

**City of Norfolk
Regular Council Meeting
February 15, 2005**

Meeting was called to order by Jim Reeves, Mayor at 6:30 PM.

Mayor

Jim Reeves

Recorder/Treasurer

Council

Dean Parnell
Warren Gragg
James Smith

Jerry German
Don Sappington
Bea Watson (Absent)

Guests

Maggie Rotermund (Baxter Bulletin)
Julie Fragoules (KTLO)
John Pate
Ray Miller
Mike Hinton

Peggy German
James Reynolds
Aaron Firks
David Miller

Minutes

Roll call was taken: Bea Watson was absent
A moment of silence was followed by the Pledge of Allegiance.

Recorder/Treasurer Position: Warren Gragg made a motion to appoint Donna Hinton to fill the balance of the four year term of Recorder/Treasurer and the part time office position of up to 24 hours per week at the rate of \$8.00 per hour with health insurance coverage. Don Sappington seconded the motion and it passed unanimously.

Donna was sworn in by Josh Davis, Justice of the Peace and began the duties of the position.

Minutes of the January 13, 2005, Special Meeting: A motion to approve was made by Warren Gragg; seconded by Don Sappington and passed unanimously.

Minutes of the January 18, 2005, Regular Council Meeting: A motion to approve was made by Warren Gragg; seconded by Jerry German and passed unanimously.

January 2005 Financial Report: A motion to approve was made by Warren Gragg; seconded by James Smith and passed unanimously.

2004 Fourth Quarter Financial Report: A motion to approve was made by Don Sappington; seconded by Dean Parnell and passed unanimously.

Ordinance 2005-03 amending the Budget was read by Mayor Reeves: A motion to approve the ordinance as read was made by Don Sappington; seconded by Warren Gragg and passed unanimously.

Ordinance 2005-04 Rezoning R1 to R2: A motion to have a first reading of the ordinance was made by Don Sappington; seconded by Warren Gragg and passed unanimously. The ordinance was read by Mayor Reeves.

2005 Occupational Business License Applications: A motion to approve the first fifteen businesses listed and to postpone any action of the last two until complete information was provided was made by Warren Gragg; seconded by Jerry German and passed unanimously.

Cable Franchise Agreement: Mayor Reeves reported that the current cable franchise agreement with Cebridge is valid until 2017. No further discussion required.

Additional item not included on Agenda

Appointment of Marshall A motion for a resolution authorizing the Mayor to appoint a marshal to fulfill the requirement of the State mandate was made by Don Sappington; seconded by Jerry German. James Smith read a State Statute stating that the Mayor did have that authority with the council having the authority to reverse such an appointment with a 2/3 vote of the council, thus making it unnecessary for this motion. Warren Gragg left the meeting and Dean Parnell left shortly after leaving only 3 council members which was not enough to conduct official business.

Adjournment A motion to adjourn the meeting due to lack of a quorum was made by Don Sappington; seconded by James Smith and passed unanimously by the council members present.

Meeting adjourned at 7:20 PM.

James L. Reeves
Mayor

Donna L. Hinton
Recorder/Treasurer

**City of Norfolk
Regular Council Meeting
March 15, 2005**

Meeting was called to order by Jim Reeves, Mayor at 6:30 PM.

Mayor

Jim Reeves

Recorder/Treasurer

Donna Hinton

Council

Dean Parnell

Warren Gragg

James Smith

Jerry German

Don Sappington

Bea Watson (Absent)

Guests

Maggie Rotermund (Baxter Bulletin)

Julie Fragoules (KTLO)

Doris Daniel

Frankie Baker

Liz Smith

Maxine Reynolds

Alvin Reynolds

Ken Watson

Minutes

Roll call was taken: Bea Watson was absent

A moment of silence was followed by the Pledge of Allegiance.

Minutes of the February 15, 2005, Regular Council Meeting: A motion to approve was made by Jerry German; seconded by Don Sappington and passed unanimously. Don Sappington did request that it be clarified that since that meeting we have verified that three members of a six member council is a quorum when the mayor is present and that an ordinance can be passed with three council votes and the vote of the mayor.

February 2005 Financial Report: A motion to approve was made by Don Sappington; seconded by Warren Gragg and passed unanimously.

Ordinance 2005-04 Rezoning R1 to R2: A motion to have a second reading of the ordinance was made by Warren Gragg; seconded by Don Sappington and passed unanimously. The ordinance was read by Donna Hinton.

Legal Fees Motion: A motion was made by Don Sappington to not have the city pay for legal fees related to the defense of Bea Watson and Warren Gragg in the law suit filed by Jean Therian and Jerry Van Landingham. The motion was seconded by Jim Smith. Discussion followed. The motion failed with Don Sappington voting in favor and all other council voting against.

Ordinance 2005-05 amending the Budget was read by Donna Hinton: A motion to approve the ordinance as read was made by Warren Gragg; seconded by Jerry German and passed unanimously.

Resolution 2005-01: Resolution authorizing the Mayor to purchase a Heating/Cooling System for the new council room in the amount not to exceed \$5400 plus tax was read by Donna Hinton: A motion to approve the resolution as read was made by Warren Gragg; seconded by Jerry German and passed unanimously.

Additional item not included on Agenda

Update on Cox cable: Mayor Reeves reported that he had received a call from Cox Cable stating that it would not be feasible for them to consider coming into Norfolk.

Water System Update: Mayor Reeves reported that he had met with the Engineers on the matter of up grading the city water system. They estimated that the bore across the White River, a new well and tower on Jordon Road could be accomplished for about a million dollars. They suggested that potential grants of up to 45% would leave the city to fund the balance. Mayor Reeves reported that the current sales tax would be able to support payments for a 40 year loan at 4.5% interest. One possible obstacle may be an Archeological Study requirement. Jim Smith said that since the land had been previously disturbed with other activity, he would seek the assistance of the Game and Fish Department to deal with this issue. A special meeting is scheduled for April 5, 2005, at 6:30 PM, to discuss the future plans for the Water System and Sewer Projects.

