



AGENDA

MEETING OF THE MOUNTAIN HOME CITY COUNCIL
DECEMBER 15, 2022 @ 6 P.M.
COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING

Pledge of Allegiance
Prayer
Roll Call
Minutes from December 1, 2022 Council Meeting
Committee Reports
Bank Reconciliations
Announcements

NEW BUSINESS

AN ORDINANCE AMENDING ORDINANCE NO. 2022-4, 2021-17, 2021-16, 2019-24, 2018- , 2015-3, 2011-12, 2009-17, 2009-12, 2008-37, AS AMENDED BY 96-033, 07-31, 06-14, 05-03, 04-04, 03-37, 03-05, 02-27, 02-20, 02-09, 01-04, TO REDEFINE THE WAGE SCALE AND COMPENSATION PLAN IN ORDER TO ENHANCE EFFICIENT MANAGEMENT WITHIN THE DEPARTMENTS OF THE CITY OF MOUNTAIN HOME, presented by Sue Edwards

AN ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF SIX (6) FORD POLICE VEHICLES, presented by Eddie Griffin

A RESOLUTION CHANGING THE NAME OF THE BUILDING INSPECTION DEPARTMENT WITHIN THE CITY OF MOUNTAIN HOME, ARKANSAS

COUNCIL AUTHORIZATION TO CREATE A LINE ITEM 101-4000-2201 IN INCODE TO BE NAMED – ENGINEERING REIMBURSEMENTS WITHIN GENERAL FUND – AND ADD TO REVENUE @ \$400,000 FOR 2023 BUDGET AS A BUDGET ADJUSTMENT (Revision is in Red Lettering under clean up totals)

COUNCIL AUTHORIZATION FOR BUDGET ADJUSTMENTS APPROVED FOR PLANNING & ENGINEERING REVISED – EXPENSE SPREADSHEETS (Changes to expenses are in Red Lettering under clean up totals)

COUNCIL APPROVAL TO APPROPRIATE ARPA MONEY IN THE AMOUNT OF \$2,604,056.05 TO WATER/SEWER PROJECTS. EXISTING ARPA MONEY TO BE MOVED FROM THE GENERAL FUND WARRANT ACCOUNT AND SPLIT INTO TWO NEW, DIFFERENT CHECKING ACCOUNTS: (1) SW Sewer Line Extension Project 600-5602-46318 (already existing project number) for the amount of \$2,004,056.05; and (2) Hwy 5 S Water & Sewer Line Extension Projects - 600-5601-46328 - HWY 5 S. Water Line Extension & 600-5602-46329 - HWY 5 S. Sewer Line Extension - for the amount of \$600,000.00 for both projects.

METHVIN SANITATION CPI ADJUSTMENT

AN ORDINANCE REGULATING NOISE WITHIN THE CITY OF MOUNTAIN HOME

COMMENTS

ADJOURN

Respectfully Submitted,
Scott Liles, City Clerk

MINUTES
REGULAR CITY COUNCIL MEETING – December 1, 2022

1. The Mountain Home City Council met in regular session December 1st, 2022, in the Council Chambers of the Municipal Building. Mayor Hillrey Adams called the meeting to order at 6:00 p.m., followed by the Pledge of Allegiance and a prayer.
2. **ROLL CALL:** The following council members were present for the roll call: Bob Van Haaren, Susan Stockton, Jennifer Baker, Wayne Almond, Nick Reed, Paige Evans, Jim Bodenhamer, and Carry Manuel.
3. **OFFICIALS IN ATTENDANCE:** Mayor Hillrey Adams, Police Chief Eddie Griffin, Building Inspector Greg Ifland, Fire Chief Kris Quick, Parks Director Daniel Baxley, Street Director Arnold Knox, Human Resource Coordinator Susan Edwards, and Code Enforcement Officer Mike Anderson. Media: Heather Link, Scott Liles, and Chris Fulton.
4. **MINUTES:** Councilwoman Jennifer Baker made a motion to approve the council meeting minutes from November 17, 2022. The motion was seconded by Councilwoman Stockton. The vote was recorded as follows: All present – yes.
5. **NEW BUSINESS:**

AN ORDINANCE AMENDING ORDINANCE NO. 98-018, AS AMENDED, WITH REFERENCE TO ZONING WITHIN THE CITY LIMITS OF THE CITY OF MOUNTAIN HOME, ARKANSAS, RELATIVE TO CHANGING AREA ZONED AS RESIDENTIAL R-2 TO COMMERCIAL C2-A.
City Attorney Roger Morgan read the ordinance for the first time in its entirety.

SECOND READING: A motion was made by Councilwoman Jennifer Baker to suspend the rules and place the Ordinance for second reading by title only. Councilwoman Susan Stockton seconded the motion. All present – yes. The motion was declared adopted and the Ordinance was read for a second time by title only.

THIRD READING. A motion was made by Councilwoman Jennifer Baker to suspend the rules and place the Ordinance for third reading by title only. Councilman Carry Manuel seconded the motion. All present – yes. The motion was declared adopted and the Ordinance was read for a third time by title only.

ADOPTION. Councilman Bob Van Haaren made a motion to move for adoption of the Ordinance and it was seconded by Councilwoman Susan Stockton. All present – yes. The Ordinance was declared adopted and given No. 2022-46.

A RESOLUTION DESIGNATING AND DECLARING CERTAIN SERVICES TO BE PROFESSIONAL SERVICES FOR THE PURPOSES OF A.C.A. 19-11-8011 et. Al. AND APPLICABLE SECTIONS OF CITY CODE; AND FOR OTHER PURPOSES City Attorney Roger Morgan read the Resolution in its entirety. After some discussion on what this would do for the city and the citizens, a motion was made by Councilman Bob Van Haaren to adopt said Resolution and was seconded by Councilman Carry Manuel. All present – yes. The Resolution was declared adopted and given No. 2022-11.

A RESOLUTION PROVIDING FOR AND ADOPTING A BUDGET FOR THE CITY OF MOUNTAIN HOME, ARKANSAS FOR THE TWELVE (12) MONTHS BEGINNING JANUARY 1, 2023 AND ENDING DECEMBER 31, 2023 APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE A budget workshop was held on November 29, 2022 at 5:00 p.m. to review a budget for the 2023 year. Said budget was presented to council. Councilman Bob Van Haaren made a motion to adopt the budget. The motion was seconded by Susan Stockton. Council members Nick Reed, Bob Van Haaren, Susan Stockton, Wayne Almond, Jennifer Baker, Jim Bodenhamer and Carry Manuel – voted yes. Councilwoman Paige Evans – voted no. With majority vote the Resolution was declared adopted and given No. 2022-12.

ADDITIONAL DISCUSSION:

Council was provided information on Noise Control. City Attorney asked council to look at Chapter 96: Noise Control, Article 1 General Provisions as this may need to be reviewed and discussed further in the future.

6. ADJOURN

With no further business to come before the council, Mayor Adams declared the meeting adjourned at 6:44 p.m.

