

REGULAR CALLED MEETING BOARD OF DIRECTORS

Boardroom

August 1, 2023

5:30 p.m.

AGENDA

1. Call to Order Mayor Scott Byrd
2. Invocation
3. Approval of Board Minutes from April 18, 2023 – Mayor Byrd
4. Introduce Ms. Halle Posey, New Special Events Mgr. – Gary Brinkley
5. Airport Opportunity for Consideration – Gary Brinkley/Michael Sellers
6. Clark County Arkansas Museum Lease – Gary Brinkley
7. First Reading of Ordinance Assessing a Five Mill Tax – Gary Brinkley
8. City Manager's Report – Gary Brinkley
9. Routine Business – Mayor Byrd
10. 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** and speaker may not yield his or her time to another speaker.

**REGULAR CALLED MEETING
BOARD OF DIRECTORS**

Board Room

July 18, 2023

5:30 P.M.

MEMBERS:

Taylor Chaney, *Ward 1 Director (absent)*
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 Cummings

APPROVAL OF BOARD MINUTES FROM JUNE 20 2023

A motion was made by Director Crews, seconded by Director Jones to approve the minutes from the June 20, 2023, Board Meeting.

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

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

CONSIDERATION OF ORDINANCE ADDRESSING DATA CENTER NOISE & ZONING

Mr. Brinkley presented the Board which defines an acceptable level of noise emittance and locates the users in the Heavy Industrial Districts.

A motion was made by Director Porter, seconded by Director Crews to place the Ordinances on its first reading.

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

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

The Mayor called for the City Clerk to read the Ordinance.

The City Clerk read the Ordinance.

A motion was made by Director Cummings, seconded by Assistant Mayor Gosey to suspend the rules and place the Ordinance on its second reading title only.

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

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

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

The City Clerk read the Ordinance, title only.

A motion was made by Director Crews, seconded by Director Cummings to suspend the rules and 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	“Absent”	Roland Gosey	“Aye”
Chris Porter	“Aye”	Jason Jones	“Aye”
Reo Cummings	“Aye”	Mayor Byrd	“Aye”
Keith Crews	“Aye”		

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

The City Clerk read the Ordinance, title only

A motion was made by Director Porter, seconded by Director Crews to adopt the Ordinance.

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

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

ADOPTION OF EMERGENCY CLAUSE

A motion was made by Director Crews, seconded by Assistant Mayor Gosey to adopt the emergency clause in the Ordinance.

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

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

INTRODUCTION OF NEW POLICE OFFICERS

Chief Jackson introduced two new police officers Jennifer Burks & Destiny Bryant.

MILITARY LEAVE POLICY UPDATE

Mr. Brinkley presented the Board with Act 529 which is a bill that increases annual military leave from 120 hours to 158 hours at the beginning of the calendar year. The Board acknowledge the new law and intrusted the City Manager to incorporate it in the personnel handbook is updated.

B&F PROFESSIONAL SERVICE AGREEMENT

Mr. Brinkley presented the Board with a renewal contract with the B&F Engineering subsidiary of (Crafton & Tull). Mr. Brinkley requested the Board approve the one-year agreement to extend the Professional Agreement with B&F Engineering.

A motion was made by Director Crews, seconded by Assistant Mayor Gosey to approve the Professional Service Agreement with B&F Engineering.

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

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

WATER/SEWER UPDATES

Mr. Brinkley & David Green updated the Board on numerous Water/Sewer projects.

CITY MANAGER’S REPORT

July 18, 2023

- The equipment was installed a week ago to our new FD/PD communications tower, and It works! Chief Jackson received a radio call inside the Community Emergency Shelter bunker. The tests were successful and the plan is to have all the radios in PD & FD programmed by the end of this week. Reminder, the old analog channel will be on the radios for back up and training.
- The 2 police pickups have been delivered to us and are being sent to the outfitter for lights and radios.
- The 5 Ram pickups for Streets, Parks and Water departments have been issued VIN numbers so we are hopeful they will be built and sent to us in Q4.
- The light for the Feaster Trail connector, under N. 10th St is being installed.

- Your investment paid off. On July 12th a house fire on Sylvia was extinguished using the new Engine and its foam system. Chief Hunt reported the kitchen fire was extinguished quickly due to the foam application cutting the time to extinguish the fire in half and thus saving thousands of dollars in damage.
- Brookshires will be closing its in-store pharmacy. They have sold all their pharmaceutical businesses to Walgreens. When I spoke with Brookshires last week they were proud to report that all their employees will be either hired by Wal-Greens or be reassigned within Brookshires. There will be no jobs lost from this transaction.
- The behind-the-scenes work is being completed for the \$10MM bond for the Water Utility. Stephens is scheduled to open the bids on August 18th. It will require the 3 readings of the ordinance that night and adopt the emergency clause to complete the agreement with the investors.
- We have filled the Special Events Manager position. Ms. Halle Posey will be joining our team at the end of the month. We still have plenty of openings in all our departments if you're interested in a career with the city.

Dates to Remember:

- End of Summer Bash in Feaster Park, August 12th from 5 pm to 9 pm. Fireworks show at dusk.
- Both Universities and Public Schools start mid-August, be aware of all our new drivers in town.
- Board Retreat on August 26th from 9:00 am - 2:00 pm. It will be in the Alumni Room at OBU this year.

Taylor Chaney, Ward 1 – Absent.

Chris Porter, Ward 2 – Nothing.

Keith Crews, Ward 3 – Thanked the Turners for reaching out to him regarding an issue.

Reo Cummings, Ward 4 – He mentioned that 12th Street needs a pothole filled and Huddleston Street has a sinkhole that needs to be looked at.

Jason Jones, Ward 5 – Nothing.

Roland Gosey, Assistant Mayor – Nothing.

Scott Byrd, Mayor – He asked if someone could be willing to look at the property behind Atwoods. He mentioned that he has seen a decrease in his insurance due to the Fire Department's new ISO rating. And a special congrats to the LSU Baseball team for winning the National Championship.

ADJOURNMENT

There being no further business to discuss, Director Crews made the motion, seconded by Director Jones to adjourn. **The motion passed unanimously, and the meeting adjourned at 6:14 p.m.**

Scott Byrd, Mayor

Samantha Roybal, City Clerk

ADDITIONAL ATTENDEES


Shelley Short
Lewis A. Shepherd Jr.
Jason Jackson
Destinay Bryant
David Green
DeAnna Graves

DRAFT



Memorandum

To: Arkadelphia Board of Directors
CC: Ed McCorkle, City Attorney
From: Gary Brinkley, City Manager
Date: July 25, 2023
Re: Airport Opportunity



We have a current opportunity to apply for another ADA grant for more hangers at the Airport. This is due to ADA's fiscal year starting on July 1st.

The timing is optimal for this request as ADA's revenues have been above average so they have more to opportunity for grants.

We are seeking your approval tonight to apply for an ADA grant for a new 4-bay hanger on the southern end of the airport. As a reminder, we offset our expenses with revenues from hanger rentals and profits on fuel sales.

The math as we know it:

		ADA	City
• 90/10 Grant for all the work above ground	\$555,000	\$500,000	\$55,000
• 80/20 Grant for all work below the surface	\$120,000	<u>\$96,000</u>	<u>\$24,000</u>
		\$596,000	\$79,000

$79,000/675,000 = 11.7\%$ cost of \$675,000 expense. An 88% leverage opportunity.

If you approve and are awarded the grant, this will be reflected in the Airports 2024 Budget.

We look forward to discussing this opportunity Tuesday night.

Thank you.



Memorandum

To: Arkadelphia Board of Directors
CC: Ed McCorkle, City Attorney
From: Gary Brinkley, City Manager
Date: July 25, 2023
Re: Train Depot New Lease Agreement

A handwritten signature in blue ink, appearing to be 'Gary Brinkley', written over the 'From:' field.

Attached please find the letter in which the Clark County Historical Association has severed ties with the museum operators who have formed their own corporation the Clark County Arkansas Museum, Inc.

The attached Memorandum of Understanding is the same as the Historical Association signed, save the name, and is effective from August 1, 2023 until December 31, 2023 with the Clark County Arkansas Museum, Inc.

There is also a termination letter with the Clark County Historical Association attached for your review and approval for me to execute.

Thank you.



Clark County Historical Association and Museum

PO Box 516, Arkadelphia, Arkansas 71923

May 2, 2023

Dear Museum Friends:

The Clark County Historical Association Board of Directors met February 3, 2023, to consider the museum board's proposal to separate from the Association in order to create a new, independent organization/entity.

With a quorum present, the CCHA Board unanimously voted to sever all legal ties with the Museum, with the proviso that any and all materials, furnishings, and inventory on hand as of this date be offered to and/or returned to the CCHA when/if the museum no longer needs them and/or wishes to dispose of them.

Please consider this as official notification of the Board's decision.

Bob Thompson

President

Charlotte Jeffers

Secretary

CLARK COUNTY ARKANSAS MUSEUM, INC.

750 S. 5th Street/P.O. Box 491

Arkadelphia, AR 71923

Wednesday, July 26, 2023

Mr. Gary Brinkley, City Manager

Arkadelphia, Arkansas

Re: Museum Monthly Stipend

Good morning, Gary! Hope you are doing well!

We recently formed a separate 501c3 for the Clark County Museum, and received approval from the Internal Revenue Service (copy attached). This filing was made with approval of the Clark County Historical Association, and was simply done to aid us in our future fund raising efforts.

As a result of this new Entity, the Board of Directors of the Clark County Arkansas Museum, Inc. is requesting that the future Monthly Stipend of \$500 be sent payable to our new name and address as follows:

Clark County Arkansas Museum, Inc.

P.O. Box 491

Arkadelphia, AR 71923

We appreciate your review and approval of this request, as well as the support you have always offered to our Museum. Let me know if you need anything else from me.

Best Regards,



Stan Elrod, Museum Treasurer

cc: Debbie Francis, President, Clark County Arkansas Museum, Inc.



Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

CLARK COUNTY ARKANSAS MUSEUM INC
PO BOX 491
ARKADELPHIA, AR 71923

Date: 05/30/2023
Employer ID number: 92-4021604
Person to contact: Name: Customer Service
ID number: 31954
Telephone: (877) 829-5500
Accounting period ending: December 31
Public charity status: 509(a)(2)
Form 990 / 990-EZ / 990-N required: Yes
Effective date of exemption: May 05, 2023
Contribution deductibility: Yes
Addendum applies: No
DLN: 26053542004603

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

~~If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.~~

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements



Memorandum of Understanding

This agreement entered into as of the 1st day of August 2023 between THE CITY OF ARKADELPHIA ("City") and the CLARK COUNTY ARKANSAS MUSEUM, INC.

The City will pay Six Thousand (\$6,000.00) to the Clark County Arkansas Musuem, Inc. for services payable at \$500.00 per month. This is to help provide services listed below:

1. The City is the owner of a building known as the Depot in which is located in the Amtrak waiting room, Clark County Museum and the Association offices. The museum provides for the citizens of the City various exhibits and repositories for the documentation and collection of historical items of interest that involve the City all of which inures to the economic benefit of the City.
2. In consideration of the Clark County Arkansas Museum Inc. maintaining the museum and building for the benefit of the general public and providing other maintenance services for the building owned by the City, the City hereby agrees to pay to the Association in the sum of SIX THOUSAND DOLLARS (\$6,000) beginning August 1, 2023 and expiring on December 31, 2023 payable at the rate of FIVE HUNDRED (\$500) per month.

ATTEST:

City of Arkadelphia, Arkansas:

Samantha Roybal, City Clerk

Gary Brinkley, City Manager

ATTEST:

Clark County Arkansas Museum, Inc.:

Secretary

President



City Manager
Gary Brinkley
700 Clay St.
Arkadelphia, AR 71923
Ph: (870) 246-9864
gary.brinkley@arkadelphia.gov

July 26, 2023

Mr. Bob Thompson
PO Box 516
Arkadelphia, AR 71923

RE: Termination of Memorandum of Understanding for Train Depot Museum
Arkadelphia, AR

Dear Bob;

Following the Associations decision to divest itself with the museum, it is incumbent upon us to terminate your agreement and for the city to execute an agreement with the newly formed Clark County Arkansas Museum, Inc.

By copy of this letter the Memorandum of Understanding with the Clark County Historical Association (CCHA) is hereby terminated effective July 31, 2023.

Acknowledged:

CCHA

City of Arkadelphia

Bob Thompson, President

Gary Brinkley, City Manager



Memorandum

To: Arkadelphia Board of Directors
CC: Ed McCorkle, City Attorney
From: Gary Brinkley, City Manager
Date: July 25, 2023
Re: Ordinance for Five Mill Tax

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

This is an annual ordinance that is adopted and given to the Clark County Quorum Court before the first meeting in November each year. This is done to ensure the City receives its maximum portion of the real and personal property taxes due.

THIS IS NOT A NEW TAX

Following the first reading, staff recommends putting the ordinance on its second reading, title only at the next meeting.

Thank you.

ORDINANCE O-23-_____

AN ORDINANCE ASSESSING A FIVE MILL TAX AGAINST THE REAL AND PERSONAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ARKADELPHIA, ARKANSAS, FOR THE TAXABLE YEAR 2023 COLLECTIBLE IN 2024 AND FOR OTHER PURPOSES

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

Section 1. That a tax of five (5) mills on the dollar is hereby levied by the City Board of Directors of the City of Arkadelphia, Arkansas on all the real and personal property within the corporate limits of the City of Arkadelphia, for the taxable year 2023, collectible in 2024.

Section 2. That a certified copy of this ordinance be delivered by the City Clerk to the County Clerk of Clark County, Arkansas to be certified to the Quorum Court.

PASSED ON THE _____ DAY OF _____, 2023.

APPROVED:

Scott Byrd, Mayor

ATTEST:

Samantha Roybal, City Clerk