



CITY OF WARD

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

Council Meeting Minutes July 17, 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 June 19, 2023 council minutes, second by council member Brooke. Discussion. Motion passes with a 6-0 voice vote.
- IV. **Department Reports and Financials:** Council member Hall had a question about the number of trees picked up on the Street department report. Mayor Gastineau confirmed the number was that reported at the time of the report, but he would discuss the city clean-up information in his mayor's report. Council member Brooke made a motion to approve the department reports and June's financials, second by council member Chapman. Motion passes with a 6-0 voice vote.
- V. **Planning Commission Report:**
Chairman Peters presented the Planning Commission report. A new vice-chair was appointed, Erin Mixon. Short-term rentals, crypto mining, and an annexation were discussed. Stanley Brown presented a site plan for a new small business. Bond Engineering requested a rezoning request. The UDO is in the final stages of review. There are two public hearings scheduled for the following Monday. Lastly, the rezoning signs will be marked with a large "Z" so they are easily recognized. Mayor Gastineau added that Erin Mixon is now employed by the City of Cabot in their planning section. It is not considered a conflict of interest, and will be beneficial as she can use her knowledge to help our community as well. Council member Chapman made a motion to approve as presented, seconded by council member Hall. Motion passes with a 6-0 voice vote.

VI. Old Business:

A. 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 (SECOND READING)

Police Chief Steve Benton was asked to explain the reasoning behind this. This ordinance will consolidate the separate items and eliminate confusion. There is a concern with car break-ins and minors out late at night, plus this will establish penalties. Cabot, Beebe, and Austin's curfews were mentioned. After discussion, council member Ruble made a motion to change the curfew hours for Friday, Saturday, and before a national holiday from midnight to 5:00 am, seconded by council member Hefner. Roll call: Hall-yes, Chapman-yes, McMinn-yes, Hefner-yes, Brooke-no, Ruble-yes. Motion approved. Council member Chapman made a motion to change the weekday curfew from 11pm-5am, seconded by council member Hefner. Roll call: Chapman-yes, McMinn-yes, Hefner-yes, Brooke-no, Ruble-yes, Hall-yes. Motion carries. Council member Hall made a motion to approve O-2023-13, seconded by council member Chapman. Roll call: McMinn-yes, Hefner-yes, Brooke-no, Ruble-yes, Hall-yes, Chapman-yes. Motion approved. Council member Hall made a motion to suspend the rules and put O-2023-13 on its final reading, seconded by council member Hall. Motion approved with a 5-1 voice vote, council member Brooke being the only nay. Council member Hall made a motion to approve O-2023-13, seconded by council member Chapman. Roll call: Hefner-yes, Brooke-no, Ruble-yes, Hall-yes, Chapman-yes, McMinn-yes. Council member Hall made a motion to approve O-2023-13 with the emergency clause, seconded by council member Chapman. Roll call: Brooke-no, Ruble-yes, Hall-yes, Chapman-yes, McMinn-yes, Hefner-yes. Motion approved.

VII. New Business:

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

This was brought back for discussion at the request of council member Ruble. He realized the need for a noise ordinance, but wanted a discussion the time period for lawn mowers. For example, with the high temperatures, some may want to mow as early as 6:30am. Mayor Gastineau said as before with the previous ordinance, we can discuss changing the hours. Chief Benton was asked to participate in the discussion. Council member Ruble also questioned the distance of 50 feet from the source. An example he provided was kids playing basketball and the noise of the ball hitting the backboard traveling more than 50 feet. The car radio is acceptable. Council member Chapman made a motion to change distance from the source (excluding vehicles) to 100 feet, seconded by council member Ruble. Roll call: Ruble-yes, Hall-yes, Chapman-yes, McMinn-yes, Brooke-yes. Motion passes. Council member Hefner made a motion to change quiet hours to 5:00am to align with the curfew, seconded by council member Chapman.

Roll call: Hall-yes, Chapman-yes, McMinn-yes, Hefner-yes, Brooke-yes, Ruble-yes. Council member Hall made a motion to approve O-2023-16 on its first reading, seconded by council member Chapman. Roll call: Chapman-yes, McMinn-yes, Hefner-no, Brooke-yes, Ruble-yes, Hall-yes. Motion approved. The second reading will be carried over to next month.

B. ORDINANCE 2023-16: 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.

This ordinance puts into place what was discussed at the public hearing held tonight. Council member Chapman made a motion to approve O-2023-16, seconded by council member Ruble. Roll call: McMinn-yes, Hefner-yes, Brooke-yes, Ruble-yes, Hall-yes, Chapman-yes. Council member Ruble made a motion to suspend the rules and place O-2023-16 on its second and third reading. Motion carries with a 6-0 voice vote. Motion to approve O-2023-16 made by council member Ruble, second by council member Brooke. Roll call: Hefner-yes, Brooke-yes, Ruble-yes, Hall-yes, Chapman-yes, McMinn-yes. Council member Ruble made a motion to activate the emergency clause, seconded by council member Chapman. Roll call: Brooke-yes, Ruble-yes, Hall-yes, Chapman-yes, McMinn-yes, Hefner-yes. Motion approved.

C. ORDINANCE 2023-17: AN EMERGENCY ORDINANCE ADOPTING CERTAIN RULES AND REGULATIONS CONCERNING EXTERNAL NOISE ATTENUATION OF DATA CENTERS AND TO PREVENT NOISE DISTURBANCE IN THE CITY OF WARD, ARKANSAS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES

City Attorney Chris Lacy explained data mining, the situation Vilonia is experiencing, and the need for the city to have this in place. Council member Ruble made a motion to approve O-2023-17, seconded by council member McMinn. Roll call: Ruble-yes, Hall-yes, Chapman-yes, McMinn-yes, Hefner-yes, Brooke. Motion passes. Council member Hefner made a motion to suspend the rules and place O-2023-17 on its second and third reading, seconded by council member Ruble. Motion passes with a 6-0 voice vote. Council member Hefner made a motion to approve O-2023-17, seconded by council member Ruble. Roll call: Hall-yes, Chapman-yes, McMinn-yes, Hefner-yes, Brooke-yes, Ruble-yes. Motion is approved. Council member Chapman made a motion to enact the emergency clause, seconded by council member Brooke. Roll call: Chapman-yes, McMinn-yes, Hefner-yes, Brooke-yes, Ruble-yes, Hall-yes. Motion approved.

D. ORDINANCE 2023-18: AN ORDINANCE AUTHORIZING THE AWARDED OF AN INDIVIDUAL WARD POLICE OFFICER'S SERVICE WEAPON UPON RETIREMENT OR DEATH; AND FOR OTHER PURPOSES

Discussion. Council member Ruble had a question about making the service weapon inoperable, which he did not agree with. Council member Chapman made a motion to remove the section of making it inoperable, seconded by council member Brooke. Roll call: McMinn-yes, Hefner-no, Brooke-yes, Ruble-yes, Hall-yes, Chapman-yes. Motion passes. Council member Ruble made a

motion to O-2023-18 on its first reading, seconded by council member Hall. Hefner-yes, Brooke-yes, Ruble-yes, Hall-yes, Chapman-yes, McMinn-yes. Council member Hall made a motion to suspend the rules and put O-2023-18 on its second and third reading. Motion passes with a 6-0 voice vote. Council member Ruble made a motion to adopt O-2023-18, seconded by council member Hall. Roll call: Brooke-yes, Ruble-yes, Hall-yes, Chapman-yes, McMinn-yes, Hefner-yes. Motion is approved.

E. RESOLUTION NO. R-2023-18: A RESOLUTION AUTHORIZING THE PURCHASE OF NINE (9) NEW LENOVO THINKPAD LAPTOPS FROM PURE COMPUTER SOLUTIONS FOR POLICE DEPARTMENT VEHICLES

Chief Benton explained the need for new laptops. Discussion that these were the tough cases. Council member Hall made a motion to approve R-2023-18, seconded by council member Ruble. Roll call: Ruble-yes, Hall-yes, Chapman-yes, McMinn-yes, Hefner-yes, Brooke-yes. Motion is approved.

F. RESOLUTION NO. R-2023-19: A RESOLUTION AUTHORIZING THE MAYOR AND/OR CITY CLERK TO MOVE FUNDS FROM VARIOUS CHECKING ACCOUNT AND DEPOSITING SAME INTO SIX (6) MONTH AND TWELVE (12) MONTHS CERTIFICATES OF DEPOSIT OR INTEREST-BEARING ACCOUNTS AT BANK OZK

Council member Hefner made a motion to approve R-2023-19, seconded by council member Brooke. Roll call: Hall-yes, Chapman-yes, McMinn-yes, Hefner-yes, Brooke-yes, Ruble-yes.

G. RESOLUTION NO. R-2023-20: A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF WARD, ARKANSAS TO UTILIZE FEDERAL-AID TRANSPORTATION PROGRAM FUNDS

Council member Brooke made a motion to approve R-2023-20, seconded by council member Hefner. Roll call: Chapman-yes, McMinn-yes, Hefner-yes, Brooke-yes, Ruble-yes, Hall-yes. Motion is approved.

VIII. Mayor's Report: See attachment.

IX. Public Comment on Non-Agenda Items: Council member Hall asked about continuing sidewalks across the railroad tracks. Discussed that we might have to look at city funding to continue that project.

