

CITY OF MULBERRY, ARKANSAS
CITY COUNCIL MEETING MINUTES – June 20, 2023

The regular monthly meeting of the Mulberry City Council was held Tuesday, June 20, 2023, at 7:00 p.m. in the City Council Center at 606 Church Avenue.

MEMBERS PRESENT:

Jimmy Moore	Sheila Trent
Bobby Tweedy	Kimberly Bruce
Stacy Muntz	Wilma Peevy
Carla Dickerson	Gary D. Baxter

OTHERS PRESENT:

Steve Hurley	Mandy Oestreich
Shannon Gregory	Dwayne Fields
Linda Smith	Andy Dibble
Molly Dickerson	Jason Sumpter
Darren Fields	Monica Freeland
Thad Freeland	Kay Baxter
Allen Satnes	Scott Oestreich

Mayor Gary Baxter called the Council Meeting to order at 7:00 p.m., led in prayer, and followed with the Pledge of Allegiance. Steve Hurley took the roll. A quorum was established.

Jimmy Moore made a motion to approve the Consent Agenda and previous months minutes with an amendment changing verbiage in the departmental report from Dwayne Fields from Mulberry Lane to Mulberry Avenue. Sheila Trent seconded the motion. All present council members voted yes.

DEPARTMENTAL REPORTS

Chief of Police Shannon Gregory gave the Police Department report stating the department had 191 calls, 73 traffic stops, 18 citations, 6 total arrests (3 misdemeanor and 3 felonies), 422 business checks, 2 clean up orders and 115 clean up order rechecks.

Assistant Fire Chief Jason Sumpter gave the Fire Department report stating that the department had 27 code calls that consisted of 1 tractor fire, 3 grass fires, 3 accidents (2 with injuries 1 without), 18 medical calls, a standby call, and a cancelled call. Mr. Sumpter reminded everyone that the fireworks show was this Saturday (June 24th). Festivities would begin at 4 pm with vendors, bounce house for the kids, car show and other items, and the fireworks would start after dark.

Public Works Director Dwayne Fields gave his report stating the department was busy fixing water leaks. He followed that up by stating that the Mulberry, Carter, and Holman projects were very close to completion. Mr. Fields noted that the lines will be flushed in the next couple of days so that everyone can be hooked up to the new water lines. The Alma Avenue extension was also completed. He stated that the department was working shorthanded with Alex Walker being out for medical reasons. He gave an update stating that the sewer machine was working and had been used in the field. Councilwoman Peevy asked how often we flush the lines. Mayor Baxter answered the question, by stating that twice a year the lines are flushed, normally in April or May and again in the October November time frame. Stacy Muntz confirmed that the sewer machine had been used and asked how it worked. Director Fields replied yes it had been used and it worked well. Mr. Fields went on to state that once he is caught up on all the leaks, he will start systematically flushing all the sewers.

OLD BUSINESS

Steve Hurley read the first reading of ORDINANCE NO. 2023-02 AN ORDINANCE SETTING WASTEWATER/SEWER RATES FOR CUSTOMERS OF THE MULBERRY CITY WASTEWATER SYSTEM AND FOR OTHER RELATED PURPOSES. There was an update to Section 2. The new verbiage was in section 2 and read as follows: The rate increase contained in Section 1 of this ordinance increasing the rate from the previous ordinance shall be implemented as follows: (A) the rate increase for the first one thousand gallons shall be implemented immediately upon the effective date of this ordinance and (B) the rate increase for usage of greater than one thousand gallons shall be implemented over the course of a year, with half of the increase being implemented upon the effective date of this ordinance and the second half of the increase being implemented on the one year anniversary of this ordinance's effective date.

Kimberly Bruce made a motion to suspend the second reading and read by title only. Sheila Trent seconded the motion. There was no further discussion and all present members voted yes.

