

**MINUTES OF COUNCIL**  
**AUGUST 11, 2009**

The Batesville City Council met in regular session on August 11, at 5:30 PM at the Municipal Building. Mayor Rick Elumbaugh presided over the meeting.

Councilmember Henley gave the invocation. Upon roll call the following councilmembers answered present: Tommy Bryant, Margaret Henley, Davy Insell, Fred Krug, Doug Matthews, Matt McDonald, Richard O'Neal, and David Shetron. Also present were the City Clerk and the City Attorney.

Councilmember Shetron moved to approve the minutes from the previous meeting and Councilmember McDonald seconded. All voted for.

Councilmember Insell moved to approve the prepared agenda. Councilmember O'Neal seconded and all voted for.

**CITIZENS COMMENTS**

None

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**A) CONSIDER A RESOLUTION TO SUBMIT AN APPLICATION TO THE  
DEPARTMENT OF PARKS AND TOURISM**

Councilmember Shetron introduced a resolution authorizing the Mayor to submit an application to the Department of Parks and Tourism to obtain a 50/50 matching grant for playground equipment in West Batesville. Attorney Stalker read the resolution in full. Councilmember Shetron moved to adopt and Councilmember Bryant seconded. The roll call count was 8 for and 0 against. The resolution was given #2009-08-01-R.

**B) CONSIDER AN ORDINANCE TO REZONE PROPERTY LOCATED IN THE HOLMES SUBDIVISION FROM R-1 TO C-1**

Councilmember Shetron introduced an ordinance to rezone property located on Harrison Street in the Holmes Subdivision from R-1 Residential to C-1 Commercial. Attorney Stalker read the ordinance in full. Councilmember Shetron moved to suspend the rules and waive the second and third readings. Councilmember O'Neal seconded and the roll call count was 8 for and 0 against. Councilmember Matthews moved to adopt the ordinance and Councilmember Shetron seconded. The roll call count was 8 for and 0 against. The ordinance was given #2009-08-01. Councilmember Bryant moved to adopt the emergency clause. Councilmember Matthews seconded and the roll call count was 8 for and 0 against.

**C) CONSIDER AN ORDINANCE TO AMEND VARIOUS PROVISIONS OF THE BATESVILLE ZONING CODE**

Councilmember Matthews introduced an ordinance to amend various provisions of the Batesville Zoning Code. The amendments include regulating home occupation signs, modifying parking lot requirements, modifying the appeal process for determining uses, and modifying the conditional use process. Councilmember Matthews moved to waive the rules and read the ordinance by title only. Councilmember O'Neal seconded and the roll call count was 8 for and 0 against. Attorney Stalker read the ordinance by title only. Councilmember Shetron moved to further suspend the rules and waive the second and third readings. Councilmember Bryant seconded and the roll call count was 8 for and 0 against. Councilmember Bryant moved to adopt the ordinance and Councilmember O'Neal seconded. The roll call count was 8 for and 0 against. The

ordinance was given #2009-08-02. Councilmember Bryant moved to adopt the emergency clause. Councilmember Henley seconded and the roll call count was 8 for and 0 against.

#### **D) ENGINEER'S REPORT**

City Engineer Damon Johnson addressed the council with his engineer's report. Mr. Johnson said the 20<sup>th</sup> Street project is a little behind schedule because of the unusual rainy weather for July and August. He said they will open a portion of the road up when school starts in a couple of weeks. He also said because of the wet weather they were going to request an extension from ADEQ for the smoke testing of the sewer lines.

#### **E) REVIEW PAID BILLS REPORT**

The council reviewed the paid bills report for July, 2009.

#### **MAYOR COMMENTS**

Mayor Elumbaugh ask Dispatch supervisor Joy Wilson to come before the council for the discussion of upgrading the 911 system. Ms. Wilson said the total upgrade is \$86,312.00 but we have been approved for a grant through the State CMRS fund. The State will pay 73% with the City paying 27%. The City's cost will be \$23,304.00 and can be paid from the City CMRS funds. Dispatch is planning on moving back into the fire department building on 4<sup>th</sup> street when the new fire station is complete and the fire chief and assistant chief move. She said the cost includes the move. Councilmember Bryant moved to approve the upgrade of 3 stations to be paid out of the City's CMRS funds. Councilmember McDonald seconded and all voted for.

The mayor said he still needed citizens who were interested in serving on either the Code Enforcement / Zoning Board of Appeals or the Tree Board. He asked interested citizens to contact City hall.

### **LIAISON REPORTS**

None

### **COUNCIL COMMENTS**

Councilmember Krug asked the mayor to start tearing down the house on 394 Pine Street. The property was condemned on June 11, 2009. He asked if the Mayor could contact the Grimes Unit in Newport and get inmate labor to tear down the structure.

Councilmember O'Neal also commented on the property at 394 Pine Street. He said it is now more than unsightly; it is also a safety hazard. The property is located across the street from Westside Elementary School.

Councilmember Bryant also pleaded with the community for citizens to volunteer their time to serve on the Appeals Board or the Tree Board.

### **ADJOURNMENT**

There being no further business, Councilmember Matthews moved that the meeting be adjourned. Councilmember Insell seconded and all voted for.

**DENISE M. JOHNSTON, CITY CLERK**

**RICK ELUMBAUGH, MAYOR**