



**CITY OF CENTERTON
CITY COUNCIL MEETING
MARCH 14, 2023
6:00 PM**

(1) Pledge – The Pledge Allegiance was recited.

(2) Prayer – Amy Rochette offered the prayer.

(3) Roll Call - Those Present and answering Roll Call were Mayor Bill Edwards, Misty Elam, Darren Warren, Josie Reed, Keith Higginbotham, Justin Cowgur and Amy Rochette. Those present and not answering Roll Call were City Clerk Todd Wright, City Attorney Brian Rabal, HR Director Jocelyn Diaz, Financial Director Carl Rabey, Assistant Financial Director Shannon Zappettini, City Engineer Alan Craighead, Planning Director Lorene Burns, Fire Chief Matt Thompson (remote), Police Chief Cody Harper, Assistant Public Works Director Anthony Martinez, Chief Building Inspector Robert Coffelt and Parks Superintendent Josh Price.

(4) Council Minutes –

Josie Reed made a motion to Approve the Minutes of the February 14, 2023 and February 23, 2023 City Council Meetings, with a 2nd from Keith Higginbotham. All Council Members voted in favor and the motion carried.

CWSD, Planning Commission and Advertising and Promotion Minutes –

Keith Higginbotham made a motion to Acknowledge Receipt of the Minutes of the January 17, 2023 CWSD Meeting; the February 7, 2023 and February 21, 2023 Planning Commission Meetings; and the December 7, 2022 Advertising and Promotion Meeting, with a 2nd from Amy Rochette. All Council Members voted in favor and the motion carried.

(5) City and Court Financials -

Financial Director Carl Rabey addressed the Council, detailing the Financial Reports for February 2023. Revenue was at 15.55% and Expenses were at 12.59%. He also gave an update on the Investment Fund.

The February 2023 Court Report was contained in the Council packets.

Mayor Edwards asked the Council if there were any questions. There were none.

Keith Higginbotham made a motion to accept the February, 2023 City & Court Financials, with a 2nd from Amy Rochette. All Council Members voted in favor and the motion carried.

(6) Department Reports -

The Department Reports were in the Council Packets.

Amy Rochette asked for an update on the SmartGov Planning Software serviced by Brightly Software. Planning Director Lorene Burns gave an update, stating that it isn't as far along as she had hoped. There was discussion.

Mayor Edwards asked the Council if there were any other questions. There were none.

(7) Public Comments – None

(8) State of the City – Mayor Bill Edwards –

State of the City Address—2023

Ladies and Gentlemen of the Centerton City Council, and fellow citizens, as your Mayor I am honored to report to you the State of the City and its future needs.

I am grateful for the opportunity that the citizens have given me to serve the City of Centerton over the past 13 years, as your Mayor.

First, I am happy to announce that the City of Centerton is financially sound, and thru fiscal conservation, your Staff and City Council, who are good stewards of the taxpayer's money, have balanced its budget.

The 2022 Financial Statement has been presented, and as you see we are in a good financial condition.

Centerton continues to grow, and we are continuing to see new citizens every year. Our current estimated population is 20,276, according to worldpopulationreview.com, and we have grown almost 14 percent since the 2022 Census. Centerton has also grown to 13.6 square miles, and is ranked as the 23rd largest city in the state.

As the community grows, we are seeing more Commercial projects coming in. Currently under construction is a new 40,000sf Harps Store, Walgreens, Domino's Pizza, Centerton Retail Center, which will have 11 available commercial spaces, Centerton Animal Hospital and a new Muse Burger restaurant, just to name a few.

I would also like to report on a couple grant projects we are working on. Currently, we are working to construct sidewalks along Gamble Road to Bliss Street from Seba Road and then Bliss Street to D Street.

We are also working on Phase 2 of the McKissic Trail which will eventually connect to the Bentonville Trail System. We also plan on applying for the next round of TAP Grants for a sidewalk project to connect several existing sidewalks together.

