

Original

# RESOLUTION

## RESOLUTION NO. 1-06

### **A RESOLUTION REGARDING UNDERGROUND UTILITY CROSSINGS OF PUBLIC ROADWAYS**

#### **BE IT THEREFORE RESOLVED BY THE TOWN COUNCIL OF THE INCORPORATED TOWN OF GILBERT:**

Any landowner that may need to bring underground utilities across an established public roadway or alley, in the incorporated limits of the Town of Gilbert, shall first be required to obtain an easement from the Mayor, or the Town Council. Once an easement has been granted, all filing fees must be paid by the landowner.

*The excavator is responsible for having underground utilities located by Arkansas One Call, before commencing any excavation, and is liable for any disruptions.\**

Paved roads shall be bored from the ditch line (right of way) on either side of roadbed and a sleeve of galvanized iron, steel, or Schedule 40 PVC, large enough to accept the utility and of sufficient length to extend beyond the roadbed by two feet on either side, inserted to house the utility line.

Gravel roads may be open trenched and a sleeve of galvanized iron, steel, or Schedule 40 PVC installed of sufficient length to extend two feet beyond the roadbed on either side. The back-fill over the sleeve must be crushed gravel, or the equivalent, and compacted. The fill that was removed from the trench must be hauled away from the site.

Ditch line right of ways (outside of roadbed) may be back-filled and compacted with existing fills and graded as was originally.

DATED: 6-19-06

APPROVED: Mitchell W. Kartstedt  
Mayor

ATTEST: Ryan Huns  
Recorder

\* Not a matter of Resolution

Resolution 2-06

Be it resolved by the Town Council of Gilbert, State of Arkansas a resolution entitled:

A resolution authorizing the Mayor of the Town of Gilbert to apply for a grant from the Department of Rural Services.

**WHEREAS**, the Town of Gilbert has determined that the Gilbert Fire Station Project meets eligibility requirements necessary to apply for a grant under the Arkansas Rural Community Grant Programs; and

**WHEREAS**, the Town of Gilbert is a local unit of general purpose government that will provide opportunity for input by residents in determining and prioritizing community development needs; and

**WHEREAS**, the Town Council of the Town of Gilbert recognizes the need for the project, concurs in its importance, and supports the Town of Gilbert in its efforts to proceed with the same; and

**WHEREAS**, the Town of Gilbert has provided proof of ownership of the property to be enhanced by the project and has provided proof that matching funds are available from the Town of Gilbert;


**NOW THEREFORE, BE IT RESOLVED THAT** the Town Council of the Town of Gilbert hereby appropriates the sum of \$3,000.00 to complete the local match money requirement for the project entitled: Gilbert Fire Station Project; and

**NOW THEREFORE, BE IT FURTHER RESOLVED** by the Town Council of the Town of Gilbert that the Mayor of the Town of Gilbert is hereby authorized to submit an application of formal request to the Arkansas Rural Development Commission for the purposes of securing state grant funds <sup>up to</sup> in the amount of \$30,000.00 to aid and assist the Town of Gilbert in executing the proposed project described herein and that the Mayor of the Town of Gilbert is further authorized to administer the grant funds for the same project.

This Resolution to be in full force and in effect from the date of its passage.

Adopted in Regular Session and Dated this 17<sup>th</sup> day of July, 2006.

APPROVED:   
Mayor

ATTEST:   
Clerk

Resolution 3-06

Be it resolved by the Town Council of Gilbert, State of Arkansas a resolution entitled:

Town of Gilbert Anti-Displacement Plan.

**WHEREAS**, the Town of Gilbert will replace all occupied and vacant occupiable low and moderate income dwellings demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds provided under the housing and Community Development Act of 1974, as amended, and described in 24 CFR 570.496a(b)(1), and that all replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to the conversion; and

**WHEREAS**, the Town of Gilbert will provide relocation assistance as described in 570.496(a)(b)(2), to each low/moderate income household displaced by demolition or by the conversion of a low/moderate income dwelling to another use as a direct result of assisted activities; and

**WHEREAS**, if any such project will involve the demolition or conversion of low or moderate income dwelling units, the following will be provided:

1. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than low/moderate income dwelling units as a direct result of the assisted activity; and
2. A time schedule for commencement and completion of the demolition or conversion; and
3. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units; and
4. The source of funding and a time schedule for the provision of replacement dwelling units; and
5. The basis for concluding that each replacement dwelling will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.

**NOW THEREFORE, BE IT RESOLVED THAT** consistent with the goals and objectives of activities assisted under the Act, as amended, the Town of Gilbert will make every effort to minimize the displacement of persons from homes.

This Resolution to be in full force and in effect from the date of its passage.

Adopted in Regular Session and Dated this 17<sup>th</sup> day of July, 2006.

APPROVED: \_\_\_\_\_

Mayor

ATTEST: \_\_\_\_\_

Clerk

Resolution 4-06

Be it resolved by the Town Council of Gilbert, State of Arkansas a resolution entitled:

The Town of Gilbert's policy prohibiting the use of excessive force by law enforcement agencies within the applicant's jurisdiction against individuals engaged in non-violent civil rights.

**WHEREAS**, the Town of Gilbert is applying for funds through the Arkansas Department of Rural Services Block Grant Program; and

**WHEREAS**, as required by the Housing and Community Development Act of 1974, as amended, it shall be the policy of the Town of Gilbert to ensure that the following are true:

1. The Town of Gilbert has adopted and is enforcing this policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations.
2. The Town of Gilbert will ensure that all law enforcement agencies within its jurisdiction will enforce all applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.
3. In response to non-violent civil rights demonstrations, the Town of Gilbert will be mindful and protective of the rights of all participants in such demonstrations, as well as any onlookers, bystanders, or any other persons located in the vicinity or owning property in the vicinity.
4. In connection with such demonstrations, the use of force shall be permitted only when necessary to protect the rights of individuals or to uphold the law. In no event shall the use of force be in excess of that necessary to achieve the lawful goals of the Town be permitted.

**NOW THEREFORE, BE IT RESOLVED THAT** consistent with the goals and objectives of activities assisted under the Act, as amended, the Town of Gilbert will adopt and enforce the policy contained herein.

This Resolution to be in full force and in effect from the date of its passage.

Adopted in Regular Session and Dated this 17<sup>th</sup> day of July, 2006.

**APPROVED:**   
Mayor

**ATTEST:**   
Clerk

Resolution 5-06

Be it resolved by the Town Council of Gilbert, State of Arkansas a resolution entitled:

Town of Gilbert Fair Housing Resolution.

**WHEREAS**, the Congress of the United States of America has declared that all citizens of the United States have the same right to inherit, purchase, lease, sell, hold, and convey real property and the said Congress of the United States of America has, hereby, declared that open housing is to be the law of the land;

**NOW THEREFORE, BE IT RESOLVED THAT:**

Section 1: It is hereby declared that the policy of the Town of Gilbert is to adhere to and comply with all laws prohibiting discriminatory policies and practices based on color, race, creed, disability, or national origin in relation to both the private and public use of housing and property ownership. It is hereby declared to be the policy of the Town of Gilbert to comply with all provisions of the law dealing with open housing and discrimination in any manner relating thereto.

Section 2: It is further herewith resolved that the Town of Gilbert will utilize its efforts and energies to end any discrimination within the Town of Gilbert.

This Resolution to be in full force and in effect from the date of its passage.

Adopted in Regular Session and Dated this 17<sup>th</sup> day of July, 2006.

APPROVED: \_\_\_\_\_

Mayor

ATTEST: \_\_\_\_\_

Clerk