

**MINUTES OF COUNCIL**  
**JANUARY 27, 2015**

The Batesville City Council met in regular session on January 27<sup>th</sup> at 5:30 P.M. in the Municipal Building. Mayor Rick Elumbaugh called the meeting to order. Utility Billing Supervisor Nick Baxter gave the invocation. Upon roll call, the following councilmembers answered present; Chris Beller, Tommy Bryant, Sonya Crafton, Margaret Henley, Paige Hubbard, Chris Poole and David Shetron. Also present were the City Attorney Lindsey Castleberry and City Clerk Denise Johnston. Councilmember Doug Matthews was absent.

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

Councilmember Shetron moved to approve the prepared agenda and Councilmember Bryant seconded. All voted for.

**CITIZENS COMMENTS**

None

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**A) CONSIDER AN ORDINANCE TO PROVIDE ELIGIBLE EMPLOYEES WITH  
RETIREMENT COVERAGE BY ARKANSAS LOCAL POLICE AND FIRE  
RETIREMENT SYSTEM**

Mayor Elumbaugh informed the council that in order to provide retirement benefits for the new police department, the City would have to enroll the department into the Arkansas Local Police and Fire Retirement System (LOPFI).

The ordinance before them is a requirement from LOPFI. Councilmember Shetron introduced the ordinance. Councilmember Bryant moved to suspend the rules and read the ordinance by title only. Councilmember Henley seconded and the roll call count was 7 for and 0 against. Mr. Castleberry read the ordinance by title only. Councilmember Bryant moved to further suspend the rules and waive the second and third readings. Councilmember Beller seconded and the roll call count was 7 for and 0 against. Councilmember Shetron moved to adopt the ordinance and Councilmember Beller seconded. The roll call count was 7 for and 0 against. The ordinance was given #2015-01-03.

#### **B) ENGINEER'S REPORT**

City Engineer Damon Johnson was absent from the meeting.

#### **MAYOR'S COMMENTS**

Mayor Elumbaugh asked for Mr. Alan Cockrill to come forward to be sworn in as the Chief of Police for the Cities newly formed Police Department. The Mayor welcomed Chief Cockrill and expressed his excitement about the new police department.

The Mayor said City Engineer Damon Johnson said they were having some problems at the Wastewater Treatment Plant that might require out of state travel for himself and plant manager Eugene Townsley. The Mayor said the two may need to travel to Des Moines, Iowa next Monday if the problem is not corrected.

Councilmember Bryant moved to approve the travel if needed and Councilmember Shetron seconded. All voted for.

Mayor Elumbaugh said there will be a County Law Enforcement meeting Monday, February 16<sup>th</sup> at 5:30 P.M. at the Court House. He said they will be discussing the Interlocal Agreement regarding dispatch and he encouraged the council law enforcement committee members as well as any other council to attend the meeting.

The Mayor said he has a conflict with the February 24<sup>th</sup> meeting. Councilmember Bryant moved to cancel the meeting and Councilmember Beller seconded. All voted for.

Mayor Elumbaugh brought the council up to date regarding the Barnett Building located on Main Street. Zila Corporation who currently owns the building has offered to donate the building to a nonprofit organization or government entity with the stipulation that the building remain with the entity for a minimum of two years. Cindy Cooke with Century 21 has the building listed and it has appraised for over 1 million dollars. It has over 35,000 sq. ft. and is a historic treasure for Batesville and Independence County. The Mayor said he has had two meetings with the Library Board encouraging them to send in a proposal to Zila to relocate the library to the Barnett Building. He said the board had hired an architect to look at the building. White River Area on Aging was also interested but said now was not a good time. The Mayor also said the Library Board did not seem very interested. The mayor asked Mr. Bob Carius with Main Street Batesville to address the council. He said he and Mr. Carius have talked in length on the possibility of the City and Main Street forming a partnership and sending a proposal to Zila for the building. Mr. Carius agreed with all the Mayor had to say and added that he had some information about the cost to maintain the building and the condition as well. He said with the information he had, the annual utility cost would be approximately

\$10,000.00. There is a small leak in the roof but should not be much to repair. Mr. Carius said there are several things they can do with the building including a “small business incubator” which would help new small businesses get on their feet. As he sees it, our biggest hurdle is getting the proposal in by the due date which is this Friday. Councilmember Henley said she feels that this is a great opportunity and if there was any way to do this, we should. Councilmember Beller commented that he wished we had more time but we should not let this opportunity pass us by. Councilmember Shetron agreed but also added his disappointment that the library didn’t take the opportunity to more than double their space in trying to acquire the building. He said it makes him question how the property taxes he pays that is dedicated to the library is being spent. Councilmember Bryant said Crystal Johnson with the Chamber of Commerce said she would help with the proposal. Councilmember Beller moved to partner with Main Street Batesville and forward a proposal to Zila for the consideration of gifting the property to the City and Main Street Batesville. Councilmember Poole seconded and the roll call count was 7 for and 0 against.

### **LIAISON REPORTS**

City Attorney Lindsey Castleberry addressed the council regarding a pending lawsuit. The lawsuit was filed over a year ago and is scheduled for court this May. He said he is expecting an FOIA request any day in which the council, himself and the Mayor will have to be deposed. He said he and the league attorney will contact them before hand and give them information about the case.

### **COUNCIL COMMENTS**

Councilmember Bryant wanted to thank whichever City department was cleaning out the fence row at the Airport. He said the work has made a vast improvement to the property.

Councilmember Beller said he wanted to commend the utility department for the sewer work being done in his neighborhood. He said in order to do the work, the street had to be torn up but the workers are doing a great job in keeping the road clean and passable.

### **ADJOURNMENT**

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

**DENISE M. JOHNSTON, CITY CLERK**

**RICK ELUMBAUGH, MAYOR**