

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

August 3, 2021  
6:00 o'clock P.M.

Mayor Ernie Rose called the meeting to order at 6:00 PM Tuesday August 3, 2021, at the Hardy City Hall, 124 Woodland Hill Road, Hardy, Arkansas, and led all present in the pledge of allegiance to the flag of our country. Councilwoman Penny Allen read the invocation. Mr. Bess called the roll and the following council members answered to their names: Jeff Munroe, Mark Gordon, Penny Allen, Herbert Wise, and Sue Taylor. Councilman Bobby Gilliland was absent. Mr. Bess stated that there were 5 of 6 council members present constituting a quorum. Attorney Joe Grider was also present.

Councilman Gordon made a motion to approve the minutes of the regular meeting of July 13, 2021, and the working meeting of July 20, 2021, as written. Councilwoman Taylor seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative the motion to approve the July 13, 2021, and July 20, 2021, meeting minutes carried.

### 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 July 26, 2021. He stated the operating fund had about \$73,069 and the capital account had little over \$51,000 in funds. He stated the HAPC is working on a billboard for the bypass. He stated the HAPC voted to forward the name of Ms. Amanda Smith to the Mayor to serve on the HPAC. Following Mr. Huscher's report, Mayor Rose had Ms. Smith come forward and take the oath of office.

R/T Bess stated the financials are presented in the packet. He stated that July sales tax revenue is still trending up some 19% over last year. He stated year to date financials were in the packet and labeled as draft as the July data had not been reconciled. He stated the City had received \$79,000 in recovery act funds there were moved to a grant holding account for safe keeping. He stated the city was awaiting direction on how the funds may be spent.

Mayor Rose stated the street project was underway. Highway department construction signs were up and prep work in process, but the paving will be delayed till September due to the contractor's backlog.

Mayor Rose recognized Mark Gordon, Councilman and Fire Committee Member, to discuss the Fire status in the Department of Public Safety. Mr. Gordon stated that Chief Austin Rose was working in Cherokee Village and could not attend the meeting, but that there were no significant issues to report from the department.

Mayor Rose recognized Jeff Munroe, councilman and public works committee member, to provide a



summary of public works activities. Mr. Munroe stated that he met with Superintendent Cooper and that he was working on roads, helping get the paving prep for the new street, and repair of the pump stations. Mayor Rose stated that the Department of Public Works had a part-time employment position open in the parks department but was unable to find someone. The mayor stated that he felt the workload warranted a full-time position and that the city had a better chance of filling the position should it be made full time. R/T Bess stated that the additional budget changes needed to take the position to full-time would be around \$15,000. Councilman Monroe made a motion to make the parks technician opening a full-time position and to approve up to \$15,000 in addition revenue to fund the changes. Councilman Gordon seconded the motion. Mayor Rose called for a roll call vote.

**Allen – Yea, Monroe – Yea, Taylor – Yea, Wise – Yea, and Gordon – Yea**

**Gilliland Absent.**

The motion to make the parks technician opening a full-time position and to approve up to \$15,000 in addition revenue to fund the change was approved.

Mayor Rose recognized Councilman Herbert Wise, member of the police committee, to discuss Police activity. Mr. Wise stated that the July holiday weekend had gone well and that police coverage was going well. He stated that the discussion of filling the police chief's position was on the agenda for a bit later in the evening.

Mayor Rose asked councilman Gordon to briefly explain the need for a part-time fire employee. Mr. Gordon stated that the fire committee felt that since almost all the volunteer firemen had full-time jobs it was getting harder to have someone available at the station during peak hours. He stated that Chief Austin Rose would discuss the need in more detail at the next meeting but that the fire committee would support a request by the fire chief for a part-time employee going forward.

R/T Bess stated that per a motion last year, the city was not collecting building permit fees but that the council's directive then had a deadline of July 2021. He requested that the council make a motion to extend the waiving of fees till the September meeting. Mayor Rose stated that he would probably propose extending the waiver for another year, but that he wanted to provide some data as to his reasoning at the next meeting. Councilwoman Taylor made a motion to waive building permit license fees until September 2021. Councilman Gordon seconded the motion. The mayor called for a voice vote. All answering in the affirmative, the motion to waive building permit fees through September 2021 carried.

