

**MINUTES OF COUNCIL**  
**AUGUST 13, 2013**

The Batesville City Council met in regular session on August 13, at 5:30 PM at the Municipal Building. Mayor Elumbaugh called the meeting to order. Councilmember Henley gave the invocation. Upon roll call, the following council answered present; Tommy Bryant, Margaret Henley, Paige Hubbard, Davy Insell, Fred Krug, Douglas Matthews, Chris Poole, and David Shetron. The City Clerk, Denise Johnston, was also present. City Attorney Lindsey Castleberry was absent.

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

Councilmember Bryant moved to approve the prepared agenda. Councilmember Matthews seconded and all voted for.

**CITIZENS COMMENTS**

None

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**A) RECOGNIZE THE EAGLE MOUNTAIN MAGNET AND BATESVILLE JUNIOR  
HIGH ARCHERY TEAMS**

Mayor Elumbaugh recognized and gave individual certificates to the Eagle Mountain Magnet and Batesville Junior High Archery Teams for their accomplishments in the local, regional, state, national and world competitions.

**B) CONSIDER A REQUEST FOR A NEW METER SERVICE ON 48 TOWER LANE  
LOCATED OUTSIDE THE CITY LIMITS OF BATESVILLE**

Water Utility Office Manager Nick Baxter addressed the council along with Mr. Lavon Pease requesting a water meter at 48 Tower Lane. Mr. Pease's daughter lives at 50 Tower Lane and already has a meter. Mr. Baxter said Mr. Pease and his daughter have agreed to and met all the requirements for having a meter set. Councilmember Bryant moved to approve the meter and Councilmember Krug seconded. All voted for.

**C) MR. LARRY JONES WITH AN ECONOMIC DEVELOPMENT UPDATE**

Mr. Larry Jones with the Economic Development Commission addressed the council with an update on a few economic development possibilities and grant requests approved by the Quorum Court.

**D) FIRST READING OF AN ORDINANCE TO ESTABLISH DESIGN STANDARDS FOR COMMERCIAL FACADES**

Councilmember Bryant introduced an ordinance that will establish design standards for commercial facades. Code Enforcement Officer Chad McClure addressed the council to answer any questions. Councilmember Bryant moved to suspend the rules and read the ordinance by title only. Councilmember Shetron seconded and the roll call vote was 8 for and 0 against. The City Clerk read the ordinance by title only. The ordinance will be placed on the next meeting's agenda for the second reading.

**E) CONSIDER A RESOLUTION TO MAKE SEVERAL REVISIONS AND UPDATES TO THE COMPREHENSIVE PLAN**

Councilmember Bryant introduced a resolution to amend and make several revisions and updates to the City's Comprehensive Plan. The City Clerk read the

resolution in full. Councilmember Bryant moved to adopt the resolution and Councilmember Matthews seconded. The roll call count was 8 for and 0 against. The resolution was given #2013-8-1-R.

**F) CONSIDER AN ORDINANCE TO AMEND THE BATESVILLE ZONING**

**DISTRICT MAP – HOUSE PROPERTY**

Councilmember Bryant introduced an ordinance to rezone certain property from R-1 to R-2. The property, owned by Mr. Howard House, is located off Gap Road, just east of the current Eagle Mountain Club House. Councilmember Bryant moved to suspend the rules and read the ordinance by title only. Councilmember Henley seconded and the roll call vote was 8 for and 0 against. The City Clerk read the ordinance by title only. Councilmember Bryant moved to further suspend the rules and waive the second and third readings. Councilmember Shetron seconded and the roll call count was 8 for and 0 against. Councilmember Matthews moved to adopt the ordinance and Councilmember Bryant seconded. The roll call count was 8 for and 0 against. The ordinance was given #2013-8-1.

**G) CONSIDER AN ORDINANCE TO AMEND THE BATESVILLE ZONING**

**DISTRICT MAP – GAP ROAD AND HARRISON STREET**

Councilmember Bryant introduced an ordinance to rezone certain property from R-1 to C-1. The property is located just west of the intersection of Gap Road and Harrison Street. Councilmember Matthews moved to suspend the rules and read the ordinance by title only. Councilmember Bryant seconded and the roll call vote was 8 for and 0 against. The City Clerk read the ordinance by title only.

Councilmember Matthews 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 Matthews moved to adopt the ordinance and Councilmember Bryant seconded. The roll call count was 8 for and 0 against. The ordinance was given #2013-8-2.

**H) CONSIDER A RESOLUTION TO ACCEPT BIDS ON LIGHTING FOR SOCCER AND YOUTH BASEBALL COMPLEX**

Councilmember Bryant introduced a resolution to accept the low bid by Wades Heating, AC and Electric of \$724,300.00 for field area lighting at the North Complex and the East Main Soccer Complex. The City Clerk read the resolution in full. Councilmember Bryant moved to adopt the resolution and Councilmember Shetron seconded. The roll call count was 8 for and 0 against. The resolution was given #2013-8-2-R.

**I) ENGINEER'S REPORT**

City Engineer Damon Johnson addressed the council with his Engineer's Report. Mr. Johnson gave an update on the Wastewater Treatment Plant expansion, the Water Treatment upgrades and several water and sewer construction jobs throughout the City. He also said that during a recent bridge inspection of the Golden Overpass, it has been recommended that several repairs be made. He said primarily, the expansion joints need to be replaced. He said he got a quote from Beverly's Construction, the company who constructed the bridge in 1972, of \$15,720.00. Mr. Johnson said it is not something that has to be done right now but the longer it is put off the more repairs will have to be made. The Mayor said

there are funds available to make the repairs. Councilmember Matthews moved to go ahead with the repairs on the Golden Overpass and Councilmember Bryant seconded. All voted for.

J) REVIEW JULY PAID BILLS REPORT

**The council was given a copy of the July, 2013 paid bills report for review.**

**MAYOR'S COMMENTS**

Mayor Elumbaugh read a proclamation to proclaim August, 2013 as General Aviation Appreciation Month in Arkansas. The Mayor commented on the economic impact that aviation and air craft manufacturing plays in Batesville and the State of Arkansas.

The City Clerk informed the council of three fixed assets removals; Unit #215, 1998 Ford Pack Rat sold on GovDeals for \$5,573.87, Unit 102-I, 2000 Ford Ranger sold on GovDeals for \$2,775.00 and Metro Unit #M29, 2001 Ford Crown Vic sold on GovDeals for \$550.00

**LIAISON REPORTS**

None

**COUNCIL COMMENTS**

Councilmember Shetron asked about the status of the burned out house at 990 E. College Street. The Mayor said the City Attorney has written a letter to the attorneys for both parties to try to open communications with the City regarding the status of the litigation. He said the trial has been moved to May, 2014. Mr. Shetron said the property is a nuisance and a danger to the neighborhood and devalues the surrounding properties. He said the City, to this point, has been very forgiving. Mr. Shetron moved

to begin the condemnation process on the property located at 990 E. College Street.  
Councilmember Bryant seconded and all voted for.

**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**