

**MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL
OF THE TOWN OF HIGHFILL, BENTON COUNTY, ARKANSAS**

HELD ON TUESDAY, APRIL 14, 2009

The Town Council of the Town of Highfill, Benton County, Arkansas, met in regular session at the Highfill Community Building, Tuesday, April 14, 2009 at 6:30 p.m.

Mayor Chris Holland called the Town Council meeting to order.

Attendance Roll Call:

The following were present: Mayor Chris Holland, Recorder-Treasurer Stacy Digby, and Aldermen: Toby Lester, Richard Boles, and James "Butch" Wiand. Alderman Sandy Evans arrived late, during the Open Hearing. Alderman Keven Varner was absent. The city's attorney Steve Miller was present. See attendance sheet for others attending.

The minutes of the regular meeting of the Town Council dated March 12, 2009 were presented. The Mayor asked if there was any discussion. Alderman Toby Lester made a motion to waive the reading and accept the minutes for that meeting in their present form. Alderman James Wiand seconded the motion. Lester, Boles and Wiand voted yes. There were no votes in opposition. Motion carried.

Review of Department and Commission Reports

Written reports were submitted by the following persons for the following departments and commissions, and copies of each are attached:

<u>Department / Commission</u>	<u>Report Submitted By</u>
Street and Maintenance Department Report	Kently Insko
Fire Department Report	Chief Jeremy Jackson
Police Department Report	Chief Jack Sanders
Parks Commission Report	NONE SUBMITTED
Water & Wastewater Report	Frank Holzkamper
Building Inspection /Code Enforcement Report	Rob Holland

Kently Insko told the council he had used the new tractor a couple hours and it was all working well. The Arkansas State Highway Department was also dumping limbs on the storm debris dump site. FEMA was going to inspect it soon and then he could burn it. There was also a brief discussion regarding the community service workers.

Open Hearing

The Mayor opened the floor to the public. La Joyce Vann told the Mayor about a newspaper article she read about recycling. It was her understanding the county was going to pay for recycling trailers to be set up in certain towns. The Mayor said he would look into it. There was some discussion, and it was noted that this matter had been looked into in the past, but the Town's current trash pick up service was not interested in providing one because it was too expensive. The Mayor then declared the open hearing closed.

Old Business

None.

New Business

The first item of new business was a presentation by Engineering Services, Inc. Jerry Martin was present on behalf of Engineering Services, Inc. Jerry had been heavily involved in the engineering plans for the Highfill Wastewater System. Those plans had been submitted to the ACEC, who presents various awards to engineering firms in different categories for different projects, and Engineering Services, Inc. won first place for the design of the Highfill Wastewater

System and received an award. The award was also given to the Town of Highfill. Jerry Martin presented Mayor Holland with a plaque for the Highfill Wastewater Plant. The plant had received an Engineering Excellence award in the municipal category. He also told the council that the Arkansas Rural Water Agency was looking to copy the plants design for use in other small towns in Arkansas.

The next item of new business was an Ordinance accepting the annexation of certain lands owned by Adam Folger. A motion was made by Alderman Toby Lester to suspend and dispense with the rule requiring the reading of an ordinance, in full, on three different days and read said Ordinance by title only, and the motion was seconded by Alderman James Wiand. Lester, Boles and Wiand voted in favor of the motion. Evans voted no. The Mayor cast the fourth vote in favor of suspending the rule. The motion carried. The Mayor declared that at least two-thirds of the members of the council voted in favor of the motion and an ordinance entitled:

“AN ORDINANCE ACCEPTING THE ANNEXATION INTO THE TOWN OF HIGHFILL, ARKANSAS, OF CERTAIN LANDS OWNED BY ADAM FOLGER, CONTIGUOUS TO AND ADJOINING THE TOWN, AND MAKING SAME A PART OF THE TOWN OF HIGHFILL, BENTON COUNTY, ARKANSAS.”

was read by title only.

Next, a motion was made by Alderman Toby Lester to adopt said ordinance and the motion was seconded by Alderman James Wiand. Lester, Boles, Wiand and Evans voted yes. There were no votes in opposition. The motion carried. The Mayor then declared the Ordinance adopted and signed the Ordinance, which was later attested by the Town Recorder and sealed with the seal of the Town. The Ordinance was given No. 2009-06.

The next item was an Ordinance authorizing the purchase of road maintenance equipment and authorizing the Mayor to execute a Municipal Lease-Purchase Agreement in connection therewith. A motion was made by Alderman Toby Lester to suspend and dispense with the rule requiring the reading of an ordinance, in full, on three different days and read said Ordinance by title only, and the motion was seconded by Alderman Richard Boles. Lester, Boles, and Evans voted in favor of the motion. Wiand voted no. The Mayor cast the fourth vote in favor of suspending the rule. The Mayor declared that at least two-thirds of the members of the council voted in favor of the motion and an ordinance entitled:

“AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN ROAD MAINTENANCE EQUIPMENT AND THE EXECUTION OF A MUNICIPAL LEASE-PURCHASE AGREEMENT AND OTHER DOCUMENTS RELATING THERETO NECESSARY PURSUANT TO AMENDMENT NO. 78 OF THE ARKANSAS CONSTITUTION AND CERTAIN DOCUMENTS RELATED THERETO.”

Next, a motion was made by Alderman Toby Lester to adopt said ordinance and the motion was seconded by Alderman Richard Boles. Lester and Boles voted yes. Wiand and Evans voted no. The Mayor cast the third vote to pass and approve the Ordinance. Motion carried. The Mayor then declared the Ordinance adopted and signed the Ordinance, which was later attested by the Town Recorder and sealed with the seal of the Town. The Ordinance was given No. 2009-07.

The next item was a Resolution setting a public hearing date for the Application for Abandonment of a portion of Augusta Street and two alleys. Alderman Wiand asked what the process was for closing additional streets. Steve Miller said there was a statute that allowed an interested land owner to apply directly to the council to abandon a street that was platted, but not built. A motion to approve the Resolution was made by Alderman James Wiand and seconded by Alderman Toby Lester. Lester, Boles, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed. The Resolution was given No. 04-2009.

The next item of new business was a Resolution authorizing the Mayor to transfer excess sales tax revenue from the Water Improvement Fund to the General Fund. A motion to approve the Resolution was made by Alderman Toby Lester and seconded by Alderman Richard Boles. Lester, Boles, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed. The Resolution was given No. 05-2009.

Financial Report

The Financial Report for the month of March 2009 was presented for review (see attached). There was a brief discussion, during which Alderman Sandy Evans asked why the allocation of utilities was being made entirely to the water and sewer department, and none to the street and maintenance department for the shared maintenance building. After a brief discussion, the Mayor noted that this item would be corrected with the utilities being split between the departments. A motion was then made by Alderman Toby Lester to approve the Financial Report. The motion was seconded by Alderman James Wiand. Lester, Boles, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed.

Mayor's Report

Mayor Chris Holland gave the following report:

- a) The Mayor asked the members of the council to give some thought to the current trash service being provided to the Town and to decide what they might like to do in the future, or offer some ideas or input on how to handle trash service in Highfill in the future.
- b) The Mayor noted that they were having trouble with some landowners regarding maintenance of their property, and wanted to know if the Town had a mechanism for enforcing proper maintenance of property within the Town, including the Town's ability to perform the work necessary if the landowner refuses or is unable to do so, and then charge the landowner for said services and possibly place a lien against the property for those amounts if not paid. The city's attorney noted that the Town does have such an Ordinance in place. The city's attorney was asked to review, and update if necessary, this Ordinance so that it could be better utilized in the future.
- c) The Mayor noted that at the March 12, 2009 council meeting, the council had enacted an Ordinance to waive the bidding requirements to allow the Town to enter into a contract with 4 State Asphalt & Sealing, LLC, to chip-n-seal portions of Malone, Digby and Peterson Roads. The Mayor noted that he had met with another possible provider of such services, Hutchens Construction, who was going to submit a bid for these projects. The Mayor was concerned that this might be a lower bid, and therefore had decided to not enter into the agreements with 4 State Asphalt & Sealing, LLC at this time, in order to review the possibility of those services being provided by Hutchens Construction.

Discussion

Jeanetta Evans noted that the tables had been received and the Senior Center would be opening soon. She also noted that the Farmers Market would be opening April 25th and would be located next to the Village Market. She also said the Hay Daze Committee/ Chamber of Commerce would be meeting every third Thursday each month.

Adjournment

There being no further business to come before the Council, a motion to adjourn was made by Alderman Toby Lester and seconded by Alderman Richard Boles. All voted in favor. Motion carried. Meeting adjourned.

APPROVED:

ATTEST:

Chris Holland, Mayor

Stacy Digby, Town Recorder

(SEAL)