

Pea Ridge City Council
Regular Meeting
April 21, 2009

The Pea Ridge City Council met in a Regular Council Meeting on Tuesday, April 21, 2009, at 7:00 p.m., in the Council Room at City Hall.

Those present were: Mayor Jackie Crabtree, Recorder Sandy Button, Aldermen Bob Cottingham, John Cody, and Nadine Telgemeier. Also present was City Attorney Andrew Huntsinger. Absent were: Alderman Jim Dawson and City Attorney Howard Slinkard.

Others present were: Tony Townsend, Larry Majors, Tim Ledbetter, Sue Elverston, Ken Hayes, Ken McDowell, Bill Ryan, Travis Larson, Annette Beard, and Frank Rizzio.

Mayor Crabtree called the meeting to order.

Mayor Crabtree opened the meeting in prayer and led those present in the Pledge of Allegiance.

Alderwoman Telgemeier, seconded by Alderman Cody, moved to approve the minutes of the March 17, 2009 Regular Meeting, the March 17, 2009 Public Hearing and the March 20, 2009 Special Meeting. The roll being called, the vote was as follows: Bob Cottingham voted aye; John Cody voted aye; and Nadine Telgemeier voted aye. Motion passed unanimously.

Travis Larson spoke to the Council about the upcoming 3rd Annual Emergency Preparedness Fair. The event will take place Saturday, September 12, 2009, from 10 am to 3 pm at The Church of Jesus Christ of Latter-day Saints located at 1101 McCollum Drive in Bentonville. Free lunch will be provided for all attendees. Also free emergency 72 hour starter kits will be given to the first 1,000 families in attendance and free child ID kits will be made for the first 1,000 children. There will be over 100 experts present to teach about a range of emergency preparedness topics. Also, the American Red Cross will host a blood drive. Last year over 4,000 people attended the fair representing 68 communities. The Council agreed to help promote this fair by putting up posters and posting this information on the City's web site.

Ken McDowell with the Northwest Regional Housing Authority informed the Council about an elderly housing program they are working on for Pea Ridge. The senior apartment complex for persons age 62 and up will be built in Pea Ridge with a HUD Elderly Housing Grant.

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The Council discussed Ordinance Number 487, an ordinance amending Pea Ridge Municipal Code, Section 3.08.01. Alderwoman Telgemeier wants the phrase “within the City Limits” removed from the Ordinance. Alderman Cottingham moved, seconded by Alderman Cody to table Ordinance Number 487 until the regular meeting May 19, 2009. Motion passed unanimously.

Alderwoman Telgemeier, seconded by Alderman Cody, moved to introduce Ordinance Number 488 by title only. The roll being called, the vote was as follows: Bob Cottingham voted aye; John Cody voted aye; and Nadine Telgemeier voted aye. Motion passed.

Mayor Crabtree read Ordinance Number 488, which is entitled:

AN ORDINANCE AMENDING PEA RIDGE MUNICIPAL
CODE CHAPTER 11.28 (CAPITAL PLAN FOR PUBLIC
FACILITIES) AND DECLARING AN EMERGENCY.

Alderman Cottingham, seconded by Alderman Cody, moved that the rule requiring the reading of an ordinance by title only on three different days be suspended. Mayor Crabtree put the question on the adoption of the motion and the roll being called, the vote was as follows: Bob Cottingham voted aye; John Cody voted aye; and Nadine Telgemeier voted aye. Motion passed.

Thereupon Mayor Crabtree declared that at least two-thirds of all members of the council have voted in favor of the motion to suspend the rule. The motion was carried and the rule suspended. Mayor Crabtree then read the Ordinance by title only.

Alderman Cottingham, seconded by Alderman Cody, moved that the Ordinance be adopted. The question was put by Mayor Crabtree on the adoption of the motion and the roll being called, the vote was as follows: Bob Cottingham voted aye; John Cody voted aye; and Nadine Telgemeier voted aye. Motion passed.

Alderman Cottingham, seconded by Alderman Cody, moved that the Emergency Clause be adopted. The question was put by Mayor Crabtree on the adoption of the motion and the roll being called, the vote was as follows: Bob Cottingham voted aye; John Cody voted aye; and Nadine Telgemeier voted aye. Motion passed.

The Mayor thereupon declared the Ordinance adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the Seal of the City.

Mayor Crabtree read Resolution Number 304, which is entitled:

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A RESOLUTION AUTHORIZING THE MAYOR AND CITY RECORDER TO EXECUTE ON BEHALF OF THE CITY A MEMORANDUM OF UNDERSTANDING WITH AUTUMN HOME CARE FACILITIES, INC. RESOLVING CITY AND STATE CODE COMPLIANCE ISSUES.

Alderwoman Telgemeier moved, seconded by Alderman Cody to approve Resolution Number 304 as read. Motion passed unanimously.

The City received three bids on a new Chevrolet Silverado 4 x 4 truck for the Building Official. The bids are listed below:

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| Kent Rylee Chevrolet, Rogers | \$ 21,240.00 |
| State Contract, Little Rock | \$ 22,077.00 |
| Hendren All American Auto Plex, Bella Vista | \$ 24,306.00 |

Alderman Cottingham moved, seconded by Alderwoman Telgemeier to accept the bid from Kent Rylee Chevrolet in Rogers in the amount of \$ 21,240.00. Motion passed unanimously.

Mayor Crabtree stated that he is looking at setting regulations for garage sales within the City Limits of Pea Ridge. Specifically for making sure the signs are placed in proper areas and picked up after the sale. Alderwoman Telgemeier stated she felt this could be addressed in the litter ordinance instead of creating garage sale regulations. Also, she felt that regulations could not be enforced. Mayor Crabtree stated that an ordinance to address garage sale regulations would have a penalty clause that would include fines. No action was taken at this time.

Alderman Cody, seconded by Alderwoman Telgemeier, moved to introduce Ordinance Number 486 by title only. The roll being called, the vote was as follows: Bob Cottingham voted aye; John Cody voted aye; and Nadine Telgemeier voted aye. Motion passed.

Mayor Crabtree read Ordinance Number 486, which is entitled:

AN ORDINANCE AMENDING PEA RIDGE MUNICIPAL CODE, SECTION 2.36.10; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

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Alderman Cottingham, seconded by Alderwoman Telgemeier, moved that the rule requiring the reading of an ordinance by title only on three different days be suspended. Mayor Crabtree put the question on the adoption of the motion and the roll being called, the vote was as follows: Bob Cottingham voted aye; John Cody voted aye; and Nadine Telgemeier voted aye. Motion passed.

Thereupon Mayor Crabtree declared that at least two-thirds of all members of the council have voted in favor of the motion to suspend the rule. The motion was carried and the rule suspended. Mayor Crabtree then read the Ordinance by title only.

Alderman Cottingham, seconded by Alderwoman Telgemeier, moved that the Ordinance be adopted. The question was put by Mayor Crabtree on the adoption of the motion and the roll being called, the vote was as follows: Bob Cottingham voted aye; John Cody voted aye; and Nadine Telgemeier voted aye. Motion passed.

Alderman Cottingham, seconded by Alderman Cody, moved that the Emergency Clause be adopted. The question was put by Mayor Crabtree on the adoption of the motion and the roll being called, the vote was as follows: Bob Cottingham voted aye; John Cody voted aye; and Nadine Telgemeier voted aye. Motion passed.

The Mayor thereupon declared the Ordinance adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the Seal of the City.

Alderman Cody moved, seconded by Alderman Cottingham to approve the Service Fee Formula for fees to be charged beyond the corporate City Limits to non subscribers of the Pea Ridge Fire Department. Motion passed unanimously.

The City of Pea Ridge will host a Farmers Market two days a week on Thursdays and Saturdays. The Farmers Market will be managed by the Rogers Farmers Market and will be located at the EMS Building. It will start on Thursday, May 21, from 2 p.m. to 7 p.m. and the times on Saturdays will be from 7 a.m. to 12 noon. The help promote this event they are asking for financial support to be used for advertising and signage. Alderman Cottingham moved, seconded by Alderman Cody to authorize up to \$1,500.00 to be spent for advertizing and signs for the Farmers Market. Motion passed unanimously.

The Council discussed the agreement between the City of Pea Ridge and the Pea Ridge Veterinary Clinic. The new agreement with Dr. Gary France indicates a 60% increase in rates. Alderman Cottingham stated as a professional courtesy both veterinary clinics in the City should be given an opportunity to bid for this service. Alderman Cottingham moved, seconded by Alderman Cody to table this matter until the May 19, 2009 meeting and get bids from both clinics in Pea Ridge. Motion passed unanimously. Also we will need a resolution to pass this agreement.

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Mayor Crabtree read a Proclamation declaring May, 2009, as National Historic Preservation Month with the theme of "This Place Matters."

Mayor Crabtree read a letter of resignation from Alderman Jim Dawson. Given his recent change in employment, he is currently unable to attend the majority of the monthly council meetings. Regretfully, Alderwoman Telgemeier moved, seconded by Alderman Cottingham to accept Alderman Jim Dawson's resignation. Motion passed unanimously.

Mayor Crabtree stated that the City would take applications for the vacant alderman position until Friday, May 15, 2009. A Committee of the Whole meeting is scheduled for 6:00 p.m. Tuesday May 19, 2009, to review the applications. Then the Council will meet for its regular meeting at 7 p.m., on May 19, 2009 and discuss filling the vacancy.

The Cox Communication Franchise Fee is still being reviewed and will be updated at the regular meeting May 19, 2009.

The Council discussed several items concerning the Pea Ridge Park Commission. Several options for the Mule Jump were discussed but no action was taken. On a recommendation from the Park Commission, Alderman Cottingham moved, seconded by Alderman Cody to name the new park at Givens Subdivision the Don Burnett Park. Motion passed unanimously.

Police Chief Tim Ledbetter stated that in a press release today Prosecutor Van Stone stated the shooting on December 3, 2008 of Ty Smith by Officer John Langham was justified and no further action will be taken. Officer Langham will return to work tomorrow.

Also Chief Ledbetter stated that work had begun on the remodel to the new police department building located on Slack Street.


Water and Sewer Supt. Ken Hayes reported that the Water and Sewer Project is progressing well and is approximately 80% complete.

~~Mayor Crabtree stated that the Weston Street Project was moving ahead and that they started laying curbs today.~~

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Alderman Cody moved, seconded by Alderwoman Telgemeier to adjourn the meeting.
Motion passed unanimously.





Jackie Crabtree, Mayor



Sandy Button, Recorder