

City Council Minutes

Tuesday, March 28, 2023

Call to Order

Mayor Akers called the meeting to order at 6:01 p.m., City Clerk Taryn Wigley called the roll.

Attendees

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

Approval of Minutes

Al Peer moved to approve the February minutes, Clarissa Pace seconded. A yay/nay vote was called and the minutes passed unanimously.

Unfinished Business

a. Resolution Authorizing the sale of Fire Station 3 to Drew County OEM

Mayor Akers summarized the discussion from the previous council meeting, explaining that the title of the resolution will include "City of Monticello" instead of "Monticello Fire Department" in order for any left-over money to benefit any project city wide that might need the funds. Mark Tiner introduced the resolution and moved that the rules be suspended and read by title only, Michael James seconded. The aye's had it and City Attorney Whit Barton read. Clarissa Pace moved to pass the resolution, Al Peer seconded. An aye/nay vote was called, and the resolution passed unanimously.

New Business

a. Resolution Advertising the Bid for Well #4

Logan Scherm with Ideal Pump Service made a presentation to the council of his findings after examining Well #4. He stated that there was excessive wear and tear on shaft of the pump, causing vibrations at least two hundred feet deep. He determined that only the pump would need to be fixed. The component pricing ranges from \$60,000.00 to 100,000.00 per pump. After the pump is fixed, Ideal Pump Service will do performance checks every 2-3 years. Mr. Sherm reinforced that this is preventative maintenance. Mayor Akers explained to the council that the excessive stress on Well #4 was caused by Well #6 being out of commission in the past.

Michael James introduced the resolution and moved that the rules be suspended and read by title only, Craig McRae seconded. The aye's had it and Whit Barton read. Michael James moved to pass the resolution, Mark Tiner seconded. An aye/nay vote was called, and the resolution passed unanimously.



b. Pine Haven Mobile Home Park Sewer Permit Discussion with Chad Murphy

Mayor Akers explained to the council that Chad Murphy is the owner of Pine Haven Mobile Home Park, located around a half a mile north of our city limits. Pine Haven is currently tapped into the City water lines, but is not on City sewer lines. Mr. Murphy is asking for the City to apply for a permit allowing him to tie into the sewer lines that are on the Highway Departments right-of-way. Mr. Murphy is also paying for the entirety of the project. Mayor Akers stated that he's had conversations with Arkansas Dept. of Transportation along with City Attorney Whit Barton to voice their intentions. City Attorney Whit Barton and Mr. Murphy's attorney finalized an agreement for the City to apply for the permit. Mayor Akers and Mr. Murphy are in agreement about having an annexation agreement in place should the City decide to annex north of the city limits.

Chad Murphy spoke to the council, explaining that he has made significant upgrades to this mobile home park and would like to expand the area. He sees that there is a need for affordable and nice housing in the area, and he would be able to add up to 30 homes on his empty five acres if he is able to obtain the permit.

Michael James mentioned that he did not see anything in the agreement about maintenance on the sewer lines. City Attorney Whit Barton answered that the City would be responsible for the line that is running from the pump station, but the owner would be responsible for the lift station that is on the owner's property. Mike Wigley mentioned that this line would give other homeowners the opportunity to connect to City sewer as well.

Mark Tiner moved to accept the agreement and allow Mayor Akers to apply for the permit, Clarissa Pace seconded. An aye/nay vote was called, and the motion was passed unanimously.

c. Resolution to Appoint Marty Davis to Parks Commission

Mayor Akers stated that Marty Davis has coached some of the best athletes in the area and believes that he would be a wonderful addition to the Parks Commission. Mark Tiner moved to suspend the rules and read by title only, Michael James seconded. An aye/nay vote was had, and Whit Barton read. Clarissa Pace pointed out a correction in section one of the resolution that the name "BJ Jackson" be replaced with "Marty Davis". The correction was noted. Michael James moved to accept the resolution, Craig McRae seconded. An aye/nay vote was called, and the resolution passed unanimously.

d. Resolution to Apply for USDA Grant for Monticello Fire Department

Mayor Akers explained to the council that the Fire Department is buying a fire truck. This grant would cover 1/3rd of the cost or up to \$50,000.00 of the project. The fire truck is going to be bought with or without the grant, but Chief Chisom would like the chance to apply for the grant money. The City allocated \$421,000.00 for the cost of the truck in the budget. Michael James moved to suspend the rules and read by title only, Clarissa Pace seconded. An aye/nay vote was had, the aye's had it and City Attorney Whit Barton read. Chief Chisom stated that the fire truck will be delivered in the early part of next year. Mark Tiner moved to pass the resolution, Clarissa Pace seconded. An aye/nay vote was called and the resolution passed unanimously.

e. Resolution to Apply for Rural Crime Reduction Grant

Mayor Akers explained to the council that much of the crime that is happening currently involves major cell phone communication, but there are very few places that have the technology to extract data off the phones. It is also very time-consuming to get the data back, which prolongs investigations. The grant is \$96,000.00 and would not only benefit Monticello PD, but all of Southeast Arkansas. Mark Tiner asked if the grant would cover the entire cost. Chief Garcia stated that it would cover all the equipment and technology. Mayor Akers added that there would be one detective that would be trained to extract the data, and that training is also included in the grant. Michael James asked if there was a yearly subscription. Chief Garcia answered that he plans to sell the service to other agencies, either charging them for every use, or have them pay for part of the yearly subscription. Michael James moved to suspend the rules and read by title only, Mark Tiner seconded. Aye/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. An aye/nay vote was called and the resolution passed unanimously.

f. Resolution to Amend 2023 Solid Waste Budget

Mayor Akers explained that GFL, our trash collection service, made contact with the City in the last month concerning the overdue expense the City owes. He explained that even with the rate increase last year, we are still not making enough to cover the expense. Mayor Akers would like to use CD to get the City current with GFL. Michael James asked if the City is charging enough to cover the monthly cost, Finance Assistant Ashley Rodermund answered "no". He added that we need to look into getting rates increased in the near future. Mayor Akers explained that all of the solid waste rates need to be addressed, and they are short between 220,000.00-240,000.00 each year. He added that he will send the council possible rate changes within the month. Michael James moved to suspend the rules and read by title only, Mark Tiner seconded. An aye/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. An aye/nay vote was called, the aye's had it and the resolution passed unanimously.

g. Resolution to Accept Lake Trail Grant TAP/RTP

Mayor Akers stated that he would like to apply for TAP/RTP grants. These grants are being used for phase 3 of the lake trail construction. The application is due in the next month and he would like Council approval to submit the applications. Mark Tiner moved to suspend the rules and read by title only, Clarissa Pace seconded. An aye/nay vote was called, the aye's had it and City Attorney Whit Barton read. Michael James moved to amend the agenda to add the remaining resolutions to the agenda, Mark Tiner seconded. An aye/nay vote was called and they aye's had it. Michael James moved to accept the resolution, Clarissa Pace seconded. An aye/nay vote was called, and the resolution passed unanimously.

h. Alcohol Ordinance – 1st Reading

Mayor Akers stated that in order for a business to sell alcohol, they must get a permit through the City on a yearly basis, then get a permit through Alcohol Beverage Control (ABC). He discovered that there is a loophole in our Ordinance where a business owner

could still sell alcohol only with an ABC permit. Since ABC is a state agency, they do not keep up with City ordinances that require yearly permits. City Attorney Whit Barton recommended that our ordinance strengthen the enforcement of the rules in this ordinance by adding fines. He also explained that there is an emergency clause that would allow us to skip the 3 required readings of an ordinance. Michael James asked for clarification on the fees. Mayor Akers explained that the yearly permit for the City is \$500 and they need to be renewed every calendar year. Michael James moved to introduce the ordinance, Clarissa Pace seconded. An aye/nay vote was called, and the aye's had it. Mayor Akers requested that the Ordinance be read aloud. Claudia Hartness moved to have the first reading of the ordinance, Mark Tiner seconded. An aye/nay vote was called, and the aye's had it and City Attorney Whit Barton read. Mike Wigley asked the factors would go into deciding if the fine was \$200 or \$500, and City Attorney Whit Barton answered that it would be up to Judge Anderson and the fine will be \$200-\$500 for each violation. Clarissa Pace moved to suspend the rules and skip the second and third reading, Mark Tiner seconded. An aye/nay vote was called, the aye's had it. Mark Tiner moved to accept the ordinance, Clarissa Pace seconded. An aya/nay vote was called, they aye's had it and the ordinance passed unanimously.

i. Resolution Declaring 438 Godbold St. a Nuisance

Clarissa Pace asked City Inspector Brian Rodgers if everyone had been notified, and Mr. Rodgers confirmed. Craig McRae asked if any of the property owners were present, Mr. Rodgers answered that none of them were present for the meeting. Clarissa Pace added that she has been in contact with the owners of 438 Godbold St. and they are asking for more time to clean up the property. Mr. Rodgers stated that the owners have been aware of their property for three years and that the clean-up process was delayed due to ADEQ requirements. Clarissa Pace confirmed that the owners are going to take care of the property even if it means having to tear the structure down. Clarissa Pace moved to pass the resolution and give the owners, Earl and Isabel Glass, 90 days to clean the property up, Craig McRae seconded. An aye/nay vote was called, the aye's had it and the resolution was tabled for 90 days.

j. Resolution Declaring 452 Speer St. a Nuisance

Mr. Rodgers stated that he believes the owners are deceased. None of the certified mail has been received and the notice is still on the property. He believes that there is some illegal activity happening inside the house. Craig McRae moved to suspend the rules and read by title only, Michael James seconded. An aye/nay vote was called, they aye's had it and City Attorney Whit Barton read. Craig McRae moved to accept the resolution, Michael James seconded. An aye/nay vote was called, the aye's had it and the resolution passed unanimously.

k. Resolution Declaring 510 East Bolling St. a Nuisance

Mr. Rodgers stated that this is a mobile home park that is in very poor condition. Michael James moved to suspend the rules and read by title only, Craig McRae seconded. An aye/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. An aye/nay vote was called, the aye's had it and the resolution passed unanimously.

State of the City

Mayor Akers delivered the State of the City report. He highlighted that the City of Monticello is fiscally sound, praised the one cent sales tax, and is evaluating City processes and procedures that will save thousands of taxpayer dollars. Mayor Akers mentioned many ongoing projects, including lake trails, improving our infrastructure, and improving the overall appearance of our city. Mayor Akers reassured that he is just getting started and is excited for the future of Monticello.

Public Comments

Bennie Ryburn stated that the Municipal Airport will close to 1.2 million dollars in projects this year. This includes FAA grants, drainage, lighting, and asphalt repair.

Meeting Adjourned

Clarissa Pace moved to adjourn the meeting, Al Peer seconded. An aye/nay vote was called, the motion passed unanimously.

A handwritten signature in blue ink, appearing to read "Tompe Wigley". The signature is written in a cursive style with a large, stylized initial 'T'.