

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

The City Council of the City of Nashville met in regular session on Tuesday, February 22, 2011 at 6:00 p.m. in the City Hall Council Chambers.

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

Jimmy Dale led the Council in prayer.

Following the Pledge of Allegiance to the flag led by Mayor Jones, roll call of the Council Members was completed with 7 members answering as their names were called: Alderman Andy Anderson, Alderwoman Carol Mitchell, Alderman James Parker, Alderwoman Jimmie Kirkpatrick, Alderwoman Vivian Wright, Alderman Nick Davis, and Alderwoman Jackie Harwell. Alderman Matt Smith was not present at roll call but arrived later. Absent were Alderman Brown, Alderwoman Clark, Alderwoman Gathright, and Alderman Milum.

Other persons present at the meeting were, City Attorney George Steel, Police Chief Dale Pierce, City Clerk/Treasurer Elizabeth McDaniel, Public Works Director Larry Dunaway, Finance Director Jimmie Dale, Tony and Lisa Young, Freddy Horn, Parks Director Nikki Cherry, Code Enforcement Officer David Johnson, Jason Harrison, Leslie White, Louie Graves w/ Nashville Leader, Charles Goodin w/ Nashville News, and Jonathan Canady w/ Southwest Arkansas Radio.

Minutes of the January 25, 2011 City Council Meeting were reviewed. Mayor Jones ask if there was any discussion regarding the minutes and there was none. Motion was made by Alderwoman Mitchell to approve the minutes and it was seconded by Alderwoman Kirkpatrick. On roll call vote the minutes were approved with all yeas and no nays.

Financial Director Jimmy Dale gave the financial report with this synopsis included:

January 2011-Synopsis of activities January

January ended with a \$91,285.90 increase of revenues over expenses. This was due mainly to the payroll situation we experienced in December. Most of the 1st payroll of 2011 was expensed in 2010 resulting in all departments experiencing a reduction in those line items. This will even out over the next year. We collected \$43,526.29 in Franchise fees in January: a quarterly payment from AEP, an annual payment from Sudden Link, and a Quarterly payment from Arkla.

There were some extraordinary expenditures in January, many of which are common to the first of the year. They are as follows:

01-5-100-5200 Professional expense (City's portion of election expenses) \$3120.87

01-5-100-5215 Insurance & Legal Defense (Municipal League legal agreement, drug Testing and magazine subscription) \$9015.52

01-5-130-5652 Park Grant Capital Outlay (DCJ Construction-Soccer field project) \$15003.57

03-5-000-5404 R & M Trucks (Repair swap-loader) \$2963.44

07-5-200-5435 Computer expense (In code Yearly subscription-Water Depart.) \$5190.15

07-5-500-5518 ADEQ Permits (Annual permit fees) \$6870.00

All departments shared a 1/3 payment of property insurance. This will continue through March. The total paid each month is \$27,300.00.

Sales tax was up in December about 6% in both the County and City.

Mayor Jones then informed the Council that since all departments stopped spending at the end of the year, we are being hit with major expense at once in January. He stated that he has met with different department heads and is working on finding ways to spread out some of the expense.

Motion was made by Alderman Parker to approve the financials and seconded by Alderman Anderson. On roll call vote, financials passed with all yeas and no nays. (8-0)

OLD BUSINESS: Public Works Director Larry Dunaway then brought before the Council the issue of paving. He stated that he has been talking to some smaller paving companies about paving Sunnyside Road, an area behind Western Auto from Clark Street to where it comes out on Second Street, and an area on Lockesburg Street which is west of Forth Street. He said the total job will be about \$55,000 and the section behind Western Auto will be partially paid by Western Auto. Sunnyside and Lockesburg Streets will all be paid for by the City because they are platted streets.

Alderman Anderson ask why Western Auto was paying for part of the paving and Tyson's isn't. Dunaway said the reason is because Sunnyside is a City street and Western Auto uses the alley for 90% of their business and that's why they are willing to help pay for the paving. There was more discussion regarding work that has been done on the streets over the years. The Mayor stated that the money to pay for the project would have to come from the Franchise account.

Dunaway then discussed the options on the Sewer Plant project and cost estimates. He stated the system rehab needs to be done before the plant project.

He then discussed the Preliminary Engineering Report on raw water improvements regarding the Little Missouri River pumping system which brings water to the City. An alternative which everyone agreed upon would be to not add anything or change anything as far as the intake line and the wet well goes, but to install two bigger pumps that would pump 8 MGD each. This way, we would run one pump all the time and if it went down we could alternate but would never be without a pump for the water that we need.

Alderman Parker stated that it seems we need a new building to hold the pumps and Larry said the plans contain a new building including a new slab and retaining walls. He stated this plan would solve a 20 year old problem for the next 20 or 30 years. "It would give us the ability to pump as much water as the lines that we already have will carry." He stated that alternative #5 would be to add a booster pump that would pump water to Lake Louie Graves and keep it full. Options #2 and #5 would cost about \$1.2 million and would solve our problem for a long time. Option #5 is something we need to do before we upgrade the pump and if we have this ability we can keep the lake full right now.

Alderman Anderson asks how we propose to pay for this. Mayor Jones said he is meeting with Rural Development out of Magnolia on the 2nd of March and that he, Senator Pryor's office, Senator Bozeman's office, and Jeremy Stone will see if there is any grant money available to pay of this project.

Discussion went back to the paving issue. Alderman Anderson stated he didn't see any reason to wait and the Mayor agreed. Dunaway said he would get a package together with bids for the pavement project. Alderman Parker motioned to get 3 bids and it was seconded by Alderman Smith. On roll call vote the motion carried with all yeas and no nays.

NEW BUSINESS: Due to resignations by Deb Kinkade and Ricky Kesterson, the Park Commission appointed Jason Harrison and Leslie White to serve on the Park Commission. Mayor Jones then swore them in and welcomed them.

Next, Code Enforcement Officer David Johnson had a request from Planning and Zoning Commission to approve a permit by Jeff Turney for a Barber and Beauty Salon located at 1121 South Hutchinson Street. P & Z held a meeting on February 15, 2011 and voted unanimously to approve the request. After being presented to the City Council, motion to approve the permit was made by Alderwoman Harwell and seconded by Alderwoman Wright. On roll call vote, the permit was granted by the Council with all yeas and no nays.

Next on the agenda was Resolution No. 2011-02: **RESOLUTION NO. 2011-02 – A RESOLUTION AUTHORIZING ENTRY INTO THE SAFETY DEPOSIT BOX BY THE MAYOR AND CITY CLERK.**

Mayor Jones stated that we have no idea what is in the box. There was discussion about what could be in it. Alderman Anderson made a motion to pass the resolution and it was seconded by Alderman Parker. A roll call vote received all yeas and no nays.

Next was Resolution No. 2011-01: **A RESOLUTION REPEALING RESOLUTION NO. VII-2004 SETTING FORTH THE POLICIES ON THE USE OF THE CARTER DAY TRAINING CENTER AND THE LEGION HUT-**

Alderman Anderson said that he didn't like the fact that we let some people use Carter Day for \$10.00 and charge others \$150.00. He felt the organizations that get to use it for \$10 are making profits raising money and they should pay their "fair share" to rent the building. He stated it cost as much in utilities and wear and tear when they are there as when anyone else is there. Mayor Jones said the \$10 charge for certain organizations was something he thought had been agreed upon a while ago and Alderman Anderson said that it was. The Mayor then asks what they recommend. Alderman Davis said he agreed with Alderman Anderson and that "sooner or later we will get called on it and we should do what is fair and right tonight." A half day charge versus a full day charge was then discussed by several of the council members. Alderwoman Mitchell said she hates to see the civic clubs and non-profit organizations have to pay very much if any. Alderwoman Kirkpatrick said that she was with Andy, one hundred and fifty dollars to anyone who wants to rent it. Alderwoman Mitchell stated that she thinks it's good for us to allow civic groups to use it for fund raisers without having to charge them one hundred and fifty dollars. Alderman Anderson stated that the citizens who are paying taxes who want to use it....their tax money has already built the building and if they want to borrow it for a while they should be able to. The Mayor stated that both Carter Day and the Legion Hut are being rented almost every weekend and they are beginning to use the Legion Hut because of the cheaper price. Mayor Jones then recommended that someone make a motion to see if we want to charge the organizations the same price as everyone else. Alderman Smith recommended tabling it until next month. Alderwoman Mitchell then made a motion to accept Resolution 2011-01 as is.....Alderwoman Harwell seconded the motion. On roll call the vote was: Smith-no, Harwell-yes, Davis-yes, Wright-no, Kirkpatrick-no, Parker-yes, Mitchell-yes, Anderson-no. That made a 4-4 tie vote. Attorney Steel stated that on a resolution tie vote, the majority of those present was the rule. Mayor Jones then voted YES to break the tie, therefore passing the resolution.

Mayor Jones then spoke to the Council about work that he and Code Enforcement Officer had been doing regarding clean-up around the City. Alderman Milum made comment regarding burning and it was agreed upon that it isn't against the law to burn but we need to vote on whether to allow burning or not.

Mayor Jones told the Council that ADEQ had temporarily closed Tyson's because of the odor caused by high ammonia levels and that they are working on fixing the odor problem.

Alderman Parker made a motion to adjourn and it was seconded by Alderwoman Kirkpatrick. The meeting adjourned at 7:30 pm.

APPROVED: _____
MAYOR BILLY RAY JONES

ATTEST:

Liz McDaniel, City Clerk-Treasurer