

**TYRONZA CITY COUNCIL MEETING
REGULAR MEETING
August 15th, 2024**

The regular meeting of the Tyronza City Council was called to order at 7:00 p.m. by Mayor Jeff Woods. With the roll having been called, the following council members were recorded as present: Willie Harris, Michael Hood, Daniel Brewington, Barbara Ross and Angie Allison. Absent: Candace Drace. A quorum was declared. Recorder/Treasurer Donna Wood and City Attorney Noyl Houston were also at the meeting.

The invocation was given by Barbara Ross.

Mayor Woods asked if there was a motion to suspend the reading of the July 15th, 2024, regular council meeting minutes. Angie Allison, seconded by Willie Harris, moved to suspend the reading of the minutes. Upon a voice vote, the voting was as follows: Ayes: Unanimous.

Mayor Woods asked if there was a motion to approve the July 15th, 2024, regular council meeting minutes. Barbara Ross, seconded by Angie Allison, moved to approve the minutes. Upon a voice vote, the voting was as follows: Ayes: Unanimous

The expenditures were next on the agenda.

Mayor Woods asked for a motion to approve the expenditures for July 2024.

Angie Allison, seconded by Barbara Ross moved to approve the expenditures.

Willie Harris asked about checks written to Jacob McDaniel in the same amount and the same date.

Mayor Woods said that Jacob didn't take his vacation and asked to be paid for his vacation.

Michael Hood asked about the purchase of three game cameras.

Mayor Woods said during the debris clean up FEMA asked the City to monitor the debris pile. Game cameras were purchased to monitor the debris as well as the fuel pumps and the shops.

Barbara asked if the police equipment inventory would be updated to add the cameras, Mayor Woods said it would be.

With there being no discussion on the expenditures, a voice vote was taken to approve the expenditures. The voting was unanimous to approve.

Barbara Ross noted that the sales tax was \$1,000.00 behind in revenue from the previous year.

The meeting then moved to new business on the agenda.

First in the new business was discussion on rebuilding the downtown park stage.

Mayor Woods explained the stage was damaged during the windstorm in June 2023. Temporary work was done on the stage so that it could be used during the Stars & Stripes Festival. The repairs that were made had the stage in good condition and it could still be used with some maintenance.

He also said the City got two quotes to rebuild the stage with a concrete floor, metal building with a top and concrete steps.

Gillis Construction quoted \$37,510.00.

Smith Construction quoted \$41,521.42, the price included demolition of the current stage. The price would be \$38,656.00 if the demolition of the old stage was taken out of the quote. That would still make Smith's quote around \$1,000.00 more but Smith's quote included adding rails around the sides of the stage and putting a gate that would lock on the stairs. Mr. Smith said it would be against the law to build the stage that high and not have some security across the front or at the side to keep someone from falling off the stage and to keep people off the stage when they were not supposed to be on it.

Mayor Woods said he felt Smith's quote and design was better than the Gillis quote and design.

Jeff said if the old stage was torn down the material could be used somewhere else in town where needed.

Angie said there had been talk before about moving the stage to the City's Park down by the post office.

Mayor Woods said the reason he was bringing the discussion on the stage to the council was because he had been working with FEMA on getting reimbursed for the storm damages. He said if FEMA approved the reimbursement to rebuild the stage, the City would get reimbursed seventy-five percent of the cost to rebuild it, which would be around \$28,892.00. The City would have to pay twenty-five percent, which would be a little under \$10,000.00.

Daniel asked if in order to get the money, would the City have to put the money toward the stage.

Jeff said yes, the money would have to be put toward the stage. He also said that FEMA had been giving the money up front when a project was approved. He said if the council decided to build a new stage, a project would be submitted to FEMA to build a new stage, and the stage would not be built unless the money was received from FEMA. If they did pay the money the money would have to go toward the stage and the City would have to pay twenty-five percent which would be around \$9,664.20.

Barbara asked if that price included taking out the amount for the demolition of the stage.

Jeff said yes, the City would do the demolition.

Angie asked if the current stage could stay where it was and build a new one at the park down by the post office.

Jeff said he did not know if FEMA would allow the stage to be built in a different location. He said he had a conference call with them and would ask that question.

He said there was a deadline for submitting a project to rebuild the stage and it wasn't a decision he could make himself. He asked the council if they wanted him to submit a project to rebuild the stage.

Barbara said she wondered if the City could apply for a matching park grant and use money the FEMA money as the City's matching for the grant.

Michael said he would like the new stage to be built where the current stage was. He said there was plenty of shade there and very little shade at the park by the post office.

Barbara Ross seconded by Angie Allison moved to authorize the Mayor to submit a project to FEMA to rebuild the stage and to authorize the Mayor to pay up to \$9,664.20 on rebuilding the stage. Upon a voice vote, the voting was unanimous to approve.

Discussion then moved to discussion of the 2023 Legislative Audit.

Mayor Woods reported there was one supplemental finding on the audit.

The auditor said that The City's ordinance no. 2023-001, dated January 19, 2023, did not appear to be sufficient when noting specific terms and limitations of related party transactions, as required by Ark. Code Ann. § 14-42-107 and Op. Attorney Gen. no.2008-069.

Noyl said the ordinance allowed officers, officials and employees of the city to do business with the city. He said generally that was prohibited, but in a small town there may be one person to do a particular thing and the City would want to do business locally if it could, and the work could possibly be done cheaper by someone in town.

He said the statute that authorized officers, officials and employees of the city to do business with the city was very vague. He said the attorney general's opinion that the auditor cited says that the statute is vague and needs legislative clarification.

Noyl said the auditor stated the ordinance was inadequate in that it needed to note specific terms and limitations. He said he made changes to make the ordinance more specific by limiting when an alderman, officials and employees could provide services, supplies and equipment to the city and set a certain cost limit on the services, supplies and equipment. He asked the council what dollar amount they wanted to set the cost at.

After discussion Angie Allison, seconded by Willie Harris moved to set the cost dollar limit at \$10,000.00. A roll call was then taken, and the voting was as follows: Angie Allison – yes; Barbara Ross – no; Willie Harris – yes; Michael Hood – yes; Daniel Brewington – yes. The motion passed.

City Attorney Noyl Houston then read the proposed ordinance entitled "AN ORDINANCE PERMITTING ALDERMAN, OTHER OFFICIALS, AND EMPLOYEES OF THE CITY OF TYRONZA, ARKANSAS, TO DO BUSINESS WITH THE CITY UNDER CERTAIN CIRCUMSTANCES AND PRESCRIBING THE EXTENT OF SUCH AUTHORITY", in full thereby placing it upon its first reading.

Angie Allison, seconded by Michael Hood, moved that the rule requiring the reading of any ordinance in full on three different days be suspended, and that the ordinance be placed on its second reading by title only.

The Mayor put the question on the adoption of the motion to the council, and the roll was called. The vote was as follows: Angie Allison – yes; Barbara Ross- no; Willie Harris – yes; Michael Hood-yes; Daniel Brewington-yes.

The Mayor declared that at least two-thirds of all members of the council, having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended. The ordinance was then read by title only, thereby placing it upon its second reading.

Angie Allison, seconded by Willie Harris, moved that the rule requiring the reading of any ordinance in full on three different days be further suspended, and that the ordinance be read by title only.

The Mayor put the question on the adoption of the motion to the council the roll was called and the voting was as follows: Willie Harris - yes; Angie Allison - yes; Barbara Ross - no; Michael Hood – yes; Daniel Brewington – yes.

Thereupon, the Mayor declared that at least two-thirds of all members of the council, having voted in favor of the motion to suspend the rule, the motion was carried and the rule suspended.

The ordinance was then read by title only, thereby placing it upon a third and final reading.

Michael Hood, seconded by Willie Harris, moved the ordinance be adopted.

The question was put by the Mayor to the council on the adoption of the motion, and the roll was called, the voting was as follows: Barbara Ross - no; Angie Allison - yes; Willie Harris - yes; Michael Hood-yes; Daniel Brewington – yes.

Willie Harris seconded by Angie Allison moved that the emergency clause be adopted.

The Mayor put the question on the adoption of the motion to the council the roll was called and the voting was as follows: Willie Harris - yes; Angie Allison - yes; Barbara Ross - no; Michael Hood – yes; Daniel Brewington – yes.

The Mayor thereupon declared the ordinance adopted.

Jeff reported that both water tanks had been inspected and they would be sending a written report of any findings.

Angie Allison seconded by Barbara Ross moved to approve the additional cost of having both water wells inspected. Upon a voice vote, the voting was unanimous to approve.

The meeting then turned to old business.

Discussion on raising the spending amount on Ordinance 1993-3 was next to be discussed.

Mayor Woods said there was a request from the fire chief to raise the spending limit from \$2,000 to \$2,500 on purchases by department heads. He said there were other things that needed to be added to the ordinance. He said he felt the ordinance needed to state that any purchases by department heads needed to be approved by the Mayor. He said he felt there needed to be something in writing such as a purchase order required for purchases.

Noyl said the whole ordinance needed to be rewritten. There were sections that didn't get changed when the ordinance was last amended that should have been changed. He said the council needed to decide on the dollar limit amounts. He also said the current ordinance was not consistent with the state law.

Noyl asked the council to let him draft changes in the ordinance and he would bring it back to them for discussion.

The council was agreeable.

Barbara Ross asked if there were any limitations on transferring money in the depreciation's money market account to a cd.

RT Wood said the minimum amount to have money in a money market account was \$1,000.00. She said she also checked with the auditor to see if a certain amount was required to be kept in the depreciation checking account and the auditor said there was no minimum balance required to be kept in a checking account.

Barbara Ross, seconded by Angie Allison moved to purchase a CD with the money that is in the depreciation money market account, with the signers on the ne CD to be the same as the other CD accounts. Upon a voice vote, the voting was unanimous to approve.

Barbara said she would also like the council to consider renting an excavator in the fall to clean out the smaller ditches. She would get estimates for the next council meeting.

With there being no further business, Michael Hood seconded by Willie Harris moved to adjourn the meeting. Upon a voice vote, the voting was unanimous.



Jeff Woods, Mayor



Donna D Wood, Recorder/Treasurer