

# City of Hardy, Arkansas

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

## Regular Meeting, Hardy City Council

July 7, 2020

6:00 o'clock P.M.

Mayor Ernie Rose called the meeting to order at 6:00 PM Tuesday July 7, 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 Taylor made a motion to accept the minutes of the regular meeting of June 2, 2020 as amended. Councilman Gordon 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 June 2<sup>nd</sup> 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 June 22<sup>nd</sup>. He stated the operating fund about \$39K and the capital account is around \$50K. He stated the Mr. Ron Martin presented the A&P two \$500 grants to aid in the repairs of the Dr. Thompson Park Gazebo and painting of the Hardy Gym.

R/T Bess stated the agenda packet contained data through the month of June even though June was preliminary. He discussed the year over year comparison of revenue for 2018, 2019, and 2020. He stated that, so far, the revenue was holding steady with the exception of property tax revenue being down which he felt would recover as people get out to pay back taxes.

Mayor Rose recognized Director Tamara Taylor to discuss the Department of Public Safety Police Report. The Chief stated that had been a drowning in Spring River on the June 21<sup>st</sup>. She also stated that there was an officer involved shooting on June 24<sup>th</sup>. She stated unfortunately last Saturday there had been another drowning in Spring River. Councilman Thurow questioned the policy on choke holds etc. Chief Taylor stated the department trains on and follows a use of force continuum and she can provide copies for review. She stated that it did not specify the use of "choke holds". Fire Chief Rose stated that due to the recent water rescue activity, he had requested a Swift Water rescue class for his personnel and that as part of that activity, that some supplies are needed for the safety of the squad. He requested council approve up to \$3K for water rescue items. Commissioner Gordon made a

motion to move an additional \$2K for the public safety supplies line item to water rescue line item giving the chief \$3k total to spend on water rescue supplies. Councilwoman Taylor seconded the motion. Mayor Rose requested a roll call vote:

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

Absent:

Vote nay:

The motion to move an additional \$2K from the public safety supplies line item to water rescue line item giving the chief \$3k total to spend on water rescue supplies was approved with **6 Yeas – 0**

**Nays – 0 Absent**

Mayor Rose stated that Superintendent Gilbreath was expecting a \$5k repair bill to the backhoe. Mayor Rose stated the Hardy senior center was closed and the HVAC was shut down during the Covid-19 lockdown. As a result, the tile floor had delaminated due to moisture. He stated that an insurance claim had been filed. He stated that so far, the repairs will be \$5K to \$7K. He stated the city is working quickly to correct the problems and get the facility back open.

Mayor Rose stated the Loberg Bathroom had been completed on July 2 just prior to the holiday. He stated there was some minor painting still to be done on the bathroom but it was operational. He stated that he was getting bids on the Gym painting and the Dr. Thompson Gazebo.

Building Inspector Danny Intel reported on the building and zoning status. He stated that the “downhome” property has sold, and cleanup started. He stated the old “spring river BBQ” place had been sold and he expected to have cleanup start. It was also noted that the property next to the Hardy Cemetery has sold.

### **UNFINISHED BUSINESS**

Mayor Rose stated that the picnic tables and trash can request of last meeting had been completed with 6 picnic tables added. Councilman Thurow noted that portions of Loberg Park had tent campers in it which is prohibited. Mayor Rose stated that he had discussed the matter with the RV Park superintendent and the matter corrected.

Mayor Rose recognized R/T Bess to introduce ordinance 2020-1 an ordinance changing section 14.04.07 of the City of Hardy municipal code. Mr. Bess read ordinance 2020-1. Following the reading of the ordinance, Councilman Gilliland made a motion to wave procedure and read Ordinance 2020-1 title only for passage. 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 wave procedure and read Ordinance 2020-1 title only for passage was approved with **6 yeas – 0 Nays – 0 Absent**

R/T Bess read Ordinance 2020-1 title only. Following the reading, Councilman Gilliland made a motion to approve Ordinance 2020-1. Councilman Gordon seconded the motion. Mayor Rose called for a voice vote:

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cgb/07162020

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

Absent:

Vote nay:

The motion to approve Ordinance 2020-1 was approved with **6 Yeas – 0 Nays – 0 Absent**

Councilman Gilliland made a motion to approve the emergency clause of Ordinance 2020-1.

Councilman Gordon 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 approve the emergency clause of Ordinance 2020-1 was approved with **6 Yeas – 0 Nays – 0 Absent**

Councilman Gilliland made a motion to waive all building fees for the City of Hardy until July 2021.

He stated this did not waive the requirement for obtaining permits or the filing requirements only the payment of fees. Councilman Gordon seconded the motion. Mayor Rose called for a voice vote:

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

Absent:

Vote nay: Thurow

The motion wave all building permit fees until July 2021 was approved with **5 Yeas – 1 Nays – 0 Absent**

Mr. Bess stated that Ordinance 2020-1 still required a public meeting prior to approval and that due to the pandemic it did not occur. He stated that he would publish a public meeting notice for 5:30PM on the date of the next regular meeting and then bring the ordinance forward at the next meeting.

### **NEW BUSINESS**

R/T Bess stated that prior to 2019, the law enforcement standards had an officer designation for PT1 stated that they could work up to 72 hours in a 14 day period. As such we consider the PT1 personnel as part-time. In 2020, standards dropped the PT1 and PT2 designation and went to a part-time and full-time designation. He noted that per our employee handbook, full time officers can work up to 84 hours in a 14 day period before overtime is required. He requested that the council make a definite designation as to what constitutes the threshold for full-time personnel. Chief Taylor stated Standards had informed her that it was up to the City to determine threshold but that they considered 24 hours as their part-time designation.

Following some discussion, Councilman Thurow made a motion to designate 30 hours per week as the threshold for part-time to full-time on a consistent basis for uniform personnel. 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 designate 30 hours per week as the threshold for part-time to full-time on a consistent basis for uniform personnel was approved with **6 yeas – 0 Nays – 0 Absent.**

R/T Bess presented a letter requesting the closure of several accounts with FNBC bank. Mr. Bess read the letter and explained the reasons for closing. Councilman Gilliland made a motion to approve the letter as written. Councilman Gordon seconded the motion. Mayor Rose called for a voice vote:

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

Absent:

Vote nay:

The motion to approve the letter to close 3 accounts with FNBC bank was approved as written with **6 Yeas – 0 Nays – 0 Absent**

### **PUBLIC COMMENTS**

Mr. Robert Brown asked to have access to Loberg Park for use of public concerts. He was cautioned that as part of the covenant for granting the property to the city, the park could not be reserved as it was first come first serve and that it was open to all the public and there may be rules as to charging admission. It was also noted that as there was a gated community on the other side of Loberg Park access could not be restricted. It was suggested Mr. Brown consider sponsorship as a form of income rather than a gate or ticket charge. Mayor Rose offered to assist with further review and planning but agreed the City was receptive of events in the park.

Mayor Rose recognized Robert Reeves to discuss a proposal for propane. Following some discussion, Councilman Gilliland made a motion to accept the offer presented by Reeves Propane \$.99 for the first file and \$1.09 per gallon until April of 2021 waiving all test fees per the contract to the Mayor.

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

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

Abstain: Thurow

Vote nay:

The motion to accept the offer presented by Reeves Propane .99 for the first file and 1.09 per gallon until April of 2021 waiving all test fees per the contract to the Mayor was approved as written with **5 Yeas – 0 Nays – 1 Abstain**

### **ADJOURN**

Mayor Rose declared the meeting adjourned at 8:02 PM. The next regular meeting of the Hardy City Council is scheduled for August 4, 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

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PASSED and APPROVED THIS 4th DAY OF August, 2020

APPROVED:

  
Ernie Rose, Mayor

ATTEST:

  
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Greg Bess, Recorder/Treasurer

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City of Hardy  
Arkansas Clerk