

**Meeting of the Vilonia City Council
March 18, 2025**

Members present: Mike Matos, Brady Zweifel, Joe Maxwell, James Firestone, Lacosta Beene, Steven Craig

Meeting Prayer: Led by Mayor Scroggin

Pledge of Allegiance: By all.

Meeting called to order by Mayor Preston Scroggin.

Established quorum.

Approval of minutes for February 25, 2025 meeting: Motion of approval made by Maxwell, seconded by Firestone, all in favor, motion passed.

Approval of Financial Statement for February: Motion of approval made by Firestone, seconded by Craig, all in favor, motion passed.

Reports of City Departments:

- (A) **Fire Department:** Assistant Fire Chief Kevin Wooley presented. There were 6 permits in February and 12 in March, for a total of 32 this year. Fire Department has had 247 runs so far this year. We were put under a burn ban yesterday. The recent training (using the donated house, detailed during the February meeting) went very well and a lot of our newer members got very good experience out of that which will help in the future.
- (B) **Planning Commission:** Next meeting is Thursday, March 27, 2025, at 7PM, at City Hall. There will be a public hearing. Agenda items are conditional use and site plan review for a Bitcoin mining facility on Energy Way by Interstate Holding Blockchain. We must follow due process and will keep the public informed about the situation. This will have to go through the Planning Commission for a conditional use, which if approved, will then come before the City Council. The Mayor urged anyone concerned to attend the public hearing.
- (C) **Police Department:** Tony Hartwick presented, as Chief McNew is still recovering. The police vehicle was a total loss, and we collected insurance on it in the amount of \$42,225, but that does not include the equipment, which we are still waiting on and expect to be \$16,000. Hartwick introduced the new hire, Tyler Crawford, who started three weeks ago. Crawford is scheduled to attend the academy in May. The Mayor stated we had found a new vehicle to replace the totaled vehicle, with a purchase price of \$48,500. Matos asked how many police officers we currently had and if all positions were full. Hartwick responded all positions were full, there are 8 officers, but 2 are out on sick leave. Matos asked how many vehicles we have; Hartwick responded he believed there were 9 vehicles currently in service. Beene requested the type of new vehicle, which Mayor and Hartwick responded was an F-150 Police Cruiser, same as the totaled vehicle was. Craig clarified the Mayor and Police Department were looking for a motion to

approve the purchase of the vehicle, without equipment, to which the Mayor stated yes, because finding vehicles was becoming difficult. Craig asked if the difference in purchase cost and insurance payout would come out of General Fund; Mayor said yes. Matos asked if the city would pay sales tax on the vehicle; Mayor stated no. Beene stated when an insurance company pays out on a total loss, they pay out including sales tax and license fee and such. Matos questioned how much the vehicle, plus equipment and tax, would come to. Hartwick stated he believed the total insurance payout should be around \$60,000 total. Matos confirmed the insurance company had not settled yet and suggested the council wait until the insurance company settles, as we have 3 extra vehicles currently. Craig argued that ran the risk of the vehicle being sold during the wait, making us have to pay more for another. Hartwick stated there was one vehicle that was not running well and was unsafe to use for an officer, but was still technically in service. Motion to purchase the vehicle for \$48,500, using insurance money and General Fund, made by Craig, seconded by Firestone, 5 in favor, 1 abstained (Matos), motion passed.

(D) Sewer Department: Joe Maxwell presented. Everything is going good right now. The 107 pump had another issue but was fixed again and is currently running correctly. Matos asked if the Fox Run pump was fixed; Maxwell stated he was unsure. Matos asked how many sewer lift stations were down at this time; Maxwell state no pumps were currently down, they were all working; Matos clarified the Fox Run pump was an auxiliary pump so the actual pump was down; Maxwell stated the auxiliary pump was just like a regular pump so the station was not down. Mayor stated Brandon (Sewer Superintendent Betts) had told him it was fixed. Maxwell stated he had asked Brandon before the meeting if there was anything he needed to know as far as lift stations being down or problems like that and was told everything was working.

(E) Street Department: Mayor presented. We've been working on the lighting project (Bise Drive). Online comments about the project upset the contractor (Evatt Electric) but I calmed him down. We do things the right way. I have the documents here, if anyone needs to see them, that we did bid it, and it went through the paper (Log Cabin Democrat), and Mr. Evatt, we're lucky to have him here in the community and his company because they do specialized work. We're very proud that they were able to get the bid after it ran in the paper and everything.

(F) Parks & Rec: Director Terry Shannon presented. Registration for spring baseball and softball is closed. We have over 340 kids enrolled for this season. Season starts April 7th and season tournament will be June 2nd – 6th.

a. Craig stated he had received 5-6 phone calls from parents and coaches with concerns. Some were hurt feelings and discontent. Some were legitimate concerns.

- 1) Do we have schedule times for our rec teams? Like practice slots for fields. – They have two practice times a week for an hour.
- 2) One complaint was that two travel teams showed up over the weekend wanting to use the field and the rec team said they had it for rec practice but the travel teams said Terry Shannon told them there's no reserves on it and they can come anytime. – That is not correct. We do allow Vilonia based travel teams to have one practice time a week that is designated theirs, but that happens after all the rec teams get their two slots. Once league baseball/softball starts, if there's no games or anything on that field that night,

the practice times are still available for the travel teams as well as for the rec teams. We keep that open as the season goes, because finding practice times gets real skittish. Anything over two practice times a week for a rec team is an additional practice and they don't get the right to reserve that field.

- 3) Assuming the practice times for our rec teams are included in the sign up costs when you pay your dues, do we charge the travel teams anything for use of the field? – We have not. Most of those travel teams are Vilonia based people, so we allow them to be on the field because they are Vilonia people in this community as well, so I'm not going to close the fields to them when there's an availability for them to be out there.
 - i. Craig suggested charging travel teams to add funds to the P&R budget. Shannon said he'd thought about it but hadn't moved forward on it. Firestone interjected that in the end, it's all for the kids anyway.
- 4) Do you do background checks on the coaches? – Tony (VPD) is helping with those. I think he's going to get on those this week. Shannon, Tony, and the Mayor had a meeting putting something in place on this issue, after concerns about a coach arose.
- 5) There were several concerns about communications with coaches and umps, such as not answering phone calls, so be mindful of that. Not just this year but previous years too. For example, the night I called you about the lights not working out there, after they called me because they couldn't get ahold of you. – Because it was after hours. I turn my phone off after 5 o'clock. Office hours are 8 – 5, so my park phone gets put away at 5 o'clock. Craig interjected, "Emergencies don't always happen ..." Shannon stated on the night in question, it was a power outage down the street from the Softball Complex. Zweifel stated he had also received complaints about the after hours not being available. Mayor asked if getting Corey involved would help, to which Shannon shook his head no. Beene stated most games are in the evenings and asked who was answering the phone if there was a problem then. Shannon responded he had his phone on in the evenings when games are going on, but Saturdays and Sundays were family time with his family.
- 6) I've got a list of general maintenance concerns, from just painting and fields (such as the rocks in Field 4) which we'll have to look at pricing out. I spent about 2.5 hours walking around today and that one was rough. – I've got a plan to get at least two of those fields at softball corrected. With the snow, ice, and rain, it just hasn't happened yet. Craig stated another complaint was grass and that he had told the concerned party it was just a matter of timing. Other mentioned issues were the outlet cover missing, the paint. Craig then suggested any large expenses be sent for a bid and brought before the Council, who would see what they could do to afford them. Mayor stated he believed Shannon was about to embark on some projects, to which Shannon agreed. Craig mentioned Shannon had inherited many of the issues, to which Shannon stated he had spent the last year correcting bad maintenance on the baseball parks from the last several, several years. Craig also mentioned that at Weaver Family Park, which he holds dear to himself, he had noticed a lot of trash in and around the pond. Shannon stated he'd talk to the maintenance workers

about getting the trash picked up. Craig stated he didn't want to jeopardize our Community Pond status with Game & Fish, where they're stocking it with three times a year, right now two with catfish and once with trout. They could take that away and we'd have to pay for stocking ourselves. Craig then gave the list of concerns to Shannon. Shannon stated anyone with questions or concerns about the parks could contact him, he does return phone calls and text messages, although it may take him a little bit. Craig repeated that if Shannon needed help, not to hesitate to reach out; that if they needed to get him some different part time help or for him to come out and run a mower, he'd be more than happy to help, but that he won't paint lines – they won't be straight. Matos thanked Shannon for his service, to which other council members also thanked him.

Public Comment: None

Announcements:

- (A) The speed limit ordinance 2025-1, which was passed at the February City Council meeting, will go into effect at the end of this month.
- (B) **App** – Download the Connect Vilonia app on the Apple and Android App Store to get notifications directly on your phone.
- (C) **Department Recognition by Council Person Beene** – This month I just want to recognize all of our first responders. They've dealt with a lot of stuff, accidents and fires, not only the fire department, the police department, but the ambulance. First responders, we're very fortunate to have y'all and just want you to know how much we appreciate you.
- (D) **Vilonia Area Chamber of Commerce:** On behalf of the Vilonia Chamber of Commerce, President Jackie Fowlkes presented:
 - We had a great banquet, which I spoke on last month.
 - We'll be working with the VDRA on Eagle Fest in May. We're going to be providing bounce houses and other activities for the kids.
 - We're researching exciting new ideas for our businesses that we will start implementing in the next few months.
 - The next monthly luncheon and networking meeting is at Simple Simons on March the 20th at 11:30AM. All businesses and the public is invited. Our speaker this month is the Faulkner County Democratic Women.
- (E) **The Planning Commission will next meet on March 27, 2025, at 7PM.** The public is encouraged to attend.

Old Business: None

New Business:

- (A) **Pafford Membership Renewal for Employees** – As a benefit to employees, we offer them a Pafford Membership. We receive a 25% discount, there are 45 employees, and the total cost for the renewal would be \$2,025. The number of employees includes the Fire Department but excludes the Council. Motion to pay \$2,025 for 45 total employees' Pafford Membership renewal made by Beene, seconded by Maxwell, 5 in favor, 1 abstain

(Craig), motion passed. Craig informed the public that the 25% discount was applicable for any business that was interested in purchasing Pafford Memberships. The regular rate is \$60 per person while the group rate is \$45 per person.

(B) Proclamation for National Vietnam War Veterans Day – read in full. Proclaimed March 29, 2025, as National Vietnam War Veterans Day in Vilonia.

(C) Resolution for 2024 Budget Amendment – read in full. Motion to approve made by Maxwell, seconded by Firestone, discussion called by Matos. Matos began by stating he would vote for the resolution. He then went on to point out areas where departments overspent their income and asked what the Council could do to make the problem better. Mayor stated it was not a problem, it was just how accounting works. He emphasized these numbers did not show carryover funds or CDs or the fact the city owes no money on anything.

Much discussion on the definition and practices of budgets, accounting, reserves, income and expenses, carryover funds, and political fiscal responsibility. Major points:

- a. Matos requested the City Council look at curbing expenditures or generating more revenue. Mayor asked if Matos was for a tax, to which Matos stated no.
- b. Mayor stated Matos and his predecessors do not understand municipal accounting. He stated the Municipal League and other people had tried to explain it to him and her and everybody else, this is how it works. We're sitting here on a great reserve; this city is in great shape despite what some people say. We don't owe for anything. We owe on the sewer improvements and we're doing good.
- c. The city is \$500,000 to the good right now.
- d. Revenue is generated locally.
- e. Council member general consensus is that the city is not in debt and is in good shape.

Motion came to vote, all in favor, motion passed.

(D) Resolution for VDRA Lease Agreement Renewal – read in full. Motion to approve made by Maxwell, seconded by Firestone, discussion called by Matos.

