

Pea Ridge City Council
Regular Meeting
March 17, 2009

The Pea Ridge City Council met in a Regular Council Meeting on Tuesday, March 17, 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 Howard Slinkard and City Attorney Andrew Huntsinger. Absent was Alderman Jim Dawson.

Others present were: Tony Townsend, Larry Majors, Tim Ledbetter, Sue Elverston, Ken Hayes, M. LeRoy Duell, Tracy Messer, Jim Sellers, Barry Cooksey and Keven Felgenhauer.

Mayor Crabtree called the meeting to order.

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

Alderman Cottingham, seconded by Alderwoman Telgemeier, moved to approve the minutes of the February 17, 2009 Regular 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.

M. LeRoy Duell, C.P.A., Keen & Company, CPAs PLLC, presented the October 31, 2008, Financial Audit of the Pea Ridge Waterworks and Sewer System. He listed the following recommendations from the audit:

1. An inadequate segregation of duties exists with respect to cash transactions resulting in inadequate control over cash receipts, accounts receivable, and cash disbursements.

Recommendation:

Management should employ review techniques on a regular basis to provide as much detection control as possible. When, in the future, additional staff can be justified, further segregation of duties should be implemented.

2. The organization is responsible for the design and implementation of programs and controls to prevent and detect fraud. We noted that the Fund does not have an adequate code of conduct or conflict-of-interests policy. This deficiency was also noted on the prior year report.

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Recommendation:

We believe that it is in management's best interests to approve a formal, written policy and procedures covering unethical behavior or transactions and relationships that may involve potential conflicts of interests.

3. An inventory of system supplies, parts, and materials was maintained however, the acquisition and use of items of inventory does not include communication as to whether the water or sewer department used the items. Also, the system, at present, does not provide for communication of inventory items used in maintenance and capital projects on a continuous basis.

Recommendation:

The acquisition and use of inventories should be continuously communicated to the bookkeeper in a manner that provides all the relevant information for maintaining the status of inventories and accurately recording the costs by department and project.

Mr. Duell further reported the water loss for the year was at 24.88%, which is down from prior years. Water/Sewer Supt. Hayes stated the Water Department continues to work on water loss by replacing old lines within the City. Alderman Cody requested a quarterly water loss report be given to the Council members.

Alderman Cody moved, seconded by Alderwoman Telgemeier to approve the 2008, Financial Audit of the Pea Ridge Waterworks and Sewer System as presented. Motion passed unanimously.

Barry Cooksey and Jim Sellers requested a waiver for a second building permit charge for houses located at 1402 and 1404 Hickory Street in Maple Glenn Subdivision. Their builder, who filed bankruptcy, told them that these two houses had passed final inspections and a Certificate of Occupancy had been issued. It wasn't until one of the houses sold that they were informed that the finals were not complete. This all happened a few days after the one year building permit had expired. They have since paid the impact fees on both these home. The permit cost on both houses to be waived is approximately \$866.00. Alderman Cottingham moved, seconded by Alderman Telgemeier to waive the requirement for a second building permit charge to properties located at 1402 and 1404 Hickory Street in Maple Glenn Subdivision. Motion passed unanimously.

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Park Commission Chairman Tracy Messer addressed the Council on several issues as listed below:

1. Ask the Council to consider changing the capital plan on the Impact Fee Ordinance to include the City Park on all line items so that they can make necessary improvements. City Attorney Slinkard will work on making the necessary amendments to the Impact Fee ordinance for the council to consider at the regular meeting in April.
2. The fence is constructed at the Givens Place Subdivision Park and they are working on installation of the new equipment. They need approval for \$4,500 to put in the sidewalk and base for the parking lot. Alderman Cottingham moved, seconded by Alderwoman Telgemeier to approve spending \$4,500 of Impact Fees for sidewalk and parking lot expenses. Motion passed unanimously.
3. The Park Commission is looking at obtaining some grants to use for the City Parks. Park Commissioner Michael Ogburn attended a grant writing application workshop/seminar.
4. The Park Commission is working towards bringing the City Park up to code for handicap accessibility. All new equipment being installed is ADA approved.
5. The current restroom facility does not meet ADA requirements and needs extensive repair; the commission will be looking into either remodeling the current facility or rebuilding at the same location.

The Council discussed an ordinance for fire department fees to be charged to non-members outside city limits. A draft ordinance will be presented at the regular April Council meeting.

Mayor Crabtree read Resolution Number 303, which is entitled:

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY
RECORDER TO EXECUTE ON BEHALF OF THE CITY A
REAL PROPERTY SALES AGREEMENT WITH FARRER
CORPORATION**

Alderman Cottingham moved, seconded by Alderwoman Telgemeier to approve Resolution Number 303 as read. On a roll call vote, the following voted: Bob Cottingham voted aye; John Cody voted aye; and Nadine Telgemeier voted aye. Motion passed unanimously.

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The Council discussed an ordinance for elected officials and employees conducting business with the City. A draft ordinance will be presented at the regular April Council meeting.

City Attorney Slinkard explained a Memorandum of Understanding between the City of Pea Ridge and Autumn Home Care Facilities. Because of a change in occupancy classification several mandated improvements are to be made to be compliant with the requirements of the AFPC. The memorandum explains the necessary improvements and completion dates. Also, it states waivers of certain requirements and waivers of tap fees and building permit fees. (See Memorandum of Understanding attached.) Alderman Cottingham moved, seconded by Alderman Cody to approve the waivers of certain requirements and waivers of tap fees and building permits fees and authorize the Mayor and Recorder to sign the Memorandum of Understanding. Motion passed unanimously.

City Attorney Slinkard explained a situation to the Council concerning Lee Town Estates located on Lee Town Road. The County Planning Board approved four lot splits and issued building permits to a contractor in this subdivision. This subdivision is clearly in the Pea Ridge Planning District jurisdiction and should have come before the Pea Ridge Planning Commission for subdivision approval. City Attorney Slinkard stated they were putting the developer on notice that criminal charges could be filed and they were filing an Injunction Order to stop construction. Also, Carroll Electric, the County Clerks Office and the County Planning Board will all be put on notice that no further action shall be taken in this subdivision until further notice.

The 2009 Annual Spring Clean Up will be held April 14, - April 17, 2009, from 7 a.m. - 7 p.m. and April 18, 2009, from 7 a.m. - 5 p.m. Dumpsters will be located at the City Property behind Village Hardware. All citizens will need to bring a current paid water bill receipt to show proof of residency. There will be a maximum of three trips per household. The following items will be accepted for disposal: furniture, stoves, dishwashers, bicycles, compressed gas cylinders, car batteries, fire extinguishers, washers and dryers, leaves and brush, air conditioners and refrigerators (if freon has been removed by certified technician) compressors (will be accepted as separate items), fluorescent bulbs, cleaners (water based), chemicals, oil, oil filters, tires (4 per household), anti-freeze, aerosols, flammable liquids and solids, pesticides, etc.. The following items will not be accepted for disposal: household trash, construction material, anything containing freon or items too large to fit in the dumpster.

Mayor Crabtree stated that the City will keep a "Do Not Solicit List" on file for door to door sales within the City limits. Persons wanting on the list should give their address to City Hall.

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Mayor Crabtree stated he is reviewing the franchise fees currently collected from Cox Communications. He will update the Council on this at the regular meeting April 21, 2009.

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



Sandy Button

Sandy Button, Recorder

Jackie Crabtree

Jackie Crabtree, Mayor