

## **AMENDED AGENDA**

**MEETING OF THE MOUNTAIN HOME CITY COUNCIL  
NOVEMBER 18, 2021. . . 6:00 P.M.  
COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING**

**Public Hearing – A Resolution Authorizing a Public Hearing with Regard to Abandonment of Utility Easements in The City of Mountain Home, Arkansas.**

Pledge of Allegiance

Prayer

Roll Call

Minutes from the October 21, 2021 Council Meeting

Committee Reports

Announcements

### **NEW BUSINESS**

**AN ORDINANCE AMENDING ORDINANCE NO 296, AS AMENDED. WITH REFERENCE TO ZONING WITHIN THE CITY LIMITS OF MOUNTAIN HOME, ARKANSAS, RELATIVE TO CHANGING AREA ZONED AS RESIDENTIAL R-1 TO COMMERCIAL C-2.** presented by Attorney Ted Sanders

**AN ORDINANCE VACATING UTILITY EASEMENTS LOCATED BETWEEN LOTS 94 AND 95 OF BIG CREEK ESTATES, PHASE 1 WITHIN THE CITY LIMITS OF MOUNTAIN HOME, ARKANSAS.** presented by Attorney Ted Sanders

**AN ORDINANCE ADOPTED PURSUANT TO ACT 1112 OF 2017, APPROVING THE APPLICATION OF THE BACKROOM, INC. FOR A PRIVATE CLUB TO BE LOCATED AT 10 E. 7<sup>TH</sup> STREET MOUNTAIN HOME, BAXTER COUNTY, ARKANSAS.**  
presented by Attorney Ted Sanders

**AN ORDINANCE AMENDING THE ENTERTAINMENT DISTRICT IN HISTORIC DOWNTOWN MOUNTAIN HOME, ARKANSAS.**

**AN ORDINANCE PERTAINING TO THE GENERAL REQUIREMENTS FOR BOARDING AND SECURING ALL RESIDENTIAL, COMMERCIAL AND INDUSTRIAL BUILDINGS. (First Reading)**

**W/S REQUEST TO SELL 2009 DODGE DAKOTA TRUCK TO PARKS DEPARTMENT FOR \$6,500.** presented by Water & Sewer Director Alma Clark

**W/S REQUEST TO TRANSFER A 1998 SURPLUS PURCHASED SEMI-BOX TRAILER TO STREET DEPARTMENT.**  
presented by Water & Sewer Director Alma Clark

**A RESOLUTION AUTHORIZING THE PREPARATION OF CERTAIN DOCUMENTATION FOR THE SUBSEQUENT APPROVAL OF THE CITY COUNCIL RELATED TO THE PROPOSED ISSUANCE BY THE CITY OF WATER AND SEWER REVENUE IMPROVEMENT AND REFUNDING BONDS, SERIES 2022; APPROVING THE PREPARATION AND DELIVERY OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE OFFER AND SALE OF SAID BONDS; AND PRESCRIBING OTHER MATTERS RELATING THERETO.** presented by Water & Sewer Director Alma Clark

**W/S AUCTION LIST** presented by Water & Sewer Director Alma Clark

**BUDGET ADJUSTMENTS** presented by Treasurer Marshella Norell

**A RESOLUTION AMENDING THE 2020 BUDGET** presented by Treasurer Marshella Norell

COMMENTS

OLD BUSINESS

ADJOURN

Respectfully Submitted,  
Brian A. Plumlee, City Clerk

CITY OF MOUNTAIN HOME

720 South Hickory • Mountain Home, Arkansas 72653 • Phone: (870) 425-5116 • Fax:  
(870) 425-9290 [www.cityofmountainhome.com](http://www.cityofmountainhome.com)

RESOLUTION NO. \_\_\_\_\_

**AUTHORIZING A PUBLIC HEARING WITH REGARD TO ABANDONMENT  
OF UTILITY EASEMENTS IN THE CITY OF MOUNTAIN HOME, ARKANSAS**

**WHEREAS**, it is necessary for the City of Mountain Home, Arkansas, to hold a public hearing to consider the abandonment of utility easements;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MOUNTAIN HOME, ARKANSAS, THAT:**

1. The City Council of the City of Mountain Home, Arkansas, shall hold a public hearing on Thursday, December 9, 2021, at 5:55 o'clock p.m., in the Council Chambers at 720 South Hickory Street, Mountain Home, Arkansas, for the purpose of abandoning certain utility easements located between Lots 94 and 95 of Big Creek Estates, Phase 1.
2. The Petitioners are Bobby Brown and Rene Brown.
3. All interested persons should attend.
4. The City Clerk is directed to publish this notice once a week for two consecutive weeks in a newspaper having a general circulation in the City of Mountain Home, Arkansas, prior to the public hearing.

**PASSED AND APPROVED** this \_\_\_\_\_ day of November, 2021.

\_\_\_\_\_  
HILLREY ADAMS, MAYOR

ATTEST:

\_\_\_\_\_  
BRIAN PLUMLEE, CITY CLERK

## REGULAR CITY COUNCIL MEETING – October 21<sup>st</sup> , 2021

1. The Mountain Home City Council met in regular session October 21<sup>st</sup> , 2021 in the Council Chambers of the Municipal Building. Mayor Hillrey Adams called the meeting to order at 6:00 p.m. followed by the Pledge of Allegiance and a prayer.
2. **ROLL CALL** The following council members were present for the roll call: Nick Reed, Paige Evans, Jennifer Baker, Susan Stockton, Bob Van Haaren, Wayne Almond and Carry Manual. Jim Bodenhamer was absent from the meeting.
3. **OFFICIALS IN ATTENDANCE** Mayor Hillrey Adams, , City Clerk Brian Plumlee, City Attorney Roger Morgan, and Fire Chief Khris Quick.
4. **MINUTES** Councilwoman Baker made a motion to approve the council meeting minutes from October 7<sup>th</sup> , 2021. The motion was seconded by Councilwoman Stockton. The City Clerk recorded the following vote: 6 – yes Reed, Baker, Almond, Stockton, Van Haaren, and Manual ; 1 – abstain Evans.
5. **NEW BUSINESS**

**AN ORDINANCE ANNEXING PROPERTY CONTIGUOUS THEREWITH TO WATER & SEWER IMPROVEMENT DISTRICT NO. 3 OF THE CITY OF MOUNTAIN HOME, ARKANSAS; ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MOUNTAIN HOME, ARKANSAS; AND TO ANNEX PROPERTY TO THE CITY OF MOUNTAIN HOME, ARKANSAS, AS COMMERCIAL C-2.** City Attorney Roger Morgan put the ordinance on first reading and read it to its entirety.

**SECOND READING** Councilwoman Evans made a motion to suspend the rules and put the ordinance on second reading, Councilman Van Haaren seconded the motion. The City Clerk recorded the following vote: all present – yes. The motion was declared adopted and the ordinance was read for a second time by title only.

**THIRD READING** Councilwoman Baker made a motion to suspend the rules and read the ordinance for the third time by title only. Councilman Reed seconded the motion. The City Clerk recorded the following vote: all present – yes. The motion was declared adopted and the ordinance was read for a third time by title only.

**ADOPTION...** Councilwoman Baker made the motion to adopt the ordinance it was seconded by Councilwoman Evans. The City Clerk recorded the following vote: all present – yes. The ordinance was declared adopted.

**AN ORDINANCE AMENDING ORDINANCE NO. 2020-19, 2019-19, 2018-11, 2017-8, 2014-10, 2013-10 PERMITTING MUNICIPAL EMPLOYEES AND OFFICIALS TO CONDUCT BUSINESS WITH THE CITY OF MOUNTAIN HOME, ARKANSAS AND PRESCRIBING THE EXTENT OF SUCH AUTHORITY.** City Attorney Roger Morgan put the ordinance on first reading and read it to its entirety.

**SECOND READING** Councilman Van Haaren made a motion to suspend the rules and put the ordinance on second reading, Councilman Reed seconded the motion. The City Clerk recorded the following vote: all present – yes. The motion was declared adopted and the ordinance was read for a second time by title only.

**THIRD READING** Councilman Van Haaren made a motion to suspend the rules and read the ordinance for the third time by title only. Councilwoman Stockton seconded the motion. The City Clerk recorded the following vote: all present – yes. The motion was declared adopted and the ordinance was read for a third time by title only.

**ADOPTION...** Councilwoman Stockton made the motion to adopt the ordinance it was seconded by Councilwoman Van Haaren. The City Clerk recorded the following vote: all present – yes. The ordinance was declared adopted.

6. **OLD BUSINESS**
7. **ADJOURN...6:09 P.M.** with no further business to come before the council. Mayor Adams declared the meeting adjourned at 6:09 p.m.

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HILLREY ADAMS, MAYOR

ATTEST:

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BRIAN A. PLUMLEE, CITY CLERK

Street Committee Meeting  
October 19, 2021 – 12:30 p.m.

The meeting was called to order at 12:27 p.m.

Present were Arnold Knox, Director of Streets; Jim Bodenhamer and Jennifer Baker, Committee members.

Arnie showed the Committee a spreadsheet of past street rebuilds along with current and scheduled rebuilds for 2022, including their costs. There was discussion of the upcoming overlays that should be completed by the end of November.

The Street Report for September 2021 was reviewed. Arnie reported to the Committee new asphalt has been put down on Burnett Drive which completes this project. Asphalt tickets have yet to be received for a final cost, and as of September 30, 2021, the cost to Burnett Drive is \$560,658.99. Jennifer asked if this will be three lanes like the first part that was rebuilt to Bucher Drive. Arnie said, yes and it will be striped, but will be done when all the overlays are completed so the contractor can complete striping at one time. The Committee complimented the finished three lane street.

Spring Street is another project that has been completed but is waiting for new asphalt to be put down. The cost to Spring Street is \$179,781.04.

Overlays through September 30 totaled \$387,649.42. Arnie told the Committee that Buttercup Drive has been completed, Kentwood Drive in Northern Hills, along with Leisure Lane and the cul-de-sacs along Driftwood Lane behind Baxter Lab, are scheduled to be overlaid. He said the biggest overlay will be Cardinal Drive from 5 South to Highway 62. He plans on having all old asphalt dug out from Spring Street to 5 South, but the asphalt from Spring Street to Highway 62 will be milled. He added, he was going to

publicize a notice about a week before the Cardinal Drive overlay is set to begin. The cost of Overlays this year will be close to \$600,000 but that is because there were no overlays done last year. He said this total cost is two years' worth of overlays.

Jennifer asked if the two construction crews have been combined to one. Arnie said, yes and no. They are combined on one job because he is so short of concrete finishers. It seems when a crew is pouring, at times they need finishers to assist from the other crew, so he put the crew that has completed Spring Street on Demetree, very close to Cooper Street. This way they can go back and forth working concrete and not have to travel across town.

As far as employees, he has three AID employees, and said he and Sue from HR have four interviews this week.

Jim asked if there was a list of contractors to use for striping the streets. He also mentioned he had been asked if South College belongs to the city or if it was still part of the state jurisdiction. Arnie said yes, there are three or four contractors that do striping and added, that part of South College belongs to the city now. Jim said he had gotten a call from a resident telling him the striping on South College has faded and is hard to see. Arnie told the Committee he plans on having that restriped when the rest of the streets are completed towards the end of November. He is going to use a thermoplastic type that has reflector beads in it. This will be highly visible at night.

Continuing with the Street Report, Arnie told the Committee the rebuild of Cooper Street, Louann and Demetree has begun and the total cost to date is \$40,887.02. He said both crews are there, one working on Cooper Street has the culvert completed and are now pouring new curbs to 5 South. The other crew is at Demetree. They have run into some rock to hammer out but it's going well.

Maintenance for the month of September is \$22,018.59 and this cost will go up. He said he was at a meeting this morning with ASU about the Christmas lighting program that is in the works. Jennifer asked what kind of work the Street Department will be doing there and Arnie said mostly bucket truck work. Jim asked how much manpower he will need. Arnie said he plans on having a couple guys starting next week putting displays out. He added, he purchased about 200 pelican totes to store the lights in along with a 20-foot storage container for them. He plans on purchasing another 3 or 4 trailers for the Christmas decoration storage. Jennifer said the new Christmas lights that had been purchased last year for the power poles were very nice and asked when those will be put up. Arnie said those will go up the week of Thanksgiving.

The Budget Summary was reviewed, and Arnie said it looked good. He estimates approximately a \$2.4 million carryover into 2022.

The meeting was adjourned at 12:56 p.m.

## **NOBEMBER 2021 Committee Meeting**

11/09/2021 – 4:56PM. Attending: Alma Clark, Mayor Adams, Jennifer Baker, Bob Van Haaren, Nick Reed, & Kirby Rowland. We met in council chamber. The meeting adjourned at 5:40 pm.

- Cash analysis / Revenue / Expense Report ending October 2021 were passed out.
- Project reports for month ending October 2021 passed out.
- Our water loss was 20.8% Ending October 2021. The previous month was at 17.1%. We continue to fix and find leaks daily.
- Alma reminded committee that there will be a resolution on the next council agenda for vote of council for allowing us to proceed with bond issue to refinance 2020 bond for 20-year w/additional \$10,000,000. in funds for addition work to be done at WWTP. **Need vote of council to allow to us to proceed with bond issue at November 18, 2021 council meeting.** Gave copy to Committee & mayor for review...
- Alma reminded committee that a vote of council will be needed to allow for approval for disposal of w/s vehicle & miscellaneous items at the next council meeting. If approved they would be advertised & auctioned at Walker Auction at a later date. **Need vote of council on November 18, 2021 council agenda.**
- Alma notified committee that one of the vehicles that w/s was going to auction – parks department would like to buy from w/s. Price for Parks to pay to w/s is \$6,500.00. Will need vote of council to allow transfer V353 2009 Dodge Dakota to Parks department at the amount listed. **Need vote of council on November 18, 2021 council agenda.**
- Kirby gave updates to the Committee on several things that the water/sewer department is working on: WWTP upgrades, The new Lake intake site, Assessment of Backwash sludge handling at WTP, Possible change in disinfection / De-chlorination chemicals at WWTP.
- Mayor Adams gave an update about a possible project that he & W/S department is looking to do in SW Mountain Home and informed committee that we would be advertising for RFQ for engineers to possibly draw up plans, oversee construction of sewer improvements for sewer lines & lift station on the west side of Mountain Home, Mayor told committee that we would like to use ARPA moneys and other possible grant monies to complete this project. Mayor will bring before council at the appropriate time we are still waiting on more information as to probably cost as we employ an engineer to draw up and seek cost estimate for project.

### **PROJECT UPDATES:**

- **Hwy 5N WL upgrade @ Golden Mobile Home Park.** Started 09/16/2021. We will be upgrading 623' of 1" line changing to 4" PVC. To date we have laid all of the water line and we have 7 of the services out of a total of 14 inside the park + 1 facing HWY 5 N. remaining to do is 8 services, cap and delete old main when everything is completed. We are having to hand dig all of the new services... in to tight of spots to use trench machine. (This area is part of what we purchased from LMPWA back in 2012). We have run into a lot of rock while laying this line.
- **Dyer Streets/2<sup>nd</sup>/3<sup>rd</sup> Streets - Phase 1** - Started 09/08/2021. We will be laying approximately 2500' of 8" SDR 26 PVC minus 546' that was already PVC so this reduced the initial amount of line that we will be laying to 1954' and replacing 8 manholes instead of 10. This will replace old concrete lines on Dyer Street/ 2<sup>nd</sup> & 3<sup>rd</sup> Streets during phase 1. Since last report we have laid 546' of line and set 1 manholes. Remaining to be completed 540' of line and 3 manholes.
- This phase covers dyer street behind hickory park going toward Hwy N. 2<sup>nd</sup> & 3<sup>rd</sup> streets and a jaunt up to Ozark surgical center.  
\*Phase II of this project that will be starting at manhole behind hickory park going west from where we started on Phase I heading toward 6<sup>th</sup> street and down 6<sup>th</sup> street to get lines out of the road and upgrade this section of line. Johnny is working on laying this section of line out now.
- Hickory street / Lilian St SL replacement will be started when Dyer is complete. (We will do this before Phase II of Dyer Street.)
- We will also be laying new water line on Lilian Street to replace old 2" galvanized water line when we are finished with Hwy 5N WL upgrade.
- We have also started looking at what we are going to have to do on Hwy 5 S as far as relocating water/sewer lines in the state right of way for the new widening of Hwy 5 S starting around the bridge area by oak tree trailer park all the way to the bypass.

\*\*\*\*\*OUR NEXT MEETING HAS CHANGE DAYS & DATE\*\*\*\*\*  
NEXT MEETING WILL BE HELD ON **DECEMBER 9, 2021 @ 5:15 pm.**  
Meeting will be held in council chambers.





# Mountain Home Police Department

*- A duty to serve, an honor to protect -*

424 West 7<sup>th</sup> Street • Mountain Home, Arkansas 72653

Office 870.425.6336 • Fax (870) 425.6092

[www.mtnhomepolice.com](http://www.mtnhomepolice.com)

Edward Griffin, Chief of Police



## Public Safety Committee Meeting

November 16, 2021

1. The new Automated Fingerprint Identification Scanner is operational. The system is an IDEMIA Live Scan.
2. We are conducting interviews for two new employees on 11/18/2021. The positions are created due to Sam Simers resigning on 11/28/2021 and Jay Volkman retiring 01/03/2022.
3. Mountain Home Police Department will be assisting with traffic control at the ASU Christmas Lights from 11/22/2021 until 12/27/2021.
4. New security cameras have been installed at Mountain Home Police Department; this completes the facility security update started in early 2021.
5. Statistics
  - Nature Code Report – Dispatch
  - Uniform Code Report (UCR)
  - Patrol
  - Criminal Investigation Division (CID)
  - School Resource Officer (SRO)
  - Code Enforcement (Comcate report)



# Welcome To Mountain Home, Arkansas

[Action Center](#) [Code Enforcement](#) **REPORTS** [Setup](#) [GIS Maps](#) [Help](#)
[Account: Edward Litty](#) [LOGOUT](#)
**Code Enforcement**
**Summary Report**
[Case Detail Report](#)
[Costs By Case Report](#)
[Last Activity](#)
[Daily Activity](#)
[Time by Census Tract](#)
[Time by Violations](#)
[Time by User](#)
[Open Cases by Location](#)
[Report by Location](#)
[Address/APN Not Validated](#)
[Exception Report](#)
[Monthly Activity Report](#)
[Time to Close](#)
[Time to Close by Location](#)
[Forms Issued](#)
[Case Aging](#)
[Case Aging by Location](#)
[Case by Status](#)
[Case Response Time](#)
[Cases with Notes](#)
[Proactive vs. Reactive](#)
[Violation Levels Report](#)
[CDBG Summary Report](#)
[CDBG Case Detail Report](#)
[Fee Summary Report](#)
[Fee Payment Summary Report](#)
[Fee Payment Report](#)
[Return to Report Criteria](#)
**Code Enforcement Summary Report**
**Report Criteria:**

Status	Assigned To	Census Tract	Violation	Inclusion	Open Date Range	Follow up Date Range	Close Date Range
All	Litty, Kevin		All	All	From 10/01/2021 To 11/30/2021	From To	From To

**CE Totals**

	Total	Closed Cases	Open Cases
<b>Totals</b>	<b>78</b>	<b>66</b>	<b>12</b>

**CE Cases by Employee**

Employee	Total	Closed Cases	Open Cases
Litty, Kevin	78	66	12
<b>Totals</b>	<b>78</b>	<b>66</b>	<b>12</b>

**CE Cases by Violation**

Violation	Total Violations	Closed Violations	Open Violations
Accessory Structures	0	0	0
Dogs and Cats: No More than Three (3) over Six (6) Months Old	2	2	0
Dogs and Cats: Running at Large	2	1	1
Drainage: Leaves, Grass, Debris, or other Article Deposited on Streets or Drainage System	2	2	0
Equipment	1	1	0
Garage Sales	2	2	0
Gutters or Ditches Free of Dirt, Filth, or Obstruction	0	0	0
Non-Operating Motor Vehicles-Private Property	4	2	2
Occupational License	0	0	0
Outside Burning of Yard Waste	0	0	0
Pit Bull Terrier	0	0	0
Premises and Exterior Property	10	7	3
Sign: Off-Site	17	17	0
Vacant Structure	0	0	0
Vicious Animal	0	0	0
Weeds or Grass	39	33	6
<b>Totals</b>	<b>79</b>	<b>67</b>	<b>12</b>

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# Mountain Home Fire Department

## Public Safety Meeting

November 16<sup>th</sup>, 2021

1. Cameron Harris and Cole Ifland have started, Cameron Harris is on C-Shift and his first shift was Nov. 8<sup>th</sup>, Cole Ifland is on A-Shift, and he started Nov. 9<sup>th</sup>.
2. Fire Inspector Shawn Lofton has completed Inspector 2; he will be going to Inspector 3 in December.
3. We completed pump testing on all the fire engines and one ladder truck, all passed but Eng. 5's pump is getting weak and needs to be rebuilt. I have contacted a company to check on rebuilding the pump and a rough figure on how much, he said he couldn't get to it this year and it could range from \$3,000.00 to \$10,000.00.
4. We have taken Tower 1 out to station 2 and brought ladder 1 back to station 1. They are still doing training on it, but its turning winter and we have to pull the BLS unit inside do to the equipment we carry on it.
5. We had two firefighters go to a core rescue class that was a weeklong class. The class teaches them basic rope rescue technics and is a required class you must have to take more advanced classes.
6. This year we have had 2629 runs as of the end of October. Last year we had 2377 runs at the end of October. We are up 252 over last year.

# Mountain Home Fire Department

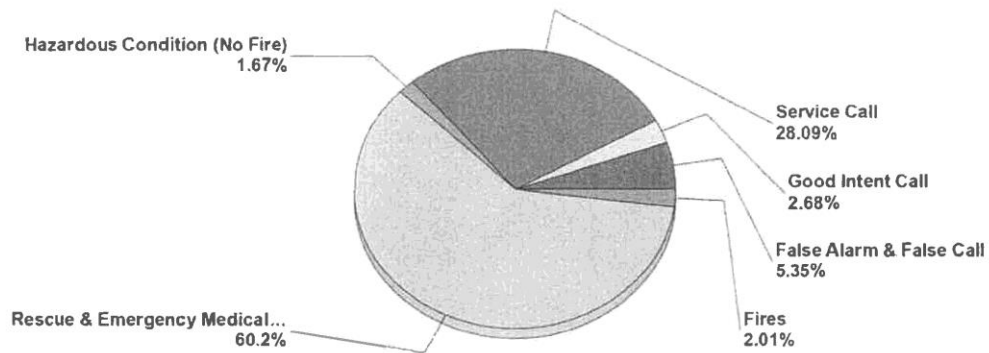
Mountain Home, AR

This report was generated on 11/15/2021 8:36:02 AM



## Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 10/01/2021 | End Date: 10/31/2021



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	6	2.01%
Rescue & Emergency Medical Service	180	60.2%
Hazardous Condition (No Fire)	5	1.67%
Service Call	84	28.09%
Good Intent Call	8	2.68%
False Alarm & False Call	16	5.35%
TOTAL	299	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



emergencyreporting.com  
Doc Id: 553  
Page # 1 of 2

## Minutes

### Personnel Committee Meeting: November 16, 2021

**Meeting Purpose:** To review proposed Budget figures submitted by the Treasurer what would be affected by proposed COLA Adjustment for December 2021, pay increases beginning January 1, 2021, changes to longevity pay and to Elected Officials Salaries.

**Committee Members:** Committee Chair Susan Stockton, Jennifer Baker, Wayne Almond, and Carry Manuel.

**Officials Present:** Mayor Adams, HR Coordinator Sue Edwards, City Treasurer Marshella Norell and Council Member Jim Bodenhamer, Mayors Administrative Assistant Tina Gregory.

**Media:** None Present

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The meeting was called to order at approximately 5:00 pm.

The Mayor addressed the committee to suggest that a COLA Adjustment be given to all active full time employees in December of 2021. Marshella presented information to show the anticipated cost of doing either a 2 or 2.5% payout. After reviewing the information and some discussion it was decided that a proposed 2.5% COLA would be requested at the November 18, 2021, City Council meeting.

A proposal was also discussed and agreed on to change the longevity policy by increasing the payouts to \$50 per year of service from the current \$25 and to add a 5<sup>th</sup> tier of percent of salary given to those with 21 or more years of service at a 2.5% rate. This will also be brought to the City Council as part of the 2022 budget talks.

The next proposal was to increase the wage scale for the 2022 budget year by adding to each step of the scale. Marshella presented a spreadsheet with the costs for doing a \$1, \$2 \$2.50 and \$3 per hour increase. After discussion the committee determined that at this point it would recommend the \$1 increase with the intent to reevaluate in July of 2022. The long-term goal is to slowly increase the scale to better align with the market starting wages and potential changes to any state or federally mandated changes.

