



**CITY OF CENTERTON  
VIRTUAL  
CITY COUNCIL MEETING  
JULY 14, 2020  
6:00 PM**

**(1) Roll Call** - Those Present, via Zoom, and answering Roll Call were Mayor Bill Edwards, Keith Higginbotham, Wayne Low, Darren Warren, Misty Elam, Robin Reed and Josie Reed. Those present and not answering Role Call were City Clerk Todd Wright, City Attorney Brian Rabal, Financial Director Pam Grant, Planning Director Lorene Burns, Senior Planner Nicole Gibbs, City Planner Dianne Morrison Lloyd, City Planner Donna Wonsower, Planning Chairman Jeff Seyfarth, Police Chief Cody Harper, Fire Chief Matt Thompson, Director of Public Works Rick Hudson, Chief Building Inspector Robert Coffelt and Centerton Utilities Director Frank Holzkamper.

**(2) Council Minutes –**

**Wayne Low made a motion to Approve the Minutes of the June 9, 2020 City Council & July 8, 2020 Special City Council Meetings, with a 2<sup>nd</sup> from Robin Reed. All Council Members voted in favor and the motion carried.**

**Planning Commission, Board of Zoning Adjustments, Parks & Recreation & Water & Sewer Minutes –**

**Robin Reed made a motion to Acknowledge Receipt of the Minutes of the June 2, 2020 & June 16, 2020 Planning Commission Meetings, June 2, 2020 Board of Zoning Adjustment Meeting, June 8, 2020 Parks & Recreation Meeting and the May 19, 2020 CWSD Meeting, with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor and the motion carried.**

**(3) City and Court Financials-** Mayor Edwards stated that 50 % through the year we have received 53.93 % of our Budgeted Revenue. He stated that our Expenditures were at 48.27 %. He detailed some of the financials.

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

**Josie Reed made a motion to Accept the June, 2020 City & Court Financials, with a 2<sup>nd</sup> from Wayne Low. All Council Members voted in favor and the motion carried.**

**(4) Department Reports-**

The Department Reports were in the Council Packet. There were no questions.

Darren Warren recognized Lance Johnson for his 20 years of Service with the City. Robin Reed asked that we acknowledge City Staff for employment milestones. Mayor Edwards agreed, stating that he has a plan in place when we are able to meet in person.

**(5) Ordinances -**

- **Ordinance 2020-33- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO CAN-ARK REALTY – CENTERTON, LLC., FROM NEIGHBORHOOD COMMERCIAL (C-3) TO MEDIUM DENSITY RESIDENTIAL FOR SINGLE FAMILY USE (R-2 SF).**

Mayor Edwards addressed the Council, stating that this Ordinance is to rezone land in the Maple Estates Subdivision off of Gamble Road, from Neighborhood Commercial (C-3) to Medium Density Residential for Single Family Use (R-2). He said there was a Public Hearing on 5/19/2020 and there were public concerns. He said the Rezone Request was recommended for Approval by the Planning Commission. He said this item was tabled at our last meeting, due to citizen concerns about drainage. He said City Staff did meet with several the residents and the City Engineer has drafted and sent a response to the homeowners. He said they are still working through an issue with a resident on Silver Maple Street.

Mayor Edwards asked the Council if there were any questions. Misty Elam asked if there were any responses back from the homeowners, and he said he received a response from Mrs. Harper, which was forwarded to the Engineer, and he responded back. He said Chief Harper has met with Planning Director Lorene Burns since that time.

**Wayne Low made a motion to read the Ordinance by title only, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor and the motion carried. Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to suspend the rule requiring the reading of the Ordinance on 3 separate occasions with a 2<sup>nd</sup> from Misty Elam. All Council Members voted**

**in favor and the motion carried. Robin Reed made a motion to adopt the Ordinance with a 2<sup>nd</sup> from Keith Higginbotham. All Council Members voted in favor and the motion carried.**

- **Ordinance 2020-34- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO ACE UR GAME, LLC, FROM AGRICULTURAL (A-1) TO NEIGHBORHOOD COMMERCIAL (C-3).**

Mayor Edwards addressed the Council, stating that this Ordinance is to rezone land on N. Rainbow Farm Road, from Agricultural (A-1) to Neighborhood Commercial (C-2). He said there was a Public Hearing on 6/16/2020 and there were a few public comments, from noise, to dust from the graveled road, having commercial development next to residential properties, increased lighting, hours of business, affect on property values, and liability issues. He said the Applicant responded, stating that it would be a small use, only supporting about ten (10) players, with no outside lighting, little traffic increase and flexible hours of operation. He said the Rezone Request was recommended for Approval by the Planning Commission.

Mayor Edwards asked the Council if there were any questions.

Darren Warren said it seems out of place, and asked what the Current Land Use designates. City Clerk Todd Wright said it is designated as Mixed-Used, with multiple uses and encouraging bicycle and pedestrian traffic.

**Josie Reed made a motion to read the Ordinance by title only, with a 2<sup>nd</sup> from Wayne Low. All Council Members voted in favor and the motion carried. Brian Rabal read the Ordinance by title only. Misty Elam made a motion to suspend the rule requiring the reading of the Ordinance on 3 separate occasions with a 2<sup>nd</sup> from Keith Higginbotham. All Council Members voted in favor and the motion carried. Wayne Low made a motion to adopt the Ordinance with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor and the motion carried.**

- **Ordinance 2020-35- AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, SECTION 4.28.08 MOBILE VENDORS IN CITY PARK.**

Mayor Edwards addressed the Council, stating that this Ordinance is to set the monthly fee for Mobile Food Trucks on the north side of the Centerton City Park, at \$200.00. He said we currently charge \$10.00 per day they are Open and \$5.00.00 per day when Closed, with the average being about \$200.00 per month.

He said this is an attempt to simplify things from an accounting standpoint. He said we will pro-rate the fee if a vendor comes in the middle of the month.

Mayor Edwards asked the Staff and Council if there were any questions or comments.

Keith Higginbotham brought up the fact that we have had some inconsistent use, possibly costing someone from coming in that might be able to be more consistent. There was discussion about the option of doing a month to month rental if there are absentee issues.

**Darren Warren made a motion to read the Ordinance by title only, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor and the motion carried. Brian Rabal read the Ordinance by title only. Wayne Low made a motion to suspend the rule requiring the reading of the Ordinance on 3 separate occasions with a 2<sup>nd</sup> from Darren Warren. All Council Members voted in favor and the motion carried. Robin Reed made a motion to adopt the Ordinance with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor, and the motion carried.**

- **Ordinance 2020-38- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO MARCUS AND SHELBY REID, FROM AGRICULTURAL (A-1) TO LIGHT INDUSTRIAL (I-1).**

Mayor Edwards addressed the Council, stating that this Ordinance is to rezone lands on Daisy Road and Buckhorn Flats Road. He said there was a Public Hearing held on 7/7/2020, and the only question from the public was regarding adjacent road improvements. Rick Hudson responded that any improvements would be done as the land develops. Edwards said this Rezone Request was recommended for Approval by the Planning Commission.

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

**Wayne Low made a motion to read the Ordinance by title only, with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor and the motion carried. Brian Rabal read the Ordinance by title only. Josie Reed made a motion to suspend the rule requiring the reading of the Ordinance on 3 separate occasions with a 2<sup>nd</sup> from Keith Higginbotham. All Council Members voted in favor and the motion carried. Robin Reed made a motion to adopt the Ordinance, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor, and the motion carried.**

**(6) Resolutions -**

- **Resolution 2020-15- A RESOLUTION ADOPTING THE CENTERTON COMPREHENSIVE PLAN URSUANT TO ARKANSAS CODE ANNOTATED 14-56-414.**

Mayor Edwards addressed the Council, stating that this Resolution is to adopt the 2040 Comprehensive Plan. He covered some of background of the Plan from the last year and a half, which included community outreach, input from local developers, local businesses, Bentonville School District, XNA, Steering Committee, etc. He said the Plan has been on the City Website, we have had several public hearings and it has been through the planning Commission a couple of times. He said the Final Draft was presented at the last Planning Commission Meeting, where a resolution was approved, certifying the plan, and it was recommended to Council for approval.

Planning Commission Chairman Jeff Seyfarth addressed the Council, stating that we had a timeline of a year and a half, and thanked those involved. He thanked Houseal Lavigne for keeping us on track, through this challenging time. He thanked the Planning Staff, Department Heads, Steering Committee and the public input. He said we feel good about what we have in place, taking us through 2040. He said this Plan includes the Master Street Plan, Master Trails Plan, as well as Land Use. He said the Planning Group is excited and we appreciate the input we have received from the community.

Nik Davis from Houseal Lavigne was present for questions, as well as Senior Planner Nicole Gibbs, from Staff.

Mayor Edwards opened the item for Public Comments:

**This is a summary of the comments. A recording of the comments is available upon request. There were typed questions, comments and answers on Zoom, throughout this section of the meeting. Some were discussed openly and some were not.**

**Alyssa Sims** – Representing Deborah and James Hodges, who own property north of Rainbow Farm Road. She said the Plan shows Rainbow Farm Road extending to the north, splitting their property. She asked to be on record, objecting to that road going through their property. She said the Plan is really well done. She said her clients were unaware of the Comprehensive Plan meetings. She said her clients recognize and find concern with the fact that there is development to the north of their property and the road dead ends to the south of the property. She supported the idea of notifying affected property owners.

**Robin Reed** – Had multiple residents tell her they felt they didn't have a chance to be involved, asking that we not adopt the Plan until we are able to get back into the Community Room to review it. She said she heard there was a letter sent out,

opposing the Plan. She recommended delaying the vote. She said she was told this Plan does not “set things in stone”.

**Mayor Edwards** – Stated that this Plan is a Policy Document that will continually be reviewed. He stated that he was asked by Keith Higginbotham to open the Community Room for the June 16<sup>th</sup> Planning Commission Meeting, and nobody showed, as well as a couple more times.

**Misty Elam** – Stated that she also received feedback from citizens about not being aware. She said she thought we were sending a notice out in the water bill. She said she also understood this Plan does not “set things in stone”. She appreciated all of the hard work. She asked for a delay until the COVID situation calms down.

**Todd Wright** - Stated that we started the Comprehensive Plan meetings in 2018, well before COVID, and have had this Plan on the City Website and discussed it on social media, as well as our public meetings. He said he didn’t know what more we could do, other than go door to door. He pointed out the dates on the timeline, which allowed for public input. He said we tried to involve everyone from school-aged to adults, to current developers, future developers to local business owners and City Staff. He said have done everything we were required to do as a City, and went beyond that. He said at some point there has to be some responsibility for citizens to come out to the public meetings or get on the website or social media to hear about these things.

**Wayne Low** – Stated that we had a public meeting at The Ravington, that was lightly attended, as well as 2 meetings at City Hall that were published in the media. He said we have had TV and Radio coverage, as well as posting on the Fire Station sign. He said there was also a place on the website for comments to be made and a survey filled out, which was open for the last 9 months.

**Darren Warren** – Stated that he has participated in 4 Comprehensive Plans, and said it is difficult to get people to attend. He said he had heard complaints that citizens concerns were not taken into consideration, but not much on not being able to attend meetings.

**Nik Davis (Houseal Lavigne)** - Stated that the methods of advertisement of a Comprehensive Plan differ from community to community. He said he felt we put as many feelers out as we could. He said this has been a pretty robust level of engagement for a project of this size. He said he felt we had done a pretty good job getting the message out and giving the people opportunities to participate. He said the level of involvement has not greatly diminished since the outbreak of COVID. He said the reason these Comprehensive Plans exist for communities is to set Policy and Planning Principles for the next 15 to 20 years. He said this isn’t meant for direct implementation. He said a lot of what we are recommending will require additional studies. He said the reason people say “it’s not set in stone” is

because nothing in here is regulatory or is specifically tied back to implementation. He said this Plan might aid us in amending a Zoning Code, or updating regulations. He said there would be so many additional studies that would come out of this, that would be required before we would see something actually get built. He said that is when the details get worked out. He said the important part of this Plan is clearly indicating where future connections should be made, and what types of uses are appropriate for the future. He said it is not meant to be restrictive and is not the “absolute” moving forward. He said this is a Policy Document that establishes the “vision” of the City. **Todd Wright** said that one thing he has learned, is that there is some responsibility from a home-buyer or home-seller, for knowing what you are getting yourself into. He said any city that has a Comprehensive Plan, has it available, so you can see what the intent is for property you are buying or selling. He said it should be a tool to allow people who may want to buy or develop in our community, to be able to see what is available both now and in the future.

