



**CITY OF CENTERTON
CITY COUNCIL MEETING
MAY 9, 2023
6:00 PM**

(1) Pledge – The Pledge Allegiance was recited.

(2) Prayer – Todd Wright offered the prayer.

(3) Roll Call - Those Present and answering Roll Call were Mayor Bill Edwards, Misty Elam, Darren Warren, Josie Reed (Remote), 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, Assistant Financial Director Shannon Zappettini, Police Chief Cody Harper, Assistant Public Works Director Anthony Martinez, Chief Building Inspector Robert Coffelt and Parks Superintendent Josh Price.

(4) Council Minutes –

Keith Higginbotham made a motion to Approve the Minutes of the April 11, 2023 City Council Meeting, with a 2nd from Justin Cowgur. All Council Members voted in favor and the motion carried.

CWSD, Planning Commission and Parks & Recreation Advisory Board Minutes –

Keith Higginbotham made a motion to Acknowledge Receipt of the Minutes of the March 21, 2023 CWSD Meeting; April 4, 2023 and April 18, 2023 Planning Commission Meetings; and the March 6, 2023 Parks & Recreation Advisory Board Meeting, with a 2nd from Misty Elam. All Council Members voted in favor and the motion carried.

(5) City and Court Financials -

Assistant Financial Director Shannon Zappettini addressed the Council, detailing the Financial Reports for April 2023, as provided in the Council packets. Revenue was at 31.55 % and Expenses were at 29 %.

There was brief discussion about ambulance fees.

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

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

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

(6) Department Reports -

The Department Reports were in the Council Packets.

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

(7) Public Comments –

Thomas Loukes – 1421 Florentine Road – Mr. Loukes read a prepared statement regarding his opinion pertaining to what constitutes excessive force by police officers.

(8) Public Hearing – Sewer Capacity Fee Increase –

Misty Elam made a motion to open the Public Hearing, with a 2nd from Darren Warren. All Council Members voted in favor and the motion carried.

There were no Public Comments.

Keith Higginbotham made a motion to close the Public Hearing, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

(9) Ordinances –

Keith Higginbotham made a motion to Read Ordinances 2023-28 and 2023-29; and Resolutions 2023-21 and 2023-22 by Title only, with a 2nd from Darren Warren. 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 2023-28 and 2023-29, with a 2nd from Misty Elam. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2023-28 - AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, SECTION 10.12.12; ADJUSTING SEWER CAPACITY FEES; AND FOR OTHER PURPOSES.**

Mayor Edwards addressed the Council, stating that this Ordinance is to amend Centerton Municipal Code, Section 10.12.12, and adjusting Sewer Capacity Fees as presented. A list of the new fees was provided in the Council Packets.

Robert Anderson and Melvin Coffelt from the Centerton Water & Sewer Commission were present to answer any questions.

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 Justin Cowgur. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2023-29 - AN ORDINANCE ACCEPTING DEDICATIONS OF 10 FOOT DRAINAGE EASEMENTS BY SCHUBER MITCHELL HOMES IN THE TIMBER RIDGE SUBDIVISION, LOCATED IN S32-T20N-R31W, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, asking that they Table this Ordinance at this time.

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

Keith Higginbotham made a motion to Table the Ordinance with a 2nd from Misty Elam. All Council Members voted in favor and the motion carried.

(10) Resolutions –

- **Resolution 2023-21 - A RESOLUTION EXPRESSING THE WILLINGNESS OF CITY OF CENTERTON TO UTILIZE FEDERAL-AID FUNDS FOR THE FOLLOWING CITY PROJECT: MCKISSIC TRAIL PHASE 2.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to allow the city to enter into an agreement for an 80/20 matching 2024 Federal Grant, for the McKissic Trail Phase 2 Project. He said we were approved for \$500,000.00.

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

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

- **Resolution 2023-22 - A RESOLUTION AUTHORIZING THE CITY OF CENTERTON, ARKANSAS TO MAKE APPLICATION TO THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM FOR ASSISTANCE DEVELOPING RECREATIONAL FACILITIES.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to allow the city to apply for an Outdoor Recreation 50/50 matching Grant, to make improvements to the park at Keller Road and Seba Road. He said the amount of the Grant is up to \$250,000.00. He said we would like to install some playground equipment, restrooms and a BMX track.

There was discussion about signage and connection to Bentonville's trail system.

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

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

(11) Approve Invoice for Tree Giveaway from Grant Funding -

Mayor Edwards addressed the Council, asking for their approval of the Invoice for the Arbor Day Tree Giveaway (June 1-2). A copy of the Invoice was provided in the Council Packets.

Amy Rochette made a motion to approve the Tree Giveaway Invoice as presented, with a 2nd from Misty Elam. All Council Members voted in favor and the motion carried.

(12) Approve Change Order from S and K Dirt Works, Edgewood Road Project -

Assistant Public Works Director Anthony Martinez addressed the Council, detailing a Change Order for Dirt Work on Edgewood Road, raising the amount previously approved to \$37,166.00. He said there are available funds in the Street Fund budget.

Keith Higginbotham made a motion to approve the Change Order for Dirt Work on Edgewood Road, as Presented, with a 2nd from Misty Elam. All Council Members voted in favor and the motion carried.

(13) Other Business – None

(14) Announcements -

- **5/16/2023 – Planning Commission Meeting @ 6:00 PM**
- **5/20/2023 – Coffee w/ Mayor @ 9:00 AM**
- **5/22/2023 – Work Session @ 6:00 PM**
- **6/06/2023 - Planning Commission Meeting @ 6:00 PM**
- **6/13/2023 – City Council Meeting @ 6:00 PM**

(15) Adjourn -

Justin Cowgur made a motion to Adjourn at 6:33 PM with a 2nd from Misty Elam. All Council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk