

HASKELL CITY COUNCIL MINUTES
NOVEMBER 14, 2011

The regular meeting of the Haskell City Council was held at the Haskell City Hall at 7:00 p.m., Monday, November 14, 2011.

ROLL CALL: Aldermen present were Ronnie Ballard, Terry Babbs, Rose Marie Wilkinson, Brad Graham, Dwayne Hippensteel, Gary Vice, Allen Nash, and Hal Baker. Also present were Mayor Jeff Arey, Recorder/Treasurer Janie Lyman, Fire Chief Brian Cotten, Police Chief Mike Holt, City Attorney Sam Ed Gibson, Ray & Jamie Bennett, Mr. J. Max VanHoose with Harp's Grocery, and a large number of residents.

Mayor Arey called the meeting to order and asked the Recorder to read the minutes of the October 10, 2011 meeting. Brad Graham made the motion, seconded by Ronnie Ballard, to approve the minutes as presented. The motion passed unanimously by yea vote.

DEPARTMENT REPORTS:

WATER/SEWER In the absence of Supt. Bobby Westbrook, the water report was given by Mayor Arey; a copy of the report is filed with these minutes. **NEW SEWER PROJECT:** a walk-thru was done last week, resulting in about twenty items that needed to be finished. The system is currently treating water.

STREETS No report

FIRE & RESCUE Chief Brian Cotten gave the fire report; a copy which is filed with these minutes. He also reported that he has worked out a temporary agreement with the Arkansas Health Center to house one of our fire trucks at their fire station. The Mayor is currently in negotiations with Arkansas Health Center for a lease agreement to make that a permanent station.

POLICE Chief Mike Holt gave the police report; a copy of which is filed with these minutes. He also stated that Officer Scott Walden, who recently suffered a heart attack, is back on duty.

COURT Mayor Arey gave the court report; a copy of which is filed with these minutes.

PLANNING COMMISSION A copy of the November 1, 2011 Public Hearing, and a copy of the November 1, 2011 Planning Commission Meeting Minutes were included in the Council Packet. Mayor Arey asked if there were any comments or questions concerning the minutes; there were none. A copy of these minutes are filed with these minutes.

CODE ENFORCEMENT A copy of the report was included in the Council Packet; a copy of the report is filed with these minutes.

NEW BUSINESS

REDISTRICTING OF WARDS

Mayor Arey stated that it is customary after a census for Cities to look into the population of each ward to see if there is an unequal number of people living in different districts resulting in unequal representation.

Mayor Arey contacted Metro-Plan, asking them to look into the population of each Ward, and make a recommendation to the City as to the need for redistricting. After looking into this matter, it is their recommendation that the City of Haskell needs to redistrict. Metro-Plan submitted a map showing the 2010 census population for each Ward. They have also provided three alternative redistricting maps for review.

Rose Marie Wilkinson made the motion to table this issue until the December 12, 2011 Meeting. Brad Graham seconded the motion. There being no comments or questions, the motion passed unanimously by yea vote.

PROPOSED 2012 BUDGET

Ronnie Ballard made the motion, seconded by Hal Baker, to table this issue until the December 12, 2011 Meeting. There being no comments or questions, the motion passed unanimously by yea vote.

REQUEST BY RAY BENNETT TO ADDRESS THE COUNCIL CONCERNING A STRUCTURE THAT HAS BEEN PLACED ON HIS PROPERTY

Mr. Bennett provided a copy of a survey of his property, and stated that he was requesting that the City Council have a building removed that has been built on his property. Alderman Ronnie Ballard asked if this matter was still in the court system. Mr. Bennett replied that a lawsuit had been heard and decided in Circuit Court, and the case involving Hudspeth not obtaining a building permit had been continued seven times in District Court. Alderman Terry Babbs then asked City Attorney Sam Ed Gibson if there were some stipulations on how many times a case could be continued. Mr. Gibson replied that if parties for the plaintiff and defendant agreed, a case could be continued indefinitely or as long as a judge allows. He further stated that a hearing is scheduled before Judge Curtis Rickard on November 29, 2011 for a ruling on the citation for not obtaining a building permit. Mr. Gibson further stated while he expected Judge Rickard to hear the case, Judge Rickard may or may not fully decide on the case on that day, and that in his opinion any action taken by the Council prior to Judge Rickard's ruling would be premature.

Alderman Hal Baker made the motion to table this discussion until the Council meets again on December 12, 2011, or when Judge Rickard rules on the case that is pending. The motion was seconded by Ronnie Ballard; the motion passed unanimously by yea vote.

ORDINANCE 08-2011

An Ordinance Amending the Comprehensive Zoning Ordinance of the City of Haskell, Arkansas to Rezone Certain Property Located at the Corner of Highway 67 and Highway 229 from R-2 to TC-MX.

Due to the nature of this item of business, Mayor Arey recused himself, and turned the meeting over to the Recorder/Treasurer Janie Lyman.

Ms. Lyman announced that there would be a comment period for those present who wish to address the Council on this item. Prior to the public comment time, Ms. Lyman introduced Mr. J. Max VanHoose, a representative from Harp's Foods. Mr. VanHoose addressed the Council, giving a short synopsis of the plans for the Harp's Foods at this location.

Following the public comment time, Hal Baker made the motion, seconded by Ronnie Ballard, to approve Ordinance 08-2011. The Recorder/Treasurer proceeded with the first reading. Let the record show that Alderman Rose Marie Wilkinson recused herself from voting. A Roll Call vote was taken; the motion passed unanimously. Brad Graham made the motion, seconded by Terry Babbs, to suspend the rules and waive the second and third reading. A Roll Call vote was taken; the motion passed unanimously. Terry Babbs made the motion, seconded by Brad Graham, to read the heading only of the Ordinance. Recorder Janie Lyman proceeded with the reading of the heading only. A Roll Call vote was taken; the Ordinance passed unanimously.

OLD BUSINESS

NONE

ANNOUNCEMENTS

Recorder Janie Lyman announced that the 2012 Municipal League Winter Conference will be held at the Statehouse Convention Center January 11-13, 2012. If you plan to attend, she must have your registration no later than December 1, 2011.

There being no further comments or question, the meeting was adjourned.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Janie Lyman". The signature is written in a cursive style with a large initial "J" and "L".

Janie Lyman
Recorder