

CABOT CITY COUNCIL WORK SESSION

March 2, 2020 @ 6:30 p.m.

Cabot City Annex Council Chambers
208 North 1st Street, Cabot Arkansas 72023

Mayor Ken Kincade

AGENDA

1. Call to order – Mayor Kincade
2. Opening Prayer
3. Pledge of Allegiance
4. Roll call
5. City Council Business
 - a. Organize Council (Document Drafted by Norma Naquin, Council Member)
 - b. Appoint Greg Jones to A & P Commission
 - c. Centurylink Amendment (Proposed Ordinance)
6. Community Input
7. Adjournment

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City Council Meetings

1. Regular Meeting

The City Council shall meet at in agenda session on the third Monday of each month at 6:30 PM. and meet in Regular session immediately following the agenda session. When a holiday occurs on any such Monday, the regular meeting shall be held on the following Monday at the same hour unless otherwise provided by motion.

The 6:30 PM AGENDA MEETING - the Agenda meeting shall be prior to the city council meeting at 6:30 pm. (This change, if approved by Council, would have to be advertised to the public and would be the only time change). The agenda meeting is to finalize our agenda prior to the meeting. At this time, Council could remove or add agenda items. If the Mayor or Staff wish to add any items which had not on the Committee Work Session Tentative Agenda, and/or had not been forwarded to the City Council Tentative Agenda, such items shall only be placed on the City Council Final Agenda with a 2/3 vote of full Council. Council Members shall be allowed to place items on the Final Agenda at any time.

2. Location

The place of City Council meetings shall be in the Cabot City Annex unless another place has been previously set by the City Council.

3. Council Committee Work Session *****

Work sessions allow Council Committees to hold joint meetings and the opportunity to meet with staff in order to inquire about complex issues, discuss solutions and alternatives. Each Committee Chair shall call his/her Committee to order and shall preside over his/her Committee's meeting. Council members who are NOT MEMBERS of particular committee may participate the meeting, EXCEPT FOR VOTING ON COMMITTEE RECOMMENDATIONS. In order for a Committee to make an official recommendation to city council, a majority of the committee must agree on that recommendations. ABSOLUTELY NO LEGISLATION SHALL BE APPROVED AT COUNCIL COMMITTEE MEETINGS. INDIVIDUAL COMMITTEE MEETINGS SHALL HOLD AS NEEDED.

4. Special Meetings

Special meetings may be called by three or more Council Members or the Mayor. Notification of a special meeting, including specific items to be considered, shall be at least two hours prior to the meeting.

5. Executive Session

An executive session may be requested by any member of the City Council. A majority vote of by the City Council to convene in executive session. Executive sessions will be permitted only for the purpose of considering the employment, appointment, promotion, demotion, disciplining, or resignation or any public officer or employee.

6. Tentative Agenda Items

The City Council's Committee Work Session Tentative Agenda shall be coordinated by the Mayor's office. All items for discussion or action at the regular council meeting shall be included on the Tentative Agenda. A complete packet with all supporting documents shall be provided to city council members prior to the city council committee work session.

The City Council's agenda shall be coordinated by the Mayor's office. All items for discussion or action at the regular council meeting shall be included on the Tentative Agenda. A complete packet with all supporting documents shall be provided to City Council Members prior to the City Council Meeting.

A complete packet is to be distributed to each council member by 4:00 PM Thursday prior to the Committee Work Session Meeting, as well as, 4:00 PM Thursday prior to the City Council Meeting. If not received by close of day Thursday prior to either meeting Council may cancel the meeting.

Any member of the City Council or the Mayor may add an item on the City Council Committee Work Session Agenda, supporting documents and correspondence must accompany ALL agenda items. City Council Members shall be allowed to place items on agendas at any time.

7. Filing an Ordinance or Resolution

The city council shall determine the date and time by resolution, such ordinances and resolutions must be filed with the City Attorney's office in order that the staff shall have sufficient time to prepare all relevant information with each ordinance and/or resolution for presentation to the city council.

8. Readings

All ordinances shall be read aloud at three different meetings unless the City Council votes to suspend the rules. **If the emergency clause is requested, the reason shall be clearly stated within the "emergency clause" section of the ordinance, or it will not be considered by Council.**

9. Council Committees

Each Council Committee shall have three or four members each, newly appointed January or each year. Appointments shall be per written request to the City Attorney, Council Member shall list his/her top three committee. When appointments are made should there be any conflict, seniority shall prevail. Every Council Member shall serve on a minimum of one committee. Each committee shall elect a chair and vice chair during the first committee meeting.

10. Mayor Relationship

In exercising its management responsibilities, the City Council reserves its authority to approve policy which represents broad statements of its intentions, approves plans and programs, and delegate authority of administration to the Mayor, except those rights that are by law conferred upon or reserved to the city council. The City Council delegates the authority of the Mayor to hire capable personnel within an approved wage and salary policy, to plan and establish schedules and to train, supervise and terminate employees. **Per A.C.A. § 14-42-110, the City Council reserves the authority to review the hiring or removal of a department head and may overturn the hiring or removal of a department head by the Mayor upon two-thirds majority of the total membership of the City Council**

Definition of responsibilities.

(1) The Mayor has the principal responsibility for directing the operations of the city government and for advising and assisting the City Council in its deliberations. In connection with the latter responsibility, the City Council expects and requests the Mayor to furnish it with whatever data, information, and material it may need to properly carry out its functions in an informed manner.

(2) The Mayor also has the principal responsibility to ensure that the city's administrative officers and department heads understand and obey all local, state, and federal laws pertaining to the city's operations, and when a violation of any law is discovered, that immediate disclosure is made to the City Council and proper and adequate disciplinary measures are taken against the responsible employee or employees.

11. City Council/Mayor Cooperation

Efficient management of the city can exist only through mutual understanding and complete cooperation between the City Council and the Mayor. The Mayor's performance cannot be of the best unless he is given the latitude to exercise independent judgment in executing policies of the City Council. The City Council acknowledges that obligation and gives the Mayor the latitude of judgment and discretion, and expects faithful performance in carrying out the policies of the City Council.

It shall be understood that administrative authority for the management of the city rests with the Mayor. Members of the City Council should refrain, as individuals, from giving specific direction or instruction to city personnel pertaining to the discharge of assigned duties, however, open communication between aldermen and city employees is encouraged and expected to guarantee sound decisions based upon the free flow of information.

RESOLUTION NO. 2020-1

**A RESOLUTION APPOINTING GREG JONES AS COMMISSIONER TO
THE CITY OF CABOT ADVERTISING AND PROMOTION
COMMISSION**

WHEREAS, the City of Cabot Advertising and Promotion Commission (the “Commission”) has the authority to fill certain positions on its Board upon the expiration of a term pursuant to Ordinance No. 6 of 2009 of the City of Cabot, Arkansas;

WHEREAS, a member’s term of the Commission has expired, and it is the desire and preference of the remaining members of the Commission to appoint Mr. Greg Jones for its at-large position to the Commission, and for the Cabot City Council to approve said appointment;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CABOT
ADVERTISING AND PROMOTION COMMISSION:**

Section 1. That Greg Jones, an individual qualified for the at-large Commission position, is hereby appointed Commissioner of the City of Cabot Advertising and Promotion Commission.

Section 2. That, when appropriate, Mr. Jones shall show his acceptance of this appointment by filing the oath required by law in the State of Arkansas of public officials.

Section 3. That this resolution shall become effective from and after the date of its adoption.

Adopted: February 18, 2020.

ATTEST:



Witness

APPROVED:



Judd Arnold, Chairman

ORDINANCE NO. __ OF 2020

**ORDINANCE OF THE CITY OF CABOT, ARKANSAS AMENDING
ORDINANCE NO. 1-1963 TO CHANGE THE ANNUAL PAYMENT RECEIVED
FROM TELEPHONE COMPANY FOR USE OF PUBLIC RIGHTS OF WAYS**

WHEREAS, on or about January 14, 1963 the City of Cabot, Arkansas (the “City”) adopted Ordinance No. 1-1963 granting to Southwestern States Telephone Company the right to use the public rights of ways to operate its Telephone System and all business incidental to or connected with the conducting of a Telephone business in exchange for an annual payment from the Company to the City; and

WHEREAS, CenturyTel of Arkansas, Inc. d/b/a CenturyLink (the “Company”) acquired the Telephone System serving the City and is the successor in interest to Southwestern States Telephone Company under Ordinance No. 1-1963; and

WHEREAS, Arkansas Code § 14-200-101 authorizes municipalities to require telecommunications service providers to pay a franchise fee to operate within the local government boundaries; and

WHEREAS, the City and Company have agreed to amend Ordinance No. 1-1963 to change the annual payment made to the City.

NOW THEREFORE, BE IT ORDAINED, that the Mayor and Council of the City of Cabot, Arkansas hereby amend Ordinance No. 1-1963 to change the quarterly payment made to the City subject to the following conditions the Company and the City have previously agreed:

SECTION 1: That, Section 7 of Ordinance No. 1-1963 is hereby amended to increase the current payment from two percent (2%) of its gross revenues to four and one quarter percent (4.25%) to be paid quarterly to City.

SECTION 2: This amendment of Ordinance No. 1-1963 and the provisions of said Ordinance amended hereby shall be effective commencing on January 1, 2020.

SPONSOR:
Ken Kincade, Mayor

PASSED:
DATE:
APPROVED:

Ken Kincade, Mayor

APPROVED AS TO FORM:

Ben Hooper, City Attorney

ATTEST:

Tammy Yocom, City Clerk-Treasurer