F2881 and AASHTO M330.
- Manning's "n" value for use in design shall be 0.012.

Joint Performance

Pipe shall be joined with a gasketed integral bell & spigot joint meeting the requirements of ASTM F2881.

12- through 60-inch (300 to 1500 mm) shall be watertight according to the requirements of ASTM D3212. Spigots shall have gaskets meeting the requirements of ASTM F477. Gasket shall be installed by the pipe manufacturer and covered with a removable, protective wrap to ensure the gasket is free from debris. A joint lubricant available from the manufacturer shall be used on the gasket and bell during joint assembly.

12- through 60-inch (300 to 1500 mm) diameters shall have an exterior bell wrap installed by the manufacturer.

Fittings

Fittings shall conform to ASTM F2881 and AASHTO M330. Bell and spigot connections shall utilize a spun-on, welded or integral bell and spigots with gaskets meeting ASTM F477. Bell & spigot fittings joint shall meet the watertight joint performance requirements of ASTM D3212. Corrugated couplings shall be split collar, engaging at least 2 full corrugations.

Pipe Dimensions

Nominal Diameter in (mm)	12 (300)	15 (375)	18 (450)	24 (600)	30 (750)	36 (900)	42 (1050)	48 (1200)	60 (1500)
Average Pipe I.D. in (mm)	12.2 (310)	15.1 (384)	18.2 (462)	24.1 (612)	30.2 (767)	36.0 (914)	42.0 (1067)	47.9 (1217)	59.9 (1521)
Average Pipe O.D. in (mm)	14.5 (368)	17.7 (450)	21.4 (544)	28.0 (711)	35.5 (902)	41.5 (1054)	47.4 (1204)	54.1 (1374)	67.1 (1704)
Minimum Pipe Stiffness at 5% Deflection* #/in/in (kN/m ²)	75 (517)	60 (414)	56 (386)	50 (345)	50 (345)	36.0 (914)	41.5 (1054)	35 (241)	30 (207)

* Minimum pipe stiffness values listed; contact a representative for maximum values.

JULY 19, 2022

IN RE: APPROVAL FOR CHANGE ORDER - WATER EXTENSION

There came on for discussion the approval of the Change Order Number 1, which is set out below, in connection with the Highway 6 water extension.

Upon motion of Alderman Morrow and second of Alderman Harrison and unanimously carried upon the affirmative vote of all board members present, the Mayor and Board of Aldermen of the City found and determined that the changes or modifications to the original contract as shown in the Change Order are necessary or would better serve the purpose of the City, are necessary or incidental to the completion and scope of the work as originally bid, are not outside the scope of the original contract, are commercially reasonable, are not made to circumvent the public purchasing statutes and the increased contract amount is reasonable and ordered that said Change Order No. 1, in the amount of \$18,077.80 shown below, be and the same is hereby approved resulting in a revised contract price of \$923,877.80.

CONTRACT CHANGE ORDER				
OWNER: <u>THE CITY OF BATESVILLE</u>				
CONTRACTOR: <u>ALDRIDGE CONSTRUCTION</u>				
DATE: <u>7/12/2022</u> PROJECT NO: <u>C-300-125-19</u>				
CHANGE ORDER NUMBER: <u>1</u> CONTRACT NUMBER: <u>N/A</u>				
PROJECT NAME: <u>HWY 6 WATER EXTENSION</u>				
REASON FOR CHANGE: <u>QUANTITY ADJUSTMENT</u>				
YOU ARE HEREBY REQUESTED TO COMPLY WITH THE FOLLOWING CHANGES FROM THE CONTRACT PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS: (USE ADDITIONAL SHEETS IF REQUIRED)				
ITEM NO.	DESCRIPTION OF CHANGE(S) (QUANTITIES, ETC.)	UNIT COST	TOTAL CONTRACT	TOTAL ELIGIBLE COST
04100-2	10" HDPE CARRIER BORE STREAM	\$151.68	\$22,752.00	\$59,155.20
CO#1	10" HDPE CARRIER FOR 16" CASING	\$60.46	\$0.00	\$23,579.40
DEDUCTED QUANTITIES ON ITEMS 04100-1, 04100-3, AND 04100-12. SEE ATTACHED SUMMARY OF QUANTITIES				
ORIGINAL CONTRACT AMOUNT:			TOTAL	TOTAL ELIGIBLE
CURRENT CONTRACT AMOUNT:			\$ 905,800.00	\$ 646,112.75
THIS CONTRACT CHANGE:			\$ 18,077.80	\$ 18,077.80
REVISED CONTRACT AMOUNT:			<u>\$ 923,877.80</u>	<u>\$ 646,112.75</u>
CURRENT CONTRACT COMPLETION DATE:			10/27/2022	
TIME EXTENSION REQUIRED BY CHANGE:			0 DAYS	
REVISED CONTRACT COMPLETION DATE:			N/A	
THIS DOCUMENT SHALL BE AN AMENDMENT TO THE CONTRACT AND ALL PROVISIONS OF THE CONTRACT WILL APPLY.				
RECOMMENDED BY:		<u>Sheila Williams</u>	<u>07/14/2022</u>	
		ENGINEER	DATE	
ACCEPTED BY:		<u>[Signature]</u>	<u>7/12/2022</u>	
		CONTRACTOR	DATE	
APPROVED BY:		_____	_____	
		OWNER	DATE	

JULY 19, 2022

July 15, 2022

SUMMARY OF QUANTITIES - CHANGE ORDER #1
HWY 6 WATER EXTENSION - BATESVILLE, MS

PREPARED BY CONTRACTOR - ALDRIDGE CONSTRUCTION

ITEM NO.	DESCRIPTION	UNIT	QUANTITY (ORIGINAL CONTRACT)	QUANTITY (REVISED CONTRACT)	UNIT PRICE (ORIGINAL CONTRACT)	TOTAL PRICE (ORIGINAL CONTRACT)	UNIT PRICE (REVISED CONTRACT)	TOTAL PRICE (REVISED CONTRACT)	ADD (DEDUCT)
01000-1	MOBILIZATION - DEMOBILIZATION	LS	1.0	1.0	\$ 5,084.78	\$ 5,084.78	\$ 5,084.78	\$ 5,084.78	\$ -
02111-1	CLEARING AND GRUBBING	AC	0.5	0.5	\$ 4,186.39	\$ 2,093.20	\$ 2,093.20	\$ 2,093.20	\$ -
02270-1	SEED FERTILIZER	AC	8.7	8.7	\$ 1,921.29	\$ 16,715.22	\$ 16,715.22	\$ 16,715.22	\$ -
02540-1	TEMPORARY SILT FENCE	LF	1,000.0	1,000.0	\$ 4.65	\$ 4,650.00	\$ 4,650.00	\$ 4,650.00	\$ -
02540-2	20" WATTLES	LF	400.0	400.0	\$ 6.22	\$ 2,488.00	\$ 2,488.00	\$ 2,488.00	\$ -
04100-1	10" PVC WATER MAIN	LF	8,770.0	8,350.0	\$ 50.46	\$ 442,534.20	\$ 422,854.80	\$ 422,854.80	\$ (19,679.40)
04100-2	10" HDPE CARRIER BORE STREAM	LF	150.0	390.0	\$ 151.68	\$ 22,752.00	\$ 59,156.20	\$ 59,156.20	\$ 36,403.20
04100-3	10" PVC CARRIER BORE DRIVEWAYS	LF	100.0	60.0	\$ 91.01	\$ 9,101.00	\$ 5,460.60	\$ 5,460.60	\$ (3,640.40)
04100-4	8" PVC WATER MAIN	LF	3,940.0	3,940.0	\$ 35.75	\$ 140,855.00	\$ 140,855.00	\$ 140,855.00	\$ -
04100-5	8" HDPE CARRIER BORE STREAMS	LF	60.0	60.0	\$ 126.40	\$ 7,584.00	\$ 7,584.00	\$ 7,584.00	\$ -
04100-6	8" PVC CARRIER BORE DRIVEWAYS	LF	40.0	40.0	\$ 80.89	\$ 3,235.60	\$ 3,235.60	\$ 3,235.60	\$ -
04100-7	16" STEEL CASING BORE HIGHWAY 6	LF	240.0	240.0	\$ 243.70	\$ 58,488.00	\$ 58,488.00	\$ 58,488.00	\$ -
04100-8	16" STEEL CASING BORE G HOPE RD	LF	80.0	80.0	\$ 246.73	\$ 19,738.40	\$ 19,738.40	\$ 19,738.40	\$ -
04100-9	FIRE HYDRANT ASSEMBLY	LF	14.0	14.0	\$ 6,673.95	\$ 93,435.30	\$ 93,435.30	\$ 93,435.30	\$ -
04100-10	10" GV & BOX	EA	4.0	4.0	\$ 3,771.79	\$ 15,087.16	\$ 15,087.16	\$ 15,087.16	\$ -
04100-11	18" GV & BOX	EA	2.0	2.0	\$ 2,771.71	\$ 5,543.42	\$ 5,543.42	\$ 5,543.42	\$ -
04100-12	DIRECTIONS	LBS	10,000.0	6,500.0	\$ 5.31	\$ 53,100.00	\$ 34,515.00	\$ 34,515.00	\$ (18,585.00)
04100-13	CONNECT TO EXISTING	EA	2.0	2.0	\$ 1,657.36	\$ 3,314.72	\$ 3,314.72	\$ 3,314.72	\$ -
00#1	10" HDPE CARRIER FOR 18" STEEL CASING	LF	0.0	300.0	\$ 60.46	\$ -	\$ -	\$ 23,579.40	\$ 23,579.40
TOTALS						\$ 905,800.00	\$ 923,877.80	\$ 923,877.80	\$ 18,077.80

IN RE: APPROVAL TO RE-APPLY FOR MDOT GRANT - MARTIN LUTHER KING, JR. DRIVE - SIDEWALKS

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that City Engineer Blake Mendrop be and he is hereby authorized to re-apply for the Mississippi Department of Transportation Grant to help fund enhancements to Martin Luther King, Jr. Drive (sidewalks) and further ordered that Mayor Hal Ferrell be and he is hereby authorized to sign any necessary documents in connection to said grant.

JULY 19, 2022

IN OPEN SESSION

Alderman Harrison moved that the meeting be closed to determine whether or not the Mayor and Board of Aldermen should declare an executive session. Thereafter, upon the affirmative votes of Aldermen Walton, Land, Dugger, Morrow and Harrison it was ordered that the meeting be closed in order to determine whether or not the Board should declare an executive session.

IN THE CLOSED MEETING

Mayor Ferrell announced that the meeting is closed to determine whether or not the Mayor and Board of Aldermen should declare an executive session. Present in the closed meeting were: Mayor Hal Ferrell; Aldermen Land, Harrison, Dugger, Morrow and Walton; City Clerk Susan Berryhill; City Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Public Works Director David Karr and Assistant City Clerk Shonnah Weaver.

On motion made by Alderman Harrison, seconded by Alderman Dugger, and unanimously carried upon the affirmative votes of Aldermen Land, Walton, Dugger, Morrow and Harrison it was ordered that the Mayor and Board of Aldermen go into executive session in order to discuss personnel matters in the Parks and Recreation, Civic Center, Gas Department, Street Department, Police Department and Supervision and Finance and potential property acquisition.

JULY 19, 2022

IN OPEN MEETING

The Mayor announced that the Mayor and Board of Aldermen will go into executive session for the purpose of discussing personnel matters in the Parks and Recreation, Civic Center, Gas Department, Street Department, Police Department and Supervision and Finance and potential property acquisition and that the total vote on the motion to go into executive session was five (5) aldermen in favor and no aldermen opposed. Those present in the open meeting were Mayor Ferrell; Aldermen Harrison, Land, Dugger, Morrow and Walton; City Clerk Susan Berryhill; City Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Public Works Director David Karr and Assistant City Clerk Shonnah Weaver.

IN EXECUTIVE SESSION

Mayor Ferrell announced that the Mayor and Board are in executive session. Those present in executive session were Mayor Ferrell; Aldermen Harrison, Walton, Dugger, Morrow and Land; City Clerk Susan Berryhill; City Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford and Assistant City Clerk Shonnah Weaver.

There came on for discussion the personnel matter in the Parks and Recreation. (City Auditor David Jones was also present for this discussion.)

There next came on for discussion the personnel matter in the Civic Center.

There next came on for discussion the personnel matter in the Gas Department.

There next came on for discussion the personnel matter in the Street Department.

There next came on for discussion the personnel matter in the Police Department.

There next came on for discussion the personnel matter in Supervision and Finance.

There next came on for discussion the potential property acquisition. (Alderman Harrison was not present during this discussion.)

The executive session was concluded and the Mayor and Board went into open meeting.

JULY 19, 2022

IN OPEN MEETING

The Mayor announced that the Mayor and Board are now in open meeting. Those present were Mayor Ferrell; Aldermen Land, Harrison, Dugger, Morrow and Walton; City Attorney Colmon Mitchell; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Public Works Director David Karr and Assistant City Clerk Shonnah Weaver.

IN RE: APPROVAL TO OFFER EMPLOYMENT - CIVIC CENTER

Upon motion of Alderman Walton and second of Alderman Harrison and upon unanimous vote taken, it was ordered that Harold Blanton be and he is hereby offered full-time employment in the Civic Center at a rate of \$14.00 per hour, contingent upon him accepting the offer and undergoing a medical exam and a drug and alcohol test and being free of drugs and cleared for employment pursuant thereto, and that said offer of employment expires on August 1, 2022, at midnight if not accepted.

