

AGENDA
THE MOUNTAIN HOME CITY COUNCIL MEETING
JUNE 23, 2022 @ 6:00 P.M.
COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING

Pledge of Allegiance
Prayer
Roll Call
Announcements

NEW BUSINESS

2022 BUDGET ADJUSTMENTS, Presented by Chief Financial Officer, Alma Clark

A RESOLUTION AMENDING RESOLUTION NO. 2021-2 PROVIDING FOR AND ADOPTING A BUDGET FOR THE CITY OF MOUNTAIN HOME, ARKANSAS, Presented by Chief Financial Officer, Alma Clark

AN ORDINANCE AMENDING ORDINANCE NO. 2010-17 AN ORDINANCE CLASSIFYING AND DEFINING TRADES, BUSINESSES, PROFESSIONS, VOCATIONS, CALLINGS, AND FIXING THE AMOUNT OF LICENSE ANY PERSON, FIRM OR CORPORATION SHALL PAY FOR THE PRIVILEGE OF ENGAGING IN, CARRYING ON OR FOLLOWING ANY SUCH TRADE, BUSINESS, PROFESSION, VOCATION OR CALLING WITHIN THE CORPORATE LIMITS OF THE CITY OF MOUNTAIN HOME, BAXTER COUNTY, ARKANSAS AND PROVIDING THE MANNER AND MEANS OF COLLECTING SAID LICENSES.

APPROVAL TO SELL FIRE DEPARTMENT UNIT #222, A 1984 GMC VAN, TO BAXTER COUNTY O.E.M., presented by Fire Chief, Kris Quick

ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF THERMOPLASTIC PAVEMENT MARKINGS presented by Street Director, Arnold Knox

OLD BUSINESS

THIRD READING OF AN ORDINANCE REGULATING UNSANITARY CONDITIONS WITHIN THE CITY OF MOUNTAIN HOME presented by City Attorney Roger Morgan

COMMENTS

ADJOURN

Respectfully Submitted,
Brian Plumlee, City Clerk

REGULAR CITY COUNCIL MEETING – MAY 19, 2022

NOTICE OF PUBLIC HEARING

Notice is hereby given pursuant to Arkansas Code Annotated Section 19-9-607 (2016 Repl.) that a public hearing will be held before the Mayor of the City of Mountain Home, Arkansas (the "City") on the question of the adoption of an ordinance authorizing the issuance by the City of not to exceed \$10,000,000 in aggregate principal amount of Water and Sewer Revenue Improvement Bonds, Series 2022 (the "Series 2022 Bonds"), under the authority of Amendment 65 to the Constitution of the State of Arkansas and Arkansas Code Annotated Sections 14-164-401 *et seq.* (1998 Repl. & 2021 Supp.). The Series 2022 Bonds shall be payable from and secured by the revenues derived from the City's water and sewer system (the "System"). The proceeds of the proposed Series 2022 Bonds will be used (i) to finance the costs of upgrading and improving the City's wastewater treatment plant (the "Project"), (ii) to purchase a policy of municipal bond insurance, if deemed economically advantageous, (iii) to fund a debt service reserve or to purchase a policy of debt service reserve insurance, if deemed economically advantageous, and (iv) to pay the costs of issuing the Series 2022 Bonds.

Any persons interested may appear and express their views, both orally and in writing, on the proposed issuance of the Series 2022 Bonds and on the nature of the Project at a public hearing to be held at 5:45 p.m. on Thursday, May 19, 2022, in the Council Chamber of the Municipal Building, 720 South Hickory Street, Mountain Home, Arkansas. Any remarks at the hearing will be limited to five minutes per person. At such hearing, all suggestions and objections will be heard and considered.

