

REGULAR MEETING**APRIL 18, 2023**

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 April, being the 18th day of April 2023, 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 Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Greg Smith of Mendrop Engineering Resources; Code Enforcement Officer Barry Thompson; Assistant Public Works Director Newt Benson; Parks and Recreation Director Heath Fullilove; Fire Chief Tim Taylor; Deputy Chief David Tarver; 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 Rip Copeland, the following business was taken up.

IN RE: APPROVAL OF AGENDA

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, the agenda of April 18, 2023, was approved with the addition of a resignation in the Police Department.

CITY OF BATESVILLE BOARD MEETING

APRIL 18, 2023
2:00 P.M. | CITY HALL

AGENDA

-
- 1. **CALL TO ORDER:** Mayor Hal Ferrell
 - 2. **INVOCATION:** Rip Copeland
 - 3. **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, and pursuant to Order adopted March 23, 2023, you must sign the sign-in sheet with a complete address.”
 - 4. **APPROVE AGENDA**
 - 5. **APPROVE MINUTES OF PRIOR MEETINGS**
 - a. Regular Meeting – April 4, 2023
 - b. Adjourned Meeting – April 6, 2023
 - 6. **CONSENT AGENDA**
 - a. Approval for Telecommunicators Brandi Roberson and Damien Harbin to attend the Basic Certification Course for Dispatchers May 3-7, 2023, in Grenada, Mississippi. Registration fee: \$395.00 each. They will travel in a city vehicle. Lunch expense will be reimbursed through petty cash not to exceed \$15.00 with receipt. Reimburse travel expenses if necessary.
 - b. Approval for Captain Richard Stonestreet, Detective Kevin West and K-9 Officers Greg Jones, Beau Dickson and Matthew Brown to attend the Mississippi Law Enforcement Officers Association 2023 Summer Conference June 4-9, 2023, in Biloxi, Mississippi. Cost to the city: lodging and per diem for meals. They will travel in a city vehicle. Reimburse travel expenses if necessary.
 - c. Approval for Lieutenant Richard Lott to attend the Mississippi Law Enforcement Accreditation Commission Summer Training Meeting on June 20-23, 2023, in Biloxi, Mississippi. There is no registration cost. Cost to the city: lodging, per diem for meals and mileage for personal vehicle use.
 - 7. **PAY REQUEST AGENDA**
 - a. Approval of payment of Invoice #23135 in the amount of \$20,803.54 to be made to The Power Source, PLLC in connection with the Civic Center Lighting Upgrade. (Board approved March 7, 2023.)
 - 8. **HUMAN RESOURCES**
 - a. Approval to accept the resignation of Street Department employee Melvin Scott, effective May 2, 2023.

9. **BIDS RECONSIDERED** – Batesville Civic Center Lighting Upgrade Project

10. **VISITORS**

a. FEMA

11. **PERMANENT VISITORS**

- Panola Partnership
- North Delta Planning and Development
- Mendrop Engineering Resources
- 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

REPORT OF DEPARTMENT HEADS

12. **CHIEF BUILDING OFFICIAL – ANDY BERRYHILL**

a. Set public hearing – Variance from the Subdivision Design Standards – Chris Brocato

13. **CHIEF OF POLICE – KERRY PITTMAN**

- a. Quotes received electronically - to purchase one (1) WISPR Ranger Pro Drone with attachments
- b. Monthly report

14. **CITY ATTORNEY – COLMON MITCHELL**

a. Resolution of Intent – Tourism

15. **CITY CLERK – SUSAN BERRYHILL**

- a. Set Public Hearing – redistricting (May 16, 2023)
- b. Executive Session

16. **FIRE CHIEF – TIM TAYLOR**

- a. Approval to purchase bunker gear through MS State Contract #8200067053
- b. Monthly reports

17. **PUBLIC WORKS DIRECTOR – DAVID KARR**

a. Quotes received electronically – playground equipment

18. **OTHER MATTERS BY MAYOR OR ALDERMAN:**

19. **EXECUTIVE SESSION**

20. **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 April 4, 2023, regular meeting and April 6, 2023, adjourned meetings were approved.

IN RE: SIGNATURE SHEET FOR MEETING OF APRIL 18, 2023

Board Meeting
April 18, 2023
Signature Sheet

<u>Jim Whitaker</u> Please print name clearly	<u>1098 LAKEWOOD DR 38606</u> Street Address, City, Zip
<u>Kenny Pittman</u> Please print name clearly	<u>106 College St Batesville, MS 38606</u> Street Address, City, Zip
<u>Jeremy Wells</u> Please print name clearly	<u>1160 Mill Creek / Boyle MS</u> Street Address, City, Zip
<u>FLORENCIO MARINA</u> Please print name clearly	<u>COURTYARD OXFORD</u> Street Address, City, Zip
<u>Brent Thompson</u> Please print name clearly	<u>146 Public Sq Bristol, MS 38606</u> Street Address, City, Zip
<u>George Willisford</u> Please print name clearly	<u>106 College St. Batesville, MS</u> Street Address, City, Zip
<u>David Tarver</u> Please print name clearly	<u>132 VAN VORIS</u> Street Address, City, Zip
<u>Tim Taylor</u> Please print name clearly	<u></u> Street Address, City, Zip
<u>Mike Brown</u> Please print name clearly	<u>City of Batesville</u> Street Address, City, Zip
<u>Greg Smith</u> Please print name clearly	<u>2595 Country Club Rd, Senatobia</u> Street Address, City, Zip
<u>Gloria Tucker</u> Please print name clearly	<u>2164 Asa Rd Courtland 38622</u> Street Address, City, Zip
<u>Lamika Exford</u> Please print name clearly	<u>FEMA</u> Street Address, City, Zip
<u>Cynthia Brownson</u> Please print name clearly	<u>FEMA</u> Street Address, City, Zip
<u>Zorimar Quintana</u> Please print name clearly	<u>FEMA</u> Street Address, City, Zip
<u>Joe Deard</u> Please print name clearly	<u>Paula P. Hershig</u> Street Address, City, Zip

IN RE: APPROVAL OF CONSENT AGENDA

Upon motion of Alderman Land 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:

- a. Approval for Telecommunicators Brandi Roberson and Damien Harbin to attend the Basic Certification Course for Dispatchers May 3-7, 2023, in Grenada, Mississippi. Registration fee: \$395.00 each. They will travel in a city vehicle. Lunch expense will be reimbursed through petty cash not to exceed \$15.00 with receipt. Reimburse travel expenses if necessary.
- b. Approval for Captain Richard Stonestreet, Detective Kevin West and K-9 Officers Greg Jones, Beau Dickson and Matthew Brown to attend the Mississippi Law Enforcement Officers Association 2023 Summer Conference June 4-9, 2023, in Biloxi, Mississippi. Cost to the city: lodging and per diem for meals. They will travel in a city vehicle. Reimburse travel expenses if necessary.
- c. Approval for Lieutenant Richard Lott to attend the Mississippi Law Enforcement Accreditation Commission Summer Training Meeting on June 20-23, 2023, in Biloxi, Mississippi. There is no registration cost. Cost to the city: lodging, per diem for meals and mileage for personal vehicle use.

IN RE: APPROVAL OF PAY REQUEST 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 pay request agenda be and they are hereby approved:

- a. Approval of payment of Invoice #23135 in the amount of \$20,803.54 to be made to The Power Source, PLLC in connection with the Civic Center Lighting Upgrade. (Board approved March 7, 2023.)

IN RE: APPROVAL OF HUMAN RESOURCES AGENDA

Upon motion of Alderman Harrison and second of Alderman Morrow 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:

- a. Approval to accept the resignation of Lieutenant Chris Cline from the Batesville Police Department, effective April 27, 2023.

IN RE: BIDS RECONSIDERED – CIVIC CENTER LIGHTING UPGRADES PROJECT

There came on for discussion the matter of bids received at the March 21, 2023, regular meeting of the Mayor and Board of Aldermen, for the Civic Center Lighting Upgrades Project. The bids received and itemized are listed below as follows:

Reid Electric Service, Inc.	Base-\$186,660.00 Alt 1-\$241,289.00 Alt 2-\$121,590.00 Alt 3-\$67,545.00
Robinson Electric Company, Inc.	Base-\$192,507.00 Alt 1-\$311,000.00 Alt 2-\$103,230.00 Alt 3-\$57,950.00
Whitfield Electric Company, Inc.	Base-\$155,930.00 Alt 1-\$229,900.00 Alt 2-\$109,200.00 Alt 3-\$59,731.00

Having heard all bids received, upon motion of Alderman Harrison and second of Alderman Morrow and upon unanimous vote taken, it was ordered that the bid from Whitfield Electric Company, Inc. in the amount of \$554,761.00 (base bid plus alternates) be and it is hereby accepted as the lowest and best bid for the Civic Center Lighting Upgrades Project. A copy of said bids are on file in the Office of the City Clerk and a copy of the recommendation letter follows:

The Power Source, PLLC
Consulting Engineers
305 Hwy. 51
Ridgeland, MS 39157

Telephone: (601) 605-4820

April 5, 2023

Mr. David Karr
The City of Batesville
103 College Street
Batesville, Mississippi 38606

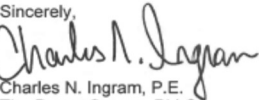
RE: Batesville Civic Center Lighting Upgrade Project, Batesville, MS
 Recommendation of Bid Award

Dear Mr. Karr:

After reviewing the bids from the Batesville Civic Center Lighting Upgrade Project, I recommend that the job be awarded to Whitfield Electric of Hernando, Mississippi for the following bids:

- Base Bid: One Hundred fifty-five thousand, nine hundred thirty dollars and zero cents (\$155,930.00)
- Alternate Bid #1: Two hundred twenty-nine thousand nine hundred dollars and zero cents (\$229,900.00)
- Alternate Bid #2: One hundred nine thousand two hundred dollars and zero cents (\$109,200.00)
- Alternate Bid #3: Fifty-nine thousand seven hundred thirty-one dollars and zero cents (\$59,731.00)
- Total Bid: Five Hundred fifty-four thousand seven hundred sixty-one dollars and zero cents (\$554,761.00)

Please let me know if you have any questions or comments. Thanks.

Sincerely,

Charles N. Ingram, P.E.
The Power Source, PLLC

IN RE: FEMA AND SBA

The Mayor recognized Florencio Marina of SBA and Tamiko Exford of FEMA who appeared before the Mayor and Board of Aldermen to discuss the process of SBA and FEMA.

*Alderman Walton arrived at 2:20 p.m.

