



**CITY OF CENTERTON  
CITY COUNCIL MEETING  
APRIL 11, 2023  
6:00 PM**

**(1) Pledge** – The Pledge Allegiance was recited.

**(2) Prayer** – Keith Higginbotham offered the prayer.

**(3) Roll Call** - Those Present and answering Roll Call were Mayor Bill Edwards, Misty Elam, Josie Reed, Keith Higginbotham, Justin Cowgur and Amy Rochette. Darren Warren was absent. Those present and not answering Roll Call were City Clerk Todd Wright, City Attorney Brian Rabal, Assistant Financial Director Shannon Zappettini, City Engineer Alan Craighead, Planner I Kayla Knight, Fire Chief Matt Thompson, Police Chief Cody Harper, Assistant Public Works Director Anthony Martinez, Chief Building Inspector Robert Coffelt and Parks Superintendent Josh Price.

**(4) Council Minutes** –

**Amy Rochette made a motion to Approve the Minutes of the March 14, 2023 City Council Meeting, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor and the motion carried.**

**CWSD and Planning Commission Minutes** –

**Misty Elam made a motion to Acknowledge Receipt of the Minutes of the February 21, 2023 CWSD Meeting, and the March 7, 2023 and March 21, 2023 Planning Commission Meetings, with a 2<sup>nd</sup> from Keith Higginbotham. All Council Members voted in favor and the motion carried.**

**(5) City and Court Financials** -

Assistant Financial Director Shannon Zappettini addressed the Council, detailing the Financial Reports for March 2023, as provided in the Council packets. Revenue was at 24 % and Expenses were at 23 %.

The March 2023 Court Report was contained in the Council packets.

A representative (Tyler) from FNB gave an update on the Investment Account.

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

**Keith Higginbotham made a motion to accept the March, 2023 City & Court Financials, with a 2<sup>nd</sup> from Josie Reed. All Council Members voted in favor and the motion carried.**

#### **(6) Department Reports -**

The Department Reports were in the Council Packets.

- Representatives from Brightly Software and Centerton City Planner Kayla Knight gave an update on the SmartGov Planning Software being serviced and installed by Brightly. There was discussion.
- Police Chief Cody Harper gave an update on the Animal Shelter.

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

#### **(7) Public Comments –**

**Christopher Miles – 1601 Sweetbriar Way** – Mr. Miles detailed an interaction he had with Centerton Police Officers at an incident over the weekend, stating that he would be filing a complaint against two (2) officers. He stated that he is meeting with Police Chief Harper tomorrow.

**Thomas Loukes – 1421 Florentine Road** – Mr. Loukes rebutted the previous public comment by Mr. Miles, speaking in favor of the work of police officers in general.

#### **(8) Ordinances –**

**Keith Higginbotham made a motion to Read Ordinances 2023-24, 2023-25, 2023-26 and 2023-27; and Resolutions 2023-18, 2023-19 and 2023-20 by Title only, with a 2<sup>nd</sup> from Josie Reed. There was a roll call. All Council Members voted in favor and the motion carried.**

**Keith Higginbotham made a motion to Suspend the Rule Requiring the Reading on three (3) Separate Occasions for Ordinances 2023-24, 2023-25, 2023-26 and 2023-27, with a 2<sup>nd</sup> from Misty Elam. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Ordinance 2023-24 - AN ORDINANCE WAIVING BIDDING REQUIREMENTS FOR THE PURCHASE OF A 2023 CHEVROLET TAHOE FROM SUPERIOR AUTOMOTIVE, SILOAM SPRINGS, ARKANSAS FOR THE CENTERTON POLICE DEPARTMENT.**

Mayor Edwards addressed the Council, stating that this Ordinance is to amend Ordinance 2023-05, to waive the bidding requirements from purchasing four (4) 2023 Chevrolet Tahoe's, down to purchasing only one (1) 2023 Chevrolet Tahoe up to \$50,000.00 for the Centerton Police Department.

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

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

- **Ordinance 2023-25 - AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO HUMBLE GROWTH PARTNERS LLC, FROM AGRICULTURE (A-1) TO HIGHWAY COMMERCIAL (C-2).**

Mayor Edwards addressed the Council, stating that this Ordinance is to approve a Rezone Request at W. Centerton Blvd. and N. Vaughn Road. He said this was recommended for approval by the Planning Commission at their 4/04/2023 meeting. A map was provided for Council.

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

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

- **Ordinance 2023-26 – (Appeal Hearing) AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO REGIONAL WAREHOUSE OF NWA LLC, FROM AGRICULTURE (A-1) TO HIGHWAY COMMERCIAL (C-2).**

Mayor Edwards addressed the Council, stating that this an Appeal Hearing for an Ordinance to approve a Rezone Request on Bush Road. He said this Rezone Request was denied unanimously by the Planning Commission at their 4/04/2023 meeting. A map was provided for Council. Edwards said the request for Highway Commercial (C-2) was not consistent with our Land Use Plan, which designates the property as Low/Medium Density Residential Use. He detailed the comments of the Planning Commission from their 4/04/2023 meeting for Council.

Mark Kilgore, the Applicant, addressed Council detailing the Rezone Request. He asked for consideration and feedback from Council regarding the proposed Use. He stated that he understood that he could request a lesser intensive Use with the Board of Zoning Adjustments.

City Attorney Brian Rabal cautioned Council not to speak about Use during a Rezone Request. Council agreed not to discuss Use. Mr. Kilgore stated that he understood.

**George Weeks – 12660 Bush Road** – Mr. Weeks expressed concern for a property owner to be able to sell their property on Bush Road, due to the city’s Zoning Regulations. He shared his own experience.

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

**City Attorney Brian Rabal read the Ordinance by title only. There was no Motion from Council and the Ordinance failed.**

- **Ordinance 2023-27 - AN ORDINANCE ACCEPTING THE AMENDED FINAL SUBDIVISION PLAT OF THE TIMBER RIDGE PHASE 2 SUBDIVISION, CORRECTING THE LOT LABEL OF LOT 123 TO 116, CITY OF CENTERTON, ARKANSAS; FILED ON RECORD WITH THE BENTON COUNTY RECORDER OF DEEDS AND RECORDS ON FEBRUARY 23, 2023, INSTRUMENT NO. L202308660.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept the amended Final Plat of the Timber Ridge Subdivision Phase 2, correcting the Lot Label of Lot 123 to Lot 116.

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

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

#### **(9) Resolutions –**

- **Resolution 2023-18 - A RESOLUTION EXPRESSING THE WILLINGNESS OF CITY OF CENTERTON TO UTILIZE FEDERAL-AID CARBON REDUCTION PROGRAM FUNDS.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to allow the city to apply for an 80/20 matching 2024 Federal Grant, for sidewalk additions in the city.

City Engineer Alan Craighead detailed the intended grant use and the application process.

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

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

- **Resolution 2023-19 - A RESOLUTION EXPRESSING THE WILLINGNESS OF CITY OF CENTERTON TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS ADMINISTERED BY THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to allow the city to apply for an 80/20 matching 2024 Federal Grant, to make improvements to under developed roads in the city.

City Engineer Alan Craighead detailed the intended grant use and the application process.

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

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

- **Resolution 2023-20 - A RESOLUTION EXPRESSING THE WILLINGNESS OF CITY OF CENTERTON TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to allow the city to apply for an 80/20 matching 2024 Federal Grant, for sidewalk projects in the city.

City Engineer Alan Craighead detailed the intended grant use and the application process.

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

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

- (10) **Acknowledge Receipt of \$25,000.00 Grant for Fish Hatchery Road Sidewalk Project -**

Mayor Edwards addressed the Council, acknowledging receipt of a \$25,000.00 Grant for the Fish Hatchery Road Sidewalk Project.

**There was no action from Council.**

**(11) Sewer Capacity Fees – Centerton Utilities -**

Robert Anderson from the Centerton Water and Sewer Commission addressed the Council, detailing a Sewer Capacity Fee Study performed by Tischler-Bise. He stated that they will be bringing an Ordinance to Council requesting the recommended Fee increases.

**There was no action from Council.**

**(12) Appoint Michelle Haverkamp and Joshua Hagan to the Centerton Water and Sewer Commission, Term Expiring April 11, 2031 -**

Mayor Edwards addressed the Council, requesting their approval to Appoint Michelle Haverkamp and Joshua Hagan to the Centerton Water and Sewer Commission, Term Expiring April 11, 2031.

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

**Keith Higginbotham made a motion to Appoint Michelle Haverkamp and Joshua Hagan to the Centerton Water and Sewer Commission, Term Expiring April 11, 2031, with a 2<sup>nd</sup> from Justin Cowgur. All Council Members voted in favor and the motion carried.**

**(13) Surplus Multiple Vehicles from Centerton Police Department -**

Mayor Bill Edwards addressed the Council, requesting to surplus multiple vehicles (4 Police Vehicles and 4 Seized Vehicles) from the Centerton Police Department. A list of vehicles was provided for Council.

**Date: 04/07/2023**

**Ref: Vehicle Surplus**

The Centerton Police Department is requesting to surplus the below list of vehicles:

**Department Owned Vehicles:**

2004 Ford Expedition – VIN 1FMPU16L84LA42667

2007 Jeep Liberty – VIN 1J4GL48K87W627257

2014 Chevrolet Tahoe – VIN 1GNLC2E07ER158676

2014 Dodge Charger – VIN 2C3CDXAT5EH368135

**Department Seized Vehicles:**

Kia Rio – VIN KNADC125846330329

Ford F-150 – VIN 1FTEX1CB2DFC28644

Toyota Camry – VIN 4T1G22K4YU949338

Chevrolet Silverado 1500 – VIN 2GCEC19T721339667

**Regards,**

**Chief Cody B. Harper  
Centerton Police Department**

Police Chief Cody Harper detailed the list of vehicles.

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

**(14) Approve Quote for Dirt Work on Edgewood Road -**

Assistant Public Works Director Anthony Martinez addressed the Council, detailing a request for approval of a Quote for Dirt Work on Edgewood Road, as agreed upon previously, in the amount of \$24,777.50. He said there are available funds in the Street Fund budget.

**Josie Reed made a motion to approve the Quote for Dirt Work on Edgewood Road, as Presented, with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor and the motion carried.**

**(15) Other Business – None**

**(16) Announcements -**

- **4/15/2023 – Coffee w/ Mayor @ 9:00 AM**
- **4/18/2023 – Planning Commission Meeting @ 6:00 PM**
- **5/09/2023 - City Council Meeting @ 6:00 PM**

- **5/22/2023 – Work Session @ 6:00 PM**

**(17) Adjourn -**

**Keith Higginbotham made a motion to Adjourn at 7:36 PM with a 2<sup>nd</sup> from Misty Elam. All Council members voted in favor and the motion carried.**

---

Bill Edwards, Mayor

---

Todd Wright, City Clerk