

MINUTES OF COUNCIL
FEBRUARY 9, 2010

The Batesville City Council met in regular session on February 9, at 5:30 PM at the Municipal Building. Mayor Elumbaugh called the meeting to order. Councilmember Krug gave the invocation. Upon roll call, the following councilmembers answered present; Tommy Bryant, Margaret Henley, Davy Insell, Fred Krug, Doug Matthews, Matt McDonald, and David Shetron. City Clerk Denise Johnston and City Attorney were also present. Councilmember O'Neal was absent.

Councilmember Shetron moved to approve the minutes from the previous meeting. Councilmember Insell seconded and all voted for.

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

CITIZENS COMMENTS

None

OLD BUSINESS

None

NEW BUSINESS

**A) CONSIDER AN ORDINANCE TO AMEND VARIOUS PROVISION OF THE
BATESVILLE ZONING CODE REGARDING TEMPORARY USES**

Councilmember Bryant introduced an ordinance to amend various provisions of the

Batesville Zoning Code. Code Enforcement Officer Chad McClure answered question from the council. Councilmember Insell moved to read the ordinance by title only. Councilmember McDonald seconded and the roll call count was 7 for and 0 against. Mr. Stalker read the ordinance by title only. After a discussion, Councilmember Shetron moved to suspend the second and third readings. Councilmember Insell seconded and the roll call count was 7 for and 0 against. Councilmember Insell moved to adopt the ordinance and Councilmember Shetron seconded. The roll call count was 7 for and 0 against. The ordinance was given #2010-2-1. Mr. Stalker read the emergency clause. Councilmember Shetron moved to adopt the emergency clause. Councilmember Henley seconded and the roll call count was 7 for and 0 against.

B) CONSIDER AN ORDINANCE TO ESTABLISH A UNIFORM SPEED LIMIT WITHIN THE CITY LIMITS OF BATESVILLE

Councilmember Bryant introduced an ordinance to establish a uniform speed limit within the City limits of Batesville. The uniform speed limit would be 30 mph unless otherwise posted. Mr. Stalker read the ordinance in full. After a discussion, Councilmember Shetron moved to suspend the rules and waive the second and third readings. Councilmember Krug seconded and the roll call count was 3 for (Shetron, Bryant and Krug) and 4 against (McDonald, Henley, Insell and Matthews). The motion failed. The ordinance will be placed on the February 23rd meeting for the second reading.

C) CONSIDER AN ORDINANCE TO WAIVE COMPETITIVE BIDDING ON THIRD FLOOR MUNICIPAL BUILDING RENOVATIONS

Councilmember Insell introduced an ordinance to waive competitive bidding on the planned renovations for the third floor of the municipal building. Councilmember Insell moved to read the ordinance by title only. Councilmember Henley seconded and the roll call count was 7 for and 0 against. Mr. Stalker read the ordinance by title only. After a discussion, Councilmember Insell moved to suspend the second and third readings. Councilmember Bryant seconded and the roll call count was 7 for and 0 against. Councilmember Shetron moved to adopt the ordinance and Councilmember McDonald seconded. The roll call count was 7 for and 0 against. The ordinance was given #2010-2-2. Mr. Stalker read the emergency clause. Councilmember McDonald moved to adopt the emergency clause. Councilmember Henley seconded and the roll call count was 7 for and 0 against.

D) CHAD MCCLURE REGARDING PLANNING AND ZONING REQUESTS

Mr. McClure ask the council to consider a resolution to amend the comprehensive land use map for certain properties located off of White Drive to be changed from Urban Reserve to Industrial. Councilmember Matthews introduced the resolution. Mr. Stalker read the resolution in full. After a discussion, Councilmember Bryant moved to adopt the resolution

and Councilmember Shetron seconded. The roll call count was 7 for and 0 against. The resolution was given #2010-2-1-R

Mr. McClure then asked the council to consider an ordinance to rezone certain property

located off White Drive from R-2 to I-2. Councilmember Bryant introduced the ordinance. Mr. Stalker read the ordinance. After a discussion, Councilmember Matthews moved to suspend the second and third readings. Councilmember Bryant seconded and the roll call count was 7 for and 0 against. Councilmember Bryant moved to adopt the ordinance and Councilmember Henley seconded. The roll call count was 7 for and 0 against. The ordinance was given #2010-2-3. Mr. Stalker read the emergency clause. Councilmember Bryant moved to adopt the emergency clause. Councilmember Henley seconded and the roll call count was 7 for and 0 against.

E) ENGINEER'S REPORT

City Engineer Damon Johnson addressed the council. Mr. Johnson said all departments were running well even with all the snow. Mr. Johnson commended the employees who worked in the extreme conditions to keep the city's road cleared and to keep the city running as smooth as possible. Mr. Johnson said he had been working to get all the easements needed for the stoplight upgrades. The city needed to acquire 9 easements. Mr. Johnson said he has acquired 8 of the 9 and hoped to have the last one

soon. He said he wanted to thank all the land owners for donating the easements to the city, thus saving the city several thousands of dollars.

F) EXECUTIVE SESSION

Councilmember Shetron moved to go into executive session.

Councilmember Bryant

seconded and all voted for.

No decisions were made during the executive session.

G) MAYOR'S STATE OF THE CITY

Tonight it is my honor to be presenting to you the State of the City address. I take great pride in serving this wonderful community as your mayor.

The State of Arkansas and the City Of Batesville have held their own and have been resilient during the nation's recent economic recession. Batesville and Independence County is made up of people who know how to "pull themselves up by their bootstraps". The city sales tax collection has shown growth over the past year and it is my hope that it will continue. I am extremely pleased to announce that our city budget has finished in the black for the last three years I have been in office. This could not have been possible without the commitment and hard work of your city council and all of our department supervisors.

I firmly believe that the city has planted some valuable seeds during the past year, and I would like to reflect on some of those accomplishments.

The citizens took another bold step in securing a prosperous future for our city by passing an economic development tax to enhance job growth and retention.

In only a few short months, we have seen the unmistakable results of this effort with announcements involving Townsends, local retail stores, and most recently the exciting announcement that the Arkansas Department of Human Services has selected Batesville as the site for a new processing and call center. This site is expected to employ up to 100 people within just one year. I would like to acknowledge Mr. Ed Mabry, who was hired as the economic development director, and as you can very well see, he has hit the ground running.

Last spring we asked the voters to pass a one-cent sales tax to finance the much needed wastewater repairs. Our citizens surprised even the most optimistic of us by setting a state record for voter approval in passing the sales tax by a 93% margin. After the approval of the tax for rebuilding the wastewater facility, the city was also successful in receiving a grant of 6.3 million dollars. This grant is in the form of principal forgiveness in conjunction with our 20-year loan which is financed at 2.5% through the Arkansas Natural Resources Commission Revolving Loan Fund. This grant will also save our citizens an additional 1.7 million in interest cost that will not have to be paid bringing the realized savings to our community to approximately 8 million dollars!

H) REVIEW OF JANUARY PAID BILLS REPORT

The council was given a copy of the January Paid Bills Report for review.

MAYOR COMMENTS

Mayor Elumbaugh asked the council to be ready to make a decision at the next meeting regarding the stop lights on Main and 4th and Main and 3rd

streets. The options are to leave the lights on blinking red, put them back to active stop lights or completely remove the lights.

LIAISON REPORTS

None

COUNCIL COMMENTS

Councilmember Bryant thanked all the city employees who worked to clear the city streets from all the recent snow and ice.

Councilmember Krug said they were just notified that Councilmember O'Neal's father passed away and asked everyone to keep the O'Neal family in the thoughts and prayers.

ADJOURNMENT

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

RICK ELUMBAUGH,

MAYOR
DENISE M. JOHNSTON, CITY CLERK