



City of Brookland, Arkansas

City Council Meeting Minutes

Date of Meeting: January 14, 2024

Type of Meeting: Regular

Called to order at 7:00 PM by Mayor Kenneth Jones

| COUNCIL MEMBER ATTENDANCE: (P = Present A = Absent) | | | | | |
|--|---|----------------|---|---------------------------|---|
| David Gambill | P | Jason Cooper | P | Mayor Kenneth Jones | P |
| Pamela McGee | P | David Loggins | P | Attorney Kevin Orr | P |
| Candice Bishop | P | Wilson Shipman | P | Clerk/Treas. Julie Thomas | P |

Previous meeting minutes:

Motion by: David Loggins

Second by: Jason Cooper

To: Approve the Brookland City Council meeting minutes dated December 10, 2024, as written

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

New Business:

1. Ordinance 2025-02 Establishing policy for Police Department use of force:

*Attorney Kevin Orr read aloud Ordinance 2025-02 entirely for the 1st reading

Motion by: David Loggins

Second by: Jason Cooper

To: Suspend the rules and go the 2nd reading of Ordinance 2025-02 by titles only

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

*Attorney Kevin Orr read aloud Ordinance 2025-02 for the 2nd reading by titles only

Motion by: David Loggins

Second by: Jason Cooper

To: Suspend the rules and go the 3rd and final reading of Ordinance 2025-02 by titles only

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

*Attorney Kevin Orr read aloud Ordinance 2025-02 for the 3rd and final reading by titles only

Motion by: David Loggins

Second by: Jason Cooper

To: Adopt Ordinance 2025-02

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

| ROLL CALL VOTE: | | | | | |
|-----------------|-----|----------------|-----|----------------|-----|
| David Gambill | Yes | Candice Bishop | Yes | David Loggins | Yes |
| Pamela McGee | Yes | Jason Cooper | Yes | Wilson Shipman | Yes |

Motion by: David Loggins

Second by: Jason Cooper

To: Adopt the emergency clause in Section 2 of Ordinance 2025-02 as read

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

2. Vector Disease Control – 3-year contract:

Mayor Jones informed the council that Attorney Kevin Orr amended some language in the original contract in order to correctly reflect the terms the city is willing to accept.

Motion by: David Loggins

Second by: Pamela McGee

To: Approve the Vector Disease Control 3-year contract as presented

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

3. Ordinance 2025-01 – Food trucks in the city:

Mayor Jones reminded the council that they had previously received a proposed ordinance allowing food trucks in the city. Jones added that council members had the opportunity to review the ordinance and recommend changes and none have been made.

Motion by: David Gambill

Second by: Candice Bishop

To: Suspend the reading rules and Ordinance 2025-01 by titles only

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

*Attorney Kevin Orr read aloud Ordinance 2025-01 by titles only for the 1st reading

Motion by: David Loggins

Second by: Jason Cooper

To: Suspend the rules and go to the 2nd reading of Ordinance 2025-01 by titles only

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

*Attorney Kevin Orr read aloud Ordinance 2025-01 for the 2nd reading by titles only

Motion by: David Loggins

Second by: Jason Cooper

To: Suspend the rules and go to the 3rd and final reading of Ordinance 2025-01 by titles only

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

*Attorney Kevin Orr read aloud Ordinance 2025-01 for the 3rd and final reading by titles only

Motion by: David Loggins

Second by: Jason Cooper

To: Adopt Ordinance 2025-01 as read

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

| ROLL CALL VOTE: | | | | | |
|-----------------|-----|----------------|-----|----------------|-----|
| David Gambill | Yes | Candice Bishop | Yes | David Loggins | Yes |
| Pamela McGee | Yes | Jason Cooper | Yes | Wilson Shipman | Yes |

Motion by: David Loggins

Second by: Jason Cooper

To: Adopt emergency clause in Section 14 of Ordinance 2025-01 as read

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

4. Resolution 2025-03 – Support RAISE grant:

Attorney Kevin Orr read aloud Resolution 2025-03

Motion by: David Loggins

Second by: Jason Cooper

To: Adopt Resolution 2025-03 as read

Discussion: Mayor Jones informed the council that Jerry Biggs, of Jonesboro, was present at the meeting to answer any questions or field any comments. None were asked.