Lastly, a change to the Elected Officials 2022 salaries was proposed. Sue shared comparisons to other like-sized municipalities. Also, it was shared that there are currently several directors making more than the Mayor per year. After several recommendations it was decided that the Mayor would be increased to \$83,000, the City Attorney to \$43,000 and the City Clerk to \$38,000.

With no further business to discuss, the meeting was adjourned at approximately 6:39 pm.

Respectfully submitted,  
Sue Edwards

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING ORDINANCE NO. 296, AS AMENDED,  
WITH REFERENCE TO ZONING WITHIN THE CITY LIMITS OF THE  
CITY OF MOUNTAIN HOME, ARKANSAS, RELATIVE TO CHANGING  
AREA ZONED AS RESIDENTIAL R-1 TO COMMERCIAL C-2.**

WHEREAS, a proper petition was filed by property owners requesting a map change in zoning; said petition was submitted to the Planning Commission of the City of Mountain Home, Arkansas; notice of said petition and public hearing thereon was published in a newspaper having local circulation as required by Ordinance; a public hearing was held, and all remonstrances were heard, after which the Planning Commission recommended the property described herein be rezoned.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MOUNTAIN HOME, ARKANSAS:

The following real estate in Baxter County, Arkansas be, and it hereby is changed in zoning from Residential R-1 to Commercial C-2.

SEE ATTACHED EXHIBIT "A"

The above described property is located at 123 Industrial Plaza, Mountain Home, Arkansas.

WHEREAS, this Ordinance is necessary to permit the best use of the property and to permit the immediate commencement of construction on the property, an emergency is hereby declared to exist pertaining to the rezoning of the property, and this Ordinance shall be in full force and effect from and after its passage and publication.

PASSED this 18th day of November, 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

EXHIBIT "A"

Part of the SE 1/4 of the NW 1/4, part of the SW 1/4 of the NE 1/4, and part of the NE 1/4 of the SW 1/4, of Section 17, Township 19 North, Range 13 West, Baxter County, Arkansas, described as follows: Starting at the 1/4 corner between Sections 8 and said Section 17; thence South 00 degrees 25 minutes 45 seconds West for a distance of 1723.74 feet; thence South 88 degrees 18 minutes 30 seconds West for a distance of 199.68 feet to the point of beginning; thence South 01 degrees 41 minutes 30 seconds East for a distance of 620.73 feet to a 1/2 inch rebar; thence South 87 degrees 55 minutes 38 seconds East for a distance of 60.58 feet to a 3/8 inch rebar; thence South 06 degrees 20 minutes 28 seconds East for a distance of 119.05 feet to a 3/8 inch rebar; thence North 82 degrees 29 minutes 35 seconds East for a distance of 73.65 feet to a cotton picker spindle; thence South 19 degrees 33 minutes 01 seconds East for a distance of 140.58 feet to a 3/8 inch rebar on the Northerly R/W line of U.S. Hwy. 62/412; thence along said R/W line the following: thence South 70 degrees 34 minutes 33 seconds West for a distance of 50.14 feet to a concrete marker; thence South 72 degrees 59 minutes 53 seconds West for a distance of 179.39 feet to a A.H.T.D. R/W post; thence South 69 degrees 46 minutes 41 seconds West for a distance of 170.04 feet to a point on center of creek; thence leaving Hwy. R/W run along center of creek the following courses: thence North 39 degrees 19 minutes 42 seconds West for a distance of 180.68 feet; thence North 35 degrees 22 minutes 31 seconds West for a distance of 364.94 feet; thence North 30 degrees 07 minutes 31 seconds West for a distance of 143.12 feet; thence North 34 degrees 07 minutes 12 seconds West for a distance of 138.73 feet; thence North 46 degrees 07 minutes 19 seconds West for a distance of 138.76 feet; thence North 28 degrees 48 minutes 27 seconds West for a distance of 242.43 feet to an X in concrete; thence leaving creek run; thence North 89 degrees 02 minutes 49 seconds East for a distance of 321.99 feet to a 1 inch angle post; thence South 32 degrees 53 minutes 02 seconds East for a distance of 186.22 feet to a 1/2 inch rebar; thence South 32 degrees 53 minutes 02 seconds East for a distance of 100.00 feet to a 1 inch angle post; thence North 57 degrees 09 minutes 47 seconds East for a distance of 219.91 feet to a computed point in utility pole; thence North 32 degrees 47 minutes 26 seconds West for a distance of 100 feet to a 1/2 inch rebar; thence South 57 degrees 09 minutes 47 seconds West for a distance of 19.92 feet to a 3/8 inch rebar; thence North 33 degrees 35 minutes 58 seconds West for a distance of 60.94 feet to a 1 inch angle post; thence North 89 degrees 08 minutes 44 seconds East for a distance of 300.97 feet to a spike nail and bottle cap at 1 inch angle post; thence South 01 degrees 41 minutes 30 seconds East for a distance of 5.60 feet to the point of beginning.

Subject to a 50 foot wide right of way for city street as shown.

Being shown on a survey by Slater Surveying & Mapping dated September, 2021

## **NOTICE**

NOTICE is hereby given that a petition has been filed with the Planning Commission and City Council of Mountain Home, Arkansas, by the owner of the following described property situated in Baxter County, Arkansas, to-wit:

SEE ATTACHED EXHIBIT "A"

The above described property is located at 123 Industrial Plaza, Mountain Home, Arkansas.

Said petition seeks the rezoning of the property from Residential R-1 to Commercial C-2.

The hearings related to said petition will be held as follows:

1. The Planning Commission will hear objections and make its determination on said petition at the City Hall on November 8, 2021, at 1:00 p.m.

2. The City Council will make its determination on said petition at the City Hall on November 18, 2021, at 6:00 p.m.

The petitioner is Vanguard Properties Limited Partnership, the record owner of the property, and it has named Ted H. Sanders to act for it in this proceeding.

---

City Clerk

### **ONE PUBLICATION:**

October 21, 2021



**PETITION**

TO: PLANNING COMMISSION  
CITY OF MOUNTAIN HOME  
MOUNTAIN HOME, ARKANSAS

MAYOR AND CITY COUNCIL  
CITY OF MOUNTAIN HOME  
MOUNTAIN HOME, ARKANSAS

The petitioner, Vanguard Properties Limited Partnership, by and through its counsel, Ted H. Sanders, hereby petitions you to rezone certain residential property described below. The petitioner requests that the property be rezoned from Residential R-1 to Commercial C-2. The property to be rezoned is described below, to-wit:

SEE ATTACHED EXHIBIT "A"

The property is located at 123 Industrial Plaza, Mountain Home, Arkansas. The rezoning of this property will not conflict with the surrounding land uses because of multiple zoning classifications that exist in the vicinity. A diagram of the property and vicinity is attached hereto and marked Exhibit "B". It is the opinion of the petitioner that this property is no longer practical or desirable for Residential R-1 use.

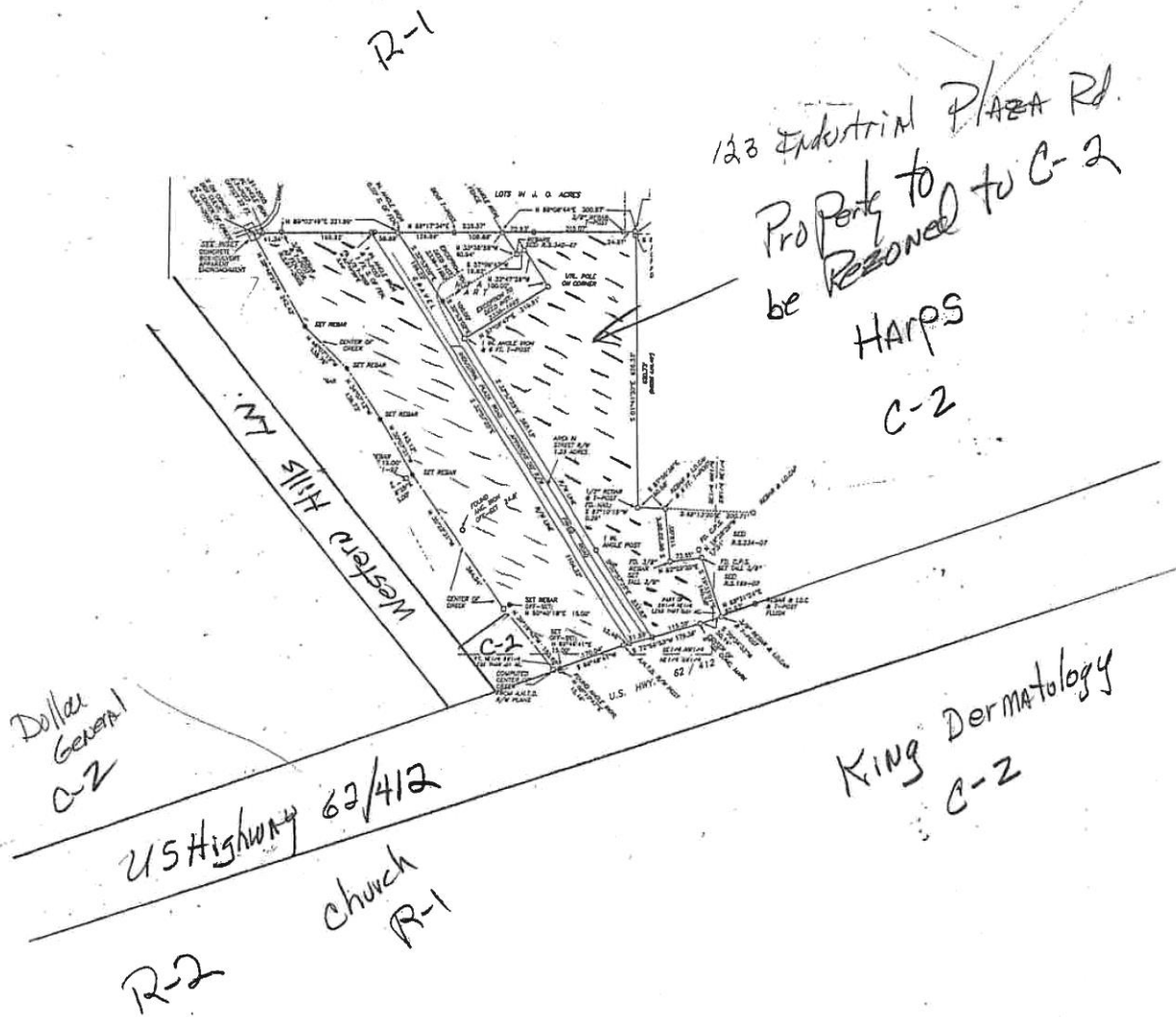
The petitioner herein is Vanguard Properties Limited Partnership, and it has authorized Ted H. Sanders to act on its behalf in the prosecution of this petition.

VANGUARD PROPERTIES LIMITED  
PARTNERSHIP, PETITIONER

BY: 

Ted H. Sanders  
P. O. Box 2308  
Mountain Home, AR 72654  
Its Attorney

EXHIBIT "B"



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE VACATING UTILITY EASEMENTS LOCATED  
BETWEEN LOTS 94 AND 95 OF BIG CREEK ESTATES, PHASE 1  
WITHIN THE CITY LIMITS OF MOUNTAIN HOME, ARKANSAS**

**WHEREAS**, the Petitioners, being the owners of the lots over which said utility easements are located, hereby consent to the abandonment.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MOUNTAIN HOME, ARKANSAS:**

1. That the City of Mountain Home, Arkansas, hereby vacates the utility easements described as follows:

The 20 foot utility easements located between Lots 94 and 95 in Big Creek Estates, Phase 1, excluding that part of said easements along the front and rear of each lot.

**WHEREAS**, this Ordinance is necessary to benefit the property owners and to permit the immediate commencement of construction on the property, an emergency is hereby declared to exist pertaining to the vacating of said utility easements, and this Ordinance shall be in full force and effect from and after its passage and publication.

**PASSED AND APPROVED** this \_\_\_\_\_ day of November, 2021.

\_\_\_\_\_  
HILLREY ADAMS, MAYOR

ATTEST:

\_\_\_\_\_  
BRIAN PLUMLEE, CITY CLERK

## **PETITION**

TO: MAYOR AND CITY COUNCIL  
CITY OF MOUNTAIN HOME  
MOUNTAIN HOME, ARKANSAS

The petitioner, Bobby Brown and Rene Brown, by and through their counsel, Ted H. Sanders, hereby petitions you the following real estate described as follows:

The 20 feet utility easement located between Lots 94 and 95 in Big Creek Estate, Phase 1, excluding that part of said easement along the front and rear of each lot

That the above-described utility has never been used as a utility easement in the past. That the public interest and welfare will not be adversely affected by abandonment of said utility easement. A copy of the plat is attached hereto as Exhibit "A".

WHEREFORE, Petitioners pray that the City Council of Mountain Home, Arkansas, vacate the utility easement described above.

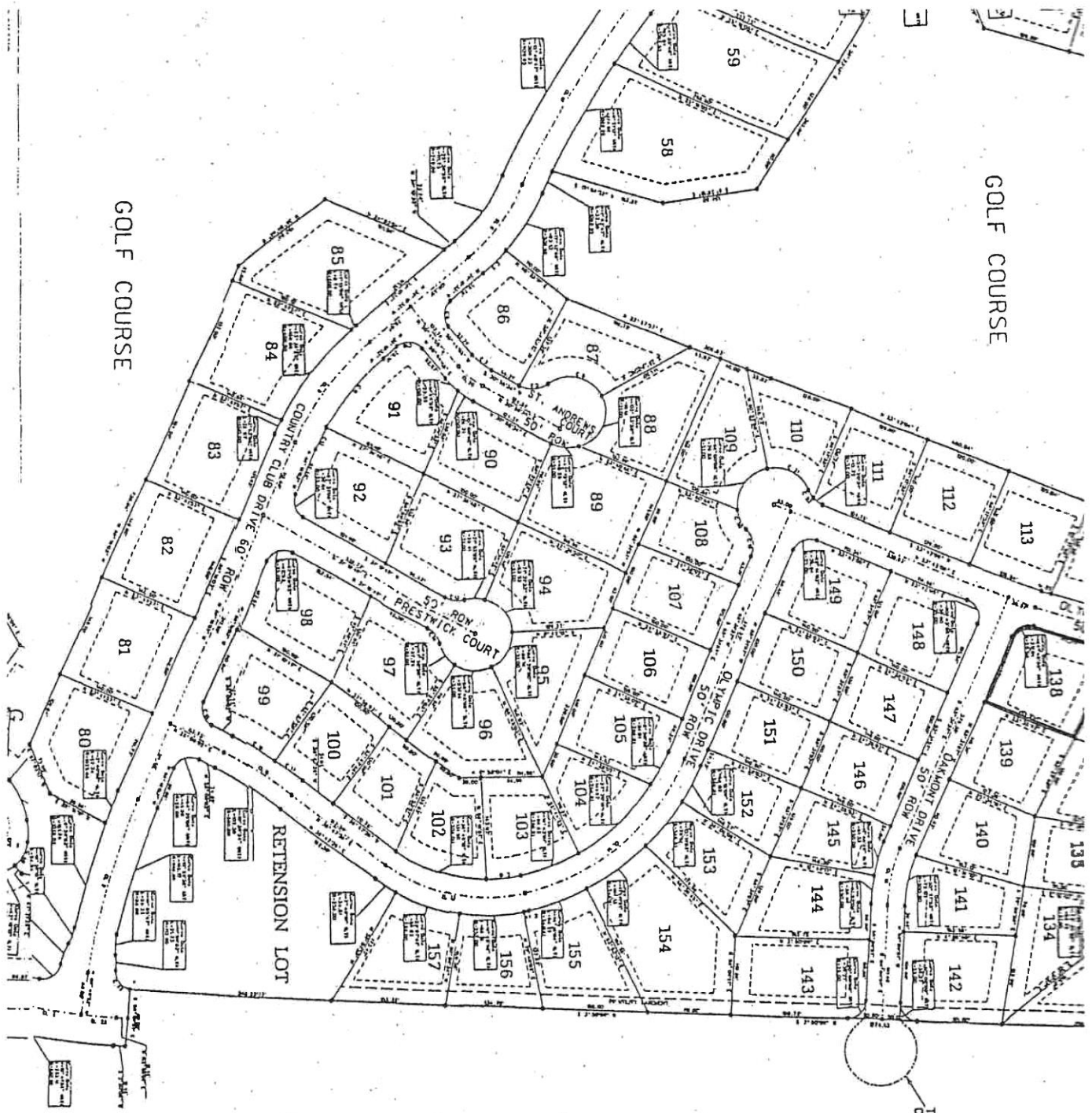
BOBBY BROWN AND RENE BROWN, PETITIONER

BY: 

Ted H. Sanders  
P. O. Box 2308  
Mountain Home, AR 72654  
Their Attorney

GOLF COURSE

GOLF COURSE



**LEGEND**

- SET 3/4" REBAR & CAP
- FOUNDED AS NOTED
- COMPLETED POINT
- FOUNDED COUNTY MONUMENT
- SETBACK LINES

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25
26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50

51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75
76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ADOPTED PURSUANT TO ACT 1112 OF 2017,  
APPROVING THE APPLICATION OF THE BACKROOM, INC. FOR  
A PRIVATE CLUB TO BE LOCATED AT 10 E. 7<sup>TH</sup> STREET  
MOUNTAIN HOME, BAXTER COUNTY, ARKANSAS**

WHEREAS, Act 1112 of 2017 requires that applicants for a private club license obtain approval of the governing body of the city or county where the private club is to be located; and

WHEREAS, The Backroom, Inc. has made proper application with the City of Mountain Home for a private club at 10 E. 7<sup>th</sup> Street, Mountain Home, Baxter County, Arkansas; and

WHEREAS, the City Council of Mountain Home, Arkansas, has reviewed the application of The Backroom, Inc. and finds that it meets the requirements of law; and

WHEREAS, the City Council of Mountain Home, Arkansas, finds the application of The Backroom, Inc. will promote the public convenience and advantage through providing community hospitality and increasing sales tax revenue.

NOW, THEREFORE, be it ordained by the City Council of Mountain Home, Baxter County, Arkansas:

Article I. That the private club application of The Backroom, Inc. for issuance of a private club license at 10 E. 7<sup>th</sup> Street, Mountain Home, Baxter County, Arkansas, be, and it hereby is, approved by the City Council of the City of Mountain Home, Arkansas.

Article II. That pursuant to Act 1112 of 2017, The Backroom, Inc. is hereby authorized to file a private club application with the Department of Finance and Administration, Alcoholic Beverage Control Division, for the location at 10 E. 7<sup>th</sup> Street, Mountain Home, Baxter County, Arkansas. A copy of this Ordinance shall be provided to the Alcoholic Beverage Control Division, Department of Finance and Administration, along the with ABC Private Club Application of The Backroom, Inc.

Article III. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Article IV. As this ordinance concerns a matter affecting the lives and property of the people, specifically the right of community hospitality among the people of Mountain Home, Arkansas, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED AND APPROVED this \_\_\_\_\_ day of November, 2021.

\_\_\_\_\_  
Hillrey Adams, Mayor

ATTEST:

\_\_\_\_\_  
Brian A. Plumlee, City Clerk

PETITION

Comes now, The Backroom, Inc., by and through its attorney, Ted H. Sanders, and for its Application for a private club at 10 E. 7<sup>th</sup> Street, Mountain Home, Arkansas to the City of Mountain Home, Arkansas states:

1. That attached hereto is a copy of The Backroom, Inc. Application for a private club permit to the Department of Finance and Administration, Alcohol Beverage Control Division, State of Arkansas.
2. That ABC requires the City of Mountain Home to approve the Application for the issuance of a private club permit at 10 E. 7<sup>th</sup> Street, Mountain Home, Arkansas.

Therefore, The Backroom, Inc. requests the City of Mountain Home to approve the issuance of a private club permit at 10 E. 7<sup>th</sup> Street, Mountain Home, Arkansas.

THE BACKROOM, INC.

By 

Ted H. Sanders  
SANDERS, MORGAN & CLARKE PLLC  
P.O. Box 2308  
Mountain Home, AR 72654  
(870)425-2126





STATE OF ARKANSAS  
ALCOHOLIC BEVERAGE CONTROL DIVISION  
APPLICATION FOR PRIVATE CLUB PERMIT

Private Club \_\_\_\_\_

Permit No. \_\_\_\_\_

We hereby make applications for permits to serve alcoholic beverages on our premises to the club's adult members, members of their families over the age of 21, and duly qualified guests.

The Backroom, Inc 2  
Non-Profit Corporation

FEIN# 85-3684563

APPLICANT ON BEHALF OF CLUB Bradley Dale Schultz  
First Middle Last

HOME ADDRESS 425 Coppercreek Circle Mountain Home 72653 Baxter  
Street City Zip County

BUSINESS NAME Stones Whiskey Bar

BUSINESS ADDRESS 10 E. 7th Street Mountain Home 72653 Baxter  
Street Suite B City Zip County

Is proposed location inside or outside city limits? inside

Does the club own the premises? NO If leased, give name and address of owner:

Readale Holdings, LLC 425 Coppercreek Circle Mountain Home 72653

Is your establishment primarily engaged in the business of serving food for consumption on

the premises? NO

Under which system of dispensing alcoholic beverages will the club operate?

Pool/Revolving ✓ Locker \_\_\_\_\_

Does anyone now hold an alcoholic beverage permit at this location? NO If so, give

name, address and permit no. (s) \_\_\_\_\_

Amount of Dues \$ 0 ANNUAL ( ) MONTHLY ( )



Provide the names and addresses of all officers/directors of the non-profit organization:

NAME	TITLE	ADDRESS
Brad Schultz	President	425 Copper Creek Circle Mountain Home 72653
Kevin Schultz	Vice President	425 Copper Creek Circle Mountain Home 72653
Tom Schultz		95 Mt. Carmel Road Cave City AR 72521

Is any member of the club's board of directors or other governing body, or any club officer, been under the sentence, whether suspended or otherwise, of any court the conviction of a felony within two (2) years preceding the date of this application? YES ☐ NO ☒ If yes, please explain \_\_\_\_\_

Signed this 26 day of October, \_\_\_\_\_.

[Signature]  
Signature of Applicant/Managing Agent

President  
Official Title

Witnessed and sworn to before me this 26 day of October, 2021.

Hannah Walker  
Notary Public

Commission Expires: 9/15/2027



**AN ORDINANCE AMENDING THE ENTERTAINMENT  
DISTRICT IN HISTORIC DOWNTOWN MOUNTAIN HOME, ARKANSAS**

**WHEREAS**, the State of Arkansas has passed into law Act 812, hereinafter referred to as "the Act," to promote hospitality and tourism; to establish areas of a city or town that highlight restaurant, entertainment, and hospitality options; to establish temporary or permanent designated entertainment districts; and for other purposes.

**WHEREAS**, the Act allows the Council to establish an entertainment district within the corporate limits of the City of Mountain Home, Arkansas.

**WHEREAS**, the Council has considered the merits of establishing such a district and believes that they will benefit the downtown area.

**WHEREAS**, the Council believes that the creation of an entertainment district will help promote an atmosphere aimed at facilitating business and promoting tourism.

**WHEREAS**, the Council finds that other cities, have had success with such districts, and believes that it is in the best interest of the City of Mountain Home, Arkansas, to provide for the creation of such a district as provided in this ordinance.

**WHEREAS**, nothing herein is intended to confer any rights or entitlement. Selling alcohol within an area designated as an entertainment district is a privilege, not a right, and is subject at all times to reasonable regulation. The Council reserves the right to modify or repeal this Ordinance, and any district designation created hereunder, at any time.

**WHEREAS**, subject to the terms and limitations of the Act and this Ordinance, the City of Mountain Home, Arkansas, wishes to establish an entertainment district in the downtown area.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNTAIN HOME, ARKANSAS, AS FOLLOWS:**

**Section 1.** *Creation and Establishment of an Entertainment District.* Under the authority granted in Act 812, the City Council does hereby create and establish an entertainment district in downtown Mountain Home, Arkansas, with the areas and boundaries as set forth and designated on the Map which is attached hereto as Exhibit 1 and incorporated herein.

Those areas encompassing Hickory Park, The Veteran's Plaza, and all government owned buildings are excluded from the district's open container policy. By excluding these areas from the district's open container policy it is the intention of the Council that the consumption of alcoholic beverages within the confines of these premises is and shall continue to be prohibited, unless such consumption is pursuant to and authorized by a duly issued license issued by the ABC Board.

**Section 2.** *Outside Consumption of Alcoholic Beverages Permitted; Conditions.* Any on-premise retail alcohol beverage licensee who receives an entertainment district designation from the Arkansas Alcoholic Beverage Control Board shall comply with all laws, rules, and regulations which govern its license type, except that a patron, guest or member of that licensee may exit the licensed premises between the hours of 11:00 a.m. and 12:00 a.m. with no more than one open container of alcoholic beverages and consume said alcoholic beverages anywhere within the confines of the entertainment district in which the alcoholic beverage was obtained (except those areas encompassing Hickory Park, The Veteran's Plaza, and all government owned buildings), are subject to the following regulations:

- (1) A person may not enter other licensed premises with an open container or closed container of alcoholic beverages acquired elsewhere.
- (2) A licensee who receives an entertainment district designation shall allow alcoholic beverages to be removed from the licensed premises only in a paper or plastic cup that bears the commercially printed name and/or logo of the designated licensee, and no such alcoholic beverages shall be removed from the licensed premises in a can, bottle, or glass container; except, that glass containers shall be allowed in a

licensee's outdoor sit down dining areas that are situated on a sidewalk or other right-of-way where the licensee has a right-of-way use agreement with the City of Mountain Home.

- (3) No licensee shall allow a patron, guest or member to exit its licensed premises with more than one open container of alcoholic beverages, and it shall be unlawful for any person to exit such licensed premises with more than one such open container.
- (4) It shall be unlawful for any person to drink or attempt to drink any alcoholic beverage from a can, bottle, or glass container, or to possess any open can, bottle, or glass container of alcoholic beverages on the streets, sidewalks, rights-of-way, and parking lots located within an entertainment district; except, that glass containers shall be allowed in a licensee's outdoor sit down dining areas that are situated on a sidewalk or other right-of-way where the licensee has a right-of-way use agreement with the City of Mountain Home.
- (5) No container in which an alcoholic beverage is dispensed and removed from the licensed premises shall exceed 16 fluid ounces in size.
- (6) No person shall possess on the streets, sidewalks, rights-of-way, parking lots, or outdoor public areas located within the entertainment district any open alcoholic beverage container which exceeds 16 fluid ounces in size.

**Section 3.** *Consumption of Alcoholic Beverages in a Motor Vehicle Prohibited.* It shall be unlawful for any person to consume any alcoholic beverages while in the confines of a motor vehicle while the motor vehicle is located upon any public street, parking lot or other place to which the public has or is permitted to have access within an entertainment district.

**Section 4.** *Alcoholic Beverages Purchased Outside the Entertainment District Not Allowed in Open Containers in District.* Except for special events as permitted by the Arkansas Alcoholic Beverage Control Board and in compliance with all laws, rules, and regulations, no alcoholic beverages purchased outside of the entertainment district shall be allowed in open containers in the entertainment district.

**PASSED AND APPROVED THIS \_\_\_\_ DAY OF MAY 2019.**

\_\_\_\_\_  
**HILLREY ADAMS, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**BRIAN A. PLUMLEE, CITY CLERK**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE PERTAINING TO THE GENERAL REQUIREMENTS FOR BOARDING AND  
SECURING ALL RESIDENTIAL, COMMERCIAL AND INDUSTRIAL BUILDINGS.**

**WHEREAS**, the City of Mountain Home desires to promote the health, safety and welfare of the citizens and to preserve the property values and the beauty of the City of Mountain Home; and

**WHEREAS**, the City of Mountain Home desires to eliminate vacant and blighted structures and to encourage the restoration of structures that can be rehabilitated within the City; and

**WHEREAS**, the City Council has determined that it is in the best interest of the citizens of the City to have guidelines established for the boarding and securing of buildings.

**NOW, THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
MOUNTAIN HOME, ARKANSAS:**

**SECTION 1 GENERAL REQUIREMENTS:**

1. Residential, Commercial and industrial buildings shall comply with these requirements for boarding and/or securing of premises in the follow circumstances:
  - a. When necessary for the public health, safety and welfare as determined by the Fire Marshal, Building Official, Code Enforcement Officer or his/her designee;
  - b. When the property has been declared a nuisance by the City Council;
  - c. When the property has been damaged by fire and is deemed a public health and safety risk by the Fire Chief, Fire Marshal or his/her designee;
  - d. When the property is vacant and has had no utilities connected to the property for a period in excess of 60 days.
2. The boarding of windows and doors of all structures shall comply with the following requirements:
  - a. All boarding materials shall be cut to fit the openings to be secured. Further, all materials shall be weatherproofed, painted and maintained with a color of paint that blends with the overall structure.
  - b. All broken/damaged windows and doors shall be boarded and/or secured within seven (7) days of the incident causing the damage of they have not been repaired/replaced.
  - c. Boarding and securing of a structure dose not relieve the owner of the requirement to diligently repair, rehabilitate or demolish and remove the structure or condition.
  - d. All boarding materials shall be removed and all windows and/or doors installed or repaired within six (6) months. The Building Official or his/her designee may extend this time upon a showing of:
    - a. A building permit has been issued and work is being done on the premises;

- b. A permit for demolition is issued on the premises
  - c. An ongoing criminal investigation or insurance investigation which requires the structure to remain untouched;
  - d. The showing of undue hardship that warrants an extension of time. Undue hardship shall be extended one time by the City Council for a period of no longer than six months.
- 3. Any damage to the roof of a structure requiring a tarp to prevent water damage to the interior of the structure must be repaired and tarps removed within six (6) months of the incident causing the damage. The Building Official may extend this time upon a showing of any of the qualifying circumstances found in the sub-section above.
  - 4. All properties requiring the boarding and securing of windows and/or doors at the time of the enactment of this Ordinance, shall be boarded in compliance with the City boarding specifications set forth herein, within thirty (30) days from the effective date of this Ordinance.
  - 5. All properties which currently have a tarped roof at the time of the enactment of this Ordinance shall have repairs completed and the tarp removed within six (6) months from the effective date of this Ordinance.

**SECTION 2 PENALTIES** any person in violation of this Ordinance shall be deemed guilty of a misdemeanor punishable by a fine of no less than \$100.00. Each day a violation continues to exist shall be deemed a separate offense

**SECTION 3. EMERGENCY CLAUSE:** It is determined that this Ordinance is necessary and vital to the health, welfare and safety of the citizens of the City of Mountain Home; therefore, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021**

\_\_\_\_\_  
**HILLREY ADAMS MAYOR**

**ATTEST:**

\_\_\_\_\_  
**BRIAN PLUMLEE CITY CLERK**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE PREPARATION OF CERTAIN DOCUMENTATION FOR THE SUBSEQUENT APPROVAL OF THE CITY COUNCIL RELATED TO THE PROPOSED ISSUANCE BY THE CITY OF WATER AND SEWER REVENUE IMPROVEMENT AND REFUNDING BONDS, SERIES 2022; APPROVING THE PREPARATION AND DELIVERY OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE OFFER AND SALE OF SAID BONDS; AND PRESCRIBING OTHER MATTERS RELATING THERETO.**

**WHEREAS**, pursuant to the Constitution and laws of the State of Arkansas, including particularly, Amendment 65 and Arkansas Code Annotated §§14-164-401 *et seq.* (the “Authorizing Legislation”), and Ordinance No. 2020-41 adopted October 1, 2020, the City has previously issued and there are presently outstanding its Water and Sewer Revenue Refunding Bonds, Series 2020, in the original principal amount of \$8,809,000 (the “Series 2020 Bonds”); and

**WHEREAS**, the City has determined that there is a need to upgrade and improve its wastewater treatment plant (the “Project”); and

**WHEREAS**, in order to provide funds for (i) the refunding of the Series 2020 Bonds, and (ii) the acquisition, construction and equipping of the Project, each of which will benefit the City and its residents in furtherance of the public purposes of the Authorizing Legislation, the City desires to proceed with the issuance of its Water and Sewer Revenue Improvement and Refunding Bonds, Series 2022 (the “Series 2022 Bonds”), in principal amount not to exceed \$19,250,000; and

**WHEREAS**, the City has determined to consider the issuance of the Series 2022 Bonds, subject to the final approval of terms of the Series 2022 Bonds by ordinance of the City Council, and to authorize the Bond Counsel and Underwriter, hereinafter designated in Sections 2 and 3, respectively, with the advice and assistance of the Mayor, City Attorney and City staff, to take certain actions in preparation for the issuance and sale of the Series 2022 Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOUNTAIN HOME, ARKANSAS THAT:

**Section 1.** The Bond Counsel, as hereinafter defined, with the advice and assistance of the Mayor, City Attorney and City staff, is hereby authorized to prepare documents relating to the issuance and sale of the Series 2022 Bonds, including a Preliminary Official Statement; provided, however, the City Council shall first adopt an approving ordinance before any such documents are binding upon the City.

**Section 2.** The firm of Kutak Rock LLP is hereby designated as bond counsel (“Bond Counsel”) in connection with the issuance and sale of the Series 2022 Bonds.

**Section 3.** The firm of Crews & Associates, Inc. is hereby designated as underwriter (the “Underwriter”) for the purpose of marketing the Series 2022 Bonds. The sale of the Series 2022 Bonds to the Underwriter will be accomplished pursuant to the terms of a bond purchase agreement to be presented for the approval of the City Council.

**Section 4.** All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

ADOPTED: November 18, 2021

By: \_\_\_\_\_  
Hillrey Adams, Mayor

ATTEST:

By: \_\_\_\_\_  
Brian A. Plumlee, City Clerk

[S E A L]



# **AUCTION 2021**

## **WATER/SEWER DEPARTMENT**

### **VEHICLE FOR SALE**

**V305**...1995 GMC 1 Ton Utility Truck.....VIN: 1GDHK34N9SE512345

**V334**...2009 Chevrolet C6500 Dump Truck.....VIN: 1GBM7C1BX9F900014

**V350**...2003 Dodge Durango.....VIN: 1D4H538N43F550711

**V356**...1987 Chevrolet Van.....VIN: 1GBFP22J8H3334049

### **EQUIPMENT FOR SALE**

**SE327**..Mikasa Compactor (Reversible).....Model: MVH206GH S/N:S-1040

**E342**... Forklift Mitsubishi FG-5.....S/N: 05-015-0380-05-002

**SE369**...Miller Welder.....S/N: LA175983 (Welder)

**SE378**..Ingersoll-Rand Deutz DED Compressor.....VIN: 156252

## **MISC - ITEMS FOR SALE**

1-Dump Cart 10CF

1- Air Compressor

1-20' Flatbed Trailer

1- ViewSonic Computer Monitor ...Model VS12506, S/N SF1113400671

2- U.S. SAWS Battery Operated Water Pump Stick

1-RKI 3200 Crane (off of V349) (Lean-to)

1- Hydraulic System to run hydraulic tools off of V310 (Lean-to)

1- Ultimate MXII Sprayer...Model/695

1- Truck Bed with RKI 3200 Crane (for Ford Utility Truck)

1-Truck Rack for Truck Bed (for Ford Utility Truck)

1-Tiger TGR 80 Jumping Jack (upstairs)

1-Portable Floodlight Trlr Model C/N TCTO 509....S/N: 0072

1-Stihl Blower BG55

1-Grizzly Drill Press...S/N: 3132360

1-Fimco 25 Gal. Sprayer Model: LG-25-PM

1-5' Rhino Bush Hog.....S/N: 42302

1-HP Laser Jet Printer/Scanner/Fax....Model: M1212nf MFP  
S/N: CNG90721TZ

1-HP Laser Jet Printer/Scanner/Fax....Model: M1212nf MFP  
S/N: CNG9C7P2FG

1-HP Laser Jet Printer/Scanner/Fax....Model: M1212nf MFP  
S/N: CNC9B9B5LD

1-Magnavox VCR/DVD Player w/remote.....Model: DV22OMW9

S/N: D22807170

1-HP Laserjet Printer.....Model P1102W....S/N: VND3M88097

1-RCA Television w/Remote...Model: 27F554T....S/N: 166E3608

1-Zipper Bag with Power Cord & MCAB USB 2.0 to Serial Adapter

1-HP Copier.....S/N: CND9D3TC44

3-Backhoe Buckets

Sheet Metal (Tin)

4-8" x 8" MJ X FL Tee

2-8" x 4" FL Tee

1-8" x 2" Threaded Outlet MJ

1-6" 22 ½\* Bend MJ

2-6" 11 ¼\* Bend MJ

1-4" x 3" MJ Reducer Plain End

1-12" 11 ¼\* Bend MJ

1-10" MJ Cross

1-16" 22 ½\* Bend MJ

1-16" 45\* Bend MJ

1-10" x 6" MJ x FL Tee

1-6" x 6" MJ Tee

1-6" x 2" FL Tee

1-6" x 4" Threaded Outlet Tee MJ1-APC Battery Back Up Model:...SMT1500....S/N:  
AS1406222792

**RESOLUTION # 2021 -  
AMENDING 2020 BUDGET  
For the City of Mountain Home, Arkansas**

A RESOLUTION AMENDING RESOLUTION #2020-     PROVIDING FOR AND  
ADOPTING A BUDGET FOR THE CITY OF MOUNTAIN HOME, ARKANSAS

**FOR THE TWELVE (12) MONTHS BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020  
APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE.**

**WHEREAS**, the City Council has made a comprehensive study and review of the proposed budget, and

**WHEREAS**, it is the opinion of the City Council that the schedules and exhibits of financial information prepared and reviewed revealing anticipated revenues and expenditures for the calendar year appear to be as accurate as possible for budgetary purposes.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF MOUNTAIN HOME, ARKANSAS:**

**Section 1.** This resolution shall be known as the budget resolution for the City of Mountain Home, Arkansas for the twelve (12) month period beginning January 1, 2020, and ending December 31, 2020, reflecting actual revenues and expenditures as hereinafter set forth below. All revenues herein are actual and all appropriations are calculated upon available revenues.

<u>REVENUES</u>	<u>BUDGET</u>	<u>EXPENDITURES</u>	<u>BUDGET</u>
GENERAL	8,994,567.74	GENERAL	2,682,676.64
MOUNTAIN HOME CEMETERY	87,496.68	BUILDING INSPECTION	236,236.23
FIRE DEPT. APPARATUS FUND	293,999.39	FIRE	1,740,574.74
PUBLIC SAFETY TAX	3,790,731.46	POLICE	2,500,244.81
STREET	5,599,727.76	COURTS	400,741.31
WATER DEPARTMENT	13,966,722.03	YOUTH CENTER	378,036.88
BREATHALYZER	8,663.83	PARKS	1,056,057.13
CRIMINAL JUSTICE	28,374.25	MOUNTAIN HOME CEMETERY	87,496.68
COURT AUTOMATION	43,825.31	FIRE DEPT. APPARATUS FUND	293,999.39
AMENDMENT 80	30,377.60	PUBLIC SAFETY TAX	3,790,731.46
DWI/DRUG CONTROL FUND	35,789.95	STREET	5,599,727.76
		WATER DEPARTMENT	7,791,067.42
COUNTY SALES TAX	2,408,432.05	SEWER DEPARTMENT	3,718,666.04
CITY SALES TAX	7,496,381.58	WATER TREATMENT PLANT	2,456,988.57
TOTAL REVENUE	<b>42,785,089.63</b>	BREATHALYZER	8,663.83
		CRIMINAL JUSTICE	28,374.25
		COURT AUTOMATION	43,825.31
		AMENDMENT 80	30,377.60
		DWI/DRUG CONTROL FUND	35,789.95
		COUNTY SALES TAX	2,408,432.05
		CITY SALES TAX	7,496,381.58
		TOTAL EXPENDITURES	<b>42,785,089.63</b>

**Section 2. Annual Budget Adopted by Reference.** The Annual Budget for calendar year 2020, Identified as "2020 Annual Budget, Mountain Home, Arkansas" is hereby adopted by reference. A copy of said budget shall be filed in the office of the City Clerk and shall be available for inspection and copying by any person during normal working hours.

**Section 3. Expenditures Restricted to Specified Funds.** No expropriation of funds shall be made other than as specified in this Resolution, nor shall any expenditure be made any other way other than specified in this Resolution, or an amendment thereto.

**Section 4. Transfers.** Any transfers of monies between various funds of the City of Mountain Home shall be made only with prior approval of the Mountain Home City Council with the exception of all transfers already budgeted in this Resolution.

**Section 5.** The respective amounts of funds for each and every item of expenditure classification herein proposed in the budget for 2020 are hereby approved by the City of Mountain Home, Arkansas, and are hereby authorized and appropriated for the purposes herein set forth for the calendar year ending December 31, 2020.

APPROVED AND ADOPTED THIS 18th DAY OF NOVEMBER, 2021

ATTEST:

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Hillrey Adams, Mayor

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Brian Plumlee, City Clerk