

**RUSSELLVILLE CITY COUNCIL**  
**Regular Meeting Minutes**  
**November 20, 2003**

The Russellville City Council met in Regular Session November 20, 2003 at 7 p.m. in the Council Chambers.

Officials present were Mayor Raye Turner, City Attorney Trey Smith, City Clerk Kathy Collins, Tyrone Williamson, Ronnie Tripp, Robert Wiley, Andrea Lea, Faye Abernathy, Rick Harrell and Alderman Gray. Alderman Cliff Kirchner was absent.

Guests included Gracy, Tracy and Jade Henry, Jason Boze, Jeanna Eddleman, Linda Wooten, Kelly Boyd, Jeff Pipkin, Angela Bonds, Robert B. McCready, Mack Hollis, Betty Hefner, Eddie Rood, Debbie Riddle, Tim Lewellyn, Charles Halbert, Chris Chronister, Ray Phillips, Wayne Drain, Gerhard Langguth, Keith Williams, Susanne Alford and R.E. Hodges.

Pastor Larry Moore with First Assembly of God Church led us in prayer, which was followed by the Pledge of Allegiance.

The Minutes of the Regular Scheduled City Council Meeting held on October 16, 2003 were approved as written.

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**Mayor's Report:**

1. Mayor Turner recognized Leadership Russellville members that attended the meeting.
2. Mayor Turner presented a Proclamation for Blind Awareness Week to Marilyn Bosnick.
3. Saturday, November 22, 2003 is fall clean up day from 8 am to 4 pm.
4. Shannon Shepard from the A & P Commission spoke about the Christmas Parade, Ice Skating Rink, and the Reindeer Run.
5. Committee of Department Heads to brainstorm and find ways to recognize employees for the hard work they do each day.

**Treasurer's Report:**

1. Financial update City Treasurer Donna Wall
  - General Fund Balance: \$ 789,864.57
  - Street Fund Balance: 2,721,267.25
  - Economic Development: 451,523.43
  - Special Fund Accounts 574,080.42
  - Parking Lot Fund Balance 76,001.48
  - Boundary Street Imp: 22,737.37
  - Cemetery Assoc. –Market Value 138,077.76
  - Bond Fund 689,142.66
  - Debt Service Reserve 433,925.00

- Bond Indebtedness: Principal Outstanding \$ 5,305,000.00

**Committee Report:**

Alderman Gray made the report in Alderman Kirchner’s absence. There will be a Special Called City Council Meeting to be held on Tuesday, November 25, 2003 at City Hall.

**Special Report:**

None

**Old Business:**

1. Third Reading--Consideration of **Ordinance # 1810** to Repeal Ordinance #860 Establishing the Franchise Fee for Cox Communications to operate, maintain, and acquire television cable lines within the City right-of-way in the City of Russellville—Mayor Turner, Trey Smith. Alderman Wiley made the motion to read the Ordinance by title only with a short explanation. Alderman Tripp made the second. Motion carries on a voice vote. City Attorney Trey Smith read the Ordinance by title only with a short explanation. Alderman Williamson made the motion to adopt with a second by Alderman Wiley. Motion carries unanimously on a roll call vote.
2. Second Reading--Consideration of an Ordinance by Planning Commission Voting to send to the City Council for a change in the Zoning Code reference daycares. (MS.02.11.39) –Planning Commission, Alderman Gray. Alderman Gray made the motion to read the Ordinance by title only with a short explanation. Alderman Tripp made the second. City Attorney Trey Smith read the Ordinance by title only with a short explanation. This Ordinance will be brought to the Council in December for the third reading.
3. Consideration of an Ordinance amending Personnel Policies relating to Travel Expense and Ordinance for the Adoption of Internet Policy Approved April 2002—Audra Samuels. Alderman Tripp made the motion to read by title only with a short explanation. Alderman Gray made the second. Motion carries unanimously on a voice vote. Trey Smith read the Ordinance by title only with a short explanation. This Ordinance will be brought before the Council next month for the second reading.
4. Second Reading-Consideration to amend Ordinance # 1632 Authorizing the Russellville Civil Service commission to Appoint and Remove the Heads of the Police and Fire Department--Andrea Lea. Alderwoman Lea made the motion to read the Ordinance by title only with a short explanation. Alderman Williamson made the second. Motion carries unanimously on a voice vote. City Attorney Trey Smith read the

Ordinance by title only with a short explanation. This Ordinance will be brought before the Council in December for the third reading.

5. Consideration of **Ordinance # 1811** Requiring Businesses to Obtain a Permit to Operate within the City Limits of Russellville, Repealing Ordinance #1406 and 1467—Morgan Barrett. Alderman Tripp made the motion to read the Ordinance by title only. Alderman Wiley made the second. Motion carries unanimously on a voice vote. Trey Smith read the Ordinance. Alderman Gray made the motion to suspend the rules and read by title only for the second reading with a second by Alderman Wiley. Motion carries unanimously on a voice vote. Trey Smith read the Ordinance. Alderman Wiley made the motion to suspend the rules and read by title only for the third reading with a second by Alderman Gray. Motion carries unanimously on a voice vote. Trey Smith read the Ordinance. Alderman Wiley made the motion to adopt and Alderman Gray made the second. Motions carries unanimously on a roll call vote.
6. Consideration of Ordinance # 1245 to Regulate Transient Merchant License to conduct Business within the City Limits of Russellville—Morgan Barrett. Alderwoman Lea made the motion to read by title only with a short explanation. Alderman Gray made the second. Motion carries unanimously on a voice vote. City Attorney Trey Smith read the Ordinance by title only. This Ordinance will be brought back before the Council next month.
7. Consideration of **Resolution # 845** to Adopt the Park System Master Plan—Mack Hollis. Alderman Wiley made the motion to adopt and Alderman Gray made the second. Motion carries on a voice vote.

**New Business:**

1. Consideration of an Ordinance to approve the request to rezone property and to be confirmed by the City Council at 1608 North Parker Road, presently R-1 to C-2 to be used as commercial or church school submitted by E. Wayne Drain. \*\*\*Note: Revise the Land Use Plan. Motion to read by title only was made by Alderwoman Lea. Alderman Tripp made the second. City Attorney Trey Smith read the Ordinance by title only with a short explanation. This Ordinance will be brought back before the Council next month.
2. Public Hearing and Consideration of **Ordinance # 1812** subject to changing permit fee from \$10.00 to \$100.00 or proof of a 501-C Exemption amending portions of the Zoning Code relating to Temporary Carnivals—Jim VonTungeln. Mayor Turner opened the public hearing and Gerhard Langguth spoke on the subject. Mayor Turner closed the public hearing. Alderman Tripp made the motion to suspend the rules and read by title only with a short explanation. Alderman Gray made the second.

Motion carries unanimously on a voice vote. City Attorney Trey Smith read the Ordinance by title only. Alderman Tripp made the motion to adopt and Alderman Wiley made the second. Motion carries unanimously on a roll call vote.

3. Consideration for establishing the fees in accordance with Solid Waste Ordinance 1611—Morgan Barrett. Alderwoman Lea made the motion to assess the fees of \$25.00 for each Trash Hauler Truck and \$1.00 per customer. Alderman Gray made the second. Motion carries unanimously on a voice vote.
4. Consideration of an Ordinance to approve the request to rezone property to be confirmed by the City Council belonging to Robert A. Bell, MD in the vicinity of the 2300 & 2400 blocks of West Second Street, presently R-1/C-4 to C-2 to construct medical offices. \*Note: Revise the Land Use Plan—Planning Commission. Alderman Tripp made the motion to read by title only with a short explanation. Alderman Gray made the second. Motion carries unanimously on a voice vote. Trey Smith read the Ordinance by title only with a short explanation. This Ordinance will be brought back before the Council next month for the second reading.
5. Discussion of Installation of underground wiring in all new subdivisions. Commissioners did not want to impose restrictions on developers by adding such a requirement, which could make housing less affordable in the City. They recommended that underground wiring be the first option, but not required. \*\*Note: This was passed down to the Planning Commission by the City Council. Alderwoman Lea requested additional information on the cost of underground verses overhead service. This item will be discussed again at the January 2004 City Council meeting.
6. Consideration of Ordinance # **1813** to approve amending portions of the zoning code relating to Manufactured Housing—Planning Commission. Alderman Tripp made the motion to read the Ordinance by title only with a short explanation. Alderman Williamson made the second. Motion carries unanimously on a voice vote. Trey Smith read the Ordinance by title only. Alderman Tripp made the motion to read the Ordinance by title only for the second reading. Alderman Gray made the second. Motion carries unanimously on a voice vote. City Attorney Trey Smith read the Ordinance by title only. Alderman Tripp made the motion to read by title only for the third reading. Alderman Gray made the second. Motion carries unanimously on a voice vote. Trey Smith read the Ordinance by title only. Alderman Williamson made the motion to adopt and Alderman Gray made the second. Motion carries unanimously on a roll call vote.

7. Consideration of Appoint to the Russellville Airport Commission—Raye Turner. Alderman Wiley made the motion to re appoint John Harris to the Russellville Airport commission. Alderman Tripp made the second. Motion carries unanimously on a roll call vote.
  
8. Discussion Relating to a Freeze on Hiring Replacements for Vacant Positions for all City Employees without Prior City Council Approval—Robert Wiley, Andrea Lea. This item will be included in the Budget process.
  
9. Appropriations and Line Items:  
Motion to approve Appropriations and Line Items en masse was made by Alderman Gray. Alderwoman Lea made the second. Motion carries unanimously on a voice vote.

DISCUSSION:

1	IN LIEU OF TAX DISBURSEMENT - DOW CHEMICAL	
2	PERSONNEL/VEHICLE - REVISED REVENUE/EXPENDITURES FOR 2003.	
A.	Appropriation Ordinance: General Fund - (New Appropriation)	\$401.76
	To appropriate funds to pay January 2004 Life Insurance premiums at company's request.	
B.	Appropriation Ordinance: General Fund - (Pass Through Funds)	
	Police Dept	
	01-111-5332, Service Contracts	\$9,614.01
	To appropriate funds to pay for Annual Software Maintenance Contract for Police Dept.	
C.	Appropriation Ordinance: General Fund - (Pass Through Funds)	
	Police Dept	
	01-115-5250-113, Cap Improvements, Police Dept Records Mgmt System	\$57,355.00
	To appropriate funds for balance of Records Management System	
D.	Appropriation Ordinance: Street Fund - (New Appropriation)	
	02-201-5121, Overtime	\$2,000.00
	Effective date 10/26/2003	
E.	Appropriation Ordinance: Act 988 No Vehicle Insurance #13 - (New Appropriation)	
	13-101-5254, Fire Equipment	\$5,000.00
F.	Line Item Transfer: Fire Dept	
	From: 01-110-5113	\$780.00
	To: 01-110-5111, Salaries	\$780.00
	To: Capt #1	\$267.00

To: Lt #4 \$275.00  
To: FF #15 \$238.00

To pay \$1.00 per hour Acting Pay for employee's extended sick leave and remaining pay due to

deployed FF#15 thru 11/08/2003.

Effective date is  
10/26/2003.

G.	Line Item Transfer: Street Dept	
	From: 02-205-5250-002, Engineers Ditch	\$15,000.00
	From: 02-205-5250-003, Fleet Service Remodel	\$12,500.00
	From: 02-205-5250-008, University Estates	\$17,700.00
	From: 02-205-5250-009, PC Trib 1A	\$24,800.00
	From: 02-205-5250-017, PC/PC 1A Improvements	\$40,000.00
	To: 02-205-5250-007, South Vancouver	\$10,000.00
	To: 02-205-5250-011, 16th Street	\$60,000.00
	To: 02-205-5250-012, 4th Street	\$40,000.00

**Late Agenda Item:**

1. Consideration of a Resolution to Authorize the Sale of Real Property Located at West 4<sup>th</sup> Street—Tyrone Williamson. Alderwoman Lea made the motion to add late agenda item. Alderman Tripp made the second. Motion carries unanimously on a voice vote. Alderwoman Lea asked for a change in the item to reflect the City Attorney does any legal service needed to close the sale. Mayor Turner asked for the property to be appraised. Morgan Barrett commented a portion of the property was located in the flood plain and was not suitable for any construction. The item will be back before the Council.

The motion to adjourn was made by Alderman Wiley. Alderman Tripp made the second.

ATTEST:

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Kathy Collins, City Clerk