

Mayor: Ethan J. Barnes

Recorder-Treasurer: Willow R. Sharp

Alderman: Tony Berry, Natalie Quintana-DuBois

Amy Clay-Thomas, Gini Kauffman

Sue Taylor, Laura Smith

City Attorney: M. Joseph Grider

City of Hardy, Arkansas

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Hardy City Council Regular Business Meeting Minutes February 10, 2025

The meeting was called to order at 6:02 p.m. by Mayor Ethan Barnes. Arkansas State Representative Trey Steimel of the 2d District led all in the Pledge of Allegiance to the flag of our country; Dr. Tony Berry offered the invocation. Recorder-Treasurer Willow R. Sharp called the council-member roll. Quintana-Dubois, Berry, Clay-Thomas, Taylor, Kauffman and Sparks all answered to their names; Also present was City Attorney M. Joseph Grider, Mayor Barnes, and Recorder-Treasurer Sharp. Quorum was established with six of six council-members present.

Mayor Barnes asked for the council to approve the minutes from the January 13, 2025, regular business meeting. Councilman Berry made a motion to approve the minutes as submitted; Councilwoman Taylor seconded the motion. Mayor Barnes called for a voice vote; all were in favor, and the motion passed.

Mayor Barnes asked for the council to approve the agenda for the night's meeting. Councilwoman Clay-Thomas made a motion to approve the agenda as prepared. Councilman Sparks seconded the motion. Mayor Barnes called for a voice vote; all were in favor and the motion passed.

Reports:

City Financials: R-T Sharp reported on the current city financials. R-T Sharp reviewed no new major expenditures—so far the year is going well. The resolution to approve the final expenditures of the 2024 budgets will be presented at the March meeting.

Hardy Volunteer Fire Department: Fire Chief Josh Moore presented council with a run form. The Hardy Volunteer Fire Department had 24 calls in the month of January 2025: 12 medical, six (6) fire, one (1) traffic control, one (1) gas leak, and four (4) cancelled calls. The department is continuing to search for a replacement heavy rescue truck—Hardy's existing truck is listed for sale on a trusted website and has had little interest. Chief states for council that fire service goes beyond the city limits and the Hardy Fire District is 29 square miles in size.

Hardy Police Department: Chief Rose presented a report for the Hardy Police Department. Chief reported that there were five (5) car accidents for the prior month. Chief also reported that accident numbers were low for the month and that the beginning of the new year has been relatively calm. Chief Rose offered information to new council members regarding the city's mutual aid to the area surrounding departments.

City Public Works: Superintendent Steve Morris provided a report for the Water and Street Department. Superintendent Morris reported for the prior month the department worked five (5) water leaks, two (2) sewer overflows, and one (1) blockage. Supt. Morris reported that street repair work continues and that his team is focusing on completing required annual Continuing Education for their state licenses.

Planning and Zoning Commission: Mayor Barnes reported no meeting.

Sharp County Regional Airport Authority: Mayor Barnes reported on the Sharp County Regional Airport Authority. Mayor reported that the FAA Director Lauren Kennedy will be visiting the airport on Feb. 20, 2025, at 11:30 a.m. and that the next regular meeting is scheduled for March 5, 2025 at 3:00 p.m.

Tri-County Solid Waste Disposal Authority: Mayor Barnes reported on the Tri-County Solid Waste Disposal Authority (TCSWDA). Mayor reported that the TCSWDA has a new project with DNR Recycling for the collection

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of electronic waste. Mayor reported to contact the TCSWDA via phone for questions. The collection will take place at the center in Cherokee Village. The next meeting is scheduled for February 19, 2025, at 9:30 a.m.

Advertising and Promotion Commission: Commissioner Tracie Moore offered that the next meeting is scheduled for February 11, 2025, at 5:00 p.m. The commission is waiting for Quorum to be established to conduct business. Councilman Sparks inquired about the A & P electronic Christmas Tree malfunction and hoped it would be repaired for Christmas 2025.

Mayor's Report: Mayor Barnes presented a report from the Mayor's office. Mayor Barnes reported the flashing stop signs for the truck route have officially been approved by ARDOT. Mayor reported that he and Chief Moore were working on a grant application for the Hardy Fire Department. Mayor Barnes reported that 2025 was off to a great start, despite the interesting winter weather that had affected the area, and that the city is looking forward to a great spring season for tourism. Mayor Barnes also reported that Buford Beach had been cleaned up recently by the Sharp County Community Inmate Program and thanked the group for their services.