Steve Hurley read the first reading of ORDINANCE NO. 2023-03 AN ORDINANCE SETTING WATER RATES FOR CUSTOMERS OF THE MULBERRY CITY WATER SYSTEM AND FOR OTHER RELATED PURPOSES. There was an update to Section 2. The new verbiage was in section 2 and read as follows: The rate increase contained in Section 1 of this ordinance increasing the rate from the previous ordinance shall be implemented as follows: (A) the rate increase (residential and commercial) for the first one thousand gallons shall be implemented immediately upon the effective date of this ordinance; (B) the rate increase (residential and commercial) for usage of greater than one thousand gallons shall be implemented over the course of a year, with half of the increase being implemented upon the effective date of this ordinance

and the second half of the increase being implemented on the one year anniversary of this ordinance's effective date; and (C) the rate increase for wholesale customers shall go into effect upon the effective date of this ordinance.

Kimberly Bruce made a motion to suspend the second reading and read by title only. Sheila Trent seconded the motion. There was no further discussion and all present members voted yes.

Steve Hurley read the second reading of ORDINANCE NO. 2023-04 AN ORDINANCE SETTING WATER FEES FOR CUSTOMERS OF THE MULBERRY CITY WATER SYSTEM AND FOR OTHER RELATED PURPOSES.

Steve Hurley read the second reading of ORDINANCE NO. 2023-05 AN ORDINANCE SETTING WASTEWATER/SEWER FEES FOR CUSTOMERS OF THE MULBERRY CITY WATER SYSTEM AND FOR OTHER RELATED PURPOSES.

NEW BUSINESS

Steve Hurley read RESOLUTION 2023-05 A RESOLUTION SEEKING A GRANT FROM THE ARKANSAS DEPARTMENT OF PARKS, HERITAGE AND TOURISM FOR THE BENEFIT OF IMPROVING RECREATION FACILITIES IN MULBERRY, ARKANSAS.

Motion was made to approve Resolution 2023-05. Wilma Peevy seconded the motion. Stacy Muntz clarified that Silver Bridge was being disassembled and then delivered to the park for the City to reassemble. Steve Hurley confirmed this. Discussion ensued. All present members voted yes.

Andy Dibble with McClelland Consulting Engineers Inc spoke to the Council seeking approval on the engineering design services contract that had been submitted for the Industrial Park Drive Reconstruction. Mayor Baxter clarified that the funds for this would be paid for by the grant. Mayor Baxter noted that the City Attorney had looked over the contract and did not see any issues. There was no further discussion and all present members voted yes.

Allen Satnes with 4 Star General Contractors spoke to the Council seeking approval on a contract to replace the roofs that had been damaged by the hailstorm on April 15, 2023. The properties that were damaged were – 207, 220, 210, 770 (914) and 10 N Main street, 606 & 610 Church Avenue, 2117 Old Graphic Street, 851 and 500 Industrial Park Drive, 29 Kirksey Parkway and 406 US 64 West. Mr. Satnes noted that he had received verbal commitment from Mark Garner with Arkansas Municipal League that he is going to extend coverage for these properties. He went on to further state that if the verbal commitment extends into an estimate, they should be able to get each of these buildings covered with zero out of pocket from the City. His company is writing a special contract for the City Council to look at where the deductible in the policy can be covered so that there is a net zero out of pocket from the City. He went on to further state that his company is offering an upgrade to the existing roofs by going back with a more sufficient roofing system known as PVC (Polyvinyl Chloride) or TPO (Thermoplastic Polyolefins) which basically covers the exposed fasteners that causes these roofs to leak. Councilwoman Bruce asked whether this would be replacing all the metal on the roofs. Mr. Satnes replied that it is at the choice of the City. But going over the existing metal would

provide additional insulation and protection. Jimmy Moore asked if most of the buildings are metal roofs. Mr. Satnes said they are either metal or shingle. Mr. Satnes added that shingle roofs would be replaced with shingles. Bobby Tweedy asked if the roofs would be replaced with like kind and quality. Alan Satnes confirmed that the replacement would be like for like. Kimberly Bruce asked if the warranty would be longer than what the roofs had before. Mr. Satnes answered that the warranties would be the same. Councilman Tweedy asked how long a project of this size would take to complete. Mr. Satnes replied that it would take 20-25 days, weather permitting. Councilwoman Peevy asked if the shingles would be put on top of the existing shingles. Mr. Satnes said they would be replacing the damaged shingles but would be replacing all shingles regardless. Councilman Tweedy asked about how we are getting the no out of pocket cost equivalent on this. Mr. Satnes replied that they have written a special contract for the City of Mulberry that is renting space for their equipment and the proceeds from renting that space will leave a net zero cost to the City. Discussion ensued.

Jimmy Moore motioned to accept the contract with 4 Star General Contractors. Stacy Muntz seconded the motion. There was no further discussion. All present members voted yes.

Dwayne Fields Public Works Director and Darren Fields Assistant Water Superintendent came to the podium to discuss Resolution No. 2023-06. Mr. Fields stated that the wastewater permit form had been updated since the last submission and the changes called for different information, some of which did not apply to the City of Mulberry's system, and that multiple inquiries had been made to the State and even trips to Little Rock to get answers to the questions on the new form. But due to slow replies and lack of information on how to properly fill out the form, the form had been filled out and returned on time, but due to clerical errors on Dwayne Fields and Darren Fields part, was deemed to be late. Assistant Water Superintendent Darren Fields stated that the facility itself was not in violation, that this was a paperwork violation not a water violation. Due to this violation, there was a Five Hundred Dollar Fine. Stacy Muntz asked if the forms were in and correct now. Public Works Director Dwayne Fields replied yes. Stacy Muntz asked when we were aware of this violation. Dwayne Fields replied that they weren't aware of it until the state returned the paperwork. Mayor Baxter added January 10th, 2023, is when they were aware. Mayor added that the City does have a permit to discharge into the Arkansas River and that permit is good through June 30th, 2023. The permit is still active and is in good standing. Mayor read the findings and clarified that the violations are administrative and there is not anything to do with the quality or compliance of the water or wastewater system. Discussion ensued.

Steve Hurley read RESOLUTION NO. 2023-06 A RESOLUTION AUTHORIZING THE CITY OF MULBERRY TO ENTER INTO A CONSENT ADMINISTRATIVE ORDER WITH THE ARKANSAS DEPARTMENT OF ENERGY & ENVIRONMENT, DIVISION OF ENVIRONMENT, DIVISION OF ENVIRONMENTAL QUALITY (DEQ).

Stacy Muntz motioned to approve Resolution No. 2023-06. Kimberly Bruce seconded the motion. All present members voted yes.

MAYOR'S REPORT AND PUBLIC COMMENT

Mayor Baxter mentioned the fireworks display this Saturday (the last Saturday in June). Mayor Baxter discussed that the pre-construction meeting on the sidewalks project is this Friday (06/23/2023) at 9 am. He also noted that today he had approved a business license for a Mexican food truck at 222 Mulberry Highway 64 West. Discussion ensued.

Jimmy Moore asked about when the Daycare was going to open. Mayor Baxter replied that he thought they were almost ready and that he thought most of the openings for children had already been signed up for.

Jimmy Moore asked if there was any further update on the laundromat. Mayor Baxter replied that the trees had been taken down and that they expected work to begin on the property soon.

Councilwoman Bruce noted that the newly paved streets are very nice.

With no further business to discuss Stacy Muntz made a motion to adjourn the meeting. Kimberly Bruce seconded the motion. All present members voted yes.

This meeting was adjourned at 8:09 p.m.

These minutes were taken by Steve Hurley.

APPROVED: _____



Gary D. Baxter, Mayor

ATTEST: _____



Carla Dickerson, Recorder-Treasurer