

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

HELD ON THURSDAY, SEPTEMBER 10, 2009

The Town Council of the Town of Highfill, Benton County, Arkansas, met in regular session at the Highfill Community Building, Thursday, September 10, 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 open hearing. 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 August 11, 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

Alderman Lester said the road work looked good. Mayor Holland told the council that the Benton County Road Department had finished their work on Digby and Peterson Roads. The chip & seal had been delayed by the rain.

Open Hearing

The Mayor opened the floor to the public. There was no comment from the public. The Mayor took the opportunity to discuss the Town Hall project. He introduced Gary Knuth with Henry Architecture, who was overseeing the project. Mr. Knuth then presented and discussed the plans for the Town Hall project. The plans had changed a little since they were discussed last. The square footage had increased from 2500 to 3600 sq. ft. This maximized the space and reduced the cost per square foot. There was also a discussion regarding the projected costs for the project. The Mayor noted that the council had previously appropriated the sum of \$50,000.00 from the Cash Management Fund toward this project. The Mayor then requested an additional appropriation of \$250,000.00 from the Cash Management Fund for the completion of the Town Hall project. The appropriation of this amount would allow the Town to proceed with bidding the project, and once the bids were in those would then be reviewed, and if they were above the budgeted amount there would be discussions with the lowest responsible bidder regarding ways to trim the project down to fit within the budget, and if that was unsuccessful then the Mayor would present the bids back to the council for further review and consideration. Alderman Boles asked the Mayor to explain the Cash Management account. The Mayor explained it was a savings account for the city. Alderman Varner asked if sprinklers were needed. Mr. Knuth explained that they were not needed, mainly due to a firewall at the center of the structure. After some discussion, the Mayor said they would look at the cost of sprinklers and see if they would fit the bid amount. Alderman Boles was concerned about taking the Cash Management account too low, but did feel that the building would enhance the city.

Aldermen Evans and Varner were concerned with taking the Cash Management account too low, and asked how the Mayor would replenish it. The Mayor said it would be replenished anytime extra money was available. A motion was made by Alderman Richard Boles to allocate the sum of \$250,000.00 from the Town's Cash Management Fund toward the Town Hall project. The motion was seconded by Alderman Keven Varner. Lester, Boles, Varner and Wiand voted yes. Evans voted no. The motion passed. There being no further discussion, the Mayor then 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 to amend Ordinance No. 2007-27, setting the speed limits on the streets, roads and alleys of the Town. 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 AMEND ORDINANCE NO. 2007-27 THAT ESTABLISHED CONTROLLED AND MAXIMUM SPEED LIMITS ON THE STREETS, ROADS AND ALLEYS OF THE TOWN OF HIGHFILL, PROVIDED PENALTIES FOR THE VIOLATIONS THEREOF; AND OTHER MATTERS PERTAINING THERETO.”

was read 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 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. 2009-16.

The next item on the agenda was an Ordinance to establish a maximum speed limit on Gailey Hollow Road within the corporate limits of the Town. 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 ESTABLISHING A MAXIMUM SPEED LIMIT ON GAILEY HOLLOW ROAD WITHIN THE CORPORATE LIMITS OF THE TOWN OF HIGHFILL; PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF; AND OTHER MATTERS PERTAINING THERETO.”

was read by title only.

Next, a motion was made by Alderman James Wiand 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 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. 2009-17.

The next item on the agenda was an Ordinance authorizing the rate of tax on the real and personal property located within the Town for the year 2009 to be collected in 2010. 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 AUTHORIZING THE RATE OF TAX ON THE REAL AND PERSONAL PROPERTY LOCATED WITHIN THE TOWN OF HIGHFILL, ARKANSAS FOR THE YEAR 2009 TO BE COLLECTED IN 2010.”

was read by title only.

Next, a motion was made by Alderman Keven Varner 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. 2009-18.

The next item was a Resolution appointing a person to fill Position 1 of the Highfill Water Committee. The council considered the re-appointment of Sandy Evans to this position. A motion to approve the Resolution was made by Alderman Toby Lester and seconded by Alderman Keven Varner. Lester, Boles, Varner and Wiand voted in favor. Evans abstained. There were no votes in opposition. Motion passed. The Resolution was given No. 15-2009.

The next item was a Resolution appointing a person to fill Position 1 of the Highfill Sewer Committee. The council considered the re-appointment of Sandy Evans to this position. A motion to approve the Resolution was made by Alderman James Wiand and seconded by Alderman Richard Boles. Lester, Boles, Varner and Wiand voted in favor. Evans abstained. There were no votes in opposition. Motion passed. The Resolution was given No. 16-2009.

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 Richard Boles and seconded by Alderman Toby Lester. Lester, Boles, Varner, Wiand and Evans voted in favor. There were no votes in opposition. Motion passed. The Resolution was given No. 17-2009.

Financial Report

The Financial Report for the month of August 2009 was presented for review (see attached). A motion was made by Alderman Keven Varner 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:

During the Mayor's Report, there was a discussion regarding the existing mobile and manufactured home ordinance and the Highfill Zoning Code, and the council agreed that work was needed to amend the Zoning Code to incorporate the applicable provisions of the ordinance into it, and update the Zoning Code at the same time to address the issues regarding individual mobile homes being placed on property, as well as the development of mobile home parks. He told the council that he wanted to pass an ordinance that would change the size of the lot needed for a manufactured home. He still wanted to revise the original ordinance, but wanted something in place until that could be accomplished. He introduced the council to a couple that was trying to purchase a lot and could not put a manufactured home on it due to the ordinance. He felt the intent of the original ordinance was to restrict where mobile home parks were placed. In connection with that, the council agreed to go ahead and amend the existing ordinance, in the interim, to lower the minimum area requirements for the land where an individual mobile home or manufactured home could be located, from 2 acres to 1 ½ acres. The council then considered an ordinance amending Section 6(f) of Ordinance No. 2007-16 which established the requirements for the placement, registration and regulation of mobile homes and manufactured homes within the Town.

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 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 AMENDING SECTION 6(f) OF ORDINANCE NO. 2007-16 ESTABLISHING REQUIREMENTS FOR THE PLACEMENT, REGISTRATION AND REGULATION OF MOBILE HOMES AND MANUFACTURED HOMES WITHIN THE TOWN OF HIGHFILL, ARKANSAS; CREATING PROCEDURES THEREFOR; PROVIDING FOR ENFORCEMENT THEREOF AND PENALTIES FOR VIOLATION THEREOF; FOR ESTABLISHING MOBILE HOME DEVELOPMENTS; CREATING PROCEDURES THEREFOR; 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 James Wiand. Lester, Varner and Wiand voted in favor of the motion. Evans voted no. Boles abstained. 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. 2009-19.

Discussion

Jeanetta Evans reminded everyone to come to Hay Daze on September 12th.

Adjournment

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

APPROVED:

ATTEST:

Chris Holland, Mayor

Stacy Digby, Town Recorder

(SEAL)