

## GENTRY CITY COUNCIL AGENDA

**TUESDAY, SEPTEMBER 8, 2020**

**PUBLIC HEARING:** Petition to Vacate Alley (E. Arkansas to Railroad Ave.)

Meeting Called to Order

Roll Call

Review of Minutes: August 3, 2020 Regular Council Meeting

### **COMMUNITY COMMENTS**

1. Public Comment (Item(s) Not on Presented Agenda)
2. Main Street Gentry Chamber of Commerce – Janie Parks
3. Gentry Public Schools – Terrie Metz

### **UNFINISHED BUSINESS**

1. Dawn Hill East Bridge Update
2. Park Master Plan Update
3. Water Storage Facility Update
4. 119 N. Nelson Ave. Condemnation Resolution
5. Petition to Vacate Alley (E. Arkansas to Railroad Ave.) Ordinance
6. Hwy. 59 & 12 Intersection Improvements Update

### **NEW BUSINESS**

1. Library/Senior Center Committee Meeting
2. Police Committee Meeting
3. Recycling
4. Sunday Sales of Alcohol Resolution
5. Sale of Fire Truck
6. Disposal of Equipment
- 7.

Any items that may arise after the publication of this Agenda must be voted on, to be heard, by the majority of the City Council.

### **ANNOUNCEMENTS**

- Planning Commission Meeting, September 17, 2020 @ 7pm
- Special Council Meeting October 13, 2020 @ 6:30pm

	<u>2018</u>	<u>2019</u>	<u>2020</u>
City Sales & Use	\$53,532.64	\$119,991.96	\$129,921.90
County Tax	\$66,204.38	\$75,581.30	\$80,653.01

**CITY OF GENTRY  
REGULAR CITY COUNCIL MEETING  
MONDAY, AUGUST 3, 2020**

The City Council of the City of Gentry, Arkansas, met in a virtual session at the Council Chambers and, at various other locations at 6:30 p.m. on August 3, 2020. Mayor Kevin Johnston called the meeting to order. Given the circumstances it was agreed the invocation would be by-passed during these sessions.

**PUBLIC HEARING**

**317 South Collins Ave. Condemnation**

At this time property owner Tim Ellis addressed the Council and requested a 60- day extension in order to have time to relocate the current tenants and have the structure demolished.

**119 N. Nelson Ave. Condemnation**

At this time property owner Larry Babcock and son Drew addressed the Council and requested a 60- day extension in order to further evaluate the structure in hopes of making improvements and devise a plan to either make those improvements or demolish the structure.

At this time the public hearing portion of this session was closed.

**COUNCIL MEMBERS ANSWERING ROLL CALL:**

Janice Arnold	Jason Barrett	Michael Crawford	Dan Erskin
Kristi Reams	Cindy Philpott	Jimmy Thorburn	Jason Williams

**Others in attendance:** Mayor Kevin Johnston, City Clerk Jenny Trout, Police Chief Clay Stewart, Fire Chief V. Cripps, Mark Smithson, Randy Moll, City Attorney Joel Kurtz, Maxine Foster, John English with Flintco, Chris McGinnis, Tim Ellis, Larry Babcock, Andrew Babcock and others.

**REVIEW OF MINUTES: July 6, 2020- Regular Virtual Council Meeting**

**Motion:** Jason Barrett- to accept the minutes as presented

**Second:** Jimmy Thorburn

**Roll Call:** Arnold-yes Barrett -yes Crawford- yes Erskin- yes  
Reams- yes Philpott- yes Thorburn- yes Williams- yes

**Motion approved.**

## COMMUNITY COMMENTS

1. **Public Comment (Items Not on Presented Agenda)** No new comments
2. **Main Street Gentry Chamber of Commerce – Janie Parks** was unavailable this session.
3. **Gentry Senior Activity Center- Maxine Foster** was present in chambers with Mayor Kevin Johnston and he announced the center was still closed during this pandemic.
4. **Gentry Public Schools – Jason Barrett** stated Ms. Metz had a conflict this evening and was unable to attend. He presented the following on her behalf: Gentry public schools will be having virtual open houses for learning enrolled students this year instead of in person. Those dates are as follows: Tuesday, August 18<sup>th</sup> from 5:30-6:30p.m. for Gentry primary and intermediate schools; Wednesday, August 19<sup>th</sup> from 5:30-7:00p.m. for Gentry high school and Thursday, August 20<sup>th</sup> from 5:00-6:00p.m. for Gentry middle school.

The Pioneer Virtual Learning Academy (PVLA) will be hosting in person orientations for virtual learning enrolled students at each campus. This will allow parents and students to pick up district issued technology items. Dates and times are as follows: Wednesday, August 19<sup>th</sup> from 5:00-6:00p.m. at Gentry primary school for grades- K-2; Wednesday, August 19<sup>th</sup> from 6:30-7:30p.m. at Gentry intermediate school grades- 3-5; Thursday, August 20<sup>th</sup> from 5:00-6:00p.m. at Gentry middle school- grades 6-8; and Thursday, August 20<sup>th</sup> from 6:30-7:30p.m. at Gentry high school- grades 9-12. Monday, August 24<sup>th</sup> will be the first day of school for all students.

## UNFINISHED BUSINESS

- 1) **Dawn Hill East Bridge Update:** Mayor Johnston stated concrete for the curb approach had been poured and today marked the 132<sup>nd</sup> day of the 150- day contracted time frame. Paving, concrete, manholes, etc. should be on target and, expectation for opening is sometime this month.
- 2) **Park Master Plan Update:**
  - a) **10721 Browning Rd.-** a sports complex masterplan was presented for review. Plan included a 224- stall parking lot, maintenance facility, vendor pad and restroom building. Expected final drawings to be presented to Flintco by late September, early October. More information will be provided as the project progresses.
  - b) **Splashpad:** Mayor Johnston stated a cost estimate increase for the parking area could be expected and finalization of plan should be expected by end of August.
  - c) **Tuj Lub Court(s):** Mayor Johnston stated a cost estimate for 2 fields was projected at \$100,000 which included luxury items. At this time Mayor Johnston requested the Council consider costs and a budget in order to proceed in acquiring additional information. After discussion, Council members suggested the City see

what could be done with a budget of \$60,000 for 2 courts, minus the “bells and whistles”.

- d) **TAP Grant Update (S. Smith Trail Improvement):** Mayor Johnston stated at this time the City is still waiting on ARDOT regarding the review of right-of-way.
- e) **RTP Grant Update (Ped. Bridge at FCNA):** Mayor Johnston stated a preconstruction meeting was had last week and a completion date is projected for November.

- 3) **Water Storage Facility Update:** Mayor Johnston stated due to backlog and delays continuing, in light of the COVID-19 pandemic, we are still awaiting approval of the Health Department.
- 4) **Condemnation Resolution-317 S. Collins Ave.:** A Resolution Declaring the Structure at 317 South Collins Avenue in the City of Gentry to Constitute a Nuisance and Condemning said Structure; Providing a Period of Time for the Property Owner to Abate said Nuisance; and for Other Purposes, was presented for review and consideration: At this time the Council addressed property owner Tim Ellis asking his intent regarding plans for the structure. Mr. Ellis’s response was he intends on demolishing the building and building a new structure in its place.

**Motion:** Crawford- to accept the Resolution

**Second:** Philpott

After further discussion:

**Motion:** Crawford- to amend his original motion and to amend the Resolution, specifically sections 4-6, in order to allow the property owner to vacate the current tenants within 30 days and demolish the structure within 60 days.

It was stated no action would be taken until after the 60 days had passed.

**Second:** Philpott

**Roll Call:** Philpott-yes Thorburn-yes Williams-yes Arnold-yes  
Barrett-yes Crawford-yes Erskin-yes Reams-yes

**Motion approved.**

- 5) **Condemnation Resolution- 119 N. Nelson Ave.:** A Resolution Declaring the Structures Located at 119 North Nelson Avenue in the City of Gentry to Constitute a Nuisance and Condemning said Structures; Providing a Period of Time for the Property Owner to Abate said Nuisance; and for Other Purposes, was presented for review and consideration: After discussion:

**Motion:** Crawford- to table this Resolution for 30 days in order for the property owner to address and review the structure for issues, and bring back to the Council at the September Council Meeting in order to readdress

**Second:** Williams

**Roll Call:** Thorburn-yes Williams-yes Arnold-yes Barrett-yes  
Crawford-yes Erskin-yes Reams-yes Philpott-yes

**Motion passed.**

- 6) **Golf Cart Ordinance:** An Ordinance Permitting and regulating the Use of Golf Carts within the City of Gentry, Arkansas, was presented for review and consideration:

**Motion:** Arnold- to suspend the rules and read by heading only

**Second:** Crawford

**Roll Call:** Williams-yes Arnold-yes Barrett-yes Crawford-yes  
Erskin-yes Reams-yes Philpott-yes Thorburn-yes

**Motion passed.** City Attorney Joel Kurtz read by heading only

After some discussion:

**Motion:** Arnold- to pass on three readings with a single vote

**Second:** Reams

**Roll Call:** Williams-No Arnold-yes Barrett-yes Crawford-yes  
Erskin-yes Reams-yes Philpott-yes Thorburn-yes

**Motion passed.**

**NEW BUSINESS:**

- 1) **Rezoning Ordinance- RLP Development LLC:** An Ordinance Amending Appendix B of the City of Gentry Municipal Code Regarding Zoning of Certain Lands Located within the City; and for Other Purposes, was presented for review and consideration:

**Motion:** Arnold -to suspend the Rules and read by heading only

**Second:** Thorburn

**Roll Call:** Barrett-yes Crawford-yes Erskin-yes Reams-yes  
Philpott-yes Thorburn-yes Williams-yes Arnold-yes

**Motion passed.** City Attorney Joel Kurtz read by heading only.

**Motion:** Crawford- to pass on three readings with a single vote

**Second:** Thorburn

**Roll Call:** Barrett-yes Crawford-yes Erskin-yes Reams-yes  
Philpott-yes Thorburn-yes Williams-yes Arnold-yes

**Motion passed.**

- 2) **Public Hearing Resolution- Petition to Vacate Alley (Arkansas to Railroad):** A Resolution Setting September 8, 2020 for Hearing Petition to Vacate an Alley Running North and South Between East Arkansas Street and North Railroad Avenue, was presented for review and consideration:

**Motion:** Barrett- to accept the resolution as presented setting September 8, 2020 as the date for public hearing

**Second:** Erskin

**Roll Call:** Crawford-yes Erskin-yes Reams-yes Philpott-yes  
Thorburn-yes Williams-yes Arnold-yes Barrett-yes

**Motion passed.**

3) **Zoning of Annexed Lands Procedure Ordinance:** An Ordinance Amending the Gentry Municipal Code to Establish Procedures for the Zoning of Annexed Lands upon Annexation; and for Other Purposes, was presented for review and consideration:

**Motion:** Barrett- to suspend the rules and read by heading only

**Second:** Thorburn

**Roll Call:** Erskin-yes Reams-yes Philpott-yes Thorburn-yes  
Williams-yes Arnold-yes Barrett-yes Crawford-yes

**Motion passed.** City Attorney Joel Kurtz read by heading only

**Motion:** Arnold- to pass on three readings with a single vote

**Second:** Barrett

**Roll Call:** Erskin-yes Reams-yes Philpott-yes Thorburn-yes  
Williams-yes Arnold-yes Barrett-yes Crawford-yes

**Motion passed.**

#### ANNOUNCEMENTS AND COMMENTS

\*Planning Commission Meeting, August 20, 2020 @ 7:00p.m.

\*City Sales and Use & County Tax numbers for 2018-2020 were listed

\*At this time Council members requested future Planning and Zoning agendas be provided to them via email while social distancing practices remained in place, in order to keep informed of City planning business. City Clerk Jenny Trout made note to include all Council members in future emails and provide requested information.

There being no other new business Mayor Johnston entertained a motion to adjourn.

**Motion:** Thorburn- to adjourn this meeting

**Second:** Barrett

**All in favor. None opposed.**

**Motion passed; meeting adjourned.**

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CITY CLERK:  
JENNY TROUT

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MAYOR: KEVIN JOHNSTON  
CITY OF GENTRY



DRAFT

**City of Gentry, Arkansas  
Water and Sewer Revenue Bonds, Series 2020**

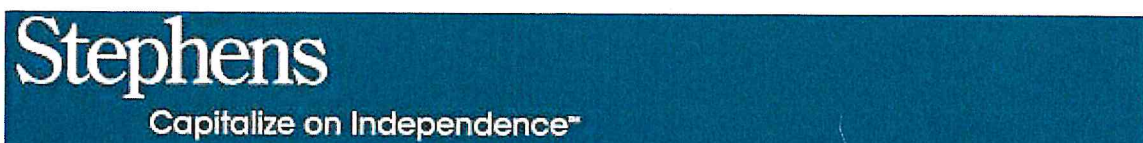
**PRELIMINARY SCHEDULE OF EVENTS**

September 2020						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October 2020						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November 2020						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

2020	Event	Responsible Parties
September 29	Bid opening for water tower	City
September 30	Publish Notice of Public Hearing	City/ Mitchell Williams (MW)
October 2	Blacklined financing documents distributed	MW
October 5	City Council accepts low bid	City
October 5	Final comments due on blacklined financing documents	All parties
October 6	Distribute Preliminary Official Statement to investors	Stephens
October 12	Pre-pricing meeting with the City (2:00 PM)	City / Stephens
October 13	Offer Bonds	Stephens
October 13	Commit to underwrite	Stephens
October 13	Approval of Bond Ordinance and Bond Purchase Agreement @ 6:30 pm	City / MW
October 15	Distribute final draft of the Official Statement	MW
October 21	Publish Bond Ordinance	City
October 16	Comments due on Official Statement	All Parties
October 19	Distribute final Official Statement	MW
November 10	Prepare and distribute closing documents	MW
November 24	Closing of issue	All Parties



RESOLUTION NO. \_\_\_\_\_

CITY OF GENTRY, ARKANSAS

**RESOLUTION DECLARING THE STRUCTURES  
LOCATED AT 119 NORTH NELSON AVENUE IN THE CITY  
OF GENTRY TO CONSTITUTE A NUISANCE AND  
CONDEMNING SAID STRUCTURES; PROVIDING A  
PERIOD OF TIME FOR THE PROPERTY OWNER TO  
ABATE SAID NUISANCE; AND FOR OTHER PURPOSES.**

WHEREAS, the City Code Enforcement Officer has found the structure located at 119 North Nelson Avenue, Gentry, Arkansas (more particularly described as Lots 21 and 22, Block 21, to the Original Town of Gentry, Benton County, Arkansas) (the “Property”) to be structurally unsafe, dilapidated, unsightly, unfit for human occupancy, and in violation of various provisions of the International Property Maintenance Code of 2003 as adopted by the City of Gentry (the “IPMC”).

NOW THEREFORE BE IT RESOLVED by the City Council for the City of Gentry:

**Section 1.** The Council finds that the Property is in violation of the IPMC, as follows:

- A. Large holes in roof – IPMC 304.1, 304.7
- B. Holes in interior floor – IPMC 305.1, 305.4
- C. Exposed electrical wiring – IPMC 605.1
- D. Plumbing in disrepair – IPMC 504.1
- E. Shed collapsing – IPMC 302.7

**Section 2.** The Property is accordingly declared to be unsafe and a public nuisance, and the structures thereon are hereby condemned in order to ensure their removal or other abatement.

**Section 3.** The City Code Enforcement Official or the City Attorney shall provide a copy



of this Resolution to the owner of the Property and shall post a copy at a prominent place on the Property as provided in the IPMC.

**Section 4.** The owners of record of the Property are hereby directed to remove the structures or otherwise abate the said nuisance within thirty (30) days after the posting of a copy of this Resolution on the Property.

**Section 5.** If the aforementioned nuisance has not been removed and/or abated within thirty (30) days after the posting of a copy of this Resolution upon the Property, the structures shall be torn down and removed by the City Code Enforcement Officer or his designated representative. Each day after the aforesaid thirty (30) days that the nuisance is not abated shall constitute a separate and distinct offense punishable as provided in the Gentry Municipal Code.

**Section 6.** If occupied, the condemned structures shall be vacated as ordered by the City Code Enforcement Officer. Any person who shall occupy said structures and any owner who shall let any person occupy the condemned structures shall be liable as provided in the IPMC and the Gentry Municipal Code.

**Section 7.** This Resolution shall be in full force and effect from and after its passage and approval.

PASSED, APPROVED AND ADOPTED THIS 8th day of September, 2020.

\_\_\_\_\_  
Kevin Johnston, Mayor

ATTEST:

\_\_\_\_\_  
Tonya Carney, Director of Finance

**ORDINANCE NO. \_\_\_\_\_**

**CITY OF GENTRY, ARKANSAS**

**AN ORDINANCE VACATING AN ALLEY RUNNING NORTH AND SOUTH BETWEEN EAST ARKANSAS STREET AND NORTH RAILROAD AVENUE; AND FOR OTHER PURPOSES.**

WHEREAS, a petition was duly filed with the City of Gentry, Arkansas on the \_\_\_\_ day of \_\_\_\_\_, 2020, asking the City Council to vacate and abandon a certain alley within the City, said alley being described as follows:

An alley running North and South between East Arkansas Street and North Railroad Avenue and bordered by Lots 6–10, Block 19, Original Town of Gentry, Arkansas on the West and by Lots 11–13, Block 19, Original Town of Gentry, Arkansas to the East.

WHEREAS, after due notice as required by law, the Council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question and has ascertained that the said alley, as described above, has previously been dedicated to the public use as an alley as herein described; has not been actually used by the public generally for at least five (5) years subsequent to the filing of the plat; that all the owners of the property abutting upon the portion of the street to be vacated have filed their written consent with the Council to the abandonment; and that the public interest and welfare will not be adversely affected by the abandonment of the alley.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Gentry, Arkansas:

Section 1: The City of Gentry, Arkansas hereby releases, vacates and abandons the above-described alley, together with the rights of the public generally, in and to such alley.

Section 2: A copy of this Ordinance, duly certified by the City Clerk, shall be filed in the office of the Recorder of Benton County, Arkansas, and recorded in the Deed Records of

Benton County, Arkansas.

Section 3: This ordinance shall take effect and be in force from and after its passage.

PASSED and APPROVED in regular session this \_\_\_\_ day of September, 2020.

\_\_\_\_\_  
Kevin Johnston, Mayor

ATTEST:

\_\_\_\_\_  
Tonya Carney, Director of Finance

6/15/2020

To Whom it May Concern,

It has been brought to my attention that my Mother's home sits approximately 3 feet or so into an alleyway owned by the City of Gentry. I would like to request the City close this section of the alleyway, giving a variance or some type of "grandfathering" as this house has been there for approximately 60 years. I've enclosed a copy of the proposed lot line adjustment that James Surveying has been working on for us.

Thank you for your consideration.

A handwritten signature in cursive script, appearing to read "Alan Watkins".

Alan Watkins

479-616-9797

July 7, 2020

To Whom it May Concern,

It has been brought to my attention that my Mother's home sits approximately 3 feet or so into an alleyway owned by the City of Gentry. The following owners would like to request the City close this alleyway, giving a variance as this home has been there for approximately 60 years. I've enclosed a copy of the proposed lot line adjustment that Hames Surveying has been working on for us.

Thank you for your consideration.


Alan Watkins  
138 N. Otis Ave  
10-00286-000

 Date 7/22/20

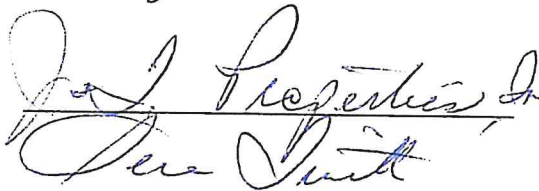
Mike J. Savage Jr  
115 N Railroad  
10-00289-000

 Date 7/22/20

Jacob I. & Jennifer D. Ramos  
405 E Arkansas St  
10-00287-000

 Date 7-12-2020  
7-12-20

J & T Properties Inc  
128 N Otis Ave  
10-00285-000

 Date 7-15-2020  
7-15-2020

Tennant Family Trust

Forrest M. & Vanzetta L. Tennant

124 N Otis Ave  
10-00284-000

\_\_\_\_\_ Date \_\_\_\_\_

July 7, 2020

To Whom it May Concern,

It has been brought to my attention that my Mother's home sits approximately 3 feet or so into an alleyway owned by the City of Gentry. The following owners would like to request the City close this alleyway, giving a variance as this home has been there for approximately 60 years. I've enclosed a copy of the proposed lot line adjustment that Hames Surveying has been working on for us.

Thank you for your consideration.

Alan Watkins \_\_\_\_\_ Date \_\_\_\_\_  
138 N. Otis Ave  
10-00286-000

Mike J. Savage Jr \_\_\_\_\_ Date \_\_\_\_\_  
115 N Railroad  
10-00289-000

Jacob I. & Jennifer D. Ramos \_\_\_\_\_ Date \_\_\_\_\_  
405 E Arkansas St  
10-00287-000

J & T Properties Inc \_\_\_\_\_ Date \_\_\_\_\_  
128 N Otis Ave  
10-00285-000

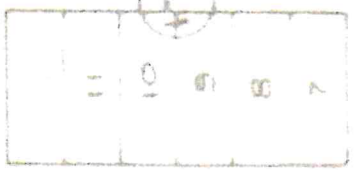
Tennant Family Trust  
Forrest M. & Vanzetta L. Tennant Vanzetta L. Tennant Date July 23, 2020  
124 N Otis Ave  
10-00284-000



SEINE



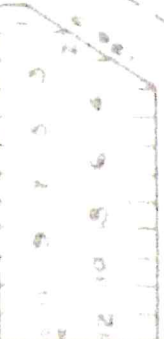
MR KENNON



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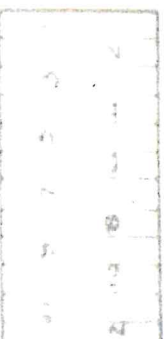
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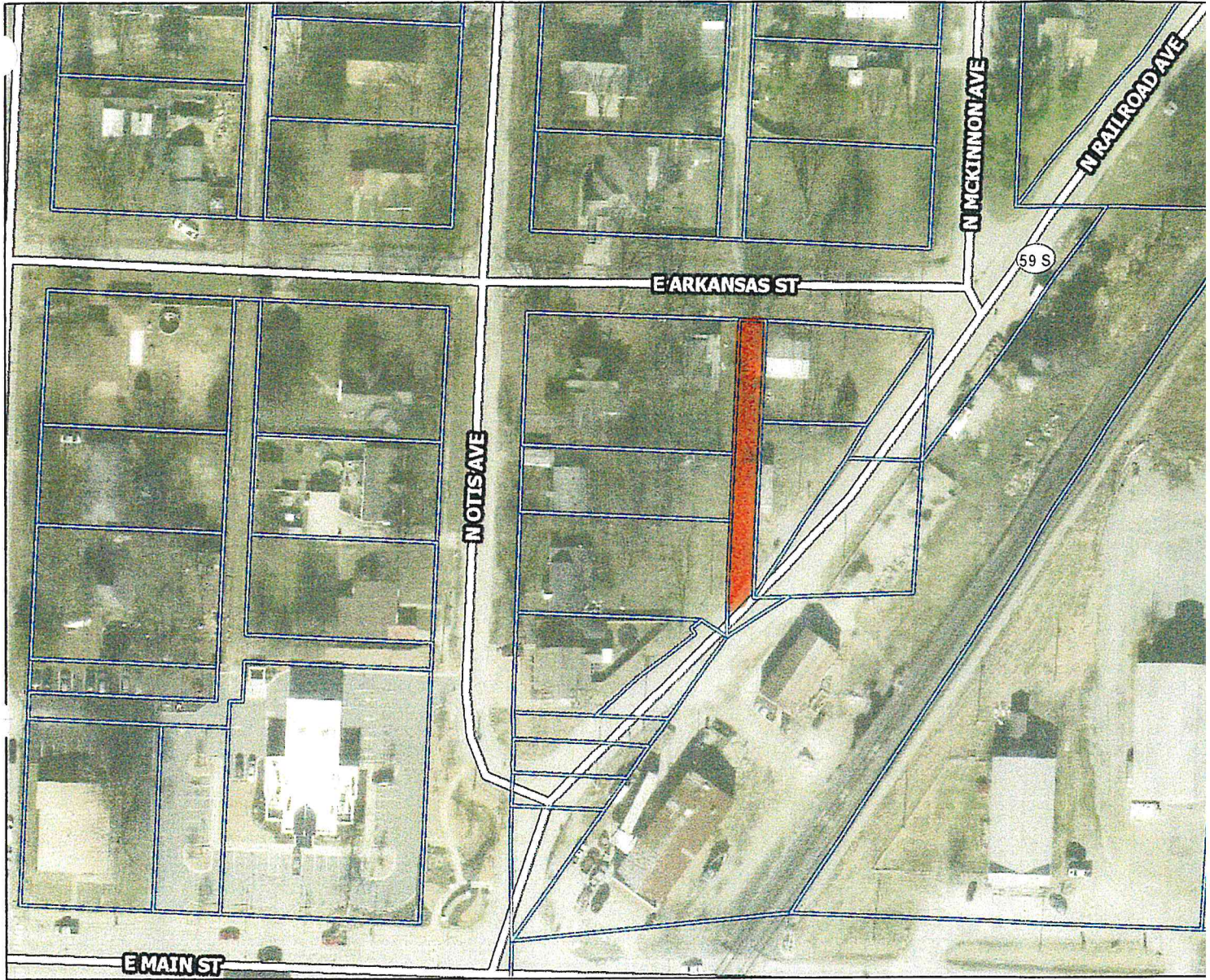


ARKASAS



MAIR





E MAIN ST

N OJIS AVE

E ARKANSAS ST

N MCKINNON AVE

N RAILROAD AVE

59 S





ARKANSAS DEPARTMENT OF TRANSPORTATION

[ARDOT.gov](http://ARDOT.gov) | [IDriveArkansas.com](http://IDriveArkansas.com) | Lorie H. Tudor, P.E., Director

10324 Interstate 30 | P.O. Box 2261 | Little Rock, AR 72203-2261

Phone: 501.569.2000 | Voice/TTY 711 | Fax: 501.569.2400

August 10, 2020

The Honorable Kevin Johnston  
Mayor of Gentry  
101 West Main Street  
Gentry, Arkansas 72734

Dear Mayor Johnston:

A cost estimate has been prepared for requested improvements at the intersection of Highway 12 and Highway 59 in Gentry.

Under the Department's Intersection Improvement Program, preliminary engineering, construction and construction engineering phases of this project are eligible for 80% Federal-aid funding (\$350,000 maximum available Federal-aid) with the required 20% match covered by the Department. The City would be responsible for 100% of the cost over the maximum available funds and any necessary right-of-way acquisition or utility relocation. As shown on the enclosed cost estimate, the City's estimated total project cost would be \$1,172,375. Please note that this is a planning-level estimate and that the costs may change as design of the project progresses.

Before we proceed with programming a Federal-aid project, your City Council must pass a Resolution (sample enclosed) authorizing the project. Upon receipt of the original signed and sealed copy of the Resolution, we will assign State and Federal-aid job numbers.

If you have any questions concerning this matter, please contact Ashley Smith in our Program Management Division at (501) 569-2481 or [Ashley.Smith@ardot.gov](mailto:Ashley.Smith@ardot.gov).

Sincerely,

Emanuel Banks  
Deputy Director and  
Chief Engineer

Enclosures

c: Director  
Deputy Director and Chief Operating Officer  
Assistant Chief Engineers  
Maintenance  
Program Management  
Right of Way  
Roadway Design  
Surveys  
Transportation Planning and Policy  
District 9

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION EXPRESSING THE WILLINGNESS OF  
THE CITY OF GENTRY  
TO UTILIZE FEDERAL-AID MONIES  
FOR THE FOLLOWING PROJECT:**

**Traffic Signal Upgrade at the Intersection of  
Highway 12 and Highway 59**

WHEREAS, the City of Gentry understands Federal-aid Surface Transportation Block Grant Program funds are available for certain local projects at the following Federal, State, and City participating ratios up to a maximum of \$350,000 Federal-aid available per project:

Type Work	Work Phase	Federal Share	State Share	City Share
Traffic Signals/Intersection Improvements	Construction & Engineering	80%	20%	*0%
	Right-of-Way & Utilities	0%	0%	100%
Projects designed but never progressed to construction	All Phases	0%	0%	100%

\*The City share for this work phase will be 0% unless the overall cost of this phase exceeds \$437,500. If this occurs, 100% of the amount above this value will be the responsibility of the City; and

WHEREAS, the Arkansas Department of Transportation has agreed to this arrangement and will provide funding for 20% of the project costs up to \$87,500 and will handle all phases of the project.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GENTRY, ARKANSAS, THAT:**

**SECTION I:** The City will participate in accordance with its designated responsibility in this project, which includes providing electrical service, maintenance of the traffic signal and associated control equipment, and 100% of any costs over the maximum available funds (\$350,000 Federal-aid and \$87,500 State).

**SECTION II:** The Mayor, or their designated representative, is hereby authorized and directed to execute all appropriate agreements and contracts necessary to expedite the construction of this project.

**SECTION III:** The City pledges its full support and hereby authorizes the Arkansas Department of Transportation to initiate action to implement this project.

**THIS RESOLUTION** adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Kevin Johnston  
Mayor of Gentry

**ATTEST:** \_\_\_\_\_  
(SEAL)

Preliminary Cost Estimate  
Hwy. 12/Hwy. 59 Intersection Improvements - Gentry

**Intersection Improvement Program Funds (80/20/0)**

	<u>Total Cost</u>	<u>Federal Share</u>	<u>State Share</u>	<u>City Share</u>
Preliminary Engineering	\$ 155,150.00	\$ 124,120.00	\$ 31,030.00	\$ -
Right-of-Way	30,000.00	-	-	30,000.00
Utilities	330,500.00	-	-	330,500.00
Construction	951,500.00	196,417.00	49,104.00	705,979.00
Construction Engineering (15% of Construction)	142,725.00	29,463.00	7,366.00	105,896.00
<b>Totals</b>	<b>\$ 1,609,875.00</b>	<b>\$ 350,000.00 *</b>	<b>\$ 87,500.00 *</b>	<b>\$ 1,172,375.00</b>

\* Maximum Federal and State funding available

Disclaimer: This is a planning estimate only, which is based on historical data for similar type projects. This estimate is not based on engineering data such as surveys, hydraulics, geotechnical information, etc. This estimate is not based on actual utility company cost estimates. While additional right of way is anticipated, only a limited market study has been completed. Therefore, the amounts shown may change significantly as design of this project progresses.

# Memo

**From:** Director Wendy Bland  
**Date:** August 31, 2020  
**Re:** Cuts to District programs and services

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The Benton County Solid Waste District has experienced an unexpected and drastic reduction to our anticipated revenues for 2020 amounting to nearly \$230,000.00. Since we cannot assure our receipt of those funds in 2020, we cannot budget those funds.

The District Board was forced to make hard decisions and to cut all non-statutory expenses possible in order to comply with the requirement to balance our 2020 budget. Significant cuts were required to personnel and operating expenses to meet the reduced revenue projections.

Unfortunately, the cuts impacted several programs and have cost several jobs. The cuts will also affect our citizens as we are forced to cancel or limit some services due to lack of funding.

## **PROGRAM CUTS AND CHANGES**

- Discontinue the rural recycling trailer program effective September 4, 2020. This resulted in the loss of one position. (Note: some of the cities where trailers are located have arranged to continue this program using city employees and funds.)
- Discontinue the rural recycling drop off program at our Centerton facility effective September 4, 2020. This resulted in the loss of one position.
- Close the Regional Composting Facility effective September 4, 2020. This resulted in the loss of one position.
- Reduce the Convenience Center Program hours for Centerton to 10:00 a.m. to 3:00 p.m. Tuesday through Saturday. This change was required due to furlough of Safety Manager and recycling staff which previously provided necessary labor for the Convenience Center Program.

(Note: The District's approved budget plan also included discontinuing the Rogers and Siloam Springs Convenience Center satellites. Fortunately, County Judge Barry Moehring was able to secure additional funding and arranged a cost-share with the City's of Rogers and Siloam Springs for continuation of this program. Funds to keep these two sites open through end of year will be paid by the Cities and the County to the District.)

## **WHAT CAUSED THE LOSS OF FUNDS?**

Waste Management Hauling and Eco Vista Landfill filed suit against the Benton County District and the Boston Mountain District seeking the court's direction on the disbursement of the fees collected on waste generated in Benton County which is received at the Tontitown landfill. As a result, the funds collected since April 1<sup>st</sup> on Benton County waste have now been placed into an escrow fund with the courts pending a decision.

## **WHY ARE THE RURAL TRAILERS BEING IMPACTED?**

The District has provided the transport and processing of the rural recycling materials for many years, at no cost to the citizens and businesses using this service. This program has cost the District approximately \$10,000.00 per year per site (more if serviced multiple times per week). The revenue generated per year is about \$4,806.00 per site based on material values today after the disposal of the contamination/non-recyclable materials (about 25% of incoming material is not allowed and ends up in the trash). The District does not have available funds to continue subsidizing the rural recycling program at the current level at this time.

RESOLUTION NO. \_\_\_\_\_

CITY OF GENTRY, ARKANSAS

**A RESOLUTION DIRECTING PLACEMENT OF A PETITION SEEKING AUTHORIZATION OF OFF-PREMISES SALE OF ALCOHOL ON SUNDAYS WITHIN THE CITY OF GENTRY ON THE BALLOT FOR THE NOVEMBER 3, 2020 GENERAL ELECTION.**

WHEREAS, Charles Jech and Jerah Jech have filed a petition with the City Clerk seeking to authorize the sale of alcoholic beverages for off-premises consumption on Sundays between the hours of 10:00 a.m. and 12:00 midnight within the City of Gentry, Arkansas, in accordance with the provisions of Arkansas Code Annotated § 3-3-210; and

WHEREAS, the City Clerk has reviewed said petition in the first instance and determined it to be legally sufficient; and

WHEREAS, the City Council finds that said petition has been signed by at least fifteen percent (15%) of the qualified electors within the City who cast a vote in the city for the Office of Governor in the last general election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GENTRY, ARKANSAS:

1. The following issue shall be submitted to the electors of the City at the November 3, 2020 general election: Whether to authorize the sale of alcoholic beverages for off-premises consumption on Sundays between the hours of 10:00 a.m. and 12:00 midnight within the City of Gentry, Arkansas.

2. The issue shall be placed on the ballot for the election in substantially the following form:

FOR the off-premises sale of alcoholic beverages on Sundays in Gentry, Arkansas, as authorized by Arkansas Code § 3-3-210.

AGAINST the off-premises sale of alcoholic beverages on Sundays in Gentry, Arkansas, as authorized by Arkansas Code § 3-3-210.

3. Said election shall be held and conducted and the vote canvassed and the results declared under the law and in the manner now provided for in accordance with the initiative and referendum laws of this state applicable to cities, and only qualified voters of the City shall have the right to vote at the election.

4. The results of the election shall be proclaimed by the Mayor, and his proclamation shall be published one time in a newspaper having a general circulation in the City, which proclamation shall advise that the results as proclaimed shall be conclusive unless attacked in the courts within 30 days after the date of publication.

5. A copy of this Resolution shall be given to the Benton County Board of Election Commissioners so that the necessary election officials and supplies may be provided.

PASSED and APPROVED this 8th day of September 2020.

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Kevin D. Johnston, Mayor

ATTEST:

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Tonya Carney, Director of Finance

## Kevin Johnston

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**From:** Dana Caler <Dana.Caler@bentoncountyar.gov>  
**Sent:** Wednesday, August 12, 2020 1:23 PM  
**To:** Kevin Johnston  
**Subject:** List of Voters  
**Attachments:** Gentry Registered Voters.xlsx

According to the 2018 Election 721 ballots were cast so you would need 108 signatures.

***Dana Caler***

*Benton County Clerk's Office  
Elections Administrator / Voter Supervisor  
Phone: 479-271-1013  
Fax: 479-271-1019*

*Visit*

<https://vote.bentoncountyar.gov/>

*for all election information, sample ballots, and voting locations!*



**Jenny Trout**  
City Clerk

8/25/2020

Charles & Jerah Jech  
800 Avalon Drive  
Gentry, AR 72734

RE: Petition

Dear Charles and Jerah,

I am writing in regard to your recently submitted additions to the last petition submitted August 13, 2020, proposing the sale of alcohol on Sundays in the City of Gentry, Arkansas.

It is my duty as City Clerk to determine the sufficiency of municipal initiative petitions and provide you with a response.

After careful review and consideration, it is my determination that your petition has met the requirements needed to move forward. Congratulations!

Thank you for your consideration.

Very Truly Yours,

Jenny Trout, City Clerk

Cc: Kevin Johnston, Mayor  
Melanie.bailey@danilsonlawfirm.com



