

**MINUTES OF THE CITY COUNCIL MEETING OF  
THE CITY OF NASHVILLE, ARKANSAS ON  
September 23, 2014**

The City Council of the City of Nashville met on Tuesday, September 23, 2014 at 6:00 p.m. in the City Hall Council Chambers.

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

Alderman Nick Davis led the Council in prayer.

Chief Pierce led in the Pledge of Allegiance to the American flag.

On roll call 10 members answered as their names were called. Alderwoman Mitchell came in right after roll call making 11 members present. Alderwoman Gathright was absent.

Other persons present were Parks Director Nikki Cherry, Code Enforcement Officer David Johnson, Police Chief Dale Pierce, Fire Chief Jerry Harwell, Alderwoman elect Donna Harwell, Louie Graves w/ Nashville Leader, Jonathan Canady w/ SW Ark Radio, City Officials Clerk Liz McDaniel, Mayor Billy Ray Jones and Attorney George Steel.

After a review of the August 26<sup>th</sup>, 2014 City Council minutes, Alderwoman Kirkpatrick made a motion to accept the minutes and Alderman Parker seconded. On roll call vote the motion passed with all yeas and no nays. (11-0)

Mayor Jones gave a brief financial report since Financial Director Dale was absent due to his wife, Rose Dale being ill and hospitalized in Little Rock. Alderman Brown made a motion to pass the Financials for August, 2014 and Alderwoman Mitchell seconded. On roll call vote the motion passed with all yeas and no nays. (11-0)

Next, Nikki Cherry, Parks Director gave her report on various activities planned at the park. She said the annual Golden Gathering will be Thursday, October 9, 2014 from 9:00 am to 12:00pm. Also the Trick or Treat Trail will be held on Thursday, October 30<sup>th</sup> from 5:00 pm to 7:00 pm instead of Friday night because of a Scrapper football home game. She also stated there was only 1 bid on the concrete bleachers job and they are going to rebid and try to get more bids.

Nikki said work has been done on the 2013 Outdoor Grant for the metal light poles on the baseball fields and the plan to get those replaced. She said we will only be able to replace half the ones we need to have replaced due to the cost and what is budgeted into the grant. She then stated there is a program called, "InterLocal Purchasing System, called Tips Taps program. Schools, cities, and government entities are the only ones who can apply and basically what it does is eliminate us having to bid the poles. They've already done that through the program and they get the best price. We can sign up as a member for free and our grant office approves and use of this program. We can move along faster by not having to bid the metal poles. Nikki

then asks the Council for permission to join the program. Alderman Davis makes a motion to join the program and Alderman Smith seconds. On roll call vote the motion passed with all yeas and no nays. (11-0).

Next Larry Dunaway makes his presentation to the Council regarding Water and Sewer Plant updates. Everything is going well and on schedule at the Sewer plant; which is scheduled to be completed by the end of the year depending on the weather this fall. The Water Plant sludge pond project is about to begin but after the State Natural Resource Commission came to Nashville and inspected the proposed project, we were turned down for any funding on the Spillway Project. Dunaway said that he has talked to Dennis McCrary, who got the sludge pond job at the Water Treatment Plant, to see about using his track hoe which has the capability to move the riprap around at the spillway and make necessary repairs to prevent washout underneath the spillway.

Next Dunaway spoke on the proposed purchase at the Box Factory sight. He said we did get funding from Planning and Development for the building according to Senator Larry Teague in the amount \$33,000 or \$37,000. Mayor Jones added that we would only have to pay 16 or \$17,000 for the property. Alderman Smith asks, So we're going to sell" Dunaway says, where the street department is now", Smith adds, we're going to sell that and get that money", Dunaway adds "correct", Smith adds, so by the time it's all said and done we won't have much in it at all." Correct says Mayor Jones. Dunaway stated that the City crew has already done a lot of work cleaning the Box Factory building but we haven't spent any money on it yet because he want to wait until we get the funding and start the paperwork on transfer of ownership. He then said that the City has already taken bids on the electrical work that must be done but he didn't state who the bids were from or the amount of the winning bidder. He said they have planned the drainage and culvert work that would have to be done. He also said that some of the steel in the building is going to be replaced but we have it cleaned up and also cleaned up the slab where the old factory was behind the building that we're buying. He said they are just waiting for the money to come in (to pay for part of the price of the building) before they start ordering steel and putting electricians to work. He stated they haven't priced a fence yet because he wants to get it surveyed to make sure where the corners are to get the footage. He said that both the City and County crews have been working on cleaning up the properties.

Next, he presented Waste Management reports for contract renewal. Residential rates will go up from \$11.72 to \$11.95 (.23 cents) per month with Senior citizens rates going up from \$6.54 to \$6.67 (.13 cents) per month. Also, if you have an extra cart it went up from \$9.71 to \$9.90 (.19 cents) per month.

Dunaway then begins discussion on raising the water and sewer rates. He starts off by saying the interest only payment is due this week. He has spoken with Keith Huskey about getting an account set up to electronic debit the interest and principal payments. The payments are due to begin in October, 2014. The first payment of \$23,977.00 is due October 26, 2014; this being the reason for the water and sewer rate increases. He said that when we raised the rates in 2011 it was half of what the rate study suggested. We raised rates \$4.00 on sewer minimums and 5% on the water minimum and .10 cents on the water step. Also .50 cents on the sewer step. He stated the last rate increase brought \$163,000 more a year. What we need to generate to make the payments that start this month is \$287,000 a year. These proposals are based on those numbers. The proposals are: \*see attached.

There was lengthy discussion regarding these proposals. Mayor Jones states we could do the \$1.00 raise with the \$180,000 that will be generated in total revenue but not all of that is in sewer. If you were trying to make the loan payment on strictly sewer then we would have to do the \$4.00. But some of the revenue generated is with water sells. If we go with the second page (the \$2.00 increase) it will give the total amount of what the rate study said we need. Alderman Brown said he'd rather be a little over than under the amount needed because he would hate to have to make a third rate increase. Mayor Jones says that he would like to see a .50% rate increase every year. That way it would increase smaller each year instead of having to increase at a larger rate putting a burden on the customers.

Alderman Davis made a motion for the \$2.00 raise and Alderwoman Wright seconds.

Alderwoman Clark states she's more comfortable with the \$1.00 raise because she thinks it should be relooked because if we jump it up now and then come back with a small increase each year that it won't look good towards the City. She said that she always tries to look at the least amount we can put on the citizens. Mayor Jones says he thinks that after this is done it should be mandatory to at a .50% increase each year. With a motion and second on the \$2.00, Clerk McDaniel gives roll call vote and receives 6 yeas and 5 nays. Alderman Smith, Alderwoman Clark, Alderman Parker, Alderman Anderson, and Alderman Milum vote NO. (6-5). Alderman Brown, Alderwoman Harwell, Alderman Davis, Alderwoman Wright, Alderwoman Kirkpatrick, and Alderwoman Mitchell voted YES. Mayor Jones says it will go into effect in October. Attorney said he would have to draw up an Ordinance and it will have to go into effect next month. (November).

Next is Fire Marshall Jerry Harwell. Mayor Jones commended Harwell on a job well done at the recent Ivan Smith fire. He said that everyone did a very professional job and we should be proud of them. He added that several years he wasn't have said this. Jerry also thanked the outside fire department that came in and helped make us look good."

Jerry brought before the desire to sell the old white fire truck. He said that back when Center Point started their fire department, the City of Nashville sold it to them for \$1.00. Then 15 or 16 years ago, Center Point had the old fire truck in storage and it was rusted and getting in a bad shape. The Nashville Fire Department got together and decided to buy it back from them (for a dollar). We had it restored and the firemen spent their own money to do it. Perry Rice did most of the restoration on it and it's been a keepsake. It still looks good and the idea was to put it in the parades and let the kids, Santa, etc. ride in.

Harwell said it hasn't been in a parade for 3 years, it's hard to get parts for it, and the clutch is bad, the brakes and master cylinder is bad, the transmission and motor leaks. It's still on the assets list so it's under our insurance. He said that he wants to sell it and turn the fire station at Toland Heights into a training center for the firemen. Alderman Brown stated that the older firemen put their money into the restoration and he thinks we should keep it. Alderman Brown is a retired fireman and said he had talked to several other retired firemen and they think we should keep it. Alderman Parker asks if we aren't getting anything out of it, why should we keep it? Mayor Jones said that to some people in the community and some of the firemen it has sentimental value. So, after much discussion, Alderwoman Clark made a motion that we don't sell it and Alderwoman Harwell seconded. On roll call vote the motion passed with 11 yeas and 0 nays. Alderman Brown made a motion to keep the old fire truck in the Toland Heights Station and Alderman Smith seconds. On roll call vote the motion passed with 10 yeas and 1 sustain. (10-1).

Next, Police Chief Pierce comes before the City Council with a request to tear down the old cell part of the old jail because right now it's just being used to store junk. His desire is to tear out the cells and clean up the room then put offices in there. He would have to have the blessing of the County also since they own part of it. Alderman Brown made a motion to allow them to proceed with the project of tearing out the jail cells and Alderwoman Kirkpatrick seconded. On roll call vote the motion passed with all yeas and no nays. (11-0).

Next, Mrs. Martha Hayes comes before the City Council to speak. Then Mayor Jones tells his part of the story before Mrs. Hayes has a chance to speak. He said that he denied paying the bill because he didn't think it was something the City was in the wrong for. Mrs. Hayes incurred a \$400 bill when she had to have a new water line installed from the water meter to the house. He stated that it's the property owners' responsibility to pay for expense from the meter to the house.

Mrs. Hayes started by telling the Council that she was out of town in Chicago and when she left her home, everything was working fine. She visited in Chicago and when she came home the people who she had visited were coming to stay with her at her home in Nashville for a visit. Upon arrival, she discovered she had no water. At that time she called her son, Chris Hayes, to come see if he knew what could be wrong. He informed her that he saw the Nashville Water Department crew putting in a new water meter at her home while she was gone. Since she had no water for herself or her company, her son fixed the problem which was a galvanized pipe that had blown out when the water was turned back on by the City after installing a new water meter. Apparently, the old meter had started leaking.

Mrs. Hayes stated that she went to see Larry Dunaway about what actually happened. He said the water meter had a nut that was leaking and they had to replace it. Mrs. Hayes felt like since the meter is the City's property and it was what caused her problem that she shouldn't have to pay for the damage done to her property as a result. Chris Hayes, the plumber who fixed her water line is her son and lived in the home his Mother owns for a very long time but didn't live there at this time.

Mrs. Hayes feels like when you fix or repair something it should be as good as or better than it was before. She said that she feels what's right is right and what is wrong is wrong. She said that she when she taught school that was what she tried to teach. But she stated that there are things she has learned about regarding power and money and it's ok for you to do that but it may not be for me because maybe my scruples can slide down if I can get by with it. But I don't think it's my fault that it's repaired. She stated that she came to City Hall to talk with Mayor Jones and he said, well it's an old house. And she said, Billy Ray, this town is full of old houses and he said, and you know, that happens. She then ask him, are you telling me that every old house where you have replaced the meter, this has happened to those people and they out a bill for repair and he said, no. She asks what was done or not done to make her have that problem. He said, I don't know. The then tells the council she appreciates their time.

There was then discussion about what happened and how that when you turn the water off then turn it back on where there is galvanized pipe stuff will break off and stop up the faucets. There was question and answer by the council members to Dunaway regarding the process.

Code Enforcement Johnson then said that Chris Hayes should have come to the Code Enforcement office and got a permit to do the work and he didn't do that. Also before the work was covered up he would have contacted him for an inspection. He tells Mrs. Hayes that he didn't do that and what he did was done unlawfully. She said that she didn't have any water

and couldn't wait a few days. Alderwoman Clark then asks, if I have a leak at my house before I get it fixed, I'm supposed to come to you? (Johnson) Johnson said, the plumber is. Alderman Milum said, no, if she has a leak you can make a repair. Clark then asks, isn't that what he did? Johnson said he had to replace the water line (pipe). Mayor Jones then says, there is a grey area here because he was working on his Mother's house and as far as I'm concerned, he was working on his own house. Johnson then states you would still have to get a permit. Alderwoman Mitchell asks how much was the bill? Mayor Jones says, four hundred and something dollars. Alderwoman Clark said, let's split it. Alderwoman Mitchell makes a motion to pay half the bill and Alderman Anderson seconds. Alderman Brown and Alderman Davis warned we are setting precedence by doing this. And will have to do it with everyone. Clerk McDaniel gives roll call vote and there are 5 yeas, 5 nays, and 1 abstained. Mayor Jones then voted NO stating, no, I am not paying the bill at all. That happened because the galvanized line broke. Alderwoman Clark said, you can't prove that is what happened. Others agreed with her.

Alderwoman Kirkpatrick then voiced her dislike of people leaving their trash can on the street all the time and not pulling it back to their house. There was lengthy discussion and Mayor Jones said he would work on this problem.

Alderman Parker makes a motion to adjourn and Alderwoman Kirkpatrick seconded. Mayor Jones called the meeting adjourned at 7:55 p.m.

Passed on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

ATTEST:

\_\_\_\_\_  
Billy Ray Jones, Mayor

\_\_\_\_\_  
Liz McDaniel, City Clerk