

## **COUNCIL MEETING**

**October 28, 2019**

The Paragould City Council met in regular session on Monday, October 28, 2019 at 6:00 p.m. in the Council Room of City Hall with Mayor Gaskill presiding.

The meeting was called to order with prayer led by Councilmember Susan Williams.

Those present were Mark Rowland, Susan Williams, Randy Aden, Josh Agee, Jeremy Biggs, Jackie Branch and Farrell Gibson. Charles Long was absent.

City Attorney Allen Warmath and City Clerk Andrea Williams were present.

Councilmember Branch moved minutes from previous council meeting of October 14, 2019 be approved as transcribed; seconded by Councilmember Agee. All in favor.

### **REPORTS FROM BOARDS AND STANDING COMMITTEES:**

Public Service	- None
Finance	- None
Parks and Recreation	- None
Police	- None
Public Health and Ordinances	- None
Fire	- None
Sanitation	- None
Street/Cemetery	- None

### **UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**ITEM #1**

**AN ORDINANCE TO WAIVE THE REQUIREMENTS OF A COMPETITIVE BIDDING FOR NEW TRASH COLLECTION EQUIPMENT AND FOR OTHER PURPOSES**

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

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

Mayor Gaskill explained to the council that this is the lease of three 2021 Mack LR64R – Heil Dura Pack 28 yard sanitation trucks and a 2020 Freightliner with Heil 5000 Real Loader had been approved by the council previously. These trucks are to replace the trucks that the city currently has leased. This ordinance is needed so that the trucks may be ordered to receive early in 2020.

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

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

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

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

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

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

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

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes. Motion carried seven to zero. Ordinance adopted. (Ordinance Number 2019-17)

## **ITEM # 2**

### **AN ORDINANCE TO ADOPT A NEW PERSONNEL POLICY AND REVOKE THE OLD POLICY AS ESTABLISHED IN SEC. 2-47 OF ARTICLE III. OFFICERS AND EMPLOYEES OF THE CODE OF ORDINANCES, CITY OF PARAGOULD, ARKANSAS, TO DECLARE AN EMERGENCY AND FOR OTHER PURPOSES.**

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

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

Mayor Gaskill told the council that every few years it is necessary to update the city's personnel policy due to changes from the legislature and recommendations from the Arkansas Municipal League. These changes have been approved by the Human Resource Director, Mayor and City Attorney. The changes include: changes to the nepotism policy, benefits package, holiday time, donated time, outside compensation, use of narcotics, alcohol and tobacco, credit card policy and meal allowances

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

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

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

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

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

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

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

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes. Motion carried seven to zero. Ordinance adopted. (Ordinance Number 2019-18)

Motion made that the emergency clause be adopted separately by Councilmember Gibson; seconded by Councilmember Biggs.

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes. Motion carried seven to zero. Emergency clause adopted.

### **ITEM # 3**

#### **A RESOLUTION CERTIFYING TAX TO THE COUNTY CLERK**

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

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

Mayor Gaskill told the council that the city is required by law to certify the tax rate to the county clerk each year before November.

Motion to adopt the resolution made by Councilmember Rowland; seconded by Councilmember Aden.

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes. Motion carried seven to zero. Resolution adopted. (Resolution No. 2019-51)

### **ITEM #4**

#### **A RESOLUTION TO DECLARE A BUILDING AND/OR 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 BUILDINGS SEC. 10-240 THROUGH 10-247. PROPERTY LOCATION: 641 NORTH 6<sup>TH</sup> STREET.**

Motion made that the resolution be offered by title, name, address and legal description only by Councilmember Rowland; seconded by Councilmember Agee.

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

Code Enforcement Officer, J.D. Stephenson, was present and provided the council with photos and documentation of the property.

Motion made to adopt the resolution by Councilmember Biggs; seconded by Councilmember Branch.

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes. Motion carried seven to zero. Resolution adopted. (Resolution No. 2019-52)

#### **ITEM #5**

**A RESOLUTION TO DECLARE A BUILDING AND/OR 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 BUILDINGS SEC. 10-240 THROUGH 10-247. PROPERTY LOCATION: 407 NORTH 11<sup>TH</sup> AVENUE**

Motion made that the resolution be offered by title, name, address and legal description only by Councilmember Rowland; seconded by Councilmember Agee.

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

Code Enforcement Officer, J.D. Stephenson, was present and provided the council with photos and documentation of the property.

Motion made to adopt the resolution by Councilmember Rowland; seconded by Councilmember Agee.

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes. Motion carried seven to zero. Resolution adopted. (Resolution No. 2019-53)

#### **ITEM #6**

**A RESOLUTION TO DECLARE A BUILDING AND/OR 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 BUILDINGS SEC. 10-240 THROUGH 10-247. PROPERTY LOCATION: 616 EAST POPLAR STREET.**

Motion made that the resolution be offered by title, name, address and legal description only by Councilmember Biggs; seconded by Councilmember Rowland.

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

Code Enforcement Officer, J.D. Stephenson, was present and provided the council with photos and documentation of the property. Property owner, Louise Banks, was present to address the council. Ms. Banks had previously come before the council and been granted a sixty day extension to sell the property. Ms. Banks stated that the person that is wanting to purchase the

property has not made arrangements to secure funding and is in poor health. The property has not been brought to code at this time. It was explained to Ms. Banks that once the property is condemned the person wanting to purchase will have thirty days to remove her belongings before the property is scheduled for demolition.

Motion made to adopt the resolution by Councilmember Biggs; seconded by Councilmember Rowland.

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes. Motion carried seven to zero. Resolution adopted. (Resolution No. 2019-54)

#### **ITEM #7**

**A RESOLUTION TO DECLARE A BUILDING AND/OR 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 BUILDINGS SEC. 10-240 THROUGH 10-247. PROPERTY LOCATION: 212 EAST GARLAND.**

This item was removed from agenda per Mayor Gaskill. The structure located at 212 East Garland has been removed by the owner.

#### **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 that the resolution be offered by title, name, address and legal description only by Councilmember Rowland; seconded by Councilmember Biggs.

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes.

Code Enforcement Officer, J.D. Stephenson provided the council with documentation and photographs of the properties.

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

Roll Call: Rowland, yes; Williams, yes; Aden, yes; Agee, yes; Biggs, yes; Branch, yes; and Gibson, yes. Motion carried seven to zero. Resolution adopted. (Resolution No. 2019-55)

**ITEM #9**

**LEGISLATIVE AUDIT REPORT**

Mayor Gaskill presented the 2018 Audit from the Legislative Joint Auditing Committee to the council for their review. Those responsible for compliance are Mayor Mike Gaskill, Treasurer Georgia Rogers, City Clerk Andrea Williams, Finance Director Teresa Stormes and Police Chief Todd Stovall. Mayor Gaskill stated there were no reportable findings with the 2018 audit.

**ANNOUNCEMENTS:**

Mayor Gaskill stated the next regular scheduled meeting will fall on Monday, November 11, 2019 which is Veteran's Day. In observance of the holiday the next meeting will be held Tuesday, November 12, 2019.

Councilmember Biggs told the council that the Mission Outreach has received the Arkansas Economic Development Council grant to remodel the interior dorms.

**ADJOURNMENT:**

There being no further business to come before the council, Councilmember Agee moved the meeting be adjourned; seconded by Councilmember Williams. All in favor. Meeting adjourned 6:30 p.m.

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Mike Gaskill, Mayor

ATTEST:

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Andrea Williams, City Clerk