



## **CITY COUNCIL MEETING**

**September 12, 2023 at 6:00 PM**

**City Hall**

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### **AGENDA**

#### **CALL TO ORDER**

#### **APPROVAL OF AGENDA**

#### **APPROVAL OF MINUTES**

- [1.](#) AUGUST 8, 2023 CITY COUNCIL MEETING MINUTES

#### **DEPARTMENTAL REPORTS**

- [2.](#) POLICE DEPARTMENT
- [3.](#) FIRE DEPARTMENT
- [4.](#) BUILDING OFFICIAL
5. PUBLIC WORKS
6. SPECIAL COMMITTEES
- [7.](#) CITY CLERK/TREASURER
8. CITY ATTORNEY
9. MAYOR

#### **UNFINISHED BUSINESS**

10. DISCUSSION OF 2020, 2021, & 2022 LEGISLATIVE AUDIT REPORT

#### **NEW BUSINESS**

- [11.](#) **RESOLUTION 2023-08: A RESOLUTION AUTHORIZING THE RATE OF PROPERTY TAX FOR THE CITY OF JOHNSON, ARKANSAS FOR THE YEAR 2023 TO BE COLLECTED IN 2024.**
- [12.](#) **RESOLUTION 2023-09: A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT WITH DIAMOND C**

**CONSTRUCTION COMPANY FOR THE ASHFORD STREET DRAINAGE IMPROVEMENTS PROJECT  
IN THE CITY OF JOHNSON, ARKANSAS.**

- 13. ORDINANCE 2023-03: AN ORDINANCE TO ADOPT THE INTERNATIONAL CODE COUNCIL (“ICC”) 2021 TECHNICAL CODES, 2018 ARKANSAS PLUMBING CODE, 2018 ARKANSAS FUEL GAS CODE, AND THE 2021 ARKANSAS FIRE PREVENTION CODE CONSISTING OF VOL. I FIRE, VOL. II BUILDING, AND VOL. III RESIDENTIAL, OR MOST CURRENT EDITIONS BY REFERENCE FOR THE CITY OF JOHNSON; REPEALING CODE PROVISIONS IN CONFLICT THEREWITH AND DECLARING AN EMERGENCY.**
  
- 14. ORDINANCE 2023-04: AN ORDINANCE TO VACATE A 10-FOOT UTILITY AND DRAINAGE EASEMENT LOCATED AT 5348 CORDELL DRIVE IN THE CITY OF JOHNSON, ARKANSAS.**

**PUBLIC COMMENT**

**MOTION TO PAY BILLS**

**MOTION TO ADJOURN**



## CITY COUNCIL MEETING

August 08, 2023 at 6:00 PM

City Hall

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## MINUTES

### CALL TO ORDER

Mayor Keeney called the meeting to order at 6:00 PM. Present were Council Member Dan Cross, Council Member Bob Fant, Council Member Katherine Hudson, and Council Member Angela Perea. Also present were City Clerk/Treasurer Jennifer Allen, Police Chief Chris Kelley, Fire Chief Chance Wright, Building Official Clay Wilson, and City Attorney Justin Eichmann. Council Member John Wright and Council Member Sean Engle were absent.

### APPROVAL OF AGENDA

Mayor Keeney asked for a motion to approve the agenda. Motion made by Council Member Fant, Seconded by Council Member Hudson. Voting Yea: Council Member Cross, Council Member Fant, Council Member Hudson, Council Member Perea.

### APPROVAL OF MINUTES

#### 1. JULY 11, 2023 CITY COUNCIL MEETING MINUTES

Mayor Keeney asked for a motion to approve the minutes of the July 11, 2023 City Council Meeting. Motion made by Council Member Cross, Seconded by Council Member Perea. Voting Yea: Council Member Cross, Council Member Fant, Council Member Hudson, Council Member Perea.

### DEPARTMENTAL REPORTS

#### 2. POLICE DEPARTMENT

Community Policing:

Patrols were conducted of residential and business areas daily.

“Blue Lights and Backpacks” community event was held on Saturday July 8th. Event donations provided enough funds to purchase 30 backpacks and school supplies for families in need.

Distribution of backpacks began on July 31 and will continue until all are distributed.

Johnson PD is now utilizing the Neighbors Public Safety Service (Neighbors app via Ring) to

publish safety information. This service can also be used to request investigative assistance from the residents of Johnson. There is no cost for residents to download and use the app on their phones.

**Enforcement:**

Based on community complaints, Officers enforced speed violations throughout the city. JPD enforced Truck Route violations of prohibited truck traffic on Wilkerson St, Elmore St, and Main Dr.

**Fleet Update:**

Installation/upfit of emergency equipment for the one remaining 2022 Ford PIU is continuing. Upfit was completed on one Ford PIU and it was deployed to the fleet.

**Personnel update:**

Two applicants are currently in the background investigation phase. Currently advertising for two vacant Police Officer positions. Utilizing Facebook, Instagram, and Indeed for advertising.

**Qualification/Training:**

Continuing defensive tactics training with our in-house instructor in August and September. All officers received refresher training in Less Lethal options and bean bag shotgun deployment.

Supervisors attended Legislative update (Arkansas Code) training at Fayetteville PD.

Supervisors completed online training regarding Conflict Management for Supervisors.

All officers will be attending Supervisor Liability training in August. This training provides an overview of how to prevent, identify and manage legal liability in law enforcement operations.

### 3. FIRE DEPARTMENT

**Community Events:**

Attended Police Blue Lights and Backpacks

**Employment update:**

Added 2 additional Part-Time Employees

**Fleet Update:**

Brush 1 is out of service.

Ladder 1 is out of service.

Fayetteville Engine 5 is to be returned to Fayetteville.

Engine 2 is scheduled to be done by 8-15-2023. Talked with Firemaster right before the meeting. Everything has been completed. Goes into paint tomorrow. Should be ready Friday.

**Training:**

Jordan Womack is currently in EMT School

The department completed Central EMS training on New Stretchers purchased by Rural Fire Association.

**Misc:**

AWIN radios to go live 2nd week of September tentatively.

### 4. BUILDING OFFICIAL

Building Permits: 2 (Solar & shed) Mechanical Permits: 5, Inspections: 19, Finals: 2 (commercial build out & New home)

Inspected all traffic light battery backups (all passed) and installed new inverter at 48<sup>th</sup> and Johnson Mill. Started generators, MS4 inspections after rain events.

Held a TPR meeting and attended my yearly 16-hour electrical inspector's class.

Vehicle maintenance:

Police department: 1 oil change

Circle K failed their final inspection. Broken concrete and sidewalks must be repaired.

Johnson Square needs to complete the striping and then the intersection can open.

## 5. PUBLIC WORKS

Park is still underway with fencing going in now. Slab for basketball court was put in yesterday. Sod in the next week. Getting really close to opening.

Limb pick up is 2 times per month.

## 6. SPECIAL COMMITTEES

## 7. CITY CLERK/TREASURER

Due to the early date of this meeting, State Turnback, Property Tax and Sales Tax have not been received.

The annual Premium Tax (formerly called SITT tax) was added to our LOPFI account in July totaling \$72,137.15. This will pay for almost 4 months of the City's portion of the required LOPFI payment.

James McKean, Legislative Auditor completed the 2020, 2021, and 2022 audits. There were no findings of any kind, the audits were completely clean. Our exit interview was held August 1, 2023, and Council Members will be receiving copies as soon as it is reviewed by the Legislative Joint Auditing Committee.

\$15,000 RFA income was received today.

## 8. CITY ATTORNEY

In the last month worked on odd code enforcement items. At the last meeting, the Council approved proceeding with condemnation for the Wilkerson and Main project. That process is underway.

## 9. MAYOR

Following up on Mr. Eichmann, we have received notices of possession and hopefully utility work will start soon on the Wilkerson and Main project.

Due to the increase in assessment of value for real property in excess of 10%, our assessment of property tax mils will be reduced from 5.0 mils to 4.9 mils for 2024.

Working on getting bids for Ashford Knolls Drainage project - none received. One solicited came in at \$120,550.

Preliminary price on the Johnson Road project came in at \$900,000.

## UNFINISHED BUSINESS

## NEW BUSINESS

**10. RESOLUTION 2023-7: A RESOLUTION SELECTING MCCLELLAND CONSULTING ENGINEERS TO PROVIDE ON-CALL ENGINEERING SERVICES TO THE CITY OF JOHNSON, ARKANSAS, AND AUTHORIZING THE MAYOR TO NEGOTIATE AND EXECUTE AN AGREEMENT FOR THE SAME.**

Mayor Keeney asked for a motion to approve res 2023-07. Dan Barnes introduced himself and the company. This is their 60th anniversary this year and they are municipality specialists. Motion made by Council Member Fant, Seconded by Council Member Cross. Voting Yea: Council Member Cross, Council Member Fant, Council Member Hudson, Council Member Perea.

**PUBLIC COMMENT**

**MOTION TO PAY BILLS**

Mayor Keeney asked for a motion to pay the bills. Motion made by Council Member Hudson, Seconded by Council Member Cross. Voting Yea: Council Member Cross, Council Member Fant, Council Member Hudson, Council Member Perea.

**MOTION TO ADJOURN**

Mayor Keeney asked for a motion to adjourn. Motion made by Council Member Fant, Seconded by Council Member Cross. Voting Yea: Council Member Cross, Council Member Fant, Council Member Hudson, Council Member Perea.

Meeting was adjourned at 6:18 PM.

Respectfully Submitted,

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Jennifer Allen CMC, CAMC  
City Clerk/Treasurer

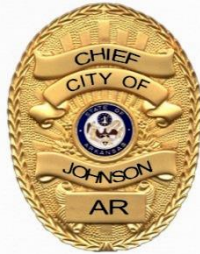
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Chris Keeney, Mayor

# Johnson Police Department

Chief Chris Kelley

Item 2.



## August 2023

### Investigations update

Cases assigned for investigation this month:	5
Closed cases:	3
Open cases:	11

### Calls for Service

Calls for service:	303
Incident reports written:	79
Accident reports written:	9
Arrests (includes Warrant Service)	61

### Activity

Criminal Citations:	4
Directed/Extra patrols: (includes vacation checks)	349
Code violation citations:	8
Code violation warnings:	79
Parking- Warnings	0
Traffic- Warnings- Misc. Violations:	37
Traffic- Warnings- Speed:	11
Traffic- Speed citations:	1
Traffic- citations (Total):	23
DWI:	1

### Washington County District Court Johnson Division

Warrants-Processed:	48
Warrants-Served:	48

### **Community Policing**

- Patrols were conducted of residential and business areas on a daily basis.

### **Enforcement**

- Based on community complaints, Officers enforced speed violations throughout the city.
- JPD enforced Truck Route violations of prohibited truck traffic on Wilkerson St, Elmore St, and Main Dr.

### **Fleet Update**

- 2022 Ford Police Interceptor has had all equipment installed and was deployed to Patrol.

### **Grants**

- Submitted a grant application for the 2024 Public Safety Equipment Grant through the Arkansas Department of Public Safety. This grant provides funds for equipment to improve trust between law enforcement and communities they serve. We have specifically asked for funds to update our body worn video server. There are no matching funds required for this grant. A committee will decide which agencies receive awards by December 2023.

### **Personnel update**

- Hired one officer in August. Field Training began on the 21<sup>st</sup>.
- One officer resigned in August.
- Two applicants are currently in the background investigation phase.
- Currently advertising for two vacant Police Officer position.
- Utilizing Facebook, Instagram, Interview Now and Indeed for advertising.

### **Qualification/Training**

- Continuing defensive tactics training with our in-house instructor in August and September.
- Officers will be re-certified in CPR by Johnson Fire Department in September.
- Officers completed Supervisor Liability training in August. This training provides an overview of how to prevent, identify and manage legal liability in law enforcement operations.
- All officers qualified with their firearms in August.





# Johnson Fire Department

5810 S. Cardwell Rd. Fayetteville AR, 72704 ph. 479-442-0112

## Aug 2023

### Community Events:

- Attended Park opening.
- 12 Station Tours to public

### Employment update:

- Full time Wayne Cates left department for Memphis Fire
- Hired Jordan White as Cates replacement.

### Fleet Update:

- Engine 2 has been returned to service.
- Ladder 1 needs Blower replacement (working on finding a mechanic) Needs turbo rebuilt.
- Brush 1 – still looking for mechanic to fix.

### Company Level:

<b>A- Shift</b>	Completed Hydrants	3 Business Inspections
<b>B- Shift</b>	32 Hydrants – completed	2 Business Inspections
<b>C- Shift</b>	Hydrants – Completed	4 Business Inspections

### Training:

- Jordan Womack Passed EMT class- scheduled to take national registry exam.
- Attended AWIN Radio Training at Washington County
- Completed 307 hours of combined Training.
- Scheduled CPR training for FD and PD for end of September

### Misc:

- Radios to go live 4th week of September tentatively.

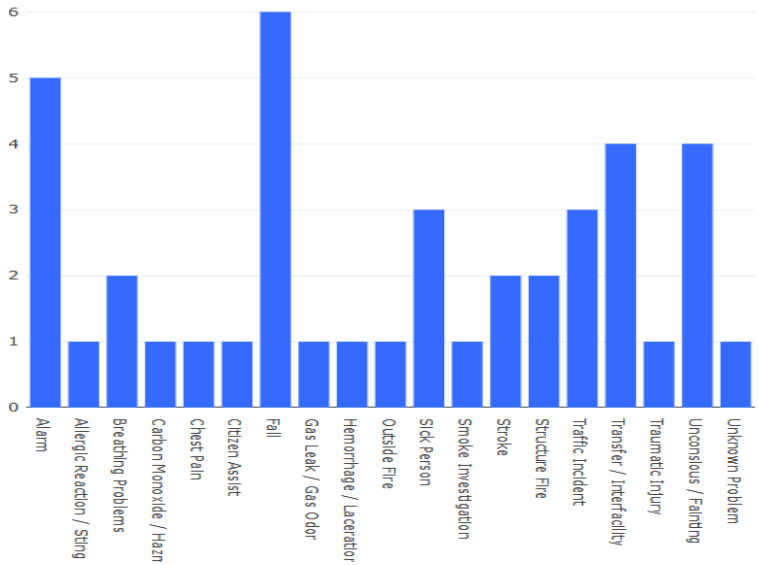
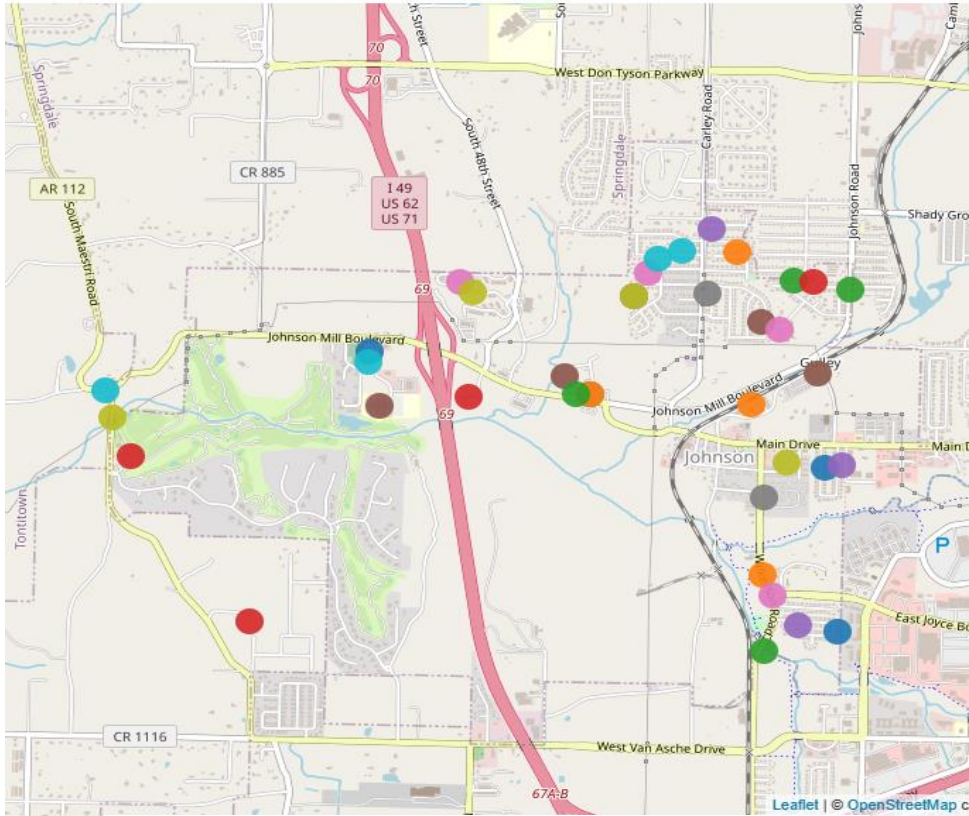


# Johnson Fire Department

5810 S. Cardwell Rd. Fayetteville AR, 72704 ph. 479-442-0112

## Calls For Service August

Total Calls: 41



Building Official Report

September 5, 2023

Building Permits: 2 (pool & new home)

Mechanical Permits: 8

Inspections: 32

Finals: 2 (solar & New home)

I inspected all traffic light battery backups (all passed), I attended the quarterly MS4 meeting. Multiple meetings with developers and engineers. Johnson Mill Blvd. and Main drive 4-way intersection is now open.

Vehicle maintenance:

Police department: replaced the emission control valve in 1601 and worked on 2201 piu.

Fire department: no maintenance

Public works: 3 oil changes, ordered parts for different trucks.

Clay Wilson

Building Official

## General Fund Monthly Financial Statement

	Current Period Aug 2023 Aug 2023 Actual	Year-To-Date Jan 2023 Aug 2023 Actual	Annual Budget Jan 2023 Dec 2023	Annual Budget Jan 2023 Dec 2023 Variance
<b>Revenue &amp; Expenditures</b>				
<b>Revenue</b>				
<b>Tax Receipts</b>				
Franchise Taxes	28,014.16	240,221.01	325,000.00	84,778.99
Property Taxes	14,694.39	322,433.18	450,000.00	127,566.82
Sales Tax - City	119,609.80	898,973.50	800,000.00	(98,973.50)
Sales Tax - County	79,587.62	623,388.36	790,000.00	166,611.64
Turnback - State	3,261.78	40,077.61	52,000.00	11,922.39
<b>Fines and Forfeitures</b>				
Animal Impound Fees	0.00	105.00	1.00	(104.00)
Court Costs - Act 1256	3,488.95	27,911.60	35,000.00	7,088.40
Fines	7,525.10	52,228.52	75,000.00	22,771.48
PD Forfeitures	0.00	0.00	1.00	1.00
Restitution	40.00	2,020.00	1.00	(2,019.00)
WA County Booking Fee	926.00	6,473.00	1.00	(6,472.00)
Warrant Service Charge	392.00	2,747.10	5,000.00	2,252.90
<b>Fees &amp; Permits</b>				
5% state construction surcharg	25.00	762.04	1,500.00	737.96
Booking Fee from Court	0.00	1,266.00	0.00	(1,266.00)
Building Permits	1,224.00	42,383.00	50,000.00	7,617.00
Business Licenses	350.00	21,302.50	7,000.00	(14,302.50)
Demolition Permit	0.00	0.00	1.00	1.00
Engineering Fees	0.00	0.00	1.00	1.00
Flood Hazard Permit	0.00	0.00	1.00	1.00
Grading Permit	0.00	0.00	1.00	1.00
Mechanical Permits	496.00	5,689.25	10,000.00	4,310.75
Sign Permits	0.00	712.03	500.00	(212.03)
Submittal Fees	50.00	2,850.00	7,500.00	4,650.00
<b>Government Receipts</b>				
FEMA Reimbursement	0.00	0.00	1.00	1.00
Park Match Grant	0.00	180,000.00	225,000.00	45,000.00
PD E-Crash Grant	0.00	11,228.27	1.00	(11,227.27)
Repay Law Enforcement	0.00	0.00	1.00	1.00
<b>Other Revenue</b>				
City Donations	0.00	0.00	1.00	1.00
Community Events	0.00	861.00	0.00	(861.00)
Copy Charges	80.00	250.00	200.00	(50.00)
Credit Card Service Fee	16.96	386.25	200.00	(186.25)
Fire Dept Donation	0.00	6,250.00	1.00	(6,249.00)
Ins Settlement	0.00	3,350.91	1.00	(3,349.91)
Interest Earned	9,346.45	53,169.67	2,000.00	(51,169.67)
MDA Donations/Pass The Boot	0.00	0.00	1.00	1.00
Misc Income - General	2,196.35	5,171.27	2,000.00	(3,171.27)

## General Fund Monthly Financial Statement

Misc Income - Sales	0.00	0.00	1.00	1.00
Park Donation	0.00	0.00	1.00	1.00
Police Dept Donation	0.00	6,250.00	1.00	(6,249.00)
Reimburse FD/PD Payroll ARPA	0.00	741,627.73	0.00	(741,627.73)
Reimbursement for PD Security	0.00	0.00	1.00	1.00
Rent - Post Office	700.00	5,600.00	4,200.00	(1,400.00)
RFA Fire Revnue	15,000.00	45,000.00	60,000.00	15,000.00
Street Cut Bond/Boring Permit	0.00	450.00	1.00	(449.00)
Surplus Carryover	0.00	0.00	2,000,000.00	2,000,000.00
Trash Bags	65.00	995.00	2,000.00	1,005.00
<b>Revenue</b>	<b>\$287,089.56</b>	<b>\$3,352,133.80</b>	<b>\$4,904,120.00</b>	<b>\$1,551,986.20</b>
<b>Gross Profit</b>	<b>\$287,089.56</b>	<b>\$3,352,133.80</b>	<b>\$4,904,120.00</b>	<b>\$0.00</b>

### Expenses

#### Police Department Expense

CID Expenses	67.38	1,767.35	3,000.00	1,232.65
Computer Server System	0.00	0.00	4,000.00	4,000.00
Equip over \$500 - Police	0.00	7,009.73	6,500.00	(509.73)
Equip over \$500 - Vehicle	0.00	0.00	4,000.00	4,000.00
Gross Wages Police	36,046.66	297,042.27	596,365.00	299,322.73
Gross Wages- Security Reimbur	0.00	0.00	1.00	1.00
IT Expenses	422.50	2,815.00	3,500.00	685.00
Law Enforcement Stipend Grant	0.00	0.00	1.00	1.00
Licenses (PD)	0.00	2,935.50	3,900.00	964.50
PD Cell Phone	133.83	1,427.66	2,700.00	1,272.34
PD Equip less \$500 - Police	1,286.43	2,177.86	2,010.00	(167.86)
PD Equip less \$500 - vehicle	0.00	202.19	2,500.00	2,297.81
PD Fuel	4,867.73	33,113.50	55,000.00	21,886.50
PD General Expenses < \$500	202.30	1,587.08	2,000.00	412.92
PD Maintenance for equip	0.00	1,722.91	2,000.00	277.09
PD MDT Communications	320.08	2,005.69	6,200.00	4,194.31
PD Membership Dues	400.00	1,115.00	500.00	(615.00)
PD New Hire Expense	0.00	7,131.12	8,100.00	968.88
PD Office Expense	1,530.87	7,266.87	7,000.00	(266.87)
PD Records Management	225.00	2,599.37	6,000.00	3,400.63
PD Safety Equip	17.99	157.44	2,100.00	1,942.56
PD Training	0.00	1,724.00	4,800.00	3,076.00
PD Travel Expense	0.00	1,585.90	2,000.00	414.10
PD Uniforms Expense	457.44	2,308.44	5,000.00	2,691.56
PD Vehicle Insurance	0.00	0.00	5,500.00	5,500.00
PD Vehicle Maintenance	1,390.88	12,481.84	20,000.00	7,518.16
Police Dept Donation	0.00	0.00	6,250.00	6,250.00
Police Overtime Wages	16.13	7,455.61	10,000.00	2,544.39
Purchase New PD Unit	75.87	4,606.42	0.00	(4,606.42)
Repay Law Enforcement	0.00	0.00	1.00	1.00
Tower Rental	0.00	3,828.85	3,650.00	(178.85)
WA County Booking Fees	926.00	7,739.00	1.00	(7,738.00)

## General Fund Monthly Financial Statement

WA County Jail Fee	0.00	2,935.69	2,936.00	0.31
<b>Labor Expense</b>				
Gross Wages - Street	62.00	182.13	0.00	(182.13)
<b>Administrative Expense</b>				
5% State Construction	23.75	730.12	1,500.00	769.88
Admin Cell Phone	66.94	668.47	0.00	(668.47)
Admin Expense	0.00	353.22	750.00	396.78
Admin Fuel	0.00	0.00	6,000.00	6,000.00
Building Official Expenses	0.00	364.33	2,500.00	2,135.67
Capital Outlay (over \$500)	0.00	0.00	25,000.00	25,000.00
City Donation Expense	0.00	0.00	1.00	1.00
Credit Card Service Fee	13.56	422.64	350.00	(72.64)
Gross Wages - City	18,340.38	155,893.11	321,465.00	165,571.89
Municipal Code	0.00	8,150.66	10,000.00	1,849.34
Office Expenses - Admin	1,240.03	14,058.66	25,000.00	10,941.34
Overtime Wages- City	0.00	0.00	250.00	250.00
Performance Bond Return	0.00	0.00	1.00	1.00
Petty Cash Expense	0.00	0.00	100.00	100.00
Purchase Admin Vehicle	0.00	0.00	36,500.00	36,500.00
Trash Bags	0.00	0.00	1,500.00	1,500.00
Travel Expenses	0.00	2,531.72	2,000.00	(531.72)
Unemployment Fee	3,722.00	6,456.00	5,000.00	(1,456.00)
<b>Fire Department Expense</b>				
Emergency Communication	82.46	659.68	1,500.00	840.32
FD Equip less \$500	0.00	2,318.83	2,000.00	(318.83)
FD Equip over \$500	0.00	0.00	3,000.00	3,000.00
FD Equipment Maintenance	303.02	632.25	5,000.00	4,367.75
FD Equipment Testing	500.00	1,873.85	6,250.00	4,376.15
FD Fuel	513.47	4,272.51	10,000.00	5,727.49
FD Medical Supplies	0.00	364.99	1,000.00	635.01
FD Memberships	0.00	455.00	500.00	45.00
FD New Hire	0.00	65.65	4,000.00	3,934.35
FD Office Expense	485.64	2,457.60	5,200.00	2,742.40
FD Personnel Safety Gear	0.00	0.00	14,000.00	14,000.00
FD Records Mgmt System	963.05	4,240.19	3,500.00	(740.19)
FD Run Pay	0.00	0.00	500.00	500.00
FD Safety Equip	0.00	0.00	1,500.00	1,500.00
FD Station Maintenance	230.42	506.83	8,000.00	7,493.17
FD Station Supplies	125.04	1,453.63	2,500.00	1,046.37
FD Training	0.00	2,336.59	3,000.00	663.41
FD Travel Expenses	546.22	1,381.17	5,000.00	3,618.83
FD Uniforms	0.00	1,100.64	1,500.00	399.36
FD Utilites	861.51	8,655.03	10,000.00	1,344.97
FD Vehicle Equip less \$500	0.00	0.00	2,000.00	2,000.00
FD Vehicle Equip over \$500	0.00	693.05	4,000.00	3,306.95
FD Vehicle Insurance	0.00	0.00	14,302.00	14,302.00

**General Fund**  
**Monthly Financial Statement**

Item 7.

FD Vehicle Maintenance	60.06	2,153.91	3,500.00	1,346.09
FD WC Ins	0.00	1,354.00	1,500.00	146.00
Fire Department Donation	211.46	2,824.99	6,250.00	3,425.01
Fire Department Overtime	0.00	2,582.28	10,000.00	7,417.72
Fire Truck Payment	10,000.00	80,000.00	110,000.00	30,000.00
Gross Wages- Fire	40,289.40	325,440.11	471,345.00	145,904.89
MDA Donations/Pass The Boot	0.00	0.00	1.00	1.00
<b>Court Expense</b>				
Court Automation	0.00	4.55	0.00	(4.55)
Court Clerk Training	325.69	325.69	1,300.00	974.31
Court Office Expense	1,207.21	6,738.30	10,000.00	3,261.70
Court Office Overtime	0.00	0.00	250.00	250.00
Gross Wages Court Office	9,123.71	71,236.78	121,410.00	50,173.22
Gross Wages Dist. Judge	0.00	3,751.26	3,752.00	0.74
<b>Benefits Expense</b>				
City Match - 401 K Plan	1,916.88	15,875.27	19,717.00	3,841.73
City Retirement Plan	2,543.34	21,796.98	32,861.00	11,064.02
LOPFI Funding	0.00	60,000.00	251,000.00	191,000.00
Medical Insurance	13,330.08	107,407.80	190,000.00	82,592.20
Medicare - Employers	2,147.27	13,134.67	21,903.00	8,768.33
One Time Pay Increase	0.00	0.00	7,200.00	7,200.00
Social Security - Employers	6,454.87	53,436.62	19,567.00	(33,869.62)
Transportation Allowance	369.24	3,138.54	4,800.00	1,661.46
Workers Comp Insurance	0.00	16,385.00	23,000.00	6,615.00
<b>General Expense</b>				
Animal Control/Impound Fees	150.00	1,800.00	2,000.00	200.00
Bldg & Equip Maint	8,106.44	42,122.08	15,000.00	(27,122.08)
Election Fee	0.00	2,990.25	1.00	(2,989.25)
Fire Hydrant Rental	0.00	2,600.00	2,600.00	0.00
Hazmat	0.00	1,371.42	1,300.00	(71.42)
Infrastructure	3,596.25	8,396.25	1.00	(8,395.25)
Insurance - Property	0.00	0.00	4,200.00	4,200.00
Kennel Upkeep/Food	0.00	22.30	50.00	27.70
Misc Expenses	0.00	360.00	500.00	140.00
Public Safety Radios	0.00	74,951.22	74,955.00	3.78
Purchase ROW/UE	4,324.50	135,365.50	250,000.00	114,634.50
Utilities Expense	4,830.07	21,877.81	30,000.00	8,122.19
Weather Station	1,750.00	1,750.00	0.00	(1,750.00)
<b>Professional Services Expense</b>				
Clear Creek Sampling & Analysis	0.00	820.00	1,000.00	180.00
Code & Zoning Revisions	0.00	0.00	20,000.00	20,000.00
Engineering for 56th Street	0.00	0.00	1.00	1.00
Engineering/Infrastructure	0.00	0.00	30,000.00	30,000.00
Engineering/Main & Wilkerson	0.00	1,081.32	1.00	(1,080.32)
Engineering/Mapping	0.00	0.00	1,000.00	1,000.00
Engineering/Storm Water Mgmt	0.00	2,737.50	1,000.00	(1,737.50)

## General Fund Monthly Financial Statement

Engineering/Submitted Plan	192.50	6,912.90	50,000.00	43,087.10
Legal Fees	7,105.50	24,862.41	50,000.00	25,137.59
Planning and Zoning	0.00	6,149.21	5,000.00	(1,149.21)
Special Attorney Fees	0.00	0.00	1.00	1.00
<b>Dues and Membership Expense</b>				
Emer Medical Serv	9,371.75	28,115.25	37,487.00	9,371.75
Membership Dues	0.00	18,985.11	19,000.00	14.89
Solid Waste District Contribut	0.00	1,353.39	2,200.00	846.61
<b>Park Expense</b>				
Main Drive Park	81,297.96	905,623.10	500,000.00	(405,623.10)
Park Expense	1,582.52	6,508.89	2,500.00	(4,008.89)
Park Expense - Restroom	0.00	580.60	750.00	169.40
Parks & Rec Expense	0.00	0.00	1.00	1.00
<b>Repair / Maintenance Expense</b>				
Trail System Expenses	0.00	23,601.25	90,000.00	66,398.75
<b>Advertising &amp; Promotion Expense</b>				
Advertising	99.39	3,433.65	7,500.00	4,066.35
Community Events	759.66	859.66	0.00	(859.66)
Public Relations	0.00	1,757.76	5,000.00	3,242.24
<b>Other Expense</b>				
Transfer for Street Projects	0.00	250,000.00	250,000.00	0.00
<b>Expenses</b>	<b>\$287,612.33</b>	<b>\$3,004,596.42</b>	<b>\$4,086,088.00</b>	<b>\$1,081,491.58</b>
<b>Revenue Less Expenditures</b>	<b>(\$522.77)</b>	<b>\$347,537.38</b>	<b>\$818,032.00</b>	<b>\$0.00</b>
<b>Other Expenses</b>				
<b>Extraordinary Expense</b>				
Demolition of Structures	0.00	0.00	9,600.00	9,600.00
Facility Repair - Storm Damage	0.00	0.00	1.00	1.00
Fire Engine Repair - Damage	0.00	0.00	266,500.00	266,500.00
PD Unit Repair - Storm Damage	0.00	4,350.91	1.00	(4,349.91)
Settlement/Lawsuit	0.00	7,500.00	0.00	(7,500.00)
Storm Damage Clean Up	0.00	0.00	1.00	1.00
<b>Other Expenses</b>	<b>\$0.00</b>	<b>\$11,850.91</b>	<b>\$276,103.00</b>	<b>\$264,252.09</b>
<b>Net Change in Fund Balance</b>	<b>(\$522.77)</b>	<b>\$335,686.47</b>	<b>\$541,929.00</b>	<b>\$0.00</b>
<b>Fund Balances</b>				
Beginning Fund Balance	4,319,589.11	3,983,294.87	0.00	0.00
Net Change in Fund Balance	(522.77)	335,686.47	541,929.00	0.00
Ending Fund Balance	4,319,066.34	4,319,066.34	0.00	0.00



## Street Fund Monthly Financial Statement

	Current Period Aug 2023 Aug 2023 Actual	Year-To-Date Jan 2023 Aug 2023 Actual	Annual Budget Jan 2023 Dec 2023	Annual Budget Jan 2023 Dec 2023 Variance
<b>Revenue &amp; Expenditures</b>				
<b>Revenue</b>				
<b>Tax Receipts</b>				
Property Taxes - Street	1,615.80	35,396.08	50,000.00	14,603.92
Turnback - State - Street	24,752.13	202,805.21	250,000.00	47,194.79
<b>Fines and Forfeitures</b>				
Restitution	0.00	0.00	1.00	1.00
<b>Other Revenue</b>				
Interest Earned	149.33	815.57	400.00	(415.57)
Misc Income - General	0.00	0.00	1.00	1.00
Surplus Carryover	0.00	0.00	150,000.00	150,000.00
Trans from Gen Street Projects	0.00	250,000.00	250,000.00	0.00
Workers Comp Reimbursement	0.00	5,857.14	1.00	(5,856.14)
<b>Revenue</b>	<b>\$26,517.26</b>	<b>\$494,874.00</b>	<b>\$700,403.00</b>	<b>\$205,529.00</b>
<b>Gross Profit</b>	<b>\$26,517.26</b>	<b>\$494,874.00</b>	<b>\$700,403.00</b>	<b>\$0.00</b>
<b>Expenses</b>				
<b>Labor Expense</b>				
Gross Wages - Street	10,932.18	93,850.36	144,730.00	50,879.64
Street Wages Overtime	0.00	1,790.29	1,000.00	(790.29)
<b>Benefits Expense</b>				
City Match - 401 K Plan	190.56	1,650.43	6,681.00	5,030.57
City Retirement Plan	856.48	7,386.88	11,134.00	3,747.12
Medical Insurance	2,796.44	22,371.52	46,423.00	24,051.48
Medicare - Employers	157.63	1,379.70	2,099.00	719.30
One Time Pay Increase	0.00	0.00	1,500.00	1,500.00
Social Security - Employers	673.96	5,899.03	8,973.00	3,073.97
Uniforms - Street	0.00	60.34	500.00	439.66
<b>General Expense</b>				
Bridge Inspection	0.00	365.85	800.00	434.15
Electric - Street Lights	2,854.31	24,397.80	26,000.00	1,602.20
Fuel - Street Vehicles	861.91	7,712.95	10,000.00	2,287.05
Infrastructure	0.00	0.00	1.00	1.00
Misc Expenses	0.00	0.00	100.00	100.00
Signal Maintenance	0.00	3,417.75	6,000.00	2,582.25
Street Cell Phone	99.28	794.35	1,100.00	305.65
Street Equipment	0.00	17,431.59	25,000.00	7,568.41
Street Projects	5,060.00	161,569.99	250,000.00	88,430.01
Street Shop Misc	91.66	2,018.61	2,500.00	481.39
Street Signs	147.70	304.95	2,500.00	2,195.05
Vehicle Insurance - Street	23.92	23.92	4,500.00	4,476.08
<b>Repair / Maintenance Expense</b>				
Bridge Repairs	0.00	0.00	10,000.00	10,000.00
Equipment Maintenance	4,071.30	20,500.67	10,000.00	(10,500.67)

## Street Fund Monthly Financial Statement

Street Repairs & Maint	0.00	62,313.07	100,000.00	37,686.93
Street Vehicle Maintenance	0.00	2,563.79	5,000.00	2,436.21
Trail System Expenses	0.00	0.00	12,000.00	12,000.00
Winter Chat	0.00	3,532.93	5,000.00	1,467.07
<b>Expenses</b>	<b>\$28,817.33</b>	<b>\$441,336.77</b>	<b>\$693,541.00</b>	<b>\$252,204.23</b>
<b>Revenue Less Expenditures</b>	<b>(\$2,300.07)</b>	<b>\$53,537.23</b>	<b>\$6,862.00</b>	<b>\$0.00</b>
<b>Net Change in Fund Balance</b>	<b>(\$2,300.07)</b>	<b>\$53,537.23</b>	<b>\$6,862.00</b>	<b>\$0.00</b>

### Fund Balances

Beginning Fund Balance	226,387.53	170,550.23	0.00	0.00
Net Change in Fund Balance	(2,300.07)	53,537.23	6,862.00	0.00
Ending Fund Balance	224,087.46	224,087.46	0.00	0.00

**RESOLUTION 2023-08**

**CITY OF JOHNSON, WASHINGTON COUNTY, ARKANSAS**

**A RESOLUTION AUTHORIZING THE RATE OF PROPERTY TAX  
FOR THE CITY OF JOHNSON, ARKANSAS FOR THE YEAR 2023  
TO BE COLLECTED IN 2024.**

**WHEREAS**, Ark Code Ann. § 26-25-102 provides that a city may levy a tax on the real and personal property located within the city for general purposes, in any one year, pursuant to the provisions of the Arkansas Constitution; and

**WHEREAS**, Ark. Code Ann. § 26-73-202 requires the City Council of any municipal corporation to make out and certify to the county clerk the rate of taxation levied by the city on all the real and personal property within the city; and

**WHEREAS**, the City Council has determined that it is in the best interest of the City of Johnson and its citizens to levy the rate of taxation on the real and personal property located within the City of Johnson as set forth herein, and to certify the same to the Washington County Clerk and authorize the Washington County Quorum Court to levy said tax for the year 2023 to be collected in 2024.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF JOHNSON, ARKANSAS:**

**Section 1.** That the property tax rate for the city General purposes on the real and personal property situated with the City of Johnson to be collected in the year 2024 shall be fixed and levied at the rate of 5.0 mills on each dollar of assessed value of real and personal property.

**Section 2.** That the Rate of taxation levied herein on the real and personal property within the city shall, by this Resolution, be certified to the county Clerk to be placed upon the tax books and collected in the same manner that the state and county taxes are collected.

**Section 3.** The Quorum Court of Washington County, Arkansas is hereby authorized to levy the said tax as set forth herein for the real and person property located within the City of Johnson, Arkansas for the year 2024, at the appropriate meeting in accordance with state law.

**PASSED AND APPROVED** this \_\_\_\_\_ day of September 2023.

APPROVED:

\_\_\_\_\_  
Chris Keeney, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Allen, City Clerk-Treasurer  
(SEAL)

**RESOLUTION 2023-09**

**CITY OF JOHNSON, WASHINGTON COUNTY, ARKANSAS**

**A RESOLUTION TO WAIVE COMPETITIVE BIDDING AND AUTHORIZE THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT WITH DIAMOND C CONSTRUCTION COMPANY FOR THE ASHFORD STREET DRAINAGE IMPROVEMENTS PROJECT IN THE CITY OF JOHNSON, ARKANSAS.**

**WHEREAS**, the City of Johnson has sought out contractors for the above-described project and no bids were received during the competitive bidding process; and

**WHEREAS**, the City continued to request construction services for the Ashford Street Drainage Improvements Project from various contractors, resulting in two proposals being received; and

**WHEREAS**, after thorough review, the City Council of Johnson finds Diamond C Construction Company to have provided the lowest price proposal and has determined that unique circumstances exist which necessitates a waiver of competitive bidding; and

**WHEREAS**, the City Council has determined it is necessary and in the best interest and benefit to the community to waive competitive bidding for the proposal submitted by Diamond C Construction Company for the Ashford Street Drainage Improvements Project, attached hereto as Exhibit "A", and hereby authorizes the Mayor to negotiate and enter into a contract with Diamond C Construction Company for the same.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Johnson, Arkansas:

**Section 1.** Competitive bidding is hereby waived for the proposal submitted by Diamond C Construction Company for Ashford Street Drainage Improvements Project, attached hereto as Exhibit "A", and the Mayor of Johnson is hereby authorized to negotiate and enter into a contract with Diamond C Construction Company for the same.

**Section 2.** The Mayor and his designee are hereby authorized to take all such action as is necessary in connection therewith in order to complete the purchase. Further, all previous actions of the Mayor or his designee in connection therewith are hereby approved and ratified.

**PASSED AND APPROVED** on this \_\_\_ day of September 2023.

**APPROVED:**

\_\_\_\_\_  
Chris Keeney, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Allen, City Clerk-Treasurer  
(SEAL)



**PROPOSAL  
(BID FORM)**

Place: 2904 Main Drive, Johnson, AR 72704 Date: 08/23/23.

Proposal by: DIAMOND C CONSTRUCTION a corporation organized and existing under the laws of the State of ARKANSAS 0318010324.

Or: Proposal of a partnership consisting of \_\_\_\_\_.

Or: Proposal of an individual doing business as \_\_\_\_\_.

TO: City of Johnson  
2904 Main Drive, Johnson, AR 72704

This bid results from your invitation for bid for Drainage Improvement Plans for: Ashford Street, Johnson, AR. The undersigned bidder having visited the site of work, having examined the Plans, and Specifications, and other Contract Documents, including all Addenda, and being familiar with all of the conditions relating to the construction of the proposed project, hereby proposes to furnish all material, supplies, equipment, and appliances specified for incorporation into the project, and to furnish all labor, tools, equipment, and incidentals to complete the work in accordance with the Plans, Specifications, and the Contract Documents at the price stated herein. This price is to cover all expenses incurred in performing the work required under the Contract Documents of which this Proposal is a part.

The undersigned bidder agrees to begin work within ten (10) calendar days after issuance by the Owner of a "Work Order" or "Notice to Proceed" and to complete work within 30 working days thereafter.

JACKIE BADER  
Witness (Printed)  
*Jackie Bader*  
Signed (Printed)  
1259 WEST MAIN, GENTRY, AR 72734  
(Address)

DIAMOND C CONSTRUCTION  
(Name of Bidder)  
*Mike Cordeiro*  
(Signed)  
MIKE CORDEIRO, PRESIDENT  
Printed Name & Title

P.O. BOX 803 GENTRY, AR 72734  
Address

Seal (if bidder is a corporation)

Notes: Must be bid upon as Specified in the Unit Price Schedule.

**Drainage Improvements for Ashford Street, Johnson, AR 72704**

**Unit Price Schedule:**

Item #	Description	Quantity	Unit	Unit Price	Amount
1	Mobilization	1	L.S.	\$6,843.00	\$6,843.00
2	Undercut/Install Select Fill/Base & New Curb	27	L.F.	\$323.71	\$8,740.17
3	5'x5' Curb Inlet	1	E.A.	\$7,475.00	\$7,475.00
4	12" HDPE	202	L.F.	\$237.69	\$48,013.38
5	18" NyloPlast Grate Inlet	2	E.A.	\$4,000.00	\$8,000.00
6	12" HDPE FES	1	E.A.	\$2,070.00	\$2,070.00
7	Repair All Damage Fencing	1	L.S.	\$21,275.00	\$21,275.00
8	Install Sod on all disturbed land	1	L.S.	\$6,325.00	\$6,325.00
				<b>Total</b>	<b>\$108,741.55</b>



**ORDINANCE 2023-03**

**CITY OF JOHNSON, WASHINGTON COUNTY, ARKANSAS**

**AN ORDINANCE TO ADOPT THE INTERNATIONAL CODE COUNCIL (“ICC”) 2021 TECHNICAL CODES, 2018 ARKANSAS PLUMBING CODE, 2018 ARKANSAS FUEL GAS CODE, AND THE 2021 ARKANSAS FIRE PREVENTION CODE CONSISTING OF VOL. I FIRE, VOL. II BUILDING, AND VOL. III RESIDENTIAL, OR MOST CURRENT EDITIONS BY REFERENCE FOR THE CITY OF JOHNSON; REPEALING CODE PROVISIONS IN CONFLICT THEREWITH AND DECLARING AN EMERGENCY.**

**WHEREAS**, after due notice as required by law, the Johnson City Council has heard all persons desiring to be heard regarding adoption consideration of the following technical codes, or most current editions, by reference: International Code Council ("ICC") 2021 technical codes by reference including, International Residential Code One and Two Family, International Building Code, International Existing Building Code, International Mechanical Code, International Plumbing Code, International Fuel Gas Code, International Fire Code, International Pool and Spa Code, International Property Maintenance Code, International Zoning Code, International Private Sewage Code, International Energy Conservation Code, International Green Construction Code, International Performance Code, International Wildland – Urban Interface Code, 2018 Arkansas Plumbing Code, 2018 Arkansas Fuel Gas Code, and the 2021 Arkansas Fire Prevention Code, consisting of Volume I Fire, Volume II Building, and Volume III Residential; and

**WHEREAS**, pursuant to Ark. Code Ann. § 14-55-207, public notice was given of the City’s intent to adopt said technical code by reference, and advised that the requisite number of copies of said Code was on file and available for public review and examination in the Office of the City Clerk; and

**WHEREAS**, all comments, views, suggestions and recommendations have been considered and addressed as deemed appropriate, and the City Council has determined that it is in the best interest and benefit to the community to adopt the above-referenced technical codes, or most current editions, by reference for the City of Johnson.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Johnson, Arkansas:

**Section 1.** The above-referenced technical codes, or most current editions, are hereby adopted by reference for use by the City of Johnson and three copies of said codes shall be kept in the offices of the City Clerk for public inspection.

**Section 2.** This Ordinance supersedes and replaces any other Ordinances in conflict herewith, except that nothing contained in this Ordinance, or the code adopted hereby, shall in any way alter or modify the “employment at will” status of all employees of the City of Johnson, including any and all employees who will apply and administer these codes.

**Section 3.** In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

**Section 4.** Declaration of Emergency. It is hereby found and determined that the above-referenced technical codes or most current edition, shall immediately be adopted in order to provide updated regulations and procedures for the City of Johnson. Therefore, an emergency is declared to exist, and this act, being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor.

**PASSED AND APPROVED** this \_\_\_ day of September 2023.

APPROVED:

\_\_\_\_\_  
Chris Keeney, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Allen, City Clerk-Treasurer  
(SEAL)

**ORDINANCE 2023-04**

**CITY OF JOHNSON, WASHINGTON COUNTY, ARKANSAS**

**AN ORDINANCE TO VACATE A 10-FOOT UTILITY AND DRAINAGE EASEMENT LOCATED AT 5348 CORDELL DRIVE IN THE CITY OF JOHNSON, ARKANSAS.**

**WHEREAS**, after being duly advertised, a public hearing was held before the Planning Commission for the City of Johnson to hear public input to the question of closing a 10-foot utility and drainage easement at 5348 Cordell Drive located on Lot 11 in the Clear Creek Patio Homes Subdivision; and

**WHEREAS**, upon information provided to the Mayor and City Council of the City of Johnson, the public interest and welfare would not be adversely affected by the abandonment of the utility and drainage easement more particularly described in the attached Exhibit “A”; and

**WHEREAS**, the owner has secured the written consents of all property owners adjacent or abutting the portion of the easement to be vacated and all notice required by law has been provided, and the Johnson Planning Commission has reviewed the Petition to Vacate and recommends the City Council to approve the condition of the dedication of an approximate 10-foot utility and drainage easement; and

**WHEREAS**, the City Council of the City of Johnson is empowered to vacate an easement which it concludes is no longer needed for city purposes.

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

**Section 1.** That a portion of the easement located at 5348 Cordell Drive, located on Lot 11 of Clear Creek Patio Homes Subdivision within the City of Johnson, Washington County, Arkansas, more particularly described in the legal description as set forth in the attached Exhibit “A”, is hereby vacated by the City of Johnson.

**Section 2.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**Section 3.** In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this ordinance shall be adjudged invalid, unenforceable or unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision, other than the part so decided to be invalid, unenforceable or unconstitutional, and the remaining provisions of this ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

**PASSED AND APPROVED** this \_\_\_\_ day September 2023.

**APPROVED:**

\_\_\_\_\_  
Chris Keeney, Mayor

**ATTEST:**

\_\_\_\_\_  
Jennifer Allen, City Clerk-Treasurer  
(SEAL)



# BATES

## Engineers · Surveyors

7230 S Pleasant Ridge Dr / Fayetteville, AR 72704

PH: (479) 442-9350 / batesnwa.com

August 4, 2023

RE: Legal description of a 10' utility and drainage easement to be vacated on Lot 11 of Clear Creek Patio Homes Subdivision (5348 Cordell Drive), Johnson, Arkansas.

10' UTILITY & DRAINAGE EASEMENT VACATION DESCRIPTION:

A 10' WIDE UTILITY AND DRAINAGE EASEMENT LOCATED ON A PART OF LOT 11 OF CLEAR CREEK PATIO HOMES, AS SHOWN ON THE FINAL PLAT THEREOF FILED IN BOOK 23 AT PAGE 112 OF THE RECORDS OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF WASHINGTON COUNTY, ARKANSAS, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID LOT 11 WHICH IS N85°07'48"E 14.87' FROM AN EXISTING REBAR MARKING THE SOUTHWEST CORNER THEREOF AND RUNNING THENCE N01°59'48"W 10.01', THENCE N85°07'48"E 91.41' TO THE WEST RIGHT-OF-WAY OF CORDELL DRIVE, THENCE ALONG SAID RIGHT-OF-WAY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 187.49' FOR A CHORD BEARING AND DISTANCE OF S03°20'23"E 10.00' TO A POINT ON THE SOUTH LINE OF SAID LOT 11, THENCE ALONG SAID SOUTH LINE S85°07'48"W 91.65' TO THE POINT OF BEGINNING, CONTAINING 0.02 ACRES, MORE OR LESS.

