



P . O . Box 160 Avoca, Arkansas 72711

Phone/ Fax 479-621-5921

Minutes  
Town of Avoca  
Regular Meeting  
February 13, 2018

**Pledge of Allegiance**

**Moment of silence**

**Public forum** – Jason Evans asked the council for approval on dates for the bike races dated, March 14, April 4, April 25, May 16, and July 27 – 29th. Councilmen Hansen requested we put future bike races under Parks on the agenda.

**Call to order** – Meeting was called to order by Acting Mayor and Rec/Tres. Barnes.

**Declaration of quorum** - Acting Mayor and Rec/Tres. Barnes declared a quorum was present

**Executive Session** – After reviewing applications, Acting Mayor and Rec/Tres. Barnes called an executive session and asked all members of the public to exit the room. The tape recorder was turned off at this time.

**Meeting reopened to public** – At this time the tape recorder was turned back on. Aldermen Hansen made a motion to appoint Robert Whitehorn to serve the remainder of the term for Aldermen; position 4. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen Hansen: yes, Aldermen King: yes, and Aldermen Pinkley: yes. All approved, motion carried. Robert Whitehorn was sworn in by acting Mayor and Rec/Tres. Barnes. Aldermen King made a motion to appoint Thomas O’Dell to serve the remainder of the term for Mayor. Seconded by Aldermen Pinkley. Discussion: none. Roll call; Aldermen King: yes, Aldermen Whitehorn: yes, Aldermen Hansen: yes, and Aldermen Pinkley: yes. All approved, motion carried. Thomas O’Dell was sworn in by acting Mayor and Rec/Tres. Barnes.

**Council Roll Call – by Rec/Tres. Barnes**

Present: Mayor Thomas O’Dell

Rec/Tres. Nanette Barnes

ALD: Jay King, Robert Whitehorn, Kathy Hansen, Dennis Pinkley

Absent: ALD: Harry Simons,

**Staff** –Town Attorney – Edwin McClure: Present

Zoning – Larry Parrish: Present

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**Guests** – Jason Evans  
Kim Whitehorn  
Jim Mills (Planning Member)

**Approval of Agenda** – Aldermen Hansen of the parks committee added bike races to the agenda. A motion was made by Aldermen Hansen to approve the agenda. Seconded by Aldermen King. Roll call; Aldermen Whitehorn: yes, Aldermen Hansen: yes, Aldermen Pinkley: yes, and Aldermen King: yes. All approved. Motion carried.

**Approval of minutes for council meeting**

*December 12, 2017* - A motion was made by Aldermen Pinkley to approve the minutes of December 12, 2017. Seconded by Aldermen Hansen. All approved. Motion carried.

*January 9, 2018* - A motion was made by Aldermen Hansen to approve the minutes of January 9, 2018. Seconded by Aldermen King. All approved. Motion carried.

*January 23, 2018 (Special)* - A motion was made by Aldermen King to approve the minutes of January 23, 2018 (Special). Seconded by Aldermen Pinkley. All approved. Motion carried.

**Monthly Financial Statements**

*December 2017* - A motion was made by Aldermen Hansen to approve the December 2017 financial report. Seconded by Aldermen Pinkley. All approved. Motion carried.

*January 2018* - A motion was made by Aldermen Hansen to approve the January 2018 financial report. Seconded by Aldermen King. All approved. Motion carried.

**Staff Report – Rec/Tres. Barnes**

1. Avoca Fire & Rescue
  - a. Monthly Report; December 2017 & January 2018
2. NEBCO EMS
  - a. None
3. Facebook & Website: Updated regularly
4. Yoga Class – Canceled indefinitely due to flu season
5. Business Permits – as of February 8, 2018 (20 Renewals & 1 New)
  - APAC – Central Quarry: renewal
  - Ashby Street Out Door: renewal
  - Assembled Products: renewal
  - Avoca Auto Sales: renewal
  - Avoca One Stop: renewal
  - Beaver Storage: renewal
  - Boat Dock World: renewal
  - Charlies Tree Service: renewal

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Business Permits (continued)

- Chrysalis Studio: renewal
- Dollar General: renewal
- Don's Canopy & Metal Products: renewal
- Freedom Fire Pro: renewal
- Goodwood: renewal
- John Zito Landscaping: renewal
- Latham Cabinets: renewal
- Pinnacle Lawns: new
- Pro-Line Cabinets: renewal
- Two Sisterz Liquor: renewal
- Williams Tree Service: renewal
- Wingate Outdoor Advertising: renewal
- Wolfes Waypoint Marine: renewal

6. Building Permits – as of February 8, 2018
  - a. Felipe Ruiz – 647 Tucks Chapel Rd; 60 x 25 Horse Stall

**Committee Reports:**

1. *Planning commission – Ald. King*
  - a. Approved lot splits: Maynor & Elsy Alas – 14749 Smith Ridge Road  
Darryl Rust – 12124 Cemetery Road
  - b. Denied lot split: Ruiz & Morales – 647 Tucks Chapel Road
  - c. Pool Hall/Beer & Wine – tabled at this time
2. *Zoning and code enforcement – Larry Parrish*
  - a. None
3. *Streets – Ald. Whitehorn*
  - a. Transportation Alternatives Program (TAP) – Avoca Heritage Trail – on hold
  - b. Road damage due to flooding
    - i. FEMA Update was given by Rec/Tres. Barnes. The town has received a total of \$103,250.42 from FEMA for Rader and Woods Lodge Road due to the flooding that occurred in April 2017. Rec/Tres. Barnes will set up a meeting with Allison Wolf from ER\*Assist to get Mayor O'Dell and Aldermen Whitehorn up to date on this project.

4. *Park – Ald. Hansen*
  - a. Steam Whistle Depot - Grants
    - i. Ad for bids published; Wednesday 12/6/17 & Wednesday 12/13/17
    - ii. Bids for Steam Whistle Pavilion opened at 4:00 pm prior to the January 9<sup>th</sup> council meeting.
  - b. Electric Sign; Aldermen Hansen is in the process of getting bids for the town welcome sign.
5. *Personnel – Ald. Pinkley*
  - a. None
6. *Future of Avoca – Ald. Hansen & Ald. Simons*
  - a. Surveys mailed on 12/11/17. The town has received numerous responses back per Aldermen Hansen.

**Old Business**

1. International Building & Additional codes; Ordinance 115 under new business will pertain to this.
2. Laserfiche; Document management; Rec/Tres. Barnes informed council she received a quote of \$5322.00 for the software, support, installation and hardware. Rec/Tres. Barnes will have John Strickland come to the next meeting to answer any questions the council has.
3. Engineer
  - a. Statement of Qualifications; Council members are in the process of examining potential engineers.

**New Business**

1. *Ordinance No.112 Pay adjustment for planning members*; Attorney McClure read Ordinance No.112 in its entirety. A motion was made by Aldermen Hansen to accept Ordinance No.112 on its first reading. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen King: yes, Aldermen Whitehorn: yes, Aldermen Hansen: yes, and Aldermen Pinkley: yes. All approved, motion carried. A motion was made by Aldermen Hansen to put Ordinance No.112 on its second reading by title only. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen Whitehorn: yes, Aldermen Hansen: yes, Aldermen Pinkley: yes, and Aldermen King: yes. All approved, motion carried. Attorney McClure read Ordinance No. 112 on its second reading by title only. A motion was made by Aldermen King to accept Ordinance No. 112 on its second reading. Seconded by Aldermen Whitehorn. Discussion: none. Roll call; Aldermen Hansen: yes, Aldermen Pinkley: yes, Aldermen King: yes, and Aldermen Whitehorn: yes. All approved, motion carried. A motion was made by Aldermen Pinkley to put Ordinance No.112 on its third and final reading by title only. Seconded by Aldermen

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Hansen. Discussion: none. Roll call; Aldermen Pinkley: yes, and Aldermen King: yes, Aldermen Whitehorn: yes, and Aldermen Hansen: yes. All approved, motion carried. Attorney McClure read Ordinance No. 112 on its third and final reading by title only. A motion was made by Aldermen Hansen to accept Ordinance No. 112 on its third and final reading. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen Pinkley: yes, and Aldermen King: yes, Aldermen Whitehorn: yes, and Aldermen Hansen: yes. All approved, motion carried.

2. *Ordinance No.113 Procedures for Ordinance Enforcement*; Attorney McClure read Ordinance No.113 in its entirety. A motion was made by Aldermen Hansen to accept Ordinance No.113 on its first reading. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen Hansen: yes, Aldermen Pinkley: yes, Aldermen King: yes, and Aldermen Whitehorn: yes. All approved, motion carried. A motion was made by Aldermen Hansen to put Ordinance No.113 on its second reading by title only. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen Pinkley: yes, Aldermen King: yes, Aldermen Whitehorn: yes, and Aldermen Hansen; yes. All approved, motion carried. Attorney McClure read Ordinance No. 113 on its second reading by title only. A motion was made by Aldermen King to accept Ordinance No. 113 on its second reading. Seconded by Aldermen Hansen. Discussion: none. Roll call; Aldermen Pinkley: yes, Aldermen King: yes, Aldermen Whitehorn: yes, and Aldermen Hansen: yes. All approved, motion carried. A motion was made by Aldermen Hansen to put Ordinance No.113 on its third and final reading by title only. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen King: yes, Aldermen Whitehorn: yes, Aldermen Hansen: yes, and Aldermen Pinkley: yes. All approved, motion carried. Attorney McClure read Ordinance No. 113 on its third and final reading by title only. A motion was made by Aldermen Hansen to accept Ordinance No. 113 on its third and final reading. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen Whitehorn: yes, Aldermen Hansen: yes, Aldermen Pinkley: yes, and Aldermen King: yes. All approved, motion carried.
3. *Ordinance No.114 General Penalties for Ordinance Violations*; Attorney McClure read Ordinance No.114 in its entirety. A motion was made by Aldermen Hansen to accept Ordinance No.114 on its first reading. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen Hansen: yes, Aldermen Pinkley: yes, Aldermen King: yes, and Aldermen Whitehorn: yes. All approved, motion carried. A motion was made by Aldermen Hansen to put Ordinance No.114 on its second reading by title only. Seconded by Aldermen King. Discussion; concerning fees. Roll call; Aldermen King: yes, Aldermen Whitehorn: yes, and Aldermen Hansen; yes, and Aldermen Pinkley: yes. All approved, motion carried. Attorney McClure read Ordinance No. 114 on its second reading by title only. A motion was made by Aldermen King to accept Ordinance No. 114 on its second reading. Seconded by Aldermen Hansen. Discussion: none. Roll call; Aldermen Pinkley: yes, Aldermen King: yes, Aldermen Whitehorn: yes, and Aldermen Hansen: yes. All approved, motion carried. A motion was

made by Aldermen Hansen to put Ordinance No.114 on its third and final reading by title only. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen King: yes, Aldermen Whitehorn: yes, Aldermen Hansen: yes, and Aldermen Pinkley: yes. All approved, motion carried. Attorney McClure read Ordinance No. 114 on its third and final reading by title only. A motion was made by Aldermen Hansen to accept Ordinance No. 114 on its third and final reading. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen Whitehorn: yes, Aldermen Hansen: yes, Aldermen Pinkley: yes, and Aldermen King: yes. All approved, motion carried.

4. *Ordinance No.115 Adopting Various Codes by Reference and other Purposes;* Attorney McClure read Ordinance No.115 in its entirety. A motion was made by Aldermen Hansen to accept Ordinance No.115 on its first reading. Seconded by Aldermen Pinkley. Discussion: none. Roll call; Aldermen Hansen: yes, Aldermen Pinkley: yes, Aldermen King: yes, and Aldermen Whitehorn: yes. All approved, motion carried. A motion was made by Aldermen Hansen to put Ordinance No.115 on its second reading by title only. Seconded by Aldermen King. Discussion; none. Roll call; Aldermen Pinkley: yes, Aldermen King: yes, Aldermen Whitehorn: yes, and Aldermen Hansen: yes. All approved, motion carried. Attorney McClure read Ordinance No. 115 by title only. A motion was made by Aldermen King to accept Ordinance No.115 on its second reading by title only. Seconded by Aldermen Whitehorn. Discussion: none. Roll call; Aldermen Whitehorn: yes, Aldermen Hansen: yes, Aldermen Pinkley: yes, and Aldermen King: yes. All approved, motion carried. A motion was made by Aldermen Hansen to put Ordinance No. 115 on it third and final reading by title only. Seconded by Aldermen King. Discussion; none. Roll call; Aldermen Pinkley: yes, Aldermen King: yes, Aldermen Whitehorn: yes, and Aldermen Hansen: yes. All approved, motion carried. Attorney McClure read Ordinance No. 115 on its third and final reading by title only. A motion was made by Aldermen Hansen to accept Ordinance No. 115 on its third and final reading. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen King: yes, Aldermen Whitehorn: yes, Aldermen Hansen: yes, and Aldermen Pinkley: yes. All approved, motion carried.
5. *Resolution No. 01-18 Meeting Rules of the town council;* Attorney McClure read Resolution No.01-18 in its entirety. A motion was made by Aldermen Hansen to accept Resolution No.01-18 on its first and final reading. Seconded by Aldermen Pinkley. Discussion: none. Roll call; Aldermen Hansen: yes, Aldermen Pinkley: yes, Aldermen King: yes, and Aldermen Whitehorn: yes. All approved, motion carried.
6. *Resolution No. 02-18 2018 Budget;* Attorney McClure read Resolution No.02-18 in its entirety. A motion was made by Aldermen Pinkley to accept Resolution No.02-18 on its first and final reading. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen Pinkley: yes, Aldermen King: yes, Aldermen Whitehorn: yes, and Aldermen Hansen: yes. All approved, motion carried.

7. *Resolution No. 03-18 General Pay Scale Schedule*; Attorney McClure read Resolution No.03-18 in its entirety. A motion was made by Aldermen Hansen to accept Resolution No.03-18 on its first and final reading. Seconded by Aldermen Pinkley. Discussion: none. Roll call; Aldermen King: yes, Aldermen Whitehorn: yes, Aldermen Hansen: yes, and Aldermen Pinkley: yes. All approved, motion carried.
8. *Resolution No. 04-18 Postings of Bylaws & Ordinances*; Attorney McClure read Resolution No.04-18 in its entirety. A motion was made by Aldermen Hansen to accept Resolution No.04-18 on its first and final reading. Seconded by Aldermen King. Discussion: none. Roll call; Aldermen King: yes, Aldermen Whitehorn: yes, Aldermen Hansen: yes, and Aldermen Pinkley: yes. All approved, motion carried.
9. *Resolution No. 05-18 Recognizing the opioid epidemic in the United States & The State of Arkansas*; Attorney McClure read Resolution No.05-18 in its entirety. A motion was made by Aldermen King to accept Resolution No.05-18 on its first and final reading. Seconded by Aldermen Whitehorn. Discussion: legal liabilities on the town. Roll call; Aldermen Pinkley: no, Aldermen Whitehorn: yes, Aldermen Hansen: yes, and Aldermen King: yes. All approved, motion carried.
10. *Re-appointing Planning Members; Alvin Brewer and Christine Pinkley*; Mayor O'Dell re-appointed Alvin Brewer and Christine Pinkley to the Avoca Planning Commission. Aldermen Hansen made a motion to approve Mayor O'Dell's re-appointments of Alvin Brewer and Christine Pinkley to the Avoca Planning Commission. Seconded by Aldermen King. Discussion: none. Roll call by hand; Aldermen Pinkley: yes, Aldermen Whitehorn: yes, Aldermen Hansen: yes, and Aldermen King: yes. All approved, motion carried.
11. Bike Races; Jason Evans will contact Aldermen Hansen concerning any future bike events and she will bring it before the council. Aldermen Hansen or Rec/Tres. Barnes will contact Jason Evens with any decisions the council will make.

#### **Announcements**

1. February Planning Meeting scheduled for Tuesday February 20, 2018
2. NEBCO – 14<sup>th</sup> Annual Chili Cook-off

#### **Adjournment**

**Adjournment: 8:10 pm**

Respectfully submitted,

Nanette Barnes  
Recorder-Treasurer

Approved Thomas W. O'Dell  
Mayor Thomas O'Dell

Attest Nanette Barnes  
Recorder/Treasurer Nanette Barnes