



**CITY OF CENTERTON  
CITY COUNCIL MEETING  
AUGUST 8, 2023  
6:00 PM**

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

**(2) Prayer** – Josie Reed offered the prayer.

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

Mayor pro tem Todd Wright addressed Council, stating that he would be conducting tonight's meeting in Mayor Edward's absence, and as Mayor pro tem, would hold all of the rights and responsibilities as the Mayor, in regard to this meeting.

**(4) Council Minutes** –

**Keith Higginbotham made a motion to Approve the Minutes of the July 11, 2023 City Council Meeting, with a 2<sup>nd</sup> from Justin Cowgur. All Council Members voted in favor and the motion carried.**

**CWSD, Parks & Recreation and Planning Commission Minutes** –

**Josie Reed made a motion to Acknowledge Receipt of the Minutes of the June 16, 2023 CWSD Meeting, May 8, 2023 Parks and Recreation Advisory Board Meeting, and the June 20, 2023 and July 18, 2023 Planning Commission Meetings, with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor and the motion carried.**

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

Financial Director Shannon Zappettini addressed the Council, detailing the Financial Reports for July 2023, as provided in the Council packets. Revenue was at 64 % and Expenses were at 52 %.

Zappettini also gave a report on ambulance service payments and the Investment Account.

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

Mayor pro tem Todd Wright asked the Council if there were any questions. There were none.

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

**(6) Department Reports -**

The Department Reports were in the Council Packets.

Mayor pro tem Todd Wright asked the Council if there were any questions. There were none.

**(7) Public Comments – None**

**Josie Reed made a motion to open Public Comments, with a 2<sup>nd</sup> from Justin Cowgur. There was a roll call. All Council Members voted in favor and the motion carried.**

**Keith Higginbotham made a motion to close Public Comments, with a 2<sup>nd</sup> from Misty Elam. There was a roll call. All Council Members voted in favor and the motion carried.**

**(8) Ordinances –**

**Keith Higginbotham made a motion to Read Ordinances 2023-42, 2023-43, 2023-44, 2023-45, 2023-46, 2023-47, 2023-48, 2023-49 and 2023-50; and Resolution 2023-34 by Title only, with a 2<sup>nd</sup> from Darren Warren. There was a roll call. 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 2023-42, 2023-43, 2023-44, 2023-45, 2023-46, 2023-47, 2023-48, 2023-49 and 2023-50, with a 2<sup>nd</sup> from Keith Higginbotham. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Ordinance 2023-42 - AN ORDINANCE AMENDING SECTION 3.04.05(a) OF THE CENTERTON MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

Mayor pro tem Todd Wright addressed the Council, stating that this Ordinance is to raise the spending limit for Purchase Orders, without Mayor Approval, from \$100.00 to \$500.00.

Financial Director Shannon Zappettini detailed the current Purchase Order process and explained the request for the higher amount.

Mayor pro tem Todd Wright asked the Council if there were any other questions. There were none.

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

- **Ordinance 2023-43 - AN ORDINANCE WAIVING BIDDING REQUIREMENTS FOR REMODELING AND UPGRADE SERVICES FOR THE CENTERTON ANIMAL SHELTER.**

Mayor pro tem Todd Wright addressed the Council, stating that this Ordinance is to waive bidding requirements for the remodel of the Animal Shelter. He said this was discussed extensively during the last City Council Meeting. A copy of the contract was provided in the Council packet.

Police Chief Cody Harper addressed Council detailing the proposed timeline for the remodel.

City Attorney Brian Rabal said he recommended some changes to the contract. Chief Harper said those changes were agreed to by the contractor. Rabal said he has not had a chance to review the contract since the changes were approved.

Mayor pro tem Todd Wright 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, Contingent upon City Attorney Approval, 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 2023-44 - AN ORDINANCE ACCEPTING DEDICATION OF TWENTY-FIVE FEET (25') FOR PUBLIC RIGHT OF WAY ALONG THE EAST SIDE OF**

**WAGNER ROAD BY RUSSELL AND CHRISTINE SULLIVAN PER LOT SPLIT PLAT FOR PROPERTY LOCATED IN S18, T19N, R31W, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor pro tem Todd Wright addressed the Council, stating that this Ordinance is to accept Dedication of 25' of ROW on Wagner Road, per a Tract Split. A map was provided for Council.

Mayor pro tem Todd Wright asked the Council if there were any questions. There were none.

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

- **Ordinance 2023-45 - AN ORDINANCE TO REZONE CERTAIN LAND BELONGING TO EVAN BERGAM, LOCATED IN THE CITY OF CENTERTON, S33-T20N-R31W OF BENTON COUNTY, ARKANSAS, FROM AGRICULTURAL (A-1) TO NEIGHBORHOOD COMMERCIAL (C-3)**

Mayor pro tem Todd Wright addressed the Council, stating that this Ordinance is to rezone property on N. Main Street from A-1 to C-3. He said the request is consistent with the Land Use Plan. He said there was a Public Hearing held on 7/18/2023, with no public comments, and PC recommended the rezone for approval by Council. A map was provided for Council.

Mayor pro tem Todd Wright 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, except for Justin Cowgur and Amy Rochette, who vote NO, and the motion carried.**

- **Ordinance 2023-46 - AN ORDINANCE TO REZONE CERTAIN LAND BELONGING TO EVAN BERGAM, LOCATED IN THE CITY OF CENTERTON, S33-T20N-R31W OF BENTON COUNTY, ARKANSAS, FROM AGRICULTURAL (A-1) TO MEDIUM DENSITY RESIDENTIAL (R-2)**

Mayor pro tem Todd Wright addressed the Council, stating that this Ordinance is to rezone property on N. Main Street from A-1 to R-2. He said the request is consistent with the Land Use Plan. He said there was a Public Hearing held on 7/18/2023, with no public comments, and PC recommended the rezone for approval by Council. A map was provided for Council.

Mayor pro tem Todd Wright asked the Council if there were any questions.

Justin Cowgur asked if there were additional thoughts about improvements to N. Main Street. Todd Wright said as with most infrastructure improvements, it will come as the land is developed.

There was discussion about traffic congestion, Traffic Studies and Zoning issues coming before Council.

Mayor pro tem Todd Wright asked the Council if there were any other questions. There were none.

**City Attorney Brian Rabal read the Ordinance by title only. Darren Warren made a motion to adopt the Ordinance with a 2<sup>nd</sup> from Keith Higginbotham. There was a roll call. All Council Members voted in favor, except for Justin Cowgur and Amy Rochette, who voted NO, and the motion carried.**

- **Ordinance 2023-47 - AN ORDINANCE AMENDING CHAPTER 11, BUILDING AND CONSTRUCTION OF THE CITY OF CENTERTON MUNICIPAL CODE**

Mayor pro tem Todd Wright addressed the Council, stating that this Ordinance is to amend Chapter 11 Building and Construction, of the Centerton Municipal Code. A copy of the Code, with changes, was provided in the Council packets.

Chief Building Inspector Robert Coffelt and Fire Marshal Paul Higginbotham addressed Council, detailing the changes. They addressed Council questions regarding Duplexes, Twin Homes and Final Plats.

Mayor pro tem Todd Wright asked the Council if there were any other questions. There were none.

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

- **Ordinance 2023-48 - AN ORDINANCE AMENDING SECTION 14.04.12 OF THE CITY OF CENTERTON MUNICIPAL CODE, PLANNED UNIT DEVELOPMENTS**

Mayor pro tem Todd Wright addressed the Council, stating that this Ordinance is to amend Section 14.04.12 Planned Unit Developments, of the Centerton Municipal Code. A copy of the Code, with changes, was provided in the Council packets.

Planning Director Lorene Burns and City Planner Kayla Knight addressed Council, detailing the changes. They addressed Council questions regarding Open Spaces, Easements, Power Lines and Parking.

Mayor pro tem Todd Wright 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 Josie Reed. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Ordinance 2023-49 - AN ORDINANCE ACCEPTING DEDICATION OF A UTILITY EASEMENT BY SAC TOWNHOMES LLC, PER PLAT TITLED “LOT SPLIT OF PARCEL #06-00009-000, CREATING LOTS 1 AND 2 STONELEIGH SUB PH 2” FOR PROPERTY LOCATED IN PART OF THE NE ¼ OF THE NE ¼ OF THE NE ¼ OF S4-T19N-R31W, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor pro tem Todd Wright addressed the Council, stating that this Ordinance is to accept Dedication of Utility Easements by SAC Townhomes, LLC, on Centerton Blvd. A map was provided for Council.

Mayor pro tem Todd Wright 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 Justin Cowgur. There was a roll call. All Council Members voted in favor and the motion carried.**

- **Ordinance 2023-50 - AN ORDINANCE ACCEPTING DEDICATION OF RIGHT OF WAY BY EVAN BERGAM PER PLAT TITLED “TRACT SPLIT CREATING LOTS 1 AND 2 OF PARCEL #06-00059-013” FOR PROPERTY LOCATED IN PART OF THE NW ¼ OF THE NE ¼ OF S33-T20N-R31W, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor pro tem Todd Wright addressed the Council, stating that this Ordinance is to accept Dedication of ROW on N. Main Street, per Tract Split. A map was provided for Council.

Mayor pro tem Todd Wright asked the Council if there were any questions. There were none.

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

#### **(9) Resolutions –**

- **Resolution 2023-27 - A RESOLUTION TO AUTHORIZE CLOSURE OF CERTAIN BANK ACCOUNTS AT FIRST NATIONAL BANK OF NWA ON BEHALF OF THE**

**CITY OF CENTERTON WITH REGARD TO SAID ACCOUNTS; AND FOR OTHER PURPOSES.**

Mayor pro tem Todd Wright addressed the Council, stating that this Resolution is to close three (3) bank accounts at FNB of NWA. The three (3) accounts were the ARDOT Grant Account, McKissic Trail Grant and Swimming Pool Deposit Account.

Financial Director Shannon Zappettini addressed Council, detailing the reason for closing the accounts. She said there are no fees associated with closing the accounts.

Mayor pro tem Todd Wright 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 2<sup>nd</sup> from Justin Cowgur. There was a roll call. All Council Members voted in favor and the motion carried.**

**(10) Request to Add a Deputy Building Inspector to the Building Safety Department -**

Mayor pro tem Todd Wright addressed the Council, requesting their approval to add a Compliance Superintendent position to the Building Safety Department. He said this position was approved in the 2022 budget at \$23.61/hour and we are asking to add the position at this time, at up to \$25.00/hour. He stated that the pay falls within the pay scale listed on the Salary Study. He commended Robert and Cherie for the job they have done through the increased growth of the city.

Councilman Darren Warren stated that this was a budgeted item and falls within the pay scale on the Salary Study, so it should be a day to day item between the Mayor and the Department Head.

Mayor pro tem Todd Wright stated that the position was approved previously for a lesser amount, not filled, and then lost in the next budget so said we are bringing it back to Council with a new pay amount and asking for their blessing.

Chief Building Inspector Robert Coffelt addressed the Council regarding the position, and answered their questions.

Mayor pro tem Todd Wright asked if there were any other questions from Council. There were none.

**Josie Reed made a motion to approve the Deputy Building Inspector position up to \$25.00/hour, with a 2<sup>nd</sup> from Misty Elam. All Council Members voted in favor and the motion carried.**

**(11) Other Business – None**

**(12) Announcements -**

- **8/15/2023 – Planning Commission Meeting @ 6:00 PM**
- **8/19/2023 – Coffee w/ Mayor @ 9:00 AM**
- **9/05/2023 - Planning Commission Meeting @ 6:00 PM**
- **9/09/2023 – Centerton Day (All Day)**
- **9/12/2023 – City Council Meeting @ 6:00 PM**

**(13) Adjourn -**

**Misty Elam made a motion to Adjourn at 7:07 PM with a 2<sup>nd</sup> from Josie Reed. All Council members voted in favor and the motion carried.**

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Bill Edwards, Mayor

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Todd Wright, City Clerk