

Brookland City Council Minutes
December 14, 2020

The meeting was called to order at 7:00 PM by Mayor Jones.

Roll Call: Council present: Jason Cooper, Martin Crain, Wilson Shipman, Mike Bishop, David Gambill, Mayor Kenneth Jones, Attorney Kevin Orr, and City Clerk Billy Dacus.

Mike Bishop made a motion to approve November 9, 2020 Brookland City Council minutes as written. The motion was seconded by David Gambill. Mayor Jones stated motion and second and then opened the motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to accept the city council minutes from November 9, 2020 passed 5 Yays to 0 Nays.

Mayor Jones noted that there was a discussion about replacing Lacey Elder's position on the council this month. The council can vote-in a replacement by majority vote. Brian Shipman presented himself to the council as a replacement. There were others that showed interest to join the council, but they were not present. Due to the election in November, Mrs. Elder's newest term would not start until January. It was decided to wait until January of 2021 for the replacement for Ward 2, Position 2. Martin Crain made a motion to table the filling of the position until January's meeting. The motion was seconded by David Gambill. Mayor Jones stated motion and second and then opened the motion to the council for further discussion. Wilson Shipman noted he thought the position should be filled now. Attorney Kevin Orr stated that the process of filling the spot would have to be addressed again in January because of the new term discussed earlier. Being no further discussion, Mayor Jones called for a roll call vote. Mike Bishop: Y, David Gambill: Y, Jason Cooper: Y, Martin Crain: Y, Wilson Shipman: N. Mayor Jones announced the motion passed 4 Yays to 1 Nay.

New Business

Ordinance 2020-14 - Ordinance to correct zoning map per rezone by Planning Commission:

Kevin Orr read Ordinance 2020-14 in its entirety. Mike Bishop made a motion to suspend the rules and go to the second reading of Ordinance 2020-14 by title only. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened the motion to suspend the rules to council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to suspend the rules and go to the second reading of Ordinance 2020-14 by title only passed 5 Yays to 0 Nays.

Kevin Orr read Ordinance 2020-14 second reading by title only. Mike Bishop made a motion to suspend the rules and go to the third and final reading of Ordinance 2020-14 by title only. David Gambill seconded the motion. Mayor Jones stated motion and second, then opened the motion to suspend the rules to council for discussion. Being no further discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to suspend the rules and go to the third and final reading of Ordinance 2020-14 by title only passed 5 Yays to 0 Nays.

Kevin Orr read Ordinance 2020-14 third and final reading by title only. Mike Bishop made a motion to accept Ordinance 2020-14 as read. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened Ordinance 2020-14 to council for discussion. Being no discussion, Mayor Jones asked for a roll call vote. Mike Bishop: Y, Wilson Shipman: Y, Jason

Cooper: Y, David Gambill: Y, Martin Crain: Y. Mayor Jones announced that Ordinance 2020-14 had passed by a vote of 5 Yays to 0 Nays.

Mike Bishop made a motion to accept the Emergency Clause as read in Ordinance 2020-14. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened the motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to accept the Emergency Clause as read in Ordinance 2020-14 passed 5 Yays to 0 Nays.

Ordinance 2020-15 - Ordinance to set Clerk Pay:

Kevin Orr read Ordinance 2020-15 in its entirety. Mike Bishop made a motion to suspend the rules and go to the second reading of Ordinance 2020-15 by title only. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened the motion to suspend the rules to council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to suspend the rules and go to the second reading of Ordinance 2020-15 by title only passed 5 Yays to 0 Nays.

Kevin Orr read Ordinance 2020-15 second reading by title only. Mike Bishop made a motion to suspend the rules and go to the third and final reading of Ordinance 2020-15 by title only. David Gambill seconded the motion. Mayor Jones stated motion and second, then opened the motion to suspend the rules to council for discussion. Being no further discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to suspend the rules and go to the third and final reading of Ordinance 2020-15 by title only passed 5 Yays to 0 Nays.

Kevin Orr read Ordinance 2020-15 third and final reading by title only. Mike Bishop made a motion to accept Ordinance 2020-15 as read. David Gambill seconded the motion. Mayor Jones stated motion and second, then opened Ordinance 2020-15 to council for discussion. Martin Crain asked how many hours does the City Clerk work at City Hall. Billy Dacus noted that he has not worked at City Hall since March due to the Coronavirus restricting business. Being no further discussion, Mayor Jones asked for a roll call vote. Mike Bishop: Y, Wilson Shipman: Y, Jason Cooper: Y, David Gambill: Y, Martin Crain: Y. Mayor Jones announced that Ordinance 2020-15 had passed by a vote of 5 Yays to 0 Nays.

Mike Bishop made a motion to accept the Emergency Clause as read in Ordinance 2020-15. David Gambill seconded the motion. Mayor Jones stated motion and second, then opened the motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to accept the Emergency Clause as read in Ordinance 2020-15 passed 5 Yays to 0 Nays.

Ordinance 2020-16 - Ordinance to set Council Pay:

Kevin Orr read Ordinance 2020-16 in its entirety. Mike Bishop made a motion to suspend the rules and go to the second reading of Ordinance 2020-16 by title only. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened the motion to suspend the rules to council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to suspend the rules and go to the second reading of Ordinance 2020-16 by title only passed 5 Yays to 0 Nays.

Kevin Orr read Ordinance 2020-16 second reading by title only. Mike Bishop made a motion to suspend the rules and go to the third and final reading of Ordinance 2020-16 by title only. David

Gambill seconded the motion. Mayor Jones stated motion and second, then opened the motion to suspend the rules to council for discussion. Being no further discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to suspend the rules and go to the third and final reading of Ordinance 2020-16 by title only passed 5 Yays to 0 Nays.

Kevin Orr read Ordinance 2020-16 third and final reading by title only. Mike Bishop made a motion to accept Ordinance 2020-16 as read. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened Ordinance 2020-16 to council for discussion. Being no further discussion, Mayor Jones asked for a roll call vote. Mike Bishop: Y, Wilson Shipman: Y, Jason Cooper: Y, David Gambill: Y, Martin Crain: Y. Mayor Jones announced that Ordinance 2020-16 had passed by a vote of 5 Yays to 0 Nays.

Mike Bishop made a motion to accept the Emergency Clause as read in Ordinance 2020-16. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened the motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to accept the Emergency Clause as read in Ordinance 2020-16 passed 5 Yays to 0 Nays.

Resolution 2020-17 to amend 2020 General, Street & Utility Budgets:

Attorney Kevin Orr read Resolution 2020-17 in its entirety. This is a resolution to amend the 2020 General, Street, and Utility Budgets. Mike Bishop made a motion to accept Resolution 2020-17 as read. Jason Cooper seconded the motion. Mayor Jones stated motion and second and then opened the motion to the council for discussion. Martin Crain asked about how and where some of the items on the budgets were spent. Mayor Jones explained to the council to their satisfaction. The Mayor also noted that this was not the new 2021 budgets but the 2020 budgets that are required to be adjusted at the end of the year. Being no further discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to accept Resolution 2020-17 has passed by a vote of 5 Yays to 0 Nays.

Karla & Darrin Block - regarding sewage issue at 107 N Oak St:

Darrin and Karla Block addressed the council about a sewage issue affecting their home at 107 N. Oak Street. They presented documents and pictures of damages caused by the sewer backing up inside their house. They are asking the city to help with expenses caused by the city sewer line being clogged. Mayor Jones noted that the city has investigated the issue and has decided that the clogging was caused by grease oil build-up. The Mayor asked the council for a 10-minute recess so that the council could review the pictures and documents.

David Gambill made a motion to take a 10-minute recess. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened the motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion passed 5 Yays to 0 Nays. Council out of session at 7:50.

David Gambill made a motion for the council to go back in session. Mike Bishop seconded the motion. Mayor Jones stated motion and second, then opened the motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion passed 5 Yays to 0 Nays. Council back in session at 8:00.

There was a long and lengthy discussion between the council and the Block's about what exactly happen and how much compensation they were seeking. Once it was learned that an insurance claim was filed, Attorney Kevin Orr noted that more information and further investigating will need to be done before the issue can be settled. Martin Crain made a motion to table the issue until January's meeting so that more information can be gathered. The motion was seconded by David Gambill. Mayor Jones stated motion and second and then opened the motion to the council for further discussion. Wilson Shipman stated that he thought the issue should be decided tonight. Being no further discussion, Mayor Jones called for a roll call vote. Mike Bishop: Y, David Gambill: Y, Jason Cooper: Y, Martin Crain: Y, Wilson Shipman: N. Mayor Jones announced the motion passed 4 Yays to 1 Nay.

Mayor noted that he appreciated the patience and willingness to work through the problem with city by both Darrin and Karla. They agreed to come back to the January meeting.

Old Business

ARDOT Project 100935 Sidewalk Update:

Mayor Jones wanted to touch base with the council again on this issue. He noted that it is still a work in progress. The city is still waiting on information before proceeding further.

City Park Land Purchase, Stephens Inc.:

Jason MacDonald of Fisher Arnold and Michael McBryde of Stephens Inc. spoke to the council about the grant request that the city had made earlier. Jason said Mayor Jones and I met with the Arkansas Parks about the \$250,000.00 matching grant. While talking about the grant application the sports complex we are looking at was mentioned. Mayor Jones and Jason were told that the projects could work together. We could apply for a grant for Smith and Nelms street parks. Work to complete them. Then apply for second grant to support the sports complex the city is working toward. Getting the grant for Nelms and Smith Street parks, working to complete in a timely manner would show the parks board you good steward ship with the money and help you on your application for a second grant. Mayor Jones asked Michael McBryde if this would be a conflict with the city building a large complex. Mr. McBryde said it would not. The city will need to study the project further to narrow down what is needed and what should be included. This will give Mr. McBryde the information he needs so he can give the city a more specified plan.

City of Brookland Sanitation & Discuss Bluebag Recycle Program:

The Mayor asked the council if they have reviewed the information that was given to them at last month's meeting. He asked if they think it would be a good idea to proceed. The council agreed that if the figures are correct, it will benefit the city to move forward. More information will be gathered, and the issue will be discussed further in January's meeting.

Previous Month's Financials:

Mayor Jones reviewed both November's Financial Checking Account Reports. The following are 11-30-2020 ending balances for the main operating checking accounts:

1. General Fund ending balance was \$246,184.57
2. Street Fund ending balance was \$272,011.91
3. Utility Fund ending balance was \$337,135.62

Resolution 2020-18 - Adopt 2021 General, Street & Utility Fund Budgets:

Attorney Kevin Orr read Resolution 2020-18 in its entirety. This is a resolution to accept the 2021 General, Street, and Utility Budgets. Mike Bishop made a motion to accept Resolution 2020-18 as read. Jason Cooper seconded the motion. Mayor Jones stated motion and second and then opened the motion to the council for discussion. Mayor Jones reviewed each of the 2021 General, Street & Utility Fund Budgets with the council. Asked if there were any questions. Being no further discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to accept Resolution 2020-18 has passed by a vote of 5 Yays to 0 Nays.

Mayor's Notes:

- ✓ Mayor told the council that the draft utility audit for 2019 and 2018 was received by city from Despain, Luther, and Short. Those of you that have email capability were sent to you directly. Others were handed out to you. Martin Crain said he had not seen it. Mayor Jones gave him a copy. Mayor Jones said there were no findings in the report. Mayor Jones said the final Utility Audit Report will be on agenda as soon as we receive it.
- ✓ Mayor Jones asked the council to add two items to the agenda. Martin Crain made a motion to add the two items to the agenda. The motion was seconded by Jason Cooper. Mayor Jones stated motion and second and then opened the motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion passed 5 Yays to 0 Nays.

The two items are Ordinances to accept the updated booklets by the Planning Commission outlining the conditions for the Zoning Code and Subdivision and Development Code.

Ordinance 2020-19 – Revision of the Zoning Code:

Kevin Orr read Ordinance 2020-19 in its entirety. Mike Bishop made a motion to suspend the rules and go to the second reading of Ordinance 2020-19 by title only. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened the motion to suspend the rules to council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to suspend the rules and go to the second reading of Ordinance 2020-19 by title only passed 5 Yays to 0 Nays.

Kevin Orr read Ordinance 2020-19 second reading by title only. Mike Bishop made a motion to suspend the rules and go to the third and final reading of Ordinance 2020-19 by title only. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened the motion to suspend the rules to council for discussion. Being no further discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to suspend the rules and go to the third and final reading of Ordinance 2020-19 by title only passed 5 Yays to 0 Nays.

Kevin Orr read Ordinance 2020-19 third and final reading by title only. Mike Bishop made a motion to accept Ordinance 2020-19 as read. David Gambill seconded the motion. Mayor Jones stated motion and second, then opened Ordinance 2020-19 to council for discussion. Martin Crain asked what was being changed. Steve Phillips, Chair of the Planning Commission explained the major changes that had been made. Being no further discussion, Mayor Jones asked for a roll call vote. Mike Bishop: Y, Wilson Shipman: Y, Jason Cooper: Y, David Gambill: Y, Martin

Crain: Y. Mayor Jones announced that Ordinance 2020-19 had passed by a vote of 5 Yays to 0 Nays.

Mike Bishop made a motion to accept the Emergency Clause as read in Ordinance 2020-19. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened the motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to accept the Emergency Clause as read in Ordinance 2020-19 passed 5 Yays to 0 Nays.

Ordinance 2020-20 – Revision of the Subdivision and Development Code:

Kevin Orr read Ordinance 2020-20 in its entirety. Mike Bishop made a motion to suspend the rules and go to the second reading of Ordinance 2020-20 by title only. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened the motion to suspend the rules to council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to suspend the rules and go to the second reading of Ordinance 2020-20 by title only passed 5 Yays to 0 Nays.

Kevin Orr read Ordinance 2020-20 second reading by title only. Mike Bishop made a motion to suspend the rules and go to the third and final reading of Ordinance 2020-20 by title only. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened the motion to suspend the rules to council for discussion. Being no further discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to suspend the rules and go to the third and final reading of Ordinance 2020-20 by title only passed 5 Yays to 0 Nays.

Kevin Orr read Ordinance 2020-20 third and final reading by title only. Mike Bishop made a motion to accept Ordinance 2020-20 as read. David Gambill seconded the motion. Mayor Jones stated motion and second, then opened Ordinance 2020-20 to council for discussion. Steve Phillips, Chair of the Planning Commission explained the major changes that had been made. Being no further discussion, Mayor Jones asked for a roll call vote. Mike Bishop: Y, Wilson Shipman: Y, Jason Cooper: Y, David Gambill: Y, Martin Crain: Y. Mayor Jones announced that Ordinance 2020-20 had passed by a vote of 5 Yays to 0 Nays.

Mike Bishop made a motion to accept the Emergency Clause as read in Ordinance 2020-20. Jason Cooper seconded the motion. Mayor Jones stated motion and second, then opened the motion to the council for discussion. Being no discussion, Mayor Jones called for a vote. Mayor Jones announced the motion to accept the Emergency Clause as read in Ordinance 2020-20 passed 5 Yays to 0 Nays.

Mayor Jones ask if there is anything from the council?

There was none.

Mayor Jones ask if there is anything from the floor?

There was none.

The mayor noted that he wanted to thank everyone for their hard work this year.

Wilson Shipman made a motion to adjourn. It was seconded by Martin Crain. Mayor Jones stated motion and second, then called for a vote. Mayor Jones announced the motion to adjourn passed 5 Yays to 0 Nays. The meeting was adjourned at 9:43 pm by Mayor Jones.

Kenneth Jones, Mayor

Billy Dacus, City Clerk/Treasurer