**IN RE: SET PUBLIC HEARING – VARIANCE FROM SUBDIVISION
DESIGN STANDARDS – CHRIS BROCATO**

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

**ORDER SETTING TIME, DATE, AND PLACE OF PUBLIC HEARING
ON VARIANCES TO THE SUBDIVISION DESIGN STANDARDS OF THE CITY OF
BATESVILLE, MISSISSIPPI AND AUTHORIZING THE CITY CLERK TO
PUBLISH NOTICE OF SAID HEARING**

WHEREAS, Chris Brocato has submitted to the Mayor and Board of Aldermen of the City of Batesville, Mississippi, an application for a variance from the requirements of the Subdivision Design Standards adopted by the City of Batesville on May 19, 2008.

WHEREAS, The said Chris Brocato requests a variance to allow a street more than 500' with a cul-de-sac and to waive the requirement of sidewalks in the subdivision development of 17 residential lots on 5 acres. Said property is located on the west side of Boothe Street, south of Bruce Street, in the City off Batesville, Second Judicial District of Panola County, Mississippi, and is described as:

A 5 acre, more or less, tract of land being located in
Southwest quarter of southwest quarter of
Section 4, Township 9 South, Range 7 West, City of
Batesville, Panola County, Mississippi

and

WHEREAS, said request will be reviewed by the Planning Commission of the City of Batesville at their meeting on April 24, 2023, and


NOW, THEREFORE, BE IT ORDERED that on the 16th day of May 2023, 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 application 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.

IN RE: QUOTES RECEIVED ELECTRONICALLY – DRONE

The City of Batesville received the following quotes electronically for the purchase of a drone with attachments:

Unmanned Systems Group	\$39,995.00
Wispr Systems	\$45,000.00

Upon motion of Alderman Harrison and second of Alderman Land and upon unanimous vote taken, it was ordered that the quote from Unmanned Systems Group in the amount of \$39,995.00 be and it is hereby accepted as the lowest and best quote for the purchase of a drone with attachments. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:



Unmanned Systems Group
samsman.net

P.O. Box 578
Ridgeland, MS 39158

April 5, 2023

Kerry Pittman
Batesville Police Department

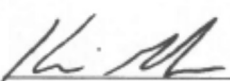
Via email only: kpittman@batesvillepd.com

QUOTE

Code	Item	Qty	Unit Price	SubTotal
WISPR-PS	WISPR Public Safety Package Ranger Pro 1100 2 – Pairs of propellers (cw/ccw pairs) 1 - Smart Controller 3 - Batteries 1 - Dual Battery Charger 1 - Hot swap Cable 1 - Carrying Case 1- Enterprise Camera - 640x512 Thermal with 16x digital zoom and 1266x1010 Super Resolution Mode - 16MP 73.2 degree FOV Visual Wide view camera with IR Cut Filtering for night - 30x optical zoom Visual Zoom Camera with IR Cut Filtering for night - Range finder laser 1500m rang 1 -Spotlight Kit	1	\$39,995.00	\$39,995.00
	Tax		\$0.00	\$0.00
	Shipping & Handling		\$0.00	n/c
	TOTAL			\$39,995.00

- * All sales are final. Returns of unopened items in the original packaging are subject to a 30% restocking fee.
- Payment in full is due within 30 days of delivery.
- Warranties, if any, are provided by the manufacturer and the manufacturer only

MAGIC: 3102037794
CAGE: 89K51
DUNS: 081527065


Kris Graham

IN RE: RESOLUTION – NOTICE OF INTENT – TOURISM

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

NOTICE OF RESOLUTION OF INTENT

The Mayor and Board of Aldermen of the City of Batesville, Mississippi, took up for consideration the following Resolution. After a discussion of the matter, Alderman Harrison offered and moved the adoption of the following Resolution:

RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF BATESVILLE, MISSISSIPPI, DECLARING ITS INTENTION TO CONTINUE TO IMPOSE THE TAX LEVIED AND COLLECTED UPON THE GROSS PROCEEDS DERIVED FROM HOTEL AND MOTEL ROOM RENTALS AND RESTAURANT SALES IN THE CITY OF BATESVILLE, MISSISSIPPI, AT A RATE OF THREE PERCENT (3%) OF SUCH GROSS PROCEEDS IN ORDER TO RAISE MONEY FOR THE PURPOSE OF PROVIDING FUNDS FOR THE ESTABLISHMENT,PROMOTION, AND DEVELOPMENT OF TOURISM, ECONOMIC DEVELOPMENT, AND INDUSTRY IN THE CITY OF BATESVILLE, MISSISSIPPI, AND THE SURROUNDING AREA; DIRECTING PUBLICATION OF NOTICE OF THIS RESOLUTION; AND FOR RELATED PURPOSES

WHEREAS, the Mayor and Board of Aldermen of the City of Batesville, Mississippi [the "Governing Authority"] acting for and on behalf of the City of Batesville, Mississippi [the "City"] does hereby resolve, find, determine, adjudicate and declare as follows:

1.

Since being granted the authority to do so pursuant to Chapter 824, Local and Private Laws of 1992, as amended from time to time and last amended by Senate Bill 2518, Mississippi Legislature, 2023 Regular Session [hereinafter referred to as “Legislative Authority”], the City has levied and collected and currently levies and collects, and intends to continue to levy and collect a tax on the gross proceeds of hotel and motel room rentals and gross proceeds of restaurant sales in the City at a rate of three percent (3%) of the said gross proceeds for the purposes of providing funds for the establishment, promotion, and development of tourism, economic development, and industry in the City and the surrounding area [referred to herein as the “tax”]. The revenue raised by the tax is approximately one million two hundred seventy thousand dollars annually. A part of the revenue raised by the tax was used to pay the costs of the

construction of the Batesville Civic Center in semi-annual installments until such costs were paid in full on or about July 1, 2022.

2.

The City's authority to levy and collect said tax would have expired on July 1, 2023. Said Senate Bill 2518 extended the City's authority to levy and collect the aforesaid tax until July 1, 2027.

3.

That it is necessary and in the public interest and in the interest of the City of Batesville, Mississippi, and its citizens for the Governing Authority to continue to levy and collect the tax for the purposes of the establishment, promotion, and development of tourism, economic development, and industry in the City of Batesville and the surrounding area. The tax has been used and will continue to be used for said purposes, including but not limited to purposes such as the continued operation and maintenance of the Batesville Civic Center, for making improvements to the Batesville Civic Center, promoting the annual community wide Springfest and other similar events that are designed to attract visitors and tourists, for improving, maintaining, and operating the Batesville Indian Mounds which are a tourist and visitor site, for improving, enhancing, maintaining, and operating City parks and recreation facilities and promoting thereat activities and programs designed to attract visitors and tourists, for promoting activities and programs designed to attract new industry, for the construction of public infrastructure to serve new industry and commerce and the expansion of existing industry and commerce, and other similar purposes. Any qualified elector of the City who opposes the tax may file with the City Clerk a written protest against the imposition of the tax on or before June 7, 2023, at City Hall located at 103 College

Street, Batesville, Mississippi 38606. If on or before said date the lesser of twenty percent (20%) or fifteen hundred (1,500) of the qualified electors of the City of Batesville shall file a written petition against the levy of such tax then an election upon the levy and assessment of the tax shall be called and held.

NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE GOVERNING AUTHORITY ACTING FOR AND ON BEHALF OF THE CITY OF BATESVILLE, MISSISSIPPI, AS FOLLOWS:

SECTION 1. The matters set forth above are true and correct and are incorporated in this Section 1 as if copied herein verbatim.

SECTION 2. Pursuant to and in compliance with and for the time allowed by the Legislative Authority, the Governing Authority hereby declares its intention to continue to impose, levy, and collect the tax on the gross proceeds of hotel and motel room rentals and of restaurant sales at a rate of three percent (3%) for each hotel, motel, and restaurant in the City without pause or interruption for the purposes set out herein.

SECTION 3. This Resolution shall be published for the time and in the manner provided in the Legislative Authority in *The Panolian*, a newspaper published in and having a general circulation in the City and meeting the requirements of Section 13-3-31 of the Mississippi Code of 1972, as amended and supplemented from time to time.

Alderman Morrow seconded the motion to adopt the foregoing Resolution, and the question being put to a roll call vote, the result was as follows:

Alderman Bill Dugger	Voted: aye
Alderman Stan Harrison	Voted: aye
Alderman Teddy Morrow	Voted: aye
Alderman Bobby Walton	Voted: aye
Alderman Dennis Land	Voted: aye

The motion having received the affirmative unanimous vote of the members present, the Mayor declared the motion carried and the Resolution adopted this the 18th day of April, 2023.

HAL FERRELL, Mayor

ATTEST:

SUSAN BERRYHILL, City Clerk

IN RE: SET PUBLIC HEARING – REDISTRICTING

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

NOTICE OF PUBLIC HEARING ON REDISTRICTING

The Mayor and Board of Aldermen of the City of Batesville, Mississippi, will hold a public hearing on the 16th day of May 2023, at 3:00 o'clock p.m. at the City Hall, 103 College Street, Batesville, Mississippi, for the purpose of considering the redrawing of the City of Batesville ward boundaries as required by law as a result of the 2020 U. S. Census population data and the addition of new territory to the City through the Annexation of said territory completed in 2022. A copy of a map showing the proposed new ward boundaries is on file and available for inspection at City Hall, 103 College Street, Batesville, Mississippi.


CITY OF BATESVILLE, MISSISSIPPI

By: _____

Susan B. Berryhill City Clerk

IN RE: **APPROVAL TO PURCHASE BUNKER GEAR**

Upon motion made by Alderman Walton and second of Alderman Dugger and upon unanimous vote taken, it was ordered that Fire Chief Tim Taylor be and he is hereby authorized to purchase three (3) bunker pants and coats in the amount of \$7,485.00 from Sunbelt Fire Equipment under Mississippi State Contract No. 8200067053.



8060 McGowin Dr.
Fairhope, AL 36532
Phone (800) 642-8484
Fax (251) 928-9933

Quote

Date: 4/11/2023

Customer	Batesville Fire Dept		
Name	Chief Tim Taylor		
Address	132 Van Voris		
City	Batesville	MS	38606
Phone/Cell	Sergio Vergara 901-949-2345		
	Batesville Fire Dept		
	P.O. Box 689		
	Batesville MS 38606		

Qty	Description	Unit Price	TOTAL
3	Globe Classic Coat w/ Pioneer Gold Outershell, Defender M Brass thermal liner and Stedaire 3000 moisture barrier Coat includes: 3" L/Y NYC style triple trim Zipper/Velcro closure 2x8x8 cargo/handwarmer pockets Survivor flashlight pocket on right chest with mic strap above Radio pocket on left chest with mic strap above Thermal liner pocket Nomex hand & wrist guards Black Suede cuffs Drag Rescue Device American Flag	\$ 1,350.00	\$ 4,050.00
3	Pant includes: 3" L/Y triple Comfort trim around cuffs black padded parachute style suspenders 2x10x10 Kevlar reinforced expansion pockets Black Suede knees and cuffs Padded knees Reverse boot cut Hook and Dee Front Closure Reinforce Knees Silicone Knees	\$ 1,145.00	\$ 3,435.00
			\$ -
			\$ -
	Prices do not include shipping		
	Globe MS State Contract number 8200067053		
		SubTotal	\$ 7,485.00
		Shipping	
		Tax Rate(s)	0.00% \$ -
			0.00% \$ -
		TOTAL	\$ 7,485.00

Sales Rep Alan Gho

Phone 662-363-6097

Cell

email agho@sunbeltfire.com

Office Use Only


"To always listen and know our customer's needs in order to provide them with the best products and service in the industry"

IN RE: QUOTES RECEIVED – PLAYGROUND EQUIPMENT

The City of Batesville received the following quotes for the install and surfacing for swings at Trussell Park:

Bliss Products	\$40,294.95
H&S Playscapes, LLC	\$42,814.95

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that the quote from Bliss Products in the amount of \$40,294.95 be and it is hereby accepted as the lowest and best quote for the install and surfacing for swings at Trussell Park. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:



Bliss Products and Services, Inc
6831 S. Sweetwater Rd.
Lithia Springs, GA 30122
(800) 248-2547
(770) 920-1915 Fax

Quote # **66668**

Sales Rep: Will McNeer
will@blissproducts.com
C: (901) 515-8767

City of Batesville

Date 3/9/2023

Project Install and Surfacing
for Trussell Park Swings

Bill To
City of Batesville
103 College Street
Batesville, Mississippi 38606
T: (662) 563-4576

Ship To
Trussell Park
Highway 35 N
Batesville, Mississippi 38606

Contact
Heath Fullilove
Director of Parks and Recreation

Approximate Ship Date

Ship Via

Terms
Net 30

Vendor	Part #	Description	Qty	Unit Price	Extended Price
ARS		Provision and Installation of Poured in Place Surfacing 50% Black/50% Standard Color Aromatic Binder Rolled Edges	1	\$24,350.00	\$24,350.00
INS		Installation of Swings	1	\$4,800.00	\$4,800.00
PPS	68034	3.5" OD Arch Swing Bay	1	\$1,901.00	\$1,901.00
PPS	67597	Belt Seat Package	4	\$415.00	\$1,660.00
PPS	65181	Cantilever Tot Swing	1	\$1,224.00	\$1,224.00
PPS	68035	3.5" Arch Swing Add A Bay	1	\$1,172.00	\$1,172.00

Sub Total

\$35,107.00

Freight

5,187.95

Tax

0.00

Taxable Subtotal

\$40,294.95

Grand Total

\$40,294.95

Financing as low as **\$934.84** / month may be available pending credit approval.

• Due to volatility in raw material pricing, this quote is only valid for 30 days unless otherwise noted.

• Due to instability in material procurement and manufacturing, verbal or written lead times are subject to change.

Sales tax exempt certificate will be required for exemption. All orders are subject to approval and acceptance by the manufacturer. Deposits may be required. Add 3% to total for charge card transactions. Manufacturing lead times will not begin without an actual shipping address, color and mount selection, approved purchase order or fully executed contract. Customer will need to coordinate with freight carrier if unloading or inside delivery is required. Damaged or missing parts must be noted on the bill of lading at the time of delivery. A finance charge of 1.5% per month will be added to all invoices past due. Return items are subject to manufacturer's policies and may result in freight and restocking fees.

Signed quote will not be accepted for orders over \$500.

Install Conditions - Unless otherwise noted:


- Site should be clear, level and allow continuous access for delivery, materials and equipment. A space must be provided for the staging and secure storage of equipment within a reasonable distance to the jobsite. A water source within 100' of the job site may be required.
- Installation price based on a single mobilization and unrestricted work hours. We can accommodate special requests but they may result in additional labor costs.

IN RE: QUOTES RECEIVED – PLAYGROUND EQUIPMENT

The City of Batesville received the following quotes for a bouncer/temple trolley at Patton Lane Park:

Bliss Products	\$23,400.56
H&S Playscapes, LLC	\$30,342.00

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, it was ordered that the quote from Bliss Products in the amount of \$23,400.56 be and it is hereby accepted as the lowest and best quote for a bouncer/temple trolley at Patton Lane Park with the City’s Standard Contract Addendum attached thereto. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows along with the City’s Standard Contract Addendum which is made a part thereof:



Bliss Products and Services, Inc
6831 S. Sweetwater Rd.
Lithia Springs, GA 30122
(800) 248-2547
(770) 920-1915 Fax

Quote # **66178**

Sales Rep: Will McNeer
will@blissproducts.com
C: (901) 515-8767

City of Batesville

Date 3/9/2023

Project Patton Lane Park-
Bouncer/Temple Trolley

Bill To
City of Batesville
103 College Street
Batesville, Mississippi 38606
T: (662) 563-4576

Ship To
City of Batesville
City of Batesville
103 College Street
Batesville, Mississippi 38606

Contact
Heath Fullilove
Director of Parks and Recreation

Approximate Ship Date

Ship Via

Terms
Net 30

Vendor	Part #	Description	Qty	Unit Price	Extended Price
APS	APS-BLISS12"	12" BLISS Logo Playground Border with Surfacing Guide and 1 Spike	52	\$32.00	\$1,664.00
PPS	65273	Temple Trolley MSRP \$17,779.00	1	\$13,890.00	\$13,890.00
PPS	67535	4-Seat Bounce Around MSRP \$3,543.00	1	\$2,768.00	\$2,768.00
ZEA	342806	100 Cubic Yards of Engineered Wood Fiber Mulch	1	\$1,977.00	\$1,977.00

Taxable Subtotal

Financing as low as **\$568.63** / month may be available pending credit approval.

Sub Total

Freight

Tax

Grand Total

\$20,299.00

3,101.56

0.00

\$23,400.56

- Due to volatility in raw material pricing, this quote is only valid for 30 days unless otherwise noted.
- Due to instability in material procurement and manufacturing, verbal or written lead times are subject to change.

Sales tax exempt certificate will be required for exemption. All orders are subject to approval and acceptance by the manufacturer. Deposits may be required. Add 3% to total for charge card transactions. Manufacturing lead times will not begin without an actual shipping address, color and mount selection, approved purchase order or fully executed contract. Customer will need to coordinate with freight carrier if unloading or inside delivery is required. Damaged or missing parts must be noted on the bill of lading at the time of delivery. A finance charge of 1.5% per month will be added to all invoices past due. Return items are subject to manufacturer's policies and may result in freight and restocking fees.

Signed quote will not be accepted for orders over \$500.

Complete Terms and Conditions can be found at <https://blissproducts.com/terms-conditions/>

Bliss Products and Services, Inc.
Terms and Conditions Applying to the Sale of Goods and Services

Customer:	City of Batesville	Address:	103 College Street Batesville, Mississippi 38606
Date:	11 April 2023		
Quote Number:	66178	Amount:	\$23,400.56

These Terms and Conditions constitute a material part of the agreement between Bliss Products and Services, Inc. ("Bliss") and Customer. Bliss objects to, and does not agree to be bound by, any documentation Customer submits to Bliss. These Terms and Conditions supersede any inconsistent terms and conditions in any documentation Customer submits to Bliss.

A. Definitions

1. "Customer" means the party identified above placing the order to which these Terms and Conditions are attached.
2. "Goods" or "Services" means the items or services for which Customer has placed order with Bliss Products and Services.
3. "Supplier" refers to the manufacturer or vendor that provides to Bliss Products and Services the Goods or Services required to fulfill Customer's purchase order and complete Customer's project.

B. Payment Terms

1. Customer shall pay all invoices in full within 30 days of the date of Bliss's invoice unless Bliss agrees otherwise in writing. Bliss reserves the right to charge Customer interest in the amount of 1 ½ % per month on the unpaid balance of any invoice.
2. Customer may dispute in good faith the amount of any invoice by providing Bliss with a written notice describing the basis of its objection and the amount Customer is disputing. Bliss must receive this notice no later than close of business (5 p.m. Eastern time) on the 7th calendar day after Bliss or its designee or Supplier delivers and/or, if applicable, installs the Goods or Services to the location Customer specified in its purchase order. In addition, Customer must pay to Bliss all undisputed invoiced amounts in accordance with these payment terms.
3. Customer shall reimburse Bliss for the reasonable costs of any successful action to collect past due invoices or other fees or charges.

C. Quotes and Change Orders

Bliss reserves the right to increase a previously quoted price when the Customer requests any change in the Goods or Services described on Customer's purchase order, including changes in the number or types of Goods and a change in delivery date.

D. Delivery/ Loss or Damage to Goods

1. **TITLE, DELIVERY, AND RISK OF LOSS OF GOODS.** Unless otherwise specified delivery points and charges shall be the F.O.B. point specified by Customer, but title to the Goods and risk of loss or damage in transit or thereafter shall pass to Customer when Bliss delivers the Goods to a common carrier for shipment. Customer must deal directly with the common carrier regarding shipping dates and late deliveries; Bliss does not guarantee shipping dates and is not liable for late deliveries.

2. **DAMAGE TO GOODS IN TRANSIT.** Customer shall note any damage to Goods that occurs in transit on the freight bill presented by the delivering common carrier. Customer must make any claims for damage to Goods in transit directly to the delivering common carrier according to the carrier's policies and procedures. Bliss is not responsible and disclaims any liability for damage to Goods in transit.

3. **PROCESS TO RETURN GOODS.** The only returns of Goods Bliss will accept are either stock items or non-stock items the Supplier will accept on return. Customer may not return any Goods without first obtaining a written authorization from Bliss. Customer must return all Goods in new and unused condition within 30 days of the date of the return authorization. Bliss will not accept the return, and will refuse delivery of any Goods without a written authorization by Bliss. Customer must pay a restocking charge as determined by Bliss, which will not exceed 10 % of the invoiced prices, and Customer shall prepay all freight charges in connection with returning Goods. Bliss will issue a credit for freight charges when it makes incorrect shipments. **CUSTOMER MAY NOT CANCEL OR RETURN SPECIAL ORDERS.**

E. Cancellation

Due to the nature of the Goods and Services Bliss sells, Customer may not cancel any order after it is confirmed by Bliss without first requesting a written authorization from Bliss. Bliss will authorize a cancellation only on the following conditions:

1. Customer must pay all costs, charges, and expenses incurred by Bliss in connection with fulfilling the order, including any charges and fees charged by the Supplier of the Goods listed on the Customer's purchase order ("Cancellation Costs")
2. Bliss will issue an invoice to Customer itemizing the Cancellation Costs, which will be due 5 business days after Bliss is required to pay the Supplier of the cancelled Goods.

F. DISCLAIMER OF WARRANTY

BLISS OFFERS NO WARRANTIES, EXPRESS OR IMPLIED, OF THE GOODS IT SELLS. CUSTOMER MUST LOOK SOLELY TO THE SUPPLIER OF THE GOODS FOR WARRANTIES OF THE GOODS CUSTOMER PURCHASES.

STANDARD CONTRACT ADDENDUM

This Standard Contract Addendum is an integral part of any and all Contracts entered into by the City of Batesville, Mississippi [“City”], and, therefore, is hereby made a part of the Contract between the City and Bliss Products [the “Contract”].

Mississippi law provides that parties contracting with Mississippi governmental entities are deemed to have knowledge that they are political subdivisions of the state and to have knowledge of the laws by which they are governed and the limitations of powers and authority of the governmental entity. As a Mississippi governmental entity, the City has only the powers and authority expressly granted to it by the Mississippi Constitution and the Mississippi Statutes together with those powers and authority necessarily implied from such grants of powers and authority. Mississippi law further provides that a city shall not be bound by provisions of a contract which exceed a city’s powers and authority. By way of example, but not by limitation, the City does not have the powers or authority to enter into or perform, and is thus not bound by, provisions providing for the City to: arbitrate, waive right to a jury trial or any other right, hold another harmless, indemnify another, limit the liability of another party, agree to liquidated damages, waive or limit another’s damages, waive or limit the City’s right to damages, pay another’s attorneys fees and expenses, agree to jurisdiction or venue in any other state besides the State of Mississippi. This Contract is a Public Record and is subject to the Mississippi Public Records Act of 1983. In executing the attached Contract, the City does not waive any rights it may have to object to, contest, or refuse to comply with any provision of the Contract that exceeds the powers and authority granted to the City by Mississippi law.

CITY OF BATESVILLE, MISSISSIPPI

By: _____
 HAL FERRELL, Mayor

BLISS PRODUCTS

By: _____


 (Print Name and Title)

IN RE: QUOTES RECEIVED – PLAYGROUND EQUIPMENT

The City of Batesville received the following quotes for a shelter at Patton Lane Park:

Bliss Products	\$16,215.00
H&S Playscapes, LLC	\$18,017.00

Upon motion of Alderman Harrison and second of Alderman Walton and upon unanimous vote taken, it was ordered that the quote from Bliss Products in the amount of \$16,215.00 be and it is hereby accepted as the lowest and best quote for a shelter at Patton Lane Park. A copy of said quotes are on file in the Office of the City Clerk and a copy of the accepted quote follows:



Bliss Products and Services, Inc
6831 S. Sweetwater Rd.
Lithia Springs, GA 30122
(800) 248-2547
(770) 920-1915 Fax

Quote # **66145**

Sales Rep: Will McNeer
will@blissproducts.com
C: (901) 515-8767

City of Batesville

Date 3/8/2023

Project Patton Lane Park Shelter

Bill To
City of Batesville
103 College Street
Batesville, Mississippi 38606
T: (662) 563-4576

Ship To
Patton Lane Park
Patton Lane
Batesville, Mississippi 38606

Contact
Heath Fullilove
Director of Parks and Recreation

Approximate Ship Date

Ship Via

Terms
Net 30

Vendor	Part #	Description	Qty	Unit Price	Extended Price
CFS	RHS 161E	16' x 16' Steel Shelter with 8' Eave Height Roof Pitch: 4:12 Powder Coated Steel Frame 24 Gauge Metal Roof Zinc Plated Fasteners	1	\$13,815.00	\$13,815.00
CFS		Engineering	1	\$900.00	\$900.00

Sub Total

\$14,715.00

Freight

1,500.00

Tax

0.00

Grand Total

\$16,215.00

Taxable Subtotal

\$16,215.00

Financing as low as \$394.02 / month may be available pending credit approval.

• Due to volatility in raw material pricing, this quote is only valid for 30 days unless otherwise noted.

• Due to instability in material procurement and manufacturing, verbal or written lead times are subject to change.

Sales tax exempt certificate will be required for exemption. All orders are subject to approval and acceptance by the manufacturer. Deposits may be required. Add 3% to total for charge card transactions. Manufacturing lead times will not begin without an actual shipping address, color and mount selection, approved purchase order or fully executed contract. Customer will need to coordinate with freight carrier if unloading or inside delivery is required. Damaged or missing parts must be noted on the bill of lading at the time of delivery. A finance charge of 1.5% per month will be added to all invoices past due. Return items are subject to manufacturer's policies and may result in freight and restocking fees.

Signed quote will not be accepted for orders over \$500.

Complete Terms and Conditions can be found at <https://blissproducts.com/terms-conditions/>

IN OPEN SESSION

Alderman Dugger 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 Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Assistant Public Works Director Newt Benson and Assistant City Clerk Shonnah Weaver.

On motion made by Alderman Harrison, seconded by Alderman Morrow, 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 potential litigation and personnel matters in the Municipal Court.

