

City Council of Jacksonville, Arkansas

A G E N D A

Regular City Council Meeting

November 2, 2023 6:00 p.m.

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**CITY OF JACKSONVILLE
REGULAR CITY COUNCIL MEETING
OCTOBER 19, 2023
6:00 P.M. - 6:27 P.M.**

REGULAR CITY COUNCIL MEETING - CITY HALL - #1 MUNICIPAL DRIVE

The City Council of the City of Jacksonville, Arkansas met in a regular session on October 19, 2023 at the regular meeting place of the City Council. Council Member Bolden delivered the invocation and Mayor Elmore led a standing audience in the "Pledge of Allegiance" to the flag.

ROLL CALL: City Council Members: Bolden, McCleary, Sansing, Ray, Moss, Twitty, and Kinman answered ROLL CALL. Mayor Elmore also answered ROLL CALL declaring a quorum. PRESENT SEVEN (7) ABSENT THREE (3). Council Member Dietz, Mashburn, and Rains were absent.

Others present for the meeting were: City Attorney Stephanie Friedman, Finance Director Cheryl Erkel, Parks and Recreation Director Kevin House, Police Chief Brett Hibbs, Fire Chief Alan Laughy, City Engineer Adam Whitlow, Assistant City Clerk Emilia Vazquez, IT Director Emily Osment, Communications Director Emily Sundermeier, and Johnny Simpson.

PRESENTATION OF MINUTES: Mayor Elmore presented the minutes of the regularly scheduled City Council meeting of September 21, 2023 for approval and/or correction at the next regularly scheduled City Council meeting.

APPROVAL AND/OR CORRECTION OF MINUTES: Council Member Bolden moved, seconded by Council Member Twitty that the minutes of the regularly scheduled City Council meeting of September 7, 2023 be APPROVED. MOTION CARRIED.

CONSENT AGENDA: REGULAR MONTHLY REPORT/ENGINEERING DEPARTMENT

Council Member Ray moved, seconded by Council Member Bolden to approve the regular monthly report for September 2023.

SEPTEMBER

PERMITS/LICENSE ISSUED

Building Permits 24
Business License -

INSPECTIONS PERFORMED

Building Inspections 29
Electrical 61
Plumbing 59
HVACR 21

REGULAR MONTHLY REPORT/FIRE DEPARTMENT

Council Member Ray moved, seconded by Council Member Bolden Ray to approve the regular monthly report for September 2023, reflecting a fire loss of \$2,700.00 and a savings total of \$209,500.00.

REGULAR MONTHLY REPORT/POLICE DEPARTMENT

Council Member Ray moved, seconded by Council Member Bolden to approve the regular monthly report for September 2023 regarding annual crime statistical comparisons.

REGULAR MONTHLY REPORT/CODE ENFORCEMENT

Council Member Ray moved, seconded by Council Member Bolden to approve the regular monthly report as presented for September 2023.

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Assigned Calls	53		
Self-Initiated Calls	113		
Follow Up Inspections	429	Demolition by City	0
Complied after Notice	205	Demolition by Owner	0
Three Day Notice	39	Parking Violations	0
Seven Day Letter	133	Garbage Cans Tagged	0
Citation Letters Mailed	16	Basketball Goals	0
Citations Issued	5	Structures Inspected	599
Vehicles Tagged	33	Apartment Complexes Inspected	16
Vehicles Towed	8	Red Tags Issued	1
Unsafe Structures Tagged	0	Search Warrants	0
Structures Condemned	0	Grass Mowed	26
Structures Rehabbed	0	Shopping Carts	8
		Signs	6

REGULAR MONTHLY REPORT/ANIMAL CONTROL

Council Member Ray moved, seconded by Council Member Bolden to approve the regular monthly reports for August and September 2023.

AUGUST:	ADOPTION FEES	\$	3,135.00
	SPAY/NEUTER FOR ADOPTED DOGS		3,135.00
	Paid by the City of Jacksonville		-
	Paid for by JFOTA		3,135.00
	FINES		1,110.00
	CONTRIBUTIONS		1,507.26
	TOTAL	\$	4,642.26

Vet Bills paid by City not spay/neuter	\$	13,333.14
Vet Bills paid by JFOTA not spay/neuter		-

SEPTEMBER:	ADOPTION FEES	\$	3,355.00
	SPAY/NEUTER FOR ADOPTED DOGS		3,355.00
	Paid by the City of Jacksonville		50.00
	Best Friends Animal Rescue Grant		225.00
	Paid for by JFOTA		3,080.00
	FINES		969.17
	CONTRIBUTIONS		27,865.58
	TOTAL	\$	28,834.75

ROLL CALL: Council Member: Bolden, McCleary, Sansing, Ray, Moss, Twitty, and Kinman voted AYE. MOTION CARRIED.

- WATER DEPARTMENT:
- WASTEWATER DEPARTMENT:
- FIRE DEPARTMENT:
- POLICE DEPARTMENT:
- STREET DEPARTMENT:
- SANITATION DEPARTMENT:
- PARKS & RECREATION:

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CITY OF JACKSONVILLE
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PLANNING COMMISSION: a. FINAL PLAT Pleasant Oaks Subdivision

This final plat approval was combined with the following item b.

b. FINAL PLAT Northlake Subdivision PH XIIB

Council Member Bolden moved to approve the final plats of Pleasant Oaks Subdivision and Northlake Subdivision Phase XIIB.

City Engineer Adam Whitlow confirmed there are no outstanding issues with these plats.

Council Member Ray seconded the motion to approve. MOTION CARRIED.

COMMITTEE(S):

DEVIATION IN AGENDA:

GENERAL: b. PRESENTATION of 2022 Audit by Forvis

David Coleman, an audit partner with Forvis, presented slides of financial highlights from the 2022 audit. He stated the unassigned fund balance for the General Fund was \$9.1 million, representing about 36% of the budgeted expenditures next year. He explained current year change in unassigned fund balance is \$100,000.00. He noted the City has five pension funds; two Police, two Fire, and APERS (Arkansas Public Employees Retirement System), that will fluctuate based upon market performance. He confirmed they are well-funded, but can still expect slight variances from year to year. He mentioned the liabilities did go up a bit, but the market was not normal the past few years and should smooth out the next year or two. He brought up the OPEB (Other Post-Employee Benefits), that includes a health insurance plan for retirees, had a liability of \$1.8 million last year and \$1.1 million this year. He related that the plan is not funded, so the City pays as they go; the only way to reduce it is to reduce your benefits or fund a trust, which he does not recommend. He reported a very clean audit with no issues then brought up that their standard-setting body came up with new rules to implement in the next few years. He related that the GFOA (Government Finance Officers Association) says 20% is good for unassigned fund balance.

Council Member Sansing stated the City has always tried to keep 160-day reserve balance, recalling it has been down to 47 days previously.

c. ORDINANCE 1741 (#25-2023)

AN ORDINANCE TO SET ADDITIONAL MILLAGE TAX RATES TO BE ESTABLISHED IN 2024 FOR THE CITY OF JACKSONVILLE, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Mayor Elmore confirmed this is setting the yearly millage tax rate and the rates are not changing.

Council Member Bolden moved, seconded by Council Member Ray to place Ordinance 1741 on **FIRST READING. ROLL CALL:** Council Member Bolden, McCleary, Sansing, Ray, Moss, Twitty, and Kinman voted AYE. **MOTION CARRIED.** Whereupon City Attorney Friedman read the heading of Ordinance 1741.

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Council Member Bolden moved, seconded by Council Member McCleary to **APPROVE** Ordinance 1741 on **FIRST READING** and **SUSPEND THE RULES** and place Ordinance 1741 on **SECOND READING**. **ROLL CALL:** Council Member Bolden, McCleary, Sansing, Ray, Moss, Twitty, and Kinman voted AYE. **MOTION CARRIED.**

Council Member Bolden moved, seconded by Council Member McCleary to **APPROVE** Ordinance 1741 on **SECOND READING** and **SUSPEND THE RULES** and place Ordinance 1741 on **THIRD AND FINAL READING**. **ROLL CALL:** Council Member Bolden, McCleary, Sansing, Ray, Moss, Twitty, and Kinman voted AYE. **MOTION CARRIED.**

Council Member Bolden moved, seconded by Council Member McCleary to **APPROVE AND ADOPT** Ordinance 1741 in its entirety. **ROLL CALL:** Council Member Bolden, McCleary, Sansing, Ray, Moss, Twitty, and Kinman voted AYE. **MOTION CARRIED.**

ORDINANCE 1741 (#25-2023) APPROVED AND ADOPTED THIS 19TH DAY OF OCTOBER, 2023.

a. PUBLIC HEARING ORDINANCE 1742 (#26-2023)

AN ORDINANCE CONDEMNING STRUCTURES AND REAL PROPERTY AT THE LOCATION NOTED BELOW IN JACKSONVILLE, ARKANSAS, FOR STRUCTURAL DEFECTS, DEFICIENCIES, AND PUBLIC HAZARD CONDITIONS; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES.

Mayor Elmore opened the public hearing at approximately 6:12 p.m.

With no one requesting to speak, Mayor Elmore closed the public hearing at approximately 6:13 p.m.

Mayor Elmore stated there are 23 properties chosen for condemnation.

Council Member Sansing shared that he visited the Code Enforcement Department to look through the property files. He confirmed these need to be demolished, pointing out some look like they could be rehabbed on the outside, but you go inside, and they are totally trashed.

City Attorney Friedman confirmed the only difference between the ordinance printed and what was in the packet is the ordinance number.

Code Enforcement Supervisor Officer Marissa Barger noted three properties needing removed from the ordinance; 147 Pike Avenue, 108 Marshall Road, and 4 Michelle Lane. She stated 101 Cherry Street is listed third to be demolished, only because 102 East Boulevard keeps having issues with Police calls there. She mentioned a lot of the property owners or descendants are not responding, saying they have tried to contact a lot for close to a year now.

Mayor Elmore confirmed 4 Michelle Lane is not included in the ordinance.

Officer Barger brought up that the budget for the remaining of this year may demolish 3-5 properties, however, they will carry over and begin with the new budget next year for the remaining.

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Council Member Sansing stressed they need to budget Code the money to get the eyesores out of town, because they are next to good, taxpaying citizens.

Officer Barger noted 122 Pike Avenue should also be removed from the ordinance.

Council Member Bolden moved, seconded by Council Member Ray to place Ordinance 1742 **AS AMENDED** on **FIRST READING**. **ROLL CALL:** Council Member Bolden, McCleary, Sansing, Ray, Moss, Twitty, and Kinman voted AYE. **MOTION CARRIED.** **Whereupon City Attorney Friedman read the heading of Ordinance 1742.**

Council Member Ray moved, seconded by Council Member Bolden to **APPROVE** Ordinance 1742 **AS AMENDED** on **FIRST READING** and **SUSPEND THE RULES** and place Ordinance 1742 **AS AMENDED** on **SECOND READING**. **ROLL CALL:** Council Member Bolden, McCleary, Sansing, Ray, Moss, Twitty, and Kinman voted AYE. **MOTION CARRIED.**

Council Member Ray moved, seconded by Council Member McCleary to **APPROVE** Ordinance 1742 **AS AMENDED** on **SECOND READING** and **SUSPEND THE RULES** and place Ordinance 1742 **AS AMENDED** on **THIRD AND FINAL READING**. **ROLL CALL:** Council Member Bolden, McCleary, Sansing, Ray, Moss, Twitty, and Kinman voted AYE. **MOTION CARRIED.**

Council Member Ray moved, seconded by Council Member Bolden to **APPROVE AND ADOPT** Ordinance 1742 **AS AMENDED** in its entirety. **ROLL CALL:** Council Member Bolden, McCleary, Sansing, Ray, Moss, Twitty, and Kinman voted AYE. **MOTION CARRIED.**

Council Member Ray moved, seconded by Council Member Sansing that the **EMERGENCY CLAUSE** be approved and adopted. **ROLL CALL:** Council Member Bolden, McCleary, Sansing, Ray, Moss, Twitty, and Kinman voted AYE. **MOTION CARRIED.**

ORDINANCE 1742 (#26-2023) APPROVED AND ADOPTED THIS 19TH DAY OF OCTOBER, 2023, AS AMENDED.

APPOINTMENTS:

UNFINISHED BUSINESS:

NEW BUSINESS:

ANNOUNCEMENTS:

ADJOURNMENT: Without objection, Mayor Elmore adjourned the meeting at approximately 6:27 p.m. **MOTION CARRIED.**

Respectfully,

Susan L. Davitt
City Clerk-Treasurer

MAYOR JEFF ELMORE

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RESOLUTION NO. 840 (#09-2023)

A RESOLUTION AUTHORIZING THE CITY OF JACKSONVILLE TO RENEW THE CONTRACT OF OBLIGATION WITH THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY; AND, FOR OTHER PURPOSES.

WHEREAS, the City of Jacksonville, Arkansas, entered into a Contract of Obligation with the Arkansas Department of Environmental Quality as authorized under ACA § 8-6-1603, as part of the City's submission for a Solid Waste Disposal Facility permit in 2013. Due to the City's permit renewal and closure cost increase, the City deems it necessary and proper to renew the Contract of Obligation with the Arkansas Department of Environmental Quality.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, ARKANSAS, THAT:

SECTION ONE: The Mayor and City Clerk are hereby authorized to enter into the Contract of Obligation affixed hereto and to sign the Contract of Obligation on behalf of the City of Jacksonville, Arkansas for its Solid Waste Disposal Facility. Said Contract of Obligation shall not exceed the amount of Twenty-Five Thousand Five Hundred Ninety-five Dollars (\$25,595.00), which will cover the costs associated with enclosure of the yard waste compost area.

SECTION TWO: Any and all other Resolutions in conflict herewith are hereby repealed to the extent of said conflict. This Resolution shall be in effect from and after its date of passage.

APPROVED AND ADOPTED THIS _____ DAY OF _____, 2023.

CITY OF JACKSONVILLE, ARKANSAS

JEFF ELMORE, MAYOR

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ATTEST:

SUSAN DAVITT, CITY CLERK

APPROVED AS TO FORM:

STEPHANIE FRIEDMAN, CITY ATTORNEY

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ORDINANCE NO. 1743 (#27- 2023)

AN ORDINANCE AMENDING THE 2023 FISCAL BUDGET; MAKING MODIFIED APPROPRIATIONS AND AUTHORIZING EXPENDITURES FOR OPERATION OF VARIOUS DEPARTMENTS OF CITY GOVERNMENT AND THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT, AND SERVICES; COVERING GENERAL FUND OPERATIONS; AND, FOR OTHER PURPOSES.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, ARKANSAS:

SECTION ONE: The Budget for the operation of the various Departments of the 2023 General Fund of the City of Jacksonville, Arkansas, shall be amended as follows:

Estimated Amended Funds Available for the 2023 General Fund:	\$	26,505,100.00
Amended Budgeted Disbursements for 2023:		
1. General Government	\$	5,663,879.00
2. Public Safety		15,037,179.00
3. Judicial		788,662.00
4. Public Works		<u>5,015,380.00</u>
TOTAL	\$	26,505,100.00

SECTION TWO: The Budget for operation of the 2023 Street Fund of the City of Jacksonville, Arkansas, shall be amended as follows:

Estimated Revenue Funds Available for the 2023 Street Fund:	\$	8,674,907.00
Budgeted Disbursements for 2023	\$	8,674,907.00

SECTION THREE: The Budget for operation of the 2023 Sanitation Fund of the City of Jacksonville, Arkansas, shall be as follows:

Estimated Revenue Funds Available for the 2023 Sanitation Fund:	\$	2,573,067.00
Budgeted Disbursements for 2023:	\$	2,679,417.00

SECTION FOUR: The Budget for operation of the 3Emergency Medical Services Fund of the City of Jacksonville, Arkansas, shall be as follows:

Estimated Revenue Funds Available for the 2023 EMS Fund:	\$	2,705,144.00
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Budgeted Disbursements for 2023: \$ 2,696,327.00

SECTION FIVE: The Budget for operation of the 2023 AG&F Foundation Shooting Sports Complex of the City of Jacksonville, Arkansas, shall be as follows:

Estimated Revenue Funds Available for the
2023 Shooting Complex Fund: \$ 637,035.00

Budgeted Disbursements for 2023: \$ 629,797.00

SECTION SIX: The amended appropriations made herein includes pay provisions for all current agents and employees of the City of Jacksonville, Arkansas, including, but not limited to, uniformed employees as provided for and by the laws of the State of Arkansas. The amended appropriations made herein shall not include any expenditure(s) over and above the income received and monies held by the City. A full and complete copy of the 2023 Annual Budget, as amended and approved, shall be attached hereto and made a part hereof.

SECTION SEVEN: All Ordinances or parts thereof in conflict herewith are hereby repealed to the extent of said conflict.

SECTION EIGHT: If the City Government is to operate in an economical and efficient manner, it is imperative that amendments to the annual Budget be adopted for the guidance and instruction of said funds. Therefore, this Ordinance shall be in full force and effect on and after its date of passage.

APPROVED AND ADOPTED THIS _____ DAY OF _____, 2023.

CITY OF JACKSONVILLE, ARKANSAS

JEFF ELMORE, MAYOR

ATTEST:

APPROVED AS TO FORM:

SUSAN DAVITT, CITY CLERK

STEPHANIE FRIEDMAN, CITY
ATTORNEY

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