

**MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL
OF THE TOWN OF HIGHFILL, BENTON COUNTY, ARKANSAS
HELD ON TUESDAY, DECEMBER 15, 2009**

The Town Council of the Town of Highfill, Benton County, Arkansas, met in regular session at the Highfill Community Building, Tuesday, December 15, 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, Keven Varner, James "Butch" Wiand, and Sandy Evans. The city's attorney Steve Miller was also present. See attendance sheet for others attending.

The minutes of the regular meeting of the Town Council dated November 10, 2009 were presented. The Mayor asked if there was any discussion. Alderman Richard Boles made a motion to waive the reading and accept the minutes for that meeting in their present form. Alderman Toby Lester seconded the motion. Lester, Boles, Varner and Evans voted yes. Wiand abstained. 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

Fire Chief Jeremy Jackson addressed the Council and presented an addition to his report. He provided them with a worksheet showing that the 2009 actual expenditures for the Fire Department were approximately \$16,506.07 lower than what was budgeted. He noted that the Hurst Pump for the Fire Department could not be repaired and needed to be replaced, and he submitted cost estimates for the purchase of a new Hurst Pump at \$5,471.80, and for a used Hurst Pump at \$1,675.00. This was discussed by the Council. It was noted that there were still sufficient funds in the Fire Department Budget to make the needed purchase. The Council agreed and advised Chief Jackson to purchase the new Hurst Pump for \$5,471.80. He then told the council that the grant he applied for would be for \$48,900 for 22 sets of turnout gear. He also told the council that there was a good turnout for the 30 year Anniversary Dinner for the fire department.

Open Hearing

The Mayor opened the floor to the public. There was no discussion from the public. The Mayor declared the hearing closed.

Old Business

The only item of old business was an Ordinance penalizing criminal trespass into the Town's municipal parks, prescribing penalties for violations, and other matters. A motion was made by Alderman Toby Lester to place the Ordinance on its third and final reading, suspending the rules and reading the Ordinance by title only. The motion was seconded by Alderman Richard Boles. Lester, Boles, Varner, Wiand and Evans voted in favor of the motion. There were no votes in opposition. The Mayor noted that the motion was passed by two-thirds of the members of the council, and an ordinance entitled:

**“AN ORDINANCE PENALIZING CRIMINAL TRESPASS IN THE TOWN'S
MUNICIPAL PARKS; PRESCRIBING PENALTIES FOR VIOLATION
THEREOF; AND OTHER MATTERS PERTAINING THERETO.”**

was then read for the third and final time by title only.

Next, a motion was made by Alderman Keven Varner to adopt said ordinance and the motion was seconded by Alderman James Wiand. Lester, Boles, Varner, Wiand and Evans voted in favor of the motion. There were no votes in opposition. The motion carried. The Mayor then noted that the Ordinance contained an emergency clause. A motion was made by Alderman James Wiand and seconded by Alderman Keven Varner to approve the emergency clause of the Ordinance. Lester, Boles, Varner, Wiand and Evans voted yes and there were no votes in opposition. 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. 2009-20.

New Business

Before beginning discussion of the new business, the Mayor requested that the council amend the agenda to move item number 1), an Ordinance Providing for and Adopting a Budget for the Town for 2010, to be the last item discussed under new business. A motion was made by Alderman James Wiand to amend the agenda and move the Ordinance for the 2010 Budget to be the last item under new business. The motion was seconded by Alderman Richard Boles. Lester, Boles, Varner, Wiand and Evans voted yes. There were no votes in opposition. The motion carried.

The first item of new business was an Ordinance Fixing Rates for Services Rendered by the Water System of the Town of Highfill, Repealing Ordinance No. 2004-15, as amended, and other matters relating thereto. A motion was made by Alderman Richard Boles 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 Toby Lester. Lester, Boles, and Wiand voted in favor of the motion. Varner and Evans voted no. The Mayor noted that the motion failed because it did not have the support of at least two-thirds of the members of the council. A motion was then made by Alderman Keven Varner to place the Ordinance on its first reading, suspending the rules and reading the Ordinance by title only. The motion was seconded by Alderman Richard Boles. Lester, Boles, Varner, Wiand and Evans voted yes. There were no votes in opposition. The Mayor declared that at least two-thirds of the members of the council voted in favor of placing the Ordinance on its first reading, suspending the rules and reading the Ordinance by title only, and an ordinance entitled:

**“AN ORDINANCE FIXING RATES FOR SERVICES RENDERED BY THE WATER SYSTEM OF
THE TOWN OF HIGHFILL, ARKANSAS; REPEALING ORDINANCE NO. 2004-15, AS
AMENDED BY ORDINANCES NOS. 2004-29, 2007-21, 2008-09 AND 2009-14 OF THE TOWN
OF HIGHFILL, ARKANSAS; AND PRESCRIBING OTHER MATTERS RELATING THERETO.”**

was then read for the first time by title only.

The next item on the agenda was a Resolution re-appointing Dwayne Evans to fill Position 5 of the Highfill Planning Commission and Board of Adjustments. A motion to approve the Resolution was made by Alderman James Wiand and seconded by Alderman Keven Varner. Lester, Boles, Varner, Wiand and Evans voted in favor of the motion. There were no votes in opposition. Motion passed. The Resolution was given No. 25-2009.

The next item on the agenda was a Resolution adopting and setting the meeting schedule for the regularly scheduled monthly meetings of the Highfill Town Council for the 2010 calendar year. A motion to approve the Resolution was made by Alderman Keven Varner and seconded by Alderman Richard Boles. Lester, Boles, Varner, Wiand and Evans voted in favor of the motion. There were no votes in opposition. Motion passed. The Resolution was given No. 26-2009.

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 Keven Varner. Lester, Boles, Varner, Wiand and Evans voted in favor of the motion. There were no votes in opposition. Motion passed. The Resolution was given No. 27-2009.

The final item of new business was the Ordinance Providing for and Adopting a Budget for the Town for 2010.

Alderman Boles asked how the Town would make the payment due on sewer bonds next December. Mayor Holland told the council that money could be pulled from other department budgets and savings accounts if revenues for the year are short. He added that he was conservative on projected city revenue. Alderman Evans questioned how the Mayor was conservative. The Mayor said he was projecting less than what had been received in 2009. Alderman Evans then suggested that the city employees should start paying 1/3 of their health insurance. Alderman Boles was in favor of waiting to see how premiums changed this year before making changes in the benefits. Alderman Boles then asked about the new city offices. He asked how it was being paid for. The Mayor said it was coming out of the Cash Management account. He added that bid packages were out and bids would be back next month. Alderman Varner asked questions on the attorney costs. He discussed rates and the city attorney's contract. Alderman Boles asked about the Benton County District Court cost, utilities and cell phone costs.

The Mayor and the Council then proceeded to review the Budget by department, making adjustments for each department. During the discussion, the following revisions were made to the Budget:

Administration Budget: This budget was revised to leave the current salaries for the Mayor, Recorder-Treasurer, Administrative Assistant and all other personnel at the 2009 levels. The ones reflected in the Budget reviewed included 5% raises.

Street Department Budget: The road maintenance amount was lowered from \$60,000.00 to \$10,000.00. The road grading was increased from \$5,000.00 to \$15,000.00. The street signs were reduced from \$2,000.00 to \$500.00. The fuel was reduced from \$15,000.00 to \$10,000.00. The vehicle and equipment maintenance was reduced from \$10,000.00 to \$5,000.00. This reduced the total disbursements to \$93,959.50. Alderman Varner asked Rob Holland to get the council a list of street lights. They wanted to review them and possibly eliminate a few.

Parks Commission Budget: Improvements for the parks was lowered from \$4,500.00 to \$2,000.00, and miscellaneous maintenance was lowered from \$1,500.00 to \$500.00. This lowered the total disbursement to \$6,500.00.

Water/Wastewater Department Budget: No changes.

Police Department Budget: Fuel expense was lowered from \$15,000.00 to \$13,500.00. This lowered the total disbursements from \$180,028.00 to \$178,028.00. Chief Sanders said he reduced his budget by reducing his software and computer costs. Aldermen Varner and Wiand wanted to see the drug dog in action. Alderman Wiand asked if the K-9 expenses were for 2 dogs or 1 dog. Chief Sanders said his dog was retired, so the cost was for one dog. Chief Sanders also said the Durango would be parked at the police station when not in use, after the new car arrived.

Fire Department Budget: The total equipment budget was lowered from \$9,280.00 to \$1,000.00. This lowered the total budget to \$173,278.08. The council questioned what was in fuel and utilities. They then asked that Rob Holland's expenses be kept separate. Chief Jackson told the council to keep in mind he needed 23 radios that cost \$1,000.00 each by the end of 2013 to stay compliant with federal regulations. They also discussed equipment and training. Alderman Boles asked about the savings account. Chief Jackson told the council that the savings account was planned for a future purchase of a fire truck. It was also decided to separate volunteer reimbursements and LOPFI expenses on the budget.

The Mayor noted there were additional matters to discuss with regard to a personnel evaluation and possible hire, and he then noted that if the Council wished to close the meeting and move into executive session to discuss this matter he would entertain a motion to do so. This motion was made by Alderman Richard Boles and seconded by Alderman James Wiand. Lester, Boles, Varner, Wiand and Evans voted yes. There were no votes in opposition. The motion carried and the council moved into executive session. Following the executive session, the Mayor announced that no action would be taken at this time regarding the hiring of additional personnel. The Mayor noted that he would investigate further the addition of a part time employee to assist Jeanetta Evans, the Administrative Assistant, in various areas of her job.

Next, the council agreed to revise each department's budget to keep all salary levels at the 2009 amounts, without any increases at this time. It was decided that any raises would be discussed for the January council meeting. A motion was then 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, Varner and Wiand voted yes. Evans voted no. 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 PROVIDING FOR AND ADOPTING A BUDGET FOR THE TOWN OF HIGHFILL, ARKANSAS, FOR THE TWELVE (12) MONTHS BEGINNING JANUARY 1, 2010, AND ENDING DECEMBER 31, 2010; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY TO EXIST; AND FOR OTHER PURPOSES.”

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 Richard Boles. Lester, Boles, Varner and Wiand voted in favor. Evans abstained. The motion carried. The Mayor then noted that the Ordinance contained an emergency clause. A motion was made by Alderman Toby Lester and seconded by Alderman Richard Boles to approve the emergency clause of the Ordinance. Lester, Boles, Varner, Wiand and Evans voted yes and there were no votes in opposition. 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. 2009-21.

Financial Report

Alderman Toby Lester had to leave the meeting at this time. The Financial Report for the month of November 2009 was presented for review (see attached). A motion was made by Alderman Richard Boles to approve the Financial Report. The motion was seconded by Alderman Keven Varner. Boles, Varner, Wiand and Evans voted in favor of the motion. There were no votes in opposition. Motion passed.

Mayor's Report

The Mayor had no additional information to report to the council at this time.

Discussion

There was no discussion.

Adjournment

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

APPROVED:

ATTEST:

Chris Holland, Mayor

Stacy Digby, Town Recorder

(SEAL)