



**CITY OF CENTERTON  
CITY COUNCIL MEETING  
MAY 8, 2018**

The City Council was called to order at 6:00 p.m. by Mayor, Bill Edwards. The Pledge of Allegiance was recited. The prayer was offered by Todd Wright. Those Present 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, Financial Director Pam Grant, City Attorney Brian Rabal, Director of Public Works Rick Hudson, Police Captain Kris Arthur, Assistant Fire Chief Matt Thompson, Planning Director Lorene Burns, Water & Sewer Superintendent Frank Holzkamper, Animal Control Supervisor Terry Sanchez, Chief Building Inspector Robert Coffelt and City Engineer John Wary.

- (1) **Council Minutes-** Wayne Low made a motion to approve the April 10<sup>th</sup>, 2018 City Council minutes, with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.
  
- (2) **Planning and Water & Sewer Minutes-** Keith Higginbotham made a motion to acknowledge receipt of the Minutes of the March 27<sup>th</sup>, 2018 Planning Commission meeting, April 9<sup>th</sup>, 2018 Special Planning Commission meeting, and the March 15<sup>th</sup>, 2018 CWSD meeting, with a 2<sup>nd</sup> from Darren Warren. All council members voted in favor and the motion carried.
  
- (3) **City and Court Financials-** Mayor Edwards stated that 33% through the year we have received 33.73% of our budgeted Revenue. He stated that our expenditures were at 33.31%. Edwards highlighted some of the financials for the Council. Edwards said that we have submitted for payment from the City of Bentonville for the Animal Shelter Expansion. Edwards stated that we received \$2090.00 for the 2007 Dodge Charger. Edwards said we did purchase the 2018 Nissan Versa off the State Bid at \$13,600.00. Keith Higginbotham made a motion to accept the April, 2018 City and Court Financials, with a 2<sup>nd</sup> from Darren Warren. All council members voted in favor and the motion carried.

**(4) Department Reports- Building Inspection-** Robert Coffelt's report was in the council member's Dropbox packets. **Planning-** Lorene Burns' Planning Project Status Report was in the council member's Dropbox packets. **Police-** Cody Harper's report was in the council member's Dropbox packets. **Streets / Parks & Rec-** Rick Hudson's reports were in the council member's Dropbox packets. **Fire-** Delton Bush's report was in the council member's Dropbox packets. **Water & Sewer-** Frank Holzkamper's report was in the council member's Dropbox packets. **Animal Control-** Terry Sanchez's report was in the council member's Dropbox packets.

Mayor Edwards stated that the Street Department has an opportunity to purchase a Wheeled-Excavator from the City of Bentonville for \$19,537.00. There was discussion.

**Keith Higginbotham made a motion to approve the purchase of a Wheeled-Excavator from Bentonville for the Street Department for \$19,537.00, with a 2<sup>nd</sup> from Josie Reed. All Council members voted in favor and the motion carried.**

Robin Reed asked Police Captain Kris Arthur who was the current SRO at BWHS. Arthur said it was BJ Wilson and that he would be attending SRO Basic Training in June. Arthur said that Wilson is currently receiving instruction from Mr. Vera, of the Bentonville School District.

**(5) Ordinances-**

- **Ordinance 2018-22- AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, TITLE 4 TITLED "BUSINESS LICENSES AND REGULATIONS"; AND FOR OTHER PURPOSES**

Mayor Edwards addressed the Council, stating that this ordinance is to amend the portion of the code, pertaining to Mobile Food Vendors. He said there will be a maximum of two (2) Food Trucks permitted on the north side of the park, as authorized by the City Hall staff. He said the cost will be \$10.00/day while in operation, and \$5.00/day when not in operation. Edwards said there are now signs posted that say "Food Truck Parking Only". Edwards pointed out that this is City property. He said this fee does not pertain to Food Trucks not on City property.

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 Robin 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 Josie Reed. 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 2018-23- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS BELONGING TO CENTERTON LAND COMPANY, LLC; FROM MEDIUM DENSITY RESIDENTIAL (R-2) AND HIGH DENSITY RESIDENTIAL (R-3) TO HIGH DENSITY SINGLE FAMILY RESIDENTIAL (R-3)**

Mayor Edwards addressed the Council, stating that this ordinance is to rezone certain land off of Womack Rd., south of Hwy 102. He said there was a Public Hearing on 4/24/18 and this was approved by the Planning Commission.

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

**Josie Reed made a motion to read the ordinance by title only, with a 2<sup>nd</sup> from Robin 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 Darren Warren. 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 2018-24- AN ORDINANCE TO ACCEPT RIGHT-OF-WAY ALONG KIMMEL ROAD, DEDICATED BY SAM AND CRYSTAL FEATHERSTON, TRUSTEES OF THE FEATHERSTON FAMILY TRUST, PER WARRANTY DEED RECORDED IN BOOK 2018 PAGE L201821344**

Mayor Edwards addressed the Council, stating that this ordinance is to accept right-of-way on Kimmel Road, donated to the city.

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

**Keith Higginbotham 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. Robin 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 Misty Elam. 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 2018-25- AN ORDINANCE TO ACCEPT RIGHT-OF-WAY ALONG KIMMEL ROAD, DEDICATED BY HALLIE EDWARD COPELAND AND ALICE RENA COPELAND HARRIS, TRUSTEES OF THE RENA J. COPELAND REVOCABLE TRUST, PER WARRANTY DEED RECORDED IN BOOK 2018 PAGE L201821343**

Mayor Edwards addressed the Council, stating that this ordinance is to accept right-of-way on Kimmel Road, donated to the city.

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

**Josie 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 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 Misty Elam. All council members voted in favor and the motion carried.**

- **Ordinance 2018-26- AN ORDINANCE TO ACCEPT RIGHT-OF-WAY ALONG KIMMEL ROAD, DEDICATED BY DOYLENE S. FUQUA, TRUSTEE OF THE DOYLENE S. FUQUA TRUST, PER WARRANTY DEED RECORDED IN BOOK 2018 PAGE L201821345**

Mayor Edwards addressed the Council, stating that this ordinance is to accept right-of-way on Kimmel Road, donated to the city.

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

**Josie Reed 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. Robin 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 Wayne Low. All council members voted in favor**

**and the motion carried. Josie Reed made a motion to adopt the ordinance with a 2<sup>nd</sup> from Misty Elam. All council members voted in favor and the motion carried.**

**(6) Resolutions-**

- **Resolution 2018-12- A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE PARTIAL VACATION AND ADJUSTMENT OF DRAINAGE EASEMENT AND SETBACK ON LOTS 29 & 30, CREEKSIDE PHASE 1 SUBDIVISION, CITY OF CENTERTON, ARKANSAS BY PETITION OF OWNER, LANDMARC CUSTOM HOMES**

Mayor Edwards addressed the Council, stating that this resolution is to set a Public Hearing for 6/12/18 at 6:00 p.m., to discuss drainage easement and setback in the Creekside Subdivision.

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. Josie Reed 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.**

- **Resolution 2018-13- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH CARROLL ELECTRIC; BERRYVILLE, ARKANSAS FOR UTILITY RELOCATION, MAIN STREET AND SEBA ROAD IN THE CITY OF CENTERTON, ARKANSAS.**

Mayor Edwards addressed the Council and explained the need for this resolution to enter into an agreement with Carroll Electric to relocate the electric services at the intersection of Seba Road and Main Street, at a cost of \$91,239.75.

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 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 2018-14- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH DAVID WILLIAMS FOR CONSULTANT SERVICES FOR THE POLICE DEPARTMENT FOR THE CITY OF CENTERTON, ARKANSAS**

Mayor Edwards addressed the Council and explained the need for this resolution to enter into an agreement with David Williams, to look into the policies, procedures and finances of the Centerton Police Department. Edwards said Williams was a State Auditor for 33 years and audited our city for 3 different years, not too long ago. Edwards said Williams was also a Certified Fraud Examiner for over 20 years. He said that Williams will be looking into the Police Department, and that our annual full-city Audit for 2016 is wrapping up and we have been contacted that the City Audit for 2017, required by State Law, will begin next month. Financial Pam Grant had received a favorable reference for Williams from the City of Cave Springs. Mayor Edwards stated that Williams would be working with City Attorney Brian Rabal, to determine if anything else needs to be done. There was discussion. Robin Reed was concerned with Williams not being a currently licensed CPA, as well as the transfer of city information to Williams by e-mail for this audit. Edwards said we would be able to use zip drives for any large files that are requested. Brian Rabal said he was initially concerned about Williams not being a currently licensed CPA, but it sounds like his qualifications and experience would meet our needs. He said we could bring additional assistance in, if any findings required it. Rabal said he would be meeting with Williams tomorrow and has specific direction for him. There was discussion.

**Keith Higginbotham made a motion to read the resolution by title only, with a 2<sup>nd</sup> from Wayne Low. All council members voted in favor, except for Robin Reed, who voted NO, 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, except for Robin Reed, who voted NO, and the motion carried.**

- (7) Building Safety Month Proclamation-** Chief Building Inspector Robert Coffelt addressed the Council, reminding them that May is Building Safety Month. Coffelt went through the weekly focuses for the May 2018 Building Safety

Month. Coffelt also detailed some of his recent Building Code Compliance Training. Coffelt also stated that we are having success with our On-line Inspection System.

**(8) Other Business-**

- **Special Presentation for Zorro (K-9)-** Local youth from Lincoln Jr. High, as representatives of their fundraiser group, addressed the Council, stating that they held a fundraising concert in the Centerton City Park to help raise money for Zorro, our K-9 dog. The young ladies said they raised \$400.00 at the event and received another \$100.00 donation outside of the event. They presented a check to K-9 Officer Blake Almond with the Centerton Police Department.
- **Special City Council Meeting-** Mayor Edwards asked the Council if enough members would be available to achieve a quorum on 5/24/18 at 6:00 p.m. for a Special City Council Meeting, to meet the request of a Final Plat Approval, should it be approved by the Planning Commission at their meeting on 5/22/18. It was determined that there would be a quorum available.
- **Grant Letter-** Mayor Edwards stated that he received a letter from Governor Hutchinson, confirming the \$150,000.00 matching grant to assist in the construction of a splash pad and restroom facility at McKissick Park. Edwards said he has met with the Director of Public Works and Lance Johnson has met with the Outdoor Recreation representatives, to get that process started. Edwards said he is working with City Engineer John Wary and that the Large Scale Development Plan will have to go through the Planning Commission. He said he hopes to get it on the June 2018 Planning Agenda.
- **Executive Session-** Personnel Matter pertaining to Court.

**Robin Reed made a motion to enter into Executive Session to discuss a personnel matter, with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor and the motion carried.**

The Mayor and City Council retired to the Conference Room.

**Robin Reed made a motion to exit the Executive Session to discuss a personnel matter and enter back into the City Council Meeting, with a 2<sup>nd</sup> from Wayne Low. All Council Members voted in favor and the motion carried.**

Keith Higginbotham stated that Executive session was held to discuss a Personnel matter, with no further action and no other comment at this time.

**(9) Announcements-**

- Coffee with the Mayor- 5/19/18 9:00 a.m. at City Hall.

**(10) Adjourn-**

Misty Elam made a motion to adjourn at 7:40 PM with a 2<sup>nd</sup> from Josie Reed. 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