### **BOARD OF ALDERMEN REGULAR MEETING**



Tuesday, October 10, 2023 at 7:00 PM City Hall, 206 Van Buren NE, Camden, AR 71701

#### **AGENDA**

### A. CALL TO ORDER

- B. <u>INVOCATION</u> Reverend Jackie Flannigan, Pastor Concord Missionary Baptist Church, 430 S Adams Avenue, Camden, Arkansas.
- C. PLEDGE OF ALLEGIANCE
- D. ROLL CALL
- E. APPROVAL OF MINUTES
- F. ACCEPTANCE OF FINANCIAL REPORTS
- **G. AUDIENCE PARTICIPATION**
- H. MAYOR'S REPORT
- I. OLD BUSINESS
  - 1. Ordinance No. 04-23, an ordinance repealing Camden Code Section 2-54 regarding advertising of bids for public improvements; and for other purposes. (Fourth & final reading)
  - 2. Ordinance No. 05-23, an ordinance amending Article II of the camden Code; establishing rates for the collection of garbage for Commercial Customers; and for other prposes. (Fourth & final reading)
  - 3. Ordinance No. 07-23, an ordinance amending Camden Code 2-46, 2-52 and 2-53, regarding purchases and contracts; and for other purposes. (Third & final reading)

### J. <u>NEW BUSINESS</u>

- <u>1.</u> **Ordinance No. 09-23**, an ordinance repealing Ordinance No. 11-11 assessing a lien on certain property located at 327 Buchanan St. SE.
- ORDINANCE NO. 10-23, AN ORDINANCE PERMITTING AN OFFICIAL OF THE CAMDEN AIRPORT COMMISSION TO BE INTERESTED IN CONTRACTS WITH THE CITY OF CAMDEN.
- 3. **ORDINANCE NO. 11-23,** AN ORDINANCE PERMITTING AN OFFICIAL OF THE AIRPORT COMMISSION TO BE INTERESTED IN CONTRACTS WITH THE CITY OF CAMDEN, ARKANSAS.
- 4. **Resolution No. 58-23**, a resolution appointing Sandra Arnold to the Civil Service Commission.
- 5. Resolution No. 60-23, a resolution confirming the reappointment of Tim Jordan to the Airport Commission; and for other purposes.
- 6. **RESOLUTION NO. 61-23,** A RESOLUTION CONFIRMING THE REAPPOINTMENT OF TIM JORDAN TO THE AIRPORT COMMISSION; AND FOR OTHER PURPOSES.
- 7. RESOLUTION NO. 62-23, A RESOLUTION APPROPRIATING FUNDS FOR REPLACEMENT OF A TRUCK FOR CODE ENFORCEMENT; AMENDING THE BUDGET FOR 2023; AND FOR OTHER PURPOSES.

### **K. OTHER BUSINESS**

#### L. ADJOURNMENT

### **ORDINANCE NO. 4-23**

# AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, REPEALING CAMDEN CODE SECTION 2-54 REGARDING ADVERTISING OF BIDS FOR PUBLIC IMPROVEMENTS; AND FOR OTHER PURPOSES.

**WHEREAS**, the City passed section 1 of Ordinance 576 (1963) and section 2 of Ordinance 15-85 (1985); and

**WHEREAS**, the ordinance sections were codified at Section 2-54 of the Camden Code of Ordinances; and

WHEREAS, Section 2-54 provides:

"The city shall advertise in a newspaper published and having general circulation in the city for sealed bids when contracts for public improvements or for public work amounts to five thousand dollars (\$5,000.00) or more, except in the case of emergencies where three (3) competitive quotations may be secured without advertising and the contract so awarded by the board of aldermen is to the lowest and best quotation.

**WHEREAS,** A.C.A. § 14-58-303 requires competitive, sealed bidding for purchases and contracts that exceed Thirty-Five Thousand Dollars (\$35,000.00); and

**WHEREAS**, the more restrictive threshold of \$5,000.00 for certain projects is no longer practical.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, THAT:

**SECTION 1**. Section 2-54 of the Camden Code of Ordinances, derived from Section 1 of Ordinance 576 and Section 2 of Ordinance 15-85, is hereby repealed.

PASSED AND APPROVED THIS	DAY OF	, 2023.
Mayor		
City Clerk		

### **ORDINANCE NO. 05-23**

AN ORDINANCE AMENDING ARTICLE II OF THE CAMDEN CODE; ESTABLISHING RATES AND PROCEDURES FOR COLLECTION OF GARBAGE; AND FOR OTHER PURPOSES.

### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, THAT:

**WHEREAS**, the fees for collecting garbage from commercial customers has not been increased since 2003; and

WHEREAS, the costs of picking up garbage from commercial customers has increased significantly; and

**WHEREAS**, the rates for commercial customers should to be adjusted to adequately compensate for the costs of the service; and

**WHEREAS**, the use of trash containers has changed since the City last addressed garbage collection; and

WHEREAS, the rates for special garbage pickups have not been increased in numerous years.

### NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, THAT:

**SECTION 1:** Section 11-16 of the Camden Code of Ordinances is amended by deleting the second paragraph defining "back door collection".

**SECTION 2:** Subsection (e) of Section 11-20 of the Camden Code of Ordinances regarding fees for commercial collection is deleted in its entirety and replaced by the following:

- (e) Schools, churches, businesses or industrial establishments, with the exception of downtown zoning district C-3 (central business district), shall pay the following monthly fees to the city for removal of garbage and trash:
  - (1) Each service unit, per cubic yard .... \$ 16.00 Minimum monthly fee, per using establishment ..... \$ 19.00 Monthly fee for downtown central business district ...... \$ 24.00
  - (2) Collection charge per month:

	1 pickup per	2 pickups per	3 pickups per	4 pickups per	5 pickups per
	week	week	week	week	week
3 yard container	\$ 48.00	\$ 96.00	\$ 144.00	\$ 192.00	\$ 240.00
4 yard container	\$ 64.00	\$ 128.00	\$ 192.00	\$ 256.00	\$ 320.00

**SECTION 3:** Section 11-33 of the Camden Code of Ordinances is amended by adding the following language to the end of the Section:

"Commercial dumpsters must be placed on a solid surface. A surcharge fee of \$2.00 per month will be added to the bill for each dumpster not in compliance."

**SECTION 4:** This ordinance shall become effective on January 1, 2024.

PASSED AND APPROVED THIS	DAY OF	, 2023.
Mayor		
City Clerk		

### ORDINANCE NO. 07-23

# AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, AMENDING CAMDEN CODE SECTIONS 2-46, 2-52 and 2-53, REGARDING PURCHASES AND CONTRACTS; AND FOR OTHER PURPOSES.

**WHEREAS**, the City passed Section 1 of Ordinance 576 (1963) and Section 1 of Ordinance 8-96 (1996), and the ordinance sections were codified at Section 2-46 of the Camden Code of Ordinances; and

### **WHEREAS,** Section 2-46 provides:

"The mayor shall have the exclusive power, and responsibility to make all purchases of supplies, apparatus, equipment, materials and other things necessary to carry out municipal functions for the city, and to make contracts for work or labor to be done, or material or other necessary items to be furnished for the benefit and use of the city, or in carrying out any work or undertaking of a public nature in the city where the amount of the expenditure for any purpose or contract does not exceed the sum specified in state statutes enacted by the general assembly of the state."

**WHEREAS,** the City passed Section 1 of Ordinance 576 (1963); Section 3 of Ordinance 3-89 (1989); and Section 6 of Ordinance 8-96 (1996), and the ordinance sections were codified at Section 2-52 of the Camden Code of Ordinances; and

### WHEREAS, Section 2-52 provides:

"Sec. 2-52. Purchases over one thousand dollars but less than the cost limit specified in state statutes. Materials, supplies, equipment or services (except professional services) costing over on thousand dollars (\$1,000.00), but less than the cost limit specified in state statutes enacted by the general assembly, shall be purchased only by designated personnel after first securing two (2) or more written quotations upon the authorization and approval of the mayor. A purchase requisition is required for this type of purchase."

**WHEREAS,** the City passed Section 1 of Ordinance 576 (1963); Section 1 of Ordinance 15-85; (1985); Section 4 of Ordinance 3-89 (1989); and Section 7 of Ordinance 8-96 (1996), and the ordinance sections were codified at Section 2-53 of the Camden Code of Ordinances; and

#### **WHEREAS,** Section 2-53 provides:

"Sec. 2-53. Purchases exceeding cost limit specified in state statutes. Materials, supplies, equipment or services (except professional services) exceeding the cost limit specified in state statutes enacted by the general assembly, shall be purchased only after first securing sealed bids upon the authorization of the mayor and final approval of the board of aldermen. A formal purchase order shall be issued to the successful vendor once the bid has been approved and accepted by the board of aldermen."

WHEREAS, A.C.A. § 14-58-303 was amended by the state general assembly raising the cost limit requiring competitive, sealed bidding for purchases and contracts from twenty thousand dollars (\$20,000.00) to Thirty-Five Thousand Dollars (\$35,000.00); and

**WHEREAS**, the City Council desires to amend Camden Code Sections 2-46, 2-52 and 2-53 to provide procedures for purchases that cost at least twenty-thousand dollars (\$20,000.00).

### NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, THAT:

**SECTION 1**. Section 2-46 of the Camden Code of Ordinances, derived from Section 1 of Ordinance 576 and Section 1 of Ordinance 8-96, is hereby amended to read as follows:

"The mayor shall have the exclusive power, and responsibility to make all purchases of supplies, apparatus, equipment, materials and other things necessary to carry out municipal functions for the city, and to make contracts for work or labor to be done, or material or other necessary items to be furnished for the benefit and use of the city, or in carrying out any work or undertaking of a public nature in the city where the amount of the expenditure for any purpose or contract does not exceed the sum of twenty-thousand dollars (\$20,000.00)."

**SECTION 2**. Section 2-52 of the Camden Code of Ordinances, derived from Section 1 of Ordinance 576; Section 3 of Ordinance 3-89; and Section 6 of Ordinance 8-96, is hereby amended to read as follows:

"Sec. 2-52. Purchases over one thousand dollars but less than twenty thousand dollars. Materials, supplies, equipment or services (except professional services) costing over on thousand dollars (\$1,000.00), but less than twenty thousand dollars (\$20,000.00), shall be purchased only by designated personnel after first securing two (2) or more written quotations upon the authorization and approval of the mayor. A purchase requisition is required for this type of purchase."

**SECTION 3**. Section 2-53 of the Camden Code of Ordinances, derived from Section 1 of Ordinance 576; Section 1 of Ordinance 15-85; Section 4 of Ordinance 3-89; and Section 7 of Ordinance 8-96, is hereby amended to read as follows:

"Sec. 2-53. Purchases of twenty thousand dollars or more. Materials, supplies, equipment or services (except professional services) at or exceeding twenty thousand dollars (\$20,000.00), shall be purchased only after first securing sealed bids upon the authorization of the mayor and final approval of the board of aldermen. A formal purchase order shall be issued to the successful vendor once the bid has been approved and accepted by the board of aldermen."

Section I, Item 3.

PASSED AND APPROVED THIS	DAY OF	, 2023.	
Mayor			
City Clerk			

### **ORDINANCE NO. 9-23**

### AN ORDINANCE REPEALING ORDINANCE NO. 11-11 ASSESSING A LIEN ON CERTAIN PROPERTY LOCATED AT 327 BUCHANAN ST. SE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, THAT ORDINANCE NO. 11-11 PASSED AND APPROVED ON MARCH 13, 2012, IS HEREBY REPEALED IN ITS ENTIRETY AND THE FOLLOWING SUBSTITUTED THEREFOR:

WHEREAS, the City declared the structure located at 327 Buchanan St. SE, Camden, Arkansas, Parcel No. 804-00026-000R, to be a nuisance to the provisions of Section 6-61, et, seq., Resolution No. 41-06; and

WHEREAS, the owner of the property failed to remove the structure as required by law and the City performed the removal of the structure.

WHEREAS, notice has been given to the property owner that a hearing will be held on Tuesday, October 10, 2023 at 7:00 p.m. to determine the status of the lien assessed to the property as required by law.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, THAT:

**SECTION 1:** The net costs performed on the removal of the structure located at 327 Buchanan St. SE, Camden, Arkansas, being located on said property, has been determined at a hearing before the City Council of the City of Camden to be the sum of \$4,194.88.

**SECTION 2:** The property concerned herewith located at 327 Buchanan St. SE is in the name of Eric Falls. Mr. Falls is offering \$840.00 to satisfy the lien. The City hereby sets a lien in the amount of \$840.00 to the property concerned herewith.

**SECTION 3:** That a certified copy of this Ordinance shall be transmitted to the Tax Collector of Ouachita County Arkansas, with the direction to place the above cost of removal and penalty on the tax books for the property described herein as delinquent taxes and collect the same according to law, with the amount so collected, less 3% thereof to be retained by the Collector for their costs, to be paid directly to the municipality as provided by law.

**SECTION 4:** BE IT FURTHER ORDAINED THAT this Ordinance shall take effect upon its passage and approval.

PASSED AND APPROVED	THIS 10th	DAY OF	OCTOBER	, 2023.
Mayor		<b>-</b> s		
City Clerk		<u> </u>		

### **APPLICATION TO REDUCE A CITY OF CAMDEN LIEN**

Section J, Item 1.

1.	PARCEL# 804-0002 (0-000R	
2.	ADDRESS 327 Buchanan	_
3.	NAME OF PERSON  REQUESTING THE REDUCTION EVIC FALLS	_
4.	DATE OF ORIGINAL LIEN  AND ORDINANCE # April 13, 2011	<del></del>
5.	ORIGINAL LIEN AMOUNT \$4194,88	
6.	REDUCTION AMOUNT REQUESTED \$540.00	_
7.	REASON FOR THE REDUCTION OF LIEN He been using money to	2_
	improve the property and that's why he like a reduction for the up keep.	<u>"_Would</u>

#### ORDINANCE NO. 10-23

## AN ORDINANCE PERMITTING AN OFFICIAL OF THE CAMDEN AIRPORT COMMISSION TO BE INTERESTED IN CONTRACTS WITH THE CITY OF CAMDEN, ARKANSAS.

**WHEREAS,** Arkansas Code Annotated § 14-42-107 prohibits an appointed official from having an interest in any contract with the City unless an ordinance is passed specifically permitting an appointee to do so; and

**WHEREAS,** Tim Jordan, a principal with Tim Jordan Co. Inc., located at 1496 Hwy. 274, Camden, Arkansas, has been appointed to the Camden Airport Commission could provide services to the City of Camden; and

**WHEREAS**, the Mayor desires that Tim Jordan, through his company, be allowed to provide services to the City of Camden as the need arises and in accordance with the City's ordinance relative to purchases and contracts.

### NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, THAT:

**SECTION 1**. The City Council, the official governing body of the City of Camden, Arkansas, specifically authorizes the City to enter into contract with Tim Jordan, a principal with Tim Jordan Co. Inc., located at 1496 Hwy. 274, Camden, Arkansas, on an as needed basis in accordance with the City's ordinance relative to purchases and contracts, without the necessity of prior approval of the City Council.

**SECTION 2**. This Ordinance shall not be construed to require the City of Camden to solely use the services of the above-mentioned company, but to provide authorization pursuant to Arkansas Code Annotated § 14-42-107 for Tim Jordan, an appointed official of the Camden Airport Commission, to be interested in an ongoing contractual relationship with the City of Camden in furnishing his services as the need arises under the guidelines of the City's ordinance relative to purchases and contracts.

<u>SECTION 3</u>. This authorization shall be contemporaneous with Tim Jordan's term on the airport commission and shall expire on November 18, 2028.

PASSED AND APPROVED THIS	DAY OF	, 2023.
Mayor		
City Clerk		

#### ORDINANCE NO. 11-23

## AN ORDINANCE PERMITTING AN OFFICIAL OF THE CAMDEN AIRPORT COMMISSION TO BE INTERESTED IN CONTRACTS WITH THE CITY OF CAMDEN, ARKANSAS.

WHEREAS, Arkansas Code Annotated § 14-42-107 prohibits an appointed official from having an interest in any contract with the City unless an ordinance is passed specifically permitting an appointee to do so; and

**WHEREAS,** Kyle Gatling, a principal with Gatling's Cooling and Heating, Inc., at 433 Van Buren Street, Camden, Arkansas, has been appointed to the Camden Airport Commission could provide services to the City of Camden; and

**WHEREAS**, the Mayor desires that Kyle Gatling, through his company, be allowed to provide services to the City of Camden as the need arises and in accordance with the City's ordinance relative to purchases and contracts.

### NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, THAT:

<u>SECTION 1</u>. The City Council, the official governing body of the City of Camden, Arkansas, specifically authorizes the City to enter into contract with Kyle Gatling, a principal with Gatling's Cooling and Heating, Inc. at 433 Van Buren Street, Camden Arkansas, on an as needed basis in accordance with the City's ordinance relative to purchases and contracts, without the necessity of prior approval of the City Council.

**SECTION 2**. This Ordinance shall not be construed to require the City of Camden to solely use the services of the above-mentioned company, but to provide authorization pursuant to Arkansas Code Annotated § 14-42-107 for Kyle Gatling, an appointed official of the Camden Airport Commission, to be interested in an ongoing contractual relationship with the City of Camden in furnishing his services as the need arises under the guidelines of the City's ordinance relative to purchases and contracts.

**SECTION 3**. This authorization shall be contemporaneous with Kyle Gatling's term on the airport commission and shall expire on November 18, 2024.

PASSED AND APPROVED THIS	DAY OF	, 2023
Mayor		
Ct. Cl. I		
City Clerk		

#### **RESOLUTION NO. 58-23**

## A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, APPOINTING SANDRA ARNOLD TO THE CIVIL SERVICE COMMISSION

**WHEREAS,** Ordinance No. 440 created the Camden Civil Service Commission and is codified at Camden Code Section 2-67; and

WHEREAS, the Civil Service Commission shall be composed of five (5) members; and

**WHEREAS**, a vacancy exists on the Commission due to the resignation of Jackie Ross; and

WHEREAS, A.C.A.§ 14-51-211 provides that vacancies on the Civil Service Commission shall be filled by the City Council to complete the unexpired term of the resigning member; and

**WHEREAS,** Sandra Ross has expressed a willingness to serve the City of Camden as a member of the Civil Service Commission.

### THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, THAT:

**SECTION 1.** The City Council, the official governing body of the City of Camden, Arkansas, does hereby appoint Sandra Ross to serve on the Camden Civil Service Commission for the unexpired term that ends on April 1, 2024.

PASSED AND APPROVED THIS	DAY OF	, 2023
Mayor		
City Clerk		

#### **RESOLUTION NO. 60-23**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, CONFIRMING THE REAPPOINTMENT OF TIM JORDAN TO THE AIRPORT COMMISSION; AND FOR OTHER PURPOSES.

**WHEREAS,** Ordinance No. 19-86 created the Airport Commission of the City of Camden, Arkansas; and

**WHEREAS**, said Ordinance states that the members of the Airport Commission shall be appointed by the Mayor of the City and confirmed by three-fourths <sup>(3/4th)</sup> vote of the City Council; and

**WHEREAS**, a vacancy will exist on exist on November 18, 2023 due to the expiration of the term of Tim Jordan; and

WHEREAS, the Airport Commission has requested that Tim Jordan be reappointed to serve a term for five years, to expire on November 18, 2028; and

**WHEREAS,** Tim Jordan has expressed a willingness to serve the City of Camden as a Commissioner of the Camden Airport Commission.

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

**SECTION 1.** The City Council, the official governing body of the City of Camden, Arkansas, does hereby confirm the Mayor's appointment of Tim Jordan to serve a term on the Airport Commission of the City of Camden, Arkansas that will run through November 18, 2028.

PASSED AND APPROVED THIS DAY	OF, 2023.
Mayor	
City Clerk	

#### **RESOLUTION NO. 61-23**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, CONFIRMING THE REAPPOINTMENT OF WILLIAM ARCHER TO THE AIRPORT COMMISSION; AND FOR OTHER PURPOSES.

**WHEREAS,** Ordinance No. 19-86 created the Airport Commission of the City of Camden, Arkansas; and

**WHEREAS**, said Ordinance states that the members of the Airport Commission shall be appointed by the Mayor of the City and confirmed by three-fourths <sup>(3/4th)</sup> vote of the City Council; and

**WHEREAS**, a vacancy will exist on exist on November 18, 2023 due to the expiration of the term of William Archer; and

WHEREAS, the Airport Commission has requested that William Archer be reappointed to serve a term for five years, to expire on November 18, 2028; and

**WHEREAS,** William Archer has expressed a willingness to serve the City of Camden as a Commissioner of the Camden Airport Commission.

### NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, THAT:

**SECTION 1.** The City Council, the official governing body of the City of Camden, Arkansas, does hereby confirm the Mayor's appointment of William Archer to serve a term on the Airport Commission of the City of Camden, Arkansas that will run through November 18, 2028.

PASSED AND APPROVED THIS	DAY OF	, 2023.
Mayor		
City Clerk		

### **RESOLUTION NO. 62-23**

# A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, APPROPRIATING FUNDS FOR REPLACEMENT OF A TRUCK FOR CODE ENFORCEMENT; AMENDING THE BUDGET FOR 2023; AND FOR OTHER PURPOSES

WHEREAS, a truck assigned to code enforcement was destroyed in an accident; and
WHEREAS, the truck has been replaced; and
WHEREAS, insurance proceeds have been received towards the replacement vehicle; and
<b>WHEREAS</b> , the 2023 annual operating budget should be amended to include the cost of the replacement vehicle and the receipt of the insurance proceeds.
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAMDEN, ARKANSAS, THAT:
<b>SECTION 1.</b> The 2023 budget is amended to reflect an estimated expense of \$ for a truck for code enforcement, line item 1-060-59440.
SECTION 2. The 2023 budget is amended to add an estimated income of \$ from insurance proceeds for replacement of the code enforcement truck, line item 1-00-46300, amending it from \$5,000.00 to \$
PASSED AND APPROVED THIS DAY OF, 2023.
Mayor
City Clerk