Bryant City Council

Boswell Municipal Complex - City Hall Court Room

210 SW 3rd Street

YouTube: https://www.youtube.com/c/bryantarkansas

Date: July 25, 2023 - **Time:** 6:30 PM

Invocation

Pledge of Allegiance

Call to Order

Approval of Minutes

1. June 2023 Council Meeting - Unapproved minutes

- Unapproved June 27 2023 City Council Minutes.docx.pdf

Presentations and Announcements

2. Parks Committee Recommendation

The Bryant Parks & Recreation Committee recommends the City Council amend the A&P Special Election Ordinance to designate 70% to parks, 25% to the A&P Commission, and 5% to administrative costs.

Anything less than 70% with the 3.0 millage rate currently under consideration by the Council will effectively result in a dramatic reduction in the parks' current budget of $3.7 million.

In fact, the ordinance as amended at the last Council meeting allocating only 30% to parks would be a twenty-five percent reduction from our current budget. That would a major step backward and force parks to operate at a subsistence level with no growth, no added services, and deferral of essential maintenance.

In addition, with the 35% level of designated funds from the A&P, the parks' strategic planning process authorized by the council will become a wasted effort and a waste of $50,000 of taxpayer money paid to consultants facilitating the development of the plan.

More importantly, it will be a breach of faith with the 44 people representing a broad and diverse cross section of the community serving on the planning committee for more than 18 months, and the more than 1,000 people responding to our survey seeking their input into how they would like to see their parks system grow and develop.
Full Statement Attached

- STATEMENT OF THE BRYANT PARKS & RECREATION COMMITTEE.pdf

Director's Report

3. Animal Control - Second Quarter Report

Public Comments

Old Business

Finance

4. Annual Millage Rate Decision - Ordinance to adopt the Millage rate for real and personal property for 2024.

Ordinances to adopt a millage rates for 2024 for both real and personal property, see attached.

- 07.25..23 Mills Ordinances - Real and Personal.xlsx - Real.pdf
- 07.25..23 Mills Ordinances - Real and Personal.xlsx - Personal.pdf

City Attorney

5. A&P Decision for Special Election November 14, 2023 - Ordinance to allow for a special election for an A&P Tax in Bryant.

An Ordinance to call for a Special Election on November 14, 2023 for an A&P Tax in the city of Bryant, AR, see attached.

- AP Ordinance with Vote to people (DRAFT 3).docx.pdf

New Business

Finance

6. June 2023 ending Financial Report

Approval and Acceptance of the June 2023 ending Financial Report, see attached.

7. Budget Adjustments - Resolution to amend the city budget for 2023

A Resolution to amend the city budget for the period ending December 31, 2023, see attached.

- 07.25.23 BA Resolution - Final.pdf

Animal Control

8. Resolution Approving Sale or Disposal of Cat Condos

Resolution approving sale or disposal of older cat condo units for the animal shelter, if the budget adjustment is approved to purchase replacement enclosures.

- Resolution Sale Dispose of Property.pdf

Community Development

9. Leonard Speed appointed to Water/Wastewater Committee

Mayor Scott recommends Leonard Speed serve as Planning Commission representative for Ward 2.

Parks and Recreation

10. Long Range Aquatics Center Planning - Contract for mechanical and architectural services from Batson Engineers / WDD Architects

Engineering Study for long range planning of Aquatics Center atmospheric control

- Aquatic Center Heat Balance.pdf
- 5923_230717_Bryant Aquatic Center 2023_LOA_revision 1.pdf

Public Works

11. Leroy Tinkler appointed to Water/Wastewater Committee

Mayor Scott recommends Leroy Tinkler serve as Water/Wastewater Committee representative for Ward 1.

12. Southwest Trailer Connector Project Application - Resolution to express willingness to utilize Federal-Aid Transportation Program Funds

Resolution to express willingness to utilize Federal-Aid Transportation Program Funds

- STGB Resolution.docx (2).pdf

13. Hurricane Garden/Springhill Inlay - 2

Item over $35,000 for council approval. Hurricane Garden/Springhill 2" mill and inlay

- City of Bryant- Hurricane Garden Quote (Mill and Inlay Only).pdf

14. CAW Scheduled Rate Discussion - CAW 10 year increase

Discussion over CAW's updated volumetric rate and infrastructure fee schedule.

- CAW 10 Year Rates.pdf

15. Resolution for public bid of equipment - Resolution for public bid of equipment

Resolution allowing public bid of equipment

- Resolution For Equipment Disposal.pdf

16. 2023 Internal Rate Review - Internal Rate Review

2023 Internal Rate Review per ordinance

- 2023 Internal Rate Review.pdf

Council Comments

Mayor Comments

Adjournments

Bryant City Council City Council Meeting
June 27, 2023 - 6:30 PM

Boswell Municipal Complex - City Hall Court Room
210 SW 3rd Street Bryant, Arkansas
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UNAPPROVED MINUTES

Prior to the Council Meeting, members of the Bryant Boys and Girls Club led: Invocation by Isaiah Kearney, Pledge Of Allegiance by Ollie Amis, Keelan Crist, Blaise Harris, Riley Bearded, Dondre Harris, Jr., and National Anthem by Blaise Harris.

Roll Call – Council Members Present: Jason Brown, Star Henson, Jon Martin, Lisa Meyer, Jack Moseley, Jordan O'Roark, Wade Permenter, and Rob Roedel. City Clerk Mark Smith and City Attorney Ashley Clancy were also present. Quorum Present.

Call to Order - Mayor Scott at 6:34 pm

APPROVAL OF MINUTES

1. **Approval of the May 30, 2022 Regular Council Meeting Minutes** [YT 7:30]
   Motion to approve - Council Member Meyer, Second - Council Member Henson.
   Voice Vote. Motion Passed 8-0.

DIRECTORS REPORTS

PUBLIC COMMENTS

Joseph McIntyre- Crossing Loop regarding flooding in his neighborhood [YT 7:55]
Ryan Hickman- Dickey Drive regarding second-hand marijuana smoke [YT 11:25]
Mr. Aker- Crossing Loop flooding in neighborhood [YT 14:30]
James Dock- Crossing Loop flooding in neighborhood [YT 16:55]

OLD BUSINESS

Public Works – presented by Tim Fournier, Director [YT 17:55]

2. **Amend Leak Adjustment Ordinance** - Leak Adjustment Policy Amendment
   Director Fournier explained he was presenting the Leak Adjustment Ordinance that was previously discussed at the May 30, 2023 meeting. Ordinance needs to be amended and emergency clause added.
   AN ORDINANCE AUTHORIZING IMPLEMENTATION OF A POLICY GOVERNING WATER LEAKAGE ADJUSTMENTS IN BRYANT, ARKANSAS
   See attached.
   Motion to suspend the rules and read 1st, 2nd, and 3rd reading by title only - Council Member Roedel, Second - Council Member Henson.
   Voice vote. Motion Passed 8-0. Ordinance title read by Mayor Scott.

Motion to adopt - Council Member Permenter, Second - Council Member Henson.
Roll Call Vote. YEA: Brown, Henson, Martin, Meyer, Moseley, O'Roark, Permenter, Roedel. Motion Passed 8-0.
Motion to approve Emergency Clause - Council Member Roedel, Second - Council Member Martin.
Roll Call Vote. YEA: Brown, Henson, Martin, Meyer, Moseley, O'Roark, Permenter, Roedel. Motion Passed 8-0.

- **ORDINANCE 2023-12**

NEW BUSINESS

Finance – presented by Joy Black, Director of Finance [YT 19:55]

Director Black announced the awarding of ANRC grants of $3,538,810 for the Water Meter Project and $1,500,000 for waste water projects. Also a $300,000 state grant mitigation grant was awarded for the Raintree drainage project. See attached sheet for her additional report information.

3. **May 2023 Finance Report** – Monthly Report May, 2023 [YT 20:45]
   Presentation and Approval of the May, 2023 City Financial Report.
   Motion to approve - Council Member Meyer, Second - Council Member Henson.
   Voice Vote. Motion Passed 8-0.

4. **Budget Adjustments** - Resolution to Amend City Budget [YT 23:00]
   A Resolution to amend the city budget ending December 31, 2023. See attached.
   Motion to approve - Council Member Martin, Second - Council Member Moseley.
   Voice Vote. Motion Passed 8-0.
   - **RESOLUTION 2023-14**

5. **Annual Millage Rate Decision** - Ordinance to adopt the Millage rate for real and personal property for 2024. [YT 23:50]
   5A Ordinances to adopt a millage rates for 2024 for both real property, see attached.
   A ORDINANCE LEVYING A TAX ON ALL REAL PROPERTY IN THE CITY OF BRYANT, SALINE COUNTY, ARKANSAS, FOR THE PURPOSES AS PROVIDED BY LAW.
   Council Member Roedel made a Motion to Remove items 5A (3.8 real property millage) and 5B (3.8 personal property millage) from the Agenda. Second by Council Member Henson. Short discussion.
   Roll Call Vote. YEA: Brown, Henson, Martin, Meyer, Moseley, O'Roark, Permenter, Roedel. Motion Passed 8-0. Items Stricken.
   Council Member Roedel made a Motion to add items 5A- real property millage set at 3.0 and 5B real personal property millage set at 3.0 to the Agenda, Second by Council Member Permenter.
   Voice Vote. Motion Passed 8-0. Items Added.

Council Member Roedel made a Motion, Second by Council Member Permenter to Suspend the Rules and Read both 5A (3.0 real property millage) and 5B (3.0 personal property millage) on First Reading by Title Only.
Both Ordinances 5A Real Property millage at 3.0 and Ordinance 5B Personal Property millage at 3.0 First reading by Mayor Scott.

Note: 5B stricken and re-introduced above.

City Attorney – presented by Ashley Clancy, City Attorney

6. **Ordinance for Hyperfiber** - Non-exclusive franchise [YT 29:40]
AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO HYPERFIBER OF ARKANSAS, LLC; AND ASSIGN A NONEXCLUSIVE FRANCHISE TO PROVIDE AND MAINTAIN HIGH-BANDWIDTH, FIBER-BASED COMMUNICATIONS NETWORKS AND SERVICES WITHIN THE CITY OF BRYANT; ESTABLISHING FRANCHISE FEES TO BE PAID; AND FOR OTHER PURPOSES.
City Attorney explained that Hyperfiber is a new business and this is a ten year agreement.
Motion to suspend the rules and read 1st, 2nd, and 3rd reading by title only - Council Member Martin, Second - Council Member Moseley.
Voice vote. Motion Passed 8-0. Ordinance title read by Mayor Scott.
Motion to adopt - Council Member Permenter, Second - Council Member Meyer.
Roll Call Vote. YEA: Brown, Henson, Martin, Meyer, Moseley, O'Roark, Permenter, Roedel. Motion Passed 8-0.
   ORDINANCE 2023-13

7. **A&P Decision for Special Election November 14, 2023** - Ordinance [YT 31:50]
to allow for a special election on November 14, 2023 for an A&P Tax in the city of Bryant. See attached.
AN ORDINANCE CALLING AND SETTING A DATE FOR A SPECIAL ELECTION ESTABLISHING AN ADVERTISING AND PROMOTION COMMISSION FOR THE CITY OF BRYANT, ARKANSAS; LEVYING GROSS RECEIPTS TAX PURSUANT TO THE ARKANSAS "ADVERTISING AND PROMOTION COMMISSION ACT" IN ACA 26-75-601 THROUGH 26-75-619; AND, FOR OTHER PURPOSES WITH EMERGENCY CLAUSE.
Attorney Clancy explained a few changes in the Ordinance since the last Workshop including removing language that stated, "The Commission will follow the purchasing policy established by the City of Bryant". She went on to explain that the language would likely allow the city to be sued. Discussion followed.
Council Member Meyer made a motion to Amend the Ordinance to include "The Commission shall follow the purchasing policy established by the City of Bryant". Second by Council member Permenter.
Voice Vote. Amended Motion Passed 8-0.

Council Member Brown made a Motion to Amend the Ordinance to change the funding percentages on page four: Letter “C” from 60% to 30% and Letter “E” from 35% to 65%, Second by Council Member Henson.
Voice Vote: 7-1. Amended Motion Passed.
Motion to place on 1st Reading by Council Member Brown, Second by Council Member Henson.
First Reading by Mayor Scott.

PUBLIC WORKS – presented by Tim Fournier, Director

8. **Gov Deals** - Disposal of Equipment Resolution to sell PW Equipment on Gov Deals. [YT 39:40]
   Resolution to sell PW Equipment on Gov Deals. See attached.
   Director Fournier explained that the items to be listed on Gov. Deals is equipment that is no longer needed.
   Motion to approve - Council Member Roedel, Second - Council Member Permenter.
   Voice Vote. Motion Passed 8-0.
   - **RESOLUTION 2023-15**

9. **Hilldale Road Overlay** - Asphalt Work for Hilldale Road [YT 41:10]
   Contract over $35,000 to mill and overlay Hilldale Road from Highway 5 to Round -a- Bout. See attached. Discussion followed.
   Motion to approve - Council Member Permenter, Second - Council Member Brown.
   Voice Vote. Motion Passed 8-0.

10. **Springhill and Hilldale Road Overlays** - Re-Stripe of Springill Road [YT 43:50]
    Contract over $35,000 for thermoplastic striping of Springhill road overlay. See attached. Discussion followed.
    Motion to approve - Council Member Meyer, Second - Council Member Henson.
    Voice Vote. Motion Passed 8-0.

Council Comments [YT 44:50]

Council Member Meyer asked for City help regarding an abandon chest freezer on Kensington.

11. Council Member Roedel made a Motion to Add an Item to the Agenda. [YT 45:55]
    He explained that he had many complaints regarding solicitation in the City after dark. Second by Council Member Brown.
    Voice Vote. Motion Passed 8-0.
    Truett Smith, Director of City Planning presented the following Amended Ordinance.
    Regulation of Solicitation and Peddling – Amend Ordinance 2006-44

AN ORDINANCE AMENDING ORDINANCE 2006-44 TO DECREASE EVENING HOURS FOR DOOR-TO-DOOR SOLICITORS AND FOR OTHER PURPOSES WITH EMERGENCY CLAUSE
See attached. Ordinance Title ready by Mayor Scott.
Truett Smith explained that several changes had been made to the Ordinance including: reducing the hours for solicitation, requiring a ID badge from the City good for 120 days, Increasing the fee to $20, and violation changes. Discussion followed.
Council Member Permenter made a Motion to Amend the Ordinance to change hours for solicitation to: 9AM to 7PM, except November-March 9AM to 5PM.
Second by Council Member Brown.
Voice Vote. Motion to Amend Passed 8-0. Discussion followed.
Council Member Meyer made a Motion to Suspend the Rules and Read 1st, 2nd, 3rd reading by Title Only. Second by Wade Permenter.
Voice Vote. Motion Passed.
Motion to Adopt by Council Member Permenter, 2nd by Council Member Henson.
Roll Call Vote. YEA: Brown, Henson, Martin, Meyer, Moseley, O'Roark, Permenter, Roedel. Motion Passed 8-0.
Motion to Adopt Emergency Clause by Council Member Permenter, Second by Council Member Henson.
Roll Call Vote. YEA: Brown, Henson, Martin, Meyer, Moseley, O'Roark, Permenter, Roedel. Motion Passed 8-0.

- **ORDINANCE 2023-14**

Mayor Comments [YT 57:15]

Coffee with the Mayor on July 8 at 9AM at Bryant Farmers Market.
Have a save Fourth of July.
Fireworks are permitted in Bryant on July 3,4,5 from Noon to 10PM.

Adjournment

Motion to Adjourn by Council Member Permenter, second by Council Member Henson.
Adjourned time: 7:28 PM