

**DIAMOND CITY REGULAR COUNCIL MEETING AGENDA**  
**DIAMOND CITY, ARKANSAS**  
**August 28, 2018 7:00 p.m.**  
**Diamond City Community Center**  
**232 Grand Avenue, Diamond City, AR 72644**

1. Invocation and Pledge of Allegiance
2. Call to Order: Acting Mayor, Jim Wisnieski (Please silence all cell phones)
3. Roll Call: Tina Jackson, City Recorder
4. Comments from the Public (Agenda Items) *If you wish to speak to an agenda item, please put your name and topic on the paper provided and turn them into the Recorder.- 3 minutes)*

5. **Approve Agenda** Council

6. **Approval of Minutes** Council

- A. July 13, 2018 – Special Council Meeting
- B. July 24, 2018 – Regular Council Meeting
- C. July 31, 2018 – Special Council Meeting
- D. August 16, 2018 – Special Council Meeting

7. **Reports**

- |                                       |                |                   |
|---------------------------------------|----------------|-------------------|
| A. Public Works                       | Duane Horton   | PW Director       |
| B. Police                             | Chris Patrick  | Chief of Police   |
| C. Community Center                   | Wanda Van Dyke | President         |
| D. Finance Report                     | Jane Henderson | Interim Treasurer |
| 1. Approval of Finance Report         |                | Council           |
| E. Sugarloaf Wastewater Report        | Greg Wilson    | Committee         |
| F. S.I.D. Report                      | Sabrina Healea |                   |
| G. Parks and Rec. Report              | Shari Marshall | Committee         |
| H. Acting Mayor's Report              | Jim Wisnieski  | Acting Mayor      |
| 1. Septic Systems – Boone County Land |                |                   |

8. **New Business**

- A. Resolution 07-2018 – Authorizing the Rate of Property Tax for the Year 2017 to be collected in 2018
- B. Resolution 08-2018 – Water & Sewer Rate Analysis
- C. Ordinances to set Officials Salaries
  1. Ordinance 2018-04 - Mayor
  2. Ordinance 2018-05 - Recorder
  3. Ordinance 2018-06 - Treasurer
- D. Reaffirm Greg Wilson to SWW Board
- E. Remove Jan Hudson from Bank Access *Resolution 10-2018*
- F. Interim Mayor Discussion and Recommendations
- G. EXECUTIVE SESSION – Interim Mayor
- H. Resolution 09-2018 – Appointing Interim Mayor *Troy J. Burleson*
- I. Public Works – Safety Equipment

9. **Old Business**

- A. Resolution 04-2018 – Good Neighbor Food Cupboard Lease
- B. Grinder pump hook-ups *already discussed*

*1. Res. 11-2018 Tri-Pod/Winch*  
*2. Res. 12-2018*  
*3. Res. 13-2018*  
*4. Res. 14-2018*

10. Comments from the Public (Any Issue related to City Business - 3 minutes)
11. Announcements – Next Regular Council Meeting will be September 25, 2018
12. Adjourn

6A

**REGULAR MEETING MINUTES OF THE DIAMOND CITY CITY COUNCIL**  
**August 28, 2018 7:00 P.M.**  
**DIAMOND CITY COMMUNITY CENTER**

**Invocation:** Gina Whited  
**Pledge of Allegiance:** Rick Van Dyke

**Call to order:** The meeting was called to order at 7:07 P.M. by Acting Mayor Jim Wisnieski.

|                   |                |         |
|-------------------|----------------|---------|
| <b>Roll Call:</b> | Carolyn Arnold | Absent  |
|                   | Don Bennett    | Present |
|                   | Larry Brown    | Present |
|                   | Rick Van Dyke  | Present |
|                   | Jim Wisnieski  | Present |
|                   | Gina Whited    | Present |

**Approval of the Agenda:** Jim Wisnieski made the motion to approve the agenda, second by Rick Van Dyke. All present voted yes by roll call vote.  
**Motion passed.**

**Approval of Minutes:** Don Bennett made the motion to approve the minutes of 07/13/2018, second by Larry Brown. All present were in favor by voice vote, none opposed.

