



**CITY OF CENTERTON  
CITY COUNCIL MEETING  
JULY 10, 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 Lieutenant Anthony Keck, Fire Captain Matt Thompson and Planning Director Lorene Burns.

- (1) **Council Minutes-** Josie Reed made a motion to approve the Minutes of the June 12<sup>th</sup>, 2018 City Council Meeting, with a 2<sup>nd</sup> from Wayne Low. 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 May 22<sup>nd</sup>, 2018 Planning Commission Meeting, June 4<sup>th</sup>, 2018 Special Planning Commission Meeting and May 15<sup>th</sup>, 2018 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 59.96% of our Budgeted Revenue. He stated that our Expenditures were at 51.94%. Edwards highlighted some of the financials for the Council. Robin Reed made a motion to accept the June, 2018 City and Court Financials, with a 2<sup>nd</sup> from Wayne Low. All council members voted in favor and the motion carried.

**(4) Department Reports- Building Inspection-** The Building Inspection Report was in the council member's Dropbox packets. **Planning-** The Planning Project Status Report was in the council member's Dropbox packets. **Police-** The Police Department Report was in the council member's Dropbox packets. **Streets / Parks & Rec-** The Street department and Parks & Recreation reports were in the council member's Dropbox packets. **Fire-** The Fire Department Report was in the council member's Dropbox packets. **Water & Sewer-** The water & Sewer Report was in the council member's Dropbox packets. **Animal Control-** The Animal Control Report was in the council member's Dropbox packets.

**(5) Ordinances-**

- **Ordinance 2018-31- AN ORDINANCE TO ACCEPT RIGHT-OF-WAY ALONG CUTBERTH LANE, DEDICATED BY JOSEPH ZUMSTEIN JR. PER WARRANTY DEEDS RECORDED IN BOOK 2018 PAGE L201834501; AND DECLARING AN EMERGENCY.**

Mayor Edwards addressed the Council, stating that this ordinance is to accept right-of-way along Cutberth Lane and is coming back before the Council after being recorded.

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 Misty Elam. All Council members voted in favor and the motion carried. Darren Warren 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. Brian Rabal read the Emergency Clause. Robin Reed made a motion to adopt the Emergency Clause, with a 2<sup>nd</sup> from Josie Reed. All Council members voted in favor and the motion carried.**

- **Ordinance 2018-33- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS BELONGING TO CHP LLC; FROM AGRICULTURAL (A-1) TO RESIDENTIAL (R-1).**

Mayor Edwards addressed the Council, stating that this ordinance is to rezone certain land off of Bush Road. He said there was a Public Hearing on 6/26/18 and this was approved by the Planning Commission.

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 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 Misty Elam. All Council members voted in favor and the motion carried. Darren Warren 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 2018-34- AN ORDINANCE RESTRICTING THE PROVISION OF CENTERTON SEWER SERVICES EXCLUSIVELY TO TERRITORY WITHIN THE CITY LIMITS OF THE CITY OF CENTERTON, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this ordinance was forwarded to us from the Water & Sewer Commission and is to restrict sewer service to territory within the City Limits of the City of Centerton.

**Ruby Davies- Huber Road and Hwy 279-** Mrs. Davies addressed the Council, stating that she had given the CWSD an easement to go across their land, to provide water and sewer elsewhere. She said she was told at the time that she could connect to the sewer if she gave that easement. Mrs. Davies said she currently gets water from a well. Mayor Edwards said that he thinks we provide water service in that area now. He said there was a provision for exceptions in the ordinance, and was certain they would honor the previous commitment. Mayor Edwards suggested that she speak with the Water & Sewer Commission and offered to attend the CWSD Meeting with her on 7/17/18.

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. 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 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. Brian Rabal read the Emergency Clause. Josie Reed made a motion to adopt the Emergency Clause, with a 2<sup>nd</sup> from Keith Higginbotham. All Council members voted in favor and the motion carried.**

- **Ordinance 2018-35- AN ORDINANCE AMENDING THE BUDGET FOR THE OPERATHION OF THE CITY OF CENTERTON, ARKANSAS FOR THE CALENDAR YEAR 2018; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

Mayor Edwards addressed the Council, stating that this ordinance is to amend the 2018 Budget. There was a copy of the Amended Budget, including details regarding any changes, in the Council's packets

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 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. Wayne Low 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. Brian Rabal read the Emergency Clause. Josie Reed made a motion to adopt the Emergency Clause, with a 2<sup>nd</sup> from Darren Warren. All Council members voted in favor and the motion carried.**

- **Ordinance 2018-36- AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY BELONGING TO THE PENN FAMILY TRUST, RANDALL KEITH PENN AND AMY MICHELLE PENN, TRUSTEES; TO THE CITY OF CENTERTON, ARKANSAS; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; AND ASSIGNING SAME TO WARD 1.**

Mayor Edwards addressed the Council, stating that this ordinance is to accept the Voluntary Annexation of certain lands off of Hwy 72 and Bullock Road.