IN RE: APPROVAL TO OFFER EMPLOYMENT - CIVIC CENTER

Upon motion of Alderman Walton and second of Alderman Harrison and upon unanimous vote taken, it was ordered that Candice Ard be and she is hereby offered part-time employment in the Civic Center at a rate of \$14.00 per hour, contingent upon her accepting the offer and undergoing a medical exam and a drug and alcohol test and being free of drugs and cleared for employment pursuant thereto, and that said offer of employment expires on August 1, 2022, at midnight if not accepted.

JULY 19, 2022

IN RE: APPROVAL TO OFFER EMPLOYMENT - GAS DEPARTMENT

Upon motion of Alderman Walton and second of Alderman Land and upon unanimous vote taken, it was ordered that Levi Burns be and he is hereby offered full-time employment in the Gas Department at a rate of \$13.50 per hour, contingent upon him accepting the offer and undergoing a medical exam and a drug and alcohol test and being free of drugs and cleared for employment pursuant thereto, and that said offer of employment expires on August 1, 2022, at midnight if not accepted.

IN RE: APPROVAL TO OFFER EMPLOYMENT - GAS DEPARTMENT

Upon motion of Alderman Walton and second of Alderman Land and upon unanimous vote taken, it was ordered that Matt Myrick be and he is hereby offered full-time employment in the Gas Department at a rate of \$18.00 per hour, contingent upon him accepting the offer and undergoing a medical exam and a drug and alcohol test and being free of drugs and cleared for employment pursuant thereto, and that said offer of employment expires on August 1, 2022, at midnight if not accepted.

IN RE: APPROVAL TO TERMINATE EMPLOYMENT - STREET DEPARTMENT

Upon recommendation of Public Works Director David Karr and upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that Jolian Gleaton be and he is hereby terminated due to excessive absenteeism.

JULY 19, 2022

IN RE: APPROVAL TO OFFER EMPLOYMENT - POLICE DEPARTMENT

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that Kasey Livingston, Brady Pendergraph and Chandler Williams be and they are hereby offered full-time employment in the Police Department as a Dispatcher at a rate of \$18.73 per hour, contingent upon them accepting the offer and undergoing a medical exam, psychological evaluation and a drug and alcohol test and being free of drugs and cleared for employment pursuant thereto, and that said offer of employment expires on August 1, 2022, at midnight if not accepted.

IN RE: UNEMPLOYMENT PAYMENT

There came on for discussion the matter of disputed claim amounts due to the Mississippi Department of Employment Security in regards to unemployment for Thomas Burnett.

Upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that payment in the amount of \$13,007.92 be issued to the Mississippi Department of Employment Security (MDES) as payment for Thomas Burnett's unemployment amount due.

NOTE: No action was taken on the personnel matter discussed in Parks and Recreation nor the potential property acquisition matter.

JULY 19, 2022

OTHER MATTERS COMING BEFORE THE MAYOR AND BOARD FOR DISCUSSION

1. Chief of Police Kerry Pittman provided a copy of the monthly police report for June 2022 to the Mayor and Board of Aldermen.
2. Alderman Stan Harrison discussed a possible adjustment on a water bill for Hallmark Ford and inquired about the status of the burned house located on Tubbs Road. No action was taken on the water bill and Chief Building Official stated the burned house located on Tubbs Road has a demo permit and was instructed to contact property owner.

JULY 19, 2022

Upon motion duly made and seconded, the meeting was adjourned to reconvene at 10:00 o'clock a.m., Tuesday, July 26th, 2022, at the City Hall at 103 College Street, Batesville, Mississippi.

In accordance with Section 25-41-7, Mississippi Code of 1972, as amended, a notice of said regular meeting has been posted in the City Hall and a copy of said notice follows these minutes.

Mayor

Clerk of the Mayor and Board of Aldermen
of the City of Batesville, Mississippi

JULY 19, 2022

**NOTICE OF PLACE, DATE, HOUR AND SUBJECT MATTER
OF A REGULAR MEETING OF THE MAYOR AND
BOARD OF ALDERMEN OF THE CITY OF BATESVILLE, MISSISSIPPI**

The regular meeting of the Mayor and Board of Aldermen of the City of Batesville, Mississippi, shall be held on the following subject matter at the following place, date, and hour, to-wit:

Place: City Hall, 103 College Street, Batesville, MS 38606

Date: On the 26th day of July, 2022

Hour: 10:00 a.m.

Subject Matter: To transact any and all business that may be transacted at the regular meeting of the Mayor and Board of Aldermen on the first and third Tuesdays of each month.

The meeting may be conducted through teleconference or video means. Participation is available to the general public at said location.