Dated: May 2, 2022

Hillrey Adams, Mayor

1. The Mountain Home City Council met in regular session May 19, 2022 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, Jim Bodenhamer, Paige Evans, Jennifer Baker, Carry Manuel, Robert Van Haaren, Wayne Almond, and Susan Stockton were present for the meeting.
3. **OFFICIALS IN ATTENDANCE** Mayor Hillrey Adams, City Clerk Brian Plumlee, City Attorney Roger Morgan, Street Director Arnold Knox, Police Chief Eddie Griffin, Building Inspector Greg Iland, and Fire Chief Kris Quick.
4. **MINUTES** Councilwoman Baker made a motion to approve the council meeting minutes from May 5th, 2022. The motion was seconded by Councilman Manual. The City Clerk recorded the following vote: all present – yes.
5. **NEW BUSINESS**
AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF \$10,000,000 OF WATER AND SEWER REVENUE IMPROVEMENT BONDS, SERIES 2022, BY THE CITY OF MOUNTAIN HOME, ARKANSAS FOR THE PURPOSE OF FINANCING THE UPGRADING AND IMPROVING OF THE CITY'S WASTEWATER TREATMENT PLANT; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIFTH SUPPLEMENTAL TRUST INDENTURE PURSUANT TO WHICH THE BONDS WILL BE ISSUED AND SECURED; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT PURSUANT TO WHICH THE BONDS WILL BE OFFERED; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE AGREEMENT PROVIDING FOR THE ONGOING DISCLOSURE OF CERTAIN INFORMATION REGARDING THE CITY AND THE SYSTEM; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY. City Attorney Roger Morgan put the ordinance on first reading and read it by title only.

SECOND READING Councilwoman Baker made a motion to suspend the rules and put the ordinance on second reading, Councilman Almond 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 Almond 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 Councilman Manual. The City Clerk recorded the following vote: all present – yes. The ordinance was declared adopted.

EMERGENCY CLAUSE... Councilwoman Baker made a motion to pass the emergency clause, Councilman Manual seconded the motion. City Clerk Brian Plumlee recorded the following vote: all present – yes.

AN ORDINANCE AMENDING THE CONTRACTED WATER RATES BETWEEN THE CITY OF MOUNTAIN HOME WATER DEPARTMENT AND WHOLESALE PURCHASERS – AS OUTLINED IN ORDINANCE NO. 599 SECTION 8 AS AMENDED BY ORDINANCE NO. 01-21, 03-12, 2005-42, 2006-28, 2007-24, 2008-21, 2009-13, 2010-22, 2011-10, 2012-6, 2013-7, 2014-11, 2016-13 & 2019-28, 2020-32 AND 2021-21. Attorney Roger Morgan put the ordinance on first reading.

SECOND READING Councilwoman Baker made a motion to suspend the rules and put the ordinance on second reading, 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 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 Councilman Almond. The City Clerk recorded the following vote: all present – yes. The ordinance was declared adopted.

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 COMMERCIAL C-2 – TO RESIDENTIAL R - 1. City Attorney Roger Morgan put the ordinance on first reading.

SECOND READING Councilman Bodenhamer made a motion to suspend the rules and put the ordinance on second reading, Councilman Almond 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. 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 Baker made the motion to adopt the ordinance it was seconded by Councilman Reed. The City Clerk recorded the following vote: all present – yes. The ordinance was declared adopted.

EMERGENCY CLAUSE... Councilwoman Baker made a motion to pass the emergency clause, Councilman Almond seconded the motion. City Clerk Brian Plumlee recorded the following vote: all present – yes.

AN ORDINANCE REGULATING THE PARKING OF VEHICLES ON UNIMPROVED SURFACES AND FOR OTHER PURPOSES. City Attorney Roger Morgan put the ordinance on first reading and read it by title only.

AN ORDINANCE REGULATING UNSANITARY CONDITIONS WITHIN THE CITY OF MOUNTAIN HOME. City Attorney Roger Morgan put the ordinance on first reading.

AN ORDINANCE ACCEPTING THE FINAL PLAT FOR FREEDOM'S LANDING SUBDIVISION – LOCATED ON OZARK AVENUE, CITY OF MOUNTAIN HOME IN BAXTER COUNTY, ARKANSAS. City Attorney Roger Morgan put the ordinance on first reading.

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

EMERGENCY CLAUSE... Councilwoman Evans made a motion to pass the emergency clause, Councilman Almond seconded the motion. City Clerk Brian Plumlee recorded the following vote: all present – yes.

2022 – CITY AUCTION VEHICLES/EQUIPMENT Councilman Bodenhamer made a motion to approve the auction equipment, it was seconded by Councilwoman Baker. City Clerk Brian Plumlee recorded the following vote: All present – yes.

2022 – CITY AUCTION MISCELLANEOUS ITEMS Councilwoman Baker made a motion to approve the miscellaneous items, it was seconded by Councilman Bodenhamer City Clerk Brian Plumlee recorded the following vote: All present – yes.

DISCUSSION REGARDING SHIPPING CONTAINERS BEING USED FOR RESIDENTIAL/COMMERCIAL PURPOSES There was a brief discussion regarding shipping contains for residential / commercial use.

ADJOURN...7:13P.M. with no further business to come before the council. Mayor Adams declared the meeting adjourned at 7:13 p.m.

HILLREY ADAMS, MAYOR

ATTEST:

BRIAN A. PLUMLEE, CITY CLERK

REGULAR CITY COUNCIL MEETING – June 2, 2022

6. The Mountain Home City Council met in regular session June 2nd, 2022 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.
7. **ROLL CALL** The following council members were present for the roll call: Nick Reed, Jim Bodenhamer, Paige Evans, Jennifer Baker, Carry Manuel, Robert Van Haaren, and Susan Stockton were present for the meeting. Wayne Almond was absent.
8. **OFFICIALS IN ATTENDANCE** Mayor Hillrey Adams, City Clerk Brian Plumlee, City Attorney Roger Morgan, Street Director Arnold Knox, Police Chief Eddie Griffin, Building Inspector Greg Iland, Human Resources Sue Edwards, Fire Chief Kris Quick.
9. **MINUTES** Councilwoman Baker made a motion to approve the council meeting minutes from May 5th, 2022. The motion was seconded by Councilman Manual. The City Clerk recorded the following vote: all present – yes.
10. **NEW BUSINESS**
- 2022 BUDGET ADJUSTMENTS** Councilwoman Baker made a motion to approve the budget adjustments. Councilman Manual seconded the motion. City Clerk Brian Plumlee recorded the following vote: all present – yes.
- SALE OF PROPERTY LOCATED AT 623 8TH STREET MTN. HOME PARCEL NO. 007-14414-000** Councilman Bob Van Haaren made a motion to approve the sale, the motion was seconded by Councilwoman Stockton. City Clerk Brian Plumlee recorded the following vote: all present – yes.
- MOTION TO APPROVE REGARDING PHYSICAL EXAMS FOR SEASONAL EMPLOYEES** Councilman Reed made a motion to make an emergency override to expedite the onboarding process towards hiring seasonal employees . The motion was seconded by Councilman Van Haaren. City Clerk Brian Plumlee recorded the following vote: all present – yes. *The personnel policy will be revised eventually to reflect these changes.*
- OLD BUSINESS**
- AN ORDINANCE REGULATING THE PARKING OF VEHICLES ON UNIMPROVED SURFACES AND FOR OTHER PURPOSES.** City Attorney Roger Morgan put the ordinance on second reading. Councilman Van Haaren made a motion to table the ordinance, the motion was seconded by Councilman Reed. City Clerk Brian Plumlee recorded the following vote: all present – yes.
- AN ORDINANCE REGULATING UNSANITARY CONDITIONS WITHIN THE CITY OF MOUNTAIN HOME.** City Attorney Roger Morgan put the ordinance on second reading. No further action was taken on the ordinance.
- ADJOURN...6:18P.M.** with no further business to come before the council. Mayor Adams declared the meeting adjourned at 6:18 p.m.

HILLREY ADAMS, MAYOR

ATTEST:

BRIAN A. PLUMLEE, CITY CLERK

BUDGET ADJUSTMENTS 06/23/2022

Line Item Name	Line Item Number	Amount:
Mayor Donation Accounts:		
Donations Christmas Festival-Revenue	101-5101-73404	-\$7,565.62
Donations Christmas Festival-Expense	101-5101-73405	\$7,565.62
Donations-Mayor's Admin Fund-Rev	101-5101-73406	-\$154.64
Donations-Mayor's Admin Fund-Pur	101-5101-73407	\$154.04
Donations-Dog Park- Rev Restricted	101-5101-73410	-\$19.14
Donations-Dog Park Purchases	101-5101-73412	\$19.14
Donations-Summer Concert-Revenue	101-5101-73705	-\$11,027.74
Donations-Summer Concert-Purchases	101-5101-73706	\$11,027.74
Donation-Downtown Sq Improve-Rev	101-5101-73709	-\$15,029.00
Donation-Downtown Sq Improve-Pur	101-5101-73710	\$15,029.00
Police Department Donation Accounts:		
Donation -Purchases	101-5104-73400	\$1,515.00
Revenues -Donations Current	101-5104-73403	-\$1,515.00
Donations New Bldg -Revenue	101-5104-73405	-\$1,034.58
Donations New Bldg -Purchase	101-5104-73406	\$1,034.58
Red/White/Blue-Rev	101-5104-73410	-\$762.70
Red/White/Blue-Pur	101-5104-73411	\$762.70
Repair Maint-Radios -Purchases	101-5104-27120	\$9,591.11
Repair Maint-Radios -Revenue	101-5104-27121	-\$9,591.11
Donations MC - Revenue	101-5104-73418	-\$2,828.30
Donations MC - Purchases	101-5104-73419	\$2,828.30
Donations Mobile Video Camera - Revenue	101-5104-73422	-\$569.67
Donations Mobile Video Camera - Purchases	101-5104-73423	\$569.67
Donations -Officer Bene - Revenue	101-5104-73428	-\$50.00
Donations -Officer Bene - Purchases	101-5104-73429	\$50.00

Youth Center Donation Accounts:

Donation -Purchase	101-5106-73400	\$7,127.61
Donation -Revenue	101-5106-73402	-\$7,197.76
Donations - YC Meals-Revenue	101-5106-73410	-\$60.22
Donations - YC Meals -Purchases	101-5106-73411	\$60.22
Youth Bsktball EOY Party -Revenue	101-5106-73414	-\$2.00
Youth Bsktball EOY Party -Purchases	101-5106-73415	\$2.00
Donation 5K - Revenue	101-5106-73427	-\$1,244.39
Donation 5K - Purchases	101-5106-73428	\$1,244.39
Donations Trunk or Treat - Revenue	101-5106-73431	-\$1,087.36
Donations Trunk or Treat - Purchases	101-5106-73432	\$1,087.36
Donations YC Youth Baseball -Revenue	101-5106-73433	-\$22,983.80
Donations YC Youth Baseball -Purchases	101-5106-73434	\$22,983.80
Donations YC Soccer -Revenue	101-5106-73435	-\$2,438.26
Donations YC Soccer -Purchases	101-5106-73436	\$2,438.26

Parks Department Donation Accounts:

Donation -Purchases	101-5107-73400	\$3,166.26
Donation -Revenue	101-5107-73405	-\$3,166.26
Donation Park Dev. -Revenue	101-5107-73406	-\$7,500.00
Donation Park Dev. -Purchases	101-5107-73407	\$7,500.00
Donations -Soccer Field -Revenue	101-5107-73408	-\$5,139.02
Donations - Soccer Field - Purchases	101-5107-73409	\$5,139.02
Donation Pool-Revenue	101-5107-73410	-\$1,500.00
Donation Pool-Purchase	101-5107-73411	\$1,500.00
Youth Bskball Sponsorship -Revenue	101-5107-73412	-\$777.21
Youth Bskball Sponsorship -Purchases	101-5107-73413	\$777.21
Gannett-Make a Difference -Revenue	101-5107-73415	-\$21.62
Gannett-Make a Difference -Purchases	101-5107-73416	\$21.62
Willett B/Field -Revenue	101-5107-73417	-\$12,652.64
Willett B/Field -Purchases	101-5107-73418	\$12,652.64
Donations Bsbll Scorebrd -Revenue	101-5107-73421	-\$23.64
Donations Bsbll Scorebrd -Purchases	101-5107-73422	\$23.64

Donations 12 Y/O Majr Lgue Field-Revenue	101-5107-73423	-\$0.06
Donations 12 Y/O Majr Lgue Field-Purchases	101-5107-73424	\$0.06
Donation A&P 1A Ball Tournament-Revenue	101-5107-73427	-\$71.87
Donation A&P 1A Ball Tournament-Purchases	101-5107-73428	\$71.87

WATER/SEWER DEPARTMENT

INMATE MEALS	600-5601-38610	\$5,500.00
INMATE MEALS	600-5602-38610	\$5,500.00
CARRY OVER	600-5601-79001	-\$11,000.00

PUBLIC SAFETY

CAPITAL EQUIPMENT	134-5401-41001	\$157,000.00
CARRY OVER	134-5301-79000	-\$157,000.00

RESOLUTION # 2022 -
AMENDING 2021 BUDGET
For the City of Mountain Home, Arkansas

A RESOLUTION AMENDING RESOLUTION #2021 - 2 PROVIDING FOR AND
ADOPTING A BUDGET FOR THE CITY OF MOUNTAIN HOME, ARKANSAS

**FOR THE TWELVE (12) MONTHS BEGINNING JANUARY 1, 2021 AND ENDING DECEMBER 31, 2021
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, 2021, and ending December 31, 2021, 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	10,548,902.83	GENERAL	3,569,968.01
MOUNTAIN HOME CEMETERY	85,918.93	BUILDING INSPECTION	260,419.44
FIRE DEPT. APPARATUS FUND	314,363.26	FIRE	2,262,586.37
PUBLIC SAFETY TAX	4,750,067.82	POLICE	2,479,840.03
STREET	6,466,542.45	COURTS	411,897.74
WATER & SEWER DEPARTMENT	14,554,677.09	YOUTH CENTER	448,567.11
BREATHALYZER	9,405.18	PARKS	1,115,624.13
CRIMINAL JUSTICE	25,620.80	MOUNTAIN HOME CEMETERY	85,918.93
COURT AUTOMATION	37,593.46	FIRE DEPT. APPARATUS FUND	314,363.26
AMENDMENT 80	33,409.15	PUBLIC SAFETY TAX	4,750,067.82
DWI/DRUG CONTROL FUND	31,698.00	STREET	6,466,542.45
MAYOR DONATION FUND	15,480.55	WATER DEPARTMENT	8,933,441.96
POLICE DEPT DONATION FUND	16,329.74	SEWER DEPARTMENT	3,406,638.36
FIRE DEPT DONATION FUND	156,043.27	WATER TREATMENT PLANT	2,214,596.77
PARKS DEPT DONATION FUND	32,192.35	BREATHALYZER	9,405.18
YOUTH CENTER DONATION FUN	34,215.59	CRIMINAL JUSTICE	25,620.80
		COURT AUTOMATION	37,593.46
		AMENDMENT 80	33,409.15
		DWI/DRUG CONTROL FUND	31,698.00
		MAYOR DONATION FUND	15,480.55
		POLICE DEPT DONATION FUND	16,329.74
		FIRE DEPT DONATION FUND	156,043.27
		PARKS DEPT DONATION FUND	32,192.35
		YOUTH CENTER DONATION FUN	34,215.59

2021 PARK SALES TAX BOND FL	1,172,948.88	2021 PARK SALES TAX BOND FL	1,172,948.88
2021 PARK CAPITAL IMP BOND	37,997,302.43	2021 PARK CAPITAL IMP BOND	37,997,302.43
ELECTRONIC WARRANT -AM RE	1,302,386.82	ELECTRONIC WARRANT-AM RE	1,302,386.82
COUNTY SALES TAX	2,731,729.68	COUNTY SALES TAX	2,731,729.68
CITY SALES TAX	8,404,255.28	CITY SALES TAX	8,404,255.28
TOTAL REVENUE	89,238,415.60	TOTAL EXPENDITURES	89,238,415.60

Section 2. Annual Budget Adopted by Reference. The Annual Budget for calendar year 2021, Identified as "2021 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 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 2021 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, 2021.

APPROVED AND ADOPTED THIS 23RD DAY OF JUNE, 2022

ATTEST:

Hilrey Adams, Mayor

Brian Plumlee, City Clerk

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 2010-17 AN ORDINANCE CLASSIFYING AND DEFINING TRADES, BUSINESSES, PROFESSIONS, VOCATIONS, CALLINGS, AND FIXING THE AMOUNT OF LICENSE ANY PERSON, FIRM OR CORPORATION SHALL PAY FOR THE PRIVILEGE OF ENGAGING IN, CARRYING ON OR FOLLOWING ANY SUCH TRADE, BUSINESS, PROFESSION, VOCATION OR CALLING WITHIN THE CORPORATE LIMITS OF THE CITY OF MOUNTAIN HOME, BAXTER COUNTY, ARKANSAS AND PROVIDING THE MANNER AND MEANS OF COLLECTING SAID LICENSES.

WHEREAS, Arkansas Code Annotated Section 26-77-102 provides that the city council shall have the power to enact an ordinance requiring any person, firm, individual, or corporation who shall engage in, carry on, or follow any trade, business, profession, vocation, or calling within the corporate limits of the city to pay a licenses fee.

WHEREAS, Short-term rentals are becoming increasing popular within the city of Mountain Home, Arkansas

WHEREAS, There is no current fee schedule in Section 8 of Ordinance No. 2010-17 for Short-term rentals.

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

Section 1: Short-term rentals: Short-term rentals shall be required to have a business license from the City of Mountain Home, Arkansas and be defined as any rental accommodations for lodging or sleeping for a period of less than 30 days.

Section 2: Zoning Short-term rentals shall not be allowed in R-1 zoning.

Section 3: Fees Short-term rentals shall be added to Section 8 of Ordinance No. 2010-17 as Short-term rental \$75.00 plus \$3.50 per person the rental unit advertises it sleeps.

Section 4: All other provisions of Ordinance No. 2010-17 of the City of Mountain Home, Arkansas shall remain in full force and effect unless specifically changed by provisions of this Ordinance.

PASSED AND APPROVED THIS _____ DAY OF _____

MAYOR

ATTEST:

CITY CLERK

APPROVAL TO SELL FIRE DEPARTMENT UNIT #222, A 1984 GMC VAN, TO BAXTER COUNTY O.E.M., presented by Fire Chief, Kris Quick

ORDINANCE NO. 2022 - ____

AN ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF THERMOPLASTIC PAVEMENT MARKINGS

WHEREAS, the City of Mountain Home Street Department is desirous of purchasing Thermoplastic Pavement Markings.

WHEREAS, Thermoplastic Pavement Markings are necessary to meet the needs of the Street Department.

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

SECTION 1. The Street Department of the City of Mountain Home, Arkansas desires to purchase Thermoplastic Pavement Markings from Traf-Mark Industries LLC.

SECTION 2. Due to the nature of the purchase and the amount of the purchase the Street department would like to purchase from the sole quote received.

SECTION 3. The Street Department is hereby authorized to purchase Thermoplastic Pavement Markings for a sum not to exceed \$65,000.00 (Sixty Nine Thousand Dollars) from Traf-Mark Industries LLC.. in Piperton, TN.

PASSED AND APPROVED THIS 23rd DAY OF JUNE 2022.

Hillrey Adams, Mayor

ATTEST:

Brian A. Plumlee, City Clerk



280 Mann Dr., Piperton, TN 38017 · 901-744-7400

Date: June 9th, 2022

TRAF-MARK INDUSTRIES, L.L.C. PROPOSES TO FURNISH AND/OR INSTALL, AS REQUIRED, ALL MATERIALS OF TRAFFIC CONTROL DEVICES AS PRICED BELOW AT THEIR RESPECTIVE PRICE. THESE ITEMS QUOTED AS PER ARKANSAS HIGHWAY AND TRANSPORTATION DEPARTMENT SPECIFICATIONS.

Contract No.	City of Mountain Home, Arkansas	County	Baxter
Project No.	Retrace city streets - 4" Thermo - 90 Mil	Project Length	5.630 LM
Location	Within MT. Home city limits - streets list below	Working Days	N/A

Item Number	Item	Quan	Unit	Unit Price	Total
719	Thermo Pvmt. Markings 4" white - 90 mil	2,600	LF	\$ 0.88	\$ 2,288.00
719	Thermo Pvmt. Markings 4" yellow - 90 mil	63,976	LF	\$ 0.88	\$ 56,298.88
601	Mobilization	1	LS	\$ 1,500.00	\$ 1,500.00
603	Maint. of Traffic	1	LS	\$ 1,500.00	\$ 1,500.00
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
**	For any edgeline striping required, all vegetation				\$ -
	growing over the edge of the roadway, will need to				\$ -
	be removed by the city of Mt. Home prior to the				\$ -
	installation of edgeline pavement markings.				\$ -
					\$ -
	<u>List of city streets:</u>				\$ -
	Burdette Dr.				\$ -
	Beard				\$ -
	<u>Hostpital</u>				\$ -
	Bucher				\$ -
	Cardinal				\$ -
	<u>S. College & N. College</u>				\$ -
					\$ -
TOTAL					\$ 61,586.88

PRICES QUOTED ARE PREDICATED UPON ACCEPTANCE WITHIN 60 DAYS OF THIS PROPOSAL. SHOULD YOU HAVE ANY QUESTIONS REGARDING OUR QUOTATION, PLEASE DO NOT HESITATE TO CONTACT US.

NOTE: PRIME CONTRACTOR IS RESPONSIBLE FOR TRAFFIC CONTROL, BROOMING AND CLEANING FOR THE PAVEMENT MARKINGS. REMOVAL OF EXISTING PAVEMENT MARKINGS NOT INCLUDED IN THE PRICE OF PAVEMENT MARKING ITEMS

ORDINANCE

NO. _____

AN ORDINANCE REGULATING UNSANITARY CONDITIONS WITHIN THE CITY OF MOUNTAIN HOME

I. DEFINITIONS:

A. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1) "Garbage" means all normal kitchen waste, such as vegetable and animal wastes and their byproducts, but does not include sewage and human body wastes.

2) "Rubbish" means brush, grass, and other normal yard refuse, paper, cans, bottles and empty food and drink containers.

3) "Things" mean, but are not limited to, the following items: inoperative motor vehicles and boats, inoperative household or commercial appliances, furniture, building materials, building rubbish, human or animal excrement, metal, plastic or paper containers.

4) "Abandoned" means that property to which no person claims or exercises the rights of ownership.

5) "Appliances" means, but is not limited to, refrigerators, deep freezers, stoves, ovens, air conditioners, washers, dryers, trash compactors, dishwashers, televisions, radios, hot water heaters and plumbing fixtures.

6) "Building Material" means, but is not limited to, items such as boards, bricks, cement, nails, pipe, sheet metal, siding, tar paper and windows which have never been incorporated into a structure or which have been removed from a structure and may be readily incorporated into another structure. This article applies only to building material which lies in public view and with respect to which its owner has no definite immediate plans for its use.

7) "Building Rubbish" means any postconstruction solid waste which, because of its quantity, quality or condition, cannot be readily and immediately put to a beneficial use.

8) "Inoperative" means an item which, by mechanical or physical defect, can no longer be used for its intended purpose and which is not serving a functional purpose. Inoperative, when applied to motor vehicles or boats, refers to any motor vehicle or boat which is inoperable, dismantled, damaged or is unable to start or move under its own power. A vehicle shall be presumed to be inoperative when:

- a. It has not been moved for more than ten days;
- b. One or more tires are flat;
- c. One or more wheels are missing;
- d. The hood or trunk is raised or missing and has appeared to remain so for more than three days;
- e. Weeds or grass have grown up around the vehicle;
- f. The engine is missing;
- g. The vehicle has no current vehicle tags or registration;
- h. The doors or fenders are removed or missing; or
- i. The front or rear windshield is broken, removed or missing, or the side windows are broken or removed or missing.

A boat shall be presumed inoperable when:

- a. It does not appear to be operational.
- b. The boat has no current registration.

9) "Motor Vehicle" means every device capable of being moved upon a public highway and in, upon or by which any person or property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

10) "Unsanitary" means that a place, condition or thing is unsanitary when it might become a breeding place for flies, mosquitoes and germs harmful to the health of the community.

11) "Unsightly" means that a place, condition or thing is unsightly when it is in public view and offends the then-prevailing standard of the community as a whole, and not limited to a specific area, as to aesthetics or order.

12) "Weeds" means any vegetation, lush or decayed, regardless of its beauty or utility and regardless of the fact that it might serve as a sanctuary for animals beneficial to man, which, because of its natural condition or lack of maintenance by the owner or occupant of the property, threatens the health or safety of the community or creates an unsightly condition thereon.

II. ABATEMENT OF UNSIGHTLY OR UNSANITARY CONDITIONS ON REAL PROPERTY:

(A) Owners or occupants of real property within the corporate limits of the city are hereby required to cut grass and weeds; they shall not exceed 9 inches in height, remove garbage, rubbish, inoperative motor vehicles, boats or other unsightly or unsanitary things; and eliminate, fill up or remove stagnant pools of water or any other unsanitary thing, place or condition upon their real property.

(B) It shall be unlawful for the owner or occupant of real property to permit the accumulation or development of weeds, garbage, rubbish, inoperative motor vehicles, boats or other unsightly or unsanitary things or conditions on real property within the city.

III. ABATEMENT OF UNSIGHTLY OR UNSANITARY CONDITIONS ON REAL PROPERTY WHICH CREATE AN IMMINENT HEALTH OR SAFETY HAZARD:

(A) Whenever a real and imminent health or safety hazard stemming from a condition or thing described exists such that the notice provisions provided for cannot be complied with without jeopardizing the health and safety of the community, the city shall give notice, as is practical under the circumstances, to the affected property owner. If the property owner does not act immediately to correct the condition or thing complained of, the city shall, pursuant to A.C.A. § 14-54-103 do whatever is necessary to abate the hazard stemming from the condition or thing.

(B) Alternate procedure. Upon the written application of two or more of the individuals described in this section, the city attorney is authorized to immediately seek a temporary restraining order or preliminary injunction regarding the condition or thing complained of. The initial determination of what condition or thing constitutes a real and imminent health or safety hazard must be made by at least two of the following individuals: the mayor, the county health officer, the fire chief, the assistant fire chief, police chief, the assistant police chief, and the city inspector. If three of the above individuals agree that a real and imminent health or safety hazard does not exist, no action shall be taken under this section. If the named individuals are equally divided in their opinions, action may be taken under this section. It is not necessary that all of the named individuals participate in the determination.

IV. LIEN AGAINST REAL PROPERTY/NOTICE FOR ABANDONED, INOPERABLE VEHICLE:

(A) If the owner or occupant of any real property within the corporate limits of the city neglects or refuses, after being given seven days' written notice by the mayor or his designee to remove, abate or eliminate any condition, the city

will do whatever is necessary to correct the condition and will charge the cost of the correction to the property owner to secure its costs; the city will perfect a lien against the affected property pursuant to A.C.A. § 14-54-903 et seq. A.C.A. § 14-54-901 et seq. is hereby adopted by reference as if set out word for word herein.

(B) Before any abandoned or inoperative motor vehicle or boat is taken into custody and possession from private property, the city shall give the private property owner or occupant and the owner of the motor vehicle, if ascertainable, 30 days' notice by registered or certified mail that such action will be taken unless the motor vehicle is restored to a functional use, disposed of in a manner not prohibited by A.C.A. § 8-6-401 et seq. or placed in an enclosed building. The 30-day notice may be waived by the owner or occupants of the property jointly or severally.

V. NOTICE BY PUBLICATION:

(A) In case the owner is unknown or his whereabouts is not known, a copy of the written notice shall be posted upon the premises; and before any action to enforce the lien shall be had, the clerk-treasurer shall make an affidavit setting out the facts as to the unknown address or whereabouts or non-residence; and, thereupon, service by publication as now provided by law against nonresident defendants may be had, and an attorney ad item shall be appointed to notify the defendant by registered letter addressed to his last known place of residence if it can be found.

VI. PENALTIES:

(A) Any person or ownership entity violating the terms of this Ordinance shall be deemed guilty of a misdemeanor with each day of violation being deemed a separate offense. The fine for each violation shall be not less than \$50.00 nor more than \$500.00.

VII. REPEALING CLAUSE:

(A) Any Ordinances in conflict with the terms of this Ordinance shall be repealed to the extent of such conflict.

PASSED AND APPROVED this ____ day of _____, 2022.

MAYOR

ATTEST:

CLERK