

Brookland City Council Minutes
April 10, 2017

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

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

Mike Bishop made a motion to approve March 13, 2017 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 March 13, 2017 passed 6 yeas to 0 nays.

Mayor Jones ask for a motion to allow revised agenda with three items added. There were some things that needed to be discussed but were not on the present agenda. Three items added are #7 in new business an Ordinance dealing with the issue of cars parking on city sidewalks, Resolution to support the city submitting a grant proposal for sidewalk, and the purchase of 2007 Dodge minivan at federal surplus. Alderman Bishop had a motion to accept the new revised agenda. The motion was seconded by Alderman 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 new revised agenda passed 6 yeas to 0 nays.

New Business

Jimmy Gulley – Whispering Hills Subdivision: – *Lack of procedure in dealing with city growth* – Mr. Gulley was wanting to address the council about the procedure of city growth but withdrew his request before the meeting.

Ordinance 2017-04: - *adopting revised Zoning Map*– This is an Ordinance is to set revise the Zoning Map of the city of Brookland.

Alderman Shipman made a motion to read Ordinance 2017-04 first reading entirety, dispense the reading rule requirement, and read the 2nd and 3rd reading by title only. The motion was seconded by Alderman Gambill. Mayor Jones states motion and second, opens to council for any further discussion. Being none, Mayor Jones then called for a vote.

Mayor Jones announces the motion had passed by a vote of 6 yeas to 0 nays.

Attorney Kevin Orr read Ordinance 2017-04 in its entirety. Attorney Orr stated that since the council has already voted on the motion, he would proceed to do the 2nd reading by title only. Attorney Orr reads Ordinance 2017-04 2nd reading by title only. Attorney Orr stated that since the council has already voted on the motion, he would proceed to do the 3rd and final reading by title only. Attorney Orr reads Ordinance 2017-04, 3rd and final reading by title only.

Mike Bishop made a motion to accept the third and final reading of Ordinance 2017-04. Motion was seconded by David Gambill. Mayor Jones states motion and second, opens Ordinance 2017-04 to council for discussion. Alderman Crain what area does this zoning affect. Mayor stated that there was an area at

the corner of Hays Street and School Street that was needing to be zoned R-3. With no more discussion, Mayor Jones then called for a Roll Call Vote.

Mike Bishop: Yes; Jean Gandy: Yes; David Gambill: Yes; Wilson Shipman: Yes; Martin Crain: Yes; Maghen Carpenter: Yes

Mayor Jones announces the motion to adopt Ordinance 2017-04 had passed by a vote of 6 yeas to 0 nays.

Mike Bishop made a motion to accept Emergency Clause in section 4 of Ordinance 2017-04 as read. Motion seconded by David Gambill. Mayor Jones states motion and second, opens motion to accept emergency clause to council for discussion. Being no discussion, Mayor Jones then called for a roll call vote.

Mike Bishop: Yes; Jean Gandy: Yes; David Gambill: Yes; Wilson Shipman: Yes; Martin Crain: Yes; Maghen Carpenter: Yes

Mayor Jones announces the motion to accept emergency clause in Ordinance 2017-04, Section 4 had passed by a vote of 6 yeas to 0 nays.

Ordinance 2017-05: - setting council pay— This is an Ordinance to set the compensation for alderpersons for the city of Brookland.

Alderman Bishop made a motion to read Ordinance 2017-05 first reading entirety, dispense the reading rule requirement, and read the 2nd and 3rd reading by title only. The motion was seconded by Alderman Gambill. Mayor Jones states motion and second, opens to council for any further discussion. Being none, Mayor Jones then called for a vote.

Mayor Jones announces the motion had passed by a vote of 6 yeas to 0 nays.

Attorney Kevin Orr read Ordinance 2017-05 in its entirety. Attorney Orr stated that since the council has already voted on the motion, he would proceed to do the 2nd reading by title only. Attorney Orr reads Ordinance 2017-05 2nd reading by title only. Attorney Orr stated that since the council has already voted on the motion, he would proceed to do the 3rd and final reading by title only. Attorney Orr reads Ordinance 2017-05, 3rd and final reading by title only.