IN OPEN MEETING

The Mayor announced that the Mayor and Board of Aldermen will go into executive session for the purpose of discussing potential litigation and personnel matters in the Municipal Court 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 Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Assistant Public Works Director Newt Benson 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 Attorney Colmon Mitchell; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Assistant Public Works Director Newt Benson and Assistant City Clerk Shonnah Weaver.

There came on for discussion the potential litigation matter.

There came on for discussion the personnel matter in the Municipal Court.

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

IN RE: APPROVAL TO PAY INVOICES

There came on for discussion the matter of the Invoices received from Bradford Painting Service in regards to the painting at the Batesville Civic Center. Quotes were not obtained so there is a concern that the purchase law was not followed and, therefore payment of the invoice should be withheld.

After discussing the matter involving the letter from Farry Bradford, President of Bradford Painting Services, which appears below, upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that payment of Invoice in the amount of \$3,375.00 and payment of Invoice in the amount of \$4,800.00 for a total of \$8,175.00 be made to Bradford Painting Service in regards to the painting at the Batesville Civic Center due to it being in the City's best interest and more feasible to pay the Invoice in order to avoid litigation threatened by Bradford Painting Service. A copy of said Invoices and letter follows:

April 14, 2023

City of Batesville
103 College Street
Batesville, MS 38606

City of Batesville:

On March 14, 2023, the City of Batesville contacted me about painting 3 meeting rooms at the Batesville Civic Center. I was given purchase order # 7233 for invoice # 1729 in the amount of \$4,800.00 total. Then I was asked on or around March 20, 2023, to paint both bathrooms, the hallway, dressing rooms at the Batesville Civic Center and was given purchase order # 7283 in the amount of \$3,375.00, totaling 8,175.00. The invoices were submitted for payment, and I have been by city hall several times to pick up payment for services but have not been paid. I have an obligation to pay Sherwin Williams for paint purchased to paint the Batesville Civic Center facility along with labor to my workers. If payment is not received by April 30, 2023, I have no choice but to file a lien against the property and continue seeking payment through my attorney and a litigation process. Please contact me if you have any questions or concerns. I appreciate your attention to this matter.

Sincerely,




Farry Bradford, President
Bradford Painting Services

BRADFORD PAINTING SERVICE

12541 BALLENTINE ROAD

SARDIS, MS 38666

662-934-4641



Contractors Invoice

NAME		Civic Center	
City of Batesville		Bates, MS.	
Bates, MS.		38606	
38606			

DATE	YOUR WORK NO.	OUR BID NO.
3-20-23	PO# 283	

DESCRIPTION OF WORK PERFORMED	
paint both restroom	
paint Hallway	
paint dressing room	
paint 2 meeting room downstairs	
labor \$ 2600.00	
materials \$ 775.00	
total \$ 3375.00	
Fanny Bradford	

Contractor	Homeowner	Date
/		

Bradford Painting Service
12541 Balentine Rd.
Sardis, Ms 38666
662-934-4641

CONTRACTORS INVOICE

TO City OF Batesville
Bates. MS.
38606

WORK PERFORMED AT:
Civic Center
Bates. MS.
38606

1729

DATE 3-14-23

YOUR WORK ORDER NO. # 7233

OUR BID NO.

DESCRIPTION OF WORK PERFORMED

paint meeting rms (3 colors) double rm

paint meeting rm (3 colors) single rm

labor \$ 4000.00

material \$ 800.00

total \$ 4800.00

Fanny Bradford

Material is guaranteed to be as specified, and the above work was performed in accordance with the drawings and specifications provided for the above work and was completed in a substantial workmanlike manner for the agreed sum of _____ Dollar(\$ _____).

This is a ☐ Partial ☐ Full invoice due and payable by: _____ Month _____ Day _____ Year

in accordance with our ☐ Agreement ☐ Proposal No. _____ Dated _____ Month _____ Day _____ Year

IN RE: APPROVAL TO OFFER EMPLOYMENT – MUNICIPAL COURT

Upon motion of Alderman Harrison and second of Alderman Dugger and upon unanimous vote taken, it was ordered that Ryley Boyero be and she is hereby offered full-time employment in municipal court at a rate of \$16.00 per hour, contingent upon her accepting said offer and undergoing a medical exam and a drug and alcohol test and being free of drugs and cleared for employment pursuant thereto. Said offer expires midnight May 1, 2023, if not accepted.

IN RE: APPROVAL TO PLANT TREES

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that trees may be planted at Trussell Park with the approval of Parks and Recreation Director Heath Fullilove.

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 and Assistant City Clerk Shonnah Weaver.

OTHER MATTERS COMING BEFORE THE MAYOR AND BOARD FOR DISCUSSION

1. Joe Azar, Director of Panola Partnership, appeared before the Mayor and Board of Alderman to provide updates.
2. Chief of Police Kerry Pittman provided copies of the monthly report to the Mayor and Board of Aldermen.
3. Fire Chief Tim Taylor provided copies of the monthly reports to the Mayor and Board of Aldermen.

Upon motion duly made and seconded, the meeting was adjourned to reconvene at 2:00 o'clock p.m., Tuesday, April 25, 2023, 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

NOTICE OF PLACE, DATE, HOUR AND SUBJECT MATTER
OF AN ADJOURNED MEETING OF THE MAYOR AND
BOARD OF ALDERMEN OF THE CITY OF BATESVILLE, MISSISSIPPI

The adjourned 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 25th day of April, 2023

Hour: 2:00 p.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.