

Minutes  
Regular City Council Meeting  
January 21, 2016, 6 pm, City Hall

**Welcome and Call to Order:** Mayor Randy Horton

**Invocation** was given by Associate Pastor Mike Norberg, Russellville First Assembly of God Church

**Roll Call:** Alderman present, Alderman Steuber, Alderman Tripp, Alderman Richard Harris, Alderwoman Freddie Harris, Alderman Robert Wiley, Alderman Bill Eaton, Alderman Larry Brown and Alderman Westcott. Quorum established. Other Officials present Mayor Horton, City Attorney Trey Smith and City Clerk-Treasurer Kathy Collins.

**Guests present:** Rita Richardson, KARV, Jerrold McKaughan, Bob Weibler, Sean Ingram, The Courier, Tommy Littleton, Airport, Dwight E. Talbert, Airport, Naomi Fish, Kevin Massey, Pope County Library, Kathy Price HDC, Judy Galloway, HDC, Sienna Murphy, Ashley Pearson, Pastor Mike Norberg, Amber Appleby, Suzanne Alford-Hodges, Greg Barborek, HDC, Chuck & Janie Frankhouse, Leslie Teaff, Betsy McGuire, Stacy Galbo, and David Garza- Barrett & Associates.

**Minutes:** Alderman Wiley made the motion to approve the Minutes for Council Meeting December 17, 2015. Alderman Brown seconded the motion. Motion carries unanimously on a voice vote.

**Financial Report:** Month Ended December 31, 2015

General Fund Balance	\$ 787,232.84
El Paso Loan	\$ 246,232.84
Street Fund Balance	\$ 2,393,060.82
Street Sales Tax Fund	\$ 5,949,672.37
Road R&M Escrow	\$ 125,000.00
2003 Economic Development Fund	\$ 2,921,802.30
2007 Economic Development Fund	\$ 4,685,787.98
2014 Economic Development Fund	\$ 840,706.69
Convention Center	\$ 2,437,534.70
Capital Assets Fund Balance	\$ 9,977,528.37
Special Funds Balance	\$ 1,319,092.72
Emergency Reserve – General	\$ 1,000,000.00
Emergency Reserve – Street	\$ 3,000,000.00
Cemetery Association Trust – Market Value	\$ 200,199.39*

Special Funds Balances: Month Ended December 31, 2015

12	District Court Costs Fund	\$	92,646.12
13	No Vehicle Insurance Fund	\$	31,991.27
14	Parks & Recreation Special Fund	\$	113,423.66
15	Police Training Fund	\$	47,171.42
16	Police Pension Fund	\$	61,129.93
17	Court Automation Fund	\$	392,270.28
18	Administration of Justice Fund	\$	65.65
19	Criminal Justice Ordinance Fund	\$	417,443.61
20	Fire Contingency Fund	\$	29,770.26
21	Fire Insurance Premiums Fund	\$	101,844.74
22	Fire Pension Fund	\$	4,235.87
24	Russellville Oakland Cemetery *	\$	<u>26,099.91</u>
TOTAL		\$	1,318,092.72

Russellville Oakland Cemetery December 31, 2015

- Has an investment of IShares \$111,277.88 Genworth \$ 80,000.00 and \$ 8,921.15 cash.

**Mayor's Report:**

1. Presentation of a Plaque honoring Mr. Philip Cowger.  
Airport Director Keith Frazier made the presentation to the late Mr. Cowger's family.

**Commission Appointment Recommendations:**

1. Re-Appointment of Mr. Shawn Gordon and Ms. Sara Keating to the A & P Commission. (Alderman Freddie Harris and Alderman Wiley).  
Alderman Wiley made the motion to approve the re-appointment with a second by Alderman Harris. Motion carries on an 8-0 voice vote.
2. Appointment of Planning Commissioner Mr. Wendell Miller and Planning Commissioner Ms. Peggy Stratton to serve on the board of Adjustment. (Unanimously recommended by Planning Commission).  
Alderman Bill Eaton made the motion to appoint Mr. Miller and Ms. Stratton to the Board of Adjustment. Alderman Westcott seconded the motion. Motion carries on an 8-0 voice vote.

**Department Report:**

NB # 2: Consideration of Resolution # **1541** Organizing the City Council for Calendar Year 2016, Establishing Procedural Rules—Mayor Horton.  
Alderman Eaton made the motion to drop Section 3.10 (b), (c), (d). Also to use the "serpentine system" for the process to fill Aldermen's position on the Committees and Liaison for City Departments. Alderman Wiley seconded the motion. Motion carries on

an 8-0 voice vote. The 2016 Committees and Liaisons were chosen by using the “serpentine system”. Alderman Wiley made the motion to accept the selection of Aldermen to serve on the committees and Liaisons on which the Aldermen chose for themselves. Alderman Westcott seconded the motion. Motion carries on an 8-0 voice vote. A copy of the listing of appointments will be included in the 2016 City Council Rules of Procedure. Alderman Eaton made the motion to adopt the 2016 City Council Procedures with a second by Alderman Wiley. Motion carries on an 8-0 voice vote.

**Committee Reports:**

Finance Committee: Chairman Alderman Mark Tripp, Alderwoman Freddie Harris, Alderman Bill Eaton and Alderman Robert Wiley.

*(Recommended by Committee 01/12/16)*

1. Update Aquatic Center.
2. Consideration of Resolution **# 1537** to authorize the Mayor and City Clerk to enter into a 5-year Lease Agreement (*Renewal*) for property located on 247 for Farming purposes. (The existing 5 year lease is up on December 31, 2015).  
Alderman Tripp made the motion to adopt. Motion carries on an 8-0 voice vote.
3. Consideration of Resolution **# 1538** Accepting a bid from Redline Contractors, LLC to Provide Structure Removal Services for the City of Russellville, for three (3) Dilapidated Structures; Authorizing the Mayor and City Clerk-Treasurer to Enter into an Agreement with Redline Contractors, LLC, for the same Service—City Attorney Trey Smith.  
Alderman Tripp made the motion to adopt the Resolution and also approve the appropriation for \$61,995 for removal of three dilapidated structures. Motion carries on an 8-0 voice vote. (See finance items from 01/21/2016). Alderman Bill Eaton made the motion to amend the Resolution to put a lien on the property and file necessary paperwork to force sale of property to recover demolition fees incurred in razing the building located at 408 South Arkansas Avenue within two (2) years with a second by Alderman Brown. Motion carries on a 7-1 voice vote with Alderman Tripp voting nay.
4. Appropriation:  
Department: Criminal Justice Fund  
Expenditure: 19-101-5513 Vehicle \$ 246,974.00  
(Five new Police patrol cars and one new administrative).
5. Appropriation:  
Department: Parks Special Sales Tax  
Expenditure: 04-209-5815 Rsvl Soccer Complex \$ 18,000.00  
(Water well for soccer complex)

6. Appropriation:  
 Department: New Economic Dev. Fund  
 Line Item: 26-101-5402 \$ 202,500.00  
 (Engineering service Weir Road and I-40)
7. Appropriation:  
 Department: Parks & Rec Fund  
 Expenditure: 1-109-5211 Grounds Maintenance \$ 950.00  
 (R & M for Insurance pass through for damages at  
 confederate Mothers Parks).
8. Appropriation:  
 Department: Capital  
 Expenditure: 04-109-5510 Building \$ 16,700.00  
 (Roof Hickey Park field 1 Press Box, Restroom/Pavilion;  
 James Park Restroom/Pavilion, Mower Shop East Parkway).
9. Appropriation:  
 Department: New Economic Development  
 Line Item #: 26-101-5252 Equipment \$ 105,541.00  
 (Roll over for vehicles and equipment for Parks &  
 Rec from last year).
10. Appropriation:  
 Department: Police  
 Line Item #: 01-111-5111 \$ 550.00  
 (to be added to Warrants position base salary  
 calculated in error).
11. Appropriation:  
 Department: Street  
 Expenditure: 02-202-5342\_Street Labor & Materials \$ 28,420.00  
 (Flag Island Planter Project approved last year project  
 not started).
12. Appropriation:  
 Department: Court Automation Fund  
 Expenditure: 17-101-5656 Network upgrade \$ 15,337.85  
 (New data server for RAID5 surveillance).
13. Appropriation: Court Automation Fund  
 Expenditure: 17-101-5656 Network upgrade \$ 20,531.25  
 (Install new CAT 6 cabling/use old CAT 5 for phone system).

