

Bull Shoals City Council

Meeting Minutes

February 22, 2018

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 22, 2018 at 706 CS Woods Dr. Bull Shoals, AR 72619. Everyone stood and gave Pledge of Allegiance to the United States Flag.

Tina Bailey conducted the roll call. The following persons were present: Mayor David Nixon, Mr. Graley, Mr. Traylor, Mr. Nickels, Mr. Lindman, Ms. Rhodes, and Mr. Giannini. Ms. Bailey announced we have a quorum to conduct business.

II. Accepting of the Minutes

Mayor Nixon asked the council members if they had read the minutes from the January meeting. Mayor asked for motion to approve the minutes. Mr. Giannini made the motion to approve and Mr. Nickels seconded. The minutes were approved.

III. Treasurer Report

Mr. Doshier presented the January financials. Mr. Doshier reported the bank balances were up about \$300,000.00 than a year ago. He reported the sales tax for December was \$8,399.00 from the city and \$10,159.00 from the county. He reported for the month of January that we had a loss of \$30,000.00 due to annual payments and registrations that are due in January.

Mr. Nickels asked the question to Mr. Doshier about a private donation of \$60,460.00 from November of 2015 for the City Parks. Mr. Nickels asked Mr. Doshier if he can find the deposit of this deposit that should have been made by the previous recorder/treasurer. Mr. Nickels also recalled that in the late fall of the same year there were water lines installed at the Parks and there was a balance of \$38,970.34 that remains. Mr. Nickels also referred to a Depreciation List of 4-17-17 with a balance of \$36,935.80. Mr. Doshier request a copy of Mr. Nickels documents so that he can try to find the requests. Mr. Nickels said he would make copies and Mr. Doshier said that he will look into it. Mayor suggests looking into the Sweeps account. Ms. Rhodes motioned to accept the report and Mr. Giannini seconded. The report was accepted.

IV. Department Reports –

- a) Police Department – Chief Kuchenbecker announced the report stands as read. He also gave praise to Officer Politte for a job well done on a Robbery. He announced that we have received a total of \$31,644.00 in grants for the past 3

years. He announced to be aware of scam artists during tax season by letting the citizens know that the IRS does not make phone calls and ask you about personal information.

- b) Fire Department Report –Chief Mitchell read his report that is attached. Mr. Traylor asked if the volunteer hours have decreased and it looks that more people are making calls. Chief reported that there is a new phone system in place by using their cell phones. Mayor mentioned there is an ongoing issue with the radios.
- c) Public Works – Mr. McConnell reported that the workers are installing the picnic tables and Bar-B-Q pits at the parks. These were donated by the state park. They have to remove the old ones first. Mr. Traylor asked what they are going to do with the lantern hangers and Mr. McConnell replied, they would place them in Dam Site Park.
- d) Parks- Ms. Nickels is asking the Council to consider doing recycling at the parks in order to save the city money. She also asked for the update about the roofs. She mentioned that the signs down at Brown's Beach need to be updated. She mentioned that the Library has requested two of the donated picnic tables and suggested that we consider selling them for \$1 each.

Mayor replied, we had a company come and inspect the roofs however, the company failed to give the final report. Our insurance company is sending an appraiser next week.

Mayor gave notice to everyone that Ms. Nickels is resigning from the Parks Committee. He recognized Ms. Lynn Nickels for her service on the Parks Committee. He thanked her and asked the citizens to give a warm thank you for all of her service.

Mayor called for a motion for all of the reports to be accepted. Mr. Traylor motioned for the acceptance of the reports. Mr. Graley seconded. The reports are accepted.

- e) Planning and Zoning – They will be reporting next month.

V. Old Business

- a) Mayor Nixon reported that the Wastewater Plant Project is getting closer. We are trying to find parity for the bonds which means that all of the bonds become equal in paying them off.

- b) Internet Fairness Act- Mr. Nickels made the motion to take off the table the Internet Fairness Act and Mr. Lindman seconded. Mr. Traylor then made the subsidiary motion indefinitely. Mr. Traylor also mentioned that the previous motion was not made correctly due to the language. Mayor asked Mr. Traylor if he would accept the language and Mr. Traylor said no. Mayor called upon our City Attorney Roger Morgan for clarification. Mr. Morgan mentioned that if the motion is to table indefinitely then it will take a 2/3rd's vote to take off the table. There was no second for the subsidiary motion and therefore it is not allowed. Mr. Nickels motioned to take off the table the Marketplace Fairness Act. Mr. Lindman seconded. Mayor called for discussion to take off the table the Resolution Marketplace Fairness Act. A roll call vote was taken and Mr. Graley said yea, Mr. Traylor said no, Mr. Nickels said yes, Mr. Lindman said yea, Ms. Rhodes said yea, and Mr. Giannini abstained. The vote carries 4 to 2. Mr. Nickels made a motion to adopt the Resolution Marketplace Fairness Act. Ms. Rhodes seconded. There was a discussion between Mr. Nickels and Mr. Traylor about the Marketplace Fairness Act and that until the congress and legislature make a decision, Mr. Traylor suggest that we wait to make a decision that could be 2 to 3 years away. Mr. Nickels pleaded to take a vote because Mr. Womak and Mr. Bozman has helped us. Mr. Graley asked Mr. Morgan if this resolution will truly benefit the city because we pay internet taxes on an individual basis. Ms. Rhodes stated that she had to leave in 3 minutes and wondered if we could wait to vote? Mr. Lindman made the motion to retable the Act and Mr. Traylor seconded. A roll call vote was taken and Mr. Graley said yea, Mr. Traylor said yea, Mr. Nickels said no, Mr. Lindman said yea, Ms. Rhodes abstained, and Mr. Giannini said yea. The motion carried 4 to 2. Ms. Rhodes left.
- c) Park Fee Structure Ordinance – 2nd reading of 2018-2 as amended. The amendment was the 21 day stay limit and took out the employee discount for the use of the parks. There are new ticket books. Mr. Lindman motioned to accept the amended ordinance and Mr. Graley seconded. A roll call vote was taken and all that were present said “yea”. Mr. Nickels made the motion to read by title only next meeting. Mr. Giannini seconded. The motion was accepted.
- d) Government Reorganization of the Treasurer’s position. Mr. Graley motioned to pick up off the table and Mr. Lindman seconded. Mr. Graley asked for Mayor to refresh everyone’s memory about how to reorganize the duties of the Treasurer. Mr. Traylor made the motion to retable and Mr. Nickels seconded. All approved.

VI. New Business

- a) Park Committee appointments-Mayor asked for the appointment of the following people to the Parks Committee: Dino Giannini, Jim Traylor, Dawn Lagerstedt, Anna Matson & Ed Zacher. Appointments were confirmed.
- b) Property Transfer for the box truck from Recycling to Marion County Transfer Station-Mayor asked Mr. McConnell to find the blue book value which is \$4,386.00. Mayor made the suggestion to sell the truck for \$4,000.00. We are waiting for the response from the Marion County Transfer Station at this time. Mr. Graley asked Mr. Morgan if all looked good with this transaction. Mr. Traylor asked if we have another receptacle for the cardboard. Mayor responded with yes.
- c) Meeting Place- Mayor brought to everyone's attention that the Meeting Place was not budgeted for this year and no one is using it. He has suggested winterizing the property in order to save money. Mr. Nickels brought to the council's attention about maybe selling the property. Mayor asked that for the time being he wants to know if we can winterize the building.
- d) Mr. Nickels commended the late Mr. Steve Eastwold for being a great leader of our town. The Eastwold family has been here to help our town for more than 20 years. The Boat Dock is where a lot of people go to get on the water. With heartfelt emotion, Mr. Nickels stated that "Steve was a great friend, confidante, and flag waver for our town. We have lost a great guy".

VII. Citizen Comments

- a) Ms. Tina Peyton-complaint for dogs that are not on a leash, however, they are enclosed with an electric fence. Mayor has referred to the planning and zoning committee. Ms. Peyton made the comment that the neighbor's dogs are not collared. Mayor asked Chief Kuchenbecker to take a look at the situation because this falls within the police department. Ms. Peyton asked about the cleanup of yards and the enforcement of the ordinances. Mayor responded that we have hired a new enforcement officer and will be starting the ride along program soon.
- b) Mr. Mike Gumpertail-What are the plans of the city for the use of the old golf course? Mayor was very excited to respond that we were there today with the Arkansas Fish and Game and the plans are to hopefully turn it into a "Natural

Fitness" area. Mr. Gumpertail also asked about the back 9 and Mr. Traylor responded that it is private property. Mr. Graley asked about the financials to help with this. Mayor responded, it looks like we may have grant money and private money for funding.

VIII. Adjournment

Mr. Graley motioned to adjourn the meeting. Mr. Giannini seconded.

Mayor Nixon adjourned the meeting at 7:58 PM.

Minutes submitted by: Tina Bailey

Tina M. Bailey 3/19/18

Minutes approved by: [Name]

David L. Nixon