

MINUTES OF COUNCIL
NOVEMBER 9, 2010

The Batesville City Council met in regular session on November 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 council answered present; Tommy Bryant, Margaret Henley, Fred Krug, Doug Matthews, Matt McDonald, and David Shetron. Also present were the City Clerk and the City Attorney. Councilmember Insell was absent.

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

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

CITIZENS COMMENTS

Mr. Larry Whipple Vice-President of the Local 660 American Postal Workers Union addressed the council with concerns with the possibility of processing all the 725 zip codes in Jonesboro instead of in Batesville. Mr. Whipple said the change would not be good for Batesville and he encouraged the council to call those in power to try and stop the change.

UNFINISHED BUSINESS

Mayor Elumbaugh opened the floor for citizen's comments regarding the three animal control ordinances.

**A) THIRD AND FINAL READING OF AN ORDINANCE REGARDING FOWL WITHIN
THE CITY LIMITS OF BATESVILLE**

Councilmember Krug moved to read the ordinance by title only. Councilmember Bryant seconded and the roll call count was 6 for and 0 against. City Attorney Stalker read the ordinance by title only. After a discussion, Councilmember Shetron moved

to adopt the ordinance and Councilmember Krug seconded. The roll call count was 6 for and 0 against. The ordinance was given #2010-11-1.

B) THIRD AND FINAL READING OF AN ORDINANCE TO REGULATE THE TETHERING OF DOGS WITHIN THE CITY LIMITS OF BATESVILLE

Councilmember Bryant moved to read the ordinance by title only. Councilmember Shetron seconded and the roll call count was 6 for and 0 against. City Attorney Stalker read the ordinance by title only. After a discussion, Councilmember Shetron moved to adopt the ordinance and Councilmember McDonald seconded. The roll call count was 6 for and 0 against. The ordinance was given #2010-11-2.

C) THIRD AND FINAL READING OF AN ORDINANCE REGARDING VICIOUS OR DANGEROUS ANIMALS WITHIN THE CITY LIMITS OF BATESVILLE

Councilmember Shetron moved to read the ordinance by title only. Councilmember McDonald seconded and the roll call count was 6 for and 0 against. City Attorney Stalker read the ordinance by title only. After a discussion, Councilmember Shetron moved to adopt the ordinance and Councilmember Henley seconded. The roll call count was 5 for and 1 (Matthews) against. The ordinance was given #2010-11-3.

NEW BUSINESS

A) RECOGNIZE THE BATESVILLE HIGH SCHOOL CROSS COUNTRY STATE CHAMPIONS

Mayor Elumbaugh introduced Coach Diane Treadway and the 2010 Batesville High School Girls Cross Country team who last weekend won the state championship for the 7th year in a row. Each team member was introduced and given a proclamation proclaiming November 9, 2010 as Pioneer Appreciation Day.

B) FIRE CHIEF BRENT GLEGHORN AND DEPARTMENT REPORT

Fire Chief Brent Gleghorn addressed the council and gave his quarterly report for the Fire Department.

C) CONSIDER AN ORDINANCE TO ESTABLISH A BOARD FOR THE INDEPENDENCE COUNTY SHOOTING RANGE

Mayor Elumbaugh said there was some confusion regarding the proposed ordinance and said the City Attorney was going to make the necessary corrections to the ordinance and bring it back at the next meeting.

D) EXECUTIVE SESSION

Councilmember Matthews moved to go into executive session and Councilmember Bryant seconded. All voted for.

Upon returning from Executive Session, Councilmember Matthews moved to reappoint Charles Barnett to the Airport Commission. Councilmember Bryant seconded and all voted for. Mr. Barnett's term will expire 11/09/2015.

E) ENGINEER'S REPORT

City Engineer Damon Johnson addressed the council with his engineer's report. Mr. Johnson said all departments are running smoothly. He said he hoped to be going out for bids on the WWTP expansion project within the next 4-6 weeks. Mr. Johnson said they had a bid opening today for the water line relocation on the Hwy 167 widening project. The low bid was Spurlock with \$186,986.00. Mr. Johnson said the City would be required to pay 30% of the project and the Highway Department would pay the remaining 70%. Councilmember Shetron moved to accept the low bid and Councilmember Bryant seconded. All voted for. Mr. Johnson said they also had the bid opening for the flat bed dump truck for the construction department. He said the only bid was from Tri-State Mack for \$79,548.00. The bid included a 3 year lease of

\$1,404.66 monthly payments with a \$35,000.00 guaranteed buy back. The council discussed the possible savings if the truck was purchased instead of financed. They asked Mr. Johnson to contact Tri-State Mack about the different payment options and report back at the next meeting.

F) REVIEW PAID BILLS REPORT

The council were given a copy of the October, 2010 paid bills report for review.

MAYOR COMMENTS

Mayor Elumbaugh informed the council that the fuel tanks at City Yard were in need of repair or replacement. He said the equipment is old and apparently the tanks and possibly the lines are rusting and debris is getting into the vehicles and causing damage. The Mayor said the council will need to discuss at the next budget meeting on how to proceed with the issue.

The Mayor said the Greenway Trail was complete. He thanked Councilmember Bryant for donating several yards of clay for the project.

LIAISON REPORTS

COUNCIL COMMENTS

Councilmember Bryant said he would like to thank the council committee that worked diligently on the animal control ordinances. He said they put a lot of time and effort into producing the ordinances and wanted to commend them for their work.

ADJOURNMENT

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

RICK ELUMBAUGH, MAYOR

DENISE M. JOHNSTON, CITY CLERK