

Mayor: Ernie Rose

Recorder/Treasurer: Greg Bess

Alderman: Bob Gilliland, Mathew Coggins

Penny Allen, Bruce Thurow

Sue Taylor, Mark Gordon

City of Hardy, Arkansas

P.O. Box 5, 124 Woodland Hills Road
Hardy, Arkansas 72542

Ph 870 856-3811, Fax 870 856-4938

www.cityofhardy.org www.facebook.com/cityofhardy



AGENDA

Regular Meeting, Hardy City Council

Hardy Civic Center, 301 Spring Street, Hardy, AR

July 7, 2020

6:00 o'clock P.M.

Please Silence Cell Phones

TOPIC	DESCRIPTION	SPONSER
CALL TO ORDER		Mayor
Pledge of Allegiance		Mayor
Invocation		Councilmember
Council Member Roll Call		R/T
MINUTES APPROVAL	June 2, 2020 Regular Meeting	Mayor/RT
AGENDA REVISIONS	Agenda Review and Approval	Mayor/Et al
REPORTS:	A&P Report	A&P Chair
	City Financials	R/T
	Public Safety, Public Works	Dept Heads
	Project(s) Status	Mayor
	Building Inspector Report	Inspector
UNFINISHED BUSINESS	Picnic Tables & Trash Cans	Mayor
	Yum-Yum Alley	Mayor
	City Auction	Mayor
	Ordinance 2020-1 PZ Update	Mayor
NEW BUSINESS	Officer Rose Status	R/T
	Senior Center Claim	Mayor
PUBLIC COMMENTS	Per Sign-Up Sheet, 3 Minutes Max.	Mayor
COUNCIL COMMENTS:		Mayor
UPCOMING EVENTS:	<i>**Visit www.cityofhardy.org or www.visithardvarkansas.com for Details**</i>	Mayor
ADJOURN:		

Ernie Rose, Mayor

Mayor: Ernie Rose
Recorder/Treasurer: Greg Bess
Alderman: Bob Gilliland, Mathew Coggins
Penny Allen, Bruce Thurow
Sue Taylor, Mark Gordon

City of Hardy, Arkansas

P.O. Box 5, 124 Woodland Hills Road
Hardy, Arkansas 72542
Ph 870 856-3811, Fax 870 856-4938
www.cityofhardy.org www.facebook.com/cityofhardy



Regular Meeting, Hardy City Council

June 2, 2020
6:00 o'clock P.M.

Mayor Ernie Rose called the meeting to order at 6:00 PM Tuesday June 2, 2020 at the Hardy Civic Center, 301 Main Street, Hardy, Arkansas and led all present in the pledge of allegiance to the flag of our country. Councilwoman Penny Allen read the invocation. Recorder/Treasurer (R/T) Greg Bess called the roll and the following council members answered to their names: Bruce Thurow, Mark Gordon, Bobby Gilliland, Penny Allen, Herbert Wise and Sue Taylor. There were 6 of 6 council members present constituting a quorum.

Councilman Thurow made a motion to accept the minutes of the regular meeting of May 5, 2020 as amended. Councilwoman Taylor seconded the motion. Mayor Rose called for a voice vote:

Vote Yea: Gordon, Thurow, Allen, Gilliland, Wise, and Taylor

Absent:

Vote nay:

The motion to accept the minutes of regular meeting of May 5th as amended was approved with
6 Yeas – 0 Nays – 0 Absent

REPORTS

Mayor Rose recognized Hardy Advertising and Promotion Commission (HAPC) Secretary Bruce Thurow to provide a report of the HAPC. Mr. Thurow stated that they met on May 18th. He stated the operating fund had about \$40K and the capital account is around \$50K. He stated they discussed advertising in radio, on Facebook and in other media. He stated that the HPAC arranged had for a band to play in Dr. Thompson Park over Memorial weekend and would continue to have other music throughout the summer.

R/T Bess stated the agenda packet contained data through the month of May even though May was preliminary. He discussed the year over year comparison of revenue for 2018, 2019 and 2020 and stated that, so far, the revenue was holding steady.

Mayor Rose recognized Public Safety Director Tamara Taylor to discuss the Department of Public Safety Police Report. Chief Taylor stated that Fire Chief Rose was on station in Cherokee Village. She stated that the HVAC approved for the fire house was installed and is operational. She provided a report of police and fire activity in through May. She stated that some 12 burglaries had occurred. She stated most all of the items were recovered and the culprit found. Councilman Gordon questioned the policing policy during the pandemic. He stated that he had received questions from citizens concerning speeding on Main Street and up over the Spring River bridge. Councilman Thurow questioned the condition of the LED Radar speeding sign. Chief Taylor stated it was at the Firehouse but needed a new switch to operate.

Councilwoman Allen questioned the status of the vandalism of the welcome sign and wall at the bypass. Chief Taylor stated the vandal was found and the properties restored.

Mayor Rose stated that Billy Gilbreath, Superintendent of Public Works, was not able to attend the meeting. Mayor Rose stated the Road Grader was repaired and some 6 roads have been graded. He also stated that the \$300K State Grant for city road paving was delayed due to the pandemic and probably would not be started until January 2021. Until this work is stated the city would continue to grade and gravel troublesome roads. Mayor rose stated the Loberg Bathroom was still being worked but due to the pandemic and some contractor family illnesses work was delayed. Councilman Thurow requested that more picnic tables in Loberg Park be ordered to replace bad tables and increase the number in the "homesteaders area". Councilman Thurow made a motion to spend up to \$750 for table and trashcans for parks. Councilwoman Allen seconded the motion. Mayor Rose called for a roll call vote:

Vote: Gordon-Yes, Thurow-Yes, Allen-Yes, Gilliland-Yes, Wise-Yes, and Taylor-Yes

Absent:

Vote nay:

The motion to spend up to \$750 for picnic tables and trashcans for the parks was approved with

6 Yeas – 0 Nays – 0 Absent

Mayor Rose stated he would have Mr. Tim Seager increase the pickup of trash in the parks during the busy summer months.

Mayor Rose stated that barring Council pushback he would investigate the sale of the property known as Yum-Yum Garden, a vacant lot owned by the city.

UNFINISHED BUSINESS

Mayor Rose recognized R/T Bess to introduce ordinance 2020-2 an ordinance allowing the sale of liquor by the drink in the City of Hardy. Mr. Bess read ordinance 2020-2 for the third and final reading. Following the reading of the ordinance, Councilman Gilliland made a motion to accept the Ordinance 2020-2 as read in the third reading. Councilman Gordon seconded the motion. Mayor Rose called for a roll call vote:

Vote: Gordon-Yes, Gilliland-Yes, Taylor-Yes, Thurow-Yes, Allen-Yes, Wise-Yes

The motion to approve Ordinance 2020-2 as read in the third public reading was approved with

6 yeas – 0 Nays – 0 Absent

Mr. Bess stated that Ordinance 2020-1 which involved changes to the Building Permit fees would still require a public meeting prior to approval. It was schedule for April, but due to the pandemic it did not occur. He stated that he would publish a public meeting notice for 5:30PM on July 7th the date of the next regular meeting and then bring the ordinance forward at the next meeting.

NEW BUSINESS

R/T Bess read Ordinance 2020-3 an ordinance allowing police officer Casey Poulette to provide

equipment and services to the City in 2019. Councilman Gordon made a motion to wave procedure and read the Ordinance 2020-3 title only. Councilman Gilliland seconded the motion. Mayor Rose called for a roll call vote:

Vote Yes: Gordon, Gilliland, Taylor, Thurow, Wise, Allen

Vote Nay:

Absent:

The motion to wave procedure and read Ordinance 2020-3 title only was approved with 6 yeas
- 0 Nays - 0 Absent.

R/T Bess read Ordinance 2020-3 title only. Councilman Gordon made a motion to approve Ordinance 2020-3 as read. Councilman Gilliland seconded the motion. Mayor Rose called for a roll call vote:

Vote: Gordon-yes, Gilliland-yes, Taylor-yes, Thurow-yes, Wise-yes, Allen-yes

The motion to wave procedure and read Ordinance 2020-3 title only was approved with 6 yeas
- 0 Nays - 0 Absent.

Councilman Gordon made a motion to approve the emergency clause of Ordinance 2020-3 as read. Councilman Gilliland seconded the motion. Mayor Rose called for a voice vote:

Vote Yes: Gordon, Gilliland, Taylor, Thurow, Wise, Allen

Vote Nay:

Absent:

The motion to the emergency clause of Ordinance 2020-3 as read was approved with 6 yeas - 0 Nays
- 0 Absent.

R/T Bess read Ordinance 2020-4 an ordinance allowing the Treasury of the city of Hardy to accept electronic payments for receipts. Councilman Gilliland made a motion to wave procedure and read the Ordinance 2020-4 title only. Councilman Gordon seconded the motion. Mayor Rose called for a voice vote:

Vote Yes: Gordon, Gilliland, Taylor, Thurow, Wise, Allen

Vote Nay:

Absent:

The motion to wave procedure and read Ordinance 2020-4 title only was approved with 6 yeas
- 0 Nays - 0 Absent.

R/T Bess read Ordinance 2020-4 title only. Councilman Gilliland made a motion to approve Ordinance 2020-3 as read. Councilman Gordon seconded the motion. Mayor Rose called for a roll call vote:

Vote: Gordon-yes, Gilliland-yes, Taylor-yes, Thurow-yes, Wise-yes, Allen-yes

The motion to wave procedure and read Ordinance 2020-4 title only was approved with 6 yeas
- 0 Nays - 0 Absent.

Councilman Gilliland made a motion to approve the emergency clause of Ordinance 2020-4 as read. Councilman Gordon seconded the motion. Mayor Rose called for a voice vote:

Vote Yes: Gordon, Gilliland, Taylor, Thurow, Wise, Allen

Vote Nay:

Absent:

The motion to the emergency clause of Ordinance 2020-4 as read was approved with **6 yeas – 0 Nays – 0 Absent.**

Mayor Rose asked to defer the discussion concerning a city auction until next meeting.

PUBLIC COMMENTS

Mr. Charles Wilson stated that the Red Cross would conduct a blood drive on June 15th at the Civic Center. He stated the plan was to conduct a drive every other month on or around that date going forward.

Councilman Gilliland inquired about the ability to utilize a food truck/trailer on his property until he can rebuild. Following some discussion, Councilman Gordon made a motion to allow the use of a portable food truck/trailer at the site of Bob and Sandy's Beach Club BBQ with appropriate business permits and waving any other city fees until such time that a permanent facility can be rebuilt.

Councilwoman Allen seconded the motion. Mayor Rose called for a voice vote:

Vote Yes: Gordon, Taylor, Wise, Allen

Vote Nay:

Abstain: Gilliland, Thurow

The motion to allow the use of a portable food truck/trailer at the site of Bob and Sandy's Bleach Club BBQ with appropriate business permits and waving any other city fees until such time that a permanent facility can be rebuilt was approved with **4 yeas – 0 Nays – 2 Abstain.**

R/T Bess stated that he had read an article from the Wall Street Journal concerning the expected migration of folks from big cities to more rural areas due to rioting and the pandemic. He stated that the city was getting more new water service requests and that it appeared to him that real estate was hot. He stated the work the council has done to get their laws organized into a codex and the zoning regulations documented would help Hardy better accommodate such folks and ease their entry.

ADJOURN

Mayor Rose declared the meeting adjourned at 7:09 PM. The next regular meeting of the Hardy City Council is scheduled for July 7, 2020 at 6:00PM in Hardy City Hall at 124 Woodland Hills Road in Hardy, Arkansas.

Respectfully submitted,

Greg Bess, Recorder/Treasurer

SIGNATORY ON NEXT PAGE

City of Hardy, Regular Meeting
June 2, 2020

PASSED and APPROVED THIS _____ DAY OF _____, 2020

APPROVED:

Ernie Rose, Mayor

ATTEST:

Greg Bess, Recorder/Treasurer

ORDINANCE NO. 2020-1

AN ORDINANCE CHANGING SECTION 14.04.07 OF THE HARDY MUNICIPAL CODE

WHEREAS, Act 186 of 1957 of the General Assembly of the state of Arkansas as amended, empowers the city of Hardy to enact zoning regulations and to provide for their administration, enforcement and amendment.; and

WHEREAS, Title 14 with the heading "Zoning" of the city of Hardy Municipal Code adopted by ordinance 2017-5 passed on the 5th day of December 2017 establishes the zoning regulations and administration for the city of Hardy.; and

WHEREAS, Section 14.04.07 with the heading "Enforcement and administration" of the city of Hardy Municipal Code specifies building permit administration.; and

WHEREAS, the City of Hardy, after careful review desires to amend the requirements for building permit administration.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HARDY

ORDINANCE SECTION 1 – Change.

