

Minutes of the Malvern City Council

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Held in the City Hall Courtroom

Monday, March 14, 2016

The Malvern City Council met for its regular monthly meeting on Monday, March 14, 2016 at 7:00 p.m. in the City Hall Courtroom. Mayor Brenda Weldon called the meeting to order and welcomed everyone to the meeting. Present for the meeting were Council members Mary Fraction, William Wilson, Lynn Davis, J. Wayne Reynolds, Peggy Lusinger, Larry Stiles and David Cross with Robin Halbert absent. Also present were City Clerk/Treasurer Phyllis Dial and City Attorney Cecilia Ashcraft. Mayor Weldon declared a quorum present. Fire Chaplain Rev. Glen Alston led the invocation and pledge of allegiance.

A motion was made by Reynolds, seconded by Fraction to adopt the minutes of the previous regular meeting held on February 8, 2016. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried.

Monthly departmental reports were considered. A motion was made by Davis seconded by Lusinger to accept departmental reports as posted. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried.

There was no old business to come before the Council.

Under new business, a motion was made by Council Member Fraction, seconded by Reynolds to approve and authorize the Mayor to sign the contract with the Malvern/Hot Spring County Chamber of Commerce to administrate the city's Revolving Loan Fund. Mayor Weldon stated that there has been no contract in place for a while and needed to be updated. She also noted that the contract was drafted by the city attorney. Alderman Reynolds asked the Mayor to explain what the Revolving Loan Fund is and what the committee does. Mayor Weldon stated that the fund is set up to fund loans for businesses that have trouble getting conventional loans and that the Board administrates those loans. She stated that she and Council Member Fraction both serve on the Board and that the City Attorney attends those meetings. Council Member Fraction added that the purpose of the loans is to create and retain jobs. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried.

Council Member Fraction introduced a resolution placing a Civil War Monument in the City Park. The Clerk read the resolution. Mayor Weldon explained that the placement for the monument was being moved from the River Park to the city park because of the additions of restrooms, changing rooms, and additional parking at the River Park. Dr. Schultz from COTO has been instrumental in obtaining and placing the monument. The monument will be placed on the knoll between the KFC Pavilion and main pavilion which should give it more access. A motion was made by Davis, seconded by Fraction to approve the resolution. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried and the resolution was assigned No. 01-2016.

RESOLUTION NO. 01-2016

A RESOLUTION TO PLACE A HISTORICAL MARKER AT THE CITY PARK IN THE CITY OF MALVERN, ARKANSAS

Alderman Reynolds introduced a resolution allowing a one-time exception to the city's water and sewer policy to allow Joe Beck to hook onto the city's water system. Mayor Weldon stated that Mr. Beck has agreed to the city's guidelines and signed everything that he was supposed to sign. She stated that he is hooking on to what was previously North Malvern Water Association. Alderman Stiles asked that it be noted that there is already service to his property. The Clerk read the resolution. A motion was made by Reynolds, seconded by Fraction to adopt the resolution. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried and the resolution was declared adopted and assigned No. 02-2016.

RESOLUTION NO. 02-2016

A RESOLUTION ALLOWING A ONE-TIME EXCEPTION TO THE CITY OF MALVERN'S WATER AND SEWER POLICY

Alderman Reynolds introduced an ordinance waiving competitive bidding for the purchase of the city's property, vehicle, and health insurance through the Arkansas Municipal League. The Clerk read the ordinance for its first reading. A motion was made by Stiles, seconded Fraction to suspend the rules and place the ordinance

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on its second reading by title only. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried and the Clerk read the ordinance for its second reading by title only. A motion was made by Davis, seconded by Lusinger to suspend the rules and place the ordinance on its third and final reading by title only. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried and the ordinance was read for the third and final time by title only. A motion was made by Fraction, seconded by Stiles to adopt the ordinance. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried and the ordinance was declared adopted and assigned No. 2016-03. A motion as made by Fraction, seconded by Davis to adopt the ordinance's emergency clause. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried, and the emergency clause was declared adopted.

ORDINANCE NO. 2016-03

AN ORDINANCE WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING FOR THE PURCHASE OF THE CITY'S VEHICLE, PROPERTY, AND HEALTH INSURANCE

Mayor Weldon reported that she met with the city's budget committee, District Judge Sherry Burnett and Circuit and Chancery Judge Chris Williams to discuss the upcoming changes in the district court system to be in 2017. She stated that Judge Williams is the administrative judge over district court. Judge Williams has agreed to work with the city in dividing out what entities should be responsible to pay for what portion of operating the district court. Judge Williams has expressed his concern that we begin the relocation process as soon as possible in order to be ready for the January 1, 2017 start up. Mayor Weldon stated that she has expressed to Judge Williams that the relocation costs should be divided between all parties and he has expressed a willingness to work with the city on that. At the meeting, it was agreed that the most logical and feasible solution was to move the Treasurer's office to the newly purchased building across the street from city hall. Alderman Reynolds introduced a resolution authorizing the relocation of the Treasurer's Office and District Court Judge. The Clerk read the resolution. A motion was made by Fraction, seconded Lusinger to adopt the resolution. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Stiles, and Cross with Halbert absent. All present voting for motion carried and the resolution was assigned No. 03-2016. The Council reviewed a cost estimate for renovation of the building located at 122 W. Third Street. Mayor Weldon stated that she will proceed with getting proposals for the renovations and meeting with the other entities to try and obtain money for the relocation costs.

RESOLUTION NO. 03-2016

A RESOLUTION APPROVING THE RELOCATION OF THE MALVERN CITY TREASURER'S OFFICE AND MALVERN DISTRICT COURT JUDGE

Mayor Weldon recognized Rocky Stitt under Citizens Wishing to Appear. Mr. Stitt asked Mayor Weldon what was going to be done about Walco Road. Mayor Weldon stated that she did not understand what he was asking since Walco Road has been repaired and is open. Stitt asked what was going to be done about the log trucks that are still using the street. Mayor Weldon answered that she has asked for help from the Planning Commission in updating the Master Street Plan and researching an alternate route for truck traffic around Walco Road. Mr. Stitt asked where Walco Road began and Mayor Weldon stated that she would have to look at the city's map to properly determine that. Mr. Stitt noted that it began in front of Teeter Chevrolet but that there is a No Truck sign on that portion of the street. He told the Council that he wanted the trucks off of Walco Road and he wants them to utilize the portion of the street in front of Teeter's until the traffic is routed off of Walco. Alderman Reynolds asked Mr. Stitt where he suggested that the truck traffic go and Mr. Stitt said to put them on Main Street. Alderman Reynolds said that he was not in favor of that. Mr. Stitt's comments to the Council became more racially charged and directed toward individual City Council members. A motion was made by Reynolds, seconded by Stiles to adjourn. Mayor Weldon declared the meeting adjourned.



Brenda J. Weldon, Mayor



Phyllis Dial, City Clerk/Treasurer