Old Business:

Mayor Barnes presented *Ordinance 2025-02: Outdoor and Mobile Food Vendors*. Mayor Barnes asked for the council to review the 13-page document and provide any needed revisions to the proposed ordinance. Mayor Barnes specifically notates page seven, section 4.26.04, that included the specific exemptions for the need of a permit during a special event in the city. Council reviewed the exemptions and agreed they were fitting for Hardy's make-up. Discussion arose regarding the permit fee cost for after June 30th (less than six months of use) that the cost of the permit is reduced to half price. Discussion arose regarding the transient business license term of use of 45 days for \$100 and a renewal period of an additional 45 days for an additional \$50 permitting cost. The new ordinance introduces a Temporary Permit for \$20 a day, for up to five days of use. Discussion continued regarding the fee of the new Outdoor and Mobile Food Vendor permit. Council agreed the fee should be more than the traditional regular business permit fee. The possible pricing scale of the permit was discussed with business size/sales options between Attorney Grider and the Council.

Councilwoman Kauffman made a motion to amend the proposed language in *Ordinance 2025-02: Outdoor and Mobile Food Vendors* regarding the permit fee. The motion was made to raise the fee from the proposed \$50 to \$150 annually with the language to reflect a pro-rated fee of \$75.00 for an application after June 30th. Councilwoman Quintana-Dubois seconded the motion to update the language. Mayor Barnes called for a voice vote; all were in favor and the motion to amend the language passed.

Councilwoman Kauffman made a motion to read the proposed *Ordinance 2025-02: Outdoor and Mobile Food Vendors* by title only and to waive the first, second, and third readings with the proposed language amendments. Councilman Berry seconded the motion. Mayor Barnes called for a voice vote; all were in favor and the motion to read/waive passed. Attorney Grider read the proposed *Ordinance 2025-02: Outdoor and Mobile Food Vendors* by title only.

Councilman Sparks made a motion to approve *Ordinance 2025-02: Outdoor and Mobile Food Vendors* with the proposed language changes. Councilwoman Quintana-DuBois seconded the motion to approve. Mayor Barnes called for a roll call vote: Berry-yes, Clay-Thomas-yes, Taylor-yes, Kauffman-yes, Quintana-Dubois-yes, and Sparks-yes. Mayor Barnes stated the motion to approve passed by a vote of six out of six.

Mayor Barnes asked for the Emergency Clause for *Ordinance 2025-02* to be approved. Councilman Sparks made a motion to enact the Emergency Clause for Ordinance 2025-02. Councilwoman Kauffman seconded motion. Mayor Barnes called for a roll call vote; Quintana-Dubois-yes, Berry-yes, Clay-Thomas-yes, Taylor-yes, Sparks-yes, and Kauffman-yes. The motion to enact the Emergency Clause passed by a vote of six out of six.

New Business:

Mayor Barnes introduced Arkansas House of Representatives State Representative Trey Steimel of District Two to address the council. Rep. Steimel presented Hardy Police Chief Scott Rose with a Capitol Citation from the Arkansas House of Representatives for his recent actions regarding a tragic accident involving a local high school student at Highland. Rep. Steimel presented Chief Rose with an official plaque, an Arkansas State Flag that was flown over the Arkansas Capitol in honor of Chief Rose's service, and a House Challenge Coin in reflection of service above self. The room rose to their feet and applauded Chief Rose in recognition for his act of service to the family. Chief Rose wholeheartedly addressed the council and community and expressed his gratitude for allowing him to service this community over the past 25 years.

Mayor Barnes then issued Chief Rose an official State of Arkansas pin in honor for his act of service to the family and allowing the family to have one final observation before funeral services. Mayor Barnes read the Capitol Citation aloud from the Arkansas House of Representatives. Chief Rose reflected his gratitude again and recognized the entire team of local law enforcement officers' involvements in the community.

Mayor Barnes presented the topic of *City Council Ward 3 Position 1- Filing of Vacancy*. Councilman Berry made a motion to enter Executive Session for the purpose of discussing the vacancy on City Council for Ward 3 Position 1. Councilwoman Quintana-Dubois seconded the motion. Mayor Barnes called for a voice vote; all were in favor and the motion passed.

The City Council left the room and went into the Police Department for Executive Session. Executive Session began at 7:09 p.m. The City Council returned from Executive Session at 7:54 p.m.

Councilman Sparks made a motion to appoint Laura Smith as Alderwoman to Ward 3 Position 1; Councilman Berry seconded the motion. Mayor Barnes called for a voice vote—all were in favor and the motion to appoint passed. Mayor Barnes administered the Oath of Office for City Council Member to Laura Smith for Ward 3 Position 1. Mayor Barnes thanked Mr. Mitch Sparks for his service to the city and on the council for the past few meetings.

Mayor Barnes presented *Proclamation No. 2025-01 Ronald McDonald House Week*. Councilwoman Smith made a motion to read *Proclamation No. 2025-01*; seconded by Councilwoman Kauffman. Mayor Barnes called for a voice vote; all were in favor and the motion passed. Mayor Barnes read *Proclamation No. 2025-01*. Councilwoman Smith made a motion to approve *Proclamation No. 2025-01*—seconded by Councilwoman Quintana-DuBois. Mayor Barnes called for a voice vote; all were in favor and the motion passed.

Mayor Barnes presented *Appointment of Advertising and Promotion Commission City Council Representatives*. Mayor Barnes provided that he understood the process for representation of the city was a recommendation made by the Mayor to City Council, and the City Council affirms the recommendation. Mayor Barnes recommended to the governing body Council-members Natalie Quintana-Dubois and Laura Smith to represent the city on the A & P Commission. Councilwoman Kauffman provided Hardy A & P bylaws and Arkansas Code § 26-75-605 to the council. Mayor Barnes consulted with Attorney Grider for legal guidance to ensure the appointments are made correctly. Mayor Barnes reads the statute aloud (*Two (2) members of the commission shall be members of the governing body of the municipality and selected by the governing body and shall serve at the will of the governing body*) and agreed the governing body ultimately shall select those two members.

Councilwoman Taylor made a motion to appoint Ginni Kauffman to the A & P Commission to represent the city council; Councilman Berry seconded the motion. Mayor Barnes asked for a roll call vote: Berry-yes, Taylor-yes, Clay-Thomas-yes, Quintana-DuBois-yes, Smith-yes, and Kauffman abstained. The vote was 5-0-1 and the motion to appoint passed.

Councilwoman Kauffman made a motion to appoint Sue Taylor to the A & P Commission to represent the city council; Councilman Berry seconded the motion. Mayor Barnes asked for a roll call vote: Berry-yes, Clay-Thomas-yes, Kaufmann- yes, Smith-abstained, Quintana-DuBois-yes, and Taylor abstained. The vote was 4-0-2 and the motion to appoint passed.

Mayor Barnes presented *Resolution No. 2025-04 Arkansas Rural Community Grant Program*. Mayor reported that he and the Fire Chief were working on a grant application for supplies for the fire department and were hopeful to be approved. This is a matching grant of up to \$30,000 for a project, with \$15,000 of matching funds from the city for the project (50% matching grant). Councilwoman Taylor made a motion to read Resolution No. 2025-04—seconded by Councilwoman Smith. Mayor Barnes called for a voice vote; all were in favor and the motion to read passed. Attorney Grider read Resolution No. 2025-04. Councilwoman Quintana-DuBois made a motion to approve Resolution No. 2025-04—seconded by Councilwoman Smith. Mayor Barnes called for a voice vote; all were in favor and the motion to approve passed.

Mayor Barnes presented proposed *Ordinance No. 2025-3, An Ordinance Repealing Ordinance No. 93-1, Declaring an Emergency, and for Other Purposes*. Mayor Barnes explained that now that the city has approved *Ordinance 2025-02: Outdoor and Mobile Food Vendors* and will be providing permits to those applicable businesses, the need to recall Ordinance No. 93-1 was on the table for business. Mayor provided that this recalling of Ord. 93-1 was needed to legalize the operability of the vendors within 150 feet along Main Street, US-63, and US-62/412 in the city limits.

Councilwoman Kauffman made a motion to read *Ordinance No. 2025-03* by title only and to waive the first, second, and third readings; the motion was seconded by Councilwoman Smith. Mayor Barnes called for a voice vote; all were in favor and the motion passed. Attorney Grider read *Ordinance No. 2025-03* by title only. Councilwoman Clay-Thomas made a motion to approve *Ordinance No. 2025-03*—seconded by Councilwoman Quintana-DuBois. Mayor Barnes called for a voice vote; all were in favor and the motion to approve passed.

Councilwoman Smith made a motion to enact the Emergency Clause for *Ordinance 2025-03*. Councilwoman Clay-Thomas seconded the motion. Mayor Barnes called for a voice vote; all were in favor and the motion to enact the emergency clause passed.

Citizen Commentary

None.

Adjournment

Councilman Berry made a motion to adjourn. Councilwoman Quintana-DuBois seconded the motion. Mayor Barnes called for a voice vote; all present were in favor and Mayor Barnes declared the meeting was adjourned at 8:14 p.m.

Respectfully submitted,

Willow R. Sharp
Recorder-Treasurer

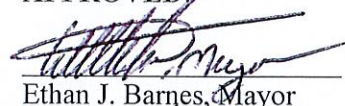
PASSED AND APPROVED THIS 10th DAY OF March, 2025.

ATTEST:


Willow R. Sharp, Recorder-Treasurer



APPROVED:


Ethan J. Barnes, Mayor

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