The city is also working with ARDOT on the expansion of Highway 102 (West Centerton Blvd) from Main Street to Highway 279 South. The project was set to go out for bid in September, 2023, however the plan showed a roundabout near Sun Meadow Drive, which would cause five (5) local businesses to be displaced. That roundabout was removed from the project. The project will include 5 lanes and sidewalk on both sides of the roadway. The sidewalk on the south side of the road will be increased to a 10-foot side path, through a \$625,000 grant the city received. This will offer additional sidewalks in our community.

The city is also working with ARDOT to widen Main Street (State Highway 102B), to see if they will widen the road, repair it, and add sidewalks on both sides. The city could possibly then take over the road. We are also working with ARDOT on Highway 279 South (Vaughn Road), to get this project added to the next round of Road Improvements listing.

The Public Works Department have placed new asphalt in overlays and newly constructed roadway sections. Also new gravel base was installed, maintaining our existing roads and constructing new roadway sections. The city has worked to add amenities to our Sports Complex, which includes batting cages and lighting for the multipurpose field. The department is in the process of adding a dog park with new playground equipment and a parking area. Also in the works is a new Pump Track to be located on Seba Road. The city will also be applying for a grant to add more amenities to the Cornerwoods Park at Seba Road and Main Street, to include restrooms. The department also updated some equipment to include a Crack Seal Trailer and new Roller.

Our Planning Department has been very busy with several active projects. At any given time there are 12-15 different subdivisions, and several Commercial projects in some phase of development. The city has also adopted several updated codes as it continues to grow. This will help give direction for the future. The city also hired a Staff Engineer in 2022, which will help move projects along, assisting the different departments and working with Staff and Developers.

Centerton has seen a huge impact from construction, with a total of 13,719 inspections in 2022, with a total of almost \$1.4 million dollars in Building Permit Fees for the year. We saw a huge increase in 2022 of Commercial projects coming to the city, with many more services and restaurants coming to our community. In 2022 we had 895 New Residential Permits and 13 Commercial Permits. Also, most permits now are done online, along with scheduling, which streamlines the process.

The Code Enforcement Division was extremely busy with a large number of grass complaints in 2022. Since implemented, the Officer has been very proactive in identifying violators, which kept the number of complaints down for the year.

The city received and gave away over 500 trees in October, 2022 thanks to a grant from the Wal Mart Family Foundation. This has really enhanced the appearance of the community. We are planning another group of trees to be given away during Arbor Day.

The Centerton Police Department recorded 20,751 total calls for service in 2022. The department has recently changed radio systems to the Arkansas Wireless Information Network (AWIN), and all radios have been installed and issued to the officers. The department is in the process of hiring 4 additional officers that were budgeted for this year. Replacement vehicles have been a challenge to find, but the department has worked hard and found them. They install their own equipment, which saves taxpayers money.

The Centerton Fire Department responded to 1588 calls for service in 2022. It is currently staffed with 23 full-time firefighters, 5 part-time fire fighters, and 5 volunteers. Training is done on a continuous basis, with our firefighters attending 8100 hours in 2022. Our department also hosts training on a regular basis. The city has added its own Ambulance service, staffed with 12 Paramedics and EMT Personnel, and

provides service to the residents of Centerton. The city is currently working to add living quarters to Fire Station #2 on Highway 72, to house an ambulance and crew. The department has been working hard with ISO, with the Fire Rating now at ISO 2, and a goal of going to ISO 1, with the addition of a future Training Facility for both the Police and Fire Departments.

The Centerton Water and Sewer Department is currently increasing the size of the Commission to 5 Members, and is working on adding a new Water Tower at Fire Station #3, on the west side of the city. Centerton Animal Control is in the process of remodeling their facility. Our contract with Bentonville just ended in 2023, as they opened a new Pet Resource Center. Our Shelter uses Facebook to post dogs picked up. There is a great response from the community, not only reuniting pets but also adopting them from the Shelter. Also, the Shelter is featured once a month on KNWA Pet of the Month, as well as on KF5M Channel 5.

We have occupied the New City Hall and Court Facility for a year now, and things are going well. We plan on including funding in the 2024 budget to add onto the City Hall building, adding more offices, as the Staff and community continue to grow.

Lastly, I appreciate the opportunity I have had to work with each of you, and for the citizens of our community over the past 13 years. No Administration is complete without the support of the City Council and a loyal Staff of great employees. Our city has many hard-working employees from the Department Heads, to the troops that carry out the daily activities and duties to help keep our city running smooth and efficiently.

Thanks for a Job Well Done!!!

(9) Ordinances –

Justin Cowgur made a motion to Read Ordinances 2023-16, 2023-17, 2023-18, 2023-19, 2023-20, 2023-21, 2023-22 and 2023-23; and Resolution 2023-17 by Title only, with a 2nd from Amy Rochette. There was a roll call. All Council Members voted in favor and the motion carried.

Keith Higginbotham made a motion to Suspend the Rule Requiring the Reading on three (3) Separate Occasions for Ordinances 2023-16, 2023-17, 2023-18, 2023-19, 2023-20, 2023-21, 2023-22 and 2023-23, with a 2nd from Justin Cowgur. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2023-16 - AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ACCEPT THE WARRANTY DEED FOR LOT B AND LOT C IN THE BRIAR ROSE SUBDIVISION, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS BY RIVERWOOD HOMES, LLC.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept a Warranty Deed from Riverwood Homes, LLC, for property at Nomad Road and Seba Road. He said this property is where we will be building the Pump Track.

Mayor Edwards asked the Council if there were any questions. There were none.

City Attorney Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to adopt the Ordinance, with a 2nd from Josie Reed. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2023-17 - AN ORDINANCE ACCEPTING DEDICATION OF RIGHT OF WAY PER LOT COMBINATION PLAT FOR HARPS FOOD STORES, INC.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept ROW dedication from Harps Food Stores, resulting from a Lot Combination for the future expansion of Hwy 102 (W. Centerton Blvd).

Mayor Edwards asked the Council if there were any questions. There were none.

City Attorney Brian Rabal read the Ordinance by title only. Justin Cowgur made a motion to adopt the Ordinance, with a 2nd from Misty Elam. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2023-18 - AN ORDINANCE WAIVING BIDDING REQUIREMENTS FOR THE PURCHASE OF A 2022 DODGE RAM 1500 FROM STEVE LANDERS CHRYSLER DODGE LITTLE ROCK, ARKANSAS FOR THE CENTERTON BUILDING SAFETY DEPARTMENT.**

Mayor Edwards addressed the Council, stating that this Ordinance is to allow the purchase of a 2022 Dodge Ram 1500 for the Building Safety Department, for \$39,981.00. He said this vehicle purchase is included in the Building Safety Department budget.

Mayor Edwards asked the Council if there were any questions. There were none.

City Attorney Brian Rabal read the Ordinance by title only. Josie Reed made a motion to adopt the Ordinance, with a 2nd from Amy Justin Cowgur. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2023-19 - AN ORDINANCE ACCEPTING THE DEDICATION OF UTILITY AND DRAINAGE EASEMENTS BY PARKER AND RACHEL TESHIMA, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept Utility and Drainage Easements on Bush Road, per a Lot Split.

Mayor Edwards asked the Council if there were any questions. There were none.

City Attorney Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to adopt the Ordinance, with a 2nd from Misty Elam. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2023-20 - AN ORDINANCE WAIVING BIDDING REQUIREMENTS FOR THE PURCHASE OF 3-2023 CHEVROLET TAHOES FROM KARL AUTO GROUP ANKENY, IOWA FOR THE CENTERTON POLICE DEPARTMENT.**

Mayor Edwards addressed the Council, stating that this Ordinance is to waive the bidding requirements to purchase three (3) 2023 Chevrolet Tahoe's for the Centerton Police Department, for \$42,916.20, \$41,806.20 and \$42,866.20.

Police Chief Cody Harper addressed the Council, detailing his search for Police vehicles.

Amy Rochette asked if the previous Ordinance 2023-05 for four (4) vehicles needs to be annulled or amended. City Attorney Brian Rabal recommended Amending Ordinance 2023-05 at a future Council meeting.

Mayor Edwards asked the Council if there were any other questions. There were none.

City Attorney Brian Rabal read the Ordinance by title only. Misty Elam made a motion to adopt the Ordinance, with a 2nd from Keith Higginbotham. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2023-21 - AN ORDINANCE CHANGING THE STREET SUFFIX OF SUN MEADOWS COURT TO SUN MEADOWS LOOP ON THE FINAL PLAT OF THE BLISS STREET TWIN HOMES SUBDIVISION IN THE CITY OF CENTERTON, ARKANSAS; FILED ON RECORD WITH THE BENTON COUNTY RECORDER OF DEEDS AND RECORDS ON DECEMBER 30, 2022, INSTRUMENT NO. L202280118; AND DECLARING AN EMERGENCY.**

Mayor Edwards addressed the Council, stating that this Ordinance is to change the suffix of Sun Meadows Court to Sun Meadows Loop on the Final Plat of the Bliss Street Twin Homes Subdivision.

Mayor Edwards asked the Council if there were any questions. There were none.

City Attorney Brian Rabal read the Ordinance by title only. Josie Reed made a motion to adopt the Ordinance with a 2nd from Misty Elam. There was a roll call. All Council Members voted in favor and the motion carried. City Attorney Brian Rabal read the Emergency Clause. Amy Rochette made a motion to adopt the Emergency Clause with a 2nd from Justin Cowgur. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2023-22 - AN ORDINANCE AMENDING ORDINANCE 2021-71, PASSED AND APPROVED ON NOVEMBER 8, 2021, TO CORRECT SCRIVENER ERROR MADE IN EXHIBIT “A” FOR AN ERROR IN THE PLACEMENT OF THE SETBACK TABLE FOR R4-MF IN THE R3-SF ZONING DISTRICT; AND DECLARING AN EMERGENCY**

Mayor Edwards addressed the Council, stating that this Ordinance is to fix a Scrivener Error in Ordinance 2021-71, regarding the placement of a Setback Table for R4-MF in the R3-SF Zoning District.

Mayor Edwards asked the Council if there were any questions. There were none.

City Attorney Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to adopt the Ordinance with a 2nd from Misty Elam. There was a roll call. All Council Members voted in favor and the motion carried. City Attorney Brian Rabal read the Emergency Clause. Josie Reed made a motion to adopt the Emergency Clause with a 2nd from Justin Cowgur. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2023-23 - AN ORDINANCE CHANGING THE NAME OF CRESCENT STREET TO MOONRISE STREET IN THE HILLDALE SUBDIVISION IN THE CITY OF CENTERTON, ARKANSAS; AND DECLARING AN EMERGENCY.**

Mayor Edwards addressed the Council, stating that this Ordinance is to change the name of Crescent Street to Moonrise Street in the Hilldale Subdivision.

Fire Chief Matt Thompson addressed the Council, detailing reasoning behind the street name change.

Mayor Edwards asked the Council if there were any questions. There were none.

City Attorney Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to adopt the Ordinance with a 2nd from Josie Reed. There was a roll call. All Council Members voted in favor and the motion carried. City Attorney Brian Rabal read the Emergency Clause. Keith Higginbotham made a motion to adopt the Emergency Clause with a 2nd from Amy Rochette. There was a roll call. All Council Members voted in favor and the motion carried.

(10) Resolutions –

- **Resolution 2023-17 - A RESOLUTION TO DESIGNATE INDIVIDUALS AUTHORIZED TO PERFORM VARIOUS ACTIONS ON BEHALF OF THE CITY OF CENTERTON**

REGARDING THE CITY'S BANK ACCOUNTS AT FIRST NATIONAL BANK OF NWA, CENTERTON BRANCH; AND FOR OTHER PURPOSES.

Mayor Bill Edwards addressed the Council, stating that this Resolution is to add Shannon Zappettini to the First National Bank NWA accounts, with Carl Rabey's resignation.

Mayor Edwards asked the Council if there were any other questions. There were none.

City Attorney Brian Rabal read the Resolution by title only. Amy Rochette made a motion to adopt the Resolution, with a 2nd from Justin Cowgur. There was a roll call. All Council Members voted in favor and the motion carried.

(11) Discuss Moving Permit for Rama Garimidi – 7888 Vaughn Road -

Mayor Edwards addressed the Council, stating that the applicant for the Moving Permit for 7888 Vaughn Road requested the opportunity to share new information with Council and ask them to reconsider their denial of the Moving Permit at the last Council Meeting, due to concerns with Code Enforcement regarding the condition of the structure.

The Mayor and Applicant provided photos and information, showing remodel work being done on the structure. There was discussion.

Amy Rochette made a motion to take no action, with a 2nd from Keith Higginbotham. There was a roll call. All Council Members voted in favor. The Moving Permit remains denied.

(12) Accept Resignation of Jeremy Muse-Isom from the Centerton Parks and Recreation Advisory Board and Appoint Isaac Harris, Term Ending July 31, 2024 -

Mayor Bill Edwards addressed the Council, requesting that Council accept the resignation of Jeremy Muse-Isom from the Parks and Recreation Advisory Board and Appoint Isaac Harris, with Term ending July 31, 2024.

Mayor Edwards asked if there were any questions from Council. There were none.

Justin Cowgur made a motion to Approve the Resignation of Jeremy Muse-Isom from the Centerton Parks and Recreation Advisory Board and Appoint Isaac Harris, Term Ending July 31, 2024, with a 2nd from Misty Elam. All Council Members voted in favor and the motion carried.

(13) Accept Change Order from Weiss Fire and Safety on Brush Truck for Centerton Fire Department -

Mayor Bill Edwards addressed the Council, detailing a Change Order Request for Safety Items for the new Brush Truck for the Fire Department.

Fire Chief Matt Thompson detailed the items on the Change Order.

Justin Cowgur made a motion to approve the Change Order for the Brush Truck as presented, with a 2nd from Misty Elam. All Council Members voted in favor and the motion carried.

(14) Update on Highway 102B (Main Street) and Highway 279 South Improvements -

Mayor Edwards addressed the Council, providing letters from ARDOT acknowledging discussions with the City regarding Hwy 102B (N. Main Street) and Hwy 279 South.

There was no action from Council.

(15) Other Business –

- **Rausch Coleman Homes Lawsuit** – Council Member Amy Rochette asked for an update on the Rausch Coleman Lawsuit with the City. City Attorney Brian Rabal stated that the Municipal League is handling the case, and it is likely set for Review. He stated that the case would likely stay open, should either party not fulfill its obligations.

There was no action from Council.

(16) Executive Session –

Amy Rochette made a motion to enter into Executive Session at 7:34 PM, to discuss the Financial Director Position, with a 2nd from Misty Elam. All Council Members voted in favor and the motion carried.

Keith Higginbotham made a motion to exit Executive Session at 8:19 PM and return to the City Council Meeting, with a 2nd from Misty Elam. All Council Members voted in favor and the motion carried.

No action was taken by Council regarding the Financial Director Position.

Keith Higginbotham made a motion to allow the Mayor to hire a Temporary Financial Clerk at \$17.50/hour for 90 days, with a 2nd from Amy Rochette. All Council Members voted in favor and the motion carried.

(17) Announcements -

- **3/18/2023 – Coffee w/ Mayor @ 9:00 AM**
- **3/21/2023 – Planning Commission Meeting @ 6:00 PM**
- **3/28/2023 – Work Session @ 6:00 PM**
- **4/04/2023 - Planning Commission Meeting @ 6:00 PM**
- **4/11/2023 – City Council Meeting @ 6:00 PM**

(18) Adjourn -

Misty Elam made a motion to Adjourn at 8:20 PM with a 2nd from Josie Reed. All Council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk