

**Meeting of the Vilonia City Council
January 21, 2025**

Members present: Mike Matos, Brady Zweifel, Joe Maxwell, 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 December 17, 2024, meeting: Motion of approval made by Maxwell, seconded by Zweifel, all in favor, motion passed.

Approval of Financial Statement for December: Motion of approval made by Maxwell, seconded by Firestone, all in favor, motion passed.

Reports of City Departments:

(A) Fire Department: Council Person Craig presented. Chief Hoofman was not present as he was attending the Faulkner County Fire Chiefs Association meeting. Total runs for 2024 was 1102. There have been 50 runs so far this year. There were 5 permits last month; the total for 2024 was 97 permits. There have been 3 permits so far this month; the total for this year is 3 permits. Recently completed training: regular shift training, which requires 10 hours of training a week between all the guys.

(B) Planning Commission: no report presented. No meeting in January.

(C) Police Department: Brad McNew presented. Looking to fill last position, hopefully by next meeting. Need to bid-to-order for another truck, \$49,109 for just the truck. Total cost will be more with equipment, but still working on the price for that. The purchase price of the truck is already allocated in the budget. Motion to approve purchase of pickup truck or F-150 for the Police Department made by Matos, seconded by Craig, all in favor, motion passed.

(D) Sewer Department: Joe Maxwell presented. The 107 pump station (Rick Barnard) now holding on bolts for the bracket panel, but hope to be done by end of week. The pump is 35 years old (original). Fox Run pump will also need to be redone, which we are getting ready to do. Sewer has redone many of the pumps, not sure how many are left. Humbarts is doing all the work. Matos asked if Fox Run had been on a “reservoir pump” (temporary pump), stating he had seen the “orange looking pump” and heard something, but wasn’t sure what it was as he hadn’t really inquired about it because he hadn’t received any complaints. Maxwell stated he had not heard about that, but was unsure. Matos stated he knew that orange pump had been there for several years. Maxwell stated he did not think it was a temporary pump, but didn’t know what it was so he would go out tomorrow to see.

- (E) **Street Department:** Mayor presented. Church Street and Naylor Road were striped – part of that federal grant was the adding of the bike lane chevrons, and we’ve had some positive feedback. Naylor got accidentally marked with bike lanes. We will be working on getting bids to finish lighting by City Hall, I estimate around \$50,000 - \$80,000.
- (F) **Parks & Rec:** Mayor presented. Director Terry Shannon is at basketball tonight, so unable to attend. Baseball, Softball, and Blastball (Spring Ball) signups opened today and will close on February 28th. Blastball is open to 3 and 4 year olds, Baseball/Softball is open to 5 to 15 year olds. Registration forms can be found in the lobby of City Hall or online at www.cityofvilonia.net/parks, and returned to City Hall lobby dropbox or mailed in to PO Box 188, Vilonia AR 72173. The Connect Vilonia app is a great way to keep up with all that and other important information we push out. Firestone asked about the National Fitness Campaign Grant; there is no news yet.

Public Comment: none

Announcements:

- (A) **App** – Download the Connect Vilonia app on the Apple and Android App Store to get notifications directly on your phone. Notifications include announcements such as Parks and Recreation registration dates, Fire Department Burn Bans, and City Office closings.
- (B) Mayor stated there have been calls about small advertising signs popping up in subdivisions, such as trash and internet. Off-premise signs are not allowed under Vilonia Code and I’ve been asked to have Code Enforcement take a look at those. Craig asked if there would be a grace period before they were picked up, to which the Mayor replied yes. Craig then asked if the signs do get picked up, where the owners could retrieve them. Mayor replied confiscated signs can be picked up at the Vilonia Street Department on North Mount Olive Road. Mayor said the businesses would be contacted.
- (C) **Department recognition by LaCosta Beene:** Beene recognized the Vilonia Police Department. Every January, the police are recognized, as National Law Enforcement Appreciation Day is January 9th (LEAD). We are very fortunate to have the men and women that are here protecting us and so we just want to say thank you and we appreciate all that you guys do.
- (D) **Vilonia Area Chamber of Commerce:** On behalf of the Vilonia Chamber of Commerce, Jill Bonnema presented:
- The Chamber of Commerce has sent out their membership renewals for 2025. Those are \$65 each, \$65 each for a new member, or \$25 for an individual.
 - The January luncheon was well attended.
 - We had our 2025 election of officers.
 - The President is Jackie Fowlkes, Vice-President is Cynthia Hanks, Treasurer is myself (Jill Bonnema), Secretary is Landon Runyan.
 - Our Annual Awards Banquet, called “Let’s Mingle,” is set for Saturday, February 22nd. Nominations are due by January 31st. We’re about halfway sold out. You can contact me by calling me at Vilonia Realty and pressing 4. Our speaker is Drake Toll; he’s a local and he’s with The Party Animals: Savannah Banana organization out of Georgia now.
- (E) **The Planning Commission will not meet in January. They will next meet on February 27, 2025, at 7PM**

Old Business:

- (A) ANNEXATION ORDINANCE 2024-3 (BENNY DALLAS)** – Final Reading. Attorney Landon Sanders began by stating they had obtained a signed easement agreement and permanent utility easement signed all the parts. The easement would be over the Stiles property at 31 Appaloosa Drive. Sanders handed the agreements to the council to review. Motion to read by title only made by Craig, seconded by Beene, all in favor, motion passed. Ordinance read by title only. Motion to approve made by Maxwell, seconded by Craig, discussion held. Changes to ordinance, as of November meeting, confirmed: city has no responsibility to maintain road; water and sewer installation/upgrade costs paid by landowners. Matos stated his aversion to taking in property with a private drive. Craig confirmed the Stiles were aware of the right-of-way given to the city and the restrictions imposed thereof, which are listed in the easement agreement. Craig then asked the Mayor for confirmation the city would take over after a year, as far as the maintenance and such, to which the Mayor nodded and stated there was a warranty period of about a year on it. It was stated Vilonia Water Works runs all the way down Benny Dallas Drive to a hydrant. Craig stated the city would not be responsible for upgrading that line, to which it was stated installations to services to have them hooked up would be paid for by the landowners, existing lines would be maintained by Vilonia Water, and the city would not be paying for upgrades, such as increasing line diameter, adding lines, or adding hydrants. Matos requested confirmation of where the ordinance stated city would not be responsible for future upgrades/maintenance; Sanders responded that was not explicitly stated in the ordinance as it had never been requested. Mayor stated the sewer station for the new area would be gravity flow, for which he did not expect any major upgrades. Craig requested confirmation the assigned ward would be Ward 3. Matos questioned the ability for the Council to guarantee Water Works service as the Water Works is separate from and not affiliated with the Council. Others reiterated the water service was already available. Discussion held. Vote called: 5 in favor, 1 present (Matos), motion passed. Sanders stated he'd get the easement agreements recorded with the county tomorrow and send them to the Mayor's office.
- (B) ORDINANCE 2024-4 CONTRACT WITH VCDC** – Final reading. Ordinance read in full. Firestone stated the ordinance was well written and he appreciated Craig's time and effort and he understood the intent behind the ordinance, but this was not a necessary ordinance, and would cost the city money for printing in paper, sending for codification, etc. He stated he felt ordinances should be necessary. Mayor applauded the VCDC for erring on the side of caution. Matos stated if this ordinance went to vote, he had been thinking and he had a vested interest in VCDC because his business is a member. Discussion held. Ordinance pulled by submitter Council Person Steven Craig.

New Business:

(A) Appointments by Mayor

- a. City Attorney/Prosecutor: Dustin Chapman** will be replacing Danny Rasmussen, who is retiring.
- b. Chief of Police: Brad McNew**
- c. Fire Chief: Jimmy Hoofman**

- d. Planning Commission: Bob Barham** (replacing Kim Williams), **Brandon Ayers** (replacing Brady Zweifel), and **Patrick Hegeman** (replacing Tyler Wofford). Reappointments for 3-year terms: **Trey White, Glen Willhite, Todd Beene**

Motion to approve the appointments made by Matos, seconded by Craig; Maxwell interjected to request inclusion of Sewer Committee on the list of appointments.

- e. Sewer Committee: Joe Maxwell, Cindy Sellers-Roach, Al Sellers, and David Pillow.**

Motion to approve the appointments with the inclusion of the Sewer Committee made by Matos, seconded by Craig, all in favor, motion passed.

(B) Approval of Additions and Deletions for 2022. The audit was presented to the council in July 2024.

- a.** List read by Mayor:

- i.** Additions: 2022 Police Vehicle Ford Explorer (two), 25 acres on North Mount Olive donated by Weaver Family, Street Department Kubota K series track evader, Police Department 2021 Ford pickup, City/Park 5 acres across from Softball Complex on North Mount Olive, tornado siren at Street Department on North Mount Olive.
- ii.** Deletions: Police Department 2004 Chevy pickup, 2012 Dodge Charger, 2014 Chevy Tahoe, 2014 Chevy Caprice; Street Department traded in the old Kubota excavator

- b.** Motion to approve by Beene, seconded by Firestone; Matos requested clarity on what the purpose of the list was. Mayor explained that under legislative audit rules, you must have an additions and deletions list. Craig added the list could not be presented until after the audit is completed and accepted, and that the additions and deletions list for 2023 should also be presented soon, as the 2023 audit had recently been completed. Vote called, all in favor, motion passed.

(C) RESOLUTION 2025-1 CITY COUNCIL CODE OF CONDUCT – Submitted by Council Person Joe Maxwell Resolution read in full. Motion to approve made by Maxwell, seconded by Beene; discussion called by Matos.

- a.** Matos stated he voted for the City Code of Conduct last year, but this year the resolution was different, specifically:

- i.** page 2, 4th bullet from bottom of page, removed “during meetings”
- ii.** last two bullet points of the document, “in their conduct, actions, speech and written words” has been added
- iii.** pages 3 and 4, “in their conduct, actions, speech and written words” has been added
- iv.** page 5, the last bullet has been added in its entirety “Make no personalized comments in their speech and written words about other council members and elected officials.”

- b.** Discussion held as to the intention of the resolution and whether it implied a restriction upon personal freedoms and rights.

- c.** Motion to table the resolution and send to the City Attorney for further review made by Matos, seconded by Zweifel, all in favor, motion passed.

(D) RESOLUTION 2025-2 ESTABLISHING RULES FOR CITY COUNCIL

MEETINGS – Submitted by Council Person Steven Craig Introduction by Craig

stated this resolution is identical to the similarly named resolution passed last year, no changes made. State law requires, either by ordinance or resolution, how we conduct business. Motion to approve made by Matos, seconded by Beene, all in favor, motion passed.

- (E) **RESOLUTION 2025-3 ALLOWING MEMBERS TO PRESENT AND EXPLAIN PROVISIONS OF A SPONSORED RESOLUTION, ORDINANCE OR MOTION BEFORE IT IS CONSIDERED BY THE BODY FOR DISCUSSION – Submitted by Council Person Mike Matos** Introduction by Matos stated it has been standard practice for the presenter of an ordinance, resolution, or motion has the ability to explain and “sell” the proposition to the body, and we do not follow the Robert Rules of Order, but last month, when I attempted to explain my submitted revision to the VCDC ordinance, I wasn’t permitted that right. This resolution would give the council members the opportunity to present and explain, as we have been doing. This being the first month of the year, it would set a precedent to how we do business. With that, I move its approval. Resolution read in full. Seconded by Craig (“for discussion purposes”). Council entered discussion. Craig referenced Resolution 2025-2, stating the city will follow the rules and regulations set forth in City Code Chapter 2.16.10. Under procedures, this states we will follow the procedural rules of Municipal Officials Booklet and not Robert’s Rules. Per the booklet, under proposing a motion or resolution, it says “an occasional brief introductory remark may preface a motion but discussion or debate is usually not permissible until a motion has been stated by the mayor and is before the council for discussion. If it is desirable to have discussion before a motion can be formulated, this may be done by moving that the subject be considered informally.” Since we passed the resolution this year that says we follow these rules, its in our code already that we allow a brief discussion, so I think it is a moot point to pass another resolution that allows an introductory remark. Matos maintained this resolution does not conflict with the previous resolution but instead supplements it. Much discussion held. Voice vote called: Craig – No, Beene – No, Firestone – No, Maxwell – No, Zweifel – No, Matos – Yes; 1 in favor, 5 against, motion failed.

- (F) **RESOLUTION 2025-4 RECOGNIZING THE EQUALITY OF ALL COUNCIL MEMBERS – Submitted by Council Person Mike Matos** Read in full. Matos stated this resolution was intended as a supplement to a code of conduct, stating everyone recognize and understand everyone are equal and that, within the confines of the law, there be a uniform system, so we’re all on the same page and working towards the same thing and benefit the community and working together. Motion to approve made by Matos, seconded by Zweifel (“for discussion, for clarification”), discussion entered.
- a. Firestone referenced the code of conduct, page 3, top bullet, “all members of the city council have equal votes, no council member has more power than any other council member and should be treated with equal respect.” Thus, this resolution is repetitive. Craig reminded that resolution was tabled. Firestone suggested tabling this resolution as well. Matos suggested blending the two resolutions together into one. Matos restated his intention to level the playing field between council members so one council member gets inside information on what’s going on in the community while another is excluded. Craig stated while the citizens have the right to take their complaints to council members, the council members still have to follow the proper procedures to report that complaint. Specifically, fill out a

yellow sheet by calling Kelly, emailing cityhall@cityofvilonia.org, or calling your council member. Matos requested clarification on what the uniform system the Mayor wanted the council to follow; Mayor replied to call him or call the office, and we'll fill out a yellow sheet on it. Much discussion held.

- b. Motion to give this resolution, with Resolution 2025-1, to the city attorney for review made by Maxwell, seconded by Firestone, all in favor, motion passed.
- c. City Attorney Chapman requested future requests for review be through email and he would issue a written, one-page memo and circulate back to the council for them to debate. Chapman stated his immediate obvious concern was that the code of conduct had no method of enforcement. He also suggested using a pledge rather than a resolution.
- d. Matos requested the Code of Conduct resolution passed in 2024 also be sent to the city attorney.
- e. Chapman stated he would keep the emails in a single thread inclusive to all council members to prevent redundancies. Craig asked if that would violate FOIA as the council members would be discussing a matter that may come to vote, in a group, away from the public setting. Chapman stated that since the email is written format, it would not violate FOIA.
- f. Craig requested City Clerk inform the Municipal League of the change in City Attorney.

Motion to adjourn made by Firestone. Meeting adjourned.

Date: 2/25/25

Mayor: 

Recorder: 