

Michael Hood said he would like to address ordinance 1996-5.

He suggested changing the amount the ordinance stated for the city to pick up a truck load of limbs from \$35.00 to \$50.00. He also suggested deleting the amount the ordinance required for a half truck load, minimum charge and the fee for picking up appliances. He said the city did not pick up appliances.

Charles said if a tree service came into town and cut down a tree, they would be responsible for disposing of the tree.

Kevin said the limb pick up would be more for when storms came through and limbs fell or for someone who was just trimming a tree in their yard.

Michael said he was not asking for the council to vote on changing the ordinance that night. He just wanted to bring up the idea and see what the council thought.

Charles asked the council to think about the suggestions and they could discuss any changes to the ordinance they would like to make at the next month's council meeting.

Charles also said the City would be picking up limbs the last week of each month. The backhoe was having a thumb put on it to help in the limb pickup.

Kevin Skipper asked where the limbs would be taken to.

Charles said he would have to contact ADEQ to get an approved site to dump and burn the limbs.

Kevin said the City of Marked Tree took theirs to a place off of Hwy 149 to fill up a slew. He said the City might want to contact Marked Tree to see about using their dump site.

Next on the agenda was an update of the Verizon tower.

Charles said the City had received site access agreement from Verizon and that he and Noyl had been looking at the agreement. Charles said the agreement was between the City and Verizon and it was for Verizon to come in and do their site work.

Charles said there were few small questions that he and Noyl had. The lady that they had been talking to told them to draft the language the City wanted and send it to them.

Noyl said one of the changes that was needed was for Verizon to give the city notice any time they accessed the site and the other thing was an indemnity clause. The clause was over broad and provided that the City would indemnify them if there was any hazardous waste or if there was any type of negligence or intentional misconduct by the City. Noyl suggested the indemnity be limited to just intentional misconduct.

Charles said a resolution was needed for the City to enter the Site access agreement with Verizon.

Barbara question what would happen if the City had someone to come and paint or do repairs to the water tower and they damaged Verizon's equipment.

ORDINANCE NO. 2017-003

AN ORDINANCE PROVIDING FOR THE REMOVAL OF TREE LIMBS; PROHIBITING PLACEMENT OF OTHER DEBRIS AT THE CURBSIDE; AND DECLARING AN EMERGENCY

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TYRONZA, ARKANSAS, AS FOLLOWS:

1. That residential and commercial occupants within the City may place limbs from trees and shrubs on the curbside for pickup by City employees, and the City will do so, without charge, for partial loads, but for a full truck load removed by the City, the occupant shall be billed \$50.00 for on the occupant's monthly water bill, and failure to pay such shall result in disconnection of water service and forfeiture of deposit to the extent necessary to offset such charges.
2. In the event any residential or commercial occupant has a contractor or commercial service cut limbs from trees or shrubs, such contractor or commercial service shall haul such away for the occupant, not the City.
3. That no appliances, refuse, rubbish, debris, construction materials or other waste of any kind shall be placed at the curbside for pick up. The occupant shall be required to remove and properly dispose of such things in accordance with all state, federal and local laws and regulations.
4. This ordinance repeals Ordinance No. 1996-5.
5. In view of the amount and nature of the items placed at the curbside and the expense to the City required for hauling such, an emergency is declared to exist, and this ordinance being necessary for the preservation of public peace, health and safety, shall be in full force and effect after its passage.

PASSED AND ADOPTED this 8th day of August, 2017.

CITY OF TYRONZA

By:

Charles Dlouer
Mayor

Attest:

Donna DuBois

Recorder/Treasurer
(SEAL)

