

Cabot City Council Special Meeting

Cabot, Arkansas

Health, Safety, Education, Quality, Professionalism & Progress Every Day!



Mayor
Bill Cypert

Clerk~Treasurer
Tammy Yocom

City Attorney
Jimmy Taylor

Ward 1
Eddie Long
Kevin Davis

Ward 2
Doug Warner
Damon Bivins

Ward 3
Norma Naquin
Rick Prentice

Ward 4
Ann Gilliam
Ron Waymack

January 2, 2017
6:30 p.m.

Cabot City Annex Council Chambers

*Quality Of Life Is Economic Development; We Are
Building A City Where Your Kids And Grandkids
Will Want To Live! Individuals Play Games,
Teams Win Championships!*

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Cabot City Council Meeting Agenda

January 2, 2017 - 6:30 p.m.

Cabot City Annex Council Chambers

208 North First Street * Cabot, Arkansas 72023

Bill Cypert, Mayor

AGENDA ITEMS

Page

- 1 Swear-In New Officials
- 2 Call to Order
- 3 Opening Prayer
- 4 Pledge of Allegiance
- 5 Roll Call
- 6 Read Ordinances & Resolutions by Title Only
- 7 City Council (Special Business)
 - a) **Ordinance No. 1 Of 2017** - An Ordinance Establishing Procedures And Deadlines For Filing Matters Before City Council; Establishing The Form Used To File Matters Before City Council; Requiring Sponsorship For Matters To Be Filed Before City Council; Establishing Procedures For Implementing A Committee System To Review And Approve Or Disapprove Proposed Ordinances; Establishing Procedures For A Council Agenda Review; Establishing Procedures For Special Meetings; Declaring An Emergency; And For Other Purposes 1
 - b) **Resolution No. 1 Of 2017** - A Resolution To Reappoint Alderman Ed Long To Position 6 Of The Cabot Advertising And Promotion Commission; And For Other Purposes 11
 - c) **Resolution No. 2 Of 2017** - A Resolution Appointing Alderman Ann Gilliam To Position 7 Of The Cabot Advertising And Promotion Commission; And For Other Purposes 15
 - d) **Resolution No. 3 Of 2017** - A Resolution To Appoint Doug Warner As The Third Member Of The Cabot Depository Board, To Serve Along With The Mayor And City Clerk~Treasurer; And For Other Purposes 19
- 8 Community Input
- 9 Adjournment

Notes:

Ordinance No. 1 Of 2017

An Ordinance Establishing Procedures And Deadlines For Filing Matters Before City Council; Establishing The Form Used To File Matters Before City Council; Requiring Sponsorship For Matters To Be Filed Before City Council; Establishing Procedures For Implementing A Committee System To Review And Approve Or Disapprove Proposed Ordinances; Establishing Procedures For A Council Agenda Review; Establishing Procedures For Special Meetings; Declaring An Emergency; And For Other Purposes



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ORDINANCE NO. 1 OF 2017

AN ORDINANCE ESTABLISHING PROCEDURES AND DEADLINES FOR FILING MATTERS BEFORE CITY COUNCIL; ESTABLISHING THE FORM USED TO FILE MATTERS BEFORE CITY COUNCIL; REQUIRING SPONSORSHIP FOR MATTERS TO BE FILED BEFORE CITY COUNCIL; ESTABLISHING PROCEDURES FOR IMPLEMENTING A COMMITTEE SYSTEM TO REVIEW AND APPROVE OR DISAPPROVE PROPOSED ORDINANCES; ESTABLISHING PROCEDURES FOR A COUNCIL AGENDA REVIEW; ESTABLISHING PROCEDURES FOR SPECIAL MEETINGS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the City Council of Cabot acknowledges the need to be timely informed of matters upon which they will be required to vote; and

WHEREAS, the City Council of Cabot is interested in providing a uniform method through which the matters will be presented to the Council; and

WHEREAS, the City Council of Cabot desires to implement a committee system; and

WHEREAS, committees, meeting schedules, and other City business is attached hereto as Exhibit and incorporated herein by this reference; and

WHEREAS, Arkansas Code Annotated § 14-43-501 provides that special meetings may be called by the Mayor or any three (3) Alderman of any city in the matter provided by ordinance; and

WHEREAS, the City Council acknowledges that the sponsors of matters before the Council should be identified to duly inform the public of the work that is being performed by their elected officials.

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

SECTION 1: DEADLINES. The purpose of this section to set forth deadlines to ensure the timely filing of ordinances, resolutions, contracts and other matters; form thereof.

The City Council shall only consider proposed ordinances, resolutions, or other items of legislation that are filed with the City Attorney's office prior to 4:30 p.m. on Friday, two weeks prior to the regular City Council meeting. The City Attorney's office shall file all legislation with the City Clerk prior to 4:30 p.m. on Tuesday of the week prior to regular City Council meeting. Proposed ordinances, resolutions, or other items of legislation filed after the deadline will not be considered until the next month's meeting. Any requestor that feels that there is an emergency may contact the Mayor, City Attorney, or Chair Person of the Committee to which the proposed ordinance, resolution, or other item of legislation may be assigned and request that the proposed ordinance, resolution, or other item of legislation be considered at the next meeting of the City Council. In such cases where the deadline falls on a holiday, the filing date shall then be 24 hours subsequent to that time.

If the Mayor, City Attorney, and Committee Chair Person unanimously agree, then the item will be

considered by the City Council on an emergency basis.

SECTION 2: CITY COUNCIL COMMITTEES. The purpose of this section is to establish a procedure for implementation of a committee system within the City Council.

The Mayor shall appoint the members of each committee and name a chair person and vice chair person thereof, after consultation with the City Council members. The four (4) standing committees are as follows:

- Fire and Police Committee
- Budget and Personnel Committee
- Public Works Committee
- Community Development Committee

Each committee may meet as often as the members thereof think necessary for action and consideration of proposed ordinances, resolutions, and other items referred to it.

Each committee may act upon and give consideration to proposed ordinances, resolutions, or other items, voting thereon, reporting to the full City Council at the Council Agenda meeting.

SECTION 3: LEGISLATION REQUEST FORM. All ordinances, resolutions, or items of legislation will bear the name of the sponsor and must further conform to the form prescribed by the City Attorney whose approval shall be reflected on the face of the item. A copy of the City Attorney Legislation request form is attached hereto.

SECTION 4: SPONSORING. All proposed ordinances or resolutions may be offered to the City Council by one of its members, the Mayor, or by referral from a commission or other legislative body established by the City. The person or persons who initiate the request for the preparation of an ordinance or resolution by the City Attorney shall be the principal sponsor or co-sponsors; however, another member of the City Council may sign as an additional sponsor, provided such member has first obtained the principal sponsor's permission to be added as a co-sponsor.

SECTION 5: SPECIAL MEETINGS. The Mayor or any three (3) Aldermen may call special meetings by providing no less than twenty-four (24) hours' notice to all Aldermen and the Mayor. All proposed ordinances, resolutions, or other items of legislation to be considered at the special meeting will bear the signatures of those who called the meeting. This rule is procedural only and may be waived by a two-thirds (2/3) vote. No special meetings may convene unless it is a public meeting and proper notice is provided to the media, as required by state law. This section shall not be construed to limit the ability of the City Council to enter executive session during special meetings as authorized by state law.

SECTION 6: COUNCIL AGENDA MEETING. The entire City Council will meet on the First Monday of each month to consider and approve the agenda for the upcoming monthly City Council meeting. A simple majority vote of the full Council is recommended to advance ordinances, resolutions, or other items of consideration to the full City Council meeting. This section is for effective administrative purposes and in no way shall prohibit any councilman from introducing

legislation at a regularly scheduled council meeting.

SECTION 7: CITY COUNCIL MEETINGS. All City Council Meetings will be held on the 3rd Monday of each month at the Cabot City Annex. The City can reschedule any council meeting for good cause, if necessary. If a City Council meeting rescheduled for any reason, the Mayor's office provide proper notice to the public.

All votes shall be done by roll call vote with the proper response of yes, no and/or abstain.

SECTION 8: SEVERABILITY. If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance, and to this end, the provisions of this Ordinance are declared to be servable.

SECTION 9: REPEALER CLAUSE. All prior ordinances, resolutions and parts thereof in conflict herewith are hereby repealed.

SECTION 10: EMERGENCY. It is of great importance to the citizens of Cabot that City Council be vested with the authority to establish procedures and deadlines for filing matters before the City Council, create and require sponsorship of legislation and the use of Legislation Request forms, implement a committee system and to call special meetings in accordance with applicable law in order to address pressing situations that may arise within the community. An emergency is therefore declared and this ordinance being necessary for the preservation of the public peace, health, safety and welfare shall be in full force and effect from and after its passage.

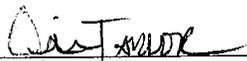
SPONSOR:
William A. "Bill" Cypert, Mayor

PASSED:
DATE:
APPROVED:

William A. "Bill" Cypert, Mayor

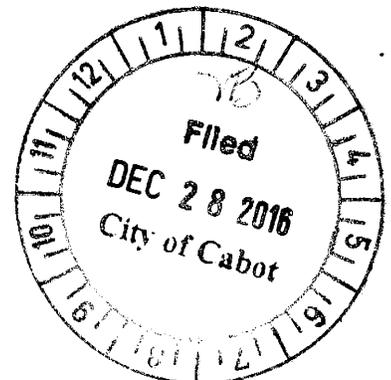
APPROVED AS TO FORM:

ATTEST:



Jim Taylor, City Attorney

Tammy Yocom, City Clerk~Treasurer



**CABOT, ARKANSAS CITY COUNCIL
2017 SUBJECT COMMITTEE ASSIGNMENTS
And PROCEDURES FOR CONDUCTING BUSINESS**

Vice-Mayor – Ed Long

Fire and Police

Meeting First Monday of Month @ 6:30 pm 3rd on Agenda

Rick Prentice – Chair

Ron Waymack – Vice Chairman

Ann Gilliam

Norma Naquin

Doug Warner

Agenda – Eddie Cook

Agenda Cutoff – 4:30 pm Friday two weeks prior to meeting

Director of Operations check with Committee Chairman a week prior to Packet Distribution for agenda items, right committee, reports desired

Packet out – 4:30 pm Thursday prior to meeting

Minutes – Tammy Yocom

Budget and Personnel Committee

Meeting First Monday of Month @ 6:30 pm 2nd on Agenda

Ann Gilliam – Chair

Kevin Davis

Doug Warner – Vice Chairman

Damon Bivins

Rick Prentice

Agenda – Eddie Cook

Agenda Cutoff – 4:30 pm Friday two weeks prior to meeting

Director of Operations check with Committee Chairman a week prior to Packet Distribution for agenda items, right committee, reports desired

Packet out – 4:30 pm Thursday prior to meeting

Minutes – Tammy Yocom

Public Works Committee

Meeting First Monday of Month @ 6:30 pm 1st on Agenda

Ed Long – Chair

Kevin Davis – Vice-Chairman

Ron Waymack

Damon Bivins

Doug Warner

Ad Hoc

James Reid – Planning Commission

Ken Kincade - Parks and Recreation Commission

Gary Walker - Cabot WaterWorks

Agenda – Eddie Cook

Agenda Cutoff – 4:30 pm Friday two weeks prior to meeting

Director of Operations check with Committee Chairman a week prior to Packet Distribution for agenda items, right committee, reports desired

Staff Agenda Meeting – 1 pm Tuesday prior to meeting

Packet out – 4:30 pm Thursday prior to meeting, Mayor remind Ad Hoc Committee by email

Minutes – Tammy Yocom

Effective 01/01/2016

The Mayor may appoint at any time Council subcommittees for specific consideration and proposed actions.

**City Council
Meeting Third Monday of Month @ 7 pm**

Agenda – Mayor and Director of Operations
Agenda Cutoff – 4:30 pm Friday two weeks prior to meeting
Staff agenda review 4:30 pm Tuesday prior to meeting
Staff packet review 4:30 Wednesday prior to meeting
Packet out – 4:30 pm Thursday prior to meeting
Minutes – Tammy Yocom
Review previous Council minutes for current follow-up action

**Planning Commission
Meeting Fourth Tuesday of Month @ 7 pm**

Agenda – Public Works Planning
Agenda out by 4:30 pm on the Thursday prior to the meeting, distributed by Eddie Cook
Agenda Cutoff – 4:30 pm 2nd Friday of prior month
Staff Review 1 pm 2nd Tuesday prior month
Packet out – 4:30 pm Thursday prior to meeting
Minutes – Public Works Planning

Harmful Structures

Effective 01/01/2016 harmful structures will be handled under Administration policies and procedures in compliance with state statute and forwarded to the City Council Agenda meetings for discussion and proposed action. The old Ordinance will be repealed.

RFQ (As Required)

Selection Group Moderator – Bill Cypert
January 1 through June 30 – Council Positions 1
July 1 through December 31 – Council Positions 2
Plus two staff members appointed by the Mayor
Administrative Support – Eddie Cook
Review Period shall be no less than 10 calendar days

Financials

Prior month's financials in current month City Council packet and agenda item in next month's Budget and Personnel

Tax Liens

Tax liens will be dealt with monthly as needed, handled and controlled by Public Works and verified by the City Attorney including a "Tax Lien Case Detail" report

**Community Development Committee
Meeting First Monday of Month @ 6:30 pm 4th on Agenda**

**Kevin Davis – Chair
Ed Long– Vice-Chairman
Norma Naquin
Ron Waymack
Ann Gilliam**

Agenda – Eddie Cook

Agenda Cutoff – 4:30 pm Friday two weeks prior to meeting

Director of Operations check with Committee Chairman a week prior to Packet Distribution for agenda items, right committee, reports desired

Packet out – 4:30 pm Thursday prior to meeting

Minutes – Tammy Yocom

NOTES:

Effective July 8, 2013 per Ed Long Committee Chairman

Annexations, Tax Liens, and Zoning, including re and pre will go directly to Council from Planning Commission and City Attorney

Action requested from City Council from other Commissions will generally go directly to City Council; however, the Director of Operations will check with the appropriate Committee Chairman for any other specific direction and effectuate preferred action

Effective June 1, 2013

The City Council Committee concept has been most productive and healthy since its inception in the prior Administration. It has been streamlined and enhanced from three evenings monthly to one. With this move it is more conducive to maintain the subject Committee concept yet evolve to an agenda concept for the one meeting night as has been discussed in Committee meetings and with the Committee Chairman

This will streamline and enhance the effectiveness; the agendas will be facilitated by the subject Committee Chairman with all Council members at the table to participate in discussion and voting on preference to include a particular resolution or ordinance on the regular meeting agenda. This action will enhance a seamless approach to consideration of resolutions and ordinances as agenda items for City Council Meetings

Effective 08/29/2013

Agenda items will be directed to committees based first on functionality and then to Budget and Personnel whenever it transitions to a budget related matter that needs Council action

Effective 01/27/2014

Creation and appointment of Community Development Committee

Effective 04/02/2014

The Bond and Streetscape implementation items can go directly to the Council.

Effective 01/01/2015

Any subject Committee may hold separate meeting(s) with appropriate notification to the press. That Committee can make recommendations to any Council Agenda Meeting for consideration to place on the Council Agenda.

Additional Information and Procedures

This document will be attached to Ordinance # 1 for reference annually

All Committee meetings are held in the City Annex Council Chamber

Committee meeting minutes are distributed to all Council members after approval by Chairman of Committee

All packets distribution dates and times included on the City web site

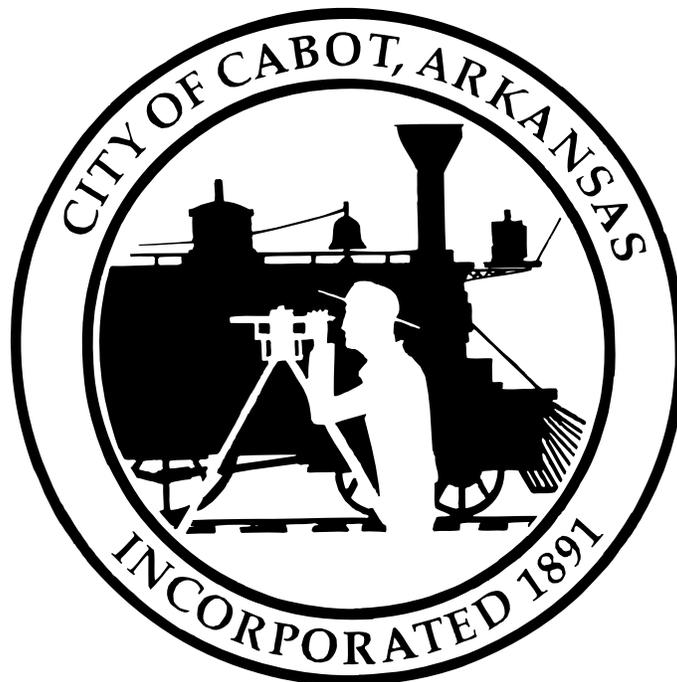
Committee minutes are targeted to be complete within five calendar days and sent to Committee Chairman for approval, with final copies to the Committee Chairman, Cypert, Cook, and Taylor

Council packets will be delivered digitally to web site and City Council Members Tablets

Notes:

Resolution No. 1 Of 2017

**A Resolution To Reappoint Alderman Ed Long
To Position 6 Of The Cabot Advertising And
Promotion Commission; And For Other
Purposes**



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RESOLUTION NO. 1 OF 2017

A RESOLUTION TO REAPPOINT ALDERMAN ED LONG TO POSITION 6 OF THE CABOT ADVERTISING AND PROMOTION COMMISSION; AND FOR OTHER PURPOSES

WHEREAS, Pursuant to A.C.A. § 26-75-605(a) (2) two members of the governing body of the municipality shall serve on the Cabot Advertising and Promotion Commission; and

WHEREAS, Alderman Ed Long's term for Position 6 to the Advertising and Promotion Commission expired December 31, 2016; and

WHEREAS, Alderman Ed Long has expressed an interest in being reappointed to represent the City of Cabot on this commission, subject to the approval of this governing body.

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

SECTION 1: Alderman Ed Long is hereby appointed to fill Position 6 of the Cabot Advertising and Promotion Commission; said term to expire December 31, 2018.

SECTION 2: This resolution shall be in full force and effect from and after the date of its passage.

SPONSOR:
William A. "Bill" Cypert, Mayor

PASSED:
DATE:
APPROVED:

William A. "Bill" Cypert, Mayor

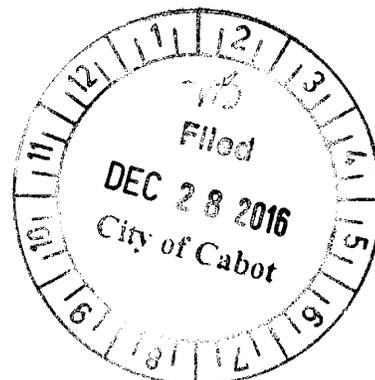
APPROVED AS TO FORM:



Jim Taylor, City Attorney

ATTEST:

Tammy Yocom, City Clerk-Treasurer



Notes:

Resolution No. 2 Of 2017

**A Resolution Appointing Alderman Ann Gilliam
To Position 7 Of The Cabot Advertising And
Promotion Commission; And For Other
Purposes**



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RESOLUTION NO. 2 OF 2017

A RESOLUTION APPOINTING ALDERMAN ANN GILLIAM TO POSITION 7 OF THE CABOT ADVERTISING AND PROMOTION COMMISSION; AND FOR OTHER PURPOSES

WHEREAS, Pursuant to A.C.A. § 26-75-605(a) (2) two members of the governing body of the municipality shall serve on the Cabot Advertising and Promotion Commission; and

WHEREAS, Alderman Ann Gilliam's term for Position 7 to the Advertising and Promotion Commission expired December 31, 2016; and

WHEREAS, Alderman Ann Gilliam has expressed an interest in being re-appointed to represent the City of Cabot on this commission, subject to the approval of this governing body.

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

SECTION 1: Alderman Ann Gilliam is hereby appointed to fill Position 7 of the Cabot Advertising and Promotion Commission; said term to expire December 31, 2018.

SECTION 2: This resolution shall be in full force and effect from and after the date of its passage.

SPONSOR:
William A. "Bill" Cypert, Mayor

PASSED:
DATE:
APPROVED:

William A. "Bill" Cypert, Mayor

APPROVED AS TO FORM:

ATTEST:



Jim Taylor, City Attorney

Tammy Yocom, City Clerk-Treasurer



Notes:

Resolution No. 3 Of 2017

**A Resolution To Appoint Doug Warner As The
Third Member Of The Cabot Depository Board,
To Serve Along With The Mayor And City
Clerk~Treasurer; And For Other Purposes**



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RESOLUTION NO. 3 OF 2017

A RESOLUTION TO APPOINT DOUG WARNER AS THE THIRD MEMBER OF THE CABOT DEPOSITORY BOARD, TO SERVE ALONG WITH THE MAYOR AND CITY CLERK~TREASURER; AND FOR OTHER PURPOSES

WHEREAS, Ark. Code Ann. §19-8-106, which was amended by Act 619 of 2011, provides the following persons shall constitute a three member board to designate depositories and supervise the depositing of municipal funds: Mayor, City Clerk, and City Council member selected by the City Council; and

WHEREAS, Mayor William "Bill" Cypert recommends the appointment of Council Member Doug Warner to serve as the third member of the Cabot Depository Board, subject to the approval of City Council.

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

SECTION 1: Pursuant to Ark. Code Ann. §19-8-106(b), the City Council hereby appoints Councilman Doug Warner to serve on the Cabot Depository Board of the City of Cabot, Arkansas, along with the Mayor and City Clerk~Treasurer.

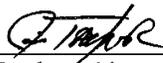
SPONSOR:
William A. "Bill" Cypert, Mayor

PASSED:
DATE:
APPROVED:

William A. "Bill" Cypert, Mayor

APPROVED AS TO FORM:

ATTEST:



Jim Taylor, City Attorney

Tammy Yocom, City Clerk-Treasurer

