

**MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL
OF THE TOWN OF HIGHFILL, BENTON COUNTY, ARKANSAS
HELD ON TUESDAY, OCTOBER 13, 2009**

The Town Council of the Town of Highfill, Benton County, Arkansas, met in regular session at the Highfill Community Building, Tuesday, October 13, 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, James "Butch" Wiand, and Sandy Evans. Aldermen Richard Boles and Keven Varner were 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 September 10, 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, Wiand and Evans 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	NONE SUBMITTED
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

Chief Sanders told the council that officer Blake Webb had received a commendation for a traffic stop he made.

Frank Holzkamper told the council that the auditors had finished their report. He said they made a couple notations. 1) The department should have an outside consulting firm set rates. 2) Need to modify the process of water bill payments to involve 1 more person.

Sandy Evans told the council that the wood for the park stage pavilion had arrived.

Open Hearing

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

Old Business

There were no items of old business to be discussed.

New Business

The first item of new 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 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 and Wiand voted in favor of the motion.

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 Sandy Evans to place the Ordinance on its first reading, suspending the rules and reading the Ordinance by title only. The motion was seconded by Alderman Toby Lester. Lester, Wiand and Evans voted yes. The Mayor cast the fourth vote 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 PENALIZING CRIMINAL TRESPASS IN THE TOWN’S
MUNICIPAL PARKS; PRESCRIBING PENALTIES FOR VIOLATION
THEREOF; AND OTHER MATTERS PERTAINING THERETO.”**

was then read for the first time by title only.

The next item on the Agenda was a Resolution authorizing the Mayor to apply for a GIF Funded Community Enhancement Grant in the amount of \$125,000.00 on behalf of the Town. The grant would be used to purchase storm sirens and the city would provide required matching in the form of donated land and man hours. A motion to approve the Resolution was made by Alderman Toby Lester and seconded by Alderman James Wiand. Lester, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed. The Resolution was given No. 18-2009.

The next item on the Agenda was a Resolution accepting the resignation of Blake Webb and appointing James Wiand to fill Position 4 of the Highfill Planning Commission and Board of Adjustment. The council considered the appointment of James Wiand to this position. A motion to approve the Resolution was made by Alderman Toby Lester and seconded by Alderman Sandy Evans. Lester and Evans voted in favor. Wiand abstained. The Mayor cast the third vote to approve the Resolution. There were no votes in opposition. Motion passed. The Resolution was given No. 19-2009.

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 James Wiand. Lester, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed. The Resolution was given No. 20-2009.

Financial Report

The Financial Report for the month of September 2009 was presented for review (see attached). A motion was made by Alderman Toby Lester to approve the Financial Report. The motion was seconded by Alderman James Wiand. Lester, 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 updated the council on the status of the new Town Hall project. He indicated that they were waiting on the final plans being revised by the architect. The revised plans have not yet been completed, however, the dirt work for the site has commenced. Kently is working on the pad for the new Town Hall. He will have to rent a roller to finish this work.
- b) The Mayor discussed the efforts that he and Rob and Chief Sanders had been using to clarify receipt of sales tax funds. The Mayor noted that since the change in the law, sales tax revenue is supposed to go to the Town where the products or services are delivered, and with the construction of the Children’s Center and some other projects in Highfill, they were trying to make sure that the sales tax that is being paid for those items is going to Highfill. They had discovered several instances where that had not happened, and they have been working to correct that problem. He is still working with franchises such as satellite television and telephone companies to get those taxes correct.

Discussion

There was no discussion.

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 James Wiand. All voted in favor. Motion carried. Meeting adjourned.

APPROVED:

ATTEST:

Chris Holland, Mayor

Stacy Digby, Town Recorder

(SEAL)