



**CITY OF CENTERTON  
CITY COUNCIL MEETING  
NOVEMBER 12, 2019**

- (1) **Pledge** - The Pledge of Allegiance was recited.
  
- (2) **Prayer** - The prayer was offered by Keith Higginbotham.
  
- (3) **Roll Call** - Those Present and answering Roll Call were Mayor Bill Edwards, Keith Higginbotham, Wayne Low, Darren Warren, Robin Reed, Misty Elam 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, Police Chief Cody Harper, Fire Chief Matt Thompson, Animal Control Supervisor Terry Sanchez, Director of Public Works Rick Hudson and Bill Tyler from Centerton Public Works. Chief Building Inspector Robert Coffelt was absent.

(4) **Council Minutes** –

**Wayne Low made a motion to Approve the Minutes of the October 8<sup>th</sup>, 2019 City Council Meeting, with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor and the motion carried.**

**Planning Commission, Advertising & Promotion and Water & Sewer Minutes –**

**Keith Higginbotham made a motion to Acknowledge Receipt of the Minutes of the October 1<sup>st</sup>, 2019 and October 15<sup>th</sup>, 2019 Planning Commission Meetings, April 18<sup>th</sup>, 2019 Advertising & Promotion Meeting, and September 17<sup>th</sup>, 2019 CWSD Meeting, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor and the motion carried.**

- (5) **City and Court Financials-** Mayor Edwards stated that 83.33% through the year we have received 94.23% of our Budgeted Revenue. He stated that our Expenditures were at 92.94%. Mayor Edwards detailed some of the October revenue and expenditures for the Council:

**Wayne Low made a motion to Accept the October, 2019 City and 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.

- (7) **Ordinances -**

- **Ordinance 2019-33- AN ORDINANCE ACCEPTING VARIOUS UTILITY EASEMENT DEDICATIONS AT 1721 E. CENTERTON BLVD, BY OUT OF THE BOX VENTURES LLC, PER EASEMENT DEDICATION PLAT FOR PROPERTY LOCATED IN PART OF THE NW ¼ OF THE FRACTIONAL SECTION 2, TOWNSHIP 19N, RANGE 31W, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept easement dedications at the Popeye's restaurant, which was recommended for City Council Approval by the Planning Commission at their 10/15/19 meeting.

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

**Robin Reed made a motion to read the Ordinance by title only, with a 2<sup>nd</sup> from Darren Warren. 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 Josie Reed. 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 Darren Warren. All Council Members voted in favor and the motion carried.**

- **Ordinance 2019-34- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO ROTH FAMILY INC., FROM AGRICULTURAL (A-1) TO**

**HIGH DENSITY RESIDENTIAL SINGLE-FAMILY (R-3 SINGLE-FAMILY).**

Mayor Edwards addressed the Council, stating that this Ordinance is to rezone property off of Kimmel Road, owned by Roth Family Inc., which was recommended for City Council Approval by the Planning Commission at their 11/5/19 meeting.

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

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

- **Ordinance 2019-35- AN ORDINANCE ACCEPTING THE FINAL SUBDIVISION PLAT OF KIMMEL RIDGE SUBDIVISION, LOTS 1-69 CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept the Final Plat for the Kimmel Ridge Subdivision, which was recommended for City Council for Approval by the Planning Commission at their 11/5/19 meeting.

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 Darren Warren. 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.**

**(8) Resolutions -**

- **Resolution 2019-18- A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING “LAW ENFORCEMENT HARDWARE & SOFTWARE”.**

Mayor Edwards addressed the Council and asked Police Chief Cody Harper to explain this request to them. Harper stated that this all came about starting from issues that we and other departments using the current software system (RPS) were having. He said that RPS stated that cities using this software have not been paying for all of the software that is being utilized. He said the software was being subsidized by the US Government when it first came to us in 2005, providing each department with four licenses, and no charges for more licenses from RPS since that time. Harper said that the Government Subsidy has now run its course; RPS is asking the departments to pay for all of the licenses they are using. He said he asked RPS to let him know what the new cost amount would be, for him to bring to City Council, and the number came back quite a bit higher than he was expecting (\$39,916.50 plus an increase in Yearly Maintenance Fees up to \$11,000.00). Harper listed some limitations with the RPS System. Harper said he was invited to a meeting with the Department of Emergency Management about 6 months ago for a presentation of the Central Square System, which would allow all of the area departments to utilize a centralized system. Harper explained the benefits of this system to the Council. He said the initial cost of this system is higher, but there is an opportunity to finance the system for 5 years at an interest rate of 3.292%. He said he felt that this new system is the best option for longevity. Harper said that the Benton County Sherriff’s Department is moving to this system and has signed-off for the other agencies to also join the system. He said Benton County has already bought the servers and the hardware infrastructure and it has been signed-off by the Quorum Courts. He said the Fire Departments will also be joining this system. He said this system will also work well with the new radio system that is coming on-line. Harper said the price includes transferring our existing data to the new system. He detailed how the information in the system will work with other departments. He said this also checks off a box on his Disaster Recovery Plan with multiple servers housing information. Harper said the Central Square System puts us into the 21<sup>st</sup> Century, with the technology like having our own Dispatch Center, streamlining our processes and freeing up our officers.

Robin Reed asked if Harper had looked at other systems. Harper said he looked at Taser, Sherriff’s Pack and some others. He said most systems are “Cloud-Based” subscriptions and we would like to get away from that. Reed asked how long it would take to go “Live”. Harper said it would be the 1<sup>st</sup> Quarter of next year after training has been done.

Keith Higginbotham asked Harper if he thought the financing option would be best. Harper said he did, and explained why.

Misty Elam asked about Safety Features of the new System and Harper said there are currently more Safety Features than RPS ever thought of. He detailed some of those features. Harper also said this system would cut down on the workload of the Court Clerks.

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 Josie Reed. 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 Darren Warren. All Council Members voted in favor and the motion carried.**

**(9) Acknowledge Receipt of the 2018 Audit –**

Mayor Edwards addressed the City Council, stating that they should have received a copy of the 2018 Audit.

**Robin Reed made a motion to Acknowledge Receipt of the 2018 Audit, with a 2<sup>nd</sup> from Wayne Low. All Council Members voted in favor, and the motion carried.**

**(10) Jeff Hatley – Ozark Regional Transit -**

Jeff Hatley addressed the Council, giving an update on Ozark Regional Transit. Mayor Edwards offered to promote ORT on his Social Media pages.

**(11) Acknowledge Receipt of Grant for Trees -**

Mayor Edwards addressed the Council, stating that the City received a \$131,220.00 Grant for trees from the Walton Foundation.

**(12) American Legion Auxiliary Centennial Day Community Proclamation**

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Mayor Edwards addressed the Council, reading a proclamation from the American Legion.

**(13) Approve 2019 Christmas Bonuses -**

Mayor Edwards addressed the Council, stating that we have issued this bonus every year that he has been Mayor, and it was started by the previous Mayor. He said the proposed structure is as follows:

- \$500.00- For Employees with over 1 Year of service with the City.
- \$250.00- For Employees with 6 Months to 1 Year of service with the City.
- \$125.00- For Employees with less than 6 Months of service with the City (Hired before 10/1/19).

Mayor Edwards said the cost to the City, if approved, would be \$36,715.69, and can be absorbed in the 2019 Budget.

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

**Robin Reed made a motion to Approve the 2019 Christmas Bonus amounts, as agreed upon, with a 2<sup>nd</sup> from Wayne Low. All Council members voted in favor and the motion carried.**

**(14) Discuss Open Positions -**

Mayor Edwards addressed the Council, giving an update on positions that are open in the City:

- **Police- Remove SRO Position-** Mayor Edwards said the Bentonville School District has gone to the Benton County Sherriff's Department to fill their SRO Officer positions. He asked the Council to remove the position and the associated funds from the Budget. He stated that we can always add the Position back in at a later date, if the situation changes.

**Robin Reed made a motion to Remove the SRO Officer Position and Associated Funds from the Budget, with a 2<sup>nd</sup> from Josie. All Council members voted in favor and the motion carried.**

- **Court- Clerk Position-** Mayor Edwards stated that the Council asked him at the last meeting to gather Court workload information from surrounding cities. He said he e-mailed that information to the Council. He also provided the Council with a copy of an e-mail from Judge Conner from this afternoon, in case they did not have time to read it. Edwards said he felt the workload numbers do not presently support another Clerk position. He said he told Judge Conner that if the numbers did increase, he would come back to the Council and ask for another position. He said when we initially added the 3<sup>rd</sup> Clerk position, we were getting Discovery Documents and other things, but that has been passed over to the Police Department by the new Court Clerk. Edwards said when the last Clerk left, he asked Judge Conner not to replace the position, due to the lack of

workload. He said Judge Conner asked him to take some of that salary and split it between the other two Clerks, but Edwards could not support that, without the other 92 City Employees getting an equivalent raise. He said the Deputy Clerk got a \$2.00/hr. raise last year. He said the Judge approved the salary for the position. Edwards said he would entertain a raise in pay of \$1.00/hr. or whatever it works out to be after they become certified. He said they are both currently going to training. He said he felt personally that the workload will increase eventually and there will be a need for another position, and recommended leaving the position in the Budget but not fill it at this time, until the Judge comes to him showing that we have the workload to support it.

Robin Reed stated that the new Police Software is going to reduce the workload for the Clerks and the Judge did not give a reason why he removed the Clerk that was previously in this position.

Misty Elam asked if we were still sending people to Little Flock to help. Chief Harper said we are. Elam said if we can send our people to another city to help, we don't need another person. She said she understood there was concern with coverage; with one of the Clerks potentially going on Maternity Leave, but if we are helping other cities, why can't we get another city to help us for that time. City Attorney Brian Rabal said that someone does come and help at Court sometimes, but not every time.

Keith Higginbotham said we are dropping to one Court date per month, which tells him the workload is just not there. City Attorney Rabal said he understood that they are cutting back to one Court date, but they are extending that day by a couple hours. Higginbotham said that looking at the e-mail we received from HR regarding workloads for surrounding Courts, Lowell has 300 Citations per month, using two Court Clerks, and we only average 116. Misty Elam said if you figured the staffing by Citations alone, we are over-staffed by one person. She said the Lowell Clerks do earn more, but their workload is greater. Mayor Edwards said they have been there 15 years and are certified. Higginbotham said the Judge removed the person that has trained most of the people around here, for reasons unknown to us, and feels that if he let go the person that handled the caseload, then he needs to find some one to replace her, that can handle that caseload. Higginbotham recommended leaving the Court Department at two Clerk positions and put the remaining money back into the General Fund. Robin Reed added that if we have a person go on Maternity leave, we look to see if another city can return the favor and help us. Mayor Edwards said that Elizabeth would go over to Little Flock and help them in the evenings and they would pay her directly. He said to be prepared that another city may expect the same from us.

**Keith Higginbotham made a motion to remove the 3<sup>rd</sup> position from the Court Department, leaving the existing salaries as they are currently, subject to their yearly increase, and move the remaining funds to the General Fund, with a 2<sup>nd</sup> from Wayne Low. There was a Roll Call. All Council members voted in favor and the motion carried.**

- **Planning- Advertise for a Planner Position at a Salary up to \$24.00/hr. with AICP Certification-** Mayor Edwards said Planning Director Lorene Burns asked that we look to hire a certified Planner to fill the open position. He said we would like to advertise the position at up to \$24.00/hr. if they are AICP Certified, but could adjust the pay accordingly, if they are not certified. He said that we are going to work in the meantime without an Administrative Assistant.

Robin Reed stated that she felt we needed to look at adding positions in multiple departments in the City. There was lengthy discussion.

**Robin Reed made a motion to Advertise for a Planner Position at a Salary up to \$24.00/hr. with AICP Certification, with a 2<sup>nd</sup> from Wayne Low. All Council members voted in favor and the motion carried.**

**(15) Notice of Public Hearing Establishing Out of District Utility Rates – December 10, 6:00 PM –**

Mayor Edwards addressed the Council, stating that this Public Hearing is to set Out of District Rates for Sewer, for some areas south of our city, outside of our District. He said the rates will be the same as our Outside of the City rates.

**(16) Public Comment –**

- Delia Haak addressed the Council, stating that she is running for the District 91 seat and that she recognizes the growth in this area of Northwest Arkansas. She complimented the City and it's Departments for keeping up with that growth.

**(17) Other Business-**

- Robin Reed questioned the safety of allowing basketball goals in the streets of our city. Rick Hudson said it is dangerous for them as well, and they are working on something for our City Code. There was discussion but no action.



**(18) Announcements -**

- **Budget Work Session- 11/14/19 6:00 PM**
- **Coffee with the Mayor 11/16/19 9:00 AM**
- **Community Thanksgiving Dinner 11/28/19 11 AM to 1 PM**
- **Christmas Bazaar & Parade 12/14/19**

**(19) Adjourn -**

**Keith Higginbotham made a motion to adjourn at 7:39 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