

**Brookland City Council Minutes**  
**December 11, 2017**

Meeting called to order at 7:00 PM by Mayor Jones.

Roll Call: Council present: Mike Bishop, Jean Gandy, David Gambill, Wilson Shipman, Martin Crain, Maghen Carpenter, Mayor Kenneth Jones, Attorney Kevin Orr, and City Clerk Billy Dacus.

Mike Bishop made a motion to approve November 13, 2017 Brookland City Council minutes as written. The motion was seconded by David Gambill. Mayor Jones stated motion and second and then opened motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to accept the city council minutes from November 13, 2017 passed 6 yeas to 0 nays.

**New Business**

**Craighead County/Jonesboro Public Library Branch fact sheet** - Craighead County Jonesboro Public Library Director David Eckert addressed the council with a fact sheet about some of the other local libraries and how they operate, since Brookland is considering opening a library in the city. The fact sheet showed the operating hours and the library materials used at the locations. It also showed some of the start-up and operating cost with opening a local library. There was a lengthy discussion on when the library might open and how the city might help with some of the expenses. More information will be gathered and there will be more discussion at later meetings.

**Notation needed in the minutes of who will sign the note on 307 Bernis & 202 Smith** – Mayor Jones stated to the council that there needed to be a notation in the minutes on who will be eligible to sign the bank note on 307 N. Bernis and 202 Smith Street. The note requires two signatures, but the Mayor may be out of town when the notes are ready to be signed. After a discussion, David Gambill made a motion that Mayor Ken Jones, City Clerk Billy Dacus, council persons Mike Bishop and David Gambill can sign the loan note at the bank for the purchase of 307 N. Bernis and 202 Smith Street. The motion was seconded by Mike Bishop. Mayor Jones stated motion and second and then opened motion to the council for further discussion. Martin Crain asked if there would be a concern with David and Mike being two of the signers, with them being the ones that made the motion and seconded. City Attorney Kevin Orr said there would be no problem. Being no further discussion, Mayor Jones called for a vote. Mayor Jones announced the motion had passed 6 yeas to 0 nays.

**Attorney Kevin Orr to address citizen issues** – Kimberly McKay addressed the council. Ms. McKay told the council about some land that she owns near Hwy 49N area of the Shops at Brookland Crossing development property as well as land north of the Brookland Sonic. She stated that she has a concern that her property is constantly being used for/by businesses. She stated that she has had issues with Sonic in the past about the lighting shining on her house and wanted a fence all the way down instead of the partial fence that was put in place by Sonic. She noted that some trees were removed from the sliver of land on the western part of her property near the Taco Bell/Jordan's Kwik Shop business without her permission. She also has had some survey stakes removed without permission and stated that she has been threatened by certain people on this matter. Ms. McKay was wanting to know if anything can be done since she thought some of these issues were covered by ordinances from the city. She noted that

the Mayor, the Police Chief, and Sonic officials have been contacted and some progress has been made. There was very lengthy discussion on the different issues that Ms. McKay brought to the council's attention including where the properties were located exactly, whether the issues were civil or criminal matters, and the fact that there were issues on both different borders of her property. Attorney Kevin Orr advised Ms. McKay about the differences in criminal and civil cases. He noted that since there isn't enough evidence for a criminal case on some of her matters, that a civil suit could still be a possibility. Ms. McKay is concerned that a city ordinance may have been violated in the issue of the privacy fence that does not run the full length of the property that borders her vacant lot and the Sonic property. Attorney Orr advised her to fill out an affidavit stating that an ordinance has been broken and he would review the issue.

David Gambill made a motion that the council take a five-minute break. The motion was seconded by Martin Crain. Mayor Jones stated motion and second and then opened motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to take a five-minute break had passed 6 yeas to 0 nays. Meeting in recess at 8:10.

Martin Crain made a motion that the council go back in session. The motion was seconded by Wilson Shipman. Mayor Jones stated motion and second and then opened motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to go back in session had passed 6 yeas to 0 nays. Meeting back in session at 8:18

**Pam Mullins to address the council on the development @ 125 Hayes Street and her driveway – Mrs. Mullins was not here to address the council.**

**Planning Commission Chairman Tim Hudson's resignation – Mayor to read letter & introduce Earl Owens** – Mayor Jones read the resignation letter of Planning Commission Chairman Tim Hudson. The letter stated that the resignation would take effect at the end of the year. David Gambill made the motion to accept Planning Commission Chairman Tim Hudson's resignation effective December 31, 2017. The motion was seconded by Jean Gandy. Mayor Jones stated motion and second and then opened motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to accept Planning Commission Chairman Tim Hudson's resignation had passed 6 yeas to 0 nays.

