

HECTOR CITY COUNCIL
Regular Meeting Monday, August 19, 2024 at 6:30pm
Hector City Hall

Meeting called to order by/time: Mayor John Riley at 6:30pm

Council Members:	<u>Position</u>	<u>Name</u>	<u>Present / Absent</u>
	Alderman 1	Samantha Brashear	Present
	Alderman 2	John Mosley	Absent
	Alderman 3	Peggy Gregory	Present
	Alderman 4	Carey McGee	Present
	Alderman 5	Hannah D'Amato	Present

Attorney: Bill Smith Absent

Pledge of Allegiance

Meeting opened with prayer by: Peggy Gregory

Fun Park Grant Public Meeting – Public comment

- The City of Hector is in the process of applying for the Fun Park Grant. The grant amount is up to \$100,000. The grant is 100% funded with no city match. The city is not guaranteed to receive this grant. Deadline for application is August 31, 2024.
- Engineering firm Civil Engineering Associates (CEA) has drawn up the specs and provided the information to the grant writer.
- The city has opened a portal access to this grant.
- A few of the items suggested to purchase for Cecil Riley Park is playground equipment, water fountains, commercial benches, picnic tables, grills, shade structure and exercise equipment for along the walking trail.
- Phil Morley thought this was great.
- Philip D'Amato asked where the playground equipment is being proposed to be installed at Cecil Riley Park. Mayor Riley stated the area would be around the northwest side (inside the walking trail) of the park close to the basketball courts. The playground equipment will be ADA certified. The benches will be around the trail, the water fountains will be located on the south side of the trail and exercise equipment will be placed along the walking trail. The picnic tables and grills will be handicap accessible and located in an area accessible to the pavilion.
- Tim Morley asked if the city would have to match this grant. Mayor Riley stated this grant is 100% funded with no city match.
- Phil Morley asked if the city had a layout of the proposed plans for this grant. Mayor Riley stated the city will know more of the layout when the specs are received from the engineering firm.
- Jerrod Hicks asked if all the money is going to the walking trail, and if any money would be applied to Linton Park. The grant money will only be applied to Cecil Riley Park.
- One requirement of the Fun Park Grant is to have a meeting to provide public comments. This action is being conducted at this meeting being held on August 19, 2024. The city has taken necessary actions for applying for the Fun Park Grant.

07-15-24 Council Meeting Minutes:	Reviewed & Accepted	Motion made by: Samantha Brashear Motion 2 nd by: Peggy Gregory Vote: Passed 100% (4/4)
July 2024 Financial Report:	Reviewed & Accepted	Motion made by: Carey McGee Motion 2 nd by: Hannah D'Amato Vote: Passed 100% (4/4)

Police Department Report:

Chief Phillip Hubbard

Present

- A new grant is available to the Police Department if they are interested in applying, it is the 2025 Arkansas Department of Public Safety Equipment Grant.
- The grant amount is up to \$75,000; 100% funded with no city match. This grant, if awarded, will allow the police department to purchase a patrol vehicle.
- The City of Hector needs a 4-wheel drive vehicle for use during severe weather.
- Chief Hubbard provided the requested information this week to the grant writer, Karen Barlow.
- Chief Hubbard will keep in contact with the grant writer on if any additional information is needed and the deadline on when the Hector Police Department would need to apply for this grant.

Parks and Recreation (Fun Park Grant) (Christmas Parade Date)

- See above item for discussion/comments on Fun Park Grant.
- Christmas Parade scheduled for December 7, 2024, at 4:30pm
- Be thinking of a person to be the Grand Marshall.

General – Public Comment

- Mayor Riley asked if anyone in the public had any comments, each person will have around three minutes. Mayor Riley encouraged each member of the public to speak on any items they want to know information on.
- Jerrod Hicks asked about Linton Park and if the city would update this area. Mayor Riley stated the city is checking into renovations of the bathrooms. The current bathrooms are in bad shape and the city continuously has water leaks due to broken/frozen pipes. The city is checking into the parking lot entry/exit for the culvert that needs repair, security cameras need to be installed to help with vandalism, and the city is considering on putting a community pond in the low laying area due to this area stays wet for most of the year. The drainage around the sidewalks is also being checked out.
- Phil Morley stated if Linton Park was updated this may help with vandalism.
- Tim Morley from the public had a question on the patrol vehicle the city would purchase if grant money were awarded. He asked if the patrol vehicle would be assigned to an officer. Chief Hubbard stated the vehicle would not be assigned to any one officer and would be staged at City Hall when not in use.
- Phillip D'Amato asked if the field behind the city ballpark has been cut (proposed area for community pond). The field has been bushhogged.
- Collen Parks asked about liability for the city on the community pond. Mayor Riley has checked with the municipal league legal defense and should have no issues. Several cities have community ponds. A core sample would have to be performed.
- Phillip D'Amato asked if the city is planning to do anything with the ball field, the grass is growing up inside the infield. Mayor Riley stated during the wintertime the area would need to be tilled to kill the grass, or the city could let the area grow up, as many other infields are now. Another option is artificial turf.
- If the park area is not being mowed, let the mayor know or call city hall.

Old Business:

Agenda Item A: Farm House Property update: Inspection complete with repairs to electrical (inspected); appraisal scheduled. Will call a special meeting when appraisal is received.

- Inspection complete, another inspector has signed off with the repairs for the electrical.
- Appraisal may be provided to Mayor Riley this week. The appraisal will meet the bank threshold.
- If appraisal comes in lower than the offer, then the City has the option to renegotiate the price or terminate the contract.
- Tim Morley asked who performed the inspection and asked to see the inspection results for the Farm House property. He also asked who paid for the electrical repairs, what were the repairs and who performed the repairs. The electrical repairs were installing GFC outlets in wet areas and replacing some

breakers. Mr. Price was the inspector. Mark Mackey performed the repairs and Shawn Morris checked the electrical repairs. Mayor Riley is checking to see inspections results can be provided to the public. He stated there should be no issue in providing the information but wanted to check with the city attorney or municipal league.

- When the appraisal is received, the mayor will call a special meeting. The media will be notified.

Agenda Item B: Public Comment

- See above section for public comments.

Agenda Item C: Consideration of a resolution amending ordinance 2010-1

- This is not a resolution; this is a consideration of an amendment to an ordinance. This ordinance is related to animal control.
- The city attorney Bill Smith stated the city had two options, they could create a new ordinance or amend existing ordinance.
- The city has decided to amend Ordinance 2010-1. Some language was going to be stricken from the ordinance. See Exhibit A
- Council members had no comments/discussions.
- The amended ordinance will be posted in public areas, printed, and put in the Ordinance book.
- Motion to amend Ordinance 2010-1 by Peggy Gregory, 2nd by Hannah D'Amato 100% passed (4/4)

Agenda Item D: TAP Sidewalk update.

- Mayor Riley spoke with Trey Foster with CEA; the bidding has not started yet.
- Mayor Riley discussed where the sidewalks are planned on being installed. This project will remove existing sidewalks and install new ones. Install new sidewalks to The Store and to the Pope County Library and along Maple to Wildcat Lane.
- Phillip D'Amato asked if the trees along the old sidewalks will need to be removed. Mayor Riley stated they may have to be removed; he was not certain.
- Tri County is also planning to install new water lines at the same time as the sidewalk project. The updated water lines will be on the west side of Highway 27.

New Business:

Agenda Item A: Consideration of Resolution R24-17 authorizing the City of Hector to close the General Fund, Street Fund, ARP Fund at Diamond Bank

- The remaining amounts in Diamond Bank for General and Street will be transferred to Chamber's Bank by the end of the month.
- The final balance in the ARP Account at Diamond Bank was transferred to Chamber's Bank last month.
- All accounts at Diamond Bank will be closed by the end of the month.
- | | | | |
|---|------------------------|----------------------------------|----------------------|
| Resolution presented by council member: | Motion made by: | Motion 2nd by: | Vote: |
| Resolution 2024-17: to authorize to close the General, Street and ARP accounts at Diamond Bank. | Hannah D'Amato | Samantha Brashear | Passed
100% (4/4) |

Agenda Item B: Discussion regarding the building on Spruce Street.

- Council member Hannah D'Amato presented to council members a presentation on the empty building located on Spruce Street for the possibility of making this into a Community Building to enhance community resources, preserve local heritage and support local events.
- Presentation attached, see Exhibit B.

- The building is owned by the Lions Club and the land is leased to the Brown-Sikes Senior Citizen Community Center by the Hector School District. The lease does have stipulations in it and if the board wanted to partner with the City of Hector, then language in the lease would need to be reviewed and edited. The Hector Superintendent is reviewing the lease.
- A general contractor, Brian Stone, has checked out the building and stated it has a good frame.
- Grants may be available to help with updating this building.
- Mayor stated if the council wanted to pursue this then his thoughts would be to leave the Brown-Sikes Committee Board intact, and the city would partner with the board.
- Council member Hannah D'Amato is presenting this presentation at the next school board meeting.
- At the next council meeting an update for this item should be available.

Agenda Item C: Discussion regarding a requested partnership with Cowboy Internet

- Mayor Riley received a phone call from Alan Gumpenberger with Cowboy Internet to see if a location is available within the city to place a tower and if the city would be willing to partner with them to build a tower. The amount proposed was around \$25,000.00 to \$30,000.00. Mayor explained the city would have to have some considerations and that the city could not purchase land for a private business. Cowboy Internet could offer the citizens within the city limits free internet.
- Council members had no questions/comments for this item.

Agenda Item D: Consideration of a Resolution R24-18 appropriating \$500.00 marketing contract with CatTV

- Mayor Riley asked council members if they wanted to appropriate \$500 for marketing contract with CatTV.
- CatTV provides local events including school activities to people in the community that are not able to attend in person.
- **Resolution presented by council member:** Resolution 2024-18: to approve to appropriate \$500.00 from the General Account for the purpose of marketing the City of Hector with CatTV. **Motion made by:** Samantha Brashear **Motion 2nd by:** Peggy Gregory **Vote:** Passed 100% (4/4)

Agenda Item E: Consideration of a resolution R24-19 appropriating \$500.00 for marketing and advertisement with the Hector School District Athletic Department

- Mayor Riley asked council members if they wanted to appropriate \$500 for marketing and advertisement with the Hector School District Athletic Department.
- **Resolution presented by council member:** Resolution 2024-19: to approve to appropriate \$500.00 from the General Account for the purpose of marketing and advertisement of the City of Hector with the Hector School District Athletic Department. **Motion made by:** Samantha Brashear **Motion 2nd by:** Hannah D'Amato **Vote:** Passed 100% (4/4)

Agenda Item F: Consideration of a Resolution R24-20 to make Sycamore Street at Maple Street one-way on Tuesday-Friday during the following hours (7:00A.M. – 8:00A.M.) (3:50-4:30 P.M.)

- Designating Sycamore Street a one-way street will help with the flow of school traffic, the proposed period will be Tuesday – Friday during the hours of 7am-8am and 3:30pm to 4:30pm only.
- Signs will be installed identifying the one-way street for the designated dates/times.
- **Resolution presented by council member:** Resolution 2024-20: to approve to designate Sycamore Street a one-way street during the hours of 7:00am-8:00am and 3:30pm-4:30pm on Tuesday-Friday to help with the flow of school traffic for Hector School. **Motion made by:** Hannah D'Amato **Motion 2nd by:** Peggy Gregory **Vote:** Passed 100% (4/4)

Agenda Item G: Discussion regarding Internet (Ritter Communications) (Cowboy Internet)

- Fiber is currently being installed in the City of Hector.
- Before the city considers partnering with anyone, the city would need to know what considerations the city would receive from it and the city would not want to mess up any grant money the county may be receiving for fiber installation. The city would also need to check into the franchise agreement with Brightspeed.

City Council members review and approval of financial transactions.

Meeting adjourned:

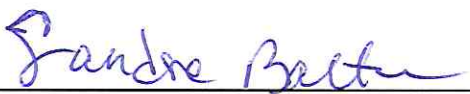
Time: 7:55pm

Motion made by: Peggy Gregory

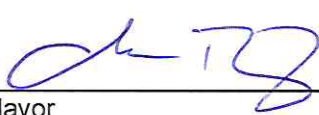
Motion 2nd by: Carey McGee

Vote: Passed 100% (4/4)

The next regularly scheduled council meeting will be held on September 16th, 2024, at 6:30pm.



Recorder/Treasurer



Mayor

By signing, I agree that pages 1-5 are true and correct copy of the meeting held by the Hector City Council on August 19, 2024.

EXHIBIT A

CITY OF HECTOR AMENDMENT OF ORDINANCE 2010-1

**AN ORDINANCE ON REGULATING THE
OWNING OR HARBORING OF ANY VICIOUS
ANIMAL OR WILD ANIMAL WHICH MAY
ATTACK OR INJURE A PERSON OR
DOMESTIC ANIMAL/POULTRY**

Amended

ORDINANCE #: 2010
CITY OF HECTOR
POPE COUNTY, ARKANSAS

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF HECTOR, POPE COUNTY, STATE OF ARKANSAS,
AN ORDINANCE TO BE ENTITLED:

AN ORDINANCE REGULATING THE OWNING OR HARBORING OF ANY VICIOUS ANIMAL, OR WILD ANIMAL WHICH MAY ATTACK OR INJURE A PERSON, OR HARASS, WOUND, OR KILL DOMESTIC ANIMALS AND POULTRY; TO ESTABLISH EXEMPTIONS FROM SUCH AND TO PROVIDE FOR THE PENALTIES FOR VIOLATION THEREOF, AND OTHER MATTERS.

WHEREAS, the problem of uncontrolled and/or vicious animals is a growing problem in Hector, Arkansas, and:

WHEREAS, the laws of the State of Arkansas provide for civil remedies for any person harmed by an uncontrolled, dangerous, or vicious animal, and

WHEREAS, there is a need to provide additional criminal sanctions against those who own or harbor said animals:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF HECTOR, AR POPE COUNTY, ARKANSAS:

ARTICLE 1: DEFINITIONS

(a) As used in this ordinance, the following terms mean:

Animal: The word animal pertains to any animal as set out in Article 1:

Animal: Dogs, Cats, or other domesticated or wild animals kept as pets.

Animal Control Authority: Hector Police Department, law enforcement officer, any person(s) employed or elected by township, municipality, county, state, or federal agency, whose duty it is to preserve peace, make arrests, or to enforce the law.

Police Work Dog: A dog trained to aid law enforcement officers and actually used for police work purposes, for the protection of the public, including the investigation of crime and the apprehension of law violators.

At Large: An animal off the property of the owner and not under restraint, except when on the private property of someone other than the owner who has permitted the animal to be unrestrained or in a designated dog park

Dangerous/Vicious/Uncontrolled Animal: Any animal that harms physically or inflicts unprovoked bites or attacks human beings, livestock, poultry, or any animal approaching an individual in such a way as to place that individual in such a way as to place that individual in reasonable fear of unprovoked injury or attack whether it occurs upon streets, roads, sidewalks, and public grounds or private property.

Leash: A tether of no longer than 6 feet used to control a dog.

Animal Owner: Any person having ownership or personal rights in a dog or other animal, or any person who keeps in his care, acts as custodian for, or knowingly permits a dog or other animal to remain on or about any premises occupied by him.

Proper Enclosures: Means securely confined indoors or in a locked pen or structure suitable to prevent the animal from escaping and providing protection from the elements for the animal. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the animal to exit of its own will.

Under Restraint: An animal secured by a leash or within the real property limits of its owner or an authorized person.

Section II. Leash Law

(a) All animals within city limits must be under the control of their owner or handler and restrained by a leash when in public areas. The leash should be no longer than 6 feet in length.

(b) All animals within city limits, being a nuisance, constantly running "at large" around the city, causing damage, and/or getting into trash, and/or creating a public disturbance, will be subject to euthanization or placement with a rescue by animal control authority.

(c) Punishment: Violation of the leash law will result in a fine of \$50 for the first offense, \$100 for the second offense, and \$200 for each subsequent offense. With a maximum fine of \$200 per occurrence.

Section III. Vaccination and Rabies Vaccinations

(a) All dogs must receive regular vaccinations in accordance with the schedule recommended by a licensed veterinarian.

(b) Rabies shots are mandatory and should be administered in compliance with state and local laws. Arkansas Code 70-19-301-312

(c) A certificate of vaccination, on a form recommended by the Compendium or containing the same information, shall be issued to the owner of each dog vaccinated for rabies. Each vaccinated dog should have a permanent means of identification.

(d) Punishment: Failure to comply with vaccination requirements will result in a fine of \$100 for each offense.

Section IV. Spaying and Neutering

(a) All dogs must be spayed or neutered.

(b) Punishment: Failure to spay or neuter a dog will result in a fine of \$200.

Section V. Vicious Dog Ordinance

(a) Any dog exhibiting aggressive behavior that poses a threat to public safety shall be classified as a vicious dog.

(b) Vicious dogs will be subject to immediate euthanization, and the owner will be fined \$150. If the animal proves to be a public safety threat, the Hector City Police may use lethal force at their discretion to prevent serious injury or death.

(c) The owner will also be held liable for any damages caused by the dog, as well as the associated euthanasia fees.

(d) Upon the third offense, the owner will be prohibited from owning animals within city limits.

(e) Punishment: Fines for owning a vicious dog without proper precautions will be \$500 for the first offense, \$1000 for the second offense, and a permanent ban on owning animals within city limits for the third offense.

Section VI. Collar and Identification

(a) Every dog must wear a collar with an attached tag displaying up-to-date owner information.

(b) Proof of vaccinations should be readily available upon request.

(c) Punishment: Failure to comply with collar and identification requirements will result in a fine of \$50.

Section VII. Stray Dogs

(a) Stray dogs found within city limits will be captured and announced by the city authorities.

(b) If unclaimed within the legal timeframe specified by city regulations, these dogs will be subject to humane euthanization or placement within a rescue. Stray animals will be subject to rehoming first, then euthanization if rehoming is not available within the 10 day timeframe.

(c) If a stray dog is claimed, the claimant will be responsible for applicable hold fees and fined in accordance with the leash law. Upon the second offense, the owner will be fined and court date set. The owner will be responsible for spaying or neutering the animal, providing proof of the spay or neuter.

(d) Punishment: Failure to claim a stray dog within the specified timeframe will result in a fine of \$100.

(e) Unclaimed animals, captured by the City of Hector, will be euthanized within (10) days of the animal being captured, announced, and unclaimed by a designated veterinarian of the city's choosing.

Section VIII. Interference

(a) No person shall interfere with, hinder, or molest any agent of the City of Hector in the performance of any duty as herein provided.

(b) Any person violating this section shall be deemed guilty of and cited for obstructing governmental operations.

Section IX. Repeal of Conflicting Ordinances

(a) All other ordinances of the City of Hector that are in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section X. Severability

(a) If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section XI. Safety Clause

(a) The City of Hector hereby finds, determines, and declares that this ordinance is necessary for the immediate preservation of the public health, safety, and welfare of the City of Hector and the inhabitants thereof.

Section XII. - Interference with enforcement.

It shall be unlawful for any person to:

(a) Interfere in any manner with the City of Hector animal control worker while they have in their custody any animal.

(b) Remove from the animal shelter any animal which is in the custody of the animal shelter unless the director or other person in charge of the animal shelter has authorized the release of such animal.

(c) Knowingly obstruct, impair or hinder, directly or indirectly, the lawful performance of enforcement and animal control functions of the director or other appointed animal control officer.

Section XIII - Cruelty to animals.

(a) It shall be unlawful for any person to:

1. Overdrive, overload, overwork, torture, beat, mutilate, kill needlessly, carry or confine in a vehicle in an inhumane manner, or otherwise mistreat, any animal.
2. Fail to provide any animal with proper food, drink, protection from the weather and veterinary care.
3. Abandon any animal.
4. Intentionally poison any animal.
5. Allow or promote any fight between animals, or to allow or permit any such fight in or upon any premises in his possession or under his control.
6. Allow an animal to be kept in unsanitary conditions.
7. Keep or confine an animal in any other capacity than a humane manner.
8. Any owner of a dog, when confining such dog on a chain, shall confine such dog by a chain of at least ten feet, and the chain shall be affixed to the dog's collar and attached to some substantial stationary object adequate to prevent the dog from running at large.

(b) Animal control officers have the authority to remove any animal subject to cruelty and impound such animal(s). The animal(s) shall be humanely euthanized at the owner's expense.

State Law reference— Authority to prevent cruelty to animals, A.C.A. § 14-54-103(7); cruelty to animals, A.C.A. § 5-62-122.

Section XIV: Unlawful Dog Attack

- (a) A person commits the offense of unlawful dog attack if:
- (i) The person owns a dog that the person knows or has reason to know has a propensity to attack, cause injury, or endanger the safety of other persons without provocation;
 - (ii) The person negligently allows the dog to attack another person; and
 - (iii) The attack causes the death of or serious physical injury to the person attacked.
- (b) The offense of unlawful dog attack is a Class A misdemeanor.
- (c) In addition to any penalty imposed under this section, the court or jury may require the defendant to pay restitution under 5-4-205 for any medical bills of the person attacked for injuries caused by the attack.

Copied from Justia Arkansas State Law: 5-62-125

Section XV: Restitution for Unlawful Dog Attack:

- (a)
- (1) A defendant who is found guilty or who enters a plea of guilty or nolo contendere to an offense may be ordered to pay restitution.
 - (2) If the court decides not to order restitution or orders restitution of only a portion of the loss suffered by the victim, the court shall state on the record in detail the reasons for not ordering restitution or for ordering restitution of only a portion of the loss.
- (b)
- (1) Whether a trial court or a jury, the sentencing authority shall make a determination of actual economic loss caused to a victim by the offense.
 - (2) When an offense has resulted in bodily injury to a victim, a restitution order entered under this section may require that the defendant:

(A) Pay the cost of a necessary medical or related professional service or device relating to physical, psychiatric, and psychological care, including nonmedical care and treatment rendered in accordance with a recognized method of healing;

(B) Pay the cost of necessary physical and occupational therapy and rehabilitation;

(C)

(i) Reimburse the victim for income lost by the victim as a result of the offense.

(ii) The maximum that a victim may recover for lost income is fifty thousand dollars (\$50,000); and

(D) Pay an amount equal to the cost of a necessary funeral and related services in the case of an offense that resulted in bodily injury that also resulted in the death of a victim.

(3) When an offense has not resulted in bodily injury to a victim, a restitution order entered under this section may require that the defendant reimburse the victim for income lost by the victim as a result of the offense.

(4)

(A) The determination of the amount of loss is a factual question to be decided by the preponderance of the evidence presented to the sentencing authority during the sentencing phase of a trial.

(B) The amount of loss may be decided by agreement between a defendant and the victim represented by the prosecuting attorney.

(5) If any item listed in subdivision (b)(2) of this section has been paid by the Crime Victims Reparations Board and the court orders restitution, the restitution order shall provide that the board is to be reimbursed by the defendant.

(c)

(1) As used in this section and in any provision of law relating to restitution, "victim" means any person, partnership, corporation, or governmental entity or agency that suffers property damage or loss, monetary expense, or physical injury or death as a direct or indirect result of the defendant's offense or criminal episode.

(2) "Victim" includes a victim's estate if the victim is deceased and a victim's next of kin if the victim is deceased as a result of the offense.

(d) A record of a defendant shall not be sealed under the Comprehensive Criminal Record Sealing Act of 2013, § 16-90-1401 et seq., until all court-ordered restitution has been paid.

(e)

(1) Restitution shall be made immediately unless prior to the imposition of sentence the court determines that the defendant should be:

(A) Given a specified time to pay; or

(B)

(i) Allowed to pay in specified installments.

(ii) If a court authorizes payment of restitution by a defendant in specified installments, a monthly installment fee of five dollars (\$5.00) shall be assessed on the defendant for making restitution payments on an installment basis in addition to the restitution and other assessments authorized.

(iii) The monthly installment fee under subdivision (e)(1)(B)(ii) of this section shall be remitted to the collecting official to be used to defray the cost of restitution collection.

(iv) [Repealed.]

(2) In determining the method of payment, the court shall take into account:

(A) The financial resources of the defendant and the burden that payment of restitution will impose with regard to another obligation of the defendant;

(B) The ability of the defendant to pay restitution on an installment basis or on another condition to be fixed by the court; and

(C) The rehabilitative effect on the defendant of the payment of restitution and the method of payment.

(f)

- (1) If the defendant is placed on probation or any form of conditional release, any restitution ordered under this section is a condition of the suspended imposition of sentence, probation, parole, or transfer.
- (2) The court may revoke probation and any agency establishing a condition of release may revoke the conditional release if the defendant fails to comply with the order and if the defendant has not made a good faith effort to comply with the order.
- (3) In determining whether to revoke probation or conditional release, the court or releasing authority shall consider:
 - (A) The defendant's employment status;
 - (B) The defendant's earning ability;
 - (C) The defendant's financial resources;
 - (D) The willfulness of the defendant's failure to pay; and
 - (E) Any other special circumstances that may have a bearing on the defendant's ability to pay.

(g)

- (1) The court shall enter a judgment against the defendant for the amount determined under subdivision (b)(4) of this section.
- (2) The judgment may be enforced by the state or a beneficiary of the judgment in the same manner as a judgment for money in a civil action.
- (3) A judgment under this section may be discharged by a settlement between the defendant and the beneficiary of the judgment.
- (4) The court shall determine priority among multiple beneficiaries on the basis of:
 - (A) The seriousness of the harm each beneficiary suffered;
 - (B) The other resources of the beneficiaries; and
 - (C) Other equitable factors.
- (5) If more than one (1) defendant is convicted of the crime for which there is a judgment under this section, the defendants are jointly and severally liable for the judgment unless the court determines otherwise.
- (6)
 - (A) A judgment shall require payment to the Division of Community Correction.
 - (B) The division shall provide for supervision and disbursement of funds under subdivision (g)(6)(A) of this section by the division's authorized economic sanction officers.

(h)

- (1) A judgment under this section does not bar a remedy available in a civil action under other law.
- (2) A payment under this section shall be credited against a money judgment obtained by the beneficiary of the payment in a civil action.
- (3) A determination under this section and the fact that payment was or was not ordered or made:
 - (A) Are not admissible in evidence in a civil action; and
 - (B) Do not affect the merits of a civil action.

Copied from Justia Arkansas State Law: 5-4-205 Restitution

Section XV: Permitting Animals to be Uncontrolled or to be at Large Impounded and Restraint:

- (a) No animal owner or possessor of any animal covered by this ordinance may at any time permit the same to "go at large" to be in a situation, condition, or place where it can inflict or cause to be inflicted or to be a threat of danger to any human being or other animal.
- (b) Any such animal known to have harmed physically or inflicted a biting injury of sufficient severity to require medical treatment, shall be impounded and observed at the owner's expense consistent with Section 3 of the Rabies Control Act 70-19-301-312.
- (c) Any such animal known to have emotionally harmed any person who has been diagnosed by a licensed clinical psychologist or psychiatrist to warrant therapy for such harm, shall be confined in a proper enclosure and the owner of such animal shall pay the cost of the victim's treatment.

- (d) The owner of such animal known to have inflicted a biting injury upon one or more or more animals with injury of sufficient severity to require medical treatment or to cause the death of animals, shall reimburse the owner of the animals the medical treatment and/or, the fair market value of dead animals.
- (e) A proper enclosure must exist for vicious or potentially dangerous animals or for female animals that are in the estrous cycle ("in heat") and could be the case of male animals becoming vicious while being with her.
- (f) Any law enforcement officer who has reasonable grounds to believe that an animal is vicious, uncontrolled, or a threat to the safety of humans or other animals, shall notify such animal. If the animal's owner cannot be located, the officer can have such animal impounded at the owner's expense or kill the animal if capture poses too great a danger to the capturing officer. The owner shall have (5) days to pick up said animal and pay the fees accrued therein, or said animal shall become the property of the impounding facility. Furthermore, upon release, the owner shall be required to restrain and properly enclose it in any other manner consistent with this ordinance.

Section XVI: Investigation

- (a) Upon complaint that any animal covered under this ordinance is being harbored, a law enforcement officer shall investigate such and may require the keeper or owner of such animal to restrain or dispose of such animal in a reasonable manner, consistent with this ordinance. Reasonable manners may include chaining, posting of warning signs, enclosures, protective barriers, muzzling, and destruction or other measures necessary to abate nuisances, unhealthful or inhumane conditions. Failure to comply with said measures shall be deemed a violation of this ordinance, unless a court of law finds such measures were unreasonable.

Section XVII: Duty of Individual to Use Protective Measures

- (a) Any individual who keeps any animal covered by this ordinance shall exercise the highest degree of care to protect children, the general public, and other animals from attack.
- (b) Appropriate chaining practices, posting of signs, or maintenance of animals within proper enclosures shall meet the standard care, if such practices reasonable preclude the possibility of inadvertent contact and probable injury in all instances where a child or unsuspecting person or other animal might be put into unintentional contact with the animal.

Section XVIII: Penalty and Enforcement

- (a) Any violation of this ordinance is deemed a Class A Misdemeanor. Each day that the violation exists shall be considered a separate offense. Furthermore, any individual may institute a civil action to compel compliance with this ordinance and seek relief damages, or other civil sanctions including the awarding of attorney fees and costs accrued by the county.

Section XIX: Investigation; Impoundment

- (a) A law enforcement officer may order an owner to keep any animal covered by this ordinance restrained or impounded pending investigation that such animal has attacked, wounded, or killed any human being, livestock or poultry.

Section XXI: Complaints, Investigation, Corrective Measures

- (a) If any persons or groups of persons has knowledge or reasonable grounds to suspect that animal owners are maintaining dogs or other animals in such a manner as to constitute a nuisance by reason of unhealthful conditions, or maltreatment, he shall have the right to complain to local law enforcement agencies or health officials, and such authorities shall investigate the complaint.
- (b) Such officials have full authority to examine complainant and other witnesses for relevant testimony and to prescribe and counsel corrective measures consistent with ordinance to the animal owner. If, after a (ten) 10 day period, the owner/keeper fails to comply with the corrective measures ordered by health or government

officials then such shall be deemed a violation of this ordinance, unless a court of law finds that such measures were unreasonable.

Section XXII: Abandonment or Dumping

- (a) This ordinance also prohibits and makes it illegal for any person to dump or abandon any animal and such action shall constitute a violation of this ordinance.
- (b) Punishment for dumping or abandonment of animals will result in a fine of \$500 for each occurrence of each animal abandoned or dumped.

Section XXIII: Costs

- (a) In the event a law enforcement agency, health official, or a Humane Society is required or requested to investigate a violation of this ordinance and said complaint is substantiated, then the reasonable cost of the investigation of such shall be assessed against the owner/keeper of the animal. Failure to pay such shall be deemed a violation of this ordinance. Furthermore, if at any time it becomes necessary to impound or destroy the animal pursuant to this ordinance, then the cost of such shall be paid by the owner/keeper of said animal, and failure to do so shall constitute a violation of this ordinance.

Section XXIV: Exemptions

- (a) Nothing in this ordinance shall apply in any manner whatsoever to the official use of police work dogs trained to aid law enforcement officers, if such dogs are being actively used for police work purposes, protection of the public investigation of crime, and apprehension of law violators.
- (b) Nothing in this ordinance precludes a dog from "protecting his owner" or any other person for whom he feels loyalty, from physical attack. It is acknowledged that even a dog may defend against injury or battery. This ordinance does not apply when an individual trespasses an animal owner's property, however, each dog or other animal owner shall exercise care to make certain that no harm results to an innocent trespasser, such as children, misguided pedestrians, invitees, trades people, servants, business associates, social guests, and friends.
- (c) All political subdivisions and municipalities, which have already enacted ordinances designed to protect citizens from attack or injury inflicted by vicious or wild animals, shall be exempt from the application of this ordinance.

Section XXV: Immunity

- (a) Any law enforcement officer acting in good faith and exercising due care in enforcing this ordinance or any provision thereof, shall have immunity from civil liability.

Section XXVI: No Encroachment on Other Official Duties

- (a) Nothing in this ordinance shall encroach upon the official duties or activities of the State Game and Fish Commission, the Federal Fish and Wildlife Service, Circuses, Zoological Parks, Aquariums, or other licensed exhibitory show, provided all exercise an adequate degree of care.

Section XXVII: Repeal

- (a) All ordinance and parts of ordinances in conflict with this ordinance are hereby repealed.

Section XXVIII: Severability

- (a) If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance, which can be given effect

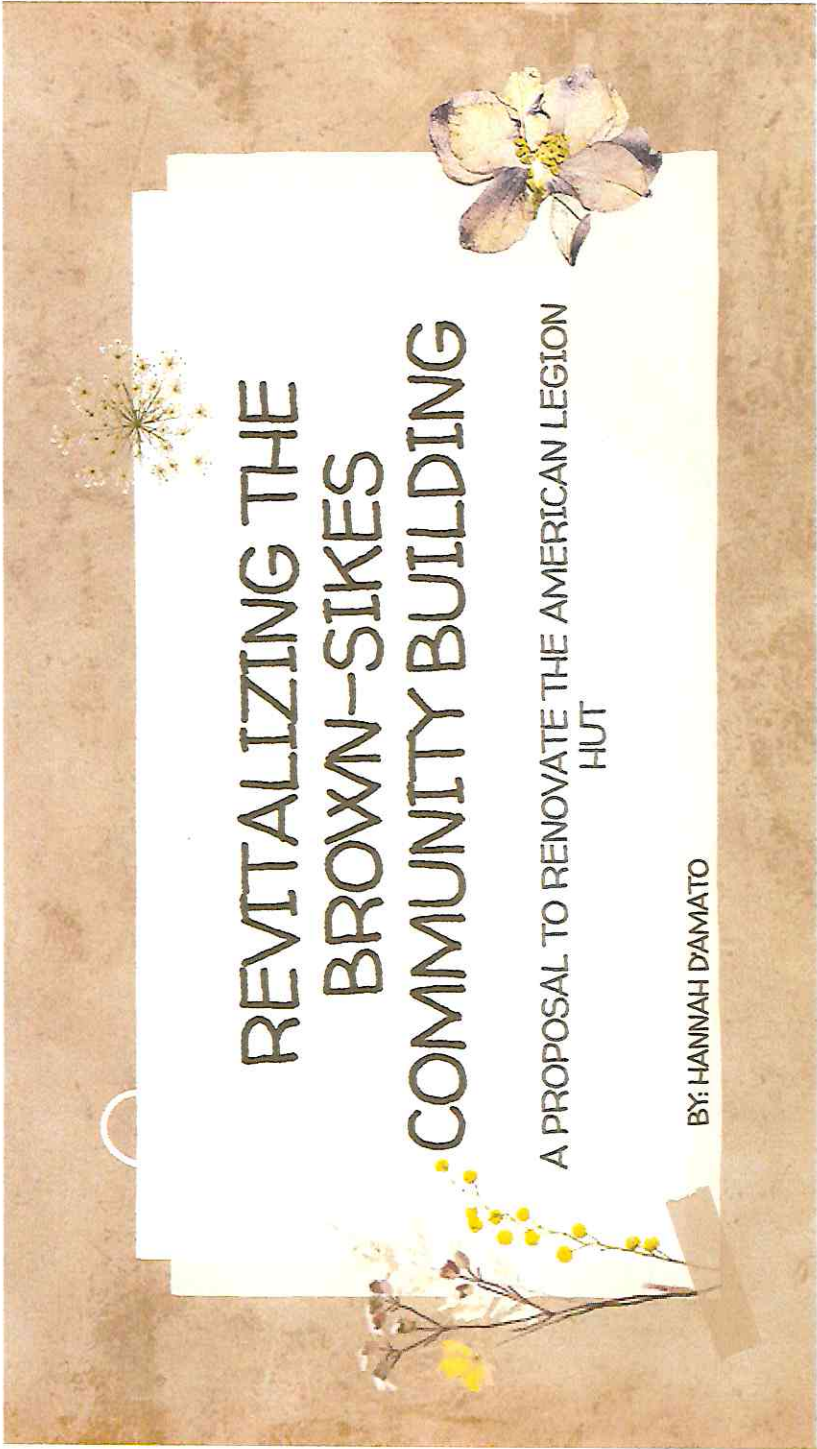
without the invalid provision or application, and to this end, the provisions of this ordinance are declared severable.

Section XXIX: Emergency

Whereas there is a large number of unvaccinated and unclaimed dogs in the City of Hector, this ordinance is necessary for the immediate preservation of the public peace, health, and safety, and an emergency hereby declared, this ordinance shall be in full force and effect from and after it's passage and publication this _____ (date)

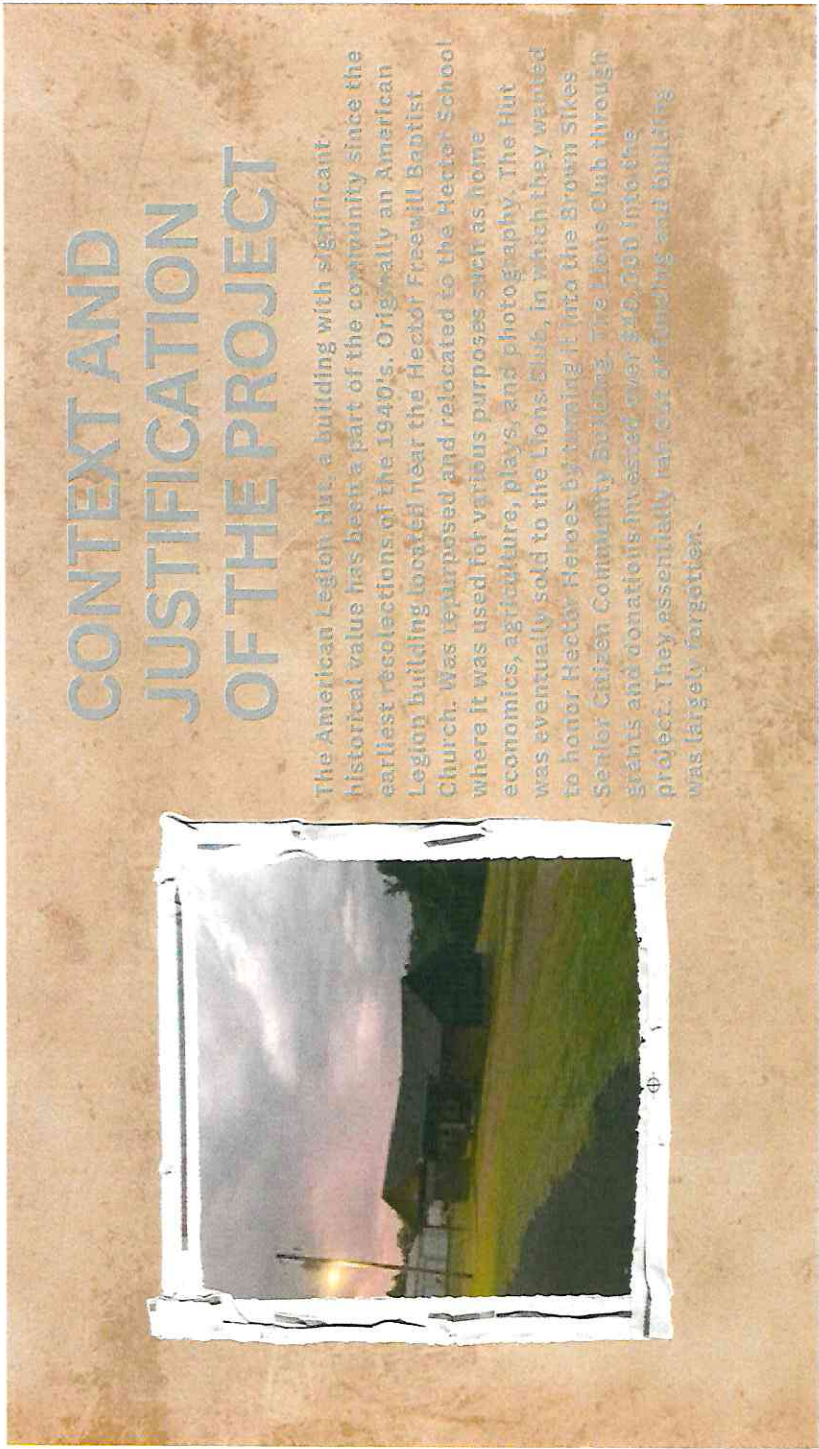
EXHIBIT B

**PRESENTATION BY COUNCIL MEMBER
HANNAH D'AMATO ON REVITALIZING THE
BROWN-SIKES COMMUNITY BUILDING
LOCATED ON SPRUCE STREET**

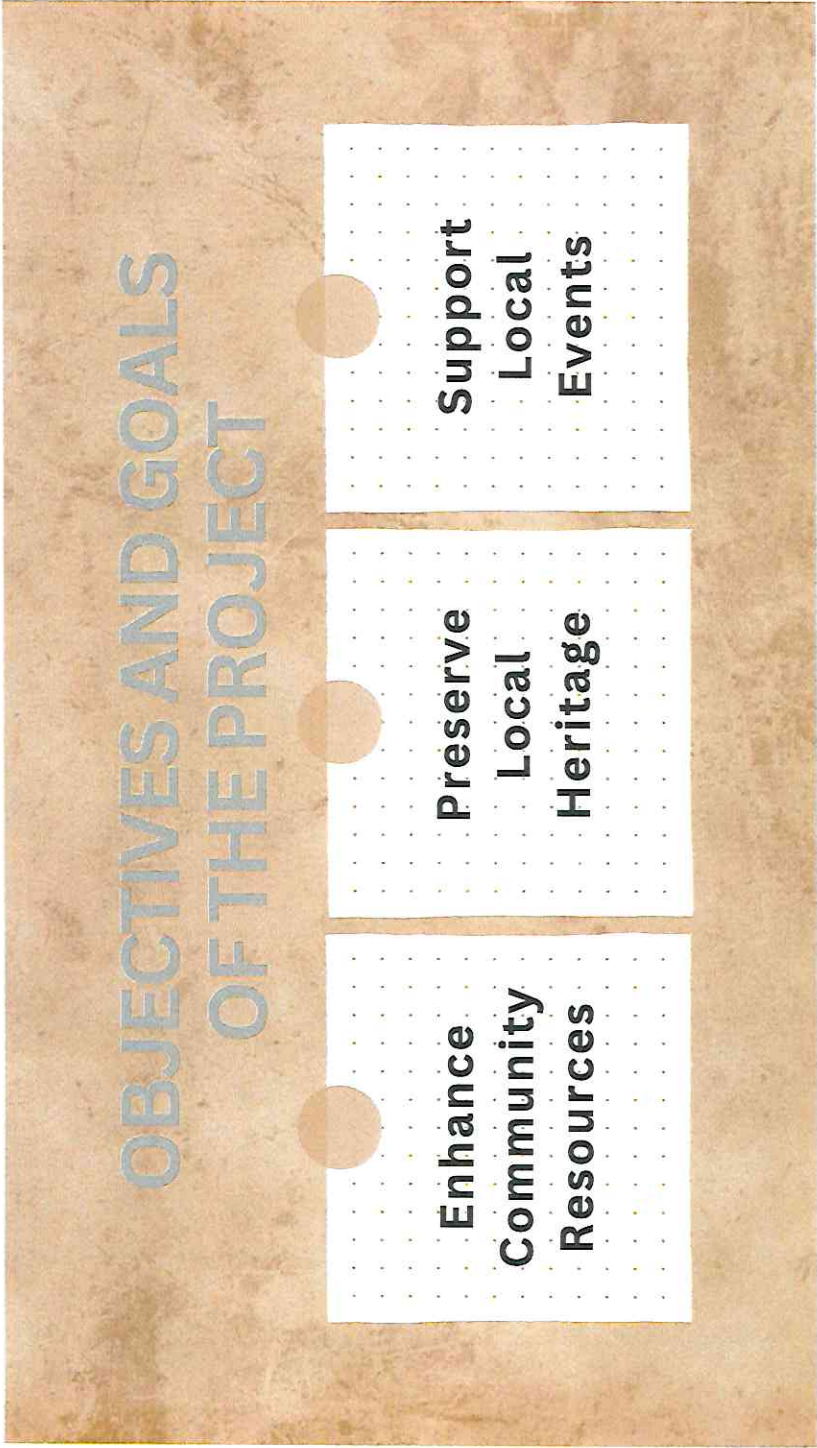


INTRODUCTION





- 1REINTEGRATING THE BROWN SIKES SENIOR CITIZEN BUILDING
- 2INTRODUCTION
- 3CONTEXT AND JUSTIFICATION OF THE PROJECT
- 4OBJECTIVES AND GOALS OF THE PROJECT
- 5DETAILED DESCRIPTION OF THE PROJECT
- 6HECTOR HEROES
- 7
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DETAILED DESCRIPTION OF THE PROJECT

The project involves renovating the historic American Legion Hut, located next to the Cecil Riley Walking Trail, into a modern community center with wheelchair access and outside bathrooms. The renovation will preserve the building's historical value while providing much-needed facilities to support local events and community gatherings. The project will be completed in phases, including planning, securing funding, construction, and community engagement. This effort will enhance community resources, promote accessibility, and align with the city's broader investments in public spaces ultimately creating a versatile, inclusive hub for the entire community.





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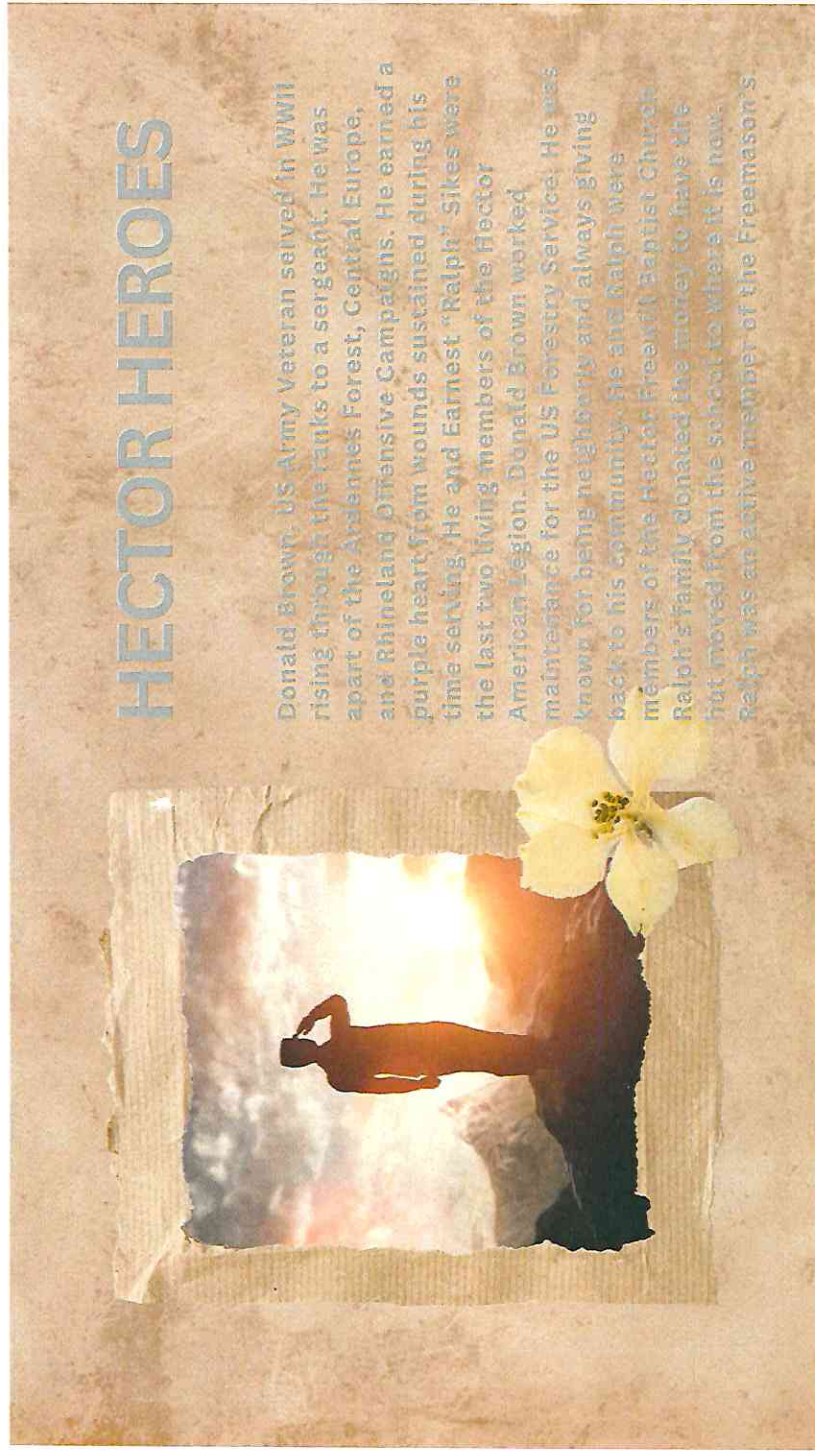
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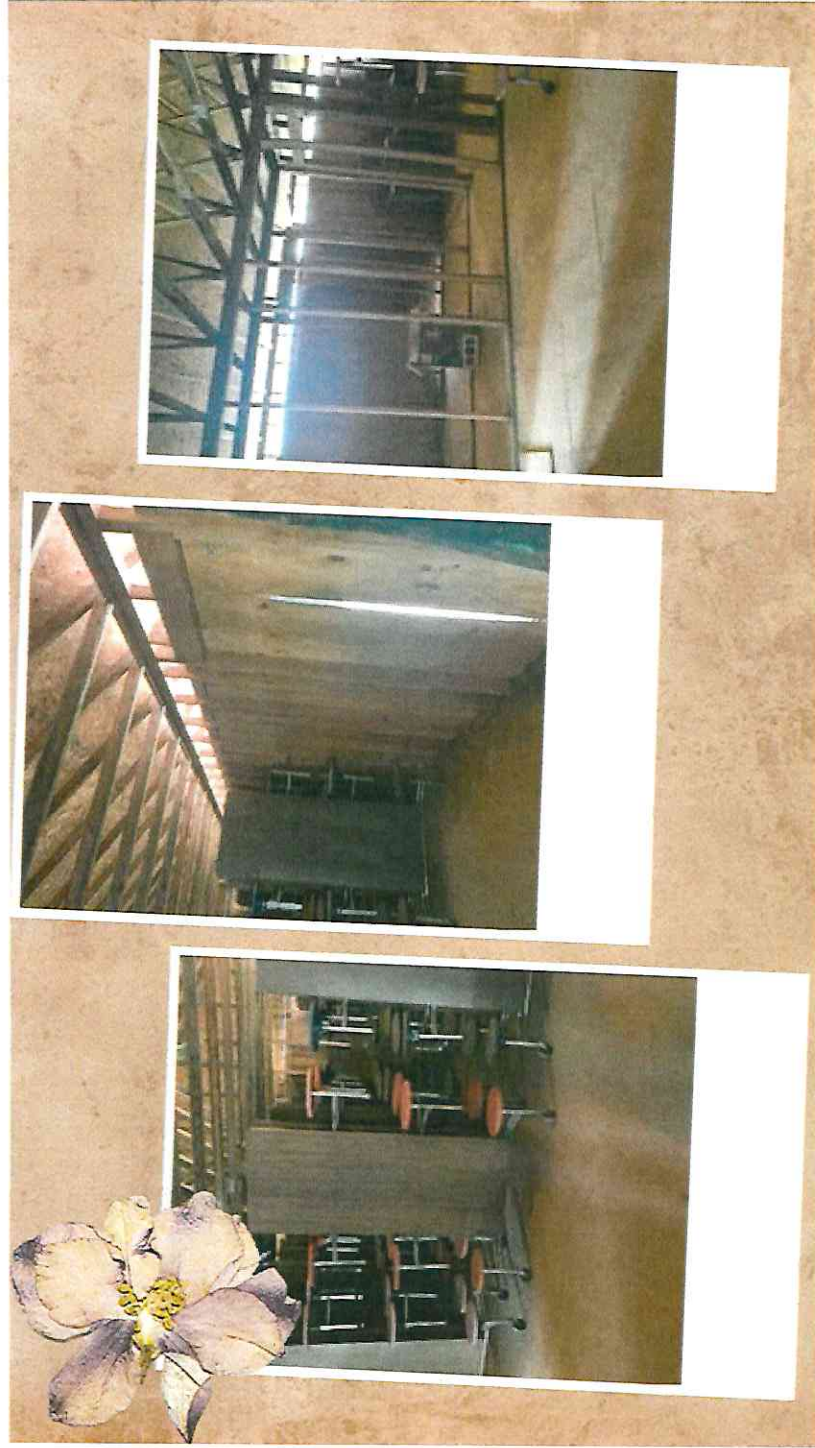


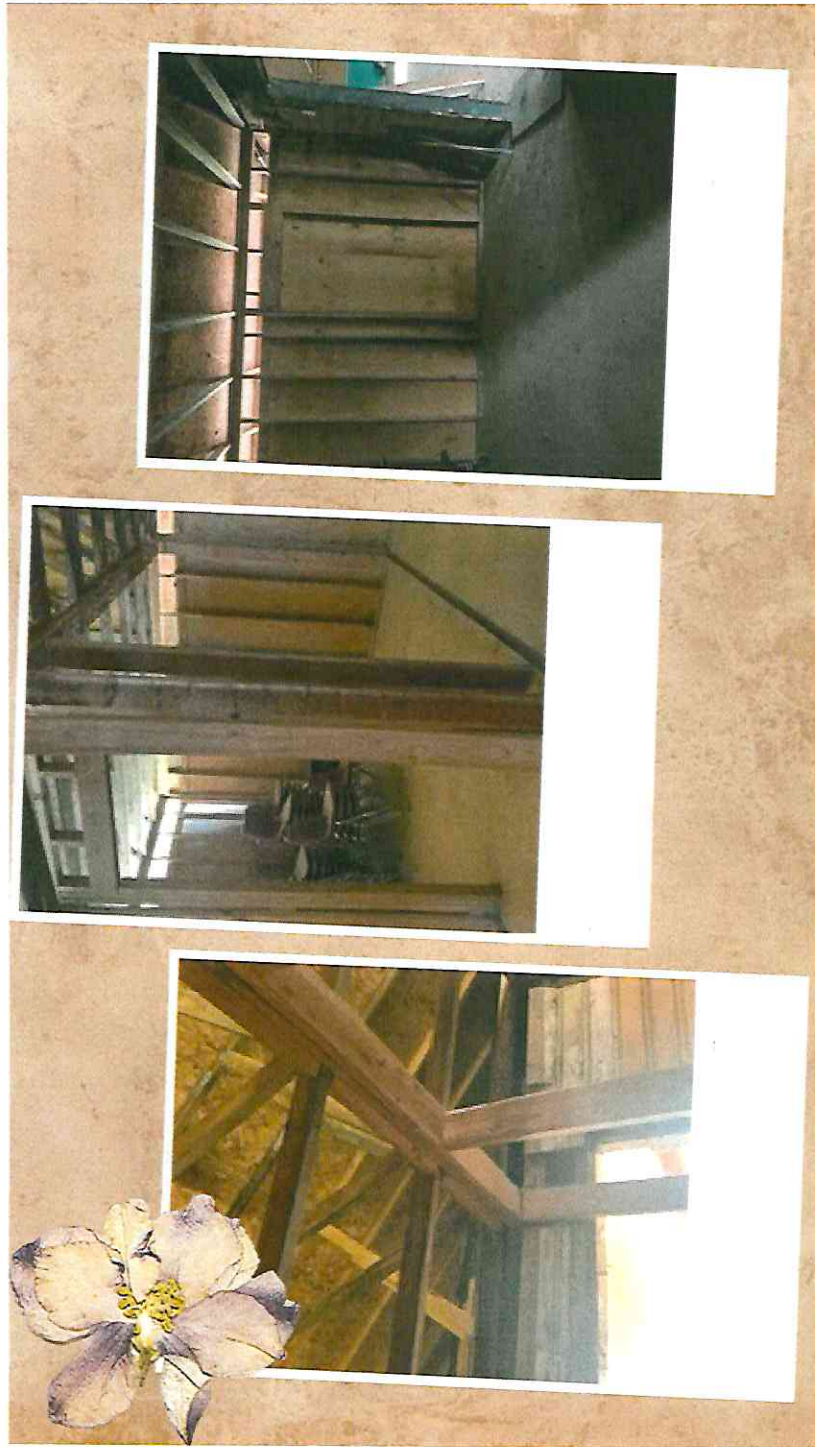
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Donald Brown, US Army Veteran served in WWII rising through the ranks to a sergeant. He was apart of the Ardennes Forest, Central Europe, and Rhineland Offensive Campaigns. He earned a purple heart from wounds sustained during his time serving. He and Earnest "Ralph" Sikes were the last two living members of the Hector American Legion. Donald Brown worked maintenance for the US Forestry Service. He was known for being neighborly and always giving back to his community. He and Ralph were members of the Hector Freewill Baptist Church. Ralph's family donated the money to have the hut moved from the school to where it is now. Ralph was an active member of the Freemason's.

















CONCLUSIONS AND NEXT STEPS

The renovation of this building presents a unique opportunity to preserve our community's history while meeting our current and future needs. By transforming this historic building into a functional, accessible community center, we create a space that enhances local events promotes inclusivity and strengthens our community ties. This project aligns with ongoing city improvements, ensuring that our public spaces continue to serve as vibrant hubs for all residents and beyond.



