

MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL

OF THE TOWN OF HIGHFILL, BENTON COUNTY, ARKANSAS

HELD ON TUESDAY, JUNE 16, 2009

The Town Council of the Town of Highfill, Benton County, Arkansas, met in regular session at the Highfill Community Building, Tuesday, June 16, 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 and James "Butch" Wiand. Alderman Sandy Evans arrived late, during the review of the Department and Commission Reports. 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 May 14, 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 Richard Boles seconded the motion. Lester, Boles, Varner 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

Mayor Holland reviewed road projects and told the council he planned to put a hold on any road equipment purchases at this time.

The fire department was looking at bidding on a truck that Bentonville was going to accept bids on. The Mayor told the council that Chief Jackson recommended bidding no more than \$50,000.

Sandy Evans reported that she was waiting on bids for the park pavilion and stage in order to complete the project. There was no further discussion regarding the various reports.

Open Hearing

The Mayor opened the floor to the public. Alderman Boles asked if the county cutbacks would affect the city. The Mayor said it should not affect the city, but we would be making some changes to the midyear budget. There was no public comment. The Mayor then declared the open hearing closed.

Old Business

The first item of business was an Ordinance for abandonment of a portion of Augusta Street and two platted alleys in Block 7 of the Railroad Addition to the Town of Highfill, Benton County, Arkansas, owned by the Town of Highfill. 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 Keven Varner. Lester, Boles, Varner, Wiand and Evans voted in favor of the motion. There were no votes in opposition. 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 ABANDONING (A) THE 20 FOOT WIDE PLATTED ALLEY RUNNING EAST AND WEST ACROSS BLOCK 7 LOCATED SOUTH OF LOTS 7 AND 17 AND NORTH OF LOTS 8, 14, 15 AND 16; (B) THE 20 FOOT WIDE PLATTED ALLEY RUNNING NORTH AND SOUTH ACROSS BLOCK 7 LOCATED WEST OF LOTS 1 THROUGH 13 AND EAST OF LOTS 14 AND 17 THROUGH 20; AND (C) THE PORTION OF AUGUSTA STREET RUNNING NORTH AND SOUTH BETWEEN BLOCK 7 AND BLOCK 8; ALL SHOWN ON THE PLAT OF THE RAILROAD ADDITION TO THE CITY OF HIGHFILL, BENTON COUNTY, ARKANSAS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; 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, Wiand and Evans voted in favor of the motion. 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. 2009-08.

The Mayor opened the floor for a public hearing on the Application submitted by Grant and Donna Coonrod to abandon the platted alleys in Block 14 and Block 15 and close a portion of the South Fourth Street, South Third Street and Augusta Street right of ways, all shown on the Plat of Highfill, Benton County, Arkansas. Administrative assistant Jeanetta Evans noted that she received a few calls on the matter, but no objections to these requests. There was no comment from the public. The Mayor then declared the public hearing closed.

New Business

The first item of new business was an Ordinance for abandonment of the platted alleys in Block 14 and Block 15 and portions of the South Fourth Street, South Third Street and Augusta Street right of ways, all shown on the Plat of the Highfill, Benton County, Arkansas, owned by the Grant and Donna Coonrod. A motion was made by Alderman Keven Varner 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 in favor of the motion. 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 ABANDONING: (A) THE 20 FOOT WIDE PLATTED ALLEY RUNNING NORTH AND SOUTH ACROSS BLOCK 14 LOCATED WEST OF LOTS 1 THROUGH 14 AND EAST OF LOTS 15 THROUGH 21; (B) THE 20 FOOT WIDE PLATTED ALLEY RUNNING NORTH AND SOUTH ACROSS BLOCK 15 LOCATED WEST OF LOTS 1 THROUGH 7 AND EAST OF LOTS 8 THROUGH 14; (C) THE PORTION OF SOUTH FOURTH STREET LOCATED SOUTH OF BLOCKS 14 AND 15, AND RUNNING EAST AND WEST BEGINNING AT SOUTH MAIN STREET AND ENDING AT THE WEST END OF THE PLAT OF HIGHFILL; (D) THE PORTION OF SOUTH THIRD STREET LOCATED NORTH OF BLOCKS 14 AND 15, AND RUNNING EAST AND WEST BEGINNING AT SOUTH MAIN STREET AND ENDING AT THE

WEST END OF THE PLAT OF HIGHFILL; AND (E) THE PORTION OF AUGUSTA STREET LOCATED BETWEEN BLOCKS 14 AND 15, AND RUNNING NORTH AND SOUTH BEGINNING AT SOUTH THIRD STREET AND ENDING AT SOUTH FOURTH STREET; ALL SHOWN ON THE PLAT OF HIGHFILL, BENTON COUNTY, ARKANSAS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.”

was read by title only.

Next, a motion was made by Alderman Richard Boles to adopt said ordinance and the motion was seconded by Alderman Keven Varner. Lester, Boles, Varner, Wiand and Evans voted in favor of the motion. 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. 2009-09.

The next item on the agenda was an Ordinance to amend Ordinance No. 2008-19 that provided for, approved, and adopted the year 2009 Budget for the Town of Highfill. The Mayor told the council that the budget included a raise for the water department manager. He recommended not adopting the budget with the raise in pay included. He cited the current economy, not job performance, as a reason for his recommendation. Alderman Evans spoke in favor of the raise at this time. Alderman Boles asked for some clarification on why the water budget ran at a separate time of year versus the city budget. He also spoke in favor of the raise and said it should be based on job performance.

After some discussion, 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 Sandy Evans. Boles, Varner, Wiand and Evans voted in favor of the motion. Lester 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 TO AMEND ORDINANCE NO. 2008-19 THAT PROVIDED FOR, APPROVED AND ADOPTED A BUDGET FOR THE TOWN OF HIGHFILL, ARKANSAS, FOR THE TWELVE (12) MONTHS BEGINNING JANUARY 1, 2009 AND ENDING DECEMBER 31, 2009.”

was read by title only.

A motion was then made by Alderman James Wiand to adopt said ordinance and the motion was seconded by Alderman Sandy Evans. Lester, Boles, Varner, 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. 2009-10.

The next item was an Ordinance to establish an “Identity Theft Prevention Program”. A motion was made by Alderman Keven Varner 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, Varner and Wiand voted in favor of the motion. 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 TO ESTABLISH AN “IDENTITY THEFT PREVENTION PROGRAM” IN COMPLIANCE WITH FEDERAL REGULATIONS; TO COMPLY WITH FEDERAL REGULATIONS RELATING TO ADDRESS DISCREPANCIES; TO COMPLY WITH FEDERAL REGULATIONS RELATING TO RED FLAGS AND IDENTITY THEFT; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN ADOPTION DATE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES ALLOWED BY LAW.”

was read by title only.

A motion was then 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 yes. 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 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. 2009-11.

The next item was an Ordinance to establish maximum speed limits on Peterson Road and Digby Road within the corporate limits of the Town of Highfill. There was a brief discussion among the council as to what the speed limit should be set at. A motion to table the Ordinance was made by Alderman Richard Boles, and the motion was seconded by Alderman Keven Varner. Lester, Boles, Varner, Wiand and Evans voted in favor of the motion. There were no votes in opposition. The motion carried and the Ordinance was tabled for discussion at the July council meeting.

The next item was Resolution to fill Position 1 of the Parks Commission, appointing Tina Digby to that position. A motion to approve the Resolution was made by Alderman Keven Varner and seconded by Alderman Sandy Evans. Lester, Boles, Varner, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed. The Resolution was given No. 08-2009.

The next item was a Resolution setting a public hearing date on the Application for Abandonment of five alleys and a portion of the South Second Street and Augusta Street right of ways located on the property owned by Matthew and Christina White. A motion to approve the Resolution was made by Alderman Toby Lester and seconded by Alderman Richard Boles. Lester, Boles, Varner, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed. The Resolution was given No. 09-2009.

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 Keven Varner and seconded by Alderman Richard Boles. Lester, Boles, Varner, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed. The Resolution was given No. 10-2009.

Financial Report

The Financial Report for the month of May 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 Toby Lester. Lester, Boles, Varner, 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 noted that he had received a letter from Melvin Coffelt, Chairman of the Centerton Water and Sewer Commission. Centerton was proposing the purchase of a dead-end portion of one of Highfill's existing water lines that was now located within the city limits of Centerton, with Centerton assuming all operations and maintenance of that portion of the existing system. Centerton was offering to pay \$103,490.08, which is the amount paid to Gray Construction, Inc. for the original construction costs of that portion of the line. Frank Holzkamper noted that this portion of the line was a dead-end that was not looped with Highfill's other lines, and served only about 25 customers, and that the revenue generated from those customers was about equal to the costs incurred to maintain that portion of the line. Frank and the Mayor were both in favor of the sale, and the consensus of the council was to have Frank pursue the sale with Centerton.
- b) There was a discussion of the new Town Hall building. The Mayor passed out a revised Master Concept Plan for the project, as well as architectural drawings for the building. This was discussed by the council. The council reviewed and was in favor of the plans submitted by the Mayor.

Discussion

Administrative Assistant Jeanetta Evans noted that there would be a meeting regarding the Highfill Hay Daze on Thursday, June 18, 2009. Alderman Sandy Evans noted the right of way next to the park, along Matthew White's property, needed to be mowed.

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)