

HASKELL CITY COUNCIL MINUTES  
OCTOBER 10, 2011

The regular meeting of the Haskell City Council was held at the Haskell City Hall at 7:00 p.m., Monday, October 10, 2011.

ROLL CALL: Aldermen present were Ronnie Ballard, Terry Babbs, Rose Marie Wilkinson, Brad Graham, Allen Nash, Gary Vice, and Dwayne Hippensteel. Hal Baker was absent. Also present were Mayor Jeff Arey, Recorder Janie Lyman, Fire Chief Brian Cotten, Audry Raney, and Mark White. Others present were Jerry & Emaline Stroud, Mayor's Youth Council sponsors Darlene Emmons and Clarissa Lumpkin, along with Youth Council members Kaylee Wilson, Elizabeth Moseley, Wes Hinson, Jacob Blockburger, Catherine Runyan, Bailey Hagerty, and Molly White.

Mayor Arey called the meeting to order and asked the Recorder to read the minutes of the September 12, 2011 meeting. Brad Graham made the motion, seconded by Ronnie Ballard, to approve the minutes as presented. The motion passed unanimously by yea vote.

Prior to the Departmental Reports, Mayor Arey announced that the Mayor's Youth Council would like to make a presentation. Mayor Arey related that the Youth Council has been meeting since June of 2011, and has fifteen members. Sponsor Darlene Emmons introduced the members present. Jacob Blockburger stated that the Council members have volunteered over 240 hours to Community service. They are participating with the Benton Police Department with the "DON'T TEXT AND DRIVE" campaign. Elizabeth Moseley created a pamphlet which includes statistics on texting and driving, and also contains a pledge to be signed making a conscious

commitment not to text while driving, and to wear a seatbelt. Youth Council members were present at the recent drive thru SHOT CLINIC (Humane Society) held at Harmony Grove School, they sold Cardinal tumblers at the football games, worked at the School with the backpack program, worked at the Saline County Fair, and Old Fashion Day. Upcoming events include working with Habitat to help build homes, help with SPOOK CITY in Benton, and participate in a Blood Drive.

### **DEPARTMENTAL 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:** we are still ahead of the projected completion date of March, 2012 and, expect to have a test run within the next month. The funds thru Arkansas Natural Resources have been exhausted, and the remainder of the cost (approximately \$130,000) of this project will be paid from the Capital Improvement Fee- Sewer account.

**STREET** We have over-layed road cuts, continued to mow right-of-ways, and repaired water lines. Mayor Arey announced that there has been a "RASH" of street sign thefts. If you are aware of any signs missing, please contact the City hall.

**FIRE & RESCUE** Chief Brian Cotten gave the fire report; a copy of which is filed with these reports.

**POLICE** In the absence of Chief Mike Holt, the report was given by Mayor Arey. A copy of the report is filed with these minutes.

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

**PLANNING COMMISSION** Mayor Arey gave a re-cap of the Planning Commission Meeting minutes provided to the City Council.

**CODE ENFORCEMENT** No report was available this month

**NEW BUSINESS**                      **ORDINANCE 07-2011**      An Ordinance  
Amending the Comprehensive Zoning Ordinance of the City of  
Haskell, Arkansas to Re-Zone Property located at 1900 Hwy 229  
from R1 to MF1

Mayor Arey gave an overview of the process involved regarding the above Ordinance, and noted that the Haskell Planning Commission notified the City Council of their recommendation to approve this Ordinance. Terry Babbs made the motion to accept the recommendation of the Planning Commission and have the first reading of the Ordinance. The motion was seconded by Allen Nash. The motion passed unanimously by yea vote. Brad Graham made the motion, seconded by Rose Marie Wilkinson, to suspend the rules and waive the second and third reading. A Roll Call vote was taken; the motion passed unanimously. Brad Graham made the motion, seconded by Terry Babbs, to approve Ordinance 07-2011. A Roll Call vote was taken; the motion passed with six (6) yea votes and one (1) nay vote.

**ACTION REGARDING SUMMONS IN CIVIL SUIT**

Mayor Arey stated that last month he was served a summons regarding a class action suit against the City of Haskell. The Cities of Benton, Bryant, Bauxite, Alexander, and Shannon Hills were also named in this class action suit. The Plaintiff is saying that it is unconstitutional for a person to be held in jail and not be released until a \$50.00 warrant fee is paid. Our city attorney advised Mayor Arey to participate in the Municipal League Defense fund, and turn this over to them. Mayor Arey contacted them, they were already aware of the situation, as they had been contacted by some of the other defendants. Mayor Arey made the recommendation that the City of Haskell turn this over to the Municipal League Defense Fund. Rose Marie Wilkinson made the motion, seconded by

Dewayne Hippensteel, to approve the Mayor's recommendation. The motion passed unanimously by yea vote.

## **OLD BUSINESS**

### Review of Income/Expense Statement

A copy of this report was included in the Council Packet. Mayor Arey asked if there were any comments or questions; there were none.

Ordinance 06-2011          An Ordinance Regulating Dangerous Dogs; Providing for the Removal of Vicious Dogs; Amending Ordinance 04-2003; Declaring an Emergency; and for other purposes

Terry Babbs made the motion to have the first reading, heading only, of Ordinance 06-2011. The motion was seconded by Brad Graham. The motion passed unanimously by yea vote. The Recorder proceeded with the first reading, heading only. Brad Graham made the motion, seconded by Ronnie Ballard, 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 to approve Ordinance 06-2011. Ronnie Ballard seconded the motion. A Roll Call vote was taken; the motion passed unanimously.

## **ANNOUNCEMENTS**

Mayor Arey recently attended an Advisory Council meeting at the Arkansas Municipal League, and participated in a lengthy discussion regarding *The Natural Gas Severance Tax Act of 2012*. Mayor Arey asked that everyone read the letter included in the Council packet, and support this tax. This is not a direct tax, and will not raise anyone's tax. The tax will annually generate approximately \$34 million for cities and towns, plus \$20 million in State Aid- Street funds, and city and town street turnback will increase from \$47.50 to \$70.00 per capita. Mayor Arey urged members to support this tax, and join him in gathering approved signatures ( 62,000 required State wide)in order to place the Act on the ballot in November of 2012.

A Public Hearing will be held at 6:30 p.m., November 1, 2011 at the Haskell City Hall for rezoning of approximately 4.81 acres at the corner of Hwy 67 and Hwy 229 (directly behind Fred's and Dollar General) from R-2 to TC-MX. Rezoning will allow for the development of a Harp's Foods grocery store.

## **PUBLIC COMMENTS**

Emaline Stroud, with the Haskell Historical Society, announced that the Society will be including a Board in the Haskell Museum for anyone who lived in Haskell or now lives in Haskell who served in the military. If you, or anyone you know, is a veteran, she has forms available for gathering the specifics; pictures would be very much appreciated. Forms are available at the Haskell City Hall.

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

Respectfully Submitted,



Janie Lyman  
Recorder