

MOUNTAIN HOME CITY COUNCIL REGULAR MEETING AGENDA

THURSDAY, MARCH 20, 2025 @ 5 P.M.

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

Pledge of Allegiance

Prayer

Roll call

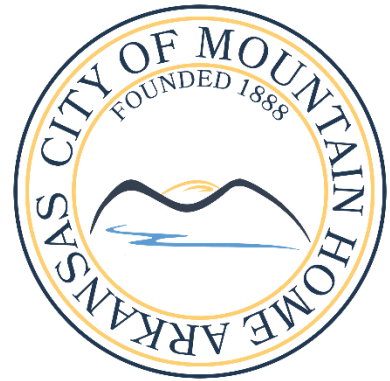
Minutes from the March 6TH Council meeting

Committee reports

Bank reconciliations

Agenda additions

Announcements



BUSINESS

AN ORDINANCE ACCEPTING THE FINAL PLAT AND DEDICATIONS FOR FREEDOM'S LANDING PHASE II, LOCATED AT HOBBS CIRCLE IN MOUNTAIN HOME, ARKANSAS; AND FOR ACCEPTING IMPROVEMENTS THEREWITH, AND FOR OTHER PURPOSES, presented by Ben Strider

A RESOLUTION NAMING VETERANS PLAZA AND FOR OTHER PURPOSES, presented by Hillrey Adams

[SECOND READING] 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

[SECOND READING] 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

[FIRST AND SECOND READINGS] AN ORDINANCE TO REPEAL ORDINANCE NO. 97-005 AND DELETE CHAPTER 12.08 "YOUTH ACTIVITY CENTER" FROM THE CITY CODE OF THE CITY OF MOUNTAIN HOME, ARKANSAS, presented by Scott Liles

AN ORDINANCE AMENDING ORDINANCE NO. 2022-21, 2022-32, 2022-45, 2022-49, 2023-18, 2023-34, AND 2024-15 TO EXPAND AND REDEFINE THE JOB CLASSIFICATION AND

COMPENSATION PLAN IN ORDER TO ENHANCE EFFICIENT MANAGEMENT WITHIN THE DEPARTMENTS OF THE CITY OF MOUNTAIN HOME, ARKANSAS, presented by Hillrey Adams and Sue Edwards

ANALYSIS OF 2024 WATER AND SEWER RATE STUDY, presented by Kirby Rowland

AN ORDINANCE AMENDING THE SCHEDULE OF RATES TO BE CHARGED AND COLLECTED FOR USERS OF THE CITY OF MOUNTAIN HOME'S WATER AND SEWER SYSTEMS; SETTING FORTH THE DATES FOR PAYMENT FOR CUSTOMERS OF THE CITY OF MOUNTAIN HOME'S WATER/SEWER SYSTEMS; SETTING CONNECTION AND DISCONNECTION FEES FOR THE SAME; SETTING FORTH PENALTIES AND DAMAGES FOR THE SAME; REPEALING ORDINANCES NO. 2023-10, 2023-11, 2023-43 AND 2024-1; AND PRESCRIBING OTHER MATTERS THERETO, presented by Steve Hill and Kirby Rowland

[THIRD READING] 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

STATE OF THE CITY ADDRESS, presented by Hillrey Adams

COMMENTS

ADJOURN

Respectfully submitted,
Scott Liles, City Clerk

MINUTES
REGULAR CITY COUNCIL MEETING – Thursday, March 6th, 2025

1. The Mountain Home City Council met in regular session on March 6, 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, Treasury Director Alma Clark, Planning Director Arnold Knox, Public Works Director Steve Hill, Police Chief Eddie Griffin, Fire Chief Kris Quick, and Parks Director Daniel Baxley.
3. **MEDIA IN ATTENDANCE** None. The meeting was 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, Carry Manuel, Jim Bodenhamer and Nick Reed. Council member Philip Frame was absent.
5. **APPROVAL OF THE FEBRUARY 20th MINUTES** Council member Jennifer Baker made a motion to approve the minutes from the Council's February 20th meeting. The motion was seconded by Council member Susan Stockton. *The vote was recorded as follows: Yes – All present. Absent – Philip Frame. The motion carried, and the February 20th minutes were adopted.*
6. **NEW 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 If approved, this Resolution would authorize the preparation of \$10 million in bonds to the named "Mountain Home Water and Sewer Bonds Series 2025," which would be used to complete the renovations and upgrades to the City's wastewater treatment plant. The Resolution would also approve the engagement of Crews & Associates Inc. as the bond's underwriter and Kutak Rock LLP as the bond counsel. The Resolution would also serve as the City's "official intent" to reimburse itself with bond proceeds for project costs incurred prior to the issuance of the bonds, if such reimbursements are needed. The bonds are expected to be issued by July 2025. Council member Bob Van Haaren made a motion to approve the Resolution, and was seconded by Council member Wayne Almond. *The vote was recorded as follows: Yes – All present, Absent – Philip Frame. The Resolution was declared adopted and numbered Resolution No. 2025-10.*

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

If approved, this Ordinance would annex into the City property along Highway 5 North as Commercial C-2. The property's owner plans to sell the land for commercial development if annexed into the City. The property in question also has several billboards on it that face Highway 5 North; those billboards will be grandfathered in under the City's current signs and billboard Ordinance. City Attorney Roger Morgan placed the Ordinance on its first reading in its entirety.

SECOND READING After the item's first reading, Council member Bob Van Haaren made a motion to suspend the rules and place the item on its second reading by title only. That motion was seconded by Council member Jim Bodenhamer. *The vote was recorded as follows: Yes – All present, Absent – Philip Frame. The motion carried and the proposed Ordinance was read a second time.*

THIRD READING Following the second reading, Council member Bob made a motion to suspend the rules and place the item on its third reading by title only and drew a second from Council member Carry Manuel. *The vote was recorded as follows: Yes – All present, Absent – Philip Frame. The motion carried and the proposed Ordinance was read a third time.*

ADOPTION Following the item's third reading, Council member Bob Van Haaren made a motion to adopt the proposed Ordinance and was seconded by Council member Susan Stockton. *The vote was recorded as follows: Yes – All present, Absent – Philip Frame. The Ordinance was declared adopted and numbered Ordinance No. 2025-5.*

CITY CLERK'S NOTE *Maps of the property in question, as well as other supporting documents, may be found in the PDF version of Ordinance No. 2025-5, as well as a the digital Exhibit Files from this meeting.*

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

If approved, this Ordinance would clarify several zoning questions that had arisen around the West End commercial property development. When the property was initially annexed into the City in 1998 it was intended to be Commercial C-2, but clerical errors led to discrepancies among real estate maps, zoning maps and Planning Commission maps. For example, a sliver of the parking lot of the Harp's grocery store would be considered Residential R-1 property under the original description. The proposed Ordinance would clean up the zoning descriptions for the affected properties and make the whole area Commercial C-2 as originally intended

by the 1998 Ordinance annexing the land into the City. City Attorney Roger Morgan placed the proposed Ordinance on its first reading in its entirety.

SECOND READING After the item's first reading, Council member Carry Manuel made a motion to suspend the rules and place the item on its second reading by title only. That motion was seconded by Council member Susan Stockton. *The vote was recorded as follows: Yes – All present, Absent – Philip Frame. The motion carried and the proposed Ordinance was read a second time.*

THIRD READING Following the second reading, Council member Carry Manuel made a motion to suspend the rules and place the item on its third reading by title only and drew a second from Council member Bob Van Haaren. *The vote was recorded as follows: Yes – All present, Absent – Philip Frame. The motion carried and the proposed Ordinance was read a third time.*

ADOPTION Following the item's third reading, Council member Carry Manuel made a motion to adopt the proposed Ordinance and was seconded by Council member Susan Stockton. *The vote was recorded as follows: Yes – All present, Absent – Philip Frame. The Ordinance was declared adopted and numbered Ordinance No. 2025-6.*

EMERGENCY CLAUSE Following the adoption of Ordinance No. 2025-6, Council member Carry Manuel made a motion to attach the City's Emergency Clause to the item so that it immediately went into effect. That motion was seconded by Council member Jim Bodenhamer. *The vote was recorded as follows: Yes – All present, Absent – Philip Frame. The motion carried and the Emergency Clause was adopted for Ordinance No. 2025-6.*

AN ORDINANCE TO NOT CODIFY BID WAIVER ORDINANCES AND REMOVE THE SAME FROM THE CITY CODE OF THE CITY OF MOUNTAIN HOME, ARKANSAS If adopted, this Ordinance would remove 20 pages of old bid waivers from the Mountain Home City Code. For about 10 years, from 2014 through 2023, the City approved its bid waivers by Resolution, and not Ordinance. As Ordinances, those bid waivers were then incorporated into the City Code each time it was revised, leading to the 20 pages of purchases made through bid waivers over the years. The proposed Ordinance would keep those previous bid waivers on the books as Ordinances but would ask the Arkansas Municipal League codifiers to remove them from the next edition of the City Code to make the document more user-friendly. City Attorney Roger Morgan placed the item on its first reading in its entirety. The Ordinance will return for a second reading on March 20th.

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

If adopted, this Ordinance would remove Chapter 2.64 from the Mountain Home City Code. That chapter, entitled "Money Accumulation Pension Plan and Trust," describes a

pension plan and board of trustees that is no longer used by the City of Mountain Home since it converted to the Arkansas Public Employees Retirement System (APERS). Much like the previous item, this Ordinance aims to remove outdated items from the City Code before its next update. City attorney Roger Morgan placed the item on its first reading in its entirety. A second reading will be held at the March 20th Council meeting.

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

This was the second reading of this item, which was initially read the first time at the Council's February 20th meeting. 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.

The biggest proposed change in the new Ordinance 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.

After the second reading by title only, a lengthy discussion ensued about the hard limit of a combination of three dogs and/or cats per household, as well as whether the City should require owners to license their dogs/cats at all.

Council members Bob Van Haaren and Nick Reed raised questions about the three-animal limit, noting that such a policy could be weaponized by feuding neighbors to get back at one another. Both Police Chief Eddie Griffin and City Attorney Roger Morgan noted that a definite limit would better serve the City than relying solely on a police officer's discretion as to how many animals were too many for a home. After some discussion, both Council members agreed they did not want to continue fighting the issue.

As to the requirement that residents tag their pets with a City-issued pet license, Reed questioned whether the requirement was worth it, given the low participation rate of the existing pet licensing program. He would like to see the program become optional or have no licensing requirement at all.

Chief Griffin noted that the impetus of the pet-licensing program was to provide an ID tag that contained a contact name/address/phone number so that the police

department could return a wayward animal to its home/owner. Should the City pick up an untagged animal, it might eventually have to order the destruction of that animal should it go unclaimed, and a requirement to have your pets tagged provided the City some cover should a pet owner try to sue the City for destroying their animal. Griffin noted that he was unaware of the City ever having to order the destruction of a stray animal, but that outcome was possible should the circumstances warrant it.

Area resident Hap Meyers noted that state law requires pets to be vaccinated against rabies and wear a rabies tag containing the contact information of the pet's owner. The City could use those rabies tags in lieu of a City-issued pet tag, he suggested.

After a lengthy discussion, Council appeared willing to drop the City-issued pet license portion of the Ordinance in favor of a more general requirement that all cats and dogs be tagged with their owner's contact information, be that through a rabies tag, information displayed directly on a pet's collar or through a laser-etched ID tag obtained at a retailer. Council agreed to ask animal control officer James Tilley to possibly update this section of the Ordinance before it is read a third time at the Council's March 20th meeting and considered for possible adoption.

\$100,000 STATE GRANT FOR ADA-COMPLIANT FISHING PIERS AT McCABE PARK Mayor Hillrey Adams announced that the Mountain Home Parks Department had been awarded a \$108,607.92 grant from the Arkansas Department of Parks, Heritage and Tourism through its Office of Outdoors Recreation. The funds will be used to add four additional ADA-compliant fishing piers at the pond at McCabe Park. Following the announcement, the mayor presented Parks Director Daniel Baxley and Parks Department office manager Allison Parks with an oversized check from the state. Once completed, the pond will have a total of five ADA-complaint fishing piers.

7. 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 Jim Bodenhamer. *A voice vote was recorded as follows: Yes – All present, Absent – Philip Frame. Mayor Hillrey Adams then declared the meeting adjourned at 5:36 p.m.*

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK

Minutes

Personnel Committee Meeting: March 5, 2025

Meeting Purpose: To review new positions and proposed changes to Position Classification Table

Committee Members: Committee Chair Carry Manuel, Jennifer Baker, Jim Bodenhamer and Wayne Almond

Officials Present: Mayor Adams, HR Coordinator Sue Edwards Strop, Manager Tina Gregory, Directors Arnold Knox and Kris Quick and City Clerk Scott Liles.

Media: Chris Fulton

The meeting was called to order at 9:59 AM by Chair Carry Manuel.

Nominations and Elections for the 2025 Personnel Committee Chairperson:

- Carry Manuel was nominated by Jennifer Baker and seconded by Jim Bodenhamer.
- With no further nominations, the vote was unanimous in favor of Carry Manuel.

Discussion on the Vacated City Engineer Position:

- Mayor Adams provided an update on the vacant City Engineer position (Grade 37) and the challenges in filling it. Despite efforts to recruit through various strategies and media outlets, a qualified candidate with a Professional Engineer (PE) license has not been found.
- A proposal was presented by HR Coordinator Sue Strop to adjust the position structure by adding a Civil Engineer I position (Grade 19) which could be filled by an Engineer in Training (EIT) and a Civil Engineer II position (Grade 37) which would require a license for a Professional Engineer (PE). This would broaden the candidate pool and create a career path that encourages professional growth towards attaining PE status.
- Director Knox discussed how these new roles would also enable the department to grow in the future and in turn allow the city to complete more projects in-house, reducing reliance on costly external engineering firms that may not meet the city's scheduling needs.

Motion and Approval:

- After further discussion, Jim Bodenhamer made a motion to approve the changes to the Position Classification Table, which was seconded by Jennifer Baker.
- The motion passed unanimously and will be forwarded to the City Council for consideration on March 20, 2025.

The meeting was adjourned at 10:28 AM.

Respectfully submitted,
Sue Edwards Strop

ORDINANCE NO. 2025-xx

**AN ORDINANCE ACCEPTING THE FINAL PLAT
AND DEDICATIONS FOR FREEDOM'S LANDING PHASE II, LOCATED AT
HOBBS CIRCLE IN MOUNTAIN HOME, ARKANSAS; AND FOR ACCEPTING
IMPROVEMENTS THEREWITH, AND FOR OTHER PURPOSES**

WHEREAS, the development of the City of Mountain Home, Arkansas, requires that both the City Council and the Planning Commission have input into the development of the City; and

WHEREAS, the Subdivision Regulations of the City of Mountain Home, Arkansas, (adopted on July 17, 1997, through Ordinance No. 1997-26 and amended thereafter in Chapter 7, Article 7.5 of said Regulations) provide for City Council acceptance of Public Dedications contained within; and

WHEREAS, the City of Mountain Home Planning Commission at its March 10, 2025, meeting reviewed the above final plat and unanimously recommended approval;

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

Section 1. Acceptance of final plat and dedications

The City of Mountain Home hereby accepts the final plat, improvements, and public dedications of Freedom's Landing Phase II as set forth on the final plat of the Freedom's Landing Phase II Subdivision.

Section 2. Emergency clause

This Ordinance is necessary to benefit the property owners, and to permit the immediate transfer of title of the property, an emergency is hereby declared to exist pertaining to the recording of the plat, and this Ordinance shall be in full force and effect from and after its passage and publication.

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

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK

SURVEY DESCRIPTIONS:
FREEDOMS LANDING PHASE II:
PART OF THE SW1/4 SW1/4 OF SECTION 34, T20N R13W IN BAXTER COUNTY, ARKANSAS.
BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:
FROM THE SW CORNER SW1/4 SW1/4 SECTION 34, THENCE S 88°36'18" E 59.85 FEET, THENCE
N 08°37'01" W 277.11 FEET, THENCE N 08°37'01" W 4.06 FEET TO A SET 1/2" REBAR, FOR THE POINT
OF BEGINNING, THENCE CONTINUING ALONG THE SAME LINE N 08°37'01" W 37.35 FEET, THENCE
N 01°43'32" E 346.88 FEET TO A 3/8" REBAR, THENCE S 88°24'28" E 699.00 FEET,
THENCE S 01°26'16" W 386.02 FEET, THENCE N 88°32'30" W 586.31 FEET, THENCE N 01°26'16" E 4.00
FEET TO A SET 1/2" REBAR, THENCE N 88°32'30" W 107.92 FEET TO THE POINT OF BEGINNING
CONTAINING 6.20 ACRES

ACKNOWLEDGEMENT:

STATE OF Arkansas
COUNTY OF Baxter

BEFORE THE UNDERSIGNED NOTARY PUBLIC PERSONALLY APPEARED, THE OWNERS OF THE PROPERTY,
WHO ACKNOWLEDGED THAT THEY HAD EXECUTED THE ABOVE CERTIFICATION AND DEDICATION AS
THEIR FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THERE IN SET OUT.

WITNESS MY HAND AND NOTARY SEAL THIS 12 DAY OF February 2025

Stephanie Mallick
NOTARY PUBLIC
BAXTER COUNTY, ARKANSAS

OWNER'S CERTIFICATE:

I DO HEREBY CERTIFY THAT I AM THE FEE OWNER OF
THE PROPERTY SHOWN HEREON AND HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS A
SUBDIVISION DEVELOPMENT NAMED FREEDOMS LANDING.

WITNESS OUR HANDS AND SEAL THIS _____ DAY OF _____, 2025.

OWNERS/DEVELOPERS:

HOBBS INVESTMENTS LLC.
101 W. MAIN ST.
PIGGOTT, AR 72464

FREEDOM HOBBS

SURVEYOR'S CERTIFICATION:

I, JERRY A. ROSE, CERTIFY THAT, UNDER MY SUPERVISION,
THE ABOVE PLATTED AND DESCRIBED PROPERTY WAS
SURVEYED AND THE MONUMENTS SET AS SHOWN, TO THE
BEST OF MY KNOWLEDGE AND ABILITY.

Jerry A. Rose
JERRY A. ROSE

RECORDERS CERTIFICATION:

THE PLAT HEREON WAS FILED FOR RECORD IN MY OFFICE ON
THE _____ DAY OF _____, 2025
AND IS RECORDED AS SLIDE _____ OF BAXTER COUNTY SUBDIVISION SLIDE
WITNESS MY HAND AND SEAL:

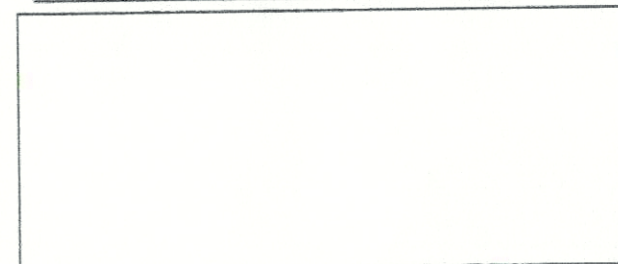
BAXTER COUNTY CLERK

COVENANTS AND RESTRICTIONS:

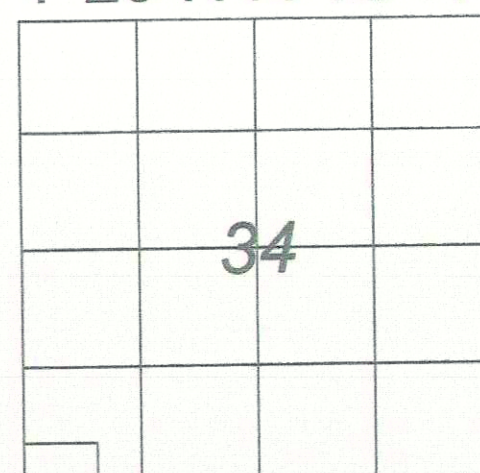
NOW, THEREFORE, THE OWNER OF SAID PROPERTY HEREBY IMPOSES
THE FOLLOWING RESTRICTIONS:
1. EACH LOT SHALL HAVE 1 RESIDENT SINGLE FAMILY DWELLING.
2. DWELLING MUST BE 1000 SQUARE FOOT MINIMUM.
3. DETACHED BUILDING SHALL BE CONSTRUCTED WITH SIMILAR MATERIAL AS HOUSE.
4. BUILDING STANDARDS TO MEET ALL CITY CODES.

**NOTE: NO PART OF THIS PROPERTY LIES WITHIN THE 100
YEAR FLOOD PLAIN.**

PLANNING COMMISSION CERTIFICATION



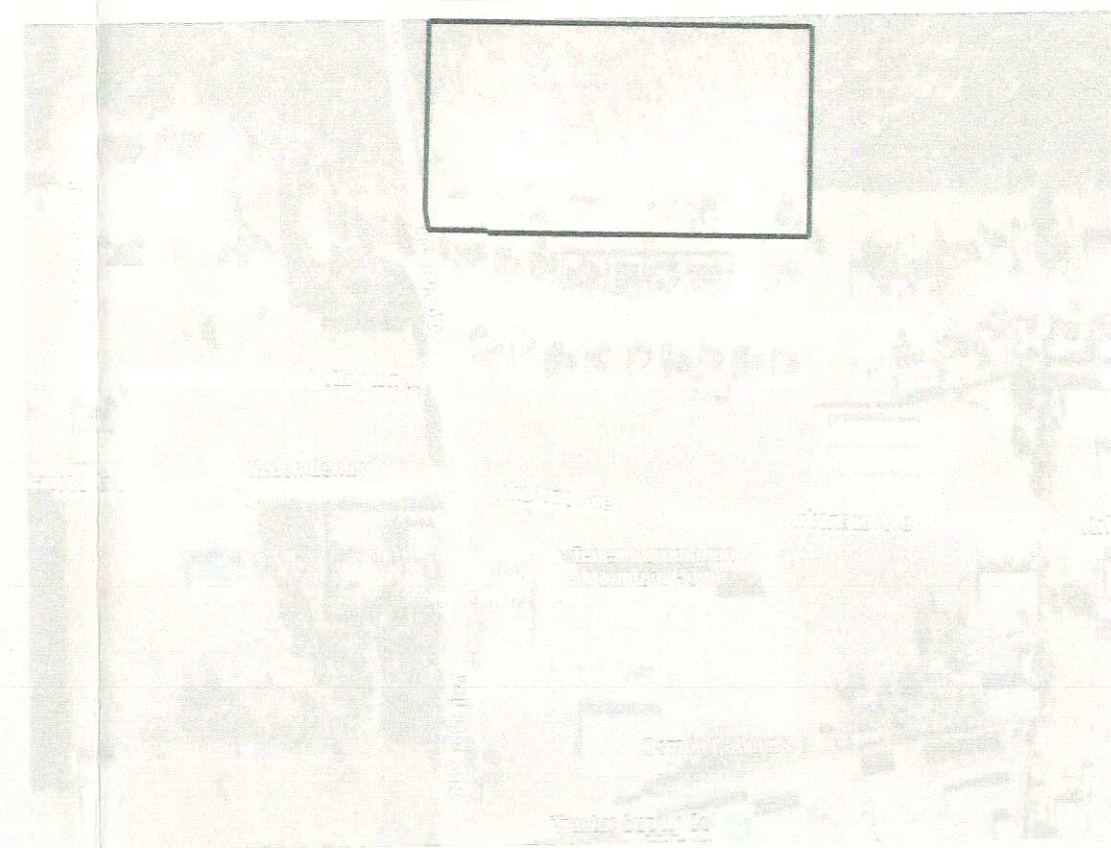
T-20-N R-13-W



LEGEND:

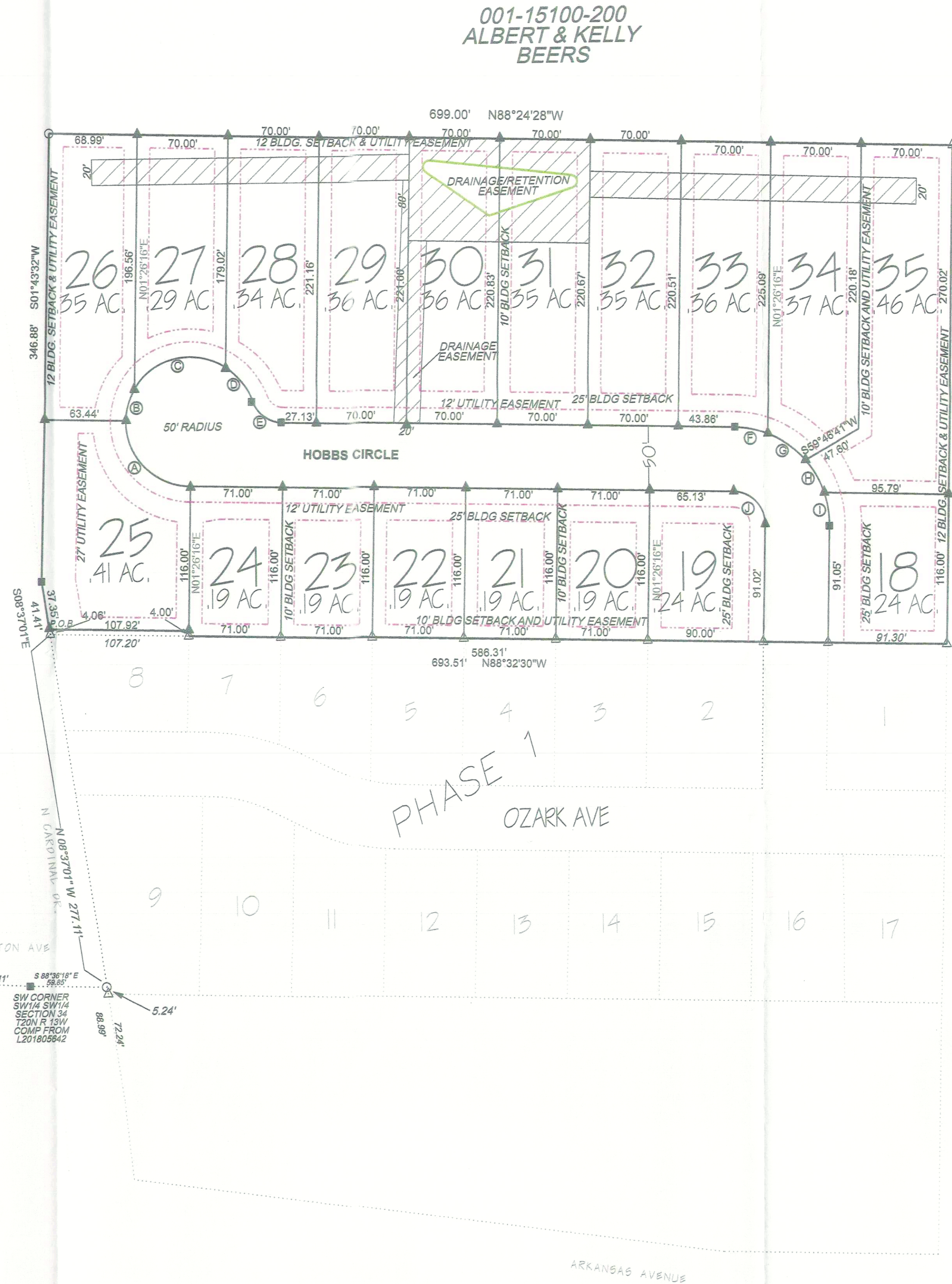
- PROPERTY LINE
- DRAINAGE EASEMENT
- ▲ = SET 1/2" REBAR W/ I.D. CAP
- = FOUND 3/8" REBAR
- = NAIL IN 4" CONC. MON.
- △ = FOUND 1/2" REBAR
- = COMPUTED POINT
- x-- = FENCE

LOCATION MAP



**FINAL PLAT FOR:
FREEDOMS LANDING
PHASE II**

001-07071-000
ALBERT & KELLY
BEERS



001-15100-200
ALBERT & KELLY
BEERS

FINAL PLAT
THIS PLAT IS HEREBY APPROVED SUBJECT TO
ACCEPTANCE BY THE CITY COUNCIL OF PUBLIC
DEDICATIONS AND IMPROVEMENTS.
PLANNING COMMISSION
DATE 8/3/2025 CHAIRMAN
SECRETARY
PUBLIC DEDICATIONS AND IMPROVEMENTS HAVE
BEEN ACCEPTED. PLAT MAY BE RECORDED IN THE
OFFICE OF THE COUNTY RECORDER.
ORDINANCE NO. _____
DATED _____
CITY OF MOUNTAIN HOME, ARKANSAS
MAYOR _____ CITY CLERK
BAXTER COUNTY
RECORDED IN PLAT BOOK _____ PAGE _____

007-14023-100
SVJ PROPERTIES LLC.

007-14023-100
SVJ PROPERTIES LLC.

**STRIDER
CONSULTING**

STRIDER CONSULTING
142 South College Street
Mountain Home, AR 72653
870-424-4330

http://www.strider.consulting

DRAWN BY:
S.N.M.

SCALE:
1" = 60'

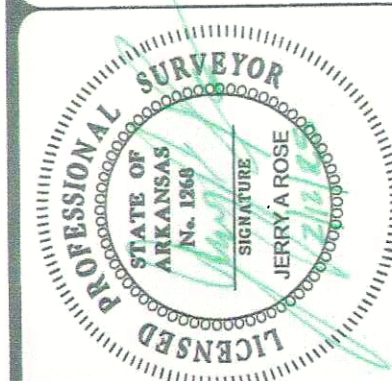
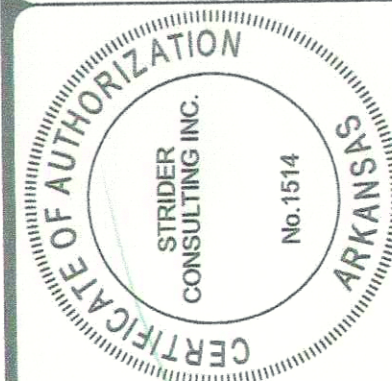
JOB #:
18-0081

DATE:
2/10/2025

REVISION:
N/A

SHEET:
S1.1

FINAL PLAT
FREEDOMS LANDING
PHASE II



SHEET SIZE

D

RESOLUTION NO. 2025-xx

A RESOLUTION NAMING VETERANS PLAZA AND FOR OTHER PURPOSES

WHEREAS, the City of Mountain Home, Arkansas Veterans Plaza is an asset to downtown Mountain Home;

WHEREAS, the Veterans Plaza honors the military service of generations of Americans; and

WHEREAS, the City of Mountain Home would greatly benefit from a sponsorship of the Veteran's Plaza.

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

Section 1: That the Veterans Plaza located in Mountain Home, Arkansas, shall be and is hereby named the "First Security Bank Veterans Plaza".

Section 2: That the naming of the Veterans Plaza shall be subject to the duration, terms and conditions set forth in Exhibit "A" attached hereto and incorporated in this Resolution as if set forth word for word herein.

ADOPTED AND APPROVED THIS 20TH DAY OF MARCH, 2025.

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK

SPONSORSHIP AGREEMENT

This agreement entered into this ___ day of _____, 2025, by and between the City of Mountain Home, AR, hereinafter referred to as "City" and First Security Bank of Mountain Home, AR, hereinafter referred to as "First Security", WITNESSETH:

1. That the Veteran's Plaza is currently owned and maintained by the City on the west side of the Mountain Home square. First Security, subject to the terms and conditions stated herein, agrees to sponsor the Veteran's Plaza upon the terms and conditions stated herein.

2. That First Security, upon execution of this agreement and as directed by City, agrees to pay the sum of \$15,000.00 to the City for the upkeep and maintenance of the Veteran's Plaza. Provided, that the City and First Security acknowledge that the upkeep, maintenance and repairs, together with the funds spent on any such items, shall be made in the sole discretion of the City.

3. In acknowledgment of this agreement, the City will name the premises "First Security Bank Veteran's Plaza", and the naming rights shall continue through the term of this agreement. Any signage reflecting such name shall be the responsibility of First Security with any such signage and the placement of such signage being subject to the approval of the City.

4. The City shall retain the right to continue to host events on the premises in the same manner and custom as have existed for many years. This shall include, but not be limited to all events desired to be held on the premises to honor veterans, military service, etc. First Security further agrees, through the term of this agreement, to

continue to decorate the premises for the Christmas holiday each year in a manner consistent with the Christmas decorations provided by First Security in the years prior to this agreement and in compliance with existing state and federal laws.

5. The term of this agreement shall be for three (3) years, beginning on the date of the joint announcement outlined in paragraph 6 of this agreement, and ending 36 months later.

6. Upon execution of this Sponsorship Agreement, the City and First Security will make a joint public announcement of the agreement, at a time and place agreeable to the parties. During the term of this agreement, all press releases regarding events at the Veteran's Plaza shall be referenced as the First Security Bank Veteran's Plaza.

7. This agreement shall not be assigned by either party during the term of this agreement.

WITNESS our hands the date above first written.

CITY OF MOUNTAIN HOME

FIRST SECURITY BANK OF
MOUNTAIN HOME, AR

BY: HILLREY ADAMS, Mayor

BY:

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

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.

ORDINANCE NO. 2025-xx
AN ORDINANCE TO REPEAL ORDINANCE NO. 97-005
AND DELETE CHAPTER 12.08 “YOUTH ACTIVITY CENTER”
FROM THE CITY CODE OF THE CITY OF MOUNTAIN HOME, ARKANSAS

WHEREAS, the City Council of Mountain Home, Arkansas, on February 6, 1997, did adopt Ordinance No. 97-005 to separate the Youth Center from the Parks Department and create a separate department for the Youth Center; and

WHEREAS, Ordinance No. 97-005 was codified into the City Code of the City of Mountain Home, Arkansas, under the Chapter 12.08 “Youth Activity Center”; and

WHEREAS, the Parks Department has since taken over the duties of staffing and maintaining the Youth Center, as well as the scheduling of events at said facility; and

WHEREAS, the Mountain Home City Council on June 22, 2023, did vote to combine the Parks Department and the Youth Center budgets and line items beginning with the 2024 budget and continuing forward.

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

Section 1. Ordinance No. 97-005 is hereby repealed in its entirety.

Section 2. Chapter 12.08 “Youth Activity Center” of the Mountain Home City Code should be removed 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

March 2024

S-5

CHAPTER 12.08

YOUTH ACTIVITY CENTER

Sections:

| | |
|----------|------------------------|
| 12.08.01 | Department established |
| 12.08.02 | Duties of department |
| 12.08.03 | Personnel |
| 12.08.04 | Staff positions |
| 12.08.05 | Volunteers |
| 12.08.06 | Separate department |

12.08.01 Department established The new department will be entitled Youth Activity Center and will be headquartered at the Youth Center in Cooper Park. (Ord. No. 97-005, Sec. 1.)

12.08.02 Duties of department The Youth Activity Center Department will be responsible for maintaining and operation of the Youth Center, scheduling of activities at Youth Center and events in the park system; with the exception of pool operations and scheduling which will remain under the Park and Pool Department. (Ord. No. 97-005, Sec. 2.)

12.08.03 Personnel The Youth Activity Center Department personnel will include the positions as budgeted by the City Council of the city of Mountain Home, Arkansas. (Ord. No. 97-005, Sec. 3.)

12.08.04 Staff positions Additional number and type of department staff positions will be created by the City Council as necessary to the efficient management and operations of the department. (Ord. No. 97-005, Sec. 4.)

12.08.05 Volunteers the Youth Activity Center will be staffed with volunteers to the greatest extent possible and will seek volunteer participation in all operations. (Ord. No. 97-005, Sec. 5.)

12.08.06 Separate department The Youth Activity Center will exist as a separate department and will be established and administered as such in regard to the city's accounting systems. (Ord. No. 97-005, Sec. 6.)

MINUTES
REGULAR CITY COUNCIL MEETING – Thursday, June 22nd, 2023

1. The Mountain Home City Council met in regular session on June 22nd, 2023, in the Council Chambers of the Municipal Building. Mayor Hillrey Adams called the meeting to order at 6:03 p.m.
2. **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, Paige Evans, Carry Manuel, Jim Bodenhamer and Nick Reed. Absent: Council member Wayne Almond.
3. **IN ATTENDANCE** City officials present: Mayor Hillrey Adams, City Clerk Scott Liles, City Attorney Roger Morgan, Finance Director Alma Clark and Code Enforcement Officer Mike Anderson. *Media present: Heather Link (KTLO), Helen Mansfield (Baxter Bulletin) and Chris Fulton (Mountain Home Observer).*
4. **MINUTES** Council member Jennifer Baker made a motion to approve the minutes from June 1st, 2023, meeting. The motion was seconded by council member Susan Stockton. *The vote was recorded as follows: Yes – All present.*
5. **NEW BUSINESS**

A RESOLUTION AUTHORIZING A PUBLIC HEARING WITH REGARD TO ABANDONMENT OF A UTILITY EASEMENT IN THE CITY OF MOUNTAIN HOME, ARKANSAS This resolution, if adopted, would schedule a public hearing on July 20, 2023, at 5:55 p.m. in Council Chambers regarding abandoning a utility easement in part of Lots 55 and 56 of Big Creek Estates. Council member Jennifer Baker made a motion to approve the proposed resolution and was seconded by council member Carry Manuel. *The vote was recorded as follows: All present – yes; the motion carried, the resolution was declared adopted and numbered Resolution No. 2023-8.*

AN ORDINANCE AMENDING ORDINANCE NO. 2021-34 TO ALLOW THE DISPLAY OF A-FRAME OR SANDWICH BOARD-TYPE SIGNS BY MERCHANTS IN THE CITY OF MOUNTAIN HOME'S HISTORIC DOWNTOWN ENTERTAINMENT DISTRICT AND THE USE OF INFORMATIONAL OR DIRECTIONAL SIGNS BY THE MOUNTAIN HOME FARMERS MARKET The ordinance, if adopted, would amend Ord. 2021-34 to allow the daily use of A-frame signs by merchants in the Historic Downtown Entertainment District to promote their businesses, provided the merchants meet certain requirements pertaining to hours of operation or size limitations. The proposed ordinance would also allow the Mountain Home Farmers Market to use informational or directional A-frame signs to promote the market, again with certain restrictions.

SECOND READING After city attorney Roger Morgan read the proposed ordinance aloud, council member Bob Van Haaren made a motion to suspend the rules and place the item on its second reading by title only. That motion was seconded by council member Jennifer Baker. *The vote was recorded as follows: All present – yes; and the motion was declared passed.*

THIRD READING After city attorney Roger Morgan read the proposed ordinance a second time by title only, council member Bob Van Haaren made a motion to suspend the rules and place the item on its third reading by title only. That motion was seconded by council member Jennifer Baker. *The vote was recorded as follows: All present – yes; and the motion was declared passed.*

ADOPTION After the item's third reading, council member Bob Van Haaren made a motion to adopt the proposed ordinance and drew a second from council member Jennifer Baker. *The vote was recorded as follows: All present – yes; and the ordinance declared adopted and numbered Ordinance No. 2023-23.*

EMERGENCY CLAUSE Following the ordinance's adoption, council member Jennifer Baker made a motion to attach the emergency clause to Ordinance No. 2023-23. Her motion was seconded by council member Bob Van Haaren. *The vote was recorded as follows: All present – yes; and the motion was declared passed and the emergency clause was adopted for Ordinance No. 2023-23.*

APPROVAL FOR THE PARKS DEPARTMENT TO PURCHASE A TRUCK FROM THE STREET DEPARTMENT FOR AN AMOUNT OF \$26,000 FROM CAPITAL LINE ITEM #101-5107-42934 This request would allow the Parks Department to purchase a pickup truck from the Street Department for \$26,000. Council member Bob Van Haaren made a motion to approve the sale of the truck, and council member Susan Stockton seconded the motion. *The vote was recorded as follows: All present – yes; and permission was granted for the Parks Department to purchase the truck from the Street Department.*

APPROVAL TO REMOVE \$26,000 FROM GENERAL FUND PROJECT CARRYOVER 101-5101-79000 AND TRANSFER THAT MONEY INTO CAPITAL EQUIPMENT 101-5107-42934 TO COVER THE TRUCK PURCHASE FOR THE PARKS DEPARTMENT Building off of the previous request, this request would allocate the funds for the Parks Department to purchase the pickup truck from the Street Department. Council member Bob Van Haaren made a motion to grant the request, and council member Susan Stockton seconded the motion. *The vote was recorded as follows: All present – yes; and permission was granted to transfer the funds for the pickup's purchase.*

REQUEST FROM THE PARKS DEPARTMENT TO COMBINE THE PARKS AND YOUTH CENTER BUDGETS AND LINE ITEMS BEGINNING IN THE 2024 BUDGET AND GOING FORWARD If approved, this request would consolidate the City's budgets for the Parks Department and the L.C. Sammons Youth Center into a single budget administered by the

Parks Department beginning in 2024 and going forward. Council member Carry Manuel made a motion to approve the request and was seconded by council member Nick Reed. *The vote was recorded as follows: All present – yes; and permission was granted to consolidate the budgets.*

CLERK'S NOTE The budgets for the Parks Department and the Youth Center were consolidated to alleviate bookkeeping and budgeting demands. When the City's community and aquatic center is opened, the Parks Department will also have to maintain a separate budget for its operation due to the bonds that funded its construction; combining the Parks Department and Youth Center's budgets will prevent Parks from eventually operating three separate budgets for essentially a single department.

APPROVAL TO CHANGE W/S METER DEPOSITS CHECKING ACCOUNT FROM AN INTEREST-BEARING ACCOUNT TO A NON-INTEREST-BEARING ACCOUNT If approved, this request would allow Finance Director Alma Clark to move the checking account that holds customers' deposits for their water meters from an interest-bearing account to an interest-free checking account. Under state law, the City cannot keep the interest generated on the meter deposits and must remit that money back to customers, which leads to the City issuing checks for a tiny sum that sometimes goes uncashed. Those unclaimed funds are then by law turned over to the Arkansas Treasurer's Office. Council member Jennifer Baker made a motion to approve the change in checking account types and was seconded by council member Paige Evans. *The vote was recorded as follows: All present – yes; and approval was granted to change checking account types.*

ACKNOWLEDGEMENT AND ACCEPTANCE OF THE PRESENTED 2022 WATER/SEWER AUDIT Treasury Director Alma Clark presented the Council with the results of the City's 2022 water-sewer audit. A copy of the audit is available from the Treasurer's Office. Council member Jennifer Baker made a motion to accept the audit, which was seconded by council member Susan Stockton. *The vote was recorded as follows: All present – yes; and the audit was acknowledged and accepted by the Council.*

A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF MOUNTAIN HOME TO UTILIZE THE ARKANSAS DEPARTMENT OF PARKS, HERITAGE AND TOURISM OUTDOOR RECREATION MATCHING GRANT FUNDS This resolution's adoption was required for the City to be considered for a matching-funds grant from the state. If approved, the City will use the funds to build an ADA-compliant fishing pier at the ponds at McCabe Park. Council member Jennifer Baker made a motion to adopt the resolution, and council member Nick Reed seconded that motion. *The vote was recorded as follows: All present – yes. The resolution was declared adopted and numbered Resolution No. 2023-9.*

DISCUSSION ON THE BAXTER DAY SERVICE CENTER Paul Neal of the Service Center addressed the Council at the invitation of Mayor Hillrey Adams. The Day Center serves 50 special-need clients, 45 of which work at the center sorting recycling materials. The Center, which provides recycling services for the whole county, receives about \$35,000 a

year in funding from Baxter County but does not receive any funding directly from the City. Neal said that ideally revenue from the Center's recycling program should at least cover labor costs, but due to the depressed market for recyclables this has not been the case recent in years. In fiscal 2022 (June 2021-May 2022), the Center experienced a total loss of \$76,000, and for fiscal 2023 (June 2022-May 2023) the program had seen a total loss of \$142,000.

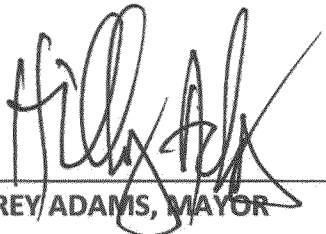
Mayor Hillrey Adams noted that the City, through its residential trash contract with first Methvin Sanitation and now Waste Connections, had been collecting a fee from residential customers to help support the city's ongoing recycling efforts. Customers with a single 95-gallon trash container not participating in the City's recycling program are charged a \$2.50 fee/month, while customers with multiple 95-gallon cans that do not recycle are charged \$5/month. The collection of that fee, began in either late 2017 or early 2018, had grown to \$87,000 in unclaimed funds that by law must be spent on recycling or promoting recycling awareness.

Mayor Adams said he would like to see the City give the \$87,000 to the Service Center to help keep it in operation. Such a move would be a band-aid, but not a long-term solution, he noted.

Council member Bob Van Haaren made a motion to give the \$87,000 collected from the recycling fee currently in the General Fund to the Baxter Day Service Center, and to continue to remit the collected \$2.50/\$5 recycling fees to the Center going forward to support and encourage residential recycling. This motion was seconded by council member Nick Reed. *The vote was recorded as follows: All present – yes; and the motion declared passed.*

6. ADJOURN

With no further business to come before the council, Mayor Hillrey Adams declared the meeting adjourned at 6:41 p.m.


HILLREY ADAMS, MAYOR

ATTEST:


SCOTT LILES, CITY CLERK

ORDINANCE NO. 2025-xx

**AN ORDINANCE AMENDING ORDINANCE NO. 2022-21, 2022-32,
2022-45, 2022-49, 2023-18, 2023-34, AND 2024-15 TO EXPAND
AND REDEFINE THE JOB CLASSIFICATION
AND COMPENSATION PLAN IN ORDER TO ENHANCE
EFFICIENT MANAGEMENT WITHIN THE DEPARTMENTS
OF THE CITY OF MOUNTAIN HOME, ARKANSAS**

WHEREAS, the City of Mountain Home, Arkansas, in 1996 did adopt the Job Classification and Compensation Plan (the “Plan”), and said Plan has served the City well since that time; and

WHEREAS, the Plan recommends the classification system be reviewed no less than every three years for continuity and fairness; and,

WHEREAS, adjustments need to be made to the Plan from time to time to better address the needs of the City of Mountain Home;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF MOUNTAIN HOME, ARKANSAS:

SECTION 1: It is in the economic interest of the City of Mountain Home to amend the Job Classification and Compensation Plan as it relates to the following:

REPLACE CURRENT CITY ENGINEER GRADE 37 WITH

CIVIL ENGINEER I GRADE 19 AND CIVIL ENGINEER II GRADE 37

SECTION 2: That the position currently listed as City Engineer in the Plan be removed from Grade 37 and replaced with two new positions: Civil Engineer I being added to Grade 19 and Civil Engineer II added to Grade 37.

SECTION 3: That all other provisions of the Plan shall remain in full force and effect unless specifically changed by the provisions of this Ordinance.

EMERGENCY CLAUSE: The revised Job Classification and Compensation Plan affects the employees of the City's departments, who in turn contribute to the safety and wellbeing of the residents of Mountain Home, Arkansas; therefore, an emergency is declared to exist, and Ordinance shall be in full force and effect from and after its passage.

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

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK

Table 4
Position Classifications – 2025

GRADE 39 – EXEMPT

Director – Fire Services
Director – Police Services
Director – Parks & Recreation Services
Director – Finance and Treasury
Director – Public Works
Director – Planning & Engineering

GRADE 37 – EXEMPT

~~Engineer~~ **Civil Engineer II**

GRADE 36 – EXEMPT

Assistant Police Chief
Assistant Fire Chief
Assistant Director

GRADE 35 – EXEMPT

Chief Financial Officer
Human Resources Coordinator
Manager
Parks Administrative Manager

GRADE 19 – NON-EXEMPT

Aquatics Administrator
Civil Engineer I

GRADE 18 – NON-EXEMPT

Recreation & Sports Activity Manager
Building Official

GRADE 17 – NON-EXEMPT

Chief Deputy Treasurer
Chief Court Clerk

GRADE 16 – NON-EXEMPT

Deputy Treasurer
Computer & Software Technician

GRADE 15 – NON-EXEMPT

Fire Marshal – Fire Department

GRADE 14 – NON-EXEMPT

Battalion Chief – Fire Department
Plant Supervisor
Warehouse Supervisor
Foreman with Water/Wastewater IV
Maintenance Supervisor
Buildings Supervisor
Grounds Supervisor
Inspector – Fire Department

GRADE 14 – NON-EXEMPT (cont.)

CAD Draftsman
Office Manager / Inventory Comptroller
Patrol Lieutenant
SRO Lieutenant
CID Lieutenant

GRADE 13 – NON-EXEMPT

Captain – Fire Department
Patrol Sergeant
CID Sergeant
SRO Sergeant

GRADE 12 – NON-EXEMPT

Lieutenant – Fire Department
Foreman
Assistant Supervisor
Office Manager
Chief Deputy Court Clerk
Water/Wastewater IV
Operations Manager
Patrol Corporal
CID Corporal
SRO Corporal
Code Enforcement Officer
Stores & Maintenance Clerk
Outdoor Recreation Programmer
Recreation Programmer

GRADE 11 – NON-EXEMPT

Engineer – Fire Department
Lab Tech
Water/Wastewater III
Patrol First Class
CID First Class
School Resource Officer First Class

GRADE 10 – NON-EXEMPT

Firefighter
Plumbing Inspector
Patrol Officer
Probation Officer / Work Release Coordinator
Equipment Operator
Concrete Finisher
Mechanic
Maintenance Operator
Communications Supervisor, Sergeant
CID Investigator
School Resource Officer

Table 4 Position Classifications – 2025

(CONT. PG.2)

GRADE 9 – NON-EXEMPT

Mayor's Secretary
Apprentice Operator / Water Treatment/Sewer Treatment
Communications Supervisor, Corporal

GRADE 8 – NON-EXEMPT

Secretary
Administrative Secretary
District Court Clerk
Billing Clerk
Communications Officer
Communications Officer/Secretary
Inventory Clerk
Meter Maintenance
Laborer/Truck Driver With CDL
Sports Field Specialist
Lead Lifeguard
Front Desk Attendant
Building & Maintenance Lead

GRADE 7 – NON-EXEMPT

Facility Maintenance

GRADE 6 – NON-EXEMPT

Clerk / Receptionist
Laborer
Custodian

TABLE II

Part-Time / Seasonal

GRADE 5

Code Enforcement Officer
Pool Manager
Patrol Officer
Grant Writer

GRADE 4

Assistant Pool Manager

GRADE 3

Radio Dispatcher

GRADE 2

Clerk/Receptionist
Lifeguard II
Recreation Aide II
Laborer
Front Desk Attendant

GRADE 1

Lifeguard I
Recreation Aide I



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March 18, 2025

Mr. Steve Hill, Director of Public Works
Ms. Alma Clark, Director of Finance and Treasury
City of Mountain Home
752 North College Street
Mountain Home, Arkansas 72653

Re: Year 2024 Water & Wastewater Rate Review
(2023 Audit)

Dear Steve:

We have reviewed the financials for the Mountain Home Water & Wastewater Systems as indicated by the 2023 Audited Financial Statement and incorporated that information into the attached Water and Wastewater Projection of Operating Expenses and Income spreadsheets. We also adjusted the projected years 2024 to 2029 based on trends from 2018 to 2023, as shown in the attached spreadsheets. The following observations below describe an analysis of the developed numbers in the spreadsheets.

Water System Spreadsheet:

Analysis:

- Operating expenses increased 11.20% in 2023. For projecting future expenses, an average increase rate of 6.41% was used (calculated and averaged from the last 6 years).
- Capital Expenses decreased 47% in 2023. For projecting future expenses, an average expense of \$249,000 was used (calculated and averaged from the last 6 years).
- Water revenue increased in 2023 by 4.58%. For projecting future revenue, an average increase rate of 3.76% was used (calculated and averaged from the last 6 years).

The 2017 Revenue Bond was paid off in 2023.

Water Rate Adjustment and Recommendations



It is recommended that the existing water rates be maintained with the following provisions:

- Continuation of the City applying the Consumer Price Index (CPI – South Region) to the water rates. This yearly increase moderates the inflationary cost of materials and services the City uses to provide service to the consumers. The 2024 CPI South Region rate was 2.8%.

- Act 605 added a requirement for placing 5% of yearly Water Revenues in a “Refurbishment and Replacement Account”. The City needs to place 5% of Water Revenues into an established separate Depreciation and Capital Expense accounts for water and wastewater to avoid any conflict with Act 605.

Wastewater System Spreadsheet:

Analysis:

- Operating expenses decreased 1.00% in 2023. For projecting future expenses, an average increase rate of approximately 2.06% was used (calculated and averaged from the last 6 years).
- Capital Expenses in 2023 were up 259.00%. For projecting future expenses, an average expense of \$485,000 was used (calculated and averaged from the last 6 years).
- Wastewater revenue increased 13.86% in 2023. For projecting future revenue, an average increase of 5.50% was used (calculated and averaged for the last 6 years).
- With the enactment of Act 605, the ability of a City to use water surplus funds to cover wastewater deficits will not be allowed. The wastewater system will have to be self-sustaining by 2026.
- Additional work at the WWTP is being completed and these recommended improvements will cost \$20 million. A \$10 million revenue bond is already in place and a second \$10 million, 20-year revenue bond issue will be needed. The attached wastewater rate spreadsheet represents the expenses for adding this revenue bond.
- In early 2024, the City increased the sewer rates 21.7%. For the wastewater revenue to provide for the projected wastewater expenses and to meet the requirements of Act 605, another rate increase of 18% plus the CPI will be required in 2025. A rate increase in 2026 will be determined once the 2024 and 2025 audits are completed.



It is recommended that the following parameters be implemented/continued:

- As noted for the water system above, establish separate Depreciation and Capital Expense accounts for water and wastewater.
- Every year the City places \$78,000 in a Depreciation Account and \$72,000 in a Capital Expense Account for wastewater for a total of \$150,000. It is recommended that the funding amounts to these accounts continue.
- Issue a \$10 million 20-year bond to complete the WWTP 2024 Improvements project.

Wastewater Rate Adjustment

For 2023, the operating expenses were slightly down but the debt service and capital expense were all above the previous year. This resulted in an exceptionally significant increase in the wastewater Net Income deficit. Note that the revenues in 2023 do not reflect the recent 21.7% rate increase that was put in place in 2024. That increase will be reflected in the 2024 audit.

- ✓ Continuation of the City applying the Consumer Price Index (CPI – South Region) addition to the wastewater rates that moderates the inflationary cost of materials and services the City uses to provide service to the consumers.
- ✓ Based on the projections shown, the yearly increase will need again be adjusted to 18% per year (plus the CPI). Examination of the operating expenses and revenue will continue to confirm that Revenue will meet operation, maintenance, capital expense, and debt service costs. Further rate adjustments may be required.

General

Debt Service Coverage

The City currently has Revenue Bonds for water and wastewater. A certain percentage of Debt Service Coverage must be maintained at least equal to 115%.

From the Audited Financial Statement for the year ending December 31, 2023, the Debt Service Coverage was 206%.

Lake Norfolk Intake, Water Transmission Main and Water Treatment Plant Project

The most recent Opinion of Probable Construction Cost for the Lake Norfolk Water Intake, Water Transmission Main, and Water Treatment Plant project is \$125 million. The United States Army Corps of Engineers (USACE) has approved the Nationwide Permit, the Right-of-Way Easements, and the Finding of No Significant Impact on the environmental aspects for this project.

In 2024, the City received \$1 Million in Congressional Directed Spending (CDS) funds to assist in the project design (the City must cost-share \$250,000 for a total funding of \$1.25 million).

The total project design and preconstruction costs that included engineering services, geotechnical, and CMAR fees are estimated at \$8 million and a CDS amount of \$7 million was submitted for 2025 funding. However, the City received no CDS funding for 2025. It is planned to resubmit for the \$7 million CDS funding again in 2026; however, it is our understanding that currently the 2025 Continuing Resolution budget before Congress does not allow for any Earmarks (CDS).

Mr. Steve Hill
Ms. Alma Clark
March 18, 2025
Page 4 of 4

Water and Wastewater Master Plan Update

The 2024 Water and Wastewater Master Plan Update has been completed and concurred with by the Arkansas Department of Health and approved by the Arkansas Department of Agriculture – Natural Resources Division for Water Plan Compliance. The Update document examines the projected growth and water/wastewater utility needs for that growth to the year 2050. These rate analyses do not address all the projects represented in the Update. As the Update is further evaluated and the prioritization of projects to meet the needs is determined, a further analysis of the operating expenses and income of both the water and wastewater systems will be required.

If you have any questions, please feel free to contact me.

Sincerely,

GARVER, LLC



Kirby B. Rowland, PE
Senior Project Manager

cc: Mayor Hillrey Adams

[illegible]

| | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|---------------------|--|--|--|--|--|--|--|--|--|
| | | | | | | | | | | WATER SYSTEM | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|---------------------|--|--|--|--|--|--|--|--|--|

March, 2025

| | EXPENSES | | | | 2029 | 2028 | 2027 | 2026 | 2025 | 2024 | 2023 | 2022** | 2021 | 2020 | 2019 | 2018 |
|--|---|--|--|--|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| | Operating Expense | | | | 5,435,287 | 5,107,661 | 4,799,784 | 4,510,464 | 4,238,585 | 3,983,093 | 3,743,002 | 3,351,146 | 2,840,947 | 2,868,743 | 2,890,649 | 2,752,683 |
| | % Change | | | | 6.41% | 6.41% | 6.41% | 6.41% | 6.41% | 6.41% | 11.20% | 18.90% | -0.97% | -0.76% | 5.01% | -4.21% |
| | 2017 Bond Debt Service Interest | | | | | | | | | | 1,103 | 13,843 | | | | |
| | 2017 Bond Debt Service Principal | | | | | | | | | | 252,000 | 749,000 | 780,360 | 825,303 | 607,520 | 786,473 |
| | 2020 Bond Debt Service Interest | | | | 399 | 2,704 | 5,064 | 7,183 | 9,063 | 10,745 | 12,185 | 12,848 | | | | |
| | 2020Bond Debt Service Principal | | | | 69,405 | 125,067 | 134,190 | 132,300 | 129,885 | 127,785 | 99,750 | 46,200 | | | | |
| | One Time Payment | | | | | | | | | | | | | | | |
| | Capital Expense | | | | \$ 249,000 | \$ 249,000 | \$ 249,000 | \$ 249,000 | \$ 249,000 | \$ 249,000 | \$ 132,499 | \$ 250,193 | \$ 177,958 | \$ 414,331 | \$ 303,907 | \$ 215,599 |
| | | | | | | | | | | | | | | | | |
| | Total Water Expense | | | | 5,754,091 | 5,484,432 | 5,188,038 | 4,898,947 | 4,626,533 | 4,370,623 | 4,240,539 | 4,423,230 | 3,799,265 | 4,108,377 | 3,802,076 | 3,754,755 |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| | REVENUE | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| | Water Revenue | | | | 6,928,779 | 6,677,955 | 6,436,211 | 6,203,218 | 5,978,660 | 5,762,230 | 5,553,122 | 5,310,061 | 5,034,009 | 4,634,118 | 4,540,254 | 4,618,058 |
| | % Change | | | | 3.76% | 3.76% | 3.76% | 3.76% | 3.76% | 3.76% | 4.58% | 5.48% | 8.63% | 2.07% | -1.68% | 4.69% |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| | NET INCOME (LESS 5% OF REVENUE PER YEAR FOR ACT 605 REQUIREMENTS) | | | | 828,249 | 859,625 | 926,363 | 994,110 | 1,053,194 | 1,103,496 | 1,034,927 | 808,831 | 1,156,744 | 447,741 | 660,178 | 785,303 |
| | Surplus / (Deficit) % | | | | 11.95 | 12.87 | 14.39 | 16.03 | 17.62 | 19.15 | 18.64 | 15.23 | 22.98 | 9.66 | 14.54 | 17.01 |

[illegible]

| | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|
| ** - Bond Debt Service Interest Removed from Operating Expense Line Item | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|

[illegible]

| | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|
| MOUNTAIN HOME WATER AND SEWER DEPARTMENT | | | | | | | | | |
| PROJECTION OF OPERATING EXPENSES AND INCOME | | | | | | | | | |

[illegible]

EXISTING 2020 BOND PLUS EXISTING 2022 BOND PLUS NEW 2025 BOND WITH 18% INCREASE PLUS 2.8% CPI RATE INCREASE

[illegible][illegible]

| | | | | | | | | | | | | |
|---|-----------|---------|---------|--------|---------|-----------|-------------|-----------|-----------|-----------|-----------|-----------|
| NET INCOME LESS \$78,000 DEPRECIATION AND \$72,000 CAPITAL EXPENSE PER YEAR | 1,420,152 | 642,631 | 273,862 | 22,649 | 310,875 | (323,022) | (1,607,323) | (834,429) | (368,648) | (896,430) | (628,923) | (373,729) |
| surplus / (- deficit) % | 21.73 | 10.38 | 4.67 | 0.41 | 5.89 | (7.40) | (44.81) | (26.49) | (12.72) | (32.89) | (23.22) | (13.62) |

[illegible]

| IMPACT ON RESIDENTIAL / COMMERCIAL | | | | ENDING | |
|---|--------|--|---|---------|----------|
| IN CITY / OUT OF CITY WATER / SEWER RATES | | | | CPI | 2024 |
| ADDITIONAL INCREASE AMOUNTS ON TOP OF CURRENT WATER/SEWER BILLING | | | | | |
| Minimum 2000gal or less Residential 3/4" meter | | | Average user of 4500gal Residential 3/4" meter | | |
| | | | | Minimum | per 1000 |
| WATER CPI - 2.8% | \$0.25 | | WATER CPI - 2.8% | \$0.25 | 0.09 |
| DEMAND CPI - 2.8% | \$0.23 | | DEMAND CPI - 2.8% | \$0.23 | |
| SEWER CPI 2.8% + INCREASE 18% | \$5.60 | | SEWER CPI 2.8% + INCREASE 18% | \$5.60 | 1.04 |
| TOTAL ADDITIONAL INCREASE | \$6.08 | | | \$6.08 | \$2.83 |
| | | | | | |
| | | | TOTAL ADDITIONAL INCREASE | | \$8.91 |
| | | | | | |
| | | | | | |
| Minimum 2000gal or less Commercial 3/4" meter | | | Average user of 4500gal Commercial 3/4" meter | | |
| | | | | Minimum | per 1000 |
| WATER CPI - 2.8% | \$0.50 | | WATER CPI - 2.8% | \$0.50 | 0.09 |
| DEMAND CPI - 2.8% | \$0.37 | | DEMAND CPI - 2.8% | \$0.37 | |
| SEWER CPI 2.8% + INCREASE 18% | \$8.34 | | SEWER CPI 2.8 + INCREASE 18% | \$8.34 | 1.04 |
| TOTAL ADDITIONAL INCREASE | \$9.21 | | | \$9.21 | \$2.83 |
| | | | | | |
| | | | TOTAL ADDITIONAL INCREASE | | \$12.04 |
| | | | | | |
| | | | | | |
| OUT OF CITY WATER ONLY NO SEWER | | | | | |
| | | | | | |
| Minimum 2000gal or less Residential 3/4" meter | | | Average user of 4500gal Residential 3/4" meter | | |
| | | | | Minimum | per 1000 |
| WATER CPI - 2.8% | \$0.50 | | WATER CPI - 2.8% | \$0.50 | 0.18 |
| DEMAND CPI - 2.8% | \$0.46 | | DEMAND CPI - 2.8% | \$0.46 | |
| TOTAL ADDITIONAL INCREASE | \$0.96 | | | \$0.96 | \$0.45 |
| | | | | | |
| | | | TOTAL ADDITIONAL INCREASE | | \$1.41 |
| | | | | | |
| | | | | | |
| Minimum 2000gal or less Commercial 3/4" meter | | | Average user of 4500gal Commercial 3/4" meter | | |
| | | | | Minimum | per 1000 |
| WATER CPI - 2.8% | \$1.00 | | WATER CPI - 2.8% | \$1.00 | 0.18 |
| DEMAND CPI - 2.8% | \$0.74 | | DEMAND CPI - 2.8% | \$0.74 | |
| TOTAL ADDITIONAL INCREASE | \$1.74 | | | \$1.74 | \$0.45 |
| | | | | | |
| | | | TOTAL ADDITIONAL INCREASE | | \$2.19 |
| | | | | | |
| | | | | | |
| WATER CPI 2.8% | | | | | |
| DEMAND CPI 2.8% | | | | | |
| SEWER CPI 2.8% / SEWER 18% CATCH UP FROM DEFICIT = 20.8% TOTAL SEWER INCREASE | | | | | |

ORDINANCE NO. 2025-xx

**AN ORDINANCE AMENDING THE SCHEDULE OF RATES
TO BE CHARGED AND COLLECTED FOR USERS
OF THE CITY OF MOUNTAIN HOME'S WATER AND SEWER SYSTEMS;
SETTING FORTH THE DATES FOR PAYMENT FOR CUSTOMERS
OF THE CITY OF MOUNTAIN HOME'S WATER/SEWER SYSTEMS;
SETTING CONNECTION AND DISCONNECTION FEES FOR THE SAME;
SETTING FORTH PENALTIES AND DAMAGES FOR THE SAME;
REPEALING ORDINANCES NO. 2023-10, 2023-11, 2023-43 AND 2024-1;
AND PRESCRIBING OTHER MATTERS THERETO**

WHEREAS, it is determined by the City Council of Mountain Home, Arkansas, that current or existing rates charged for water and sewer service by the City of Mountain Home are not adequate for the operation and maintenance of the City's water and sewer systems; and

WHEREAS, amended water and sewer rates to be charged are necessary for the City to retire existing bonds and provide the margin of security for bonds required and issued;

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

That the City hereby establishes the rates to be charged for services furnished by the Water and Sewer Systems, which the City Council finds and declares to be fair, reasonable and necessary, to be charged to all users who utilize or consume potable water from the Municipal Water System, and/or contribute wastewater to the Sewer System. The proceeds of such charges so derived will be used for the purpose of operating and maintaining the Water and Sewer Systems, including replacement ("OM&R"). Replacement is defined as expenditures for obtaining and installing equipment, accessories or appurtenances during the useful life of the treatment works necessary to maintain the capacity and performance for which they were designed and constructed.

Section 1. Water rates

Monthly rates for **customers inside the City of Mountain Home** shall be as follows:

First 2,000 gallons used per month is the minimum charge.

Excess over 2,000 gallons per month is \$3.27 per 1,000 gallons.

INSIDE-THE-CITY MINIMUM WATER CHARGE

| Type/Size | Combined | Meter Minimum | Demand | ADH Fee |
|------------------|-------------------|--------------------------|-------------------|----------------|
| Residential ¾" | \$17.93 | \$9.16 | \$8.37 | \$0.40 |
| Commercial ¾" | \$32.37 | \$18.35 | \$13.62 | \$0.40 |
| Commercial 1" | \$57.96 | \$31.42 | \$26.14 | \$0.40 |
| Commercial 1-¼" | \$85.70 | \$47.08 | \$38.22 | \$0.40 |
| Commercial 1-½" | \$118.91 | \$64.10 | \$54.41 | \$0.40 |
| Commercial 2" | \$227.25 | \$129.52 | \$97.33 | \$0.40 |
| Commercial 3" | \$479.92 | \$260.30 | \$219.22 | \$0.40 |
| Commercial 4" | \$783.95 | \$391.13 | \$392.42 | \$0.40 |
| Commercial 6" | \$1,635.57 | \$766.52 | \$868.65 | \$0.40 |
| Commercial 8" | \$3,145.01 | \$1,590.61 | \$1,554.00 | \$0.40 |

Monthly rates for customers **outside the City of Mountain Home** shall be as follows:

First 2,000 gallons per month is the minimum charge.

Excess over 2,000 gallons used per month is \$6.51 per 1,000 gallons.

OUTSIDE-THE-CITY MINIMUM WATER CHARGE

| Type/Size | Combined | Meter Minimum | Demand | ADH Fee |
|------------------|-------------------|--------------------------|-------------------|----------------|
| Residential ¾" | \$35.53 | \$18.35 | \$16.78 | \$0.40 |
| Commercial ¾" | \$64.25 | \$36.64 | \$27.21 | \$0.40 |
| Commercial 1" | \$115.54 | \$62.79 | \$52.35 | \$0.40 |
| Commercial 1-¼" | \$170.98 | \$94.20 | \$76.38 | \$0.40 |
| Commercial 1-½" | \$237.43 | \$128.19 | \$108.84 | \$0.40 |
| Commercial 2" | \$454.07 | \$259.03 | \$194.64 | \$0.40 |
| Commercial 3" | \$959.47 | \$520.63 | \$438.44 | \$0.40 |
| Commercial 4" | \$1,567.52 | \$782.25 | \$784.87 | \$0.40 |
| Commercial 6" | \$3,281.05 | \$1,533.05 | \$1,747.60 | \$0.40 |
| Commercial 8" | \$6,249.76 | \$3,141.36 | \$3,108.00 | \$0.40 |

Section 2. Sewer rates

The minimum monthly charge for 2,000 gallons per **residential user** of the Sewer System is comprised of and includes OM&R, Debt Service and an Administration Charge. The minimum monthly charge is as follows:

| <u>Meter Size</u> | <u>Minimum Sewer Bill</u> |
|--------------------------|----------------------------------|
| 3/4" | \$32.51 |
| 1" | \$45.64 |

All **residential users** of the Sewer System shall be charged monthly \$6.05 per 1,000 gallons of metered water consumption.

The minimum monthly charge for 2,000 gallons per **commercial and industrial users** of the Sewer System is comprised of and includes OM&R, Debt Service and an Administration Charge. The minimum monthly charge is as follows:

| <u>Meter Size</u> | <u>Minimum Sewer Bill</u> |
|--------------------------|----------------------------------|
| 3/4" | \$48.42 |
| 1" | \$70.93 |
| 1-1/2" | \$121.55 |
| 2" | \$198.38 |
| 3" | \$415.84 |
| 4" | \$727.01 |
| 6" | \$1,589.33 |
| 8" | \$2,807.81 |

All commercial and industrial users of the Sewer System shall be charged monthly \$6.05 per 1,000 gallons of metered water consumption.

The minimum monthly charge for 2,000 gallons per **Baxter County Industrial Park user** of the Sewer System is comprised of and includes OM&R, Debt Service and an Administration Charge. The minimum monthly charge is as follows:

| <u>Meter Size</u> | <u>Minimum Sewer Bill</u> |
|--------------------------|----------------------------------|
| 3/4" | \$69.39 |
| 1" | \$91.89 |
| 1-1/2" | \$142.47 |
| 2" | \$219.35 |

All Baxter County Industrial Park users of the Sewer System shall be charged monthly \$8.78 per 1,000 gallons.

None of the facilities or services afforded by the Sewer System shall be furnished without a charge being made therefore.

Section 3. Connecting to the sewer system

There shall be no connection to the City's Sanitary Sewer System that is not physically located within the corporate limits of the City.

Section 4. Financial management

That a financial management system shall be established and maintained by the City to document compliance with federal regulations pertaining to the water and sewer bonds. Such a system will account for all revenues generated and expenditures for OM&R.

Section 5. CPI and charges for service

The schedule of charges as described above in sections 2 and 3 shall be indexed at the first part of February of each year by the amount of increase in the Consumer Price Index (CPI) for the preceding annual year (January-December) and will affect water used after February 15th of each year. The CPI percentage rate that will be used each year will be at the Arkansas Rate (The South Region) for water/sewer. The CPI rate adjustment will be accepted, declined, or modified as determined by the Council before it is applied each year. A copy of the revised rates shall be available at the water/sewer department office.

It shall be the duty of the Mayor and City Council of the City of Mountain Home to authorize and conduct a full review annually of water and sewer rates charged by the City of Mountain Home on an annual basis.

The City shall at all times fix, charge and collect rates and charges for services furnished by the Water and/or Sewer Systems, including increasing rates and charges as necessary, which shall provide revenues sufficient to at least: (1) pay the City's annual costs of OM&R; (2) pay annual debt service; and (3) provide the necessary bond coverage.

Section 6. Availability to customers

A) No more than one residential or one business unit shall be served through one meter except where this condition now exists or where special conditions make it more practical to serve through one meter.

B) Where more than one residence unit (such as a residence, apartment, mobile home, housekeeping, or other unit) or business establishment are served through one meter,

the minimum will be based upon a ¾-inch meter for each class of service and will be increased in proportion to the number of units served through one meter.

Section 7. Connection fees

A nonrefundable fee of \$30.00 will be charged for each service turned on.

Section 8. Deposits and refunds

A) Every customer furnished water by the City shall pay the following deposits corresponding to the class of service received by such person as set forth in this schedule:

- | | |
|-----------------|----------|
| (a) Residential | \$125.00 |
| (b) Commercial | \$189.00 |

B) The City shall refund a customer's deposit upon the termination of service, less that customer's outstanding bill for water services, sewer services and sanitation services. Penalties, reconnection fees and any taxes, if applicable, will also be deducted before a refund is issued.

Section 9. Payments, penalties and disconnection/reconnection charges

A) **DUE DATE** Bills for water, sewer, and sanitation services shall be rendered monthly and are due in full and payable before the fifteenth (15th) day of each month.

B) **LATE PENALTIES** Nonpayment of any bill unpaid after the same is due shall incur in addition to the amount of such bill a penalty of 10 percent of the amount thereof.

C) **DISCONNECTIONS** Any bill remaining unpaid 30 days past the twenty-sixth (26th) day of the previous month will be considered delinquent and the City may, at its discretion, discontinue service. The City also reserves the right to disconnect a customer's water/sewer service should that customer's sanitation charges go unpaid.

D) **DISCONNECTION/RECONNECTION FEES** In addition to the bill and applicable penalties thereon, every person shall pay a \$50 fee when service is disconnected and a \$50 reconnection fee when service is restored. Said sums shall be paid any time the City has disconnected and/or reconnected service. Said sums shall be paid at any time the City has disconnected/reconnected service due to non-payment of the customer's water and/or sanitation/sewer bill.

E) **TAXES** In addition to the bills, penalties, reconnection charges applicable, if any, every person shall pay the applicable state, county and municipal sales taxes thereon, if any.

Section 10. Damages

A) Should the City be required to replace a lock, meter lid, meter, valve, setter or other equipment due to the actions of the customer or their representatives, the customer shall be charged an amount equal to the cost of replacing the damaged item(s), plus 10 percent.

B) A lock tamper fee/charge of \$200.00, shall be imposed if a lock, meter lid, meter, valve, setter or other equipment is damaged and/or removed for, but not limited to, the following reasons:

- 1) If a water meter has been locked to disconnect water service for any reason;
- 2) If a customer unlocks a meter to restore service that has been disconnected for any reason;
- 3) If a new customer, not on the system, unlocks a meter to gain water service for any reason.

C) All fees and charges incurred will be due and payable by the customer prior to service being restored.

Section 11. Tapping fees and connecting to the system

A) **Water Service** Every customer – Residential, Commercial, or Industrial -- shall pay a tapping fee for connection to the City's water facilities which shall include the normal installation of a water meter. Fees are as follows:

| | |
|--------------|------------|
| ¾-inch meter | \$1,315.00 |
| 1-inch meter | \$2,484.00 |
| 2-inch meter | \$5,021.00 |
| 3-inch meter | \$5,387.00 |

The charges set forth herein the above subsection (12A) do not include the costs of procuring the requisite permits and payment of fees as required by Ordinance No. 88-022 to cut/bore a street.

B) **Sewer Service** Every customer – Residential, Commercial, or Industrial – shall pay a tapping fee for connection to the City's wastewater facilities. Fees are as follows:

| | |
|---------------------|----------|
| ¾-inch meter | \$600.00 |
| 1-inch meter | \$750.00 |
| 2-inch meter & over | \$900.00 |

Section 12. Sprinkler meter charges

Sprinkler meters are sold at current market price.

Section 13. Current Ordinances Repealed

Ordinance No. 2023-10 and any other Ordinances concerning rates charged for water service by the City of Mountain Home, Arkansas, shall be repealed and replaced by the provisions of this Ordinance.

Ordinance No. 2023-11 and any other Ordinances concerning rates charged for sewer service by the City of Mountain Home, Arkansas, shall be repealed and replaced by the provisions of this Ordinance.

Ordinance No. 2023-43 and any other Ordinances concerning dates of payment for residential and commercial customers of the City of Mountain Home's Water or Sewer system, setting connection and disconnection fees for the same, or setting forth penalties and damages for the same shall be repealed and replaced by the provisions of this Ordinance.

Section 14. Effective Date

This ordinance shall be in full force and effect 30 days after passage.

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

HILLREY ADAMS, MAYOR

ATTEST:

SCOTT LILES, CITY CLERK

1996-18

Bans pit bull terriers

2025-xx

Replaced by non-specific 'vicious dog' prohibition
'Vicious dog' determined by animal control officer

Pet licenses: \$5 (if neutered) or \$10 (intact) per year
ID tags required for cats and dogs

No City-issued pet licenses
ID tags still required, but residents provide their own

Three animals allowed per home

Any mix of three dogs and/or cats per home

Animals cannot run at large

Same

Cannot sell or give away animals on public property

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

Horses/cows – 1 acre per animal

Same

No hogs, goats or sheep

Same

Chicken/turkeys/fowl cannot run at large
No limit specified

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 3: TAGGING

- A. All dogs and cats over the age of four (4) months shall have a current veterinarian-issued rabies tag securely attached to a collar or harness of the animal that is vaccinated in accordance with state law.
- B. The veterinarian-issued rabies tag shall be legible and the information on it up to date; or
- C. A securely attached engraved metal tag or plate displaying the owners name and phone number, at minimum. The tag must be legible and the contact information up to date.
- D. For registered dogs serving the blind or deaf, or used by law enforcement purposes, there shall be an exemption for this section.
- E. Tag(s) must be attached to the collar and always worn.
- F. The City of Mountain Home shall not issue a City-specific pet license, nor shall it require a City-issued pet identification tag. Residents shall be required to provide their own pet tags.
- G. **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 3-12-2025