



**CITY OF CENTERTON  
CITY COUNCIL MEETING  
JUNE 13, 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 (Remote), Darren Warren (Remote), 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, Assistant Financial Director Shannon Zappettini, City Engineer Alan Craighead, Planner I Kayla Knight, Fire Chief Matt Thompson, Police Chief Cody Harper, Assistant Public Works Director Anthony Martinez and Parks Superintendent Josh Price.

**(4) Council Minutes** –

**Josie Reed made a motion to Approve the Minutes of the May 9, 2023 and May 30, 2023 City Council Meetings, with a 2<sup>nd</sup> from Justin Cowgur. All Council Members voted in favor and the motion carried.**

**CWSD and Planning Commission Minutes** –

**Keith Higginbotham made a motion to Acknowledge Receipt of the Minutes of the April 19, 2023 and April 21, 2023 CWSD Meetings, and the May 2, 2023, May 16, 2023 and May 30, 2023 Planning Commission Meetings, with a 2<sup>nd</sup> from Amy Rochette. 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 May 2023, as provided in the Council packets. Revenue was at 46 % and Expenses were at 36 %. She also updated Council on the May 2023 Ambulance Billing.

The May 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 May, 2023 City & Court Financials, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor and the motion carried.**

**(6) Department Reports -**

The Department Reports were in the Council Packets.

- Assistant Public Works Director Anthony Martinez gave an update on the algae treatment of the Centerton Pond.

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

**(7) Public Comments –**

**Holly Brookhouser – 2951 Laurel Circle** – Ms. Brookhouser read a prepared statement regarding her negative interactions with the Centerton Animal Shelter, while working there as a volunteer. She also provided a detailed e-mail to Council. She asked for an update on the planned remodel of the Shelter, as well as training for the employees, and recommended new leadership at the Shelter.

**Romaine Kobilsek – 49 Cargill Drive** – Ms. Kobilsek expressed her disappointment with the Centerton Animal Shelter during the last decade, and recommended new leadership at the Shelter.

**Ally Rouse – 231 Coopers Way** – Ms. Rouse expressed disappointment with the Centerton Animal Shelter, detailing her concerns of lack of medical care and compassion.

**Joe Zumstein – 230 Town Vu** – Mr. Zumstein detailed a recent interaction with the Centerton Animal Shelter, where there was no follow-up from the Shelter Employees, regarding a found cat.

**Cheryl Lucius – 32 Smart Lane** – Ms. Lucius detailed some of her interactions with the Centerton Animal Shelter, detailing her concerns of lack of medical care during the employment of the previous Shelter Director.

**Police Chief Cody Harper** addressed Council responding to some concerns and detailing current and planned improvements to the Centerton Animal Shelter, regarding Staffing, Training, Facility Remodel and Software.

**Council Member Amy Rochette** asked for an update at the July City Council Meeting, regarding timelines.

**Council Member Darren Warren** asked if a report of abuse had been investigated and Chief Harper said it had. Warren recommended hiring someone with more experience to lead the Shelter.

**(8) Ordinances –**

**Keith Higginbotham** made a motion to Read Ordinances 2023-29, 2023-30, 2023-32, 2023-33, 2023-34 and 2023-35; and Resolutions 2023-23, 2023-24, 2023-25 and 2023-26 by Title only, with a 2<sup>nd</sup> from Josie Reed. 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 2023-29, 2023-30, 2023-32, 2023-33, 2023-34 and 2023-35, with a 2<sup>nd</sup> from Amy Rochette. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2023-29 - AN ORDINANCE ACCEPTING DEDICATIONS OF PUBLIC UTILITY EASEMENTS GIVEN BY SCHUBER MITCHELL HOMES OF 20 FEET ALONG THE REAR OF LOTS 116 & 117 AND 10 FEET ALONG THE REAR OF LOTS 63 & 64 IN THE TIMBER RIDGE PH 2 SUBDIVISION, LOCATED IN S32-T20N-R31W, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept dedication of Utility Easements in the Timber Ridge Subdivision Phase 2, from Schuber Mitchell Homes, as presented.

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 2<sup>nd</sup> from Josie Reed. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2023-30 - AN ORDINANCE CORRECTING A SCRIVENER ERROR ON THE SPELLING OF SHEPHERD BLVD ON THE FINAL PLAT OF THE BEQUETTE FARMS PH 2 SUBDIVISION IN THE CITY OF CENTERTON, ARKANSAS; FILED ON RECORD WITH THE BENTON COUNTY RECORDER OF DEEDS AND RECORDS ON FEBRUARY 18, 2022, INSTRUMENT NO. L202211410; AND DECLARING AN EMERGENCY.**

Mayor Edwards addressed the Council, stating that this Ordinance is to correct a scrivener error for the spelling of Shepherd Blvd on the Final Plat of the Bequette Farms Phase 2 Subdivision.

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 2<sup>nd</sup> from Amy Rochette. There was a roll call. All Council Members voted in favor, and the motion carried. Brian Rabal read the Emergency Clause. Keith Higginbotham made a motion to adopt the Emergency Clause, with a 2<sup>nd</sup> from Misty Elam. There was a roll call. All Council Members voted in favor, and the motion carried.**

- **Ordinance 2023-32 - AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO JOSEPH AND CINDIA ZUMSTEIN, FROM AGRICULTURE (A-1) TO NEIGHBORHOOD COMMERCIAL (C-3).**

Mayor Edwards addressed the Council, stating that this Ordinance is to approve a Rezone Request at 1092 N. Main Street. He said this property is shown as Neighborhood Commercial Use on the Adopted Land Use Map, and was recommended for approval unanimously by the Planning Commission at their 6/06/2023 meeting. A map was provided for Council. He said there was one (1) comment during the Public Comments, expressing concern with the Commercial Zoning and traffic, being adjacent to Residential Use.

Mayor Edwards asked the Council if there were any questions.

Amy Rochette asked how we get the State to improve Main Street, prior to more commercial development. She stated that she understood that Mayor Edwards is currently in communication with them. Mayor Edwards recommended that Council Members contact their State Legislator.

Mayor Edwards asked the Council if there were any other 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 2<sup>nd</sup> from Misty Elam. There was a roll call. All Council Members voted in favor, except for Amy Rochette and Justin Cowgur, who both voted NO, due to lack of improvements to Main Street, and the motion carried.**

- **Ordinance 2023-33 – AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO A AND J REAL ESTATE HOLDINGS LLC, FROM AGRICULTURE (A-1) TO MEDIUM-HIGH DENSITY SINGLE FAMILY RESIDENTIAL (R3-SF).**

Mayor Edwards addressed the Council, stating that this is an Ordinance to approve a Rezone Request from (A-1) to (R3-SF) on Holloway Road. He said this Rezone Request was recommended for approval by the Planning Commission at their 6/07/2023 meeting. He said

there were two (2) comments during the Public Comments, with both expressing concern with traffic safety and road conditions. A map was provided for Council.

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 2<sup>nd</sup> from Josie Reed. There was a roll call. All Council Members voted in favor, and the motion carried.**

- **Ordinance 2023-34 - AN ORDINANCE ACCEPTING THE FINAL SUBDIVISION PLAT OF THE DIAMOND ESTATES PHASE 5 SUBDIVISION, CREATING RESIDENTIAL LOTS 210 -275, CITY OF CENTERTON, S29-T20N-R31W, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept the Final Plat of the Diamond Estates Subdivision Phase 5.

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

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

- **Ordinance 2023-35 - AN ORDINANCE WAIVING BIDDING REQUIREMENTS FOR THE PURCHASE OF AN 2022 FORD F-550 AMBULANCE FROM PINNACLE EMERGENCY VEHICLES, CENTERTON, ARKANSAS FOR THE CENTERTON FIRE DEPARTMENT.**

Mayor Edwards addressed the Council, stating that this Ordinance is to waive the bidding requirements for the purchase of a 2022 Ford F-550 Ambulance for the Centerton Fire Department, in the amount of \$397,410.00. He said we have \$500,000.00 in our budget for this purchase.

Fire Chief Matt Thompson addressed the Council, detailing the need for this ambulance, to be used as a spare when needed. He said it will be housed at Station #1, and will be equipped, but not staffed at this time.

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

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

**(9) Resolutions –**

- **Resolution 2023-23 - A RESOLUTION EXPRESSING THE WILLINGNESS OF CITY OF CENTERTON TO APPLY FOR DEPARTMENT OF TRANSPORTATION SAFE STREETS FOR ALL (SS4A) IMPLEMENTATION GRANT FUNDING FOR GREENHOUSE ROAD AND AGREES TO THE 20% LOCAL MATCH REQUIRED BY THE FUNDER IF AWARDED.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to allow the city to apply for an 80/20 matching Grant for \$25,000,000.00, jointly with the City of Bentonville, for improvements to Greenhouse Road.

Mayor Edwards asked the Council if there were any 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 2<sup>nd</sup> from Misty Elam. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Resolution 2023-24 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH GRANT GARRETT EXCAVATING INC. ROGERS, ARKANSAS FOR MULTIPLE MILLING AND OVERLAY PROJECTS AND OTHER CITY PROJECTS THRU DECEMBER 31, 2023.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to allow the city to enter into an agreement with Grant Garrett Excavating Inc. (formerly Decco Construction) for milling and overlay projects in the city through 12/31/2023. He said we put this work out for bid and only received the one (1) bid. A copy of the bid was provided for Council.

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

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

- **Resolution 2023-25 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH CEI ENGINEERING, ASSOCIATES INC. BENTONVILLE, ARKANSAS FOR ADDITIONAL FLOOD REVIEW SERVICES FOR THE CITY OF CENTERTON, ARKANSAS.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to allow the city to enter into an agreement with CEI Engineering, for additional flood review services in the city.

He said we originally approved \$10,000.00 for these services. A copy of the amended Work Order was provided for Council.

Mayor Edwards asked the Council if there were any 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 2<sup>nd</sup> from Misty Elam. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Resolution 2023-26 - A RESOLUTION TO ADOPT A COMPREHENSIVE SAFETY ACTION PLAN AND VISION ZERO POLICY.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to allow the city to adopt a Plan from Northwest Regional Planning, to allow for the application of the Grant for Greenhouse Road improvement.

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 2<sup>nd</sup> from Josie Reed. There was a roll call. All Council Members voted in favor and the motion carried.**

**(10) Appoint Devin Murphy, John Sessoms and Joey Ingle to the Centerton Planning Commission, Term Expiring June 30, 2026 -**

Mayor Edwards addressed the Council, requesting their approval to Appoint Devin Murphy, John Sessoms and Joey Ingle to the Centerton Planning Commission, Term Expiring June 30, 2026.

There was discussion by Council, regarding the possibility of posting openings on the Planning Commission, when their Terms end. Mayor Edwards stated that the positions are currently posted when there is an open position. He said there are no Term Limits currently.

Misty Elam recommended that City Attorney Brian Rabal review the current bylaws, regarding the Terms of the Planning Commissioners. Council was in favor.

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

**Justin Cowgur made a motion to Appoint Devin Murphy, John Sessoms and Joey Ingle to the Centerton Planning Commission, Term Expiring June 30, 2026, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor, except for Amy Rochette, who voted NO, and the motion carried.**

**(11) Approve Estimate for Fire Truck Repair from Fire Master Fire Equipment Inc. -**

Mayor Edwards addressed the Council, asking for their approval of an estimate for repair of a fire truck, in the amount of \$21,150.00, from Fire Master Fire Equipment, Inc. A copy of the Repair Estimate was provided for Council.

**Misty Elam made a motion to approve an estimate from Fire Master Fire Equipment, Inc., in the amount of \$21,150.00 for Fire Truck Repair, with a 2<sup>nd</sup> from Keith Higginbotham. All Council Members voted in favor and the motion carried.**

Keith Higginbotham recommended that Council raise the Mayor's spending limit (without requiring Council Approval) to \$34,999.99. Mayor Edwards said that it would require changing the code. He said he could bring an Ordinance back to Council. Council agreed.

**(12) Acknowledge Receipt of \$212,440.00 Tree Grant from Walton Family Foundation -**

Mayor Edwards addressed the Council, acknowledging receipt of a \$212,440.00 Tree Grant from the Walton Family Foundation.

**Council Acknowledged Receipt.**

**(13) Surplus 2015 Chevrolet Tahoe from the Centerton Police Department, VIN# 1GNSK3KC4FR583440 -**

Mayor Bill Edwards addressed the Council, requesting to surplus a 2015 Chevrolet Tahoe from the Centerton Police Department. The VIN# was provided.

**Misty Elam made a motion to approve the Surplus of a 2015 Chevrolet Tahoe from the Police Department, as Presented, with a 2<sup>nd</sup> from Keith Higginbotham. All Council Members voted in favor and the motion carried.**

**(14) Discuss Agreement with TEC Staffing Services for Temporary Employees as Needed -**

HR Director Jocelyn Diaz addressed the Council, detailing a request for approval to use TEC Staffing Services for temporary employees, as needed for the city.

**Justin Cowgur made a motion to approve use of TEC Staffing Services, as Presented, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor and the motion carried.**

**(15) Other Business –**



- **Department Heads** – Mayor Edwards promoted Shannon Zappettini to Financial Director and Anthony Martinez to Public Works Director.
- **Main Street Crosswalk** – Mayor Edwards gave an update on a crosswalk design for Main Street, at the old City Hall.
- **Community Building** – Mayor Edwards gave an update on plans for the Community Building (The old City Hall building).
- **A&P** – Council Member Josie Reed addressed Council, stating that the A&P Commission met and accepted a proposal from John Newby with Truly Local to begin a Chamber of Commerce for the City of Centerton. She detailed the proposal and answered questions for Council. City Attorney Brian Rabal said he would review the Contract.
- **Grant Updates** – Mayor Edwards provided Council with an updated spreadsheet of the status of Grants the city has applied for.

**(16) Announcements -**

- **6/17/2023 – Coffee w/ Mayor @ 9:00 AM**
- **6/20/2023 – Planning Commission Meeting @ 6:00 PM**
- **7/05/2023 - Planning Commission Meeting @ 6:00 PM**
- **7/11/2023 – City Council Meeting @ 6:00 PM**

**(17) Adjourn -**

**Keith Higginbotham made a motion to Adjourn at 8:05 PM with a 2<sup>nd</sup> from Amy Rochette. All Council members voted in favor and the motion carried.**

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Bill Edwards, Mayor

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Todd Wright, City Clerk