



**Council Meeting Minutes – 10/21/2019  
Council Chambers**

- I. **Call To Order:** Meeting was called to order by Mayor Gastineau @ 6:30pm
  - a. Prayer
  - b. Pledge of Allegiance
- II. **Roll Call:** by City Clerk Ruble. Council Members Barrentine – Present, Wier – Here, Ketterman – Present, Hefner – Out, McMinn – Present, Brooke – Here. We have a quorum.
- III. **Review/approval of September 16, 2019 Council Minutes:**

The September 16<sup>th</sup>, 2019 minutes were approved with a motion by Mr. Wier, second by Mr. Brooke. Discussion. Motion passes with a 5-0 voice vote.

IV. **Department Reports:**

Street Department Head Mr. Staley presented a list of old and inoperable equipment that he would like to be scraped. Mr. Brooke made a motion to approve, second Mrs. Barrentine. Discussion. Motion passes with a 5-0 voice vote.

V. **Commission Report:**

Mr. Meadows reviewed the Planning Commission's report and was available for any questions. Mayor Gastineau spoke about an upcoming development called Legacy Farms that will require a public hear to classify it as a Planned Urban Development (PUD) with 2,000 sq ft min., a 10 – 15% green space and a HOA. He feels this will be a great asset to the city.

Mr. Wier made a motion to accept the Planning Commission's report, second by Mr. McMinn. Motion passes with a 5-0 voice vote.

VI. **Engineer Report:** No Report

VII. **Unfinished Business:**

- a. Filling City Council Position:  
City Attorney Chris Lacy spoke concerning the previous vote to seat Mr. Ketterman and explained that this same situation occurred in West Helena several years ago and that following that, the Attorney General at the time, had issued an opinion saying that the law was very unclear. Mr. Lacy further explained that any and all actions voted on by Mr. Ketterman up to this point were legal, but to err in an abundance of caution, he

recommended the current Council Member (except Mr. Ketterman) vote again to seat a Council Member. Council Member Brooke questioned this action and stated that he had been advised by the Arkansas Municipal League (ARML) that we need to go back to the vote in July as Mr. Williams had received 2 votes to the others have 1 vote each because ARML said it only takes a "simple majority." Mr. Lacy reaffirmed that the law states it takes a "majority vote" of the remaining Council Members to seat another, not a "simple majority."

Mr. Wier made a motion to move forward with a vote, second Mrs. Barrentin. Discussion. Motion passes with a 3-1 roll call vote. Mr. Brooke – Nay, Mrs. Barrentin – Yea, Mr. Wier – Yea, Mr. McMinn – Yea, and Mr. Ketterman did not vote.

Council Members voted by secret ballot. After the votes were tallied Attorney Lacy reported 3 votes for Mr. Ketterman and 1 vote for Mr. Williams. Mr. Kitterman did not vote.

- b. R-2019-34 (**A RESOLUTION ACKNOWLEDGING THE ELECTION OF COUNCIL MEMBER FOR THE CITY OF WARD BY THE MAJORITY VOTE OF THE GOVERNING BODY**) : Mr. Wier made a motion to approve R-2019-34, second Mr. McMinn. Discussion. Motion passes with a 4-1 roll call vote Mrs. Barrentin – Yea, Mr. Wier – Yea, Mr. Ketterman – Yea, Mr. McMinn – Yea, Mr. Brooke – Nay.
- c. Ordinance 0-2019-10 (**AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF WARD, ARKANSAS, AND MAKING SAME A PART OF THE CITY OF WARD, ARKANSAS, ASSIGNING SAME TO WARDS, AND ZONING SAID ANNEXED TERRITORY**) (Second Reading): Mr. Wier makes a motion to put O-2019-10 on its second reading, second by Mr. Ketterman. Discussion. Motion passes with a 5-0 roll call vote. Mr. Wier – Yea, Mr. Ketterman – Yea, Mr. McMinn – Yea, Mr. Brooke – Yea, Mrs. Barrentin – Yea.

### **New Business**

- a. Annual Mileage Authorization:  
Mr. Brooke makes a motion to accept the Annual Mileage Authorization of .0050 Mills, second by Mr. Wier. Discussion. Motion carries with a 5-0 roll call vote. Mr. Ketterman – Yea, Mr. McMinn – Yea, Mr. Brooke – Yea, Mrs. Barrentine – Yea, Mr. Wier – Yea.
- b. Ordinance 2019-11 (**AN ORDINANCE REPLACING CITY OF WARD ORDINANCE WF 7-93, PROHIBITING THE SALE AND DISCHARGE OF FIREWORKS WITHIN THE CITY LIMITS OF WARD, ARKANSAS, WITH AN ORDINANCE PROHIBITING THE SALE OF FIREWORKS WITHIN THE CITY LIMIT AND ALLOWING FOR LIMITED IGNITING (SETTING OFF OR SHOOTING) FIREWORKS WITHIN THE CITY LIMITS OF WARD; AND FOR OTHER PURPOSES.**)(First reading) Mr. McMinn made a motion to change O-2019-11 changing the dates and times to July 3<sup>rd</sup> from 12 noon to 12:30 am, July 4<sup>th</sup> from 12 noon to 12:30

am and July 5<sup>th</sup> from 12 noon to 12:30 am, second by Mr. Ketterman. Discussion. Motion carries with a 5-0 roll call vote. Mr. Brooke – Yea, Mrs. Barrentine – Yea, Mr. Wier – Yea, Mr. Ketterman – Yea, Mr. McMinn – Yea.

Mr. Wier makes a motion that we leave Dec. 31 from 12 noon to 12:30 am as is, second by Mrs. Barrentine. Discussion. Motion carries with a 5-0 roll call vote. Mrs. Barrentine – Yea, Mr. Wier – Yea, Mr. Ketterman – Yea, Mr. McMinn – Yea, . Mr. Brooke – Yea.

Mr. McMinn made a motion to put O-2019-11 on its first reading with the corrections as noted, second by Mr. Wier. Discussion. Motion carries with a 5-0 roll call vote. Mr. Wier – Yea, Mr. Ketterman – Yea, Mr. McMinn – Yea, Mr. Brooke – Yea, Mrs. Barrentine – Yea.

- c. Resolution 2019-35 (**A RESOLUTION AUTHORIZING THE MAYOR TO TERMINATE THE CONTRACT WITH FOUNDATION PRO AS IT PERTAINS TO INJECTING POLYURETHANE IN THE VOIDS**) Mr. Wier makes a motion to approve R-2019-35, second by Mr. Brooke. Discussion. Motion carries with a 5-0 roll call vote. Mr. Ketterman – Yea, Mr. McMinn – Yea, Mr. Brooke – Yea, Mrs. Barrentine – Yea, Mr. Wier – Yea.
- d. Resolution 2019-36 (**A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF WARD TO ISSUE A NOTICE OF INTENT TO THE ARKANSAS NATURAL RESOURCES COMMISSION FOR FUNDS TO CONDUCT A DRAINAGE STUDY WITHIN THE CITY OF WARD, AND FOR OTHER PURPOSES**) Mr. Brooke makes a motion to approve R-2019-36, second by Mr. Wier. Discussion. Motion carries with 5-0 roll call vote. Mr. McMinn – Yea, Mr. Brooke – Yea, Mrs. Barrentine – Yea, Mr. Wier – Yea, Mr. Ketterman – Yea.
- e. Resolution 2019-37 (**A RESOLUTION RECOGNIZING THE ANNUAL NATIONAL DAY OF ADVOCACY, “IMAGINE A DAY WITHOUT WATER”, OCTOBER 23, 2019**): Read by City Clerk Ruble. Mrs. Barrentine makes a motion to approve R-2019-37, second by Mr. McMinn. Discussion. Motion carries with a 5-0 roll call vote. Mr. Brooke – Yea, Mrs. Barrentine – Yea, Mr. Wier – Yea, Mr. Ketterman – Yea, Mr. McMinn – Yea.

**VIII. Mayor’s Report:**

As handed out by the Mayor

**IX. Public Comment on Non-Agenda Items:**

None

**X. Announcements:**

2019 Komen Central Arkansas MORE THAN PINK Walk™ Saturday, October 26, 2019

POC: Karen Dawson

Chamber of Commerce Harvest Fest: October 26<sup>th</sup>, 5:00 – 8:00 pm

POC: Chamber President Stacey McMinn

Halloween: October 31

Christmas Parade: December 15. Time TBD

POC: Chamber President Stacey McMinn

Council Meeting: Monday, November 18<sup>th</sup>, 2019 @ 6:30pm

Census Day: April 1, 2020

**XI. Adjournment:**

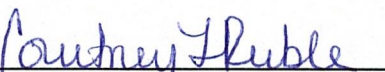
There being no further business, the meeting was adjourned at 7:34pm with a motion by Mr. Wier, second by Mrs. Barrentine. Motion to adjourn passed with a 5-0 voice vote.

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 Regular Meeting held on Monday, October 21<sup>st</sup>, 2019 at 6:30pm.

APPROVED DATE: November 18<sup>th</sup>, 2019

  
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MAYOR

ATTEST:

  
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CITY CLERK

