

COUNCIL MEETING

October 24, 2022

Paragould City Council met in regular session on Monday, October 24, 2022, at 6:00 p.m. in the Council Room of City Hall with Mayor Agee presiding.

Invocation was led by Councilmember Brad Baine.

The meeting was called to order followed by the Pledge of Allegiance

Those present were Randy Aden, Brad Baine, Jessie Blevens, Jeremy Biggs, Lindsey Boggs, Mark Rowland, Susan Williams, and Neal Adams.

City Attorney Robert Thompson and City Clerk Andrea Williams were present.

Councilmember Williams moved the minutes from previous council meeting of October 10, 2022, be approved as transcribed; seconded by Councilmember Adams. All in favor.

REPORTS FROM BOARDS AND STANDING COMMITTEES:

Public Service - None

Finance - None

Parks and Recreation - None

Police - None

Public Health and Ordinances - None

Fire - Councilmember Baine stated the committee met at 5:30 this evening to discuss purchasing a 2023 Pierce Enforcer 107' Aerial firetruck. Fire Chief Kyle Jackson was present and explained to the council that normally production for this truck is 28 months, but G & W Diesel/Emergency Vehicle Specialist has one in the engineering stage that will be ready in August 2023. The cost of the truck is \$1,464, 476.00 thru (HGACBuy – state bid). Chief Jackson explained that if half of the purchase price is paid up front the city will receive a \$23,000 discount.

Chief Jackson reminded the council that the fire department is currently selling three trucks which should net approximately \$1 million to help cover the cost of this

truck. Also, this truck is a combined aerial truck and pumper truck that will be more efficient and effective and help with manpower.

Motion made by Councilmember Rowland to purchase the 2023 Pierce Enforcer for \$1,464,476.00 and pay half down (\$725,000.00); seconded by Councilmember Boggs.

Roll call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Purchase approved.

Sanitation - None

Street/Cemetery - None

UNFINISHED BUSINESS:

None

NEW BUSINESS

ITEM #1

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF PARAGOULD, ARKANSAS – APPLICATION OF MCPHERSON INVESTMENTS, LLC.

Motion made that the ordinance be offered by Councilmember Rowland; seconded by Councilmember Aden.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Stacy McPherson was present representing McPherson Investments, LLC. He is requesting to rezone the property at 4500 West Kingshighway from C-2 to C-3. Mr. McPherson stated the rezoning was presented to the planning commission on October 6, 2022. Five members were present and all five voted in favor of this rezoning. Mr. McPherson stated that he is wanting to rent the building to an infant survival swim business and there is no classification in the zoning ordinance for this type of business.

Albert Camp, 109 Tracy Lane, appeared in opposition of this rezoning. Mr. Camp provided the council with a petition signed by the residents of Tracy Lane in opposition to this matter. He stated that the property faces Tracy Lane, and the mailboxes are located on Tracy Lane. He

stated he is concerned, if the property is rezoned to C-3, what business could open at that location in the future. He is not opposed to an infant survival swim business but stated opening it up to C-3 anything could potentially be located there.

Larry Pannels, 110 Tracy Lane, stated he is in opposition to this rezone and stated issues with parking, trash, loud music and traffic concerns.

Councilmembers Adams and Baine stated they had some concerns with this rezone. Councilmember Adams stated that this property faces Tracy Lane, and he is opposed to it being zoned C-3. Councilmember Baine stated that he is also in opposition.

Councilmember Rowland asked Mr. McPherson if he was opposed to going back to the planning commission to obtain a conditional use permit to place the infant survival swimming business at this location. Mr. McPherson stated that he would rather it be rezoned so he doesn't have to get a conditional use permit if the business were to change.

No motions were made. Ordinance failed due to lack of a motion. Mr. McPherson was told he could revisit the planning commission for a conditional use permit if he chose to.

ITEM #2

AN ORDINANCE TO ACCEPT MAPLE RIDGE DRIVE AS A CITY STREET; AND FOR OTHER PURPOSES

Motion made that the ordinance be offered by Councilmember Adams; seconded by Councilmember Blevens.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Planning and Zoning Director, Kevin Lang, was present to answer any questions the council may have. Mayor Agee told the council that the street has been inspected by Adam Followell, Director of Public Works and meets the city's requirements for approval.