**Robert Coffelt** – Asked about sending certified mail to notify property owners that show proposed roads going through their parcels. He acknowledged that it is not required, but recommended being good neighbors. He mentioned that we went door to door for a Bond Issue, years ago, when we were a smaller community. He said we owe it to the citizens when there could be a road or a trail, or something else going through their property, to notify them. He said if you get feedback, you do; and if you don’t, you don’t. He said he wants what’s best for the community. **City Clerk Todd Wright** thanked Coffelt for his enthusiasm and his efforts in the community over the years, and cautioned the Council about notifying all citizens by certified mail. He said he felt Coffelt was mainly viewing the Plan from a perspective of things which could be detrimental, when actually the majority of the Plan could be a benefit to the citizens. He cautioned the city about sending certified letters telling people they may get an access to a bypass, or a park, or a walking trail, or other amenities, which maybe does not happen in the next 20 years. He said this Comprehensive Plan is a flexible document, which is just an overall plan that requires developers and partners to fulfil, more than what the City would be able to do on its own. He said he understood Coffelt’s interest from a personal level, but stated he felt this would be a risk for the City to blanket-mail certified letters. He said we have invited people to be a part of this, through several avenues, and some people want to be involved, and others don’t; and then others only want to be involved when it affects them. He said he doesn’t have all of the answers as to how to get people involved. He said even when the Plan is in place, we will still want community involvement. **Coffelt** said sometimes the people just trust their City Leaders. He said not notifying the citizens is just wrong. **Robin Reed** asked if we could just notify people through the Water Bill. **Darren Warren** said it feels like we are starting over from scratch again. He said people have had an opportunity since 2018 to be involved, and where do you allow them to come in and comment about all of the work which has already been done. **Keith Higginbotham** said although it has been worked on since 2018, not everyone has seen it since then. He said the current plan is not the one they would

have seen in 2018. He said he is getting feedback that people are unaware of the possibility of roads proposed to go through their property. He asked why this needs to be a Resolution if it is just a plan. He said he has been told that people at the City have told citizens that they don't have to respond to them. He said he is accountable to the voters, and the Planning Commission and Planning Staff are not. He recommended that the citizens all be able to come down to City Hall and see enlarged maps, to get the "big picture". He asked what he is supposed to tell the citizens. **Wright** said he can tell them it is a plan. **Darren Warren** asked the Council how many of them attended the meetings for the Plan, and determined it was less than 50%. **Higginbotham** said he heard that several streets were removed from the plan, but then added back on. **Wright** asked for specific roads, so he could follow up. **Higginbotham** said Shell Road. He said he went to bat for the developer because there was historical property involved, which would not allow for a road to come through, but was told the Planning Department told the developer he would still have to give up that land.

**Planning Chairman Jeff Seyfarth** reminded everyone of the timeline for input, and how it was crucial for us to have the input from the community from the beginning, including the schools. He said it was intentional in the beginning, to have a large map, and to allow for that input, to help shape it. He said we also reached out to some of the larger homeowner associations. He said we were very deliberate communication plan, and included Houseal Lavigne for some "best practices". He said the pre-work really has to be done on the front end, with the Community Outreach. He said we then started drafting the Plan, and revising it. He said we even opened the Community Room to the Public a couple of times during this COVID outbreak, at the request of Council, and had only one person show up. **Mayor Edwards** said we just had it open on June 9<sup>th</sup>, and had two people show up, and one was an ex-employee that lives in Bella Vista. He said we have a large following on social media. He said we have also discussed it in our Coffee with the Mayor meetings. **Seyfarth** said this did not happen, as us not getting any input, and then all of the sudden we have a large map and a Plan in place. He said there was lots of opportunity for public input.

**Todd Wright** - Mentioned that it appears that several of the Council Members have citizens that appear to contact them time and time again, that may not have access to social media or our meetings. He asked for their help identifying where we could do a better job as City Leaders, in reaching them. He said maybe we need to reach out a different way to them, or the Council Members need to reach out to them. He said if Council needs more information, if the Mayor not shared enough e-mails or we have not shared enough information, or the Planning Commission hasn't shared enough information or had enough meetings; then help us give you enough information for you to be able to go to those citizens. **Wright** said he feels like we have shared enough information, but maybe we haven't. He pointed back to Robert Coffelt's statement about getting the information to the citizens. He said this time it is the Comprehensive Plan, but next time it could be a Bond Issue or something else, so can we budget enough as a City to send certified

mail to every citizen every time we make a big decision in the city. He complimented the Mayor on his efforts on social media and the City Website, and some on the Council do a good job or sharing that information. He said we have a City Council Meeting every 2<sup>nd</sup> Tuesday of every month and a Planning Commission Meeting every 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of every month, and really don't have much public input in any of those meetings, unless there is a "hot topic".

**Mayor Edwards** said we have actually had better public turnout since our meetings have become virtual on Zoom.

**Rick Hudson** - Stated that we have worked very hard on this Comprehensive Plan. He said the Master Street Plan is reasonable, and the other documents that go along with this are planning for the future of this community. He said this will have an effect on property in the future. He said he thinks it is a good Plan and asked the Council to do their due diligence be sure they know what they are voting for.

**Nicole Gibbs** – Reiterated that this Plan is a Policy Document to guide the decisions and decision-makers, so that the Commission and the Council can use and adhere to this Policy Document, as they see reasonable. She said it is their document is there to help guide their decisions, on a long-range level. She said it is not meant to be restrictive or regulatory, but is meant to help guide decisions; giving information and data for those decisions, provided by the community, the region, stakeholder's, and data compiled by this process.

**Mayor Edwards** – Stated that this is a "working document" that we are required to review on a regular basis. He said one of his concerns as Mayor of the City, is that with the large number of homes being built, what we really want our community to look like. He said he sees all of the comments from people, asking for parks, trails, restaurants, etc. He said the feedback he has received about the Comprehensive Plan is that people like what they see. He said one thing that we will have to do after this is to update some of our City Codes.

**Todd Wright** – Asked Council if they chose not to vote in favor of the Plan tonight, to please give us specific reasons for concern, so that we can address those items.

**Robin Reed** – Recognized all of the hard work that has gone into the Plan, and asked if we could go the extra step of informing people via their Water Bill, and asking for their concerns and comments. She said she thinks it is a great plan, with some issues. She said Nicole Gibbs has clarified some things for her tonight. She asked that we revisit the Plan every 3 months as a Committee of the Whole, along with Staff. **Mayor Edwards** asked if we passed it tonight, we could agree to review it in one year, and include a stipulation that we include it in the Water Bills at that time. **Robin** asked that we put it in the Water Bill at this time, and

review the Plan possibly in 9 months, giving us plenty of time to review any feedback we might get.

**Keith Higginbotham** – Asked Nicole Gibbs if a property is not for sale now, and this Plan passes, and later on the property owner decides to develop; and a proposed road extension to nowhere, such as Shell Road, which can never happen; will the property owners to the west have to comply with this Plan, as far as ROW. **Nicole Gibbs** said if a development project comes in, depending on the impact of the development, we would ask them to dedicate ROW at the minimum, and could be required to do a half-street improvement, depending upon the development itself. She said those requirements happen with the Development Review. She said this Comprehensive Plan allows us to plan for and make connections, so that if a development is going in, houses are not being built where we know we are going to want a future connection, even if it is 20 or 50 years down the road. **Higginbotham** said the property owner on the corner of Shell Road and Rainbow Farm Road caved in, even though the road can't be built, so he has dedicated property to a road that will never exist. He said they were asked to donate that land based on a future plan that is not even on the books. He expressed concern that those types of things could be detrimental to future developers wanting to come to Centerton. **Rick Hudson** stated that we asked that developer to donate that land, based on the Future Master Street Plan. He said most of that land has a Detention Pond along it. He again said he thinks it is a decent Plan and asked the Council to have confidence on it before voting on it, because we are going to be asking for ROW and Adjacent Street Improvements at the time of development, etc. He said it will directly affect the cost of land in Centerton, but will provide you with the transportation system you need. He said it will affect people, but the Council, as leaders of the City, needs to have the confidence and foresight to say this is where our city needs to go, and what we want to do. **Wayne Low** stated that if this Plan was in place prior to the sale or purchase, then a developer would be aware of the intentions of the City. He gave an example of a request for a large commercial development that wanted to come in, but we had no vision for the future at that time. He said we don't want to end up like places in Bentonville or Rogers, where there is no connectivity.

**Sarah Thompson** – Stated that she has sat in on a couple of meetings with her husband, and asked if this is just a Plan, and there are some concerns from citizens and some Council Members, then why is it being pushed so hard to be passed tonight. She asked to hear from someone other than the City Clerk. **Mayor Edwards** stated that this is why we have a Public Meeting and bring it before the Council. He said we have been through the process. He said the Planning Commission has done their due diligence with it, and has brought it to the Council for their consideration for approval. He said the Council can approve it, approve it with contingencies or table it with further direction. **Thompson** asked for a Council Member to step up and make a motion to table it, since there are concerns. **Wayne Low** said the Council Members have been involved and have been aware of this since December 2018. He said it has come before us several

times, and we have been invited to Coffee with the Mayor and several other Public Meetings. He said this is not new to the Council, as we all knew about it. He said we could Table it, but he didn't know for how much longer, but it shouldn't be for another year while we wait to see what COVID will do. **Misty Elam** thanked the Planning Department and Houseal Lavigne for all of their work. She said the citizens and builders she spoke to today were adamant about the information being sent out in the Water Bill, as we have done in the past. She said she doesn't want to put this off a year, but wants to put something in the Water Bill, and maybe wait until next month to see if we get any feedback. She said the Plan is very lengthy and she has not read all of it yet. She said today was the first day she has received any feedback, and she was surprised, as it was the day of the presentation.

**Diana Allen** asked if larger maps could be posted in different locations in the City over the next several weeks or more. She suggested City Hall, the Post Office, Harps, WM Neighborhood Market or the Fire Station. **Mayor Edwards** said we could post it in the Lobby at City Hall, but other locations would have limited access due to COVID. He said we can put out a Public Notice if that is what the Council decides.

**Robert Coffelt** – Asked if the City just doesn't want to send notices by certified mail. He said with the Water Bill, you will get a lot of people that open it and not think twice about it. He said a lot of this Plan is where Streets and Trails are going through properties in the future. He asked if it was too much to ask, to identify those people, and make the best effort that we can. He said it is not that hard to do. **Misty Elam** agreed that those whose property is affected should get a certified letter, if it is not that difficult, and the rest are notified through the Water Bill. She was prepared to make a motion. **Josie Reed** agreed. **Rick Hudson** said this affects a 40-Acre parcel that will have to give up ROW and do Street Improvement on two sides. **Lorene Burns** stated that the Master Street Plan is not a Street Construction Plan. She said it is a document for the Planning Commission to consider when there is a development that comes in. She said at that time, the property owners that are directly affected, as well as a surrounding area will receive certified letters. She said to send certified letters to everyone in the city will be quite a job, and very expensive. She asked about the City Hall Project, as an example of how much should we have to notify the citizens. She said it is a Policy Document, not set in stone, to look at when a development comes in. She said the alignment of the streets may not end up exactly as shown on the Plan. She said they only show connections. She said the Road Keith Higginbotham spoke about was discussed with the City of Bentonville, and if the road doesn't work out because there is Flood Plain there, there might be access to a Trail System. She said the Comprehensive Plan allows for different options. She said if a Policy Document requires certified mail to every citizen, it likely puts precedence on everything else. She said we have gone above and beyond what is required for this Plan. **Coffelt** disagreed, stating that he only wanted to send certified letters to those with property affected by the Streets and Trails. **Burns** said the Streets and

Trails go through most properties. **Mayor Edwards** asked Misty Elam to restate her motion.

**Misty Elam made a motion to send certified letters to the property owners that this would erode or create a major change to their property, not to every citizen, put the information in the next Water Bill and see if we get any feedback.**

**City Attorney Brian Rabal** asked for a clear definition of “Major Change”. He said if we were going to limit who we were to send the letters to, we would completely need to define those parameters. He said that sounds like it would be difficult to do, considering the scope of the Plan.

**Misty Elam** asked if we could just send a letter in the mail to all of the citizens in the city.

**Josie Reed** asked why we couldn’t just put it in the Water Bill. She said she has spoken to her neighbors and some of them have been interested in the Comp Plan and some of them have had input, and some have not. She recommended a note in the Water Bill stating that this is coming before the Council for review, and you have 30 days to respond. She said she feels this should be the last outreach, as there has been a lot of discussion and a lot of work done on this Plan. She said she is very satisfied with what she sees. She said she is concerned about citizens that do not have internet and have not attended any of these open meetings, for whatever reason. She said we can also state that we will have these maps posted at City Hall, for a certain period of time. She said we also need to figure out a way to field the comments. She also cautioned that we do not want to go back and hash out things that were already resolved 6 months ago. Misty Elam agreed.

**Nik Davis of Houseal Lavigne** stated that the group seems to be very focused on the Master Street Plan. He said he did not know how you would define a potential improvement or potential change to a property. He said if you were to send out certified mail, you would have to send it to everybody. He said you could not pick and choose which roads you deem to be changing somebody’s property. He said the entire Plan is about Roads, Land Use, and Development Potential. He said to be equal and to be inclusive; you would have to send it to everybody. Misty Elam disagreed.

**Darren Warren** was confused by the Motion from Misty Elam, asking if she wished to table the item and ask for these other things.

**Rick Hudson** stated again that what are being presented are decent plans. He said not everyone will ever agree with this plan. He said Council has to walk away tonight the Plan presented is the best plan for the future of this city. He said you will not be able to contact everyone, because you are talking about a Master Street Plan, a Master Trail Plan and Rezoning. He said it will affect everyone in some

way. He said not everyone will even open certified mail. He recommended that Council do the best they can and feel confident in it. He didn't believe certified mail was the proper thing to do at this point.

**Misty Elam** said she is not questioning what is best for the City, but want to make sure our citizens are all aware, and the ones she spoke to today are not aware. She said she has heard from people that don't have social media and feel like they are being left out. She said she is not sure if they get out and around much. She just wants one more push. She agreed that it is a good Plan, with some things that could be tweaked later on, if that time comes.

**Jimmy Thompson** said the majority of this Plan doesn't affect 80% of the citizens of Centerton. He said most of those likely affected are in the rural areas. He recommended notifying those citizens. He said those people are not on social media. He said people are calling him, stating that they heard a road was going to go through their home. He said he told them not to worry about it, because the City would have to buy it from them. He said it has been going on for years. He said there were lines going through people's property 20 years ago when he was developing. He said most of the lines were on property lines. He said the people in the rural areas are just not aware of these things. He said he doesn't think the Plan should be rushed, and should wait until people can meet face to face. **Rick Hudson** said this does affect the rural farmer a lot.

**Darren Warren** asked again who Elam felt should be notified. She said anyone on the map, which shows it could be a possibility. He said based on his previous experience, the City of Bentonville mailed everyone in the City a notification, based on the data from the County. He detailed their process. He said **Nik Davis** of Houseal Lavigne could probably tell us what the response was. **Nik Davis** said the response from the Bentonville residence was substantially low. He added that the list needs to include the entire Planning Area. He said about 6800 parcels would need to be notified. **Warren** said typical certified mail is \$3.25/pc. (For 6800 parcels, it would total approx. \$22,100.00). He said he was not opposed to notification, however this option would be costly and time consuming to identify parcel ownership. **Misty Elam** said the Bentonville School District sends postcards to each household through MailCo, for around \$.37 each. She said that could be an option for those residents not directly affected. **Rick Hudson** said Staff has done everything they can do to advertise this Plan. He said we can put it in the mail or the Water Bill, but doesn't support the certified mail, because he gets 1 out of every 5 he sends out back unopened. He said if Council is not comfortable passing the Plan tonight, we should come up with the best possible ways to reach the citizens, whether it be a card or a Water Bill, or a combination of the two. He said we could utilize banners or social media again, to get the information back out one more time. He said at the end, the Council needs to be comfortable with this Plan. **Mayor Edwards** said an insert in the Water Bill would run about \$500.00- \$600.00, and would reach every Water Customer in our city limits, including those in our Water District. **Warren** again stated that he felt

Staff did a good job getting the information out, using multiple methods, throughout the process. **Josie Reed** agreed.

**Keith Higginbotham** said the Plan is already set in stone, because comments by both Nicole and Lorene from earlier said that if a developer comes in, they have to follow it. He said it hasn't even passed and it is already in effect. He asked that we move on.

**Jeff Seyfarth** said the focus has been on roads, but multiple people have stated that this opens up the opportunity for Trails and Land Use. He said there needs to be a defining moment, if it is the desire of the Council, which states what is described or defined as detrimental to a property. **Brian Rabal** said his concern with us not completely thinking out and clearly defining the term "detrimental", with all of the potential uses of this Plan, is that someone could be left out of the notifications, creating a possible "cause of action".

**Robin Reed** asked for one more push of the information to all of the citizens of Centerton, especially the ones on the outskirts. She said she wants to have access to all of the feedback, and then we can move on.

**Misty Elam made a motion to Table Resolution 2020-15 for the 2040 Comprehensive Plan, to send Certified Letters to citizens who would have detrimental effects on their property by this Plan, and to send out notifications in the CWSD Water Bill.**

**There was no 2nd and the motion died.**

**Darren Warren made a motion to Pass and read the Resolution 2020-15 for the 2040 Comprehensive Plan, by title only.**

**There was no 2nd and the motion died.**

**Robin Reed made a motion to Table Resolution 2020-15 for the 2040 Comprehensive Plan, to send out notifications in the CWSD Water Bill to all of citizens within the City Limits and our Planning Area, as well as posting the Maps in the City Hall Lobby during business hours. She said she will personally deliver a notice to those citizens on well water, with a 2<sup>nd</sup> from Misty Elam. (City Attorney Brian Rabal asked that this next be heard 60 days from the last mailing of notification from CWSD). All Council Members voted in favor, except for Darren Warren, who voted NO, and the motion Carried.**

There was lengthy discussion about timing for getting the notice in the water bill, as well as timing to receive comments and scheduling a Public Hearing. **Todd Wright** asked if we needed to just Table this item for 30 days, so that we can be sure we have a clear understanding and timeline. He also wanted to be sure that

we are not setting precedence that anything we do in the city does not have to be handled necessarily this way. **Brian Rabal** said his position is that the city has already met the legal requirement for providing notice regarding this matter. **Wayne Low** asked that the notification include the websites and a way to send comments. He asked that set a Public Hearing date after we know when this mailing will go out. **Josie Reed** asked that the Plan be posted in the City Hall Lobby in the meantime. **Misty Elam** asked that all Council Members receive the responses from citizens, as well as the Mayor and who else is deemed. **Brian Rabal** suggested that when we meet for a Public Hearing, those comments be presented to Council, similar to the way the City Clerk is reading some of the public comments this evening. **Mayor Edwards** said he would post those comments in Dropbox for Council.

- **Resolution 2020-16- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN EQUIPMENT RENTAL AGREEMENT WITH J.A. RIGGS TRACTOR COMPANY, SPRINGDALE, ARKANSAS, FOR RENTAL OF A CATERPILLAR MODEL 430 BACKHOE/LOADER.**

Mayor Edwards addressed the Council, stating that this Resolution is to enter into a rental agreement with J.A. Riggs Tractor Company for rental of a Caterpillar Model 430 Backhoe/Loader, for the Street Department. He said the lease for the current backhoe at the Street Department is up this month. He said Rick Hudson took bids, and J.A. Riggs was the low bid.

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

**Keith Higginbotham made a motion to read the Resolution by title only, contingent upon contract review by the City Attorney, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor, and the motion carried. Brian Rabal read the Resolution by title only. Wayne Low made a motion to adopt the Resolution, with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor, and the motion carried.**

- **Resolution 2020-17- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN EQUIPMENT RENTAL AGREEMENT WITH J.A. RIGGS TRACTOR COMPANY, SPRINGDALE, ARKANSAS, FOR RENTAL OF A CATERPILLAR MODEL 430 BACKHOE/LOADER.**

Mayor Edwards addressed the Council, stating that this Resolution is to enter into a rental agreement with J.A. Riggs Tractor Company for rental of a Caterpillar Model 430 Backhoe/Loader, for the Parks Department. He said the lease for the current backhoe at the Parks Department is up next month. He said Rick Hudson took bids, and J.A. Riggs was the low bid.

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

**Robin Reed made a motion to read the Resolution by title only, contingent upon contract review by the City Attorney, with a 2<sup>nd</sup> from Wayne Low. All Council Members voted in favor, and the motion carried. 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. All Council Members voted in favor, and the motion carried.**

- **Resolution 2020-18- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN EQUIPMENT AGREEMENT WITH NABHOLZ CONSTRUCTION SERVICES ROGERS, ARKANSAS FOR A CONSTRUCTION MANAGER FOR THE NEW CITY HALL AND MEETING FACILITY.**

Mayor Edwards addressed the Council, stating that this Resolution is to enter into an agreement with Nabholz Construction Services for a Construction Manager for the New City Hall and Meeting Facility Project. He said we took requests for qualifications and received ten (10) applicants. He said we interviewed seven (7) of the candidates, as a Committee of himself, Lorene Burns, Robert Coffelt, Rick Hudson and Pam Grant, as well as architect Josh Siebert.

Representatives from Nabholz: Jason Vines, Paul Hively and Robb Dodd made a presentation to the Council

Mayor Edwards asked the Council if there were any questions.

Robin Reed asked what the timeline of the build-out is. Nabholz stated that it appears to be a 10-12 month build, and they plan on starting in approx. 2 months. Mayor Edwards said the next step is to put the project out to bid, which is a 30-day process. He said the Committee will sit down and look at the numbers and hopefully come back to City Council, with a guaranteed maximum price, at the 9/08/2020 meeting. Keith Higginbotham asked if they feel it can be built in the budget we are proposing. Jason Vines said they have reviewed the plans and feel it is a reasonable target. Josie Reed pointed out that the Project Manager Fees are based on the total cost of the project. Mayor Edwards said the Guaranteed

Maximum Price will include their fees. City Attorney Brian Rabal said he made some requests regarding FOI and some Arbitration Language in the contract.

**Darren Warren made a motion to read the Resolution by title only, contingent upon contract approval by the City Attorney, with a 2<sup>nd</sup> from Keith Higginbotham. All Council Members voted in favor, and the motion carried. Brian Rabal read the Resolution by title only. Wayne Low made a motion to adopt the Resolution, with a 2<sup>nd</sup> from Keith Higginbotham. All Council Members voted in favor, and the motion carried.**

- **Resolution 2020-19- A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE PARTIAL VACATION OF UTILITY EASEMENTS LOCATED ON LOT 40, OSAGE CREEK PHASE 2, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS, AKA 1351 LITTLE OSAGE LANE.**

Mayor Edwards addressed the Council, stating that this Resolution is to set a date for a Public Hearing, for a Variance Request to Partially Vacate Utility Easements in the Osage Creek Subdivision. He said it will go to the Planning Commission next, for their review, before coming back to the City Council on 8/11/2020.

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

**Misty Elam made a motion to read the Resolution by title only, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor, and the motion carried. Brian Rabal read the Resolution by title only. Robin Reed made a motion to adopt the Resolution, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor, and the motion carried.**

- **Resolution 2020-20- A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE PARTIAL VACATION OF UTILITY EASEMENT LOCATED ON LOT 117, TUSCANY PHASE II REPLAT, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS, AKA 1311 MONTIERI DRIVE.**

Mayor Edwards addressed the Council, stating that this Resolution is to set a date for a Public Hearing, for a Variance Request to Partially Vacate Utility Easements in the Tuscanly Subdivision. He said it will go to the Planning Commission next, for their review, before coming back to the City Council on 8/11/2020. .

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

**Keith Higginbotham made a motion to read the Resolution by title only, with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor, and the motion**

**carried. Brian Rabal read the Resolution by title only. Misty Elam made a motion to adopt the Resolution, with a 2<sup>nd</sup> from Wayne Low. All Council Members voted in favor, and the motion carried.**

**(7) Approve Gonzales Moving Permit - 8550 N. Tycoon Road -**

Mayor Edwards addressed the Council, stating that this is to approve a Moving Permit for a structure that has already been moved. He said Mr. Gonzales was told by his moving company that they had acquired all of the permits, but they did not. He said they do need this Moving Permit to schedule Inspections and Utility connections. He said they paid the \$100.00 Permit Fee. He said this came before the Planning Commission on 7/07/2020 and they recommended it for approval by the City Council, with no fees or bonds. Josie Reed wanted to make sure we did not set precedence, by not charging any fees. Robert Coffelt said there are other issues that Staff was not aware of, but we just need to approve this so Mr. Gonzales can move forward.

**Keith Higginbotham made a motion to Approve MOV20-02: Gonzales Moving Permit – 8550 N. Tycoon Road, with a 2<sup>nd</sup> from Misty Elam. All Council members voted in favor and the motion carried.**

**(8) Appoint Joshua Hulett, Robin Reed, Jeremy Isom, Angela Clark and Sara Brady to the Centerton Parks & Recreation Advisory Board - Term to Expire July 31, 2022 -**

Mayor Edwards addressed the Council, stating that all of these members have agreed to remain on this board. Misty Elam asked if all of the members live within the Centerton City Limits. Robin Reed stated that there is nothing in the By-Laws that require that.

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

**Keith Higginbotham made a motion to Appoint Joshua Hulett, Robin Reed, Jeremy Isom, Angela Clark and Sara Brady to the Centerton Parks & Recreation Advisory Board - Term to Expire July 31, 2022, with a 2<sup>nd</sup> from Wayne Low. All Council members voted in favor and the motion carried, Robin Reed abstained, as she is a member of the Parks & Recreation Advisory Board.**

**(9) Eliminate Two (2) Seasonal Positions in Parks Department, Replace with Full-Time Employee -**

Mayor Edwards addressed the Council, stating that we hire Two (2) Seasonal Employees through October of each year, for the Parks Department, to assist with the mowing. He said one of our Seasonal Employees (Bowen Kinsey) is leaving us early, to return to college, and we would like to promote Nathan Turner to Full-Time. He said this will not affect the Budget.

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

**Robin Reed made a motion to eliminate two (2) Seasonal Positions in the Parks Department and Replace with one (1) Full-Time Position, with a 2<sup>nd</sup> from Misty Elam. All Council members voted in favor and the motion carried.**

**(10) Request Purchase of 2020 Dodge Ram Truck for Street Department -**

Mayor Edwards addressed the Council, requesting the Purchase of a 2020 Dodge Ram Truck for the Street Department, at the State Bid Price of \$24,308.00. He said it is a white Crew-Cab 4x4 and will include a Tow Package and bed liner. He said this purchase will come out of the Street Fund. Rick Hudson said he will move some vehicles around, to send a lesser truck to the Parks Department for use at the ball fields.

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

**Robin Reed made a motion to Approve the purchase of a 2020 Dodge Ram Truck for the Street Department, with a 2<sup>nd</sup> from Misty Elam. All Council members voted in favor and the motion carried.**

**(11) Request Purchase of two (2) 2020 Dodge Durango's for Police Department Department -**

Mayor Edwards addressed the Council, stating that we budgeted for four (4) Police Cars for this year. He said we received a car from last year. He said we have already ordered two (2) new cars, to replace a 2012 Tahoe (99,942 miles) and 2014 Tahoe (101,948 miles). He said those cars should arrive in August. He asked Council for approval to purchase two (2) 2020 Dodge Durango's, to replace a 2013 Tahoe (94,388 miles) and a 2014 Tahoe (93,984 miles). He presented a report to Council showing the mileage of all of the Police Department Vehicles. He said the date for dealerships to place orders has passed, but he has spoken with a Dodge dealership that would earmark two (2) 2020 Dodge Durango's for us, **at the State Bid Price of \$27,987.00 (plus an additional \$590.00 if they come in with spot lights included)**. He said these vehicles could come in in August, September or October. He asked to pay for one (1) of the vehicles with Act 988

Funds, and one (1) out of the General Fund. He said it looks like we will only need to purchase two (2) vehicles next year.

Mayor Edwards asked the Council if there were any questions.

Robin Reed questioned the amount of production from our officers. She supported the two (2) vehicles we have coming, but not another two (2) this year. Keith Higginbotham mentioned the cost of maintenance and the difficulty in getting vehicles on State Bid. There was discussion about different vehicle types. Chief Harper said the Durango's are a new vehicle to us, but the room is nice. He said they are a V-6. He said the reason we have several different vehicle types in our PD is because of budget and availability. Harper responded to the question about officer activity, stating that prior to March of this year, we were on a record pace for officer activity, and the COVID-19 hit. He said we are trying to make sure we are limiting the exposure to our officers and to the citizens. Misty Elam asked about officer Protection Gear. Chief Harper said they all have Protection Gear, with some replacements on order. He said they have some specific Face Gear and he and the Mayor are looking at other options.

**Keith Higginbotham made a motion to Approve the purchase of two (2) 2020 Dodge Durango's for the Police Department, with a 2<sup>nd</sup> from Wayne Low. All Council members voted in favor, except for Robin Reed, who abstained, and the motion carried.**

**(12) Appoint Planning Commissioner - Term to Expire June 30, 2023 -**

Mayor Edwards addressed the Council, stating that we have an opening on the Planning Commission and had 13 applicants. He said he, Planning Commission Chairman Jeff Seyfarth and Planning Director interviewed several of the applicants, and chose John Sessoms to fill that opening.

There was discussion about looking at adding a 9<sup>th</sup> position to the Planning Commission, to aid in breaking a tie vote. He said he doesn't feel that it will have a big effect on the budget. He said we would need to amend the By-laws. Council agreed. He said we will take it to the Planning Commission.

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

**Wayne Low made a motion to Appoint John Sessoms to the Planning Commission - Term to Expire June 30, 2023, with a 2<sup>nd</sup> from Josie Reed. All Council members voted in favor and the motion carried.**

**(13) Discuss COVID-19 Mask Ordinance/Resolution -**

Mayor Edwards addressed the Council, presenting them with a Model Mask Ordinance from the Governor's Office. He explained what the Ordinance mandates. He said it does not mandate the wearing of masks city-wide. He said it does support local business's that choose to mandate the wearing of masks. He pointed out that businesses currently have those rights individually, but this gives the support of the city government. He pointed out that the State already has some directives in place, for indoor facilities, outdoor facilities, restaurants, hair salons, etc. He said this Ordinance does not offer any enforcement, other than sending officers to a business if the owner calls, to inform and educate the person(s) about the Mask Ordinance. He said they can support the business and ask them to leave, or respond to a trespassing charge, if filed. He also included a similar Mask Resolution for the Council to consider. He said the surrounding communities are about 50/50 in support of the Ordinance. He said some are passing them and some are not. He said some have passed Resolutions and some have passed Ordinances. He said the City of Bentonville passed a Resolution last month, and then passed the Ordinance tonight. He said our Police and Fire Departments are willing to educate any way we can. He said he is in support of either the Ordinance or the Resolution.

**Wayne Low** had a concern conflicting language with Section 1 and Section 2 of the Ordinance, saying that Section 1 states "the City of Centerton requires the usage of facial coverings" and then in Section 2 states "Law Enforcement will act in support capacity to those businesses that wish to enforce the use of masks". He said it still does not say that City-Wide, this Ordinance is going to require masks in every business. He said it will still be up to the business to decide. He asked why to pass an Ordinance, which is a Law in a city. He said he personally supports the wearing of masks. He said he feels that residents that support the wearing of masks are probably already wearing them, and for those that don't want to, there probably won't be any good to come out of passing this Ordinance. He preferred passing the Resolution, if either is to be passed. He said he believes the Governor will need to mandate this State-Wide.

**Brian Rabal** said he doesn't have a good answer, as the Governor of Arkansas has chosen not to Mandate it. He said it appears to be mostly political reasoning. He said there appears to be some science behind the idea that it is better for folks to wear masks, and the question becomes whether we want to allow businesses to do so. He said he thinks this Ordinance is allowing the City to indicate its preference for the usage of masks and to support businesses that want to do so. He said he doesn't see it having much true impact, as a business could require customers to wear a mask currently, if they so chose to do so, and have those customers that won't wear them trespassed out. He said he doesn't believe there is any discernable legal difference between the Resolution and the Ordinance, adding that there is a Sunset Provision, which automatically voids it, should it be determined that an emergency no longer exists, and it is set to expire December 31, 2020. **Misty Elam** asked for clarification between the two. He said the Ordinance could arguably become Municipal Code, rather than Policy in regard to

the Resolution. He said ultimately, the result would be the same. He said in the case of the Resolution, a Police Officer would not have to educate if he did not want to. He reiterated that the Police will only be involved if they are contacted by a business. He said they would be responding to a Trespass, not a Mask Violation. He said he would favor the Ordinance over the Resolution, because the Arkansas Municipal League has been working with the Governor and has drafted this Ordinance as the best solution for most municipalities.

**Cody Harper** said it would essentially be the same thing as a business wanting the Police Department to remove a patron or to do a trespass at an establishment.

**Robin Reed** said she is on board with what the Governor is recommending. She said she also supports the rights of the individual businesses to make that decision.

**Keith Higginbotham** agreed that businesses can already do this. He pointed out that Bentonville had previously passed the Resolution and then passed the Ordinance tonight. He recommended passing the one or the other. He said the mask is the best line of defense that an individual currently has. He mentioned other national big businesses that are beginning to require the wearing of a mask.

**Robert Coffelt** said he has worked through this entire outbreak and has chosen not to wear a mask. He said he supported those that want to wear a mask to wear one. He didn't support the City Government getting involved. He said he does wear a mask in other cities where it is required. He supported Social Distancing and cleaning.

**Diana Allen** stated that the science states that masks are helpful in reducing transmission. She supported protecting the people around you. She said with Rights comes Responsibility. She said it is important for the City to set an example. She questioned City Leaders not setting a good example. She state concern with our effectiveness as a State. She supported the passing of the Ordinance. She pointed out that even those that have recovered from COVID-19 can have long-term lingering effects.

**Misty Elam** said she had a couple of Business Owners contact her today, asking about people who are unable to wear masks. She said she thinks we need to pass the Ordinance, not wanting to put more pressure on the Police Department.

**Joshua Anderson** said the Ordinance just reiterates the power that businesses already have to Trespass someone. He said the Ordinance appears to be more about public image. He was concerned that the Ordinance would cause an unnecessary uptick in people calling the Police, also creating a burden on dispatch.

**Misty Ford** supported passing this to show support for local businesses and city residents. She mentioned increased traffic with school starting in August. She also pointed out that we have a Nursing Home in Centerterton, with elderly that can't fight for themselves.

**Andrew Sova** said he has a background in Public Health, Bio-Security and Disaster Preparedness. He said he worked for the Arkansas Department of Public Health a couple of years ago. He said he has been tracking and trending COVID-19 since the outbreak in Wuhan, China. He shared his statistics. He said he believes our immune systems will fight the virus off and overcome it. He said he does not support the wearing of masks, citing his experience with Tyson Foods.

**John Box** said Mr. Sova covered most of his points. He said passing this Ordinance or Resolution accomplishes nothing more than what is already in place, for businesses.

**Todd Wright** said he manages a business in Centerterton, and is in favor of the public support from the City. He said most citizens aren't aware that businesses currently have this right, so this outward expression of support from local Government toward their businesses could be helpful to some businesses and citizens.

**Misty Elam** made a motion to read Ordinance 2020-39 by title only, with a 2<sup>nd</sup> from Darren Warren. Misty Elam, Darren Warren, Keith Higginbotham, Wayne Low and Robin Reed voted YES and Josie Reed voted NO, and the motion carried. Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to suspend the rule of reading the Ordinance on 3 separate occasions, with a 2<sup>nd</sup> from....

**Misty Elam asked to recant her motion on the Ordinance, stating that she thought she was making a motion for the Resolution. Robin Reed agreed. There was discussion. City Attorney Brian Rabal recommended starting at the beginning, with a motion and a 2<sup>nd</sup> for the Ordinance.**

**Darren Warren** made a motion to read Ordinance 2020-39 by title only, with a 2<sup>nd</sup> from Keith Higginbotham. Darren Warren, Keith Higginbotham and Wayne Low voted YES and Misty Elam, Robin Reed and Josie Reed voted NO, creating a tie. Mayor Edwards voted YES and the motion carried. Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to suspend the rule of reading the Ordinance on 3 separate occasions, with a 2<sup>nd</sup> from Darren Warren. Darren Warren, Keith Higginbotham and Wayne Low voted YES and Misty Elam, Robin Reed and Josie Reed voted NO, creating a tie. Mayor Edwards voted YES and the motion carried. Darren Warren made a motion to adopt the ordinance, with a 2<sup>nd</sup> from Keith Higginbotham. Darren Warren, Keith Higginbotham and Wayne Low voted YES and Misty Elam, Robin Reed and Josie Reed voted NO, creating a tie.

**Mayor Edwards voted YES 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 Darren Warren. Darren Warren, Keith Higginbotham and Wayne Low voted YES and Misty Elam, Robin Reed and Josie Reed voted NO, creating a tie. Mayor Edwards voted YES and the motion carried.**

Mayor Edwards stated that he will draft a letter to this effect tomorrow and will mail it to all local businesses.

**(14) Public Comment - None**

**(15) Other Business - None**

**(16) Announcements -**

- **7/18/2020 – Coffee with the Mayor (Virtual Meeting) 9:00am**
- **7/21/2020 – Planning Commission (Virtual Meeting) 6:00pm**
- **8/04/2020 – Planning Commission (Virtual Meeting) 6:00pm**
- **8/11/2020 – City Council Meeting (Virtual Meeting) 6:00pm**

**(17) Adjourn -**

**Wayne Low made a motion to Adjourn at 10:27 PM with a 2<sup>nd</sup> from Misty Elam. 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