

CITY OF MULBERRY, ARKANSAS
CITY COUNCIL MEETING MINUTES – August 15, 2023

The regular monthly meeting of the Mulberry City Council was held Tuesday, August 15, 2023, at 7:00 p.m. in the City Council Center at 606 Church Avenue.

Gary D. Baxter, Mayor

Carla Dickerson, Recorder-Treasurer

MEMBERS PRESENT:

Jimmy Moore, Ward 3 Position 2

Kimberly Bruce, Ward 2 Position 2

Bobby Tweedy, Ward 2 Position 1

Wilma Peevy, Ward 3 Position 1

Stacy Muntz, Ward 1 Position 2

Sheila Trent, Ward 1 Position 1

MEMBERS ABSENT:

None

OTHERS PRESENT:

Steve Hurley, Executive Assistant to the Mayor

Linda Smith

Shannon Gregory, Police Chief

Shannon Grill

Dwayne Fields, Public Works Director

Scott Oestreich

Mandy Oestreich

Kay Baxter

Lena Pinkerton

Arron Edwards

Darren Fields, Assistant Water Superintendent

Tammy Watts, Branch Director of Mulberry Public Library

Mayor 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 the previous month's minutes. 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 130 calls, 109 traffic stops, 17 citations, 4 total arrests (3 misdemeanor and 1 felony), 8 assisted outside agencies, 16 clean up orders and 431 business checks. Councilman Tweedy asked if we were at full force. Chief Gregory replied yes, the Police Department is at full force.

Linda Smith gave the Fire Department report stating that the department had 11.8% of calls dispatched and cancelled enroute, 5.9% natural vegetation fires, 5.9% public service and 76.5% emergency medical service incidents.

Public Works Director Dwayne Fields gave the Public Works Department report stating that the department is fully staffed and for the last couple of days they have been working on storm cleanup. Alma Avenue and a couple of other streets were opened the night of the storms, but due to safety reasons the cleaning up of the affected areas was not completed that night, but the cleaning of the areas affected is being worked on now. Wilma Peevy asked if the hay at the City Park was going to be picked up. Mr. Fields replied that yes that is going to get done as soon as the storm damage has been cleaned up.

Tammy Watts, Branch Director of the Mulberry Public Library came to the podium to discuss a survey to help guide the long-range planning for the library. She handed out a survey document for the Council members to fill out. The month of July the library had 1,793 visits to the library, checked out 1,336 books and checked in 1,144 books. There was a total of 828 computer user sessions. There were 296 participants for the programs in July. These programs included story time, D and D games, and a water park party. Also, there were 192 participants in the passive programs. Passive programs are puzzles, crafts, etc. The summer reading program was very successful. There were 475 books read and for the participants that chose to track minutes instead of books read, there were 165 hours and 45 minutes of reading tracked. There were a couple of guest speakers in July including Spiderman and the Kinders, a musical group. Councilman Tweedy asked if most of the visitors were local. Mrs. Watts replied that a lot are local, and there is also a large group of homeschoolers that are coming in from Mulberry and surrounding areas. Jimmy Moore asked about the parking situation. Mrs. Watts replied that it is very limited, but the back door has been unlocked so that handicap parking is more accessible. Bobby Tweedy asked what the hours of the library were. Mrs. Watts answered Monday through Friday 8 am to 5 pm and 10 am to 2 pm on Saturday.

OLD BUSINESS

There was no old business to discuss.

NEW BUSINESS

Steve Hurley read ORDINANCE 2023-06 AN ORDINANCE TO AMEND ORDINANCE NO. 2017-06 AND 2020-04 SETTING RATES CHARGED FOR SOLID WASTE COLLECTION AND OTHER PURPOSES. A motion was made by Kimberly Bruce to suspend the rules and have the second and third reading of the ordinance by title only. The motion was seconded by Stacy Muntz. There was no discussion and all present council members voted yes. Steve Hurley read the second and third reading by title only. Sheila Trent asked why there are two section fives on the ordinance. Steve Hurley confirmed that this was just an oversight. Bobby Tweedy said that residents of Ozark mentioned to him that they had their Spring and Fall cleanups at the curb. Discussion ensued. Wilma Peevy asked if we had received complaints of trash not being picked up at the curb. Steve Hurley replied that periodically the City Complex would receive a call of a missed pickup and that CARDS is contacted about this and usually they will have somebody out the same day or next day to pick up the trash. Discussion returned to Ozark doing bulk pickup at the curb and it was determined that the bulk pickup was done by the City of Ozark and not CARDS. Stacy Muntz made a motion to approve Ordinance 2023-06 with the section five numbering correction. Kimberly Bruce seconded. All present council members voted yes.

Mayor Baxter mentioned that the emergency clause needed to be read and voted on separately. Steve Hurley read the emergency clause on ORDINANCE 2023-06 – This ordinance is necessary to immediately secure adequate funding for the provision of solid waste services to the citizens of Mulberry without which the health of the environment and citizenry may be at risk such that an emergency is hereby declared to exist and this ordinance being necessary for the public welfare shall be in full force and effect from and after its passage, approval, and posting.

Jimmy Moore made a motion to approve the emergency clause. Stacy Muntz seconded. There was no discussion. All present council members voted yes.

Steve Hurley read ORDINANCE 2023-07 AN ORDINANCE TO AMEND ORDINANCE NO. 2023-03 SETTING WATER RATES FOR CUSTOMERS OF THE MULBERRY CITY WATER SYSTEM AND OTHER PURPOSES. A motion was made by Kimberly Bruce to suspend the rules and have the second and third reading of the ordinance by title only. The motion was seconded by Sheila Trent. There was no discussion and all present council members voted yes. Steve Hurley read the second and third reading by title only. Bobby Tweedy made a motion to approve the Ordinance. Wilma Peevy seconded. There was no discussion. All present council members voted yes.

Steve Hurley read the emergency clause on ORDINANCE 2023-07 – In order to promptly address the critical need for consistent and equitable water rate adjustments among residential, commercial, and wholesale customers, this ordinance is declared an emergency. The immediate implementation of water rate adjustments is essential to promote fair and transparent billing practices across all customer categories. Therefore, an emergency is hereby declared to exist. Stacy Muntz made a motion to approve the emergency clause. Kim Bruce seconded. There was no discussion. All present council members voted yes.

Mayor Baxter discussed that the City needs to purchase two police vehicles. He mentioned that the 2017 Dodge Charger Police car's engine had blown and was not repairable. He went on to note that the Dodge Police car has over 125,000 miles. The City has found two vehicles that would work. One is at the Superior Chevrolet Buick GMC Dealership in Siloam Springs, and the other is at Rhodes Chevrolet in Van Buren. The City has received quotes on both vehicles. Both vehicles are 2023 Chevrolet trucks. And the prices were very close, they are in the 57- 59-thousand-dollar range. He went on to state that he had also looked at the 2013 Chevrolet Tahoe that Chief Gregory drives has two hundred forty-one thousand miles on it and has problems that need repairs from time to time. The Mayor proposed to the City Council that the City purchase both 2023 Chevrolet Trucks. The Mayor looked at the funding and found that one of the vehicles could be purchased out of the sales tax fund. There is currently \$639,726.76 in the sales tax fund of that \$109,148.27 is totally dedicated to the Public Safety Police and Fire. The funds for one vehicle could be taken from that fund. In the General Fund for the Police Vehicle reserve we have \$9,111.48 and, in the Police Equipment Fund we have \$2,950.60 for a total of \$12,062.08. The 34-thousand-dollar balance remaining could be funded from the General Fund which would leave a balance of \$207,055.41 after the purchase. The Mayor would like to get approval from the Council to go up to \$60,000.00 for each vehicle to be purchased out of the funds mentioned due to the need. Mayor Baxter asked Police Chief Shannon Gregory to come to the podium to discuss the need, but wanted to emphasize, before he brought the Chief up, that the vehicles could be purchased, and the City would still be very financially stable.

Chief Shannon Gregory explained that the Dodge Police vehicle overheated during multiple calls back-to-back in one hundred plus degree temperatures. The engine overheated and the aluminum heads and the motor were broken beyond feasible repair. The Chevy Tahoe has 240,000 miles on it and the vehicle has a lot of wear and tear and could endanger the ability to answer a call should the vehicle break down. Councilman Moore asked if we were looking to keep the Tahoe. Chief Gregory said the Kelly Blue Book Value was between 4 and 6 thousand dollars, but if there were inclement weather, the officer on duty could drive the Tahoe instead of endangering the new vehicles in scenarios such as icy conditions. Stacy Muntz asked about how much it would cost to insure the Tahoe if we were to keep it. Mayor Baxter mentioned that we would probably go liability only due to its age. Discussion ensued. Kimberly Bruce asked what we would do with the Charger. Chief Gregory mentioned that Whites towing had towed the car, performed diagnostics, testing, and removal of the items installed on the car for Police use. The bill for these services plus labor was \$896.68 and they offered to pay \$1,750. Which means they would cut us a check for \$853.32 and we would owe them nothing. Discussion ensued. Jimmy Moore asked if we had a line item in the budget for the funds that were going to be used. Mayor Baxter replied that we did not, but we had that amount in reserves for the purchase. Additionally, there were monies being applied to the purchase that were the Police portion of the funds raised at the Melodies of Mulberry (a little under \$3,000.00). Discussion ensued. Bobby Tweedy motioned to approve the purchase of both Police vehicles. Jimmy Moore seconded the motion. There was no discussion. All present Council members voted yes. A motion was made by Stacy Muntz to sell the Dodge Charger to Whites Towing. Sheila Trent seconded the motion. There was no discussion. All present Council members voted yes.

MAYOR'S REPORT AND PUBLIC COMMENT

Mayor Baxter announced that Channon Phipps, Water Superintendent, will be retiring in November and that the Assistant Water Superintendent, Darren Fields, would be taking over. Kimberly Bruce commented favorably on the qualifications of the Water Superintendent and Assistant Water Superintendent. Mayor Baxter added that he thought we were the only Water Treatment facility in the state with two employees that had maxed out their training certifications. The state only requires one person to have a level 2 water treatment operator and we have two level 4 water treatment operators. Mayor Baxter then proceeded to announce that the aerators had been installed at the City Lake and that they were functioning properly. Discussion ensued. The Mayor stated that with the Council's concurrence, we would close the last day of the month for training, due to having new employees. Stacy Muntz asked if this could be announced on the water bill. Mayor Baxter asked Steve Hurley to make sure that would be put on this month's water bill. Mayor Baxter gave an update on the Sidewalk project on Church Avenue, stating that it was 70% complete and was running smoothly and on schedule. He then discussed the Pickleball Court and stated that it would be completed very soon, just minor details remained. The industrial park drive project documents have been submitted and have been confirmed to have been received by the United States Department of Housing and Urban Development and we were just waiting for the next step. The Food Pantry has a final inspection scheduled for the end of August and a list of punch items has been sent to the contractor. The Water Treatment plant upgrade is still on schedule. The Mayor discussed the storm damage cleanup and noted that if citizens had brush, they could put it at the street and the City would come by and pick it up. Mayor Baxter gave an update on the progress of the Silver Bridge project stating that in mid-September they will start disassembling the bridge and move the pieces to City Park. They will be marking the places where they take it apart for ease of reassembly. Discussion ensued. Mayor Baxter gave an update on the roof repairs and said that the project should be starting soon. He went on to give an update on the duplexes on Alma Avenue and 8th Street. The laundromat project should be starting soon, and progress will be noticeable. Discussion ensued. Mayor Baxter stated that he had received a deed on the property located at 104 N. Main street. Public works will be removing the structure on the property. He went on to discuss that the school projects, the safe room, and ballfields, were coming along well. Mayor Baxter asked Steve Hurley to come to the podium to speak of a volunteer event coming up. Mr. Hurley discussed that on Friday the 18th, there would be a food drive and a park beautification volunteer event at the park. Discussion ensued. Mayor Baxter then discussed that on the 26th, Coach Zajicek would be bringing athletes to do community service at the cemetery. Jimmy Moore asked if there were any updates about the Comprehensive Juvenile Center. Mayor Baxter replied that he had received an email saying that someone had said they would match all the donations dollar for dollar up to \$500,000 to get the Comprehensive Juvenile Center completed. Discussion ensued. Kimberly Bruce mentioned that the new daycare was very nice. Stacy Muntz asked about when the electricity is out, is there any way that a shelter could be open to protect people in a situation like this due to extreme weather such as excessive heat or cold. Discussion ensued.

Darren Fields, Assistant Water Superintendent, noted that Channon Phipps, Water Superintendent, had been working on getting a grant to purchase a generator for the Senior Center. Discussion ensued. Police Chief Shannon Gregory stated that people could call the city complex if they need assistance in scenarios like this.

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 8:13 p.m.

These minutes were taken by Steve Hurley.

APPROVED:

A handwritten signature in blue ink that reads "Gary D. Baxter". The signature is written in a cursive style and is positioned over the printed name of the Mayor.

Gary D. Baxter, Mayor

ATTEST:

A handwritten signature in blue ink that reads "Carla Dickerson". The signature is written in a cursive style and is positioned over the printed name of the Recorder-Treasurer.

Carla Dickerson, Recorder-Treasurer