

THE TOWN OF
FOUNTAIN LAKE, ARKANSAS
7148 PARK AVENUE
FOUNTAIN LAKE, ARKANSAS 71901.

MINUTES FROM THE 135th TOWN COUNCIL MEETING THIS WAS HELD ON
DECEMBER 9, 2015.

THE MEETING WAS CALLED TO ORDER BY MAYOR JACK FIELDS. MEMBERS
PRESENT WERE JIMMY ATTEBURY, JAMES DRIVER, PETE DOW AND RICK QUALLS.
MEMBERS OF THE COMMUNITY WERE ALSO PRESENT ALONG WITH ATTORNEY
JOHN HOWARD.

MINUTES FROM THE 133RD TOWN MEETING WERE READ. A MOTION WAS MADE BY
JIMMY ATTEBURY AND 2ND BY PETE DOW TO ACCEPT THEM AS WRITTEN ALL
WERE IN FAVOR NONE OPPOSED.

MINTUES FROM THE 134TH SPECIAL TOWN MEETING WERE READ. A MOTION WAS
MADE BY JIMMY ATTEBURY AND 2ND BY JAMES DRIVER TO ACCEPT THEM AS
WRITTEN. ALL WERE IN FAVOR NONE OPPOSED.

FINANCIAL COMMITTEE: NONE
ROAD COMMITTEE: NONE

OLD BUSINESS: MAYOR JACK FIELDS BROUGHT BACK BEFORE THE BOARD THE
OPTION TO PURCHASE THE PROPERTY AT 7059 PARK AVE. AND OPENED THE
FLOOR FOR DISCUSSION.

MR. CARL RADER BELIEVES THE BOARD SHOULD TAKE CARE OF THE TOWN AND
FULLFILL THE DESIRES OF THE PUBLIC IT SERVES. HIS QUESTION WAS DOES THE
CITIZENS OF FOUNTAIN LAKE WANT TO DO THIS. HE REQUESTED THAT THE
BOARD PRESENT THIS TO THE CITIZENS OF FOUNTAIN LAKE IN SOME SORT OF
ELECTION FOR THEM TO OFFER AN OPINION ON WHETHER THIS IS SOMETHING
THEY REALLY WANT TO DO. HE IS VERY PESTIMISTIC THAT THERE WOULD NOT
BE A LOT OF USE FOR THIS PROPERTY IN THE TOWN.

QUESTIONS WERE ASKED BY THE COMMUNITY PRESENT WHAT THIS PROPERTY
WOULD BE USED FOR. THE RESPONSE FROM THE BOARD WAS THAT THE HOUSE
WOULD BE USED FOR A TOWN HALL AND THE PROPERTY COULD BE DEVELOPED
INTO A PARK WITH TRAILS. THAT THE PROPERTY HAS A POND THAT COULD BE
USED FOR FISHING AND THE TOWN COULD BUILD A PAVILION FOR THE PUBLIC
TO USE FOR PURPOSES THEY SEEK APPROPRIATE. THAT GRANTS WERE
AVAILABLE FOR PROJECTS OF THIS KIND.

PETE DOW ASKED THE BOARD WHO WAS GOING TO PAY FOR ALL OF THIS AND
MAYOR JACK FIELDS INFORMED HIM THE TOWN WOULD ABSORB THE COST OF
PURCHASING AND UPKEEP OF THE PROPERTY WITHOUT RAISING TAXES AND THE
FUNDS WOULD BE TAKEN OUT OF THE GENERAL FUND.

MR. FRANK PHENENGER ASKED TO ADDRESS THE BOARD ABOUT THE PROPERTY
HE WAS OFFERING TO SELL THE TOWN. HE INFORMED THE BOARD THAT THE

HOUSE HAS 2 BEDROOMS AND 1 CLOSET AND THAT HE HAD BEEN MAKING PAYMENTS DIRECTLY TO MRS. JANE TUMA FOR THE LAST 10 YEARS WHO WAS AN ALDERMAN IN THE PAST FOR THE TOWN OF FOUNTAIN LAKE BEFORE SHE BECAME ILL AND PASSED AWAY. THAT THE COUNTY RECORDS SHOWED THAT HE PAID ONLY \$47,000 TO HER AT THE TIME OF HER DEATH FOR THE PROPERTY BECAUSE THAT WAS ALL HE STILLED OWED HER. THE LIVING ROOM IS LARGE ENOUGH TO HOLD AROUND 50 PEOPLE AND HE INFORMED THE BOARD THAT MAYOR JACK FIELDS DIDN'T KNOW THAT HE WAS SELLING THE PROPERTY UNTIL A MONTH AGO AND THAT HE COULD PROBABLY GET MORE MONEY FOR IT IF HE SPLIT IT UP INTO LOTS BUT HE THOUGHT THAT MRS TUMA WOULD LIKE TO SEE THE TOWN HAVE IT AND USE IT. HE STATED THAT MR. AND MRS. TUMA WERE THE ONES WHO DONATED THE PROPERTY TO THE FOUNTAIN LAKE FIRE DEPARTMENT WHERE WE HOLD OUR TOWN MEETINGS NOW. SO IF THE BOARD CAN WORK OUT AN APPROPRIATE OFFER HE WOULD LOVE TO SEE THE TOWN DEVELOP THIS LAND AND THAT IS WHY HE IS OFFERING IT TO THE TOWN FIRST. MR. FRANK PHENENGER IS ASKING \$90,000 FOR THE PROPERTY.

TO SHOW RESPECT TO THE MEMBERS OF THE COMMUNITY PRESENT AND FELLOW BOARD MEMBERS THAT I TRACIE TAYLOR CLERK/TREASURER FOR THE TOWN OF FOUNTAIN LAKE AT THIS TIME WILL STATE FOR THE RECORD THAT ALDERMAN PETE DOW HAD MANY THINGS TO SAY BUT TO SUM IT UP HE STRONGLY OBJECTS TO THE TOWN PURCHASING THIS PROPERTY FOR ANY REASON WITHOUT THE COMMUNITY SHOWING SUPPORT FOR IT AND THAT ALL FUNDS SHOULD BE USED FOR THE TOWN ROADS.

MR. JAMES DRIVER ADDRESSED THE BOARD STATING THAT THE TOWN OF FOUNTAIN LAKE HAS 503 CITIZENS IN IT AND THAT THE TOWN OF FOUNTAIN LAKE OWNS 1 ACRE OF LAND BEHIND THE FIRE STATION. THAT THE PROPERTY OWNED AT THIS TIME IS NOT SUITABLE FOR DEVELOPEMENT OTHER THAN A TOWN HALL. THE PROPERTY THAT IS FOR SELL HAS ROUGHLY 10 ACRES WITH A NICE POND THAT THE GAME AND FISH WILL STOCK FOR FREE. WHAT ARE WE GOING TO BE DOING 5 YEARS FROM NOW BESIDES ARGUING ABOUT THE SAME THINGS? WE HAVE ONE ACRE OF LAND THAT WE COULD BUILD A BUILDING ON BUT WE WOULD STILL HAVE NOTHING FOR THE COMMUNITY. WE DON'T HAVE A COMMUNITY CENTER; WE DON'T HAVE A PLACE FOR CHILDREN TO GO AND HAVE A FISHING DERBY. WE DON'T HAVE ANYTHING LIKE THAT IN THE TOWN OF FOUNTAIN LAKE. HE ASKED THE BOARD HOW FAR DO YOU HAVE TO GO TO TAKE A CHILD FISHING. HOW MANY PEOPLE WOULD LIKE TO HAVE A PICNIC AREA IN OUR TOWN WHERE THEY CAN TAKE THEIR FAMILY AND GO FISHING? I UNDERSTAND THERE IS A LOT OF WORK THAT WOULD HAVE TO BE DONE AND IF THE CITIZENS GET INVOLVED THEN HOPEFULLY THERE WOULD BE A LOT OF VOLUNTEERS THAT WOULD HELP DO ALL OF THIS. I AM THINKING WHAT IS THE TOWN GOING TO HAVE 10 YEARS DOWN THE ROAD. WE WOULD HAVE A PIECE OF PROPERTY THAT WOULD BE PAID OFF IN 5 YEARS AND A NICE PLACE IN THE COMMUNITY THAT THE CITIZENS OF FOUNTAIN LAKE COULD BE PROUD OF. YOU HAVE TO LOOK TOWARD THE FUTURE AND THINK ABOUT A PLACE THE TOWN COULD DEVELOP FOR CITIZENS TO GO TO BECAUSE RIGHT NOW WE HAVE A WHOLE LOT OF NOTHING.

