

City Council Minutes

Tuesday, January 28, 2025

Call to Order

Mayor Akers called the meeting to order at 6:00 p.m., City Clerk Taryn Wigley called the roll.

Attendees

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

Minutes

Clarissa Pace moved to accept the minutes, Craig McRae seconded. A yay/nay vote was called. The aye's had it and the December minutes passed.

Old Business

a. Ordinance Approving Private Club Permit for Superior Crab of Drew County

Mark Tiner introduced the ordinance and moved to read by title only, Al Peer seconded. A yay/nay vote was called. The aye's had it and City Attorney Whit Barton read. Mark Tiner moved to waive the 3 reading and enact the emergency clause, Mike Wigley seconded. A yay/nay vote was called. There were 6 "yes" votes and two "no" votes with Craig McRae and Cedric Leonard in opposition. The ordinance passed by majority vote.

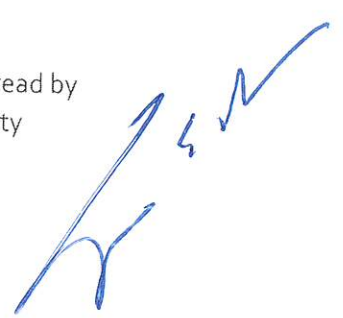
New Business

a. Special Presentation

Mayor Akers addressed the council and everyone in attendance that he would be presenting awards for "Employee of the Year" and "Citizen of the Year". Jayna Endsley was awarded employee of the year for her hard work and ability to adapt and excel in any role that she has taken on in City Hall since 2015. Jim Ross was awarded citizen of the year for making endless contributions to Monticello, which included continued efforts to bring peace among citizens, and upholding the maintenance of Ross Field. Mr. Ross' family was one of the founding families of Monticello who donated the first 83 acres of land to establish the city. Both Ms. Endsley and Mr. Ross received plaques as a "thank you" for their service.

b. Resolution Regarding Organization of 2025 City Council

Michael James introduced the resolution and moved to suspend the rules and read by title only, Al Peer seconded. A yay/nay vote was called. The aye's had it and City



Attorney Whit Barton read. Mayor Akers explained that this resolution is required every year by the Municipal League. Mark Tiner moved to accept the resolution, Craig McRae seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

c. Resolution Adopting Code of Ethics for City of Monticello Elected Officials

Michael James introduced the resolution and moved to suspend the rules and read by title only, Cedric Leonard seconded. A yay/nay vote was called. The aye's had it and City Attorney Whit Barton read. Craig McRae asked for clarity from Mr. Barton on page 3 regarding conflicts of interest. Mr. Barton specified that if a council member knew of a situation that was conflicting, it would be the council members responsibility to report the issue and recuse themselves from voting. Craig McRae moved to accept the resolution, Michael James seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

d. Resolution Authorizing City to Conduct Business with Union Bank & Trust

Mike Wigley introduced the resolution and moved to read the resolution in its entirety, Craig McRae seconded. A yay/nay vote was called. The aye's had it and City Attorney Whit Barton read. Mike Wigley moved to accept the resolution, Craig McRae seconded. A yay/nay vote was called, Mark Tiner recused himself from the vote. The aye's had it and the resolution passed.

e. Resolution Establishing Continuation of Government Function in Emergency Situations

Craig McRae introduced the resolution and moved to suspend the rules and read by title only, Claudia Hartness seconded. A yay/nay vote was called. The aye's had it and City Attorney Whit Barton read. Mayor Akers explained to the council that he would like for Finance Director Vickie Norris to have the ability to sign his signature if the mayor is absent. Cedric Leonard asked what would happen if both the mayor and Vickie were gone. Mayor Akers replied that the situation has never happened before and it would have to be addressed separately if it ever did happen. Michael James pointed out that Vickie's name is directly mentioned on the resolution, which would take an official act to change. If Vickie were to leave, they would have to do the process all over again. City Attorney Whit Barton informed the council that he could add a paragraph to renew the resolution yearly, or to add an expiration date. Mike Wigley and Mark Tiner stated that they would like to have a recurring resolution. The council agreed to table this resolution until the February meeting.

f. Resolution Amending City Health & Dental Insurance Policy for New Hires

Michael James introduced the resolution and moved to read the resolution in its entirety, Mark Tiner seconded. A yay/nay vote was called, the aye's had it and City Attorney Whit Barton read. Mayor Akers explained that the City has historically covered health insurance for the employee and their entire family. However, the price of family packages have skyrocketed. Mayor Akers is worried that the cost might get so

high, that they may not be able to keep family coverage for existing employees. The family coverage will still be available, but it will not be covered by the City. Mike Wigley moved to accept the resolution, Mark Tiner seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

g. Resolution Recognizing Founding Date for City of Monticello

Craig McRae introduced the resolution and moved to suspend the rules and read by title only, Claudia Hartness seconded. A yay/nay vote was called, the aye's had it and City Attorney Whit Barton read. Mayor Akers explained to the council that there is not an official resolution declaring the founding date of Monticello, which is December 19th, or adoption of the flag. Finance Manager Vickie Norris explained to the council that the flag was created by children at Monticello Elementary between 1997-1998. Her daughter was among the children that made the design. Mark Tiner moved to accept the resolution, Craig McRae seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

h. Resolution Accepting 2025 Operating Budget

Craig McRae introduced the resolution and moved to suspend the rules and read by title only, Michael James seconded. A yay/nay vote was called. The aye's had it and City Attorney Whit Barton read. Craig McRae moved to accept the resolution, Michael James seconded. A yay/nay vote was called. They aye's had it and the resolution passed unanimously.

i. Resolution Accepting 2025 One Cent Sales Tax Budget

Craig McRae introduced the resolution and moved to suspend the rules and read by title only, Mark Tiner seconded. A yay/nay vote was called. The aye's had it and City Attorney Whit Barton read. Mark Tiner moved to accept the resolution, Craig McRae seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

j. Resolution Approving Purchase of 2017 Vermeer Hydro-vac

Michael James introduced the resolution and moved to suspend the rules and read by title only, Craig McRae seconded. A yay/nay vote was called. The aye's had it and City Attorney Whit Barton read. Michael Wigley asked for an explanation for exactly what it was. Public Works Superintendent Charlie Hammock explained that it would be used to dig in exact spots for water leaks, instead of tearing up an entire area with a trackhoe. Craig McRae moved to accept the resolution, Claudia Hartness seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

k. Resolution Accepting MEDC Contract

Al Peer introduced the resolution and moved to suspend the rules and read by title only, Clarissa Pace seconded. A yay/nay vote was called. The aye's had it and City Attorney Whit Barton read. Mark Tiner moved to accept the resolution, Craig McRae seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

l. Resolution Approving Contract of Obligations with ADEQ -SW Management

Craig McRae introduced the resolution and moved to suspend the rules and read by title only, Claudia Hartness seconded. A yay/nay vote was called. The aye's had it and City Attorney Whit Barton read. Mayor Akers explained that the City has to have a certain amount of money in a CD should the area shut down. The money would be used to clean up the site. Craig McRae moved to accept the resolution, Al Peer seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

m. Approval of \$379,382.59 Cost Share with ARDOT for N. Hyatt Paving

Craig McRae introduced the discussion. Mayor Akers explained that this money is already budgeted and ARDOT will notify him when the project is ready to go out for bids. Mark Tiner moved to approve the cost share, Craig McRae seconded. A yay/nay vote was called. The aye's had it and the cost share was approved.

n. Resolution Amending 2024 Operating Budget

Michael James introduced the resolution and moved to suspend the rules and read by title only, Clarissa Pace seconded. A yay/nay vote was called. The aye's had it and City Attorney Whit Barton read. Mark Tiner moved to accept the resolution, Clarissa Pace seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

o. Resolution Amending 2024 One Cent Sales Tax Budget

Craig McRae introduced the resolution and moved to suspend the rules and read by title only, Mike Wigley seconded. A yay/nay vote was called. The aye's had it and City Attorney Whit Barton read. Mark Tiner moved to accept the resolution, Mike Wigley seconded. A yay/nay vote was called. The aye's had it and the resolution passed.

p. Resolution Declaring 1002 N Gabbert St. a Nuisance

Craig McRae introduced the resolution and moved to suspend the rules and read by title only, Mark Tiner seconded. Craig McRae asked if the owner was present, they were not. Craig McRae moved to accept the resolution, Clarissa Pace seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

q. Ordinance Raising City of Monticello Bid Limit

Michael James introduced the resolution and moved to suspend the rules and read by title only, Mark Tiner seconded. Mayor Akers informed the council that the City currently has a \$20,000 limit, while the state has a 42,000.00 limit. Mayor Akers would like to raise the City limit to reach the states.

Discussion with Monticello 2nd Chance

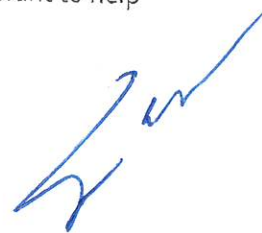
Kathy Engelkes with 2nd Chance addressed the council concerning the current location of the dog shelter in Monticello, which is currently in the maintenance shop area next to the armory. Kathy stated that 2nd Chance was started in 2015, where they would take dogs that had been at the shelter for 10 days (euthanized after 10 days) and put them in foster homes until they could send them to a rescue shelter in the northern US. They have been fortunate to

receive grants from Ryburn Toyota, they were awarded close to \$30,000.00 from quorum court, and they receive citizen donations as well as volunteers. Kathy stated that the old dog shelter that is by the transfer station had several problems when they were using it. Rats and mice would get into the dog food, snakes could easily get into the shelter, and it was significantly smaller. There are 16 kennels in the old shelter, while the new shelter has 24 kennels. The new shelter also had extra rooms that allowed a place to store dog food and they could do minor medical services to animals as well. She added that 2nd Chance helps the City by offering spay and neuter vouchers, paying to properly dispose of animal carcasses. They have also helped out many college and high school students achieve their required public service hours.

Mayor Akers addressed the council and the public. Stating that the initial issue came up when the City warehouse decided to move to the armory. The armory is City property that was not in use and was deteriorating, while the current warehouse was in the middle of a neighborhood that had flooding issues and improper covering for City equipment. Now that the City warehouse is moving to the warehouse, they need the shelter building back for a maintenance shop. Mayor Akers also added that there is not a legal contract between the City and 2nd Chance, and in fairness for everybody, he brought the issue to the meeting. Since that meeting, the council and Mayor have been attacked on social media by members and associates of 2nd Chance. He also added that 2nd Chance has used over 12 million gallons of water since 2019 and over \$5000.00 a year in utilities. Mayor Akers referenced that the Boys and Girls Club was defunded by the City in 2018 due to breach of contract, and the City was written up by the state. 2nd Chance does not have a contract with the City, which would risk the City getting written up again for a similar circumstance as the Boys and Girls Club. City Attorney Whit Barton added that the City is allowed to support non profit organizations, but they must have a contract and statement of qualifications. Mayor Akers reiterated that he does not want the City to break the law. Police Chief Garcia brought up the issue of liability. If there were to be a dog attack, he questioned who would be accountable. He also brought up the issue of security. He doesn't know who has keys to the building. Mayor Akers brought up the issue of dogs that were not found in the City are ending up at the shelter. Kathy explained that 2nd Chance keeps 6 kennels open at all times for the City dog catcher, and she claimed that she didn't know of anyone who was picking up dogs that were not in city limits.

Mayor Akers addressed that there have been several discrepancies in finances as well. Kathy addressed the council and said that there have been mistakes made, but they have established a board of members and are trying to prevent any future mistakes.

Craig McRae asked Kathy if any other locations have been considered to move to. Kathy answered that they have had a few people offer to give them an acre of land to build on, but they cannot afford to build. Clarissa Pace about the structural integrity of the old shelter. Mayor Akers informed her that the leaks have been sealed, and insulation has been added. The building will be used regardless if it is used for a shelter or not. Several Council members expressed that 2nd Chance has done a lot for the City and its animals, and they want to help



find a solution, whatever it may be. Al Peer and Mark Tiner both mentioned that they would like to see 2nd Chance come up with a few solutions and the City would love to help them achieve a goal. The Council decided that they would like to revisit this topic at the next meeting, Mayor Akers reminded the council that this is an illegal situation and that it has to be resolved soon.

Public Comment

Cindy Villareal asked the Council if the Senior Center would lose funding if they were to help 2nd Chance. Mayor Akers answered that they would not lose funding.

Amanda Killingsworth, President of Options Inc., stated that they help out women and children in domestic abuse situations, and that they pay for all of their utilities. If there was going to be a contract with 2nd Chance, they would love to have a contract to help out with their expenses as well. Mayor Akers addressed the entire room and stated that he would like to be fairness all around.

Meeting Adjourned

Cedric Leonard moved to adjourn the meeting, Clarissa Pace seconded. A yay/nay vote was called. The aye's had it and the meeting was adjourned.

Leape Wigley
h e R