

REGULAR CALLED MEETING BOARD OF DIRECTORS

Boardroom

August 17, 2021

5:30 p.m.

AGENDA

1. Call to Order Mayor Scott Byrd
2. Invocation
3. Approval of Board Minutes from August 3, 2021 – Mayor Byrd
4. Third Reading of Ordinance to Rezone 223 N. 5th St. – Gary Brinkley
5. Adoption of Emergency Clause – Gary Brinkley
6. First Reading of Ordinance to Rezone 346 N. 10th St – Gary Brinkley
7. City Manager's Report – Gary Brinkley
8. Routine Business – Mayor Byrd
9. Adjournment – Mayor Byrd

Regular Meeting: Citizens speaking to the Board of Directors shall have a speaking time limit of **10 minutes**. The Board of Directors may ask follow up questions which may extend the time limit.

Open Session Forum: Speaking time limit is **5 minutes** a speaker may not yield his or her time to another speaker

**REGULAR CALLED MEETING
BOARD OF DIRECTORS**

Board Room

August 3, 2021

5:30 P.M.

MEMBERS:

Taylor Chaney, *Ward 1 Director*
Chris Porter, *Ward 2 Director*
Keith Crews, *Ward 3 Director*
Reo Cummings, *Ward 4 Director*
Jason Jones, *Ward 5 Director*
Roland Gosey, *Assistant Mayor*
Scott Byrd, *Mayor*

OTHERS:

Gary Brinkley, *City Manager*
Samantha Roybal, *City Clerk*

CALL TO ORDER

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

INVOCATION

Director Jason Jones

APPROVAL OF BOARD MINUTES FROM JULY 20, 2021

A motion was made by Assistant Mayor Gosey, seconded by Director Crews to approve the minutes from the July 20, 2021 Board Meeting.

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

Taylor Chaney	"Aye"	Roland Gosey	"Aye"
Chris Porter	"Aye"	Jason Jones	"Aye"
Reo Cummings	"Aye"	Mayor Byrd	"Aye"
Keith Crews	"Aye"		

PROCLAMATIONS

The Mayor requested the Clerk read the proclamation of Appreciation and Support for PV2 Madison Morris for her service to our country, our state, and our community. The Clerk read the Proclamation.

CHANGE ORDERS FOR AWU- GUM SPRINGS PROJECT

City Manager Brinkley explained the two Change Orders for AWU- Gum Springs that were required. The first change order was for the contract with Kampco, Inc with an adjustment of \$79,510.71. The project planned for a 3" line replacement in the distributions system. When unearthed it was discovered the line was 6" and thus required 6" pipe for the system replacement. This required the crew to pivot and find a 6" pipe and to get it here as possible to keep the project moving. The second change order was with ETI Services, Inc's contract for \$7,836.22. This change order switched out telecommunication equipment for the automatic meters and added 40' of corrugated culvert pipe at the driveway for the pump station.

A motion was made by Director Crews, seconded by Director Chaney to acknowledge the change orders.

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

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Chris Porter	“Aye”	Jason Jones	“Aye”
Reo Cummings	“Aye”	Mayor Byrd	“Aye”
Keith Crews	“Aye”		

CONSIDER RESOLUTION FOR MLK MEMORIAL PARK

Mr. Brinkley requested the Board approve the Resolution that is required for the application of a matching grant from the Arkansas Department of Parks, Heritage, and Tourism for the maximum grant amount of \$250,000.00.

A motion was made by Assistant Mayor Gosey and seconded by Director Cummings to approve the Resolution required for the application of the matching grant for the maximum grant amount of \$250,000.00 and approve the City Manager the authority to sign all necessary documents to keep the fundraising prospect going.

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

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Chris Porter	“Aye”	Jason Jones	“Aye”
Reo Cummings	“Aye”	Mayor Byrd	“Aye”
Keith Crews	“Aye”		

ACCEPT RECOMMENDATION ON MLK MEMORIAL PARK

Mr. Brinkley requested the Board formally accept the Halff Assoc. design for the MLK, Jr. Memorial Park as recommended by the MLK Park Visioning Committee.

A motion was made by Assistant Mayor Gosey and seconded by Mayor Byrd to formally accept the design of the MLK park.

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

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Chris Porter	“Aye”	Jason Jones	“Aye”
Reo Cummings	“Aye”	Mayor Byrd	“Aye”
Keith Crews	“Aye”		

SECOND READING OF ORDINANCE TO REZONE OBU HARDY & BARKMAN’S ADDITION

The Mayor called for the Clerk to read the Ordinance, title only.

The Clerk read the Ordinance Title only:

AN ORDINANCE TO REZONE CERTAIN PROPERTY BEING GENERALLY LOCATED ON THE NORTH SIDE OF HICKORY STREET BETWEEN 8TH AND 10TH STREETS AND MORE ACCURATELY DESCRIBED AS ALL OF BLOCKS 3, 4, 9 & 10, THE SOUTH 47 FEET OF BLOCK 15, THE SOUTH 47 FEET OF THE EAST 90 FEET OF BLOCK 16, A PART OF A CLOSED STREET KNOWN AS McMILLAN IN THE HARDY AND BARKMAN’S ADDITION AND 803 & 823 HICKORY STREET OF BROWNING’S SURVEY TO THE CITY OF ARKADELPHIA, ARKANSAS; AMENDING THE ZONING MAP OF THE CITY OF ARKADELPHIA, ARKANSAS; AND FOR OTHER PURPOSES.

REQUEST TO SUSPEND RULES FOR 3RD AND FINAL READING

CM Brinkley requested the Board suspend the rules and place the ordinance on its 3rd and final reading title only.

A motion was made by Director Chaney, seconded by Director Jones to place the ordinance on its third reading, title only.

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

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Chris Porter	“Aye”	Jason Jones	“Aye”
Reo Cummings	“Aye”	Mayor Byrd	“Aye”
Keith Crews	“Aye”		

The Mayor called for the Clerk to read the Ordinance, title only.

The Clerk read the Ordinance:

AN ORDINANCE TO REZONE CERTAIN PROPERTY BEING GENERALLY LOCATED ON THE NORTH SIDE OF HICKORY STREET BETWEEN 8TH AND 10TH STREETS AND MORE ACCURATELY DESCRIBED AS ALL OF BLOCKS 3, 4, 9 & 10, THE SOUTH 47 FEET OF BLOCK 15, THE SOUTH 47 FEET OF THE EAST 90 FEET OF BLOCK 16, A PART OF A CLOSED STREET KNOWN AS McMILLAN IN THE HARDY AND BARKMAN’S ADDITION AND 803 & 823 HICKORY STREET OF BROWNING’S SURVEY TO THE CITY OF ARKADELPHIA, ARKANSAS; AMENDING THE ZONING MAP OF THE CITY OF ARKADELPHIA, ARKANSAS; AND FOR OTHER PURPOSES.

ADOPT THE ORDINANCE TO REZONE OBU HARDY AND BARKMAN'S ADDITION

A motion was made by Director Jones, seconded by Assistant Mayor Gosey to adopt the Ordinance to Rezone OBU Hardy and Barkman's addition.

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

Taylor Chaney	"Aye"	Roland Gosey	"Aye"
Chris Porter	"Aye"	Jason Jones	"Aye"
Reo Cummings	"Aye"	Mayor Byrd	"Aye"
Keith Crews	"Aye"		

ADOPTION OF EMERGENCY CLAUSE

The Mayor called for the Clerk to read the Emergency Clause.

The Clerk read the Emergency Clause.

A motion was made by Director Crews, seconded by Director Chaney to adopt the Emergency Clause.

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

Taylor Chaney	"Aye"	Roland Gosey	"Aye"
Chris Porter	"Aye"	Jason Jones	"Aye"
Reo Cummings	"Aye"	Mayor Byrd	"Aye"
Keith Crews	"Aye"		

SECOND READING OF ORDINANCE TO REZONE 223 N. 5TH STREET

The Mayor called for the Clerk to read the Ordinance, title only.

The Clerk read the Ordinance:

AN ORDINANCE TO REZONE CERTAIN PROPERTY BEING GENERALLY DESCRIBED AS 223 N. 5TH STREET IN THE CITY OF ARKADELPHIA AND DESCRIBED AS A PART OF BLOCK 7 OF DUNCAN'S ADDITION, AMENDING THE ZONING MAP OF THE CITY OF ARKADELPHIA, ARKANSAS; AND FOR OTHER PURPOSES.

A motion was made by Director Crews, seconded by Director Porter to place the Ordinance on its 3rd and final reading, title only at the next scheduled Board meeting.