HILLREY ADAMS, MAYOR

ATTEST:

TINA GREGORY / ACTING CLERK

AN ORDINANCE AMENDING CHAPTER 5, SECTION 5.2, HOLIDAYS AND HOLIDAY PAY OF THE PERSONNEL POLICY HANDBOOK FOR THE CITY OF MOUNTAIN HOME; AS ADOPTED BY ORDINANCE NO. 2006-16. City Attorney Roger Morgan put the ordinance on first reading and read it in its entirety.

SECOND READING Councilman Carry Manuel made a motion to suspend the rules and put the ordinance on second reading. Councilman Nick Reed seconded the motion. All present – yes. The motion was declared adopted and the ordinance was read for a second time by title only.

THIRD READING Councilman Wayne Almond made a motion to suspend the rules and read the ordinance for the third time by title only. Councilwoman Susan Stockton seconded the motion. All present – yes. The motion was declared adopted and the ordinance was read for a third time by title only.

ADOPTION Councilwoman Susan Stockton made the motion to adopt the ordinance and it was seconded by Councilman Bob Van Haaren. All present – yes. The ordinance was declared adopted and give No. 2022-47.

EMERGENCY CLAUSE Councilman Jim Bodenhamer made a motion to pass the emergency clause. Councilman Wayne Almond seconded the motion. All present – yes.

AN ORDINANCE TO AMEND ORDINANCE NO. 2014-7, DEFINING THE COMPENSATION PLAN FOR THE CITY CLERK IN ORDER TO ENHANCE EFFICIENT MANAGEMENT WITHIN THE CITY OF MOUNTAIN HOME City Attorney Roger Morgan read the ordinance for the first time in its entirety.

SECOND READING: A motion was made by Councilman Bob Van Haaren to suspend the rules and place the Ordinance for second reading by title only. Councilwoman Susan Stockton seconded the motion. All present – yes. The motion was declared adopted and the Ordinance was read for a second time by title only.

THIRD READING. A motion was made by Councilman Bob Van Haaren to suspend the rules and place the Ordinance for third reading by title only. Councilwoman Jennifer Baker seconded the motion. All present – yes. The motion was declared adopted and the Ordinance was read for a third time by title only.

ADOPTION. Councilman Bob Van Haaren made a motion to move for adoption of the Ordinance and it was seconded by Councilwoman Susan Stockton. All present – yes. The Ordinance was declared adopted and given No. 2022-48.

EMERGENCY CLAUSE. Councilman Bob Van Haaren made a motion to pass the emergency clause. Councilwoman Jennifer Baker seconded the motion. All present – yes.

DECEMBER 2022 Committee Meeting

12/08/22 @ 4:00pm. Attending: Alma Clark, Johnny Dewey, Mayor Adams, Nick Reed, Paige Evans, Jennifer Baker & Kirby Rowland. We met in council chamber. The meeting adjourned at 4:52 pm.

- Cash analysis / Revenue / Expense Report ending November 2022 were passed out.
- Project reports for month ending November 2022 passed out.
- Our water loss was 28.0% Ending November 2022. The previous month was at 24.1%. We continue to fix and find leaks daily as these leaks present themselves.
- Kirby passed out copies of Garver project updates to the W/S Committee that are in progress: WWTP upgrades & additional upgrades at WWTP, New Lake intake project, Assessment of Backwash sludge handling at WTP, Master Plan Updates.
- Discussion took place regarding the SW sewer line extension and the need to scale the project back because the city did not get considered for additional state ARPA money. The scope of this project now will be placing a lift station and force main into service just below the property of the ASU Technical Center and then will head east into town back to the existing gravity flow sewer line manhole which is on the east side of Hilltop on the east boundary line at the backside of the Church on the corner of Hilltop Dr. This project is expected to have a cost range of 980,000.00 – 2,004,056.05. (We will need approval from council at the next council meeting to make an appropriation portion the current ARPA funds to do be spent on this project for a total of \$2,004,056.05 & will need to get approval to open a checking account for sewer project & move the funds from the general fund warrant account into a special checking account named SW sewer line extension project fund – so that we can pay bills when they are received in from the ARPA money). This will be on council agenda December 15, 2022 for vote.
- Discussion also took place with regard to the Hwy 5 water & Sewer line extension project and would like to get council approval for appropriation of APRA funds to extend water/sewer to properties on Hwy 5 South that are not currently served. There will need to be some annexations completed to accomplish this task and most property owners are already on board with doing annexations to the city. The water Project would be approximately \$300,000.00 & the Sewer Project would be approximately \$300,000.00 to extend both (We will need approval from council at the next council meeting to make an appropriation portion the current ARPA funds to do be spent on this project for a total of \$600,000.00 & will need to get approval to open a checking account in water / sewer & move the funds from the general fund warrant account into a special checking account named Hwy 5 S. Water/Sewer line extensions project fund - so that we can pay bills when they are received in from the ARPA money). This will be on council agenda December 15, 2022 for vote.

PROJECT UPDATES:

- Hickory/3RD/Lillian/7th/8th - Phase II SL PROJECT – Bores started on 09/27/22 and are complete on 7th & 8th streets. Our crew started laying pipe on 10/03/22 ... This phase of the project will encompass part of 7th street & 8th streets with 2 bores crossing main street; we will be laying approximately 1616' there was an error on total footage reported on this phase in the beginning– the CORRECTION is to beginning figures of 840' instead. Sewer main and replacing or adding 7 manholes on this project. A total of 520' of pipe has been installed and 3 manholes. All of 7th street clean up and asphalt is complete. Remaining to complete 320' of pipe to finish. Crew started on 8th street 12/05/22. When finished with 8th we will be moving this crew to Circle Dr to start another project.
- Sharp Annexation Sewer Line Extension Phase 3: Total footage to be laid on this project is 1800' and set 7 manholes. Contractor has completed all this job and is doing clean up only now. bid for install of materials was for \$464,551.00 – City pays for materials. \$300,000 of this project is being funded by grant money from Delta Regional Authority in which the mayor Adams obtained for the department. The remaining funds are slated to be funded from Sewer Expansion. To date \$469,077.81 has been spent on this project. To date: \$103,530.65 has been reimbursed by the Delta Regional Authority on this grant. We have submitted for the 2nd pay request reimbursement and this should be coming in the next few weeks. We will do 1 final pay request of with Delta Regional Authority and all will be done. Last pay request from the contractor upon completion is for \$ 41,287.57 and the total bid savings was \$22,669.09 on this project. Which made the total paid to contractor only \$441,881.91
- Clvsta Willet/Gregg Rd Water Line Extension: Started 11/07/22. Total footage for this project was going to be 707' but we changed the footage originally decided and moved back from the original start point - so the project ended up be 828' of 6" water line instead and will be laying approximately 2000' of 2" line for running inside the park where needed. To date we have completed laying all the 6" line and set one fire hydrant. We will be flushing the 6" water line, take bacterial samples and once passed we will then set 2 meters and start laying the 2" line inside for park for park service lines.

*****OUR NEXT MEETING IS (CHANGE DAYS & DATE) *****
NEXT MEETING WILL BE HELD ON JANUARY 12, 2023 @ 4:30pm.

Meeting will be held in council chambers.

Meeting was held on December 1, 2022 in the Council Chambers and was called to order at 4:48 p.m.

Those present were: Mayor Adams
Parks Director Daniel Baxley

Committee Members: Wayne Almond
Paige Evans
Nick Reed
Susan Stockton

Attached is the agenda presented by Director Baxley. Additional comments to add to item 1 is there were 4 girls representing the 7th Grade East Lab that is wanting to go out and get donations to paint and spruce up the playground equipment similar to what Care Ministry did at Hickory Park. The committee gave them permission to do so. Item 2 MHPR has partnered with ASUMH to start a 5 week officials training class for most all of the sports offered by MHPR. This will start the 1st of February. Item 3 Megan Engeler has been appointed to this position.
Meeting was adjourned at 5:28 p.m.

WA

ORDINANCE NO: 2022 – __

AN ORDINANCE AMENDING ORDINANCE NO. 2022-04 TO REDEFINE THE WAGE SCALE AND COMPENSATION PLAN IN ORDER TO ENHANCE EFFICIENT MANAGEMENT WITHIN THE DEPARTMENTS OF THE CITY OF MOUNTAIN HOME

WHEREAS, the Job Classification and Compensation Plan was adopted in 1996 and has served the City well since that time; and

WHEREAS, the Plan was adopted by Ordinance No. 2006-16 on August 17, 2006, and has gone through numerous revisions; and

WHEREAS, adjustments need to be made to the wage scale for the City to be competitive in job market recruiting and hiring as; and,

WHEREAS, the 2023 budget was passed through Resolution on December 1, 2022 and was inclusive of the changes to the Compensation Plan,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNTAIN HOME:

Section 1: It is in the economic interest of the City of Mountain Home to amend the Job Classification and Compensation Plan Wage Scale as follows:

- The Wage Scale shall be adjusted for all positions at Grades 1 through 39, Fire Department Grades 10 through 14, and Part Time Grades 1 through 5 and all Steps therein to be increased by 3% plus \$1.00. (Exhibit A attached)

Section 2: The change to the Wage Scale shall be applied to the pay period beginning January 2, 2023, with all hourly and salaried employees receiving a 3% plus \$1.00 increase. No retroactive changes will be made, and Step increases will begin with next 6- or 12-month anniversary date.

Section 3: All other provisions of the Job Classification and Compensation Plan of the City of Mountain Home shall remain in full force and effect unless specifically changed by Ordinance.

Section 4: EMERGENCY CLAUSE: The wage scale of the City's job classification and compensation plan affects the employees of the City departments, who in turn contribute to the safety and welfare of the residents of Mountain Home, Arkansas; therefore, an emergency is declared to exist and this ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED THIS ____ DAY OF _____, 2022.

HILLREY ADAMS, MAYOR

ATTEST:

Scott Liles, City Clerk

CITY OF MOUNTAIN HOME 2023 WAGE SCALE

GRADE	STEP 0	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15
	BIYEARLY	BIYEARLY	BIYEARLY	BIYEARLY	BIYEARLY	BIYEARLY	BIYEARLY	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL
6	\$14.45	15.17	15.88	16.60	17.33	17.57	17.81	18.25	19.05	19.50	19.99	20.33				
7	14.63	15.42	16.21	17.00	17.79	18.04	18.28	18.66	19.14	19.63	20.14	20.65				
8	14.78	15.64	16.52	17.39	18.27	18.66	18.96	19.31	19.68	20.03	20.36	20.73				
9	15.45	16.32	17.24	18.12	18.94	19.35	19.76	20.18	20.56	20.97	21.37	21.82				
10	16.19	17.05	17.91	18.80	19.72	20.08	20.50	20.90	21.30	21.68	22.10	22.52	22.89			
11	16.92	17.82	18.73	19.57	20.46	21.34	21.69	22.10	22.51	22.86	23.26	23.66	24.04			
12	17.77	18.66	19.52	20.37	21.28	22.13	22.57	23.03	23.44	23.88	24.32	24.76	25.27			
13	18.65	19.49	20.36	21.27	22.12	23.00	23.43	23.87	24.27	24.75	25.19	25.62	26.08	26.53		
14	19.52	20.37	21.28	22.13	23.03	23.88	24.36	24.87	25.37	25.84	26.33	26.83	27.32	27.88		
15	20.46	21.34	22.19	23.08	23.94	24.81	25.70	26.24	26.73	27.20	27.75	28.24	28.72	29.27		
16	21.40	22.27	23.15	24.05	24.93	25.75	26.66	27.16	27.68	28.20	28.66	29.18	29.73	30.22	30.74	
17	22.44	23.30	24.16	25.02	25.90	26.81	27.67	28.56	29.06	29.58	30.14	30.65	31.18	31.70	32.19	
18	23.46	24.58	25.68	26.80	27.87	28.86	29.58	30.41	30.94	31.42	31.88	32.38	32.83	33.28	33.78	
19	24.58	25.42	26.32	27.18	28.06	28.95	29.84	30.69	31.54	32.46	32.91	33.40	33.89	34.36	34.86	35.43
36	32.05	32.59	33.13	33.65	34.22	34.76	35.30	35.84	36.40	36.93	37.50	38.02				
37	32.71	33.42	34.20	34.64	35.08	35.56	36.00	36.45	36.85	37.31	37.74	38.20	38.69			
39	33.60	34.14	34.67	35.20	35.76	36.31	36.84	37.39	37.95	38.47	39.05	39.56				

Revised January 2023 Salary increases are given biyearly up to Step 6 and annually after until reaching highest Step in Grade.

CITY OF MOUNTAIN HOME 2023 WAGE SCALE
FIRE DEPT.

GRADE	STEP 0	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13
		BIYEARLY	BIYEARLY	BIYEARLY	BIYEARLY	BIYEARLY	BIYEARLY	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL
FD-10	\$14.35	15.01	15.68	16.36	17.00	17.34	17.67	17.89	18.23	18.49	18.81	19.14	19.42	19.76
FD-11	14.93	15.61	16.30	16.95	17.69	17.94	18.30	18.70	19.04	19.35	19.78	20.08	20.50	20.90
FD-12	15.38	16.09	16.78	17.44	18.18	18.63	19.22	19.54	19.86	20.18	20.50	20.82	21.14	21.50
FD-13	16.00	16.68	17.38	18.03	18.79	19.43	19.85	20.20	20.63	21.00	21.38	21.74	22.17	22.58
FD-14	17.12	17.77	18.49	19.17	19.91	20.94	21.42	21.78	22.36	22.71	23.05	23.44	23.86	24.35

**CITY OF MOUNTAIN HOME 2023 WAGE SCALE
PART TIME**

GRADE	STEP 0	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL
PT-1	\$14.13	14.30	14.49	14.77	15.04		
PT-2	14.18	14.35	14.67	15.15	15.71	15.79	
PT-3	14.29	14.57	15.10	15.69	16.09	16.26	16.87
PT-4	14.33	14.99	15.62	15.92	16.54	17.22	17.85
PT-5	14.59	15.26	15.87	16.55	17.18	17.81	18.47

PT INCREASE BASED ON 400+ HOURS 12 MONTHS EMPLOYMENT; SEASONAL 200+ HOURS
1 SEASON; PT OFFICER BASED ON HOURS WORKED + VOLUNTEER HOURS

ORDINANCE NO. 2022 - _____

**AN ORDINANCE WAIVING COMPETITIVE BIDDING AND AUTHORIZING
THE PURCHASE OF SIX (6) FORD POLICE VEHICLES**

WHEREAS, the City of Mountain Home Police Department is desirous of purchasing six (6) Ford police vehicles.

