

MOUNTAIN HOME CITY COUNCIL REGULAR MEETING AGENDA

THURSDAY, MARCH 6, 2025 @ 5 P.M.

COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
720 HICKORY STREET, MOUNTAIN HOME, ARKANSAS

Pledge of Allegiance

Prayer

Roll call

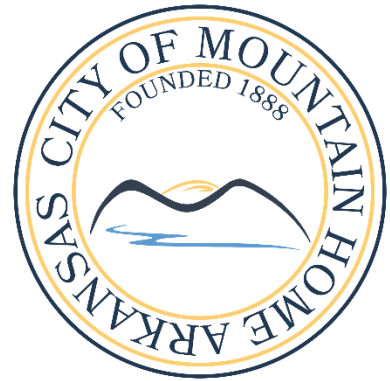
Minutes from the February 20TH Council meeting

Committee reports

Bank reconciliations

Agenda additions

Announcements



BUSINESS

A RESOLUTION AUTHORIZING THE PREPARATION OF CERTAIN DOCUMENTATION FOR THE SUBSEQUENT APPROVAL OF THE CITY COUNCIL RELATED TO THE PROPOSED ISSUANCE BY THE CITY OF WATER AND SEWER REVENUE IMPROVEMENT BONDS, SERIES 2025; APPROVING THE PREPARATION AND DELIVERY OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE OFFER AND SALE OF SAID BONDS; AND PRESCRIBING OTHER MATTERS RELATING THERETO, presented by Steve Hill and Alma Clark

AN ORDINANCE ANNEXING PROPERTY CONTIGUOUS THEREWITH TO WATER & SEWER IMPROVEMENT DISTRICT NO. 3 OF THE CITY OF MOUNTAIN HOME, ARKANSAS; ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF MOUNTAIN HOME, ARKANSAS; AND TO ANNEX PROPERTY TO THE CITY OF MOUNTAIN HOME, ARKANSAS, AS COMMERCIAL C-2, presented by Ted Sanders

AN ORDINANCE AMENDING ORDINANCE NO. 98-018; CLARIFYING ZONING CLASSIFICATIONS TO THE PROPERTIES SET FORTH THEREIN; DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES, presented by Roger Morgan

AN ORDINANCE TO NOT CODIFY BID WAIVER ORDINANCES AND REMOVE THE SAME FROM THE CITY CODE OF THE CITY OF MOUNTAIN HOME, ARKANSAS, presented by Scott Liles

***AN ORDINANCE TO NOT CODIFY ORDINANCE NO. 2002-25 AND REMOVE CHAPTER 2.64
“MONEY ACCUMULATION PENSION PLAN AND TRUST” FROM THE CITY CODE OF THE CITY
OF MOUNTAIN HOME, ARKANSAS, presented by Scott Liles***

***AN ORDINANCE TO REGULATE ANIMAL CONTROL IN THE CITY OF MOUNTAIN HOME,
ARKANSAS; REQUIRING THE LICENSING OF ALL DOGS AND CATS INSIDE THE CITY; AND
REPEALING ORDINANCES 58, 530, 541, 778, 849, 1989-24, 1989-31 AND 1996-18; AND FOR
OTHER PURPOSES, presented by James Tilley***

COMMENTS

ADJOURN

Respectfully submitted,
Scott Liles, City Clerk

MINUTES
REGULAR CITY COUNCIL MEETING – Thursday, February 20th, 2025

1. The Mountain Home City Council met in regular session on February 20, 2025, in the Council Chambers of the Municipal Building. Mayor Hillrey Adams called the meeting to order at 5 p.m.
2. **CITY OFFICIALS IN ATTENDANCE** Mayor Hillrey Adams, City Clerk Scott Liles, City Attorney Roger Morgan, Public Works Director Steve Hill and Police Chief Eddie Griffin.
3. **MEDIA IN ATTENDANCE** None. The meeting was also streamed on Facebook by XL-7 TV.
4. **ROLL CALL** Following the Pledge of Allegiance and an invocation, the following Council members were present for the roll call: Bob Van Haaren, Susan Stockton, Jennifer Baker, Wayne Almond, Philip Frame, Carry Manuel, Jim Bodenhamer and Nick Reed.
5. **APPROVAL OF THE FEBRUARY 6th MINUTES** Council member Jennifer Baker made a motion to approve the minutes from the Council's February 6th meeting. The motion was seconded by Council member Wayne Almond. *The vote was recorded as follows: Yes – All present. The motion carried, and the February 6th minutes were adopted.*
6. **SNOW REMOVAL** Mayor Hillrey Adams said he would like open the night's meeting by praising all the City workers involved in keeping the streets cleared during this week's snowstorm. He noted that both the Water and Parks departments had employees assisting the Street Department in clearing away snow. The City has received "a lot of calls" about the great job the City workers have done, Mayor Adams said. The City weathered the snowstorm without any major accidents or damages, the mayor said.
7. **NEW BUSINESS**

A RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN CITY RECORDS, AND FOR OTHER PURPOSES If approved, this Resolution would allow the City to dispose of numerous outdated records it has on file. Council member Philip Frame agreed to witness the documents' destruction when they are shredded. Council member Carry Manuel made a motion to approve the Resolution and was seconded by Council member Bob Van Haaren. *The vote was recorded as follows: Yes – All present. The Resolution was declared adopted and numbered Resolution No. 2025-9.*

CITY CLERK'S NOTE *A copy of the list of documents to be destroyed may be found in the Exhibit file from this Council meeting. The list is also included with Resolution 2025-9 itself.*

AN ORDINANCE TO REGULATE ANIMAL CONTROL IN THE CITY OF MOUNTAIN HOME, ARKANSAS; REQUIRING THE LICENSING OF ALL DOGS AND CATS INSIDE THE CITY; AND

REPEALING ORDINANCES 58, 530, 541, 778, 849, 1989-24, 1989-31 AND 1996-18; AND FOR OTHER PURPOSES If adopted, this Ordinance would update the City's animal control ordinance, which was adopted in 1998. It would also repeal numerous older animal-related Ordinances that are no longer applicable.

City Clerk Scott Liles walked Council members through the proposed Ordinance. The biggest proposed change is eliminating the City's ban on pit bull terriers and replacing it with a restriction on "vicious dogs," with that determination to be made by the animal control officer and ultimately the courts. Other changes include making the City's pet licensing fee a flat \$5, with a license that does not expire; adding a requirement that animals have access to fresh water and shelter; requiring that owners pick up after their animals while in public; and prohibiting the feeding of stray animals on another's property. It would also be illegal to keep an animal in a car without appropriate heating/air conditioning. The proposed Ordinance would also define what a "noisy animal" is to aid in the enforcement against excessive noise. The existing animal control ordinance allows chickens/fowl but does not place an upper limit on how many birds may be kept. The proposed Ordinance would allow a "reasonable amount" of birds, with the animal control officer making that determination based on housing and confinement capacity. Items unchanged by the new Ordinance include a restriction on allowing animals to run free; a limit of three dogs/cats per residence; horses/cows require 1 acre of land per animal kept; and no hogs, goats or sheep allowed to be kept in the City.

SUSPEND THE RULES – READ BY TITLE ONLY After Liles' presentation, Council member Bob Van Haaren made a motion to suspend the rules and read the proposed Ordinance by title only. His motion was seconded by Council member Nick Reed. *The vote was recorded as follows: Yes – All present. The motion carried and City Attorney Roger Morgan placed the proposed Ordinance on its first reading by title only.*

The proposed Ordinance will return at the Council's March 6th meeting for a second reading.

8. ADJOURNMENT

With no further business to come before the council, Council member Bob Van Haaren made a motion to adjourn the meeting and drew a second from Council member Susan Stockton. *A voice vote was recorded as follows: Yes – All present. Mayor Hillrey Adams then declared the meeting adjourned at 5:25 p.m.*

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK



Public Safety Committee

REGULAR MONTHLY MEETING

February 18, 2025

The meeting was called to order at 2:01pm, by Wayne Almond, in Council Chambers.

Committee members

Committee Chairman Wayne Almond - Present

Jim Bodenhamer – Present

Carry Manuel – Present

Bob Van Haaren - Present

City officials

Mayor Hillrey Adams

Fire Chief Kris Quick

Police Chief Eddie Griffin

Assistant Police Chief Robert McCoy

City Clerk Scott Liles

City employees

Operations Manager Toni Taylor (meeting minutes)

Cpl. James Tilley

1. Department Updates

• Fire Department Updates

The department has ordered two vehicles expected to arrive within two months. Personnel updates include promotions: Stuart Swearingen to Battalion Chief, Jake Bickford to Captain, Skyler Wendell to Engineer, and Trenton Tardif as a new full-time member. Testing for three new positions is complete, with candidates on standby.

• Police Department Updates

The new station is progressing well, with an expected occupancy by late March to mid-April. New police cars are in production, with no specific delivery date yet. The department is focusing on training required for accreditation, with most training expected to be completed by May or June. This is part of the ongoing efforts to maintain standards and improve department capabilities.

2. Ordinance Review

- Animal Ordinances** Changes include defining "noisy animals," adjusting fowl limits based on housing, and addressing feral cat colonies while allowing flexibility for future adjustments.



- **Leash & Noise Regulations:** Discussed preference for leashes over voice command control and proposed broader noise ordinance language to cover all disruptive animals.
- **Pet Licensing:** Discussed streamlining registration, requiring rabies vaccination and microchipping, and considering a one-time licensing fee.
- **Municipal Code Cleanup**
Proposal to remove outdated bid waivers from the municipal code to streamline and simplify the codebook.

ADJOURN With no more business to discuss, the meeting adjourned at 3:10 pm

NEXT MEETING Will be held on March 18, 2025, at 2 pm. in Council Chambers.

Mountain Home Fire Department

Public Safety Meeting

February 18th, 2025

1. We have ordered new vehicles: a Dodge 2500 4-wheel drive and a Dodge Durango all-wheel drive. Hopefully, we will be able to take possession of them in a couple of months.
2. Shift personnel are completing pre-plans this quarter.
3. We implemented the following promotions:
 - Stuart Swearingen was promoted to Battalion Chief on A-Shift.
 - Jake Bickford was promoted to Captain on A-Shift.
 - Skyler Wintle was promoted to Engineer on B-Shift.
 - Trenton Tardiff was promoted to Full-time Firefighter on B-Shift.
4. We have tested for the position of the three new full-time Firefighters, but we have not put them on yet.
5. In January, we had 301 runs in 2025; for the same time frame in 2024, we had 277 runs.
6. The new Station 2 is coming along. We are projecting completion in late March to the middle of April.

Filter statement

Filters

Alarm Date Range 1/1/25 to 1/31/25 | Is Locked true | Is Active true

Fire Incidents YTD

Total Incident C...

Incident Count by Month

Count of Incidents
301

301

301

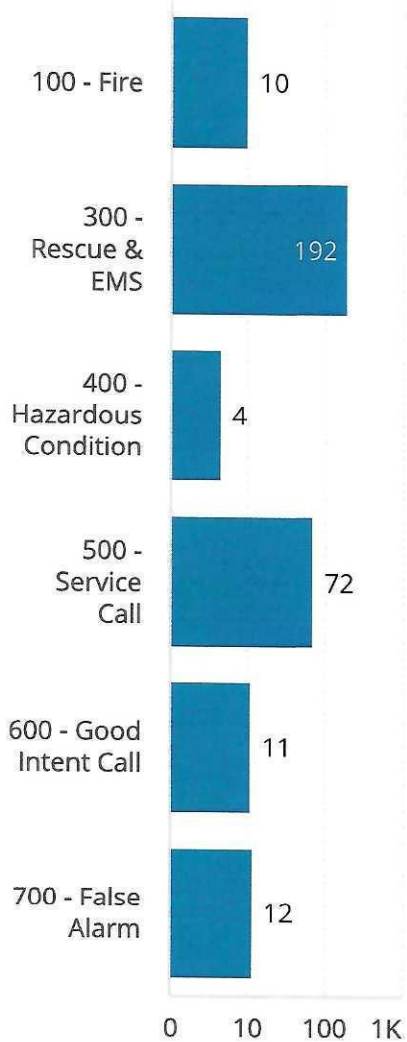
01/2025

Filter statement

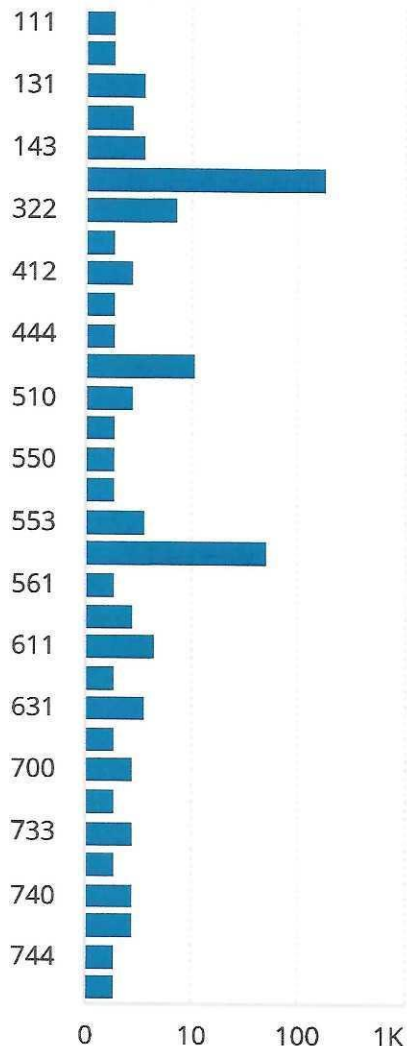
Filters

Alarm Date Range 1/1/25 to 1/31/25 | Is Locked true | Is Active true

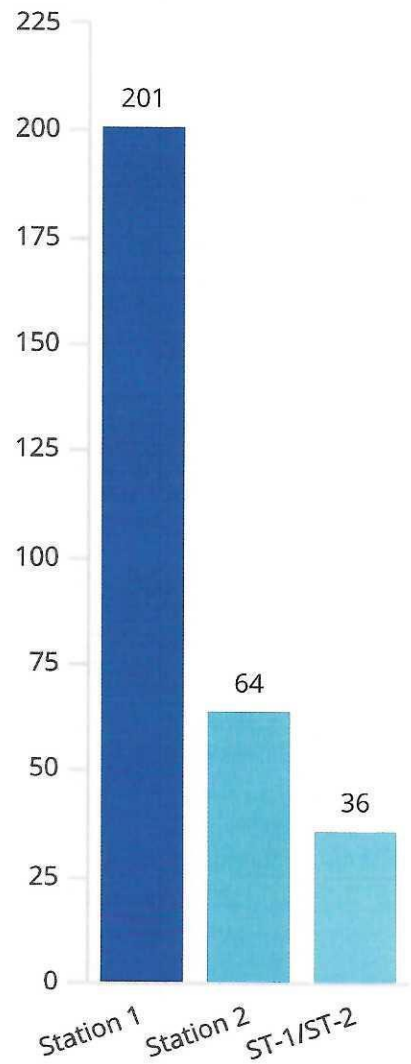
Percent of Incident Responses ...



Percent of Incident Responses ...



Incident Count by Station



Filter statement

Filters

Alarm Date Range 1/1/25 to 1/31/25 | **Is Locked** true | **Is Active** true

Count of Incident Responses by Shift

Shift	01/2025		%	#
	%	#		
C Shift	38.06%	110	38.06%	110
A Shift	30.8%	89	30.8%	89
B Shift	30.1%	87	30.1%	87
All Call	1.04%	3	1.04%	3
Grand Total	100%	289	100%	289

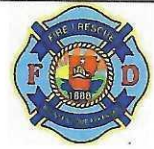
Count of Incident Responses by Unit Name (Top Ten by Count)

Unit Name	01/2025		%	#
	%	#		
75235	60.9%	176	60.9%	176
75E2	29.07%	84	29.07%	84
75E1	11.07%	32	11.07%	32
75R1	7.96%	23	7.96%	23
Stand-by Station	4.84%	14	4.84%	14
75L1	2.77%	8	2.77%	8
75B1	2.42%	7	2.42%	7
75E4	1.38%	4	1.38%	4
75T1	1.38%	4	1.38%	4
75203	1%	2	1%	2
Grand Total	99.65%	288	100%	289

Mountain Home Fire Department

Mountain Home, AR

This report was generated on 2/17/2025 9:13:04 AM



Incident Statistics

Zone(s): All Zones | Start Date: 01/01/2024 | End Date: 01/31/2024

INCIDENT COUNT			
INCIDENT TYPE		# INCIDENTS	
EMS		176	
FIRE		101	
TOTAL		277	
TOTAL TRANSPORTS (N2 and N3)			
APPARATUS	# of APPARATUS TRANSPORTS	# of PATIENT TRANSPORTS	TOTAL # of PATIENT CONTACTS
TOTAL			
PRE-INCIDENT VALUE		LOSSES	
\$0.00		\$0.00	
CO CHECKS			
746 - Carbon monoxide detector activation, no CO		1	
TOTAL		1	
MUTUAL AID			
Aid Type		Total	
Aid Given		2	
OVERLAPPING CALLS			
# OVERLAPPING		% OVERLAPPING	
76		27.44	
LIGHTS AND SIREN - AVERAGE RESPONSE TIME (Dispatch to Arrival)			
Station	EMS	FIRE	
ST-1/ST-2	0:09:19	0:07:06	
Station 1	0:05:28	0:07:29	
Station 2	0:06:30		
AVERAGE FOR ALL CALLS		0:06:08	
LIGHTS AND SIREN - AVERAGE TURNOUT TIME (Dispatch to Enroute)			
Station	EMS	FIRE	
ST-1/ST-2	0:06:43	0:03:13	
Station 1	0:01:42	0:02:50	
Station 2	0:02:23		
AVERAGE FOR ALL CALLS		0:02:16	
AGENCY		AVERAGE TIME ON SCENE (MM:SS)	
Mountain Home Fire Department		16:23	

Only Reviewed Incidents included. EMS for Incident counts includes only 300 to 399 Incident Types. All other incident types are counted as FIRE. CO Checks only includes Incident Types: 424, 736 and 734. # Apparatus Transports = # of incidents where apparatus transported. # Patient Transports = All patients transported by EMS. # Patient Contacts = # of PCR contacted by apparatus. This report now returns both NEMSIS 2 & 3 data as appropriate. For overlapping calls that span over multiple days, total per month will not equal Total count for year.



emergencyreporting.com
Doc Id: 1645
Page # 1 of 1

Previous Month ▾

Jan 1, 2025 - Jan 31, 2025 ▾

Inspection Type	Scheduled Date	Inspector	Inspection Number	Last Inspection	Next Inspection	Address	City/State/Zip
Annual	01/29/2025	Lofton, Sh...	665		01/29/2026	1030 Hwy 201 N	Mountain Home, AR, 72653
Annual	01/13/2025	Lofton, Sh...	613		01/13/2026	16 W 6th ST	Mountain Home, AR, 72653
Annual	01/14/2025	Lofton, Sh...	632		01/14/2026	1320 EastSide Cent..	Mountain Home, AR, 72653
Annual	01/21/2025	Lofton, Sh...	645	01/04/2023	01/21/2026	1143 S College ST	Mountain Home, AR, 72653-4741
Annual	01/08/2025	Lofton, Sh...	601		01/08/2026	1611 Hwy 62 E	Mountain Home, AR, 72653
Annual	01/13/2025	Lofton, Sh...	612		01/13/2026	332 E 9th ST	Mountain Home, AR, 72653
Annual	01/13/2025	Lofton, Sh...	611		01/13/2026	300 E 9th ST	Mountain Home, AR, 72653
Annual	01/14/2025	Lofton, Sh...	630		01/14/2026	25 CR 27	Mountain Home, AR, 72653
Annual	01/21/2025	Lofton, Sh...	644	01/04/2023	01/21/2026	1145 S College ST	Mountain Home, AR, 72653
Annual	01/02/2025	Lofton, Sh...	579		01/02/2026	290 Drillers RD	Mountain Home, AR, 72653
Annual	01/13/2025	Lofton, Sh...	614		01/13/2026	1256 CR 27	Mountain Home, AR, 72653
Annual	01/08/2025	Lofton, Sh...	603		01/08/2026	101 Hwy 5 N	Mountain Home, AR, 72653
Annual	01/29/2025	Lofton, Sh...	662		01/29/2026	775-A Hwy 201 N	Mountain Home, AR, 72654
Annual	01/14/2025	Lofton, Sh...	629		01/14/2026	711 Hwy 5 N	Mountain Home, AR, 72653
Annual	01/13/2025	Lofton, Sh...	617		01/13/2026	1206 Rossi RD	Mountain Home, AR, 72653
Annual	01/08/2025	Lofton, Sh...	555	12/09/2024	12/09/2025	1320 Rossi RD	Mountain Home, AR, 72653
Annual	01/08/2025	Lofton, Sh...	550	12/09/2024	12/09/2025	145 Pioneer Trail D...	Mountain Home, AR, 72653
Annual	01/29/2025	Lofton, Sh...	663		01/29/2026	775-B Hwy 201 N	Mountain Home, AR, 72653
New Business	01/06/2025	Lofton, Sh...	591		02/05/2025	916 Highway 62 E	Mountain Home, AR, 72653-3214
New Business	01/24/2025	Lofton, Sh...	654			1310 Eastside Cent...	Mountain Home, AR, 72653-2744
Annual	01/29/2025	Lofton, Sh...	664		01/29/2026	785 Hwy 201 N	Mountain Home, AR, 72653
New Business	01/24/2025	Lofton, Sh...	655	07/17/2024	01/24/2026	1322 Bradley DR	Mountain Home, 72653
New Business	01/06/2025	Lofton, Sh...	595		02/05/2025	211 E Wade AVE	Mountain Home, AR, 72653-5436
Annual	01/06/2025	Lofton, Sh...	587		01/06/2026	613 South ST	Mountain Home, AR, 72653
Annual	01/13/2025	Lofton, Sh...	616		01/13/2026	552 CR 27	Mountain Home, AR, 72653
Annual	01/24/2025	Lofton, Sh...	650		01/24/2026	304 W 6th ST	Mountain Home, AR, 72653-3538

Inspection Type	Scheduled Date	Inspector	Inspection Number	Last Inspection	Next Inspection	Address	City/State/Zip
Annual	01/13/2025	Lofton, Sh...	618		01/13/2026	1305 Rossi RD	Mountain Home, AR, 72653
Annual	01/24/2025	Lofton, Sh...	651	07/17/2024	01/24/2026	1322 Bradley DR	Mountain Home, 72653
New Business	01/28/2025	Lofton, Sh...	658			222 Hillcrest RD	Mountain Home, AR, 72653
Annual	01/08/2025	Lofton, Sh...	602		01/08/2026	220 Hwy 5 N	Mountain Home, AR, 72653
Annual	01/08/2025	Lofton, Sh...	599		01/08/2026	101 Elk Way	Mountain Home, AR, 72653
New Business	01/16/2025	Lofton, Sh...	639			707-7 N Cardinal D...	Mountain Home, AR, 72653
Annual	01/02/2025	Lofton, Sh...	580		01/02/2026	250 Drillers RD	Mountain Home, AR, 72653
Annual	01/13/2025	Lofton, Sh...	615		01/13/2026	859 Cannie Baker R..	Mountain Home, AR, 72653
Annual	01/29/2025	Lofton, Sh...	661		02/05/2025	400 Hwy 201 N	Mountain Home, AR, 72653
Annual	01/14/2025	Lofton, Sh...	631		02/13/2025	1310-7 Eastside Ce...	Mountain Home, AR, 72653
Annual	01/02/2025	Lofton, Sh...	581		01/02/2026	225 Drillers RD	Mountain Home, AR, 72653
Annual	01/08/2025	Lofton, Sh...	600		01/08/2026	84 Sunset DR	Mountain Home, AR, 72653



Mountain Home Police Department

- A duty to serve, an honor to protect -

424 West 7th Street • Mountain Home, Arkansas 72653

Office 870.425.6336 • Fax (870) 425.6092

www.mtnhomepolice.com

Edward Griffin, Chief of Police



PUBLIC SAFETY COMMITTEE

02/17/2025

- Work continues at the new Mountain Home Police Department. We are hoping to move in April.
- The three police cars ordered this year are currently in production.
- Officers are currently working on our annual training that is required as part of our Arkansas Law Enforcement Accreditation Program.
- Statistics
 - Criminal Investigation Division (CID)
 - Code Enforcement
 - Patrol Division
 - School Resource Officer Division (SRO)
 - Uniform Code Report (UCR)
 - Nature Code Report (Dispatch)



MOUNTAIN HOME POLICE DEPARTMENT

Detective Classification Assigned/Cleared

Dates From 01/01/2025 Through 01/31/2025

Page 1 of 1

Classification	Count	% To Total	Assigned	Cleared
ASSAULT-F	1	2.13	1	3
ASSAULT-M	1	2.13	1	1
BATTERY-F	1	2.13	1	0
BATTERY-M	3	6.38	3	5
COMMERCIAL BURGLARY	1	2.13	1	0
CRIMINAL MISCHIEF-F	1	2.13	1	1
CRIMINAL MISCHIEF-M	1	2.13	2	2
DEATH INVESTIGATION-UNKNOWN	1	2.13	1	0
DEATH INVESTIGATION --NATURAL	1	2.13	1	1
DELIVERY OF CONTROLLED SUBSTAN	6	12.77	5	0
DWI	2	4.26	1	1
FRAUD	3	6.38	3	2
FURNISH ALCOHOL TO MINOR	1	2.13	1	0
HARASSMENT	3	6.38	4	3
INCIDENT	5	10.64	6	6
POSS OF CONTROLLED SUBSTANCE-F	2	4.26	3	4
TERRORISTIC THREATENING	2	4.26	2	3
THEFT-F	6	12.77	6	6
THEFT-M	5	10.64	5	3
VIOLATION NO CONTACT ORDER	1	2.13	1	0
Reported Cases	47		49	41



MOUNTAIN HOME POLICE DEPARTMENT

Code Enforcement Stats - By Report Type / Disposition

Report Dates From 01/01/2025 Through 01/31/2025

Page 1 of 1

No Disposition

Report Type	Count	% To Total
2010-17 OCCUPATIONAL LICENSE	1	1.96
2020-20 MAINTENANCE OF REAL PROPERTY	23	45.10
SubCount: 24		

VOLUNTARY COMPLIANCE

Report Type	Count	% To Total
2019-34, SEC. 7 PORTABLE AND TEMPORARY SIGNS	2	3.92
2020-20 MAINTENANCE OF REAL PROPERTY	25	49.02
SubCount: 27		

Report Count: 51



MOUNTAIN HOME POLICE DEPARTMENT

Activity Summary - By Activity Type - Patrol

Dates From 01/01/2025 Through 01/31/2025

Page 1 of 2

Description	Count
FUNERAL ESCORT	6
WELFARE CHECK	59
OTHER DEPARTMENT ARREST	4
MOTORIST ASSIST	16
DRE EVALUATION	1
OFFICER ASSIST	282
PARK CHECK	672
SCHOOL CHECK	74
BREATH TEST ADMINISTERED	4
CRIMINAL ARREST	19
TRAFFIC ARREST	31
CAR SEAT CHECK / INSTALLATION	1
ANIMAL CALL	13
TRAINING	38
WARRANT OF ARREST	32
SUBPOENA	1
ANIMAL CALL / TRAPS	1
COURT APPEARANCE	4
OTHER DISTURBANCE	6
ALARM CALL	35
CITIZEN CONTACT	9
BUILDING CHECK	139
INCIDENT / OFFENSE REPORT	79
FINGERPRINT	2
SEARCH - VEHICLE	16
DOMESTIC VIOLENCE	13
MEDICAL ASSIST	40
SECURED WEAPONS	276
VEHICLE / EQUIPMENT INSPECTION / MAINTENANCE	283
OTHER PUBLIC SERVICE	54
TRAFFIC STOP	247
ACCIDENT INVESTIGATION	44
WARNING GIVEN	202
VEHICLE UNLOCK	59
PUBLIC SAFETY CAMERA - ACCIDENTS	3
ADMINISTRATIVE DUTIES	146



MOUNTAIN HOME POLICE DEPARTMENT
Activity Summary - By Activity Type - Patrol
Dates From 01/01/2025 Through 01/31/2025

Page 2 of 2

Description	Count
FIRE DEPARTMENT ASSIST	7
SEARCH - K9	7
COMPLAINT	243
Count: 3168	



MOUNTAIN HOME POLICE DEPARTMENT

Activity Summary - By Activity Type - SRO

From 01/01/2025 Through 01/31/2025

Page 1 of 3

Activity / Event	Count	As Substitute	Total Count	% To Total
Accidents - Parking Lot	2	0	2	0.24
Accidents - Pedestrian/Vehicle	0	0	0	0.00
Accidents - Property Damage	0	0	0	0.00
Accidents - Street	0	0	0	0.00
Administrative Duties	37	0	37	4.38
Alcohol Arrest - (notate citation # in note section)	0	0	0	0.00
Assist. - F. D.	1	0	1	0.12
Assist. - Other Agency	7	0	7	0.83
Assist. - School Admin.	117	1	118	13.98
Athletic Event (Other) - notate quantity	0	0	0	0.00
Baseball Game(s) - notate quantity	0	0	0	0.00
Basketball Game(s) - notate quantity	48	0	48	5.69
Classes Given	35	0	35	4.15
Classroom Activity	8	0	8	0.95
Classroom Lectures - MHPS	0	0	0	0.00
Classroom Lectures - Public	0	0	0	0.00
Consultation - Female Students	37	0	37	4.38
Consultation - Male Students	69	0	69	8.18
Consultation - Parents	24	0	24	2.84
Court Appearances	0	0	0	0.00
Criminal Arrest - (notate citation # in note section)	6	0	6	0.71
DRE - call out/investigation	0	0	0	0.00
Drug Arrest - (notate citation # in note section)	0	0	0	0.00
Faculty Assist - (MHPS)	79	1	80	9.48
Football Game(s) - notate quantity	0	0	0	0.00
Incident Report - (notate report # in note section)	9	1	10	1.18
K-9 Training (Monthly)	3	0	3	0.36
Medical Assist	0	0	0	0.00
Meetings - Department/City Wide (only)	2	0	2	0.24



MOUNTAIN HOME POLICE DEPARTMENT

Activity Summary - By Activity Type - SRO

From 01/01/2025 Through 01/31/2025

Page 2 of 3

Activity / Event	Count	As Substitute	Total Count	% To Total
Meetings - Other	5	0	5	0.59
Meetings - School	3	0	3	0.36
Meetings - SRO Divisional	5	0	5	0.59
MHPS Building or Property Perimeter Check	86	0	86	10.19
Miscellaneous	3	0	3	0.36
Motorist Assist	4	0	4	0.47
Offense Report - (notate report # in note section)	6	0	6	0.71
Officer Assist	41	0	41	4.86
Public Service	4	0	4	0.47
Referrals/Other agency assist	0	0	0	0.00
Soccer Game(s) - notate quantity	0	0	0	0.00
Softball Game(s) - notate quantity	0	0	0	0.00
Special Events - Non Athletic	4	0	4	0.47
Time Off - Bereavement - (+ 1 for each day off - notate hrs in note section)	0	0	0	0.00
Time Off - Comp. - (+1 for each day off - notate hrs in the note section)	3	0	3	0.36
Time Off - Personal Day - (+1 for each day off - notate hrs in note section)	0	0	0	0.00
Time Off - Sick - (+1 for each day off - notate hrs in note section)	4	0	4	0.47
Time Off - Vacation - (+1 for each day off - notate hrs in note section)	7	0	7	0.83
Track Meet(s) - notate quantity	0	0	0	0.00
Traffic Arrest - (notate citation # in note section)	0	0	0	0.00
Training - (notate training/class name in note section)	62	0	62	7.35
Trespass Warning	0	0	0	0.00
Vehicle Unlock	1	0	1	0.12
Vehicle/Equipment Inspection/Maintenance	8	0	8	0.95
Volleyball Game(s) - notate quantity	0	0	0	0.00
Warrant - MHPD	0	0	0	0.00
Warrant - Other Agency	1	0	1	0.12



MOUNTAIN HOME POLICE DEPARTMENT

Activity Summary - By Activity Type - SRO

From 01/01/2025 Through 01/31/2025

Page 3 of 3

Activity / Event	Count	As Substitute	Total Count	% To Total
Weapon Secured	101	0	101	11.97
Wrestling Match(es) - notate quantity	9	0	9	1.07
Total Activity / Events: 841		3	844	



MOUNTAIN HOME POLICE DEPARTMENT
Incidents Reported Statistics By Charge From UCR (by Month)
Dates From 01/01/2025 00:00 Through 01/31/2025 23:59

Page 1 of 3

Description	Jan	Feb	Mar	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Total	% Total
AGGRAVATED ASSAULT	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
ASSAULT - 3RD DEGREE CLASS C MISD	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
BATTERY - 3RD DEGREE	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
BATTERY - 3RD DEGREE CLASS A MISD	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
BREATHING, INHALING, OR DRINKING CERTAIN	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
BURGLARY / COMMERCIAL	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
CONTRIBUTING TO DELINQUENCY OF A JUVENIL	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
CONTROLLED SUBSTANCE, POSSESSION	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
CRIMINAL MISCHIEF - 2ND DEGREE (DAMAGE < \$1,000)	6	0	0	0	0	0	0	0	0	0	0	0	6	4.03
CRIMINAL MISCHIEF 2ND DEGREE(RECKLESSLY)	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
CRIMINAL MISCHIEF IN THE FIRST DEGREE(PURPOSELY)	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
DELIVERY OF METHAMPHETAMINE OR COCAINE	6	0	0	0	0	0	0	0	0	0	0	0	6	4.03
DISORDERLY CONDUCT	7	0	0	0	0	0	0	0	0	0	0	0	7	4.70
DOMESTIC ASSAULT 3RD DGREE CLASS C MISD	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
DOMESTIC BATTERING - 3RD DEGREE	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
DOMESTIC BATTERY-2ND-PHYSICAL INJURY	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
DOMESTIC BATTERY-3RD-CLASS A MISD	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
DRIVING WHILE LIC SUSP OR REV (NON-DWI)	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
DRUG PARAPHERNALIA, POSSESSION	3	0	0	0	0	0	0	0	0	0	0	0	3	2.01
DWI 1ST DRUGS	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
DWI 1ST OFF	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
DWI 2ND OFF	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
DWI 4TH OFF	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
FRAUD	3	0	0	0	0	0	0	0	0	0	0	0	3	2.01
FRAUDULENT USE OF A CREDIT CARD / OTHER	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
HARASSING COMMUNICATIONS	3	0	0	0	0	0	0	0	0	0	0	0	3	2.01
HARASSMENT-STRIKE/SHOVE/KICK/THREATEN TO	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
INCIDENT	33	0	0	0	0	0	0	0	0	0	0	0	33	22.15



MOUNTAIN HOME POLICE DEPARTMENT
Incidents Reported Statistics By Charge From UCR (by Month)
Dates From 01/01/2025 00:00 Through 01/31/2025 23:59

Page 2 of 3

Description	Jan	Feb	Mar	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Total	% Total
LEFT SCENE OF ACCID. PROPERTY DAM.ONLY	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
LOCATED JUVENILE RUNAWAY	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
LOST OR STOLEN	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
MINOR IN POSSESSION OF - TOBACCO PRODUCTS, VAPOR PRODUCTS, ALTERNATIVE NICOTINE PRODUCTS, E-LIQUID P	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
MISSING PERSON	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
POSSESS DRUG PARAPHERNALIA	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
POSSESSION OF METHAMPHETAMINE OR COCAINE WITH THE PURPOSE TO DELIVER	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
PUBLIC INTOXICATION - 1ST	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
RAPE-FORCIBLE FONDLING	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
SEXUAL EXTORTION	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
STALKING	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
TERRORISTIC THREATENING	5	0	0	0	0	0	0	0	0	0	0	0	5	3.36
THEFT BY DECEPTION	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
THEFT BY RECEIVING	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
THEFT OF PROPERTY-ALL OTHER	4	0	0	0	0	0	0	0	0	0	0	0	4	2.68
THEFT OF PROPERTY-FROM A BUILDING	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
THEFT OF PROPERTY <= \$1,000	8	0	0	0	0	0	0	0	0	0	0	0	8	5.37
THEFT OF PROPERTY >= \$1,000 < \$5,000	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
THEFT OF SERVICES	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
VIOLATION OF A PROTECTION ORDER CLASS A MISD	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
VIOLATION OF NO CONTACT ORDER	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
WARRANT-COC FAIL TO PAY FINE	9	0	0	0	0	0	0	0	0	0	0	0	9	6.04
WARRANT-FAILURE TO APPEAR	5	0	0	0	0	0	0	0	0	0	0	0	5	3.36
WARRANT-OTHER	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
WARRANT-OTHER AGENCY-MISDEMEANOR	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
WARRANT-OTHER AGENCY FELONY	2	0	0	0	0	0	0	0	0	0	0	0	2	1.34
WARRANT-PROBATION VIOLATION	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67
WELFARE CONCERN	1	0	0	0	0	0	0	0	0	0	0	0	1	0.67



MOUNTAIN HOME POLICE DEPARTMENT
Incidents Reported Statistics By Charge From UCR (by Month)
Dates From 01/01/2025 00:00 Through 01/31/2025 23:59

Page 3 of 3

Description	Jan	Feb	Mar	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Total	% Total
Totals:	149	0	0	0	0	0	0	0	0	0	0	0	149	

Baxter County 911
815 HWY 62 W Mountain Home , AR 72653

Saving Lives Behind The Scenes

CFS By Department - Select Department By Date

For MOUNTAIN HOME POLICE DEPARTMENT 01/01/2025 00:00 - 01/31/2025

MOUNTAIN HOME POLICE DEPARTMENT	Count	Percent
Abandoned Vehicle	2	0.22%
Accident (Hit & Run)	1	0.11%
Accident (No Injuries)	22	2.43%
Accident (Parking Lot)	10	1.10%
Accident (Property Damage)	1	0.11%
Accident (Unknown Injuries)	7	0.77%
Accident (With Injuries)	2	0.22%
Accident(Car vs. Pedestrian)	1	0.11%
Alarm (Bank)	1	0.11%
Alarm (Business)	39	4.30%
Alarm (Residential)	8	0.88%
Alarm (Smoke/Fire)	1	0.11%
Alcohol Related	6	0.66%
Animal Call	16	1.76%
Assault	6	0.66%
Assist Ambulance	1	0.11%
Assist Other Agency	6	0.66%
Attempt To Locate	24	2.65%
Break In	4	0.44%
Child Custody	4	0.44%
Civil Matter	4	0.44%
Civil Stand-By	3	0.33%
Death	1	0.11%
Direct Traffic	1	0.11%
Disabled Vehicle	1	0.11%
Disorderly Conduct	1	0.11%
Dispute	3	0.33%
Disturbance	24	2.65%
Domestic (Physical)	5	0.55%
Domestic (Verbal)	10	1.10%
Drug Related	6	0.66%
Duplicate Call	4	0.44%
Escort	1	0.11%
Explosion	1	0.11%
Fight In Progress	2	0.22%
Fire (Grass/Woods)	1	0.11%
Fire (Vehicle)	2	0.22%
Fireworks Complaint	4	0.44%
Follow-Up	10	1.10%
Fraud	3	0.33%
Funeral Escort	7	0.77%

MOUNTAIN HOME POLICE DEPARTMENT	Count	Percent
Gun Call	3	0.33%
Hang Up Call	6	0.66%
Harassment	14	1.54%
Identity Theft	1	0.11%
Lift Assist	1	0.11%
Littering	1	0.11%
Lockout	68	7.50%
Lost Property	3	0.33%
Medical Dispatch	6	0.66%
Missing Person	3	0.33%
Motorist Assist	11	1.21%
Noise Complaint	2	0.22%
Non-Emergency	26	2.87%
Open Line	3	0.33%
Overdose	2	0.22%
Parks	3	0.33%
Power Lines Down	1	0.11%
Property Damage	4	0.44%
Property Exchange	1	0.11%
Property Found Or Recovered	1	0.11%
Psychiatric/Behavioral	5	0.55%
Pursuit	1	0.11%
Reckless Driver	20	2.21%
Rescue Medical	11	1.21%
Runaway	2	0.22%
SCAM CALL	2	0.22%
Service Call	21	2.32%
Shoplifting	4	0.44%
Smoke Investigate	2	0.22%
Stalking	1	0.11%
Stolen Vehicle	1	0.11%
Suicidal	11	1.21%
Suicide Attempt	1	0.11%
Suspicious Activity	15	1.65%
Suspicious Person	15	1.65%
Suspicious Vehicle	9	0.99%
Theft	10	1.10%
Threats	7	0.77%
Traffic Hazard	10	1.10%
Traffic Light Malfunction	2	0.22%
Traffic Stop	282	31.09%
Trespassing	5	0.55%
Unattended Juvenile	2	0.22%
Unauthorized Use Motor Vehicle	1	0.11%
Unruly Juvenile	2	0.22%
Vandalism	2	0.22%
Violation of Order of Protection	1	0.11%
Welfare Check	46	5.07%

Total Records For MOUNTAIN HOME POLICE DEPARTMENT	907	Group/Total	100.00%
Total Records	907		

Street Committee Meeting
February 18, 2025 – 12:30 p.m.

The meeting was called to order at 12:30 p.m.

Present were Scott Manchester, Assistant Director of Streets; Steve Hill, Director of Public Works; Jim Bodenhamer, Carry Manuel, Susan Stockton and Jennifer Baker, committee members; Scott Liles, City Clerk and Mayor Adams.

The Street Report for January was reviewed.

Scott reported there was no new work at the new fire department #2 location. He said all that we can do has been done and we are waiting to start building another entrance. The total cost to this project is at \$267,671.54 and most of that has been reimbursed to the Street Department.

The Redbud/Windbrook rebuild project is going well. The crew has gotten 50% of Windbrook done and they are now working on putting in drainage culvert on Redbud. Scott anticipates completing this project later this year; he said it is a big project. The cost to date is at \$176,145.82.

The crew working at Delwood has moved over to Cooper Park to pour new sidewalks and other concrete work for the tennis courts. This is a Parks Department grant that will reimburse the Street Department. Scott reported the Maintenance crew took down the

fence, dug out the old tennis courts and based in, rolled and compacted for a new tennis court to be finished. He said there is a little bit more work to do, which will be finished by April 1 when their contractor comes in to lay the new courts. The total cost to date is \$21,367.90.

Concrete work at the new location of the police department on South Street is going well. The crew built a new handicap ramp and sidewalk. Currently, they are hammering rock in the parking lot and putting in new drainage culvert. The cost of the police department project is \$12,308.92, which will be reimbursed.

Snow removal for the month of January totaled \$18,129.92. This amount includes getting all equipment and vehicles ready for the snowfall, and dismounting the spreaders and plows afterwards along with cleanup. Scott told the committee with the snowfall that is beginning today, he has sent the night crew home at noon, and they will be back at 7:00 p.m. tonight to start their 12 hour shift and work until 7:00 a.m. tomorrow.

Maintenance for the month of January totaled \$38,147.61. This includes sign maintenance, crack sealing, cleaning culverts and box throats, sweeping, patching any potholes and traffic light maintenance.

The Budget Summary was reviewed; Jennifer asked if we were fully staffed, and Scott said we are two short; we need a laborer/concrete finisher and a mechanic at this time.

Scott reported there was nothing new done at McCabe Park, he is waiting for contractors to move some of their things, so work on the parking lots can be started.

Carry asked about the status of the Highway 5 South project. Steve told the committee, bids for utility relocation will be opened on Monday, February 24 and expected work to begin sometime this year. The Mayor told the committee, ARDOT has moved their bid letting to September 2025, so it may be next year before it begins. They will rebuild the bridge near Cardinal Drive and when completed, the city will begin reconstruction.

Steve reviewed with the committee an overlay list along with planned street rebuilds and miscellaneous projects for 2025. There was a brief discussion, and he said the list will probably change.

The Mayor spoke to the Street Committee about a piece of property on Bradley Drive at Cooper Estates Drive, which connects to the Cooper Park. He said there are 11 acres, and the city shows interest in acquiring this piece of land. There was discussion regarding this piece of property along with the planned rebuilding of Bradley Drive and Cooper Estates Drive. There will be more to discuss at upcoming meetings.

The Mayor also reported to the committee, the Veterans Plaza 2000 wall is in need of major repair. He was approached by representatives from First Security Bank offering to have the repairs made for the city, and for 5 years, rename the plaza, "First Security

Veterans Plaza”. The Mayor said he got an estimate for the repairs needed and First Security offered to pay installments for 5 years, reimbursing the city for that amount.

Mayor Adams also spoke to the committee regarding a permit that was acquired from ARDOT to take out the woven wire fence along the bypass at the walking trail. He said the inmates from the Department of Corrections at Calico Rock came out and took down the fence. He plans on replacing the wire fence with cable fencing because there must be some sort of traffic barrier, and this cable will make mowing much easier. The Mayor also explained these areas are ARDOT jurisdiction, and they mow only three times a year. He said that between mowing, the grass and weeds grow so high making it unsightly and it doesn't look very nice for visitors coming through the city to have the grass unkept and so high. The permit also allows the city to mow the west end of the 62-412 Bypass, from Highway 62 West to College Street/201 South, and, at Highway 62 East and the Bypass to Charles Blackburn Street. He said ASU, parks and street departments will take care of these areas and it will look so much better.

City Clerk Scott Liles discussed a cleanup ordinance he has created, that pertains to past years' bid waiver ordinances. This will be presented at the next city council meeting.

The meeting was adjourned at 1:22 p.m.

Scott Liles

From: Steve Hill
Sent: Monday, February 24, 2025 1:09 PM
To: Scott Liles
Cc: Hillrey Adams
Subject: RE: Out Thursday-Friday + Open call for Council agenda items for 3.6.25 meeting
Attachments: MOUNTAIN HOME 2025 - Preliminary Resolution.docx

Scott,

Attached is the proposed Preliminary Resolution for the MOUNTAIN HOME WATER AND SEWER REVENUE BONDS, SERIES 2025. This resolution provides the following:

- 1) Authorizing the preparation of the bond documents
- 2) Approves the engagement of the underwriter and bond counsel
- 3) Serves as the City's "official intent" to reimburse itself with bond proceeds for project costs incurred prior to the issue date of the bonds (if needed)



Steve Hill, GISP, PMP
Director of Public Works
City of Mountain Home
752 N College Street
Mountain Home, AR 72653
870.425.5115
[City of Mountain Home, Arkansas](#)

RESOLUTION NO. 2025-xx

**A RESOLUTION AUTHORIZING THE PREPARATION
OF CERTAIN DOCUMENTATION FOR THE SUBSEQUENT APPROVAL
OF THE CITY COUNCIL RELATED TO THE PROPOSED ISSUANCE
BY THE CITY OF WATER AND SEWER REVENUE IMPROVEMENT BONDS,
SERIES 2025; APPROVING THE PREPARATION AND DELIVERY
OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION
WITH THE OFFER AND SALE OF SAID BONDS; AND PRESCRIBING
OTHER MATTERS RELATING THERETO**

WHEREAS, pursuant to the Constitution and laws of the State of Arkansas, including particularly, Amendment 65 and Arkansas Code Annotated §14-164-401 *et seq.* (the “Authorizing Legislation”), the City is authorized to issue and sell its water and sewer revenue bonds for the purpose of financing and refinancing the cost of improvements to its water and sewer utility system (the “System”) serving the residents of the City and surrounding areas; and

WHEREAS, the City has determined that there is a need to enhance the efficiency, reliability and environmental compliance of the wastewater treatment component of the System by upgrading aging infrastructure and modernizing the disinfection process at the City’s wastewater treatment plant (the “Project”); and

WHEREAS, in order to provide funds for the acquisition, construction and equipping of the Project, which will benefit the City and its residents in furtherance of the public purposes of the Authorizing Legislation, the City desires to proceed with the issuance of its Water and Sewer Revenue Improvement Bonds, Series 2025 (the “Series 2025 Bonds”), in principal amount not to exceed \$10,000,000; and

WHEREAS, the City has determined to consider the issuance of the Series 2025 Bonds, subject to the approval of the terms of the Series 2025 Bonds by ordinance of the City Council, and to authorize the Bond Counsel and Underwriter, hereinafter designated in Sections 2 and 3, respectively, with the advice and assistance of the Mayor, City Attorney and City staff, to take certain actions in preparation for the issuance and sale of the Series 2025 Bonds;

**NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL OF THE CITY OF MOUNTAIN HOME, ARKANSAS:**

Section 1. The Bond Counsel, as hereinafter defined, with the advice and assistance of the Mayor, City Attorney and City staff, is hereby authorized to prepare documents relating to the issuance and sale of the Series 2025 Bonds, including a Preliminary Official Statement; provided, however, the City Council shall first adopt an approving Ordinance before any such documents are binding upon the City.

Section 2. The firm of Kutak Rock LLP is hereby designated as bond counsel (“Bond Counsel”) in connection with the issuance and sale of the Series 2025 Bonds.

Section 3. The firm of Crews & Associates, Inc., is hereby designated as underwriter (the “Underwriter”) for the purpose of marketing the Series 2025 Bonds. The sale of the Series 2025 Bonds to the Underwriter will be accomplished pursuant to the terms of a bond purchase agreement to be presented for the approval of the City Council.

Section 4. The adoption of this Resolution is intended as the City’s “official intent” to reimburse itself from the proceeds of the Series 2025 Bonds for preliminary costs of the Project and related expenses advanced by the City in compliance with the provisions of Section 1.150-2 of the Regulations of the U.S. Department of the Treasury promulgated pursuant to the provisions of the Internal Revenue Code of 1986, as amended.

Section 5. All resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

ADOPTED AND APPROVED THIS 6TH DAY OF MARCH, 2025.

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK

ORDINANCE NO. 2025-xx

**AN ORDINANCE ANNEXING PROPERTY CONTIGUOUS THEREWITH
TO WATER & SEWER IMPROVEMENT DISTRICT NO. 3 OF THE CITY
OF MOUNTAIN HOME, ARKANSAS; ACCEPTING THE ANNEXATION OF
CERTAIN TERRITORY TO THE CITY OF MOUNTAIN HOME, ARKANSAS;
AND TO ANNEX PROPERTY TO THE CITY OF MOUNTAIN HOME,
ARKANSAS, AS COMMERCIAL C-2**

WHEREAS, a petition was filed with the County Clerk of Baxter County, Arkansas, by Cash Bloodline, LLP, praying that certain territory be annexed to and made a part of the City of Mountain Home, Arkansas; and

WHEREAS, on the 23rd day of January, 2025, the County Court of Baxter County, Arkansas, entered an order authorizing annexation pursuant to §14-40-609 of the Arkansas Code, finding that the petition met the requirements for annexation under that provision and directed the Clerk to forward the order to the Mayor of the City of Mountain Home.

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

Section 1. That the land described on the attached Exhibit A is territory contiguous to and adjoining the City of Mountain Home, Arkansas, the petition to annex that property is hereby granted, and the property described in Exhibit A is hereby accepted as part of and annexed to and made a part of the City of Mountain Home, Arkansas.

Section 2. That the above described territory shall be annexed to and made a part of Ward 2 of the City of Mountain Home, and the same shall henceforth be a part of said ward as fully as existing parts of said ward.

Section 3. That the above described territory shall be zoned Commercial C-2 to be used in accordance with city zoning laws and the laws of the State of Arkansas.

Section 4. That billboards are located on various parts of the properties being annexed. The existing billboards are grandfathered in. No additional billboards are permitted unless they comply with the Ordinance permitting signs. Should said existing billboards be destroyed or removed, then the sign ordinance of the City of Mountain Home shall apply.

Section 5. That this Ordinance shall become effective thirty (30) days from its passage and approval.

PASSED AND APPROVED THIS 6TH DAY OF MARCH, 2025.

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK

City of Mountain Home
File Marked this 12 day
of January, 2025
City Clerk, Scott Liles

JAN 16 2025

Candace R. Clark
by D.C. J. Schilling

NO. CO-2024-

5-1

IN THE MATTER OF ANNEXING TO THE CITY
OF MOUNTAIN HOME, ARKANSAS, CERTAIN
TERRITORY CONTIGUOUS TO SAID CITY

PETITION TO ANNEXATION – 100% OF OWNERS PETITIONING

DATE: January 16th, 2025

Come now the undersigned petitioners and state as follows:

1. Cash Bloodline, LLP, owning 100% of the property in the following described area, does hereby petition, pursuant to A.C.A. §14-40-609, the City Council of Mountain Home, Arkansas, to annex the following lands to the City of Mountain Home Arkansas.

SEE ATTACHED EXHIBIT "A"

2. I further state that this petition is signed by one hundred per cent (100%) of the real estate owners owning one hundred per cent (100%) of the acreage in said area and that the area to be annexed does not contain property whose owners do not wish to have their property annexed.

3. That said property description herein is contiguous to and adjoining the present City of Mountain Home city limits as shown on the map attached hereto as Exhibit "B".

4. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Mountain Home.

5. That the following schedule of services shall be extended to the area by the City of Mountain Home within three (3) years after the date the annexation becomes final:

All properties annexed into the City of Mountain Home are provided with police, and fire services.

Such services are provided in accordance with existing ordinances and terms of service including, but not limited to, the payment of required fees, the necessary permits, inspections and approvals.

6. That a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties is attached hereto as Exhibit "C" and made a part of this petition as if set out word for word herein.

7. That a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the City of Mountain Home and that no enclaves will be created if the property or properties are accepted by the City of Mountain Home is attached hereto as Exhibit "D" and made a part of this petition as if set out word for word herein.

8. That each of the undersigned persons executing this petition has confirmed by their signature a desire that their property, which is included in the property described above, be annexed into the City of Mountain Home.

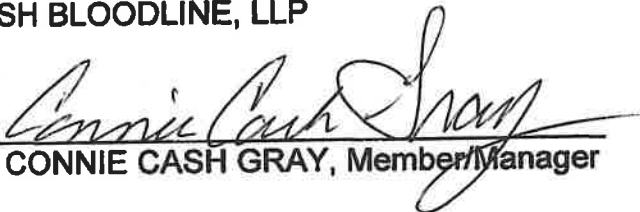
I confirm my desire that property owned by Cash Bloodline, LLP, which is to be included in a petition to annex property, be annexed into the City of Mountain Home.

If the property being annexed is owned jointly, I attest that all owners of the property are signing a copy of this confirmation.

If the property is owned by a trust, I attest either that I have the authority to sign this confirmation on behalf of the trust or that all persons required to do so by the trust are signing a copy of this confirmation.

If the property is owned by a corporation, limited liability company or other entity, I attest either that I have the authority to sign this confirmation on behalf of the entity or that all persons required to do so by the entity's governing documents are signing a copy of this confirmation.

CASH BLOODLINE, LLP

By: 
CONNIE CASH GRAY, Member/Manager

Parcel number of property to be annexed:

001-05076-001

ACKNOWLEDGMENT

STATE OF ARKANSAS)
COUNTY OF Boone) SS:

On this the 19th day of January, 2025, before me, the undersigned Notary Public, personally appeared Connie Cash Gray, known to me (or satisfactorily proven) to be the person whose name is subscribed above and acknowledged and attested that it was executed for the purposes therein contained.


Notary Public

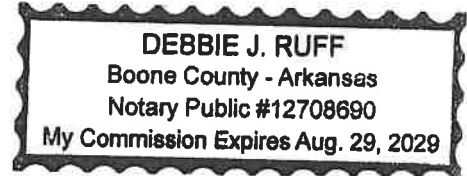
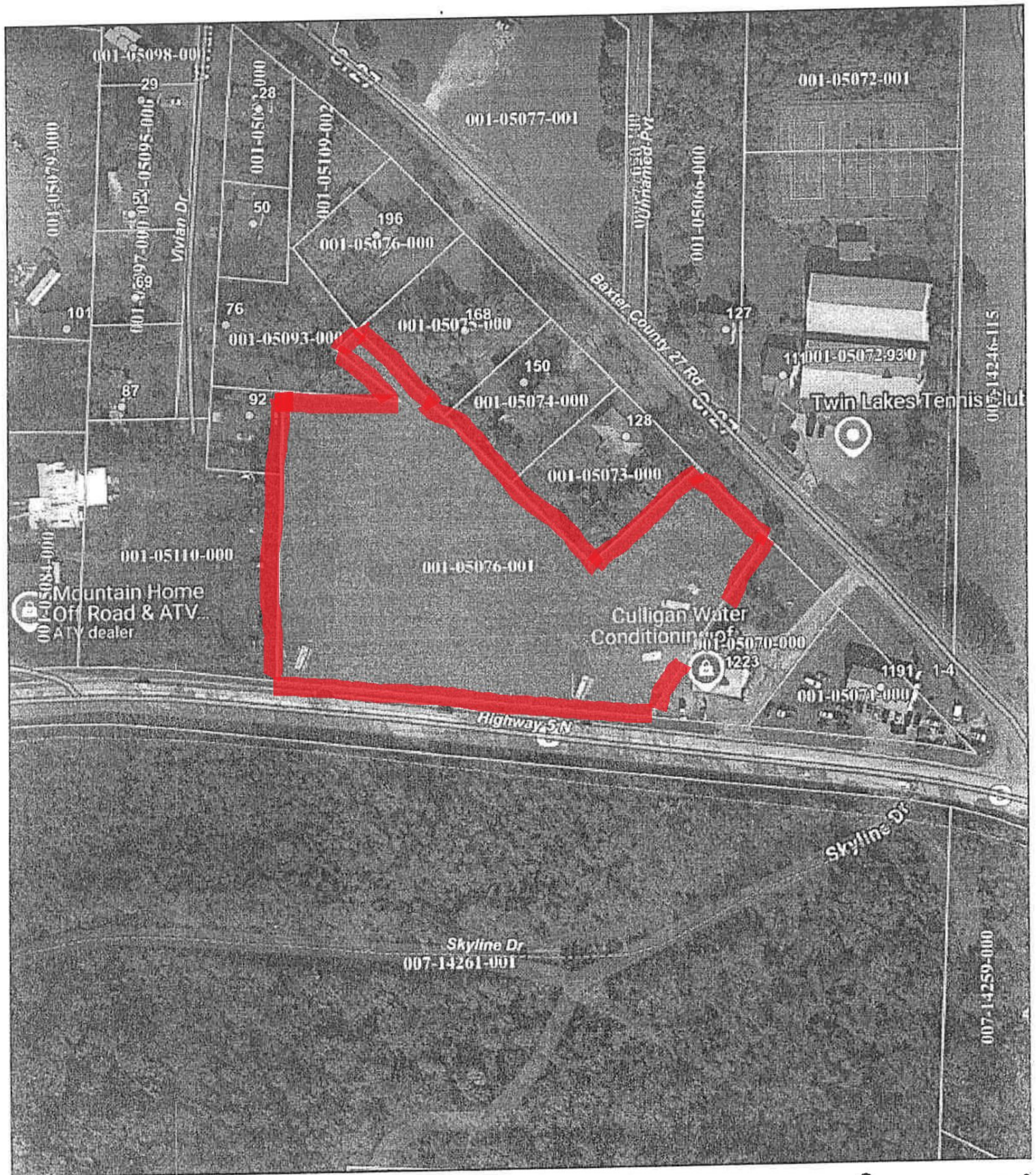


EXHIBIT "A"

Part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 5, Twp. 19 North, Range 13 West, described as follows: Starting at the SE corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, run thence North 0 deg. 05 min. East 123.8 feet to the North R/W of State Highway No. 5 for the point of beginning for the tract herein described; run thence North 89 deg. 55 min. West 37.5 feet, run thence North 0 deg. 05 min. East 286.80 feet, run thence South 85 deg. 07 min. East 122.2 feet, run thence North 45 deg. 27 min. West 87.5 feet, run thence North 45 deg. 28 min. East 31.00 feet, run thence South 45 deg. 30 min. East 350.00 feet to the SE corner of the Mooney residence, run thence Northeast 150 feet to the NE corner of the Mooney residence and the South R/W of Walker Road, run thence Southeast with the R/W of Walker Road 121 feet to the NW corner of the Graham tract, (formerly Riley tract) run thence in a Southwesterly direction with the West side of the Graham tract 245 feet, more or less, to the North line of Highway No. 5, run thence West along the North R/W line of Highway No. 5, 384 feet, more or less, to the point of beginning.

All that part of Arkansas Highway North lying South of the above described real estate and North of the Mountain Home, Arkansas city limits.

EXHIBIT "B"



Date Created: 11/27/2024
Created By: Tracy Gilbert

1 inch = 133 feet

via DataScout OneMap®

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EXHIBIT "C"

LEGACY TITLE COMPANY, LLC

701 South Street · Mountain Home, Arkansas 72653

Phone: 870.232.0444

January 15, 2025

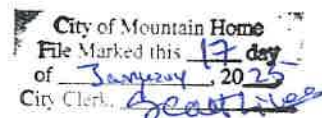
Greeting,

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property into the City of Mountain Home. Based upon our review, we verify that the persons on Petition for Annexation are all of the owners of record of the real property described on Petition.

LEGACY TITLE COMPANY, LLC

Helen M. Rodgers

Helen M. Rodgers, Manager
Title Insurance Department

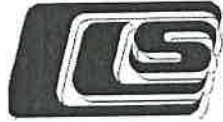


CONSOLIDATED LAND SERVICES

INCORPORATED

ENGINEERING, SURVEYING & MATERIALS TESTING

www.clsi-mtnhome.com

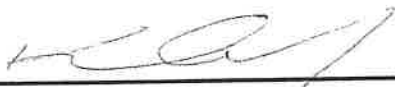
5667 HIGHWAY 62 EAST
MOUNTAIN HOME, AR 72653

TELEPHONE (870) 425-6161

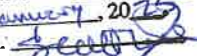
FAX: (870) 424-3884

To: Whom it Concerns
From: Kevin Gregory
Date: 1/13/2025
Re: Petition for Annexation of Parcel No. 001-05076-001
100% of Owners Petitioning
Mountain Home, Arkansas

I, Kevin Gregory, a Professional Surveyor licensed by the State of Arkansas, certify that I have reviewed "Exhibit A" of the above Petition, prepared by Sanders, Morgan & Clarke, PLLC. The Exhibit contains one (1) parcel. I verify that the within described properties, as a whole, are contiguous with the present City of Mountain Home corporate limits and that no enclaves will be created if the property, as a whole, are accepted by the City of Mountain Home, to the best of my knowledge and ability.

 01/13/2025
Kevin Gregory, PS AR 1578



City of Mountain Home
File Marked this 17 day
of January, 2025
City Clerk: 



Department of Transformation and Shared Services
Governor Sarah Huckabee Sanders
Secretary Leslie Fiskien

CO-2025-1

January 8, 2025

FILED
8:54 A.M.
BAXTER COUNTY, ARKANSAS

JAN 16 2025

Candace Riney Clerk
by D.C. A. Schilling

Mr. Ted H. Sanders
Sanders, Morgan, Clarke & Floyd PLLC
P. O. Box 2308
Mountain Home, AR 72654

RE: City of Mountain Home Annexation Coordination Requirement

City of Mountain Home
File Marked this 17 day
of January 20 25
City Clerk, Scott Liles

Mr. Sanders,

Thank you for coordinating with our office as you seek to annex property into the City of Mountain Home, located in Section 5, Township 19 North, Range 13 West, Baxter County, Arkansas. This letter represents confirmation that you have coordinated with our office (Arkansas GIS Office) as specified in § 14-40-101 (Act 914 of 2015) of the 90th General Assembly.

Our office will wait for the completion of additional steps necessary for the proposed boundary change, which normally comes from the Arkansas Secretary of State Elections Division after the appropriate filing by your County Clerk. The status of your proposed annexation can be viewed at <https://gis.arkansas.gov/checkmynicity>.

Sincerely,

Niki Bittle

Niki Bittle, GIS Analyst

Attachments:

GIS Office Map of Proposed Annexation

Legal Description

Secretary of State Municipal Change Checklist.

H:\City_Annexations\Cities\Mountain_Home\20241223\Doc\20241223_Mountain_Home_Annexation_Coordination_Letter.doc
x

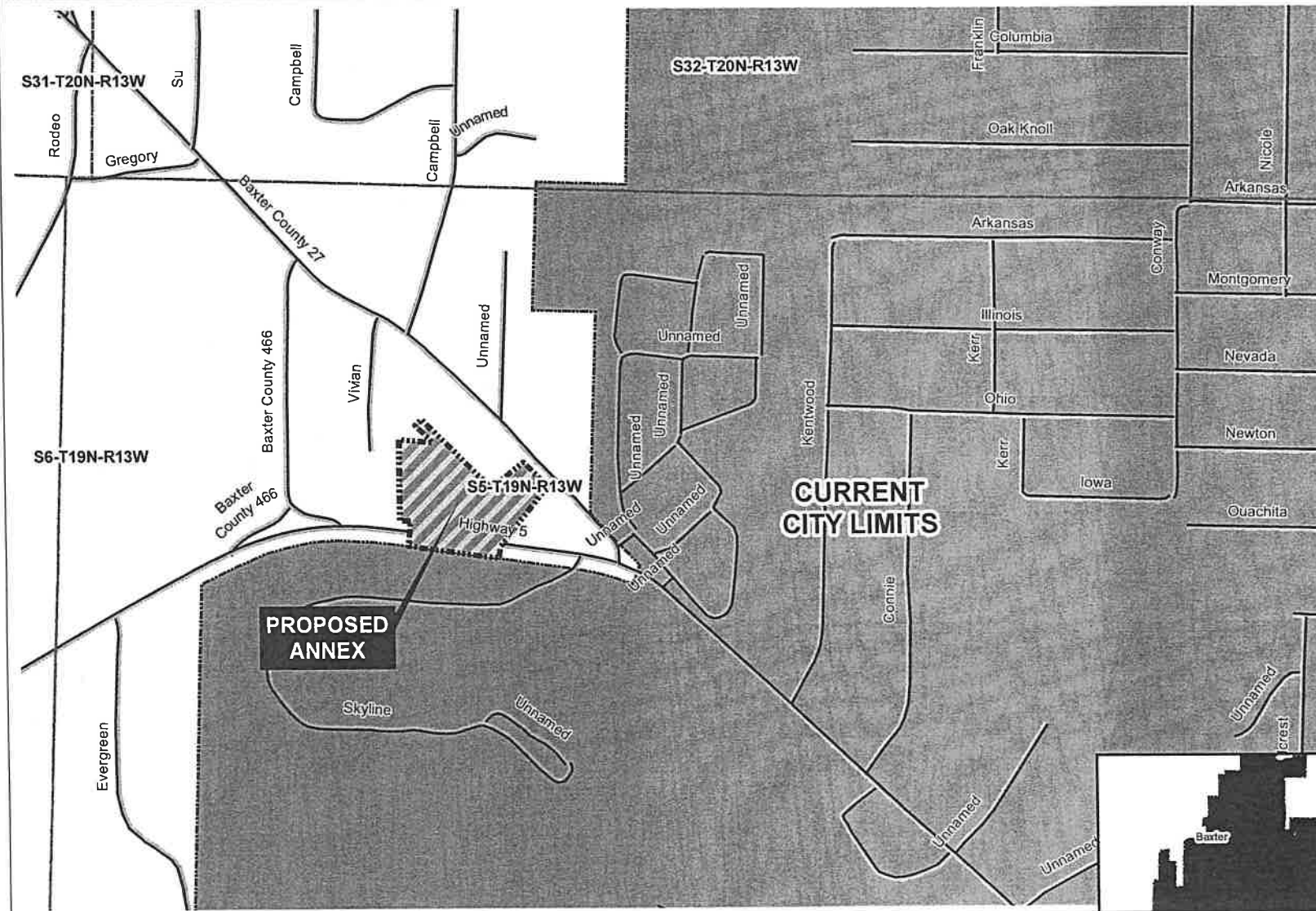
Proposed Annex: City of Mountain_Home
January 2025





City: Mountain_Home
Mayor: Hillrey Adams

Arkansas Code 14-40-101.