Alderman Bishop made a motion to accept the third and final reading of Ordinance 2017-05. Motion was seconded by Alderman Gambill. Mayor Jones states motion and second, opens Ordinance 2017-05 to council for discussion; with no discussion, Mayor Jones then called for a Roll Call Vote.

Mike Bishop: Yes; Jean Gandy: Yes; David Gambill: Yes; Wilson Shipman: Yes; Martin Crain: Yes; Maghen Carpenter: Yes

Mayor Jones announces the motion to adopt Ordinance 2017-05 had passed by a vote of 6 yeas to 0 nays.

Mike Bishop made a motion to accept Emergency Clause in section 8 of Ordinance 2017-05 as read. Motion seconded by David Gambill. Mayor Jones states motion and second, opens motion to accept emergency clause to council for discussion. Being none, Mayor Jones then called for a roll call vote.

Mike Bishop: Yes; Jean Gandy: Yes; David Gambill: Yes; Wilson Shipman: Yes; Martin Crain: Yes; Maghen Carpenter: Yes

Mayor Jones announces the motion to accept emergency clause in Ordinance 2017-05, Section 8 had passed by a vote of 6 yeas to 0 nays.

Ordinance 2017-06: - setting city clerk/treasurer pay— This is an Ordinance to set the compensation for City Clerk/Treasurer for the city of Brookland.

Alderman Gambill made a motion to read Ordinance 2017-06 first reading entirety, dispense the reading rule requirement, and read the 2nd and 3rd reading by title only. The motion was seconded by Alderman Bishop. Mayor Jones states motion and second, opens to council for any further discussion. Being none, Mayor Jones then called for a vote.

Mayor Jones announces the motion had passed by a vote of 6 yeas to 0 nays.

Attorney Kevin Orr read Ordinance 2017-06 in its entirety. Attorney Orr stated that since the council has already voted on the motion, he would proceed to do the 2nd reading by title only. Attorney Orr reads Ordinance 2017-06 2nd reading by title only. Attorney Orr stated that since the council has already voted on the motion, he would proceed to do the 3rd and final reading by title only. Attorney Orr reads Ordinance 2017-06, 3rd and final reading by title only.

Alderman Bishop made a motion to accept the third and final reading of Ordinance 2017-06. Motion was seconded by Alderman Gambill. Mayor Jones states motion and second, opens Ordinance 2017-06 to council for discussion. Alderman Shipman asked if this was legal? Attorney Orr, as well as Mayor Jones, assured Alderman Shipman that it was legal and this ordinance was setting the pay for the city clerk/treasurer to do the job that is outlined for the city clerk to do. With the size of a city like Brookland other persons that held this job before could not work at city hall because they had a full-time jobs elsewhere that would not allow it. Alderman Crain asked if there was enough work for the position to be paid for the 24 to 29 hrs. Mayor stated that there would be. With no more discussion, Mayor Jones then called for a Roll Call Vote.

Mike Bishop: Yes; Jean Gandy: Yes; David Gambill: Yes; Wilson Shipman: Yes; Martin Crain: Yes; Maghen Carpenter: Yes

Mayor Jones announces the motion to adopt Ordinance 2017-06 had passed by a vote of 6 yeas to 0 nays.

Alderman Gambill made a motion to accept Emergency Clause in section 8 of Ordinance 2017-06 as read. Motion seconded by Alderman Crain. Mayor Jones states motion and second, opens motion to accept emergency clause to council for discussion. Being none, Mayor Jones then called for a roll call vote.

Mike Bishop: Yes; Jean Gandy: Yes; David Gambill: Yes; Wilson Shipman: Yes; Martin Crain: Yes; Maghen Carpenter: Yes

Mayor Jones announces the motion to accept emergency clause in Ordinance 2017-06, Section 8 had passed by a vote of 6 yeas to 0 nays.

Ordinance 2017-07: - setting Mayor pay– This is an Ordinance to set the compensation for Mayor for the city of Brookland.

Alderman Gambill made a motion to read Ordinance 2017-07 first reading entirety, dispense the reading rule requirement, and read the 2nd and 3rd reading by title only. The motion was seconded by Alderman Bishop. Mayor Jones states motion and second, opens to council for any further discussion. Being none, Mayor Jones then called for a vote.

Mayor Jones announces the motion had passed by a vote of 6 yeas to 0 nays.

Attorney Kevin Orr read Ordinance 2017-07 in its entirety. Attorney Orr stated that since the council has already voted on the motion, he would proceed to do the 2nd reading by title only. Attorney Orr reads Ordinance 2017-07 2nd reading by title only. Attorney Orr stated that since the council has already voted on the motion, he would proceed to do the 3rd and final reading by title only. Attorney Orr reads Ordinance 2017-07, 3rd and final reading by title only.

Alderman Bishop made a motion to accept the third and final reading of Ordinance 2017-07. Motion was seconded by Alderman Gambill. Mayor Jones states motion and second. Mayor Jones states before I open this ordinance to the council I will excuse myself and Clerk/Treasurer Billy Dacus will take over during my absence. City Attorney Kevin Orr Tells Mayor Jones as the head official conducting the meeting he can stay. Mayor Jones said he thinks discussion would be better if he was not present while the council discussed this issue dealing with mayor position pay. Clerk/Treasurer Billy Dacus opened Ordinance 2017-07 to council for discussion. There was discussion about whether the Mayor should extra compensation because of special meetings. It noted that he had asked to remove the extra compensation note, so the matter was dropped. With no more discussion, Alderman Gambill asked Mayor Jones to return to the meeting. Clerk/Treasurer Dacus told Mayor Jones discussion was complete and ready to call for a vote. Mayor Jones then called for a Roll Call Vote.

Mike Bishop: Yes; Jean Gandy: Yes; David Gambill: Yes; Wilson Shipman: Yes; Martin Crain: Yes; Maghen Carpenter: Yes

Mayor Jones announces the motion to Adopt Ordinance 2017-07 had passed by a vote of 6 yeas to 0 nays.

Alderman Bishop made a motion to accept Emergency Clause in section 8 of Ordinance 2017-07 as read. Motion seconded by Alderman Gambill. Mayor Jones states motion and second, opens motion to accept emergency clause to council for discussion. Being none, City Clerk Dacus then called for a roll call vote.

Mike Bishop: Yes; Jean Gandy: Yes; David Gambill: Yes; Wilson Shipman: Yes; Martin Crain: Yes; Maghen Carpenter: Yes

City Clerk Dacus announces the motion to accept emergency clause in Ordinance 2017-07, Section 8 had passed by a vote of 6 yeas to 0 nays.

Ordinance 2017-08: - establishing the office of city attorney– This is an Ordinance to set the office of city attorney for the city of Brookland.

Alderman Gambill made a motion to read Ordinance 2017-08 first reading entirety, dispense the reading rule requirement, and read the 2nd and 3rd reading by title only. The motion was seconded by Alderman Bishop. Mayor Jones states motion and second, opens to council for any further discussion. Being none, Mayor Jones then called for a vote.

Mayor Jones announces the motion had passed by a vote of 6 yeas to 0 nays.

Attorney Kevin Orr read Ordinance 2017-08 in its entirety. Attorney Orr stated that since the council has already voted on the motion, he would proceed to do the 2nd reading by title only. Attorney Orr reads Ordinance 2017-08 2nd reading by title only. Attorney Orr stated that since the council has already voted on the motion, he would proceed to do the 3rd and final reading by title only. Attorney Orr reads Ordinance 2017-08, 3rd and final reading by title only.

Alderman Bishop made a motion to adopt the third and final reading of Ordinance 2017-08. Motion was seconded by Alderman Gambill. Mayor Jones states motion and second, opens Ordinance 2017-08 to council for discussion. Mayor Jones stated that the compensation in the ordinance is what has been budgeted in the 2017 General Fund Budget . There was no increase. With no more discussion, Mayor Jones then called for a Roll Call Vote.

Mike Bishop: Yes; Jean Gandy: Yes; David Gambill: Yes; Wilson Shipman: Yes; Martin Crain: Yes; Maghen Carpenter: Yes

Mayor Jones announces the motion to Adopt Ordinance 2017-08 had passed by a vote of 6 yeas to 0 nays.

Alderman Bishop made a motion to accept Emergency Clause in section 8 of Ordinance 2017-08 as read. Motion seconded by Alderman Gambill. Mayor Jones states motion and second, opens motion to accept emergency clause to council for discussion. Being none, Mayor Jones then called for a roll call vote.

Mike Bishop: Yes; Jean Gandy: Yes; David Gambill: Yes; Wilson Shipman: Yes; Martin Crain: Yes; Maghen Carpenter: Yes

Mayor Jones announces the motion to accept emergency clause in Ordinance 2017-08, Section 8 had passed by a vote of 6 yeas to 0 nays.

Ordinance 2017-09: - vehicles parking on sidewalks– This is an Ordinance prohibiting parking on sidewalks or curb areas in the city of Brookland.

Alderman Gambill made a motion to read Ordinance 2017-09 first reading entirety, dispense the reading rule requirement, and read the 2nd and 3rd reading by title only. The motion was seconded by Alderman Bishop. Mayor Jones states motion and second, opens to council for any further discussion. Being none, Mayor Jones then called for a vote.

Mayor Jones announces the motion had passed by a vote of 6 yeas to 0 nays.

Attorney Kevin Orr read Ordinance 2017-09 in its entirety. Attorney Orr stated that since the council has already voted on the motion, he would proceed to do the 2nd reading by title only. Attorney Orr reads Ordinance 2017-09 2nd reading by title only. Attorney Orr stated that since the council has already

voted on the motion, he would proceed to do the 3rd and final reading by title only. Attorney Orr reads Ordinance 2017-09, 3rd and final reading by title only.

Alderman Bishop made a motion to accept the third and final reading of Ordinance 2017-09. Motion was seconded by Alderman Gambill. Mayor Jones states motion and second, opens Ordinance 2017-09 to council for discussion. There was discussion about the distance from the garage to the side walk on school street; if there was enough room. It was decided that there is adequate room. It was also noted that something needs to be done because children were having to walk out in the street to get by parked vehicles in the driveways in certain areas of the city. With no more discussion, Mayor Jones then called for a Roll Call Vote.

Mike Bishop: Yes; Jean Gandy: Yes; David Gambill: Yes; Wilson Shipman: Yes; Martin Crain: Yes; Maghen Carpenter: Yes

Mayor Jones announces the motion to accept Ordinance 2017-09 had passed by a vote of 6 yeas to 0 nays.

Alderman Bishop made a motion to accept Emergency Clause in section 7 of Ordinance 2017-09 as read. Motion seconded by Alderman Gambill. Mayor Jones states motion and second, opens motion to accept emergency clause to council for discussion. Being none, Mayor Jones then called for a roll call vote.

Mike Bishop: Yes; Jean Gandy: Yes; David Gambill: Yes; Wilson Shipman: Yes; Martin Crain: Yes; Maghen Carpenter: Yes

Mayor Jones announces the motion to accept emergency clause in Ordinance 2017-09, Section 7 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 McDonald updated the council on the new well process. He stated that work was being done putting the well in place, as well as the tank itself. The foundation would soon be set. The field lines were on site. The work on laying them would begin in the very near future.

Jail Bill Defrayment Ordinance – Attorney Orr reported that he is still in talks with the district judges. The issue is being investigated and hopefully more information will be available at next month's meeting.

177 Brady Lane – More information is being gathered by Attorney Orr. A decision would need to be made by the city on the next steps to solve issue with the house being moved in 2 years ago and still on blocks in the area. This will be debated more at next month's meeting with the new information obtained.

Shirley Street -contractor has not finished paving of street; discuss options: It was decided after much discussion from the council, Mayor Jones, and Attorney Orr that this would be a civil matter between the residents of the area and the contractor. Shirley Street has not been adopted as a city street and therefore the street would not be maintenance by the city.

Previous Month's Financials – Mayor Jones reviewed January's Financial Reports. The following are 3-31-17 ending balances for the main operating checking accounts:

1. General Fund ending balance was \$219,224.61
2. Street Fund ending balance was \$124,772.30
3. Utility Fund ending balance was \$339,050.22

Mayor's Notes –

Summer AML Convention (June 14-16) – Mayor asked for a head count of the people that were going to attain the meeting in June. He stated he needed to book the hotels in Little Rock.

Washington DC trip – Mayor Jones gave an update on his trip the Washington DC. He stated that the elected officials were upbeat about the new president and were looking forward to make progress.

Resolution 2017-10- *this is a resolution to make a sidewalk from School Street on the west side of Holman to the Round-Up Music-*

City Attorney Kevin Orr read Resolution 2017-10 entirely. Alderman Bishop made motion to accept Resolution 2017-10 as read. The motion was seconded by Alderman Gambill. Mayor Jones and Jason MacDonald w/Civil Engineers states as to where and how the sidewalk was to be laid. It was also discussed that this project can get grants to help pay for sidewalk. With no more discussion, Mayor Jones then called for a vote. Mayor Jones announced motion passed 6 yeas to 0 nays.

2007- Dodge Minivan – Mayor Jones stated he found a 2007 Dodge minivan for sale at the Federal Surplus. The asking price is \$4,750.00. It was noted that this would make an excellent vehicle for travel to meeting. We have budgeted \$6,000.00 in General Fund the last two years to purchase a vehicle for this purpose. It was decided after discussion from the council for the Mayor to test drive the van and if it was in good shape to make the purchase.

City Inspector Doug Frederick addressed the council – CBI Frederick told the council that Josh Sharp owner of Look What I Can Do Learning Center and Rocky Gilley owner of rental commercial building located on Highway 49 had approached him. Mr. Sharp wanted to build a storage building with a small office inside it. There would be no water or sewer to building, Mr. Gilley wanted to build a metal building like the one currently on his property. CBI Frederick said I went to the job sites and reviewed what they had presented. I went over the overlay rules for HWY 49 and both agreed to meet the requirements. I approved their projects to proceed CBI Frederick said. CBI Frederick said he then spoke with Mayor Jones about what he did. Mayor Jones asked CBI if he explained the rules on the front of Mr. Gilley building. CBI Frederick said he did and that Mr. Sharp would do the same. Mayor Jones said it is zoned for these building and they conform with the area. CBI Frederick said they did. Mayor Jones said we need to address the Planning Commission and let them know what is being built. Mayor Jones said he did agree with the decision by CBI Frederick for the owners to proceed. Both Mayor Jones and CBI Doug Frederick said they were unaware of the 1000 square foot rule requiring commercial property building to go in front of the planning commission. Both Mayor Jones and CBI Doug Frederick said they

would follow the rule from this point forward. After discussion by members from the audience and city council. The council agreed that the two projects told to proceed by CBI Doug Frederick could proceed.

Wilson Shipman made a motion to adjourn. It was seconded by David Gambill. Mayor Jones called for a vote. Mayor Jones announced motion passed 6 yeas to 0 nays. Meeting adjourned at 9:10 PM by Mayor Jones.

Kenneth Jones, Mayor

Billy Dacus, City Clerk/Treasurer