MR CARL RADER ASKED BOARD MEMBER JAMES DRIVER WHAT HE BASED ALL OF HIS ENTHUSIASM ON LOOK AROUND NOBODY COMES TO THESE MEETINGS

NOBODY CARES WHAT THE TOWN DOES. THIS IS PROBABLY THE MOST PEOPLE WEVE HAD HERE IN 2 YEARS. SO WHERE ARE YOU GOING TO FIND VOLUNTEERS WHEN YOU CANT EVEN GET THEM TO COME TO THE TOWN MEETINGS. THEY DON'T EXISTS IN THIS COMMUNITY AND I HAVNT TALKED TO ANYBODY WHO IS THE SLIGHTEST BIT ENTHUSIASTIC ABOUT THIS. IM NOT GOING TO VOLUNTEER CAUSE I DON'T CARE.

MR. JOHN HOWARD THE ATTORNEY FOR THE TOWN OF FOUNTAIN LAKE ADDRESSED THE BOARD WITH INFORMATION TO PUT IN THE RECORDS AND TO BE SURE THE PUBLIC IS AWARE OF THIS PROCESS AND TO GIVE RECOMMENDATIONS AND ADVICE TO THE TOWN. THAT HE IS NOT TALKING ABOUT THE POLITICAL SIDE OF IT HE IS ONLY COMMENTING ON THE PROCESS OF IT.

I THINK MR. RADER NOTED THAT THE CROWD HERE TONIGHT IS A PRETTY GOOD CROWD FOR WHAT WE NORMALLY HAVE FOR THESE MEETINGS. THERE IS A PROCESS UNDER THE LAW FOR DOING THIS. THE PROCESS NEEDS TO BE DONE THROUGH THE PUBLIC HEARING PROCESS. THERE NEEDS TO BE A NOTICE PUBLISHED IN THE LEAGAL SECTION OF THE PAPER STATING THERE WILL BE A PUBLIC HEARING TO GIVE ANYONE ELSE WHO WANTS TO BE INVOLVED TO COME AND SAY THEIR PEACE PUBLISHED. THEN THE COUNCIL NEEDS TO DECLARE A PUBLIC PURPOSE, IMMEDIATE AND LONG TERM FOR THIS PROPERTY. DO TO THE SIZE OF THIS PRUCHASE THE AMOUNT OF MONEY IN RATIO TO WHAT THE TOWNS' BUDGET IS. THE AMOUNT OF MONTHLY REVENUE AND FINANCING NOTED. A PLAN FOR RENOVATIONS AND/OR DEMOLITION TO SAID PROPERTY. TO REITERATE MY PREVIOUS CONCERNS THAT I HAD ABOUT THE PROPERTY WITH NO COMMENT TO THE OWNERS OF THE PROPERTY FOR I HAVE NEVER BEEN IN THE BUILDING I DON'T KNOW IF THE PROPERTY AND HOUSE HAVE BEEN CHECKED FOR HAZARDOUS MATERIALS WHICH MAY CAUSE ISSUES AND NEED TO BE LAYED OUT BEFORE ANY FINAL PURCHASE OF LAND. THE COUNCIL WILL NEED TO TAKE IN TO CONSIDERATION THAT THE EXISTING STRUCTURE WOULD HAVE TO BE UPDATED FOR THE AMERICAN DISABILTY ACT AND WHAT THAT EXPENSE MIGHT BE. THAT THERE WAS AN ISSUE WITH AERIAL PHOTOS NOT MATCHING APPRAISAL PHOTOS AND THAT NEEDS TO BE RESOLVED. THE TOWN WOULD NEED A PLAN FOR POLICING AND FENCING OF PROPERTY.

