

# **REGULAR CALLED MEETING BOARD OF DIRECTORS**

**Boardroom**

**February 18, 2020**

**5:30 p.m.**

## **AGENDA**

1. Call to Order Mayor Scott Byrd
2. Invocation
3. Approval of Board Minutes from February 4, 2020 – Mayor Byrd
4. Approval of Contract with Gum Springs Water Utility – Gary Brinkley
5. 2019 Financial Recap - City Manager's Annual Report- Gary Brinkley
6. GovDeals Listing for Fire Dept. – Gary Brinkley
7. City Manager's Report – Gary Brinkley
8. Routine Business – Mayor Byrd
9. Adjournment – Mayor Byrd

**REGULAR CALLED MEETING  
BOARD OF DIRECTORS**

**Boardroom**

**February 4, 2020**

**5:30 P.M.**

**MEMBERS:**

Taylor Chaney, *Ward 1 Director*  
Chris Porter, *Ward 2 Director*  
David Goodman, *Ward 3 Director*  
Joann Nelson, *Ward 4 Director (Absent)*  
Jason Jones, *Ward 5 Director*  
Roland Gosey, *Assistant Mayor*  
Scott Byrd, *Mayor*

**OTHERS:**

Gary Brinkley, *City Manager*  
Jessica Davis, *City Clerk*  
Tammy Beeler, *City Treasurer*

**CALL TO ORDER**

The Mayor called the meeting to order at 5:30 p.m.

**INVOCATION**

Director Porter

**APPROVAL OF BOARD MINUTES FROM January 21, 2020**

A motion was made by Assistant Mayor Gosey, seconded by Director Jones to approve the minutes from the January 21, 2020 regular called meeting of the Board of Directors.

**The motion passed on a roll call vote and the vote was as follows:**

<b>Taylor Chaney</b>	<b>“Aye”</b>	<b>Roland Gosey</b>	<b>“Aye”</b>
<b>Chris Porter</b>	<b>“Aye”</b>	<b>Jason Jones</b>	<b>“Aye”</b>
<b>Joann Nelson</b>	<b>Absent</b>	<b>Mayor Byrd</b>	<b>“Aye”</b>
<b>David Goodman</b>	<b>“Aye”</b>		

**PROCLAMATION NAMING FEBRUARY AFRICAN AMERICAN HISTORY MONTH**

Mayor Byrd presented the Proclamation in honor of African American History Month in Arkadelphia.

**CONSIDER RESOLUTION TO AMEND 2020 BUDGET**

Mr. Brinkley requested the Board adopt a Resolution to amend the 2020 Budget. The amendment is to the Fire Department budget to increase account #5207 “Educational Supplies” by \$5,600 from the original budgeted amount of \$1,500 for an amended budget amount of \$7,100. A motion was made by Director Goodman, seconded by Director Porter to adopt the Resolution approving the 2020 amended budget.

**The motion passed on a roll call vote and the vote was as follows:**

<b>Taylor Chaney</b>	<b>“Aye”</b>	<b>Roland Gosey</b>	<b>“Aye”</b>
<b>Chris Porter</b>	<b>“Aye”</b>	<b>Jason Jones</b>	<b>“Aye”</b>
<b>Joann Nelson</b>	<b>Absent</b>	<b>Mayor Byrd</b>	<b>“Aye”</b>
<b>David Goodman</b>	<b>“Aye”</b>		

**APPROVAL TO REHAB SPORTS PLEX**

Mr. Brinkley requested the Board approve the bid from Sherwood Lawn and Landscaping, LLC in the amount of \$53,072 for the rehabilitation of the 6 competition fields at the Sportsplex. A brief discussion was held. A motion was made by Director Jones, seconded by Director Chaney to accept the bid from Sherwood Lawn and Landscaping, LLC in the amount of \$53,072.

**The motion passed on a roll call vote and the vote was as follows:**

<b>Taylor Chaney</b>	<b>“Aye”</b>	<b>Roland Gosey</b>	<b>“Aye”</b>
<b>Chris Porter</b>	<b>“Aye”</b>	<b>Jason Jones</b>	<b>“Aye”</b>
<b>Joann Nelson</b>	<b>Absent</b>	<b>Mayor Byrd</b>	<b>“Aye”</b>
<b>David Goodman</b>	<b>“Aye”</b>		

**APPROVAL OF LETTER OF ENGAGEMENT FOR AUDIT**

Mr. Brinkley requested the Board’s approval for a letter of engagement from Turner, Rodgers, Manning, & Plyler, PLLC for the 2019 Audit. A brief discussion was held. A motion was made by Director Jones, seconded by Assistant Mayor Gosey to table this item until the next scheduled Board meeting.

**The motion passed on a roll call vote and the vote was as follows:**

<b>Taylor Chaney</b>	<b>“Aye”</b>	<b>Roland Gosey</b>	<b>“Aye”</b>
<b>Chris Porter</b>	<b>“Aye”</b>	<b>Jason Jones</b>	<b>“Aye”</b>
<b>Joann Nelson</b>	<b>Absent</b>	<b>Mayor Byrd</b>	<b>“Aye”</b>
<b>David Goodman</b>	<b>“Aye”</b>		

**CONDEMNATION OF 129 NORTH 5<sup>TH</sup> STREET**

Mr. Brinkley invited Officer Thomas Free to the podium. Officer Free presented documentation and a Resolution to the Board regarding the condemnation of the property. Assistant Mayor Gosey inquired further information on the owner and property. A discussion was held. A motion was made by Director Goodman, seconded by Director Jones to approve the Resolution condemning the property.

**The motion passed on a roll call vote and the vote was as follows:**

<b>Taylor Chaney</b>	<b>“Aye”</b>	<b>Roland Gosey</b>	<b>“Present”</b>
<b>Chris Porter</b>	<b>“Aye”</b>	<b>Jason Jones</b>	<b>“Aye”</b>
<b>Joann Nelson</b>	<b>Absent</b>	<b>Mayor Byrd</b>	<b>“Aye”</b>
<b>David Goodman</b>	<b>“Aye”</b>		

## **CITY MANAGER'S REPORT**

**February 4, 2020**

- Kick Start Update – The new lockable shed was installed on Monday the 28<sup>th</sup> at the Sportsplex. We'll keep our new tractor/mower, mower, and aerator locked up. Staff is diligently working on a bid package to address the needed repairs at the Aquatic Park. Fire Dept software has been ordered and will be implemented over the next month.
- The Fire Dept has begun doing preplanning walk throughs of the 256 businesses within our city limits. This is critical in improving our ISO rating as it documents our preplanning efforts. Additionally, when the June fire hydrants flush occurs, they will measure the water flow and insert that into our software which will provide best options for fire hydrants by location. This is a game changer as we are taking institutional knowledge and documenting it for everyone's use.
- At the SWAIA (Intermodal Authority) meeting we learned that there are at least 8 other projects around the country that have been put on hold as the end user was a Chinese company. So, our Sun Bio project was not the only casualty of current macroeconomics.
- We are working with the city attorney and close to completing the agreement to consolidate the Gum Springs water system into the Arkadelphia Water and Sewer System. You should have a document to review as soon as the next meeting.
- Painting has begun to refresh the exterior of Town Hall.
- Update on the turn light at Malone & Pine, to move forward we are required by ArDOT to have the light reviewed and engineers stamp the project showing the new turn lane and signalization sequencing. We have entered into an agreement with McClellan Engineering and will have this done as expeditiously as possible so we can move forward with the implementation of the turn signal.
- The annexation paperwork has been filed with the county for 115 acres of the North Ridge home development. Progress continues.
- Arkadelphia Water Utilities is relaying a 6" line between Center & O'Connell. They'll be replacing 2 fire hydrants and adding a new hydrant.
- The traffic/street sign projects began on Walnut Street and headed to Malone and up 6<sup>th</sup>. They look great and we are pleased with the results. They will begin the mass replacement the weekend and get close to finishing the first round.

### **Dates to Remember:**

- First Responders Dinner is February 6<sup>th</sup> at 5:30 at the Rec Center
- The Galentines day event on February 13<sup>th</sup> held in Downtown. See our website for additional details.
- Arkansas Municipal League Winter Meetings will be in Little Rock on February 12-14<sup>th</sup>.

### **ROUTINE BUSINESS**

**Taylor Chaney, Ward 1** – Nothing

**Chris Porter, Ward 2** – Nothing

**David Goodman, Ward 3** – He asked about the condemnation process, specifically if the city knew how many homes were occupied and how many were vacant. Mr. Brinkley informed him the city does not keep track of that at this time. He also asked if condemned homes could be used as controlled burns for the Fire Department. Mr. Brinkley informed him the Fire Chief does look at those homes for potential controlled burns but many times they are too close to other structures but when they do occur the property owner is responsible for the clean-up.

**Joann Nelson, Ward 4** – Absent

**Jason Jones, Ward 5** – He has been getting complaints about street lights being out around town. He also brought up the fire hydrants that need to be painted. He would like to see something done about it. Mr. Brinkley informed him that was on the Fire Chief's list. He asked if the city has looked at doing anything about the McDonald's entry turn off of Malone Dr.

**Roland Gosey, Assistant Mayor** – He wanted to remind everyone that the Greater Pleasant Hill Laymen Ministry painted fire hydrants along Caddo Street from 10<sup>th</sup> Street to Pine Street. He talked about condemnations. He thinks people should maintain their properties but he believes in giving an extra extension to show we have gone above and beyond to work with those people. He wants to make sure the process is balanced. He remembers the first house he had to vote on for a condemnation. He was very worried about the potential consequences of the condemnation. Although that didn't happen, it did open his eyes to become more involved with the process. He said Mr. Brinkley and Officer Free both do a great job. We have a great place to call home and he wants to keep it that way.

**Scott Byrd, Mayor** – He said condemnations put the city Board in an impossible situation. It is not something they ever take lightly. He thanked the Little League for stepping up and helping finance the Sports Complex upgrades. He also thanked the Sanitation Department for handling a situation earlier today. There was a lot of discussion on social media about it and we are aware of it. It is not a quick fix.

**ADJOURNMENT**

There being no further business to discuss, Director Jones made the motion, seconded by Director Goodman to adjourn. **The motion passed unanimously and the meeting adjourned at 6:24 p.m.**

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Scott Byrd, Mayor

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Jessica Davis, City Clerk

**REGULAR CALLED MEETING  
BOARD OF DIRECTORS**

**Boardroom**

**February 4, 2020**


**5:30 p.m.**

Jason Jackson  
Keith Beason  
Thomas Free  
Roger Wingfield  
Ricky Arnold  
Jason Hunt  
Carrie Burt  
Junior Rodemeyer  
Rachel Medina  
Chuck Fitzsimmons  
Joe May - **Press**  
Bill Sutley – **Press**



Office of the City Manager  
700 Clay Street  
Arkadelphia, Arkansas 71923  
870-246-9864 phone  
870-246-1813 fax

**To:** Arkadelphia Board of Directors  
**CC:** Ed McCorkle, City Attorney  
**From:** Gary Brinkley, City Manager  
**Date:** February 14, 2020  
**Re:** Contract to Incorporate Gum Springs Water Utility with  
Arkadelphia Water and Sewer System



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After more than 1.5 years of efforts, it is our honor to present a Contract between Gum Springs and Arkadelphia to consolidate the Gum Springs Water Utility (GSWU) into the Arkadelphia Water and Sewer System for your review and approval.

Attached please find: the Contract, executed by Gum Springs on 2/11/20; Historical Timeline, which documents our processes/progress; and GSWU Rehabilitation 2020 describing the scope of work and where we are on the 4 major tasks to accomplish the rehabilitation of the GSWU.

The contract was written by Attorney McCorkle and follows the Memorandum of Intent you executed on March 19, 2019.

Finally, GSWU will be a complete and separate company within the Arkadelphia Water Utility. The purpose of this is to ensure there is no cross financial encumbrances between the citizens of Arkadelphia and the citizens on the GSWU.

To the best of our knowledge, all the due diligence has been accomplished and staff has been prudent in their assessments of the current and future conditions of the GSWU. Staff recommends the execution of the contract and moving forward with the incorporation.

Thank you.



## **CONTRACT**

This contract is made and entered into by and between the Town of Gum Springs, Arkansas, hereinafter called Gum Springs, and the City of Arkadelphia, Arkansas, hereinafter called Arkadelphia, and the Parties after proper resolutions of their governing bodies agree as follows:

WHEREAS, Gum Springs and Arkadelphia entered into a Memorandum of Intent on or about March 19, 2019, concerning the operation of their water systems and;

WHEREAS, Gum Springs and Arkadelphia at the present time operate separate the Gum Springs water distribution systems, Arkadelphia has a water treatment facility and supplies water to Gum Springs and the Gum Springs water system is aging and needs substantial repairs, and;

WHEREAS, Arkadelphia has the expertise and manpower to operate both water systems and manage the redevelopment of the Gum Springs water distribution system and;

WHEREAS, Municipal Corporations, upon approval by resolution of their governing body, can make and enter into contracts whereby one (1) municipal corporation shall construct and maintain the water system for and supply water to another municipal corporation, A.C.A. § 14-231-110, 111 and 113 and;

WHEREAS, the Gum Springs City Council and the Arkadelphia Board of Directors have considered the issue of consolidating the Gum Springs water system into the Arkadelphia Water and Sewer System, therefore the Parties enter into this contract.

1. The Gum Springs water system is in need of substantial improvements and the improvements can best be done by the Arkadelphia Water and Sewer System therefore all of the Gum Springs water system assets are hereby transferred and sold to the City of Arkadelphia, whether the same be real or personal property to

include but not be limited to all easements for water system operation (whether written or prescriptive) and all fee simple land containing water lines, a 50,000 gallon water tower, booster and pumping stations and all other equipment including but not limited to a backhoe and all other physical assets of the Gum Springs water distribution system are conveyed to Arkadelphia and Arkadelphia through its Arkadelphia Water and Sewer System will operate and own the Gum Springs water distribution system as a wholly owned subsidiary. Gum Springs will sign any deeds, bills of sale or other conveyance documents necessary to make this transfer and sale.

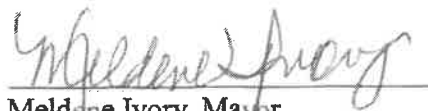
2. Arkadelphia has obtained approval from the Arkansas Natural Resources Commission and/or Arkansas Drinking Water State Revolving Loan Program for a loan/grant of TWO MILLION SEVEN HUNDRED SIXTY SIX THOUSAND NINE HUNDRED DOLLARS AND NO CENTS (\$2,766,900.00) from said Commission which monies will be used to improve the Gum Springs water distribution system and as a part of said agreement with ANRC a loan to Gum Springs from ANRC No. 00956-WDF in the amount of TWENTY FOUR THOUSAND DOLLARS AND NO CENTS (\$24,000.00) will be forgiven. ANRC will forgive or grant to Arkadelphia SEVEN HUNDRED SIXTY SIX THOUSAND NINE HUNDRED DOLLARS AND NO CENTS (\$766,900.00) in principal. The net result will be a loan to Arkadelphia in the amount of up to TWO MILLION DOLLARS AND NO CENTS (\$2,000,000.00) with an anticipated payback term of thirty (30) years and at a rate of 3% per annum.

3. The Gum Springs water system includes approximately 400 water meters with service also to outlying areas such as Richwoods, Curtis and other areas in Clark County Arkansas all of which is transferred to and sold to Arkadelphia.
4. Arkadelphia has contracted with Crist Engineering to design improvements and to essentially rebuild the Gum Springs water system to a level which is maintainable in the future. The rebuild of the system will be done generally in accordance with the Gum Springs Water System Improvement Facility Plan in the Crist Engineering report of November, 2019. Contracts will be let by Arkadelphia to companies capable of rebuilding the water system.
5. Arkadelphia will initially continue to charge the normal city water rates that Gum Springs has been charging their water users. It is not anticipated at the present time that these rates will be increased, but the Gum Springs system including its outlying areas will be operated on a subsidiary basis with separate accounting records kept in order to determine the appropriate rate to repay the normal operating expenses as well as the repayment of the loan described herein.
6. Gum Springs will lease to Arkadelphia for ONE DOLLAR AND NO CENTS (\$1.00) per year for a period of at least ten (10) years the former Gum Springs fire station building located on Hwy 67 in Gum Springs for Arkadelphia's use to store equipment and other supplies necessary to maintain the Gum Springs water distribution system.
7. Arkadelphia is granted the right to use the Gum Springs city street rights of way whether dedicated or prescriptive in order to maintain this water system.

8. This is not a management agreement, but is a sale of assets in exchange for assuming operation of the water system. Should there come a time in the future that the Gum Springs desires to take back the ownership and operation of the water system they would: notify the Arkadelphia Board of Directors by giving Arkadelphia 270 days prior written notice of their intent; pay the City of Arkadelphia through its Arkadelphia Water and Sewer System the then current market rate value of the Gum Springs water distribution system as the purchase price of the fixed assets; enter into an agreement with Arkadelphia Water and Sewer System that Gum Springs would be a wholesale customer at the current rate established for wholesale customers at the time of transfer back to Gum Springs and insure that all debt outstanding on the water system is transferred to Gum Springs and Gum Springs will assume all indebtedness and obtain the release of Arkadelphia from any liability thereon. Any indebtedness transferred to Gum Springs would be subtracted from the current market rate value of the Gum Springs water distribution system in order to determine the final purchase price.
9. This document contains the complete agreement of the parties and the provisions of this contract are necessary to operate the Gum Springs water distribution system for the use and benefit of the Gum Springs city residents and its other water users. All provisions of this contract survive the closing of this transaction in order to facilitate the continued operation of the Gum Springs water distribution system by Arkadelphia.

10. This agreement becomes effective upon the signature of the last signing party.

Town of Gum Springs



Meldene Ivory, Mayor  
With Approval of City Council

2-11-2020

Date

City of Arkadelphia

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Scott Byrd, City Manager  
With Approval of City Board

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Date

## Arkadelphia/Gum Springs Water Systems Historical Timeline

Date	PAST
8/21/2018	Letter from Mayor Lester to CM Brinkley that Gum Springs was interested in Arkansas Water Utility taking over the Gum Springs Water System
8/29/2018	CM Brinkley replied with interest and set forth requested information as part of a preliminary due diligence
2/14/2019	Gary Brinkley receives Letter from Gum Springs Water Dept, signed by all the council member requesting the annexation of Gum Springs Water to Arkadelphia Water System.
1/23/2019	Attorney receives salient points for Memorandum of Intent
3/19/2019	Mayors Ivory and Calhoun sign Memorandum of Intent
6/13/2019	ANRC - application was accepted and moving forward. Terms were wrong and required follow up
7/15/2019	Mayor Ivory, David Green and Gary Brinkley meet with ANRC and negotiate terms on a loan/grant package.
8/15/2019	Arkadelphia formally accepts ANRC counteroffer
8/20/2019	Arkadelphia W/S Committee agreed with intent to consolidate and recommended moving forward to Arkadelphia BoD
9/18/2019	Crist submitted Categorical Exclusion request.
9/18/2019	Mayor Ivory, David Green and Gary Brinkley attend the ANRC Commissioner's Meeting where the Commission approved the \$2,766,900 loan/grant package.
9/30/2019	CM Brinkley receives letter of confirmation regarding the ANRC approval and loan/grant request
9/30/2019	Arkadelphia receives Facility Plan from Crist Engineers for the review and comment
10/9/2019	Facility Plan was approved by the Arkadelphia W/S Committee
11/5/2019	Public hearing regarding Facility Plan- Public Comment period. No comment filed.
11/5/2020	Arkadelphia City Board formally approved the Facility Plan
11/22/2019	ANRC approved the Facility Plan
11/22/2019	With Approval of Facility Plan, ANRC granted Arkadelphia a Notice to Proceed
2/2/2020	Engineering Service Agreement was approved by the ANRC. (Engineer charges out of loan had to be approved)
1/31/2020	Sent Letter with proposed to Mayor Ivory
2/11/2020	Gum Springs Board Meeting
Feb.-Jul 2020	<b>FUTURE</b>
Jul-20	Finish approvals from ANRC and Arkansas Health Dept. Prepared bid packages.
Aug-20	Bid Project
Sep-20	Award Bid
Mar-21	Start the project
	Final walk through with contractor

**GUM SPRINGS WATER SYSTEM  
REHABILITATION 2020**

<b>Task</b>	<b>% of Job</b>	<b>% Completed</b>
Prep work for State approvals	50%	80%
Bid specifications and let job	4%	30%
Construct Facilities	45%	0%
Accept Job	<u>1%</u>	0%
	100%	

**WORK CURRENTLY TO INCLUDE:**

Repair and repaint existing 50,000 gallon elevated tank  
Modify existing water booster station to include chlorination  
Replace existing waterlines inside Gum Springs city limits  
Replace approx 400 existing water meters and service lines  
Add / replace fire hydrants within the system



Office of the City Manager  
700 Clay Street  
Arkadelphia, Arkansas 71923  
870-246-9864 phone  
870-246-1813 fax

**To:** Arkadelphia Board of Directors  
**CC:** Ed McCorkle, City Attorney  
**From:** Gary Brinkley, City Manager  
**Date:** February 14, 2020  
**Re:** 2019 Year End Annual Report

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Staff will have this document ready for your perusal on Tuesday February 18, 2020.

Thank you.





Office of the City Manager  
700 Clay Street  
Arkadelphia, Arkansas 71923  
870-246-9864 phone  
870-246-1813 fax

**To:** Arkadelphia Board of Directors  
**CC:** Ed McCorkle, City Attorney  
**From:** Gary Brinkley, City Manager  
**Date:** February 12, 2020  
**Re:** GovDeals Listing for Fire Dept.

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With the addition of the new battery-operated rescue equipment, the equipment listed below is no longer necessary but has some value on the secondary market. By changing to battery powered tools and removing these hydraulic components, staff has made room for more equipment on our fire trucks.

The equipment to be auctioned is:

- Truck mounted hydraulic hose reels with preconnected hoses
- Hannay Hose Reel with 200' of hose

Your approval to sell this equipment is requested.

Thank you.