

# City Council Minutes

Tuesday, September 26, 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 Clarissa Pace, Michael James, Al Peer, Mark Tiner, Craig McRae, Mike Wigley, and Claudia Hartness were present. Cedric Leonard was absent.

## Approval of Minutes

Mike Wigley moved to approve the August minutes, Craig McRae seconded. A yay/nay vote was called, and the minutes passed unanimously.

## New Business

### a. Presentation by McClellan Engineering

Taylor White with McClellan Engineering presented the council with updates on the Main St. utility line relocation project. He explained that the utilities are very old and the City has had several problems with the lines. This project is coming up at a great time because ArDOT will be re-paving the entire road, giving McClellan the opportunity to fix the lines before new asphalt is laid on Main St. McClellan will be relocating 8,000 ft. of water lines and 5,000 ft. of sewer lines starting at Jefferson Ave. to Glenwood Dr. There is some permitting that will have to be done through ArDOT and the railroad service, which is causing a scope change. There will be a few spots where they will have to rehab the water lines and manholes. The goal is to start bidding out in the first quarter of 2024. Mike Wigley asked if all the water lines will be relocated, Mr. White answered that all water lines will be moved since they are easier to manipulate. He added that most of N. Main St. sewer lines will have to be rehabbed since the area is so tight and there are businesses that are too close to the pavement. Many lines will be moved under sidewalks, which can slightly change the estimated price. Michael James expressed concern that there will still be utility lines under the street that would still have to be dug up if they were to break. Mr. White answered that there is always a possibility of problems later, but rehabbing would be better than the current state of the lines. Moving all lines from underneath the road is the main goal, but there are certain areas where there aren't many options for relocation. Mark Tiner asked if there were many trees that would have to be cut down. Mr. White answered that they took the path of least resistance and want to cut as few trees down as possible. He advised that they will work with the land owners when clearing is necessary. Mayor Akers asked who the liaison would be between ArDOT and McClellan. Mr. White answered that McClellan would take care of the communication. He added that they should be finished with this project by 2025, depending on easements with private property owners.



**b. Resolution Authorizing Safety Grant Application**

Mark Tiner 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. This subject was previously discussed in the finance meeting. 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.

**c. Resolution Accepting Water/Sewer Audit Bid**

Craig McRae introduced the resolution and moved to suspend the rules and read by title only, Claudia Hartness seconded. An yay/ nay vote was called. The aye's had it and City Attorney Whit Barton read. Mayor Akers explained that there are two options on the resolution. Clarissa Pace moved to accept the bid for Searcy and Associates, Michael James seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

**d. Resolution Accepting ADEM Drainage Grant for Godfrey Ditch**

Clarissa Pace 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 project is going to start at Conley St. and end at Jackson St. Clarissa Pace pointed out that the City will only be responsible for \$74,999.00. Clarissa Pace moved to accept the resolution, Craig McRae seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

**e. Resolution Accepting AL Franks Engineering Bid**

Mayor Akers introduced the resolution and explained that this firm will be facilitating the Godfrey Ditch project. Al Peer 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. 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.

**f. Resolution Accepting Work Order from AL Franks**

Craig McRae 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. Mark Tiner asked if this project will be paid for out of One Cent Sales Tax. Finance Director Vickie Norris confirmed. Clarissa Pace 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 Amending 1998 One Cent Sales Tax for Jackson/Conley**

Craig McRae 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. Mike Wigley 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 Authorizing AEDC Community Block Grant Application**

Clarissa Pace 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. Michael James asked if we knew what the amount of the grant would be. Mayor Akers answered that this is a no-match grant for \$4,99,000.00, and that this resolution would authorize the City to apply for the grant. These funds would go towards the Bankston Hall and Gibson lift stations. 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.

#### **i. Resolution- Stipulation Use of Force**

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. Mayor Akers explained that this resolution is a requirement for all law enforcement agencies. 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.

#### **j. Speed Hump Ordinance**

Mark Tiner introduced the resolution and moved to read the ordinance in its entirety, Michael James seconded. A yay/nay vote was called. The aye's had it and City Attorney Whit Barton read. Mike Wigley asked that the resolution determine the number of feet allowed between speed humps. Mayor Akers answered that we need to determine the number of feet and we could possibly leave it up to the residents that want the speed humps. Michael James mentioned that it would be better to consult the fire or police chief for input on placement. Mayor Akers asked City Attorney Whit Barton to amend the ordinance in paragraph 7 to determine the amount of feet between speed humps and leave it up to the approval of the fire or police chief. Clarissa Pace mentioned that speed hump placements will be very important, and that many citizens would not appreciate having a speed hump right in front of their driveway. Michael James moved to table this discussion until the second reading, Al Peer seconded. A yay/nay vote was called. The aye's had it and the ordinance was tabled until October.

#### **k. Resolution to Impose a Lien on 311 S Hyatt**

Clarissa Pace 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. Brian Rodgers explained to the council that a notification was sent to the owners. All four properties on the agenda had to have their yard mowed at the expense of the City, which is why a lien being put on the property. This property is currently in compliance. 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.

#### **l. Resolution to Impose a Lien on 554 S Gabbert**

Mark Tiner 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. Brian Rodgers informed the council that this was the same criteria as the above-listed resolution. Clarissa Pace moved to accept the resolution, Craig McRae seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

**m. Resolution to Impose a Lien on 615 E Bolling**

Clarissa Pace 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. Brian Rodgers told the council that this is the same circumstance and the previous resolutions, however, this is the second time we have had to impose a lien on this property for knee high grass. Mike Wigley questioned the price. Mr. Rodgers explained that it was around ½ acre to mow, and the City workers also cleaned up the trash on the property. Mark Tiner asked how the rates were determined. Mr. Rodgers answered that we use the 2023 FEMA rates to determine what is owed. Mark Tiner moved to accept the resolution, Micheal James seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

**n. Resolution to Impose a Lien on 455 S Pine**

Craig McRae 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. This is the same circumstance as previous listed resolutions. 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 Declaring 253 E Jackson a Nuisance**

Mark Tiner 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. Brian Rodgers explained that a certified letter has been sent and he has been in contact with the owners. The new owners just purchased the property after it was tied up in litigation for around 18 months. The owners are asking for time to tear down the property. The council decided to give the new owners 90 days to take care of the property. Clarissa Pace moved to table the discussion for 90 days, Craig McRae seconded. A yay/nay vote was called. The aye's had it and the resolution was tabled for 90 days.

**p. Resolution Declaring 403 N Dillard a Nuisance**

Craig McRae 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. Brian Rodgers explained that this house is a bad situation. The house has been gutted, there are no utilities, and it is a known drug house. Police Chief Carlos Garcia added that the police have been called to this house multiple times for drugs, parties, violence, and animals left unattended. Clarissa Pace moved to accept the resolution, Mark Tiner seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

**q. Resolution Declaring 416 N Speer a Nuisance**

Craig McRae 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. Mr. Rodgers informed the council that the owners have been in contact. They are peacefully evicting the tenants and asking that the property be condemned. Clarissa Pace moved to accept the resolution, Al Peer seconded. A yay/nay vote was called. The aye's had it and the resolution passed unanimously.

**r. Resolution Declaring 426 S Pine a Nuisance**

Mark Tiner 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. Mr. Rodgers explained that this is in The Pines Mobile Home Park and there are multiple mobile homes that have holes in the floors and trash scattered around them. He has sent letters to the owners but has not gotten a response from them. Craig McRae asked if there was a lot number. Mr. Rodgers did not have one and the lots were not numbered. Michael James asked if the entire park was in bad shape, or just select mobile homes. Mr. Rodgers answered that he legally must put the entire property on the resolution. City Attorney Whit Barton added that the lots need to be specified by photograph if there is not a number present. Craig McRae moved to table this resolution, Al Peer seconded. A yay/nay vote was called. The aye's had it and the resolution was tabled.

**Mayor Comment Section**

Mayor Akers opted not to have a comment section for this meeting and moved on to the public comment section.

**Public Comment Section**

Robert Weiss, a resident of Vivian Manor, expressed concerns about speeding in his neighborhood and all neighborhoods in Monticello, pointing out that it is important to feel safe and be confident that our children can be safe. Mayor Akers asked Mr. Weiss if he heard the ordinance that was read earlier in the meeting and if he agrees with it. Mr. Weiss answered that he did, and he supported the ordinance. Clarissa Pace asked if he had a petition with at least 75 percent in agreement. Mr. Weiss answered that he did and had the petition present.

**Meeting Adjourned**

Mark Tiner moved to adjourn, Craig McRae seconded. A yay/nay vote was called. The aye's had it and the meeting adjourned.

*Laura Wigley*  
City Clerk

