

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

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

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 [YT 23:50]
for real and personal property for 2024.

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 [YT 39:40]
on Gov Deals.

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 safe 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