

MINUTES OF COUNCIL
JUNE 28, 2011

The Batesville City Council met in regular session on June 28, at 5:30 PM at the Municipal Building. Mayor Elumbaugh called the meeting to order. Councilmember Insell gave the invocation. Upon roll call, the following council answered present; Tommy Bryant, Margaret Henley, Paige Hubbard, Davy Insell, Fred Krug, Douglas Matthews, and David Shetron. Also present were the City Clerk and the City Attorney. Councilmember Chris Poole was absent.

Councilmember Insell moved to approve the minutes from the previous meeting. Councilmember Shetron 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 CONDUCT BUSINESS WITH CITY EMPLOYEES

The council discussed that the proposed ordinance before them was not what they wanted to pass and also sought advice from the City Attorney as to how to achieve their objectives. Mr. Castleberry said he will draft a new ordinance once he has received input from the council. Councilmember Matthews moved to read the second reading by title only and waive the third reading. Councilmember Shetron seconded and the roll call count was 7 for and 0 against. Mr. Castleberry read the

ordinance by title only. Councilmember Matthews moved to adopt the ordinance.

There was no second there for the ordinance failed.

NEW BUSINESS

A) CONSIDER AN ORDINANCE TO AUTHORIZE THE ISSUANCE OF A SALES AND USE TAX BOND FOR THE PURPOSE OF FINANCING PHASE 2 OF THE WASTEWATER TREATMENT PLANT BETTERMENTS AND IMPROVEMENTS

Mr. Ryan Bowman with Friday, Eldridge and Clark law firm in Little Rock addressed the council regarding the proposed ordinance to authorize the issuance of a sales and use tax bond for phase 2 of the Wastewater Treatment Plant improvements. Mr. Bowman gave the council a brief explanation of the ordinance and was available to answer questions. Councilmember Shetron introduced the ordinance. Councilmember Matthews moved to suspend the rules and read the ordinance by title only. Councilmember Insell seconded and the roll call count was 7 for and 0 against. Mr. Castleberry read the ordinance by title only. Councilmember Matthews further moved to suspend the rules and waive the second and third readings. Councilmember Henley seconded and the roll call count was 7 for and 0 against. Councilmember Matthews moved to adopt the ordinance and Councilmember Bryant seconded. The roll call count was 7 for and 0 against. The ordinance was given #2011-06-03.

B) CONSIDER A RESOLUTION TO AUTHORIZE THE MAYOR TO APPLY FOR A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION FOR THE PROJECT OF RUNWAY SAFETY AND SECURITY FENCING.

Councilmember Matthews introduced a resolution to authorize the Mayor to apply for a grant from the FAA for the design only phase of a runway safety area and security fencing project. Mr. Castleberry read the resolution in full.

Councilmember Bryant moved to adopt the resolution and Councilmember Matthews seconded. The roll call count was 7 for and 0 against. The resolution was given #2011-06-03-R.

C) ENGINEER'S REPORT

Mr. Damon Johnson, City Engineer, addressed the council with his engineer's report. First Mr. Johnson asked for the council's approval to enter into a contract with McGoodwin, Williams and Yates for the Master Water Plan required by the Health Department. The last plan was done in 1997 and it should be updated every 5 years therefore it is overdue. Mr. Johnson said he budgeted \$175,000.00, which was just an estimate, but the cost will actually be \$181,900.00. He said the Master Plan should be completed this year.

Councilmember Matthews moved to authorize the Mayor and City Clerk to execute the contract with MWY. Councilmember Bryant seconded and all voted for.

Mr. Johnson announced that the bids for Phase 2 of the Wastewater Treatment upgrade came in about \$4 million under projected budget. The apparent low bidder was BRB Contractors, Inc. with a bid of \$27,331,750.00. He said he and MWY were still reviewing the bids for accuracy and once approved will be recommended to the City Council. At that point, the bid will be sent to ANRC for final approval.

D) EXECUTIVE SESSION

Councilmember Matthews moved to go into executive session and

Councilmember Bryant seconded. All voted for.

Upon returning from executive session, Councilmember Bryant moved to appoint Mr. Joe Shell to the Planning Commission. Councilmember Shetron seconded and all voted for. Mr. Shell will replace Mr. Ronnie Hampton. His term will expire 6/10/2016.

E) REVIEW OF THE MAY 31, 2011 FINANCIALS

The council was given a copy of the May 31, 2011 financials for review.

CEMETERY RESOLUTIONS

The council reviewed the following cemetery resolutions; Dr. Robert Craig, \$1,600.00, Mrs. Fern Vickery, \$1,600.00, Mrs. Sylvia Crosby \$2,000.00 Mrs. Wanda Petree, \$800.00. Councilmember Matthews moved to accept the resolutions and Councilmember Insell seconded. All voted for.

The council was informed of the following fixed asset disposals and transfers; 1996 Chev 1 Ton Utility Truck, VIN #88801 Unit #47 transferred from Utility Construction to Cemetery/Landscape, 2004 Chev Silverado VIN #50499 Unit #8 transferred from Utility Administration to Airport, 1990 Chev Dump Truck VIN #02309 Unit #83 Utility Construction sold to Independence County for \$1,500.00, 1990 Chev Dump Truck VIN #02311 Utility Construction sold to Independence County for \$2,500.00, 2003 Chev S-10 VIN #18474 Unit # 36 WWTP sold on GovDeals for \$4,900.00.

The Mayor told that council that there were conflicts with both scheduled council meetings in July. After a discussion, Councilmember Matthews moved to cancel both scheduled meetings in July and have only one meeting on July 19th. Councilmember Hubbard seconded and all voted for.

The Mayor said there will be a ribbon cutting ceremony at the new Westside Sub-station for the Sheriff's Department Thursday June 30th at 10:00 AM.

Mayor Elumbaugh said the city's new Parks Director Jeff Owens "had his boots on the ground" as of this past Monday. He is currently working part time and being paid hourly during his transition period from Jonesboro to Batesville.

LIAISON REPORTS

None

COUNCIL COMMENTS

Councilmember Bryant commented that he hoped the city, in the near future, could find additional revenues to establish a "Grant Matching Fund" in order to acquire Matching Grants for our City. Mr. Bryant said most grants require a 20% monetary match and therefore the City misses out of the 80% "free" monies for projects that would improve our city.

ADJOURNMENT

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

DENISE M. JOHNSTON, CITY CLERK

RICK ELUMBAUGH, MAYOR