Before an entity undertakes an annexation, consolidation, or detachment proceeding under this chapter, the entity shall coordinate with the Arkansas Geographic Information Systems Office for preparation of legal descriptions and digital mapping for the relevant annexation, consolidation, and detachment areas.

The map contained herein, is evidence, the entity has met requirements of Act 914 of 2015



-  Proposed Annex
-  Sections
-  Minor Road
-  Existing City

0 0.02 0.04 0.08
Miles



 ARKANSAS
GIS OFFICE

FILED
8:54 A.M.
BAXTER COUNTY, ARKANSAS

JAN 16 2025

IN THE MATTER OF ANNEXING TO THE
CITY OF MOUNTAIN HOME, ARKANSAS
CERTAIN TERRITORY CONTIGUOUS TO
SAID CITY OF MOUNTAIN HOME, ARKANSAS

Canda Reese, Clerk
by D.C. J. Schilling
NO. CO-2024-
5-1

**VERIFICATION OF PETITION FOR ANNEXATION
PURSUANT TO ACA § 14-40-609**

City of Mountain Home
File Marked this 12 day
of January, 2025
City Clerk, J. Schilling

We, Canda Reese, County Clerk of Baxter County, and Jayme Nicholson, County Assessor of Baxter County, attest as follows:

Our offices have received the attached petition seeking annexation. The petition has been reviewed, and we hereby verify that the petition:

- (A) Is in writing;
- (B) contains an attestation signed before notaries by the property owners of the relevant properties confirming the desire to be annexed;
- (C) contains an accurate description of the relevant properties;
- (D) contains a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant properties;
- (E) contains a letter or verification from a certified surveyor or engineer verifying that the relevant properties are contiguous with the annexing city or town and that no enclaves will be created if the properties are accepted by the city or town; and
- (F) includes a schedule of services of the annexing city or town that will be extended to the area within three (3) years after the date the annexation becomes final.

Canda Reese
CANDA REESE, COUNTY CLERK

Jayme Nicholson
JAYME NICHOLSON, COUNTY ASSESSOR

**IN THE MATTER OF ANNEXING TO THE CITY
OF MOUNTAIN HOME, ARKANSAS, CERTAIN
TERRITORY CONTIGUOUS TO SAID CITY**

NO. CO-2024-

PETITION TO ANNEXATION – 100% OF OWNERS PETITIONING

DATE: January 16th, 2025

Come now the undersigned petitioners and state as follows:

1. Cash Bloodline, LLP, owning 100% of the property in the following described area, does hereby petition, pursuant to A.C.A. §14-40-609, the City Council of Mountain Home, Arkansas, to annex the following lands to the City of Mountain Home Arkansas.

SEE ATTACHED EXHIBIT "A"

2. I further state that this petition is signed by one hundred per cent (100%) of the real estate owners owning one hundred per cent (100%) of the acreage in said area and that the area to be annexed does not contain property whose owners do not wish to have their property annexed.

3. That said property description herein is contiguous to and adjoining the present City of Mountain Home city limits as shown on the map attached hereto as Exhibit "B".

4. That no enclaves will be created if this petition is accepted and the territory annexed into the City of Mountain Home.

5. That the following schedule of services shall be extended to the area by the City of Mountain Home within three (3) years after the date the annexation becomes final:

All properties annexed into the City of Mountain Home are provided with police, and fire services.

Such services are provided in accordance with existing ordinances and terms of service including, but not limited to, the payment of required fees, the necessary permits, inspections and approvals.

6. That a letter or title opinion from a certified abstractor or title company verifying that the petitioners are all owners of record of the relevant property or properties is attached hereto as Exhibit "C" and made a part of this petition as if set out word for word herein.

7. That a letter or verification from a certified surveyor or engineer verifying that the relevant property or properties are contiguous with the City of Mountain Home and that no enclaves will be created if the property or properties are accepted by the City of Mountain Home is attached hereto as Exhibit "D" and made a part of this petition as if set out word for word herein.

8. That each of the undersigned persons executing this petition has confirmed by their signature a desire that their property, which is included in the property described above, be annexed into the City of Mountain Home.

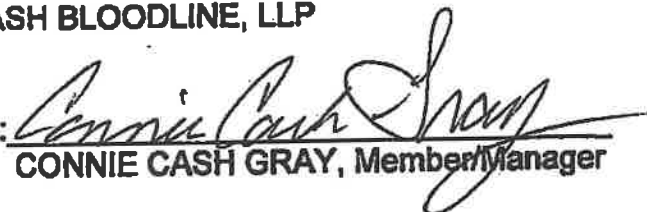
I confirm my desire that property owned by Cash Bloodline, LLP, which is to be included in a petition to annex property, be annexed into the City of Mountain Home.

If the property being annexed is owned jointly, I attest that all owners of the property are signing a copy of this confirmation.

If the property is owned by a trust, I attest either that I have the authority to sign this confirmation on behalf of the trust or that all persons required to do so by the trust are signing a copy of this confirmation.

If the property is owned by a corporation, limited liability company or other entity, I attest either that I have the authority to sign this confirmation on behalf of the entity or that all persons required to do so by the entity's governing documents are signing a copy of this confirmation.

CASH BLOODLINE, LLP

By: 
CONNIE CASH GRAY, Member/Manager

Parcel number of property to be annexed:

001-05076-001

ACKNOWLEDGMENT

STATE OF ARKANSAS)
COUNTY OF Boone) SS:

On this the 19th day of January, 2025, before me, the undersigned Notary Public, personally appeared Connie Cash Gray, known to me (or satisfactorily proven) to be the person whose name is subscribed above and acknowledged and attested that it was executed for the purposes therein contained.


Notary Public

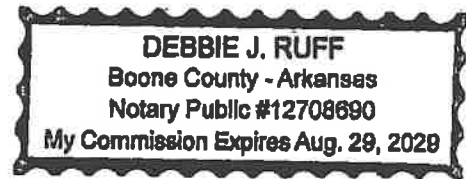
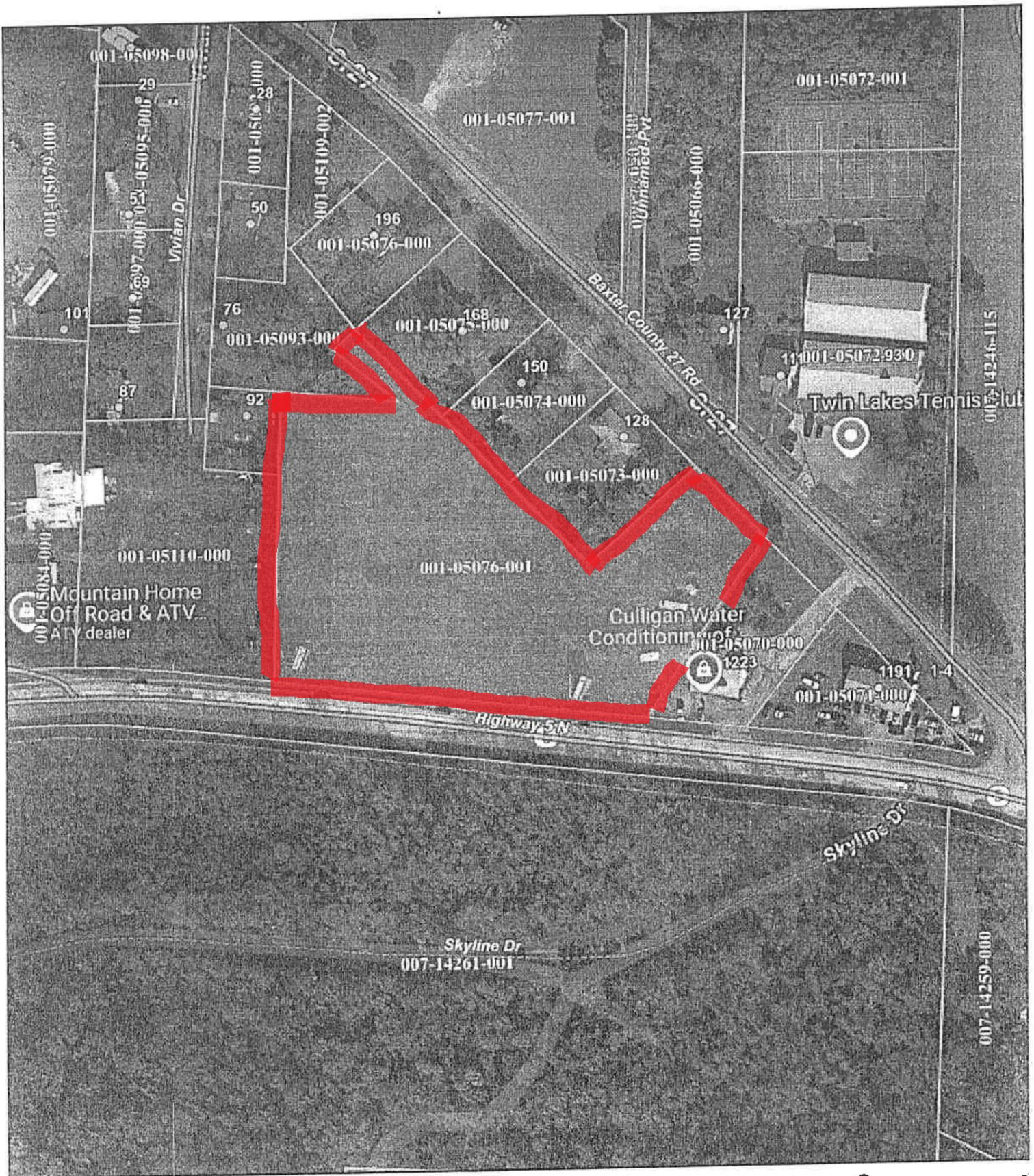


EXHIBIT "A"

Part of the N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 5, Twp. 19 North, Range 13 West, described as follows: Starting at the SE corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 5, run thence North 0 deg. 05 min. East 123.8 feet to the North R/W of State Highway No. 5 for the point of beginning for the tract herein described; run thence North 89 deg. 55 min. West 37.5 feet, run thence North 0 deg. 05 min. East 286.80 feet, run thence South 85 deg. 07 min. East 122.2 feet, run thence North 45 deg. 27 min. West 87.5 feet, run thence North 45 deg. 28 min. East 31.00 feet, run thence South 45 deg. 30 min. East 350.00 feet to the SE corner of the Mooney residence, run thence Northeast 150 feet to the NE corner of the Mooney residence and the South R/W of Walker Road, run thence Southeast with the R/W of Walker Road 121 feet to the NW corner of the Graham tract, (formerly Riley tract) run thence in a Southwesterly direction with the West side of the Graham tract 245 feet, more or less, to the North line of Highway No. 5, run thence West along the North R/W line of Highway No. 5, 384 feet, more or less, to the point of beginning.

All that part of Arkansas Highway North lying South of the above described real estate and North of the Mountain Home, Arkansas city limits.

EXHIBIT "B"



Date Created: 11/27/2024
Created By: Tracy Gilbert

1 inch = 1.33 feet

via DataScout OneMap®

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EXHIBIT "C"

LEGACY TITLE COMPANY, LLC

701 South Street · Mountain Home, Arkansas 72653
Phone: 870.232.0444

January 15, 2025

Greeting,

This letter is given in connection with what is understood to be an effort to voluntarily annex certain real property into the City of Mountain Home. Based upon our review, we verify that the persons on Petition for Annexation are all of the owners of record of the real property described on Petition.

LEGACY TITLE COMPANY, LLC

Helen M. Rodgers

Helen M. Rodgers, Manager
Title Insurance Department

CONSOLIDATED LAND SERVICES

INCORPORATED

ENGINEERING, SURVEYING & MATERIALS TESTING

www.clsi-mtnhome.com

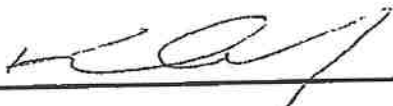
5667 HIGHWAY 62 EAST
MOUNTAIN HOME, AR 72653



TELEPHONE (870) 425-6161
FAX: (870) 424-3884

To: Whom it Concerns
From: Kevin Gregory
Date: 1/13/2025
Re: Petition for Annexation of Parcel No. 001-05076-001
100% of Owners Petitioning
Mountain Home, Arkansas

I, Kevin Gregory, a Professional Surveyor licensed by the State of Arkansas, certify that I have reviewed "Exhibit A" of the above Petition, prepared by Sanders, Morgan & Clarke, PLLC. The Exhibit contains one (1) parcel. I verify that the within described properties, as a whole, are contiguous with the present City of Mountain Home corporate limits and that no enclaves will be created if the property, as a whole, are accepted by the City of Mountain Home, to the best of my knowledge and ability.

 01/13/2025
Kevin Gregory, PS AR 1578



Section 3. Extensions to the existing sanitary sewer and waters systems as may now exist may be built to serve the property within the bounds of the above described territory in such manner and with such materials as may be in the best interest of the City.

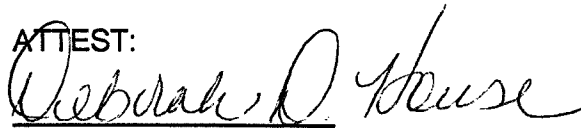
PASSED AND APPROVED this 16th day of July, 1998.

APPROVED:



MAYOR

ATTEST:



CITY CLERK

ORDINANCE NO. 2025-xx
AN ORDINANCE AMENDING ORDINANCE NO. 98-018;
CLARIFYING ZONING CLASSIFICATIONS TO THE PROPERTIES
SET FORTH THEREIN; DECLARING AN EMERGENCY
AND FOR OTHER PURPOSES

WHEREAS, Ordinance 98-018 annexed certain areas into the City of Mountain Home and provided zoning classifications for the annexed properties;

WHEREAS, the legal descriptions for the zoning classifications have created confusion in the proper zoning for particular tracts of real estate; and

WHEREAS, an Ordinance should be passed which clarifies and specifies the zoning of particular tracts referenced in Ordinance No. 98-018.

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

Section 1. Section 2 of Ordinance No. 98-018 provided, in part, that the following real estate be brought into the City of Mountain Home as C-2 zoning, to wit:

All that part of the SE1/4 NE1/4 North of Highway 62 not presently included in the corporate limits of the City of Mountain Home, Section 17, Township 19 North, Range 13 West.

Section 2. That real estate development, surveys and Planning Commission maps have reflected confusion in the zoning of this area. The following described tracts of land shall be and hereby are zoned C-2, to wit:

See Exhibit "A" attached hereto.

Section 3. That the passage of this Ordinance is needed to clarify existing and future zoning in this area. An emergency is therefore declared to exist, and this Ordinance shall be in effect from and after its passage.

PASSED AND APPROVED THIS 6TH DAY OF MARCH, 2025.

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK

EXHIBIT "A"

PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 17, TOWNSHIP 19 NORTH, RANGE 13 WEST, BAXTER COUNTY, ARKANSAS, MORE SPECIFICALLY DESCRIBED AS FOLLOWS: FROM THE NW CORNER OF SAID SW1/4 NE1/4, GO N02°24'25"E 73.91 FEET; THEN GO N89°55'46"E 118.77 FEET TO A 3/8" DIAMETER REBAR WITH A PLASTIC I.D. CAP (PLS 254); THEN GO S01°00'17"W 473.34 FEET; THEN GO S00°15'45"W 819.00 FEET TO A 3/8" REBAR WITH A PLASTIC I.D. CAP (PLS 254); THEN GO N67°12'44"E 466.48 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE U.S. HWY. 62/412; THEN GO ALONG SAID RIGHT OF WAY LINE N77°56'58"E 331.02 FEET TO THE POINT OF BEGINNING OF TRACT BEING DESCRIBED; THEN CONTINUE ALONG SAID RIGHT OF WAY LINE N76°59'23"E 74.74 FEET; THEN CONTINUE ALONG THE NORTHERLY RIGHT OF WAY LINE SAID U.S. 62/412, N71°02'50"E 170.22 FEET TO THE POINT OF CURVATURE OF A 25-FT. RADIUS CURVE; THEN LEAVING THE NORTHERLY RIGHT OF WAY LINE OF U.S. HWY. 62/412, GO ALONG THE ARC OF SAID CURVE TO THE LEFT IN A NORTHEASTERLY DIRECTION THRU A CENTRAL ANGLE OF 115°50'46", A DISTANCE OF 50.55 FEET TO THE POINT OF REVERSE CURVATURE. BEING THE POINT OF CURVATURE OF A 180-FT. RADIUS CURVE; THEN GO ALONG THE ARC OF SAID CURVE TO THE RIGHT, IN A NORTHEASTERLY DIRECTION, THRU A CENTRAL ANGLE OF 26°56'13", A DISTANCE OF 84.63 FEET TO THE POINT OF TANGENCY; THEN GO N17°51'42"W 129.60 FEET TO THE POINT OF CURVATURE OF A 25-FT. RADIUS CURVE; THEN GO ALONG THE ARC OF SAID CURVE TO THE LEFT IN A NORTHWESTERLY DIRECTION THRU A CENTRAL ANGLE OF 89°58'41", A DISTANCE OF 39.27 FEET TO THE POINT OF TANGENCY; THEN GO S72°09'37"W 176.77 FEET TO THE POINT OF CURVATURE OF A 630.00-FT. RADIUS CURVE; THEN GO ALONG THE ARC OF SAID CURVE TO THE RIGHT IN A SOUTHWESTERLY DIRECTION, THRU A CENTRAL ANGLE OF 02°52'09", A DISTANCE OF 31.55 FEET; THEN GO S14°58'16"E 270.59 FEET TO THE POINT OF BEGINNING.

EASEMENT FOR INGRESS AND EGRESS:

PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 17, TOWNSHIP 19 NORTH, RANGE 13 WEST, BAXTER COUNTY, ARKANSAS, MORE SPECIFICALLY DESCRIBED AS FOLLOWS: FROM THE NW CORNER OF SAID SW1/4 NE1/4, GO N02 deg.18'09"E 73.98 FEET; THEN GO N89 deg.56'11"E 118.84 FEET TO A 3/8" DIAMETER REBAR WITH A PLASTIC I.D. CAP (PLS 254); THEN GO S01 deg.00'17"W 473.34 FEET; THEN GO S00 deg.15'45"W 819.00 FEET TO A 3/8" REBAR WITH A PLASTIC I.D. CAP (PLS 254); THEN GO N67 deg.12'43"E 466.48 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE U.S. HWY. 62/412; THEN GO ALONG SAID RIGHT OF WAY LINE N77 deg.56'58"E 331.02 FEET; THEN CONTINUE ALONG SAID RIGHT OF WAY LINE N76 deg.57'22"E 74.60 FEET; THEN CONTINUE ALONG THE NORTHERLY RIGHT OF WAY LINE SAID U.S. 62/412, N71 deg.03'31"E 170.34 FEET TO THE POINT OF CURVATURE OF A 25-FT. RADIUS CURVE TO THE POINT OF BEGINNING OF TRACT BEING DESCRIBED; THEN LEAVING THE NORTHERLY RIGHT OF WAY LINE OF U.S. HWY. 62/412, ALONG THE ARC OF SAID CURVE TO THE LEFT IN A NORTHEASTERLY DIRECTION THRU A CENTRAL ANGLE OF 115 deg.51'02", A DISTANCE OF 55.55 FEET TO THE POINT OF TANGENCY ALSO BEING THE POINT OF CURVATURE OF A 180-FT. RADIUS CURVE; THEN GO ALONG THE ARC OF SAID CURVE TO THE RIGHT, IN A NORTHEASTERLY DIRECTION, THRU A CENTRAL ANGLE OF 26 deg.55'47", A DISTANCE OF 84.60 FEET TO THE POINT OF TANGENCY; THEN GO N 72 deg. 08' 16" E 30.00 FEET TO THE POINT OF CURVATURE OF A 150-FT RADIUS CURVE, THE RADIUS OF WHICH BEARS N 72 deg. 08' 16" E, THEN GO ALONG THE ARC OF SAID CURVE TO THE LEFT, IN A SOUTHEASTERLY DIRECTION, THRU A CENTRAL ANGLE OF 27 deg. 31' 11", A DISTANCE OF 72.05 FEET TO THE POINT OF TANGENCY, THEN GO S 45 deg. 22' 55" E 53.16 FEET TO THE NORTHERLY RIGHT OF WAY OF LINE OF U.S. HWY. 62/412; THEN GO ALONG SAID RIGHT OF WAY LINE S 71 deg. 03' 31" W 73.85 FEET TO THE POINT OF BEGINNING. SAID EASEMENT SUBSEQUENTLY TO BE DEDICATED AS A PUBLIC STREET.

Lot One (1) of that certain lot split of West End Subdivision for Harp's Food Stores, Inc., Mountain Home, Baxter County, Arkansas, recorded on December 12, 2013 as Document No. 1218 in the Records of the Circuit Clerk's Office of Baxter County, Arkansas, being a part of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section 17, Township 19 North, Range 13 West of the Fifth Principal Meridian, Baxter County, Arkansas, as being more particularly described as follows: Commence at a found 5/8 inch iron pin being the Northwest corner of the SW1/4 of the NE1/4, thence North 00° 44' 00" East a distance of 78.03 feet to a point; thence South 88° 04' 40" East a distance of 120.93 feet to a found iron pin with Cap "PLS 254"; thence South 01° 10' 48" West a distance of 473.39 feet to a found one-half inch iron pin; thence South 00° 09' 03" West a distance of 63.78 feet to a set iron pin with Cap "PLS 1439" and the Point of Beginning; thence South 89° 58' 59" East a distance of 318.34 feet to a set iron pin with Cap "PLS 1439"; thence North 64° 57' 27" East a distance of 165.35 feet to a found iron pin with Cap "PS 1655"; thence South 00° 01' 02" West a distance of 635.82 feet to a found iron pin with Cap "PS 1655" and the northern right of way of U. S. Highway 62 (variable width); thence along said right of way South 78° 01' 50" West a distance of 40.78 feet to a found Arkansas Highway Transportation Department (AHTD) one and one-half inch aluminum disk; thence South 66° 45' 20" West a distance of 398.54 feet to a found AHTD one and one-half inch aluminum disk; thence South 69° 58' 13" West a distance of 67.98 feet to a found iron pin with Cap "PLS 254"; thence leaving said right of way North 00° 09' 03" East a distance of 754.95 feet to the Point of Beginning.

Part of the South Half of the Northeast Quarter of Section 17, Township 19 North, Range 13 West, Baxter County, Arkansas, more specifically described as follows: From the NW corner of the SW1/4 NE1/4 of said Section 17, go N02°24'25"E 73.91 feet; Then go N89°55'46"E 118.77 feet to a 3/8" diameter rebar with a plastic I.D. cap (PLS 254); Then go S01°00'17"W 473.34 feet; Then go S00°15'45"W 819.00 feet to a 3/8" rebar with a plastic I.D. cap (PLS 254); Then go N67°12'44"E 466.48 feet to a point on the northerly right of way line U.S. Hwy. 62/412; Then go along said right of way line N77°56'58"E 40.64 feet to the POINT OF BEGINNING of tract being described; Then continue along said right of way line the following movements: N77°56'58"E 290.38 feet; N76°59'23"E 74.74 feet; Then continue along the northerly right of way line said U.S. 62/412 and extending onto the northerly right of way line of U.S. Hwy. 62B, go N71°02'50"E 318.07 feet to the Point of Curvature of a 966.45-ft. radius curve; Then continue along the northerly right of way line of U.S. Hwy. 62B, along the arc of said curve to the left in a northeasterly direction thru a central angle of 10°27'56", a distance of 176.53 feet; Then leaving said curve, continuing along said right of way line, go the following movements: N46°18'59"E 233.32 feet; N44°53'16"E 13.92 feet; Then leaving the northerly right of way line of U.S. Hwy. 62B, go N43°32'47"W 329.42 feet to the Point of Curvature of a 120-ft. radius curve, the radius point of which bears N43°32'41"W; Then go along the arc of said curve to the left, in a northeasterly direction, thru a central angle of 45°52'07", a distance of 96.07 feet to the Point of Tangency; Then go N00°35'25"E 28.23 feet; Then go N89°15'48"W 322.33 feet; Then go S79°04'48"W 263.79 feet; Then go S67°14'08"W 244.94 feet; Then go S00°02'38"W 636.10 feet to the Point of Beginning, being subject to easement recorded at Instrument #6035-97.

A part of Lot 2 West End Phase 1, as shown by the recorded plat thereof, Baxter County, Arkansas, described as follows: Starting at the SE corner of Lot 1, this is also on the North R/W of Hwy. 62B of West End Phase 1 Subdivision, thence continue along North R/W 62B, North 71 degrees 02 minutes 50 seconds East 143.72 feet to the point of beginning, thence leaving R/W along East side of West End Way Street with a curve to the right, with a radius of 25.00 feet and arc length 27.73 feet, a chord of North 77 degrees 09 minutes 42 seconds West 26.33 feet, thence leaving curve continue along East side street, North 45 degrees 22 minutes 55 seconds West 52.59 feet, thence along curve to the right a radius of 120.00 feet, arc length 57.64 feet, chord North 31 degrees 37 minutes 19 seconds West 57.08 feet, thence leaving curve, North 17 degrees 51 minutes 44 seconds West 129.55 feet, thence with a curve to the right, radius of 25.00 feet, arc length of 27.73 feet, a chord of North 77 degrees 09 minutes 42 seconds West 26.33 feet; thence along South side Libbe Drive, North 72 degrees 09 minutes 37 seconds East 56.82 feet, thence along curve to the left radius of 330.00 feet, arc length of 98.78 feet, chord North 63 degrees 35 minutes 08 seconds East 98.41 feet, thence leaving street, South 34 degrees 59 minutes 21 seconds East 277.12 feet to the North R/W 62B, thence along Hwy 62 with a curve to the right, a radius of 966.45 feet, arc length of 176.53, chord South 65 degrees 49 minutes 34 seconds West 176.9 feet to the point of beginning.

Being shown on a Survey by Strider Consulting dated August 20, 2019.

CITY OF MOUNTAIN HOME
FILED
DATE 5/15/98
D. H. H. H.
CITY CLERK

ORDINANCE NO. 98-018

AN ORDINANCE ANNEXING PROPERTY CONTIGUOUS THEREWITH TO
THE CITY OF MOUNTAIN HOME, ARKANSAS; ACCEPTING THE ANNEXATION OF
CERTAIN TERRITORY TO THE CITY OF MOUNTAIN HOME, ARKANSAS;
AND TO ANNEX PROPERTY TO THE CITY OF MOUNTAIN HOME, ARKANSAS
AND AFFIXING ZONING CLASSIFICATIONS TO THE
PROPERTIES HEREINAFTER SET OUT

WHEREAS, a petition was filed with the County Clerk of Baxter County, Arkansas, by the real estate owner of the land hereinafter described, praying that said lands be annexed to and made a part of the City of Mountain Home, Arkansas; and

WHEREAS, on the 8th day of May, 1998, the County Court of Baxter County, Arkansas, found that said petition was signed by the fee simple owners of the said properties; that the said territory, showing its relationship to the present city, has been filed and made a part of said annexation petition; that said proper notice has been given for the time and in the manner prescribed by law; that said lands and territory should be annexed to the City of Mountain Home, Arkansas, subject to the acceptance of the same by the City Council of said City at the proper time as provided by law; and

WHEREAS, the time fixed by law for appealing from said Order of annexation made by the County Court has expired, and no appeal has been taken from said Order; and

WHEREAS, the same petitioners have petitioned in writing to the City of Mountain Home, Arkansas, praying that said properties be annexed to the Water & Sewer Improvement District No. 3 of the city of Mountain Home, Arkansas, for the purposes hereinafter set out; and

WHEREAS, after due notice as required by law, the City Council of the City of Mountain Home, Arkansas, has heard all persons desiring to be heard and has ascertained that said petition was signed by the owners of the real properties in said territory; and

WHEREAS, a proper petition was filed by the property owners requesting a zoning; that said petition was submitted to the Planning Commission of the City of Mountain Home, Arkansas; that notice of said petition and a public hearing thereon was published in a newspaper having local circulation as required by ordinance; that a public hearing was held; that all remonstrances were heard, after which the Planning Commission recommended that all properties described hereinafter be annexed to the City of Mountain Home, Arkansas.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mountain Home, Arkansas:

Section 1. That the following described lands in territory contiguous to and adjoining the City of Mountain Home, Arkansas, be and the same are hereby accepted and annexed to the City of Mountain Home, Arkansas.

That the following described property is annexed to the City of Mountain Home, Arkansas, to-wit:

That part of the NE 1/4 SW 1/4 [except that part thereof owned by Norcross Ford, Inc. and Joe Norcross and Jacquetta Norcross, Co-Trustees of the Norcross Family Revocable Trust, UTA dated October 17, 1996], the N 1/2 SE 1/4 and the S 1/2 NE 1/4 South of US Highway 62-412 and US Highway 62-412 Bypass and all that part of the E 3/4 SW 1/4 NE 1/4 and that part of the SE 1/4 NE 1/4 outside the present corporate limits of the City of Mountain Home, Arkansas, North of US Highway 62-412, all in Section 17, Township 19 North, Range 13 West.

Section 2. All property is to be zoned R-1 except the following described lands in Baxter County, Arkansas, to be zoned R-2:

Part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 19 North, Range 13 West, in Baxter County, Arkansas, more particularly described as follows: Starting at the Northwest corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence S. 15° 32' W. 58.1 feet to a concrete monument; thence S. 00° 07' W. 493.6 feet to the existing south right-of-way of U.S. Highway 62/412; thence along said right-of-way N. 67° 12' E. 515.81 feet; thence S. 02° 43' W. 10.4 feet to a point on the proposed right-of-way of said highway and the point of beginning; thence along said proposed right-of-way the following courses: N. 68° 12' E. 154.9 feet; N. 69° 28' E. 199.2 feet; N. 75° 01' E. 65.1 feet; thence leaving said proposed right-of-way S. 08° 28' E. 487.0 feet; thence S. 67° 24' W. 531.4 feet; thence N. 02° 43' E. 542.3 feet to the point of beginning, containing 5.32 acres, more or less. Reserving the West 20 feet of the above described tract for a utility easement.

Also, the following described easement: Part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 17, Township 19 North, Range 13 West in Baxter County, Arkansas, more particularly described as follows: Starting at the Northwest corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$; thence S. 15° 32' W. 58.1 feet to a concrete monument; thence S. 00° 07' W. 493.6 feet to the existing South right-of-way of U.S. Highway 62/412; thence along said right-of-way N. 67° 12' E. 515.8 feet; thence S. 02° 43' W. 10.4 feet to a point on the proposed right-of-way of said highway; thence along said proposed right-of-way the following courses: N. 68° 12' E. 154.9 feet; N. 69° 28' E. 199.2 feet; N. 75° 01' E. 65.1 feet to the point of beginning; thence leaving said proposed right-of-way S. 08° 28' E. 250.0 feet; thence N. 81° 32' E. 50.0 feet; thence N. 08° 28' W. 255.7 feet; thence S. 75° 01' W. 50.3 feet to the point of beginning, containing 0.29 acre, more or less.

and except the following in Baxter County, Arkansas, to be zoned C-2:

All that part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ north of Highway 62 not presently included in the corporate limits of the City of Mountain Home, Section 17, Township 19 North, Range 13 West.

Section 3. Extensions to the existing sanitary sewer and waters systems as may now exist may be built to serve the property within the bounds of the above described territory in such manner and with such materials as may be in the best interest of the City.

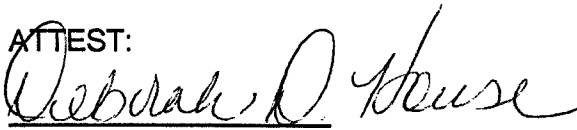
PASSED AND APPROVED this 16th day of July, 1998.

APPROVED:



MAYOR

ATTEST:



CITY CLERK

ORDINANCE NO. 2025-xx
AN ORDINANCE TO NOT CODIFY BID WAIVER ORDINANCES
AND REMOVE THE SAME FROM THE CITY CODE
OF MOUNTAIN HOME, ARKANSAS

WHEREAS, A.C.A. §14-58-303 allows cities by Resolution to waive competitive bidding in exceptional circumstances where the procedure is deemed not feasible or practical; and

WHEREAS, the City Council of Mountain Home, Arkansas, did waive competitive bidding by Ordinance from roughly 2014 through 2023; and

WHEREAS, bid waiver Ordinances were adopted into the City Code of the City of Mountain Home, Arkansas, through revisions under the Fiscal Affairs entry of the Code; and

WHEREAS, said bid waiver Ordinances were not of a general or permanent nature and were not intended to be codified into the Mountain Home City Code;

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

Section 1. The following Ordinances were adopted by previous City Councils but were not of a general or permanent nature and therefore should not have been codified, to wit:

2014-2	2018-3	2019-5	2020-6	2022-5	2022-35
2014-12	2018-4	2019-6	2020-7	2022-6	2022-36
2014-13	2018-12	2019-7	2020-8	2022-9	2022-38
2014-20	2018-13	2019-8	2020-9	2022-10	2022-51
2015-3	2018-16	2019-9	2020-14	2022-11	2023-5
2016-1	2018-18	2019-10	2020-15	2022-12	2023-8
2016-3	2018-20	2019-14	2020-24	2022-14	2023-22
2017-3	2019-1	2019-18	2021-4	2022-15	2023-26
2017-6	2019-2	2019-31	2021-5	2022-18	2023-27
2017-15	2019-3	2020-3	2021-7	2022-22	2023-33
2018-	2019-4	2020-5	2021-15	2022-28	

Section 2. That reference to the previous Ordinances in the Mountain Home City Code under Chapter 3.04 “Purchases,” namely Pages 80-82.19, should be removed from that entry when the Code is next revised.

Section 3. It is the intention of the Mountain Home City Council that this Ordinance be used to clean up and clarify the existing Mountain Home City Code, and as such this Ordinance is not of a permanent or general nature. Therefore, this Ordinance shall not be codified when the City Code is next updated.

PASSED AND APPROVED THIS 3RD DAY OF APRIL, 2025.

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK

Scott Liles

From: Caleb Alexander <CAlexander@arml.org>
Sent: Monday, February 3, 2025 5:22 PM
To: Scott Liles
Cc: rim@johnsonsandersonmorgan.com
Subject: RE: Bid waivers codified into City Code

CAUTION: This is an external email originating outside of City of Mountain Home. Do not click on links or open any attachments unless you recognize the sender and know the content is safe. Please contact IT if you received this warning and the sender address appears to be an employee of City of Mountain Home.

Hey Scott,

I would think that one ordinance that lists all of the bid waiver ordinances could be passed with instructions not to codify them. The ordinance still have to be permanently retained, but because they are not general and permanent, they don't need to be in the code.

A single ordinance not to codify should be sufficient.

All the best,

Caleb Alexander-McKinzie

ARKANSAS MUNICIPAL LEAGUE

501.978.6132

From: Scott Liles <sliles@cityofmountainhome.com>
Sent: Monday, February 3, 2025 4:06 PM
To: Caleb Alexander <CAlexander@arml.org>
Subject: Bid waivers codified into City Code

EXTERNAL SENDER: This message originated **OUTSIDE** of AML! If you do not recognize the sender or are not expecting this email, **DO NOT** click links or open attachments. If the message seems suspicious in any way, please use the **PHISH ALERT BUTTON** and **NEVER** provide your user ID or password.

Caleb,

Greetings from up here in Mountain Home. Had a quick codification question I'm hoping you can answer.

Before I took office, the City had a 10-year run where they approved their bid waivers by Ordinance instead of Resolution. As such, we now have 20 pages of old bid waivers included in the City Code under the Fiscal Affairs section (see pages 2-22 of the attached PDF).

When we next submit our documents to be codified (probably later this year), is there an easy way to get these 20 pages of bid waivers removed? In my head, the simplest way would just be to ask the codifier to remove them, but I'm thinking they might need something in writing. The long way around (by my thinking, at least) would be to do a catch-all Ordinance noting we're trying to get the Code book cleaned up and waving all the bid waivers mentioned in the Code. Even that might warrant a short letter to the codifier explaining exactly what we're after, but might be a more official process than just cutting out sections of Code on a whim.

Any ideas? Feedback?

Thanks in advance,

Scott Liles

Mountain Home City Clerk

720 S. Hickory Street

Mountain Home, AR 72653

Email: sliles@cityofmountainhome.com

Office: 870-425-5943

Cell: 870-421-0095

SECTION.

- 14-58-303. Purchases and contracts generally — Definitions.
 14-58-304. Purchase of insurance.
 14-58-305. Payment of claims.
 14-58-307. Annual audit.
 14-58-308. Bonds of officers and employees.

14-58-301. Administration of provisions.

(a) For the purpose of assisting the mayor of a first-class city in carrying out the provisions of this subchapter, the municipal governing body may appoint one (1) or more committees, to be composed from its membership, or, by ordinance, it may create one (1) or more departments, fixing the compensation and manner of employment for the employees thereof.

(b) The persons appointed to fill any offices or to head any departments shall be responsible to the mayor and act under his direction.

History. Acts 1959, No. 28, § 8; A.S.A. 1947, § 19-4428.

14-58-302. Annual report by mayor.

(a) The mayor of a first class city shall prepare and submit to the municipal governing body within the first ninety (90) days of each year a complete report on the finances and administrative activities of the city during the previous year.

(b) The mayor shall also keep the governing body advised as to the financial condition and future needs of the city and make such recommendations as to him or her may be desirable.

History. Acts 1959, No. 28, § 4; A.S.A. 1947, § 19-4424; Acts 2009, No. 161, § 2.

Amendments. The 2009 amendment in (a) substituted “the first ninety (90) days of each year” for “sixty (60) day after the end of each fiscal year”, and deleted “fiscal” following “previous”.

14-58-303. Purchases and contracts generally — Definitions.

(a) In a city of the first class, city of the second class, or incorporated town, the mayor or the mayor's duly authorized representative shall have exclusive power and responsibility to make purchases of all supplies, apparatus, equipment, materials, and other things requisite for public purposes in and for the city and to make all necessary contracts for work or labor to be done or material or other necessary things to be furnished for the benefit of the city, or in carrying out any work or undertaking of a public nature in the city.

(b)(1)(A) Except as provided under § 14-58-104, the governing body of any city of the first class shall provide by ordinance the procedure for making all purchases that do not exceed the sum of thirty-five thousand dollars (\$35,000).

(B) Except as provided under § 14-58-104, the governing body of any city of the second class or incorporated town may provide by ordinance the procedure for making all purchases.

(2)(A)(i) Except as provided under § 14-58-104, in a city of the first class in which the amount of expenditure for any purpose or contract exceeds the sum of

thirty-five thousand dollars (\$35,000), the mayor or the mayor's authorized representative shall invite competitive bidding on the purpose or contract by legal advertisement in any local newspaper.

(ii) Bids received pursuant to the advertisement shall be opened and read on the date set for receiving the bids in the presence of the mayor or the mayor's authorized representative.

(iii) The mayor or the mayor's authorized representative has exclusive power to award the bid to the lowest responsible bidder, subject to the provisions in subdivision (b)(2)(A)(iv) of this section, and may reject any and all bids received.

(iv) For the purchase of supplies, apparatus, equipment, materials, and other items under this subdivision (b)(2), the city may base its award on the following method of evaluation if notice of the method of evaluation is stated in the bid notice:

- (a) The lowest immediate cost;
- (b) The lowest demonstrated life cycle cost;
- (c) The lowest demonstrated term costs; or
- (d) A combination of two (2) or more of the lowest immediate cost, the lowest demonstrated life cycle cost, and the lowest demonstrated term costs.

(v) A bid, quote, and the documentation related to a bid or quote shall be maintained as required under § 14-59-114(a)(1).

(B) The governing body by resolution may waive the requirements of competitive bidding in exceptional situations where this procedure is deemed not feasible or practical or as provided under § 14-58-104.

(C) Cities of the first class, cities of the second class, and incorporated towns may accept competitive bids in the following forms:

- (i) Written; or
- (ii) Electronic media.

(3)(A) Beginning January 1, 2025, and on each January 1 at subsequent five-year intervals, the amounts under subdivisions (b)(1) and (2) of this section shall be adjusted to reflect the percentage increase in the Consumer Price Index for All Urban Consumers or its successor, as published by the United States Department of Labor for the five (5) years immediately preceding the percentage increase, and rounded to the nearest whole number.

(B) Following a percentage increase under subdivision (b)(3)(A) of this section, the Department of Finance and Administration shall provide each city of the first class and Arkansas Legislative Audit with the percentage increase and the corresponding updated amounts under this section.

(c)(1) In a city of the first class, a city of the second class, or an incorporated town, the governing body by ordinance shall have the option to make purchases by participation in a reverse internet auction, except that purchases and contracts for construction projects and materials shall be undertaken pursuant to subsections (a) and (b) of this section and § 22-9-203.

(2) The ordinance shall include, but is not limited to, the following procedures:

(A) Bidders shall be provided instructions and individually secured passwords for access to the

reverse internet auction by either the city or the town, or the reverse internet auction vendor;

(B) The bidding process shall be timed, and the time shall be part of the reverse internet auction specifications;

(C) The reverse internet auction shall be held at a specific date and time;

(D) The reverse internet auction and bidding process shall be interactive, with each bidder able to make multiple bids during the allotted time;

(E) Each bidder shall be continually signaled his or her relative position in the bidding process;

(F) Bidders shall remain anonymous and shall not have access to other bidders or bids; and

(G) The governing body shall have access to real-time data, including all bids and bid amounts.

(3) The governing body may create by an additional ordinance reverse internet auction specifications for the anticipated purchase of a specific item or purchase.

(4)(A) The governing body is authorized to pay a reasonable fee to the reverse internet auction vendor.

(B) The fee may be included as part of the bids received during the reverse internet auction and paid by the winning bidder or paid separately by the governing body.

(5) The governing body retains the right to:

(A) Refuse all bids made during the reverse internet auction; and

(B) Begin the reverse internet auction process anew if the governing body determines it is in the best interest of the city or town.

(d) As used in this section:

(1) "Lowest demonstrated life cycle cost" means the cost of an asset as determined by the mayor or the mayor's authorized representative to be credibly established by a bidder over the life cycle of the asset, taking into consideration the asset's initial capital costs, maintenance costs, operating costs, and residual value at the end of the life of the asset;

(2) "Lowest demonstrated term cost" means the cost of an asset as determined by the mayor or the mayor's authorized representative to be credibly established by a bidder over a portion of the life cycle of the asset, taking into consideration the asset's initial capital costs, maintenance costs, and operating costs during the portion of the life cycle of the asset;

(3) "Lowest responsible bidder" means the bidder who offers trustworthiness and responsibility concerning the subject purchase and whose bid offers the lowest cost to the city under subdivision (b)(2)(A) of this section;

(4) "Reverse internet auction" means an internet-based process in which bidders:

(A) Are given specifications for items and services being sought for purchase by a municipality; and

(B) Bid against one another in order to lower the price of the item or service to the lowest possible level; and

(5) "Reverse internet auction vendor" means an internet-based entity that hosts a reverse internet auction.

History. Acts 1959, No. 28, § 5; 1979, No. 154, § 1; 1985, No. 745, § 3; A.S.A. 1947, § 19-4425; Acts 1995, No. 812, § 1; 2001, No. 508,

§ 1; 2005, No. 1435, § 2; 2005, No. 1957, § 1; 2009, No. 756, § 24; 2017, No. 170, § 2; 2021, No. 435, § 5; 2023, No. 208, §§ 1, 2.

Amendments. The 1995 amendment substituted "ten thousand dollars (\$10,000)" for "five thousand dollars (\$5,000)" in (b)(1) and (b)(2)(A)(i); rewrote (b)(2)(A)(iii); and deleted former (b)(2)(A)(iv).

The 2001 amendment inserted "city of the second class, or incorporated town" in (a); in (b), inserted "of any city of the first class" in (b)(1)(A), added (b)(1)(B), and substituted "In a city of the first class, where" for "Where" in (b)(2)(A)(i).

The 2005 amendment by No. 1435 substituted "twenty thousand dollars (\$20,000)" for "ten thousand dollars (\$10,000)" in (b)(1)(A) and (b)(2)(A)(i).

The 2005 amendment by No. 1957 added (c) and (d).

The 2009 amendment inserted "Except as provided under § 14-58-104" in (b)(1)(A), (b)(1)(B), and (b)(2)(A)(i), inserted "or as provided under § 14-58-104" in (b)(2)(B), and made related changes.

The 2017 amendment added (b)(2)(C).

The 2021 amendment deleted "municipal" preceding "governing body" twice in (b)(1); in (b)(1)(A) and (b)(2)(A)(i), substituted "thirty-five thousand dollars (\$35,000)" for "twenty thousand dollars (\$20,000)"; substituted "and may reject" for "but may reject" in (b)(2)(A)(iii); substituted "resolution" for "ordinance" in (b)(2)(B); added (b)(3); and made stylistic changes.

The 2023 amendment inserted "subject to the provisions in subdivision (b)(2)(A)(iv) of this section" in (b)(2)(A)(iii); added (b)(2)(A)(iv), (b)(2)(A)(v), and (d)(1) through (d)(3); and redesignated former (d)(1) and (d)(2) as (d)(4) and (d)(5).

RESEARCH REFERENCES

Ark. L. Rev. The Contractual and Quasi-Contractual Liability of Arkansas Local Government Units, 20 Ark. L. Rev. 292.

CASE NOTES

ANALYSIS

Contracts for Labor or Materials.
Contracts for Professional Services.
Lowest Responsible Bidders.
Purchase of Supplies, Etc.
Second Class Cities.
Void Contracts.

Contracts for Labor or Materials.

It was against public policy to permit a bank of which the mayor of a city was a stockholder and president to take an assignment of the claim of a contractor against the city for the price of work which he had performed for the city and which work must have been inspected and accepted by the city by a board of which the mayor was chairman. *People's Sav. Bank v. Big Rock Stone & Constr. Co.*, 81 Ark. 599, 99 S.W. 836 (1907) (decision under prior law).

Contractor was entitled to recover fair value of rest rooms installed in city building though city council bypassed board of public works in letting contract where city accepted improvements and ratified contract by ordinance. *Lykes v. City of Texarkana*, 223 Ark. 287, 265 S.W.2d 539 (1954) (decision under prior law).

A city is required to solicit bids for all contracts except where there is an affirmative showing, by enactment of a separate ordinance, that the solicitation of bids is not feasible or practical. *Klinger v. City of Fayetteville*, 293 Ark. 128, 732 S.W.2d 859 (1987).

Contracts for Professional Services.

Contracts for professional services are not exempt from the competitive bidding requirements of this section or § 14-47-138. *Klinger v. City of Fayetteville*, 293 Ark. 128, 732 S.W.2d 859 (1987).

Lowest Responsible Bidders.

Under Arkansas law governing competitive bidding on public contracts, the lowest responsible bidder in compliance with the bidding specifications and procedures has a legitimate expectation in being awarded the contract once the governmental body makes a decision to award the contract on which bids were solicited. *L & H San., Inc. v. Lake City San., Inc.*, 585 F. Supp. 120 (E.D. Ark. 1984), *aff'd*, 769 F.2d 517 (8th Cir. 1985).

TITLE 3

FISCAL AFFAIRS

Chapters:

- 3.04 Purchases
- 3.08 Sales and Use Tax
- 3.12 Financial Accounts

CHAPTER 3.04

PURCHASES

Sections:

- 3.04.01 \$20,000.00 or under
- 3.04.02 Over \$20,000.00
- 3.04.03 Approval of payments
- 3.04.04 Sale or exchange of supplies, materials or equipment valued at less than \$5,000.00

3.04.01 \$20,000.00 or under The Mayor, or his duly authorized representative, shall have exclusive power and responsibility to make purchases of all supplies, apparatus, equipment, materials and other things requisite for public purposes for the city of Mountain Home, Arkansas, and to make all necessary contracts for work or labor to be done, or material or other necessary things to be furnished for the benefit of the city where the amount of the expenditure for any purpose or contract does not exceed the sum of Twenty Thousand Dollars (\$20,000.00). (Ord. No. 2009-4, Sec. 1.)

3.04.02 Over \$20,000.00 Where the amount of expenditure for any purchase or contract exceeds the sum of Twenty Thousand Dollars (\$20,000.00), the Mayor, or his duly authorized representative, shall invite competitive bids thereon by legal advertisement in any local newspaper. Bids received pursuant to said advertisement shall be opened and read on the date set for receiving said bids, in the presence of the Mayor, or his duly authorized representative. The contract shall be awarded to the lowest responsible bidder; provided, however, the Mayor, or his duly authorized representative, may reject any and all bids received. (Ord. No. 2009-4, Sec. 2.)

3.04.03 Approval of payments. The Mayor, or his duly authorized representative, may approve for payment out of any funds previously appropriated for that purpose, or disapprove any bills, debts or liabilities asserted as claims against the city, when funds on hand are adequate to pay such bills, debts or liabilities. That the payment or disapproval of any bills, debts or liabilities not covered by a previous appropriation shall require confirmation of the governing body.

1. Water/Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a – Trimble - R10 Model Rover, software and accessories for the purpose of mapping, construction needs, locating and planning. (Ord. No. 2014-2, Sec. 1)

Due to the availability of the equipment, the purchase amount & and compatibility requirements of our current system in place, competitive bidding is neither feasible nor practical. (Ord. No. 2014-2, Sec. 2)

2. That the Water/Wastewater Department is hereby authorized to purchase the Trimble - R10 Model Rover, software and accessories from Navigation Electronics, Inc. for a sum not to exceed \$ 33,000.00 (Thirty-Three thousand dollars). (Ord. No. 2014-2, Sec. 3)

3. The Water Department of the City of Mountain Home, Arkansas desires to purchase Sensus AMI Equipment & Water Meters for the purpose of metering water and reading meters automatically in the water distribution system. (Ord. No. 2014-12, Sec. 1)

Due to the nature of the purchase competitive bidding is neither feasible nor practical. (Ord. No. 2014-12, Sec. 2)

That the Water Department is hereby authorized to purchase Sensus AMI Equipment & Water Meters for a sum not to exceed \$3,000,000.00 (Three Million Dollars) from HD Supply Inc. (Ord. No. 2014-12, Sec. 3)

4. That the Street Superintendent is hereby authorized to purchase a used Wirtgen W1200FT Cold Milling Machine at a cost of \$147,500 from Equipment Resource Management. (Ord. No. 2014-13, Sec. 1)

That \$60,000 will be moved from line item 5200-43272 to line item 5200-43290. (Ord. No. 2014-13, Sec. 2)

That competitive bidding is not feasible or practical and is therefore waived. (Ord. No. 2014-13, Sec. 3)

5. That the Street Superintendent is hereby authorized to purchase a used DHC Cat dozer for a sum not to exceed \$28,000. (Ord. No. 2014-20, Sec. 1)

That \$15,000 will be moved from line item 5200-37788 and \$13,000 from 5200-43253 to a line item to buy a used dozer for \$28,000. (Ord. No. 2014-20, Sec. 2)

That competitive bidding is not feasible or practical and is therefore waived. (Ord. No. 2014-20, Sec. 3)

6. The Water Department of the City of Mountain Home, Arkansas desires to purchase a screw conveyor for the purpose of replacing an existing old unit that has deteriorated. (Ord. No. 2015-3, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2015-3, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a screw conveyor for a sum not to exceed \$35,000 (Thirty – five thousand dollars). (Ord. No. 2015-3, Sec. 3)

7. Water/Wastewater Department of the City of Mountain Home, Arkansas desires to purchase Trimble GPS equipment and accessories for the purpose of mapping, construction needs, locating and planning. (Ord. No. 2016-1, Sec. 1)

Due to the availability of the equipment, the purchase amount & and compatibility requirements of our current system in place, competitive bidding is neither feasible nor practical. (Ord. No. 2016-1, Sec. 2)

That the Water/Wastewater Department is hereby authorized to purchase the Trimble GPS equipment and accessories from Navigation Electronics, Inc. for a sum not to exceed \$ 35,000.00 (Thirty-Five thousand dollars). (Ord. No. 2016-1, Sec. 3)

8. The Water Department of the City of Mountain Home, Arkansas desires to purchase a shaftless screw conveyor assembly for the purpose of replacing the existing 1988 unit that is used for removing the bar screenings. (Ord. No. 2016-3, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2016-3, Sec. 2)

That the Water Department is hereby authorized to purchase a shaftless screw conveyor assembly for a sum not to exceed \$50,000 (Fifty thousand dollars) from BT Environmental. (Ord. No. 2016-3, Sec. 3)

9. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a TR-60 70 HP aire-O2 triton aerator/mixer for the purpose of replacing an existing rotor assembly unit that is used for aerating/mixing wastewater to enhance better efficiency of the wastewater treatment. (Ord. No. 2017-3, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2017-3, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a TR-60 70 HP aire-O2 triton aerator/mixer for a sum not to exceed \$65,746.00 (Sixty-Five thousand seven hundred and forty-six dollars) from Aeration Industries International. (Ord. No. 2017-3, Sec. 3)

10. The Street Department of the City of Mountain Home, Arkansas desires to purchase two (2) Dodge trucks for the purpose of replacing existing older vehicles. (Ord. No. 2017-6, Sec. 1)

Due to the nature of the purchase and the amount of the purchase, the Street Department would like to purchase locally, as the Street Department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price.(Ord. No. 2017-6, Sec. 2)

That the Street Department is hereby authorized to purchase two Dodge trucks for a sum not to exceed \$32,472.00 each (Thirty-two thousand four hundred and seventy-two dollars) from Ultimate Auto Group, Mountain Home, AR. .(Ord. No. 2017-6, Sec. 3)

11. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) Dodge Trucks for the purpose of replacing existing older vehicles. (Ord. No. 2017-7, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Water & Wastewater department would like to purchase locally, as the Water /Wastewater Department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2017-7, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase two Dodge Trucks for a sum not to exceed \$53,234.00 (Fifty-Three thousand two hundred and thirty-four dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2017-7, Sec. 3)

12. The Water Department of the City of Mountain Home, Arkansas desires to purchase contractor services to do an emergency installation of a 16” Insta-Valve so a leak can be fixed on the distribution system. (Ord. No. 2017-15, Sec. 1)

Due to the urgent nature of the repair services & the purchase amount competitive bidding is neither feasible nor practical. (Ord. No. 2017-15, Sec. 2)

That the Water Department is hereby authorized to purchase the contractor services for a sum not to exceed \$ 25,000.00 (Twenty-Five thousand dollars, from Interstate Tapping Service Inc. (Ord. No. 2017-15, Sec. 3)

13. The Street Department of the City of Mountain Home, Arkansas desires to purchase three (3) Dodge trucks for the purpose of replacing existing older vehicles. (Ord. No. 2018, Sec. 1)

Due to the nature of the purchase and the amount of the purchase, the Street Department would like to purchase locally, as the Street Department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2018, Sec. 2)

That the Street Department is hereby authorized to purchase three Dodge trucks for a sum not to exceed \$31,000.00 each (Thirty-one thousand dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2018, Sec. 3)

14. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) Dodge Trucks for the purpose of replacing existing older vehicles. (Ord. No. 2018-3, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Water & Wastewater department would like to purchase locally, as the water /Wastewater department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2018-3, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase two Dodge Trucks for a sum not to exceed \$55,000 (Fifty-five thousand dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2018-3, Sec. 3)

15. That the Street Superintendent is hereby authorized to purchase a NetR9 Reference Station with Zephyr 3 Geodetic Antenna, for no more than \$24,000 from Navigation Electronics, Inc. 124 Toledo Dr. Lafayette, LA (Ord. No. 2018-4, Sec. 1)

That the Street Department is hereby authorized to purchase a Reference station not to exceed \$24,000 (Twenty-four thousand dollars). (Ord. No. 2018-4, Sec. 2)

That competitive bidding is not feasible or practical. (Ord. No. 2018-4, Sec. 1)

16. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of three (3) digester aerators/w float for the purpose of replacing existing 20 year old ones. (Ord. No. 2018-12, Sec. 1)

Due to the proprietary nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2018-12, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase three

(3) digester aerators/w float for a sum not to exceed \$70,000.00 (Seventy thousand dollars) from Environmental Technical Sales, Inc. to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2018-12, Sec. 3)

17. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) NRRS Pumps for the purpose of replacing existing 20 year old ones. (Ord. No. 2018-13, Sec. 1)

Due to the proprietary nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2018-13, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase two (2) NRRS Pumps for a sum not to exceed \$46,000.00 (Forty-six thousand dollars) from Jack Tyler Engineering, Inc. to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2018-13, Sec. 3)

18. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a TR-60 70 HP aire-02 triton aerator/mixer for the purpose of replacing an existing rotor assembly unit that is used for aerating/mixing wastewater to enhance better efficiency of the wastewater treatment.(Ord. No. 2018-16, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2018-16, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a TR-60 70 HP aire-02 triton aerator/mixer for a sum not to exceed \$65,746.00 (Sixty-five thousand Seven hundred and Forty-Six dollars) from Aeration Industries International to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2018-16, Sec. 3)

19. The Street Department of the City of Mountain Home, Arkansas desires to purchase a 2014 Caterpillar Motor Grader for the purpose of replacing existing a 1984 Motor Grader. (Ord. No. 2018-18, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the street department would like to purchase this piece of used equipment by Government Surplus online bid, as the street department usually uses state bid to purchase with. Buying this piece of equipment used by Government Surplus online bidding is less than the state bid contracts with a comparable piece of equipment. (Ord. No. 2018-18, Sec. 2)

That the Street Department is hereby authorized to purchase a 2014 Caterpillar Motor Grader for a sum not to exceed \$235,549.00 from Online Site Govdeals selling for the Arkansas Game and Fish Commission to be paid out of the Road Construction account #5200-27100 and made into a new capital line item in the 2018 Budget. (Ord. No. 2018-18, Sec. 3)

20. The City of Mountain Home Street, Water & Sewer Departments desire to purchase Gasboy Hardware and Software replacing an aging, and inefficient existing Gasboy system. (Ord. No. 2018-20, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street, Water & Sewer departments would like to purchase this piece hardware and software from its sole source of compatibility. (Ord. No. 2018-20, Sec. 2)

That the Street, Water, and Sewer Departments is hereby authorized to purchase a Gasboy Hardware and Software system for a sum not to exceed \$30,000.00 (Thirty thousand dollars) from Hooten to be paid 50% out a new Capital line item from Street Department 5200-43302, 25% from a new capital line item from the Water Department 5601-46280, and 25% from a new capital line item from the Sewer Department 5602-46280 (Ord. No. 2018-20, Sec. 3)

Capital line item #5200-43302 shall be funded with \$15,000.00 from Street Department line item Fuel, Gas, and Oil #5200-32520. Capital line item #5601-46280 shall be funded with \$7,500.00 from Water Department line item Backhoe #5601-46071. Capital line item #5602-46280 shall be funded with \$7,500.00 from Sewer Department line item Backhoe #5602-46071. All of these amounts are in the 2018 budget. (Ord. No. 2018-20, Sec. 3)

21. The Street Department of the City of Mountain Home, Arkansas desires to purchase a 2012 Dodge Ram 5500 Bucket Truck for the purpose of replacing an existing 1994 Ford Bucket Truck. (Ord. No. 2019-1, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the street department would like to purchase this piece of used equipment from North Arkansas Electric Cooperative, as the street department usually uses state bid to purchase with New Vehicles. (Ord. No. 2019-1, Sec. 2)

That the Street Department is hereby authorized to purchase a 2012 Dodge Ram Bucket Truck for a sum not to exceed \$50,000.00 (Fifty Thousand Dollars) from North Arkansas Electric Cooperative to be paid out of the Road Construction account #5200-27100 (Road Construction) and made into a new capital line item in the 2019 Budget. (Ord. No. 2019-1, Sec. 3)

22. The Street Department of the City of Mountain Home, Arkansas desires to purchase of three (3) Dodge Trucks for the purpose of replacing existing older vehicles. (Ord. No. 2019-2, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street Department would like to purchase locally, as the street department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2019-2, Sec. 2)

That the Street Department is hereby authorized to purchase three Dodge Trucks for a sum not to exceed \$87,000.00 (Eighty Seven Thousand Dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2019-2, Sec. 3)

23. The Street Department of the City of Mountain Home, Arkansas desires to purchase of Trimble R10 Survey GPS unit for the purpose of replacing existing an older GPS rover unit. (Ord. No. 2019-3, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street department would like to purchase from the sole source provider. (Ord. No. 2019-3, Sec. 2)

The Street Department is hereby authorized to purchase a Trimble R10 Survey GPS rover unit for a sum not to exceed \$32,000.00 (Thirty Two Thousand Dollars) from Navigation Electronics Inc., Lafayette, LA. (Ord. No. 2019-3, Sec. 3)

24. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a sewer camera with transporter for the purpose of replacing an old sewer camera with transporter that has reached past their life expectancy. (Ord. No. 2019-4, Sec. 1)

Due to the nature of this replacement & the purchase amount competitive bidding is neither feasible nor practical. (Ord. No. 2019-4, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a sewer camera with transporter for a sum not to exceed \$25,000.00 (Twenty-five thousand dollars) from Scruggs Equipment Company, Inc. (Ord. No. 2019-4, Sec. 3)

25. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of three (3) digester aerators/w float for the purpose of replacing existing 20 year old ones. (Ord. No. 2019-6, Sec. 1)

Due to the proprietary nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2019-6, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase three (3) digester aerators/w float for a sum not to exceed \$70,000.00 (Seventy thousand dollars) from Environmental Technical Sales, Inc. to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2019-6, Sec. 3)

26. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) NRRS Pumps for the purpose of replacing existing 20 year old ones. (Ord. No. 2019-7, Sec. 1)

Due to the proprietary nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2019-7, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase two (2) NRRS Pumps for a sum not to exceed \$46,000.00 (Forty-six thousand dollars) from Jack Tyler Engineering, Inc. to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2019-7, Sec. 3)

27. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a TR-60 70 HP aire-O2 triton aerator/mixer for the purpose of replacing an existing rotor assembly unit that is used for aerating/mixing wastewater to enhance better efficiency of the wastewater treatment. (Ord. No. 2019-8, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2019-8, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a TR-60 70 HP aire-O2 triton aerator/mixer for a sum not to exceed \$70,000.00 (Seventy thousand dollars) from Aeration Industries International to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2019-8, Sec. 3)

28. The Water Department of the City of Mountain Home, Arkansas desires to purchase contractor services to do a repair of the electrical system at 201 North Water Pump Station. (Ord. No. 2019-9, Sec. 1)

Due to the nature of the repair services & the purchase amount competitive bidding is neither feasible nor practical. (Ord. No. 2019-9, Sec. 2)

That the Water Department is hereby authorized to purchase the contractor services for a sum not to exceed \$ 120,000.00 (One Hundred and Twenty

Thousand dollars, from Keathley Patterson for replacement parts & Crawford Electric for electrician services; also allow these cost to be paid for out of the W/S depreciation Fund account# 1000-13072-00. (Ord. No. 2019-9, Sec. 3)

29. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) Dodge Trucks for the purpose of replacing existing older vehicles. (Ord. No. 2019-10, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Water & Wastewater department would like to purchase locally, as the water /Wastewater department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2019-10, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase two Dodge Trucks for a sum not to exceed \$55,000 (Fifty-five thousand dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2019-10, Sec. 3)

30. The Water / Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a TH407C Telehandler for water/sewer construction purposes and to enhance better efficiency of the water / wastewater system. (Ord. No. 2019-14, Sec. 1)

Due to the nature of the purchase & the amount of the purchase competitive bidding is neither feasible nor practical. (The construction equipment is used) (Ord. No. 2019-14, Sec. 2)

That the Water / Wastewater Department is hereby authorized to purchase a TH407C Telehandler for a sum not to exceed \$60,000.00 (Sixty thousand dollars) from J. A. Riggs Tractor Company to be paid for out of the Capital R/R Fund account# 1000-13082-00. (Ord. No. 2019-14, Sec. 3)

31. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a deluxe chopper pump system for Carlile Highlands sewer lift station rehab purposes and to enhance better efficiency of the wastewater system. (Ord. No. 2019-18, Sec. 1)

Due to the nature of the purchase & the amount of the purchase competitive bidding is neither feasible nor practical. (Ord. No. 2019-18, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a deluxe chopper pump system for a sum not to exceed \$45,000 (Forty-Five thousand dollars) from JR Stewart Pump & Equipment Company to be paid for out of the Depreciation Fund account# 1000-13072-00. (Ord. No. 2019-18, Sec. 3)

32. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of grit removal equipment for the purpose of enhancing better efficiency of the wastewater removal process & extending the life of the grit chamber units. (Ord. No. 2019-31, Sec. 1)

Due to the nature of the purchase & the amount of the purchase competitive bidding is neither feasible nor practical. (this grit removal replacement equipment is proprietary and can only be purchased from one vendor) (Ord. No. 2019-31, Sec. 2)

That Wastewater Department is hereby authorized to purchase grit removal rehabilitation equipment for a sum not to exceed \$420,000 (Four Hundred & Twenty Thousand Dollars) from Smith & Loveless, Inc. to be paid for out of the 2019 W/S BOND checking account; coding to Account# 1000-13088-00. (Ord. No. 2019-31, Sec. 3)

33. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) digester aerators/w float & accessories for the purpose constructing the new digester - equipment which is inside the new concrete structure needs to match what is currently in place on the other existing digesters. (Ord. No. 2020-3, Sec. 1)

Due to the proprietary nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2020-3, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase three (3) digester aerators/w float for a sum not to exceed \$65,000 (Sixty-Five thousand dollars) from Environmental Technical Sales, Inc. to be paid for from the W/S 2019 Bond Money acct# 1000-13088-00. (Ord. No. 2020-3, Sec. 3)

34. The City of Mountain Home Fire Department desires to purchase a 2015 Sutphen SPH 100' Tower Ladder Truck for fire protection purposes.(Ord. No. 2020-24, Sec. 1)

Due to the nature of the purchase & the amount of the purchase competitive bidding is neither feasible nor practical. (The fire apparatus is used) 9Ord. No. 2020-24, Sec. 2)

That the City of Mountain Home Fire Department is hereby authorized to purchase a 2015 Sutphen SPH 100' Tower Ladder Truck for a sum not to exceed \$799,000.00 (Seven hundred ninety nine thousand dollars and no cents) from Brindlee Mountain Fire Apparatus, LLC to be paid for out of the Public Safety Tax Fund. (Ord. No. 2020-24, Sec. 3)

35. The Street Department of the City of Mountain Home, Arkansas desires to purchase of three (3) Dodge Trucks for the purpose of replacing existing older vehicles. (Ord. No. 2020-5, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street Department would like to purchase locally, as the street department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2020-5, Sec. 2)

That the Street Department is hereby authorized to purchase three Dodge Trucks for a sum not to exceed \$82,000.00 (Eighty Two Thousand Dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2020-5, Sec. 3)

36. The Street Department of the City of Mountain Home, Arkansas desires to purchase 15 Glance Connectivity and Monitoring units from Temple, Inc. (Ord. No. 2020-6, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street department would like to purchase from the sole source provider. (Ord. No. 2020-6, Sec. 2)

The Street Department is hereby authorized to purchase 15 Glance Connectivity and Monitoring units for a sum not to exceed \$75,000.00 (Seventy-Five Thousand Dollars) from Temple, Inc.in Decatur, AL. (Ord. No. 2020-6, Sec. 3)

37. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of four (4) RAS Pumps & four (4) WAS Pumps and accessories replacing existing pumps that are 20 & 30 years old. (Ord. No. 2020-7, Sec. 1)

Due to the proprietary nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2020-7, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase four (4) RAS Pumps & four (4) WAS Pumps & accessories for a sum not to exceed \$185,000.00 (One hundred and eighty-five thousand dollars) from Jack Tyler Engineering, Inc. to be paid for from the W/S 2019 Bond Money acct# 1000-13088-00. (Ord. No. 2020-7, Sec. 3)

38. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a TR-60 70 HP aire-O2 triton aerator/mixer for the purpose of replacing an existing rotor assembly unit that is used for aerating/mixing wastewater to enhance better efficiency of the wastewater treatment. (Ord. No. 2020-8, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical.(Ord. No. 2020-8, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a TR-60 70 HP aire-O2 triton aerator/mixer for a sum not to exceed \$70,000.00 (Seventy thousand dollars) from Aeration Industries International to be paid for out of the W/S depreciation Fund account# 1000-13072-00.(Ord. No. 2020-8, Sec. 3)

39. The Water Department of the City of Mountain Home, Arkansas desires to purchase contractor services to place a disconnect & manual transfer switch on the WTP generator to allow for the ability to bypass the generator and keep the plant up and running during times that the generator needs to be repaired at water treatment plant. (Ord. No. 2020-9, Sec. 1)

Due to the nature of the repair services & the purchase amount competitive bidding is neither feasible nor practical. (Ord. No. 2020-9, Sec. 2)

That the Water Department is hereby authorized to purchase the contractor services for a sum not to exceed \$ 45,500.00 (Forty-Five Thousand Five Hundred dollars, from Crawford Electric, Inc for electrician services. (Ord. No. 2020-9, Sec. 3)

40. The City of Mountain Home Parks and Recreation Department desires to purchase a Fixed Roof Top for the completion of the fixed stage at Hickory Park. (Ord. No. 2020-14, Sec. 1)

Tyler Truss Systems has provided a quote for the Fixed Roof Top and produced the lowest quote than other vendors in the amount of \$30,901.53, including shipping. Competitive bidding is not feasible or practical due to the fact that construction is due to start immediately. (Ord. No. 2020-14, Sec. 2)

That Farmers and Merchants Bank is donating \$75,000 to be paid at a rate of \$7,500 per year for ten years for the construction and materials of said permanent fixed stage. (Ord. No. 2020-14, Sec. 3)

That the yearly contributions of \$7,500 shall be put into a donation account for the Parks and Recreation Department to cover said costs of the construction of the stage. (Ord. No. 2020-14, Sec. 4)

41. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of one (1) Dodge Truck for the purpose of replacing existing older vehicles. (Ord. No. 2020-15, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Water & Wastewater department would like to purchase locally, as the water /Wastewater department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2020-15, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase of one Dodge Trucks for a sum not to exceed \$28,500 (Twenty-eight thousand five hundred dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2020-15, Sec. 3)

42. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a TR-60 70 HP aire-o₂ triton aerator/mixer for the purpose of replacing an existing rotor assembly unit that is used for aerating/mixing wastewater to enhance better efficiency of the wastewater treatment. (Ord. No. 2021-4, Sec. 1)

Due to the nature of the purchase and the amount or purchase competitive bidding is neither feasible nor practical. (Ord. No. 2021-4, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a TR-60 70 HP aire-o₂ triton aerator/mixer for a sum not to exceed \$73,000.00 (Seventy – Three thousand dollars) from Aeration Industries International to be paid for out of the W/S depreciation Fund account # 1000-13072-00. (Ord. No. 2021-4, Sec. 3)

43. The Water Department of the City of Mountain Home, Arkansas desires to purchase contractor services to place a disconnect & manual transfer switch on the WTP intake generator to allow for the ability to bypass the generator and keep the plant up and running during times that the generator needs to be repaired at water treatment plant. (Ord. No. 2021-5, Sec. 1)

Due to the nature of the repair services & the purchase amount competitive bidding is neither feasible nor practical. (Ord. No. 2021-5, Sec. 2)

That the Water Department is hereby authorized to purchase the contractor services for a sum not to exceed \$62,000.00 (Sixty-Two Thousand dollars), from Crawford Electric, Inc. for electrician services. (Ord. No. 2021-5, Sec. 3)

44. The Water & Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) Dodge Trucks for the purpose of replacing existing older vehicles. (Ord. No. 2021-7, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Water & Wastewater department would like to purchase locally, as the water/Wastewater

department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing at or below the state bid pricing. (Ord. No. 2021-7, Sec. 2)

That the Water & Wastewater Department is hereby authorized to purchase of two Dodge Trucks for a sum not to exceed \$60,000.00 (Sixty thousand dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2021-7, Sec. 3)

45. The Street Department of the City of Mountain Home, Arkansas desires to purchase a one ton Dodge Truck for the purpose of replacing existing older vehicle. (Ord. No. 2021-15, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street Department would like to purchase locally, as the street department usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing below the state bid price. (Ord. No. 2021-15, Sec. 2)

That the Street Department is hereby authorized to purchase a one ton Dodge Truck for a sum not to exceed \$26,000 (Twenty Six Thousand Dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2021-15, Sec. 3)

46. The Water Department of the City of Mountain Home, Arkansas desires to purchase water/sewer auto CAD software. (Ord. No. 2022-5, Sec. 1)

Due to the nature of the proprietary nature of the software & the amount of the purchase competitive bidding is neither feasible nor practical. (Ord. No. 2022-5, Sec. 2)

That the Water/Sewer Department is hereby authorized to purchase the water/sewer auto Cad Software for a sum not to exceed \$60,000.00 (Sixty Thousand dollars), from Bentley Systems, Inc. (Ord. No. 2022-5, Sec. 3)

47. Wastewater Department of the City of Mountain Home, Arkansas desires to purchase (2) Trench boxes for the purpose of keeping our employees safe as they construct wastewater lines. (Ord. No. 2022-6, Sec. 1)

Due to the availability of the equipment, the purchase amount & compatibility requirements of our current trenching system equipment, competitive bidding is neither feasible nor practical. (Ord. No. 2022-6, Sec. 2)

That the Wastewater Department is hereby authorized to purchase the (2) 4' Trench boxes from ICM, Inc. for a sum not to exceed \$29,000.00 (Twenty-Nine Thousand dollars). (Ord. No. 2022-6, Sec. 3)

48. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase (3) TR-60 70 HP aire-O₂ triton aerator/mixers for the purpose of replacing existing rotor assembly units that are used for aerating/mixing wastewater to enhance better efficiency of the wastewater treatment. (Ord. No. 2022-9, Sec. 1)

Due to the nature of the purchase and the amount of purchase competitive bidding is neither feasible nor practical. (Ord. No. 2022-9, Sec. 2)

That the Wastewater Department is hereby authorized to purchase (3) TR-60 70 HP aire-O₂ triton aerator/mixer for a sum not to exceed \$225,000.00 (Two Hundred and Twenty-Five thousand dollars) from Aeration Industries International to be paid for out of the W/S depreciation Fund account # 1000-13072-00. (Ord. No. 2022-9, Sec. 3)

49. The Water Department of the City of Mountain Home, Arkansas desires to purchase of two (2) Replacement Grundfos Pumps for Crystal Mtn. pump station for the purpose of replacing existing 20 year old Pumps. (Ord. No. 2022-10, Sec. 1)

Due to the proprietary nature of the purchase and the amount of purchase competitive bidding is neither feasible nor practical. (Ord. No. 2022-10, Sec. 2)

That the Water Department is hereby authorized to purchase two (2) Grundfos Pumps for a sum not to exceed \$35,000 (Thirty-Five thousand dollars) from Jones Hydro services, Inc. to be paid for out of the W/S depreciation Fund account # 1000-13072-00. (Ord. No. 2022-10, Sec. 3)

50. The Water Department of the City of Mountain Home, Arkansas desires to purchase of Replacement VFD's & soft start controls for Crystal Mtn. pump station for the purpose of replacing existing 20 year old electrical controls. (Ord. No. 2022-11, Sec. 1)

Due to the proprietary nature of the purchase and the amount of purchase competitive bidding is neither feasible nor practical. (Ord. No. 2022-11, Sec. 2)

That the Water Department is hereby authorized to purchase Replacement VFD's & soft start controls for a sum not to exceed \$30,000 (Thirty thousand dollars) from OIC, Inc. to be paid for out of the W/S depreciation Fund account # 1000-13072-00. (Ord. No. 2022-11, Sec. 3)

51. The Water Department of the City of Mountain Home, Arkansas desires to purchase WTP, tank & pump station scada radio equipment replacements & installation services for scada system upgrades for the purpose maintaining water treatment, water tank levels & pumping capacities and pump run times from the water plant. (Ord. No. 2022-12, Sec. 1)

Due to the nature of the purchase competitive bidding is neither feasible nor practical. (Ord. No. 2022-12, Sec. 2)

That the Wastewater Department is hereby authorized to purchase WTP, tank & pump station scada radio equipment replacements & installation services for scada system upgrades for a sum not to exceed \$78,000 (Seventy-Eight thousand dollars) from OIC, Inc. to be paid from the Depreciation Fund Account # 1000-13072-00. (Ord. No. 2022-12, Sec. 3)

52. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) Replacement Smith & Loveless Pumps for Franklin Lift station for the purpose of replacing existing 20 year old ones. (Ord. No. 2022-14, Sec. 1)

Due to the proprietary nature of the purchase and the amount of purchase competitive bidding is neither feasible nor practical. (Ord. No. 2022-14, Sec. 2)

That the Wastewater Department is hereby authorized to purchase two (2) Smith & Loveless Pumps for a sum not to exceed \$32,000 (Thirty-Two thousand dollars) from Smith & Loveless, Inc. to be paid for out of the W/S depreciation Fund account # 1000-13072-00. (Ord. No. 2022-14, Sec. 3)

53. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase of two (2) Replacement ABS Pumps for CR 390 Lift station for the purpose of replacing existing 20 year old pumps. (Ord. No. 2022-15, Sec. 1)

Due to the proprietary nature of the purchase and the amount of purchase competitive bidding is neither feasible nor practical. (Ord. No. 2022-15, Sec. 2)

That the Wastewater Department is hereby authorized to purchase two (2) ABS Pumps for a sum not to exceed \$70,000 (Seventy thousand dollars) from Tencarva Machinery company to be paid for out of the W/S depreciation Fund account # 1000-13072-00. (Ord. No. 2022-15, Sec. 3)

54. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase Ford Transit T-Series Van & install of sewer camera equipment purchased thru HGAC into the van for the purpose of replacing existing 2007 TV camera van and 2012 camera equipment. (Ord. No. 2022-18, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Wastewater department would like to purchase the van from the persons supplying the sewer camera equipment to allow for proper fitting & installation of the equipment. As the Wastewater department usually uses State Bid or HGAC or bids this type of equipment but with the supply chain issues that have arisen the last two years this not available right now. Visual Imaging Recourses has offered pricing for the replacement of the proper type of van for the equipment & installation of the equipment being purchased thru HGAC. (Ord. No. 2022-18, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a Ford Transit T Series Van for a sum not to exceed \$49,500.00 (Forty-nine thousand – five hundred dollars) & is authorized to do the install of HGAC purchased camera equipment in the van for a sum not to exceed \$40,000.00 (Forty thousand dollars) from Visual Imaging Resources, Plymouth, MI 48170. This will be paid for out of Capital R & R fund Account # 1000-13082-00 approved in January 2021. (Ord. No. 2022-18, Sec. 3)

55. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase (3) TR-60 70 HP aire-O₂ triton aerator/mixers for the purpose of replacing existing rotor assembly units that are used for aerating/mixing wastewater to enhance better efficiency of the wastewater treatment. (Ord. No. 2022-22, Sec. 1)

Due to the nature of the purchase and the amount of purchase competitive bidding is neither feasible nor practical. (Ord. No. 2022-22, Sec. 2)

That the Wastewater Department is hereby authorized to purchase (3) TR-60 70 HP aire-O₂ triton aerator/mixer for a sum not to exceed \$240,000 (Two Hundred and Forty thousand dollars) from Aeration Industries International to be paid for out of the W/S depreciation Fund account # 1000-13072-00. (Ord. No. 2022-22)

56. The Street Department of the City of Mountain Home, Arkansas desires to purchase Thermoplastic Pavement Markings from Traf-Mark Industries, LLC. (Ord. No. 2022-28, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street department would like to purchase from the sole quote received. (Ord. No. 2022-28, Sec. 2)

The Street Department is hereby authorized to purchase Thermoplastic Pavement Markings for a sum not to exceed \$65,000.00 (Sixty Nine Thousand Dollars) from Traf-Mark Industries LLC, in Piperton, TN. (Ord. No. 2022-28, Sec. 3)

57. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a spare RAS Pump for exchanging existing pumps that may need repair at some point, this will allow the wastewater to plant to have uninterrupted operation without being out a portion being out of service until repair can be made. (Ord. No. 2022-35, Sec. 1)

Due to the proprietary nature of the purchase and the amount of purchase competitive bidding is neither feasible nor practical. (Ord. No. 2022-35, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a spare RAS Pump for a sum not to exceed \$40,000.00 (Forty thousand dollars) from Jack Tyler Engineering, Inc. and to be paid for from the W/S 2019 Bond Money acct # 1000-13088-00. (Ord. No. 2022-35, Sec. 3)

58. The Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a SL-RAT Package System W/Accessories for maintaining sewer lines within the city that may need repair. Purchasing this system will allow the wastewater department to efficiently check for blockages within sewer lines faster and more effectively. (Ord. No. 2022-36, Sec. 1)

Due to the proprietary nature of the purchase and the amount of purchase competitive bidding is neither feasible nor practical. (Ord. No. 2022-36, Sec. 2)

That the Wastewater Department is hereby authorized to purchase a SL-RAT Package System W/Accessories for a sum not to exceed \$35,000.00 (Thirty-Five thousand dollars) from InfoSense, Inc., and to be paid for from the Capital Outlay monies currently budgeted. (Ord. No. 2022-36, Sec. 3)

59. The Street, Water and Sewer Departments of the City of Mountain Home, Arkansas desires to purchase six one-ton Dodge Trucks and seven half-ton Dodge Trucks for the purpose of replacing existing older vehicles. (Ord. No. 2022-38, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Street, Water, and Sewer Departments would like to purchase locally, as the Street, Water and Sewer departments usually uses state bid to purchase with. Ultimate Auto Group has offered their pricing at or below the state bid price. (Ord. No. 2022-38, Sec. 2)

That the Street, Water, and Sewer Departments is hereby authorized to purchase six one-tone Dodge Trucks for a sum not to exceed \$360,000 (Three Hundred Sixty Thousand Dollars) and seven half-ton Dodge Trucks for a sum not to exceed \$350,000 (Three Hundred Fifty Thousand Dollars) from Ultimate Auto Group, Mountain Home, AR. (Ord. No. 2022-38, Sec. 3)

60. 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. (Ord. No. 2022-51, Sec. 1)

Mountain Home Police Department has attempted to locate 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. (Ord. No. 2022-51, Sec. 2)

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. (Ord. No. 2022-51, Sec. 3)

61. The Water and Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a large rock hammer for the purpose of busting out rock at job sites to allow for the laying water and sewer lines. (Ord. No. 2023-5, Sec. 1)

Due to the nature of the purchase and the purchase amount competitive bidding is neither feasible nor practical. (Ord. No. 2023-5, Sec. 2)

That the Water and Wastewater Department is hereby authorized to purchase a large hammer for busting rock for a sum not to exceed \$48,000.00 (Forty-eight thousand dollars) from Tech Hydraulics, Inc. & Gorilla Hammers. (Ord. No. 2023-5, Sec. 3)

62. The Police Department of the City of Mountain Home, Arkansas desires to purchase of thirty (30) body worn cameras for the purpose of replacing existing body worn cameras that are inoperable. (Ord. No. 2023-8, Sec. 1)

Due to the nature of the purchase and the amount of the purchase the Police Department would like to purchase this equipment from Axon Enterprise as their equipment provided the most efficient and effective evidence library to protect the officers as well as the citizens of Mountain Home. (Ord. No. 2023-8, Sec. 2)

That the Police Department is hereby authorized to purchase of thirty (30) body worn camera for a sum not to exceed \$275,000 (Two hundred seventy five thousand) from Axon Enterprise Inc. This amount will be invoiced over a 5-year period, in equal portions. (Ord. No. 2023-8, Sec. 3)

63. The Water/Wastewater Department of the City of Mountain Home, Arkansas desires to purchase a 2023 RAM 5500 4x4 crew cab chassis with a work bed and a 7,500-pound crane with a 30-foot reach. (Ord. No. 2023-22, Sec. 1)

Due to the nature of the purchase and the amount of the purchase, the Water/Wastewater department would like to request that the City Council waive the City's standard bidding procedure and instead purchase this item directly from Red River Dodge of Heber Springs. The purchase cost of the 5500 chassis, including the previously mentioned work bed and crane, will be \$188,000.00 (one hundred eighty-eight thousand dollars), plus any applicable sales tax. (Ord. No. 2023-22, Sec. 2)

That the Water/Wastewater Department is hereby authorized to purchase a 2023 RAM 5500 4x4 crew cab chassis with a work bed and a 7,500-pound crane with a 30-foot reach for a sum not to exceed \$200,000.00 (two hundred thousand dollars) from Red River Dodge. This will be paid for out of Capital R&R fund Account # 600-1000-13082-00. (Ord. No. 2023-22, Sec. 3)

64. The Police Department of the City of Mountain Home, Arkansas desires to purchase six (6) Ford police vehicles for the purpose of providing officers with the necessary equipment to perform their duties. (Ord. No. 2023-26, Sec. 1)

The Mountain Home Police Department has attempted to locate and purchase the said vehicles within Arkansas at or below the state bid price. However, due to vehicle shortages, this could not be accomplished. Mountain Home Police Department can purchase the vehicles through Pine Belt Auto Group/Courtesy Motors in Hattiesburg, Mississippi. (Ord. No. 2023-26, Sec. 2)

That the Mountain Home Police Department is hereby authorized to purchase six (6) Ford police vehicles for a sum not to exceed \$49,000 (Forty-Nine Thousand Dollars) each not to exceed a total of \$294,000.00 (Two Hundred Ninety-Four Thousand Dollars) for all six (6) vehicles. The purchase will be made from Pine Belt Auto Group/Courtesy Motors in Hattiesburg, Mississippi. (Ord. No. 2023-26, Sec. 3)

65. The Police Department of the City of Mountain Home, Arkansas desires to have six (6) Ford police vehicles equipped for the purpose of providing officers with the necessary equipment to perform their duties. (Ord. No. 2023-27, Sec. 1)

Dana Safety Supply in Little Rock, Arkansas facilitated Mountain Home Police Department's ability to purchase six (6) Ford police vehicles through Pine Belt Auto Group/Courtesy Motors in Hattiesburg, Mississippi. Part of the agreement is to purchase necessary equipment from Dana Safety Supply and allow them to do the installation of equipment. (Ord. No. 2023-27, Sec. 2)

That the Mountain Home Police Department is hereby authorized to have Dana Safety Supply install equipment on six (6) Ford police vehicles for a sum not to exceed \$98,000.00 (Ninety-eight Thousand Dollars) on six (6) Ford police vehicles. (Ord. No. 2023-27, Sec. 3)

66. The Mountain Home Police Department desires to purchase a public safety camera system to aid criminal investigators to perform their duties. (Ord. No. 2023-33, Sec. 1)

The Mountain Home Police Department has researched various systems and believes an Avigilon cloud system provided by Critical Edge would best meet the needs of the City of Mountain Home. The system is not available through state bidding, however the system was available through the national bidding system know as THE INTERLOCAL PURCHASING SYSTEM (TIPS). (Ord. No. 2023-33, Sec. 2)

That the Mountain Home Police Department is hereby authorized to purchase of video monitoring, analytical, and recording system for a sum not to exceed \$65,000.00 (Sixty-five Thousand Dollars) from Critical Edge located in Jonesboro, Arkansas. (Ord. No. 2023-33, Sec. 3)

ORDINANCE NO. 2025-xx
AN ORDINANCE TO NOT CODIFY ORDINANCE NO. 2002-25
AND REMOVE CHAPTER 2.64 “MONEY ACCUMULATION
PENSION PLAN AND TRUST” FROM THE CITY CODE
OF THE CITY OF MOUNTAIN HOME, ARKANSAS

WHEREAS, the City Council of Mountain Home, Arkansas, on September 19, 2002, did adopt Ordinance No. 2002-25 to appoint a Board of Trustees for the City’s Money Accumulation Pension Plan and Trust For Employees (the “Plan”); and

WHEREAS, Ordinance 2002-25 was codified into the City Code of the City of Mountain Home, Arkansas under Chapter 2.64 “Money Accumulation Pension Plan and Trust;” and

WHEREAS, the Plan and its Board of Trustees did serve the City well, but has been inoperable for some time and has been replaced by the Arkansas Public Employees’ Retirement System (“APERS”); and

WHEREAS, Ordinance No. 2002-25 is not of a general or permanent nature and should not have been incorporated into the Mountain Home City Code.

