

MINUTES
Regular Scheduled
City Council Meeting
March 19, 2009

The Russellville City Council met in Regular Session March 19, 2009 held at 6 pm in the City Hall Council Chambers.

Officials present were Mayor Tyrone Williamson, City Clerk Kathy Collins, Alderman Eaton, Alderman Wiley, Alderman Kirchner, Alderman Crouch, Alderwoman Harris, City Attorney Trey Smith, Alderman Carruth, Alderman Steuber and Alderman Sanders.

Guests in attendance were Wayne Phillips, Margie Steuber, Bobby Day, Mack Hollis, J.L. Martin, Sherry Spencer, John Peel, Robert McCready, Roy Reaves, Jeff Pipkin, Christi Williams, Brian Holstein, David Harris, Chief McMillan, Chief Cochran and Jerry McKaughan.

Call to Order and Welcome: Mayor Tyrone Williamson

Invocation: Reverend Al Sparkman, Retired.

Minutes: Alderman Wiley made the motion to approve the Regular Called City Council Minutes February 19, 2009 and Special Called Minutes February 27, 2009. Alderman Kirchner seconded the motion. Motion carries unanimously and the minutes recite that all the Aldermen present voted in favor.

Mayor's Report:

1. Tony Lee with Lee's Trash Service reported to the Council that he had added a curb side recycling program and it was working very well.
2. Appointment of Gaylon Smith to the Planning Commission. Alderman Eaton introduced Mr. Smith and went over all his accomplishments, job experience, qualifications and as well as some hobbies. Alderman Eaton made the motion to accept the appointment. Alderman Carruth seconded the motion. Motion carries unanimously and the minutes recite that all the Aldermen present voted in favor.

Finance Report: Jerrold McKaughan, Director of Finance
Month Ended February 28, 2009

General Fund Balance	\$ 4,474,704.40
Street Fund Balance	\$ 10,912,504.44
Economic Development Funds 1 & 2 Balance	\$
3,645,306.77	

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Capital Assets Fund Balance		\$
2,197,729.45		
Waste Reduction Fund Balance		\$
12,491.49		
Special Funds Balance	\$	607,722.17
Emergency Reserve Certificate of Deposit – General		\$
1,000,000.00		
Certificate of Deposit – Street	\$	1,000,000.00
Cemetery Association Trust – Market Value		\$
151,802.72		
Bond Fund Account Balance	\$	266,150.38
Bond Debt Service Reserve Balance	\$	433,925.00
Bond Principal Outstanding		\$
975,000.00		

GENERAL FUND

REVENUES: February revenues totaled \$ 895,266.65 compared to \$ 1,234,434.28 the same period last year. Revenues year-to-date were 18.50% above projections. February sales tax collections totaled \$ 743,843.42 Franchise fee and permit revenue totaled \$ 64,216.23.

EXPENDITURES: February expenditures totaled \$ 828,543.29. Expenditures were 11.16% above year-to-date projections. Year-to-date \$ 201,895.20 more had been received than expended.

STREET FUND

REVENUES: February revenues totaled \$136,641.58. Year-to-date revenues were 41.94% below projections. This is doing to the tax distribution which will change in March.

EXPENDITURES: Operational expenditures for February were \$ 100,438.39. The Capital improvements expenditures for February were \$ 0.00. Sales tax expenditures totaled \$ 5,117.69 for work on Ditch Improvements, North Phoenix, and Russell Road Extension. Year-to-date Operations expenditures were 83.44% below projections.

ECONOMIC DEVELOPMENT FUND

REVENUES: February revenues totaled \$ 8,154.50 for interest, January sales tax \$ 425,692.58. Year-to-date revenues recorded were 44.36% above projections.

EXPENDITURES: February expenditures totaled \$ 340,544.04 for Convention Center;

CAPITAL ASSETS FUND

REVENUES: Total revenues for February totaled \$ 354,365.39 including \$ 4,676.86 interest, \$ 94,273.00 Airport Grants, \$ 79,063.23 City Hall renovation, and \$ 183,925.30 for Parks & Rec.

