

**MINUTES OF THE CITY COUNCIL MEETING OF
THE CITY OF NASHVILLE, ARKANSAS ON
November 22, 2011**

The City Council of the City of Nashville met on Monday, November 22, 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 Milum, Alderman Anderson, Alderwoman Mitchell, Alderman Parker, Alderwoman Wright, Alderwoman Clark and Alderman Davis. Absent were Alderman Brown, Alderwoman Gathright, Alderwoman Kirkpatrick, and Alderwoman Harwell. Alderman Smith arrived after roll call.

Other persons present at the meeting were, City Attorney George Steel, Public Works Director Larry Dunaway, Finance Director Jimmy Dale, Park Director Nikki Cherry, Fire Marshall Jerry Harwell, Freddy Horn, Heath Wallace , Code Enforcement Officer David Johnson, Dewayne Holloway w/ Nashville News, and Jonathan Canady w/ Southwest Arkansas Radio, Louie Graves w/Nashville Leader, Heath Wallace, and Donny Woods.

After a review of the minutes of October 25th and the special called meeting on November 1st, a motion was made by Alderwoman Mitchell to accept the minutes from both meetings and it was seconded by Alderman Anderson. On roll call vote, the motion passed with all yeas and no yeas. (8-0)

Financial Director Jimmy Dale gave the financial report for October. Alderwoman Mitchell made a motion to accept the financials for October, 2011 and it was seconded by Alderman Anderson.

Next on the agenda was Nikki Cherry, Parks Director. She recommended the reappointment of Heath Wallace and the appointment of Donny Woods to serve on the Park Commission. Alderman Smith made a motion to accept the recommendation and it was seconded by Alderman Davis. On roll call vote, the motion passed with all yeas and no nays. (8-0). Mayor Jones then swore in both men individually. Mayor Jones then presented the Shine Award which the City received from the "Keep Arkansas Beautiful Commission" to Nikki Cherry and praised her for doing a great job.

Next is Code Enforcement Officer David Johnson who proposed 3 liens against certain properties within the City limits as Resolution 2011-16, 2011-17, and 2011-18.

Resolution 2011-16 is a resolution to place a lien in the amount of \$855.79 against the said property owned by Gerald Quimby, Lot 4-5 Block 8 of the Southwest Real Estate & Development Co. The homeowners failed to comply with Code Enforcement notification of cleanup and maintenance of real property. Motion was made by Alderwoman Clark to pass Resolution 2011-16 and seconded by Alderman Smith. On roll call vote, the motion passed with all yeas and no nays. (8-0). Next, Resolution 2011-17 is tabled because the homeowner, Mrs. Annie C. Kelly, has passed away and the person who signed for the certified letter which was sent by the Code Enforcement officer regarding notification of cleanup and maintenance, Nettie Wesson, isn't known to be the owner of the property or the beneficiary of the property. City Attorney Steel stated that the heirs of the property need to be determined before a lien is placed. Next, Resolution 2011-18 is put aside because the property owner has paid \$400.00 toward the \$905.79 cleanup charges and has promised to pay the rest by December.

Next is Ordinance No 914 – An Ordinance Closing Portions of Stewart Street. Motion was made by Alderman Smith to suspend the rules and put the Ordinance on 3rd and final reading and it was seconded by Alderman Parker. On roll call vote the motion passed with all yeas and no nays (8-0). Clerk McDaniel read the title only of the Ordinance. Alderwoman Clark made a motion to pass Ordinance 914 and it was seconded by Alderman Smith. On roll call vote the Ordinance passed with all yeas and no nays. (8-0).

Next is Resolution 2011-19- Loan Resolution- The Bond for the Six Million Eight Hundred Seventy Thousand and XX/100 Dollars for the cost of acquiring, constructing, enlarging, improving, and/or extending its sewer facility. The resolution was read in full by Clerk McDaniel. Alderwoman Mitchell wanted to know if all the money would be used for sewer projects only. Financial Officer Dale stated that all the money that is pledged for sewer must be used there but any other monies can be used at the City's discretion. Alderman Parker made a motion to accept Resolution 2011-19 and it was seconded by Alderman Anderson. On roll call vote, the Resolution passed with all yeas and no nays (8-0).

The Mayor then spoke on job description regarding the Fire Chief/Fire Marshall. The new job description would make the Fire Chief and the Fire Marshall the same person. How they go about setting this up will be determined by meetings of the fire department. Mayor Jones stated that according to Attorney Mark Hayes with the Arkansas Municipal League, if the volunteer firefighters get paid by the City, they are NOT volunteers but are workers for the City of Nashville. The decisions made by the Fire Chief/Fire Marshall are reflected on the City. There was a lot of speaking regarding this issue because of the lawsuit against the City from the Fire on Main Street. Alderwoman Clark was concerned about how the firefighters are "hired"...whether there is an ad in the newspaper or not? Alderman Davis stated that we need to set this up legitimately and correctly and legally. That the procedures are something we've done for years and it needs to be set up right. Hiring practices are a concern according to Alderman Davis. Mayor Jones stated that making the Fire Marshall and the Fire Chief the same person would fix a lot of the problems regarding the City/City Council being responsible for what the Fire Department does. There was much more discussion on this matter.

Mayor Jones then presented the Proposed 2012 budget. Dale said it will be amended if needed by Resolution so we will ask that the budget be on a resolution instead of an ordinance.

Mayor Jones discussed the way the money was going to be spent regarding the “trunk line” project.

There was much discussion for the next 20 minutes regarding different topics from the City’s siren system to traffic speed on 4th Street.

The Mayor declared the meeting adjourned at 7:55 p.m.

APPROVED: _____
Mayor Billy Ray Jones

ATTEST:

Liz McDaniel, City Clerk/Treasurer