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

Section 1. That reference to Ordinance 2002-25 in the Mountain Home City Code under Chapter 2.64 “Money Accumulation Pension Plan and Trust,” should be removed from the City Code when it is next revised.

Section 2. That Chapter 2.64 “Money Accumulation Pension Plan and Trust” of the Mountain Home City Code should be deleted in its entirety from the Code when it is next revised.

Section 3. It is the intention of the Mountain Home City Council that this Ordinance be used to clean up and clarify the existing Mountain Home City Code, and as such this Ordinance is not of a true permanent or general nature. Therefore, this Ordinance shall not be codified when the City Code is next revised.

PASSED AND APPROVED THIS 3RD DAY OF APRIL, 2025.

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK

ORDINANCE NO. 02-25**AN ORDINANCE APPOINTING TRUSTEES OF THE MONEY ACCUMULATION PENSION PLAN AND TRUST FOR EMPLOYEES OF THE CITY OF MOUNTAIN HOME, ARKANSAS (THE "PLAN")**


WHEREAS, the Plan Administrative Committee of the Money Accumulation Pension Plan and Trust for employees of the City of Mountain Home, Arkansas have been serving as the Board of Trustees for the Plan; and

WHEREAS, Section 20.01 of the Plan provides that the City of Mountain Home, Arkansas has authority to appoint said Board of Trustees.

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


1. The Plan Administrative Committee of the Plan is hereby appointed to serve as the Board of Trustees of the Plan and the provisions of the Plan regarding resignation, removal, and appointment of vacancies regarding the Plan Administrative Committee shall also govern the Board of Trustees.

PASSED AND APPROVED THIS 19th DAY OF SEPTEMBER, 2002.



JOE DILLARD, MAYOR

ATTEST:



CYNTHIA A. WYNN, CITY CLERK

CHAPTER 2.64

MONEY ACCUMULATION PENSION PLAN AND TRUST

Sections:

2.64.01 Plan Administrative Committee

2.64.01 Plan Administrative Committee The Plan Administrative Committee of the Plan is hereby appointed to serve as the Board of Trustees of the Plan and the provisions of the Plan regarding resignation, removal, and appointment of vacancies regarding the Plan Administrative committee shall also govern the Board of Trustees. (Ord. No. 2002-25, Sec. 1.)

CHAPTER 2.68

JOB CLASSIFICATION AND COMPENSATION PLAN

Sections:

2.68.01 Amendments
 2.68.02 Plan amended to include new position and seasonal employees
 2.68.03 Plan amended changing classifications

2.68.01 Amendments

Ord. No. 2001-4

The Job Classification and Compensation Plan of the city of Mountain Home, dated July 1996, is hereby amended to include Grade 39 which shall include the Street Superintendent, Water and Sewer Superintendent, Police Chief and Fire Chief. The inclusion of the department heads within has been determined by the following criteria:

- A. Level of responsibility during city emergency – public health, safety and welfare
- B. Number of employees supervised
- C. Responsibility of high cost equipment
- D. Size of budget responsibility
- E. On-call schedule (24 hours/day – 365 day/year)
- F. Level of public contact (public relations)
- G. Job specific years of experience

The Job Classification and Compensation Plan shall be policy of the city of Mountain Home to use the above stated criteria to determine present or future placement in Grade 39.

1996-18

Bans pit bull terriers

Pet licenses: \$5 (if neutered) or \$10 (intact) per year

Three animals allowed per home

Animals cannot run at large

Cannot sell or give away animals on public property

Horses/cows – 1 acre per animal

No hogs, goats or sheep

Chicken/turkeys/fowl cannot run at large

No limit specified

2025-xx

Replaced by non-specific 'vicious dog' prohibition

'Vicious dog' determined by animal control officer

Pet licenses: \$5; license does not expire

Any mix of three dogs and/or cats per home

Same

Same

Animals must have fresh water and shelter

Illegal to keep animals in a hot/cold car without A/C or heat

Owners must pick up after their pets while in public

Noisy animals defined and restricted

Cannot feed animals on another's property

Same

Same

Reasonable number of fowl permitted

"Reasonable" based on housing and confinement capacity

Fowl cannot run at large or be housed in front yard

ORDINANCE NO. 2025-xx

AN ORDINANCE TO REGULATE ANIMAL CONTROL IN THE CITY OF MOUNTAIN HOME, ARKANSAS; REQUIRING THE LICENSING OF ALL DOGS AND CATS INSIDE THE CITY; AND REPEALING ORDINANCES 58, 530, 541, 778, 849, 1989-24, 1989-31, 1990-12 AND 1996-18; AND FOR OTHER PURPOSES

WHEREAS, the City Council of the City of Mountain Home, Arkansas, has previously adopted numerous Ordinances regulating the control of animals inside city limits; and

WHEREAS, said previous Ordinances need to be repealed and replaced with a singular, comprehensive animal control ordinance to better address the needs of the City of Mountain Home, Arkansas,

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

Section 1: Definitions

For the purpose of this Ordinance, the following words and phrases shall have the following meaning:

- A. **Abandon and Abandonment** – Knowingly deserting an animal on public or private property.
- B. **Animal** – Any living creature, domestic or wild
- C. **Animal Control Officer** – The person(s) employed by the City as the enforcement officer of this Ordinance.
- D. **Animal Shelter** – Any premises operated by a humane society, municipal agency, or its authorized agent(s) for the purpose of impounding or caring for animals held under the authority of this ordinance or state law.
- E. **At Large** – Any animal shall be deemed at large when it is off the property of its owner and not on a leash, or under the control of a competent person.
- F. **City** – City of Mountain Home.
- G. **Dangerous Animal** – (1) Any animal that attacks or bites a human being or domestic animal without provocation. (2) Any animal for which compelling evidence is presented to show that the animal manifests the disposition to bite, attack, or injure a human being or other domestic animal while off the owner's premises and without provocation.

- H. **Enclosure** – A fence, pen, or structure forming or causing an enclosure of sufficient strength or construction to contain the specific animal and prevent the animal from escaping.
- I. **Exposed to Rabies** – An animal has been exposed to rabies if it has been bitten by or exposed to any animal known to have been infected with rabies.
- J. **Kennel** – Any person, firm, or corporation engaged in the commercial business of breeding, boarding, buying, selling, grooming, letting for hire, or training for a fee.
- K. **License** – A metal tag and certificate issued by the City showing that the animal has been registered with the City, a licensing fee paid, proof of rabies vaccination shown, and (if applicable) proof of neutering. The certificate will state the name, address and telephone number of the owner(s); the name, breed, color, age, and sex of the animal; and date of issue and expiration.
- L. **Noisy Animal** – Means any domestic animal which makes any noise that is unwarranted, or continuous, or loud, or frequent. Examples include, but are not limited to, barking, whining or howling.
- M. **Owner** - Means a person that: (A.C.A. 5-62-102) (1) Has a right of property or title in an animal; (2) Keeps or harbors an animal; (3) Has an animal in his, her, or its care; (4) Acts as an animal's custodian; or (5) Knowingly permits an animal to remain on or about any premises occupied by him/her or it.
- N. **Restraint** – An animal is under restraint if it is controlled by a leash, at “heel” by voice command beside a competent person, in a vehicle being driven on the streets, or confined within the property limits of its owner.
- O. **Vicious Animal** - (1) Any animal that attacks or bites a human being or domestic animal without provocation. (2) Any animal for which compelling evidence is presented to show that the animal manifests the disposition to bite, attack, or injure a human being or other domestic animal while off the owner’s premises and without provocation.
- P. **Wild Animal** - Any nonhuman primate, raccoon, skunk, fox, wolf, coyote, snake, or any other warm-blooded animal which can normally be found in the wild state, or the offspring born to wild animals bred with domestic dogs or cats.

Section 2: ENFORCEMENT

The provisions of this ordinance shall be enforced by the Animal Control Officer of the City, the Code Enforcement Officer of the City, or any other Law Enforcement Officer of the City.

Section 3: PERMANENT PET LICENSING

- A. All dogs and cats over the age of six (6) months shall be licensed. Applications for licenses shall be made at the City Hall, or designated place. Owner shall be required to show proof of neutering (if applicable), and proof of rabies vaccination. Licensing fees are \$5.00 per animal. There will be a \$2.00 replacement charge for lost tags.
- B. For registered dogs serving the blind or deaf, or used by law enforcement purposes, the fee will be waived.
- C. The licensing period will be for the duration of ownership.
- D. Tags must be attached to the collar and always worn. Tags are not transferable from one dog or cat to another.
- E. **Fines and Penalties:** Upon conviction or plea of guilty, the penalty for noncompliance of this section will be a fine up to \$500.00 (Five Hundred Dollars) and can be imposed for each day the animal is not in compliance if deemed so by the court.

Section 4: CONFINEMENT AND CARE OF ANIMALS

- A. **Access to water and shelter:** Any person owning or keeping an animal confined outside must provide the animal with access to fresh, clean water and appropriate shelter. The shelter must allow the animal to remain dry and protected from the elements. Such shelter shall be fully enclosed on three sides, roofed, and have a solid floor. The entrance shall allow entry and exit, and be properly sized to block wind and rain. The enclosure shall be structurally sound and in good repair. Suitable drainage must be provided so that water is not standing in or around the shelter. The Animal Control Officer shall have authority to determine the suitability of a particular shelter should any questions arise, and he shall make this determination based upon industry standards.
- B. It shall be unlawful for any person to confine an animal in an unattended, enclosed vehicle where the outside temperature is 85 degrees Fahrenheit or greater and the interior of the vehicle is not provided with conditioned air or adequate ventilation to maintain an internal temperature of 100 degrees Fahrenheit or less.
- C. It shall be unlawful for any person to confine an animal in an unattended, enclosed vehicle where the outside temperature is 30 Degrees Fahrenheit or less and the interior of the vehicle is not provided with heated air to maintain an internal temperature of at least 30 Degrees Fahrenheit.
- D. No owner of an animal shall knowingly or purposely abandon their animal.
- E. **Fines and Penalties:** Upon conviction or plea of guilty, the penalty for noncompliance of this section will be a fine up to \$500.00 (Five Hundred

Dollars) plus any cost associated with the care or capture of the animal. The fine can be imposed for each day the animal is not in compliance if deemed so by the court. Subsequent violations will be double the previous fine imposed by the court.

Section 5: RUNNING AT LARGE PROHIBITED

- A. The owner shall always keep their animal under restraint or in enclosure and shall not permit the animal to be at large.
- B. No one may keep a vicious/dangerous animal in the City.
- C. No owner shall allow any chickens, turkeys, or other fowl to run at large in the City.
- D. **Fines and Penalties:** Upon conviction or plea of guilty, the penalty for noncompliance of this section will be a fine up to \$500.00 (Five Hundred Dollars) plus any cost associated with the care of capture of the animal. The fine can be imposed for each day the animal is not in compliance if deemed so by the court. If seizure/capture of the animals is necessary, the owner will be given five (5) days to claim the animal(s) and pay the shelter fees, or the animals will become the property of the animal control shelter to adopt out or be euthanized in accordance with their policies. Subsequent violations will be double the previous fine imposed by the court.

Section 6: ANIMAL WASTE REMOVAL AND DISPOSAL

- A. It shall be a violation of this Ordinance when an owner of an animal fails to immediately remove and properly dispose of feces deposited by their animal on any public street, sidewalk, gutter, or other publicly owned property or private property, unless the owner of the property has given permission allowing such use of the property.
- B. This Ordinance shall not apply to visually impaired persons who have charge, control or use of guide dogs, or persons using animals in conjunction with activities of law enforcement.
- C. **Fines and Penalties:** Upon conviction or plea of guilty, the penalty for noncompliance of this section will be a fine up to \$500.00 (Five Hundred Dollars). Subsequent violations will be double the previous fine imposed by the court.

Section 7: NUMBER OF ANIMALS REGULATED

- A. No owner shall keep or harbor any combination of more than three (3) dogs or cats which are over six (6) months old in any home or on any property in the residential zones of the City.
- B. After ten (10) days of notification of being in violation of this section, the owner will be cited with the next available date in Municipal Court.
- C. **Fines and Penalties:** Upon conviction or plea of guilty, the owner shall be guilty of a misdemeanor and punished by a fine up to \$500.00 (Five Hundred Dollars) plus any cost associated with the care or capture of the animal. The City will also be empowered through the court to seize the number of animals needed to make the owner complaint. Upon seizure of the animals, the owner will be given five (5) days to find someone to adopt the animals on their behalf and pay the shelter fees, or the animals will become the property of the animal control shelter to adopt out or be euthanized in accordance with their policies. Subsequent violations will be double the previous fine imposed by the court.

Section 8: INVESTIGATION

- A. The Animal Control Officer or any Law Enforcement Officer is empowered to enter upon the premise, using proper legal procedures, and investigate any complaint of animal cruelty. The Officer may demand to examine an animal and, if necessary, take possession of the animal if it needs humane treatment. No person shall interfere with, hinder, or molest the Animal Control Officer in the performance of his duties, or seek to release any animal in the custody of the Officer.
- B. **Fines and Penalties:** Upon conviction or plea of guilty, the penalty for noncompliance of this section will be a fine up to \$500.00 (Five Hundred Dollars) and can be imposed for each day the animal is not in compliance if deemed so by the court.

Section 9: DISPOSITION OF ANIMALS

- A. No person may display animals for sale or give away on any public property without a valid permit/license issued by the City. This prohibition does not apply to pet shops, licensed kennels, humane societies, veterinarian's offices, or animal control facilities.
- B. No person will be allowed to seek to release or surrender an animal that they are the owner of, as defined in this Ordinance, that they no longer want or cannot take care of to the City for impoundment. The animal must be surrendered to a location of

their choice. Examples are as follows An animal rescue, Humane Society, local veterinarian or other private party

- C. It shall be unlawful for any person to knowingly release any animal within the corporate limits of the City of Mountain Home.
- D. It shall be unlawful for any owner, as defined in this Ordinance, to abandon their animal for any reason.
- E. **Fines and Penalties:** Upon conviction or plea of guilty, the penalty for noncompliance of this section will be a fine up to \$500.00 (Five Hundred Dollars) plus any costs associated with the care or capture of the animal. The fine can be imposed for each day the animal is not in compliance if deemed so by the court. Subsequent violations will be double the previous fine imposed by the court.

Section 10: IMPOUNDMENT

- A. Any animal found running at large shall be taken up by the Animal Control Officer. The Officer will make every possible effort to notify the owners and return the animal. If unable to locate the owner, the animal will be impounded.
- B. Animals impounded at the animal control shelter will be held for a reasonable length of time, in compliance with the rules of the animal control shelter. Fees will be assessed for reclaiming, boarding, and adoption. Disposal of animals will be at the discretion of the animal control shelter.
- C. The owner of an impounded animal who refuses to reclaim their animal may be proceeded against for abandonment under the provisions of Section 9-D of this Ordinance.
- D. The Animal Control Officer may, at their discretion, cite the owner of the animal for a violation of this ordinance and schedule their appearance in Municipal Court.
- E. **Fines and Penalties:** Upon conviction or plea of guilty, the penalty for noncompliance of this section will be a fine up to \$500.00 (Five Hundred Dollars) plus any costs associated with the care or capture of the animal. The fine may be imposed for each day the animal is not in compliance if deemed so by the court. Subsequent violations will be double the previous fine imposed by the court.

Section 11: CONFINEMENT OF CERTAIN ANIMALS

- A. Every female animal in heat shall be confined to the owner's property, or in a kennel or veterinary hospital, in such a manner that such female animal cannot come into contact with a male animal, except for intentional breeding purpose.
- B. No wild or exotic animal may be kept within the city limits except under such conditions as shall be fixed by the City. However, wild animals may be kept for

exhibition purposes by circuses, zoos, and educational institutions in accordance with such regulations established by the City.

- C. The keeping of horses or cows within the City limits is permitted where they are maintained on an enclosed pasture containing one (1) acre for each animal. The enclosure shall not become a harbor for breeding flies, mosquitoes, or rats. They shall not be unsanitary, obnoxious, unhealthful or discomforting to any citizen of the City. Upon investigating and finding such conditions to exist, the proper law enforcement official shall serve written notice of the violation to the owners or post the notice in a conspicuous place on the premises. The owner shall have five (5) days to correct the situation. If the situation is not corrected in five (5) days, the owner will be charged with violation of this ordinance and scheduled for appearance in Municipal Court.
- D. It shall be unlawful for any person to keep any hogs, goats, or sheep within the City. Animals in transit may be kept in an established stockyard for a period not to exceed twenty-four (24) hours.
- E. It shall be unlawful for any person to keep more than a reasonable number of mature or adult fowl on their residential property. That reasonable number will be at the discretion of the Animal Control Officer and will be based off the housing and containment area that is available.
- F. It shall be unlawful for any person to erect permanent housing for fowl on their residential property in the front yard. The fowl shall not be unsanitary, obnoxious, unhealthful, or discomforting to any neighboring citizen of the City.
- G. No person shall be allowed to transport into this City any animal infected with a contagious disease.
- H. Any animal may be destroyed for humane reason upon recommendation of a licensed Veterinarian.
- I. This section shall not apply to The Mountain Home FFA and 4-H Barn.
- J. **Fines and Penalties:** Upon conviction or plea of guilty, the penalty for noncompliance of this section will be a fine up to \$500.00 (Five Hundred Dollars), and can be imposed for each day the animal is not in compliance if deemed so by the court. Subsequent violations will be double the previous fine imposed by the court.

Section 12: RABIES CONTROL

- A. Every animal suspected of having/being exposed to rabies which bites a person shall be promptly reported to the Animal Control Officer. The animal shall be securely quarantined at the direction of a veterinarian for a period of ten (10) days and shall not be released from quarantine except by written permission of the veterinarian. The quarantine may be on the premises of the owner.

- B. No person shall kill a (suspected) rabid animal, or any animal biting a human, without written permission from the Animal Control Officer upon recommendation from a veterinarian. The animal may not be removed from the city limits without the permission of the Animal Control Officer.
- C. In the event of the prevalence of rabies (Hydrophobia), the City may require that all animals kept in the City be confined upon the premises of the owners for a designated time. The proclamation will be publicized in the media. Any dog not confined after the effective date of the proclamation shall be taken up by the City and impounded at the discretion of the Animal Control Officer.
- D. **Fines and Penalties:** Upon conviction or plea of guilty, the penalty for noncompliance of this section will be a fine up to \$500.00 (Five Hundred Dollars) and can be imposed for each day the animal is not in compliance if deemed so by the court.

Section 13: VICIOUS ANIMALS

- A. When, upon investigation, the Animal Control Officer determines that an animal is vicious, the City shall impound the animal and shall notify the owner or custodian of the impoundment and declaration of the animal is vicious within 48 hours. If the owner or custodian is unable to be located, written notice shall be posted at the last known address.
- B. When the Animal Control Officer determines that the animal is vicious, the animal control officer shall issue the owner an immediate dated citation to appear in the city municipal court for maintenance of a vicious animal. The animal shall remain in custody of the animal shelter if necessary and available, pending the trial, and the owner shall be responsible for all boarding fees.
- C. If the animal is vicious, the Animal Control Officer may utilize whatever method is needed to capture the animal. This may include trapping the animal, using a tranquilizer gun, which could cause serious harm to the animal, or a firearm to humanely dispatch the animal and stop the threat to public safety.
- D. It shall be an affirmative defense if the victim or intended victim of any attack has made an unlawful entry into the dwelling of the owner.
- E. This section shall not apply to dogs kept and maintained by a police department or law enforcement agency.
- F. **Fines and Penalties:** An owner or custodian found guilty of violating this section shall be required to pay the costs of boarding, veterinary care, and any other costs associated with the care or capture of said animal and shall be fined no more than \$500.00 (Five Hundred Dollars). If needed, the animal shall be surrendered to the City to ascertain whether the animal is rabid or otherwise diseased. Thereafter, the animal shall be euthanized. If an owner or custodian is

convicted of a second or subsequent violation of this section, he/she may be imprisoned in the county jail for up to one (1) year.

Section 14: OPEN FEEDING OF ANIMALS

- A. It shall be unlawful for any person to openly feed animals on the property of another person or business without the food being in a trap to catch the animal and relocate it or return it to enclosure.
- B. **Fine and Penalties:** A person found in violation of this section shall be guilty of a misdemeanor and fined no less than \$100.00 (One Hundred Dollars) and no more than \$500.00 (Five Hundred Dollars). Subsequent violations will be double the previous fine imposed by the court.

Section 15: NOISY ANIMALS RESTRICTED

- A. It shall be unlawful for any person to keep on the premises or under their control, any noisy animal which shall disturb the peace and quiet of any person who may reside within reasonable proximity of the place where such animal is kept.
- B. **Fines and Penalties:** Upon conviction or plea of guilty, the penalty for noncompliance of this section will be a fine up to \$500.00 (Five Hundred Dollars) and can be imposed for each day the animal is not in compliance if deemed so by the court.

Section 16: DESTRUCTION OF INJURED/DISEASED ANIMALS

Any animal taken into custody, or that the Animal Control Officer/Law Enforcement Officer encounters that is diseased or injured may be destroyed, at their discretion.

Section 17: SEVERABILITY

The sections of this Ordinance are severable. If any part of this Ordinance shall be held invalid, such part shall be deemed severable, and the invalidity thereof shall not affect the remaining parts.

Section 18: PREVIOUS ORDINANCES REPEALED

This Ordinance shall repeal the following Ordinances in their entirety: 58, 530, 541, 778, 849, 1989-24, 1989-31, 1990-12 and 1996-18. Any other Ordinances found to conflict with this Ordinance shall also be repealed.

PASSED AND APPROVED THIS 20th DAY OF MARCH, 2025.

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK

Updated 2-18-2025