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EXPENDITURES: Capital Asset expenditures for February totaled \$ 212,043.92, \$ 21,230.10 for City Hall renovation, \$ 12,079.81 for Parks & Rec., \$ 9,853.31 for Police Dept. Vehicle Lease, and \$ 168,880.69 for Municipal Airport.

Special Funds Balances

Month Ended February 28, 2009

12	District Court Costs Fund	\$	86,509.43
13	No Vehicle Insurance Fund	\$	19,813.42
14	Parks & Recreation Special Fund	\$	96,193.99
15	Police Training Fund	\$	8,678.31
16	Police Pension Fund	\$	47,092.06
17	Court Automation Fund	\$	
	173,922.11		
18	Administration of Justice Fund	\$	
	225.28		
19	Criminal Justice Ordinance Fund	\$	10,044.11
20	Fire Contingency Fund	\$	49,029.98
21	Fire Insurance Premiums Fund	\$	
	112,557.89		
22	Fire Pension Fund	\$	
	<u>3,688.59</u>		
	TOTAL	\$	607,722.17

Committee Reports:

Finance Committee: Alderman Kirchner reported to the Council that sales tax for the first two months of this year were good. Our area seems to be weathering the economic crisis well in his opinion. June will provide a better picture.

Personnel Committee: Alderman Wiley asked that NB # 15 be discussed at this time. Alderman Wiley made the motion to fill the vacancy. Alderman Eaton seconded the motion. Motion carries unanimously and the minutes recite that all the Aldermen present voted in favor of it.

- Consideration of a Request for District Court to fill a Vacancy of a Part Time Position—Human Resources Director Christi Williams, Judge Don Bourne.

Renovation Committee: Alderman Steuber asked that the Council vote to commit to the partnership with the County to work together towards the construction or remodel of building(s) to house the District Court as well as other County Offices. Alderman Steuber made the Motion to commit to the partnership. Alderman

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Eaton seconded the motion. Motion carries unanimously and the minutes recite that all the Aldermen present voted in favor of it.

Unfinished (Old) Business:

1. Consideration of an Ordinance to Amend Ordinance # 1611 Pertaining to Solid Waste—Alderman Cliff Kirchner.

Alderman Kirchner asked this item be tabled until next month pending contract negotiations.

2. Discussion of Hiring a Person to Write Grants for the City of Russellville—Alderman Crouch.

Alderman Crouch made the motion to Increase the hours of the City Planner to a 40 hour week and add to his job description that of Grant Writer for the City of Russellville. Alderman Wiley seconded the Motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor. Alderman Wiley asked to call a personnel meeting to discuss the increase in work hours and salary.

New Business:

1. Consideration of Appointment of Gaylon Smith to the Planning Commission—Alderman Wiley. Discussed in “Committee Reports”.
2. Consideration of Resolution # **1082** to Authorize City of Russellville Director of Finance to process Retired Russellville Police Officers Retirement Checks—Finance Director Jerry McKaughan, Kathy Collins City Clerk, Pension Board Member.

Alderman Carruth made the motion to authorize Finance Department to process RRPO retirement checks. Alderman Eaton seconded the motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor.

3. Consideration of Compensation of unused sick leave for retired Fire Captain Micah Martin per the City’s Personnel Policy and Procedures Handbook—Alderman Wiley, Fire Chief John Cochran.

Alderman Wiley made the motion to approve the compensation of the unused sick leave for Captain Martin. Alderman Eaton seconded the motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor of it.

4. Consideration of Resolution **# 1083** requesting approval for a Special Use Permit for mini-storage buildings for use and display, display for sale metal portable buildings, and steel building kits, for property located at 4301 East Main, submitted by Dave Garza of Barrett & Associates on behalf of Lang Miller, dba/Coast to Coast Carport, Inc. Approved unanimously by Planning Commission.—Recommended by Planning Commission.

Alderman Wiley made the motion to approve the SPU Permit. Alderman Carruth seconded the motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor of it.

5. Consideration of Ordinance **# 2050** requesting approval for Rezoning to C-2 on the remaining portion of property currently zoned R-2 for property located at 4408 East Main, submitted by Robert Caldwell of Caldwell Design Group, LLC, on behalf of Center Point. Approved unanimously by P.C.—Recommended by Planning Commission.

Alderman Wiley made the motion to suspend the rules and read the Ordinance by one time by title only with a short explanation. Alderman Carruth made the second. Motion carries unanimously on a voice vote. City Attorney Smith read the Ordinance as instructed. Alderman Wiley made the motion to adopt. Alderman Carruth seconded the motion. Motion carries unanimously on a roll call vote and the minutes recite that all the Aldermen present voted in favor.

6. Consideration of Appropriation Ordinance Vetoed Concerning Overruns on 16th Street Improvements—Alderman Carruth.

Alderman Carruth made the motion to override the vetoed Appropriation Ordinance. Alderman Crouch seconded the motion. Motion carries on a 6 to 2 roll call vote with Aldermen Sanders, Kirchner, Steuber, Carruth, Crouch and Wiley voting in favor to override the vetoed Appropriation. Alderwoman Harris and Alderman Eaton voted nay. Alderwoman Harris stated her objection to Alderman Sanders voting to approve the appropriation since he was a sub contractor on the job.

7. Consideration of a Discussion of the Sale of Fireworks inside the City Limits of Russellville—Alderman Wiley. Pulled by Alderman Wiley.
8. Consideration of Resolution **# 1084** to Accept the Lowest Responsible Bid for Excavation and Concrete work at Hickey Park Field #7—Alderman Kirchner, Mack Hollis Director Parks and Rec.

Alderman Eaton made the motion to accept the bid. Alderman Kirchner seconded the motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor.

9. Consideration of Resolution **# 1085** to Accept the Lowest Responsible Bid for the New Parking Lot at Hickey Park—Alderman Kirchner, Mack Hollis Director Parks and Rec.

Alderman Eaton made the motion to accept the bid. Alderman Kirchner seconded the motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor.

10. Consideration of Resolution **# 1086** to Accept the Lowest Responsible Bid for New Restrooms to be Built at Sequoyah Park—Alderman Kirchner, Mack Hollis Director Parks and Rec.

Alderman Kirchner made the motion to accept the bid. Alderman Eaton seconded the motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor.

11. Consideration to fill a Vacant Parks Maintenance Position—Alderman Kirchner, Mack Hollis Director Parks and Rec.

Alderman Kirchner made the motion to fill the vacancy. Alderman Eaton seconded the motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor. Mr. Hollis told the Council the salary for the position would be paid for 6 month through the Relocated Worker Program.

12. Consideration of a Resolution for the City of Russellville to Participate in the US Community Service Program for the Swimming Pool—Alderman Kirchner, Mack Hollis Director Parks and Rec.—Pulled.

13. Consideration of Resolution **# 1087** to Modify the Agreement with the Revocable Trust of John Q. Hammons for the Construction of a Convention Center—Jeff Pipkin AVAFED.

Jeff Pipkin stated Mr. Hammons wanted to modify the agreement and extend the start date to March 31, 2010 in order to obtain financing for the project. Alderman Wiley made the motion to approve the Resolution. Alderman Carruth seconded the motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor.

14. Consideration of Resolution **# 1088** Authorizing the Mayor and City Clerk to Enter Into an Agreement to Purchase Real Property to be used for Access to the Convention Center-- Jeff Pipkin AVAFED.

Jeff Pipkin told the Council Birch Street was too close to I-40 and the Signal Lights at the intersection of North Arkansas and Birch. The entrance to the Convention Center and Hotel would need to be located further north in the vicinity of Cedar Street. The property owner has accepted the offer of \$210,000.00. Sales tax collections have exceeded the amount originally expected.

Alderman Carruth made the motion to approve the Resolution. Alderman Wiley seconded the motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor.

15. Consideration of a Request for District Court to fill a Vacancy of a Part Time Position—Human Resources Director Christi Williams, Judge Don Bourne. Discussed during “Committee Reports”.

16. Consideration of Resolution **# 1089** to Authorize the Mayor and City Clerk to Sign Applications for a 95% Fed/5% State Grant (a total of \$600,000) to Complete Phase III of the Airport Taxiway Improvement project.—Alderman Carruth. (The 5% State Grant will be repaid to City upon Presentation of City Paid Invoices).

Alderman Crouch made the motion to approve the Resolution. Alderman Carruth seconded the motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor.

17. Consideration of a Resolution Requesting the Arkansas Highway and Transportation Department to Rename State Hwy 247 to “Okie Doke By Way”—Alderman Wiley.

Motion to adopt the Resolution was made by Alderman Wiley. Seconded by Alderman Crouch. Motion fails on a 4 to 4 vote. Aldermen Crouch, Wiley, Kirchner and Eaton voting “yea” and Aldermen Sanders, Steuber, Carruth and Alderwoman Harris voting “nay”.

18. Consideration of Discussion and/or Recommendations Concerning Rules and Regulations and Enforcement at the Skate Board Park—Alderman Carruth.

Suggestions to remedy the problems at the Skate Park were as follows:

- Adult Supervision
- Photo ID Cards/Membership
- Cameras
- Gate

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- Extra Police and Park Employees patrols
- Do not allow Bikes in park
- Set specific times park is open

Director of Parks and Recreation Mack Hollis will bring to the Council the suggestions of the Park Commission.

19. Appropriations and Line Items: Alderman Wiley made the motion to approve Items A-I en masse. Alderman Steuber seconded the motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor.

A. Department: Police

From: Line Item #: 01-111-5111 Salaries
(Vacant Position) \$ 720.00
To: Line Item #: 01-111-5111 Salaries
(Employee # 8233)
Employee #8233 earned four certificates, but has only been paid for two. His last one was awarded 02/04/09.

B. Department: Police

From: Line Item #: 01-111-5111 Salaries \$ 720.00
(Vacant Position)
To: Line Item #: 01-111-5111 Salaries
(Employee # 8235- \$ 360.00)
To: Line Item #: 01-111-5111 Salaries
(Employee # 8248- \$ 360.00) Employee # 8235 has three certificates, but has only been paid for two. Employee # 8248 has two certificates, but, has only been paid for one. To correct certificate pay for these two employees.

C. Department: Public Works

From Line Item #: 02-202-5111 Salaries
To Line Item #: 02-202-5111 Salaries \$ 960.00
(Education Pay Employee #10072. No additional Money. Moving from approved budgeted salary to education pay).

D. Department: Administration

From: General Fund
To: Line Item #: 01-101-5825 Property \$ 2,164.22
(To be used for Real Estate Property Tax, CONAGRA)

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- E. Department: Cemetery \$ 1,900.00
Line Item #:01-106-5211 Ground Maint. (Fence repair)
- F. Department: Parks and Recreation \$ 2,000.00
Line Item #: 01-108-5362 Pool Equip/Repairs
(Installation of new drains and repairs to meet the
Virginia Gramme Baker Act).
- G. Department: Airport \$12,945.00
Line Item #: 04-113-5345 Fence
(From Capital Assets Fund to be used for the following
purposes: Airport Fence – Advance of Arkansas
Department of Aeronautics (ADA) 80% portion of a
20/80 Grant to be paid by the ADA upon completion of the project).
- H. Department: IT \$ 1,000.00
Line Item #:01-103-5234 HVAC
(To upgrade the electrical for mechanical system)
- I. Department: Police \$ 1,000.00
Line Item #: 01-111-5192 Contract Labor
(To be used for Consultant to review what may be
required to repair the mechanical system at RPD)

Late Agenda Item:

1. Consideration of Application to the Historic Preservation Alliance of Arkansas to host its annual Arkansas Preservation Conference—Alderman Crouch.

Alderman Crouch made the motion to hear the Item as a Late Agenda Item. Alderwoman Harris seconded the motion. Motion carries on a voice vote. Alderman Crouch made the motion to approve the application to be submitted. Alderwoman Harris seconded the motion. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor.

Chief Tom McMillen asked the Council to allow him to pursue Grants for additional Police Officers. Alderman Crouch made the motion to allow him to pursue Grants. Alderman Eaton made the second. Motion carries unanimously on a voice vote and the minutes recite that all the Aldermen present voted in favor.

Adjourn:

Alderman Crouch made the motion to adjourn the meeting at approximately 7:11 pm. Alderman Sanders seconded the motion. Meeting adjourned.

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ATTEST:

Kathy Collins, City Clerk

Date

Mayor Tyrone Williamson