

Brookland City Council Minutes
June 11, 2018

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, and Attorney Kevin Orr. Absent: City Clerk Billy Dacus.

Mike Bishop made a motion to approve May 14, 2018 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 May 14, 2018 passed 6 yeas to 0 nays.

Mayor asked the council if he could take the minutes in the absent of City Clerk Billy Dacus. Mike Bishop made a motion to do so. The motion was seconded by David Gambill. Mayor Jones called for a vote. Mayor Jones announced the motion for Mayor Jones to take the minutes for the June city council meeting passed 6 yeas to 0 nays.

New Business

Vector Disease Control – Jim Stark– Mr. Stark passed out the Mosquito Surveillance and Control Report for the month of May. He noted that there wasn't a lot of information to report yet. He said that this year was about on par with what the city seen this time last year. He stated that he expected the mosquitos to get a lot worse in a couple of weeks since the rice fields are being flooded. Spraying the city will become more active. Jim gave out the service control number that can be called 24/7 for request to spray areas. There is an answering machine for after hour calls. Their contact number is 870-933-6939.

Sharon McCamey – Wants to discuss flooding on Brooks St. that happen on 5/25/18 – Ms. McCamey addressed the council about flooding in her area on Brooks Street on 5/25/18. She stated that water was up to her under pinning of her home. She said she had never seen the water that high before. She said that her street was the only one that flooded. It was pointed out by Mayor Jones and the council on that date and time that there was flash flooding in the city of Brookland. The city received about 2.5" of rain in a very short time span. It was also noted that her street wasn't the only one to flood and that there were several streets that had water standing in the city at that time because large amount of rainfall. This flash flooding is not a common occurrence and sometimes streets will gather water until they can drain. It was discussed that the city has plans to add possible drainage ditches to Brooks Street in the future.

Jim Whitley – Discuss getting charged full sewer rate with filling a swimming pool – No one was at the meeting to represent Jim Whitley.

Documentation needed in the minutes for who signed the note on the 401 Holman purchase. Mayor Kenneth Jones and City Clerk Billy Dacus were the signees - Mayor Jones stated to the council that there needed to be a notation in the minutes on who signed the bank note on 401 Holman. It was discussed in last month's meeting on who could sign the note, but the lending company needed

clearance on who the two where that signed. Mike Bishop made a motion that Mayor Ken Jones and City Clerk Billy Dacus can sign the loan note at the bank for the purchase of 401 Holman. The motion was seconded by David Gambill. Mayor Jones stated motion and second and then opened motion to the council for further discussion. Being no further discussion, Mayor Jones called for a vote. Mayor Jones announced the motion had passed 6 yeas to 0 nays.

Discuss if the new all-terrain vehicle law affects or changes the 2002-16 City Ordinance – Mayor Jones asked if the council was aware of the change of the ATV law in the state of Arkansas. He noted that the city of Brookland had an Ordinance (2002-16) that made it illegal to operate ATVs and similar vehicles on city streets. He was wanting the to know if the council was wanting to amend this ordinance or to leave it as is. Attorney Kevin Orr read the state law definition of a ATV and noted that the city could add more restrictions to a state law but could not lessen restrictions of a state law. Kevin also read the new state law to the council. After much discussion on what vehicles were legal or illegal and noting that Brookland is a growing community, a motion was made by Wilson Shipman to keep the ordinance as is. The motion was seconded by David Gambill. Mayor Jones stated motion and second and then opened motion to the council for further discussion. Being no further discussion, Mayor Jones called for a vote. Mayor Jones announced the motion had passed 6 yeas to 0 nays.

Discuss offer to purchase the old city park located on Cherry Street – Mayor Jones informed the council that Micro-Wire Form has made an offer of \$52,500.00 to purchase the two full lots and one partial lot where the old city park is located. The Mayor noted that this money would be applied to the note for the new city park on the West Smith Street note. He also noted that the council had agreed to give Micro-Wire Form the first chance to purchase the land and that their offer was equal to the asking price. Jean Gandy made a motion accept the offer to purchase part of lot 103 and all of lots 105 and 107 of the original Hard Wood acres land plat at \$52,500.00. The motion was seconded by Mike Bishop. Mayor Jones stated motion and second and then opened motion to the council for further discussion. Being no further discussion, Mayor Jones called for a vote. Mayor Jones announced the motion had passed 6 yeas to 0 nays.

Discuss the change of City Building Inspector to Brookland Code Enforcement – Mayor Jones asked the council if they would have a problem with a title change of City Building Inspector to Brookland Code Enforcement for Shawn Dacus. This title change would let Shawn work more under the realm of the Brookland Police Department. It would enable him to enforce codes that comes along with his duties of the city. The Mayor said that there would not be a pay increase with this request. They council agreed the change in titles would be a good thing. No motion was needed.

Ordinance 2018-09 to rezone 628 Holman from R2 to C2 – Kevin Orr reads Ordinance 2018-09 in its entirety. This is the first reading for Ordinance 2018-09. The Mayor asked if there was any discussion. There was none.

2017 General, Police, & Street Fund audit report – Mayor Jones asked if the council got their copy of this report in the mail and if they had reviewed it. The mayor read the cover letter of the report to the people. It was also noted that anyone could come by City Hall to review the whole document. Mike Bishop made a motion to accept the 2017 General, Police, & Street Fund audit report as is. The motion was seconded by David Gambill. Mayor Jones stated motion and second and then opened motion to the

council for further discussion. Being no further discussion, Mayor Jones called for a vote. Mayor Jones announced the motion had passed 6 yeas to 0 nays.

Resolution 2018-10 amending 2018 General, Street, & Utility Budgets – Attorney Kevin Orr read Resolution 2018-10 in its entirety. This is a resolution amending 2018 General, Street, & Utility Budgets. The reason being the (2) vehicles that were approved by the council at last month’s meeting and the back-hoe were not in the 2018 budgets. Mike Bishop made a motion to accept Resolution 2018 -10 as read. David Gambill seconded the motion. Mayor Jones stated motion and second, opened to council for further discussion. Being no more discussion, Mayor Jones called for a vote. Mayor Jones announces the motion to accept Resolution 2018-10 had passed by a vote of 6 Yeas to 0 Nays.

Old Business

WIP 2016-01 – well & tank-field project update from Jason MacDonald with Civil Engineering Associates– Jason updated the council that the contractor work at the well is mostly completed. They are waiting on the chemicals so that well can get up and running. Mr. Rainwater line-work should be done at the end of June. The council noted they would like to see all the line-work completed by the end of June so that no late work penalties may be enforced.

AR-DOT letter in response to city of Brookland request for speed limit study on Hwy 49/discuss petition. Brad Smithee to discuss – As noted in last month’s meeting, Mayor Jones read the AR-DOT letter received referring to the request for speed limit reduction along Hwy 49 near the Brookland Schools. The letter stated that the department could not recommend lowering the speed limit based on their study. The mayor read some of the accident reports that were recorded by the Brookland Police Department that were very similar to the report received by the AR-DOT. Mayor Jones stated that a petition by the people could be a possibility, if it was done legally by a lawyer. It was discussed also about signs being placed along the Hwy to give motorist warning of schools in the area.

Mr. Brad Smithee, District Engineer from AR-DOT was present at the meeting to address questions about this issue. He explained the reasoning of the letter of the situation to the people and council and talked about the signs that were allowed and not allowed along the highway.

Backhoe quotes & lease options – Mayor Jones explained to the council that it will be November or December for the delivery of the 590 Case back-hoe that was agreed upon to purchase at last month’s meeting. It was decided not to pursue the purchase of the Case 590 backhoe. It was noted that city officials found a Caterpillar 420 FIT that could be purchased at this time, but the cost was a little more than the 590 Case. After a lengthy discussion about the total cost and yearly cost, Martin Crain made a motion for the city to purchase the Caterpillar 420 FIT backhoe at quote lease price. The motion was seconded by Wilson Shipman. Mayor Jones stated motion and second opened the motion to council for further discussion. Being no further discussion, the Mayor called for a vote. Mayor Jones announced the motion to purchase the Caterpillar 420 FIT backhoe passed 6 yeas to 0 nays.

Martin Crain made a motion to take a 5-minute break. The motion was seconded by Wilson Shipman. Mayor Jones stated motion and second opened the motion to council for discussion. Being no discussion, the Mayor called for a vote. Mayor Jones announced the motion to a 5-minute break passed 6 yeas to 0 nays. Mayor announced the meeting was back in session at 8:45.

Unsightly/Tallgrass Ordinance 2018 for council's review – Mayor Jones asked if the council had reviewed the ordinance and if they had any input or changes to the Unsightly/Tallgrass Ordinance. The Mayor stated that he had a few changes in the wording. The updated document would be given to Attorney Orr for review.

Consider amending personnel handbook – Mayor Jones passed out a sheet at last month's meeting that contained an insert from the Handbook Policy from the City of Brookland. The mayor noted due to the recent events in the news and the fact that the city is growing, the employees would like the city council to consider amending the employee handbook to allow persons with concealed carry permits to carry while on city property. The Mayor asked if the council had considered the change. It was pointed by council that a change is needed. It was also noted that the Police retirement (LOPFI) needed to be re-worked also. Attorney Orr will work on these changes and present them at the next meeting.

Previous Month's Financials – Mayor Jones reviewed May's Financial Checking Account Reports. The following are 5-31-18 ending balances for the main operating checking accounts:

1. General Fund ending balance was \$162,173.20
2. Street Fund ending balance was \$114,995.25
3. Utility Fund ending balance was \$361,990.87

Mayor's Notes:

There are no Mayor's notes this month.

Mayor Jones ask if there is anything from the council? Martin Crain asked about an unsightly matter on E. Hinkley Street. Mayor Jones said that it had been taken care of by the Dedman's Sanitation and city workers.

Mayor Jones ask if there is anything from the floor? Chester Agee asked where the re-zoning property that was discussed earlier was located. He was told that it was Chester Shipman's old place. He also asked if there were any annexation maps available. The Mayor stated he was working on getting some larger maps. The maps that he had were too small to read.

Mayor Jones asked the council if it was the will of the body to pay City Clerk Billy Dacus for June's council meeting. It was explained why he missed the meeting and that it was in Ordinance 2016-04 that the council decide when a member or official missed a meeting as to whether they could be paid. After a lengthy discussion, Maghen Carpenter made a motion to pay City Clerk Billy Dacus for June's council meeting. The motion was seconded by Mike Bishop. Mayor Jones stated motion and second opened the motion to council for further discussion. Being no further discussion, the Mayor called for a vote. Mayor Jones announced the motion passed 6 yeas to 0 nays.

Martin Crain made a motion to adjourn. It was seconded by Maghen Carpenter. Mayor Jones stated motion and second, then 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