

Mayor: Ernie Rose
Recorder/Treasurer: Greg Bess
Alderman: Bob Gilliland, Herbert Wise
Penny Allen, Jeff Munroe
Sue Taylor, Mark Gordon
City Attorney: Joe Grider

City of Hardy, Arkansas

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Regular Meeting, Hardy City Council

April 6, 2021
6:00 o'clock P.M.

Mayor Ernie Rose called the meeting to order at 6:00 PM Tuesday April 6, 2021 at Hardy City Hall, 124 Woodland Hills Road, Hardy, Arkansas and led all present in the pledge of allegiance to the flag of our country. Recorder/Treasurer (R/T) Greg Bess read the invocation and then called the roll with the following council members answering to their names: Jeff Munroe, Mark Gordon, Bobby Gilliland, Herbert Wise, and Sue Taylor. Councilwoman Penny Allen was absent. There were 5 of 6 council members present constituting a quorum.

Councilman Gordon made a motion that the minutes of regular meeting of March 2, 2021 and the Public Hearing Minutes of March 2, 2021 be approved as written. Councilwoman Taylor seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative the motion to approve the minutes carried.

R/T Bess asked to add two items to the agenda to address past due water accounts and a city attorney.

REPORTS

Mayor Rose recognized Hardy Advertising and Promotion Commission (HAPC) commissioner Mark Huscher to provide a report of the HAPC. Mr. Huscher stated the HAPC met on March 22, 2021. He stated the operating fund had about \$51,004 and the capital account a little over \$40,526 in funds. He stated there would be an ongoing Thursday night dance at the Civic Center and the Hardy Sign is scheduled to be done by Memorial Day. He stated the HAPC is continuing to work the new business directory and would appreciate any and all assistance in getting the business directory updated.

R/T Bess stated the financials were presented in the agenda packet. He presented a graph of Tax Revenues year over year for 2019 – 2021. He stated the tax revenue improved 11% and that Feb 2021 is some 30% higher than last year. He stated two data points do not make a trend but he was hopeful that revenue would continue to trend up in 2021.

Mayor Rose announced that Tim Cooper was promoted to Director of Public Works as of April 1, 2021 and will be taking the place of Mr. Billy Gilbreath who resigned in February. Mayor Rose recognized Mr. Cooper who provided a brief report on the status of public works. Mayor Rose stated that the initial grant request for sewer expansion had been turned down due to an insufficient number of full-time residents being served. He stated that a different grant approach would be worked for the project. He also stated the Street Grant received in 2020 would begin work in May 2021. He announced that the contract was being drafted for mowing services following review of bids. Councilman Gilliland makes a motion to approve the mayor entering a contract for mowing services at a cost of up to \$11,000 in 2021. Councilman Wise seconded the motion. Mayor Rose requested a roll call vote:

Vote: Gordon - Yea, Munroe - Yea, Gilliland - Yea, Wise - Yea, and Taylor - Yea

Absent: Allen

The motion to allow Mayor Rose to enter into a contract for mowing services for up to \$11,000 was approved with **5 Yeas – 0 Nays – 1 Absent.**

Mayor Rose recognized Fire Chief Austin Roseto report on the Fire Department status. He reported 38 calls for service in March. Chief Rose stated the F550 rescue truck was sold to a department in Minnesota for \$100,000 with a 10% commission as approved in March. He requested that \$20,000 of the funds from the sale and that \$5,000 of Act 833 funds be used to purchase turnouts and that \$70,000 from the sale be used for the purchase of another truck. Mr. Gordon made a motion to approve \$25,000 for the purchase of turnouts and to approve \$70,000 for a fire truck with \$5,000 coming from Act 833 and the rest coming from the sale of the F550. Chief Rose informed the council that another fire truck was involved in an accident while on a call. He stated it was towed to Batesville for insurance adjustment and he would report status at the next meeting. Following some discussion, Mayor Rose called for a roll call vote:

Vote: Gordon - Yea, Munroe - Yea, Gilliland - Yea, Wise - Yea, and Taylor - Yea

Absent: Allen

The motion to approve \$25,000 for the purchase of turnouts and to approve \$70,000 for a fire truck with \$5,000 coming from Act 833 and the rest coming from the sale of the F550 was approved with **5 Yeas – 0 Nays – 1 Absent.**

Chief Rose stated that another vehicle engine 3 the 1976 FMC was removed from service. He requested the city surplus the vehicle and it be sent to Pioneer Auction for sell. He stated that the department felt the FMC should not be sold to another agency. Councilman Munroe made a motion to decommission the FMC unit 3000 and sell at auction. Councilman Gilliland seconded the motion. Mayor Rose called for a voice vote. All present answering in the affirmative the motion to decommission the FMC firetruck unit 3000 and sell it at auction was approved.

Mayor Rose, recognized Officer Scott Rose, to discuss the police status in the Department of Public Safety. Chief Rose, speaking for acting Chief Shipman who was not available, stated that they had worked a very bad accident last Sunday. He stated that traffic had picked up due to better weather. He announced that Officer Dan Gallagher was recently moved to full-time status from part-time where he had served since since the end of 2020.

NEW BUSINESS

Mayor Rose stated that he was implementing city committees going forward. He stated that it was his hope that these groups would be able to assist in key areas of city operation and be able to address necessary change in a timely fashion. Mayor Rose requested R/T Bess read his letter announcing the need for committees and their makeup into the minutes to assist the public in understanding his intent for the committee creation. He announced the following committee assignments:

Public Works

Penny Allen

Jeff Munroe

Fire

Sue Taylor

Mark Gordon

Police

Herbert Wise

Bobby Gilliland

Mayor Rose recognized R/T Bess to discuss the need to address the city's cyber security infrastructure. Mr. Bess stated that while the city has some security in different departments, it was not cohesive and complete. He further stated that without a technology professional in the city that he and Monica were sometimes drafted into trying to address the need for email accounts, password protection etc. He then introduced Ms. Meg Sebastian and Ms. Melissa Young of Sebastian Tech Services to address their proposal for services and address council questions. Following their presentation and questions from the council and public, Councilman Gordon made a motion to allow the mayor to enter into a contract with Sebastian Tech Services for up to \$36,000 for equipment and Cyber Services for the City of Hardy for 2021 and up to \$25,000 for the following 2 years. Councilman Gilliland seconded the motion. Mayor Rose called for a roll call vote:

Vote: Gordon - Yea, Munroe - Yea, Gilliland - Yea, Wise - Yea, and Taylor – Yea

Absent: Allen

The motion to allow the mayor to enter into a contract with Sebastian Tech Services for up to \$36,000 for equipment and Cyber Services for the City of Hardy for 2021 and up to \$25,000 for the following 2 years was approved with **5 Yeas – 0 Nays – 1 Absent.**

Mayor Rose recognized Ms. Tracy Moore to discuss the need for a resolution from the City of Hardy in support of a gun sanctuary. She stated that the resolution would basically restate the city's support of the second amendment of the US Constitution. Following some discussion, Mayor Rose asked that the Police Committee review and monitor the sanctuary request and let him know if further council action was needed. Ms. Moore agreed to take her request to Sharp County Quorum Court for passage.

Mayor Rose recognized Ms. Monica Shepard, the city water clerk, to discuss the past due water payment status. Ms. Shepard presented data addressing the issue. R/T Bess requested that the council agree that the Hardy Water Works would resume normal collection protocols going forward with the understanding that HWW would not shut off any service for non-payment without addressing the issue with the mayor. Councilman Gordon made a motion to resume normal HWW collection protocols. Councilwoman Taylor seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative the motion to resume normal collection protocols in the Hardy Water Works carried.

Ms. Shepard presented the new rate sheet addressing the new rates for the Hardy Camper Park (Exhibit A). She stated these rate changes were made following a discussion with key personnel and public individuals knowledgeable of camper park operation as per the request of the council in March. Councilman Gordon made a motion to approve the 2021 RV Park rate changes as specified. Councilman Gilliland seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative the motion to approve the 2021 RV Park rate changes carried.

Mayor Rose recognized R/T Bess to address the work needed to bring on an attorney for the City. Mayor Rose requested that Mr. Joe Grider be brought on as City Attorney for \$1,000 monthly. Mayor Rose requested R/T Bess read Ordinance 2021-1 an ordinance to specify the duties of a city attorney.

Mr. Bess read ordinance 2021-1. Councilwoman Taylor made a motion to approve Ordinance 2021-1 as read. Councilman Munroe seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative the motion to approve Ordinance 2021-1 as read carried.

Councilman Gordon made a motion to wave procedure and read Ordinance 2021-1 twice title only for final approval. Councilwoman Taylor seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative the motion to wave procedure and read Ordinance 2021-1 twice title only for approval carried.

R/T Bess read the title of Ordinance 2021-1 as directed. Councilman Gordon made a motion to approve Ordinance 2021-1 following the reading of title only. Councilwoman Taylor seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative the motion to approve Ordinance 2021-1 following the reading of title only carried.

Councilwoman Taylor made a motion to approve the emergency clause of Ordinance 2021-1. Councilman Gordon seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative the motion to approve the emergency clause of Ordinance 2021-1 carried.

Councilwoman Taylor made a motion to approve a budget change of up to \$9,000 and approve the mayor entering into a contract for the hiring of city attorney. Councilman Munroe seconded the motion. Mayor Rose called for a roll call vote:

Vote: Gordon - Yea, Munroe - Yea, Gilliland - Yea, Wise - Yea, and Taylor - Yea

Absent: Allen

The motion to approve up to \$9,000 in budget changes and approve the mayor entering into a contract for the hiring of a city attorney was approved with **5 Yeas – 0 Nays – 1 Absent.**

Mayor Rose recognized Ms. Brown from the audience to voice a concern about bank erosion along the Spring River. Following discussion, she agreed to discuss her concern with the Army Corp of Engineers.

Mayor Rose recognized Ms. Katherine Crider to discuss the Ozark Pride Celebration planned in Loberg Park for May and to address any questions the council may have.

Mayor Rose recognized Mr. Peter Martin who recognized the City Council and Mayor for their forward thinking in addressing cyber security.

ADJOURN

Mayor Rose declared the meeting adjourned at 8:12 PM. The next regular meeting of the Hardy City Council is scheduled for May 4, 2021 at 6:00PM at Hardy City Hall, at 124 Woodland Hills Road, in Hardy, Arkansas.

Respectfully submitted,
Greg Bess, Recorder/Treasurer

PASSED and APPROVED THIS 4th DAY OF May, 2021

APPROVED:

Mayor Ernie Rose
Ernie Rose, Mayor

ATTEST:

G. Bess
Greg Bess, Recorder/Treasurer

