

# ***Bull Shoals City Council***

## ***Meeting Minutes***

June 24, 2021

### **I. Call to order, Pledge of Allegiance, & Roll Call**

Mayor Nixon called to order the regular meeting of the Bull Shoals City Council at 6:30 pm on June 24, 2021 at 706 CS Woods Dr. Bull Shoals, AR 72619. Everyone stood and gave Pledge of Allegiance to the United States Flag. Recorder Tina Bailey conducted the roll call. The following persons were present: Mayor David Nixon, Council members: Dino Giannini, Daryl Lindman, Joey Grede, and Chuck Kinler. Alan Graley was absent and there is a vacant seat. Ms. Bailey announced we have a quorum to conduct business.

### **II. Minutes** – Mayor asked if everyone had read the May 27, 2021 minutes. Mr. Giannini motioned to accept the minutes. Mr. Grede seconded. The minutes were approved by acclamation.

### **III. Treasurer Report**-Mr. Doshier was absent and Mayor Nixon read the report. He reported the bank reconciliation balances as of May 31, 2021 are \$2,089,766, up \$461,159 from a year ago. That total includes all monies for the city in 23 accounts. The Delta Regional, USDA and EDA accounts have been closed.

City sales tax collections are up from last May. Collections were \$40,039 against last years \$37,170, an increase of \$2,869. For the five months ending May 31, 2021 sales tax collections are \$172,171 against last years \$167,061, an increase of \$5,110. May was one of the largest single month tax collections you have had.

Total income for the city for May was \$219,538 which is up \$32,147 from a year ago. Total expenses over that same time frame are \$224,346, which results in net loss for May of \$4,808. Those expenses include engineering services, a vehicle purchase, and insurance on a backhoe and vehicle, all one time expenses.

Year to date income is \$952,728 with expenses of \$791,521.

This results in a net income from operations of \$161,207 through May 31, 2021. Mr. Lindman motioned to accept the treasurer's report and Mr. Kinler seconded. The reports were approved by acclamation.

### **IV. Department Reports -**

- a. **Police**-Chief Kuchenbecker was absent and Sargent John Ainsworth was also absent. Mayor stated the report stands as submitted and attached.
- b. **Fire**-Chief Mitchell was on vacation and Mayor Nixon stated the report stands as submitted and is attached.
- c. **Public Works**-Director Jim Chorba stated the report stands as submitted and is attached. He stated the valves have arrived for the water valve redesign.

Mr. Lindman motioned to accept all the reports and Mr. Giannini seconded. The reports were approved by acclamation.

#### V. Commission Reports-

- a. **Planning & Zoning Commission**- They did not meet.

#### VI. Committee Reports

- a. **Parks** – They did not meet.

#### VII. Continuing Business -

- a. **New Council member for Ward 3, Position 2**- Mr. Giannini motioned to appoint Jim Traylor to fill the vacancy. Mr. Grede seconded. The appointment was approved by acclamation. Mayor Nixon swore in councilmember Jim Traylor. He has taken the seat to the council bench.
- b. **Council member resignation**-Mr. Graley submitted his resignation earlier in the day. Mayor read the resignation to the citizens and councilmembers. Mr. Kinler motioned to accept Mr. Graley's resignation. Mr. Giannini seconded. A roll call vote was taken and everyone said yes except for Mr. Traylor. 4/1 The motion carries and Mayor Nixon declared the seat of Ward 3, Position 1 vacant.
- c. **Sidewalk** – Bids-Engineers and ARDOT are giving us an estament to go to bid in a couple of months.
- d. **American Rescue Plan**- Training sessions on Wednesday's at 2:00 on AML website. Our paperwork has been submitted and waiting for disbursement Mid-Julyish.

- e. **Neighborhood Speeders**-A neighborhood wants increased action on speeders in their neighborhood. Mayor is suggesting a radar speed sign and patrol increased to go along with additional signs already allocated. Radar signs costs-Two for 4,999.00.

## VIII. New Business

### a. Checking Accounts-

- a) **USDA-Add the word Reserve to the account.** Mr. Traylor motioned to change the USDA Wastewater 2018 account name by adding the word (Reserve) to the end of the current account name for the purpose of holding the reserve monies for the Wastewater 2018 Bond. Mr. Kinler seconded. The motion carries by acclamation.
- b) **ARP-** Set up a new account for the American Rescue Plan monies. Mr. Traylor motioned to open a new account and Mr. Giannini seconded. The motion carries by acclamation.

- b. **Street parking -- executive action - Heavy Commercial Vehicles-** Mr. Lindman made the motion to direct Mayor Nixon to take executive action to address parking on city streets as needed.

Mr. Grede seconded. A roll call vote was taken, and everyone said yes. The motion carried. 5/0

- c. **Short Term Vacation Rentals**-The city has been looking at this for a long time and the city does not regulate these. City Attorney Mr. Morgan stated you cannot out right ban these short term rentals. The Arkansas Supreme Court has determined that these rentals are not businesses. He also has stated cities are trying to regulate short term rentals and gave a list of regulations other cities have used. Mayor asked the councilmembers to look into this and work towards the next workshop.

## IX. Citizen Comments-

- a. **Phyllis Stubenfall-327 Cardinal Terrace**-Ms. Stubenfall asked if the short term vacation rentals are paying a motel tax? She also stated the city needs the rooms for the fisherman and the city needs the revenue.

- b. **Mike Porting**-from Lakeview-He stated that he own's an Air-B-and B at Brown's Beach. He also stated how his rental is maintained and regulated. He suggested people take a look at the Air-B-and B's and their yards and homes compared to those whom are renters.
- c. **Peggy Elmhorst**- stated that the City Council needs to take action towards eliminating the Commercial activities in their R-1 zoned neighborhood. She submitted a petition that had 111 signatures under the following statement, " We, the under signed, encourage and support the enactment of a city ordinance curtailing the business of AIRBNB, VRBO and other associated type businesses for profit in Coded Residential 1 neighborhoods. We feel these businesses impair our ability to enjoy our neighborhood peacefully, secure our investments and our properties safe and private." She also asked if there will be public input for the ordinance.
- d. **Susan Gatewood**-102 Lola Lane-She stated that she loves the Air B and B across the street from her and has stayed in over 15 herself. She also stated we need Air-B-n-B's for the revenue and advertisement.
- e. **Mark Schuyler**-177 Blou Clower Pt.-He stated its nice to have renters but he is having a hard time with VRBO's.
- f. **Nancy Schuyler**-177 Blou Clower Pt.- She made suggestions of other places to become VRBO's by fixing some of the old buildings here in town instead of the neighborhoods. Many single widows and children want to be safe. What can Bull Shoals do to be more attractive?
- g. **Ed Davis**-118 McDonald Meadows Pkwy-He suggest to have some sort of mechanism to get the grandfather clause going. He also asked about a microphone and speakers for the hall in order to hear everyone.

#### X. Adjournment-

Mr. Kinler motioned to adjourn the meeting and Mr. Giannini seconded. The motion carried and Mayor Nixon adjourned the meeting at 7:50 PM.

Minutes submitted by Tina Bailey

Minutes approved by: [Name]

*Tina M. Bailey*  
*[Signature]*  
*7/29/21*