### **UNFINISHED BUSINESS**

Mayor Rose presented a list of items he wished to sell at public auction on August 28 at the Hardy Civic Center. R/T Bess stated to dispose of the items, he would need a motion of the council to decommission the property listed prior to sell. Councilwoman Allen made a motion to decommission the items listed and to allow the sale of said items by the mayor at public auction. Councilwoman Taylor seconded the motion. Mayor Rose called for a roll call vote.

**Allen – Yea, Monroe – Yea, Taylor – Yea, Wise – Yea, and Gordon – Yea**

**Gilliland Absent.**

The motion to decommission the items listed and to allow the sale of said items by the mayor at public



auction was approved.

### **NEW BUSINESS**

Mayor Rose recognized attorney Joe Grider to discuss Ordinance 2021-5, an ordinance repealing Ordinance 2019-1, dissolving the department of public safety, and recreating separate Fire and Police Departments. Attorney Grider explained that one month after approving Ordinance 2019-1 the state law cited by the ordinance was repealed. Mr. Grider stated the city could continue to use a department of public safety but to do so the city would need to state specifically what was cited in state law before it was deleted. Or he stated the department of public safety could be eliminated as ordinance 2021-5 does. Following some discussion, Councilwoman Allen made a motion to have the first reading of Ordinance 2021-5. Councilman Wise seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative and only one absent the motion carried.

Attorney Grider read Ordinance 2021-5. Councilwoman Allen made a motion to waive second and third reading and read by title only Ordinance 2021-5. Attorney Grider read the title of Ordinance 2021-5. Mayor Rose called for a voice vote. All answering in the affirmative and only one absent the motion carried. Councilman Gordon made a motion to pass 2021-5 as read. Councilwoman Allen seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative and only one absent the motion carried. Councilwoman Allen made a motion to pass the emergency clause of ordinance 2021-5. Councilman Wise seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative and only one absent the motion carried.

Attorney Grider stated that with the passing of 2021-5 both the fire and police chief positions report directly to the mayor. Per section 4.18 of the City Employee Handbook a family member can not supervise a family member. To allow Fire Chief Austin Rose, the mayor's grandson, and acting Police Chief Scott Rose, the mayor's son to continue in their roles, the council will need to address section 4.18. Following some discussing, councilman Gordon made a motion to waive the section 4.18 of the employee handbook in the case of the city fire chief and police chief. Councilwoman Allen seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative and only one absent the motion carried.

Mayor Rose stated that he had received one application for the position of Police Chief. He requested R/T Bess to read his letter of July 30, 2021, announcing the promotion of Scott Rose to the position of Police Chief for the city of Hardy. R/T Bess read the letter. Following the reading of the letter, the council welcomed Scott Rose to the position.

R/T Bess explained that with the handling of credit cards, parks rentals, water bills and the other work items at city hall the clerk's office was struggling to keep up with the workload. He requested that council consider making the part-time position of assistant clerk full time and approve up to \$10,000 in funding for the change. Councilwoman Allen made a motion to make the part-time position of assistant clerk full-time and approve up to \$10,000 in funding for the change. Councilman Gordon seconded the motion. Mayor Rose called for a voice vote. All answering in the affirmative and only one absent the motion carried.

Mayor Rose informed the council that he was investigating getting a new location for city hall more central to downtown. He stated that the current city hall and possible the senior center building could be sold as part of a relocation. He stated he wanted to make the council aware for future discussion.

Mayor Rose recognized Police Chief Scott Rose who asked officer Dan Gallagher to come forward and be recognized for going beyond the call of duty with a citizen need.

### PUBLIC COMMENTS

Mayor Rose recognized Steven Richie concerning the ATV ride. Mr. Richie stated the ride would be September 18, 2021, leaving from Loberg Park and would tour about 53 miles. Mayor Rose recognized Rob Smith to discuss the work at Dr. Thompson Park. Mayor Rose recognized Malcom and Stacy Wright to discuss the Hardy Social Lounge. Mayor Rose recognized Elaine Brown to discuss positive comments she had received on Hardy while completing an article in the Villager Journal.

### ADJOURN


Mayor Rose declared the meeting adjourned at 7.30 PM. The next regular meeting of the Hardy City Council is scheduled for September 7, 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 7<sup>th</sup> DAY OF September, 2021

APPROVED:

  
Ernie Rose, Mayor

ATTEST:

  
Greg Bess, Recorder/Treasurer