



## CITY OF WARD

P.O. BOX 237 • WARD, ARKANSAS 72176 • 501-843-7686

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### Council Meeting Minutes June 19, 2023 at 6:30 PM

- I. **Call to Order:** by Mayor Gastineau @ 6:30pm. Prayer was offered by council member Steven Hall followed by the pledge of allegiance.
- II. **Roll Call:** by City Clerk Rummel. Hall-present, Chapman-present, McMinn-present, Hefner-present, Brooke-present, Ruble- present. We have a quorum.
- III. **Review/approval of Council Minutes:** Council member Ruble made a motion to approve the May 15, 2023 council minutes, second by council member Hall. Discussion. Motion passes with a 6-0 voice vote.
- IV. **Department Reports and Financials:** Council member Chapman made a motion to approve the department reports and May's financials, second by council member McMinn. Motion passes with a 6-0 voice vote.
- V. **Planning Commission Report:**  
Chairman Peters presented the Planning Commission report. Arkansas Home and Rentals will build duplexes at 811 Moon Drive. The preliminary plat has been approved. The only other business is the UDO. Staff is working on a few items before submitting to Metroplan. A public meeting will then be held. Council member Chapman made a motion to approve as presented, seconded by council member Hefner. Motion passes with a 6-0 voice vote.
- VI. **New Business:**
  - A. **PLANNING COMMISSION APPOINTMENT**  
Mayor Gastineau appointed Marion 'Alex' Witkowski to the Planning Commission. Five applicants applied and interviewed for the position. Mr. Witkowski has lived in Ward since 2016. He works for W&W/AFCO Steel in the bridge department. He enjoys working in Engineering and looking to serving in the community. Mayor Gastineau swore him into office. Also introduced was the new Code Enforcement officer Michael Archdeacon, aka Deacon.

**B. ORDINANCE 2023-13: AN ORDINANCE TO ESTABLISH A CURFEW FOR MINORS; TO REPEAL AND REPLACE CITY OF WARD ORDINANCES, C-2-92, WP-2-93, AND O-4-98; TO ESTABLISH PENALTIES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES (FIRST READING)**

Council member Hefner asked what time would children under 18 need to leave work. Mayor Gastineau reassured her that those going to or leaving work would not be in violation. Also, the emergency clause will not be enacted. This is the first reading, and more discussion can be brought up during the second and third reading. Council member Hall made a motion to approve O-2023-13 on its first reading, seconded by council member Ruble. Roll call: Chapman-yes, Hall-yes, McMinn-no, Hefner-yes, Brooke-no, Ruble-yes. Motion passes with a 4-2 roll call vote.

**C. ORDINANCE 2023-14: AN ORDINANCE TO DEFINE LOUD AND UNNECESSARY NOISE THAT CONSTITUTES A PUBLIC NUISANCE TO THE CITIZEN OF WARD, ARKANSAS; ESTABLISHING PROHIBITION AND PENALTIES WITH RESPECT THERETO; REPEALING AND REPLACING WARD ORDINANCE 2001-04; AND FOR OTHER PURPOSES (FRIST READING)**

Mayor Gastineau explained that the current noise ordinance regards vehicle noise, but not noise from a residence. He called for a motion to approve O-2023-14. Hearing none, O-2023-14 dies for lack of motion.

**D. ORDINANCE 2023-15: AN ORDINANCE AUTHORIZING THE MAYOR OR CITY CLERK TO ENTER INTO A CONTRACT WITH "GET IT CLEAN" CLEANING SERVICE TO PERFORM JANITORIAL SERVICES AT THE CITY HALL COMPLEX, REPEALING RESOLUTION 2022-41, DECLARING AN EMERGENCY, AND FOR OTHER PURPOSES**

Discussion. Mayor Gastineau reminded council that it was authorized for Melissa McNair, the probation officer, to provide cleaning services on the weekends and after hours by a resolution. With further research, it should have been approved by an ordinance. This corrects the error. Also, she changed the name from "Get It Clean" to "Fairy Cleaning". Council member Hefner made a motion to approve O-2023-15 on its first reading, seconded by council member Hall. Roll call: Hall-yes, McMinn-yes, Hefner-yes, Brooke-no, Ruble-yes, Chapman-yes. Motion passes with a 5-1 vote. Council member Hall made a motion to suspend the rules and put O-2023-15 on its second and third readings, seconded by council member Chapman. Roll call: McMinn-yes, Hefner-yes, Brooke-no, Ruble-yes, Chapman-yes, Hall-yes. Council member Hefner asked for further discussion, asking why council member Brooke voted no. Council member Brooke did not think an employee of the city should have a contract to clean the building and that it could be misconstrued as favoritism or something else. Mayor Gastineau explained that state law allows for this procedure to buy a service or products from an employee or council member. Council member Brooke still disagreed. Council member Hall made a motion to adopt O-2023-15, seconded by council member Ruble. Roll call: Hefner-yes, Brooke-no, Ruble-yes, Chapman-yes, Hall-yes, McMinn-yes. Council member Hall made a motion to enact the emergency clause, seconded by council

member Ruble. Roll call: Brooke-no, Ruble-yes, Chapman-yes, Hall-yes, McMinn-yes, Hefner-yes. O-2023-15 has been approved with the emergency clause and goes into effect immediately.

**E. RESOLUTION 2023-16: A RESOLUTION AUTHORIZING THE MAYOR OR CITY CLERK TO APPLY FOR A FUN PARK GRANT THROUGH THE ARKANSAS DEPARTMENT OF PARKS, HERITAGE AND TROURISM**

Parks and rec director, Michell Fitzgerald, was asked to explained the grant. It is a 100% funded grant unless it goes over to complete. It's a \$100,000 grant that will be used for a basketball/pickleball court and additional parking. This is the first the City of Ward has received as the eligibility has changed to cover cities with populations under 7500 population. Council member Hefner made a motion to approve R2023-16, seconded by council member Ruble. Roll call: Ruble-yes, Chapman-yes, Hall-yes, Hefner-yes, Brooke-yes. Motion carries.

**F. RESOLUTION 2023-17: A RESOLUTION ACCEPTING STEEP CREEK, LLC AS THE LOW BIDDER FOR THE BALDING STREET IMPROVEMENT PROJECT AND AUTHORIZING THE MAYOR AND/OR CITY CLERK TO SIGN APPROPRIATE DOCUMENTS FOR THE PROJECT**

Discussion. Council member Ruble made a motion to approve R-2023-17, seconded by council member McMinn. Roll call: Chapman-yes, Hall-yes, McMinn-yes, Hefner-yes, Brooke-yes, Ruble-yes. Motion carries.

**G. NOTICE OF PROPOSED ACTION TO ANNEX CERTAIN PARCELS:**

- Ordinance 2023-xx (draft): an ordinance by the city of ward Arkansas calling for the annexation of certain lands that are completely surrounded by the incorporated limits of the city of ward; declaring an emergency; and for other purposes.
- all land owners within the affect area to be put on notice via certified mail: NLT June 28, 2023
- notice of public hearing to be published: June 31, 2023
- public hearing – July 17, 2023 at 6 pm
- voted upon at next regularly scheduled meeting following the public hearing – July 17, 2023 at 6:30 pm

Mayor Gastineau explained that by state law, the council is on-notice. Next council meeting he asks that council attend the public hearing thirty minutes beforehand. He has sixty days to take action.

**H. MOVING MONEY TO CDs**

- Bank OZK is offering 4.99% on six (6) month Certificates of Deposit (CDs), 5.08% on twelve (12) month CDs, and 4.85% on twenty-four (24) month CDs commercial CDs
1. Offer to the City is good for 20 days from Jun 13
  2. Move Approx. \$2.2M from various Water and Sewer Money Market funds with low or no interest
  3. AND approx. \$2Mil from General fund accounts to Bank OZK CDs
  4. Exact amounts and exactly which CDs is yet to be determined

- Need Motion to allow us to move the money into appropriate CDs and follow up next month with an appropriate Resolution, OR...I'll need to call a Special City Council meeting on night soon to approve this

Mayor Gastineau explained that the city has been working with Bank OZK. Normally he would bring a resolution outlining the details, but he is not ready for that. The rates are good for 20 days. He is requesting a motion for approval to move the funds with a resolution following next month to make it formal. If not, he can call a special council meeting in the following weeks for approval as it is our fiduciary responsibility to do right with the tax payer's money. HR Finance director, Courtney Ruble, reassured council that the money that is being moved is not funds that we will need to use within the next 6-12 months. Council member Hefner made a motion authorizing the city to move the funds, seconded by council member McMinn. Roll call: Hall-yes, McMinn-yes, Hefner-yes, Brooke-no, Ruble-yes, Chapman-yes. Motion passes with a 5-1 vote.

VIII. **Mayor's Report:** See attachment.

IX. **Public Comment on Non-Agenda Items:** Parks and Rec director, Michelle Fitzgerald, spoke on the 4<sup>th</sup> of July event with carnival rides, slip-n-slide, food trucks, dunk tank and a live band. Council member McMinn also wished to bring something before council. She attended a booth at the AML convention to establish a youth council with the steps provided. She believes this will be an asset to the community. Mayor Gastineau called for a motion to allow council member McMinn to move forward with establishing a youth council. Council member Chapman made a motion, seconded by council member Ruble. Motion approved with a 6-0 voice vote.

X. **Announcements**

- Planning Commission Meeting: June 26th at 7:00pm
- Independence Day (City Offices Closed): July 4th, all day
- 4th of July Celebration Starts at 6 pm
- Public Hearing on Enclave Annexation: July 17, 6 pm
- City Council Meeting: July 17th, 6:30 pm

XI. **Adjournment**

There being no further business, the meeting was adjourned @ 7:15 pm with a motion by Council Member Ruble, second by Council Member Hall. Motion to adjourn passed with a 6-0 voice vote.

We, the undersigned Mayor and City Clerk for the City of Ward, do hereby verify the foregoing to be true and correct record of proceedings of the City of Ward Council Meeting held on Monday, June 19, 2023 at 6:30PM.

APPROVED DATE: July 17, 2023



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MAYOR CHARLES GASTINEAU

ATTEST:



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CITY CLERK KRYSTAL RUMMEL

CITY SEAL

## July 17, 2023 City Council

### Mayor's Report

- **Construction Projects**
  - **SRTS IV: Sidewalk Project (Open)**
    - Waiting on ARDoT to give permission to solicit bids
  - **Meter Replacement Project (ARPA Funds) (Open)**
    - In-progress
  - **ARDoT TAP/RAP Grant (SRTS V – Proposed)**
    - Project was submitted to ARDoT by Half Engineering
  - **AEDC-CDBG – Remove Homes off Vacuum (Proposed)**
    - Awaiting on AEDC decision
  - **ARDOT Highway Projects**
    - Hwy 319 from Hwy 38 to Hwy 367 – Late Summer/Early Fall
      - Shoulders & resurfacing; Add 2' Shoulders
    - Hwy 38 from Hwy 367 to Des Arc – Bid opening in Summer 2024
  - **Metroplan Call for Projects (Due NLT July 31)**
    - Resolution approved/disapproved tonight
  - **2023 Street Aid Submittal**
    - July 13 – ARDoT Street Aid Site Visit
      - Recommended Streets for overlay after visit
        - Markham from 367 to Brewer; Owen St;
        - North St – Maybe; Additional streets – Maybe depending on cost
      - \$300,000 available per approved project
- **Unified Development Ordinance**
  - Updates have been sent to Metroplan for them to make changes to our version
- **License Plate Reader Camera**
  - Contractor STILL awaiting ARDoT permits
- **Consolidated 911 Center**
  - No Change
- **Broadband Deployment**
  - Continuing
- **2023 Water/Wastewater Rate study**
  - Paperwork has been submitted to AWRA
- **Storm Clean Up**
  - We picked up approximately 731 tons of yard debris from 122 locations
  - ADEM to conduct site visit this week
- **HAZMAT/Shredding Event**
  - Served 47 citizen; HAZMAT cost \$3,000; Shredding cost \$500
- **LWPWA Annual Board Meeting at Intake Site – Aug 1 (10:30 am for tour, 11:30 am for lunch)**
  - Council is invited
  - Excellent opportunity to view the Intake Site AND Treatment Plant and lunch is provided