



**CITY OF CENTERTON
CITY COUNCIL MEETING
OCTOBER 10, 2017**

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 Keith Higginbotham. Those Present and answering roll call were Mayor Bill Edwards, Keith Higginbotham, Josie Reed, Keith Higginbotham, Wayne Low, Darren Warren and Misty Elam. Robin Reed was absent. 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, Police Captain Kris Arthur, Fire Chief Delton Bush, Planning Director Lorene Burns, Water & Sewer Superintendent Frank Holzkamper, Chief Building Inspector Robert Coffelt and Animal Control Supervisor Terry Sanchez.

- (1) Council Minutes-** Wayne Low made a motion to approve the September 12th, 2017 City Council and September 28th, 2017 Special City Council minutes with a 2nd 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 August 15th, 2017 CWSD meeting minutes and August 22nd, 2017 Planning Commission meeting minutes, with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- (3) City and Court Financials-** Mayor Edwards stated that 75% through the year we have received 76.50% of our budgeted revenue. He stated that our expenditures were at 69.18%. He highlighted some of the financials for the council. Wayne Low made a motion to accept the September 2017 City and Court financials, with a 2nd from Keith Higginbotham. 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.

(5) Ordinance 2017-54- AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, CHAPTER 2.12.04 FIXING THE SALARY FOR THE CITY COUNCIL. Mayor Bill Edwards addressed the council and explained the need for this ordinance to raise the pay per meeting for City Council Members to \$250.00 for attendance per Regular City Council Meeting. In addition, each Council Member shall receive \$100.00 for attendance per Special City Council Meeting, for up to 6 Special Meetings per year. Mayor Edwards stated that he had looked at the Council Pay for the surrounding communities of Bentonville, Lowell, Siloam Springs and Bella Vista and felt the increased workload justified an increase in pay. He stated that if approved, this will go into effect January, 1st, 2018. There was discussion. Keith Higginbotham made a motion to read the ordinance by title only, with a 2nd from Wayne Low. 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 2nd from Misty Elam. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Misty Elam. All council members voted in favor, except for Darren Warren, who voted NO, and the motion carried.

(6) Ordinance 2017-55- AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, SECTION 2.16.03 FIXING THE SALARY FOR CITY CLERK. Mayor Bill Edwards addressed the council and explained the need for this ordinance to adjust the pay of the City Clerk to \$250.00 for attendance per Regular City Council Meeting and shall receive \$100.00 for attendance per Special City Council Meeting, for up to 6 Special Meetings per year. The City Clerk shall also receive \$150.00 for typed transcript of each meeting. Mayor Edwards asked if there were any questions. There were none. Josie Reed made a motion to read the ordinance by title only, with a 2nd 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 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 Misty Elam. All council members voted in favor and the motion carried.

- (7) **Ordinance 2017-56- AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, SECTION 13.04.05 FIXING THE SALARY FOR MEMBERS OF THE PLANNING COMMISSION.** Mayor Bill Edwards addressed the council and explained the need for this ordinance to adjust the pay of the Members of the Planning Commission to \$150.00 for attendance per Planning Commission Meeting and the Chairman shall receive \$200.00 for attendance per Planning Commission Meeting. The Appointed Planning Recorder shall be paid \$150.00 for attendance of each planning Commission Meeting and shall be paid \$150.00 for the preparation of the minutes for each meeting. Mayor Edwards asked if there were any questions. There were none. Josie Reed made a motion to read the ordinance by title only, with a 2nd 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 2nd from Keith Higginbotham. All council members voted in favor and the motion carried. Wayne Low made a motion to adopt the ordinance with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

- (8) **Ordinance 2017-57- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS BELONGING TO ARC CONSTRUCTION & DEVELOPMENT, INC. FROM AGRICULTURAL (A-1) TO HIGH DENSITY RESIDENTIAL (R-3).** Mayor Bill Edwards addressed the council and explained the need for this ordinance to rezone certain lands. He stated that there was a Public hearing at the last Planning commission Meeting and there were no public comments. Darren Warren asked about access easement control at that intersection. Planning Director Lorene Burns addressed Mr. Warren's questions. Todd Wright stated that there would be right-of-way dedications on both Seba Road and Gamble Road. Darren Warren 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. Josie Reed 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. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

(9) Ordinance 2017-58- AN ORDINANCE ACCEPTING 30' RIGHT-OF-WAY DEDICATION ON THE NORTH SIDE OF KIMMEL ROAD BY BRANDON & AUDRA WALL PER TRACT SPLIT PLAT FOR PROPERTY LOCATED IN PART OF THE E 1/2 OF THE SE 1/4 OF THE NE 1/4 OF S03-T19N-R31W, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS. Mayor Bill Edwards addressed the council and explained the need for this ordinance to accept 30 ft. of right-of-way on Kimmel Road. Mayor Edwards asked if there were any questions. There were none. Wayne Low made a motion to read the ordinance by title only, with a 2nd from Keith Higginbotham. 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. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

(10) Ordinance 2017-59- AN ORDINANCE ACCEPTING 5' RIGHT-OF-WAY DEDICATION ON THE EAST SIDE OF WOMACK ROAD BY ASPEN SQUARE, INC PER PRPOERTY LINE ADJUSTMENT PLAT FOR PROPERTY LOCATED IN PART OF THE NW 1/4 OF THE NE 1/4 OF THE NW 1/4 OF S03-T19N-R31W, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS. Mayor Bill Edwards addressed the council and explained the need for this ordinance to accept 5 ft. of right-of-way on Womack Road. Mayor Edwards asked if there were any questions. There were none. Darren Warren made a motion to read the ordinance by title only, with a 2nd 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 2nd from Darren Warren. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

(11) Resolution 2017-21- A RESOLUTION AUTHORIZING THE RATE OF PROPERTY TAX FOR THE CITY OF CENTERTON FOR THE YEAR 2017 TO BE COLLECTED IN 2018. Mayor Edwards addressed the council and explained the need for this resolution to allow the County to collect property taxes and real estate taxes for the city. Mayor Edwards stated there were no changes and asked if there were any questions. There were none. Keith Higginbotham made a motion to read the resolution by title only with a 2nd 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 2nd from Darren Warren. All council members voted in favor and the motion carried.

- (12) **Resolution 2017-20- A RESOLUTION BY THE CITY OF CENTERTON SUPPORTING FEDERAL AND STATE LEGISLATION TO ENSURE THE PROPER ASSESSMENT AND COLLECTION OF SALES TAX FROM ALL INTERNET/ONLINE SALES THEREBY CREATING A FAIR AND FREE MARKET FOR ALL BUSINESSES AND CONSUMERS REGARDLESS OF THE LOCATION OF THE BUSINESS FROM WHICH THE PURCHASE WAS MADE..** Mayor Edwards stated that this resolution was brought to us by the Municipal League asking cities to support a possible future State Law requiring sales tax to be collected and remitted back to the cities for any sales of product on the internet. He asked if there were any questions. There were none. 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. Josie Reed made a motion to adopt the resolution with a 2nd from Darren Warren. All council members voted in favor and the motion carried.

- (13) **Discuss Department Head Compensation for 2018 Budget-** Mayor Edwards addressed the council and stated that he had made salary comparisons for His Department Heads with surrounding communities. The council was presented with a report detailing those comparisons, for our nine (9) salaried Department Head employees. The report listed the salary range from the Municipal League for cities with populations of 10,000-20,000, and salary ranges for Bentonville, Siloam Springs, Lowell and Bella Vista. Edwards stated that we did give all of our full-time hourly employees a \$1.00/hr. raise, across the board, in October of 2017 and stated at that time that he would like to take a look at the salaries of our Department Heads. Edwards stated that a lot of our Department Heads are paid a lot less than our surrounding cities. He stated that he did not include himself in this request. Edwards detailed the salary report with the council, pointing out that their dates of hire were included, and a lot of these employees have a lot of time with the city. Edwards proposed giving these 9 salaried employees a 6% increase, effective January 1st, 2018. The current salaries were listed on the report, as well as the salaries after the 6% increase. Mayor Edwards stated that these employees would still be eligible for their 4% Merit raises, and those amounts were listed on the report as well. There was discussion. Misty Elam asked what this would add to the budget and Mayor Edwards stated that it would be around \$60,000.00 after the 6% and the up to 4% were added. Edwards pointed out that some of the hire dates are later in the year, so Merit Reviews won't take place until later in the year. Mayor Edwards stated that, if approved, the 6% increase would take place January 1st, 2018, and will be on the budget sheet for the 2018 Budget.

Matt Rhoden- Citizen questioned that this would be a 10% raise basically, and asked what the average hourly employee makes. Mayor Edwards stated that it depends on the department and the position. Rhoden pointed out that the hourly employees got a \$1.00/hr. raise, and that if they were making more than \$10.00/hr., their raise was less than 10%. Mayor Edwards stated that he was only asking for a 6% increase for the Department Heads, but included the 4% possible Merit Raise for budget purposes. Mr. Rhoden stated that he understood.

Keith Higginbotham made a motion to approve the 6% salary increase for the 9 Salaried Department Heads, as presented by Mayor Edwards, effective 1/1/18, with a 2nd from Wayne Low. All council members voted in favor and the motion carried.

- (14) **Accept Resignation of Jane Birmingham from the Water & Sewer Commission-** Mayor Edwards addressed the council and stated that Jane Birmingham resigned from the Water & Sewer Commission at their last Commission meeting. Edwards stated that the opening has been posted and closes next Tuesday. Mayor Edwards asked if there were any questions. There were none. Wayne Low made a motion to accept the resignation of Jane Birmingham from the Water & Sewer Commission with a 2nd from Josie Reed. All council members voted in favor and the motion carried.
- (15) **Authorization to Sell Road Grader to Stribling-** Mayor Edwards addressed the council and stated that we leased a new road grader and put the old road grader out for bid, with a \$60,000.00 reserve on it, based on estimated value. Edwards stated that we only ended up with \$35,000.00 as a bid, so we did not accept it, because it did not meet our minimum. Mayor Edwards stated that Stribling has offered to give us \$55,000.00 for the grader and asked for the council's approval to accept that offer. Wayne Low made a motion to approve the sale of the road grader to Stribling for \$55,000.00 with a 2nd from Josie Reed. All council members voted in favor and the motion carried.
- (16) **Set Budget Committee of the Whole Meeting for November 16, 2017 at 6:00 p.m.-** Mayor Edwards asked the council if they would be available and in favor of a Committee of the Whole meeting to discuss the 2018 City Budget on Thursday, November 16, 2016 at 6:00 p.m. All council members present were in favor.

(17) **Other Business-**

- **November Council Meeting-** City Clerk Todd Wright stated that he had a scheduling conflict with the City Council Meeting scheduled for November 14th, 2017 and asked the council for their approval to move it up one week to November 7th, 2017 at 6:00 p.m. All council members were in favor. City attorney Brian Rabal stated that he has a conflict on November 7th, but will try to find a substitute for himself. The November City Council meeting was rescheduled for Tuesday November 7th, 2017 at 6:00 p.m.
- **Animal Shelter Expansion-** Mayor Edwards stated that he was approached by the City of Bentonville to enter into a contract to take their shelter dogs. He stated that he, City Attorney Brian Rabal, Animal Control Supervisor Terry Sanchez, the Mayor, Police Chief, City Attorney and Finance Director of the City of Bentonville have all met a couple of times. Mayor Edwards stated that we would like to add a 40' x 60' metal building addition to our current Animal Shelter building. He stated that he has not gotten any formal bids, but did get a cost estimation from a couple builders, to get some idea on cost. Edwards stated that he felt that we could get this built for about \$300,000.00 plus about \$25,000.00 for fencing. Edwards stated that the City of Bentonville has offered to enter into a 5 year contract with the City of Centerton for a \$100,000.00 per year flat fee, plus \$100.00 per dog, and we would keep all of the adoption fees. Edwards stated that any medical fees on the dogs from Bentonville would be taken care of on an account at the Centerton Animal Hospital. Edwards stated that Bentonville told him that they take in about 350 dogs per year. Edwards stated that Mayor McCaslin stated that he would be willing to give \$300,000.00 in advance, to offset the cost of the construction of the addition to the building. Edwards stated that it would cover the cost of the building, leaving the first three (3) years of the contract with only the \$100/dog fee, which would give us \$35,000.00-\$40,000.00 in fees. Edwards stated that he and Animal Control supervisor Sanchez feel like they would need to add one (1) more full-time Kennel Technician, and would move the Part-Time person to Full-Time, giving us Two (2) Kennel Tech's and Two (2) Animal Control Officers. Edwards stated that we currently have 18 slots for dogs in our shelter and this addition would add 42 more slots, as well as some outdoor runs and some overhangs. Edwards stated that Bentonville will bring the dogs to us, during business hours and they will also process the dogs, including any outstanding fines. Mayor Edwards presented a timeline, if approved, to the council, with an April 1st, 2018 target for completion. Mayor Edwards stated that he is proposing to raise the fee per dog to \$100.00 with the four (4) cities we currently take dogs from and he has reached out to those cities. He stated that he has heard back from Bethel Heights and Highfill. Mayor Edwards stated that Bentonville has this issue before their council

tonight as well. There was discussion. Darren Warren stated that he was in favor of this and that we are basically getting the expansion of the building for free. Keith Higginbotham asked that we take a look at this project 6 months into it to make sure we have enough staffing and capacity. Wayne Low made a motion to enter into a 5- year contract with the City of Bentonville for Animal (Dogs) Control, to include the building expansion, subject to approval by the Bentonville City Council, with a 2nd from Darren Warren. All council members voted in favor and the motion carried.

(18) Announcements- Mayor Edwards stated that “Coffee with the Mayor” would be Saturday, October 21st, 2017 at 9:00 a.m.

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

Bill Edwards, Mayor

Todd Wright, City Clerk