WHEREAS, the six (6) Ford police vehicles are necessary to meet the needs of the Mountain Home Police Department.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MOUNTAIN HOME, ARKANSAS

SECTION 1. The Police Department of the City of Mountain Home, Arkansas desires to purchase six (6) Ford police vehicles for the purpose providing officers with the necessary equipment to perform their duties.

SECTION 2. Mountain Home Police Department has attempted to located and purchase the said vehicles within Arkansas at or below state bid price. However, due to vehicle shortages this could not be accomplished. Mountain Home Police Department can purchase the vehicles through Duval Ford in Jacksonville, Florida.

Section 3. That the Mountain Home Police Department is hereby authorized to purchase of six (6) Ford police vehicles for a sum not to exceed \$63,000.00 (Sixty-three thousand dollars) each not to exceed a total of \$378,000.00 (Three Hundred – Seventy-Eight Thousand) for all 6 vehicles. The purchase will be made from Duval Ford in Jacksonville, Florida.

WHEREAS, the purchase of the police vehicles is necessary for Mountain Home Police Department. An emergency is therefore declared to exist; and this Ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED THIS _____ DAY OF _____, _____ .

Hillrey Adams, Mayor

ATTEST:

Scott Liles, City Clerk

RESOLUTION

NO. _____

A RESOLUTION CHANGING THE NAME OF THE BUILDING INSPECTION DEPARTMENT WITHIN THE CITY OF MOUNTAIN HOME, ARKANSAS

WHEREAS, the City of Mountain Home is currently restructuring the Departments within the City; and

WHEREAS, the Department currently named as the Building Inspection Department shall now be named the Planning and Engineering Department to better reflect the duties and actions of said Department.

NOW, THEREFORE, be it resolved by the City Council of the City of Mountain Home, AR.

Section 1: The name of the Department currently known as the Building Inspection Department shall be and is hereby changed to Planning and Engineering Department. The change being made to better reflect the duties and responsibilities assigned to the Department.

Section 2: The duties and responsibilities of the Planning and Engineering Department shall be as determined by the Mayor of the City with wages and benefits paid according to the wage scale adopted by the City Council of the City of Mountain Home.

Dated this ___ day of December, 2022.

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK

101 - GENERAL FUND		2018		2019		2020		2021		2022		2022		2023		CLEANUP	
BUILDING INSPECTION - <i>Planning + Engineering</i>		ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	YTD 11/30/2022	Budget	TOTALS	UPDATED	TOTALS		
PERSONNEL SERV. & BENEF.																	
5102-11500	SALARIES - GENERAL	139,576.07	144,687.56	138,501.58	144,922.94	159,000.00	146,081.51	226,000.00	465,000.00			5,000.00	5,000.00				
5102-11502	SALARIES-OVERTIME	4,316.13	4,837.70	922.44	161.39	5,000.00	3,187.01	5,000.00	5,000.00			0.00	5,000.00				
5102-11503	OVERTIME REIMB PRISONER TRANSP- REV	(4,709.31)	(4,852.32)	(1,291.41)	0.00	0.00	(3,092.48)	0.00	0.00			0.00	0.00				
5102-11580	SALARIES - LONGEVITY	3,418.74	3,544.27	2,109.06	2,561.48	4,500.00	3,857.40	6,000.00	11,700.00			6,000.00	11,700.00				
5102-13700	TAXES - FICA	8,607.49	10,203.26	8,252.26	8,603.51	10,199.00	9,019.13	14,694.00	29,865.40			14,694.00	29,865.40				
5102-13710	TAXES - MEDICARE	2,013.01	2,386.23	1,930.04	2,012.12	2,385.26	2,109.28	3,436.50	6,984.55			3,436.50	6,984.55				
5102-14730	TAXES - UNEMPLOYMENT	0.00	240.01	63.00	90.00	90.00	90.00	90.00	300.00			90.00	300.00				
5102-15630	INSURANCE - WORKERS COMP	1,831.27	1,223.46	1,279.42	22,664.51	1,575.00	1,552.00	1,700.00	4,000.00			1,700.00	4,000.00				
5102-16200	RETIREMENT/ APERS	23,160.39	22,960.64	22,737.17	22,664.51	25,201.40	23,558.56	36,000.00	74,000.00			36,000.00	74,000.00				
5102-16251	RETIREMENT/CASHOUT	0.00	20,120.51	631.69	0.00	0.00	0.00	0.00	0.00			0.00	0.00				
5102-17620	INSURANCE - HOSPITAL	29,644.70	31,662.48	35,151.60	33,619.68	37,530.48	28,978.62	50,000.00	90,000.00			50,000.00	90,000.00				
5102-17622	INSURANCE - HOSPITAL REV	0.00	0.00	(445.76)	0.00	0.00	0.00	0.00	0.00			0.00	0.00				
5102-17623	INSURANCE - EMPLOYEE LIFE	0.00	0.00	0.00	0.00	500.00	121.50	500.00	500.00			500.00	500.00				
TOTAL PERSONNEL SERV. & BENEF.		207,858.49	237,013.80	209,841.09	214,635.63	245,981.14	215,462.53	343,420.50	687,350.05			500.00	687,350.05				
OPERATING EXPENSES																	
5102-21610	Ins - Property & Contents	0.00	0.00	0.00	1,909.94	2,000.00	518.28	800.00	800.00			800.00	800.00				
5102-21611	INS - EQUIP/VEH/ GASBOY/ RADIO	606.08	915.35	635.13	0.00	0.00	0.00	0.00	0.00			0.00	0.00				
5102-22679	MOWING LOTS- REFUND	(585.00)	(925.00)	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00				
5102-22681	MOWING LOTS	1,984.97	1,588.65	536.22	1,425.00	3,000.00	1,907.63	4,000.00	4,000.00			4,000.00	4,000.00				
5102-22682	RECORDING PLATS	0.00	30.00	15.00	0.00	200.00	0.00	200.00	200.00			200.00	200.00				
5102-22683	ABATEMENT OF NUISANCE PROPERTY	0.00	0.00	0.00	0.00	500.00	0.00	500.00	500.00			500.00	500.00				
5102-25800	TRAVEL & TRAINING	227.50	1,045.63	0.00	127.50	1,200.00	105.00	2,000.00	2,000.00			2,000.00	2,000.00				
5102-27060	REPAIRS/MAINTENANCE	0.00	0.00	0.00	364.09	2,500.00	2,160.91	4,000.00	4,000.00			4,000.00	4,000.00				
5102-27070	EQUIPMENT-MAINT OFFICE	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00				
5102-27120	REPAIR/MAINT RADIO	89.67	0.00	0.00	0.00	0.00	0.00	0.00	0.00			0.00	0.00				
5102-27310	COMPUTER OPERATING EXPENSE	2,458.50	7,514.57	8,353.86	14,358.16	17,000.00	11,859.88	21,000.00	45,000.00			21,000.00	45,000.00				
5102-27311	COMPUTER EQUIPMENT REPLACEMENT	257.51	3,089.31	880.41	0.00	0.00	0.00	0.00	0.00			0.00	0.00				
5102-27930	VEHICLE LABOR & PARTS	1,108.78	208.72	826.16	0.00	0.00	0.00	0.00	0.00			0.00	0.00				
TOTAL OPERATING EXPENSES		6,148.01	13,467.23	11,628.95	18,184.69	26,400.00	16,551.70	32,500.00	56,500.00			32,500.00	56,500.00				

