

# City Council Minutes

Tuesday, November 27th, 2023

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## 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 present were Michael James, Al Peer, Craig McRae, Mark Tiner Mike Wigley, and Claudia Hartness were present. Clarissa Pace informed Mayor Akers that she would be absent. Cedric Leonard was also absent.

## Approval of Minutes

Mike Wigley moved to approve both November minutes, Michael James seconded. A yay/nay vote was called, and the minutes passed unanimously.

## Old Business

### a. Speed Hump Ordinance

Mark Tiner introduced the ordinance and moved to read by title only, Claudia Hartness seconded, but requested the ordinance be read in entirety. A yay/nay vote was called. The aye's had it and City Clerk Taryn Wigley read. Mayor Akers confirmed with Police Chief Carlos Garcia that speed hump placement would have to be approved by Police Chief Garcia or Fire Chief Eric Chisom. Chief Garcia confirmed. Chief Chisom confirmed that his fire trucks should be okay if the speed humps are well marked, giving the fire truck driver time to slow down. He also mentioned that they do not need to be on main, high traffic streets, as it would prevent first responders from getting to emergencies in a timely manner. Mark Tiner moved to accept the ordinance, Claudia Hartness seconded. City Clerk Taryn Wigley called roll. All members in attendance voted "yes" and the ordinance passed.

## New Business

### a. Ordinance 544 Modification

Fire Chief Eric Chisom addressed the council, explaining that he and City Attorney Whit Barton discovered a state law that contradicted the city ordinance that required a moving permit for manufactured homes. Chief Chisom stated that the current city ordinance violated state law 35-302 and 35-304, and that we needed to remove mobile home permits. The City has required moving permits for mobile homes since 1977, and the state has changed the law some time between then and now. Mike Wigley asked if the permitting for mobile homes would go through the state now, and Chief Chisom confirmed. Chief Chisom stated that this is a great example of an ongoing issue with updating ordinances. He has been in contact with the Planning Commission to remedy the issue. Mike Wigley moved to wave the three readings, enact the emergency clause,

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. Mark Tiner moved to accept the ordinance, Al Peer seconded. City Clerk Taryn Wigley called roll, all members in attendance voted "yes" and the ordinance passed.

**b. Headworks Project Update**

Mayor Akers addressed the council, telling them that this project was approved in October 2022 and was funded with ARPA funds for the east and west water treatment plants. It is a 75/25% grant. Jason Temple from McClellan Engineering came up with two options, a screw pump or a submersible pump. The submersible pump construction would cost \$1,080,474.93 and the screw pump was significantly higher. Since that quote, screw pumps have become much more affordable, only leaving a \$26,000.00 difference in the two pumps. McClellan advised Mayor Akers that the screw pumps would be less maintenance and more efficient in long term use. Mayor Akers asked the council to review the information, and that these items have not been budgeted for. After the grant reimbursement, the project would cost the City \$276,750.00.

**c. City Sidewalk Project Update**

Mayor Akers explained that he has attempted to get Tim from Lemmons Engineering to give an update to the council for the past few months. Covid exposure and a conflict of interest has kept him away in previous months, and Mayor Akers is asking him to come to the December meeting. Mark Tiner asked if there is any legal action that we can take towards Lemmons Engineering if we do not have an update at the December meeting. City Attorney Whit Barton answered that it is possible, and he can contact the engineering firm if it is the will of the Council, but believes the Mayor is capable of delivering he message.

**d. Resolution to Purchase Front Load Garbage Truck**

Mayor Akers explained that this is going to be paid for out of one cent sales tax. Mark Tiner moved to suspend the rules and read by title only, Craig McRae seconded. A yay/nay vote was called. They ayes had it and City Attorney Whit Barton read. Finance Manager Ashley Rodermund added that purchasing the truck outright will save the City over \$30000.00. Michael James moved to accept the resolution, Al Peer seconded. A yay/nay vote was called. They ayes had it and the resolution passed unanimously.

**e. Resolution to Declare 1204 E Railroad St. a Nuisance**

Michael James introduced the resolution and moved to suspend the rules and read by title only, Mark Tiner seconded. A yay/nay vote was called. The ayes had it and City Attorney Whit Barton read. City Inspector Brian Rodgers informed the council that the owner of the property is deceased, and the son of the owner is currently looking for grants to help him clean up the property. The son has requested more time. Mark Tiner moved to table the resolution until January, Claudia Hartness seconded. A yay/nay vote was called. The aye's had it and the resolution was tabled.

**f. Resolution to Declare 1018 Hwy 278 a Nuisance**

Brian Rodgers informed the council that he has been in contact with the owner. The owner plans to tear the property down but needs 60 more days. Michael James moved to table the motion for 60 days, Mark Tiner seconded. A yay/nay vote was called. The ayes had it and the resolution was tabled.

**d. Update on Lake Trails at Lake Monticello**

Mayor Akers asked that the agenda be amended for an update on the Lake Trails. Claudia Hartness moved to amend the agenda, Mark Tiner seconded. A yay/nay vote was called. The ayes had it and the agenda was amended.

Jeff Newton, a volunteer with the Lake Trail project updated the council that they are attempting to bid out phase 2 of the project. ArDOT Environmental Division is requesting that they apply for a section 404 Wetland Delineation permit and work with the Army Corp of Engineers to get the permit. Mr. Newton has been in contact with a company out of Little Rock who would do a wetland survey to determine where the wetlands are and what impact the trail would have on it. The cost for the survey is going to cost \$5850.00. Whit Barton added that the cost will not need to be put up for bid, the council will need to approve the spending. Vicke Norris voiced that this project can be paid for out of Park Commission line item #5405. Claudia Hartness moved to approve the request, Craig McRae seconded. A yay/nay vote was called. The aye's had it and the request was approved.

### **Public Comment Section**

### **Meeting Adjourned**

Mike Wigley motioned to adjourn; Mark Tiner seconded. A yay/nay vote was called. The aye's had it and the meeting was adjourned.