Adjournment A motion to adjourn the meeting was made by Warren Gragg; seconded by James Smith and passed unanimously.

Meeting adjourned at 7:15 PM.

James L. Reeves
Mayor

Donna L. Hinton
Recorder/Treasurer

**City of Norfolk
Regular Council Meeting
April 19, 2005**

Meeting was called to order by Jim Reeves, Mayor at 6:30 PM.

Mayor

Jim Reeves

Recorder/Treasurer

Donna Hinton

Council

Dean Parnell

Warren Gragg

James Smith

Jerry German

Don Sappington

Bea Watson (Absent)

Guests

Julie Fragoules (KTLO)

Doris Daniel

Deborah Stannoh

Jean Therrien

Paul McLeod

Alvin Reynolds

Ken Watson

Jodie Therrien

Minutes

Roll call was taken: Bea Watson was absent

A moment of silence was followed by the Pledge of Allegiance.

Minutes of the March 15, 2005, Regular Council Meeting: A motion to approve was made by Jim Smith; seconded by Don Sappington and passed unanimously.

March 2005 Financial Report: A motion to approve was made by Don Sappington; seconded by Jerry German and passed unanimously. Warren Gragg wanted to go on record as approving the report but noted that he was still in protest of the \$1513.65 payment to Cingular for cell phone. Mayor Reeves stated that Jodie Therrien had presented the city with check in the full amount today, thereby making it a non-issue.

Ordinance 2005-04 Rezoning R1 to R2: A motion to have a third/final reading of the ordinance was made by Warren Gragg; seconded by Jerry German and passed unanimously. The ordinance was read by Donna Hinton. Jim Smith stated that as of now, the Norfolk Planning & Zoning Commission had completed all the rezoning for the City of Norfolk and no further rezoning is expected at this time.

Additional items not included on Agenda

Municipal League Convention: Mayor Reeves pointed out that the Municipal League Convention was to be held June 15-17 at Hot Springs. He also noted that there were very limited funds in the budget line item for trips, but that he did plan to attend even if he had to pay his own way. He also stated that he felt that it would be very beneficial for the new Recorder/Treasurer to also attend the convention. Don Sappington said that without

discussion of funding, he wanted to point out the value and importance of all city officials attending the convention as a great source of information and wonderful learning experience. It was requested that this item be placed on the May workshop agenda.

Election of Council members at Large: Mayor Reeves reported that he had received an email response from the Municipal League legal department stating that since the last census did find Norfolk to be less than the 500 population, it would be possible to downgrade from a city of second class to an incorporated city. Incorporated cities are allowed to elect at large. With that being said, if the new census finds the population over 500, the city would have to revert to the city of second class thus making the value of the process questionable. Basically the simple answer is that the council election process should stand as it is.

Law Enforcement Officer: Mayor Reeves reported that he ha received an email response from Baxter County Sheriff John Montgomery. He read the response which stated that anyone filling the position of city marshal would be required to be fully certified/attended and completed the academy. The response to contracting similar to Briarcliff was that currently it was at a cost of \$15 per hour which covers the vehicle and officer wages and benefits, however, he said that he did not have the man power to extend a similar contract to any other city at this time. He would prefer to not have any more contracts at an hourly basis but would prefer a flat monthly fee. Sheriff Montgomery or Captain Lewis offered to attend a meeting to discuss the law enforcement issues if the council desired, however, they were not available for this meeting. Council indicated that they do desire to have him at a future meeting. Don Sappington suggested that we did have a certified officer and we may need to discuss the possibility of reinstating him. The mayor said that was not a discussion that he could have with Mr. Pate as he has filed a lawsuit against the city and our advice was to only work through the attorneys.

Baseball field fence: Mayor Reeves stated that a check in the amount of \$1200 had been delivered to the school with the understanding that the school would match that amount. Alvin Reynolds said that the fence is already under construction.

Wolf House Sign: Alvin Reynolds said that he had the opportunity to speak with the Judge regarding the repainting of the sign and had received approval to proceed. Mayor Reeves agreed to provide whatever assistance would be needed to accommodate Harvey in the painting of the sign when requested.

Adjournment A motion to adjourn the meeting was made by James Smith; seconded Warren Gragg and passed unanimously.

Meeting adjourned at 7:00 PM.

James L. Reeves
Mayor

Donna L. Hinton
Recorder/Treasurer

**City of Norfolk
Regular Council Meeting
May 17, 2005**

Meeting was called to order by Jim Reeves, Mayor at 6:30 PM.

Mayor

Jim Reeves

Recorder/Treasurer

Donna Hinton

Council

Dean Parnell

Warren Gragg

James Smith

Jerry German

Don Sappington

Bea Watson (Absent)

Guests

Chandra Huston (Baxter Bulletin)

Peggy German

Ken Watson

Cory McFall

David Miller

Deborah Stanuch (KTLO)

Minutes

Roll call was taken: Bea Watson was absent

A moment of silence was followed by the Pledge of Allegiance.

Minutes of the April 19, 2005, Regular Council Meeting: A motion to approve was made by Jerry German; seconded by Warren Gragg and passed unanimously.

April 2005 Financial Report: A motion to approve was made by Don Sappington; seconded by Jerry German and passed unanimously.

2005 First Quarterly Financial Report: Changes were noted to the Water report as originally presented to include the Capital Improvement funds. Warren Gragg made a motion to accept the report as revised. Dean Parnell seconded the motion and it was passed unanimously.

2005 Road Work-Specifically the River Ridge Road: Mayor Reeves reported that the county supervisor recommended that a second coat of chip and seal be applied 2-3 years after the original instead of immediately after. Council was undecided about double chip and seal at this time and wished to seek more information.

Don Sappington made a motion to have the county double chip and seal the River Ridge Road and request that it be included in their schedule. The motion was seconded by Warren Gragg and passed unanimously.

Don Sappington made a motion to send a letter to Judge Dan Hall stating that the City requests their services to double chip and seal the River Ridge Road. The cost of the

project will be to reimburse the county for the expense of material, equipment and labor. The motion was seconded by Jim Smith and carried unanimously.

Cleaning Road Ditches in the River Ridge Subdivision: Jason McFall has been contacted to proceed with the dozing and clean up of the overgrown road ditches in the River Ridge area. The city workers will assist. Warren stated that property owners are responsible for the maintenance of the ditches and it was agreed that once we bring the ditches to our standard, the property owners should be notified that they are responsible for the maintenance and will be charged if the city. A decision will be made at a future time.

City Purchase of a Bush Hog: Mayor Reeves recommended waiting until the clean up of the River Ridge ditches was completed to determine the actual need. The council asked Cory McFall what the potential areas that it may be needed in addition to the River Ridge area. He noted several areas that could be better maintained. After some discussion, Warren suggested that the Mayor look into the purchase of a good one and the council agreed.

Municipal League Convention: Reservations have been made for Mayor Reeves, Vera Reeves, Councilman German, Peggy German and the Recorder/Treasurer, Donna Hinton. A motion to have the City pay for the city officials' registration and expense for attending this convention was made by Jerry German, seconded by Jim Smith and passed unanimously.

Employee Retirement Plan: Warren Gragg made a motion that the City joins the Employee Retirement plan with Arkansas Municipal League and to contribute 5% of each employee's base salary for the year 2005. This contribution shall be applied to the base wages paid to all employees for the city. For the purpose of this retirement plan, all employees shall be defined as "all permanent" employees. The motion was seconded by Don Sappington and passed unanimously.

Required ordinances setting up the actual 401A and 457 accounts for the city will be presented at a latter date.

Donation of items to the Youth Center: Don Sappington made a motion to donate the miscellaneous surplus/unused items to the Youth Center. Jerry German seconded that motion and it passed unanimously. (See attached record of deposition.)

Contract with Boy's and Girl's Club for youth programs: Don Sappington made a motion to formalize the contract to have the Boy's and Girl's Club of Norfolk provide services to the youth of Norfolk for a fee of \$400 per month for the year of 2005. The motion was seconded by Dean Parnell and passed unanimously.

Updating the Stray Animal/Dog Ordinance: The Recorder/Treasurer reported that investigation into this matter revealed that the completion of the Baxter County Animal Control facility is expected within the next couple of months and recommended that the

revision of this ordinance be postponed until that solution can be made a part of the updated ordinance. Council agreed to table it until a future date.

Hooked on a Cure Proclamation: The proposed proclamation to declare June 24-25 “Home of 2005 St. Jude’s Hooked on a Cure Weekend” was read. Council agreed that it should be presented to Jim and Liz Smith, as hosts to the weekend, at the June council meeting as a show of the city’s appreciation for selecting our community for their event.

Mayor Reeves also explained the updating of the “Welcome to Norfolk” sign. Harvey Hubbard is donating his services and the City will pay for the material to update and refresh the sign. It is proposed that a one sided sign be placed on each end of town-one on the existing site and one in front of the property at 16481 Hwy 5 South. The back of the sign will be used for a message to thank visitor and welcome them back. Council agreed.

Additional items not included on Agenda

Baseball field fence: Alvin Reynolds thanked the council for their contribution to the fence for the ball park.

Adjournment A motion to adjourn the meeting was made by Dean Parnell; seconded Warren Gragg and passed unanimously.

Meeting adjourned at 7:45 PM.

James L. Reeves
Mayor

Donna L. Hinton
Recorder/Treasurer

City of Norfolk
Regular Council Meeting
June 21, 2005

Meeting was called to order by Jim Reeves, Mayor at 6:30 PM.

Mayor

Jim Reeves

Recorder/Treasurer

Chrissy McFall - substitute

Council

Dean Parnell (absent)

Warren Gragg

James Smith

Jerry German

Don Sappington

Bea Watson (Absent)

Guests

Chandra Huston (Baxter Bulletin)

David Miller

Liz Smith

Deborah Stanuch (KTLO)

Minutes

Roll call was taken: Bea Watson and Dean Parnell were absent

A moment of silence was followed by the Pledge of Allegiance.

Minutes of the May 17, 2005, Regular Council Meeting: A motion to approve the minutes as written was made by Jim Smith; seconded by Jerry German and passed unanimously.

May 2005 Financial Report: A motion was made by Warren Gragg to approve/accept the financial report as presented. It was seconded by Jim Smith and passed unanimously.

2004 Water Audit – A motion to approve/accept the 2004 Water Audit as published was made by Warren Gragg and seconded by Jerry German. Motion passed unanimously.

Ordinance 2005-05 – An Ordinance establishing a deferred compensation plan for the City of Norfolk, Arkansas.

First Reading by title only – Motion made by Warren Gragg to read by title only due to the length and detail. (Copies made available to public) Motion was seconded by Jerry German and passed unanimously.

Reading was made by Mayor Reeves. Motion to accept the first reading of Ordinance 2005-05 was made by Don Sappington. The motion was seconded by Warren Gragg and passed unanimously.

Ordinance 2005-06 – An Ordinance supporting the establishment of a defined contribution plan for the City of Norfolk, Arkansas.

First Reading by Title only – Motion was made by Jerry German to read by title only due to the length and detail. (Copies made available to public) Motion was seconded by Don Sappington.

Reading was made by Mayor Reeves. Motion to accept the first reading of Ordinance 2005-06 was made by Don Sappington and seconded by Jim Smith. Motion was passed unanimously.

Items not on agenda:

Proclamation: Mayor Reeves read a proclamation declaring the City of Norfolk as the Home of St. Jude's Hooked on a Cure for the weekend of June 24-25. A copy of the proclamation was presented to the host and promoter, Liz Smith. He commended her for all the hard work she has done to promote Norfolk as the 2005 location for this event.

Real Estate office: Marvin Osborn let the city know that he has purchased and is in the process of setting up a Real Estate Office. He has applied for but not yet received his tax ID number. If he has not received it by the time he has met all the requirements by the Board of Realty, can we receive an application for a Business license without it.

Business License: Warren made a motion that we will accept the application and issue a Business License pending receipt of the Tax ID within 30 days. The motion was seconded by Don Sappington and carried unanimously.

Jim Reeves discussed information that he received at the Municipal Convention regarding conducting the council meetings that would bring more order to the meetings and provide more input from the public. He suggested that by recognizing the council person before they spoke, it would limit multiple discussions and talking over each other so that everyone could hear and be heard. It had also been suggested that the public be allowed to speak but that some limit be set to control the amount of time. He requested that this item be placed on the next workshop agenda.

Warren Gragg noted that fellow council person and a community friend, Bea Watson had passed away this week following her illness for the past several months. A moment of silence was observed.

Warren Gragg made a motion for the Council, according to State Law, to declare a vacancy on the council and to appoint a replacement at the next regularly schedule Council meeting on July 19, 2005. The motion was seconded by Don Sappington and passed unanimously. It was stated that the City Hall will receive applications for this appointment from any interested party qualified to run as a candidate for Alderman Position 2/ Ward 2 (Main downtown area) and that these applicants should attend the workshop on July 12, to present themselves. He requested that this item be placed on the next workshop agenda.

Don Sappington said that the traffic hazard near the Wolf house still existed and suggested that speed bumps may be a solution. He requested that the legality of the city installing speed bumps there. He requested that this item be placed on the next workshop agenda.

He also stated that he felt that some weapons ordinances would be appropriate for certain areas of the city with more concentrated population but may not be for the more rural areas. He suggested that zoning may allow an ordinance to apply to specific areas of the city. He requested that this item be placed on the next workshop agenda.

Jim Smith wanted to make the other council members aware that the Planning Commission has approved a new construction on Hwy 5, on Goat's Ridge. (A residential structure for Mr. Michael Smith – Bldg Permit # 0285.)

He stated that he spoke with Project Engineers from the Game and Fish Department regarding the repair of the road-especially the wash out on the riverside of the road down to the river and found that they have scheduled their contractor to make repairs to that road. He did discuss the maintenance on the River Ridge road to the Handicapped access. He needs to speak with someone else and does have some phone numbers to contact.

He stated that he agreed with a time limit for public speakers at council meetings/workshops. He felt that most discussion from the public should occur at the workshop with a few exceptions and that they should request to be on the agenda prior to the meeting. He suggested a two minute limit. He requested that this item be placed on the next workshop agenda.

Jerry German said that we should check with the department of Health regarding the impact of a car wash on our sewer system prior to approving that new business. It was his understanding that a previous effort for a car wash was abandon due to Health Department requirements. Jim Smith stated that the Building and Zoning Commission would routinely include that type of information in the process of approving a building permit for that type of business and was sure that it would be address if/when an application was made.

With no further business, Warren Gragg made motion that this meeting be adjourned. Jerry German seconded that motion and it was passed unanimously.

The meeting adjourned at approximately 7:15 PM.

James Reeves
Mayor

Donna Hinton
Recorder/Treasurer

City of Norfolk
Regular Council Meeting
July 19, 2005

Meeting was called to order by Jim Reeves, Mayor at 6:30 PM.

Mayor

Jim Reeves

Recorder/Treasurer

Donna Hinton

Council

Dean Parnell
Warren Gragg
James Smith

Jerry German
Don Sappington

Guests

Chandra Huston (Baxter Bulletin)
David Miller
Maricia Kelley
Coetia Batarseh
Marvin Osborne
Sharon Foss
Patti Smith

James Reynolds
Deborah Stanuch (KTLO)
Doris Daniel
Stephanie Osborne
Joshua Davis
Sonny Foss

Minutes

Roll call was taken: All members present – one seat vacant
A moment of silence was followed by the Pledge of Allegiance.

Executive session: Don Sappington made a motion to go into executive session to review an employee 90 day performance evaluation and discuss the nomination of a candidate to fill the vacant Alderman Position 2/Ward 2. The motion was seconded by Jim Smith and passed unanimously. The Council was excused to Executive Session.

A motion was made by Jerry German to resume the regular council meeting; seconded by Jim Smith and carried unanimously.

Warren Gragg made a motion to appoint Chrissy McFall as the Norfolk City Court Clerk in addition to her current duties and increase her hourly pay rate by \$.50 retro active to July 1, 2005. The motion was seconded by Don Sappington and carried unanimously.

Warren Gragg made a motion to nominate Maricia Kelley to fill the position of Alderman 2/Ward 2 for the balance of the term. The motion was seconded by Jerry German. Warren Gragg, Jerry German and Dean Parnell voted in favor; Jim Smith and Don Sappington abstained. Motion carried.

Maricia Kelley was sworn in by Justice of the Peace, Joshua Davis and was immediately assumed the duties of councilperson.

Minutes of the June 21, 2005, Regular Council Meeting: A motion to approve the minutes as written and revised was made by Don Sappington; seconded by Jerry German and carried unanimously.

June 2005 Financial Report: A motion was made by Warren Gragg to approve/accept the financial report as presented. It was seconded by Dean Parnell and carried unanimously.

Firing of Fire Arms within City Limits – A motion was made by Don Sappington to table the issue of an ordinance restricting the use of fire arms within the city limit or a specific area of the city until further clarification can be obtained about the legality of applying an ordinance to a defined area/characteristic of the city. The motion was seconded by Warren Gragg and passed unanimously.

Ordinance 2005-07 – An Ordinance establishing a deferred compensation plan for the City of Norfolk, Arkansas. (Previously read as Ordinance 2005-05)

Second Reading – Motion made by Jerry German to read the entire ordinance. Motion was seconded by Don Sappington and passed unanimously.

Reading was made by Donna Hinton. Motion to accept the second reading of Ordinance 2005-07 was made by Jerry German. The motion was seconded by Warren Gragg and passed unanimously.

Ordinance 2005-06 – An Ordinance supporting the establishment of a defined contribution plan for the City of Norfolk, Arkansas.

Second Reading by Title only – Motion was made by Warren Gragg to read by title only due to the length and detail. (Copies made available to public) Motion was seconded by Don Sappington.

Reading was made by Donna Hinton. Motion to accept the second reading of Ordinance 2005-06 was made by Warren Gragg and seconded by Don Sappington. Motion was passed unanimously.

Ordinance 2005-08 – An Ordinance amending book of Ordinance Chapter 10.08 known as the Water and Sewer Rates.

First reading – Warren Gragg made a motion to read Ordinance 2005-08; seconded by Don Sappington and carried unanimously.

Reading was made by Donna Hinton. Motion to accept the first reading of Ordinance 2005-08 was made by Warren Gragg; seconded by Don Sappington and carried unanimously.

Second Reading by title only – Don Sappington made a motion to declare an emergency and have a second reading of Ordinance 2005-08 by title only. Motion was seconded by Jim Smith and carried unanimously.

Reading was made by Donna Hinton. A motion to accept the second reading of Ordinance 2005-08 was made by Warren Gragg; seconded by Don Sappington and carried unanimously.

Third Reading – Motion was made by Jerry German to have the third reading by title only. Motion was seconded by Dean Parnell and passed unanimously.

Reading was made by Donna Hinton. A motion to accept the third and final reading of Ordinance 2005-08 was made by Warren Gragg; seconded by Don Sappington and carried unanimously.

Items not on agenda:

Mayor Reeves reported that several letters have been sent to people that are violating unmown grass; unsightly trash; dogs at large and non compliance with the required trash pick up within the city limits.

With no further business, Jerry German made motion that this meeting be adjourned. Dean Parnell seconded that motion and it was passed unanimously.

The meeting adjourned at approximately 7:25 PM.

James Reeves
Mayor

Donna Hinton
Recorder/Treasurer

**City of Norfolk
Regular Council Meeting
August 16, 2005**

Meeting was called to order at 6:30 PM by Mayor Jim Reeves.

Mayor

Jim Reeves

Recorder/Treasurer

Donna Hinton

Council

Dean Parnell
Warren Gragg
James Smith

Jerry German
Don Sappington
Maricia Kelley

Guests

Chandra Huston (Baxter Bulletin)
David Miller
Coetia Batarseh
Cory McFall

Alvin Reynolds
Marilyn Andrews
Ernie Hubbard

Minutes

Roll call was taken: All members present

A moment of silence was followed by the Pledge of Allegiance.

Minutes of the July 19, 2005, Regular Council Meeting: A motion to approve the minutes as written and revised was made by Warren Gragg; seconded by Maricia Kelley and carried unanimously.

July 2005 Financial Report: A motion was made by Warren Gragg to approve/accept the financial report as presented. It was seconded by Don Sappington and carried unanimously.

Purchase of a backup pump for Well #1 – A motion was made by Don Sappington to purchase a backup pump and motor at the price of \$6013 a quoted by Washington Pump. The motion was seconded by Warren Gragg and passed unanimously.

Water System – The cost of maintenance was discussed along with the issue of single or split system. The conscientious was to delay any decisions until they discuss some remaining concerns with the Engineer at the next scheduled workshop.

Ordinance 2005-07 – An Ordinance establishing a deferred compensation plan for the City of Norfolk, Arkansas. (Previously read as Ordinance 2005-05)

Third/Final Reading by title only – Motion made by Warren Gragg to read by title only. Motion was seconded by Jim Smith and passed unanimously.

Reading was made by Donna Hinton. Motion to accept the third/final reading of Ordinance 2005-07 was made by Warren Gragg. The motion was seconded by Dean Parnell and passed unanimously.

Ordinance 2005-06 – An Ordinance supporting the establishment of a defined contribution plan for the City of Norfolk, Arkansas.

Third/Final Reading by Title only – Motion was made by Jerry German to read by title only. Motion was seconded by Warren Gragg and passed unanimously.

Reading was made by Donna Hinton. Motion to accept the third/final reading of Ordinance 2005-06 was made by Don Sappington and seconded by Jerry German. Motion was passed unanimously.

Refund of Ron Andrews Building Permit Fee – Warren Gragg made a motion to refund a building permit fee of \$150 paid by Ron and Marilyn Andrews in April 2004 for a residence that they did not build. The motion was seconded by Dean Parnell. Votes for the motion were: Warren Gragg; Maricia Kelley; Dean Parnell. Votes against the motion were: Don Sappington; Jim Smith; Jerry German. Thus a tied vote, the Mayor chose not to vote. The motion failed.

Planning commission recommendation to fill vacancy on Planning Commission: Jim Smith made a motion to appoint David Miller to fill the vacancy as unanimously recommended by the Planning Commission and as stated in the letter to the Mayor. Don Sappington seconded the motion and it was passed unanimously.

Approval of Business License for Coetia Batarseh – Don Sappington made a motion to approve a business license for Coetia Batarseh to have a gift and antique shop in her home. Maricia Kelley seconded the motion and it carried unanimously.

Items not on agenda:

ISO Ratings - Alvin Reynolds asked the council about the status of improving the ISO Rating. Since the Fire Department is no longer a part of the city, it was decided to invite the Chairman of the Fire Commission to the next workshop to get current information.

Fisherman's Corner – Jim Smith reported that he had met with a gentleman from the Arkansas State Highway who was responding to Jim Reeve's letter. The immediate suggestion was to trim up the lower branches of the trees to provide a better view. Additional information and pictures were to be gathered and reported.

With no further business, Dean Parnell made a motion that this meeting be adjourned. Maricia Kelley seconded that motion and it was passed unanimously.

The meeting adjourned at approximately 7:15 PM.

James Reeves
Mayor

Donna Hinton
Recorder/Treasurer

City of Norfolk
Regular Council Meeting
September 20, 2005

Meeting was called to order at 6:30 PM by Mayor Jim Reeves.

Mayor

Jim Reeves

Recorder/Treasurer

Donna Hinton

Council

Dean Parnell

Warren Gragg

James Smith

Jerry German

Don Sappington (Absent)

Maricia Kelley

Guests

Chandra Huston (Baxter Bulletin)

Coetia Batarseh

Ken Watson

Debra Stanuch (KTLO)

Minutes

Roll call was taken: All members present except Don Sappington

A moment of silence was followed by the Pledge of Allegiance.

Minutes of the August 16, 2005, Regular Council Meeting: A motion to approve the minutes as written and revised was made by Jerry German; seconded by Maricia Kelley and carried unanimously.

August 2005 Financial Report: A motion was made by Dean Parnell to approve/accept the financial report as presented. It was seconded by Warren Gragg and carried unanimously.

Archeological Dig: Mayor Reeves reported that the engineering firm called with a name of a company called Archeological Assessment Association that would perform a survey to determine if a dig was actually necessary at the specific location of the proposed boring sight. The cost for this survey will be \$2000 and a report would be provided by October 16, 2005. It is the feeling of the engineers and the company hired that as long as the property was as described to them, the assessment may likely show that an actual dig is not required.

Approval of Adoption Agreements for retirement plan – A motion was made by Jerry German to submit the Agreements for the 457(b) and the 401(a) plans as read and discussed at the workshop on September 13, 2005, with the addition of clarification of including only permanent employees as eligible to participate. The motion was seconded by Dean Parnell and passed unanimously.

Resolution for City Court Clerk: Motion was made by Warren Gragg to approve the resolution to formally appoint Chrissy McFall as the City Court Clerk effective July 1, 2005, and to set the rate of pay at \$20 per court session. The motion was seconded by Jerry German and was passed unanimously.

Resolution setting the mill rate for assessment of tax in 2005 payable in 2006:

Following a brief discussion, Warren Gragg made a motion to pass a resolution to set the General mil rate at 5 and the Street rate at 1.9 for the assessment of taxes in 2005. With the intent that some of the General tax collected will be used for Street improvements. The motion was seconded by Jim Smith and passed unanimously. A copy of this resolution will be forwarded to the Quorum Court to be included in their tax ordinance.

Items not on agenda:

Jim Smith reported that some of the Planning commission was scheduled to meet with the County in regard to the cities desire to be informed of the specification of the development currently occurring next to the city limits and future neighboring developments.

With no further business, Maricia Kelley made a motion that this meeting be adjourned. Dean Parnell seconded that motion and it was passed unanimously.

The meeting adjourned at approximately 6:45 PM.

James Reeves
Mayor

Donna Hinton
Recorder/Treasurer

City of Norfolk
Regular Council Meeting
November 16, 2005

Meeting was called to order at 6:30 PM by Mayor Jim Reeves.

DRAFT

Mayor

Jim Reeves

Recorder/Treasurer

Donna Hinton

Council

Dean Parnell
Warren Gragg
James Smith

Jerry German
Don Sappington
Maricia Kelley

Guests

Fay Greer
Marc Oestreicher
Earlene Woody
Ernie Hubbard
Alvin Reynolds

Larry Fitzsimmons
Jerry Greer
Larry Woody
Don Davis

Kathy Oestreicher
Kris Beard
David Miller
Deb Stanuch

Minutes

Roll call was taken: All members were present.

A moment of silence was followed by the Pledge of Allegiance.

Minutes of the October 18, 2005, Regular Council Meeting: A motion to approve the minutes as written was made by Don Sappington; seconded by Jerry German and carried unanimously.

October 2005 Financial Report: A motion was made by Warren Gragg to approve/accept the financial report as presented. It was seconded by Dean Parnell and carried unanimously.

2006 Budget items – Some changes were made and additional information was distributed to the council. Request was made that the council review the information and be prepared to discuss it in depth at the December workshop.

Backhoe: The purchase of a used backhoe to replace the current one was raised because it is in the budget request and Cory has been visiting with dealers to price one. Mayor Reeves and Cory McFall met with a representative from such a dealership who has a 2003 Case backhoe on hand. He would offer the City \$15,000 credit for the old one and deliver the 2003 one for an additional \$30,000. He would offer to rent it to the City for the balance of the year at \$1500 per month which could be applied to the cost if the City bought it. If the City chose not to purchase this one, the rent would be non refundable. There would be a non refundable delivery charge. Warren Gragg agreed that having discussed it with Cory and having checked with other people in the know, that this appeared to be a deal that we should pursue. Jim Smith stated that the old backhoe had

been in service for the City for almost 15 years and was definitely showing signs of possible expensive problems to come in the near future; he agreed with Gragg. There was some discussion about which budget the cost of the backhoe should be assessed to and it was agreed to have that discussion when working on the budget. The council was polled and unanimously agreed to authorize Cory to follow up on this deal.

City to Pay Officials Expense for AML Meeting in January: Jim Smith made a motion that the City shall pay expenses for at least three elected officials to attend the Arkansas Municipal League Meeting in Little Rock on January 11-13, 2005. Warren Gragg seconded the motion and it carried unanimously.

Resolution 2005-04 requesting permission to submit application to Department of Arkansas Heritage for Determination of Eligibility for the old Norfolk school buildings for nomination to the National Register of Historic places. Don Sappington made a motion to approve Resolution 2005-04 requesting permission to apply for Determination of Eligibility as requested. Jerry German seconded the motion. Aye: Don Sappington, Jim Smith, Dean Parnell, Maricia Kelley, Jerry German. Nay: Warren Gragg. The motion passed.

Executive Session to discuss employee compensation for 2006: Maricia Kelly made a motion to suspend the meeting so that Council could go into executive session to discuss employee wage increases for 2006. Dean Parnell seconded the motion, it passed unanimously. Council left to a private discussion.

Resume Meeting: When Council returned, Jerry German made a motion to resume the Council meeting. The motion was seconded by Don Sappington and carried unanimously.

2006 Compensation for hourly employees: Warren Gragg made a motion that the City of Norfolk grants a 5% pay increase to the base wage of all hourly employees and a one time 5% of the base wage contribution to the City Employee Retirement Fund. The motion was seconded by Don Sappington and carried unanimously.

Other business that was not included on the Agenda:

Special Request for Location of Travel Trailer for Katrina Victim: Chris Beard appeared on behalf of a friend that was a victim of Katrina to request that the travel trailer that FEMA was going to provide for them could be located on his property indefinitely to house the family. Mayor Reeves stated in spite of the city's sympathy for this family's unfortunate situation, that it would be in violation of city ordinances to connect a travel trailer to the city sewer system, travel trailers are not allowed as residences in the residential area requested and it would be the city's preference to avoid setting a precedence that may be regretted later. Warren Gragg stated that he had discussed with Woodsman's Store about the possible location of such a travel trailer on one of their existing camper pads. Woodsman's had indicated that they would have the space and would offer the best monthly rate in the area. Warren also stated that he had spoken with someone that said FEMA would also assist with rent and utilities for up to 18 months and encouraged Mr. Beard to have his friend inquire/request this assistance. The request was denied with the alternative solutions suggested.

Adjournment: Dean Parnell made a motion to adjourn, seconded by Maricia Kelley. It was passed unanimously.

Meeting adjourned at 7:15 PM.

James Reeves, Mayor

Donna Hinton, Recorder/Treasurer

City of Norfolk
Regular Council Meeting
November 15, 2005

Meeting was called to order at 6:30 PM by Mayor Jim Reeves.

Mayor

Jim Reeves

Recorder/Treasurer

Donna Hinton

Council

Dean Parnell

Warren Gragg

James Smith

Jerry German

Don Sappington

Maricia Kelley

Guests

Fay Greer

Marc Oestreicher

Earlene Woody

Ernie Hubbard

Alvin Reynolds

Larry Fitzsimmons

Jerry Greer

Larry Woody

Don Davis

Kathy Oestreicher

Kris Beard

David Miller

Deb Stanuch

Minutes

Roll call was taken: All members were present.

A moment of silence was followed by the Pledge of Allegiance.

Minutes of the October 18, 2005, Regular Council Meeting: A motion to approve the minutes as written was made by Don Sappington; seconded by Jerry German and carried unanimously.

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expensive problems to come in the near future; he agreed with Gragg. There was some discussion about which budget the cost of the backhoe should be assessed to and it was agreed to have that discussion when working on the budget. The council was polled and unanimously agreed to authorize Cory to follow up on this deal.

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Resolution 2005-04 requesting permission to submit application to Department of Arkansas Heritage for Determination of Eligibility for the old Norfolk school buildings for nomination to the National Register of Historic places. Don Sappington made a motion to approve Resolution 2005-04 requesting permission to apply for Determination of Eligibility as requested. Jerry German seconded the motion. Aye: Don Sappington, Jim Smith, Dean Parnell, Maricia Kelley, Jerry German. Nay: Warren Gragg. The motion passed.

Executive Session to discuss employee compensation for 2006: Maricia Kelly made a motion to suspend the meeting so that Council could go into executive session to discuss employee wage increases for 2006. Dean Parnell seconded the motion, it passed unanimously. Council left to a private discussion.

Resume Meeting: When Council returned, Jerry German made a motion to resume the Council meeting. The motion was seconded by Don Sappington and carried unanimously.

2006 Compensation for hourly employees: Warren Gragg made a motion that the City of Norfolk grants a 5% pay increase to the base wage of all hourly employees and a one time 5% of the base wage contribution to the City Employee Retirement Fund. The motion was seconded by Don Sappington and carried unanimously.

Other business that was not included on the Agenda:

Special Request for Location of Travel Trailer for Katrina Victim: Chris Beard appeared on behalf of a friend that was a victim of Katrina to request that the travel trailer that FEMA was going to provide for them could be located on his property indefinitely to house the family. Mayor Reeves stated in spite of the city's sympathy for this family's unfortunate situation, that it would be in violation of city ordinances to connect a travel trailer to the city sewer system, travel trailers are not allowed as residences in the residential area requested and it would be the city's preference to avoid setting a precedence that may be regretted later. Warren Gragg stated that he had discussed with Woodsman's Store about the possible location of such a travel trailer on one of their existing camper pads. Woodsman's had indicated that they would have the space and would offer the best monthly rate in the area. Warren also stated that he had spoken with someone that said FEMA would also assist with rent and utilities for up to 18 months and encouraged Mr. Beard to have his friend inquire/request this assistance. The request was denied with the alternative solutions suggested.

Adjournment: Dean Parnell made a motion to adjourn, seconded by Maricia Kelley. It was passed unanimously.

Meeting adjourned at 7:15 PM.

James Reeves, Mayor

Donna Hinton, Recorder/Treasurer

City of Norfolk
Regular Council Meeting
December 20, 2005

Center contract for 2006: A motion to renew the contract with the Norfolk Boy's and Girl's Club for after school and summer services for the youth at a cost to the City of \$400 per month was made by Warren Gragg and seconded by Dean Parnell. The motion carried unanimously.

Appointment to the Planning Commission: Due to the resignation of Jerry German from the City Planning Commission and because his term would have ended on December 31, 2005 a vacancy exist on the City Planning Meeting was called to order at 6:30 PM by Mayor Jim Reeves.

Mayor

Jim Reeves

Recorder/Treasurer

Donna Hinton

Council

Dean Parnell
Warren Gragg
James Smith

Jerry German
Don Sappington (Absent)
Maricia Kelley

Guests

Chuck DeVoney
Cecil Thompson
Frankie Baker
Ken Watson
Earlene Woody
James Reynolds

Joyce DeVoney
Fay Greer
Phil Anderson
Kay Dunn
Larry Woody

Dee Thompson
Coetia Batarseh
Dallas Shepherd
Chandra Huston
David Miller

Minutes

Roll call was taken: All members were present except Don Sappington.
A moment of silence was followed by the Pledge of Allegiance.

Fire Department request for a 20 year extended lease. The Mayor stated that due to the number of Fire Department members present he would move the Fire Department request for a 20 year extended lease to the top of the agenda. No objections were made. Dean Parnell made a motion to approve/accept the proposed lease between the City and the Fire District to extend the lease of the city building that is currently used as the main fire station. Maricia Kelley seconded the motion. Voting for the motion were Dean Parnell, Jerry German and Maricia Kelley. Voting against the motion were Warren Gragg and Jim Smith. In order to pass the motion four votes in favor are required. Mayor Reeves cast the fourth vote in favor of the motion. Motion Passed.

Minutes of the November 15, 2005, Regular Council Meeting: A motion to approve the minutes as written was made by Maricia Kelley; seconded by Jim Smith and carried unanimously.

November 2005 Financial Report: A motion was made by Warren Gragg to approve/accept the financial report as presented. It was seconded by Warren Gragg and carried unanimously.

Ordinance 2005-10 Norfolk City Budget for 2006: Warren Gragg made a motion to accept the Norfolk City Budget for 2006 as presented. The motion was seconded by Jerry German and passed

unanimously. The Ordinance was read. Warren Gragg made the motion to approve the ordinance for the 2006 budget. Maricia Kelley seconded the motion and it passed unanimously.

Youth Commission. Mayor Reeves appointed Faye Greer to the City Planning Commission for a term of 5 years effective January 1, 2006. Warren Gragg made a motion to approve the appointment of Faye Greer to the Norfolk City Planning Commission for a term 5 years effective January 1, 2006. Jim Smith seconded the motion and it passed unanimously.

Accidental Death Insurance for elected officials: Warren Gragg made a motion for the city of Norfolk to participate in the Accidental Death Insurance plan that is available to elected official through the Arkansas Municipal League. Jerry German seconded the motion. Following a brief discussion, Warren Gragg voted in favor of the motion. Voting against the motion were Maricia Kelley, Dean Parnell, Jim Smith; Jerry German obtained. The motion failed on a three to one vote.

Ordinance 2005-09 to Update Personnel Policy: The first reading of Ordinance 2005-09 was given by Donna Hinton. Marcia Kelley made a motion to accept the first reading of the ordinance. Jerry German seconded the motion and it passed unanimously.

2nd Reading of Ordinance 2005-09: Warren Gragg made a motion declaring that an emergency exists and that the 2nd Reading be given by title only. Maricia Kelley seconded that motion and it passed unanimously. Hinton gave the second reading by title only. The motion to accept the 2nd reading was made by Warren Gragg, seconded by Dean Parnell and passed unanimously.

3rd and Final Reading of Ordinance 2005-09: Jerry German mad a motion to have a 3rd reading by title only; Warren Gragg seconded the motion and it carried unanimously. Hinton gave the 3rd reading by title only. A motion to accept the 3rd and final reading was made by Warren Gragg, seconded by Jerry German and carried unanimously. Ordinance 2005-09 is approved and in effect.

Accepting Council person Jerry German resignation: Warren Gragg made a motion to accept the resignation of Council person Jerry German effective December 31, 2005 and declare that a vacancy exists on the Norfolk City Council, Alderman Position 1, Ward 2. Jerry German seconded the motion and it carried unanimously.

Other business that was not included on the Agenda:

Backhoe: Mayor Reeves informed the council that the purchase of a used backhoe to replace the current one as discussed at the previous council meeting seemed to be delayed while the vendor continued to rent the machine out and therefore could not deliver at this time. With that information, Cory continued to contact other dealers and located a very comparable machine in Jonesboro. Jim Reeves and Cory McFall drove down to look at the backhoe and were able to get the same bottom line deal on that machine. It is the same year, brand new tires, about the same hours but in soil versus rock. Mayor Reeves just wished hear any objections to following up on the second dealer who is actually in possession and could deliver as soon as next week. The decision

had been made in the discussion of the 2006 budget to cash a General Fund CD to pay for the backhoe. The council was polled and unanimously agreed to authorize Cory to follow up on this deal.

Adjournment: Dean Parnell made a motion to adjourn, seconded by Jim Smith. It was passed unanimously.

Meeting adjourned at 6:55 PM.

James Reeves, Mayor

Donna Hinton, Recorder/Treasurer