

SEPTEMBER 25, 2023

**ADJOURNED MEETING**

**SEPTEMBER 25, 2023**

Pursuant to the adjournment taken, September 19, 2023, the Mayor and Board of Alderman of the City of Batesville reconvened at 10:00 a.m., on September 25, 2023, at the City Hall, 103 College Street, Batesville, Mississippi, when and where were present the following, to-wit: Mayor Hal Ferrell; Aldermen Dennis Land, Stan Harrison, Teddy Morrow and Bill Dugger. Also present were: City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Public Works Director David Karr; Assistant Public Works Director Newt Benson; Parks and Recreation Director Heath Fullilove; Assistant City Clerk Shonnah Weaver and Jeremy Weldon of The Panolian.

Also present was Joe Azar.

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

**MINUTE BOOK NO. G-3 – CITY OF BATESVILLE, MISSISSIPPI**

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**IN RE:           ORDINANCE – CURFEW**

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

AN ORDINANCE OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF BATESVILLE, MISSISSIPPI, ESTABLISHING A CURFEW FOR PERSONS OF THE AGE OF SEVENTEEN YEARS AND YOUNGER

BE IT ORDAINED by the Mayor and Board of Aldermen of the City of Batesville, Mississippi, that:

Section 1. *Definitions.*

The following words and phrases have the following meanings in this Ordinance:

“Child” and “Children” mean a person or persons seventeen (17) years old and younger.

“Guardian” means the parents of a child and any other person with whom a child lives.

“Time of curfew” means from eleven o’clock p.m. (11:00 p.m.) on Sunday until six o’clock a.m. (6:00 a.m.) the following Monday, from eleven o’clock p.m. (11:00 p.m.) Monday until six o’clock a.m. (6:00 a.m.) the following Tuesday, from eleven o’clock p.m. (11:00 p.m.) Tuesday until six o’clock a.m. (6:00 a.m.) the following Wednesday, from eleven o’clock p.m. (11:00 p.m.) Wednesday until six o’clock a.m. (6:00 a.m.) the following Thursday, and from eleven o’clock p.m. (11:00 p.m.) Thursday until six o’clock a.m. (6:00 a.m.) on the following Friday, and from twelve o’clock a.m. (12:00 a.m.) Saturday until six o’clock a.m. (6:00 a.m.) Saturday, and from twelve o’clock a.m. Sunday (12:00 a.m.) until six o’clock a.m. (6:00 a.m.) Sunday.

“Child’s residence means the place where the child permanently lives with a parent or guardian and the place where the child is temporarily visiting as an overnight guest.

Section 2. *Curfew.*

- (1) During the time of curfew, a child shall not be absent from the child’s residence. During the time of curfew, a guardian shall not allow the guardian’s child to be absent from the child’s residence.

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- (2) This curfew shall not apply to a child who is (a) going to, attending, and going to the child’s residence immediately following the conclusion of lawful and peaceful entertainment events and political events, (b) going to, attending, and going to the child’s residence immediately following the conclusion of an event held or sponsored by a school or a religious organization, (b) going to, attending, and going to the child’s residence immediately following the conclusion of similar events that are lawful and being held and occurring lawfully and peacefully and attended by or supervised by persons twenty-one (21) years of age and older, (c) seeking medical attention, (d) in the company of the child’s guardian, and (e) going to work and going to the child’s residence immediately following the conclusion of work.

Section 3. *Penalty for Violation.*

Any child or guardian violating the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined \$250.00 for the first violation; \$ 500.00 for the second violation; and \$750.00 for the third violation along with the incarceration of the guardian for three days. Conviction includes the judgment of the court, a guilty plea and plea of *nolo contendere*.

Section 4. *Effective upon adoption.*

This ordinance is being adopted for the immediate and temporary preservation of the public peace, health, and safety; and for the permanent preservation of the public peace, health, safety, and good order and peace of the City of Batesville; and for the protection of children from harm and injury. Upon the adoption of this ordinance by the unanimous vote of all the aldermen this ordinance shall be effective from and after the date of its adoption.