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

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Chris Porter	“Aye”	Jason Jones	“Aye”
Reo Cummings	“Aye”	Mayor Byrd	“Aye”
Keith Crews	“Aye”		

AMEND 2021 BUDGET RESOLUTION

CM Brinkley requested the Board amend the 2021 Budget and Staffing Resolution. It has become time to adjust staffing responsibilities to meet the citizen's needs and expectations. The Building Department budget will be reduced in the amount of \$23,504.00 and the building department will not fill the Community Director position in 2021. The General Government budget would add the position of Public Information Coordinator with a budget of \$23,504.00. CM Brinkley assured the Board this adjustment will be an adjustment with no financial impact on the 2021 Budget.

A motion was made by Director Jones, seconded by Director Crews to amend the 2021 Budget Resolution.

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

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Chris Porter	“Aye”	Jason Jones	“Aye”
Reo Cummings	“Aye”	Mayor Byrd	“Aye”
Keith Crews	“Aye”		

CITY MANAGER’S REPORT

August 3, 2021

- The Aquatic Park planned for 11,285 daily admissions. As of August 1st, we have had 11,500 daily admissions!
- Village Drive overlay has been completed. The Street Dept will be working on Yorkshire and Wilshire in the coming days.
- Kenny Myers, Head of the Street Dept. reports the striping company will be in town striping the streets we seal coated this month. We ask the public to please be respectful and do not drive through the wet paint. Every year we have the same issues with people driving through fresh paint and messing up a beautiful paint job.
- The HVAC units at the Rec Center were replaced and “working great!”.

- Contractors have finished painting the Community Family Enrichment Center as planned. We are awaiting the results of the continual roof leaks to address this final concern. Staff will report the results upon receipt. A reminder the 20th Anniversary celebration is scheduled for September 16th. The remaining budget balance is \$7,500.
- Thank you to everyone who participated in the interviews with Half personnel regarding our Zoning and Subdivision Ordinances rewrite. We have a long way to go but this was a great first step.
- Congratulations to Nikki Chanler and the Chamber for hosting the Taco Lot Fiesta event on Friday, July 30th in the Mural Lot. Set up was very warm but the evening turned out pleasant and those in attendance had a great time.
- We have received our first ½ for the ARPA money, \$1.1MM and it has been moved to our designed account. The second half is scheduled to be received about the same time next year. We are looking at eligible projects and will be presenting those to you in due time. As a reminder, the rules for how the money can be spent are continually being updated so there is no rush at this time. The funds must be committed to be expensed by 2024. We'll have 2 years after that in which the funds must be expensed.
- AWU-Gum Springs- Continues to move forward. The staff is pleased with the progress.
- David Green and CM Brinkley met on July 26th with the Clark County Industrial Council to discuss the sale of 1.5 acres in the industrial park to the city for an operations building for the AWU-Gum Springs division. We had \$10,000 within the budget to purchase the land. CCIC voted to sell the land to Arkadelphia for \$10,000. Work is being done to prepare the paperwork for your review and approval, hopefully by the next board meeting.

Dates to Remember:

- National Night Out 2021 is **tonight** from 6:30-9:30 pm. We will have a celebration at the grounds of the future Dr. Martin Luther King, Jr. Memorial Park site.
- Friday at 11:30 am at the future Dr. Martin Luther King, Jr. Memorial Park site, there will be a major announcement made regarding the park. Dr. Fitz Hill, fundraising co-chair will be here to update the public on our progress.

- The annual August homecoming event in Gum Springs is this weekend. There will be events scattered throughout Clark County. We wish everyone a safe and happy weekend.
- September 16, 2021, will be the 20th Anniversary celebration of the Community Family Enrichment Center. Time to be announced later.
- October 2nd is the date scheduled for our annual Board Retreat. More details to follow.

ROUTINE BUSINESS

Taylor Chaney, Ward 1 – He asked a question about the Clark County Mitigation Plan. DeAnna Graves, Building Dept. Manager explained the Clark County Mitigation Plan and the details of the meeting that took place the week before.

Chris Porter, Ward 2 – Nothing.

Keith Crews, Ward 3 – He thanked the MLK Committee for their hard work.

Reo Cummings, Ward 4 – Nothing.

Jason Jones, Ward 5 – Thanked the past Board member for their work on the MLK project.

Roland Gosey, Assistant Mayor – Thanked OBU for their investment in our community. He also thanked Mayor Byrd, Joann Nelson, and Gary Brinkley for all their hard work on the MLK Park.

Scott Byrd, Mayor – He echoed all the sentiments.

ADJOURNMENT

There being no further business to discuss, Assistant Mayor Gosey made the motion, seconded by Director Chaney to adjourn. **The motion passed unanimously, and the meeting adjourned at 6:13 p.m.**

Scott Byrd, Mayor

Samantha Roybal, City Clerk

ADDITIONAL ATTENDEES

Chief Jason Jackson

Casey Jackson

Dr. Lewis Shepherd

DeAnna Graves

Keldon Henley

Julie Lacy


Henry Wilson

DRAFT



MEMORANDUM

To: Arkadelphia Board of Directors
CC: Ed McCorkle, City Attorney
From: Gary Brinkley, City Manager
Date: August 12, 2021
Re: Third Reading of Ordinance to Rezone 223 N 5th Street.



Following the third reading, Ouachita Baptist University requests you suspend the rules, read the Emergency Clause as presented, and immediately adopt the ordinance.

Staff concurs with OBU's request to adopt the emergency clause for immediate adoption.

OBU owns all the property in the affected area and there has been no expression of displeasure for the ordinance received.

Thank you.

ORDINANCE NO. 0-21-_____

AN ORDINANCE TO REZONE CERTAIN PROPERTY BEING GENERALLY DESCRIBED AS 223 N 5TH STREET IN THE CITY OF ARKADELPHIA AND DESCRIBED AS A PART OF BLOCK 7 OF DUNCAN'S ADDITION, AMENDING THE ZONING MAP OF THE CITY OF ARKADELPHIA, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, Ouachita Baptist University requests to rezone property from Residential Use District (R-1) to Educational District (E-1), and;

WHEREAS, the Planning Commission of the City of Arkadelphia, Arkansas, held a public hearing to rezone certain property described hereinafter and having considered said request, recommended on July 8, 2021 that the property of Ouachita Baptist University be rezoned from Residential Use District (R-1) to Educational District (E-1);

THEREFORE:

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF ARKADELPHIA, ARKANSAS:

SECTION 1: That the following property, to wit:

OUACHITA BAPTIST UNIVERSITY

A parcel of land being a part of Block 7 of Duncan's Addition to the City of Arkadelphia, Arkansas and being described as follows: Begin at the NE corner of said Block 7, the Point of Beginning; Thence South 89°16'50" West along the North line of said Block 7, a distance of 153.29 feet; thence South 01°31'51" East, a distance of 61.08 feet; Thence South 32°57'37" East, a distance of 35.49 feet; Thence South 01°44'58" East, a distance of 47.21 feet; Thence South 08°02'06" East, a distance of 51.74 feet; Thence North 88°12'52" East, a distance of 39.68 feet to a fence corner; Thence North 81°47'37" East, a distance of 16.52 feet to the South edge of a concrete drive; Thence North 88°34'21" East along said drive, a distance of 59.02 feet; Thence South 81°44'46" East along said drive, a distance of 10.58 feet to the East line of said Block 7; Thence North 00°33'23" West, a distance of 187.64 feet to the Point of Beginning. Containing 26,227 square feet, more or less.

The above described property shall be hereby rezoned from Residential Use District (R-1) to Educational District (E-1). The zoning map to the City of Arkadelphia, Arkansas is hereby amended to show said classifications.

SECTION 2: Reversion - If the proposed use, or another use permitted in the new zoning classification, has not become operational or if a building permit has not been obtained in conjunction with substantial construction/development, within one year from the effective date of this ordinance, then said property shall revert to its previous zoning classification in effect prior to this ordinance.

SECTION 3: Severability – If any section of this ordinance shall be declared unconstitutional or unlawful, only that section of the ordinance shall be affected and all other provisions of the ordinance shall remain in full force and effect.

SECTION 4: Any ordinance or parts of ordinances in conflict herewith are hereby repealed and this ordinance shall be in full force and effect from and after its passage and publication.

SECTION 5: Emergency Clause

NOW THEREFORE, AN EMERGENCY IS HEREBY DECLARED TO EXIST, to ensure the delivery of student education facilities necessary to fulfill the needs within the community by the Fall semester of 2022 for public health and safety, this ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED this ___th day of August, 2021.

APPROVED: _____
Scott Byrd, Mayor

ATTEST: _____
Samantha Roybal, City Clerk



MEMORANDUM

To: Mayor Byrd & Board of Directors
From: Gary Brinkley, City Manager
Date: August 12, 2021
Re: Reading and Adoption of Emergency Clause – Rezone 223 N 5th Street

A handwritten signature in blue ink, appearing to read 'Gary Brinkley', is written over the 'From:' line of the memorandum.

Having concluded the third reading, title only, and adoption of the ordinance you must read the Emergency Clause and vote to adopt the Emergency Clause.

Staff recommends you read and adopt the Emergency Clause as required.

SECTION 5: Emergency Clause

NOW THEREFORE, AN EMERGENCY IS HEREBY DECLARED TO EXIST, to ensure the delivery of student education facilities necessary to fulfill the needs within the community by the Fall semester of 2022 for public health and safety, this ordinance shall take effect and be in force from and after its passage and approval.

Thank you.



MEMORANDUM

To: Mayor Byrd & Board of Directors
From: Gary Brinkley, City Manager
Date: August 12, 2021
Re: Ordinance to Rezone 346 N. 10th

A handwritten signature in blue ink, appearing to read 'Gary Brinkley', is positioned to the right of the 'From:' line.

Attached for your review and approval please find an ordinance to rezone 346 N. 10th Street. The staff report detailing the request and public hearing by the Zoning Commission is also attached for your perusal.

Ouachita Baptist University requests the rezoning so they can invest in the remodeling of the facility to house their Engineering program.

Staff requests you place this ordinance on its first reading, excluding tract descriptions as you have done in the past.

You will note the Ordinance has an emergency clause. Mr. Keldon Henley from OBU will be here to discuss this portion of the ordinance and their needs concerning the project investment.

Thank you.

Attachments

ORDINANCE NO. 0-21-_____

AN ORDINANCE TO REZONE CERTAIN PROPERTY BEING GENERALLY DESCRIBED AS 346 N 10TH STREET IN THE CITY OF ARKADELPHIA AND DESCRIBED AS A PART OF LOTS 16 AND 21 OF THE HARDY & BARKMAN'S ADDITION, AMENDING THE ZONING MAP OF THE CITY OF ARKADELPHIA, ARKANSAS; AND FOR OTHER PURPOSES.

WHEREAS, Ouachita Baptist University requests to rezone property from Multi-Family Residential District (R-3) to Educational District (E-1), and;

WHEREAS, the Planning Commission of the City of Arkadelphia, Arkansas, held a public hearing to rezone certain property described hereinafter and having considered said request, recommended on August 12, 2021 that the property of Ouachita Baptist University be rezoned from Multi-Family Residential District (R-3) to Educational District (E-1);

THEREFORE:

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF ARKADELPHIA, ARKANSAS:

SECTION 1: That the following property, to wit:

OUACHITA BAPTIST UNIVERSITY

A parcel of land being a part of Lots 16 and 21 of Hardy & Barkman's Addition and being described as follows: Commence at the Southwest corner of Lot 16; Thence North 00°19'48" more or less along the eastern line of Tenth Street, a distance of 97.00 Feet to the POB, Thence continue along said Tenth Street North 00°24'31" West, a distance of 153.03 feet to a point being located 17.4 feet South of the centerline of McNutt Street, Thence South 89°53'04" East, parallel with McNutt Street, A distance of 90.00 feet to a found chiseled mark in the sidewalk; Then South 00°23'25" East, a distance of 151.72 feet to a found 3/8" rebar; Thence South 89°16'49" West, a distance of 90.00 feet to the POB.

The above-described property shall be hereby rezoned from Multi-Family Residential District (R-3) to Educational District (E-1). The zoning map to the City of Arkadelphia, Arkansas is hereby amended to show said classifications.

SECTION 2: Reversion - If the proposed use, or another use permitted in the new zoning classification, has not become operational or if a building permit has not been obtained in conjunction with substantial construction/development, within one year from the effective date of this ordinance, then said property shall revert to its previous zoning classification in effect prior to this ordinance.

SECTION 3: Severability – If any section of this ordinance shall be declared unconstitutional or unlawful, only that section of the ordinance shall be affected and all other provisions of the ordinance shall remain in full force and effect.

SECTION 4: Any ordinance or parts of ordinances in conflict herewith are hereby repealed and this ordinance shall be in full force and effect from and after its passage and publication.

SECTION 5: Emergency Clause

NOW THEREFORE, AN EMERGENCY IS HEREBY DECLARED TO EXIST, to ensure the delivery of student education facilities necessary to fulfill the needs within the community by the Fall semester of 2021 for public health and safety, this ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED this _____ day of September, 2021.

APPROVED: _____
Roland Gosey, Assistant Mayor

ATTEST: _____
Samantha Roybal, City Clerk