

Bull Shoals City Council

Meeting Minutes

February 28, 2019

I. Call to order, Pledge of Allegiance, & Roll Call

Mayor Nixon called to order the regular meeting of the Bull Shoals City Council at 6:30 pm on February 28, 2019 at 706 CS Woods Dr. Bull Shoals, AR 72619. Everyone stood and gave Pledge of Allegiance to the United States Flag.

Recorder/Treasurer Tina Bailey conducted the roll call. The following persons were present: Mayor David Nixon, Council members: Alan Graley, Jim Traylor, Lynn Nickels, Daryl Lindman, Joey Grede and Dino Giannini. Ms. Bailey announced we have a quorum to conduct business.

- II. Minutes** – Mayor asked if everyone had read the January 31, 2019 minutes. Mr. Giannini motioned to accept the minutes. Mr. Grede seconded. The minutes were approved by acclamation.

- III.** Mr. Traylor made the motion to suspend the rules of order for the Treasurer's Report to be read after the Department, Commission, and Committee Reports. Mr. Giannini seconded. A roll call vote was taken, and all of the councilmembers said yes. 6/0

IV. Department Reports

- a. **Police**-Chief Kuchenbecker reported the report stands as written. Chief added we are working with the Secret Service on the case of the credit card skimmers. This is a larger operation and covers a few states. He commended Officer Ainsworth for a good job with this case.
- b. **Fire**-Chief Mitchell reported the report stands as submitted. We had a meeting about Radio Communications last night and the Arkansas Valley needs to be a study on the system to see if it can be reverted to an Analog system. The Chief's Association is funding the study. We are also looking to the County and State for funding.
- c. **Public Works**-Director Scott McConnell reported the report stands as written. He added the streets are replacing culverts and plastic pipes because they are no longer aloud. He also reported we have 0 dogs in the pound.

Mr. Traylor motioned to accept all the reports and Mr. Grede seconded. The reports were approved by acclamation.

V. Commission Reports

- a. **Planning & Zoning Commission**-Mr. Jim Traylor reported there was no meeting.

VI. Committee Reports

- a. **Parks** – Dawn Lagerstedt reported there were some trees taken down which were dead. We are having a meeting on March 4, 2019 at 10:00 am. Mr. Grede motioned to approve the report and Mr. Lindman seconded. The report was approved by acclamation.

VII. Treasurer Report-Mr. Doshier reported as of January 31, 2019 we have a balance of cash on hand at 1.7 million ahead of where we were a year ago at 1.5. This is approximately 214,000 increase. The bottom number does not include the Waste Water Treatment Plant numbers. Mrs. Nickels asked about the budget line item of legal and accounting. Mr. Doshier is going to split the two items into two-line items. Mayor commented we would see large sets of numbers next month due to the outlays of the Water/Sewer Plant construction bills.

Mrs. Nickels referred to a letter written by Mr. Doshier apologizing for the mistake made on the Mayor's checks. Mrs. Nickels said, "She feels Mr. Doshier is not personally responsible to repay the overpayment for the mistake that was made on the checks". Mr. Doshier said, "He feels he was". Mrs. Nickels replied that mistakes happen in everyday life and that people need to take responsibility for their own pay. Mrs. Nickels expressed that it is not right or fair for Mr. Doshier to repay the money. Mr. Doshier admitted that it was his fault and feels that he needs to make this right. Mayor responded that when he first found out about this mistake he went home and opened his W-2 to find out he had been overpaid. Mayor called Mr. Doshier to find out what had happened. Mayor expressed that "I did not do anything wrong and have no intension of profiting from this and if need be I will donate the money to a charity because some good needs to come from this horror." Mrs. Nickels replied, "I hope so."

Ms. Nickels brought up Tina Bailey's pay of January and February of 2018 being higher than usual. Mr. Doshier replied, he thought it was to pay her for being the Recorder/Treasurer, the court clerk, and the water clerk during that time. Mayor replied, he hired Tina to take care of the courts because the Court Clerk walked out, Tina had some training in the courts and court was just around the corner. Mayor

replied this is not part of her job as the Recorder/Treasurer. The funds were already allocated. Mrs. Nickels replied, "You know she is an elected official and she cannot have two positions. Mayor replied, he had consulted with legal authorities and was well within our rights to do precisely what we did.

Mr. Graley asked for the opinion of our City Attorney Roger Morgan to speak on the manner in which things are conducted. Mr. Morgan responded that Mr. Doshier has done a great job with the budgeting program. He believes this was done in pure innocence. He also addressed the fact that once the Council approves the budget, it is the Mayor's administrative duty to carry it out. Mr. Graley motioned to accept Mr. Doshier's offer for reimbursement. There is no second and motion failed for Mr. Doshier to repay the funds. Mayor thanked Mr. Doshier for all the work he does for us. Mr. Graley motioned to accept the treasurer's report and Mr. Giannini seconded. The report was approved by acclamation.

VIII. Unfinished Business

- a. Bank Signatory-Mr. Traylor motioned to replace the former city council member Mr. Nickels as a signatory on the bank accounts with councilmember Mr. Giannini, and Mr. Graley seconded. The motion carried.
- b. Employee Raise-Mr. Lindman made the motion to give Mr. Salentine a raise of .30 per hour due to his Waste Water 1 Certification. Mr. Traylor mentioned of making it retroactive to the day after receiving certification. Mr. Graley seconded. A roll call vote was taken and all said yes. 6/0
- c. Parks Appointment-Philip Simpson- Mr. Graley made the motion to confirm Mr. Simpson to the Parks Committee and Mr. Giannini seconded. The motion carried by acclamation.

IX. New Business

- a. Ordinance 2019-02-Mr. Kopke-Communities Unlimited
 - a) Mr. Traylor motioned to suspend the rules of reading the Ordinance of 2019-02 on three different meetings to expedite

the Ordinance. Mr. Giannini seconded. A roll call vote was taken, and everyone said yes. 6/0

- b. Mr. Graley motioned to read the Ordinance 2019-02 and Mr. Giannini seconded. Mayor Nixon read the Ordinance 2019-02 titled, AN ORDINANCE AMENDING ORDINANCE 2014-02, SECTION 1 (a) ENTITLED "MINIMUM WATER AND SEWER RATE SHCEDULES" ESTABLISHING NEW WATER AND SEWER RATES FOR THE CITY OF BULL SHOALS, ARKASNSAS AND DECLARING AN EMERGENCY (See Attached) There was a discussion between Mr. Kopke and Mr. Graley about the savings of the cost that was saved by receiving the grants. The rate change will satisfy the debt service for the new treatment plant. A roll call vote was taken, and all said yes. 6/0
- c. Mr. Traylor motioned to read Ordinance 2019-02 by title only for the second reading and Mr. Giannini seconded. Mayor Nixon read Ordinance 2019-02 by title only which states, "AN ORDINANCE AMENDING ORDINANCE 2014-02, SECTION 1 (a) ENTITLED "MINIMUM WATER AND SEWER RATE SHCEDULES" ESTABLISHING NEW WATER AND SEWER RATES FOR THE CITY OF BULL SHOALS, ARKASNSAS AND DECLARING AN EMERGENCY" The 2nd reading passes by acclamation.
- d. Mr. Traylor motioned to read Ordinance 2019-02 by title only for the third reading and Mr. Graley seconded. Mayor Nixon read Ordinance 2019-02 by title only which states, "AN ORDINANCE AMENDING ORDINANCE 2014-02, SECTION 1 (a) ENTITLED "MINIMUM WATER AND SEWER RATE SHCEDULES" ESTABLISHING NEW WATER AND SEWER RATES FOR THE CITY OF BULL SHOALS, ARKASNSAS AND DECLARING AN EMERGENCY"
- e. Mr. Giannini motioned to adopt Ordinance 2019-02 and Mr. Lindman seconded. A roll call vote was taken, and everyone said yes. 6/0

X. Citizen Comments

- a. Harold Moshier-105 Walden Lane- There was no posting on the website stating that the planning & zoning meeting had be cancelled. Chairman Mr. Traylor said he would text Mr. Moshier next time if there was a cancellation.

XI. Adjournment

Mr. Giannini motioned to adjourn the meeting and Mr. Lindman seconded. The motion carried and Mayor Nixon adjourned the meeting at 7:27 PM.

Minutes submitted by: Tina Bailey

Minutes approved by: [Name]

David J. Nixon
Tina M. Bailey
3-28-19