For: 6 Against: 0 Motion: Passed 6-0

5. Craighead County 1 year jail contract:

Mayor Jones informed the council that the contract for services provided by Craighead County jail was at their desk for review.

Motion by: David Gambill

Second by: Jason Cooper

To: Approve Craighead County 1-year jail contract as presented, at a cost of \$6,712.43 per month

Discussion: Council member David Gambill asked about costs for the previous year. Jones indicated that the costs for services last year were roughly \$23,000. Jones added that part of the increase in fees has to do with an increased number of inmates for the previous year. Jones added that there was a careful review of the information presented which showed itself to be accurate. Council member David Loggins asked about the increased costs related to the number of inmates housed at the detention facility each month. Jones explained that the number of inmates varies each month, and the current costs reflect expenditures associated with a monthly average. Other discussions among council members included state laws surrounding jailing contracts and expenses, examples of how costs are calculated, and benefits of paying a flat rate for jailing services provided.

For: 6 Against: 0 Motion: Passed 6-0

6. 2025 Legacy Landfill budget approval:

Mayor Jones informed the council that the Legacy Landfill budget was at their desks for review.

Motion by: David Loggins

Second by: Jason Cooper

To: Adopt the 2025 Legacy Landfill budget

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

7. Ordinance 2025-04 – 1st reading – Blazing Buffalo alcohol permit:

*Attorney Kevin Orr read aloud Ordinance 2025-04 entirely for the 1st reading. 2nd reading will take place on February 11, 2025.

8. Randall Tidwell – 116 Harper Dr. – detention ponds in Brookland Hills:

Randall Tidwell came before the council to ask about maintenance of detention ponds in the Brookland Hills subdivision. Tidwell reported that the ponds are overgrown and full of rats. Tidwell asked who was responsible for maintaining them. Mayor Jones informed him that, because it is private property, Brookland Hills is responsible for the maintenance. Tidwell asked about the city being responsible for maintaining the ponds and keeping them mowed. Jones responded that the city cannot go onto private property and do any type of work without having a responsible party to bill for services. Jones stated that he was advised by an attorney that, in order for the city to complete work to the ponds, they would have to put a lien on each of the properties in Phase 1 of Brookland Hills (BH).

Attorney Kevin Orr explained that Rausch Coleman originally set up an LLC for creating Phase 1 of the BH subdivision. Orr explained that although the LLC still owns the property that includes the detention ponds, Rausch Coleman has not maintained the ponds and has allowed the LLC to become a defunct entity. Orr added that Rausch Coleman possibly intended for the HOA to take control of the ponds and assume maintenance, however, that never happened. Mayor Jones added that Rausch Coleman had previously held meetings with residents of BH Phase 1 in an attempt to get the residents to form a Homeowner’s Association (HOA) and take over maintenance of the ponds. Jones stated that the residents refused to form an HOA. Attorney Orr added that Rausch Coleman had just recently sold their business to an out of state corporation. Orr included that Rausch Coleman had intended to transfer ownership of the detention ponds to residents of BH Phase 1, however, that never happened.

Council member David Loggins explained that there needed to be a 75% homeowner acceptance rate in order to form an HOA and take control of the detention ponds. Loggins added that would have needed to be 66 homeowners and, he explained, only around 32 homeowners were interested. Loggins explained that, at one point, Rausch Coleman did some maintenance and cleanup work to the detention ponds, again hoping that the residents would form an HOA and take control, which never happened. Loggins included that is when Rausch Coleman ‘let the property go.’

Tidwell asked about who is responsible for the infestation of rats around the ponds. Both Mayor Jones and Council member Loggins explained that, since that is considered a health hazard, it would need to be reported to the health department.

9. Resolution 2025-05 – Amend 2024 General, Street, & Utility fund budgets:

*Attorney Kevin Orr read aloud Resolution 2025-05, a resolution amending the 2024 General, Street, & Utility fund budgets.

Motion by: David Loggins

Second by: Jason Cooper

To: Adopt Resolution 2025-05 as read

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

10. Review bid tabulation for Municipal Building Phase 1 – Police Department:

John Selig, engineer from Civil Engineering Associates, and John Mixon, architect from Cooper & Mixon Architects, came before the council to present a certified bid tabulation for the opening bids received for the City of Brookland Municipal Building project. Selig and Mixon encouraged the council to accept the lowest bid received, which came from C & S Contracting, DBA FARCO, in the amount of \$2,072,137. Mayor Jones informed the council that he has sought additional financing from Stephens, Inc. in the amount of \$1,100,000 to complete the building project. Jones detailed the financing and repayment options for the funds. Jones added that the money would be available as a franchise tax bond.

Motion by: David Gambill

Second by: Candice Bishop

To: Approve franchise bond tax for a 25-year term at an interest rate of 4.98%.

Discussion: Council member David Loggins asked whether this proposal included the city hall and police department or just the PD. Mayor Jones replied that it was just the police department. John Selig explained that a lot of the groundwork will be completed for the additional city hall facilities to be added in the future.

For: 6 Against: 0 Motion: Passed 6-0

Motion by: David Gambill

Second by: Jason Cooper

To: Approve the bid and award a contract to C & S Contracting, DBA (FARCO) for the construction of Phase 1 of the Brookland Municipal Building

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

11. Review bid tabulation for Sportsplex:

Mayor Jones explained to the council that the bid received for the sportsplex was approximately \$2.7 million dollars. Jones added that he had consulted with Jason MacDonald (Fisher & Arnold) and Attorney Kevin Orr about the consequences of accepting the bid, even with the option of reconfiguring some aspects to reduce the overall costs, in order to fit within the remaining parks budget. Attorney Orr outlined some of the options with acceptance of the bid. Ultimately, Jones said he did not accept the bid and recommends that the city reduce the initial park amenities to a concession stand, one baseball field, and a walking track. Jones added that hopefully the city can procure a bid for those components that will fit into the remaining parks budget.

12. Fixed Assets set to \$5000:

Mayor Jones informed the council that the Legislative Audit recommended that a fixed asset amount be set at \$5,000.

Motion by: David Gambill

Second by: Wilson Shipman

To: Set the fixed assets amount at \$5,000

Discussion: None

For: 6 Against: 0 Motion: Passed 6-0

13. Council approval to destroy old records up to year 2013:

Mayor Jones informed the council that he needs approval for the destruction of records dated 2013 and older.

Motion by: David Gambill

Second by: Wilson Shipman

To: Approve destruction of old records from year 2013 and later

Discussion: Council member Pamela McGee asked how the records were destroyed. Jones stated that they were shredded. Candice Bishop asked if keeping a digital copy of the records was necessary. Jones explained that it was not.

For: 6 Against: 0 Motion: Passed 6-0

14. Jamie Gilmer – 118 Hayes 4-plex; drainage issues:

No action was taken on this item this month. Ms. Gilmer notified the council that she was not prepared for this month’s meeting and plans to attend next month’s regular meeting.

Old Business:

10. ARDOT sidewalk project 101143 updates:

Mayor Jones informed the council that ARDOT notified the city that they have been awarded Phase 4 of the Holman Street sidewalk project in the amount of \$200,000. Jones added that the sidewalk will extend from Jessica Lane to Whispering Hills Subdivision. Jones said the city is still working on 2 of the ROW and figuring out how to work around them. Jones said he will update as the project continues.

11. Monthly financials for General, Street, and Utility Funds:

| December 2024 | General Fund: | Street Fund: | Utility Fund: |
|---------------------------|----------------------|---------------------|----------------------|
| Beginning Balance: | \$920,696.33 | \$356,545.71 | \$513,644.71 |
| Ending Balance: | \$855,580.58 | \$368,617.90 | \$535,202.71 |

*Mayor Jones explained to the council why the General Fund has decreased. Jones said the city will receive a refund for the Maple Slough ditch cleanout expenses, which has not yet been received.

Mayor’s Notes:

• **Presentation of police department award:**

Mayor Jones presented the Officer of the Year award to Dustin Norwood. Jones thanked Norwood for his hard work in crimes against children. Jones also informed the council that Officer Whitley had received an award, as well, at the Christmas party. Jones thanked the officers for all their hard work.

• **Park Committee update:**

Mayor Jones read aloud a resignation letter from Parks Committee Chairman, David Loggins. Jones and the council thanked Loggins for his work on the Parks Committee.

Mayor Jones asked for a motion to adjourn the meeting.

Motion by: Wilson Shipman

Second by: David Loggins

To: Adjourn the meeting

For: 6 Against: 0 Motion: Passed 6-0

Meeting adjourned at: 8:16 PM

Kenneth Jones, Mayor

Julie Thomas, City Clerk/Treasurer