Motion made that the ordinance be placed on the first reading by Councilmember Rowland; seconded by Councilmember Williams.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made to suspend the rules and place the ordinance on the second reading by Councilmember Biggs; seconded by Councilmember Adams.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made to suspend the rules and place the ordinance on the third and final reading by Councilmember Adams; seconded by Councilmember Boggs.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Motion made that the ordinance be adopted by Councilmember Rowland; seconded by Councilmember Blevens.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Ordinance adopted. (Ordinance No. 2022-37)

ITEM #3

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PARAGOULD, ARKANSAS TO SELL AND CONVEY REAL ESTATE

Motion made that the resolution be offered by Councilmember Biggs; seconded by Councilmember Adams.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Attorney, Roger Colbert, was present representing Van Winton. Mr. Winton is wanting to purchase a parcel of land located at the entrance of the Southpointe Development Subdivision. This property was developed and dedicated in 2003. In 2019 Mr. Winton purchased the property however the plat does not include the median located in the middle of the street that a sign is on. The property contains 569.5 square feet and was appraised by Appraiser Brad Brengard for \$1,950.00.

Motion made that the resolution be adopted by Councilmember Biggs; seconded by Councilmember Blevens.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2022-90)

ITEM #4

A RESOLUTION AUTHORIZING THE TRANSFER OF PERSONAL PROPERTY TO THE CITY OF WALNUT RIDGE, ARKANSAS; AND FOR OTHER PURPOSES

Motion made that the resolution be offered by Councilmember Rowland; seconded by Councilmember Aden.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Fire Chief, Kyle Jackson, was present to address the council. Chief Jackson stated that the fire department has three trucks they are wanting to sell and purchase a new truck. The city of Walnut Ridge is wanting to purchase the 2015 Pierce Kenworth Conventional four door CAFS pumper truck and related equipment (800' 5" supply line, 600' 1 3/4" hoses, pike poles, ventilation fan and wheel chocks) for \$350,000.00.

Motion to accept the resolution and approve the sale of the 2015 Pierce Kenworth to the City of Walnut Ridge, Arkansas for \$350,000.00 made by Councilmember Baine; seconded by Councilmember Williams.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2022-91)

ITEM #5

A RESOLUTION REGARDING THE ANNUAL BUDGET OF THE NORTHEAST ARKANSAS REGIONAL WASTE MANAGEMENT DISTRICT; AND FOR OTHER PURPOSES

Motion made that the ordinance be offered by Councilmember Aden; seconded by Councilmember Biggs.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Mayor Agee explained to the council that auditors require each entity (cities and counties) represented on the Northeast Arkansas Regional Solid Waste Management District to approve the budget. The budget was presented to the council for their review.

Motion made that budget be approved and the resolution be adopted by Councilmember Rowland; seconded by Councilmember Aden.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Ordinance adopted. (Ordinance No. 2022-92)

ITEM #6

A RESOLUTION TO DECLARE A BUILDING AND/OR STRUCTURE WITHIN THE CORPORATE LIMITS OF THE CITY OF PARAGOULD, ARKANSAS A NUISANCE IN ACCORDANCE WITH THE CITY CODE OF ORDINANCES, CHAPTER 10, ARTICLE VIII. CONDEMNATION OF BUILDINGS SEC. 10-240 THROUGH 10-247 – PROPERTY LOCATED AT 435 EAST MAIN STREET

Motion made that the resolution be offered by name, address, and legal description only by Councilmember Rowland; seconded by Councilmember Blevens.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Code Enforcement Officer, J.D. Stephenson was present and provided the council with photographs and documentation of the property. No one appeared in opposition.

Motion made that the resolution be adopted by Councilmember Williams; seconded by Councilmember Boggs.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2022-93)

ITEM #7

A RESOLUTION TO DECLARE A BUILDING AND/OR STRUCTURE WITHIN THE CORPORATE LIMITS OF THE CITY OF PARAGOULD, ARKANSAS A NUISANCE IN ACCORDANCE WITH THE CITY CODE OF ORDINANCES, CHAPTER 10, ARTICLE VIII. CONDEMNATION OF BUILDINGS SEC. 10-240 THROUGH 10-247 – PROPERTY LOCATED AT 717 NORTH 2ND STREET

Motion made that the resolution be offered by name, address, and legal description only by Councilmember Rowland; seconded by Councilmember Blevens.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Code Enforcement Officer, J.D. Stephenson was present and provided the council with photographs and documentation of the property. Property owner, Tommy Abbott, appeared to address the council. Mr. Abbott stated he was in the process of rehabilitating the property, but he and his wife have had medical issues that has slowed the process. Councilmember Rowland explained to Mr. Abbott the process of placing a bond in the amount of the cost of demolition to stop the condemnation. Mr. Abbott agreed and will be in contact with Planning and Development Director, Kevin Lang to begin this process.

Motion was made to table this matter until November 14, 2022, to give Mr. Abbott time to secure a bond by Councilmember Rowland; seconded by Councilmember Adams. All in favor.

ITEM #8

A RESOLUTION TO DECLARE A BUILDING AND/OR STRUCTURE WITHIN THE CORPORATE LIMITS OF THE CITY OF PARAGOULD, ARKANSAS A NUISANCE IN ACCORDANCE WITH THE CITY CODE OF ORDINANCES, CHAPTER 10, ARTICLE VIII. CONDEMNATION OF BUILDINGS SEC. 10-240 THROUGH 10-247 – PROPERTY LOCATED AT 604 SOUTH 4TH STREET

Motion made that the resolution be offered by name, address, and legal description only by Councilmember Rowland; seconded by Councilmember Blevens.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Code Enforcement Officer, J.D. Stephenson was present and provided the council with photographs and documentation of the property. No one appeared in opposition.

Motion made that the resolution be adopted by Councilmember Adams; seconded by Councilmember Boggs.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2022-94)

ITEM #9

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PARAGOULD, ARKANSAS TO ATTACH LIENS TO CERTAIN PROPERTIES LOCATED AT THE ADDRESSES SPECIFIED IN THIS RESOLUTION FOR THE PURPOSE OF COLLECTING MONIES WHICH ARE OWED THE CITY OF PARAGOULD FOR ENFORCEMENT OF CHAPTER 18 OF THE CITY'S CODE OF ORDINANCES

Motion made to offer the resolutions by name, address and total only by Councilmember Rowland; seconded by Councilmember Biggs.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Code Enforcement Officer, J.D. Stephenson, was present to answer any questions the council may have. This resolution is to recoup money the city has spent to clean up nuisance properties. The council was provided with documentation of the cost.

Motion made that the resolutions be adopted by Councilmember Rowland; seconded by Councilmember Williams.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Resolutions adopted. (Resolution No. 2022-95)

ITEM # 10

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK OF THE CITY OF PARAGOULD, ARKANSAS TO ATTACH LIENS TO CERTAIN PROPERTIES LOCATED AT THE ADDRESSES SPECIFIED IN THIS RESOLUTION FOR THE PURPOSE OF COLLECTING MONIES WHICH ARE OWED THE CITY OF PARAGOULD FOR ENFORCEMENT OF CHAPTER 18 OF THE CITY'S CODE OF ORDINANCES

Motion made to offer the resolutions by name, address and total only by Councilmember Rowland; seconded by Councilmember Biggs.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes.

Code Enforcement Officer, J.D. Stephenson, was present to answer any questions the council may have. This resolution is to recoup money the city has spent to clean up nuisance properties. The council was provided with documentation of the cost.

Motion made that the resolutions be adopted by Councilmember Biggs; seconded by Councilmember Blevens.

Roll Call: Aden, yes; Baine, yes; Blevens, yes; Biggs, yes; Boggs, yes; Rowland, yes; Williams, yes; and Adams, yes. Motion carried eight to zero. Resolutions adopted. (Resolution No. 2022-96)

ANNOUNCEMENTS:

The year end report from Vector Disease Control was presented to the council.

Mayor Agee told the council that the Orion Group has finished the 20-year strategic plan and turned it into Economic Development Director, Allison Hestand, and Planning and Development Director, Kevin Lang, for their review. The Orion Group has suggested a complete re-write of the city's zoning map. Mayor Agee stated the city would advertise for a RFQ to complete this task.

Mayor Agee also announced that there will be a ribbon cutting for the Main Street Caboose renovations completed by Greenbriar at 2 p.m. on Wednesday, October 26, 2022, and a ribbon cutting for the Eight Mile Creek Trail at 4 p.m. on Thursday, October 27, 2022.

Mayor Agee also reminded everyone that early voting started today and encouraged everyone to get out and vote.

ADJOURNMENT:

There being no further business to come before the council, Councilmember Williams moved the meeting be adjourned; seconded by Councilmember Boggs. All in favor. Meeting adjourned 7:08 p.m.

Josh Agee, Mayor

ATTEST:

Andrea Williams, City Clerk