

**MINUTES OF COUNCIL**  
**SPECIAL MEETING**  
**FEBRUARY 26, 2015**

The Batesville City Council met for a Special Meeting on February 26, at 5:30 PM at the Municipal Building. Mayor Rick Elumbaugh called the meeting to order. Upon roll call the following councilmember answered present; Chris Beller, Tommy Bryant, Sonya Crafton, Margaret Henley, Paige Hubbard, Doug Matthews, Chris Poole and David Shetron. The City Attorney Lindsey Castleberry and City Clerk Denise Johnston were also present.

**NEW BUSINESS**

**A) DISCUSS THE UPCOMING LAWSUIT WITH SOUTHSIDE**

Mayor Elumbaugh asked City Attorney Lindsey Castleberry to come forward to address the council regarding the upcoming lawsuit to stop the incorporation of Southside. The Circuit Court date is March 2<sup>nd</sup>. Mr. Castleberry brought the council up to date about the issue and said he has had several conversations with Mr. Bowen, the Southside group's attorney and they have no intention of settling the suit or removing the airport from their incorporation area.

Councilmember Matthews said after extensive research, there should not be any issue with part of our airport being inside the city limits of Southside. He said according to state statute, the City of Batesville will still have total control over the airport. Dr. Matthews said he thinks the city needs to stop the litigation and offer our assistance to our neighboring community. Even if we were to win the lawsuit, he said, we do not win anything. Councilmember Bryant said he agreed with Dr. Matthews. Councilmember Henley expressed her concern for future generations

regarding the airport. After additional discussions, Councilmember Bryant moved to dismiss the lawsuit and Councilmember Matthews seconded. The roll call count was 6 for and 2 (Shetron and Henley) against. Mayor Elumbaugh said he hopes that Batesville and Southside can work together for the good of our communities and offered any assistance he can to help the new city of Southside, Arkansas.

### **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**