

Brookland City Council Minutes
July 13, 2020

The meeting was called to order at 7:00 PM by Mayor Jones.

Roll Call: Council present: Jason Cooper, Martin Crain, Wilson Shipman, Mike Bishop, Lacey Elder, David Gambill, Mayor Kenneth Jones, Attorney Kevin Orr, and City Clerk Billy Dacus.

Mike Bishop made a motion to approve June 8, 2020 Brookland City Council minutes as written. The motion was seconded by Lacey Elder. Mayor Jones stated motion and second and then opened the 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 June 8, 2020 passed 6 Yays to 0 Nays.

Martin Crain made a motion to approve July 7, 2020 Brookland City Council special meeting minutes as written. The motion was seconded by Jason Cooper. Mayor Jones stated motion and second and then opened the 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 special meeting minutes from July 7, 2020 passed 6 Yays to 0 Nays.

New Business

Kimberly Shelby - address council about property on west side of Hwy 49:

No one was present at the meeting for Mrs. Shelby. The council did however discuss the matter on their own. Mayor Jones stated that Mrs. Shelby wants to know if the city will enforce the code requiring a privacy fence to be built between C2 Commercial Property and R1 Low Density Residential. However, based on research it was found that the Brookland Planning Commission adopted zoning code and future land use map showing the land on the west side of Highway 49 to be Commercial property. Mayor Jones presented 2003 zoning map showing current zoning at that time and future zoning for property along Highway 49. Mayor Jones stated that when the land was annexed into City of Brookland in 2013, Brookland Planning Commission and City Council zoned property on West Side of Highway 49 according to future land use map of 2003. Mayor Jones also explained that the Arkansas Department of Transportation owns the property that Highway 49 is located on now. ARDOT actually purchased property from landowners and have proof, by deed. Also, the property is zoned Commercial and not Residential, so a fence would not be required. Attorney Kevin Orr also noted that a culvert is in that area in question and ARDOT has a right-of-way around the opening of the culvert, that requires ARDOT approval and permit prior to any work being performed in that area.

Allen Williams and Brian Emison from First Community Bank were present at the meeting and gave a brief update on the bank construction. Mr. Williams passed out copies of pictures of what the bank will look like when complete. Prints of the floor plans that showed a large meeting room to the council. He noted that the dirt work has started, and the project will take around 6 to 8 months to complete with all the civil work that needs to be done. Mr. Williams said First Community Bank is looking forward to serving the city of Brookland and its citizens.

Ordinance 2020-06 - Establishing the period for filing a referendum petition:

Kevin Orr read Ordinance 2020-06 in its entirety. This is an Ordinance establishing the period for filing a referendum petition. Mike Bishop made a motion to suspend the rules and go to the second reading of Ordinance 2020-06 by title only. Lacey Elder seconded the motion. Mayor Jones stated motion and second, then opened the motion to suspend the rules to council for discussion. Being none, Mayor Jones called for a vote. Mayor Jones announced the motion to suspend the rules and go to the second reading of Ordinance 2020-06 by title only passed 6 Yays to 0 Nays.

Kevin Orr read Ordinance 2020-06 second reading by title only. Mike Bishop made a motion to suspend the rules and go to the third and final reading of Ordinance 2020-06 by title only. Lacey Elder seconded the motion. Mayor Jones stated motion and second, then opened the motion to suspend the rules to council for discussion. Being none, Mayor Jones called for a vote. Mayor Jones announced the motion to suspend the rules and go to the third and final reading of Ordinance 2020-06 by title only passed 6 Yays to 0 Nays.

Kevin Orr read Ordinance 2020-06 third and final reading by title only. Mike Bishop made a motion to accept Ordinance 2020-06 as read. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened Ordinance 2020-06 to council for discussion. Being no discussion, Mayor Jones asked for a roll call vote. Mike Bishop: Y, Lacey Elder: Y, Wilson Shipman: Y, Jason Cooper: Y, David Gambill: Y, Martin Crain: Y. Mayor Jones announced that Ordinance 2020-06 had passed by a vote of 6 Yays to 0 Nays.

Ordinance 2020-07 - Rezone property at 34 Crain Rd from A-1 to C-2 - First Reading:

Kevin Orr read Ordinance 2020-07 in its entirety. This is the first reading of this ordinance (7/13/2020).

