



**CITY OF CENTERTON
CITY COUNCIL MEETING
APRIL 12, 2022
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, Keith Higginbotham, Darren Warren, Josie Reed, Justin Cowgur and Misty Elam. Amy Rochette was absent. Those present and not answering Roll Call were City Clerk Todd Wright, City Attorney Brian Rabal, Finance Manager Shannon Zappettini (via Zoom), HR Director Jocelyn Diaz, Planning Director Lorene Burns, Police Chief Cody Harper, Fire Chief Matt Thompson, Centerton Utilities Director Frank Holzkamper, Chief Building Inspector Robert Coffelt and Robert Denbo from Public Works.

- (4) Public Hearing – Centerton Utilities Water and Sewer Bonds -**

Mayor Edwards read the Notice of Public Hearing

Centerton Utilities Director Frank Holzkamper addressed the Council, stating that Centerton Utilities are requesting to use Bonds to build a new Water Tower to serve the continued growing demand of the citizens of the city. He said this bond would also cover 24” Trunk Water Lines to and from the Water Tower, to provide for the water supply. He said they have performed a Rate Analysis, and there is no Rate Increase required for this project. He said the Water Tower will either have a 2.5 million gallon tank or a 3 million gallon tank. He said the Water Tower will be built on the southern end of our water system, on Hwy 102 by the Fire Station. He said this new Water Tower will provide for the added volume required by our growth, and will also provide a back-up to our current water system, should there be any issues.

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

Keith Higginbotham made a motion to Open the Public Hearing, with a 2nd from Darren Warren. All Council Members voted in favor and the motion carried.

Public Comments - None

Misty Elam made a motion to Close the Public Hearing, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

(5) Council Minutes –

Justin Cowgur made a motion to Approve the Minutes of the March 8, 2022 and March 16, 2022 City Council Meetings, with a 2nd from Keith Higginbotham. All Council Members voted in favor and the motion carried.

CWSD, Planning Commission and Parks & Recreation Minutes –

Keith Higginbotham made a motion to Acknowledge Receipt of the Minutes of the March 15, 2022 CWSD Meeting; the March 1, 2022, March 8, 2022 (Special Meeting) and March 15, 2022 Planning Commission Meetings; and the January 10, 2022 Parks & Recreation Advisory Board Meeting, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

(6) City and Court Financials- Mayor Edwards stated that 25% through the year we have received 32.72% of our Budgeted Revenue. He stated that our Expenditures were at 24.84%. He detailed some of the financials, such as increases in Building Permits, City Sales Taxes, County Sales Taxes and Franchise Taxes. He said the Court Report was contained in the Council packets, as well as the report on Miscellaneous Expenses.

Mayor Edwards asked the Council if there were any questions.

Darren Warren asked for details on the Miscellaneous Expense Report. Finance Manager Shannon Zappettini and Mayor Bill Edwards addressed the Council and detailed the Report.

Josie Reed made a motion to Accept the March, 2022 City & Court Financials, with a 2nd from Misty Elam. All Council Members voted in favor and the motion carried.

(7) Department Reports -

The Department Reports were in the Council Packet.

Mayor Edwards asked the Council if there were any questions.

Justin Cowgur asked if the Pirate Playground Equipment had been received. Robert Denbo stated that it has been received, but has not been installed yet.

There were no other questions from Council.

(8) Ordinances –

Keith Higginbotham made a motion to Read Ordinances 2022-28, 2022-29, 2022-30 and 2022-31 and Resolutions 2022-09 and 2022-10 by Title only, with a 2nd from Justin Cowgur. All Council Members voted in favor and the motion carried.

Josie Reed made a motion to Suspend the Rule Requiring the Reading on three (3) Separate Occasions for Ordinances 2022-28, 2022-29, 2022-30 and 2022-31, with a 2nd from Keith Higginbotham. All Council Members voted in favor and the motion carried.

- **Ordinance 2022-28 - AN ORDINANCE ACCEPTING THE FINAL SUBDIVISION PLAT OF THE PRAIRIE BROOK PHASE 2 SUBDIVISION, CREATING RESIDENTIAL LOTS 36-65, AND TRACT B, CITY OF CENTERTON, S6-T19N-R31W, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept the Final Plat of Phase 2 of the Prairie Brook Subdivision. He said this subdivision is off of Bush Road and Tycoon Road, and is for Lots 36-65 and a Detention Lot. He said the Bonds have been received from the developer, as listed in the Ordinance. He said this was heard by the Planning Commission at their 4/05/2022 meeting and was recommended for approval by Council.