Matos began by stating he was 100% for the VDRA and he was for leasing the property for \$1 per year. Matos stated he thought the plan was for the lease to come before the council for review then be sent to the attorney to draft, but it appeared they were approving the lease tonight. Mayor confirmed the lease was up for approval tonight and the attorney had already looked at the lease. Matos stated he believed the attorney would agree with him that under Section 2, where it says term, it states "in the event the City of Vilonia should need to terminate the lease early, the city will offer a buyout based on cost of construction with a yearly reduction rate of 5% for each year the lease has been in effect. As of April 21, 2025, the lease has been in effect for 10 years." We need the original cost of construction included into the contract. Secondly, on lessee repairs, it states the lessee, which would be VDRA, shall maintain the exterior walls, doors, and roof of structure upon leased premises a reasonable state of repair and shall make such repairs of the surface of the parking area as may be required to keep it maintained the same and good and tenable condition. Lessee shall keep the interior of the building, including interior walls, doors, wiring, plumbing, window and door glasses in good repair and shall maintain the heating and air conditioning equipment all at lessee's expense. I'd like to ask why we spent \$14,000 on rubberized roof coating. Firestone responded that when the building was built, the city allowed VDRA to build their building on city

property. The minute the building was built, it became city property. I disagree with that, it should not be that way, but no lease, no people that lease anything, expect tenants to replace roofs or parking lot, that's capital items. I would like to take item 4 out and redo it, where lessee is responsible for normal wear and tear while lessor is responsible for capital items. Matos stated he would have no problem with doing that, however, keep in mind the buyout clause. Craig referenced section 2, quoting "the VDRA shall have the option to extend the agreement on the same terms and conditions set forth hereon unless otherwise noted for 10-year term so long as VDRA wishes to operate the Vilonia Disaster Recovery Alliance." That is also in the original resolution from 10 years ago. We don't have the option, if we say no, we buy them out. We can't change the contract or anything in the contract without voiding the contract. Matos asked what the buyout price was. Craig stated that voiding the contract could trigger the buyout clause. Craig stated a judge would put us on the hook for the buyout price minus the roofing repairs at best, Matos stated he disagreed, that we couldn't predict how a judge would interpret the lease. Firestone stated the roof had to be repaired. Normally, a roof lasts 20 years, this was donation labor, maybe there was an error, we had problems in less than 20 years. The building belongs to the city, should the city stand by and let the roof leak and ruin the building to the point no one could use it? Matos stated the lessee responsibilities were put in the lease because the city basically donated the property, so the lessee keeps up the maintenance. If the city is going to cover those repairs, whatever those repairs are, those repairs could be \$20,000 next year, we just don't know. The mayor stated they (VDRA) had contacted the city because the roof was leaking, that it's a good Christian organization that supports lots of good people, making stuff for NICU units, the food pantry is doing good things, and we're supposed to help people. Maxwell made a motion to take section 4 and call it repairs, Matos interjected a point of order, Maxwell continued the section should say "the lessee shall maintain repair normal wear and tear on items, lessor shall make all capital repairs", Matos stated the city attorney should be back on call, Craig stated he supported those changes but thought any changes may void the contract, Firestone stated to "leave it like it is." Firestone stated the city owns the building and has a responsibility to keep it in condition. Matos maintained if the city is going to do the repairs, the lease needs to reflect that. He stated he thought the city attorney would agree with him that the lease needs to match the city's actions and the original cost of construction should be included, and that he would "give you a red nickel if he didn't." Beene stated that since the city gave VDRA the option to renew for ten years, all the discussion on changes was not even relevant. More discussion held. Mayor asked for the will of the council regarding the lease. Maxwell restated his motion to approve, Matos made a motion to amend the motion on the floor to instead send the lease back to the attorney and include that the city covers all repairs. Much discussion happened. Mayor stated there was a motion on the floor, Matos stated the motion would be open for discussion once it had been seconded, long pause, motion seconded by Zweifel for discussion. Matos stated even if the Council did not approve the lease tonight, the Council could vote to give VDRA 30 more days, that "we're not kicking them out of their building." More discussion held. Beene requested clarification, asking if the lease had been to the attorney, to which the Mayor stated yes. Beene then asked why the lease needed to go back again. Matos responded that he knew Councilwoman Beene had dealt with real estate property, insurance, and contracts, and that she understood, as he did, that

if the city is going to cover the repairs of the building, the lease needs to reflect that. Mayor called for vote on Matos's amended motion, Firestone requested a voice vote: Craig – No, Beene – No, Firestone – No, Maxwell – No, Zweifel – Yes, Matos – Yes, vote is 4 against and 2 in favor, motion failed. Mayor called for a vote on the original motion by Maxwell to approve the lease. Matos immediately called for discussion and asked if the city is paying for repairs. Craig said if we did, it is all in good favor. Firestone stated if it is capital items, we should. Beene stated the lease does not guarantee we will do repairs, but if we vote and decide to fix the roof, "that's not changing the lease, that is just us helping them who has helped others in our community." Mayor called for vote again. Craig restated his belief that any changes or amendments could violate the lease agreement. Mayor called a voice vote for the original motion: Craig – Yes, Beene – Yes, Firestone – Yes, Maxwell – Yes, Zweifel – Yes, Matos – abstain, 5 in favor, motion passed.

(E) Resolution for How to Draft Ordinances and Resolutions, submitted by Council

Person Craig – Motion to read by title only made by Maxwell, seconded by Craig, all in favor, motion passed unanimously. Mayor cued Craig for introduction of resolution. Craig stated the purpose was to streamline the process. Motion to approve made by Craig, seconded by Matos, discussion called by Craig. The resolution streamlines the process of drafting, and if any council member needs help as far as drafting, email Jaye, that's section 1. Section 2 tells you who to submit it through. Section 3 is archiving, which was the main purpose behind it, after the decision to not number resolutions until they pass. Zweifel stated he understood the old-school paperwork in the binder, but suggested we're going into a more digital age. Craig responded that is phase two – he's been working with Jaye to digitize old ordinances and having an ordinance page with ordinances, resolutions, proposed ordinances, and proposed resolutions. Maxwell asked if he wanted to do an ordinance or resolution, in order to get it submitted, he'd have to meet all the requirements in this resolution. Craig responded yes but no. It will be formatted like this to be presented to the council, but if you write it out, Jaye will help you format it in that format. Maxwell asked "do we have to legislate everything?" Craig stated it was for consistency, the line numbering was to make it easier when discussing, and the header allows you to see who authored it. Matos said that he agreed with about 50% of this resolution and he didn't understand why resolutions couldn't be numbered whether they pass or fail, but we need a numbering. Matos suggested changing the type-font requirement stated in lines 16-21, "Aptos" which is Microsoft exclusive, to something more universal such as "Times New Roman." Craig agreed. Matos then made a second amendment suggestion, that under Section 2, where it says "upon completion of the drafted ordinance or resolution is to be submitted to the city clerk's office via email in an editable digital format," to add that the resolution or ordinance should be sent to the city attorney to validate its legality and then delivered to the council. Craig agreed to some, but didn't think all ordinances and resolutions need to be, specifically referencing resolutions that repeat annually. Matos stated if the attorney approved it 5 years ago and the council is not making any changes, it would be irrelevant to send it to the attorney again. Craig suggested Matos add that request in his amendment, Matos replied he had hoped it would be a friendly amendment that Craig would add, to which Craig stated he was not in favor of sending everything to the attorney, especially resolutions. Maxwell asked if we pay the attorney every time we send him a piece of paper, to which the

Mayor answered yes. Craig asked if Matos was going to make the amendment, to which Matos again answered that he was not as he would rather it be a friendly amendment. Motion made by Craig to amend the original motion to change the font to Times New Roman, seconded by Matos, all in favor, motion passed unanimously. Mayor called for a second on the motion to approve the amended resolution, Beene seconded, all in favor, motion passed unanimously.

- (F) Resolution for Placement of Monthly Financial Statements on City Website, submitted by Council Person Matos** – Recorder Milam pointed out grammatical errors: the fourth whereas has the word “is” twice; section 2, should read “category as the meeting’s approved minutes,” no comma after minutes so it should read “minutes and video recording,” and the date should be 2025 at the bottom. Read in full. Matos explained he had brought this up last year and it failed, so he brought it back this year to fulfill a campaign promise. This resolution would have approved monthly financial statements go on the website next to the approved minutes. Other cities doing this are Little Rock, Pea Ridge, Russellville, Benton, Gentry, Cedarvale, big cities and small. At every meeting, we hear the books are open and we have nothing to hide, and I believe that. Motion to approve with the aforementioned grammatical changes made by Matos, seconded by Zweifel, discussion called by Mayor. Firestone stated he was against it, for the same reason as before, as there is no benefit to having access to a financial statement without the backup paperwork. Matos argued the public may not agree with Firestone’s accounting methods and how he sees business, which is why it should be published. Craig stated he disagreed with Firestone and Matos, in that the financial statements should be publicized but the ones going before the council for approval so the public could contact their council members with questions prior to the financial statement being approved. Craig stated he is working on putting the entire council packet online, but was looking at some privacy issues. Firestone asked what the benefit was, to which Craig responded transparency. Matos asked if Craig shared the same logic on minutes, to which Craig responded yes. Matos asked Firestone, since he does not see the point in the approved financial statements being on the website, was he for taking down the approved minutes? Firestone responded the minutes are totally different. The financial statements require additional information to prevent misunderstandings, otherwise negative rumors spread. Matos repeated his desire to “put our money where our mouth is, tell the community the books truly are open.” Mayor affirmed the books are open. Craig stated the books are just not web-based. Maxwell asked, if anyone out there asked for a copy of the financial statement, could they get it? Mayor responded “absolutely.” Maxwell stated the council should be prepared to hire another employee to answer all the questions, to which Firestone agreed. Matos stated they would direct their questions to council members, to which Maxwell disagreed. Much discussion was held, primarily Matos believing the public should have easy access and Firestone believing putting out incomplete information only creates more problems than answers. Zweifel stated if the emotional aspect was removed, the Faulkner County website shows the approved monthly expenditures and approved monthly financial statements. Matos asked if that clerk was receiving calls, as the council was alleging would happen here. Craig stated he had asked the city clerk on Friday how many requests for financial statements her office had received in the last three years, and was told there was only one FOIA request that was financially related. Matos stated that Little Rock would not publish their financial

statements online if they believed 30,000 people would be calling with questions. He affirmed again that tonight would tell people if the books were open. Mayor stated there was a motion and second, asking if there were further discussion, then calling for a voice vote. Craig – No, Beene – No, Firestone – No, Maxwell – Yes, Zweifel – Yes, Matos – Yes, 3 in favor, 3 against, Mayor called for tie-break, Mayor declined to vote, motion failed.

(G) Motion to adjourn made by Matos, Craig interjected to ask if the council would like to hear what he'd found on transparency about our city. Motion suspended by Matos.

- a. On Saturday, the Conway Mayor did a State of the City Address, where he pointed out that Conway is ranked in the top three most transparent cities in the state per the Arkansas Centers for Research and Economics, which is basically a UCA independent study. There's an article every two years called the Arkansas County and City Web Transparency. This is the 4th edition, done in 2022, 87 pages long, comprised of 112 cities of the first class per the 2020 census data status by federal census standard (which Vilonia falls under with population over 2,500). The two authors have PhDs in Economics and leadership status. They pull their information from the websites of the 112 cities and any of the Arkansas.gov platform, so legislative audits, governor's website, etc. Faulkner County was #4 with a score of 0.905 (in 2020, they were #8). There are 3 categories: Fiscal, Political, and Administrative. Fiscal is comprised of budgets, audits, fees, and taxes. Vilonia was tied with 14 other cities for first place, scoring 1.00; Greenbrier was #21 with a score of 0.50. Political is comprised of meeting and elected officials contact information, financial disclosures, conflicts of interest, and salaries. Conway ranked #1 with 1.00, Vilonia ranked #55 with 0.467, and Greenbrier was #94 with 0.1. Administrative comprises of public records such as online FOIA forms or links to Court Connect, government contracts, and job postings. Conway ranked #1 with 1.00, Vilonia ranked #36 with 0.50, and Greenbrier tied for bottom place at #69 with 0.0.

Mayor entertained a motion to adjourn, motion made by Firestone. Meeting adjourned.

Date: 4/15/25

Mayor: 

Recorder: 