ADDITION OF 3 PERSONNEL
 WILL BE REIMBURSED BY
 STREETS/WATER SEWER
 FROM WORK THEY DO FOR
 BOTH DEPARTMENTS THRU
 WILL SHOW IN REVENUE
 SPREADSHEET UNDER
 ENGINEERING REIMBURSE - REV
 101-4000-22018
 WILL BE BILLED BACK TO DEPTS
 LIKE THE ADMIN FEES
 AND STREET DEPT SHOP MAINT
 OF VEHICLES

101 - GENERAL FUND										PASSED 12/01/22		CLEANUP
BUILDING INSPECTION										2023	UPDATED	
EXPENDITURES		2018	2019	2020	2021	2022	2022	Budget	TOTALS			
SUPPLIES		ACTUAL	ACTUAL	ACTUAL	ACTUAL	ACTUAL	YTD 11/30/2022					
5102-31650	SUPPLIES - OFFICE	1,970.34	3,352.75	2,390.30	6,167.19	11,000.00	10,348.20	12,000.00	20,000.00			
5102-31850	POSTAGE	2,553.07	3,204.19	3,452.39	0.00	0.00	0.00	0.00	0.00			
5102-32520	FUEL, GAS, & OIL	1,909.99	1,938.55	1,666.04	2,253.12	4,200.00	3,018.17	6,000.00	25,000.00			
5102-32780	TELEPHONE	3,563.44	3,772.76	1,214.52	0.00	0.00	0.00	0.00	0.00			
5102-32781	CELL PHONE - REIMBURSEMENT	341.00	372.00	0.00	0.00	0.00	0.00	0.00	0.00			
5102-32900	UTILITIES	0.00	0.00	0.00	1,486.94	3,500.00	1,843.00	4,500.00	4,500.00			
5102-34150	BOOKS, DUES, & SUBSCRIPTIONS	530.00	530.00	555.00	0.00	0.00	0.00	0.00	0.00			
5102-35820	UNIFORMS	1,320.73	874.03	928.67	1,040.99	1,750.00	1,430.10	3,500.00	8,000.00			
TOTAL SUPPLIES		12,188.57	14,044.28	10,206.92	10,948.24	20,450.00	16,639.47	26,000.00	57,500.00			
CAPITAL OUTLAY												
5102-43262	TRUCK FROM STREET OR WATER SEWER	4,000.00	4,000.00	4,000.00	15,000.00	0.00	0.00	15,000.00	15,000.00			
TOTAL CAPITAL OUTLAY		4,000.00	4,000.00	4,000.00	15,000.00	0.00	0.00	15,000.00	15,000.00			
OTHER COSTS & MISC.												
5102-73620	PURCHASING CARD CASH BACK-REV	(21.96)	(19.37)	(40.40)	(22.59)	(15.00)	(39.59)	(40.00)	(40.00)			
5102-73700	MISCELLANEOUS EXPENSE	0.00	335.68	137.40	784.06	700.00	413.05	700.00	700.00			
5102-73705	CREDIT CARD EXPENSE	0.00	0.00	462.27	889.41	1,500.00	300.00	500.00	500.00			
5102-73800	RESOLUTION 2021-4 RESI BLDG INCESTIVE	0.00	0.00	0.00	0.00	92,650.00	34,200.00	100,000.00	100,000.00			
5102-76185	CASH OVER/SHORT	0.00	(5.00)	0.00	0.00	0.00	0.00	0.00	0.00			
5102-78950	PR YR EXP PAID IN CURR YR	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			
TOTAL OTHER COSTS & MISC.		(21.96)	311.31	559.27	1,650.88	94,835.00	34,873.46	101,160.00	101,160.00			
TOTAL BLDG INSPECTION		230,173.11	268,836.62	236,236.23	260,419.44	387,666.14	283,527.16	518,080.50	917,510.05			
DIFFERENCE										399,429.55		

2022 Proposed Budget

101 - GENERAL FUND									
GENERAL ADMINISTRATION									
REVENUE	2018 ACTUAL	2019 ACTUAL	2020 ACTUAL	2021 ACTUAL	2022 Budget	2022 YTD 11/30/2022	PASSED DEC 1, 2022 Budget	CLEANUP	UPDATED TOTALS
TAXES									
4000-11040 COUNTY TURNBACK	508,830.85	518,248.08	538,769.39	556,314.00	515,000.00	523,025.32	525,000.00	525,000.00	525,000.00
4000-14200 FRANCHISE-ENERGY	394,747.08	370,153.76	414,275.84	401,163.00	415,000.00	401,156.20	415,000.00	415,000.00	415,000.00
4000-14205 FRANCHISE-CAB COMPANY	50.00	50.00	50.00	0.00	0.00	0.00	0.00	0.00	0.00
4000-14210 FRANCHISE-SUDDENLINK CABLE	139,392.53	137,286.28	127,371.33	116,384.00	110,000.00	102,150.96	110,000.00	110,000.00	110,000.00
4000-14215 FRANCHISE-CENTURYTEL	36,067.78	32,299.58	29,016.15	22,031.00	22,000.00	14,049.09	21,000.00	21,000.00	21,000.00
4000-14220 FRANCHISE-NORTH ARK ELECTRIC	288,098.68	268,778.98	247,770.31	306,597.00	275,000.00	328,940.09	300,000.00	300,000.00	300,000.00
4000-14225 FRANCHISE-SOURCEGAS/HILL ENERGY	210,301.19	203,941.98	217,849.45	234,146.00	210,000.00	488,625.19	425,000.00	425,000.00	425,000.00
4000-14230 FRANCHISE-RITTER	6,651.69	7,386.47	10,423.72	11,645.00	13,000.00	16,628.18	13,500.00	13,500.00	13,500.00
4000-14240 FRANCHISE-VELCOT	0.00	1,001.51	2,856.90	3,900.00	4,500.00	5,705.68	4,000.00	4,000.00	4,000.00
TOTAL TAXES	1,584,139.80	1,539,146.64	1,588,383.09	1,652,180.00	1,564,500.00	1,880,280.71	1,813,500.00	1,813,500.00	1,813,500.00
LICENSES & PERMITS									
4000-21260 LIQUOR TAX & LICENSE	94,076.04	100,070.08	82,310.94	100,153.00	100,000.00	75,416.29	100,000.00	100,000.00	100,000.00
4000-21270 OCCUPATION LICENSE	133,922.75	132,437.81	132,905.80	141,465.00	135,000.00	152,062.49	135,000.00	135,000.00	135,000.00
4000-22018 ENGINEERING REIMB - REV W/S-STREETS	52,131.69	65,155.12	53,741.62	89,379.00	65,000.00	69,134.71	65,000.00	65,000.00	65,000.00
4000-22020 BUILDING PERMITS	390.00	350.00	245.00	235.00	375.00	185.00	250.00	250.00	250.00
4000-22080 DOG/CAT LICENSE	150.00	225.00	0.00	0.00	150.00	0.00	50.00	50.00	50.00
4000-22081 PD - BURN/OTHER PERMITS & REPORTS	1,540.00	1,395.00	1,105.00	1,395.00	1,400.00	1,217.95	1,350.00	1,350.00	1,350.00
4000-22082 GARAGE SALE	0.00	400.00	265.00	700.00	400.00	0.00	400.00	400.00	400.00
4000-22083 REZONING FEES	0.00	125.00	150.00	(23.00)	0.00	0.00	0.00	0.00	0.00
4000-22084 ENTERTAINMENT DIST FESTIVAL FEE	0.00	125.00	150.00	(23.00)	0.00	0.00	0.00	0.00	0.00
TOTAL LICENSES & PERMITS	282,210.48	300,158.01	270,723.36	333,302.00	302,325.00	298,016.44	302,050.00	302,050.00	302,050.00
INTERGOVERNMENTAL									
4000-33370 STATE TURNBACK	197,172.87	196,792.81	184,690.15	203,578.00	190,000.00	178,963.16	190,000.00	190,000.00	190,000.00
4000-33500 BAXTER LAB LEASE	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00
4000-37030 COUNTY REIMBURSE COURT	109,417.83	69,408.00	128,407.15	138,121.00	160,000.00	148,962.63	160,000.00	160,000.00	160,000.00
4000-38180 FIRE DISTRICT MILLAGE	155,836.00	157,217.00	160,113.00	162,307.00	152,000.00	88,075.00	160,000.00	160,000.00	160,000.00
TOTAL INTERGOVERNMENTAL	463,626.70	424,617.81	474,410.30	505,206.00	503,200.00	417,200.79	511,200.00	511,200.00	511,200.00
CHARGES FOR SERVICES									
4000-41070 DISTRICT COURT	193,527.20	199,772.57	202,231.42	208,397.00	195,000.00	182,577.95	195,000.00	195,000.00	195,000.00
4000-41380 WARRANT FEES	3,247.00	3,205.50	4,680.50	4,381.00	3,500.00	5,623.00	4,000.00	4,000.00	4,000.00
4000-42290 POOL ADMISSIONS	35,454.00	32,954.52	30,760.00	31,344.00	31,000.00	36,233.00	31,000.00	31,000.00	31,000.00

