

**MINUTES OF THE CITY COUNCIL MEETING OF  
THE CITY OF NASHVILLE, ARKANSAS ON  
October 25, 2011**

The City Council of the City of Nashville met on Tuesday, October 25, 2011 at 6:00 p.m. in the City Hall Council Chambers.

Presiding Officer Mayor Billy Ray Jones called the meeting to order.

The Council was led in prayer by Financial Director Jimmy Dale.

Following the Pledge of Allegiance to the flag led by Mayor Jones, roll call of the Council Members was completed by City Clerk McDaniel with 7 members answering as their names were called. Alderman Davis, Alderwoman Clark, Alderwoman Kirkpatrick, Alderwoman Gathright, Alderman Parker, Alderwoman Mitchell, and Alderman Anderson were present. Alderman Brown, Alderman Milum, Alderwoman Harwell, and Alderwoman Wright were absent. Alderman Smith arrived late.

Other persons present at the meeting were, City Attorney George Steel, Public Works Director Larry Dunaway, Finance Director Jimmy Dale, Park Director Nikki Cherry, Code Enforcement Officer David Johnson, John Blanchard, Sandra Jones, Sheila Pinson, Dan McDaniel, Mary Woodruff, Charles Goodin w/ Nashville News, Jonathan Canady w/ Southwest Arkansas Radio, and Louie Graves with Nashville Leader.

Minutes of the September, 2011 Council meeting were reviewed. Motion was made by Alderwoman Clark to accept the minutes and seconded by Alderwoman Kirkpatrick. On roll call vote the minutes were approved with all yeas and no nays. (8-0).

The Financial Statement for September, 2011 was presented by Financial Director Jimmy Dale and reviewed by the Council. Mr. Dale stated that revenue is up due to selling a lot of water. He also stated that sales tax is up which is encouraging. Motion was made by Alderwoman Mitchell to accept the financial report. The motion was seconded by Alderwoman Clark.

Next on the agenda Nikki Cherry, Park Director, gave her report of the events that had taken place at the park in October. She also told of upcoming events at the park for November.

Next, Larry Dunaway, Public Works Director gave his report on Water and Sewer projects. He stated that we got verbal confirmation from Economic Development that we are on a list to receive a grant from them for \$250,000 to go toward the River Pump Project. The whole project will cost somewhere between \$285,000 and \$290,000 and will

help to solve a big problem. All the plans for the Sewer Plant project have been submitted to the Arkansas Dept. of Health, USDA, and ADEQ. Everything is looking good regarding getting the money, Dunaway stated.

Next is David Johnson, Code Enforcement Officer. He didn't have anything to discuss with the Council since the Lien situation is still being resolved.

#### NEW BUSINESS:

Mr. John Blanchard, a citizen of Nashville spoke to the Council regarding the noise made by Pilgrims Pride. He stated that since there are ordinances regarding "boom boxes" why shouldn't the police issue citations for the loud vibrating noise. Mr. Blanchard said that he had been awakened by the noise three times while he slept and had great difficulty returning to sleep. The Mayor stated that he was dealing with the problem and the noise is supposed to be stopped by 10 p.m. The noise is caused by vibrating machines to shake the corn loose from the side of railroad cars. Mr. Blanchard thanked the Council for hearing his concerns.

Attorney Steel then spoke on the reading of Ordinances. He stated that if a member of the Council were to make a motion to waive the reading of Ordinances, we can do that. He stated that routinely, the Council has waived second and third readings but it's also possible to waive all readings by a two thirds vote then just the title of the Ordinance is read. He added that on certain times this may not be desirable on shorter Ordinances. Alderman Davis made the motion to waive the reading of the Ordinances to be presented that night. The motion was seconded by Alderman Parker. On roll call vote, the motion carried with all yeas and no nays (8-0). Clerk Treasurer McDaniel then read the title only. **ORDINANCE NO. 912 – AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF EXTENSIONS, BETTERMENTS AND IMPROVEMENTS TO THE SEWER FACILITIES OF THE WATER AND SEWER SYSTEM OF THE CITY OF NASHVILLE, ARKANSAS; AUTHORIZING THE ISSUANCE OF A WATER AND SEWER REVENUE BOND FOR THE PURPOSE OF FINANCING THE COST OF THE CONSTRUCTION; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST ON THE BOND; AND PRESCRIBING OTHER MATTERS RELATING THERETO.**

Alderman Anderson made a motion to accept Ordinance No. 912. The motion was seconded by Alderwoman Mitchell. On roll call vote the motion carried with all yeas and no nays (8-0). Next:

**ORDINANCE NO. 913 – CITY OF NASHVILLE, ARKANSAS FAIR HOUSING**

Alderwoman Mitchell made a motion to waive the reading of Ordinance No. 913. The motion was seconded by Alderwoman Kirkpatrick. On roll call vote the motion to waive the reading of Ordinance 913 passed with all yeas and no nays (8-0).

Alderman Anderson then made a motion to pass Ordinance No. 913. Alderwoman Mitchell seconded the motion. On roll call vote, the ordinance passed with all yeas and no nays (8-0).

Next:

Resolution 2011-11, Resolution 2011-12, Resolution 2011-13, Resolution 2011-14, Resolution No 2011-15 were attached to Ordinance No. 913. A motion was made by Alderwoman Clark to waive the reading of Resolutions 2011-11, 2011-12, 2011-13, 2011-14, and 2011-15. The motion was seconded by Alderman Anderson. On roll call vote, the motion passed with all yeas and no nays. (8-0). Alderman Parker made a motion to pass the resolutions and it was seconded by Alderwoman Clark. On roll call vote, the Resolutions passed with all yeas and no nays. (8-0).

Next is Resolution 2011-10 – A Resolution to Levy the City Millage for 2011 to be collected in 2012. The resolution was read by Clerk McDaniel. Alderwoman Mitchell made a motion to pass the resolution and it was seconded by Alderman Clark. On roll call vote the resolution passed with all yeas and no nays (8-0)

Next on the agenda is David Johnson, Code Enforcement Officer, regarding the City's peddlers permit. Ordinance 820 pertaining to the peddlers permit was passed in 2005 and it exempts schools, churches, veterans groups, city clubs, Boy or Girl Scout troops, or other charitable solicitations. Ordinance 840 passed in 2006 goes on to say, "transient merchants, peddlers, or vendors appearing in conjunction with non-profit organizations or government functions are exempt". Officer Johnson stated he contacted the Arkansas Department of Health and they do not regulate charitable organizations meaning that a church could set up a food service on Main Street and operate it 365 days a year and we wouldn't be able to stop it or regulate it. He stated we have had several trailers set up to sell food under the name of a church and stayed there for six weeks. The peddlers permit was designed to prevent this not foreseeing a group setting up and staying more than a day or two. Mayor Jones stated that the number of days should be regulated to prevent this. After more discussion, the Council decided to research and see what, if any ordinances, other towns have regarding this.

Mayor Jones announced the upcoming budget meetings on November 1<sup>st</sup>, 8<sup>th</sup>, and 15<sup>th</sup>.

Motion to adjourn was made by Alderman Anderson and seconded by Alderman Mitchell.

Meeting adjourned at 7:10 pm.

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Billy Ray Jones, Mayor

ATTEST:

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Liz McDaniel, City Clerk/Treasurer