

Minutes
Regular City Council Meeting
February 18, 2016, 6 pm, City Hall

Welcome and Call to Order: Mayor Randy Horton

Invocation was given by Pastor Darrell Kobs

Roll Call: Alderman present and quorum declared. 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: Jerry McKaughan, Rita Richardson, Luke Duffield, Candice Underwood, Brandon Wright, Leo Carter, Kevin Massey, Kathy Price, Josh Stroud, Bill Clark, Dennis W. Boyd, Greg Barborek, Naomi Fish, Lynn Ducote, Christopher Housenick, Hannah McQuarrie, Thomas W. Pennington, Steve Mullins, Reverend Darrell C. Kobs, J. David Garza, Betsy McGuire, Chuck and Janie Frankhouse, Suzanne Alford-Hodges, Robin Bowen, Doug Bowen, Connie Holstein, Brian Holstein, Chief Humphrey, Chief Cochran, Stacy Galbo, and Kelly Stewart.

Minutes: Alderman Wiley made the motion to approve the Minutes for Council Meeting January 21, 2016 and Special Called January 29th. Alderman Westcott seconded the motion. Motion carries unanimously on a voice vote.

Financial Report: Month Ended January 31, 2016

General Fund Balance	\$ 71,709.47
El Paso Loan	\$ 291,434.67
Street Fund Balance	\$ 2,525,331.96
Street Sales Tax Fund	\$ 6,237,620.29
2003 Economic Development Fund	\$ 2,929,388.97
2007 Economic Development Fund	\$ 4,687,606.07
2014 Economic Development Fund	\$ 825,785.11
Convention Center	\$ 2,438,463.76
Capital Assets Fund Balance	\$ 10,452,626.81
Special Funds Balance	\$ 1,370,737.93
Emergency Reserve – General	\$ 1,000,000.00
Emergency Reserve – Street	\$ 3,000,000.00
Cemetery Association Trust – Market Value	\$ 199,378.69*

Special Funds Balances: Month Ended January 31, 2016

12	District Court Costs Fund	\$	92,453.28
13	No Vehicle Insurance Fund	\$	34,674.26
14	Parks & Recreation Special Fund	\$	112,830.26
15	Police Training Fund	\$	48,203.64
16	Police Pension Fund	\$	47,423.44
17	Court Automation Fund	\$	396,544.12
18	Administration of Justice Fund	\$	70.30
19	Criminal Justice Ordinance Fund	\$	421,493.29
20	Fire Contingency Fund	\$	28,707.95
21	Fire Insurance Premiums Fund	\$	101,883.56
22	Fire Pension Fund	\$	20,241.87
24	Russellville Oakland Cemetery *	\$	66,211.86
TOTAL		\$	1,370,737.93

Russellville Oakland Cemetery January 31, 2016

- Has an investment of IShares \$110,378.69 Genworth \$ 80,000.00 and \$ 9,296.56 cash.

Mayor's Report:

1. Officer of the Year Award was presented to Detective Quinn Jones by Russellville Police Chief Jeff Humphrey. Detective Quinn's family attended the meeting along with other Police Officers.
2. Mayor Horton introduced Leadership Russellville Class.
3. ATU President Dr. Robin Bowen and her husband was in attendance. Mayor Horton talked about our partnership with ATU and how beneficial it has been.
4. Christopher Housenick spoke on the martial arts program, the work they do with RPD, at risk teens and Counseling Associates.
5. Kevin Massey with the Pope County Library let the public know about the 5k and 10k run for Literacy to be held on March 12th.

State of the City Report: Mayor Horton

Mayor Horton reported the Community Development department had added a new position as well as Code Enforcement and the Maintenance Department due to the fact the city is growing and the construction of new city facilities. This includes building permits, Code Violations and Building Maintenance also.

A new building was constructed at the Animal Shelter to provide the separation for Cats and Dogs. Also to allow room to house more animals and to have a space to quarantine an animal if needed. Mayor Horton also talked about the Fire Department, Police Department and Parks. The new Central Fire Station will begin construction this year.

Department Report:

Keith Frazier, Airport Director

Mr. Frazier's goal is to teach the community about the Airport and what it means to the City by having more events for the public and applying for grants to do improvements and/or expansion. He stated he has recently filled two positions. One of those is part-time and the other is a night manager.

Committee Reports:

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

1. Appropriation:

Department: Parks Special Sales Tax

Expenditure: 04-209-5538 Shade Structure \$ 25,000.00
(Shade Structure for Field #6 Hickey Park)(Re-appropriation)

Alderman Tripp made the motion to approve. Motion carries on an 8-0 voice vote.

2. Appropriation:

Department: Capital Misc.

Expenditure: 04-101-5500 Capital Misc. \$ 375.81
(Re-appropriation from last year. Grant for Cameras, and Wi-Fi)

Alderman Tripp made the motion to approve. Motion carries on an 8-0 voice vote.

3. Appropriation:

Department: Capital

Expenditure: 04-113-5250 Capital Improvement \$ 4,064.75
(Re-appropriation from last year. FFA 90/10 Grant Lighting system Airport).

Alderman Tripp made the motion to approve. Motion carries on an 8-0 voice vote.

4. Appropriation:

Department: Street Fund \$ 293.16

Expenditure: 02-202-5111 Salaries \$ 240.00

02-202-5153 Pension N Uniform 34.80

02-202-5181 FICA 18.36

(2016 Salary Budget adjustment for education pay on employee #10051)
(Current year; approved by Personnel Committee). (See documentation attached).

Alderman Tripp made the motion to approve items 5 and 6. Alderwoman Freddie Harris made the motion to amend to pay Mr. Salassi back pay from the

time he should have received it in 2002. Alderman Steuber asked Mrs. Tanessa Vaughan if she had the amount of the total back pay. She replied the amount she had was \$ 3,280.00. However that did not include any benefit amounts. Alderwoman Harris asked Mr. Salassi if he would accept the amount of \$3,280.00 of which the necessary cost of benefits would be deducted and he stated he would. City Attorney Trey Smith told the Council the City would require a release from any further obligation by Mr. Salassi. Alderwoman Harris made the motion to pay the \$3,280.00, and the cost of benefits would be deducted from that amount with the release requested by the City Attorney. Alderman Wiley seconded the motion. Motion carries on a 4-5 roll call vote with the Mayor voting in favor. The vote required two thirds of the council vote for passage.

5. Appropriation:

Department: <u>Street Fund</u>	\$ 879.48
Expenditure: 02-202-5111 Salaries	\$ 720.00
02-202-5153 Pension N Uniform	104.40
02-202-5181 FICA	55.08

(Adjustment for education pay on employee # 10051)
 (3 years back pay for education approved by Personnel Committee).
 (See documentation attached).

6. Appropriation:

Department: <u>Airport</u>	
Expenditure: 01-113-5235 Equipment Maintenance	\$ 6,000.00

(Tractor R & M repair all cylinders and replace clutch/pressure plate involves splitting the tractor).

Alderman Mark Tripp made the motion to approve items 6 and 7. Motion carries on an 8-0 voice vote.

7. Appropriation:

Department: <u>Animal Control</u>	
Expenditure: 01-107-5352 Animal Control Improvements	\$ 9,977.00

(Sidewalk to new building, Security for the new building, and Cat cages (funding from donations)).

(Items recommended from Finance Meeting February 18, 2016 5:00 pm.)

1. Consideration of Resolution **# 1546** to accept Materials Bid for the City of Russellville.

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

2. Consideration of Resolution **# 1547** Authorizing the Mayor and City Clerk-Treasurer to enter into an agreement for the purchase of a Street Sweeper for the Department of Public Works.

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

3. Consideration of Resolution # **1548** Authorizing the Mayor and City Clerk-Treasurer to Enter into an Agreement with Rob Caldwell for Third Party Architectural Construction Documents review of the New Central Fire Station.

Alderman Tripp made the motion to adopt. Motion carries on a 7-1 voice vote. Alderman Steuber voting nay.

4. Consideration of Ordinance # **2232** to Waive Competitive Bidding to Repair AC Unit on the First Floor of the Russellville Police Department.

Alderman Tripp 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 Steuber made the motion to adopt with a second by Alderman Eaton. 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 voice vote.

5. Appropriation:

Department: Economic Fund

Expenditure: 23-301-5218 Other Professional Services \$ 97,894.00
(Comprehensive Plan).

Alderman Tripp made the motion to approve. Motion carries on an 8-0 voice vote.

Personnel: Alderman Garland Steuber, Chairman, Alderman Richard Harris, Alderman Eric Westcott, Alderman Larry Brown.

No Report.

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. (Tabled last month).

Alderman Eaton asked that City Attorney Trey Smith be given time to review possible new legislation that has recently been passed. Alderman Wiley made the motion to refer back to finance committee. Alderman Richard Harris seconded the motion. Motion carries on a 7-1 voice vote. Alderman Brown voting nay.

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

Aldermen Tripp made the motion to suspend the rules and read the Ordinance one time by title only for the second reading. Alderman Richard Harris 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 for the third time March Council meeting.

3. Consideration of a Resolution requiring the Rehabilitation by Agreement or Removal or Razing of a unoccupied, dilapidated structure located at 300 ½ 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. (Tabled last month).

Alderman Richard Harris made the motion to adopt the Resolution with a second by Alderman Westcott. Mr. Lynn DuCote spoke to the Council who is the owner of the property. Mr. DuCote asked the Council to give him more time to repair the property as it is his only asset. He also stated he is in renal failure and has accumulated an incredible amount in doctors and hospital bills. He is planning to file bankruptcy. Code Enforcement Officer Bill Clark stated the foundation was failing, the ceiling is coming down inside, siding off the house, dilapidated travel trailer and other debris were covering the yard. Alderman Wiley made the motion to remove item from the agenda and to give Mr. DuCote 90 days to make necessary repairs or remove it. Alderwoman Harris seconded the motion. Motion carries on a 5-4 roll call vote. Aldermen Wiley, R. Harris, Tripp, and F. Harris voting in favor. Aldermen Brown, Eaton, Westcott and Steuber voting nay. Alderman Wiley told the Mayor he would donate his time and labor. Mayor Horton voted in favor due to the fact Alderman Wiley told the Mayor he would donate his time to make the repairs. Original motion to adopt carries 5-4 roll call vote. Mayor voting in favor.

4. 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. (Tabled last month).

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 an 8-0 voice vote. City Attorney Trey Smith read the Ordinance as instructed. This item will appear next month for the second reading.

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

Alderman Wiley made the motion suspend the rules and read the Ordinance one time by title only with a short explanation for the second reading. Alderman Westcott seconded the motion. Motion carries on an 8-0 voice vote. City Attorney Trey Smith read the Ordinance as instructed. This item will be back next month for the third reading.

New Business:

1. Consideration of an Ordinance to Amend Ordinance # 2222 Ritter Communications Franchise Fee.

Alderman Richard Harris made the motion to refer to Finance Committee with a second by Alderman Tripp. Motion carries on a 7-1 voice vote. Alderman Eaton voting nay.

2. (a) Consideration of Ordinance **# 2233** to Rezone property currently C-2 to R-3, approximate location is 520 North El Mira Ave., Lot 35, East Industrial Park Phase V, submitted by William Thornberry (ZO.15.12.13). Planning Commission unanimously recommended.

Alderman Wiley made the motion to suspend the rules and read the Ordinance one time by title only. Alderman Tripp seconded the motion. Motion carries on a 7-1 roll call 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 a 7-1 roll call vote. Aldermen Richard Harris again voting nay. Alderman Wiley made the motion to adopt the emergency clause with a second from Alderman Eaton. Motion carries on a 7-1 roll call vote. Alderman R. Harris voting nay.

(b) Consideration of Resolution **# 1549** Approving and Adopting Plan of Action for Economic Development and Revitalization of the City of Russellville—Finance Committee.

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

3. Consideration of Resolution **# 1550** to Set a Public Hearing to Vacate an unused portion of the right-of-way lying east of the driveway in the 600 block on Forrestwood Court, Lot 1, Block 5, Woodridge Estates, Phase IV, submitted by Darrell & Trish Lowder 1014 Ridgewood Drive. (ST.15.12.78). Planning Commission unanimously recommended.

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

4. Consideration of Resolution # **1551** to issue a Special Use Permit to operate a construction office/building in a C-2, located at 3308 Bernice Avenue, submitted by Kenny Bowden (SP.16.01.140). Planning Commission unanimously recommended. *(Note: The approval was subject to the storage of parts, vehicles, materials and other similar types of items, if any, would be placed behind a fence).*
Alderman Eaton made the motion to adopt with a second by Alderman Wiley.
Motion carries on an 8-0 voice vote.

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

5. Consideration of Resolution # **1552** requiring the Rehabilitation by Agreement or Removal or Razing of a unoccupied, dilapidated structure located at 310 East "E" Street; 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 Eaton made the motion to adopt and allow the property owner to have the opportunity to tear down the (garage) structure or the City takes action. Alderman Wiley seconded the motion. Motion carries on a 6-2 roll call vote. Alderman Richard Harris and Alderman Tripp voting nay. Motion to call the question by Alderman Eaton and a second by Alderman R. Harris. Motion carries on a 6-2 roll call vote. Alderwoman Harris and Alderman Tripp voting nay.

6. Consideration of an Ordinance Amending the Solid Waste Ordinance pertaining to placement of trash/recycle cans after trash/recycle pickup—Alderman Wiley.

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

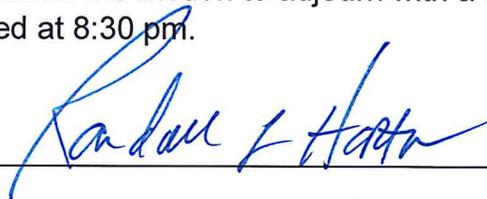
7. Discussion of a Personnel Issue- Alderman Tripp.

Alderman Tripp made the motion to postpone until March meeting. Alderman Wiley seconded the motion. Motion carries on an 8-0 voice vote.

Adjournment:

Alderman Wiley made the motion to adjourn with a second by Alderman Brown.
Meeting adjourned at 8:30 pm.

Mayor Randy Horton



Attest:

Kathy Collins City Clerk-Treasurer, CMC



Date approved by Council:

3/17/16