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

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

- **Ordinance 2022-29 - AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY BELONGING TO 1031 EXCHANGE, TO THE CITY OF CENTERTON, ARKANSAS, APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; ASSIGNING SUCH AREA TO WARD 3; AND ZONING AS HIGHWAY COMMERCIAL (C-2) AND MEDIUM-HIGH DENSITY MULTI-FAMILY RESIDENTIAL (R3-MF).**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept the annexation of property off of Kinyon Road and Tycoon Road and has been approved by the County Judge. He said the property was recently rezoned to (R3-MF), and there are other properties in this area looking to be annexed into the city.

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

Brian Rabal read the Ordinance by title only. Josie Reed made a motion to adopt the Ordinance with a 2nd from Keith Higginbotham. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2022-30 - AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$13,000,000.00 PAR AMOUNT CITY OF CENTERTON, ARKANSAS WATER AND SEWER IMPROVEMENT REVENUE BONDS, SERIES 2022 FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COST OF CERTAIN IMPROVEMENTS; PLEDGING WATER AND SEWER REVENUES TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS; AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT; AUTHORIZING THE EXECUTION AND USE OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE MARKETING OF SUCH BONDS; AUTHORIZING A TRUST INDENTURE SECURING THE BONDS; AUTHORIZING THE SALE OF THE BONDS; AUTHORIZING AND APPROVING THE EXECUTION AND USE OF AN OFFICIAL STATEMENT, AND PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY.**

Bob Wright, with Crews & Associates, addressed the Council, detailing the current Bond Market, and giving the specifics of this Bond Request. He said we are looking currently at about 3.85% for 25-yr financing, for all-in costs. He said this Bond Request is not to exceed \$13 million, with no Rate Increase for the citizens.

Jill Grimsley said there is no rate increase with this Bond, but there is a Special Council Meeting scheduled for tomorrow night, to clean up some of the impact Fees and to meet some of the ACT 605 requirements, so bonds can be issued. Centerton Utilities Director Frank Holzkamper gave details.

Mayor Edwards said the reason for the public hearing tomorrow night is due to an error in publishing the meeting address for the New City Hall.

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

Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to adopt the Ordinance with a 2nd from Josie Reed. There was a roll call. All Council Members voted in favor, and the motion carried. Brian Rabal read the Emergency Clause. Darren Warren made a motion to adopt the Emergency Clause with a 2nd from Keith Higginbotham. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2022-31 - AN ORDINANCE AMENDING THE BUDGET FOR THE OPERATION OF THE CITY OF CENTERTON, ARKANSAS FOR THE CALENDAR YEAR 2022; DECLARING AN EMERGENCY; AND FOR OTHER PUPOSES.**

Mayor Edwards addressed the Council, stating that this Ordinance is to amend the 2022 Budget. He detailed each of the amendments, providing a highlighted copy for Council.

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

Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to adopt the Ordinance with a 2nd from Josie Reed. There was a roll call. All Council Members voted in favor, and the motion carried. Brian Rabal read the Emergency Clause. Keith Higginbotham made a motion to adopt the Emergency Clause with a 2nd from Misty Elam. All Council Members voted in favor, and the motion carried.

(9) Resolutions –

- **Resolution 2022-09 - 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 signers for the city bank account with First national Bank NWA. He recommended tabling this Resolution at this time, pending discussion in Executive Session later in this meeting.

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

Josie Reed made a motion to Table the Resolution, with a 2nd from Misty Elam. All Council Members voted in favor and the motion carried.

- **Resolution 2022-10 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, TO EXECUTE ON BEHALF OF THE CITY OF CENTERTON, AN AGREEMENT WITH NATHALIE BRUNELL FOR CONSULTANT SERVICES FOR THE FINANCE DEPARTMENT FOR THE CITY OF CENTERTON, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Resolution is to allow the city to enter into an agreement with Nathalie Brunell for consultant services in the city’s Finance Department. He said he and Misty Elam met with Mrs. Brunell. Misty Elam said she recommended Mrs. Brunell, as a trusted person, to come in and work one-on-one in the Finance Department with Finance Manager Shannon Zappettini. Elam asked if we should wait until after Council meets in Executive Session this evening. Darren Warren said he felt we should move forward. Council agreed.

Nathalie Brunell addressed the Council and shared her background.

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

Brian Rabal read the Resolution by title only. Justin Cowgur made a motion to adopt the Resolution, with a 2nd from Darren Warren. All Council Members voted in favor and the motion carried.

(10) Surplus 2005 Chevrolet Silverado 2500HD Work Truck VIN# 1GCHK23U55F921643 –

Mayor Edwards addressed the Council, asking for their permission to surplus a 2005 Chevrolet Silverado 2500HD work truck. He said the truck has been used in multiple departments in the city. He said the truck will be listed for sale on GovDeals.

Keith Higginbotham made a motion to surplus the 2005 Chevrolet Silverado 2500HD Work Truck, with a 2nd from Darren Warren. All Council Members voted in favor and the motion carried.

(11) Surplus 2013 Chevrolet Tahoe VIN# 1GNCL2E07DR180577 and 2014 Chevrolet Tahoe VIN# 1GNLC2E05DR273193 –

Mayor Edwards addressed the Council, asking for their permission to surplus a 2013 Chevrolet Tahoe and a 2014 Chevrolet Tahoe, both from the Police Department. He said one vehicle has over 105,000 miles and the other has over 106,000 miles. He said the vehicles will be listed for sale on GovDeals.

Police Chief Cody Harper addressed the Council, stating that we were able to purchase two (2) new Ford Interceptors, one (1) Dodge Charger and one (1) Dodge Durango for the Police Department, as vehicles that were approved in the budget by Council.

Josie Reed made a motion to surplus a 2013 Chevrolet Tahoe and a 2014 Chevrolet Tahoe from the Police Department, with a 2nd from Justin Cowgur. All Council Members voted in favor and the motion carried.

(12) Discuss Funding for McKissic Creek Trail Phase 2 –

Mayor Edwards addressed the Council, stating that he, Josh Price, Alan Craighead and Lance Johnson met with the Walmart Family Foundation, who helped fund Phase 1. He said we are about 90% complete with Phase 1. He said for Phase 2 we will apply for the TAP Grant with Northwest Regional Planning again, but in the event we do not get the grant, he asked that Council support our half of the Walmart Family Foundation 50/50 Grant, with our portion to be about \$200,000.00. Council was in support.

Keith Higginbotham made a motion to allow the City to provide matching funds of up to \$200,000.00 for Phase 2 of the McKissic Creek Trail, with a 2nd from Darren Warren. All Council Members voted in favor and the motion carried.

(13) Schedule Special City Council Meeting for April 13th at 6:00 PM, for a Title 10 Amendment –

Mayor Edwards addressed the Council, asking for their permission to hold a Special City Council Meeting via Zoom on 4/13/2022 at 6:00 PM to approve an amendment to Municipal Code Title 10.

Council agreed hold a Special City Council Meeting on 4/13/2022 at 6:00 PM, for the purpose of hearing a request for an Amendment to Municipal Code Title 10.

(14) Discuss Moving Forward with American Rescue Plan Funding Requests –

Mayor Edwards addressed the Council, asking that they schedule time to discuss the disbursement of American Rescue Plan funds for Non-Profit Organizations. He said we have allocated some of the funds and we have heard requests from some non-profit organizations. He said he had recommended that a committee be formed. He said we do need to discuss what we want to do with these funds. He said we could include discussion in our April Work Session. He said he expects the city to receive the additional funds at the end of July or first of August.

Council agreed to add the discussion to the 4/26/2022 Work Session.

(15) Public Comments –

Lisa McCoy – 1261 Clydesdale Drive – Mrs. McCoy asked what Purchase Order System has been put in place with the City. Mayor Edwards said we are temporarily using an Excel Spreadsheet system, while actively looking at other options, including a module with CSA.

McCoy also asked about the surplus process. Mayor Edwards said we currently only surplus Capital Assets, normally using GovDeals to surplus items. McCoy asked if Edwards could notify citizens of when items were being surplus. Edwards said he could.

McCoy asked how often the A&P Commission meets. Mayor Edwards said they meet once per year.

Jamie George – 1017 Tarah Knolls Circle – Mr. George recommended that the city get an automated Purchase Order established.

Mr. George asked if the Finance Director position has been filled. Misty Elam said the position is still open, and Mrs. Brunell will be helping the Finance Department as a consultant.

(16) Other Business – None

(17) Executive Session –

Mayor Edwards called an Executive Session to discuss hiring for the open position of Financial Director.

Keith Higginbotham made a motion to enter into Executive Session at 6:56 PM, with a 2nd from Josie Reed. All Council Members voted in favor, and the motion carried.

Misty Elam made a motion to exit Executive Session and return to the City Council Meeting at 7:40 PM, with a 2nd from Darren Warren. All Council Members voted in favor, and the motion carried.

Misty Elam said we have received 4 applications for the open position for Financial Director, which will remain open both internally and externally, with the advertising for the position to be opened up to outside of the State of Arkansas.

(18) Announcements -

- **4/19/2022 – Planning Commission Meeting @ 6:00 PM**
- **4/26/2022 – City Council Work Session @ 6:00 PM**
- **5/03/2022 - Planning Commission Meeting @ 6:00 PM**
- **5/10/2022 – City Council Meeting @ 6:00 PM**

(19) Adjourn -

Keith Higginbotham made a motion to Adjourn at 7:42 PM with a 2nd from Justin Cowgur. All Council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk