

MINUTES OF COUNCIL
AUGUST 11, 2015

The Batesville City Council met in regular session on August 11th at 5:30 P.M. in the Municipal Building. Mayor Rick Elumbaugh called the meeting to order. Utility Billing Manager Nick Baxter gave the invocation. Upon roll call, the following councilmembers answered present; Chris Beller, Tommy Bryant, Sonya Crafton, Margaret Henley, Paige Hubbard, Doug Matthews, Chris Poole and David Shetron. Also present were the City Attorney Tim Meitzen and City Clerk Denise Johnston.

Councilmember Bryant moved to approve the minutes from the previous meeting.

Councilmember Henley seconded and all voted for.

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

CITIZENS COMMENTS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

A) MONTHLY POLICE DEPARTMENT REPORT

Police Chief Alan Cockrill addressed the council with the Police Department's July Monthly Report. The Chief also asked for out of state travel for two officers. Mike Mundy, with the District Court staff, to receive training in the area of DWI court. The training is in Athens, GA and all expenses will be reimbursed by the District Court program. Also, Robert Moser for training to be a Taser Instructor. Such training will allow Mr. Moser to keep our officers certified to carry a Taser. The training is in

Springfield, MO. Councilmember Beller moved to allow both out of state travels and Councilmember Matthews seconded. All voted for. The Chief was asked how the department was doing in locating and marking non-working street lights. The Chief said they were continually watching for lights that were not operating and Entergy has been notified on the ones they have identified. The council discussed the placement of a new street light on 17th Street between College and Porter Streets. Councilmember Matthews moved to place the street light and Councilmember Beller seconded. All voted for.

B) HEAR AN UPDATE FROM ETC ENGINEERS CONCERNING THE COMMUNITY CENTER AND AQUATICS PARK CONSTRUCTION

Mr. Mizan Rahman and Mr. Perry Carr with ETC Engineering addressed the council to discuss the construction delays on the new Community Center and Aquatics Park. The council was shown a Power Point presentation with pictures from the beginning of the project to current activity. As of now, the new completion date is May 31, 2015. Mr. Rahman told the council to date, they have had 210 rain dates due to our extreme wet months in 2014 and this year. Also, the tragic death of the owner of G.A.G, the construction company for the project. After finally getting a project manager specifically dedicated to our project, the manager suffered a heart attack. Unfortunately, none of these situations could be prevented. The council asked for a set of plans to be at City Hall and the Parks Department for review. Mr. Rahman said he would see that copies be provided, however, the two change orders will be attached and not added to the plans until the project is complete. The council asked that a representative from ETC keep the council updated on the progress of the project.

**C) HEAR A REQUEST FROM MR. MATT McSHANE AND ATTORNEY OSCAR JONES
CONCERNING WATER DAMAGE AT 180 SAWMILL ROAD**

Mr. Matt McShane along with his attorney Mr. Oscar Jones addressed the council regarding damage to Mr. McShane's home located at 180 Sawmill Road. Mr. Jones gave the council a time line which began in June of 2013 when Mr. McShane noticed a wet spot in his yard. Mr. McShane notified the Utility Department when he thought it was a water leak. After going back and forth with the Utility Department, who did not think it was a water leak, the leak was finally located and corrected 15 months later. According to Mr. McShane, the water leak caused his house, which is 20 years old, to settle. To date, Mr. McShane has been out approximately \$13,500.00 in repairs which he is asking the Utilities to reimburse. Mr. McShane said his home owner's policy will not cover the expenses. After a discussion, Councilmember Shetron moved that Mayor Elumbaugh, City Engineer Damon Johnson, City Attorney Tim Meitzen, Mr. McShane and his attorney Mr. Jones, meet and determine a settlement for the property damage. Councilmember Poole seconded and all voted for.

**D) CONSIDER A RESOLUTION TO ESTABLISH GUIDELINES FOR NAMING PUBLIC
PARKS AND FACILITIES.**

Councilmember Beller introduced a resolution to establish guidelines for naming public parks and facilities. Parks Director Jeff Owens said the proposed resolution will create guidelines for the naming of city public parks and facilities. Councilmember Beller moved to suspend the rules and read the resolution by title only. Councilmember Poole seconded and the roll call count was 8 for and 0 against. Mr. Meitzen read the resolution by title only. After a discussion, Councilmember Shetron moved to adopt the resolution.

Councilmember Bryant seconded and the roll call count was 8 for and 0 against. The resolution was given #2015-08-01-R.

E) CONSIDER A RESOLUTION TO ADOPT THE STANDARD OPERATING GUIDELINES FOR THE BATESVILLE FIRE DEPARTMENT

Councilmember Beller introduced a resolution to adopt the Standard Operating Guidelines for the Batesville Fire Department. Councilmember Bryant moved to suspend the rules and read the resolution by title only. Councilmember Henley seconded and the roll call count was 8 for and 0 against. Mr. Meitzen read the resolution by title only. 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 #2015-08-02-R.

F) ENGINEERS REPORT

City Engineer Damon Johnson addressed the council with his Engineer's Report. Mr. Johnson said some paving has started on the Westside project. He said a couple of crews were moving to East Batesville to Lyon Street for a sewer line replacement. Mr. Johnson said the location is by Batesville Pre-School and because of the rock conditions will take a while to complete. He said he has visited with the School District and the bus routes are being changed temporarily while the construction is going on. The Street crew is working on a FEMA drainage project installing a culvert on Bogey Street. The construction at the new WWTP is progressing and the WTP is running smooth.

G) REVIEW OF THE JULY, 2015 PAID BILLS REPORT

The council was given the July, 2015 paid bills report for review.

MAYOR COMMENTS

Mayor Elumbaugh said the Batesville Motor Speedway will be having their Topless 100 this coming weekend. The Mayor said he has a conflict with the next scheduled council meeting on the 25th. Councilmember Matthews moved to change the meeting to the 24th. Councilmember Bryant seconded and all voted for. The Mayor appointed Councilmember Beller and Poole to the sign ordinance committee to review the current ordinance and recommend any changes needed. He said input from the public is welcomed. Mayor Elumbaugh said Batesville will be hosting the Arkansas Municipal League annual planning meeting August 19 through 21. He said he is expecting approximately 60 delegates from across the State and he will be sending invitations to the council to join the group for dinner. The Mayor said they will be taking a tour of the construction site for the new Community Center and Aquatics Park as soon as the meeting adjourns.

LIAISON REPORTS

None

COUNCIL COMMENTS

None

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