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 Wayne Low. 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. Josie Reed made a motion to adopt the ordinance with a 2<sup>nd</sup> from Robin Reed. All Council members voted in favor and the motion carried.**

- **Ordinance 2018-37- AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY BELONGING TO THE BANK OF GRAVETT; TO THE CITY OF CENTERTON, ARKANSAS; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; AND ASSIGNING SAME TO WARD 2.**

Mayor Edwards addressed the Council, stating that this ordinance is to accept the Voluntary Annexation of certain lands off of Centerton Blvd, east of the Wal-Mart Neighborhood Market.

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 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. Keith Higginbotham 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 2018-38- AN ORDINANCE ACCEPTING THE FINAL PLAT OF MAPLE ESTATES SUBDIVISION PHASE 1B, CREATING LOTS 30-53, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this ordinance is to accept the Final Plat of Phase 1B of the Maple Estates Subdivision. He said this was recommended for approval by the Planning Commission at their meeting on 7/09/18.

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 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 Josie Reed. All Council members voted in favor and the motion carried.**

- **Ordinance 2018-39- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS BELONGING TO JULIO CESAR VALDEZ AND RIGOBERTO MENDOZA; FROM AGRICULTURAL (A-1) TO LOW DENSITY RESIDENTIAL (R-1).**

Mayor Edwards addressed the Council, stating that this ordinance is to accept the rezone of certain lands off of Bates Lane and Huber Road. Edwards said a Public Hearing was held at the Planning Commission Meeting, and was recommended for approval. .

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 Keith Higginbotham. 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 Josie Reed. All Council members voted in favor and the motion carried. Misty Elam 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 2018-40- AN ORDINANCE ACCEPTING 30' RIGHT-OF-WAY DEDICATION BY JULIO CESAR VALDEZ AND RIGOBERTO MENDOZA PER TRACT SPLIT PLAT FOR PROPERTY LOCATED ON BATES LANE IN S07-T19N-R31W, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this ordinance is to accept 30' of right-of-way dedication on Bates Lane.

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 Josie Reed. 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 Robin Reed. All Council members voted in favor and the motion carried. Darren Warren 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 2018-41- AN ORDINANCE ACCEPTING 30' RIGHT-OF-WAY DEDICATION ALONG WOMACK ROAD AND**

**KIMMEL ROAD BY CENTERTON LAND COMPANY, LLC PER TRACT SPLIT PLAT FOR PROPERTY LOCATED IN S03-T19N-R31W, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this ordinance is to accept 30' of right-of-way dedication along Kimmel Road and Womack Road.

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 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 Misty Elam. 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 Darren Warren. All Council members voted in favor and the motion carried.**

**(6) Resolutions-**

- **Resolution 2018-20- A RESOLUTION TO DESIGNATE INDIVIDUALS AUTHORIZED TO PERFORM VARIOUS ACTIONS ON BEHALF OF THE CITY OF CENTERTON WITH REGARD TO THE CITY'S BANK ACCOUNTS AT FIRST NATIONAL BANK OF NWA, CENTERTON BRANCH; AND FOR OTHER PURPOSES.**

Mayor Edwards addressed the Council, stating that this resolution is to authorize persons to sign on the city bank accounts.

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

**Josie Reed made a motion to read the resolution 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 resolution by title only. Wayne Low 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 2018-21- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ACCEPT A QUIT**

**CLAIM DEED FOR DONATED LAND BY CHARLES I. AND LOUISE A. WHITE.**

Mayor Edwards addressed the Council and explained the need for this resolution to accept a Quit Claim Deed for land donated on Gamble Road.

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 Darren Warren. 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.**

**(7) Other Business-**

**Executive Session-**

**Darren Warren made a motion to enter into Executive Session to discuss Policy and Procedure issues, with a 2<sup>nd</sup> from Robin Reed. All Council Members voted in favor and the motion carried.**

The Mayor and City Council stayed in the Community Room and all others present were asked to step outside. .

**Darren Warren made a motion to exit the Executive Session and enter back into the City Council Meeting, with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor and the motion carried.**

Alderman Darren Warren stated that the Mayor is going to supply the Council with all of the City Policies and Procedures for review. He said Mayor Edwards is also going to look at the Policies and Procedures of neighboring cities to see if we need to make any updates. Warren stated that Mayor Edwards is also going to look at some by-laws for our Personnel Committee.

**(8) Announcements-**

- Coffee with the Mayor- 7/21/18 at 9:00 a.m. at City Hall.

**(9) Adjourn-**

Misty Elam made a motion to adjourn at 7:42 PM with a 2<sup>nd</sup> from Keith Higginbotham. 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