

COUNCIL MEETING

October 25, 2021

The Paragould City Council met in regular session on Monday, October 25, 2021, at 6:00 p.m. in the Council Room of City Hall with Mayor Agee presiding.

Invocation was led by Pastor Micah Williams of 7th and Mueller Church of Christ.

The meeting was called to order followed by the Pledge of Allegiance

Those present were Randy Aden, Brad Baine, Jeremy Biggs, Lindsey Boggs, Aaron Camp, Mark Rowland, Susan Williams, and Neal Adams

City Attorney Robert Thompson and City Clerk Andrea Williams were present.

Councilmember Williams moved minutes from previous council meeting of October 11, 2021, be approved as transcribed; seconded by Councilmember Adams. All in favor.

REPORTS FROM BOARDS AND STANDING COMMITTEES:

Public Service	- None
Finance	- None
Parks and Recreation	- Councilmember Williams stated the parks committee met on October 11, 2021 and have item number five on tonight's agenda.
Police	- None
Public Health and Ordinances	- Councilmember Biggs stated the ordinance committee met at 5:30 this evening and have items number one, three and four on tonight's agenda.
Fire	- None
Sanitation	- None
Street/Cemetery	- None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

ITEM #1

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF PARAGOULD, ARKANSAS, AND FOR OTHER PURPOSES – APPLICATION OF TRUSTEES OF DANNY LYNN FORD LIVING TRUST – PROPERTY LOCATED AT 1233 HIGHWAY 135 NORTH

Motion made that the ordinance be offered by Councilmember Rowland; seconded by Councilmember Adams.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Attorney Roger Colbert appeared representing the trustees of the Danny Lynn Ford Living Trust. Mr. Colbert stated the property is located at 1233 Highway 135 North from R-2 to C-1. Mr. Colbert told the council that Mr. Ford is wanting to place a building to be used for storage. He found out the property where Glen Sain Ford and the surrounding property was still zoned R-2 when he tried to purchase a building permit.

Mr. Colbert stated this rezone was presented to the Planning Commission on October 7, 2021. Five members were present and all five voted in favor if the rezone. No one appeared in opposition.

Motion made to place the ordinance on the first reading by Councilmember Rowland; seconded by Councilmember Baine.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made to suspend the rules and place the ordinance on the second reading by Councilmember Biggs; seconded by Councilmember Camp.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made to suspend the rules and place the ordinance on the third and final reading by Councilmember Aden; seconded by Councilmember Williams.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made that the ordinance be adopted by Councilmember Camp; seconded by Councilmember Boggs.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Ordinance adopted. (Ordinance No. 2021-30)

ITEM #2

AN ORDINANCE TO ESTABLISH THE USE RATE FOR ELECTRIC VEHICLE CHARGING STATIONS; AND FOR OTHER PURPOSES

Motion made by Councilmember Biggs that the ordinance be offered; seconded by Councilmember Williams.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Mayor Agee told the council the Paragould Light Water and Cable (PLWC) has installed two electric vehicle charging stations in the city and need to set the rates to use these stations. PLWC General Manager and CEO, Darrell Phillips and Chief Operations Officer, Brett Bradford were both present to address the council. Mr. Phillips stated that PLWC is requesting the standard rate of .18 per KWH for use of the charging station and .12 per minute stand by for 15 minutes after the vehicle is fully charged. Councilmember Biggs stated the ordinance committee recommends adoption of this ordinance.

Motion made to place the ordinance on the first reading by Councilmember Rowland; seconded by Councilmember Agee.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made to suspend the rules and place the ordinance on the second reading by Councilmember Adams; seconded by Councilmember Aden.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made to suspend the rules and place the ordinance on the third and final reading by Councilmember Williams; seconded by Councilmember Boggs.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made that the ordinance be adopted by Councilmember Rowland; seconded by Councilmember Aden.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Ordinance adopted. (Ordinance No. 2021-31)

ITEM #3

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PARAGOULD, ARKANSAS TO RENEW A CABLE FRANCHISE AGREEMENT WITH THE PARAGOULD LIGHT AND WATER COMMISSION; AND FOR OTHER PURPOSES

Motion made by Councilmember Biggs that the resolution be offered; seconded by Councilmember Aden.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Mayor Agee explained to the council that the cable franchise agreement was a 15 year agreement and originally signed in 1989. It was continued for four years and should have been re-signed in 2019. This is just a continuation of that same contract. Councilmember Biggs stated the ordinance committee has reviewed this and recommends adoption of this ordinance.

Motion made that the resolution be adopted by Councilmember Rowland; seconded by Councilmember Camp.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2021-86)

ITEM #4

AN ORDINANCE AMENDING ORDINANCE 78-19; TO MODIFY THE PER-METER TAX TO BE PAID BY SUPPLIERS OF NATURAL GAS; AND FOR OTHER PURPOSES

Motion made by Councilmember Biggs that the ordinance be offered; seconded by Councilmember Williams.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Mayor Agee told the council that the gas franchise tax was set to \$5.00 per meter in 1978 and has never been changed. He stated that the electric franchise is 5% and the cable franchise is 3%. This ordinance will increase the gas franchise to 5% with a maximum charge of \$500.00 per meter per month. Councilmember Biggs stated the ordinance committee met on October 11, 2021 to discuss this matter and recommends adoption of this ordinance.

Motion made that the ordinance be placed on the first reading by Councilmember Williams; seconded by Councilmember Boggs.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made to suspend the rules and place the ordinance on the second reading by Councilmember Rowland; seconded by Councilmember Biggs.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made to suspend the rules and place the ordinance on the third and final reading by Councilmember Aden; seconded by Councilmember Williams.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made that the ordinance be adopted by Councilmember Biggs; seconded by Councilmember Camp.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Ordinance adopted. (Ordinance No. 2021-32)

ITEM #5

AN ORDINANCE TO AMEND THE FEES FOR THE USE OF FACILITIES OF THE PARAGOULD PARKS AND RECREATION DEPARTMENT, TO SET AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Motion made that the ordinance be offered by Councilmember Camp; seconded by Councilmember Adams.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Mayor Agee told the council that this ordinance is not changing the yearly rate of an aquatic membership but sets the fees to pay monthly with or without a bank draft. Councilmember Williams stated the Parks Commission met on October 11, 2021 and recommends adoption of this ordinance.

Motion to place the ordinance on the first reading by Councilmember Rowland; seconded by Councilmember Adams.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made to suspend the rules and place the ordinance on the second reading by Councilmember Biggs; seconded by Councilmember Aden.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made to suspend the rules and place the ordinance on the third and final reading by Councilmember Adams; seconded by Councilmember Williams.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion to adopt the ordinance made by Councilmember Rowland; seconded by Councilmember Boggs.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Ordinance adopted. (Ordinance No. 2021-33)

ITEM #6

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF COMPETITIVE BIDDING FOR THE PURPOSE OF MOSQUITO CONTROL SERVICES; AND FOR OTHER PURPOSES

Motion made that the ordinance be offered by Councilmember Adams; seconded by Councilmember Camp.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Mayor Agee explained to the council this ordinance will allow the city to renew the contract with Vector Disease Control, Inc. for \$168,546.70 (14,045.55 per month). This contract will automatically renew for another two years with a 1.5% increase per year.

Motion made to place the ordinance on the first reading by Councilmember Rowland; seconded by Councilmember Williams.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made to suspend the rules and place the ordinance on the second reading by Councilmember Williams; seconded by Councilmember Adams.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made to suspend the rules and place the ordinance on the third and final reading by Councilmember Adams; seconded by Councilmember Aden.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion to adopt made by Councilmember Biggs; seconded by Councilmember Boggs.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Ordinance adopted. (Ordinance No. 2021-34)

ITEM #7

A RESOLUTION TO DECLARE A BUILDING AND/OR A STRUCTURE WITHIN THE CORPORATE LIMITS OF THE CITY OF PARAGOULD, ARKANSAS, A NUISANCE IN ACCORDANCE WITH THE CITY CODE OF ORDINANCES, CHAPTER 10, ARTICLE VIII. CONDEMNATION OF BUILDING SEC. 10-240 THROUGH 10-247 – LOCATION: 411 NORTH 10TH AVENUE

Motion made that the resolution be offered by registered owner and address made by Councilmember Rowland; seconded by Councilmember Biggs.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Code Enforcement Officer, Omar Overbay, was present and provided the council with documentation and photographs of the property. No one appeared in opposition.

Motion made that the resolution be adopted by Councilmember Rowland; seconded by Councilmember Camp.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2021-87)

ITEM #8

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK OF PARAGOULD, ARKANSAS TO ATTACH LIENS TO CERTAIN PROPERTIES LOCATED AT THE ADDRESSES SPECIFIED IN THIS RESOLUTION FOR THE PURPOSE OF COLLECTING MONIES WHICH ARE OWED THE CITY OF PARAGOULD FOR ENFORCEMENT OF CHAPTER 18 OF THE CITY'S CODE OF ORDINANCES

Motion made by Councilmember Rowland that the resolution be offered by owner, parcel number and amount only; seconded by Councilmember Biggs.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Code Enforcement Officer, Omer Overbay, provided the council with photographs and documentation of the properties. No one appeared in opposition.

Motion made that the resolution be adopted by Councilmember Rowland; seconded by Councilmember Williams.

Roll call: Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; and Williams, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2021-88)

ITEM #9

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK OF
PARAGOULD, ARKANSAS TO ATTACH LIENS TO CERTAIN PROPERTIES
LOCATED AT THE ADDRESSES SPECIFIED IN THIS RESOLUTION FOR THE
PURPOSE OF COLLECTING MONIES WHICH ARE OWED THE CITY OF
PARAGOULD FOR ENFORCEMENT OF CHAPTER 18 OF THE CITY'S CODE OF
ORDINANCES**

Motion made by Councilmember Rowland that the resolution be offered by owner, parcel number and amount only; seconded by Councilmember Biggs.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Code Enforcement Officer, Omer Overbay, provided the council with photographs and documentation of the properties. No one appeared in opposition.

Motion made that the resolution be adopted by Councilmember Biggs; seconded by Councilmember Adams.

Roll call: Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; and Williams, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2021-89)

ITEM #10

**A RESOLUTION ADOPTING PREMIUM PAY FOR CERTAIN MUNICIPAL
EMPLOYEES FROM THE AMERICAN RESCUE PLAN; AND FOR OTHER
PURPOSES**

Motion made that the resolution be offered by Councilmember Rowland; seconded by Councilmember Williams.

Roll call: Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; Williams, yes; and Adams, yes.

Mayor Agee explained to the council that the American Rescue Plan Act (ARPA) was signed in to law on March 11, 2021 and provides fiscal relief funds to state and local governments to aid in mitigating the effects of the pandemic. ARPA provides stimulus grant funds to allow municipalities to pay premium pay to its employees for eligible workers that performed essential work during the COVID-19 public health emergency. Therefore, he is requesting to pay each city employee \$12.50 per hour not to exceed 80 hours (\$1,000.00) premium pay for the period of November 1 through November 23, 2021.

Motion made that the resolution be adopted by Councilmember Rowland; seconded by Councilmember Camp.

Roll call: Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; Camp, yes; Rowland, yes; and Williams, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2021-90)

ANNOUNCEMENTS/PUBLIC COMMENT:

Mayor Agee reminded the council that a flu/Covid 19 booster clinic will be held at City Hall tomorrow from 8 am until 12:30 p.m.

Mayor Agee stated that approximately 125 people attended Plates on Pruett and the Chamber of Commerce raised the \$25,000 needed for the grant match from The Blue and You Foundation to purchase amenities for the 8 Mile Trail.

Also, Mayor Agee told the council that the Greene County Tech Booster Club hosted a 25 team tournament on October 16th and plan to host another tournament in the spring.

Mayor Agee also told the council that the city's new website will go live on Thursday, October 28, 2021.

ADJOURNMENT:

There being no further business to come before the council, Councilmember Williams moved the meeting be adjourned; seconded by Councilmember Adams. All in favor. Meeting adjourned 6:41 p.m.

Josh Agee, Mayor

ATTEST:

Andrea Williams, City Clerk