**Motion passed**  
Rick Van Dyke made the motion to approve the minutes of 07/24/2018, second by Don Bennett. All present were in favor by voice vote, none opposed.

**Motion passed**  
Don Bennett made the motion to approve the minutes of 07/31/2018, second by Rick Van Dyke. All present were in favor by voice vote, none opposed.

**Motion passed**  
Don Bennett made the motion to approve the minutes of 08/16/2018, second by Rick Van Dyke. All present were in favor by voice vote, none opposed.

**Motion passed**

**REPORTS**

**PUBLIC WORKS**

Don Brown gave the report for Public Works.  
Don reported that they have been working on spreading a lot of gravel. He stated that the #2 lift station went down due to an electrical problem.  
He asked the Council to consider the purchasing and replace with rubber hoses for lift stations.  
Don requested that his cell phone be replaced due to getting wet.  
Don also stated that he would like to have the "pay period change" addressed by the Council. Attorney Steven Grady addressed this by stating that there is no handbook on file to reference the pay period issue and there was no employee pay loss due to the pay period change. Mr. Grady suggested a new employee handbook be reenacted.  
Sabrina Healea suggested that *Don Brown's cell phone could be replaced with Jan Hudson's cell phone*, when she returns her city property.  
Attorney Steven Grady encouraged the Council not to address until next month the request for the \$1 hr. for 15 hours + call out time for the "on call" person. Larry Brown recommended that this be tabled per attorney's advice. **TABLED**

## **POLICE REPORT**

Chief Chris Patrick was called upon to give the Police report. He asked if there were any questions about his report.

He stated that the vehicle title is needed for the Police Crown Vic that was donated to the Bergman Police Department.

Chris stated that the Police boat will be on the water for Labor Day.

He reported that the new Police truck was in and has the Diamond City Police decal on it.

Rick Van Dyke asked Chief Patrick if the police property book was updated. Rick requested that the "Fish Finder" serial # be verified. Chris advised he would.

## **COMMUNITY CENTER**

President Wanda Van Dyke gave the Community Center report.

Wanda stated that the financials were up to date.

She announced that Elizabeth Stiff was appointed Sec/Treasurer, Jim Wiltsy and Victoria French were added as new board members.

## **FINANCIAL REPORT**

Interim Treasurer, Jan Henderson gave the financial report and stated the report reflected the new truck purchase. There were no questions about the financial report.

Rick Van Dyke made a motion to approve Financial Report, was second by Don Bennett. All present were in favor by voice vote.

**Motion passed**

## **SUGARLOAF WASTEWATER REPORT**

Jim Wisnieski gave the Sugarloaf Wastewater report. Jim reported that work being done on the plant and cement work was being done for future construction. He stated things were going great.

## **SID REPORT**

Sabrina Healea gave the S.I.D. report.

Sabrina advised that it was illegal to negotiate delinquent S.I.D. taxes, as previously done under the direction of former mayor Jan Hudson.

She requested that the Council set policy and procedures for the collection of S.I.D. delinquent taxes. Attorney Grady advised that the full amount must be paid on any delinquent S.I.D. taxes. He then explained on how to move forward with the collections of delinquent S.I.D. taxes.

## **PARKS AND REC REPORT**

Shari Marshall gave the Parks and Rec. report.

She reported a \$2,000 donation was given to Parks and Rec. and reported the upcoming events that were scheduled.

## MAYORS REPORT

Acting Mayor Jim Wisnieski reported that residents were allowed to have a septic system if the land was far enough from city and approved by Boone County.

## NEW BUSINESS

**Resolution 07-2018** – Authorizing the Rate of Property Tax for the Year 2017 to be collected 2018

Attorney Steven Grady read aloud Resolution 07-2018 in its entirety.

Rick Van Dyke made a motion to waive the 2<sup>nd</sup> reading, second by Jim Wisnieski. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to waive the 3<sup>rd</sup> reading, second by Jim Wisnieski. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to approve Resolution 07-2018, second by Larry Brown. All present were in favor by voice vote, none opposed.

**Passed and Approved**

**Resolution 08-2018** – Water and Sewer Rate Analysis

Deputy Clerk Steve Floyd introduced speaker Michelle Viney-Development Management Specialist. Ms. Viney explained what the water and sewer rate analysis would entail. She stated the mayor would sign the work plan, the financial analysis would be addressed for water and sewer rates and then the recommendations would be given after analysis. She stated the services were funded by external sources and would be no charge to Diamond City.

Attorney Steven Grady read aloud Resolution 08-2018 in its entirety.

Rick Van Dyke made a motion to waive the 2<sup>nd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to waive the 3<sup>rd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to approve Resolution 08-2018, second by Larry Brown. All present were in favor by voice vote, none opposed.

**Passed and Approved**

**Ordinance 2018-04** – Mayor Salary

Attorney Steven Grady read aloud Ordinance 2018-04 in its entirety.

Rick Van Dyke questioned the salary amount was different than what was being presented. Jim Wisnieski agreed stating he thought it was \$15,000. Request was made to move to the next ordinance while printing the corrected version.

**Ordinance 2018-05** – Recorder Salary

Attorney Steven Grady read aloud Ordinance 2018-05 in its entirety.

Rick Van Dyke made a motion to waive the 2<sup>nd</sup> reading, second by Larry Brown. All present were in favor by roll call vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to waive the 3<sup>rd</sup> reading, second by Jim Wisnieski. All present were in favor by roll call vote, none opposed. **Motion passed**

Jim Wisnieski made a motion declaring emergency for Ordinance 2018-05, second by Rick Van Dyke. All present were in favor by roll call vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to approve Ordinance 2018-05, second by Larry Brown. All present were in favor by roll call vote, none opposed.

**Passed and Approved**

**Ordinance 2018-04 – Mayor Salary**

Attorney Steven Grady read aloud Ordinance 2018-04 in its entirety.

Larry Brown made a motion to waive the 2<sup>nd</sup> reading, second by Jim Wisnieski. All present were in favor by roll call vote, none opposed. **Motion passed**

Jim Wisnieski made a motion to waive the 3<sup>rd</sup> reading, second by Larry Brown. All present were in favor by roll call vote, none opposed. **Motion passed**

Jim Wisnieski made a motion declaring emergency for Ordinance 2018-04, second by Larry Brown. All present were in favor by roll call vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to approve Ordinance 2018-04, second by Jim Wisnieski. All present were in favor by roll call vote, none opposed.

**Passed and Approved**

**Ordinance 2018-06 – Treasurer Salary**

Attorney Steven Grady read aloud Ordinance 2018-06 in its entirety.

Rick Van Dyke made a motion to waive the 2<sup>nd</sup> reading, second by Jim Wisnieski. All present were in favor by roll call vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to waive the 3<sup>rd</sup> reading, second by Larry Brown. All present were in favor by roll call vote, none opposed. **Motion passed**

Rick Van Dyke made a motion declaring emergency for Ordinance 2018-06, second by Larry Brown. All present were in favor by roll call vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to approve Ordinance 2018-06, second by Larry Brown. All present were in favor by roll call vote, none opposed.

**Passed and Approved**

**Reaffirm Greg Wilson to SWW**

Rick Van Dyke made a motion to *reaffirm Greg Wilson to the Sugarloaf Wastewater Board*, second by Jim Wisnieski. All present were in favor by voice vote, none opposed.

**Passed and Approved**

**Resolution 10-2018 – Remove Jan Hudson from all Bank Access**

Attorney Steven Grady read aloud Resolution 10-2018 in its entirety. No debate

Larry Brown made a motion to waive the 2<sup>nd</sup> reading, second by Rick Van Dyke. All present were in favor by voice vote, none opposed. **Motion passed**

Larry Brown made a motion to waive the 3<sup>rd</sup> reading, second by Rick Van Dyke. All present were in favor by voice vote, none opposed. **Motion passed**

Larry Brown made a motion to approve Resolution 10-2018, second by Rick Van Dyke. All present were in favor by voice vote, none opposed.

**Passed and Approved**

**Interim Mayor Discussion**

Rick Van Dyke recommended Troy Burleson as an Interim Mayor candidate.

Jim Wisnieski stated that he would like to stay on.

EXECUTIVE SESSION

Rick Van Dyke made a motion to go into executive session, second by Larry Brown. All were in favor by voice vote. Executive session began at 8:50. Council returned from executive session at 9:08. No action due to a non consensus decision.

## RETURN TO EXECUTIVE SESSION

After much discussion and recommendations from the citizens, Rick Van Dyke made the motion to return to executive session, second by Larry Brown. All were in favor by voice vote.

Council returned from executive session @ 10:10 p.m. Jim Wisnieski announced, by unanimous decision, to appoint Troy Burleson as Interim Mayor. All present were in favor by voice vote, none opposed.

### **Passed and Approved**

#### **Resolution 09-2018 – Appointing Troy J. Burleson as Interim Mayor**

Attorney Steven Grady read aloud Resolution 09-2018 in its entirety. No debate

Rick Van Dyke made a motion to waive the 2<sup>nd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to waive the 3<sup>rd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to approve Resolution 09-2018, second by Larry Brown. All present were in favor by roll call vote, none opposed.

### **Passed and Approved**

#### **Public Works Safety Equipment**

Larry Brown explained the need for safety equipment for the health and well being of the Public Works employees. Attorney Grady suggested that these items be approved by Resolution for each item.

#### **Resolution 11-2018 – Approval to purchase Tri-pod, Winch and Harness (up to \$5,500)**

Attorney Steven Grady read aloud Resolution 11-2018 in its entirety. No debate

Rick Van Dyke made a motion to waive the 2<sup>nd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to waive the 3<sup>rd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Larry Brown made a motion to approve Resolution 11-2018, second by Rick Van Dyke. All present were in favor by voice vote, none opposed.

### **Passed and Approved**

#### **Resolution 12-2018 – Approval to purchase Gas Detector (up to \$2,000)**

Attorney Steven Grady read aloud Resolution 12-2018 in its entirety. No debate

Rick Van Dyke made a motion to waive the 2<sup>nd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to waive the 3<sup>rd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to approve Resolution 12-2018, second by Larry Brown. All present were in favor by voice vote, none opposed.

### **Passed and Approved**

#### **Resolution 13-2018 – Approval to purchase Fresh Air Blower (up to \$2,000)**

Attorney Steven Grady read aloud Resolution 13-2018 in its entirety. No debate

Rick Van Dyke made a motion to waive the 2<sup>nd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to waive the 3<sup>rd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Larry Brown made a motion to approve Resolution 13-2018, second by Rick Van Dyke. All present were in favor by voice vote, none opposed.

**Motion Passed**

**Resolution 14-2018** – Approval to purchase 1 ¼” Discharge Hose (up to \$3,822,000)

Attorney Steven Grady read aloud Resolution 14-2018 in its entirety. No debate

Rick Van Dyke made a motion to waive the 2<sup>nd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to waive the 3<sup>rd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Larry Brown made a motion to approve Resolution 14-2018, second by Rick Van Dyke. All present were in favor by voice vote, none opposed.

**Passed and Approved**

**OLD BUSINESS**

**Resolution 04-2018** – Authorizing a Lease to the Good Neighbor Food Cupboard

City Recorder Tina Jackson read aloud Resolution 04-2018 in its entirety. No debate

Rick Van Dyke made a motion to waive the 2<sup>nd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to waive the 3<sup>rd</sup> reading, second by Larry Brown. All present were in favor by voice vote, none opposed. **Motion passed**

Rick Van Dyke made a motion to approve Resolution 04-2018, second by Larry Brown. All present were in favor by voice vote, none opposed.

**Passed and Approved**

**Grinder Pump Hook ups**

Previously discussed

**COMMENTS**

None

**ANNOUNCEMENTS**

The next regular monthly council meeting was announced for September 25, 2018.

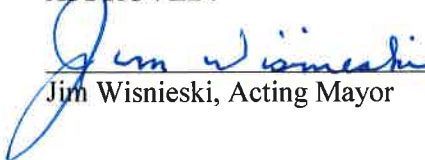
**ADJOURN**

Rick Van Dyke made a motion to adjourn and was seconded by Larry Brown. All present were in favor by voice vote. Meeting was adjourned @ 11:13p.m.

**ATTEST:**

  
Tina Jackson, City Recorder

**APPROVED:**

  
Jim Wisnieski, Acting Mayor