

**Brookland City Council Minutes**  
**August 8, 2016**

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

Roll Call: Aldermen present: Mike Bishop, Linda Anderson Reece, Wilson Shipman, William Thompson, David Gambill, Mayor Kenneth Jones, and City Clerk Billy Dacus. City Attorney Kevin Orr was absent.

Mike Bishop made a motion to approve July 11, 2016 Brookland City Council minutes as written. 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 motion to accept the city council minutes from July 11, 2016 passed 5 yeas to 0 nays.

Linda Anderson Reece made a motion to approve July 18, 2016 Brookland Special City Council minutes as written. 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 motion to accept the city council minutes from July 18, 2016 passed 5 yeas to 0 nays.

As noted in the July 18<sup>th</sup> minutes, Justin Langston announced he would resign his position on the Brookland City Council effective at the end of July. Reason being he purchased a new residence on KAIT-8 road and will be moving out of town.

A motion was made by Mike Bishop to accept the resignation of Justin Langston from the Brookland City Council effective as of July 31st. The motion was seconded by David Gambill. Mayor Jones then opened the motion up for discussion. Being none, the Mayor called for a vote. The motion passed 5 yeas to 0 nays to accept Justin's resignation.

**New Business**

**Appoint a replacement for Justin Langston as council member** – At last month's meeting, Jody Kirk introduced himself to the council and said he was interested being on the council and to finish out the term of Justin Langston. The Mayor asked if there was any other appointees or discussion pertaining to Justin's vacated spot. The council questioned as to whether it would be better to wait to next month's meeting before selecting a replacement. Mayor Jones said that Arkansas Code § 14-43-411 states that whenever a vacancy occurs in the office of alderman in a city of the first class having a population of less than twenty thousand (20,000) according to the most recent federal decennial census, at the first regular meeting after the occurrence of the vacancy, the city council shall proceed to elect by a majority vote of the remaining members elected to the council an alderman to serve for the unexpired term. Jody introduced himself

again to the council for the members that weren't familiar with his status. David Gambill made a motion to appoint Jody Kirk to finish out the term vacated by Justin Langston as city council member for the city of Brookland. Mike Bishop seconded the motion. Mayor Jones opened the motion for discussion. Again, some of the council questioned the swiftness of the appointed position. Mayor Jones stated that the appointment must be made at this meeting and it was up to the council as to whether the motion is passed. The Mayor then called for a roll call vote:

Mike Bishop – yes; Linda Anderson Reece – yes; Wilson Shipman – yes; William Thompson – yes; & David Gambill – yes. Mayor stated that the motion has passed by a vote of 5-0. Mayor Jones then swore Jody Kirk into the position of city council member of Ward 3, position 1.

**Resolution 2016-16** – *The amendment of the 2016 Utility and Street Budgets* – Mayor Jones read Resolution 2016-16 in its entirety. Mike Bishop made a motion to accept the Resolution 2016-16 as read and David Gambill seconded the motion. Mayor Jones stated motion and second and opened Resolution 2016-16 to council for discussion. The resolution was discussed by the council and explained by the mayor and being no more discussion it was put to a vote with it passing, 6 yeas to 0 nays.

**Ordinance 2016-17** – *The placement of 2-way stop signs on East Matthews & County Road 937 (east bound)* - Mayor Jones reads Ordinance 2016-17 first reading entirely. Mike Bishop makes a motion to accept Emergency Clause in Article 2 of Ordinance 2016-17 as read. Motion seconded by David Gambill. Mayor Jones states motion and second, opens motion to accept emergency clause to council. Mayor Jones asked if there is any further discussion. Being none Mayor Jones calls for a vote. Mayor Jones announces the motion to accept Emergency Clause in Article 2 of Ordinance 2016-17 has passed by a vote of 6 yeas to 0 nays.

Mike Bishop makes a motion to suspend the rules and go to the second reading of Ordinance 2016-17 by title only. Motion seconded by David Gambill. Mayor Jones states motion and second, opens to council for discussion. Being no discussion Mayor Jones calls for a vote. Mayor Jones announces the motion to suspend the rules has passed by a vote of 6 yeas to 0 nays. Mayor Jones reads Ordinance 2016-17 2nd reading by title only.

Mike Bishop makes a motion to suspend the rules and go to the third and final reading of Ordinance 2016-17 by title only. Motion seconded by David Gambill. Mayor Jones states motion and second, opens motion to suspend the rules to council for discussion. Being no discussion Mayor Jones calls for a vote. Mayor Jones announces the motion to suspend the rules and go to the third and final reading of Ordinance 2016-17 has passed by a vote of 6 yeas to 0 nays. Mayor Jones reads Ordinance 2016-17, 3rd and final reading by title only.

Mike Bishop makes a motion to accept the third and final reading of Ordinance 2016-17 as read. Motion seconded by David Gambill. Mayor Jones states motion and second, opens

Ordinance 2016-17 to council for discussion. The council discussed the location of the (2) signs and why it was not a 4-way stop. The mayor explained that part of the intersection is in the Brookland city limits and the other part is property of Craighead County and the county didn't think it was necessary that it should be a 4-way. Being no further discussion Mayor Jones calls for a Roll Call Vote. Mike Bishop: yes, Linda Anderson Reece: yes, Jody Kirk: Yes, William Thompson: Yes, William David Gambill: Yes. Mayor Jones announces the motion accepting of Ordinance 2016-17 has passed by a roll call vote of 6 yeas to 0 nays.

### **Old Business**

**Brookland Fire Protection District-Certified Letters regarding 503 Stevens Street Apartments, 101 W. Hinkley Apartments and 205 S. Holman** – The city gets certified letters from the Brookland Fire district where they have done inspections on apartment buildings. They request that the city's inspector help take care of the problems that were found. Mayor Jones has asked Attorney Kevin Orr to look into the practice because it is not known if the city's inspector has the authority to inspect finished building that are private property. Attorney Orr will research the dilemma and advise the city of the proper way to handle this situation.

**Ordinance 2016-18** - *amending ordinance regarding paying council members when absence is due to work related obligation* - Mayor Jones reads Ordinance 2016-18 first reading entirely. Mike Bishop makes a motion to accept Emergency Clause in Section 10 of Ordinance 2016-18 as read. Motion seconded by David Gambill. Mayor Jones states motion and second, opens motion to accept emergency clause to council. Mayor Jones asked if there is any further discussion. Being none Mayor Jones calls for a vote. Mayor Jones announces the motion to accept Emergency Clause in Section 10 of Ordinance 2016-18 has passed by a vote of 6 yeas to 0 nays.

Mike Bishop makes a motion to suspend the rules and go to the second reading of Ordinance 2016-18 by title only. Motion seconded by David Gambill. Mayor Jones states motion and second, opens to council for discussion. Being no discussion Mayor Jones calls for a vote. Mayor Jones announces the motion to suspend the rules has passed by a vote of 6 yeas to 0 nays. Mayor Jones reads Ordinance 2016-18 2nd reading by title only.

Mike Bishop makes a motion to suspend the rules and go to the third and final reading of Ordinance 2016-18 by title only. Motion seconded by David Gambill. Mayor Jones states motion and second, opens motion to suspend the rules to council for discussion. Being no discussion Mayor Jones calls for a vote. Mayor Jones announces the motion to suspend the rules and go to the third and final reading of Ordinance 2016-18 has passed by a vote of 6 yeas to 0 nays. Mayor Jones reads Ordinance 2016-18, 3rd and final reading by title only.

Mike Bishop makes a motion to accept the third and final reading of Ordinance 2016-18 as read. Motion seconded by David Gambill. Mayor Jones states motion and second, opens Ordinance 2016-18 to council

for discussion. The council questioned as to why the Clerk/Treasurer position paid higher than the council position. Mayor Jones explained that the position of Clerk/Treasurer carries more responsibilities and is therefore compensated more. Being no further discussion Mayor Jones calls for a Roll Call Vote. Mike Bishop: yes, Linda Anderson Reece: yes, Jody Kirk: Yes, William Thompson: Yes, William David Gambill: Yes, Wilson Shipman: Yes. Mayor Jones announces the motion accepting of Ordinance 2016-18 has passed by a roll call vote of 6 yeas to 0 nays.

**WIP 2016-01 - Update from Jason MacDonald regarding test well; electronic read meter installations; discuss policy regarding damaged meters**— Jason stated that they had scheduled the geo-tech portion of the project. He has the survey data and hoped to have it all finalized by September. They are also looking for ways to save money on the construction and housing of the well. It was also discussed about the taking the older well pump and tank off-line when possible. The buying of the property for the new well site should be finalized at the end of the week. Other possible future projects dealing with the new and older well sites were also discussed. Jason also announced that they were going to start taking bids for the Gambill sewer extension starting this weekend in the paper.

Tim Harrington addressed the council asking that an ordinance be passed that would allow the city to be able to charge for damage to the new water meters that have been installed. The cost of the meter box lid, meter radio, and connection cord is approximately \$325. The mayor said he would have City Attorney Orr work on an ordinance that would be presented at next month's meeting.

**Discuss establishing a committee and fund to provide assistance to elderly with home repair needs** – Danny Hathcoat addressed the council about this subject. He gave his thoughts and ideas of the way this should be handled. He has offered his assistance to serve on the board and help recruit members that would make up this committee. More information and possible guidelines will be gathered and that information will be brought to the council next month.

**Update on drainage ditch in Hardwood Acres; between Cherry & Brookland Streets** – The Mayor gave an update on the progress of the work being done on the drainage ditch. He stated that the city has no easement on the drainage ditch that runs east and west in the Hardwood Acres area. The surveyors will be getting documents to the city to mail to the land owners to see if an easement can be obtained. More information will be available later.

**Update on drainage ditch between E. School & E. Matthews Streets** - The Mayor gave an update on the progress of the work being done on the drainage ditch. The city has received (2) quotes for cleaning & mopping out the ditch. It needs to be decided as to whether to just clean and mop the ditch or to cross section the ditch. Cross sectioning will size ditch for storm water drainage but will require a right of way by land owners to do so. More information will be gathered with the help from Jason MacDonald and will be presented back to the council at next month's meeting.

**Previous Month's Financials** – Mayor Jones reviewed July Financial Reports. The following are 7-31-16 ending balances for the main operating checking accounts:

1. General Fund ending balance was \$195,198.93

2. Street Fund ending balance was \$72,727.92
3. Utility Fund ending balance was \$283,312.86

**Mayor's Notes -**

**177 Brady Lane condemnation - update** – This will be discussed at the September meeting with more information from Attorney Orr.

The mayor discussed with the council expense of concrete culverts. He showed an example of how much projections like this cost. Just to box culvert 500 feet on the north side of School Street between Highway 49B and Union Pacific Railroad is \$125,246.00. It is something that will have to be done in phases over the next two years.

Wilson Shipman made a motion to adjourn. Second by William Thompson. Mayor Jones called for a vote. Mayor Jones announced motion passed 6 yeas to 0 nays. Meeting adjourned at 8:45 PM by Mayor Jones.

Kenneth Jones, Mayor

Billy Dacus, City Clerk/Treasurer