

City of Norfolk
Public Hearing & Special City Council Meeting
March 25, 2008

The Public Hearing was called to order at 6:30 PM by Mayor Jim Reeves

There was no citizen comments/objections/support expressed.

The City Council of the City of Norfolk, Arkansas met at 6:30 Pm on the 25th day of March, 2008. The Following were present

Mayor

Jim Reeves

Recorder/Treasurer

Donna Hinton

Council

Jimmy Mincey

Maricia Kelley)

Ron Ragsdale (Absent)

Barton Conley

Don Sappington

Warren Gragg (Absent)

The City Council of the City of Norfolk, Arkansas met at 6:30PM o'clock p.m. on the 25th day of March, 2008. The following were present: Mayor Reeves; city Recorder Donna Hinton; and Alderman Barton Conley; Maricia Kelley; Donald Sappington Jimmy Mincey;
Absent: Ronald Ragsdale; Warren Gragg.

The Mayor announced that this was the time established for public hearings on the proposed sewer rates and on proposed new bonds and that notice of hearing was given by one publication thereon in the Baxter Bulletin on the 14th day of March, 2008. The meeting was then opened for a hearing of all persons desiring to present comments, suggestions or objections to the proposed sewer rates and bonds. After hearing all those who desired to be heard, the Mayor declared the public hearings closed.

The Ordinance fixing rates having been introduce and read on March 11, 2008, Alderman Sappington, seconded by Alderman Mincey, moved that the rule requiring the reading of an ordinance in full on three different days be suspended and that the Ordinance be placed on its second reading by title only. The Mayor put the question of the adoption of the motion and the roll being called, the following voted aye:

Barton Conley; Jimmy Mincey; Maricia Kelley' Donald Sappington

And the following voted nay:

None

Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only by the City Recorder.

Alderman Mincey, seconded by Alderman Sappington, moved that the Ordinance be adopted. The question was put by the Mayor on the adoption of the motion and the roll being call, the following voted aye:

Jimmy Mincey, Don Sappington, Barton Conley, Maricia Kelley;

And the following voted nay:

None

Alderman Conley, seconded by Alderman Sappington, and then moved that the rule requiring the reading of an ordinance in full on three different days be suspended and that the Ordinance be placed on its third reading by title only. The Mayor put the question of the adoption of the motion and the roll being called, the following voted aye:

Maricia Kelley; Don Sappington; Jimmy Mincey; Barton Conley;

And the following voted nay:

None

Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only by the City Recorder.

Alderman Mincey, seconded by Alderman Sappington, moved that the Ordinance be adopted. The question was put by the Mayor on the adoption of the motion and the roll being call, the following voted aye:

Jimmy Mincey; Don Sappington; Barton Conley; Maricia Kelley;

And the following voted nay:

None

Alderman Mincey, seconded by Alderman Conley, moved that Section 7, the emergency clause, be adopted and on roll call, the following voted aye:

Barton Conley; Maricia Kelley; Don Sappington; Jimmy Mincey

And the following voted nay:

None

The Mayor thereupon declared the Ordinance and emergency clause adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the seal of the City. The ordinance was given No. 2008-06

Thereupon, Alderman Sappington introduced an Ordinance entitled:

AN ORDINANCE AUTHORIZING THE ACQUISITION AND CONSTRUCTION OF IMPROVEMENTS TO THE SEWER FACILITIES OF THE CITY OF NORFORK, ARKANSAS; AUTHORIZING THE ISSUANCE OF WATER AND SEWER REVENUE BONDS FOR THE PURPOSED OF FINANCING A PORTLION OF THE COST OF THE CONSTRUCTION; PROVIDI G FOR THE PAYMENT OF THE PRINCIPAL AND INTEREST ON THE BOND; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLALRING AND EMERGENCY

And the Ordinance was read in full.

Alderman Sappington, seconded by Alderman Conley, moved that the rule requiring the reading of an ordinance in full on three different days be suspended and that the Ordinance be placed on its second reading by title only. The Mayor put the question of the adoption of the motion and the roll being called, the following voted aye:

Donald Sappington; Maricia Kelley; Jimmy Mincey; Barton Conley

And the following voted nay:

None

Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only by the City Recorder.

Alderman Mincey, seconded by Alderman Sappington, moved that the rule requiring the reading of an ordinance in full on three different days be suspended and that the Ordinance be placed on its third reading by title only. The Mayor put the question of the adoption of the motion and the roll being called, the following voted aye:

Maricia Kelley; Jimmy Mincey; Don Sappington; Barton Conley;

And the following voted nay:

None

Thereupon the Mayor declared that at least two-thirds of all members of the Council having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The Ordinance was then read by title only by the City Recorder.

Alderman Mincey, seconded by Alderman Sappington, moved that the Ordinance be adopted. The question was put by the Mayor on the adoption of the motion and the roll being call, the following voted aye:

Barton Conley; Don Sappington; Maricia Kelley; Jimmy Mincey;

And the following voted nay:

None

The Mayor thereupon declared the Ordinance and emergency clause adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the seal of the City. The ordinance was given No. 2008-07

Alderman Sappington, seconded by Alderman Mincey, moved that Section 33, the emergency clause, be adopted and on roll call, the following voted aye:

Jimmy Mincey; Maricia Kelley; Barton Conley; Don Sappington;

And the following voted nay:

None

The Mayor thereupon declared the Ordinance and the emergency clause adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the seal of the City. The Ordinance was given No. 2008-07.

The Mayor stated that due to the recent flood there will be a big increase in the workload of the newly appointed Building Inspector and suggested that the Council give some thought to adjusting the compensation. Also, FEMA is requiring that all repairs/building as a result of the flood. The permits are much abbreviated but require extensive inspections. The normal building permit fees are based on cost of the project. The Council should determine if these fees should be adjusted and the impact of that adjustment on the compensation for the Building Inspector. Don Sappington suggested lowering the permit fee by 50% and giving that fee to the Building Inspector. No decision was made at this time.

The Mayor made the Council aware that River Ridge Road has been undermined by the flood waters and is compromised to normal traffic. Road and Bridge said that it would be several weeks before the County could help and they have suggested getting a private trucking company to give estimates. Their estimate is between 200 or 300 truck loads of rock at an estimated cost of \$20,000 to \$30,000. No decision was made.

With all other business completed, Barton Conley made a motion to adjourn the meeting and Jimmy Mincey seconded the motion. It carried unanimously and the meeting concluded at 7:30 P.M.

James Reeves, Mayor

Donna Hinton, Recorder/Treasurer

Seal:

City of Norfolk
Special City Council Meeting
March 27, 2008

The Special City Council Meeting was called to order at 2:00 PM by Mayor Jim Reeves to resolve the emergency repair of River Ridge Road which was damaged by the flood waters.

The Following were present

Mayor

Jim Reeves

Recorder/Treasurer

Donna Hinton

Council

Jimmy Mincey
Maricia Kelley
Ron Ragsdale (Absent)

Barton Conley
Don Sappington
Warren Gragg

Public in Attendance

Herald & Hensley White
Mike and Sammy Marshall
Charles Duvall
Deb Staunch

Jim Bailey
Chuck Robinson
Donald Dunn

Rod & Rita Engle
John Gulley
Kay Dunn

Susan & Ed Ceata
James Smith
Wayne Bodenhamer

And there may be others that did not sign in or signatures were not legible.

The Mayor stated that the condition of the road was severely under mined by the flood waters and was passable but unsafe for anything other than very light travel. He had consulted with the County Road Supervisor and was advised that it would be at least a month before they would be able to work it into their schedule. He suggested that an alternative might be to hire a trucking company to haul the rock in and that the County may be able to provide some equipment to work the rock. He estimated that it could take up to 300 loads of rock.

The Mayor had contacted Sid Pickens who agreed to sell rock to the city at \$25 per load and Leroy Moore who agreed to haul the rock at \$60 per load. At that rate, if 300 loads were needed, it would cost about \$25,500. He did not have the cost of using the County Equipment and labor. The road repair could start a 7 a.m. tomorrow. The Street Budget currently has about \$48,000 in the Street work line item. By doing this emergency work, the planned work on Morrison may have to be delayed.

Warren Gragg questioned the ownership of the road and suggested that it belongs to the County and stated that the City should not spend money to fix the County road. Mayor Reeves stated that up to the Handicapped fishing dock, the road belongs to the City.

The rightful ownership of the road and the entity responsible for the repair was discussed by several Council members and citizens.

Don Sappington said that he was in favor of fixing the road if it belongs to the city.

A resident of the River Ridge Subdivision, Mr. Duvall asked if anyone had look into whether FEMA might be able to help. He stated that with the additional rain that was forecasted, the road could be compromised even further which would be even more costly to repair. Some people referenced the recent media information regarding FEMA and other federal funding that may become available as a result of being declared a disaster. No one had a clear understanding of what part of that may be for municipal infrastructure repair.

The Mayor asked the Council if they were ready to vote on repairing the road. Warren Gragg stated that the Council was not against the citizens of River Ridge on this issue. The audience responded by saying that they felt like Council was against them.

Donald Dunn introduced him self as a retired professional engineer and said that his professional observation is that the longer the compromise condition is allowed to exist and the rain that is expected over the weekend; the City should be concerned with the safety of the people and fix the road to avoid any more serious liability and figure out the money later.

Barton Conley said that since the arrangements have been made to repair the road, the City should proceed with that plan and try to recover funds later.

Mayor Reeves said that the road will be fixed one way or another. He recessed the meeting at 2:25 p.m. and excused himself to call the County Judge Dan Hall and the County Attorney, Ron Kincade.

The meeting was recessed. Mayor Reeves returned and reconvened the meeting at 2:35 p.m. Judge Hall understands River Ridge road to be a City road. However, if it is not and the City spends money on a County road he can't guarantee that the County will refund the City for those expenses. City Attorney, Kincade also understand that River Ridge is a City road. Simply by prescription if the City maintains the road, it belongs to the City. The City Attorney also told him that it could be done within the Mayor's spending authority by doing it \$5000 at a time.

With that information Don Sappington stated that it is an emergency and for humanitarian reasons the City is obligated to fix the road. He made a motion to recommend that the repairs be made as arranged by the Mayor to begin the next day. Jimmy Mincey seconded the motion with the condition that the City makes it safe, then verify ownership and seek funding. Most of the Council voiced their agreement. The Mayor stated that we will pursue any Federal funding as soon as it becomes available.

The Mayor called for a vote and the following voted aye in favor of the motion: Don Sappington; Jimmy Mincey; Maricia Kelley; Barton Conley; Warren Gragg. There were no dissenting votes.

Warren Gragg requested documentation to verify ownership from Attorney Kincade.

The Mayor requested permission to begin right away in the morning and was told to go ahead. City workers, Cory McFall and Derak Woody will act as traffic controller for the project

With all other business completed, Barton Conley made a motion to adjourn the meeting and Maricia Kelley seconded the motion. It carried unanimously and the meeting concluded at 2:50 P.M.

James Reeves, Mayor

Donna Hinton, Recorder/Treasurer

Seal: