

GENTRY CITY COUNCIL AGENDA

MONDAY, JULY 12, 2021

Meeting Called to Order
Invocation
Roll Call
Review of Minutes: June 7, 2021, Regular Council Meeting
June 9, 2021, Special Council Meeting

COMMUNITY COMMENTS

1. Public Comment (Item(s) Not on Presented Agenda)
2. Main Street Gentry Chamber of Commerce – Janie Parks
3. Gentry Public Schools – Terrie Metz

UNFINISHED BUSINESS

1. Park Master Plan Update
 - a. Splashpad
 - b. Sports Complex
2. Water Storage Facility Update
3. Virtual Meeting Ordinance
4. 117 N. Smith Ave. Cleanup Update
5. RV/Campground Ordinance Committee Update

NEW BUSINESS

1. ARPA Funds
2. Simmons Sponsorship Pledge
- 3.
- 4.

Any items that may arise after the publication of this Agenda must be voted on, to be heard, by the majority of the City Council.

ANNOUNCEMENTS

- Planning Commission Meeting, July 15, 2021 @ 7pm
- Street Closure/Waterline Replacement

	<u>2019</u>	<u>2020</u>	<u>2021</u>
City Sales & Use	\$102,075.24	\$122,643.85	\$133,594.02
County Tax	\$74,737.61	\$66,509.57	\$95,636.35

**CITY OF GENTRY
REGULAR CITY COUNCIL MEETING
MONDAY, JUNE 7, 2021**

The City Council of the City of Gentry, Arkansas, met in person, at the Council Chambers and, at 6:30 p.m. on June 7, 2021. Mayor Kevin Johnston called the meeting to order. The invocation was by-passed.

COUNCIL MEMBERS ANSWERING ROLL CALL:

Janice Arnold Michael Crawford Kristi Reams Cindy Philpott

COUNCIL MEMBERS ABSENT: Jason Barrett, Dan Erskin, Jimmy Thorburn and, Jason Williams

Others in attendance: Mayor Kevin Johnston, City Attorney Joel Kurtz, City Clerk Jenny Trout, Maxine Foster, Police Chief Clay Stewart, Fire Chief Vester Cripps, Janie Parks, Larry Gregory and, the American Legion, Gentry Post, representatives.

There being too few council members present for a quorum, Mayor Kevin Johnston suggested a new date be set to conduct the business at hand. It was decided among those present the new meeting date would be Wednesday, June 9, 2021, at 6:30p.m.

Everyone present was dismissed.

CITY CLERK, JENNY TROUT

**MAYOR, KEVIN JOHNSTON
CITY OF GENTRY**

**CITY OF GENTRY
SPECIAL-REGULAR CITY COUNCIL MEETING
MONDAY, JUNE 9, 2021**

The City Council of the City of Gentry, Arkansas, met in a special regular session, in person, at the Council Chambers at 6:30 p.m. on June 9, 2021. Mayor Kevin Johnston called the meeting to order. City Attorney Joel Kurtz gave the invocation.

COUNCIL MEMBERS ANSWERING ROLL CALL:

Janice Arnold Michael Crawford Kristi Reams
Cindy Philpott Jimmy Thorburn Jason Williams

COUNCIL MEMBERS ABSENT: Jason Barrett and, Dan Erskin.

Others in attendance: Mayor Kevin Johnston, City Attorney Joel Kurtz, City Clerk Jenny Trout, Fire Chief Vester Cripps, Chamber of Commerce Director Janie Parks, Officer Jorge Reyes, Larry Gregory, Larry Babcock, the American Legion-Gentry Post representative Marie Wilbanks, Justin Spafford joined virtually, as did Chris with McClelland Consulting Engineers.

REVIEW OF MINUTES: May 3, 2021- Regular Council Meeting

Motion: Janice Arnold- to accept the minutes as presented

Second: Jason Williams

Roll Call: Arnold-yes Crawford-yes Reams- yes
 Philpott- yes Thorburn- yes Williams- yes

Motion passed.

COMMUNITY COMMENTS

1. **Public Comment (Items Not on Presented Agenda)** Marie Wilbanks with the American Legion- Gentry Post introduced herself and provided information about the Legion and its contributions, and work provided, to and for the City of Gentry, and all veterans.
2. **Main Street Gentry Chamber of Commerce – Janie Parks** provided her report to the council, which included: the downtown revitalization plan, which Janie stated would be worked in 3 “stages” or zones. The sidewalk extension project, the building renovation project, which she thankfully expressed was now complete, retail coach data analysis, and the Library discussion “Be Gentry” that is set for June 15, 2021 at 5:30 in the Gentry Public Library and, is open to the public for input.

Kid's Fishing Derby is set for June 26, 2021 9am-12pm Flint Creek Nature Park
Freedom Fest July 3, 2021 12pm- Fireworks
Pickin' Time on 59 September 23-25, 2021
LBRA Gentry Cruise Night September 25, 2021 @ 5:00pm
Glow Ride date is to be determined, and the Christmas Parade has been set for December 11, 2021.

3. **Gentry Public Schools – Terrie Metz** was unavailable. Mayor Johnston commented that school is out.

UNFINISHED BUSINESS

1. **Park Master Plan Update:**

- a). **Splashpad:** Chris with McClelland Consulting Engineers stated the project had been delayed somewhat, due to the recent rain but, progress has picked up within the last week and they are in hopes it will be completed, or near completion by July 3rd.

- b). **Sports Complex**

1. **Backstop Netting/Shade Structure:** Justin Spafford, with Flintco, provided diagrams, as well as value analysis for review. He also stated completion of phase 1 is estimated mid to late Fall. Mayor Johnston asked the council members to consider allocating funds to go towards the backstop netting and shade structure. After review of the value analysis and discussion:

Motion: Crawford- to move forward with the backstop netting/shade structure

Second: Thorburn

Roll Call: Crawford-yes Reams-yes Philpott-yes
Thorburn-yes Williams-yes Arnold-yes

Motion passed.

2. **Water Storage Facility Update:**

Larry Gregory with Garver, announced the tank pieces should be arriving within the next few weeks and placing those pieces together will begin.

- a). **Logo:** Mr. Gregory also provided a copy of the logo Gentry City Council members had chosen, and informed the members of the cost break down, including savings. He also provided the council with additional options for use of those savings, should they decide to add the logo to another side of the tank, or, change from color to black and white print. After discussion, it was decided the City would stay with the logo, in color, on one side of the tank, facing Hwy 59 to the West.

3. **119 N. Nelson Ave. Cleanup Resolution:** A Resolution Authorizing Demolition and Clean-Up of Property Situated at 119 N. Nelson Ave., Gentry, Arkansas, was presented for review and consideration. Mayor Johnston also provided council members with a list of multiple quotes he had gathered, to perform clean-up of said property, for the council to consider. After consideration:

Motion: Williams- by selecting Greg Alsip to perform the clean-up at 119 N. Nelson Ave., appropriating funds of \$8900.00 are to come from the City's General Fund.

Second: Arnold

Roll Call: Reams-yes Philpott-yes Thorburn-yes

 Williams-yes Arnold-yes Crawford-yes

Motion passed.

4. **Virtual Meetings; Ordinance discussion:** At this time, Mayor Johnston turned the floor over to City Attorney, Joel Kurtz. Mr. Kurtz explained and advised the council members regarding a possible ordinance, as well as the Freedom of Information Act, or FOIA, and remaining in compliance with this and the State of Arkansas.

It was decided that virtual meetings would have to consist of 60% of the council being physically present (5 members), plus the Mayor, with up to 3 members present virtually. An emergency would have to be declared over and above these specifications. City Attorney, Joel Kurtz stated he would prepare an Ordinance for review at the next council meeting to be held July 12, 2021.

**At this time, it was brought to Mayor Johnston's attention that the previous discussion on the cleanup resolution, had overlooked accepting/denying said resolution. Mayor Johnston reverted to the resolution:

Motion: Arnold- to accept the resolution as presented

Second: Williams

Roll Call: Reams-yes Philpott-yes Thorburn-yes

 Williams-yes Arnold-yes Crawford-yes

Motion passed.

NEW BUSINESS:

1. **Hwy 59/12 Intersection Improvement STBGP- A Grant Resolution:** A Resolution Expressing the Willingness of the City of Gentry, Arkansas to Utilize Federal-Aid Surface Transportation Block Grant Program-Attributable (STBGP-A) (FFY 2022) Funds Administered by the Northwest Arkansas Regional Planning Commission (NWARPC), was presented for review and consideration:

Motion: Williams- to accept the resolution as presented

Second: Thorburn

Roll Call: Williams-yes Arnold-yes Crawford-yes
 Reams-yes Philpott-yes Thorburn-yes

Motion passed.

2. **2021 TAP Grant Resolution (N. Collins Ave. Trail Extension):** A Resolution Expressing the Willingness of the City of Gentry to Utilize Federal-Aid Transportation Alternatives Program Funds, was presented for review and consideration:

Motion: Crawford- to accept the resolution as presented

Second: Williams

Roll Call: Williams-yes Arnold-yes Crawford-yes
 Reams-yes Philpott-yes Thorburn-yes

Motion passed.

3. **Rezone Ordinance R-O to C-2 (2 Patriots LLC, 121 S. Nelson):** An Ordinance Amending Appendix B of the City of Gentry Municipal Code Regarding Zoning of Certain Lands Located within the City; and for Other Purposes, was presented for review and consideration:

Motion: Crawford- to suspend the rules and read by heading only

Second: Thorburn

Roll Call: Williams-yes Arnold-yes Crawford-yes
 Reams-yes Philpott-yes Thorburn-yes

Motion passed. City Attorney Joel Kurtz read by heading only

Motion: Thorburn- to pass on three readings with a single vote

Second: Williams

Roll Call: Williams-yes Arnold-yes Crawford-yes
 Reams-yes Philpott-yes Thorburn-yes

Motion passed.

4. **Ward Assignment Ordinance:** An Ordinance Assigning Certain Lands Annexed to the City of Gentry to Wards; Declaring an Emergency and for Other Purposes, was presented for review and consideration:

Motion: Williams- to suspend the rules and read by heading only

Second: Philpott

Roll Call: Williams-yes Arnold-yes Crawford-yes
Reams-yes Philpott-yes Thorburn-yes

Motion passed. City Attorney Joel Kurtz read by heading only

Motion: Crawford- to pass on three readings with a single vote

Second: Philpott

Roll Call: Williams-yes Arnold-yes Crawford-yes
Reams-yes Philpott-yes Thorburn-yes

Motion passed.

5. **RV Parks:** Mayor Johnston presented an old ordinance, as an example, for council members to review and consider, for future discussion and, suggested a committee be formed to oversee the possibility of RV parks/campground areas.

Council Member Jason Williams suggested those not previously involved, review and consider the ordinance and later inform the council.

After further discussion, the following volunteered to form a committee: Jimmy Thorburn, Cindy Philpott, Janie Parks and, Jason Williams. This committee will prepare research regarding the topic of RV parks/campground areas for the City of Gentry and present to the council, before addressing the planning and zoning commission with their findings/suggestions.

6. **Disposal of Items:** Mayor Johnston presented a list of items which were sold by way of online auction. He also provided photos of items which had not been listed and, asked the council for suggestions regarding disposal of the old Bingo board and, tin ceiling tiles which had been removed from a previous business and could possibly contain great value. After discussion it was decided Mayor Johnston and Chamber of Commerce Director Janie Parks, would research these items and their values, and report their findings to the council at a later date, for further discussion.

At this time Mayor Johnston provided council members with the financial statements of the City of Gentry Water and Sewer Fund for 2020.

Mayor Johnston also announced the City of Gentry had been recognized as one of the safest cities in the state and, state representative Delia Haak, had presented the city with a citation and a new Arkansas State flag.

ANNOUNCEMENTS:

Planning Commission Meeting, June 17, 2021 @ 7pm

City Sales & Use County Tax 2019-2021 listed

Council Member Cindy Philpott commented that great work was taking place as students from the public school will be planting mums in an attempt to grow their own for the coming year's annual mum sale. Amazing student involvement and, anyone with extra, or leftover planters are encouraged to take them to the Ag department at the school for use.

There being no other new business, Mayor Johnston entertained a motion to adjourn.

Motion: Arnold

Second: Williams

All in favor. None opposed.

Motion passed, meeting adjourned.

CITY CLERK, JENNY TROUT

**MAYOR, KEVIN JOHNSTON
CITY OF GENTRY**

ORDINANCE NO. _____

CITY OF GENTRY, ARKANSAS

AN ORDINANCE AMENDING SECTION 2.16.04 OF THE GENTRY MUNICIPAL CODE.

WHEREAS, while the state of emergency declared by the Governor of the State of Arkansas due to the COVID-19 pandemic has ended, the world continues to deal with the fallout from the pandemic, including the threat of lingering coronavirus variants;

WHEREAS, the Gentry City Council has determined that it would be prudent to continue to permit remote participation in Council meetings in light of the lingering effects of the pandemic, and given the City’s positive experience with remote participation over the past year;

WHEREAS, Arkansas Code Annotated § 25-19-106(a) provides that, subject to certain exceptions, “all meetings . . . of the governing bodies of all municipalities . . . shall be public meetings”;

WHEREAS, Arkansas Code Annotated § 14-43-501(a)(2)(C) authorizes the governing body of a city of the first class to “determine the rules of its proceedings . . .”; and

WHEREAS, the City of Gentry, a city of the first class, recognizing that physical presence is the preferred method of participation at council meetings, desires to provide a way for the Mayor, councilmembers, and citizens to participate in council meetings remotely, while still abiding by the provisions of the Freedom of Information Act of 1967;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Gentry, Arkansas:

Section 1: Section 2.16.04 of the Gentry Municipal Code is hereby amended by inserting the following as Subsection C (and renumbering the succeeding subsections appropriately):

- C. Even when no emergency declaration by the Governor, the County Judge, or the Mayor is in effect, remote participation is permitted so long as at least 60% of all of the Council members are physically present at the meeting.

Section 2. All ordinances or resolutions of the City in conflict herewith are hereby repealed to the extent of such conflict.

PASSED and APPROVED in regular session this 12th day of July, 2021.

Kevin Johnston, Mayor

ATTEST:

Tonya Carney, Director of Finance