

ASH FLAT CITY COUNCIL

MEETING

January 17, 2017

Present:

Larry Fowler, Mayor

Charlotte Goodwin, Recorder

Council Members Present: Fred Goodwin, Rodney Hallmark, Sean Himschoot, Mike Nix, Danny Traw, and Annette Wolverton

Officials Present: Fire Chief Stacy Horton, Streets Supt. Jimmy Shaffer, Police Chief Anthony Wiles, W/S Supt. Tracy Breckenridge, Code Enforcement Officer William Myers, Parks Supt. Regan Nicholson, and City Attorney Larry Kissee

Guests Present: Dana Wiest, Terry Hill, Mackie Tompkins, Tonya Traw, S. A. Bates, and James M. Street

MEETING CALLED TO ORDER/PLEDGE OF ALLEGIANCE

The Ash Flat City Council met in regular session in the council chambers at Ash Flat City Hall Tuesday, January 17th, at 7:00 p.m. The Honorable Mayor Larry Fowler, the presiding officer, declared a quorum present, and called the meeting to order. Recorder Charlotte Goodwin called the roll by wards. Council members answering the call by their respective wards were Ward 1-Fred Goodwin, Mike Nix; Ward 2-Sean Himschoot; Danny Traw; Ward 3-Rodney Hallmark, Annette Wolverton. (6/0) Mayor Fowler led the Pledge of Allegiance to the Flag of our country, and a moment of silence was observed.

AGENDA APPROVAL

Mayor Fowler called for a motion to approve the January 17, 2017 meeting agenda. *Council member Fred Goodwin made the motion, seconded by Council member Annette Wolverton, the roll having been called, and by consent of the members present, approved the meeting agenda as presented.* A roll call vote was taken. The following voice votes were recorded: *Goodwin-Yea, Hallmark-Yea, Himschoot-*

Yea, Traw-Yea, Nix-Yea, and Wolverton. Motion carried with a roll call vote of 6-Yeas/0-Nays.

MEETING MINUTES OF DECEMBER 20, 2016

Mayor Fowler called for a motion to approve the minutes of the regular council meeting held December 20, 2016, provided there were no corrections or changes. *Council member Danny Traw made the motion, seconded by council member Fred Goodwin, the roll having been called, and by consent of all the members present, to approve the minutes of the council meeting held December 20, 2016, as transcribed.* A roll call vote was taken, and the following voice votes were recorded: *Hallmark-Yea, Himschoot-Yea, Traw-Yea, Wolverton, Nix-Yea, and Goodwin-Yea.* Motion carried with a roll call vote of 6-Yeas/0-Nays.

DEPARTMENT REPORTS

FIRE DEPARTMENT-Fire Chief Stacy Horton stated the department responded to 29 calls during the period of 12-15-16 thru 1-11-17. Medical calls-17, Vehicle Accident-3, Brush Fire-3, False Alarms-1, Hazmat (propane leak)-0, Structure fire-1 (flue fire), and Public Assist-4. The department received one bid to build the new tanker/pumper vehicle. Nine students at the New Beginnings Pregnancy Center attended a fire extinguisher class conducted by the Ash Flat Fire Department. Chief Horton stated the 2016 annual run report was available for inspection.

Chief Horton told the council one bid in the amount of \$72,500.00 was received to build the tanker/pumper from efiretrux, LLC. Of Grand Ledge, MI. Horton stated the bid was phrased or read in a way there'd be no charge to stretch the frame, but there will be a charge. The bid was either misread or misstated and is approximately \$2,500.00 short. The department was under the impression they'd have \$25,000.00 to purchase equipment for the truck, but that's not the case. Horton stated one good thing is, instead of getting a '98 model truck, the city got a 2009 Freightliner (916) truck from Federal Surplus with 2,500 miles on it for \$6,775.00.

POLICE DEPARTMENT-Chief Anthony Wiles reported the department responded to 67 calls for service, conducted 41 traffic stops, made 7 arrests, issued 37 citations, issued 20 warnings, responded to 2 calls assisting outside agencies, worked 10 accidents, responded to 4 alarms, conducted 9 motorist assists, investigated 6 thefts, 1 domestic call, 2 animal complaints, & investigated 0 prowler calls. Officers' unlocked 19 vehicles, served 2 warrants, & conducted 6 welfare checks. The department is continuing work on computer reporting software upgrades. Two new lap tops were purchased for use the in the cars. The state police electronic citation, electronic crash reports and the ACIC Atlas system software was received and installed. Wiles stated the department will attend a required four hour class in February to certify all the officers in the use of the ACIC Atlas system.

PARKS DEPARTMENT-Supt. Regan Nicholson reported working at the ballpark straightening up ditches and cleaning up after a water leak in the ladies restroom, working on the parking lot at the fire department and cleaning out the old bay for Spring River Ambulance.

STREET DEPARTMENT- Supt. Jimmy Shaffer reported patching the street on Diane Ave. where a water line had been repaired, water line on Goodwin Cove was covered, helped repair a water line at the nursing home, and installed parking stops at city hall. The drying beds were shoveled out and debris was hauled to the landfill, bladed Orr & Branscum Roads, hauled gravel to the shop, greased the road grader, serviced the salt spreader, worked on the fire station parking lot for better drainage and provide more parking, and changed the flags at the fire station.

WATER/SEWER DEPARTMENT-Supt. Tracy Breckenridge reported reading the water meters, tagging doors with late notices and shut off notices. Monthly water samples were taken and sent to the health department. Utilities were located for one calls, replaced batteries on the Ford Dump truck, water main break at Ash Flat Nursing Home was repaired and replaced the water meter, located a 1½ meter at the Sharp County Jail, cleared a sewer main on Tuff Street, replaced ceiling lights in Well 2, completed end of year paperwork, shoveled drying bed and

hauled sludge to landfill, completed the new water withdrawal permit for DNRC, patched an area on Diane Ave. where a water line repair was made, spread gravel at the fire station, made repairs to the drive at the fire station to allow for better drainage, & the large blowers at the treatment plant were repaired. Tracy stated the diffusers on the aeration basin at the treatment plant are being repaired & it's quite an undertaking that'll take at least a week or so to complete.

CITY HALL MONTHLY LOG – The report indicated during the last half of December, and the first half of January there were 403 visitors.

CODE ENFORCEMENT- Bill Myers reported he'd inspected the heat and air system that was installed at Big Creek Man Cave by Precise Solar & Power. Precise was notified there were changes to be made to help the system work more efficiently. The owner at 35 Peace Valley road was notified the washers & dryers in the yard had to be cleaned up.

PLANNING COMMISSION- No report available.

LIBRARY REPORT- The library report for December 14, 2016, thru January 11, 2017 indicated 16,528 books were available, 1 computer file, 1 map, 117 mixed materials, 37 music files, 5 reference files, and 1,275 visual materials available. 2,303 patron's visited the library, and 787 books and/or other materials checked out.

SCRAA & TCSWA-Minutes of Sharp County Regional Airport Authority and Tri-County Solid Waste meetings were in the council packets.

UNFINISHED BUSINESS

HYBRID ENERGY CONSULTANT-P. RICHARDSON (A)

Mr. Richardson was not present.

NEW BUSINESS

TERRY HILL -LIBRARY EMPLOYEE (D)

Terry Hill requested the city consider hiring a part-time library manager. Hill stated the library is open 44 hours per week, and 6 to 8 library

volunteers work 4 to 8 hours per week to keep the library open. Hill proposed hiring a part-time worker for 30 hours per week at the rate of \$10.00 an hour. Following a lengthy discussion, it was determined the council would pick up the discussion during the February council meeting.

RESOLUTION ESTABLISHING 2017 COUNCIL RULES (E)

Mayor Fowler introduced a resolution entitled: A RESOLUTION ESTABLISHING THE PROCEDURAL RULES FOR THE CITY COUNCIL OF THE CITY OF ASH FLAT, ARKANSAS FOR 2017. Recorder Charlotte Goodwin read the resolution in full. Following further discussion, *Council member Rodney Hallmark made the motion, seconded by Council member Danny Traw, the roll having been called, and by consent of all the members present, to approve Resolution 1-A-2017. The following voice votes were recorded: Himschoot-Yea, Traw-Yea, Wolverton-Yea, Nix-Yea, Goodwin-Yea, and Hallmark-Yea.* The motion carried with a roll call vote of 6-Yeas/0-Nays. The Resolution was given the number 1-A-2017.

LEASE AGREEMENT WITH SPRING RIVER AMBULANCE (F)

Mayor Fowler introduced the lease agreement between the city and Spring River Paramedic Ambulance (SRPA). A representative with SRPA was not present due to the birth of twin boys. Mayor Fowler stated the copy of the lease agreement that was in the council packets was worded incorrectly. Mayor Fowler stated he and City Attorney Kisse made the necessary corrections. SRPA is to pay all utilities (telephone, electric, propane, water/sewer), and property insurance at the old city hall location. SRPA has agreed to pay the electric bill, one third (1/3) of the property insurance, but the water & sewer cannot be metered separately at the Arnhart location. The 25 year lease agreement is for both buildings will be paid annually, and they'll be responsible for any/all repairs or maintenance. Council member Himschoot stated the council felt since the city is 'investing' in SRPA it would be in the cities best interest to make SPRA the exclusive ambulance service in the city. *Council member Fred Goodwin made the motion, seconded by Council member Danny Traw, the roll having been called, and by consent of all the members present, to accept or agree to this lease agreement with SRA as presented keeping in mind the annual payment will be*

determined at a later date when the total cost to build the wall and pour a floor has been determined. A roll call vote was taken. The following voice votes were recorded: Wolverton-Yea, Nix-Yea, Goodwin-Yea, Hallmark-Yea, Himschoot-Yea, and Traw-Yea. The motion carried with a roll call vote of 6-Yeas/0-Nays.

RESOLUTION TO ENTER A CONTRACT WITH SPRING RIVER PARAMEDIC AMBULANCE, INC. (F)

Mayor Fowler presented a resolution entitled: A RESOLUTION TO AUTHORIZE THE MAYOR OF THE CITY OF ASH FLAT, ARKANSAS, TO ENTER INTO A CONTRACT TO LEASE THE FORMER CITY HALL BUILDING AND THE FIRE STATION. Recorder Charlotte Goodwin read the resolution in full. Mayor Fowler called for a motion to approve Resolution 1-B-2017 as read. *Council member Rodney Hallmark made the motion, seconded by Council member Annette Wolverton, the roll having been called, and by consent of all the members present, to approve entering into a contract with Spring River Paramedic Ambulance, Inc., to lease the old city hall building located at 897 Ash Flat Drive, and the bay located on Arnhart Street. A roll call vote was taken. The following voice votes were recorded: Goodwin-Yea, Hallmark-Yea, Himschoot-Yea, Traw-Yea, Nix-Yea, and Wolverton-Yea. The motion carried with a roll call vote of 6-Yeas/0-Nay.*

RESOLUTION TO AUTHORIZE PAYMENT OF THE FIRE DEPARTMENT SATELLITE TELEVISION SERVICE (G)

Mayor Fowler introduced a resolution entitled: A RESOLUTION TO AUTHORIZE THE INSTALLATION AND PAYMENT OF SATELLITE TELEVISION SERVICE AT THE ASH FLAT FIRE DEPARTMENT. Fire Chief Horton stated for basic satellite service the bill was approximately \$800.00 per year. Pursuant to Ark. Code Ann. § 14-58-303 (a) the Mayor of the City of Ash Flat, Arkansas, is hereby authorized to enter into a contract for the installation of satellite television service at the Ash Flat Fire Department complex and that the expense for said service be paid from the city's general funds. The Arkansas Attorney General has opined the expense for satellite or cable television service in public buildings or departments are proper expenditures. See *Ark. Op. Attorney General No. 2012-051*. Mayor Fowler stated this is a basic plan with one box and one television at the fire station. Following further discussion, *Council member Rodney Hallmark made the motion, seconded by Council*

member Danny Traw, the roll having been called, and by consent of all the members present, to approve Resolution 1-C-2017, as read for the payment of satellite service for the Ash Flat Fire Department. A roll call vote was taken. The following voice votes were recorded: Hallmark-Yea, Himschoot-Yea, Traw-Yea, Wolverton-Yea, Nix-Yea, and Goodwin-Yea. The motion carried with a roll call vote of 6-Yeas/0-Nay. The Resolution was given the number 1-C-2017.

RESOLUTION TO PURCHASE A TANK/PUMP TO BE USED AS FIRE APPARATUS (H)

Mayor Fowler introduced a resolution entitled: A RESOLUTION AUTHORIZING THE MAYOR TO PURCHASE A NEW TANKER/PUMPER TO BE PLACED ON A CITY OWNED CHASSIS AND USED AS A FIRE APPARATUS. Recorder Charlotte Goodwin read the resolution in full. Following further discussion, *Council member Rodney Hallmark made the motion, seconded by Council member Sean Himschoot, the roll having been called, and by consent of all the members present, to approve Resolution 1-D-2017, as read. A roll call vote was taken. The following voice votes were recorded: Himschoot-Yea, Traw-Yea, Wolverton-Yea, Nix-Yea, Goodwin-Yea, and Hallmark-Yea.* The motion carried with a roll call vote of 6-Yeas/0-Nay.

PAY BILLS

Mayor Fowler called for a motion to pay bills. *Council member Annette Wolverton made the motion, seconded by Council member Sean Himschoot, the roll having been called, and by consent of all the members present, to approve paying the bills.* A roll call vote was taken. The following voice votes were recorded: *Traw-Yea, Wolverton-Yea, Nix-Yea, Goodwin-Yea, Hallmark-Yea, and Himschoot-Yea.* The motion carried with a roll call vote of 6-Yeas/0-Nays.

OTHER BUSINESS

PURCHASE A BRUSH TRUCK/PUMP FROM FORESTRY

Fire Chief Stacy Horton told the council that this wasn't in the council report, but he'd received a brush truck from the forestry. The brush truck the department is currently using is getting dangerous. They put their

name on a want list and was notified today that another truck has become available. Horton stated he'd like to apply for a \$15,000.00 loan from the Forestry and repay the note with ACT 833 funds. He stated he'd like to have the truck set up with a skid unit, at a cost of \$10,350.00, which consists of a tank and a pump (\$2,725.00), which they have at the forestry. Also, he'd like to purchase another pump for the old brush truck. He stated the department has been having trouble with the truck every time they have to go out on a call. Horton stated if he could enter into an agreement with the Forestry for a \$15,000.00 loan for 3 years, set up a quarterly payment, and he's sure he can use the ACT 833 funds to repay the note. Following further discussion, *Council member Danny Traw made the motion, seconded by Council member Rodney Hallmark, the roll having been called, and by consent of all the members present, to allow Fire Chief Horton to enter into a loan agreement for \$15,000.00 with the Forestry Department for a 3 year pay off utilizing ACT 833 funds, at \$5,000.00 per year. A roll call vote was taken. The following voice votes were recorded: Goodwin-Yea, Hallmark-Yea, Himschoot-Yea, Traw-Yea, Nix-Yea, and Wolverton-Yea.* The motion carried with a roll call vote of 6-Yeas/0-Nay.

ANNOUNCEMENTS/COMMENTS

- Mayor Fowler stated he'd requested City Attorney Larry Kissee to present information to the council regarding a law suit the city had been named in. Larry Kissee stated Cimarron Restaurant had closed, and the bank that financed it filed a lawsuit against the owner and foreclosed on the property. After the mortgage was entered into between the bank and Cimarron, the city filed a lien against the restaurant for approximately \$330.00. The bank then filed a foreclosure and named the city as a person that has a lien on the property. Kissee stated he doesn't know of anything we have standing to collect the \$330.00 because the mortgage was prior to our lien. Kissee stated he'd filed an answer stating our lien does have priority, but not sure if it does. The owners have filed bankruptcy, and the bankruptcy court disregarded the bank loan and allowed them to file suit against the owners. Mayor Fowler asked what it would cost the city in legal fees if the city didn't drop our suit. It was decided that this would be tabled and discussed again next month.

- James Mack Street, the WRMC Facility Administrator, stated Johnny Carter accepted an invitation to join the WRMC Medical Complex Advisory Board. WRMC System< Inc., is in the process of opening 3 new medical complex facilities at Newport, Southside, and Sugar Loaf in Heber Springs. WRMC Satellite ER in Cherokee Village had 31 air flight transfers during the 2016 calendar year.

ADJOURNMENT

Having no further business to come before the council, *Council member Danny Traw made motion to adjourn, seconded by Council member Sean Himschoot, and by consent of all members present.* The meeting adjourned at 8:27 p.m.

CERTIFICATE

We, the undersigned Mayor and Recorder/Treasurer for the City of Ash Flat, do hereby certify the forgoing to be a true and correct record for the proceedings of the Ash Flat City Council meeting held in regular session at 7:00 p. m., Tuesday, January 17, 2017.

PASSED and APPROVED this 21st day of February, 2017.



LARRY FOWLER, MAYOR

ATTEST:



CHARLOTTE GOODWIN, RECORDER

