

# **REGULAR CALLED MEETING BOARD OF DIRECTORS**

**Boardroom**

**September 18, 2018**

**5:30 p.m.**

## **AGENDA**

1. Call to Order Mayor James Calhoun
2. Invocation
3. Approval of Board Minutes from September 4, 2018 & August 7, 2018 – Mayor Calhoun
4. Second Reading of Ordinance Setting 5 Mill Rate – Gary Brinkley
5. Second Reading of Ordinance Regarding Employee to Contract Services – Gary Brinkley
6. Public Hearing for 2014 Arkansas Energy Code and Referenced Code – Anita Wiley
7. Consideration and Action to Adopt Ordinance for 2014 Arkansas Energy Code and Referenced Code – Anita Wiley
8. Public Hearing for 2017 Electrical Code and Referenced Code – Anita Wiley
9. Consideration and Action to Adopt Ordinance for 2017 Electrical Code and Referenced Code – Anita Wiley
10. Acceptance of Ward 2 Resignation – Gary Brinkley
11. Declare a Vacancy Ward 2 – Gary Brinkley
12. City Manager's Report – Gary Brinkley
13. Routine Business – Mayor Calhoun
14. Adjournment – Mayor Calhoun

## **AGENDA ITEM # 3**

**REGULAR CALLED MEETING  
BOARD OF DIRECTORS**

**Boardroom**

**September 4, 2018**

**5:30 P.M.**

**MEMBERS:**

James Calhoun, *Mayor*  
Taylor Chaney, *Ward 1 Director*  
Delton Simpson, *2 Director -Absent*  
Scott Byrd, *Ward 3 Vice Mayor -Absent*  
Joann Nelson, *Ward 4 Director- Absent*  
Jason Jones, *Ward 5 Director*  
Roland Gosey, *At Large Director*

**OTHERS:**

Gary Brinkley, *City Manager*  
Jennifer Story, *City Clerk*  
Tammy Beeler, *Treasurer*

*(See attached list)*

**CALL TO ORDER**

Mayor Calhoun called the meeting to order at 5:30 p.m.

**INVOCATION**

Director Jones.

**APPROVAL OF MINUTES**

A motion was made by Director Jones, seconded by Director Chaney to approve the minutes from the August 21<sup>st</sup>, regular called meeting of the Board of Directors. **The motion passed with a roll call vote and the vote was as follows:**

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Delton Simpson	“Absent”	Jason Jones	“Aye”
Joann Nelson	“Absent”	Mayor Calhoun	“Aye”
Scott Byrd	“Absent”		

**SUSPEND THE RULES TO DISCUSS THE RESOLUTION TO APPROVE  
THE SELL 1306 CLAY**

A motion was made by Director Jones, seconded by Director Chaney to suspend the rules to approve agenda items 3A Resolution to sell the property at 1306 Clay Street. **The motion passed with a roll call vote and the vote was as follows:**

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Delton Simpson	“Absent”	Jason Jones	“Aye”
Joann Nelson	“Absent”	Mayor Calhoun	“Aye”
Scott Byrd	“Absent”		

### **APPROVAL OF RESOLUTION TO SELL 1306 CLAY STREET**

Mr. Brinkley addressed the Board and informed them concerning the property at 1306 Clay owned by the City. The Board had approved the sale of the property on July 17, 2018. The title company needs a Resolution to verify the sale of the property to Mr. Anthony Roberts. First National Title no longer accepts approved Board minutes for the closing transaction.

A motion was made by Director Chaney, seconded by Director Jones to adopt resolution and authorize the City Manager to sign the necessary documents. **The motion passed with a roll call vote and the vote was as follows:**

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Delton Simpson	“Absent”	Jason Jones	“Aye”
Joann Nelson	“Absent”	Mayor Calhoun	“Aye”
Scott Byrd	“Absent”		

### **APPROVAL READING OF ORDINANCE 5 MILL RATE**

**AN ORDINANCE ASSESSING A FIVE MILL TAX AGAINST THE REAL AND PERSONAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ARKADELPHIA, ARKANSAS, FOR THE TAXABLE YEAR 2018 COLLECTIBLE IN 2019 AND FOR OTHER PURPOSES**

Mr. Brinkley presented to the Board the 5 mil ordinance. He stated this is not a new tax but a yearly ordinance required to be presented to the Quorum Court to receive the city’s portion of the real and personal property taxes.

Director Jones made the motion, seconded by Director Gosey to place this ordinance on its first reading. **The motion passed unanimously on a roll call vote.**

The Mayor called for the Clerk to read the ordinance in its entirety.

Director Jones made the motion, seconded by Director Gosey to place the ordinance on its 2<sup>nd</sup> reading title only at the next schedule Board meeting. **The motion passed with a roll call vote and the vote was as follows:**

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Delton Simpson	“Absent”	Jason Jones	“Aye”
Joann Nelson	“Absent”	Mayor Calhoun	“Aye”
Scott Byrd	“Absent”		

### **APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH MILESTONE SK, LLC**

The intent has always been for the property owned by the Millstone group to be voluntarily annexed into the city of Arkadelphia once the hotel deal was confirmed.

The time has come for the annexation to occur. Due to the length of time for document accumulation and processing with Little Rock and the hotel being ready to close on their loan, our attorneys drafted a Memorandum of Understanding (“MOU”) to be executed by both parties that the annexation will occur. Staff requested the Board approve the MOU and authorize the City Manager to sign as we continue to work on the official documents to be submitted to the State.

After a brief discussion, a motion was made by Director Gosey, seconded by Director Jones to allow the City Manager to sign all necessary documents. **The motion passed with a roll call and the vote was as follows:**

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Delton Simpson	“Absent”	Jason Jones	“Aye”
Joann Nelson	“Absent”	Mayor Calhoun	“Aye”
Scott Byrd	“Absent”		

### **APPROVAL OF CHANGE ORDER #2 FOR FEASTER TRAIL CONNECTOR**

City Manager submitted for approval Change Order Number Two for the Feaster Trail Connector. This will allow the Feaster Trail to run under the N. 10<sup>th</sup> street connecting the east to the west trails. This project was redesigned numerous times until it was confirmed and bid out on December 21, 2017. Regrettably, there are two issue that require additional compensation. This is an additional \$8,250 in material removal and haul off and, \$1,725 for revetment work not originally bid. The city removed 115 yards of material which saved the city \$2,185. Change order number two cost will cost \$9,975.00 The City will use \$5,340.23 in bond money. Staff requested approval of Change Order Number Two in the amount of \$9,975.00 and authorize the City Manager to sign and the necessary documents.

After a brief discussion, a motion was made by Director Jones, seconded by Director Gosey to allow the City Manager to sign all necessary documents. **The motion passed with a roll call and the vote was as follows:**

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Delton Simpson	“Absent”	Jason Jones	“Aye”
Joann Nelson	“Absent”	Mayor Calhoun	“Aye”
Scott Byrd	“Absent”		

### **RECOMMENDATION FROM THE AIRPORT COMMITTEE TO SELL TIMBER**

The Airport Committee met on Monday, August 27<sup>th</sup> and unanimously voted to recommend the city to sell its timber on 20 acres east of the airport to Anthony Timber Lands in the amount of \$11,270.00. Mr. Brinkley requested the Board’s approval of the Airport Committees recommendation and for the staff to move forward with a contract with Anthony Timber Lands to sell the timber off our 20 acres at the price of \$11,270.00 and allow the City Manager to sign all necessary documents.

Director Jones made a motion, seconded by Director Gosey to approve the City Manager to move forward and to execute all documents necessary. **The motion passed on a roll call vote and the vote was as follows:**

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Delton Simpson	“Absent”	Jason Jones	“Aye”
Joann Nelson	“Absent”	Mayor Calhoun	“Aye”
Scott Byrd	“Absent”		

#### **UPDATE ON FIRSTNET COMMUNICATION SYSTEM**

Mr. Brinkley informed the Board the city is looking into changing our cell phone provider for first responders. In the wake of the attacks on 9/11 the need for a first-responder specific communication network was identified as a priority across the nation. The FirstNet network establishes a cellular network specifically for first responders, which is given priority over the standard cellular network at all times. FirstNet ensures priority and preemption of all FirstNet users 24/7/365. Functionally, every other cellular user is moved over and gets out of the way so first responders have **full network access**. Currently AT&T has the governmental contract to provide FirstNet cellular services across the nation for police/fire/ems services. The FirstNet monthly cost is approximately \$40 less than our current provider. We hope this change allows us to serve the citizens in a more efficient manner, at a lower cost with better interagency communication.

No action was need on this agenda item.

#### **ORDINANCE REGARDING EMPLOYEE TO CONTRACT SERVICES**

##### **AN ORDINANCE APPROVING CERTAIN CITY EMPLOYEES AND RELATIVES OF CITY EMPLOYEES TO CONTRACT WITH THE CITY OF ARKADELPHIA, ARKANSAS AND FOR OTHER PURPOSES**

Mr. Brinkley presented to the Board the ordinance concerning employees doing business with the city. He stated this ordinance is from a 2016 audit finding from an employee that is no longer employed with the city. Mr. Ricky Still worked for a company the City Fire Department does business with.

Director Jones made the motion, seconded by Director Gosey to place this ordinance on its first reading. **The motion passed unanimously on a roll call vote.**

The Mayor called for the Clerk to read the ordinance in its entirety.

Director Jones made the motion, seconded by Director Gosey to place the ordinance on its 2<sup>nd</sup> reading title only at the next schedule board meeting. **The motion passed with a roll call vote and the vote was as follows:**

Taylor Chaney	“Aye”	Roland Gosey	“Aye”
Delton Simpson	“Absent”	Jason Jones	“Aye”
Joann Nelson	“Absent”	Mayor Calhoun	“Aye”
Scott Byrd	“Absent”		

## CITY MANAGER'S REPORT

September 4, 2018

- Director Simpson tendered his resignation this morning, effective immediately. He is assuming additional ministry work in Louisiana thus he will not have sufficient time to serve his constituents. You'll declare the vacancy at the next meeting and we'll have interviews scheduled for the Oct. 16<sup>th</sup> meeting.
- Planning Commission will meet on Thursday night, Sept. 6<sup>th</sup> at 5:30 pm in a workshop format to discuss design standards for our residential districts. The meeting will occur in this board room.
- Street crews were able to rent a new piece of equipment to mill out the bad spots on Walnut. You will notice where the repairs were made the surface was smooth to drive on. It is a difference maker for street repairs. This milling machine is about \$100,000 to purchase so we will continue to rent it.
- The Parks Committee met on August 27<sup>th</sup> at the Rec Center. They are very supportive of the MLK Park and supports staff's efforts with the visioning committee and Half consultants. They are eager to see where this journey takes us.
- On August 27<sup>th</sup> we received a letter from Mayor Lester of Gum Springs that stated they were working with an Arkansas Natural Resource Commission grant to rebuild their entire water system. Their council on August 21<sup>st</sup> passed a motion to consider consolidating the Gum Springs Water Utility with the Arkadelphia Water Utility.
  - Staff has responded with a letter to Mayor Lester asking for specific information that will allow us evaluate the business and be able to perform our due diligence. We will bring our findings before the Water Commission who will make a recommendation to the Board of Directors.
  - This due diligence could take up to 90 days to complete depending upon how quickly information flows and follow up questions are answered.
  - Staff will keep you apprised.
- Our Health and Safety Plan has been received and approved by the Arkansas Worker's Compensation Committee. This is our first step in moving us out of the Rule 32 designation. There will be a follow up meeting in February by the commission.
- I will be out of town September 7<sup>th</sup> -10<sup>th</sup> but available via cell phone.

### Dates to Remember:

- September 15<sup>th</sup> from 10-noon is the 4<sup>th</sup> Annual Doggie Dip. Fun time for dog owners to allow their pets to swim in the pool before we shut it down for the season. It also serves as a rabies vaccination drive for the community. Shots are \$10.
- The Arkadelphia Football Club meets every Thursday at the Rec Center at Noon. Coach Eldridge and Coach Maxfield have spoken at the last two lunches. Coach Knight of OBU is scheduled to speak at this week's luncheon. Everyone is encouraged to attend to discuss local football and have great fellowship.

## **ROUTINE BUSINESS**

**Taylor Chaney, Ward 1-** He asked Mr. Brinkley how we are coming on building siding. He also wanted to know about the hiring of a PR Director.

**Delton Simpson, Ward 2- Absent**

**Joann Nelson, Ward 4- Absent**

**Jason Jones, Ward 5- Concern about the milling down of Pine Street.**

**Roland Gosey, Ward 6 Director at Large- Nothing**

**Scott Byrd, Ward 3, Assistant Mayor- Absent**

**James Calhoun, Mayor- Nothing.**

## **ADJOURNMENT**

There being no more business to discuss, Director Jones made the motion seconded by Director Chaney to adjourn. **The motion passed unanimously and the meeting adjourned at 5:59 p.m.**

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James Calhoun, Mayor

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Jennifer Story, City Clerk



**Regular Called Meeting  
Board of Directors**

**Boardroom**

**September 4, 2018**

**5:30 p.m.**

Stephen Bell  
Doe Roe  
Jason Jackson  
Jamal Brown-Press  
Joe Mays-Press  
Chuck Fitzsimmons

## **AGENDA ITEM # 4**



Office of the City Manager  
700 Clay Street  
Arkadelphia, Arkansas 71923  
870-246-9864 phone  
870-246-1813 fax

**To:** Arkadelphia Board of Directors  
**CC:** Ed McCorkle, City Attorney  
**From:** Gary Brinkley, City Manager  
**Date:** September 12, 2018  
**Re:** Ordinance Regarding 5 Mill Rate 2018-2019  
Second Reading – Title Only

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This is the second reading, title only, as was approved at the September 4<sup>th</sup> meeting.

Following the second reading, staff recommends placing the ordinance on its third and final reading, title only, and adopt at the October 2<sup>nd</sup> Meeting.

Thank you.

**ORDINANCE 0-18**

**AN ORDINANCE ASSESSING A FIVE MILL TAX AGAINST THE REAL AND PERSONAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF ARKADELPHIA, ARKANSAS, FOR THE TAXABLE YEAR 2018 COLLECTIBLE IN 2019 AND FOR OTHER PURPOSES**

**BE IT ORDAINED BY THE CITY BOARD OF DIRECTORS OF THE CITY OF ARKADELPHIA, ARKANSAS:**

**Section 1.** That a tax of five (5) mills on the dollar is hereby levied by the City Board of Directors of the City of Arkadelphia, Arkansas on all the real and personal property within the corporate limits of the City of Arkadelphia, for the taxable year 2018, collectible in 2019.

**Section 2.** That a certified copy of this ordinance be delivered by the City Clerk to the County Clerk of Clark County, Arkansas to be certified to the Quorum Court.

PASSED ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2018.

APPROVED:

\_\_\_\_\_  
James Calhoun, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Story, City Clerk

## **AGENDA ITEM # 5**



Office of the City Manager  
700 Clay Street  
Arkadelphia, Arkansas 71923  
870-246-9864 phone  
870-246-1813 fax

**To:** Arkadelphia Board of Directors  
**CC:** Ed McCorkle, City Attorney  
**From:** Gary Brinkley, City Manager  
**Date:** September 12, 2018  
**Re:** Ordinance Regarding Employee To Contract Svc.  
Second Reading – Title Only

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This is the second reading, tile only, as was approved at the September 4<sup>th</sup> meeting.

Following the second reading, staff recommends placing the ordinance on its third and final reading, title only, and adopt at the October 2<sup>nd</sup> Meeting.

Thank you.

**ORDINANCE -O-18**

**AN ORDINANCE APPROVING CERTAIN CITY EMPLOYEES AND RELATIVES OF CITY EMPLOYEES TO CONTRACT WITH THE CITY OF ARKADELPHIA, ARKANSAS AND FOR OTHER PURPOSES**

WHEREAS, the city of Arkadelphia, Arkansas has a need for qualified individuals to furnish supplies, equipment, or services for the city; and

WHEREAS, restricting city employees or their relatives would handicap the city's efforts to employ qualified personnel in the positions listed below and handicap the city from being able to contract for needed supplies, equipment, or services for the city; and

WHEREAS, A.C.A. 14-42-107 and A.C.A. 14-47-137 may be interpreted as preventing elected officials, current employees and relatives of elected officials and current employees from holding employment or contracts in the absence of an authorizing ordinance.

NOW, THEREFORE BE IT ORDAINED by the Board of Directors of the city Arkadelphia, Arkansas:

Section 1. Authorization. Pursuant to A.C.A. 14-42-107 and A.C.A. 14-47-137, the city of Arkadelphia, Arkansas, through its City Board of Directors, specifically approves previous contacts for goods and services with employees or their relatives as follows:

Ricky Still, Fireman

Salesman for Casco Industries \$5887.09

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
James Calhoun, Mayor

\_\_\_\_\_  
Jennifer Story, City Clerk

**AGENDA ITEM # 6**





Office of the City Manager  
700 Clay Street  
Arkadelphia, Arkansas 71923  
870-246-9864 phone  
870-246-1813 fax

**To:** Arkadelphia Board of Directors  
**CC:** Ed McCorkle, City Attorney  
**From:** Gary Brinkley, City Manager  
**Date:** September 12, 2018  
**Re:** Public Hearing for Consideration of Adopting  
2014 Arkansas Energy Code and Referenced Code



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Attached please find the memo from Ms. Wiley stating the purpose for the public hearing on the adopting of the 2014 Arkansas Energy Code and Referenced Code.

Thank you.

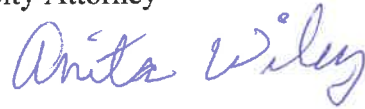
*City of Arkadelphia  
Building Department  
700 Clay Street, Suite 121  
Arkadelphia, Arkansas 71923  
Phone 870-246-1818 • Fax 870-245-3553*

Memo: September 11, 2018

To City of Arkadelphia Board of Directors

Cc: Gary Brinkley, City Manager; Ed McCorkle, City Attorney

From: Anita Wiley, Building Department Supervisor



Re: Public Hearing for 2014 Arkansas Energy Code Ordinance and Referenced Code

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The Arkansas Energy Office of the Arkansas Economic Development Commission is requiring any city or county which issues building permits for new building construction to adopt the 2014 Arkansas Energy Code.

These changes should not result in a significant financial impact upon the community.

As set forth in 14-55-207, the city may adopt technical codes by reference. As required:


- Public Notice was given regarding the availability and location of copies of the code and related documents. Notification included the time, date and place of the public hearing. A legal notice was published in the Daily Siftings Herald on August 29, 2018.
- 3 copies of the code and related documents are available for inspection and view by the public in the City Clerk's office.
- Public hearing is being held prior to the adoption of the technical code by reference.
- No action is to be taken during the public hearing.

**AGENDA ITEM # 7**



Office of the City Manager  
700 Clay Street  
Arkadelphia, Arkansas 71923  
870-246-9864 phone  
870-246-1813 fax

**To:** Arkadelphia Board of Directors  
**CC:** Ed McCorkle, City Attorney  
**From:** Gary Brinkley, City Manager  
**Date:** September 12, 2018  
**Re:** Ordinance for Consideration of Adopting  
2014 Arkansas Energy Code and Referenced Code



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Following the public hearing, attached please find the memo and ordinance from Ms. Wiley for the adoption of the 2014 Arkansas Energy Code and Referenced Code.

Thank you.

*City of Arkadelphia  
Building Department  
700 Clay Street, Suite 121  
Arkadelphia, Arkansas 71923  
Phone 870-246-1818 • Fax 870-245-3553*

Memo: August 6, 2018

To: City of Arkadelphia Board of Directors

Cc: Gary Brinkley, City Manager; Ed McCorkle, City Attorney

From: Anita Wiley, Building Department Supervisor



Re: Ordinance Adopting the 2014 Arkansas Energy Code by Reference

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The Arkansas Energy Office of the Arkansas Economic Development Commission is requiring any city or county which issues building permits for new building construction to adopt the current Arkansas Energy Code.

These changes should not result in a significant financial impact upon the community.

Staff has complied with Act 14-55-207 regarding public notification of the hearing and having copies of the code and related documents available for public examination prior to passage of the ordinance adopting the code. The public hearing has been held.

In order to be in compliance with Arkansas Code, Staff recommends that the City Board of Directors consider approving the ordinance adopting this technical code, by reference, and placing it on the first reading.

2014 ARKANSAS ENERGY CODE  
ORDINANCE NO. 0-18-

AN ORDINANCE PROVIDING MINIMUM ENERGY STANDARDS FOR THE DESIGN OF NEW BUILDINGS AND STRUCTURES OR PORTIONS AND ADDITIONS TO EXISTING BUILDINGS THAT PROVIDE FACILITIES OR SHELTER FOR PUBLIC ASSEMBLY, EDUCATION, BUSINESS, MERCANTILE, INSTITUTIONAL, STORAGE, AND RESIDENTIAL OCCUPANCIES, AS WELL AS THOSE PORTIONS OF FACTORY AND INDUSTRIAL OCCUPANCIES DESIGNED PRIMARILY FOR HUMAN OCCUPANCY BY REGULATING THEIR EXTERIOR ENVELOPES AND THE SELECTION OF THEIR HVAC, SERVICE WATER HEATING, ELECTRICAL DISTRIBUTION AND ILLUMINATING SYSTEMS, EQUIPMENT FOR EFFECTIVE USE OF ENERGY, AND FOR OTHER PURPOSES.

Be it enacted by the City Board of Directors of Arkadelphia, Arkansas,

SECTION 1. ADOPTION OF ENERGY CODE.

There is hereby adopted by the City Board of Directors of Arkadelphia, Arkansas, for the purpose of establishing rules and regulations for energy efficient standards for new building construction, this code known as the 2014 Arkansas Energy Code, being particularly the 2014 Arkansas Energy Code edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, of which not less than three (3) copies have been and are now filed in the office of the Clerk of the City of Arkadelphia, Arkansas, and the same code is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures therein contained within the corporate limits of the City of Arkadelphia, Arkansas.

SECTION 2. SEVERABILITY.

If any section of this ordinance shall be declared unconstitutional or unlawful, only that section of the ordinance shall be affected and all other provisions of the ordinance shall remain in full force and effect.

SECTION 3. INCONSISTENT ORDINANCES REPEALED.

All ordinances and parts thereof in force at the time that this ordinance shall take effect, if inconsistent herewith, are hereby repealed. Specifically repealed is Ordinance No. O-12-16.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2018

APPROVED: \_\_\_\_\_  
James Calhoun, Mayor


ATTEST: \_\_\_\_\_  
Jennifer Story, City Clerk

**AGENDA ITEM # 8**



Office of the City Manager  
700 Clay Street  
Arkadelphia, Arkansas 71923  
870-246-9864 phone  
870-246-1813 fax

**To:** Arkadelphia Board of Directors  
**CC:** Ed McCorkle, City Attorney  
**From:** Gary Brinkley, City Manager  
**Date:** September 12, 2018  
**Re:** Public Hearing for Consideration of Adopting  
2017 NFPA 70 National Electrical Code and Materials



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Attached please find the memo from Ms. Wiley stating the purpose for the public hearing on the adopting of the NFPA 70 National Electrical Code 2017 Edition Ordinance and Referenced Code and Annex 1: Administration and Enforcement of Article for the NFPA 70 NE 2017 Edition for the City of Arkadelphia.

Thank you.



*City of Arkadelphia  
Building Department  
700 Clay Street, Suite 121  
Arkadelphia, Arkansas 71923  
Phone 870-246-1818 • Fax 870-245-3553*

Memo: September 13, 2018

To City of Arkadelphia Board of Directors

Cc: Gary Brinkley, City Manager; Ed McCorkle, City Attorney

From: Anita Wiley, Building Department Supervisor



Re: Public Hearing for the NFPA 70<sup>®</sup> National Electrical Code 2017 Edition Ordinance and referenced Code; and Annex 1: Administration and Enforcement Article for the NFPA 70<sup>®</sup> NEC 2017 Edition for the City of Arkadelphia

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The State of Arkansas has generally adopted this code. The City of Arkadelphia should adopt and enact this code to continue to provide enforcement and inspection services based on the most recent regulations.

These changes should not result in a significant financial impact upon the community.

As set forth in 14-55-207, the city may adopt technical codes by reference. As required:


- Public Notice was given regarding the availability and location of copies of the codes and related documents. Notification included the time, date and place of the public hearing. A legal notice was published in the Daily Siftings Herald on August 29, 2018.
- 3 copies of the codes and related documents are available for inspection and view by the public in the City Clerk's office.
- Public hearing is being held prior to the adoption of the technical codes by reference.
- No action is to be taken during the public hearing.

**AGENDA ITEM # 9**



Office of the City Manager  
700 Clay Street  
Arkadelphia, Arkansas 71923  
870-246-9864 phone  
870-246-1813 fax

**To:** Arkadelphia Board of Directors  
**CC:** Ed McCorkle, City Attorney  
**From:** Gary Brinkley, City Manager  
**Date:** September 12, 2018  
**Re:** Ordinance for Consideration of Adopting  
2017 NFPA 70 National Electrical Code and Materials



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Attached please find the memo and ordinance from Ms. Wiley stating the purpose for the adoption of the NFPA 70 National Electrical Code 2017 Edition Ordinance and Referenced Code and Annex 1: Administration and Enforcement of Article for the NFPA 70 NE 2017 Edition for the City of Arkadelphia.

Thank you.

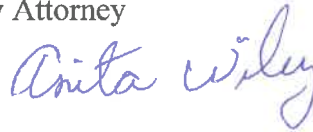
*City of Arkadelphia  
Building Department  
700 Clay Street, Suite 121  
Arkadelphia, Arkansas 71923  
Phone 870-246-1818 • Fax 870-245-3553*

Memo: September 13, 2018

To City of Arkadelphia Board of Directors

Cc: Gary Brinkley, City Manager; Ed McCorkle, City Attorney

From: Anita Wiley, Building Department Supervisor



Re: Ordinance Adopting the NFPA 70® National Electrical Code 2017 Edition and Annex 1: Administration and Enforcement Article for the NFPA 70® NEC 2017 Edition for the City of Arkadelphia, by Reference

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The State of Arkansas has generally adopted the NEC 2017 Edition. The City of Arkadelphia should adopt and enact this code, and the related article, to continue to provide inspection and enforcement services based on the most recent regulations.

These changes should not result in a significant financial impact upon the community.

Staff has complied with Act 14-55-207 regarding public notification of the hearing and having copies of the codes and related documents available for public examination prior to passage of the ordinance adopting the codes. The public hearing has been held.

Staff recommends that the City Board of Directors consider approving the ordinance adopting this code and Administration and Enforcement Article, by reference, and placing it on the first reading.

ORDINANCE NO. 0-18-\_\_\_\_\_

AN ORDINANCE ADOPTING THE NFPA 70® NATIONAL ELECTRICAL CODE® 2017 EDITION AND ANNEX 1: ADMINISTRATION AND ENFORCEMENT ARTICLE FOR THE NFPA 70® NATIONAL ELECTRICAL CODE® 2017 EDITION FOR THE CITY OF ARKADELPHIA, ARKANSAS; PROVIDING PENALTIES FOR VIOLATIONS THEREOF, REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND FOR ALL OTHER PURPOSES.

WHEREAS, the State of Arkansas has generally adopted this code, and;

WHEREAS, it is the desire of the City of Arkadelphia, Arkansas to adopt and enact this standard electrical code to continue to provide enforcement and inspection services relating to construction and maintenance of buildings, public safety, health, and general welfare.

NOW THEREFORE BE IT ORDAINED BY THE CITY BOARD OF DIRECTORS OF THE CITY OF ARKADELPHIA, ARKANSAS:

**SECTION 1.** The following codes are hereby adopted by reference as though they were copied herein fully:

1. NFPA 70® National Electrical Code® 2017 Edition, excluding Informative Annexes A through J.
2. Annex 1: Administration and Enforcement Article for the NFPA 70® National Electrical Code® 2017 Edition for the City of Arkadelphia, Arkansas.

**SECTION 2.** Violation of any code provision as mentioned above is hereby declared to be a misdemeanor, punishable by a fine up to \$1,000.00 and imprisonment in the county jail for a maximum of one year with each day the code is not complied with being a separate violation.

**SECTION 3.** Severability – if any section of this ordinance shall be declared unconstitutional or unlawful, only that section of the ordinance shall be affected and all other provisions of the ordinance shall remain in full force and effect.

**SECTION 4.** All ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2018

APPROVED: \_\_\_\_\_  
James Calhoun, Mayor

ATTEST: \_\_\_\_\_  
Jennifer Story, City Clerk

**AGENDA ITEM # 10**



**Office of the City Manager**

**To:** Arkadelphia Board of Directors  
**CC:** Ed McCorkle, City Attorney  
**From:** Gary Brinkley, City Manager  
**Date:** September 12, 2018  
**Re:** Resignation of Ward 2 Director

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Attached please find the written resignation of Ward 2 Director, Delton Simpson.

Staff recommends the Board of Directors officially accept Mr. Simpson's resignation.

Thank you.

Delton Simpson  
1707 Walnut  
Arkadelphia, Arkansas 71923

September 4, 2018

Mayor Calhoun & Board of Directors  
Arkadelphia, Arkansas  
700 Clay St.  
Arkadelphia, Arkansas 71923

Re: Resignation from the Board of Directors

Dear Mayor and Board;

Although only a brief time, it has been my pleasure to serve on the City of Arkadelphia Board of Directors.

Regrettably, I am resigning from my position as Ward 2 representative effective immediately.

I am answering a calling to additional ministry in Arkansas and now Louisiana which will not allow me the proper time to serve my community as a Board member.

I appreciate all you have done to welcome me and facilitate my time on the Board.

I wish you only the best as you continue to move the community in a positive direction.

Sincerely,

  
Delton Simpson



**AGENDA ITEM # 11**



Office of the City Manager

**To:** Arkadelphia Board of Directors  
**CC:** Ed McCorkle, City Attorney  
**From:** Gary Brinkley, City Manager  
**Date:** September 12, 2018  
**Re:** Resignation of Ward 2 Director

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Following the September 4<sup>th</sup> resignation of Ward 2 Director, Delton Simpson, and pursuant to Arkansas Code 14-47-113, "Whenever a vacancy shall occur, by any reason, in the office of a director, the board of directors shall, by majority vote, elect a person to fill the vacancy and serve for the unexpired term thereof."

Attached please find the scenario staff proposes to pursue.

Following this scenario we'll accept applications until 10:00 am on October 12<sup>th</sup> and you will interview the candidates at the October 16, 2018 Board meeting.

Thank you.

## **Proposed Scenario for Replacing for Ward 2 Director**

Vacancy declared by the Board of Directors at the September 18<sup>th</sup> meeting.

Ad to be inserted in the next edition of the Southern Standard, and on the city web page from September 19, 2018 to October 11, 2018.

Ad Reads:

*Anyone interested in filling the Board of Director Ward 2 vacancy term expiring December 31, 2020, please send a letter of interest to the City Clerk's office at 700 Clay St., Arkadelphia, AR 71923.*

*Applicants must be 21 years of age, have resided within the city limits of Arkadelphia for at least 30 days, reside within Ward 2, and are qualified to vote at an election of county or state officers shall be deemed a qualified elector.*

*All letters must be received in the City Clerk's office by 10:00 am on October 12, 2018.*

Staff will verify the candidates meet the requirements and schedule the candidates to address the Board on October 16, 2018.

Applicants will introduce themselves at the October 16, 2018 meeting at 5:30 pm and the Board of Directors will then consider a person to fill the term.