ORDAINED, APPROVED AND ADOPTED at a regular meeting of the Mayor and Board of Aldermen on this the 26<sup>th</sup> day of September 2023.

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HAL FERRELL, Mayor

ATTEST:

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SUSAN S. BERRYHILL, CITY CLERK

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**IN RE:            APPROVAL FOR MONITOR FOR DISPATCH**

Upon motion of Alderman Dugger and second of Alderman Harrison and upon unanimous vote taken, it was ordered that Chief of Police Kerry Pittman be and he is hereby authorized to purchase a monitor for viewing the security cameras for use in the Batesville Police Department dispatch to be purchased out of the Supervision and Finance budget.

**IN RE:            CREDIT CARDS**

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, the Board of Aldermen acknowledged the following disclosure statement from Mayor Hal Ferrell regarding obtaining services relative to the use of credit cards:

September 25, 2023

Miss Code 25-4-103 and -105; Miss. Const. section 109

Charles Wright is my son-in-law and is interested in providing credit card services to the City of Batesville.

In order for Charles to be considered, the following must be disclosed and agreed to.

The City can employ Charles Wright's company to handle the credit card matters, if and only if, the following conditions are met:

1. Full disclosure to the City of Batesville aldermen announced to the city board on 9/25/2023; a copy of this statement filed with the city clerk.
2. I have no direct, or indirect interest, in Charles' employment or his company.
3. There is total and complete financial independence between Charles/Natalie (Ferrell) Wright and me.
4. I will totally and completely recuse myself from all phases of employing the company, and if employed, from approving the payment of or any pecuniary benefits to his company or Charles Wright.

  
Hal Ferrell, Mayor  
City of Batesville, MS

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**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 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 and Morrow; City Attorney Colmon Mitchell; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Public Works Director David Karr; Assistant Public Works Director Newt Benson 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, Dugger, Morrow and Harrison it was ordered that the Mayor and Board of Aldermen go into executive session in order to discuss the potential acquisition of real property and tax increment financing.

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**IN OPEN MEETING**

The Mayor announced that the Mayor and Board of Aldermen will go into executive session for the purpose of discussing the potential acquisition of real property and tax increment financing and that the total vote on the motion to go into executive session was four (4) aldermen in favor and no aldermen opposed. Those present in the open meeting were Mayor Ferrell; Aldermen Harrison, Land, Dugger and Morrow; City Attorney Colmon Mitchell; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Public Works Director David Karr; 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, Dugger, Morrow and Land; City Attorney Colmon Mitchell; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Assistant Chief of Police George Williford; Public Works Director David Karr; Assistant Public Works Director Newt Benson and Assistant City Clerk Shonnah Weaver.

There came on for discussion the potential acquisition of real property. (Parks and Recreation Director Heath Fullilove was present for this discussion.)

There next came on for discussion the consideration of the tax increment financing.

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

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**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 and Morrow; City Attorney Colmon Mitchell; City Clerk Susan Berryhill; Chief of Police Kerry Pittman; Assistant Chief of Police George Willford; Public Works Director David Karr; Assistant Public Works Director Newt Benson and Assistant City Clerk Shonnah Weaver.

**IN RE:        POTENTIAL ACQUISITION OF REAL PROPERTY**

The Mayor and Board of Aldermen discussed the resolution received relative to the potential acquisition of real property.

**IN RE:        PARKS AND RECREATION**

Upon motion of Alderman Morrow and second of Alderman Harrison and upon unanimous vote taken, it was ordered that Parks and Recreation Director Heath Fullilove obtain specifications/quotes for a pickle ball court at Trussell Park and the basketball court at Patton Lane Park.

NOTE: No action was taken on the tax increment financing matter.

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Upon motion duly made and seconded, the meeting was adjourned to reconvene at 2:00 o'clock p.m., Tuesday, October 3, 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.

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Mayor

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



SEPTEMBER 25, 2023

**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**

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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 3<sup>rd</sup> day of October, 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.

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