



CITY OF WARD

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

Council Meeting Minutes April 17, 2023 at 6:30 PM

- I. **Call to Order:** by Mayor Gastineau @ 6:30pm. Prayer was offered by Steven Hall followed by the pledge of allegiance.
- II. **Roll Call:** by City Clerk Rummel. Hall-present, Chapman-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 March 28, 2023 council minutes, second by council member Chapman. Discussion. Motion passes with a 5-0 voice vote.
- IV. **Department Reports and Financials:** Financials were not available this month due to the CPA being delayed. They will be available for next month's agenda. Council member Chapman made a motion to approve the department reports, second by council member Ruble. Motion passes with a 5-0 voice vote.
- V. **Planning Commission Report:**
Chairman Peters presented the Planning Commission report. There will be a public hearing for the rezoning of Hwy 38/ Old Hwy 38 South on April 24th. Also, they approved the final plat of Stagecoach Meadows. There are no pump grinders in the subdivision. Progress is still being made on the UDO, the next meeting will be on April 24th as well. Council member Ruble made a motion to approve the final plat of Stagecoach Meadows, seconded by Council member Brooke. Roll call: Hall-yes, Chapman-yes, Hefner-yes, Brooke-yes, Ruble-yes. Motions carries with a 5-0 roll call vote. Council member Ruble made a motion to approve the planning commission report as presented, seconded by council member Brooke. Motion carries with a 5-0 voice vote.
- VI. **Unfinished Business:**
 - A. **ELECTION OF CITY COUNCIL MEMBER FOR WARD 2, POSITION 1**

Four citizens from Ward 2 submitted an affidavit of eligibility to be considered for the open seat. The first to present was Stacey McMinn. She is a mother, grandmother, and wife to previous council member Jimmy McMinn. Stacey

attended college in Fayetteville and interned at Washington D.C. Other than those years, Ward has been her home. Her family taught her from an early age the importance of volunteerism and were active in the community. They donated land for projects such as Ward Central Elementary and Ward Sports Complex. She started Sister's Care with her family and volunteered for the Parks and Rec. Other accolades including the Cabot School Board, Ward Chamber of Commerce as President, Beyond Boundaries, and Jobs4You. Her son suffered a TBI and she is nursing him through recovery. This year they will be empty nesters and she has the time to step up and be an active community.

Steven Ocker was next to present. He is a 16-year combat veteran who retired last year. He would like to serve the community and leave it better than he found it. Also, he would like to create more for the children of the community.

Jerry Peters was the third to present. He is a navy veteran with a degree in political science/Public Administration. As chairman of the Planning Commission and working with the staff, he has a good idea of how the city operates. He wants to improve the quality of life in Ward and economic development. He is a retired educator and has the time to commit.

Michael Young was he last to speak. He said regardless of who is chosen, everyone seems to be a qualified candidate. He moved to Willow Lake four years ago. In that time, they hosted seven foreign exchange students who still consider Ward home. Michael graduated from Fordyce and spent four years in the Army and eight years in the Air Force. He and his wife are very active in their church. Christian values and Air Force values is at the forefront. He noted the growth of Ward's population and would like to see economic development.

City Clerk Rummel handed out the ballots. Stacey McMinn received 3 votes, Michael Young received 1 vote, and Jerry Peters received 1 vote. Immediately following, Stacey McMinn was sworn in and seated on the council.

B. ORDINANCE O-2023-03: AN ORDINANCE ESTABLISHING A FRANCHISE TAX FOR FIBER OPTICS SERVICES WITHIN THE CORPORATE CITY OF WARD, ARKANSAS; AND FOR OTHER PURPOSES (3RD READING)

Council member Ruble made a motion to approve O-2023 on its third reading, seconded by council member Chapman. Roll call: Chapman-yes, Hefner-no, Brooke-no, Ruble-yes, Hall-yes, and McMinn-abstain. As the law allows, we have 3 yes votes, but need 4 to approve. The mayor has the opportunity to vote in the affirmative, and which he did. Final vote: 4-yes, 2-no, 1-abstain. Motion passes. Council member Chapman made a motion to adopt O-2023-03, seconded by council member Ruble. Roll call: McMinn-abstain, Hefner-no, Brooke-no, Ruble-yes, Hall-yes, Chapman-yes. Again, the mayor voted in the affirmative to pass the ordinance. Final vote: 4-yes, 2-no, 1-abstain.

C. ORDINANCE O-2023-04: AN ORDINANCE ESTABLISHING POLICY (WARD GRINDER PUMP POLICY) FOR AUTHORIZATION, INSTALLATION, USE AND RESPONSIBILITIES OF GRINDER PUMPS ATTACHED TO THE WARD WATER AND SEWER SYSTEM; AND FOR OTHER PURPOSES. (2ND READING)

Mayor Gastineau tabled this for another month.

D. ORDINANCE O-2023-06: AN ORDINANCE REQUIRING THE REGISTRATION OF NON-OWNER-OCCUPIED SHORT-TERM RENTALS FACILITIES WITHIN THE CITY LIMITS OF WARD, DELCARING AN EMERGENCY, AND FOR OTHER PURPOSES (1ST READING)

Mayor Gastineau explained that the state legislation did not pass the very restrictive legislative package. The council asked for some penalties and permit fees, which have been tailored off North Little Rock and added. Council member McMinn asked if Cabot had a similar ordinance and mentioned friends that run Airbnb's in NW Arkansas that are governed by the HOA in those areas. However, Ward does not have HOA's. Council member Hefner asked how long does a home owner need to reside at the home during the year for it to count as owner occupied. Mayor Gastineau did not a definite answer, but it was something to consider. Council member Hall made a motion to approve, seconded by council member Brooke. Roll call: Hefner-no, Brooke-no, Ruble-yes, Hall-yes, Chapman-yes, McMinn-no. Voting resulted in a tie of 3-yes and 3-no. Mayor Gastineau voted in the affirmative to break the tie. Discussion. Council to do their own research of short-term rentals and come back next month with thoughts and ideas.

VII. New Business:

A. ORDINANCE O-2023-07: AN ORDINANCE AUTHORIZING A CHANGE TO THE CITY OF WARD PERSONNEL HANDBOOK, ESTABLISHING THE CITY'S WIFI USAGE POLICY AND REMOTE ACCESS POLICY, DECLARING AN EMERGENCY AND FOR OTHER PURPOSES

Council member Hefner made a motion to approve O-2023-07 on its first reading, seconded by council member Ruble. Roll call: Brooke-yes, Ruble-yes, Hall-yes, Chapman-yes, McMinn-yes, and Hefner-yes. Motion passes with a 6-0 roll call vote. Council member Ruble made a motion to suspend the rules and put O-2023-07 on its 2nd and 3rd reading, seconded by council member Brooke. Motion passes with a 6-0 voice vote. Motion to approve O-2023-07 made by council member Ruble, seconded by council member Chapman. Roll call: Ruble-yes, Hall-yes, Chapman-yes, McMinn-yes, Hefner-yes, Brooke-yes. Motion approved. Council member Chapman made a motion to enact the emergency clause, seconded by council member Ruble. Roll call: Hall-yes, Chapman-yes, McMinn-yes, Hefner-yes, Brooke-yes, Ruble-yes. O-2023-07 is approved with the emergency clause.

B. ORDINANCE O-2023-08: AN ORDINANCE AMEDNING THE WARD POLICE DEPARTMENT POLICIES AND PROCEDURES MANUAL, MARKED AS "EXHIBIT A"; AND FOR OTHER PURPOSES

Council member Ruble made a motion to approve O-2023-08 on its first reading, seconded by council member Hefner. Roll call: Chapman-yes, McMinn-yes, Hefner-yes, Brooke-yes, Ruble-yes, Hall-yes. Motion passes with a 6-0 roll call vote. Council member Hall made a motion to suspend the rules for 2nd and 3rd reading, seconded by council member Brooke. Motion passes with a 6-0 voice vote. Motion to approve O-2023-08 made by council member Hall, seconded by

council member Ruble. Roll call: McMinn-yes, Hefner-yes, Brooke-yes, Ruble-yes, Hall-yes, Chapman-yes. Motion passes. No need to enact the emergency clause.

C. ORDINANCE NUMBER O-2023-09: AN ORDINANCE AMENDING ORDINANCE O-2021-03 WHICH AMENDED W-1-93, CREATING A CITY PLANNING COMMISSION; SETTING TERMS OF MEMBERS; ELECTION OF OFFICERS; RULES; EMPLOYMENT OF ASSISTANCE; EXPENDITURES; POWERS AND DUTIES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

Discussion. Mayor Gastineau explained in 2021 an ordinance was created stating you had to live within the city limits to be on the planning commission. State law allows you to live one mile outside the city limits. This allows for others living outside the city limits to join. Council member Hall asked if there was a guideline on the number allowed on the planning commission living outside of city limits. Mayor Gastineau said state law allows for one third of the commission to reside outside of city limits. Council member Hefner made a motion to approve O-2023-09 on its first reading, seconded by council member Brooke. Roll call: Hefner-yes, Brooke-no, Ruble-yes, Hall-no, Chapman-no, McMinn-no. O-2023-09 dies for lack of majority.

D. PLANNING COMMISSION OPENING

- Open to any resident of Ward
- Must complete an application

Mayor Gastineau explained there is an opening on the Planning Commission. Open to residents within the city.

E. RESOLUTION R-2023-13: A RESOLUTION ACKNOWLEDGING THE ELECTION OF COUNCIL MEMBER FOR THE CITY OF WARD BY THE MAJORITY VOTE OF THE GOVERNING BODY

Council member Hefner made a motion to approve, seconded by council member Hall. Roll call: Ruble-yes, Hall-yes, Chapman-yes, McMinn-abstain, Hefner-yes, Brooke-yes. Motion passes with a 5-1 roll call vote.

VIII. Mayor's Report: See attachment.

IX. Public Comment on Non-Agenda Items: None

X. Announcements

- Public Hearing: April 24th, 6:30pm
- Planning Commission Meeting: April 24th, 7:00pm
- Spring Clean Up: April 29th, 8:00am-3:00pm
- Movies in the Park: May 6th, Dusk
- Election Day: May 9th, 7:30am-7:30pm
- Fishing Derby: May 13th, 8:00am-12:00pm
- City Council Meeting: May 15th, 6:30 pm

XI. Adjournment

There being no further business, the meeting was adjourned @ 7:36 pm with a motion by Council Member Hall, second by Council Member Hefner. 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 Tuesday, April 17, 2023 at 6:30PM.

APPROVED DATE: May 15, 2023


MAYOR CHARLES GASTINEAU

ATTEST:


CITY CLERK KRYSTAL RUMMEL

CITY SEAL

**May 15, 2023 City Council
Mayor's Report**

- **Construction Projects**
 - **SRTS IV: Sidewalk Project Open)**
 - Crafton-Tull Engineering working up construction design
 - 80% Engineering fee paid by Metroplan
 - Construction costs – 80/20 City/Federal (Metroplan)
 - **Meter Replacement Project (ARPA Funds) (Open)**
 - Moving along
 - ALL new meters are contracted type
 - **Ward/Austin/Cabot Pedestrian/Bike Trail (Open)**
 - Ward > Austin Portion CANCELLED
 - **Ward Trailhead Section (Closed)**
 - CANCELLED
 - **ARDoT TAP/RAP Grant (Proposed)**
 - Half Engineering working up 30% design
 - 1 Jun deadline – to be submitted by Half
 - **AEDC-CDBG – Remove Homes off Vacuum (Proposed)**
 - AR WWAC approved project
 - 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
- **Unified Development Ordinance**
 - Updates to be sent to Metroplan by end of month
 - Anticipate Public Hearing to be scheduled in late June
- **License Plate Reader Camera**
 - Contractor awaiting ARDoT permits
- **Consolidated 911 Center**
 - No Change
- **Broadband Deployment**
 - Some areas in town are being connected, deployment continues
- **Spring Clean Up**
 - 20.68 Tons of Trash Removed

- **Movies in the Park**
 - **HUGH** success....
 - Next event scheduled for late July
- **Fishing Derby**
 - 130 kids participated
 - ALL received gifts.
- **Job Opening**
 - Code Enforcement –until filled
- **2023 Water/Wastewater Rate study**
 - Paperwork is being worked up for submission
- **STR Ordinance – Read Ahead**
 - WILL require Public Hearing before being presented to Council for approval/disapproval
- **Noise Ordinance – Read Ahead:** To be on the Agenda next month
- **Virtual Town Hall Meeting**
 - May 18, 6:30 pm.