Ordinance 2020-08 - Rezone property at 404 West Matthews from R-1 to PUD - First Reading:

Jason MacDonald was at the meeting representing Stephen Southard and Fisher-Arnold. Mayor Jones asked if there were any more questions or comments on the issue. Martin Crain followed up on his question at the July 7, 2020 special meeting about changing the quadplexes to duplexes to reduce the population density of the area. Jason said that might be a possibility, but Mr. Southard did not want to change the density of the development. Mr. MacDonald noted that the green space would probably go down to the minimum 30 percent from the 58 percent if the quadplexes were eliminated. This would mean more units in other forms on the property. Martin asked how many people would be there when the units were at full capacity, but Jason could not answer that accurately without knowing how many would be living in each unit.

David Gambill asked about the requirement for square footage for quadplexes and how it would affect the quadplexes listed in the development. Mayor Jones noted that the requirement is 14,000 square feet, but these proposed six quadplexes would not meet that standard. Mr. MacDonald said that the number of quadplexes could be reduced.

Mayor Jones explained a paragraph in Section 9.01.0 from the Zoning Code regarding rezoning to a PUD could not be used as a way to get past the requirements of the current area that is zoned differently. The Mayor also noted that in 2008 some concerned citizens from that area requested that that area be rezoned to R-1 to drive down the density. Mayor Jones then showed a Power Point

presentation showing past flooding issues in and around West Matthews Street. He noted that there were many things to consider about this rezoning.

After a continued lengthy discussion on the pros and cons of the rezoning issue by the council and Jason MacDonald, it was decided not to take any action on the ordinance. Due to the drainage issues (that need to be studied more closely) and the heavy population density of the development that is due to the duplexes and quadplexes, the council was not comfortable with moving forward as presented. The possibility of single-family houses built in a PUD zone could be a possibility. The matter may be discussed at a later meeting either with the City Council or the Planning Commission.

Resolution 2020-09 - 202 W. Smith St Park - apply for grant through AR Parks and Tourism Outdoor Recreational Grant Program:

Attorney Kevin Orr read Resolution 2020-09 in its entirety. Jason Cooper made a motion to accept Resolution 2020-09 as read. Lacey Elder seconded the motion. Mayor Jones stated motion and second and then opened the motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to accept Resolution 2020-09 has passed by a vote of 6 Yays to 0 Nays.

Resolution 2020-10 - 103 Nelms St Park - apply for grant through AR Parks and Tourism Outdoor Recreational Grant Program:

Attorney Kevin Orr read Resolution 2020-10 in its entirety. Jason Cooper made a motion to accept Resolution 2020-10 as read. Lacey Elder seconded the motion. Mayor Jones stated motion and second and then opened the motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to accept Resolution 2020-10 has passed by a vote of 6 Yays to 0 Nays.

Old Business

Previous Month's Financials:

Mayor Jones reviewed both June's Financial Checking Account Reports. The following are 6-30-2020 ending balances for the main operating checking accounts:

1. General Fund ending balance was \$209,177.80
2. Street Fund ending balance was \$216,868.59
3. Utility Fund ending balance was \$322,739.00

Mayor's Notes:

Summer Municipal League Convention has been cancelled:

Mayor Jones announced that the convention has been cancelled due to the covid-19 virus.

Discuss turn back revenue:

Mayor Jones told the council that the turn back revenue for the month of June was not down as bad as anticipated. He did note that the city is still being careful with spending during this time.

Mayor Jones noted that the Vector Disease Control report was good. The company was planning some flyovers soon, providing aerial spraying for the mosquitoes.

Mayor Jones updated Martin Crain on the storage pod causing viewing problems on North Oak Street. The Mayor said a letter had been sent to the owner stating that he needs to remove it. Martin said he thought that it had been moved recently.

Mayor Jones ask if there is anything from the council?

There was none.

Wilson Shipman made a motion to adjourn. It was seconded by Martin Crain. Mayor Jones stated motion and second, then called for a vote. Mayor Jones announced the motion to adjourn passed 6 Yays to 0 Nays. The meeting was adjourned at 8:02pm by Mayor Jones.

Kenneth Jones, Mayor

Billy Dacus, City Clerk/Treasurer