DISCUSSION WAS MADE BY BOARD MEMBERS ABOUT MR HOWARDS CONCERNS.

MR. FRANK PHENENGER STATED THAT IF THE TOWN TAKES CARE OF THE SURVEY AND ALL FEES ASSOCIATED WITH PURCHASE HE IS WILLING TO TAKE \$87,500 DOLLARS FOR SAID PROPERTY.

JAMES DRIVER MADE A MOTION TO TABLE THE PURCHASE OF THE LAND UNTIL THE NEXT BOARD MEETING FOR A PLAN TO BE PUT IN PLACE AND TO FIGURE OUT COST OF ITEMS. IT WAS 2ND BY JIMMY ATTEBURY ALL WERE IN FAVOR NONE OPPOSED.

NEW BUSINESS:

MR. BRETT RAY ATTENED THE MEETING TO FILL THE VACANT ALDERMAN SEAT. AT THIS TIME HE WOULD LIKE TO RECONSIDER THIS UNTIL THE NEXT TOWN MEETING. IF MR RAY DECIDES NOT TO FILL THE VACANT SEAT MR. RADER WOULD LIKE THE POSITION TO SERVE THE COMMUNITY.

MR. DON RAY ADDRESSED THE BOARD ABOUT REMOVING ALL NO OUTLET SIGNS ON CITY ROADS AND REPLACING WITH DEAD END SIGNS TO HELP WITH UNWANTED DRIVERS DOWN CITY ROADS THAT DON'T UNDERSTAND THAT NO OUTLET MEANS THERE IS NO WAY OUT.

MAYOR JACK FIELDS BROUGHT BEFORE THE BOARD THE AMENDED BUDGET FOR 2015. A MOTION WAS MADE BY JIMMY ATTEBURY AND 2ND BY RICKY QUALLS TO WAIVE AND SUSPEND THE RULES AND READ THE ORDINANCE ALL 3 TIMES. ALL WERE IN FAVOR NONE OPPOSED.

THE TOWN IS AMENDING THE BUDGET DUE TO OVERAGE ON ROADS AND COUNTY JAIL.

ORDINANCE 2015-002 TO AMEND ORDINANCE 2015-001 WAS READ THREE TIMES. A MOTION WAS MADE BY JIMMY ATTEBURY AND 2ND BY RICKY QUALLS TO ACCEPT THE AMENDED ORDINANCE. ALL WERE IN FAVOR NONE OPPOSED.

MAYOR JACK FIELDS BROUGHT BEFORE THE BOARD ORDINANCE 2015-003 PROVIDING AND ADOPTING A BUDGET FOR 12 MONTHS BEGINNING JAN.2016- TO DEC. 2016 AND DECLARING AN EMERGENCY TO EXIST.

A MOTION WAS MADE BY JAMES DRIVER TO SUSPEND THE RULES AND READ SAID ORDINANCE 3 TIMES. IT WAS 2ND BY RICKY QUALLS. ORDINANCE 2015-003 WAS READ 3 TIMES DISCUSSION WAS MADE. . A MOTION WAS MADE BY JIMMY ATTEBURY AND 2ND BY PETE DOW TO ACCEPT THE ORDINANCE ALL WERE IN FAVOR NONE OPPOSED.

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MAYOR JACK FIELDS


TRACIE TAYLOR/CLERK/TREASURER

