

**MONDAY, APRIL 1, 2019**

Meeting Called to Order (Regular Council Meeting)  
Invocation  
Roll Call  
Review of Minutes: March 4, 2019 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 Senior Activity Center – Maxine Foster
4. Gentry Public Schools – Terrie Metz

**UNFINISHED BUSINESS**

1. Dawn Hill East Bridge Update
2. Park Master Plan Update
3. Water Storage Facility Update
4. Walton Family Foundation Tree Grant
5. Sign Ordinance
6. Feral Cats

**NEW BUSINESS**

1. Records Destruction Affidavits
2. Disposal of Equipment and/or Materials
3. Conflict of Interest Policy Resolution
- 4.

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**

- City Wide Beautification Event, April 6-7, 2019, 8am-4pm.
- Curbside Limb Pick Up, Beginning Week of April 8, 2019
- Curbside Bagged Yard Waste, April 10, 2019
- Planning Commission Meeting, April 18, 2019 @ 7pm
- Earth Day Shred Event, April 22, 2019, 12-4pm @ Grand Savings Bank

	<u>2017</u>	<u>2018</u>	<u>2019</u>
City Sales & Use	\$44,897.90	\$50,436.45	\$70,553.80
County Tax	\$54,601.96	\$56,678.87	\$60,579.60

**CITY OF GENTRY  
REGULAR CITY COUNCIL MEETING  
MONDAY, MARCH 4, 2019**

The City Council of the City of Gentry, Arkansas, met in a regular session at the Council Chambers at 6:30 p.m. on March 4, 2019. Mayor Kevin Johnston called the meeting to order. City Attorney Joel Kurtz gave the invocation.

**COUNCIL MEMBERS ANSWERING ROLL CALL:**

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

**Others in attendance:** City Clerk Jenny Trout, Police Chief K. Smith, Fire Chief V. Cripps, City Attorney Joel Kurtz, Mayor Kevin Johnston, Janie Parks, Maxine Foster and Ray Arnold.

**REVIEW OF MINUTES: February 4 2019- Regular Council Meeting and February 27, 2019 Special Council Meeting.**

**Motion:** Janice Arnold- to approve minutes as presented

**Second:** Jason Barrett

**Roll Call:** Arnold-yes Barrett -yes Crawford- yes Erskin- pass  
Philpott- yes Reams- 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** presented the calendar of events including the Gentry Chamber of Commerce Awards Banquet set for March 7, 2019 at 6:30, to take place at the Wooden Spoon Restaurant and, Freedom Fest 2019 which is set for Thursday, July 4 from 12:00-10:00p.m. in the City Park.
- 3. Gentry Senior Activity Center- Maxine Foster** Presented the February calendar of events. Everyone was encouraged to attend.
- 4. Gentry Public Schools – Jason Barrett** on behalf of **Terrie Metz** voiced his thanks to the City of Gentry’s street crews for their work on our city roads given the inclement weather.
- 5. UNFINISHED BUSINESS**
  - 1) Dawn Hill East Bridge Update:** The cost estimate was presented and the project is now being sent to ARDOT for consideration and approval. Should things proceed on schedule, we are estimating beginning construction toward the end of September. 150 calendar days have been set for the construction period.

- 2) **Park Master Plan Update** – Mayor Johnston stated discussions were continuing and noted there was a Parks Advisory meeting held on February 11, 2019 which yielded discussions with Nathan Street on preparing an estimate for further park improvements.
- 3) **Water Storage Facility Update-** Mayor Johnston stated a Water/Waste Water meeting had taken place on February 12, 2019 in which notifications were given there would need to be specific requirements met in the future
- 4) **Walton Family Foundation Tree Grant:** Regarding additional funds remaining from the tree grant, it was asked of the Council for suggestions for planting a possible Community Christmas tree. Several suggestions were made with the general consensus stating within the city park would be the best.
- 5) **Sign Ordinance Update:** This was not for recommendation, but for informational purposes only at this time, to allow for review.
- 6) **Feral Cats:** An Ordinance was presented to the Council to consider regarding the feeding of feral cats within the City of Gentry with the hopes of decreasing the population of said cats.

**NEW BUSINESS:**

- 1) **Janie Parks** announced she was notified that **Harp’s Grocery** will be starting their “insta-cart” program which will enable citizens of Gentry to order their grocery items via an app or online, schedule a delivery time, and have them delivered to their homes. Further details will be announced shortly.

**ANNOUNCEMENTS AND COMMENTS**

**\*Planning Commission Meeting, March 21, 2019 @ 7:00p.m.**

**\* City wide beautification event is set for April 6<sup>th</sup> & 7<sup>th</sup> from 8:00a.m. to 4:00p.m.**

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

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

**Second:** Thorburn

**All in favor. None opposed.**

**Meeting adjourned.**

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**CITY CLERK:  
JENNY TROUT**

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**MAYOR: KEVIN JOHNSTON  
CITY OF GENTRY**

## Records Destruction Affidavit- City Hall and Water Dept. 2019

The records listed below are now eligible for destruction according to the approved destruction procedure in Ordinance #08-628.

RECORDS TITLE	Box #	PERIOD OF TIME RECORD APPLIES TO	REQUIRED HOLD	DESTRUCTION DATE	DIGITAL COPY SAVED AS	TYPE OF DESTRUCTION
1983 Ford F150 Registrations slips 1FTEF14G0D5A21250	1	1984-1990	No longer own	4/22/2019		SHRED
1985 Plymoth Police Car Registration slips 1P3BB26S2FX638967	1	1989	No longer own	4/22/2019		SHRED
1974 Ford Flat Bed Registration slips F70EVT28312	1	1981-1988	No longer own	4/22/2019		SHRED
Notarized bill of sale of a 1960 Ford Dump truck sold to Steve Young	1	1981	No longer own	4/22/2019		SHRED
1992 Chevrolet Caprice Copy of title, bill of sale and regristration slip 1G1BL5371NR130337	1	1992	No longer own	4/22/2019		SHRED
1978 Chevrolet Pickup Copy of title and registration CCL248S112344	1	1978-1987	No longer own	4/22/2019		SHRED
1985 Ford Ranger Pickup Copy of title, bill of sale, registration 1FTCR11S9FUB56127	1	1987-1990	No longer own	4/22/2019		SHRED
1964 Chevrolet Dumptruck buyers guide and insurance card 4C653S193491	1	1964, 1991	No longer own	4/22/2019		SHRED
Bill of sale for a case tractor 4C653S193491	1	1974	No longer own	4/22/2019		SHRED
Bill of sale for a 1990 Chevrolet Caprice & odometer statement with insurance 1G1BL5473LR140301	1	1990	No longer own	4/22/2019		SHRED

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1990 Dodge Pickup Bill of sale, registration and insurance card 1B7JM26Y4LS711520	1	1990	No longer own	4/22/2019		SHRED
1962 Ford flat bed dump truck bill of sale, registration F60CK240185	1	1962	No longer own	4/22/2019		SHRED
Bill of sale on 18" Bucket for equipment	1	1987	No longer own	4/22/2019		SHRED
1978 Ford F 100 Bill of sale F10G7AE3471	1	1977	No longer own	4/22/2019		SHRED
1974 Ford Registration slips F10AKT69904	1	1974-1985	No longer own	4/22/2019		SHRED
Paid invoices for water and sewer	2	2013	4 Years	4/22/2019		SHRED
Service call books	3	2012-2015	N/A	4/22/2019		SHRED
Bank statements, reports, general fund checks	4	2014	4 Years	4/22/2019		SHRED
Bank and financial reports misc.	5	2014	4 Years	4/22/2019		SHRED
General financial reports, deposits, quarterly reports, payroll, paid invoices	6	2014	4 Years	4/22/2019		SHRED

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RECORDS TITLE	Box #	PERIOD OF TIME RECORD APPLIES TO	REQUIRED HOLD	DESTRUCTION DATE	DIGITAL COPY SAVED AS	TYPE OF DESTRUCTION
Water billing registrar summary reports	7	2014	4 Years	4/22/2019		SHRED
Water Sewer bank statements financial journals and check backup	8	2014	4 Years	4/22/2019		SHRED
Water sewer paid invoices w backup	9	2014	4 Years	4/22/2019		SHRED
Deleted Water and Sewer auto draft forms	10	2012-2014	N/A	4/22/2019		SHRED
Nsf fee forms	10	2009-2016	N/A	4/22/2019		SHRED
Billed Invoices	10	1994-2014	4 Years	4/22/2019		SHRED
Credit Applications	10	1997-2015	N/A	4/22/2019	Credit App./ Water Server	SHRED
Deposits Record Water and Sewer	10	1997-2003	7 Years	4/22/2019		SHRED
Occupational License receipt book	11	1999	4 Years	4/22/2019		SHRED
Copies of ordinances	11	1907-2007	N/A	4/22/2019		

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RECORDS TITLE	Box #	PERIOD OF TIME RECORD APPLIES TO	REQUIRED HOLD	DESTRUCTION DATE	DIGITAL COPY SAVED AS	TYPE OF DESTRUCTION
Copies of old budgets	11	1991-2005	N/A	4/22/2019		
Interoffice memos	11	1991-1993	N/A	4/22/2019		
Old Notes/To Do's	11	1993	N/A	4/22/2019		
EFTPS Documents (Electronic federal tax pay system)- instructions	11	1996	N/A	4/22/2019		
Benton County Property Tax Exemption Forms	11	2011	N/A	4/22/2019		
BCBCW Spreadsheets	11	2013	4 Years	4/22/2019		
Commercial Property Assesment	11	2009-2012	NA	4/22/2019		
Act 833 and fire dept. vehicle information	11	1993-2013	4 Years	4/22/2019		

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RECORDS TITLE	Box #	PERIOD OF TIME RECORD APPLIES TO	REQUIRED HOLD	DESTRUCTION DATE	DIGITAL COPY SAVED AS	TYPE OF DESTRUCTION

City of Gentry City Council Approval of Destruction: \_\_\_\_\_

\_\_\_\_\_  
MAYOR'S SIGNATURE

\_\_\_\_\_  
DATE

City of Gentry City Council Member Verifying Records for Destruction: \_\_\_\_\_

\_\_\_\_\_  
COUNCILMEMBER SIGNATURE      DATE

## CERTIFICATE OF DESTRUCTION

STATE OF ARKANSAS

} ss

CITY OF GENTRY

I, \_\_\_\_\_, of lawful age and having personal knowledge of the matters set forth herein state the following:

- The documents identified herein were duly destroyed as stated. Further affidavit sayeth not.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

Subscribed and sworn before me, a Notary Public on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_



## Records Destruction Affidavit- Gentry Police Dept. 2019

The records listed below are now eligible for destruction according to the approved destruction procedure in Ordinance #08-628.

RECORDS TITLE	Box #	PERIOD OF TIME RECORD APPLIES TO	REQUIRED HOLD	DESTRUCTION DATE	DIGITAL COPY SAVED AS	TYPE OF DESTRUCTION
Animal Control Files	1	2005-2014	3 yrs.	4/22/2019		SHRED
White Tickets	2	1986-2015	3 yrs.	4/22/2019		SHRED
Code Enforcement Files	3	2001-2014	3 yrs.	4/22/2019		SHRED
Community Service Files	4	2005-2007	3 yrs.	4/22/2019		SHRED
Audited tickets books	5	1998	3 yrs.	4/22/2019		SHRED
Tow Sheets	6	2015	3 yrs.	4/22/2019		SHRED

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City of Gentry City Council Approval of Destruction: \_\_\_\_\_

\_\_\_\_\_

MAYOR'S SIGNATURE

DATE

City of Gentry City Council Member Verifying Records for Destruction: \_\_\_\_\_

COUNCILMEMBER SIGNATURE      DATE

## CERTIFICATE OF DESTRUCTION

STATE OF ARKANSAS

} ss

CITY OF GENTRY

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\_\_\_\_\_

NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_





**CITY OF GENTRY, ARKANSAS**

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

**RESOLUTION ADOPTING A CONFLICT-OF-INTEREST POLICY FOR  
CITY COUNCIL MEMBERS AND OFFICIALS**

WHEREAS, the City of Gentry desires to provide guidelines to promote and maintain transparency and ethical conduct, particularly with regard to transactions between the City and its officials and council members;

WHEREAS, the City of Gentry does not currently have a formal conflict-of-interest policy; and

WHEREAS, adoption of a municipal conflict-of-interest policy is a prerequisite for certain state and federal funding opportunities;

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

That the attached Policy Regarding Conflicts of Interest for Council Members and City Officials of the City of Gentry, Arkansas is hereby approved and adopted, effective immediately.

PASSED, APPROVED AND ADOPTED THIS 1<sup>st</sup> day of April, 2019.

\_\_\_\_\_  
Kevin D. Johnston, Mayor

ATTEST:

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

## **Policy Regarding Conflicts of Interest for Council Members and City Officials of the City of Gentry, Arkansas**

Adopted: \_\_\_\_\_

The City of Gentry, Arkansas (the “City”) has adopted this conflict-of-interest policy (the “Policy”) with respect to its council members and officials. All council members and officials should be provided with this Policy upon commencement of employment, election or appointment and required to acknowledge that they have read, understand and are in compliance with the terms of the Policy. Council members and officials should review on an ongoing basis circumstances that constitute a conflict of interest or the appearance of a conflict of interest, abide by this Policy, and seek guidance when necessary and appropriate.

This Policy is intended to supplement, but not replace, any applicable local, state, and federal laws governing conflicts of interest applicable to public authorities.

**Required Filings:** Council members and officials are required to file an annual disclosure report with the City Clerk, pursuant to Arkansas Code Annotated § 21-8-703, as may be amended from time to time.

**Conflicts of Interest:** A conflict of interest is a situation in which the financial, familial, or personal interests of a council member or official come into actual or perceived conflict with his or her duties and responsibilities with the City. Perceived conflicts of interest are situations where there is the appearance that a council member or official can personally benefit from actions or decisions made in his or her official capacity, or where a council member or official may be influenced to act in a manner that does not represent the best interests of the City. The appearance of a conflict may occur if circumstances would suggest to a reasonable person that a council member or official may have a conflict. The appearance of a conflict and an actual conflict will be treated in the same manner for the purposes of the Policy.

A council member or official shall not be deemed to have an apparent or actual conflict of interest merely by virtue of his or her status as an official or employee of the City of Gentry, Arkansas, or by his or her status as the owner of property, or affiliation with any organization that owns property, connected to the water or wastewater system of the City of Gentry, Arkansas.

Council members and officials must conduct themselves at all times in a manner that avoids any appearance that they can be improperly or unduly influenced or that they are acting in violation of the public trust. While it is not possible to describe or anticipate all the circumstances that might involve a conflict of interest, a conflict of interest typically arises whenever a council member or official has or will have:

- A financial or personal interest, either directly or indirectly, in any person, firm, corporation, or association that has or will have a transaction, agreement or any other arrangement in which the City participates.

- The ability to use his or her position, confidential information, or the assets of the City to his or her personal advantage.
- Solicited or accepted a gift of any amount under circumstances in which it could reasonably be inferred that the gift was intended to influence or could reasonably be expected to influence him or her in the performance of his or her official duties or was intended as a reward for any action on his or her part.
- Any other circumstance that may make or appear to make it difficult for the City Council or official to exercise independent judgment and properly exercise his or her official duties.

If a council member or official has a question as to whether a conflict of interest exists, he or she may contact the City Attorney or the Arkansas Ethics Commission for clarification and advice.

**Duty to Disclose:** All material facts related to an actual or apparent conflict of interest, including the nature of the interest and information about a conflicting transaction, if any, shall be disclosed in good faith and in writing to the City's Mayor and Clerk, except where a council member recuses himself or herself from all deliberations, votes, or internal discussion on matters relating to an actual or apparent conflict of interest. Such written disclosure shall be retained by Clerk.

**Recusal and Abstention:** No council member or official may participate in any decision or take any official action with respect to any matter requiring the exercise of discretion, including discussing the matter and voting, when he or she knows or has reason to know that the action could confer a direct or indirect financial or material benefit on himself or herself, a relative, or any organization in which he or she is deemed to have an interest. Council members and officials must recuse themselves from deliberations, votes, or internal discussion on matters relating to any organization, entity, or individual where their impartiality in the deliberation or vote might be reasonably questioned, and they are prohibited from attempting to influence other council members and officials in the deliberation and voting on the matter.

**Records of Conflicts of Interest:** When appropriate, the minutes of the City's meetings during which an apparent or actual conflict of interest is disclosed or discussed shall reflect the name of the interested person, the nature of the conflict, and a description of how the conflict was resolved.

**Reporting of Violations:** Council members and officials should promptly report any violations of the Policy to the City Mayor.

**Penalties:** Any council member or official who fails to comply with this Policy may be penalized in the manner provided for in law, rules, or regulation.

**Statutory Exceptions:** As provided in Arkansas Code Annotated § 14-42-107, with regards to contracts for furnishing supplies, equipment, or services to the City:

- The City may enter into a contract with a corporation in which a council member or city official has an interest, provided said council member or official either (1) does not hold any executive or managerial office in said corporation; or (2) does not hold a controlling interest in said corporation.
- The City Council may enact an ordinance specifically permitting aldermen, council members, officials, or municipal employees to conduct business with the City and prescribing the extent of this authority.

While these statutory provisions permit interested transactions in certain circumstances, they do not excuse compliance with the disclosure/recusal/recording obligations set forth in this Policy.

\* \* \*

*I have read and understand this Policy Regarding Conflicts of Interest for Council Members and City Officials of the City of Gentry, Arkansas. I have had an opportunity to thoroughly review and ask any question(s) that I may have about it.*

SIGNED: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

DATE: \_\_\_\_\_