

**MINUTES
CITY COUNCIL
REGULAR MEETING
Thursday, July 21, 2011
6:00 p.m.**

The City Council of Monticello, Arkansas met in the council chambers at City Hall on July 21, 2011 at 6:00 p.m. Mayor Allen Maxwell, who presided over the meeting, called the meeting to order with the following council members present: Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. Finance Director Kimberly Fletcher and City Clerk Andrea Chambers were also present. City Attorney Bill Daniels was absent

Mayor Maxwell welcomed the visitors and Councilor Beverly Hudson gave the invocation.

Finance Report Kimberly Fletcher gave the finance report

- Operating Budget is at 50% for the year
- Sewer Bond is paid off and saved about \$10,000.00 by paying off early
- Sales Tax in May is down \$1,200.00 and in July down \$3,100.00
- Sales Tax is down year to date \$14,000.00
- Purchased equipment for the Mechanic Warehouse
- Finished work at the City Pool

Executive Director Nita McDaniel gave the MEDC report

- Working on rail issues for industries. Hood Packing rail spur has not been in use since 2008 and there is no rail service to the Industrial Park. Railroad ties need to be replaced and washouts repaired. The total cost will be around \$40,000.00. An easement will be obtained so the line can be expanded to the Industrial Park. This is a crucial piece of infrastructure.
- Revolving Loan Fund will give additional funds based on job creations
- Computer Lab at the Workforce Training Center has been updated
- Ridgeway is up and running, the opening ceremony will be August 2nd

Property Inspector Report—Brian Rodgers

- There is \$6,305.49 left in the clean-up fund
- The following properties were updated
 - 355 South Conley→Chapman Lawn Service will clean for \$2,500.00
 - 233 East Oakland→ work has been done, pulled from list for now
 - 1018 Hwy 278 East→ Fifth Season Services Corportion cleaned for \$1,100.00
 - 103 West Gaines→ the owner's lawyer has sent out a letter and this will be brought up at the next meeting
 - 1016 Hwy 278 East→ pulled due to incorrect notices
 - 626 South Maple→ Fifth Season Services Corportion cleaned for \$600.00
 - 657 South Maple→ in tax sale
 - 502 West Trotter → remolded but left some trash outside

The Mayor asked for permission to advertise for bids to demolish a certain property. The property in question is located at 103 West Gaines. The Mayor stated that the building contains asbestos and he recommends that the Council advertise for bids and then go from there because this is a major task. The City Council does not have to accept the bids. Councilor Hudson made a motion, seconded by Councilor Brown to allow the Mayor to advertise for bids to demolish the property. After discussion, all Councilors voted "yes" and the Chair declared said motion passed unanimously.

Linda Faulkner was present to discuss her limb problems. Mrs. Faulkner stated that a storm had blown down some limbs around 20' long. She stated that she called the City to pick up the limb but was informed that the City could no longer provide this service. She wanted to know what happened to the money that was collected for this service and asked where the surplus of money went. Mrs. Faulkner stated that she does not live on a farm so she did not have the equipment to handle this limb. She also

stated that the City has non-transparency. The Mayor informed Mrs. Faulkner that the Arkansas Department of Environmental Quality (ADEQ) shut down the compost pile and that the City is working on a composting grant that will allow the site to reopen. Currently, the City does not pick up limbs for anybody. Councilor Chase asked her to 'hang tough' until a solution can be found.

Jo Ann Trotter and James Scott were present to discuss the rebuilding of the Sadie Johnson Community Center. Ms. Trotter stated that the Sadie Johnson Building served many people of the community and was utilized by diverse backgrounds. The amount allocated for the rebuilding process is not enough to construct the building. Ms. Trotter is asking for \$150,000.00 more on behalf of the Sadie Johnson Community Rebuilding Committee. There are many events now that are struggling to find accommodations. Mayor Maxwell stated that the building was used eight times a month. The bid results could come in high or low, so it is a guess as to how much funds are needed. Ms. Trotter stated that the new plan will bring in more funds because the floor plan can be split for two meeting spaces or one large one. Councilor Peer stated that the building was booked one year in advance for many dates. Mayor Maxwell stated that the funds that have been allocated will allow the project to be advertised for bids and maybe start the actual construction next year. Councilor Peer made a motion, seconded by Councilor Gillespie, to advertise for bids for the re-construction of the Sadie Johnson Community Center. The Mayor called for a vote and all Councilors voted "yes", said motion passed unanimously.

Parks and Recreation Commission Report—James Scott

- Volunteers are needed to help monitor the Splash Pad, if this policy does not work, then there may need to be a need to charge for admission and staff the facility
- Met with ETC Engineering concerning beginning work on the amphitheater
- Councilor Peer asked if the bathrooms at the Soccer Field had begun construction, James Scott answered that the money was allocated and that L. M. Wood is working on the lift station for the sewer line

The Parks and Recreation Commission asked for permission to apply for an outdoor grant. Mr. James Scott stated that this is a 50/50 grant that the city applies for every year but doesn't always receive. Councilor Chase inquired what project the grant would apply for and Kimberly Fletcher stated that it would pay for handicap playground equipment, bleacher covers, batting cages, etc. Councilor Hudson, seconded by Councilor Chase, made a motion to allow the Parks and Recreation Commission permission to apply for an outdoor grant. After discussion, the Chair put the question and the following councilors voted "yes"; Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion passed unanimously.

The Chair called for any corrections to the minutes from the regular meeting held Thursday, June 09, 2011. There being no corrections, and upon a motion by Councilor Hartness, seconded by Councilor Peer, and unanimously accepted, the minutes were approved as written.

Linda Thurman was present to discuss operating hours for the All-Star Club. She is asking the City to change the hours back to the original hours. Mrs. Thurman stated that The River and the Country Club, both outside city limits, are allowed to be open till 2:00 a.m. She further stated that customers are leaving her establishments for the other clubs that stay open later. Mrs. Thurman just wants the same treatment as the other clubs in Drew County. Councilor Hubbard made a motion, seconded by Councilor Peer, to allow the All-Star Club to be open until 2:00 am. After discussion, the Chair put the question and the following councilors voted "yes"; Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Carolyn Brown and Claudia Hartness. Councilor Tim Chase voted "no". The Chair declared said motion passed by a vote of seven to one. An Ordinance will be prepared for the next council meeting.

Councilor Hudson, seconded by Councilor Chase, moved to suspend the rules requiring a resolution to be read in full. After discussion, the Chair put the question and the following councilors voted "yes": Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. All Councilors voted "yes" and the Chair declared said motion passed.

Councilor Peer introduced the following proposed resolution which the City Attorney read the title distinctly and aloud in the hearing of the council as follows:

**A RESOLUTION CONFIRMING THE ABANDONMENT
OF CERTAIN SEWER MAINS WITHIN THE CAMPUS OF
THE UNIVERSITY OF ARKANSAS AT MONTICELLO**

Councilor Chase, seconded by Councilor Brown, moved to approve said resolution. Councilor Hubbard inquired the age of the mains and Mayor Maxwell stated that they are no older than the City's mains. After discussion, the Chair put the question and the following councilors voted "yes": Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion was passed; the same approved as No. 11-17.

Councilor Hubbard, seconded by Councilor Hudson, moved to suspend the rules requiring a resolution to be read in full. After discussion, the Chair put the question and the following councilors voted "yes": Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. All Councilors voted "yes" and the Chair declared said motion passed.

Councilor Hartness introduced the following proposed resolution which the City Attorney read the title distinctly and aloud in the hearing of the council as follows:

**A RESOLUTION ACCEPTING AUTHORIZING THE MAYOR
TO EXECUTE A CERTAIN CONTRACT FOR FIRE FIGHTING
SERVICES WITH THE BARKADA FIRE DEPARTMENT,
AND FOR OTHER PURPOSES.**

Councilor Hubbard, seconded by Councilor Brown, moved to approve said resolution. After discussion, the Chair put the question and the following councilors voted "yes": Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion was passed; the same approved as No. 11-18.

Councilor Hubbard, seconded by Councilor Peer, moved to suspend the rules requiring a resolution to be read in full. After discussion, the Chair put the question and the following councilors voted "yes": Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. All Councilors voted "yes" and the Chair declared said motion passed.

Councilor Hubbard introduced the following proposed resolution which the City Attorney read the title distinctly and aloud in the hearing of the council as follows:

**A RESOLUTION AUTHORIZING THE MAYOR TO
ACCEPT A CERTAIN GRANT FROM THE
FEDERAL AVIATION ADMINISTRATION.**

Councilor Hubbard, seconded by Councilor Hudson, moved to approve said resolution. Kimberly Fletcher stated that the airport generates funds for the upkeep of the airport and that income rent will help with the matching funds part of the grant. After discussion, the Chair put the question and the following councilors voted "yes": Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion was passed; the same approved as No. 11-19.

Councilor Hubbard, seconded by Councilor Peer, moved to suspend the rules requiring a resolution to be read in full. After discussion, the Chair put the question and the following councilors voted “yes”: Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. All Councilors voted “yes” and the Chair declared said motion passed.

Councilor Hubbard introduced the following proposed resolution which the City Attorney read the title distinctly and aloud in the hearing of the council as follows:

**A RESOLUTION AUTHORIZING THE MAYOR TO
EXECUTE A CERTAIN CONTRACT FOR PROFESSIONAL
TIMBER MANAGEMENT SERVICES ON THE MUNICIPAL AIRPORT SITE.**

Councilor Hubbard, seconded by Councilor Hudson, moved to approve said resolution. After discussion, the Chair put the question and the following councilors voted “yes”: Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion was passed; the same approved as No. 11-20.

Councilor Hudson made a motion, seconded by Councilor Brown, to adopt the policy of the City of Monticello to become a drug-free workplace. Mayor Maxwell stated that the City could be held accountable if this is not a policy and that Drew County already has one. After discussion, the Chair put the question and the following councilors voted “yes”; Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion passed unanimously.

Councilor Hubbard, seconded by Councilor Hudson, moved to suspend the rules requiring a resolution to be read in full. After discussion, the Chair put the question and the following councilors voted “yes”: Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. All Councilors voted “yes” and the Chair declared said motion passed.

Councilor Hudson introduced the following proposed resolution which the City Attorney read the title distinctly and aloud in the hearing of the council as follows:

**A RESOLUTION EXPRESSING THE WILLINGNESS
OF THE CITY OF MONTICELLO TO UTILIZE FEDERAL-AID
ENHANCEMENT FUNDS**

Councilor Hubbard, seconded by Councilor Brown, moved to approve said resolution. After discussion, the Chair put the question and the following councilors voted “yes”: Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion was passed; the same approved as No. 11-21.

Councilor Hubbard, seconded by Councilor Peer, moved to suspend the rules requiring a resolution to be read in full. After discussion, the Chair put the question and the following councilors voted “yes”: Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. All Councilors voted “yes” and the Chair declared said motion passed.

Councilor Peer introduced the following proposed resolution which the City Attorney read the title distinctly and aloud in the hearing of the council as follows:

**A RESOLUTION ACCEPTING BIDS FOR THE PURCHASE OF
A TRAILER MOUNTED SEWER JET CLEANER**

Councilor Hudson, seconded by Councilor Peer, moved to approve said resolution. Mayor Maxwell stated that the City currently charges \$100.00 to rod out a private sewer line. The old machine has been having problems. After discussion, the Chair put the question and the following councilors voted “yes”: Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion was passed; the same approved as No. 11-22.

Councilor Hubbard, seconded by Councilor Peer, moved to suspend the rules requiring a resolution to be read in full. After discussion, the Chair put the question and the following councilors voted “yes”: Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. All Councilors voted “yes” and the Chair declared said motion passed.

Councilor Peer introduced the following proposed resolution which the City Attorney read the title distinctly and aloud in the hearing of the council as follows:

**A RESOLUTION ACCEPTING BIDS FOR THE
PURCHASE OF ASPHALT OVERLAY**

Councilor Hudson, seconded by Councilor Hubbard, moved to approve said resolution. Councilor Chase asked if the bids came in higher or lower than last year and Kimberly Fletcher stated that last year, in 2010, it was bid as a project instead of by the tons, however, in 2009 it was \$75.12 per ton. After discussion, the Chair put the question and the following councilors voted “yes”: Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion was passed; the same approved as No. 11-23.

Councilor Hubbard, seconded by Councilor Peer, moved to suspend the rules requiring a resolution to be read in full. After discussion, the Chair put the question and the following councilors voted “yes”: Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. All Councilors voted “yes” and the Chair declared said motion passed.

Councilor Hudson introduced the following proposed resolution which the City Attorney read the title distinctly and aloud in the hearing of the council as follows:

**A RESOLUTION ACCEPTING BIDS FOR THE PURCHASE
OF FIREFIGHTING TURNS, GLOVES, BOOTS AND HOODS**

Councilor Hubbard, seconded by Councilor Peer, moved to approve said resolution. Fire Chief Steven Faulkner stated that the Fire Department did not want to accept the lowest bid because it does not meet specifications. The lowest bid does not have reinforced stitching. After discussion, the Chair put the question and the following councilors voted “yes”: Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion was passed; the same approved as No. 11-24.

Councilor Hartness made a motion, seconded by Councilor Peer, to appropriate up to \$20,000.00 to help repair a rail spur. Mayor Maxwell stated that this is the issue that was discussed earlier. This will help to keep the big trucks off of the city streets. Industries will save money by using a rail and the spec building will sale easier. Kimberly Fletcher stated that the funds will come from the War Chest, currently the fund has a little over \$196,000.00. After discussion, the Chair put the question and the following councilors voted “yes”; Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly

Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion passed unanimously.

Councilor Hubbard made a motion, seconded by Councilor Hudson, to appropriate up to \$10,000.00 for the completion of the square. Councilor Gillespie inquired where the funds would come from and Kimberly Fletcher responded that the funds would be from the Sales Tax. Councilor Hudson stated that the funds are already spent and that the committee was not able to work from a line item budget and did not realize how much had been spent. After discussion, the Chair put the question and the following councilors voted “yes”; Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion passed unanimously.

Councilor Hubbard made a motion, seconded by Councilor Chase, to accept the resignation of City Attorney Bill Daniels. After discussion, the Chair put the question and the following councilors voted “yes”; Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion passed unanimously.

Councilor Hudson made a motion, seconded by Councilor CHase, to accept the appointment of Whit Barton to the remaining term of City Attorney. After discussion, the Chair put the question and the following councilors voted “yes”; Josh McKiever, Sherrie Gillespie, Raymond Hubbard, Al Peer, Beverly Hudson, Carolyn Brown, Tim Chase and Claudia Hartness. The Chair declared said motion passed unanimously.

Mayor Maxwell informed the Council that a representative of ISO will be conducting a dummy inspection and will advise the City of the next steps required to move from a 5 to a 3 rating. Great strides have been made already by the Fire Department. One issue is the ladder truck needs to be housed and something will have to be built.

All business having been discussed, and upon a motion by Mayor Maxwell, the meeting was adjourned.

Approved _____ of _____, 2011

Andrea J. Chambers, City Clerk-Treasurer

_____, Mayor