

COUNCIL MEETING

September 13, 2021

The Paragould City Council met in regular session on Monday, September 13, 2021, at 6:00 p.m. in the Council Room of City Hall with Mayor Agee presiding.

Invocation was led by Pastor Albert Camp of Calvary Baptist Church.

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

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

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

Councilmember Williams moved minutes from previous council meeting of August 9, 2021, be approved as transcribed; seconded by Councilmember Adams. All in favor.

REPORTS FROM BOARDS AND STANDING COMMITTEES:

Public Service	- None
Finance	- Councilmember Rowland stated the committee met at 5:30 this evening regarding the contract with Vector Disease Control. Councilmember Rowland stated a resolution will be brought back at a later date.
Parks and Recreation	- None
Police	- None
Public Health and Ordinances	- Councilmember Biggs stated the committee met Friday, September 10 th at 7 a.m. and have item number four on tonight's agenda.
Fire	- None
Sanitation	- None
Street/Cemetery	- None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

ITEM #1

A RESOLUTION OF THE CITY COUNCIL OF PARAGOULD, CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003) – APPLICATION OF ANCHOR PACKAGING.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Allison Hestand, Paragould Regional Chamber of Commerce Director, was present to address the council. Ms. Hestand stated that Anchor Packaging is expanding and creating a large number of jobs for the area. They are requesting to participate in the tax back program to save money on building product and other items for the expansion.

Motion made that the resolution be adopted by Councilmember Rowland; seconded by Councilmember Baine.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2021-68)

ITEM #2

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF PARAGOULD, ARKANSAS – APPLICATION OF CUDE FARMS, LLC

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Attorney Roger Colbert was present representing Jeremy Cude of Cude Farms, LLC. Mr. Cude was also present. Mr. Colbert stated Mr. Cude is requesting to rezone 19 acres in the 5200 block of Fairview Road from R1 to AG. Mr. Cude is planning on building a home and barn and having cattle on the property.

Mr. Colbert stated this rezone was presented to the planning commission on September 2, 2021. Five members of the commission were present with four voting in favor of the rezone. No opposition appeared.

Motion made to place this ordinance on the first reading by Councilmember Biggs; seconded by Councilmember Adams.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Motion to adopt made by Councilmember Rowland; seconded by Councilmember Boggs.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes. Motion carried eight to zero. Ordinance adopted. (Ordinance No. 2021-22)

ITEM #3

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF PARAGOULD, ARKANSAS – APPLICATION OF KEVIN AND MARCIA GILLMORE

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Attorney Roger Colbert was present representing Kevin and Marcia Gillmore Mr. Gillmore was also present. Mr. Colbert stated the Gillmore's are requesting to rezone approximately 117 acres

at the intersection of Arkansas Highway 49 and Arkansas Highway 69 from AG and C3 to R1, R2, R3 and R4 to develop.

Mr. Colbert stated this rezone was presented to the planning commission on September 2, 2021. Five members of the commission were present with all five voting in favor of the rezone. No opposition appeared.

Motion made to place this ordinance on the first reading by Councilmember Rowland; seconded by Councilmember Adams.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Motion to adopt made by Councilmember Biggs; seconded by Councilmember Adams.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes. Motion carried eight to zero. Ordinance adopted. (Ordinance No. 2021-23)

ITEM #4

AN ORDINANCE AMENDING ORDINANCE NO. 2018-10 AS RELATES TO TAXES LEVIED ON SHORT-TERM RENTALS; AND OTHER PURPOSES

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Councilmember Biggs stated the ordinance committee met on Friday, September 10th at 7 a.m. to discuss this matter. This is an amendment to the A & P tax ordinance to include short term home/apartment rentals such as VRBO, AirBNB and Bed and Breakfasts. Councilmember Biggs stated this ordinance was recommended for approval by the A & P Commission and the ordinance committee.

Motion was made to place the ordinance on the first reading by Councilmember Biggs; seconded by Councilmember Boggs.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Motion to adopt made by Councilmember Rowland; seconded by Councilmember Camp.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes. Motion carried eight to zero. Ordinance adopted. (Ordinance No 2021-24)

ITEM #5

AN ORDINANCE REVISING THE PROCEDURE FOR PURCHASE, SALE OR EXCHANGE OF PROPERTY, AUTHORIZING THE MAYOR TO MAKE EXPENDITURES OF AN AMOUNT NOT TO EXCEED THIRTY-FIVE THOUSAND DOLLARS(\$35,000.00); AND FOR OTHER PURPOSES

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Mayor Agee explained that this ordinance was needed to coincide with Act 425 of the State of Arkansas which allows the Mayor or his designee to purchase items for city use up to \$35,000 from \$20,000.

Motion made to place the ordinance on the first reading by Councilmember Rowland; seconded by Councilmember Williams.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Motion to suspend the rules and place the ordinance on the third and final reading by Councilmember Williams; seconded by Councilmember Aden.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Motion to adopt made by Councilmember Biggs; seconded by Councilmember Boggs.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes. Motion carried eight to zero. Ordinance adopted. (Ordinance No. 2021-25)

*Motion made to amend the agenda and add a resolution authorizing the purchase of real property for Paragould Light Water and Cable and a resolution to waive competitive bidding for police cars made by Councilmember Biggs; seconded by Councilmember Rowland. All in favor.

ITEM #6

AN ORDINANCE TO WAIVE THE REQUIREMENTS OF A COMPETITIVE BIDDING FOR VEHICLES, AND FOR OTHER PURPOSES

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Mayor Agee stated that Captain Brent McCain with the Paragould Police Department was present to answer any questions the council may have. He stated that the police department is wanting to purchase two electric Tesla's to be utilized by the traffic division. This ordinance is needed because Telsa is the sole provider of these vehicles therefore competitive bidding is not available. Captain McCain has been researching the cost effectiveness of purchasing electric vehicles and has determined that each car will save approximately \$3800 in fuel a year for a savings of \$35,000 over the five year life expectancy of the vehicle.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Motion to adopt made by Councilmember Biggs; seconded by Councilmember Adams.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes. Motion carried eight to zero. Ordinance adopted. (Ordinance No. 2021-26)

ITEM #7

**A RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY WITHIN
THE CITY LIMITS OF PARAGOULD, ARKANSAS, AUTHORIZING THE MAYOR
AND THE CITY CLERK TO TAKE SUCH ACTION AS NECESSARY TO
ACCOMPLISH SAME, AND FOR OTHER PURPOSES**

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Mayor Agee explained that this resolution is needed to purchase land located south of GRT Rubber, Inc. near Johnson's creek from Asphalt Producers, LLC for \$10,000.00 to build a lift station for Paragould Light, Water and Cable.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2021-69)

ITEM #8

**A RESOLUTION AUTHORIZING THE TRANSFER OF REAL PROPERTY THAT IS
TO REVERT BACK TO THE ORIGINAL OWNER IF NOT USED AS A PARK AND TO
PROVIDE FOR THE EXECUTION OF A DEED CONVEYING REAL PROPERTY TO**

DANNY STAFFORD; AND FOR OTHER PURPOSES TO ACCOMPLISH SAME, AND FOR OTHER PURPOSES

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

Mayor Agee stated that Mr. Stafford gave this lot to the city in 2008 to be used for a city park. Mayor Agee stated that this property has not been used for a park and is not suitable for a park therefore should be returned to Mr. Stafford as stated in Resolution 2008-01.

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2021-70)

ITEM #9

A RESOLUTION TO DECLARE A BUILDING AND/OR A 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 BUILDING SEC. 10-240 THROUGH 10-247 – LOCATION: 803 WIRT STREET

Motion made that the resolution be offered by title, registered owner and address made by Councilmember Rowland; seconded by Councilmember Biggs.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

Motion made that the resolution be adopted by Councilmember Rowland; seconded by Councilmember Camp.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2021-71)

ITEM #10

A RESOLUTION TO DECLARE A BUILDING AND/OR A 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 BUILDING SEC. 10-240 THROUGH 10-247 – LOCATION: 622 WEST THOMPSON

Item removed from agenda. House has been removed by owner per Mayor Agee.

ITEM #11

A RESOLUTION TO DECLARE A BUILDING AND/OR A 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 BUILDING SEC. 10-240 THROUGH 10-247 – LOCATION: 102 SOUTH 22ND AVENUE

Motion made that the resolution be offered by title, registered owner and address made by Councilmember Rowland; seconded by Councilmember Biggs.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2021-72)

ITEM #12

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK 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 by Councilmember Rowland that the resolution be offered by title, owner, parcel number and amount only; seconded by Councilmember Biggs.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2021-73)

ITEM #13

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK 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 by Councilmember Rowland that the resolution be offered by title, owner, parcel number and amount only; seconded by Councilmember Biggs.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

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

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, did not vote (stepped out of council room); Biggs, yes; Boggs, yes; and Camp, yes. Motion carried seven to zero. Resolution adopted. (Resolution No. 2021-74)

ITEM #14

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK 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 by Councilmember Rowland that the resolution be offered by title, owner, parcel number and amount only; seconded by Councilmember Biggs.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes.

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

Motion made that the resolution be adopted by Councilmember Rowland; seconded by Councilmember Baine.

Roll call: Rowland, yes; Williams, yes; Adams, yes; Aden, yes; Baine, yes; Biggs, yes; Boggs, yes; and Camp, yes. Motion carried eight to zero. Resolution adopted. (Resolution No. 2021-75)

ANNOUNCEMENTS/PUBLIC COMMENT:

Mayor Agee stated the council was given packets with the financials, department incident report for July, 2021, and the July and August, 2021 Vector Disease Control reports.

Mayor Agee read a proclamation that he signed declaring September Prostrate Cancer Awareness month.

Also, Mayor Agee told the council and those present that there will be two public hearing held on October 11, 2021, before the council meeting. A public hearing regarding a street closing will be held at 5:30 p.m. and a Mission Outreach grant at 5:40 p.m.

Jon Williams, Chairman of the Greene County Republican Party, was present to address the council. Mayor Agee asked if he was there regarding the partisan issue that he addressed the council about on August 9th. Mr. Williams said that he was and Mayor Agee explain that this matter was taken under consideration by the council and would not be heard again unless he has new information to add.

Thomas McCaffery, of 502 South 33 ½ Street, addressed the council about drainage issues. Mayor Agee assured him that the issue is being addressed. The street department has started at Rockingchair Road and is in the process of cleaning the ditch out toward Mr. McCaffery's subdivision.

David King, Pastor of the House of Prayer, stated that he has circulated a petition and will be addressing the councilmembers individually.

Laken Williams, addressed the council concerning suspending the rules and waiving of the readings. She was concerned that by waiving the readings the council was not giving the public time to address the issues. Mayor Agee explained that the agenda is posted on the previous Friday for citizens to review for matters that may involve them. Also, Councilmember Rowland

explained that these matters have been discussed in committee meetings and in Planning and Zoning Commission meetings with no opposition. He stated that if there is a contested item that the council does take that into consideration and will not suspend the rules and hear the matter on multiple occasions.

ADJOURNMENT:

There being no further business to come before the council, Councilmember Biggs moved the meeting be adjourned; seconded by Councilmember Williams. All in favor. Meeting adjourned 7:24 p.m.

Josh Agee, Mayor

ATTEST:

Andrea Williams, City Clerk