

City of Cedarville, Arkansas

Minutes, City Council Meeting

January 20, 2015

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Council approved Brenda Breshears to take the meeting notes for the council meeting.

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Financial report was given by Mayor O'Mara. The Bank balances given were: General - \$56,604.18 and Street \$106,079.36. Mrs. Breshears explained the decline in the General funds reported was due to the setup of the new bookkeeping system and bank accounts and moving the balances from the General Fund to the Street Fund. A motion was made to approve the financial report by Alderman Breshears and seconded by Alderman McClendon. Passed 4-0 Alderman McClendon asked for the list of all checks written for reconciled statements be included in the Treasurer's reports in the future. He also asked about putting the financial Reports on a website for the public to see. Mayor O'Mara agreed that the city needs a website and this would be good.

DEPARTMENT REPORTS

Maintenance and street department report by Supervisor Marlin Evans. Septic System is complete and improvements were noted. Mayor commented that there was an added cost of \$50.00 for added risers. The new road grader is in and is very nice. The department worked on drainage on Mill Pond Road and across from the Post Office, and cleaned the ditches at Thompson Lane and highway 59. Additional issues need to be addressed on Mill Pond Road. 3 loads of gravel were put down on Cedarville Road. Marlin asked that anyone that has road issues/drainage to let him know; he will do as much as possible as long as funding is available.

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Alderman Odom Asked Chief Hyatt to confirm he has valid DL on all his firemen.

OLD BUSINESS

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Alderman McClendon asked about the Mill Pond State Street Aid project to begin in March of this year. He wondered if we have a plat of the point where it begins and ends. He had asked that the council check into this project and see about turning this road back to the county getting the entire road paved, then returning the road to the city. Mayor O'Mara said that when speaking with Judge Hall, they considered doing this to either Hightower Road from the east end of Mill Pond Rd or the old Bowman house in the curve as the City would lose the value of the commercial property. John Odom agreed to research this and see what the options are. He will bring the info on this to the next meeting. Then we would need to have a special election to de-annex the properties involved. Special elections may cost \$5000-6000.

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Mr. Grayson commented on Cedarville Road and the possibility of paving that road. He also questioned why the city was considering paving the parking lot at city hall. Mayor O'Mara explained that she had asked for an estimate for handicap parking. The contractor writing the estimate wanted to include the entire parking lot for cost comparison. The mayor asked for a single estimate for the handicap parking and then a complete parking lot.

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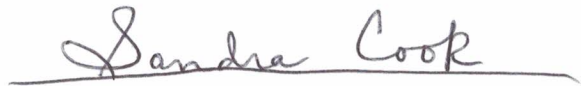
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Treasurer

Corrected

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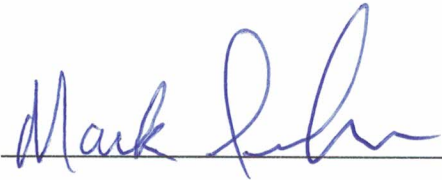
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Mayor

A handwritten signature in blue ink, appearing to read "Sandra Cook", written over a horizontal line.

Recorder/Treasurer

10/20/15

CITY OF CEDARVILLE, ARKANSAS
MINUTES, CITY COUNCIL MEETING
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A motion to approve the minutes of the January, 2015 meeting was made by Alderman Moore and seconded by Alderman McClendon. Passed 4-0

Treasurer Sandy Cook presented the Council with two types of financial reports and asked for a preference. Council members chose the bank reconciliation. Motion to accept the financial report was made by Alderman McClendon and seconded by Alderman Odom. Passed 4-0

The new budget for 2015 was presented. The top page was the budget to present to the State. Attached were copies of the worksheets from the Council work session.

DEPARTMENT REPORTS

There was no report from the police department. Chief Merrill was ill.

Fire Chief Jesse Hyatt reported 6 medical calls and 3 fire calls – one which was a control burn. Chief Hyatt will pick up the freightliner from the Forestry in Little Rock. It is a 2008 freightliner that will be made into a tanker and placed into service within six months. A mobile burn building is being provided for training to be shared by 7 local units. Training will be six weeks at a time and the public will be invited to the training.

Street supervisor Marlin Evans reported that gravel had been distributed on Lucian Wood Road and several roads had been sanded. Estimates to fix the dump truck have been obtained as well as estimates from Yeagers for weed eaters and lawn mowers.

The cost of hauling gravel has increased by \$15.00 per load.

The grader fixed a ditch for a citizen who was very appreciative.

A fresh load of salt and sand has been obtained in preparation for incoming winter weather.

The Resolution for Setting Policies and Procedures for the City Council of the City of Cedarville (Resolution 2-17-2015-1) was read by the Treasurer. Motion to accept was made by Alderman McClendon and seconded by Alderman Breshears. Passed 4-0

Citizens may request a copy of the code of ethics.

PUBLIC COMMENTS

Susan Hanson presented a school fundraiser hosted by the Middle School FBLA. It is a chili cook-off and dinner to be held at the Cedarville High School Cafeteria on March 6, 2015 at 6:00 p.m. Proceeds are to go to the Make A Wish Foundation for a local candidate. The goal is \$5000.00.

Becky Ivey asked for consideration for an Animal Ordinance and would like to see something done about dogs running loose in the city limits.

Chris Green addressed the issue of getting roads treated sooner. He expressed a concern that when he approached the Mayor out in public on this matter, the Mayor's husband intervened.

Julie McKinney addressed the issue of profanity on Stop signs on Mill Pond Road and Hightower Road. She also presented information on a free pancake breakfast to be held at the Old Rock Building on Saturday, February 21, 2015 beginning at 7:30 a.m. Any money donations will be used to fund Pirate's Day and any canned goods donated will be given to the Cedarville Senior Inn.

Alderman McClendon commented on a telephone call he received. It was a request for more details for the bid on cleaning the ditch on Mill Pond Road.

Randy Grayson commented on the fact that there are some ordinances in effect that are state controlled of which the city has no control. One such ordinance is the right to farm that is already law by the State.

UNFINISHED BUSINESS

The Treasurer read a Resolution to attach a copy of the Profit and Loss Statement of 2014 to the 2014 budget, labeled Exhibit A. (Resolution 2-17-2015-2) Motion to accept was made by Alderman Breshear and seconded by Alderman Odom. Passed 4-0

Mayor O'Mara suggested taking the Aldermen on a tour of the roads and get their input for paving. A date was set for 10:30 a.m. on February 21, 2015 after the pancake breakfast.

The Mayor has drawings for Mill Pond Road available to view.

Bids were opened as follows:

Dale Hightower - \$747.00

Coombes Trucking - \$700.00

The motion to award the project to Coombes Trucking was made by Alderman McClendon and seconded by Alderman Moore. Passed 4-0

The Animal and Clean up ordinances were discussed. Alderman McClendon suggested that the city obtain information from other cities the size of Cedarville to see how the other cities handle the issues. The Aldermen agreed to discuss the animal ordinance during the tour of the roads.

Ordinance review was tabled.

Discussion was held on Ordinance 002-008, Ordinance to hire/contract any city official or family member. Motion to discuss the repeal of this order was made by Alderman Breshears and seconded by Alderman McClendon.

Objections were made by Alderman Moore as he currently operates the road grader.

City Attorney Sean Brister stated that Alderman Moore should excuse himself from anything involving the grading of the roads. Alderman Moore stated that he does already do that.

Alderman McClendon noted that exceptions should not be made to the rule. For example, Brenda Breshears resigned from the office of Recorder/Treasurer because her husband, Tim Breshears became alderman. Alderman Breshears commented that the issues cannot be separated. Brenda Breshears stated that she asked to see a copy of the ordinance and when she contacted the State, their response was that they highly discouraged the hiring of city officials.

State Law 14-72-107 states that you can't have elected officials doing business with the city without an ordinance in place.

Citizens have the right to file a citizen referendum, a petition to void an ordinance.

A motion to read one time the Ordinance to repeal Ordinance 002-008 was made by Alderman Breshears and seconded by Alderman Odom. Passed 3-1 (Alderman Moore voted against)

The Treasurer read the Ordinance to repeal Ordinance 002-008. A motion to adopt this Ordinance was made by Alderman Breshears and seconded by Alderman Odom.
(Ordinance 2-17-2015-1) Passed 3-1 (Alderman Moore voted against)

A motion to declare an emergency clause for Ordinance 2-17-2015-1 to go into effect immediately was made by Alderman Breshears and seconded by Alderman McClendon. Passed 3-1 (Alderman Moore voted against)

NEW BUSINESS

Discussion was held on the new 2015 budget. During the work session held on February 5, 2015 expenditures for the fire department, street department and police department were discussed. The fire department was appropriated \$895.00 for a freightliner that will be converted to a tanker. The street department was appropriated \$1064 for two weed eaters and a mower. The police department's request was changed from 2 repeaters and 2 radios to 1 repeater and 3 radios for a total of \$5423.13.

A motion to amend the budget was made by Alderman McClendon and seconded by Alderman Odom. Passed 4-0

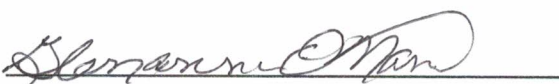
A motion to discuss Ordinance 2001-5, Power to Make Purchases, was made by Alderman McClendon and seconded by Alderman Breshears. The Ordinance was read by Treasurer Sandy Cook.


Discussion – Alderman McClendon suggested that purchases of equipment should be brought to the council meetings and should have competitive bidding on anything over \$2000.00. City Attorney Sean Brister will draft paperwork to make the revision. Motion to table new ordinance revision until paperwork is obtained was made by Alderman McClendon and seconded by Alderman Breshears. Passed 4-0

Mayor O'Mara gave a strong reminder concerning the renewal of a county one cent sales tax that will be on the ballot on May 12, 2015.

Treasurer Sandy Cook read Resolution opposing the Plains and Eastern Clean Line HDVC Project (Resolution 2-17-2015-3) A motion to accept the resolution was made by Alderman Moore and seconded by Alderman McClendon. Passed 4-0

Motion to adjourn was made by Alderman Moore and seconded by Alderman Breshears. Passed 4-0


Mayor


Recorder/Treasurer

CITY OF CEDARVILLE, ARKANSAS
MINUTES, CITY COUNCIL MEETING
MARCH 17, 2015

The Regular meeting of the Cedarville City Council was called to order by Recorder/Treasurer Sandy Cook. (Mayor O'Mara was indisposed.) Council members present were Alderman John Odom, Alderman K.C. McClendon, and Alderman Tim Breshears. Alderman Wendell Moore was absent. A moment of silence was observed followed by the Pledge of Allegiance to the United States.

A motion to approve the minutes of the February 17, 2015 meeting was made by Alderman Breshears and seconded by Alderman Odom. Passed 3-0

The financial statement was presented. Alderman Breshears questioned the reason for the Crawford County Locksmith bill. Treasurer Sandy Cook stated that the Mayor had the locks changed after items reported stolen reappeared within City Hall. Chief Merrill reported that a hard drive was missing from the police department. He had made a police report and then the hard drive reappeared in a closet. Also, the key fob for a police car that had been missing since September of 2014 reappeared. The council asked about the security camera footage and Chief Merrill said it had not been reviewed as yet. The administrator of the cameras has been out of town which accounts for the delay. A question was asked concerning the check written to Kids Play. That check was a deposit for a rental for Pirate's Day. A motion to accept the financial report was then made by Alderman McClendon and seconded by Alderman Breshears. Passed 3-0

DEPARTMENT REPORTS

Chief Merrill reported that he is still working on problems within the police department. At present he is short handed but has received support from the State Police (covering the early morning) and the County Sheriff's office has helped as well. A good relationship has been established between the branches of law enforcement. Chief Merrill has completed the police department manual and given it to City Attorney Brister for review. A new system has been put in place to better protect evidence. A new officer has been obtained.

Fire Chief Jesse Hyatt reported two fire calls and four medical calls. He has obtained a few new volunteers. The portable burn building has arrived and will be in Cedarville the month of June. A public day will be announced later. Chief Hyatt will be gone for training during the week of March 22 thru March 27. No report on how well the blood drive went. There will be another blood drive at the Pirate's Day celebration in July.

Street Supervisor Marlin Evans reported messy roads due to the recent weather. His crew has filled holes for now in anticipation of more rain. Eight loads of gravel have been used to fix the worst spots. When the weather becomes warmer and dryer they will fix the roads and ditches. Some work has already been done toward cleaning vines and such from the ditches. A new grader operator, Rick Goff, has been hired. Bids on the Thompson Bridge have been obtained but will not be opened until the April Council Meeting due to the mayor being indisposed.

Comments from the public: There were no comments from the public.

UNFINISHED BUSINESS

A reminder of the vote for the upcoming renewal of the one cent sales tax was given. Jesse Hyatt spoke of the importance of this tax to the city, as well as to the fire departments in the county and the senior inns. He encouraged all to go vote in May on this issue.

An ordinance setting procurement procedures, repealing conflicting ordinances, declaring an emergency, and for other related purposes was discussed. Attorney Brister stated that there had been an ordinance of this nature previously but no recording had been found therefore it doesn't really exist. A motion to suspend the three readings rule and read the title only was made by Alderman Odom and seconded by Alderman McClendon. Passed 3-0

The Treasurer read the Ordinance number and the title. Alderman McClendon stated that he had brought this matter before the council during the February meeting to bring the dollar amounts in line. A motion to adopt this ordinance was made by Alderman Breshears and seconded by Alderman McClendon. Passed 3-0

A motion to declare this ordinance (Ordinance No. 3-17-2015-1) an emergency was made by Alderman Breshears and seconded by Alderman Odom. Passed 3-0

In order to eliminate any confusion Treasurer Sandy Cook discussed the issues concerning the events committee. The funds from the vendors for Pirate's Day given to Treasurer Cook are funds strictly for the city of Cedarville. Pirate's Day is a City supported event only organized by the events committee. All money and proceeds belong to the city. This was verified by Jennifer McCann. Receipts or bills for this event will be presented to the Treasurer for reimbursement or payment. Mrs. McCann presented the printed flyers for the Pirate's Day celebration and encouraged all to get involved with it as well as the upcoming Car Show.

NEW BUSINESS

Treasurer Sandy Cook presented a possible solution to a payroll issue. Currently all payroll has been funded from the City General account. Sandy asked that a Payroll Account be set up at the bank strictly for payroll purposes. She had consulted with the bank, City of Dyer officials, the city attorney and the current payroll administrator. All agreed that a separate payroll account at the bank will address payroll and legislative audit issues as well as solve the issue with the IRS in sending the taxes by EFT. A motion to create a payroll account at Citizens Bank with three signatures (Treasurer Sandy Cook, Mayor Glenanna O'Mara and Alderman Wendell Moore) was made by Alderman Breshears and seconded by Alderman McClendon. Passed 3-0

Since more people have come on board in the fire department, more equipment is needed. Chief Hyatt presented an estimate for two radios, two mics, the supporting software and six batteries. Two radios, two mics, and the software were a total of \$354.95. These will be tested for durability and efficiency. If they are deemed insufficient, they will be returned and different brands will be procured. The six pack of batteries for radios will cost \$288.88. A motion to purchase these items was made by Alderman Breshears and seconded by Alderman McClendon. Passed 3-0

A new basketball rim is needed to replace the current one in the Cedarville Park. A motion to purchase and replace the rim was made by Alderman Breshears and seconded by Alderman Odom. Passed 3-0

Alderman McClendon asked for more information on the retrieval of data from the City Hall cameras. Chief Merrill stated that the Admin has retrieved the data from the cameras for him for certain dates involving a current investigation, and Mayor O'Mara has given Admin dates on the issues involving the missing (and later discovered) hard drive and key fob. A motion to call Sheriff Brown and ask him to have Chief Damante or someone of Sheriff Brown's choice to meet ASAP with Admin and Chief Merrill to review the tapes involving the keyed entry into City Hall. The time frame to view will be from the filing of the police report to the discovery of the missing items. The motion was made by Alderman McClendon and seconded by Alderman Breshears. Passed 3-0

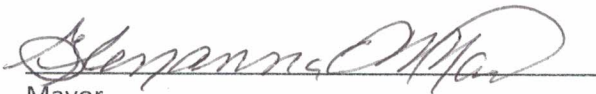
A citizen inquired why the Council meeting was not listed on the sign. Mayor O'Mara was indisposed and we failed to post it. Also, it was discussed that all ordinances should be posted in various locations within the city. Treasurer Sandy Cook will see that those are posted.

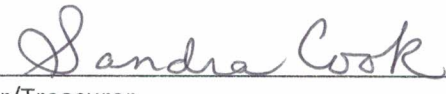
A citizen asked where she might obtain a copy of the code of ethics for the City Council. They were informed that the ethics ordinance from the January meeting will be posted in various locations or may be obtained from City Hall. City Attorney Sean Brister stated that a copy of the ordinances should be placed at City Hall, the Post Office, the Water Department, the Public Library, and the Senior Inn.

Alderman McClendon asked about the security of the Treasurer's office. There was discussion of the move to the new office and the security of files. Treasurer Sandy Cook stated that the safe and a locked filing cabinet have already been moved into the new office. The security of the doors was an issue that was discussed. Supervisor Evans is in the process of securing the doors to the new office. The Aldermen discussed the responsibility of the Treasurer and the security of the financial files. City Attorney Brister stressed the fact that the Treasurer is ultimately responsible and accountable for financial files and records and even though all files are public record the Treasurer should be present when any files are viewed. After much discussion on the security of the office, a motion was made to obtain bids for steel doors to secure the Treasurer's office. The motion was made by Alderman Odom and seconded by Alderman McClendon. Passed 3-0

The Council will address bids for police department renovation next meeting. Supervisor Evans stated there were some changes in the original renovation plans.

A motion to adjourn was made by Alderman Breshears and seconded by Alderman Odom. Passed 3-0


Mayor


Recorder/Treasurer