14. Appropriation:

Department: Police

Expenditure: 01-111-5214 Vehicle Maintenance \$ 1,361.67  
(Repair 2014 Ford Explorer-Insurance pass through).

15. *Line Item Transfer:*

Department: Street Sales Tax Improvement

From: 02-205-5456 Interstate Drive \$ 25,337.30

To: 02-205-5458 White Oak Lane \$ 25,337.30

(Budget adjustment).

Alderman Tripp made the motion to approve items 4 through 15 and items recommended from finance meeting 01/21/16, 3, 4 and 6 en masse. Motion carries on an 8-0 voice vote.

(Items recommended 01/21/16)

1. Consideration of # 1539 Resolution of the City of Russellville Relating to the Acceptance of a Bid for the Public Works Department; to Authorize the Mayor and City Clerk-Treasurer to execute Agreement .(South Vancouver Sidewalks). Alderman Tripp made the motion to adopt. Motion carried on an 8-0 voice vote.

2. Consideration of Resolution # 1540 Accepting the Final Report of the Hilltop Sewer Improvement District NO.6 of the City of Russellville and Releasing the Commissioners.

Alderman Tripp made the motion to adopt. Motion carried on an 8-0 voice vote

3. Appropriation:

Department: Capital Assets Fund

Revenue: 04-101-4171 Fund Transfer \$100,000.00  
(Fire Truck Fund)

4. Appropriation:

Department: Capital Assets Fund

Revenue: 04-101-4171 Fund Transfer \$300,000.00  
(Building Maintenance Fund)

5. Appropriation:

Department: City Attorney

Revenue: 01-112-5192 Contract Labor \$ 61,995.00  
(Removal of Dilapidated Structure's 603 East 3<sup>rd</sup>,  
408 South Arkansas, 407 South Independence).  
(Item discussed in Finance 01 12/16 Item # 3.)

6. Appropriation:

Department: Street Fund

Expenditure: 02-202-5342 Street Labor & Materials \$ 8,580.00

*(Insurance pass through for Phoenix Bridge).*

Personnel Committee: Chairman Garland Steuber, Alderman Richard Harris,  
Alderman Robert Wiley and Alderman Larry Brown.

1. Consideration of Ordinance # 2226 amending Sections of the City of Russellville Personnel Policy Handbook Regarding Catastrophic Leave and Vacation. Alderman Steuber made the motion to suspend the rules and read the Ordinance one time by title only with a short explanation. Motion carries on an 8-0 voice vote. City Attorney Trey Smith read the Ordinance as requested. Alderman Steuber made the motion to adopt with a second by Alderman Eaton. Motion carries on an 8-0 roll call vote.

**Unfinished (Old) Business:**

1. Consideration of an Ordinance levying a Franchise Tax on Data Service, Broadband Service, Basic and Advanced Internet Services, Cable Television, Video Service, and Bundled Service within the Corporate Boundaries of the City—Finance Committee.  
City Attorney Trey Smith asked to table the item for revisions. Alderman Wiley made the motion to table with a second by Alderman Westcott. Motion carries on an 8-0 voice vote.
2. Consideration of Ordinance # 2227 submitting to the Voters of the City of Russellville, the option of Electing Aldermen to Staggered Four Year Terms—Alderman Wiley.  
Alderman Wiley made the motion to suspend the rules and read the Ordinance one time by title only with a short explanation. Alderman Westcott seconded the motion. Motion carries on a 6-2 roll vote. Aldermen Tripp, Westcott, Brown, Wiley, Harris and Alderwoman Freddie Harris voting in favor. Aldermen Tripp and Eaton voting nay.  
City Attorney Trey Smith read the ordinance as instructed. Alderman Wiley made the motion to adopt the emergency clause. Alderman Tripp seconded the motion. Motion carries on a 6-2 roll call vote. Aldermen Tripp, Westcott, Brown, Wiley, Harris and Alderwoman Freddie Harris voting in favor. Aldermen Steuber and Eaton voting nay.

**New Business:**

1. Consideration of an Ordinance Amending the Zoning Code for the City of Russellville, Ordinance # 1966, Article 3 Section 21 pertaining to sidewalks—Alderman Tripp.

Alderman Tripp made the motion to suspend the rules and read the Ordinance one time by title only with a short explanation for the first reading only. Alderman Wiley seconded the motion. Motion carries on a 6-2 roll call vote. Aldermen Tripp, Freddie Harris, Westcott, Brown, Wiley and Richard Harris voting in favor. Alderman Steuber and Eaton voting nay. City Attorney Trey Smith read the Ordinance as instructed. Ordinance will be heard again in February.

2. Consideration of Resolution **# 1541** Organizing the City Council for Calendar Year 2016, Establishing Procedural Rules—Mayor Horton.  
This item was discussed during the Department reports section.
3. Consideration of Ordinance **# 2228** to Rezone Property located at 4301 West Main Street from R-1 to C-2, submitted by Bob Weibler—unanimously recommended by the Planning Commission.  
Alderman Wiley made the motion to suspend the rules and read the Ordinance one time by title only with a short explanation. Alderman Eaton seconded the motion. Motion carries on an 8-0 voice vote. City Attorney Trey Smith read the Ordinance as instructed. Alderman Wiley made the motion to adopt with a second by Alderman Eaton. Motion carries on an 8-0 roll call vote.
4. Consideration of Resolution **# 1542** to issue a Special Use Permit to operate an existing self-storage facility and to construct a self-storage facility in a C-2 zone located at 4301 West Main Street, submitted by Bob Weibler—unanimously recommended by the Planning Commission.  
Alderman Wiley made the motion to adopt with a second by Alderman Eaton. Motion carries on an 8-0 voice vote.
5. Consideration of Ordinance **# 2229** amending the Zoning Code Permitted Uses Table removing Manufactured Home in an R-3 district—unanimously recommended by the Planning Commission.  
Alderman Eaton made the motion to suspend the rules and read the Ordinance one time by title only. Alderman Westcott seconded the motion. Motion carries on an 8-0 voice vote. City Attorney Trey Smith read the Ordinance as instructed. Alderman Eaton made the motion to adopt with a second by Alderman Westcott. Motion carries on an 8-0 roll call vote. Alderman Eaton made the motion to adopt the emergency clause. Alderman Wiley seconded the motion. Motion carries on an 8-0 roll call vote.
6. Consideration of Ordinance **# 2230** to Rezone Property currently C-2 and R-2 to R-3, for property located on Hwy 7-T/South Knoxville, submitted by Dave Garza of Barrett and Asso on behalf of Danny Kirby, Whig Creek Properties, LLC—Unanimously recommended by Planning Commission.  
Alderman Eaton made the motion to suspend the rules and read the Ordinance one time by title only with a short explanation. Alderman Wiley seconded the motion. Motion carries on an 8-0 voice vote. City Attorney Trey Smith read the

Ordinance as instructed. Alderman Wiley made the motion to adopt with a second by Alderman Eaton. Motion carries on an 8-0 roll call vote.

7. Consideration of Ordinance **# 2231** approving the Final Plat of Bill Barborek Property Survey, a Subdivision and Accepting the Dedication of the Easements to the city of Russellville.  
Alderman Wiley made the motion to suspend the rules and read the Ordinance by title only with a short explanation. Alderman Westcott seconded the motion. Motion carries on an 8-0 voice vote. City Attorney Trey Smith read the Ordinance as instructed. Alderman Wiley made the motion to adopt with a second by Alderman Westcott. Motion carries on an 8-0 roll call vote. Alderman Wiley made the motion to adopt the emergency clause with a second by Alderman Eaton. Motion carries on an 8-0 roll call vote.
8. Consideration of Resolution **# 1543** requiring the Rehabilitation by Agreement or Removal or Razing of a unoccupied, dilapidated structure located at 213 West 13<sup>th</sup> Street (Garage/Storage Building); restoring the property up to the Arkansas Fire Prevention Code and City Codes; thereby protecting the Health, Safety and Welfare of the Public, Providing for lien on the property to recover costs associated with removal of structure upon nonpayment—Code Enforcement.  
Alderman Wiley made the motion to adopt with a second by Alderman Westcott. Motion carries on an 8-0 voice vote.
9. Consideration of Resolution **# 1544** requiring the Rehabilitation by Agreement or Removal or Razing of a unoccupied, dilapidated structure located at 901 South Ithaca Ave; restoring the property up to the Arkansas Fire Prevention Code and City Codes; thereby protecting the Health, Safety and Welfare of the Public, Providing for lien on the property to recover costs associated with removal of structure upon nonpayment—Code Enforcement.  
Alderman Wiley made the motion to adopt with a second by Alderman Westcott. Motion carries on an 8-0 voice vote.
10. Consideration of a Resolution requiring the Rehabilitation by Agreement or Removal or Razing of a unoccupied, dilapidated structure located at 3001/2 North Hartford Ave; restoring the property up to the Arkansas Fire Prevention Code and City Codes; thereby protecting the Health, Safety and Welfare of the Public, Providing for lien on the property to recover costs associated with removal of structure upon nonpayment— Code Enforcement.  
Alderman Tripp made the motion to table until February with a second by Alderman Steuber. Motion carries on a 7-1 voice vote. Alderman Eaton voting nay.
11. Consideration of an Ordinance Amending Ordinance #2023 Establishing the Procedures for the Protection and Preservation of the Character of and Properties within the Russellville Downtown Historic District Repealing Ordinance # 2048— Mayor Horton.

Alderman Eaton made a motion to table for further review by Planning Commission, Building Official, Fire Marshal, Historic Commission and City Engineer. Alderman Richard Harris seconded the motion. Alderman Richard Harris will facilitate the meeting to discuss any changes in the Ordinance establishing the procedures of the Downtown Historic District. This will be brought back next month with revisions.

12. Consideration of Resolution # 1545 for destruction of old records from RPD—Chief Humphrey.

Alderman Wiley made the motion to adopt with a second by Alderman Westcott. Motion carries on an 8-0 voice vote.

13. Consideration of an Ordinance to Establish Participation in the city of Russellville Wrecker Call Service, Repealing ordinances #'s 1853 and 1890—Chief Humphrey, RPD.

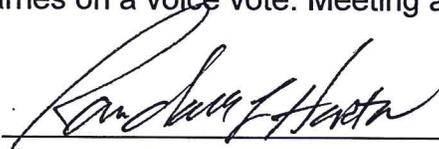
Alderman Wiley made the motion to suspend the rules and read the Ordinance one time by title only for the first reading only. Alderman Westcott seconded the motion. Motion carries on an 8-0 voice vote. City Attorney Trey Smith read the Ordinance as instructed. This Ordinance will be read again in February.

14. Consideration of a Resolution Amending Resolution # 1541, which Organized the City Council for Calendar Year 2016, Establishing Procedural Rules for the City Council to include "an Alderman could not be the chairman of a committee — Alderman Wiley.

Alderman Wiley made the motion to table with a second by Alderwoman Harris. Alderman Wiley stated to the City Clerk he did wish to bring this item back before the council.

Adjournment: Alderman Wiley made the motion to adjourn. Alderwoman Harris seconded the motion. Motion carries on a voice vote. Meeting adjourned at approximately 8 pm.

Mayor Randy Horton



Attest:

Kathy Collins City Clerk-Treasurer, CMC



Date approved by Council:

