



**CITY OF CENTERTON
CITY COUNCIL MEETING
MAY 14, 2024
6:00 PM**

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

- (2) **Prayer** – Amy Rochette offered the prayer.

- (3) **Roll Call** - Those Present and answering Roll Call were Mayor Bill Edwards, Cody Miles, Darren Warren, Josie Reed, Keith Higginbotham, Justin Cowgur (via Zoom) and Amy Rochette. Those present and not answering Roll Call were City Clerk Todd Wright, City Attorney Brian Rabal, Financial Director Shannon Zappettini (via Zoom), City Engineer Alan Craighead, Planning Director Lorene Burns, Police Chief Cody Harper, Chief Building Inspector Robert Coffelt and Director of Public Works Anthony Martinez.

- (4) **Council Minutes** –

Josie Reed made a motion to Approve the Minutes of the April 9, 2024 City Council Meeting, with a 2nd from Darren Warren. All Council Members voted in favor and the motion carried.

CWSD, Planning Commission, Parks and Recreation Advisory Board and A & P Commission Minutes –

Amy Rochette made a motion to Acknowledge Receipt of the Minutes of the March 26, 2024 CWSD Meeting, April 2, 2024 and April 16, 2024 Planning Commission Meetings, and the April 1, 2024 Parks and Recreation Advisory Board Meeting, with a 2nd from Keith Higginbotham. All Council Members voted in favor and the motion carried.

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

Mayor Edwards addressed the Council, detailing the Financial Reports for April 2024, as provided in the Council packets. Revenue was at 38.28 % and Expenses were at 33.54%.

The April 2024 Financial Report and Court Report were contained in the Council packets.

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

Keith Higginbotham made a motion to accept the April, 2024 City & Court Financials, with a 2nd from Cody Miles. All Council Members voted in favor and the motion carried.

(6) Department Reports -

The Department Reports were in the Council Packets.

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

(7) Public Comments –

Cindy Harding – 412 Sadie Lane – Ms. Harding asked if the AED machine was still located in the Community Building. Mayor Edwards stated that there is not one currently located in the Community Room, but the Fire Chief is working on purchasing one and finding a safe location in the Community Building for it.

(8) Ordinances –

Amy Rochette made a motion to Read Ordinances 2024-17 and 2024-18; and Resolutions 2024-14, 2024-15 and 2024-16 by Title only, with a 2nd 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 2024-17 and 2024-18, with a 2nd from Amy Rochette. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2024-17 – {PUBLIC HEARING} AN ORDINANCE APPROVING ORDINANCE NO. 2024-47 OF THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS FOR THE DETACHMENT OF CERTAIN TERRITORY FROM THE CITY OF CENTERTON, ARKANSAS AND THE ANNEXATION THEREOF INTO THE CITY OF BENTONVILLE, ARKANSAS, PROVIDING FOR THE EMERGENCY CLAUSE AND FOR OTHER PURPOSES.**

Mayor Edwards addressed the Council, stating that this Ordinance is to approve the detachment, from the city of Centerton, of land off of N. Rainbow Farm Road and Shell Road, allowing for annexation into the city of Bentonville. He stated that the main reason for detachment is for the existence of Bentonville utilities required for development. A map was provided for Council.

Attorney Bill Watkins, representing the applicant, addressed Council detailing the request and the process up to this point. He stated that this request was at the recommendation of the Centerton Planning Commission and Staff.

There was Council discussion regarding Centerton Utilities in the area, and history of utility services of both Centerton and Bentonville in other areas.

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

Public Hearing- TJ Wells, 640 Hawthorne Way – Mr. Wells expressed disappointment in the de-annexation of Centerton land and recommended looking into possible land swaps in the future.

Keith Higginbotham made a motion to Close the Public Hearing, with a 2nd from Amy Rochette. There was a roll call. All Council Members voted in favor, and the motion carried.

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 2nd from Darren Warren. There was a roll call. All Council Members voted in favor, and the motion carried. City Attorney Brian Rabal read the Emergency Clause. Keith Higginbotham made a motion to adopt the Emergency Clause, with a 2nd from Cody Miles. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2024-18 - AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO ANDERSON CUSTOM HOMES, FROM AGRICULTURAL (A-1) TO MEDIUM-HIGH DENSITY SINGLE-FAMILY RESIDENTIAL (R3-SF), MEDIUM-HIGH DENSITY MULTI FAMILY RESIDENTIAL (R3-MF), AND HIGHWAY COMMERCIAL (C-2).**

Mayor Edwards addressed the Council, stating that this Ordinance is to rezone land off of Hwy 72 West from (A-1) to (R3-SF), (R3-MF) and (C-2). He said it was recommended for Council approval at the 5/07/2024 PC meeting. He detailed public comments regarding traffic safety, density and compatibility. A Land Use map was provided for Council, showing the location of the requested area.

Dan Cole, with Sand Creek Engineering was present, representing the applicant.

Council Member Amy Rochette asked if a traffic study was done on Hwy 72. Cole said there was not. She questioned the fit of multi-family in the area.

Council Member Cody Miles asked how high the multi-family would be. Cole said the city code limits it to 2-story.

Council Member Josie Reed questioned the placement of the (R3-MF) multi-family. Cole stated that they were trying to create different modes, not to create a single mass. Mayor Edwards said they were trying to create buffers. He said there is a development on Centerton Blvd that is similar.

Council Member Justin Cowgur questioned the impact on the water system.

Planning Director Lorene Burns addressed Council, detailing (R3-MF) and the proposed layout of the zonings in the request.

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 2nd from Darren Warren. There was a roll call. All Council Members Darren Warren, Josie Reed and Keith Higginbotham voted YES, Council Members Amy Rochette, Justin Cowgur and Cody Miles voted NO. Mayor Bill Edwards voted in favor, breaking the tie, and the motion carried.

(9) Resolutions –

- **Resolution 2024-14 - A RESOLUTION AGREEING TO A TERRITORIAL JURISDICTION BOUNDARY LINE BETWEEN THE CITY OF HIGHFILL AND THE CITY OF CENTERTON.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is for the city to enter into an agreement with the city of Highfill, Arkansas for a territorial, jurisdiction line for Planning Areas for Centerton and Highfill.

Planning Director Lorene Burns addressed Council, detailing the area being agreed upon.

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 2nd from Cody Miles. All Council Members voted in favor, and the motion carried.

- **Resolution 2024-15 - A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION AND USE OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE MARKETING OF THE CITY'S SALES AND USE TAX REFUNDING AND IMPROVEMENT BONDS, SERIES 2024 AND AUTHORIZING THE EXECUTION OF A BOND PURCHASE AGREEMENT; ENGAGING PROFESSIONALS FOR THAT PURPOSE; DECLARING THE CITY'S OFFICIAL INTENT TO REIMBURSE EXPENDITURES MADE BY THE CITY WITH THE PROCEEDS OF SUCH BONDS FOR CERTAIN EXPENDITURES INCURRED FOR ONE OR MORE QUALIFIED PURPOSES; IDENTIFYING SAID EXPENDITURES TO BE INCURRED FOR ONE OR MORE QUALIFIED PURPOSES; AND FOR RELATED PURPOSES.**

Jill Grimsley with Mitchell Williams and Cheryl Schluterman with Raymond James were present to answer questions.

Jill Grimsley addressed the Council, stating that this Resolution authorizes the city to begin marketing the bonds to investors and to allow the city to engage services, such as architects for the Community Center and to be able to reimburse those funds. She stated that the city only has three (3) years to use the bonds once issued. She pointed out a change that needed to be made in the Resolution, regarding the year of the Series 2021 Bonds to state Series 2017A and Series 2017B Bonds, on the last line of the 2nd paragraph, of the 2nd page of the Resolution.

Keith Higginbotham made a motion to approve the amendment, as presented, with a 2nd from Amy Rochette. All Council Members voted in favor, and the motion carried.

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 2nd from Amy Rochette. All Council Members voted in favor, and the motion carried.

- **Resolution 2024-16 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN EQUIPMENT RENTAL AGREEMENT WITH ATMAX EQUIPMENT TAMPA, FLORIDA, FOR RENTAL OF A MOWER MAX MODEL 810-1003 PRIME MOWER.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to enter into an agreement with ATMAX Equipment of Tampa, Florida for a Mower Max Model 810-1003 Prime Mower for the Public Works Department. A copy of the agreement was provided for Council.

Director of Public Works Anthony Martinez addressed Council, detailing the need for this type of proper equipment. He said it will be a 5-year lease to purchase agreement. He said he has money in his budget, but that it was not a budgeted item.

Mayor Edwards asked the Council if there were any 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 2nd from Cody Miles. All Council Members voted in favor, and the motion carried.

(10) Approve Updated Parks & Recreation Advisory Board Bylaws -

Mayor Edwards addressed the Council, detailing a change to the Parks & Recreation Advisory Board Bylaws, and recommended approval by Council. He said the change is that Committee members need to be a resident of Centerton.

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

Keith Higginbotham made a motion to Approve Changes to the Bylaws of the Parks & Recreation Advisory Board Bylaws, as presented, with a 2nd from Amy Rochette. All Council Members voted in favor and the motion carried.

(11) Approve Additional Officer for the Centerton Police Department -

Mayor Edwards addressed the Council, explaining the need for an additional Police Officer, due to one of our officers being accepted as a 2nd SRO at BWHS, and recommended approval by Council.

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

Keith Higginbotham made a motion to Approve the Addition of One (1) Police Officer, as presented, with a 2nd from Cody Miles. All Council Members voted in favor and the motion carried.

(12) Approve Adjacent Street Agreement for Kinyon Road -

Mayor Edwards addressed the Council, detailing the Adjacent Street Agreement for Kinyon Road, at the Crystal Cove subdivision, and recommended approval by Council. He said the reason it is coming before Council is that the amount is \$49,500.00 for our half. A copy of the agreement was provided for Council.

City Engineer Alan Craighead addressed Council, detailing the roadway in this area and explaining the reason for the agreement.

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

Keith Higginbotham made a motion to Approve the Adjacent Street Agreement for Kinyon Road, as presented, with a 2nd from Darren Warren. All Council Members voted in favor and the motion carried.

(13) Proclaim May as Arkansas Extension Homemakers Month -

Mayor Edwards addressed the Council, proclaiming May as Arkansas Extension Homemakers Month. A copy of the proclamation was provided for Council.

(14) Discuss Upcoming Terms for Commissions and Boards –

Mayor Edwards gave an update on upcoming expiring Terms for City Commissions and Boards. He detailed the current process of filling vacancies.

- **Parks and Recreation**

Robin Reed – 7/31/2024

Isaac Harris – 7/31/2024

Darren Warren made a motion to re-appoint Robin Reed and Isaac Harris to the Parks Recreation Advisory Board, Term expiring 7/31/2026, with a 2nd from Cody Miles. All Council Members voted in favor, except Amy Rochette, who voted NO, and the motion carried.

- **Water & Sewer**

Don Casteel – 6/30/2024

Darren Warren made a motion to re-appoint Don Casteel to the Water & Sewer Commission, Term expiring 6/30/2032, with a 2nd from Cody Miles. All Council Members voted in favor and the motion carried.

- **Planning Commission**

Jerry Harris – 6/30/2024

Tony Davis – 6/30/2024

Jeff Seyfarth – 6/30/2024

After discussion about term lengths, Council recommended waiting until the 6/11/2024 Council meeting to review the three (3) expiring terms of the Planning Commission.

(15) Other Business –

- **Fireworks Dates – July 1 thru July 4: 8:00 am - 11:00 pm, December 31: 8:00am – midnight, January 1: 12:01 am – 12:31 am**

(16) Announcements -

- **5/18/2024 – Coffee w/ the Mayor @ 9:00 AM**
- **5/21/2024 – Planning Commission Meeting @ 6:00 PM**
- **6/04/2024 – Planning Commission Meeting @ 6:00 PM**
- **6/06/2024 – ARDOT Design Meeting @ 4:00-7:00 PM**
- **6/11/2024 – City Council Meeting @ 6:00 PM**
- **6/18/2024 – Planning Commission Meeting @ 6:00 PM**

(17) Adjourn -

Keith Higginbotham made a motion to Adjourn at 8:09 PM with a 2nd from Darren Warren. All Council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk