CITY OF MULBERRY, ARKANSAS
CITY COUNCIL MEETING MINUTES – February 17, 2026

The scheduled meeting of the Mulberry City Council convened at 7:00 p.m. at the City Council Center, 606 Church Avenue, Mulberry.

Gary D. Baxter, Mayor
Carla Dickerson, Recorder/Treasurer

MEMBERS PRESENT:

Ronnie Adams, Ward 1 Position 2
Jake Copeland, Ward 2 Position 1
Kimberly Bruce, Ward 2 Position 2
Jeff Marvin, Ward 3 Position 2
Damien Sadat Rice, Ward 3 Position 1

MEMBERS ABSENT:

Seth Fisher, Ward 1 Position 1

OTHERS PRESENT:

Steve Hurley, Executive Assistant to the Mayor
Carla Dickerson, Recorder/Treasurer
Shannon Gregory, Police Chief
Alex Walker, Public Works Director
Tammy Watts, Branch Director of the Ralph D. Graf Library of Mulberry
Darren Fields, Water Treatment Plant Superintendent
Jason Sumpter, Fire Chief
Jeremy Shores, Hawkins Weir Engineering
Jim Barkey, Arkansas Rural Water Association
Melissa Sampson, Director of Finance
Suzy Ferguson, Cemetery Committee / Food Pantry
Zach Miller, Boys and Girls Club / Diamond Hills
Lisa Verity
Michael Harry
David Chappell Sr.
Nathaniel Clairborne

Call to Order

Mayor Baxter called the Mulberry City Council to order at 7:00 p.m. A prayer was offered and the Pledge of Allegiance was recited.

Roll Call

Steve Hurley, Executive Assistant to the Mayor, called the roll:

MEMBERS PRESENT:

Ronnie Adams, Ward 1 Position 2
Jake Copeland, Ward 2 Position 1
Kimberly Bruce, Ward 2 Position 2
Jeff Marvin, Ward 3 Position 2
Damien Sadat Rice, Ward 3 Position 1

MEMBERS ABSENT:

Seth Fisher, Ward 1 Position 1

With 5 out of 6 Council Members present, a quorum was established.

Consent Agenda

Approval of the January regular minutes and January financial statements.

Motion: Jeff Marvin
Second: Kimberly Bruce
Vote: Approved unanimously (Ronnie Adams, Kimberly Bruce, Jake Copeland, Jeff Marvin, Sadat Rice all voted yes)

Departmental Reports

Police Department – Police Chief Shannon Gregory

- 106 calls for service in January 2026
- 11 reports filed
- 62 traffic stops
- 11 citations issued
- Two arrests; two misdemeanor arrests
- Four accidents
- 684 business/building checks conducted
- Policy manual revamp in progress; will be brought before council for approval in the coming months

Fire Department – Fire Chief Jason Sumpter

- 27 total calls for the month: 20 medical calls, two motor vehicle accidents, two structure fires, two grass fires, and one vehicle fire
- Upcoming events: 5th Annual Mike Gray Memorial Chili Dinner on March 15, 11 AM–2 PM; $10 for ages 10 and up
- Co-sponsoring Easter egg hunt at the fairgrounds on March 21, starting around 12:30 PM with age-grouped hunts; approximately 2,000 eggs filled with candy and prizes
- All fire trucks are in good operating condition

Public Works – Director Alex Walker

- 22 service calls completed in January
- 60 meters read; 14 meter change outs
- 28 water shut-offs conducted
- 87 individuals utilized the recycling center
- 8 water leaks addressed in January

Library – Library Director Tammy Watts

- 1,310 visitors in January
- 17 programs held with 310 in attendance; 177 passive program participants
- 723 books checked out; 487 checked in
- 41 computer uses; 1,720 Wi-Fi sessions from 73 different devices
- Winter Bingo program launched, running through end of February; drawing to be held March 1
- Temporary staff shortage due to maternity leave of multi-generational programmer; coverage adjusted until her return
- January 7: Author Q&A with Sabella Thrasher regarding her book series "Gone but Not Forgotten"
- January 10: Cars, Coffee and Books event – 26 cars in attendance and approximately 100 additional library visitors; special thanks to Sadat Rice for coordinating
- Library Thrills Kids Cookie class (originally scheduled for January) postponed and rescheduled for February 2; participants will make walking tacos

Additional Reports

Cemetery Committee – Suzy Ferguson

- Pavilion installation at the cemetery is progressing; concrete was poured and cutting scheduled for the following day
- Benches, railings, trees, and landscaping planned to complete the project; expected to provide a permanent shelter for families during graveside services
- Extensive research conducted on pavilion designs; modeled after Ozark's existing pavilion
- Funds used are not city general funds but rather designated cemetery funds

Mulberry Community Food Pantry – Suzy Ferguson

- Congressman Steve Womack secured $500,000 in federal funding for the Mulberry Community Food Pantry through the FY2026 Transportation, Housing and Urban Development Appropriations Act signed by President Trump
- Arkansas remains the top food-insecure state in the nation; funding will have a significant regional impact serving Mulberry, Dyer, Alma, Mountainburg4120, Fern, and Lock, as well as partner pantries throughout the River Valley
- Planned use of funds: purchase of a refrigerated box truck, food locker stations for working families to access food outside of distribution hours, service delivery

improvements (expanded awning, asphalt parking lot, increased storage), ADA improvements, and interior/exterior upgrades
- All expenditures will flow through the City of Mulberry; a federal audit will be triggered due to total federal funds exceeding $750,000
- Discussion noted regarding surplus truck sources; decision made to pursue a new, warrantied refrigerated truck rather than a used one

Boys and Girls Club / Diamond Hills – Zach Miller

- Average daily attendance of 15.25 in January; 252 meals and 74 snacks served
- Programming focused on online safety, anti-bullying, and communication skills
- Launching a new $1-a-day fundraising initiative; informational materials distributed to council members

Old Business

Resolution 2026-03: Artificial Intelligence Policy for the City of Mulberry

This resolution, tabled from the January meeting, adopts an artificial intelligence policy for the City of Mulberry in compliance with Act 848 of 2025 (Ark. Code Ann. §25-1-128), which requires all public entities to adopt a policy governing the authorized use of AI and automated decision tools. The resolution includes: requirements that all consequential AI-assisted decisions be reviewed and finalized by a human employee; prohibitions on AI use for personal political opinions, illegal activities, and circumventing cybersecurity protocols; employee training requirements through the Arkansas Municipal League; and disciplinary procedures for violations to be incorporated into the employee handbook.

During discussion, Councilmember Jeff Marvin noted a typographical error in the policy document (use of "AO" instead of "AI" and ambiguous wording on Item 4 that could be misread as permitting rather than prohibiting the sending of unreviewed AI-generated documents). Council agreed corrections would be made prior to the policy taking effect. Councilmember Sadat Rice inquired about responsibility for employee training; Steve Hurley confirmed training would be conducted through the Arkansas Municipal League's online resources.

Motion: Jeff Marvin
Second: Ronnie Adams
Vote: Adopted unanimously, contingent upon the noted corrections being made (Ronnie Adams, Kimberly Bruce, Jake Copeland, Jeff Marvin, Sadat Rice all voted yes)

New Business

Resolution 2026-04: Amendment to the 2025 Budget

A resolution to amend the 2025 budget (originally adopted in Resolution 2025-07) to reconcile beginning fund balances using end-of-year figures now available, reflecting the most up-to-date and accurate budget data.

Motion: Jeff Marvin
Second: Kimberly Bruce
Vote: Adopted unanimously (Jeff Marvin, Sadat Rice, Jake Copeland, Ronnie Adams, Kimberly Bruce all voted yes)

Resolution 2026-05: Arkansas Rural Community Grant – Senior Center Acoustic Improvements

A resolution authorizing the Mayor to submit an application to the Arkansas Rural Development Commission for grant funds not to exceed $15,000 for acoustic sound mitigation improvements at the Mulberry Senior Center. The grant is a 50/50 match program. Steve Hurley presented two options: (A) wall-mounted acoustic panels (estimated $10,000–$12,000 total, city match approximately $5,000–$6,000; 7–10 year lifespan) and (B) a ceiling acoustic canopy system (estimated up to $30,000 total, city match up to $15,000; 15+ year lifespan that addresses the ceiling as the primary source of sound reverberation). The grant application deadline is March 15, 2026.

Steve Hurley explained that the Senior Center suffers from severe sound reverberation with a delay of 2–4 seconds, rendering hearing aids ineffective and making speech at the front of the room unintelligible at the back. He presented performance data indicating the ceiling canopy (Option B) outperforms wall panels in every category and provides a more cost-effective long-term solution when grant funding is applied.

Discussion addressed: the city's $5,000 already budgeted for capital improvements (with the remaining $10,000 match to come from the general fund), contractor location (North Carolina-based company using local installers), competitive bidding requirements, and ceiling height considerations. Council expressed support for Option B, noting that seniors deserve a permanent, high-quality solution.

Motion: Jake Copeland (motion to approve Option B – acoustic canopy)
Second: Jeff Marvin
Vote: Adopted unanimously (Ronnie Adams, Kimberly Bruce, Jake Copeland, Jeff Marvin, Sadat Rice all voted yes)

Resolution 2026-06: Transportation Alternatives Program (TAP) – Church Avenue and West Third Street Sidewalk Improvements (TABLED)

A resolution expressing the City of Mulberry's willingness to utilize federal aid Transportation Alternatives Program (TAP) funds at an 80/20 federal-local match for construction of approximately five-foot-wide concrete sidewalks along Church Avenue and West Third Street. Total estimated project cost is approximately $446,750 (including construction, engineering, administration, and contingency); city local match estimated at approximately $89,350, to be funded from the sales tax capital improvement street fund (current balance: $350,529).

Discussion included: existing sidewalk conditions on Third Street and whether repairs could reduce costs; waterline locations relative to proposed sidewalk routes; traffic control and signage line items; and concern about ensuring adequate street

maintenance funds are not diverted. Councilmember Marvin requested clarification on available street improvement appropriations for the year. The TAP grant submission deadline is late April or early May 2026.

Council voted to table this resolution until the March meeting to allow time to review available fund balances and confirm project scope.

Motion to Table: Jeff Marvin
Second: Sadat Rice
Vote: Approved unanimously to table (Ronnie Adams, Kimberly Bruce, Jake Copeland, Jeff Marvin, Sadat Rice all voted yes)

Resolution 2026-07: Trauma Assistance Program (TAP) – Arkansas Municipal League

A resolution authorizing the Mayor to enter into a Participation Agreement with the Arkansas Municipal League for the Trauma Assistance Program (TAP), pursuant to Act 398 of 2025. The program provides confidential access to licensed mental health counseling (up to 12 visits per calendar year, maximum $150 per session) for eligible public safety employees following traumatic line-of-duty events. The city's volunteer fire department is also included. There is no monthly fee to participate; the city is responsible only for counseling costs as used.

Mayor Baxter provided context referencing past traumatic incidents involving city public safety personnel. Discussion confirmed that employees self-initiate counseling on a confidential basis, employment verification is required, and the city is legally required to provide this benefit under Act 398 of 2025.

Motion: Jeff Marvin
Second: Seth Fisher
Vote: Adopted unanimously (Ronnie Adams, Kimberly Bruce, Jake Copeland, Jeff Marvin, Sadat Rice all voted yes)

Mayor's Report – Water Quality Discussion

Mayor Baxter led an extended discussion on the city's ongoing water quality concerns, with participation from Water Superintendent Darren Fields, Public Works Director Alex Walker, Engineer Jeremy Shores (Hawkins Weir Engineering), and Jim Barkey (Arkansas Rural Water Association). An informational handout was distributed to meeting attendees.

East Water Tower (10th Street and Church Street)

- The East tank was last taken offline, drained, cleaned, and inspected in 2009 per available records
- In 2022, the city formally requested USG Water (formerly Viola) take the tank offline for cleaning and inspection per the maintenance contract; the company stopped responding to communications

- The city is currently in litigation against USG Water for breach of contract; the city attorney has been working the case since 2022 and a demand letter has been sent
- An independent inspection by Viking (2024) confirmed the presence of sediment inside the tank; a float is unattached and floating freely
- Pittsburgh Tank has been contacted for a quote to fully take the tank offline, drain, clean, and repaint it; estimated cost approximately $300,000
- Water Superintendent Fields has documented approximately 1,700 email communications as evidence for litigation
- The company has changed ownership four times since the contract was entered
- The West Tower is under contract with the same company but has been inspected and cleaned within the last 3–5 years and is reported to be in good condition

Cause of Discolored Water

- Accumulated sediment (iron, manganese, and mineral deposits) in the East tank is believed to be the primary cause of brown/discolored water events experienced citywide
- A malfunctioning SCADA system allowed valves to open suddenly, causing high-velocity water surges that disturbed sediment deposits both in the tank and in distribution lines
- Water main breaks and fire hydrant operations can also disturb settled sediment in aging pipelines
- Water leaving the treatment plant and supplied to Pleasant View has been confirmed crystal clear; the issue is isolated to the distribution system

Current Remediation Efforts

- Public Works is conducting targeted, non-sequential flushing at approximately 15 hydrants every two weeks, in addition to the regular twice-annual flushing schedule (April and October)
- Water treatment plant is using sodium permanganate to manage manganese levels; peracetic acid treatment is being explored with Arkansas Department of Health approval
- Variable frequency drives (VFDs) installed on sewer lift station motors to prevent pressure spikes; similar gradual-open programming will be applied to the new pressure-reducing valve (PRV)
- The existing 6-inch PRV is failing (hanging open), causing elevated system pressure; replacement PRV is on order and expected to be online by end of March 2026, pending completion of the new SCADA system
- New SCADA system installation expected to be completed by end of March 2026
- All water clamp repair work is being video-documented to demonstrate positive-pressure conditions during repairs
- Pressure loggers were deployed January 13–22 at three distribution system locations; data showed no significant pressure spikes (largest fluctuation: 12 psi over one minute), suggesting water hammer is not a frequent or systemic issue

Council Action – Special Meeting Scheduled

Council discussed whether to authorize the city to independently retain Pittsburgh Tank to clean the East Tower while continuing the lawsuit against USG Water. Mayor Baxter and council agreed a special meeting with the city attorney (Sean) should be held to review legal options and available funding. A special meeting was scheduled for Monday, February 23, 2026 at 7:00 p.m.

Additional items discussed:

- Water adjustment policy (once-per-year rate adjustment for qualifying leaks): Mayor directed Steve Hurley to distribute a copy of the city ordinance governing this policy to all council members and to post eligibility requirements publicly
- Citizens with water quality concerns encouraged to contact the city complex directly (not social media) with their address so crews can respond; city to reinforce this message on water bills, the lighted sign, and the city Facebook page
- Citizens who wish to have their water independently tested can take a sample to Van Buren for testing at a cost of $17
- City website calendar still showing 2025 dates; Mayor directed Steve Hurley to update to 2026

Citizens Signed Up to Speak

Michael Harry, Mulberry

Mr. Harry, a high school science teacher and former engineering technician with the Springfield (Oregon) Utility Board Water Services Division, addressed the council regarding repeated brown water events at Mulberry Schools. He reported that approximately two weeks prior, drinking fountain water at the school was coffee-colored even through fountain filters, and that he could recall at least six such events since moving to Mulberry. Mr. Harry requested: (1) recent water quality test results be shared with the school district; (2) water testing be conducted within the distribution system, specifically at school locations; (3) a formal unidirectional flushing program be implemented; and (4) a documented valve exercise program to mobilize and flush sediment at least twice annually. He expressed his primary concern as keeping the schools open and able to serve 140 students safely. Councilmember Copeland noted that water quality data is publicly available through the annual Consumer Confidence Report (CCR).

Dave Chappell Sr., Mulberry

Mr. Chappell inquired about opportunities to sing the National Anthem at local sporting events. Mayor Baxter explained that the city does not have authority over national anthem performances at sporting events and directed him to contact event organizers directly. Mr. Chappell also inquired about permits required to operate a small collectibles store from his home. Mayor Baxter directed him to visit the city complex and speak with the building inspector.

Nathaniel Clairborne, Mulberry

Mr. Clairborne submitted printed copies of Facebook posts and city-issued water pipe break reports documenting a pattern of water quality and infrastructure issues over multiple years. He raised concerns about: (1) the designation of a "safe water fee" on utility bills despite ongoing water quality issues; (2) utility bills significantly above state and national averages, with many residents paying $100–$300 per month; (3) a 35% increase in his January water bill during a month of minimal usage and documented water quality events; (4) inadequate advance notice to citizens during service interruptions, including electrical outages; and (5) the need for proactive, rather than reactive, infrastructure maintenance. He requested that billing be addressed as an immediate corrective action. Councilmember Marvin requested that Mr. Clairborne leave his documentation with the council.

Adjournment

With no further business to discuss, the meeting was adjourned.

Motion: Jeff Marvin
Second: Sadat Rice
Vote: Unanimous (all present voted aye)

The meeting was adjourned at approximately 9:11 p.m. The next regularly scheduled City Council meeting will be on March 17, 2026. A special meeting regarding the East Water Tower and city attorney consultation has been scheduled for Monday, February 23, 2026 at 7:00 p.m.

These minutes were taken by: Steve Hurley

Gary D. Baxter, Mayor

Carla Dickerson, Recorder/Treasurer