WARD CITY COUNCIL
Special Council Meeting
October 25, 2016
MINUTES
2:00 P.M.

Purpose for the meeting:

(1) Discuss the possibility of paving various streets and (2) regulations for public use workstations for Internet

Call to Order

Mayor Brooke called the meeting to order. Mike Sipe led the council in prayer. Bill Moon led the council in the Pledge to the United States Flag.

Roll Call

Mayor Brooke asked for roll call. Bill Moon-present, Jim Wier-present, Jeff Shaver-excused, Gary Matheny-present, Ron Bissett-present, Don Howard-present, Mayor Brooke-present, and Clerk Barclay-present. A quorum was present.

Mayor’s Report

The mayor addressed the council by explaining that several streets and other areas in the city needed repairs. He told the council that the city had gone out for bids to do the paving but had only received one bid, that being from Five Star Paving, in the amount of $20,834.11. Out of this total the Water Department will pay $2,589.58. The streets and areas to be paved are a portion of Milam street due to the amount of construction going on in that area, Margie Lane which has needed attention for quite awhile and will be chip and seal; the next area is the entrance to the compound behind the city building, the cost of which will be paid for by the Water Department; this area will be overlayed and patched and repaired, then Industrial Drive has 2 (two) projects one of which is where customers turn in to Mr. Wesson’s (Mr. Canopy) and into Arkansas Guttinger. Project number two is the area where residents and visitors turn in to our city park where the amount of traffic has increased and made it difficult to maintain the present road surface. With all this in mind the mayor asked for a motion to accept these bids for the work to be done. Ron Bissett motioned to accept the bids; Bill Moon seconded. On voice vote all approved.

Mayor Brooke introduced the Ward Library System which is a Ward City Library System only, totally independent not affiliated with the county or state and was approved by the council a year or so ago. The library will be opened upon approval of the policy by the council. This was approved by the council after our library was closed and the council authorized the approval of some type of computer setup for Internet access for the public and our residents since the library closure. The computers are now in place and there are restricted areas where people are not supposed to enter. New rules and regulations have been put in place and have been upgraded by the city attorney. Children under the age of 18 (eighteen) will not be allowed to use the computers without their parents approval and must sign a document to that effect. The document must be signed in front of a person responsible for the library. This is a pilot program and there will be instances where changes must be made. Those using the computers must furnish their own paper but the city will furnish the ink cartridges. There will be only black and white print, no color. Cameras will be installed and the IT representative will go through the computers on a regular basis to make sure people are not going into areas that have been restricted. The
mayor asked for a motion to approve the Internet Access Policy for the Public Use Computer Workstations. Bill Moon motioned; Ron Bissett seconded. On voice vote all approved

**Adjournment**

Mayor Brooke asked for a motion to adjourn. Bill Moon motioned; Ron Bissett seconded. On voice vote all approved.

**APPROVED DATE:**  
November 14, 2016  
[Signature]

MAYOR

**ATTEST:**  
[Signature]  
John E. Bandy

CLERK

CITY SEAL
**Bid Memo**

**JOB**  
Ward

**BID #**

**DATE**  
8-11-16

**PREPARED BY**  
Justin Maylew

**ADDRESS**  
Five Star Paving  
201 PR 1452 Knoville AR

**PHONE**  
479-230-2772

**TYPE OF WORK**  
Asphalt & Chip Seal

<table>
<thead>
<tr>
<th>WORK INCLUDED</th>
<th>AMOUNT OF BID</th>
</tr>
</thead>
<tbody>
<tr>
<td>To grade and compact Entrance (behind city hall)</td>
<td>$110</td>
</tr>
<tr>
<td>To lay entrance way with approx 2&quot; of hotmix asphalt</td>
<td></td>
</tr>
<tr>
<td>To prepactch road and apply chip seal</td>
<td>$1479.58</td>
</tr>
</tbody>
</table>

**TOTAL BID**  
$2589.58

**EXCLUSIONS AND QUALIFICATIONS**

**ACKNOWLEDGMENT OF ADDENDA**

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**RECEIVED BY**

11-12
**Bid Memo**

**JOB**: Ward  
**DATE**: 8-11-16  
**PREPARED BY**: Justin Mayhew

**PRM**: Fire Star Paving  
**ADDRESS**: 201 PR 1682 Knoxville AR  
**PHONE**: 479-730 2272

**TYPE OF WORK**: Asphalt

<table>
<thead>
<tr>
<th>WORK INCLUDED</th>
<th>AMOUNT OF BID</th>
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</thead>
<tbody>
<tr>
<td>Milam St Entrance.</td>
<td>$888.00</td>
</tr>
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</table>
| To grade and compact base  
To lay approx 2" of hot mix asphalt. | |

**TOTAL BID**: $888.00

**EXCLUSIONS AND QUALIFICATIONS**

**ACKNOWLEDGMENT OF ADDENDA**

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<th>DELIVERY</th>
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**RECEIVED BY**
**Bid Memo**

**JOB**
WARD AR

**BID #**

**DATE**
8-11-16

**PREPARED BY**
Justin Matthew

**ADDRESS**

**FIRM**
Five Star Paving

**APPROVED BY**

**TYPE OF WORK**
Chip Seal

**ADDRESS**
201 PR 1632 Knoxville AR

**PHONE**
479-230-2522

<table>
<thead>
<tr>
<th>WORK INCLUDED</th>
<th>AMOUNT OF BID</th>
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<tbody>
<tr>
<td>To edge back and prepatch Margie 162</td>
<td></td>
</tr>
<tr>
<td>To sweep and clean street</td>
<td></td>
</tr>
<tr>
<td>To apply a chip seal to a utility pole</td>
<td>5213.33</td>
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**Total Bid** 5213.33

**Exclusions and Qualifications**

**Acknowledgment of Addenda**

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<td>DELIVERY</td>
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</table>
**Bid Memo**

**Job:** Ward AR  
**Address:**  
**PRM:** Five Star Paving  
**Address:** 201 AR 1683, Knoxville, AR  
**Type of Work:** Asphalt  
**Phone:** 479-280-3973  
**Date:** 8-11-16  
**Prepared By:** Justin Mayhew  
**Approved By:**  

<table>
<thead>
<tr>
<th>Work Included</th>
<th>Amount of Bid</th>
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</thead>
<tbody>
<tr>
<td>(Industrial Drive Ball Park 4) To pre patch and tack coat</td>
<td>$4,295.70</td>
</tr>
<tr>
<td>To grade and lay approx 2&quot; of hot mix asphalt from concrete curb</td>
<td></td>
</tr>
<tr>
<td>To tack coat.</td>
<td></td>
</tr>
<tr>
<td>To extend pavement over lay from concrete curb to mailbox</td>
<td>$2,497.50</td>
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**Total Bid**

<table>
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<tr>
<th>Exclusions and Qualifications</th>
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**Acknowledgement of Addenda**

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11-12
**Bid Memo**

**Job**
WARD AR.

**Firm**
Five Star Paving

**Address**
201 PR 1687, Knoxville AR

**Type of Work**
Asphalt

**Date**
3-11-16

**Prepared By**
Justin Mayhew

**Phone**
479-250-2272

**Work Included**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Amount of Bid</th>
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<tbody>
<tr>
<td>(Industrial drive)</td>
<td></td>
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<tr>
<td>To grade and lay entrance to MR Canepp with Hot mix Asphalt Approx 4” and compact.</td>
<td></td>
</tr>
<tr>
<td>To cap road Approx 2” of hot mix asphalt.</td>
<td>6238</td>
</tr>
<tr>
<td>To tack coat road before overlay</td>
<td></td>
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**Total Bid**
16238

**Exclusions and Qualifications**

**Acknowledgment of Addenda**

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City of Ward Public Use Computer Workstation

Internet Access Policy

The City of Ward policy on Public Internet Access is to provide access to all members of the public following the procedures listed below.

1. All patrons must sign a POLICY FOR THE USE OF THE PUBLIC INTERNET WORKSTATIONS before utilizing the City’s public internet workstations. Patrons under 18 years of age must have parent’s signature before utilizing the City’s Internet workstations.
2. Copies of the signed documents will be filed at the City Hall in the reception office.
3. A one-half hour maximum time limit will be enforced when other patrons are waiting to use the Internet workstation.
4. Records will be kept on the usage of the Public Internet Workstations and will be maintained by the City of Ward.

By executing the use policy herein, you are agreeing not to use or allow the use of the City of Ward’s equipment and Internet Service, and to refrain from the generally prohibited conduct as set forth below:

(a) for any activity that violates any international, federal, state, agency, or local law or regulation or any person's rights, including, without limitation, by posting or transmitting child pornography or obscene material, by exporting software or technical information in violation of U.S. export control laws, or by accessing, using, copying, modifying, transmitting or downloading material in violation of the U.S. Copyright laws;

(b) for any fraudulent activity, including, without limitation, making fraudulent offers to sell or buy products or services, or advancing any type of financial scam, including but not limited to "pyramid schemes" or "Ponzi schemes";

(c) to post or transmit any information or material that: infringes any person's copyright, trademark, trade secret, patent or other proprietary rights; is defamatory, libelous, offensive, threatening, abusive, pornographic, sexually explicit, profane, or otherwise is unacceptable or inappropriate in the City of Ward's sole discretion; constitutes or encourages conduct that constitutes a criminal offense, gives rise to civil liability or otherwise violates the law; contains a Virus or other harmful component; or is false;

(d) to achieve or attempt to achieve, or assist others in achieving or attempting to achieve, any unauthorized access to any computer, cable or telecommunications system, network, software, data, information, or any other proprietary material, or to breach or attempt to breach the security of another user, or to distribute or use tools designed to compromise the security of any system or network. This includes port scanning, port probes, and direct connection attempts to a service or system not owned, controlled or expressly permitted to be accessed by You;
(e) to improperly interfere with, inhibit, degrade or restrict the use and operation of the the City of Ward Internet Service by others or the City of Ward's ability to deliver the City of Ward Internet Service to users, including, without limitation, by: (i) sending excessive data transfers that exceed consumption limits that are now in place or may be established in the future for the package or tier of service to which You subscribe; (ii) interrupting or interfering with the equipment, access, servers or the City of Ward Internet Service used by other users;

(iii) disrupting the City of Ward Internet Service;

(iv) failing to comply with any bandwidth, data storage, IP address or other use limitations imposed on your use of the City of Ward Internet Service;

(v) transmitting or disseminating any virus or feature harmful to the operation of any system, equipment, service or software;

(f) to send to a minor or obtain for any minor, or obtain access for any minor to, any material that is harmful to minors;

(g) to run a server of any type in connection with the City of Ward Internet Service, or to provide network or host services to others via the City of Ward Network;

(h) to allow, enable, aid or assist, through action or inaction, directly or indirectly, any third party to use the City of Ward Internet Service for illegal actions, or other actions deemed unacceptable or inappropriate in the City of Ward's sole discretion, including but not limited to sending, forwarding or relaying unsolicited commercial email or bulk e-mail;

Whether lawful or unlawful, the City of Ward reserves the right to determine what is harmful to its customers, operations or reputation, including any activities that restrict or inhibit any other user from using and enjoying the City of Ward Internet. The City of Ward reserves the right, in its sole discretion, to disconnect service immediately upon detection of activities deemed harmful to the City of Ward's customers, affiliates or agents.
The City of Ward’s Internet access is intended primarily as an information resource. Displaying, sending or receiving material inappropriate for viewing in a public place is prohibited by Arkansas State Code § 5-68-205. Inappropriate material is defined as pictures or text which could reasonably be construed as obscene or pornographic, as defined by Arkansas State Code § 5-68-203.

City patrons use the Internet at their own discretion. City staff will assist patrons with Internet use as time permits, but cannot offer personal instruction on computer use. The City of Ward does not protect persons from information found individually offensive. The City has not control over or knowledge of resources available from outside the City resources. When using the Internet, please remember that some material may be dated, wrong or biased.

By signing herein, you are representing that you are at least eighteen (18) years of age; that you will use the City of Ward’s equipment and Internet only in accordance with this Agreement; and that you will take reasonable measures to protect your personal information and restrict the use of the City of Ward’s Internet Service only to those with your expressed consent.

The Internet may contain material that is inappropriate for viewing by children. Restriction of a child’s access to the Internet is the responsibility of the parent/legal guardian.

A. The City is NOT responsible for the accuracy of information found on the Internet.
B. Parents are responsible for children’s access on Internet workstation. Any use by children under 18 must have the signature of a parent/legal guardian.
C. PATRONS ARE WARNED THAT THEY MAY FIND OFFENSIVE MATERIALS ON THE INTERNET. You understand and acknowledge that some third party services may contain material that may be deemed to be profane, indecent, disturbing, abusive, or offensive and may contain other material you may find problematic. YOU UNDERSTAND AND AGREE THAT NEITHER THE CITY OF WARD NOR SPONSORS ARE RESPONSIBLE FOR ANY SUCH CONTENT.
D. You understand and agree that while the City of Ward supplies access to the Internet, it is not responsible for the services or products offered by others on the Internet. The City of Ward makes no commitment to review, monitor or filter and does not endorse or otherwise vouch for any service, product, information, programs, data, or content sent, accessed, offered or advertised over the Internet or otherwise made available to you by any individual, information provider, or on-line service or content provider. YOU UNDERSTAND AND AGREE THAT CITY WIFI CITY OF WARD IS NOT RESPONSIBLE FOR ANY SUCH CONTENT.

(a) you agree not to use the City of Ward Internet Service the equipment, Internet or any software: (a) to send bulk e-mail, whether of a personal or commercial nature, including, without limitation, bulk mailings of commercial advertising, informational announcements, charity requests, political or religious messages, and petitions for signatures;
(b) to send e-mail or other messages to someone who has indicated that he or she does not want to receive messages from you;
(c) to collect or receive responses from unsolicited e-mail messages (even if such e-mail was sent from accounts on other Internet service providers or e-mail services) that violate the Agreement or this Use Policy or the terms of use under the other Internet service provider or email service from which it was sent;
(d) to conduct "mail bombings" (i.e., to send more than ten copies of the same or substantially similar message, or very large messages or files, with the intent of disrupting a server or account);

(e) to send or forward chain letters (whether or not the recipient requests it).

E. Patrons will face loss of Internet privileges if they violate these policies.
F. PATRONS ARE BARRED FROM ANY ATTEMPTS TO VIOLATE SYSTEM SECURITY VIA INTERNET WORKSTATIONS.
G. Any type of otherwise illegal activities such as betting, pornography, etc. is barred. Such actions will mean PERMANENT restriction of use of the system!
H. Patrons are warned not to violate copyright or software licenses while on Internet. If you use material that is subject to another party's intellectual property rights, you must obtain authorization from that party prior to using such materials. By using the City of Ward Internet, you represent and warrant that you are the author and copyright owner and/or authorized licensee with respect to any posted content and you further represent and warrant that no posted content violates the trademark, copyright, domain name or intellectual property rights of any third party. The City of Ward reserves the right to suspend or terminate your account if, in the City of Ward's sole discretion, you violate this Agreement or any law or regulation, e.g., the Digital Millennium Copyright Act of 1998, or a court order.
I. Patrons must not use the workstations for more than 30 minutes if other users are waiting to get on the Internet. The decision of the City staff in this assignment is overriding ALL circumstances.
J. Patrons MAY NOT use their own software on the workstation.
K. Patrons will provide their own paper for printing. The City of Ward will not provide paper.
L. PATRONS MAY NOT USE WORKSTATIONS FOR 'CHATROOM' VISITS.
M. Patrons may NOT change, adapt, convert, or otherwise revise any settings or program features on the workstations. Such actions will mean PERMANENT restrictions of the use of the system!
N. PATRONS agree that they are solely responsible for the security of their credit card and similar information from unwanted charges or use. PATRONS agree to hold the City of Ward, its agents and affiliates, harmless in the event that PATRONS' credit cards, bank account numbers, social security number, their identity, or any of their personal information is compromised or utilized by a third party.
O. Use is limited to a maximum of two (2) persons at each computer at a time.
P. All patrons are liable if they permanently or temporarily damage any computer or software.

Indemnification. You agree to indemnify and hold harmless the City of Ward (its officials, officers, employees, contractors, agents) (together "City of Ward Indemnified Entities") against any cost, claim, liability or expense the City of Ward Indemnified Entities incurs as a result of or arising out of or related in any way to your use of the City of Ward equipment or Internet. In the event of any claim, which, if true, would be subject to indemnification hereunder, the City of Ward or the affected City of Ward Indemnified Parties shall notify you and you agree to cooperate in their defense at your sole cost.

YOU UNDERSTAND AND AGREE THAT THE CITY OF WARD INTERNET SERVICE AND EQUIPMENT PROVIDED BY THE CITY OF WARD ARE NOT GUARANTEED TO BE ERROR FREE, UNINTERRUPTED, SECURE OR ALWAYS AVAILABLE OR AVAILABLE WITH SUFFICIENT CAPACITY. YOU UNDERSTAND AND AGREE THAT THE USE OF THE CITY OF WARD EQUIPMENT, INTERNET, AND ANY SOFTWARE OR EQUIPMENT PROVIDED BY THE CITY OF WARD IS AT YOUR SOLE RISK. YOU UNDERSTAND AND AGREE THAT ANY AND ALL CITY OF WARD SERVICES AND PRODUCTS ARE PROVIDED "AS IS, AS AVAILABLE, AND WITH ALL FAULTS" WITHOUT WARRANTIES OF ANY KIND, EITHER EXPRESSED OR IMPLIED. YOU UNDERSTAND AND AGREE THAT THE CITY OF WARD HAS NO RESPONSIBILITY FOR ANY THIRD-PARTY CONTENT, DATA, INFORMATION, PROGRAMS OR OTHER MATERIAL THAT YOU MAY USE OR ACCESS USING THE CITY OF WARD INTERNET SERVICE. YOU UNDERSTAND AND AGREE THAT IT IS SOLELY YOUR
RESPONSIBILITY TO EVALUATE THE ACCURACY, COMPLETENESS AND USEFULNESS OF ALL OPINIONS, ADVICE, SERVICES, MERCHANDISE AND OTHER INFORMATION PROVIDED THROUGH THE CITY OF WARD INTERNET SERVICE OR ON THE INTERNET.

The rules may be revised at any time as needed.

I have read, understand, and accept this public internet workstation policy.

__________________________________  __________________________  _______
Signature  Phone Number  Date

__________________________________
Printed Name

__________________________________  ___________
Address  City  State