

City Council Minutes

Tuesday, October 25, 2022

Call to Order

Mayor Chase called the meeting to order at 6:08 PM, City Clerk Kirstin Garrison called the roll.

Attendees

Council members Clarissa Pace, Cedric Leonard, Michael James, Al Peer, Mark Tiner, Craig McRae, Mike Wigley and Claudia Hartness were in attendance.

Approval of Minutes

Craig McRae moved to approve September minutes, Al Peer seconded, an yay nay vote was called for, and the minutes were approved unanimously.

Reports and Presentations

a. Water Operator – Wayne Morphis

Wayne Morphis was not in attendance. Mayor Chase updated council members that he was performing the regularly scheduled maintenance to the water tanks, where he had to mostly drain the country club tank and the county barn tank. Country Club Hill had very little water pressure all day so he was currently working to get the tanks back online.

b. Senior Citizens Center – Cindy Villarreal

For the month of September, a total of 2,467 total meals were served, with 1,367 of those meals being home deliveries, with there being 78 home deliveries daily. They'll be holding a Halloween party for their seniors and they would like to thank the local businesses for donating the items to have Halloween bingo and the seniors are excited. Mark Tiner asked wanted clarification on the Senior Citizens Center bringing in \$21,396.00 for the year – yes.

c. Fire – Eric Chisom

The fire department had 35 calls. With October being Fire Safety Month, they've delivered their Fire Pup materials to the elementary schools at Drew Central and Monticello School Districts for kindergarten through second grade and visited four different daycares that called asking for a visit. The brick was finished on the expansion and now they're just waiting on the gutters to be installed and on Friday October 21st, one of their newest fire fighters, Trenton Napier, that transferred from the city finished up his Fire Academy training and is ready to return to work. They've been fortunate on their numbers of fires and that none of them have been like what has happened in Bradley County and Jefferson County. Mike Wigley asked if the brick on the new addition was a color difference – it's a different brand and an age difference. There is a bid of a shade difference but hopefully the weathering on it will darken it up a bit.

Mayor Chase wanted to take a moment to share her appreciation to Trenton Napier who started out at the city for over a year before deciding that he wanted to be a fire fighter. He went through the process in the right way, went to Chief Chisom and Charlie and everybody gave their blessing. He was driven. She wanted to give him a shoutout and that she is happy for him and for the City of Monticello to have him and for Chief Chisom to have him as a part of his team. Mike Wigley added that as a city we are very fortunate to have a young Monticellonian man who wants to be here. Mayor Chase stated that when she

started as mayor, she started cross training. The City is required to have a Level 3 Treatment License and a Level 3 Distribution License. John Daves is now currently at a Level 2 in Treatment and a Level 3 in Distribution. He will be going to take his Advanced Treatment 3 class in December and if he passes he will be completely qualified for treatment and distribution. Zach Frost is at a Treatment Level 2 and a Distribution 1 and is currently working on becoming fully qualified. It is a lot of studying and dedication and persistence. These tests are geared towards treatment plants and we don't have a treatment plant, we have well water.

d. Police – Jason Akers

The police department has been busy. They obtained a grant for nearly \$50,000.00 in salaries that they applied for last year, that the council kindly appropriated the money for last year for overtime and are just now getting that grant. It hasn't been spent yet but it has been received and are now engaged in that process. They finished up six different sites of training for Mainline and the Surviving Violent Encounters or Active Shoot Course. They trained a little over 200 people and response measures for those things. They've had a very busy month but all is going well. They finally had the BAC machine installed, which was asked for out of the One Cent Sales Tax. It was a long wait but the company sent it to the Health Department and the calibration was off and they refused to accept it until it was correct and they finally got it done. They refurbished one of the old washer and dryer room and are now using it to store the BAC unit.

e. Parks – Gerald Shepherd

They had a busy month. There was a baseball tournament at Burlington Field, a tournament at the Sports Complex, the Miracle League is still playing and soccer is still going on. Basketball goals have been installed at Jordan Park and the volleyball court is built. They are in the process of pressure washing the court and restriping it. Mark Tiner wanted to point out that the lights that were recently installed at McCloy Park at the basketball courts are a nice change and adds safety to the area. Mayor Chase stated that the only complaints she has had about the basketball courts are the players playing late at night.

f. Public Works – Charlie Hammock

This month has been busy, with seven meter tap having been done. There 15-20 service leaks that were worked and they've started removing sludge at the East Plant and have been working for 19 days straight. He has been making sure the roads are good for them and they have what they need to get the job done. They're pumping down the other pond to get it ready for them. They're working with the railroad. They tore out the crossing on Conley and are replace two tracks and the third one will be covered up with asphalt to make it smoother. The trash truck was in an accident today about 9 am and was taken to the warehouse and are now waiting on an adjuster to look at it and to get an estimate on the damage. Mark Tiner asked how long the sludge removal would take – he doesn't know. He was always told they were 6-8 feet deep but are actually 12-13 feet deep and haven't been cleaned out in about 25 years and there was only about 3 feet of water and everything else was sludge. Each truck holds 6,000 gallons and they are moving 50-60 trucks a day.

g. A&P – Ryan Copico

He has been working on the Explore Monticello website and making sure the information is updated. He wants to work on a community calendar, it's one thing that has been most requested around town, where all events from around the city could be in one place. They're currently working on trying to secure sponsors for the Christmas light festival at the park right now. Those are two main projects he has been working on the past few weeks.

h. City Inspector – Brian Rodgers

For November and December, there will not be any Ordinances 630's for those 2 months, they'll be held until January. This month they had five Ordinance 756's. They picked 16 SNAP applicants for 2023, with 4 in reserve incase one of the 16 do not qualify. 13 of the 16 are in the city with 3 in the county. Mike Wigley inquired about the status of the Turtle Creek Apartments – he hasn't checked lately but will update at next council meeting.

i. MEDC – Nita McDaniel

They are working on four business prospects that they are in constant contact with. On the retail side they are having retailers more retailers that are showing interest in our market. There are two properties that have recently sold to developers to be redeveloped along the 425 corridor. On Scogin Drive, they are still awaiting the signed maintenance agreement from Union Pacific Railroad, so they're holding steady on that. ARDOT has bid and awarded a bid for the portion of the I-69 corridor, starting from where it ends right now at 278 just past Deadman's curve going towards Desha County. It has been broken into two parts, with Phase I having been bid in the amount of \$61,897,860.00. Phase I goes from 278 to Highway 293 in Desha County. They did that because of utilities right of way issues. WL Bass Construction won the bid and are based out of Monroe, LA. There was a little over \$30,000,000.00 in construction funds for the I-69 corridor when she got the Highway Commission to change from building to the west to building to the east. That has already doubled the construction money available for the project. A handout was provided to council members that showed a snapshot of our local workforce. We have way more jobs out there than people who identify as ready to work and has impacted business recruitment. The door at the Old Historic Post Office is up and working and would like to thank Nick Cater for getting it fixed. They are waiting for a vent for the HVAC to be finished for Brian's office. They refinanced for one revolving loan recipient and plenty of money is available to those who are looking to get financed for a business.

j. Planning Commission – Dan Boice

Requests for Proposals have finally been advertised for the Armory and are hoping to have a recommendation to the council in the matter of weeks. The Planning commission will be putting their final touches on the Comprehensive Plan for Monticello and are hoping to take it 2027 for a bicentennial. That plan has involved a lot of work from a lot of people and it will help guide them as they continue to move forward. The next order of business will be to develop a Master Street Plan.

Unfinished Business

a. Ordinance Increasing Solid Waste Rates

Mark Tiner introduced the motion to be read by title only, to waive that the motion be read in full on three separate occasions and to enact the emergency clause, Craig McRae seconded, City Clerk Kirstin Garrison called roll, with Clarissa Pace in opposition and City Attorney Whit Barton read. Mark Tiner asked for clarification on the new rate being \$13.77 for residential carts and \$41.16 for commercial carts and asked what the older rate was – the residential cart rate was \$12.13 and the commercial rate was \$36.75. Cedric Leonard asked why an emergency clause was needed on an ordinance – it would make it so after council passes said ordinance, it will go into effect immediately. Without the emergency clause, it would be required that the ordinance would have to be read in full three times on three separate occasions before it could pass. Mark Tiner asked when it would take effect – the emergency clause makes it effective once it has been passed. Clarissa Paced asked for clarification on when the citizens would start paying the new rate – with the new billing cycle. This will be the fourth time this rate has been increased since 1948. Clarissa Pace stated that one of her constituents was not happy with the rates increasing and that she had

invited him to come speak before the council on the matter. Craig McRae pointed out that the council would be reviewing the rates again before April 1st, 2023 and he would be more than welcome to attend before then. Mark Tiner moved to approve, Craig McRae seconded, City Clerk Kirstin Garrison called roll and the motion passed with Clarissa Pace in opposition.

b. Ordinance Increasing sewer Rates

Claudia Hartness introduced the motion to be read by title only, to waive the motion be read in full on three separate occasions and to enact the emergency clause, Craig McRae seconded, the ayes had it and City Attorney Whit Barton read. Mark Tiner asked the difference in prices from the previous ordinance and this one – the first 2,000 was \$7.25 and for each additional 1,000 gallons, \$1.76, so it would go up from \$7.25 to \$9.72 and then \$1.76 to \$2.36, at a 34 percent increase. It is required by the Arkansas Department of Agriculture, ANRC, to receive a loan to rehab the sewer lines on Main Street. The letter that we received was corrected from 1,000 to 2,000 gallons, so this is in compliance with their recommendation. Mark Tiner pointed out that the billing for sewer is billed at a six month average and is offset for when we're using less sewage during the winter months, as there is no meter for sewage but there is a meter for water. Clarissa Pace moved to approve, Al Peer seconded, City Clerk Kirstin Garrison called roll and the motion passes unanimously.

New Business

a. Ben Higginbotham on behalf of Pauline Baptist Church – Requesting permission for the closing of Barkada Rd.

This is the first preliminary request from Pauline Baptist Church to have the road closed. City Attorney Whit Barton stated that from his understanding, Pauline Baptist Church was requesting that Barkada St, from Hyatt St to the end of the property owned by the church, be closed to the public while they build an addition onto their church. The process that the city would follow, is that a 30—day notice be published in the Advance Monticellonian on two separate occasions and then a hearing would be held which could be held by the city council at a regular meeting so that anybody that would end up being impacted by the closure could be heard. This is not a final decision, just a preliminary presentation. Michael James asked if in the process, would a study be performed on traffic counts – that is something that is up to the discretion of the council, which could affect the timeline. Ben Higginbotham thanked the council for their time and asked they consider the possibility of closing Barkada Rd from Hyatt Street to Lemon Street, so they could add onto their church. Using a map, he showed that they would be losing a lot of their parking, as they would be using that area to stage their construction equipment and materials. Pauline Baptist Church would have to move their permanent parking across the street on the northside of Barkada Rd, which is a major safety issue, considering they would cross the street two times on Wednesday and two times on Sunday. The church is used by the entire community. Police officers sit in their parking lot and pull people over multiple times throughout the day, with the typical driver going 45 miles per hour or faster. The speed limit is 30 miles per hour. They are looking for a preliminary investigation and are asking for the feasibility to close the street and if not, what they would recommend so they can take it back to their church. Craig McRae asked if Lemon Street would remain open – yes, it runs right behind the church and SeArk Boats use that street for deliveries. Michael James asked if their building plans would include them building out – they are in the infant stages and they will be asking their church to hire an architect so they can start the process. They are a year or two out from starting construction. Mark Tiner pointed out that Patton Ave has the employee parking for SeArk Boats, meaning multiple people are constantly walking across that street during the day and Barkada Rd is a pretty busy street and Edgewood would be a hazard for a high amount of traffic. Mark Tiner asked if the church owned the land north of the church and if they would agree to extend Hyatt Street to Barkada, north of their property, by rerouting Barkada

Rd through their property – yes, they're open to options and are looking out for the safety of everybody. Michael James asked if the safety issue was 24-hour issue or a certain days of a week issue – it depends on the schedule, but on Sundays, they'd have more people parking over there. Mayor Chase asked if it would affect the pre-school – no, they have a drive thru. Michael James stated that he was wondering if it would be feasible to close that area during certain times of certain days – that was a thought they were considering, with the approval of the city, maybe the church could put up detour signs. Mike Wigley asked if with rerouting, can the city do that considering it would be considered "improving private property" – you can lawfully reroute the street as it would first be made public property, but costly. Pauline Baptist Church uses the property, as it has a pond and walking trails. Clarissa Pace asked if Hyatt Street was a state street – no, it's just a major thoroughfare through the city, neither is Barkada Road. City Attorney Whit Barton stated that it would be possible to put signage up rerouting traffic during certain times and days, making it less costly. Mayor Chase asked Dan Boice if McClelland Engineers were working on building a bike path down Barkada Road – not that he was aware of, he would have to check as this is the first he was hearing of it. Dan Boice questioned if the church had consulted with a traffic engineer. Mayor Chase stated that it would be worth looking at the 15-year plan, as she thought it was included in the plan to widen Barkada Road to include a bike path. Cedric Leonard stated that it shouldn't be hard for the pre-school to get school zone signs installed in front of the pre-school. Mark Tiner asked Police Chief Jason Akers if it was possible to have a police presence there during certain times – it's possible but hard to do when there are typically only three officers on shift at a time and they could get called to an accident elsewhere. Cedric Leonard asked if they have considered putting up stop signs or putting in crosswalks from the parking lot as it would be cheaper – people don't obey signs, even stop signs. Clarissa Pace asked if it was just for the council's consideration – they'll be taking this feedback to their church to determine if it would be worth continuing the process and if it is, they'll set up a public hearing to let the public know what they're proposing. Al Peer pointed out that Dan Boice's idea of a traffic study would be very beneficial and ArDOT should be the ones to pay for it. Council is open to suggestions when it comes to being able to block it off but they don't think it would be a good idea to block it off for long periods of time. More information is needed to make a determination on whether it would be a good idea but are interested in helping however possible.

b. 2021 Legislative Audit

The only reportable findings were for District Court. Julie Watkins attended the Legislative Audit at the capital on October 13th and answered their questions. In the 2021 audit, the only finding was that \$7600 was not adjudicated, meaning that when people paid their fines there was a disposition of guilt bond added to that and could not be dispersed to where it needed to be, so it was just sitting in the bank. Since then there is only \$500 that couldn't be placed but she is working on it.

c. Resolution Declaring 441 North Speer St a nuisance

City Inspector Brian Rodgers asked that council dispense of this resolution, as the owner of this property cleaned the place up and it was not needed anymore.

d. Resolution Declaring 1100 North Samuel St a nuisance

Craig McRae introduced the motion and that it be read by title only, the ayes had it and City Attorney Whit Barton read. Cedric Leonard stated that he had looked at the property and didn't see anything wrong with it and proceeded to hand out pictures showing the views from driving by. Craig McRae asked if this is the house the tree fell on a couple of years ago – yes. Mike Wigley asked if it's the house with a hole in the top of the roof – yes, but you can't see the hole when driving by. Mayor Chase asked City Inspector Brian Rodgers if he had been getting complaints about this property – yes, he received three complaints

about this property and the junk yard. Mayor Chase asked what the complaint was on this property – the hole in the roof, the front porch is falling in and the eaves are rotting. Mayor Chase asked if the city has cleared properties in similar shapes to this one – yes, several. Cedric Leonard said if you're traveling down the street you wouldn't be able to see any problems with this house. Mike Wigley stated that the people driving by are probably not the ones complaining as opposed to the people in houses around it are the citizens who are complaining. Michael James asked if the owner had plans to fix it – no, she's using it as a storage building and plans to eventually tear it down. Craig McRae stated that he didn't see a hold in the roof but he thought the roof was collapsing – no, a tree fell on the house and poke a hole in the roof. Mike Wigley asked what would make it pass – boarding up the hole in the roof and fixing the rotten wood. Mike Wigley asked if a tarp suffice – no, it will continue to get worse. Al Peer stated that to bring it up, it would need more than a tarp, a piece of plywood and shingles and the fascia boards would need to be fixed. Mark Tiner motioned to table it for 30 days, Michael James seconded, City Clerk Kirstin Garrison called roll and the motion was tabled for 30 days.

e. **Renewal of Dew Memorial Lease Agreement**

Mayor Chase stated that the Request for Proposals have already been published, with them being opened on December 1st and Drew Memorial was made aware of it as their lease agreement ends on November 30th. It was discussed with them that it could be leased on a month by month basis or however long they wanted to lease it for. The board met and discussed submitting an RFP but nothing was decided. Clarissa Pace asked if this was the building that they were doing studies on how to use for the city – yes, it's the armory and they have gone through the process on how to sell that building with the help of Jim vonTungeln from the Arkansas Municipal League and he gave direction and helped with the RFP. Clarissa Pace asked if the Planning Commission decided that nothing could be done with the building – the council gave the impression that they would like to see what it could be sold for and if there was a business that could come in to compliment the area. Mark Tiner asked if anybody has shown interest in purchasing the building – their proposals will be submitted to the city, they'll be sealed and they'll be opened on December 1st. Mike Wigley asked how long it would be recommended the building remain leased to the hospital for – there is no recommendation, their lease is expiring and we can lease it however long as needed. Michael James asked how long Drew Memorial would need in advance to break the lease – it's probably 30 to 60 days, but if the notice needed to extend it is only until the end of the year, we should be good. We can put it in the new lease agreement the amount of time they have to vacate if sold. Clarissa Pace asked if Drew Memorial needed the building – they use it for storage, which started when they started construction. Mark Tiner asked how much their lease was, including insurance and utilities - \$1,500.00 a month for the lease but we pay the insurance and utilities. Mark Tiner moved to table the motion, Michael James seconded, the ayes had it and the motion was tabled until next month.

f. **Resolution for Fire Department to Donate Items**

Al Peer introduced the motion, Mark Tiner seconded, and that it be read by title only, the ayes had it and City Attorney Whit Barton read. Mark Tiner made a motion to accept the resolution, Clarissa Pace seconded, City Clerk Kirstin Garrison called roll and the motion passed unanimously.

g. **Resolution Appointing Member to Planning Commission**

This resolution was not presented as the person that was asked to join the commission has not shown up.

h. **Ordinance authorizing Employment of Adam Cameron and/or Synergy Services**

This was originally a resolution that was passed in 2019 to allow his employment. Legislative Audit has written the city up because of this. We finally got clarification on how to correct it and were told it needed

to be made into an ordinance rather than a resolution. Craig McRae introduced the motion, that it be read by title only, that the three readings be waived and the emergency clause go into effect, Al Peer seconded, the ayes had it and City Attorney Whit Baton read. Michael James asked if we contracted with the company and if it was a regular thing – no, it was a one time job. Mark Tiner made a motion to approve this ordinance, Michael James seconded, City Clerk Kirstin called roll and the motion passed unanimously.

- i. Resolution continuing the levy of annual Ad Valorem taxes in the City of Monticello, AR
Claudia Hartness introduced the motion and that it be read by title only, Clarissa Pace seconded, the ayes had it and City Attorney Whit Baton read. Mark Tiner asked where the revenue received from the ad valorem taxes went – Street Department, General Fund and LOPFI. Mark Tiner made a motion to approve, Mike Wigley seconded, City Clerk Kirstin Garrison called roll and it passed unanimously.
- j. Discussion on Speed Bumps
Mayor Chase stated that due to an accident recently that occurred in Vivian Manor on Glenwood Drive, an underage teenager ran into a house and the driver passed away. Many residents in the neighborhood asked for speedbumps. Many people have been asking for speedbumps. Chief Akers and Fire Chief Chisom did not agree with speedbumps due to them slowing down response times on emergency response vehicles. That was four years ago. Chief Chisom stated that speed humps should be looked into as opposed to speedbumps. A post was put out there asking citizens for their opinions on speedbumps. There were 17 “no’s” and a lot more “yes’s”. There are speedbumps and speedhumps. Speedhumps are wider and lower. Mike Wigley stated that we should be taking holes out of streets instead of putting bumps in them and that he feels the Planning Commission should do their study on streets. Clarissa Pace stated that when she lived on Trotter Street, she supported speedbumps because she witnessed a child getting hit by a car and where she lives now, people are constantly speeding down her street. Clarissa Pace stated that if a citizen wants a speedbump or a speedhump, we should put them in. Mark Tiner stated that he brought up speedbumps in Vivian Manor and just wanted to know the procedure to get speedbumps in neighborhoods. Would petitions be needed? This is something that needs to be looked at more and a study needs to be performed to see if speedbumps are feasible. An ordinance also needs to be considered to bypass the notification process when speedbumps are decided upon so it would be easier to place them. A conversation was started and that is what is important with this.

Adjournment

Al Peer moved to adjourn the meeting, Cedric Leonard seconded, and the meeting adjourned at 8:10 PM.

Kristin Garrison
City Clerk

11-15-22
Date of Approval