Mayor Jones stated that Tim Hudson has asked the council to consider the appointment of Earl Owens to the Planning Commission as a replacement. Mr. Owens introduced himself to the council and gave a brief overview of his ways of life. The council asked Mr. Owens several questions. David Gambill made a motion to accept the appointment of Earl Owens to the Brookland Planning Commission. The motion was seconded by Maghen Carpenter. Mayor Jones stated motion and second and then opened motion to the council for any further discussion. Being none, Mayor Jones called for a vote. Mayor Jones announced the motion to accept Earl Owens to the Brookland Planning Commission had passed 6 yeas to 0 nays.

## Old Business

### **WIP 2016-01 – well & tank-field project update from Jason MacDonald with Civil Engineering Associates**

Jason MacDonald updated the council on the process of the new well. He stated that they were finished painting the new tank. Mr. Rainwater is still laying the new water line on Holman and is making good process. He said the signing on the tank reads “Brookland- Home of the Bearcats”.

**Purchase of 401 Holman – Update** – The matter is still with Mr. Nightingale with an offer of acceptance. Martin Crain asked if there could be a problem with lead based paint and asbestos in the building since they were older establishments. The Mayor said he didn’t think there would be a problem but the situation would be addressed and possibility tested.

**Purchase of 307 N. Bernis and the Purchase of 202 W. Smith St. – Update**– Mayor stated that the matters where somewhat discussed earlier in the meeting. They are both at the bank waiting for the notes to be arranged and processed.

**Selling lots where current city park is located – Update** – The gentleman that was interested in purchasing the lots was not present at the meeting. The issue will be addressed at a later meeting.

**Discuss when the front yard of one property touches the back yard of another property & storage of items behind house (Dooley Street)** – The council watched a video that was captured by Police Chief Jon Moore’s patrol car showing the issue that is at hand on Dooley Street. The video showed the junky backyard presence, fences or metal building installed right along the south edge of Dooley Street asphalt of certain houses. The council is still gathering information on this matter. It is unknown if the city legally can address this issue since it is the backyard of a residence instead of it being the front yard.

**Approve Resolution 2017-18 - General, Street, and Utilities Funds 2018 proposed budgets** – Mayor Jones read Resolution 2017-18 in its entirety. This resolution is for approving the annual General, Street, and Utility fund budgets for 2018 for the city of Brookland, Arkansas. Mike Bishop made a motion to accept Resolution 2017 -18 as read. David Gambill seconded the motion. Mayor Jones stated motion and second, opened to council for discussion. Mayor Jones asked if there is any discussion. Being none Mayor Jones called for a vote. Mayor Jones announces the motion to accept Resolution 2017-18 has passed by a vote of 6 Yeas to 0 Nays

**Previous Month’s Financial s** – Mayor Jones reviewed November’s Financial Checking Account Reports. The following are 11-30-17 ending balances for the main operating checking accounts:

1. General Fund ending balance was \$182,492.93
2. Street Fund ending balance was \$137,430.81
3. Utility Fund ending balance was \$294,960.93

### **Mayor’s Notes –**

**Winter AML Convention @ Fort Smith, January 10-12** – The Mayor announced the winter meeting and stated he needed to know who was going to attend.

**Mayor Jones ask if there is anything from the council?** There was none.

**Mayor Jones ask if there is anything from the floor?** Mayor Jones asked Wannda Turner how the dog clinic went this past Saturday. She said it went well considering there was a train blocking the track for part of the day. It was asked by Bobby Williams about a new animal control ordinance that was in the works. Mayor Jones stated that is in the process and would be covered in an upcoming meeting.

Wilson Shipman made a motion to adjourn. It was seconded by Martin Crain. Mayor Jones stated motion and second and then opened motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced motion to adjourn passed 6 yeas to 0 nays. Meeting adjourned at 9:10 PM by Mayor Jones.

Kenneth Jones, Mayor

Billy Dacus, City Clerk/Treasurer