X. Announcements

- Public Hearing on Rezoning: July 24th, 6 pm
- Public Hearing on Short-Term Rentals: July 24th, 6:30 pm
- Planning Commission Meeting: July 24th at 7:00pm
- Ward Community Blood Drive: Aug 2, 10-2
- Cabot Public Schools begin: Aug 15
- Mayor's Virtual Town Hall meeting: Aug 24, 6:30-7:30pm
- City Council Meeting: August 21st, 6:30 pm

XI. Adjournment

There being no further business, the meeting was adjourned at 7:41pm pm with a motion by Council Member Ruble, second by Council Member Brooke. 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, July 17, 2023 at 6:30PM.

APPROVED DATE: August 21, 2023


MAYOR CHARLES GASTINEAU

ATTEST:


CITY CLERK KRYSTAL RUMMEL

CITY SEAL

August 21, 2023 City Council

Mayor's Report

- **Construction Projects**
 - **SRTS IV: Sidewalk Project (Open)**
 - ARDoT has released the project to move forward
 - Kickoff meeting the Crafton-Tull scheduled for August 24, 2 pm
 - **Meter Replacement Project (ARPA Funds) (Open)**
 - Meters are being shipped along with 1,000 end-points
 - Radio relays are being installed soon
 - **AEDC-CDBG – Remove Remaining Homes off Vacuum (Open)**
 - AEDC awarded \$500k plus additional funds for delivery/contract administration costs
 - Next step will be to submit application to ANRD for remain funds needed to complete the project
 - **Balding Street Overlay**
 - Preconstruction meeting held August 14
 - Construction to begin August 28
 - Widen from 12' to 18'
 - **Need approval to lay 20' from Hwy 319 to Campbell (Approx. \$2,000)**
 - **ARDoT TAP/RAP Grant (SRTS V – Proposed)**
 - Awaiting on ARDoT decision
 - **2023 Street Aid Submittal (Proposed)**
 - ARDoT Street Aid Committee Meets in December
 - Markham from 367 to Brewer, North from 319 to 367, Owen from RR to Markham, Moore from 367 to RR, Elm from 367 to Hickory, Marshal from Hickory to Griffin
 - Estimated costs: \$338,000 (Approx)
 - Street Aid: \$300,000, City: \$38,000
 - Need Motion/Approval in SUPPORT of this project estimated costs
 - **ARDOT Highway Projects**
 - Hwy 319 from Hwy 38 to Hwy 367 – Tentative Start Date: Oct 9
 - Shoulders & resurfacing; Add 2' Shoulders
 - **Arkansas Energy Office's Energy Performance Contracting Revolving Loan Lease Fund (AEPC-RLLF)**
 - Low interest loans available
 - 1st Step – Work with AEPC-RLLF office to develop RFP with an Energy Service Company (ESCO) to develop and complete an Investment Grade Audit (IGA) and Energy Performance Contract for the city facilities.
 - Need Motion/Approval to explore this further and publish RFP, as needed.
- **Unified Development Ordinance**
 - Awaiting Metroplan updates

- **License Plate Reader Camera**
 - One LRPC has been approved by ARDoT and will be installed soon at Peyton and Old Austin
 - Vendor continues to work with ARDoT to get approval of other locations
- **Consolidated 911 Center**
 - No Change, anticipate meetings to start soon
- **Broadband Deployment**
 - Continuing
- **County Broadband Committee**
 - No Update
- **2023 Water/Wastewater Rate study**
 - Awaiting report from ARWA
- **Storm Clean Up**
 - 144 sites, 896 tons of debris
 - Working up FEMA forms to turn in for reimbursement
- **Zella's Fuel Surcharge**
 - Fuel Surcharge to end this month
- **Ward Population – Metroplan Metro Trends**
 - NOW estimated to be 6,815
 - 10th Largest City in Metroplan Area
 - Fastest Growing City in Metroplan Area
 - 12.6% rate since 2020
 - 2030 Estimated Population OVER 9,000
- **Traffic Areas of Concern:**
 - Peyton and School
 - ARDoT has been contacted about a turn lane
 - Hwy 319/367 Intersection
 - ARDot has been contacted to conduct a traffic study for a 4-way stop OR traffic light
 - Hwy 319/38 Intersection
 - ARDot has been contacted to conduct a traffic study for traffic light
- **New Construction (Heads up):**
 - Preliminary Plat Windermer (Wilson Loop and Sally) (August Meeting)
 - 30 Homes
 - Preliminary Plan Moonlight Meadows (Moon Road) (August Meeting)
 - 559 Homes (HOA)
 - Maybe some city-owned green space in the middle
 - Unnamed Subdivision/Commercial Area (Hwy 38/Ferguson) (September Meeting)
 - 2 Highway Commercial Parcels (if rezoning is approved)
 - 28 Homes
- **Mayor's Virtual Town Hall Meeting**
 - August 24, 6:30 – 7:30 pm