



## CITY OF WARD

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

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### **Council Meeting Minutes July 18, 2022 at 6:30 PM**

- **Call to Order:** Mayor Gastineau called the meeting to order at 6:30 P.M.
  - Prayer Art Brooke led the prayer
  - Pledge of Allegiance Mayor Gastineau led the pledge
  - Due to Mrs. Courtney Ruble resignation at the May 2022 council meeting; Mayor Gastineau requested that Deborah Staley record the minutes
  
- **Roll Call:** by Deborah Staley. Council Members Rummel – present, Morris – present, Harbort – present, Hefner – present, McMinn – absent, and Shetron – present. We had a quorum.
  
- **Review/approval of June 20, 2022 Council Minutes**  
Council member Harbort made a motion to approve the June 20<sup>th</sup>, 2022 Council minutes; seconded by Council Member Hefner. No discussion. Motion passed with a 5-0 voice vote.
  
- **Department Reports and Financials:**
  - Animal Shelter, Court, Fire, Parks & Rec, Police, Probation, Reception, Street, Water/Wastewater – Council Member Rummel made a motion to approve the department reports; seconded by Council Member Morris. No discussion. Motion passed with a 5-0 voice vote.
  - Financials
  - General, Fire, Parks & Rec, Police, Street, Water/Wastewater – Council Member Harbort made a motion to approve the department reports; seconded by Council Member Hefner. No discussion. Motion passed with a 5-0 voice vote.
  
- **Planning Commission Report:**
  - Chairman Jerry Peters presented the Planning Commission report
  - Grant and Julie Roberts have requested a variance to build a 4 foot fence in their front yard at 29 Shamsie. The Zoning Regulations only allow a 4 foot fence. The Planning Commission recommends approval by the Council. Council Member Rummel made a motion to approve the variance for a 4 foot fence at 29 Shamsie; seconded by Council Member Harbort. No discussion. Motion passed with a 5-0 voice vote.

- The Planning Commission approved the Preliminary Plat for Stagecoach Estate Subdivision
- The Planning Commission approved the Preliminary Plat for Deerfield Subdivision Phase VI. This is with the contingency that the section of the plat that is zoned C1 is successfully rezoned to R1 at the public hearing on July 25<sup>th</sup> at 6:30 PM.
- Steve and Nick Hester presented an 8-lot sketch plat on Moon Road. The Planning Commission approved the sketch plat with contingencies.
- Council Member Rummel made a motion to approve the Planning Commission report; seconded by Council Member Harbort. No discussion. Motion passed with a 5-0 voice vote.

- **Unfinished Business:**

- **ELECTION OF CITY CLERK (2<sup>ND</sup> ATTEMPT)**

- Each Candidate was given 3 minutes to speak. Art Brooke spoke referencing his previous record as Mayor. Nicci Rummel spoke about how she would like to be more involved in the City of Ward. Also, referenced her availability.
- Council members were given a voting slip to complete. Council Member Rummel excused herself from voting. Attorney Chris Lacy gathered the voting slips and tabulate. The vote was 2 – Brooke and 2 – Rummel there was a tie.
- There was a second vote with the same result. (2-Brooke and 2-Rummel)
- Mayor Gastineau ask for guidance from Attorney Chris Lacy. The decision was made for Attorney Lacy to research and determine if the Mayor would be able to break the tie. Council Member Shetron motioned to table the election of a City Clerk and have a special council meeting on Monday, July 25<sup>th</sup> at 6:30 PM in the Mayor’s office due to the Council chambers will be used for a rezone hearing at the same time; seconded by Council Member Harbort. Discussion. Motions passed with a 5-0 voice vote.

**A. ANNEXATION ISSUE – SHAMSIE DR AND FARRAH DR**

- Mayor Gastineau stated he has spoken to several different agencies and he and Attorney Gastineau are of the opinion this is a clerical error from the assessor office. The people in the effected area receive full city services and vote in all city elections. Attorney Lacy will continue to research this issue and return to the council with his recommendation.

**VII New Business:**

**A. ZELLA’S TRASH FUEL SURCHARGE**

- 15% Surcharge effective immediately
  - Surcharge in effect for 6 months when it will be revisited

- If Diesel prices drop to \$3.50 per gallon or below for a month, the surcharge will be dropped
- \$11.67 + 15% = \$13.42 (\$1.75 increase)
- Discussion
- Council Member Harbort motioned to accept the 15% Fuel Surcharge effective immediately for Zella's Trash Service to be revisited not later than January 2023; Council Member Morris seconded. Discussion. Motion passed with a 5-0 voice vote.

**B. ORDINANCE NO. 2022-09: AN ORDINANCE AMENDING CITY OF WARD ORDINANCE 2014-07, AND FOR OTHER PURPOSES**

- Deborah Staley read the title to the Ordinance.
- Council Member Rummel motion to put the ordinance on the first reading for Ordinance No. 2022-09; Council Member Morris seconded. Discussion. Roll Call – Rummel – yes, Morris – yes, Harbort – no, Hefner – yes, Shetron – no. Roll call vote 3-2 motion passed.
- Council Member Morris motioned to suspend the rules and put Ordinance No. 2022-09 on its 2<sup>nd</sup> and 3<sup>rd</sup> reading. Discussion. Roll call vote – Morris – yes, Harbort – no, Hefner – no, Shetron – no, Rummel – yes. Roll call vote 2 – 3 motion failed
- This will be on the August regular monthly agenda for the second reading.

**C. RESOLUTION NO. R-2022-16: A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF WARD, ARKANSAS TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS**

- Deborah Staley read the title for Resolution R-0222-16.
- Council Member Harbort motioned to adopt Resolution R-2022-16; second by Council Member Rummel. Roll call vote, Harbort – yes, Hefner – yes, Shetron – yes, Rummel – yes, Morris – yes. Roll call vote 5-0. Motion passed

**D. RESOLUTION NO. R-2022-17: A RESOLUTION AMENDING THE 2022 ADOPTED BUDGET FOR THE PURPOSE OF RECEIVING AND EXPENDING THE \$5,000 STIPEND FOR ELIGIBLE FULL-TIME LAW ENFORCEMENT OFFICERS**

- Deborah Staley read the title for Resolution R-2022-17
- Council Member Hefner motioned to adopt Resolution R-2022-17; seconded by Council Member Harbort. Roll call vote, Hefner – yes, Shetron – yes, Rummel – yes, Morris – yes, Harbort – yes. Roll call vote 5 – 0. Motion passed.

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

- Ordinance 2022-xx (DRAFT): AN ORDINANCE BY THE CITY OF WARD ARKANSAS CALLING FOR THE ANNEXATION OF THE LAND CURRENTLY

LOCATED IN LONOKE COUNTY ARKANSAS PURSUANT TO ARKANSAS CODE ANNOTATED §14-40-501-503

- Mayor Gastineau explained the process for this type of annexation. All land owners within affected are must be put on notice 15 days of Public Hearing – NLT July 26, 2022, there will be a Public Hearing on August 15, 2022 at 6 pm. The Council will vote at the next regularly scheduled meeting following the Public Hearing – August 15, 2022 Council Meeting

**F. CABOT PANTHERS FLAG FOOTBALL LEAGUE**

- Mayor Gastineau presented 2 gentlemen from the league
- Mr. stated that this is a 501c(3) Non- Profit organization and they have decided to terminate their affiliation with Cabot Parks and Recreation and would like to bring their league to Ward Parks and Recreation.
- Mayor Gastineau stated that he and Attorney Lacy will be working with the organization to have a formal signed agreement.

**VIII. Mayor's Report:**

- See attached report

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

- Kathleen Ashmore is the director of the Lonoke County Library System. Ms. Ashmore state the summer reading program went well this summer and they have a hard time keeping books in the sharing box at the front of the City Complex. There are plans for some restructuring and new programs for the future.

**X. Announcements – (COVID-19 Protocols Apply, as needed)**


- Rezoning Public Hearing: July 25, 6:30 pm
- Planning Commission: July 25, 7:00 pm
- Election Petitions Due: Aug 3 – Aug 10 (Noon)
- Public Hearing – “Clean Up” Lien – Aug 15, 6:00 pm
- Public Hearing – Public Nuisance, North Street: Aug 20, 6:30 pm
- Planning Commission: August 22, 7:00 pm
- Special Council Meeting : July 25, 6:30 PM in Mayor office

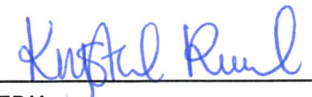
**XI. Adjournment**

There being no further business, the meeting was adjourned with a motion by Council Member Harbort, second by Council Member Hefner. 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 Council Meeting held on Monday, July 18, 2022 at 6:30PM.

APPROVED DATE: August 15, 2022

  
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MAYOR ~~CHARLES GASTINEAU~~

  
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CITY CLERK KRISTAL RUMMEL

CITY SEAL