



P . O . Box 160 Avoca, Arkansas 72711

Phone/ Fax 479-621-5921

MINUTES
TOWN OF AVOCA
REGULAR COUNCIL MEETING
JULY 12, 2022

Call to order

Meeting was called to order by Mayor Whitehorn

Pledge of Allegiance

Moment of silence

Public forum (Agenda item)

None

Council Roll Call – by Rec/Tres. Barnes

Present: Mayor Robert Whitehorn

Rec/Tres. Nanette Barnes

ALD: Katie Rairdon, Oscar Alvarenga (arrived after roll call), Kathy Hansen, Jay King and
Jeannie Rollins

Absent: None

Staff

Present: Town Attorney: Ed McClure

Zoning Official: Tim DePue

Town Maintenance: Chris Rogers

Guests

Brian Ervin – Avoca Assistant Fire Chief

Allen Harris

Jason Ingalls

Jason Pool

L. Dave Smith

Kim Whitehorn

Declaration of quorum

Mayor Whitehorn declared a quorum was present

Consent of Agenda

Ald. Hansen made a motion for consent of agenda Seconded by Ald. King. Discussion; none. All approved. Motion carried.

Consent of minutes for council meeting

Ald. King made a motion to accept the minutes of June, 2022, council meeting, as written. Seconded by Ald. Hansen. Discussion; none. All approved. Motion carried.

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Financial statement

June 2022; Financial report presented by Rec/Tres. Barnes. Ald. Hansen made a motion to accept the June 2022 Financials as presented. Seconded by Ald. Alvarenga. Discussion; None. All approved. Motion carried.

Staff Report – Rec/Tres. Barnes

1. Avoca Fire & Rescue

Assistant Fire Chief Ervin states Avoca Fire & Rescue ran a total of 50 calls for June.

Here is the breakdown:

| | | |
|----------------|--------------|------------------|
| EMS—30 | Fire—2 | Public service—2 |
| Co alarms—2 | MVC—1 | Car Fire—1 |
| False Alarm—10 | Grass fire—1 | Tree down—2 |

Since we have started our staffing model during the day, we continue to see improvements in our response. Last year our average response time was 10 minutes 24 sec for June. We have been able to drop our average response time to 5 minutes and 35 secs for this month. Thank you for all the continued support!

Top responders for June:

Captain Krugler—40%
Firefighter— Winberry—38%
Firefighter— Barnes— 34%

2. NEBCO EMS

a. None

3. Facebook & Website

a. Updated per Rec/Tres. Barnes

4. Business Permits (1 Renewal & 4 New) for June 2022

| | | |
|------------------|--------------------|--------------------------|
| Quick MRT | Thiessen Fireworks | Nautical Marine Services |
| A to Z Fireworks | Moon bean Pastries | |

5. Building & Inspection Permits for June, 2022

a. None

6. Events

a. None

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Committee Reports:

1. **Planning commission – Chairmen Alvarenga**
 - a. Variance (Re-zone, sign, gate) & Large-Scale Development; Mike “Red” Redenbaugh – Bikers Garage, Museum & Airstream Rentals was passed per Ald. Alvarenga
 - b. Variance (Re-zone) & Large-Scale Development; Tucks Chapel & Hwy 62 – Allen Harris Storage was passed per Ald. Alvarenga
 - c. Lot line adjustment; 980 Rader Road – Salvador Medina was passed per Ald. Alvarenga
 - d. Hidden Forrest Subdivision; Ald. Alvarenga states Mr. Miller has been burning the brush piles and he is in the process of getting the water and electric installed. Mayor Whitehorn asked if any compaction testes have been done, Ald. Alvarenga states he doesn’t believe so and he would contact Mr. Miller on this matter and will be there when the compaction test is done.
2. **Board of Zoning Adjustments– Chairmen Alvarenga**
 - a. None
3. **Zoning Official – Tim DePue**
 - a. None
4. **Town Maintenance – Chris Rogers**
 - a. Chris Rogers states they are painting the curbs on Hobbs Road’s fire lane, and have been getting the ditches ready for concrete.
5. **Streets – Ald. King**
 - a. Ditches & Culverts: Mayor Whitehorn states due to cost increase he is asking the council to approve \$16,240.00 (sixteen thousand, two hundred and forty dollars) to get the ditches and culverts fixed. A motion was made by Ald. King to approve \$16,240.00 (sixteen thousand, two hundred and forty dollars) toward the ditches and culverts. Seconded by Ald. Hansen. Discussion: was held concerning fuel cost and how the cost of concrete and fuel fluctuates. Ald. King amended his motion to approve \$20,000.00 (twenty thousand dollars) to get the ditches and culverts fixed. Seconded by Ald. Hansen. Discussion: none. Roll call: Ald. Rairdon; yes, Ald. King; yes. Ald. Hansen; yes, Ald. Rollins; yes and Ald. Alvarenga; yes. All approved. Motion passed.
6. **Park – Ald. Hansen**
 - a. Food Truck Court; Mayor Whitehorn states he is still in the process of getting a waste water tank placed, the town is waiting for final approval from the state. Sand Dollar Maintenance will be installing a riser to get the Food trucks with electricity.
 - b. Slide; Rec/Tres. Barnes informed council the town she has not heard back from Little Tykes on when the new delivery date will be for the piece of slide that is needed.
7. **Grants – Ald. Rairdon**
 - a. Ald. Rairdon states she just received a grant application for Rural Community and Rural Services Block Grant for park equipment, Ald. Hansen offered to assist her on this project.
8. **ARPA Funds (American Rescue Plan) – Ald. Rollins**
 - a. No update at this time per Ald. Rollins.

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Old Business

1. None

New Business

1. Ordinance # 123: RULES & REGULATIONS PERTAINING TO RV PARKS - A motion was made by Ald. Hansen to place Ordinance # 123: RULES & REGULATIONS PERTAINING TO RV PARKS on its first reading. Seconded by Ald. King. Discussion: None. Roll call: Ald. King; yes, Ald. Hansen; yes, Ald. Rollins; yes, Ald. Alvarenga; yes, and Ald. Rairdon; yes. All approved. Motion carried. Town Attorney McClure read the ordinance in its entirety. A motion was made by Ald. King to accept Ordinance 123 on its first reading. Seconded by Ald. Rairdon. Discussion: None. Roll call; Ald. Hansen: yes, Ald. Rollins: yes, Ald. Alvarenga: yes, Ald. Rairdon; yes and Ald. King: yes. All approved, motion carried. A motion was made by Ald. Hansen to suspend the rules and to place Ordinance 123 on its second reading by title only. Seconded by Ald. Alvarenga. Discussion: none. Roll call; Ald. Rollins: yes, Ald. Alvarenga: yes, Ald. Rairdon: yes, Ald. King; yes, and Ald. Hansen: yes. All approved, motion carried. Attorney McClure read Ordinance 123 on its second reading by title only. A motion was made by Ald. Hansen to accept Ordinance 123 on its second reading by title only. Seconded by Ald. Alvarenga. Discussion: None. Roll call; Ald. Alvarenga: yes, Ald. Rairdon: yes, Ald. King: yes, Ald. Hansen: yes, and Ald. Rollins: yes. All approved, motion carried. A motion was made by Ald. Hansen to suspend the rules and to place Ordinance 123 on its third and final reading by title only. Seconded by Ald. King. Discussion: None. Roll call; Ald. Rairdon; yes, Ald. King: yes, Ald. Hansen: yes, Ald. Rollins: yes, and Ald. Alvarenga; yes. All approved, motion carried. Attorney McClure read Ordinance 123 on its third and final reading by title only. A motion was made by Ald. Hansen to accept Ordinance 123 on its third and final reading by title only. Seconded by Ald. King. Discussion: None. Roll call; Ald. King: yes, Ald. Hansen: yes, Ald. Rollins: yes, Ald. Alvarenga, yes, and Ald. Rairdon; yes. All approved, motion carried. A motion was made by Ald. Alvarenga to adopt the emergency clause on Ordinance 123. Seconded by Ald. Rairdon. Discussion: none. Roll call; Ald. Hansen: yes, Ald. Rollins: yes, Ald. Alvarenga: yes, Ald. Rairdon: yes, and Ald. King: yes. All approved, motion carried.
2. Ordinance # 124: REZONING CERTAIN PROPERTY IN S16, T20N, R29W, FROM R1, RESIDENTIAL TO B2, GENERAL COMMERCIAL - A motion was made by Ald. Alvarenga to place Ordinance # 124: REZONING CERTAIN PROPERTY IN S16, T20N, R29W, FROM R1, RESIDENTIAL TO B2, GENERAL COMMERCIAL on its first reading. Seconded by Ald. Hansen. Discussion: None. Roll call: Ald. Rairdon; yes, Ald. Hansen; yes, Ald. Alvarenga; yes, Ald. King; yes, and Ald. Rollins; yes. All approved. Motion carried. Town Attorney McClure read the ordinance in its entirety. A motion was made by Ald. Hansen to accept Ordinance 124 on its first reading. Seconded by Ald. King. Discussion: None. Roll call; Ald. Rairdon; yes, Ald. Hansen: yes, Ald. Alvarenga; yes, Ald. King: yes, and Ald. Rollins: yes. All approved, motion carried. A motion was made by Ald. King to suspend the rules and to place Ordinance 124 on its second reading by title only. Seconded by Ald. Alvarenga. Discussion: none. Roll call; Ald. Hansen: yes, Ald. Alvarenga: yes, Ald. King: yes, Ald. Rollins; yes, and Ald. Rairdon: yes. All approved, motion carried. Attorney McClure read Ordinance 124 on its second reading by title only. A motion was made by Ald. King to accept Ordinance 124 on its second reading by title only. Seconded by Ald. Alvarenga. Discussion: None. Roll call; Ald. Rairdon: yes, Ald. Hansen: yes, Ald. Alvarenga: yes, Ald. King: yes, and Ald. Rollins: yes. All approved, motion carried. A motion was made by Ald. Hansen to suspend the rules and to place Ordinance 124 on its third and final reading by title only. Seconded by Ald. Alvarenga. Discussion:

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None. Roll call; Ald. Alvarenga; yes, Ald. King: yes, Ald. Rollins: yes, Ald. Rairdon: yes, and Ald. Hansen; yes. All approved, motion carried. Attorney McClure read Ordinance 124 on its third and final reading by title only. A motion was made by Ald. Hansen to accept Ordinance 124 on its third and final reading by title only. Seconded by Ald. King. Discussion: None. Roll call; Ald. King: yes, Ald. Rollins: yes, Ald. Rairdon: yes, Ald. Hansen, yes, and Ald. Alvarenga; yes. All approved, motion carried. A motion was made by Ald. Hansen to adopt the emergency clause on Ordinance 124. Seconded by Ald. King. Discussion: none. Roll call; Ald. Rollins: yes, Ald. Rairdon: yes, Ald. Hansen: yes, Ald. Alvarenga: yes, and Ald. King: yes. All approved, motion carried.

3. Ordinance # 125: REZONING CERTAIN PROPERTY IN S20, T20N, R29W, FROM R1, RESIDENTIAL TO B2, GENERAL COMMERCIAL - A motion was made by Ald. Hansen to place Ordinance # 125: REZONING CERTAIN PROPERTY IN S20, T20N, R29W, FROM R1, RESIDENTIAL TO B2, GENERAL COMMERCIAL on its first reading. Seconded by Ald. King. Discussion: None. Roll call: Ald. Rairdon; yes, Ald. Hansen; yes, Ald. Alvarenga; yes, Ald. King; yes, and Ald. Rollins; yes. All approved. Motion carried. Town Attorney McClure read the ordinance in its entirety. A motion was made by Ald. King to accept Ordinance 125 on its first reading. Seconded by Ald. Alvarenga. Discussion: None. Roll call; Ald. Hansen; yes, Ald. Alvarenga: yes, Ald. King; yes, Ald. Rollins: yes, and Ald. Rairdon: yes. All approved, motion carried. A motion was made by Ald. Rairdon to suspend the rules and to place Ordinance 125 on its second reading by title only. Seconded by Ald. King. Discussion: none. Roll call; Ald. Alvarenga: yes, Ald. King: yes, Ald. Rollins: yes, Ald. Rairdon; yes, and Ald. Hansen: yes. All approved, motion carried. Attorney McClure read Ordinance 125 on its second reading by title only. A motion was made by Ald. Hansen to accept Ordinance 125 on its second reading by title only. Seconded by Ald. Alvarenga. Discussion: None. Roll call; Ald. King: yes, Ald. Rollins: yes, Ald. Rairdon: yes, Ald. Hansen; yes, and Ald. Alvarenga: yes. All approved, motion carried. A motion was made by Ald. Hansen to suspend the rules and to place Ordinance 125 on its third and final reading by title only. Seconded by Ald. King. Discussion: None. Roll call; Ald. Rollins; yes, Ald. Rairdon: yes, Ald. Hansen: yes, Ald. Alvarenga: yes, and Ald. King: yes. All approved, motion carried. Attorney McClure read Ordinance 125 on its third and final reading by title only. A motion was made by Ald. Hansen to accept Ordinance 125 on its third and final reading by title only. Seconded by Ald. Alvarenga. Discussion: None. Roll call; Ald. Alvarenga: yes, Ald. King: yes, Ald. Rollins: yes, Ald. Rairdon, yes, and Ald. Hansen; yes. All approved, motion carried. A motion was made by Ald. Hansen to adopt the emergency clause on Ordinance 125. Seconded by Ald. King. Discussion: none. Roll call; Ald. King: yes, Ald. Rollins: yes, Ald. Rairdon: yes, Ald. Hansen: yes, and Ald. Alvarenga: yes. All approved, motion carried.

Mayor for the Good of Town

Mayor Whitehorn states, BC Chief Deputy Meyer Gilbert was unable to attending tonight's council meeting to discuss the pros and cons of a police department in Avoca. Rec/Tres. Barnes spoke to Major Kenneth Paul, who states he will be here for the August council meeting to discuss an MOA for the town and the Sherriff's department so the BC deputies can uphold our town ordinances

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Town Council Member's Personal Privilege (Any matter); 3 Minutes

Council Member Alvarenga – None

Council Member Rairdon – None

Council Member Rollins - None

Council Member Hansen – asked if the town street maintenance crew can look at hanging limbs on Old Wire Road.

Council Member King – asked about the monument out front of the town hall. Mayor Whitehorn states he has been in contact with a veteran from the Rogers VFW to fix it. Ald. King stated there was a lot of dog waste in the park, and asked if there was anything that could be done. Chris Rogers states he agreed and they were cleaning it up as they see it. Rec/Tres. Barnes will post something on Facebook, asking people to clean up after their dogs.

Public Forum (Non-Agenda Items); 3 Minutes

Rec/Tres. Barnes states she has had a few calls from residents stating a council member has told them to call either town hall or the Benton County Animal Control and they will pick up any loose dog. She reminded the council members, the only dogs we will have Benton County Animal control pick up are viscous ones.

Kim Whitehorn states she would like the town to do something about all the puppy mills in town. Mayor stated he will see if they have a business license. Ald. Rollins states anyone selling dogs need to be paying taxes on each dog that is sold.

L. Dave Smith asked if the town can do anything concerning noise. States she has a neighbor who plays loud music late into the night. She also was not happy that there were fire Trucks and Ambulances on the corner of her block, with their red lights going into her windows.

Announcements

1. Planning Meeting scheduled for July 19, 2022
2. Council Meeting scheduled for Tuesday, August 9, 2022
3. Board of Zoning meeting is scheduled for August 16, 2022

Adjournment:

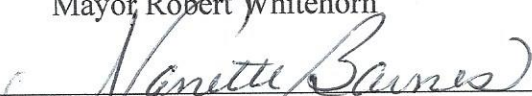
A motion was made by Ald. King and seconded by Ald. Alvarenga to adjourn meeting at 7:20 pm.

Discussion: none. All approved. Motion passed.

Respectfully submitted,

Nanette Barnes
Recorder-Treasurer

Approved 
Mayor Robert Whitehorn

Attest 
Recorder/Treasurer Nanette Barnes

***Recorder turned on late**