14.04-07 Enforcement and administration

Section 3 Procedure for approval of applications for building permits

B. Documents required

1. New Homes

d. Bond

(1) ~~A completion bond in an amount equal to the cost of building, but not less than \$25,000.00 must be furnished by the contractor.~~

(2) If the applicant is acting as his/her own contractor, and plans to build the house himself, a letter from the bank or lending institution must be submitted with the application stating that an amount sufficient to cover the construction cost is available for construction of the applicant's home.

2. Additions to existing structures and/or additional buildings or structures (Residential)

d. Bond

ORDINANCE NO. 2020-1

AN ORDINANCE CHANGING SECTION 14.04.07 OF THE HARDY MUNICIPAL CODE

- (1) ~~A completion bond in an amount equal to the cost of the addition must be furnished by the contractor if the amount of the construction is over \$2,500.00.~~
 - (2) ~~If the applicant is acting as his/her own contractor, and plans to do the work on his home himself, a letter from the bank or lending institution must be submitted with the application stating that an amount equal to the estimated cost of construction is available for the addition to the applicant's home if the cost is over \$2,000.00.~~
3. Commercial buildings and/or structures
- d. Bond Completion of the project must be assured by one of the following:
 - (1) ~~A completion bond in an amount equal to the cost of construction or \$50,000.00 (whichever is larger), must be furnished by the contractor.~~
 - (2) If the applicant is his/her own contractor and plans to do the work himself, a letter from a bank or lending institution must be submitted with the application stating that an amount equal to the estimated cost of construction is available to complete the project.
4. Additions to existing structures and/or additional buildings or structures (Commercial)
- d. Bond Completion of the project must be assured by one of the following:
 - (1) ~~A completion bond in an amount equal to the cost of construction or \$50,000.00 (whichever is larger), must be furnished by the contractor.~~
 - (2) If the applicant is his/her own contractor and plans to do the work himself, a letter from a bank or lending institution must be submitted with the application stating that an amount equal to the estimated cost of construction is available to complete the project.

Section 4 Time limitations

ORDINANCE NO. 2020-1

AN ORDINANCE CHANGING SECTION 14.04.07 OF THE HARDY MUNICIPAL CODE

- A. Failure to complete construction, and have final inspection within twelve (12) months from the date of issuance shall void the building permit, and no refund of fee or deposit will be allowed. A new building permit, including then current fee and deposit, shall be required before final inspection can be made.

Section 6 Fees

- A. An application fee shall be paid at the time the application is filed. In no case shall this application fee be refundable.
- B. ~~A refundable deposit shall be paid to the City Clerk with each application. This deposit shall be returned to the applicant upon submission of completion certificates from the City Building Official, Plumbing and Electrical Inspectors. Deposit amounts shall be as follows:~~

	<u>Application fee</u>	<u>Deposit</u>
New home	-\$50.00 \$25.00	\$50.00
Addition to home	\$25.00	\$25.00
Additional home structure	\$25.00	\$25.00
Commercial building	\$100.00 \$75.00	\$100.00
Commercial – addition to building	-\$75.00 \$50.00	\$100.00
Commercial – additional building	-\$75.00 \$50.00	\$100.00

ORDINANCE SECTION 2. Repeal of Conflicting Ordinances.

All previously existing ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed.

ORDINANCE SECTION 3. Emergency Clause.

Being that it is necessary for the financial health and welfare of the City of Hardy and its assets, this Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED BY THE MAYOR AND COUNCIL OF THE CITY OF HARDY, ARKANSAS ON THIS _____ DAY OF _____, 2020.

Ernie Rose, Mayor

ATTEST: _____

Greg Bess, City Clerk/Treasurer