

MINUTES OF COUNCIL
SEPTEMBER 29, 2009

The Batesville City Council met in regular session on September 29, at 5:30 PM at the Municipal Building. Mayor Elumbaugh called the meeting to order. Councilmember Insell gave the invocation. Upon roll call the following answered present; Tommy Bryant, Davy Insell, Fred Krug, Doug Matthews, Matt McDonald, Richard O'Neal and David Shetron. Margaret Henley was absent. Also present were the City Clerk and the City Attorney.

Councilmember Shetron moved to approve the minutes from the previous meeting.

Councilmember Insell seconded and all voted for.

Councilmember Shetron moved to approve the prepared agenda. Councilmember Insell seconded and all voted for.

COUNCIL COMMENTS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

A) JONATHAN FREIERT REGARDING DAMAGE TO WATER HEATER

Mr. Jonathan Friert addressed the council regarding damage to his home water heater. The City had a leak in an 18" water main which left five homes with out water for approximately 14 hours. Mr. Friert's water heater is tankless and was ruined when water was cut off to his home. Mr. Friert said it could cost up to \$1,500.00 including installation to replace his water heater. Councilmember Krug moved to replace the water heater and Councilmember Insell seconded. All voted for.

B) CONSIDER REQUEST FOR WATER METERS OUTSIDE THE CITY LIMITS

The council considered the placement of two water meters outside the City limits of Batesville. The first meter is for Mr. Mike Gillihan located at 2950 North Central and the second for Ray's Garage

located at 840 Bethesda Road. Councilmember Bryant moved to approve the requests and Councilmember Krug seconded. All voted for.

C) CONSIDER A RESOLUTION TO APPLY FOR A GRANT TO ASSIST IN DISPATCH RENOVATIONS

Councilmember Insell introduced a resolution to apply for a grant through the Arkansas Rural Development Commission for \$50,000 to help in the renovation of the Batesville Dispatch. Mr. Stalker read the resolution in full. Councilmember Bryant moved to adopt and Councilmember O'Neal seconded. The roll call count was 7 for and 0 against. The resolution was given #2009-09-01-R.

D) ENGINEER'S REPORT

Mr. Damon Johnson, City Engineer, addressed the council with his city report. He first asked the council to approve the repair to a vehicle that was damaged by a city manhole cover. Mr. Jerry Townsley ran over a manhole and it flipped up and damaged his truck. Construction Supervisor Red Davis said that Mr. Townsley said not to worry about the damage that he would have it repaired. Mr. Davis said he must have changed his mind and sent the City a bill for \$589.00 for repairs made by Mark Martin Ford. Mr. Davis said the problem with the manhole has been corrected. Councilmember Matthews moved to pay for the repairs and Councilmember Bryant seconded. All voted for.

Mr. Johnson said new regulations mandated by FEMA requires the city levy to be inspected by March 2010. He said the cost could run \$50,000 to \$100,000. Mr. Johnson said he is looking into the inspection requirements and hoping that he can do some of the work himself. He said the City may want to ask for help in the cost from the poultry industry.

E) EXECUTIVE SESSION

Councilmember Bryant moved to go into executive session. Councilmember Insell seconded and all voted for.

Upon returning from executive session, Councilmember O'Neal moved to appoint Mr. Ron Lewallen to the Historic District Commission. Councilmember Bryant seconded and all voted for. Mr.

Lewallen will replace Mr. Bill Olson who recently resigned from the commission. His term will expire 1/8/2012.

F) REVIEW OF AUGUST, 2009 FINANCIALS

The council reviewed the August 31, 2009 financials.

LEVY TAXES

Councilmember McDonald moved to set the 2010 millage rates at 4.0 mills for City General and .4 mills for City Fire for a total of 4.4 mills. Councilmember Shetron seconded and all voted for.

MAYOR COMMENTS

The Mayor informed the Council of the removal of 1996 Mack Sanitation Truck, Unit #250. The vehicle sold on Gov. Deals for \$40,250.00.

Mayor Elumbaugh said the City Attorney, Scott Stalker, has been named in a Federal Law Suit and is asking for legal representation from the Arkansas Municipal League. The City is a member of the Legal Defense Fund through the Arkansas Municipal League. The League requires a \$3,000.00 down payment. Councilmember McDonald moved to seek the services of the AML and send the down payment. Councilmember Bryant seconded. All voted for.

The Mayor said that Code Enforcement Officer Chad McClure went to a HDC workshop this past week in Eldorado. Mr. McClure addressed the council and gave a brief overview of the workshop. He said they talked about historic windows and he also said that businesses in an Historic District could apply for a federal tax credit of 20% for improvements made to their building.

Mayor Elumbaugh said the new fire stations should be completed next week.

LIAISON REPORTS

Councilmember Bryant said the latest phase of the airport runways has been completed with a new seal coat applied.

COUNCIL COMMENTS

Councilmember Bryant commented on the great job the Landscaping Department crew did at the Municipal Airport.

Councilmember Insell asked the Mayor to check on the 4-way stop at the intersection at Westside School. He said the intersection is heavily used and very confusing. Mayor Elumbaugh said he has already visited with Street Supervisor Sanford St. John about the intersection and he would follow up on the status.

ADJOURNMENT

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

RICK ELUMBAUGH, MAYOR

DENISE M. JOHNSTON, CITY CLERK