

**CITY OF CENTERTON
CITY COUNCIL MEETING
JUNE 13, 2017**

The city council was called to order by Mayor, Bill Edwards. The Pledge of Allegiance was recited. The prayer was offered by Keith Higginbotham. Those Present and answering roll call were Mayor Bill Edwards, Keith Higginbotham, Josie Reed, Robin Reed, Wayne Low, Darren Warren and Misty Elam. Those present and not answering role call were City Clerk Todd Wright, Financial Director Pam Grant, City Attorney Brian Rabal, Street Superintendent Rick Hudson, Police Chief Cody Harper and Assistant Fire Chief Matt Thompson, Planning Director Lorene Burns, Water & Sewer Superintendent Frank Holzkamper, Animal Control Supervisor Terry Sanchez and Chief Building Inspector Robert Coffelt..

- (1) **Council Minutes-** Darren Warren made a motion to approve the May 9th, 2017 city council minutes with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- (2) **Planning, Parks and Recreation and Water & Sewer Minutes-** Josie Reed made a motion to acknowledge receipt of the January 3rd, 2017 Parks and Recreation, April 18th, 2017 CWSD and April 25th, 2017 Planning meeting minutes, with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

- (3) **City and Court Financials-** Mayor Edwards stated that 42% through the year we have received 45.97% of our budgeted revenue. He stated that our expenditures were at 37.41%. He highlighted some of the financials for the council. Robin Reed made a motion to accept the May 2017 City and Court financials, with a 2nd from Wayne Low. 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. Mayor Edwards presented Rick Hudson with a "Tree City USA" banner and a hat and thanked him for his efforts in making Centerton a Tree City. **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. Josie Reed made a motion to accept the department reports, with a 2nd from Misty Elam. All Council members voted in favor and the motion carried.

(5) **Public Hearing-** Mayor Edwards addressed the Council, stating that this is a public hearing for public comment regarding 3 Island Annexations to help clean up some of the city's boundary's and to protect our utilities. Robin Reed made a motion to open the public hearing with a 2nd from Wayne Low. All council members voted in favor and the motion carried. Citizen Wayne Box spoke in favor of the Annexation of his property, Citizen Chasity Prince spoke in opposition to the Annexation of her property, Citizen Joe Palladino asked what the City's plan for land use in the annexation areas were and Planning Director Lorene Burns detailed the existing use, as well as some incoming uses around the properties. Mrs. Burns also stated that all of the new development in the area has created a need for a new study of the land use in this area of the city. She stated that she hoped to start that process soon. Citizen Tyler Thompson questioned how the City would handle a lot split on his property. Mrs. Burns addressed his question. Mayor Edwards addressed the public and asked if there was anyone else that would like to speak, and there was not. Robin Reed made a motion to close the public hearing, with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

(6) **Ordinance 2017-28- AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY BELONGING TO CAROL J. MACON, TRUSTEE OF THE MACON LIVING TRUST; JOE MOTLEY; AND CARL AND LEIGH ANN WALKER; TO THE CITY OF CENTERTON, ARKANSAS; APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; AND ASSIGNING SAME TO WARD 3.** Mayor Bill Edwards addressed the council and explained the need for this ordinance to annex certain territory to the City of Centerton. There was discussion. Robin Reed made a motion to read the ordinance by title only with a

2nd 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 2nd from Misty Elam. All council members voted in favor and the motion carried. Wayne Low made a motion to adopt the ordinance, with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

(7) Ordinance 2017-29- AN ORDINANCE AMMENDING THE CENTERTON MUNICIPAL CODE, SECTION 2.14. TITLED MAYOR. Mayor Bill Edwards addressed the council and explained the need for this ordinance to set the minimum salary of a newly elected Mayor, serving a first term as Mayor. There was discussion. Keith Higginbotham made a motion to set the minimum compensation for the office of a newly elected Mayor serving a first term at \$50,000.00 and to read the ordinance by title only, with a 2nd from Josie Reed. All council members voted in favor, except for Robin Reed, who voted “NO” 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 2nd from Darren Warren,. All council members voted in favor, except for Robin Reed, who voted “NO” and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Wayne Low. All council members voted in favor, except for Robin Reed, who voted “NO” and the motion carried.

(8) Ordinance 2017-30- AN ORDINANCE ACCEPTING THE FINAL PLAT OF MAXWELL FARMS SUBDIVISION, CENTERTON PLANNING AREA, BENTON COUNTY, ARKANSAS; Mayor Bill Edwards addressed the council and explained the need for this ordinance to accept the final plat of the Maxwell Farms subdivision in the County. There was discussion. Robin Reed made a motion to read the ordinance by title only, with a 2nd 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 2nd from Keith Higginbotham. All council members voted in favor and the motion carried. Josie Reed made a motion to adopt the ordinance with a 2nd from Darren Warren. All council members voted in favor and the motion carried..

(9) Resolution 2017-09- A RESOLUTION AUTHORIZING THE APPLICATION BY THE CITY OF CENTERTON, ARKANSAS TO MAKE APPLICATION TO THE ARKANSAS DEPARTMENT OF PARKS AND TOURISM FOR ASSISTANCE TO DEVELOP RECREATIONAL FACILITIES. Mayor Edwards addressed the council and explained the need for this resolution as part of the application for a 50/50 matching grant for recreational improvements. There was discussion. Robin Reed made a motion to read the resolution by title only with a 2nd 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 2nd from Josie Reed. All council members voted in favor and the motion carried.

(10) Resolution 2017-10- A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ACCEPT A WARRANTY DEED FOR THE LIFT STATION TENDERED BY BIG SKY LLC. Mayor Edwards addressed the council and explained the need for this resolution to accept a warranty deed for a lift station.. There was discussion. Keith Higginbotham made a motion to read the resolution by title only with a 2nd from Wayne Low. 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 2nd from Misty Elam. All council members voted in favor and the motion carried.

(11) Resolution 2017-11- A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE PARTIAL VACATION OF 10 FT OF A 25 FT UTILITY EASEMENT, DRAINAGE EASEMENT, AND SETBACK LOCATED ON THE WEST PROPERTY LINE OF LOT 16, LEXINGTON SUBDIVISION, CITY OF CENTERTON, ARKANSAS. Mayor Edwards and Lorene Burns addressed the council and explained the need for this resolution to set a public hearing to discuss partial vacation of easements and setback and gave details. There was discussion. Josie Reed made a motion to read the resolution by title only, with a 2nd from Wayne Low. 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 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

(12) Resolution 2017-12- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTERTON AUTHORIZING THE MAYOR TO SIGN A LETTER OF SUPPORT FOR THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT

FOR THREE (3) FULL TIME FIREFIGHTERS. Mayor Edwards and Matt Thompson addressed the council and explained the need for this resolution to apply for the (SAFER) grant and gave details on the funding. There was discussion. Robin Reed made a motion to read the resolution by title only, with a 2nd 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 2nd from Josie Reed. All council members voted in favor and the motion carried.

- (13) **Resolution 2017-13- A RESOLUTION AFFIRMING THE CITY OF CENTERTON AS A WELCOMING CITY THAT RESPECTS THE INNATE DIGNITY OF ALL PEOPLE.** Mayor Edwards and Rick Hudson addressed the council and explained this resolution. Philippa Moore and Mark Espinoza spoke on behalf of the Welcome NWA initiative. Citizens Rebecca Powers, John Bowden and Julie Gilleland also spoke. There was discussion. Josie Reed stated that she wanted to gather more information and made a motion to table the resolution, with a 2nd from Robin Reed. All council members voted in favor and the motion carried.
- (14) **Ozark regional Transit- Jeff Hatley-** Jeff Hatley of Ozark Regional Transit presented the council with statistics and an update on service. There was no action.
- (15) **Approve Amended Bylaws of Centerton Planning Commission-** There was discussion. Robin Reed made a motion to add a requirement for 8 hrs. of annual training, with documentation, and to table the amended bylaws for the Planning Commission with a 2nd from Misty Elam. All council members voted in favor and the motion carried.
- (16) **Letter of Support for Large Scale Development in the County-** Ronny Ratliff of Therapeutic Health Corp. addressed the council, asking for a letter of support for the launching of a medical cannabis cultivation center in the county, near the city of Centerton, but outside of the Centerton Planning Area. He stated that it was in the Centerton Fire District. He stated that they have agreed contractually to a 10 acre site for this cultivation center. He stated that there will be 5 of these facilities in the state of Arkansas. He gave details about the

construction, operation, layout and function of the facility. There was discussion. Darren Warren asked if the letter of support from the city would be helpful in the application process. Mr. Ratliff stated that it would. Mr. Warren asked if it would be hurtful for the application process if the city did not give a letter of support, and Mr. Ratliff stated that it would not. City Attorney Brian Rabal stated that he was concerned that the letter of support is for a particular business. Keith Higginbotham stated that, because they would be outside the city limits he didn't think there was anything the city could do for him, other than provide fire protection services. Wayne Low agreed, stating that they would not be working with any of the city staff. No action was taken.

(17) **Receipt of Water and Sewer Commission Audit-** Mayor Edwards stated that the CWSD recently completed their audit, which is contained in the council's Dropbox packet, and asked the council to acknowledge receipt of the audit. Wayne Low made a motion to accept the CWSD audit, with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

(18) **Reappoint Joey Ingle, Devin Murphy and Bethy Slyter to the Planning Commission, Term Expiring June 30, 2020-** Mayor Edwards asked for the council to reappoint Joey Ingle, Devin Murphy and Bethy Slyter to the Planning Commission, term expiring June 30, 2020. Misty Elam made a motion to reappoint Joey Ingle, Devin Murphy and Bethy Slyter to the Planning Commission, term expiring June 30, 2020, with a 2nd from Wayne Low. All council members voted in favor and the motion carried.

(19) **Reappoint Amber Beale, Nathan Bice, Joshua Nicholson and Levey Williams to the Parks & Recreation Advisory Board, Term Expiring July 31, 2019-** Mayor Edwards asked for the council to reappoint Amber Beale, Nathan Bice, Joshua Nicholson and Levey Williams to the Parks & Recreation Advisory Board, term expiring July 31, 2019. Misty Elam made a motion to reappoint Amber Beale, Devin Murphy and Bethy Slyter to the Parks and Recreation Advisory Board, term expiring July 31, 2019, with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

(20) **Discuss Bond Schedule-** Mayor Edwards addressed the council, stating that the Bond schedule was in the Dropbox packets. He stated that we would bring the ordinance before the council at the July council meeting. Mayor Edwards stated that the election will be scheduled for September 12th. No action was taken.

- (21) **Public Hearing- June 17 at 9:00 a.m. for Parks Survey-** Mayor Edwards addressed the council, stating that there will be a Public Hearing before “Coffee with the Mayor” on Saturday, June 17th at 9:00 a.m. for the Parks Survey, as part of the application process for the Grant application for the Splash Park.
- (22) **Other Business-** Police Chief Cody Harper and Officer Blake Almond addressed the council and ask for their approval to add a K-9 to the Police Department. Chief Harper stated that there is a need. He presented the council with a packet compiled by Officer Almond, with statistics, reasons for and benefits from having a K-9, as well as a list of donations to help with the cost to the city. There was discussion about cost, liability, breed of dog, training, vehicle equipment, housing and vacation/sickness coverage. Keith Higginbotham made a motion to allow Chief Harper to add a K-9 to the Police Department, with a 2nd from Wayne Low. All council members voted in favor and the motion carried.
- (23) **Announcements-** Mayor Edwards stated that “Coffee with the Mayor” would be Saturday, May 17th, 2017 at 9:00 a.m.

Keith Higginbotham made a motion to adjourn with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk

