

# ***Bull Shoals City Council***

## ***Meeting Minutes***

June 28, 2022

### **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 June 28, 2022 at 706 CS Woods Dr. Bull Shoals, AR 72619. Everyone stood and gave Pledge of Allegiance to the United States Flag. Recorder Tina Bailey conducted the roll call. The following persons were present: Mayor David Nixon, Council members: Dino Giannini, Daryl Lindman, Joey Grede, Chuck Kinler, David McBee and Dr. Kirby Davenport. Ms. Bailey announced we have a quorum to conduct business.

Citizen Mike Savu stated for the record "This is not a legal meeting". Mayor Nixon stated we have notified the city by posting and notifying the press. He asked the City Attorney Roger Morgan "Is this a legal meeting?" Mr. Morgan asked "Was the press notified at least 2 hours prior to the meeting?" Mayor Nixon stated it was? Therefore the meeting is legal.

**II. Minutes** – Mayor asked if everyone had read the May minutes. Mr. McBee motioned to accept the May minutes. Mr. Kinler seconded. The minutes were approved by acclamation.

**III. Treasurer Report**-Mr. Doshier was absent and Mayor Nixon read the report. The bank reconciliation balances as of May 31, 2022 are \$2,298,412, up \$208,646 from a year ago and up \$86,000 from last month. This includes all monies in the city's 20 accounts, but does not include the monies in the USDA Wastewater account or the Arkansas Rescue Plan account. City sales tax collections for May were \$42,295 which are up \$2,256 from last May. Collections for the first five months are up \$5,525 from last year. YTD collections are \$177,696 versus \$172,171 a year ago. Total income for the city for May was \$247,166, which is up \$27,628 from a year ago. Total expenses over that same time frame are \$148,936, which is down \$75,410 from last year, resulting in a net income of \$98,231 this May versus a loss of \$4,808 May 2021. Year to date income is \$1,035,965 with expenses of \$831,891. This results in a net income from operations of \$204,073. You also made your final payment on the 2012 Bond this month. This was the monthly payment to Regions Corporate Trust in the amount of \$3,062 that will be freed up for other uses. Mr. McBee motioned to accept the treasurer's report and Dr. Davenport seconded. The report was approved by acclamation.

#### **IV. Department Reports -**

- a. **Police-** Sargent John Ainsworth was absent and Mayor Nixon stated the report stands as written and attached.
- b. **Fire-**Chief Mitchell stated the report stands as submitted and is attached. He also stated we are getting close to wrapping up the hydrant testing.
- c. **Public Works-** The reports are submitted as written. Mr. McBee asked if we are fully staffed. Mayor Nixon stated “we are as fully staffed as we can be”.

Mr. Giannini motioned to accept all the reports and Mr. McBee seconded. The report was approved by acclamation.

- V. **Commission Reports-Planning & Zoning Commission-** Chairman Bonnie Sumner stated the minutes were submitted and stands as written. Mr. McBee motioned to confirm Ms. Carol Duss as a new member of the planning and zoning committee. Mr. Kinler seconded. There was a vote taken for the confirmation of Ms. Carol Duss, and everyone said yes. 6/0

Mr. Lindman motioned to accept the report and Mr. Grede seconded. The report was approved by acclamation.

#### **VI. Continuing Business -**

- a. **Street Paving-should begin paving before July 15, 2022**

- a) **Weed sprayer-Resolution 2022-08-**“A Resolution authorizing the purchase of one (1)Kawasaki mule for the City of Bull Shoals Public Works Department in the FY’2022 Budget.” Mayor read the entire Resolution 2022-08. Mr. Lindman made the motion to accept the Resolution 2022-08 and Mr. Giannini seconded. The Resolution 2022-08 was approved by acclamation. 6/0

- b. **Condemnation Program-**

- a) The Trailer on 109 Bull Shoals Dam Blvd. (needs to be corrected to 903) is being demolished. Mayor stated “There is a nice concrete slab under the garage and Mr. Franks would like to know if we want to keep it or not?” The census was everyone said keep it. The car has been moved outside

of the garage and is not a high value vehicle. The plan is to scrap the vehicle.

- b) Old Village Mart Inspection- Resolution 2022-09-**“A Resolution authorizing and approving funding to retain building inspection services in the FY’2022 Budget. Mayor Nixon read the Resolution 2022-09 entirely and it is attached. He announced that we have an inspection quote for \$15,365.00. Mr. McBee motioned to accept Resolution 2022-09 and Dr. Davenport seconded. We have a continuance court date of August 23, 2022, at 10:00am. A roll call vote was taken and everyone said yes except for Mr. Giannini. 5/1 The motion carries.

- c. Annexation-**Mr. Morgan stated annexation of islands is a legislative decision which falls upon the City Council. He stated an island is one property that is surrounded by the City. If they are annexed, they then receive the services of the city. He also stated an Ordinance is proposed to the council for the annexation of particular areas. He also stated, you have to hold a public hearing within 60 days of the passage of the Ordinance. Mr. Morgan said, the city would have to submit the property descriptions of the islands in order to draft an Ordinance. Dr. Davenport requested to draft the Ordinance.

## **VII. New Business**

- a. Browns Beach Parks-**Mr. Grede has decided to wait to change the Ordinance.

## **VIII. Citizen Comments-**

- a. Mike Savu-137 Falltime-**He would like to know why the push for annexation? Has the councilmembers asked the citizens about there properties? He wanted to know why the city council meeting was moved? He would like to know about the fence on CS Woods? Mayor Nixon stated we moved the meeting due to the holiday. Mayor stated we have not gotten far with the annexation processes.
- b. Meryl Faucet-2052 Central Blvd. –** He asked when the bids for the mobile home were opened? Mayor stated, he opened the bids the last day of May after the end of business.

- c. **Keith Hilburn**-107 Hardtime Circle-Why is annexation so necessary? Mr. Johnson is totally against it. He stated the Johnson property is not an island. Mayor stated we will look into it. Why is some people get to drive 4 wheelers and others do not? Mr. Morgan stated there has not been anything done with the annexations at this point.
- d. **Charles Ferrell**-703 Woodland Ave.- He would like to know about the Angler Resort zoning? Mayor stated, the owner plans to run it as a motel.
- e. **Breanna Farrell** – 703 Woodland Ave.- She would like to know how many job titles the Mayor has? Mayor stated, all the functions of the economic developer and Mayor are combined according to the minutes. The auditors recommended to clarify the monies, in the budget. She also asked about the condemnation allocation in the budget? Mr. Morgan stated somewhere between \$300-\$400. Mayor stated the rest of the budget is for the inspection of the building.
- f. **Phil Frieze**-1503 Carolyn Dr.- Asked about Council meetings and procedures? He also asked about the line items of the budget. When is the last economic development meeting and the minutes.
- g. **Jim Kuchenbecker**-112 Edgewood Dr.-He wanted the council to know there is a current grant for \$18,000 for a Side by Side. He also stated there is not been consistency in the four budgets on the website and there was not a segregation of salary lines last year but there is this year.
- h. **Lynn Nickels**- 102 Swiss Lane -Will someone be on duty for the parks for the 4<sup>th</sup> of July? The mayor stated yes. She would also like to know where the flag at the triangle and at damn site park are? Fire Chief Mitchell stated he removed the triangle flag because of it being tattered.
- i. **Fanisha Frieze**-1503 Carolyn Dr.-Would like to know about the camp hosts? She also stated her daughter has made numerous calls with no answer. Recorder Bailey stated, there could be a problem with the number and would like to look into it.
- j. **Jamie Pevato**-502 Marilyn-Do you have to have utilities to live in the home? Mr. Morgan said due to a state statute for health hazards, he is pretty sure you have to have utilities to live in a home. She also asked

about the road in the Damn Site Park being paved for the citizens to walk on. Mayor Nixon stated that the issue was brought up in the street paving project and due to citizen opposition the park was dropped from the list.

**IX. Adjournment-**

Mr. Kinler motioned to adjourn the meeting and Mr. McBee seconded. The motion carried and Mayor Nixon adjourned the meeting at 7:47 PM.

Minutes submitted by Tina Bailey

Minutes approved by: [Name]

*Paul L. [Signature]*  
*28 July 2022*

*Tina H. Bailey*