

**COTTER CITY
COUNCIL REGULAR MINUTES
COUNCIL CHAMBERS
August 24, 2023 -- 6:00 p.m.**

The regular meeting of the Cotter City Council was called to order at 6:00 p.m. by Mayor Caradine. He asked for roll call by Recorder/Treasurer Andrea Kray. Present were: Council Members Carolyn Gill, Mertice Kray, Nicole Hatchet, Chuck Sugg, Shelia Wingard, and Linda McCarthy.

The invocation was given by Councilwoman Mertice Kray followed by the recitation of the Pledge of Allegiance by all present.

REPORTS

Approval of the June 22, 2023, regular minutes was the first item of business. Councilman Chuck Sugg moved to accept the minutes as written from Recorder/Treasurer Andrea Kray with a second provided by Councilwoman Mertice Kray. **Motion passed with 4 in favor and Councilman Chuck Sugg and Councilman Shelia Wingard abstaining.**

Public Works Department Report was given by Justin Morrow
Fire Department Report was given by Chief Lyle Jack
Police Department Report was given by Sargeant Michael Patterson
Building Permit Report was given by Andrea Kray
Planning & Zoning Commission Report was not given.
Cotter/Gassville Sewer Commission Steve Leisey.
Tree Advisory Board was not given.
Monthly Financials were provided to Council in their packets

UNFINISHED BUSINESS

None at this time.

NEW BUSINESS

In the first order of New Business, Kendrick Ketchum with Waster Connections presented the Annual CPI adjustment and fuel reduction adjustment for trash service. The new rate is \$12.61 which is a drop in price from \$12.75 due to reduction in fuel costs. Councilwoman Carolyn Gill thanked Mr. Kendrick and his team for all the hard work they do for our community

In the second order of New Business, Tim Mays from Engineering Service, gave an update on Phase II of the Rehabilitation Project. Two bids were submitted. NLS was the lowest bid at 3.7 million. This bid is considerably more than the \$2,170,000 that was the original grant amount. To reduce the costs of the project the repairs are being split into 3 sections with repairs in the 1st section being the most critical. The proposal is to start on sections 1 and 2 immediately and wait on section 3 and explore further funding for this particular section. Bids must be awarded by September 18, 2023.

Mayor Caradine asked Mayor Jeff Braim to address Council. He shared that the City of Gassville is looking to pass and implement a permanent sale tax to fund their portion of the Phase II project. March is the primary election and their Gassville Council will be asking for a sales tax increase to cover the 65% split of the costs of the project.

In the 3rd order of New Business, Council considered Resolution 2023-08: A Resolution concurring with Engineering Service, Inc. to phase out the sewer line rehabilitation service. Councilwoman Carolyn Gill moved to pass Resolution 2023-08: A Resolution concurring with Engineering Service, Inc. to phase out the sewer line rehabilitation service with a second provided by Councilwoman Shelia Wingard. **Motion passed unanimously.**

In the 4th order of New Business, Council considered Resolution 2023-09: A Resolution to enter into a construction contract with NLS Construction, LLC for Phase II sewer line improvements. Councilwoman Shelia Wingard moved to pass Resolution 2023-09: A Resolution to enter into a construction contract with NLS Construction, LLC for Phase II sewer line improvements with a second provided by Councilwoman Mertice Kray. **Motion passed unanimously.**

In the fifth order of New Business, Council considered Resolution 2023-10: A Resolution to set the annual tax levy (Mills) assessed in 2023 to be collected in 2024. Councilwoman Linda McCarthy moved to pass Resolution 2023-10:

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A Resolution to set the annual tax levy (Mills) assessed in 2023 to be collected in 2024 with a second provided by Councilwoman Mertice Kray. **Motion passed unanimously.**

In the sixth order of New Business, Council considered Resolution 2023-11: A Resolution to receive \$2024.33 LLEBR Police Equipment Grant received from the Arkansas Office Intergovernmental Service. Councilman Chuck Sugg moved to pass Resolution 2023-11: A Resolution to receive \$2024.33 LLEBR Police Equipment Grant received from the Arkansas Office Intergovernmental Service with a second provided by Councilwoman Nicole Hatchet. **Motion passed unanimously.**

In the seventh order of New Business, Council considered Resolution 2023-12 to retire, auction, and sell Fire Engine #3-a 1992 GMC Fire Truck with Wilson Pumper with proceeds going to the savings funds for future purchase of a new fire truck with a minimum bid of \$20,000 required. Chief Lyle Jack addressed Council stating that the engine is not being used and they are looking for a 25.75 FEMA grant to finance a new pumper. Councilwoman Nicole Hatchet moved to Resolution 2023-12 to retire, auction, and sell Fire Engine #3-a 1992 GMC Fire Truck with Wilson Pumper with proceeds going to the savings funds for future purchase of a new fire truck with a minimum bid of \$20,000 required with a second provided by Councilwoman Mertice Kray. **Motion passed unanimously.**

In the eighth order of New Business, Council considered Ordinance 2023-04: An Ordinance to adopt certain rules and regulations concerning noise attention of data centers and prevent noise distributions in the city of Cotter. Councilwoman Linda McCarthy requests that the Ordinance not have to be read in its entirety and the first reading be by title only. She then moved to place Ordinance 2023-04: An Ordinance to adopt certain rules and regulations concerning noise attention of data centers and prevent noise distributions in the city of Cotter on its first reading by title only with a second provided by Councilwoman Mertice Kray. **Motion passed unanimously.** Mayor Caradine asked Recorder/Treasurer to read Ordinance 2023-04: An Ordinance to adopt certain rules and regulations concerning noise attention of data centers and prevent noise distributions in the city of Cotter by title only.

Councilman Chuck Sugg moved to place Ordinance 2023-04: An Ordinance to adopt certain rules and regulations concerning noise attention of data centers and prevent noise distributions in the city of Cotter on its second reading by title only with a second provided by Councilwoman Carolyn Gill. **Motion passed unanimously.** Mayor Caradine asked Recorder/Treasurer to read Ordinance 2023-04: An Ordinance to adopt certain rules and regulations concerning noise attention of data centers and prevent noise distributions in the city of Cotter by title only.

Councilwoman Shelia Wingard moved to place Ordinance 2023-04: An Ordinance to adopt certain rules and regulations concerning noise attention of data centers and prevent noise distributions in the city of Cotter on its third reading by title only with a second provided by Councilwoman Nicole Hatchet. **Motion passed unanimously.** Mayor Caradine asked Recorder/Treasurer to read Ordinance 2023-04: An Ordinance to adopt certain rules and regulations concerning noise attention of data centers and prevent noise distributions in the city of Cotter by title only. This was its third and final reading and is now eligible for consideration of adoption.

Councilman Chuck Sugg moved to adopt Ordinance 2023-04: An Ordinance to adopt certain rules and regulations concerning noise attention of data centers and prevent noise distributions in the city of Cotter with a second provided by Councilwoman Shelia Wingard. **Motion passed unanimously.**

Councilwoman Shelia Wingard moved to pass Ordinance 2023-04: An Ordinance to adopt certain rules and regulations concerning noise attention of data centers and prevent noise distributions in the city of Cotter as an emergency with a second provided by Councilwoman Nicole Hatchet. **Motion passed unanimously.**

INFORMATION

During information, Mayor Caradine read into the meeting minutes 2023 Semi Annual Inventory Purchased and Retired from January 1, 2023 to June 30, 2023. He announced that the advertisement for bids for the Highway Pump Project will be received by 2:00 pm on August 31, 2023. The Arkansas Legislative Auditor completed Cotter's General 2022 Audit and was submitted to the Legislative Committee for approval on August 10, 2023. The 2022 Water and Sewer Audit is being prepared by Cotter's CPA Brian Haas. Upon completion Brian Haas will present to Cotter City Council before sending to the Arkansas Legislative Audit Committee. The 2022 Water and Sewer Rate Study being performed by Arkansas Rural Water Association. ARDOT Sidewalk Project in Big Spring Park has been completed and final closeout documents being reviewed. The Arkansas Natural Resource Division informing water providers that ACT 605 of 2021 has been amended by ACT 545 of 2023. Council members Wingard and Hatchett are required to receive eight (8) house of water board training before December 31, 2024. The EPA's 2021 Lead and

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Copper Rule Revisions (LCRR) require each community water system to conduct a Lead Service Line Inventory of their distribution system by October 16, 2024.

SIGN-UP SHEET REQUESTS

None at this time

AUDIENCE ANNOUNCEMENTS

Justin Morrow tested all the hydrants and started repairs. He also commented on the Phase II project. He says the South Section has major problems and he goes with Tim every week to flush the stuck drainage in the lines. He also has worked with Phoenix (construction company for Cotter schools) on the new wing. He moved the water main by installing an insertion valve with no loss of water during the transition. Construction is really coming along and he has worked closely with them to ensure the safety of the water lines in that area.

Jane Hatchet personally thanks Joe Bass for clearing the brush at the foot of the bridge. He is working in the heat of the day, and she appreciates his hard work in beatifying the bridge area.

COUNCIL COMMENTS

Councilman Chuck Sugg thanks everyone as well and appreciates Recorder/Treasurer Andrea Kray.

Councilwoman Shelia Wingard appreciates all of Mayor Caradine's commitment to the Phase II project and how diligent he has been in all aspects of the project. She also thanks Jane Hatchet for sponsoring the Ice Cream Program with the Cotter Police Department.

Councilwoman Carolyn Gill had no comment.

Councilwoman Mertice Kray also appreciates the service of the Public Works Department. She also appreciates Councilwoman Wingard attentiveness to the Phase II project.

Councilwoman Nicole Hatchet had no comment.

Councilwoman Linda McCarthy appreciates all the work by the Public Works Department.

Mayor Caradine thanks everyone.

Councilwoman Mertice Kray moved to adjourn with a second provided by Councilwoman Nicole Hatcher. **Motion passed unanimously.** Meeting ended at 7:37 p.m.

APPROVED:



Mayor MacGeorge Caradine

ATTEST:



Recorder/Treasurer Andrea Kray

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