2022 Proposed Budget

101 - GENERAL FUND													
GENERAL ADMINISTRATION		2018	2019	2020	2021	2022	2022	2022	PASSED DEC 1, 2022	CLEANUP			
REVENUE		ACTUAL	ACTUAL	ACTUAL	ACTUAL	Budget	YTD 11/30/2022	Budget	2023 Budget	UPDATED TOTALS			
4000-42295	POOL CONCESSIONS	3,665.98	3,978.22	4,392.50	4,552.00	4,200.00	6,944.75	4,200.00	4,200.00	4,200.00			

2022 Proposed Budget

101 - GENERAL FUND										PASSED DEC 1, 2022		CLEANUP
GENERAL ADMINISTRATION										2023		UPDATED
REVENUE		2018	2019	2020	2021	2022	2022	2022	2023	TOTALS		
		ACTUAL	ACTUAL	ACTUAL	ACTUAL	Budget	YTD 11/30/2022	Budget	Budget	TOTALS		
4000-42300	POOL RENTAL	3,692.50	4,200.00	3,223.75	3,040.00	4,000.00	4,535.00	4,000.00	4,000.00	4,000.00		
4000-42305	POOL SWIMMING LESSONS	15,665.00	15,962.50	0.00	14,190.00	15,800.00	16,025.00	15,800.00	15,800.00	15,800.00		
4000-43420	YC- CONCESSIONS	2,540.94	2,791.45	702.11	1,084.00	1,500.00	1,519.16	1,000.00	1,000.00	1,000.00		
4000-43480	YC- MEMBERSHIP FEES	15,551.00	15,308.00	6,630.00	11,446.00	15,250.00	13,316.00	11,000.00	11,000.00	11,000.00		
4000-43500	YC- PROGRAMS/LESSONS	1,719.00	1,252.00	342.00	40.00	300.00	40.00	40.00	40.00	40.00		
4000-43510	YC- RENTAL	3,501.00	4,745.00	1,400.00	2,675.00	1,500.00	7,050.00	2,000.00	2,000.00	2,000.00		
4000-43520	YC- SOFTBALL	0.00	0.00	1,008.00	11,905.00	11,000.00	8,500.00	8,500.00	8,500.00	8,500.00		
4000-43522	ADULT SPORTS	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		
4000-43551	YC- YOUTH BASKETBALL	0.00	0.00	0.00	0.00	3,500.00	45.00	0.00	0.00	0.00		
4000-43552	YC- YOUTH BASEBALL	0.00	9,535.00	2,930.00	20,465.00	16,000.00	14,258.00	14,000.00	14,000.00	14,000.00		
4000-43553	YC- YOUTH SOCCER	0.00	0.00	0.00	0.00	0.00	14,715.00	8,900.00	8,900.00	8,900.00		
4000-44280	POLICE FEES	8,307.50	9,148.29	6,746.70	7,917.00	7,500.00	6,911.00	7,500.00	7,500.00	7,500.00		
4000-45708	PARKING AUTHORITY	0.00	7,595.00	7,080.00	5,600.00	7,000.00	8,760.00	7,000.00	7,000.00	7,000.00		
TOTAL CHARGES FOR SERVICES		286,871.12	310,448.05	272,135.98	327,036.00	317,050.00	327,052.86	313,940.00	313,940.00	313,940.00		
INVESTMENT INCOME												
4000-61230	INTEREST INCOME	6,796.42	10,040.64	14,729.55	10,497.00	8,200.00	13,057.75	9,500.00	9,500.00	9,500.00		
TOTAL INVESTMENT INCOME		6,796.42	10,040.64	14,729.55	10,497.00	8,200.00	13,057.75	9,500.00	9,500.00	9,500.00		
MISCELLANEOUS REVENUE												
4000-83265	MISCELLANEOUS INCOME	1,107.84	2,522.34	438.02	1,809.00	500.00	3,228.03	800.00	800.00	800.00		
4000-83270	RECYCLE SERVICES	5,357.50	16,849.50	24,396.50	16,208.00	15,000.00	16,082.50	15,000.00	15,000.00	15,000.00		
4000-83300	CARRYOVER	0.00	0.00	0.00	0.00	2,464,133.60	2,464,133.60	3,015,070.76	3,015,070.76	3,015,070.76		
4000-83330	FIRE REIMBURSE SUPPLIES	52,123.20	41,308.00	60,266.82	57,000.00	57,000.00	71,581.33	98,000.00	98,000.00	98,000.00		
4000-83350	POLICE REIMBURSE SUPPLIES	90,273.60	96,446.62	100,951.84	96,202.00	100,000.00	96,936.93	125,000.00	125,000.00	125,000.00		
4000-83396	WATER DEPT SERVICES	290,176.99	297,666.68	283,668.59	332,079.00	275,000.00	337,472.48	325,000.00	325,000.00	325,000.00		
4000-83397	STREET DEPT SERVICES	91,661.01	89,715.84	85,722.59	104,121.00	85,000.00	105,532.70	100,000.00	100,000.00	100,000.00		
TOTAL MISCELLANEOUS REVENUE		530,700.14	544,508.98	555,444.36	607,419.00	2,996,633.60	3,094,967.57	3,678,870.76	3,678,870.76	3,678,870.76		
OTHER FINANCING SOURCES												
4000-91340	SALE OF ASSETS					0.00	0.00					
4000-99350	SALES TAX TRANSFER- CITY	1,876,708.39	2,144,037.40	2,375,956.97	2,706,093.00	2,225,000.00	2,695,427.48	2,600,000.00	2,600,000.00	2,600,000.00		
4000-99360	SALES TAX TRANSFER- COUNTY	2,091,294.07	2,179,058.53	2,408,432.05	2,731,730.00	2,265,000.00	2,842,847.19	2,800,000.00	2,800,000.00	2,800,000.00		
TOTAL OTHER FINANCING SOURCES		3,968,002.46	4,323,095.93	4,784,389.02	5,437,823.00	4,490,000.00	5,538,274.67	5,400,000.00	5,400,000.00	5,400,000.00		

METHVIN SANITATION, INC.

340 W. Industrial Park Rd.
Harrison, AR 72601
(870) 741-8095

Mayor Hillrey Adams, City Council, City of Mountain Home


Thank You for the opportunity to provide your solid waste services. Methvin Sanitation *request that the rates charged for services under this Contract be adjusted by the same percentage as the Consumer Price Index, US City Average for All Urban Consumers, Garbage and Trash Collection per 5.03.1 in the "Contract for Sanitation Services"*.

5.03 Modification to Rates

5.03.1 CPI Adjustment Commencing on December 1, 2013, and continuing annually on each anniversary date of the Commencement Date of the Contract, Contractor may request that the rates charged for services under this Contract be adjusted by the same percentage as the Consumer Price Index, US City Average for All Urban Consumers, Garbage and Trash Collection, Not Seasonally Adjusted, Base Period December 1983 = 100 (published by the United States Bureau of Labor Statistics, Consumer Price Index) (the "CPI") (<http://www.bls.gov/news.release/cpi.t02.htm>) shall have increased during the preceding twelve months. In the event the U.S. Department of Labor, Bureau of Labor Statistics ceases to publish the CPI, the parties hereto agree to substitute another equally authoritative measure of change in the purchasing power of the U.S. dollar as may be the then available so as to carry out the intent of this provision. Contractor shall submit its request for a rate increase to the City, with documentation substantiating the CPI change. The City shall place the request on its next business meeting. If substantiated, the CPI adjustment will be effective when approved by the City Council.

Exhibit F 2.b

Because fuel prices are a component of CPI, the Baseline Fuel Price will be adjusted at any time a CPI Adjustment is requested and accepted in accordance with Section 5.04.1 of Exhibit A to this Contract. The adjusted "Baseline Fuel Price" shall be the most recent Published Fuel Price at the time the CPI Adjustment is accepted.

Methvin Sanitation requests a  price increase to be in effect January 1, 2023.

Thanks

Justin Methvin

"Our business is picking up"

ORDINANCE NO.

AN ORDINANCE REGULATING NOISE WITHIN THE CITY OF MOUNTAIN HOME; REPEALING ORDINANCES IN CONFLICT THEREWITH; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

SECTION 1:

For the purpose of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Decibel (dB). A unit for measuring the volume of a sound, equal to twenty (20) times the logarithm to the base ten of the ratio of the pressure of the sound measured to the referenced pressure, which is 20 micropascals (20 micronewtons per square meter).

Emergency. Any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.

Emergency work. Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

Gross vehicle weight rating (GVWR). The value specified by the manufacturer as the recommended maximum loaded weight of a single motor vehicle. In cases where trailers and tractors are separable, the gross combination weight rating (GCWR) which is the value specified by the manufacturer as the recommended maximum loaded weight of the combination vehicle, shall be used.

Motor carrier vehicle engaged in interstate commerce. Any vehicle for which regulations apply pursuant to Section 18 of the Federal Noise Control Act of 1972 (PL92-574), as amended, pertaining to motor carriers engaged in interstate commerce.

Noise. Any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

Noise disturbance. Any sound which:

- (1) Endangers or injures the safety or health of humans or animals;
- (2) Annoys or disturbs a reasonable person of normal sensitivities; or
- (3) Endangers or injures personal or real property.

Public right-of-way. Any street, avenue, boulevard, highway, sidewalk or alley or similar place which is owned or controlled by a government entity.

Public space. Any real property or structures thereon which are owned or controlled by a governmental entity.

Sound level. The weighted sound pressure level obtained by the use of a sound level meter and frequency weighing network, such as A, B, or C as specified in the American National Standards Institute's specifications for sound level meters. If the frequency weighing employed is not indicated, the A-weighing shall apply.

Sound level meter. An instrument which includes a microphone, amplifier, RMS detector, integrator or time average, or output meter, and weighing network used to measure sound pressure levels.

Sound pressure level. Twenty (20) times the logarithm to the base ten of the ratio of the RMS sound pressure to reference pressure of 20 micropascals ($20 \times 10^{-6} \text{ N/m}^2$).

Transient sound source. Noise, the source of which is lawn equipment, an implement of husbandry, a domestic power tool, or the repairing, rebuilding, modifying or testing of any motor vehicle or motorcycle.

SECTION 2:

- (A) Notwithstanding any other provision of this chapter, and in addition thereto, it shall be unlawful for any person to make, or continue or cause or permit to be made or continued, any noise disturbance.
- (B) The provisions of this section shall not apply to:
 - (1) The emission of sound for the purpose of alerting persons to the existence of an emergency;
 - (2) The emission of sound in the performance of emergency work;
 - (3) The movement of aircraft which is in all respects conducted in accordance with, or pursuant to applicable federal laws or regulations;
 - (4) The use of bells or chimes in conjunction with places of religious worship; and
 - (5) The intentional sounding or permitting the sounding of any fire, burglar or civil defense alarm, siren, whistle or similar stationary or emergency signaling device, for emergency purposes or for testing, provided such testing uses only the minimum cycle test time.
- (C) For the purpose of this section, the use of an amplification device, radio, television, phonograph, drum, musical instrument or similar device which produces, reproduces, or amplifies sound shall be deemed annoying or disturbing to a person, reasonably calculated to disturb the peace and unreasonably offensive and injurious to the public if the sound is produced between the hours of 1:00 a.m. and 8:00 a.m., and is plainly audible a distance of 150 feet or more from the source of the sound.
 - (1) Plainly audible means any sound produced as set forth above which clearly can be heard at a distance of 150 or more feet. The measurement standard shall be by the auditory senses, based on direct line of sight. Words or phrases need not be discernable and bass reverberations are included.
 - (2) This provision shall not apply to athletic or school related events.
- (D) *Late Night Construction Noise Near Residences.* For the purposes of this section, construction noise from private development construction activity shall be deemed annoying or disturbing to a person, reasonably calculated to disturb the peace and unreasonably offensive and injurious to the public if the sound or noise is produced later than 11:00 p.m. everyday and prior to 7:00 a.m. on all days except Sundays when the "quiet" time shall extend until 9:00 a.m. and is plainly audible at or near any residence (apartment, home, condo, etc.) within 150 yards of the construction activity.
 - (1) The measurement standard shall be by auditory senses and includes transient construction activity noise sources.
 - (2) Emergency construction activity to repair or prevent a dangerous condition in order to protect the health, safety and welfare of citizens or the workers on the development project site is exempt from this provision if authorized in advance or ratified later by the Mayor.
 - (3) This subsection takes precedence over any conflicting and less restrictive noise limitation provisions.
 - (4) A variance may be requested and granted for necessary and temporary after-hours construction activities.
- (E) Operating or causing to operate any sound amplification device on or from within any means of conveyance, whether motorized or not, so that the sound is plainly audible at a distance of 30 feet or more from the vehicle whether in a street, a highway, an alley, parking lot or driveway, whether public or private property, is prohibited and declared to be a noise disturbance in violation of this chapter.

SECTION 3:

Sound level measurements shall be made with a sound level meter Type II or better using the A-weighted scale in conformance with the standards promulgated by the American National Standards Institution.

SECTION 4:

- (A) No person shall operate or cause to be operated, or permit, contract or allow to be operated on premises on public or private property any identifiable source of sound in such a manner as to create a sound level within the use districts in Table 1 below which exceeds the maximum noise levels as set forth in Table 1 as measured at any point on the boundary of the property from which the sound or noise was emanating. Except between the hours of 10:00 p.m. and 1:00 a.m., a complaint under this section must be brought by a property owner or leaseholder affected by excessive noise on their property.

TABLE 1

Use Districts	Time	Maximum Noise Levels
All residential zones	7:00 a.m. to 11:00 p.m.	60 dB(A)
All residential zones	>11:00 p.m. to 7:00 a.m.	55 dB(A)
All commercial zones	7:00 a.m. to 11:00 p.m.	75 dB(A)
All commercial zones	11:00 p.m. to 7:00 a.m.	70 dB(A)
All industrial zones	7:00 a.m. to 11:00 p.m.	80 dB(A)
All industrial zones	11:00 p.m. to 7:00 a.m.	75 dB(A)

All measurements shall be taken with a sound level meter in its fast or peak level setting.

- (B) *District Boundaries.* When a noise source can be identified and its noise measured in more than one use district, the noise level limits of the most restrictive use district shall apply at that district boundary.
- (C) *Commercial Source.* Notwithstanding the zoning classification of the underlying parcel, restaurants, night clubs, private clubs, auditoriums, dance halls, and rehearsal studios are defined as commercial sound sources existing in commercial zones for the purposes of this chapter.
- (D) *Transient Source.* For a transient sound emanating in any land use category, the peak noise level shall not exceed 20 decibels above the limit set in Table 1 above.
- (E) *Construction.* Construction projects shall be subject to the limitations specified for industrial zones for the period of time allowed by the building permit.

Section 5:

- (A) No person shall operate or cause to be operated a public or private motor vehicle or motorcycle on a public right-of-way or private property at any time and in such a manner that the sound level emitted by the motor vehicle or motorcycle exceeds the level set forth in Table II below.

TABLE II

MOTOR VEHICLE AND MOTORCYCLE SOUND LIMIT

(Measured at 25 Feet From the Near Side of the Nearest Lane Monitored)

Vehicle class	Sound Level in dB		
	Speed limit 35mph or less	Speed limit over 35mph	Stationary Run-up
Motor vehicle carrier engaged in interstate commerce of GVWR or GCWR of 10,000 lbs. or more	86	90	88
Any other motor vehicle or any combination of vehicles towed by any such motor vehicles	78	78	78
Motorcycles	78	78	78

- (B) No person shall operate or cause to be operated any motor vehicle or motorcycle not equipped with a muffler or other sound dissipative device in good working order and in constant operation.
- (C) No person shall sound any horn or other auditory signaling device on or in any motor vehicle on any public right-of-way or public place, except as a warning of danger.
- (D) Operating or causing to operate any sound amplification device from within a vehicle so that the sound is plainly audible at a distance of 30 feet or more from the vehicle whether in a street, a highway, an alley, parking lot or driveway, whether public or private property, is prohibited and declared to be a noise disturbance in violation of this chapter.
- (E) No person shall operate or cause to be operated a motor vehicle or motorcycle by rapidly advancing its throttle (revving) such that a noise disturbance occurs.

Section 6:

It shall be unlawful for any person to use, operate or permit to be played, used or operated any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is cast upon the public streets from a point of origin located on private property, for the purpose of commercial advertising or attracting the attention of the public to any building or structure.

Section 7:

(A) *Application; Issuance.*

- (1) The Mayor shall have the authority to issue a permit, upon a showing of undue hardship, for a variance from the provisions of this section upon a showing by the applicant that:
 - (a) Additional time is necessary for the applicant to alter or modify his activity or operations to comply with this section; or
 - (b) The activity, operation or noise source will be of a temporary duration and cannot be done in a manner that would comply with this section; and
 - (c) No reasonable alternative is available to the applicant.
- (2) An application for a variance permit shall be in writing on a form prescribed by the Mayor. In issuing a variance permit, the Mayor may impose reasonable conditions or requirements necessary to minimize adverse effects upon the surrounding neighborhood. For events to be attended by the public, the

written application for a variance shall be filed with the Mayor a minimum of fourteen (14) days prior to the date on which a variance is requested.

- (B) *Denial; Appeal.* An applicant who is denied a variance by the Mayor may appeal to the City Council by filing written notice of appeal with the City Clerk within ten (10) days from the date of the Mayor's decision. The notice of appeal shall specifically state the reasons why the applicant considers the Mayor's findings and decision to be in error.

Section 8:

- (A) In lieu of issuing a notice of violation, a Code Enforcement Officer responsible for enforcement of any provision of this section may issue an order requiring abatement of any source of sound alleged to be in violation of this section within a reasonable time period. An abatement order shall not be issued when the Code Enforcement Officer has reason to believe that there will not be compliance with said order.
- (B) A violation of any provision of this section shall be cause for a notice of violation to be issued by the Code Enforcement Officer.

Section 9:

- (A) A compression release engine brake, or other hydraulically operated device that converts a power producing diesel or gas engine into a power absorbing retarding mechanism with a correspondingly increased amount of noise emission shall not be engaged or used within the city limits except in the case of failure of the service brake system, adverse weather conditions, or other emergency necessitating the compression release engine brake's use.
- (B) Fire trucks, and those municipal vehicles equipped with the Quiet Brake and Silent Partner System are exempted from the requirements of this section.

Section 10:

The violation of any provision of this chapter shall be punished by a fine of not more than \$500.00 or double that sum for each repetition of such violation. If the violation is, in its nature, continuous in respect to time, the penalty for allowing the continuation thereof shall not exceed \$250.00 for each day that the same is unlawfully continued.

Section 11:

Any and all other Ordinances, or parts thereof conflicting with this Ordinance, shall be repealed to the extent of any such conflict.

Section 12:

The regulation of noise within the City of Mountain Home is vital to the health, safety and welfare of its citizens and this Ordinance shall be in full force and effect from and after passage.

DATED this ____ day of December, 2022.

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK