

**MINUTES**

Regular Called City Council Meeting  
March 16, 2006  
City of Russellville, Arkansas

The Russellville City Council met in Regular Session March 16, 2006 at 6 p.m. in the Council Chambers at City Hall.

Officials present were Mayor Raye Turner, City Attorney Trey Smith, City Clerk Kathy Collins, Council Members Cliff Kirchner, Faye Abernathy, Randall Crouch, Phil Carruth, Ronnie Tripp, Robert Wiley, Rick Harrell and Alderman Williamson.

Guests in attendance were Gerhard Langguth, Jim Whitfield, Craig Noble Kevin Moore, Charles Hern, Rita Richardson, David Lee, Bob Hiegal, Troy Burris, Travis Adams, Keith Underhill, Steve Hooten Roger Vanhoose, Bobby Day and Peggy Stratton.

Pastor Keith Underhill with First Assembly of God Church led us in Prayer, which was followed by the Pledge of Allegiance.

The Minutes to the Regular scheduled City Council Meeting held on February 16, 2006 were approved with corrections in the Treasurer’s report.

**Call To Order and Welcome:**

Mayor Raye Turner

**Mayor’s Report:**

1. Recognized Firemen John Taylor for 31 years of service and Jim Keller for 25 years of service.
2. Recognized new employees Logan Knight, Matt Morton, Josh Bryant, Mark Nolan, Mark Renke, and Tony Wagner.
3. There are 16 of the 240 employees that haven’t used any sick time last year. They will be recognized at an event.

**Treasurer’s Report:**

General Fund Balance	\$ 1,789,760.91
Street Fund Balance	\$ 3,830,422.67
Economic Development Fund Balance	\$ 1,156,450.19
Capital Assets Fund Balance	\$ 318,048.01
Rsvl Waste Reduction Fund Balance	\$ 23,826.15
Special Funds Balance	\$ 451,881.30
Parking Lot Fund Balance	\$ 64,667.39
Certificates of Deposit – General	\$ 1,485,400.00

Certificates of Deposit – Street	\$ 2,000,000.00
Cemetery Assoc Account Balance-Market Value	\$ 164,247.63
Bond Fund Account Balance	\$ 233,220.40
Debt Service Reserve Account Balance	\$ 433,925.00
Bonded Indebtedness: Principal Outstanding	\$ 3,240,000.00

### GENERAL FUND

**REVENUES:** February revenues total \$1,034,367 and are 3.2% above projections for the year. February Sales Tax collections total \$662,772; Franchise Fees and permits totaled \$272,744.

**EXPENDITURES:** February expenditures total \$766,871 and are 0.6% below YTD projections. YTD there has been \$360,488 more receipted in revenues than expended for the General Fund.

### STREET FUND

**REVENUES:** Total revenues for February equal \$707,547 including \$570,481 in 7/8 percent sales tax receipts and \$137,066 in regular revenue. YTD Revenues are 1.9% above projections.

**EXPENDITURES:** Operational expenditures for February are \$78,424; Capital Improvements expenditures total \$131,650 in February; Sales Tax expenditures total \$169,951 for work including Macon/16<sup>th</sup> and East Parkway Reconstruction. Total expenditures are \$380,025. YTD expenditures are 7.3% below budget.

### ECONOMIC DEVELOPMENT FUND

**REVENUES:** February revenues total \$89,879 for interest and sales tax. YTD revenues are 2.7% ahead of projections

**EXPENDITURES:** There were no expenditures during February.

### CAPITAL ASSETS FUND

**REVENUES:** Total revenues for February equal \$889 for interest.

**EXPENDITURES:** \$14,780 was expended in February.

Special Funds Balances

11	Municipal Court Retirement Fund	\$ 7,445.70
12	District Court Costs Fund	\$ 69,883.36
13	No Vehicle Insurance Fund	\$ 13,491.40
14	Parks & Rec Special Fund	\$ 134,775.52
15	Police Training Fund	\$ 4,673.88
16	Police Pension Fund	\$ 23,143.38
17	Court Automation Fund	\$ 55,942.69
18	Administration of Justice Fund	\$ 202.70
19	Criminal Justice Ordinance Fund	\$ 5,955.55
20	Fire Contingency Fund	\$ 29,865.91
21	Fire Insurance Premiums Fund	\$ 90,855.12
22	Fire Pension Fund	\$ 15,153.89
23	LOPFI Fund	\$ 492.20

**TOTAL** **\$ 451,881.30**

**Committee Report:**

1. Consideration of Adoption of a Physical Fitness Policy – Mayor Turner, Chief Bacon, Chief Miller and Audra Samuels. This Item will appear next month after a review period.
2. Consideration to Fill a Vacancy at the Russellville Police Department and Community Development. Motion to approve was made by Alderman Tripp. Alderman Crouch made the second. Motion carries on a voice vote.
3. Cliff Kirchner made a motion to appropriate \$30,000.00 from the City's Capital Asset Fund to the Airport to be repaid by Grant funds. Alderman Williamson made the second. Motion carries unanimously on a voice vote.

**Special Business:**

1. Consideration for Application of Grant Funds for a VLJ Aircraft – Randal Crouch. Motion to approve Resolution **# 923**, was made by Alderman Crouch. Alderman Carruth made the second. Motion carries on a voice vote.

**Old Business:**

1. Consideration to Address the City Corporation Lease – Mayor Turner  
Trey Smith read the Ordinance in its entirety. This will be brought back before the Council next month. Cliff Kirchner requested a meeting between City Corporation and the Council to discuss the Lease. The Mayor asked City Corporation Board to respond to the letter that was sent to them in February and request a meeting with the Council.
2. Discussion Concerning a Request to Detach Property from the City of Russellville – Mayor Turner. Tabled. Mayor Turner forwarded the request to City Corporation for possible cost estimates to the City.

3. Consideration to Review the Sign Regulations and Zoning Ordinance – Jim vonTunglen. Next Month.

**New Business:**

1. Consideration of a Public Hearing and Ordinance **# 1905** to Vacate an Alley Running South 142 Feet between Block I and J of the J.T. Torrence Addition Submitted by David Krueger – Planning Commission. Mayor Turner opened then closed the Public Hearing. Motion to suspend the rules was made by Alderman Tripp. Alderman Wiley made the second. Motion carries on a voice vote. City Attorney Trey Smith read the Ordinance as instructed. Alderman Kirchner made the motion to adopt. Alderman Tripp made the second. Motion carries unanimously on a roll call vote.
2. Consideration of Ordinance **#1906** to Rezone Property Presently R-1 to C-2 Located at 241 East Aspen Lane to Allow Construction of a Rental Building for Receptions Events, etc., Submitted by Charles Henry – Planning Commission. Motion to suspend the rules was made by Alderman Tripp. Alderman Wiley made the second. Motion carries on a voice vote. Trey Smith read the Ordinance as instructed. Alderman Tripp made the motion to adopt. Alderman Wiley made the second. Motion carries unanimously on a roll call vote.
3. Consideration of Ordinance **# 1907** Revising the Table of Permitted Uses – Planning Commission. Motion to suspend the rules was made by Alderman Crouch. Alderman Wiley made the second. Motion carries on a voice vote. Trey Smith, City Attorney, read the Ordinance as instructed. Motion to adopt was made by Alderman Wiley. Alderman Crouch made the second. Motion carries unanimously on a roll call vote.
4. Consideration of Resolution **# 924** to set a Public Hearing to Review a Petition to Vacate a Portion of Two (2) Street Right-of-Ways in the J.L. Shinn Addition to the City of Russellville, Arkansas to Bring Existing Housing Encroaching on Street Right-of-Way into compliance with current codes submitted by Marshall Wells on behalf of DeMar Construction, Brenda Bradshaw, and Denise and Steve Williamson, as follows:
  - 4a. Vacate a 10-foot Portion of the 80-Foot Right-of-Way on the East Side of the 500 Block of North Hartford Avenue which Borders lots 7 and 8 of Block 87, J.L. Shinn Addition Reducing the Right-of-Way to 30 Feet from the Center Line of the Street Leaving a 70-foot Right-of-Way in that Block.
  - 4b. Vacate a 10-foot Portion of the 80 Foot Right-of-Way on the North Side of the 800 Block of East “E” Street which Border lots 7 thru 12 of Block 87, J.L. Shinn Addition Reducing the

Right-of-Way to 30 Feet from the Center Line of the Street Leaving a 70-foot Right-of-Way in that Block.

Motion to set the Public Hearing was made by Alderman Crouch. Alderman Williamson made the second. The Public Hearing is set for April 20th the next scheduled City Council meeting.

5. Consideration of Ordinance # **1908** to Vacate an Alley and a Portion of Three (3) Street Right-of-Ways in Block 99 of the J.L. Shinn Addition to the City of Russellville Submitted by Bob Hiegel, Architect, on Behalf of the First Assembly of God Church on North Arkansas Avenue – Planning Commission. Motion to suspend the rules and read by title only was made by Alderman Tripp. Alderman Crouch made the second. Motion carries on a voice vote. Trey Smith read the Ordinance as instructed. Alderman Tripp made the motion to adopt. Alderman Wiley made the second. Motion carries unanimously on a roll call vote.
  1. Officially Close or Vacate a 20 ft. Alley Lying Between lots 5-8 and 9-12, Block 99, J. L. Shinn Addition to the City of Russellville, Arkansas.
  2. Vacate a 10 ft. Portion of the 80 ft. Right-of-Way on the South Side of "G" Street which Borders lots 1-8 of Block 99, J. L. Shinn Addition to the City of Russellville, Arkansas to Reduce that Right-of-Way to 30 ft. from the Center Line of the Street Leaving a 70 foot Right-of-Way in that Block.
  3. Vacate a 10 ft. Portion of the 80 ft. Right-of-Way on the West Side of Boston Ave. which Borders lots 1 and 16 of Block 99, J. L. Shinn Addition to the City of Russellville, Arkansas to Reduce the Right-of-Way to 30 ft. from the Centerline of the Street Leaving a 70 foot Right-of-Way in that Block.
  4. Vacate a 10 ft. Portion of the 80 ft. Right of Way on the North Side of "F" Street which Borders lots 9-16 of Block 99, J. L. Shinn Addition to the City of Russellville, Arkansas to Reduce that Right-of-Way to 30 ft. from the Centerline of the Street Leaving a 70 ft. Right-of-Way in that Block.
6. Consideration to Declare a Public Hearing and an Ordinance for the Closing of 15<sup>th</sup> Street – Robert Wiley. Tabled.
7. Consideration of Resolution # **925** to Authorize the Mayor and the City Clerk to Sign a Contract for Destruction of Dilapidated Structures with Robinson Inc. – Trey Smith. Motion to adopt the Resolution and approve

the appropriation ordinance was made by Alderman Wiley. Alderman Tripp made the second. Motion carries unanimously on a voice vote.

8. Consideration of Resolution **# 926** to Authorize the Mayor and the City Clerk to Sign Certain Documents for Legal Assistance from the Municipal League Regarding Cook vs. Gibbons – Trey Smith. Motion to adopt the Resolution was made by Alderman Tripp. Alderman Crouch made the second. Motion carries unanimously on a voice vote.
9. Consideration to Resolution **# 927** to Authorize the Mayor and City Clerk to Sign an Agreement with Police Reports.com for Police Reports Online – Chief Bacon. Alderman Wiley made the motion to approve the Resolution. Alderman Williamson made the second. Motion carries unanimously on a voice vote.
10. Consideration of Appointments to the Civil Service Commission – Mayor Turner. Alderman Tripp made the motion to accept the appointments of Toni Bachman and Dr. James Carter to the Civil Service Commission. Alderman Williamson made the second. Motion carries unanimously on a voice vote.
11. Discussion Concerning Airport Funding – Randal Crouch. Discussed in Special Business.
12. Discussion of Ordinance **# 1909** on Sexual Oriented Businesses – Trey Smith. Motion to suspend the rules and read by title only with a short explanation was made by Alderman Tripp. Alderman Wiley made the second. Trey Smith read the Ordinance as instructed. Alderman Wiley made the motion to adopt. Alderman Crouch made the second. Motion carries unanimously on a roll call vote. Alderman Williamson made the motion to adopt the Emergency Clause. Alderman Tripp made the second. Motion carries on a voice vote.
13. Appropriations and Line Item transfers:  
None

**Late Agenda Item:**

1. Appropriation Ordinance: 02 Street Fund – New Appropriation

02-205-5481, Russell Road Improve \$ 5,733.75  
Russell Road condemnation  
Motion to approve the appropriation was made by Alderman Tripp.  
Alderman Wiley made the second. Motion carries on a voice vote.

2. Consideration of Resolution **# 928** to set a Public Hearing to vacate an alley running east of South Boston between lot 8 and lots 9, 10,11,12,13,14,15,16, and 17 Block "C" of the Falls & Hays Addition to the City of Russellville submitted by James R. Ford. Alderman Tripp made the motion to hear the Late Agenda Item. Alderman Wiley made the second. Motion carries on a voice vote. Alderman Crouch made the motion to adopt the Resolution setting the public hearing for April 20. Alderman Tripp made the second. Motion carries on a voice vote.
3. Resolution **# 929** authorizing the Mayor and City Clerk to sign a grant application with the Department of Homeland Security for a Hazmat Vehicle-Chief Miller. Motion to adopt the Resolution was made by Alderman Tripp. Alderman Williamson made the second. Motion carries on a voice vote.
4. Resolution urging the Arkansas Congressional Delegation to support the reinstatement of the Byrne Grant funding or, Alternatively, to provide other funding for our Drug Task Forces. Motion to adopt the Resolution was made by Alderman Tripp. Alderman Kirchner made the second. Motion carries on a voice vote.

**Adjourn:**

Motion to adjourn was made by Alderman Wiley. Alderman Williamson made the second. Motion carries on a voice vote.

ATTEST:

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Kathy Collins, City Clerk

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Date

\*\* Tape of this meet on file at City Hall.