

**MINUTES OF COUNCIL**  
**FEBRUARY 23, 2010**

The Batesville City Council met in regular session on February 23, 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, Davy Insell, Fred Krug, Douglas Matthews, Matt McDonald, Richard O'Neal and David Shetron. Also present were the City Clerk and the City Attorney.

Councilmember McDonald 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 Henley seconded and all voted for.

**CITIZENS COMMENTS**

None

**UNFINISHED BUSINESS**

**A) SECOND READING OF AN ORDINANCE TO ESTABLISH A UNIFORM SPEED LIMIT IN THE CITY OF BATESVILLE**

Councilmember Insell moved to suspend the rules and have the second reading by title only. Councilmember O'Neal seconded and the roll call count was 8 for and 0 against. Mr. Stalker read the ordinance by title only. After a brief discussion, the Mayor said the ordinance would be placed on the next council agenda for the third and final reading.

**NEW BUSINESS**

**A) RECOGNIZE BATESVILLE SCHOOL DISTRICT ARCHERY TEAMS**

Mayor Elumbaugh recognized five Batesville School District campuses for their recent achievements in the State Archery Competition. The campuses and their ranks are as follows; Elementary Division, Sulphur Rock Magnet – 5<sup>th</sup> place, Central Magnet – 2<sup>nd</sup> place and Eagle Mountain Magnet – 1<sup>st</sup> place. Middle School Division, Batesville Junior High School, 1<sup>st</sup> place. High School Division, Batesville Senior High School, 4<sup>th</sup> place. Eleven individual archers were also recognized for placing in the top five of their divisions in the state.

**B) CONSIDER AN ORDINANCE TO ESTABLISH A FLOOD DAMAGE PREVENTION PROGRAM FOR THE CITY OF BATESVILLE**

Councilmember Shetron introduced an ordinance that will establish a flood damage prevention program for the City of Batesville. Councilmember Bryant moved to suspend the rules and read the ordinance by title only.

Councilmember Insell seconded and the roll call count was 8 for and 0 against. Mr. Stalker read the ordinance by title only. Councilmember Bryant moved to further suspend the rules and waive the second and third readings.

Councilmember Henley seconded and the roll call count was 8 for and 0 against. Councilmember Shetron moved to adopt the ordinance and Councilmember Bryant seconded. The roll call count was 8 for and 0 against.

The ordinance was given #2010-2-4. Mr. Stalker read the emergency clause.

Councilmember Bryant moved to adopt the emergency clause and

Councilmember O'Neal seconded. The roll call count was 8 for and 0 against.

**C) CONSIDER A RESOLUTION IN SUPPORT OF THE OZARK GATEWAY TOURIST COUNCIL SCENIC BYWAYS INITIATIVE**

Councilmember Bryant introduced a resolution in support of the Ozark Gateway Tourist Council Scenic Byways Initiative. Mr. Stalker read the resolution in full. Councilmember Bryant moved to adopt the resolution and Councilmember Henley seconded. The roll call count was 8 for and 0 against. The resolution was given #2010-2-2-R.

#### **D) ENGINEER'S REPORT**

City Engineer Damon Johnson addressed the council. Mr. Johnson said as part of the levy certificate, the council has to adopt a revised Flood Action Plan to be inserted into our existing O & M manual. Mr. Johnson said many hours of work has gone into preparing the revised plan and he feels like it is a good document. Councilmember Bryant moved to adopt the revised Flood Action Plan and insert it into the existing O & M manual.

Mr. Johnson said the Levy certification should be completed in a couple of weeks.

#### **E) EXECUTIVE SESSION**

Councilmember O'Neal moved to go into executive session and Councilmember Bryant seconded. All voted for. No decisions were made.

#### **F) CEMETERY RESOLUTION**

The council considered a cemetery resolution for John W. Allen, Certificate #2010-54-1 for \$2,400.00. Councilmember Shetron moved to accept the resolution and Councilmember Insell seconded. All voted for.

#### **G) REVIEW CITY FINANCIALS FOR JANUARY, 2010.**

The council reviewed the city financials for January, 2010.

### **MAYOR COMMENTS**

Mayor Elumbaugh said the city recently received the "Tree City USA" recognition. The city was given a plaque, two signs to post at the limits of the city and a large flag.

The Mayor asked the council to make a decision regarding the stop lights on 3<sup>rd</sup> and Main and 4<sup>th</sup> and Main streets. The intersections have been blinking red for the past seven months. City employees Marty Thompson and Johnny Coles, who are trained to maintain our stop lights, were present to answer any questions from the council. After a discussion, Councilmember O'Neal moved to remove the yellow and green heads and leave the one red blinking light at both intersections.

Councilmember Matthews seconded and the roll call count was six for and two (Krug and McDonald) against. The Mayor asked Mr. Thompson and Mr. Coles to talk to the Highway Department to make sure the motion is allowable and to follow the proper procedures to remove the yellow and green heads.

Mayor Elumbaugh asked the council to keep the N. E. Harper family in their prayers. Mr. Harper who was a long time custodian for the Municipal Building, passed away Saturday.

### **LIAISON REPORTS**

None

### **COUNCIL COMMENTS**

Councilmember O'Neal thanked the council for all the prayers and kindness shown to his family during the loss of his father. Mr. O'Neal said his family was deeply touched and appreciative.

**ADJOURNMENT**

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

**DENISE M. JOHNSTON, CITY CLERK**

**RICK ELUMBAUGH, MAYOR**