

Bull Shoals City Council

Meeting Minutes

July 26, 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 June 28, 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, Councilmember Alan Graley, Councilmember Jim Traylor, Councilmember Marty Nickels, Councilmember Daryl Lindman, and Councilmember Giannini. Councilmember Tuesday Rhodes is absent. 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 June meeting. Mayor asked for motion to approve the minutes. Councilmember Traylor motioned to approve the minutes and Councilmember Gianinni seconded. The minutes were approved by acclamation. Mayor Nixon asked the council members if they had read The Special Called Meeting minutes and asked for a motion to approve. Councilmember Graley motioned to approve the minutes and Councilmember Traylor seconded. The minutes were accepted by acclamation.

III. Treasurer Report

Mr. Doshier said the accounts are continuing upwards as compared to this time last year, they are up about \$500,000. Sales Tax continues to outperform compared to last year. General Sales Tax is up for the first six months of this year. The Sales tax for the Sewer plant is being held in a separate account. Overall we are in the black 174,000 for first six months of the year. Expenses are holding pretty well and he suggested to look at the Budget for a 6 month review. Mayor Nixon reported that the Budget Committee will be meeting on Tuesday, July 31, 2018 at 10:30 am in City Hall. The public is welcome and it is the 6 month review of the 2018 budget. Mayor Nixon asked Mr. Doshier about some of the line items in the 2018 Budget are either short or over and if this has to do with not knowing the real numbers when the budget was constructed. Mr. Doshier agreed with Mayor Nixon. Mayor Nixon reported we now have real numbers from Mr. Doshier. Mayor Nixon asked for the records to show that Councilmember Rhodes has joined us. Mayor Nixon asked for a motion to accept the

report. Councilmember Graley made the motion to accept the report and Councilmember Traylor seconded. The report was accepted by acclamation.

IV. Department Reports –

- a) Police Department – Chief Kuchenbecker reported that we have been very busy. He announced the report stands as read. Code Enforcement is going very well; Officer Roberts is doing a great job. We have resolved approximately 88 % of the ordinance violations. We have not had to write an ordinance violation ticket. Just launched the Virtual Academy for training the officers.
- b) Fire Department Report – Chief Mitchell reported 43 calls, 52 hours of volunteer hours, 5 EMT people are going to training next week for annual hours.
- c) Public Works – Mayor Nixon announced, Mr. McConnell is at training and his report is as read. The bridge repair down by the “Below the Dam Corp. has started today. Public works are also filling pot holes and cleaning ditches.
- d) Parks- Chairman Dawn L. reported the committee is recommending another set of Park Hosts next year at Point Return. It would divide the duties to cut the grass, cleaning the restrooms, and getting the sites ready for the visitors. The committee has asked for another cleaning on Wednesday’s of the restrooms by our current camp host. We are looking for volunteers to help update the parks and have a Volunteer Day at the Parks. The next meeting is September 11, 2018 at tentative 6:30 pm. Mayor read the insurance document for the volunteers (see attached).

Mayor called for a motion for all of the reports to be accepted. The reports are accepted by acclamation.

V. Planning and Zoning Commission-

- a) Did not meet and therefore do not have a report.

VI. Unfinished Business

- a) Purple Heart Association Sign – Mr. Bruce Emerson gave a synopsis of what the Purple Heart Trail is about. A photo was taken with the entire council receiving the signs for the city.
- b) Waste Water Report-Mayor Nixon reported, ADEQ has published our construction permit. We submitted payment for the affidavit. ADEQ paperwork is completed. We are waiting for the paperwork from USDA to

finalize. The bond council and our lending agency have been informed. Mayor reported about the Street repair grant of 250,000 from the State Highway Dept. and visiting with them on the 16th and asked what our odds are and they said we ranked about the top 15 people to be awarded the grant. Most of the streets are in McDonald's Meadow.

- c) Cul-de-Sac Abandonment-Resolution 2018-2- Mayor read the resolution which is attached and the hearing was opened. Councilmember Graley motioned to create an ordinance to abandon this Cul-da-Sac and Councilmember Nickels seconded. A roll call vote was taken and all said aye.
- d) Short Term Rental-Ordinance 2018-05-Mayor Nixon gave the first reading of this ordinance which is attached. Mayor Nixon asked if there is a motion to consider this Ordinance and Councilmember Lindman made the motion to accept this ordinance and Councilmember Nickels seconded. Councilmember Graley asked about the 2 home limits for this ordinance. City Attorney Roger Morgan and Councilmember Traylor had a discussion about the limits. There was a discussion between Mr. Morgan and Councilmember Rhodes about mobile homes limits. Mr. Morgan spoke towards the city moving forward for the future. Councilmember Graley asked about square footage regulations of homes (960) and the operator living in town. Councilmember Graley asked to clarify the owner/operator terminology. He also asked about the fine structure. Mr. Morgan said Judge Duffy imposes the cost of the fines. Councilmember Graley would like the Ordinance to go back to Mr. Morgan and then planning and zoning commission for revisions. Councilmember Nickels agreed. A voice vote was taken and the majority carried 5/1 to go back for revisions.

VII. Citizen Comments

- a) Mr. Jerry Egan, 135 Atwater Cove, Mr. Egan asked about the road by the golf course and if it's going to be fixed. Mayor Nixon reported this was part of the FEMA monies we are waiting to receive. Mr. Egan asked for clarification on if the neighbors next to short-term rental were going to be notified of each rental or once the home became a rental that's it? Mr. Egan also wanted to let the council know that the marketplace hazard still exists. He said the broken window was still there. He mentioned that this last month there was a sizable collection of beer cans and someone cleaned them up. He asked if we as the city could put up a piece of plywood to cover the window and charge the

expense to the owner. Mayor Nixon responded that we cannot do that because it is private property. Mr. Egan suggested that we should have an ordinance that we should be able to do something, so we can protect our children and grandchildren. Mayor Nixon reported that if someone gets hurt on that property then they could be charged with trespassing. Mr. Egan replied that the past minutes did not reflect his concerns about the hazards and he felt the minutes implied he was trespassing. Councilmember Rhodes asked Mr. Egan to be careful going over there because she does not want him to get in trouble for trespassing. Mayor Nixon reported the Recorder/Treasurer would like for you to take a look at the previous minutes for clarification after the meeting.

- b) Mr. Bruce Emerson – revisited the Purple Heart Program-Major Chuck Atkins would like to present a plaque to the City Council.
- c) Mr. Andy Haskell- Locust Ave. – His concern about the Short Term Rental annual fee seems to be a little small. Would also like to know about law enforcement with the short-term rental. Mayor Nixon replied our city officers would be responsible and Mr. Haskell said this puts a lot on our officers.

VIII. Adjournment

Councilmember Giannini motioned to adjourn the meeting. Councilmember Traylor seconded. Motion carries by acclamation.

Mayor Nixon adjourned the meeting at 7:34 PM.

Minutes submitted by: Tina Bailey *Tina M. Bailey* 8/30/18

Minutes approved by: [Name] *David L. Smith*