

**Meeting of the Vilonia City Council
November 19, 2024**

Members present: Jim King, Joe Maxwell, Mike Matos, James Firestone, Lacosta Beene, Steven Craig

Meeting Prayer: Led by Mayor Scroggin

Pledge of Allegiance: By all.

Meeting called to order by Mayor Preston Scroggin.

Established quorum.

Approval of minutes for October 15, 2024 meeting: Motion of approval made by King, seconded by Matos, approved by all, motion passed.

Approval of Financial Statement for October 2024: Motion of approval made by Matos, seconded by King, approved by all, motion passed.

Reports of City Departments:

(A) **Fire Department:** Jimmy Hoofman presented. There were 9 permits in October and 2 so far this month (November) bringing the total for the year to 90 permits. The locker at the school's softball just finished final inspection. There have been 1002 runs. Recently completed training: seven members completed firefighter survival and first aid (First Responder), five members completed and passed FF1 testing, air management training. Upcoming training: SCBA annual testing will be November 27, five members will attend FF2 testing later this month, CPR class for New Life Pentecostal Church on December 9. Recent events: none. Upcoming events: Boot Drive starts this month on November 29th, Christmas Parade on December 7th.

(B) **Code Enforcement:** none

(C) **Planning Commission:** Brady Zweifel presented. The Planning Commission last met on November 7, 2024. Next scheduled meeting is November 21, 2024, at 7PM. Before the meeting, there will be a public hearing on a conditional use for a mobile home on Cemetery Street. Agenda items are the conditional use for a mobile home on Cemetery Street and a presentation on a potential laundry mat.

(D) **Police Department:** Brad McNew presented. Replacing ballistic vests, received a grant to help fund about \$6500 of the cost, but will still cost VPD around \$10000, as they are \$1000 to \$1500 each. The department will be doing low-light shooting at the range this week, so there will be night-time shooting sounds. On the nights VPD is not using the range, UCA PD will be using the range, so the sounds will be every night this week. Safety announcement – lock your cars and doors and keep your guns in your house. Security cameras are great but they don't help much when it's dark and the person is masked up.

(E) **Sewer Department:** Joe Maxwell presented.

- a. Still waiting on parts for the Barnard/107 pump/lift station. Brandon Betts (Sewer Superintendent) spoke to the parts manufacturer today and there is no ETA for the parts. Beene stated we'd been waiting on these parts for a long time and questioned whether we might look at another vendor; Maxwell stated the parts are very specialized and have very few manufacturers, so there aren't a lot of choices. Matos questioned who the manufacturer we were waiting for was; Maxwell replied he did not know. Scroggin stated Betts talked to the manufacturer this evening and was attempting to get a solid ETA. Each wet well, aka pump, of which the city has 25, is the original pump from 30 years ago, so each replacement part must be custom made and there are 4 or 5 different suppliers that must coordinate to make them and install them.
 - b. The sewer department has the opportunity to buy the acreage around the sewer plant. The sewer plant will need to be expanded in a few years, so this purchase would offer the space to do so. We've negotiated with Charlie Weaver about purchasing that land.
- (F) Street Department:** Matt Rust (Superintendent) presented. Finished in Saddle Creek. Having to help contractors. Finished Church Street for the most part. State Aid finished Naylor Road last week. They've worked hard to keep drainage ditches clear for all the rain this year. Rust stated the budget has \$40,000 for new equipment and the Street Department needs a new truck. The one requested is priced at \$49,336. The current truck was purchased used and has 265,000 miles on it; at that time, a new truck was unavailable. It's still difficult to find new trucks, but I found this one on State Bid and that's what the price is. Matos asked what was found on State Bid; Rust replied 2024 F250 4-wheel drive, essentially what he has now but a new model. Motion to increase Street Department's new equipment budget from \$40,000 to \$49,336 made by Maxwell, seconded by Beene, all in favor, motion passed.
- (G) Parks & Rec:** Mayor presented. Still working on finishing the sidewalks at the new playground at Softball. The new equipment at Parkwood (Remembrance Park) is getting a lot of use.

Public Comment: None

Announcements:

- (A) Department recognition by LaCosta Beene:** Beene recognized The Veterans Museum. They are planning a Spirit of Christmas on December 7th; at 9AM Santa will be there and at 11AM they're having a soup and gumbo lunch. They will have local vendors there. They are an asset to our community and we should all utilize that and support them, help them, volunteer.
- (B) Vilonia Area Chamber of Commerce:** On behalf of the Vilonia Chamber of Commerce, Scott Berrier of Vilonia Treasure Chest, presented:
 - The Monthly luncheons are opened to the public, both members and non-members. This is a great way to network, meet others and enjoy a delicious meal and beverage for a low price of \$8.75 at Simple Simon's Pizza of Vilonia.
 - Upcoming guest speakers are as follows:
 - November 21st Jessica Lingo with Kinetic
 - December 19th Eagle Bank

- 2025 Speakers are
 - January 18th Lindsey with Pathfinders
 - February 20th Charlotte with Faulkner County Republican Women
 - If anyone would like to be our guest speaker you may contact the Chamber
- We would like to work with the city council more to help local businesses. Our board meetings are always open to you, and we ask you to please come be a part of the team. Board meetings are the second Thursday of each month in the City Hall Courtroom at 2PM.
- Our board members are changing. The current president is stepping down, so we will be voting in a new president. We are also looking to add new members for the upcoming 2025-2026 year. If you know of anyone interested, please have them contact me or one of the other board members for more information. All contact information is on our website, www.viloniachamber.org.
- November 30th is Shop Small Shop Local Saturday. Vilonia Chamber is promoting and partnering again with American Express.
 - Shop Small promotional swag will be distributed to area Chamber Members this week. Local businesses that want to participate and donate an item for the Christmas Give Away event please contact the Chamber. All the information for businesses to participate is on our website.
 - Those who would like to enter must go to the participating businesses, take a selfie, post and tag the Chamber and hashtag #ShopSmallShopLocal2024 for a chance to win. Each post has a chance to win.
- Our Annual Awards Banquet is set for Saturday, February 22nd, at the Eagles Nook with Renewal Ranch catering. Tickets are \$40 each. In January, you can go online to our website and order tickets. We would really appreciate the city's officials supporting this event. City workers, teachers, volunteers of the year, and more are recognized at this event.
 - Tiered sponsorships are also available.
 - We are confirming with a Local Legend to be our guest speaker, so please stay tuned.
 - Nominations for School Employee of the Year, Student of the Year, along with other categories will be available for voting on Facebook.
- Thank you, City of Vilonia Fire Department and the Vilonia Jr Firefighters for placing the US flags along HWY 64 during Veterans Day weekend. We appreciate you.

(C) Vilonia Community Development Corporation: no update.

(D) The Planning Commission will meet NOVEMBER 21, 2024, at 7 PM. There will be a public hearing prior to the meeting regarding conditional use for a mobile home on Cemetery Street.

(E) Mayor Notes:

- a. **Thank you to everyone involved with the 2024 City of Vilonia Trunk or Treat.** It was incredibly successful and lasted 2.5 hours.
- b. **The 2024 Christmas Parade theme is "Winter Nights and Magical Lights" and will be Saturday, December 7, at 5:30PM.** Please visit www.cityofvilonia.net/parade for more information.

- c. **The 2025 proposed budget will be presented to the council by the December 1st deadline.**
- d. **App** – Download the Connect Vilonia app on the Apple and Android App Store to get notifications directly on your phone.
- e. **If you have any issues that need to be addressed, call City Hall at 501-796-2534 ext 4. We keep a list of those work orders to help us keep up with stuff.**
- f. **November is the month for annual one-time wage adjustments. I recommend \$250 for part-time and \$500 for full-time.** Motion to approve one time wage adjustment in those amounts made by Craig, seconded by Beene (and King), all in favor, motion passed.
- g. **I would like to recognize Mr Joe Maxwell as Veteran of the Year.**
- h. **There will be a reception to recognize Pastor Jim King after the December Council Meeting.** We want to recognize his service to the community. Thank you, LaCosta Beene, for getting that organized.
- i. **We are looking tentatively at Wednesday, January 1, 2025, at 3PM for swearing in for anybody that would like to do that.**
- j. **City Office Closure:** Thursday, November 28th, and Friday, November 29th, for Thanksgiving.

Old Business:

(A) ANNEXATION ORDINANCE 2024-3 (BENNY DALLAS) – Second Reading.

Motion to read by title only made by Craig, seconded by Beene, all in favor, motion passed. Final reading will be in December.

- a. Attorney Landon Sanders listed the issues brought forth during the first reading: flooding, fire hydrants, and water. We determined it was unnecessary to have another fire hydrant. The landowners are agreeing to take responsibility for the cost of the water and the sewer. As for the flooding, no further comments and no knowledge of neighbors coming forth on the issue.
- b. Craig stated Section 2 should be edited to show the landowners will be taking the cost of the sewer and water; Sanders agreed to make that edit, as well as stating upkeep of the road would be the responsibility of the landowners.
- c. Craig requested clarification on the proposed easement for sewer access. As stated, it is going through the property of a third party private landowner. There was a verbal agreement that has not become written. Sanders stated they are looking for another person to give easement and they have a couple other options besides the one the landowners have been speaking with; worst case scenario, they will have septic and not sewer. Matos stated he would be against annexing properties on septic without easements into the city; the rest of the council seemed to agree.
- d. Craig confirmed the properties to be annexed would be contiguous; Sanders and Scroggin both confirmed it was.
- e. Beene asked if the landowners were aware police would not be able to patrol that road. Craig confirmed police and fire would respond to 911 and emergency calls, but could not patrol down a private road. Chief McNew confirmed that was accurate; they cannot patrol a private road without permission.

- (B) UPDATE ON ORDINANCE TO REDUCE THE SPEED LIMIT INSIDE SUBDIVISIONS WITHIN CITY LIMITS** – Presented by LaCosta Beene. We are still working on the wording, looking at several different ordinances to compare it. Requested input from other council members. Matos requested it be worded in such a way to not be a blanket requirement, allowing the city to set speed limits by area instead. King requested the city enforce the speed limit as rigorously as they post it.
- a. Much discussion was held:
 - i. Speed bumps would slow down fire trucks and can be a liability in a litigious society.
 - ii. Following a speed limit is a civic responsibility.

New Business:

- (A) RESOLUTION 2024-7 NATIONAL FITNESS CAMPAIGN** – Resolution to adopt and allocate funds for an Outdoor Fitness Court as part of the 2025 National Fitness Campaign.
- a. Matos motioned to amend the fourth paragraph from the title and remove the two words “budget allocations,” seconded by Craig, all in favor, motion passed.
 - b. Motion to approve the amended resolution made by Matos, seconded by Craig, all in favor, motion passed.
- (B) PROCLAMATION FOR NATIONAL NATIVE AMERICAN HERITAGE MONTH** – Designating the month of November as National Native American Heritage Month.
- (C) RESOLUTION 2024-8 SALE OF PROPERTY AT 6 GREEN MEADOWS TO MELVIN SIEBENMORGEN** – Craig caught a typo wherein the second whereas clause stated Mr. Siebenmorgen lived at 6 Green Meadows, which should instead read 4 Green Meadows. Motion to approve by Matos, seconded by Beene, all in favor, motion passed.
- a. **Discussion:** the property is in a flood plain and can never be built on, can only be used for agricultural purposes. Mayor Scroggin questioned and Melvin Siebenmorgen confirmed he was aware of that restriction. Mayor stated appraisal cost would be included in sale cost.
- (D) Motion to authorize the mayor to sell the property at 6 Green Meadows if the buyer (Melvin Siebenmorgen) agrees to the cost of the appraised value of \$10,000, the appraisal fee (\$400), and all closing costs associated with it made by Craig, seconded by Matos (and Beene), all in favor, motion passed.**
- (E) ORDINANCE 2024-4 CONTRACT WITH VCDC** – An ordinance authorizing dealings with the Vilonia Community Development Corporation. First reading. Much discussion was held.
- a. **Discussion:** Matos stated this was the first of its kind, as the city had not made such an ordinance with a non-profit organization previously. Beene stated she would not vote on VCDC issues that came before the council. Craig stated this ordinance was not legally required but due to plans of the VCDC to lease city property for a VCDC organized community garden, which VCDC would possibly make money from, created a legally grey area under Arkansas Law 14-42-107, so VCDC wanted to be transparent in that their board members were also elected officials. Craig stated he agreed with Councilperson Beene that he would not feel comfortable voting on VCDC issues brought before the Council.

- b. Matos stated he had six questions for VCDC regarding this ordinance.
- 1) Question 1: In the past, we've had similar ordinances such as what's been mentioned here but they've always been with for-profit companies, all of which provide goods and/or services to the city for remuneration. What goods and/or services are you providing to city for monetary consideration wherein councilman Craig or councilwoman Beene would benefit financially?
 - a) Craig – none he is aware of, so the VCDC is not required to have this ordinance. This ordinance was recommended by municipal league for clarity and transparency. Much discussion on what constitutes a vested interest.
 - 2) Question 2: In recent years, this body has had a history of not doing business with nonprofit organizations and particularly, the Chamber of Commerce. Specifically, the city has not purchased a table at the annual banquet, stating it is a conflict of interest, and I do agree. What makes the VCDC organization different from the Chamber of Commerce wherein there's a necessity to do business with your organization over their organization?
 - a) Craig reiterated this ordinance is for clarity not to establish a contract.
 - 3) Question 3: What is your definition of a vested interest?
 - a) Craig – we serve on the board. Much discussion was held on the definition of vested interest and whether money was required or if positional power counted. Matos stated he found this ordinance unnecessary and would prefer to only have the actual contract (in this case, the land lease for the community garden), as this ordinance is an open-ended contract. Much discussion was held and tempers began to heat so the mayor noted the question had not been answered and requested Matos move to his next question.
 - 4) Last question is for the chair, a procedural question: An ordinance has to be passed by a two-thirds majority vote of the whole body, is that correct?
 - a) Mayor stated yes. Firestone stated for six members, it would take four votes.
 - 5) Beene asked Matos if he did not like the ordinance because he felt it was a contract. He stated it was an open-ended agreement. Beene then stated Matos wanted transparency, which this ordinance was designed to bring. Matos stated it had nothing to do with transparency because when you get ready to lease the land, you will bring that contract and the council will vote on the approval of that lease and that is transparent. Matos stated if the council passed this ordinance, he would immediately bring an ordinance before the council where the city agreed to buy a table at the chamber banquet this year. Much discussion was held. Beene stated the ordinance was to show the VCDC board included two elected officials and when the land lease agreement came before the council, those elected officials will not be voting on it. Maxwell stated this ordinance says nothing about leasing of any land; it says Beene and Craig are on the VCDC board and if that board needs to do business with the city, we know they're on the board and requested other

council members stop talking about the garden when discussing this ordinance.

Motion to adjourn made by King.

Craig interjected, asking the Council to think about the possibility of paying Planning Commission members. Maxwell stated the Sewer Committee would immediately request payment for their volunteers – to which Matos and Craig stated they fully supported that, but it would come out of the sewer budget. Maxwell then seriously suggested members keep in mind that if the Planning Commission members were paid, other boards would likely expect their positions be paid as well.

Motion to adjourn made by King. Meeting adjourned.

Date: 12-17-24

Mayor: 

Recorder: 