



**CITY OF CENTERTON
CITY COUNCIL MEETING
JUNE 14, 2022
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, Keith Higginbotham, Darren Warren, Josie Reed, Justin Cowgur and Amy Rochette. Misty Elam was absent. Those present and not answering Roll Call were City Clerk Todd Wright, City Attorney Brian Rabal, Financial Director Carl Rabey, Finance Manager Shannon Zappettini, HR Director Jocelyn Diaz, Planning Director Lorene Burns (via Zoom), Police Chief Cody Harper, Fire Chief Matt Thompson, Chief Building Inspector Robert Coffelt, City Engineer Alan Craighead, Centerton Utilities Director Frank Holzkamper, Animal Control Director Cody Wilson, Compliance Supervisor Anthony Martinez, Street Superintendent Jake Barrett and Parks Supervisor Josh Price.

(4) Council Minutes –

Amy Rochette made a motion to Approve the Minutes of the May 10, 2022 City Council Meeting, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

CWSD, Planning Commission and Board of Zoning Adjustments Minutes –

Keith Higginbotham made a motion to Acknowledge Receipt of the Minutes of the April 19, 2022 CWSD Meeting; the May 3, 2022 and May 17, 2022 Planning Commission Meetings; the May 17/2022 Board of Zoning Adjustments Meeting; and the March 7, 2022 Parks & Recreation Advisory Board Meeting, with a 2nd from Amy Rochette. All Council Members voted in favor and the motion carried.

- (5) City and Court Financials-** Mayor Edwards stated that 41.67% through the year we have received 58.18% of our Budgeted Revenue. He stated that our Expenditures were at 41.15%. He detailed some of the financials, such as increases in Building Permits, City Sales Tax and County Sales Tax. He said the Court Report was contained in the Council packets.

Mayor Edwards asked the Council if there were any questions.

Keith Higginbotham made a motion to accept the May, 2022 City & Court Financials, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

(6) Department Reports -

The Department Reports were in the Council Packet.

Centerton Utilities Director Frank Holzkamper addressed the Council, stating that he would be retiring 9/02/2022. He introduced Malcolm Attwood as his replacement. Holzkamper thanked the Council for the opportunity to work with Centerton Utilities and the City of Centerton.

Mayor Edwards introduced Edgar Barroso to the Council, as the new Director of Public Works. Mr. Barroso briefly addressed the Council.

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

(7) Ordinances –

Josie Reed made a motion to Read Ordinances 2022-43, 2022-44, 2022-45, 2022-47, 2022-48, 2022-49 and 2022-50, and Resolutions 2022-09, 2022-14, 2022-15, 2022-16, 2022-17 and 2022-18 by Title only, with a 2nd from Darren Warren. 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 2022-43, 2022-44, 2022-45, 2022-47, 2022-48, 2022-49 and 2022-50, with a 2nd from Amy Rochette. All Council Members voted in favor and the motion carried.

- **Ordinance 2022-43 - AN ORDINANCE AMENDING THE CITY AND RESCUE GRANT BUDGETS FOR THE PURPOSE OF CLAIMING POLICE SALARIES AND EMPLOYER PAYROLL CONTRIBUTIONS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to amend our American Rescue Funds Budget to claim Police and Fire Salaries and Contribution funds, and put them in our General Fund. He said we discussed this in our May Council Meeting, with only Police

Salaries, but we are able to claim both Police and Fire. He said this ordinance has been prepared by the Arkansas Municipal League and has been reviewed by the City Attorney.

Mayor Edwards asked the Council if there were any questions. Justin Cowgur asked what the funds could be used for, and Mayor Edwards said we could basically use them for anything we want.

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

- **Ordinance 2022-44 - AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO MATT AND TARA KLAMM FROM AGRICULTURE (A-1) TO LOW DENSITY RESIDENTIAL (R-1) AND RESIDENTIAL ESTATE (R-3).**

Mayor Edwards addressed the Council, stating that this Ordinance is to rezone property on LC Hickman Road from (A-1) to (R-1) and (R-E). A map of the property was provided for Council. The Mayor detailed the different zonings being requested. He said this was recommended for approval by the Planning Commission at their 5/17/2022 meeting.

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 Justin Cowgur. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2022-45 - AN ORDINANCE WAIVING BIDDING REQUIREMENTS FOR THE PURCHASE OF LIGHTS FOR THE KINYON SPORTS COMPLEX.**

Mayor Edwards addressed the Council, stating that this Ordinance is to waive the bidding requirements for lighting for the football field at the Kinyon Sports Complex. He said Council allocated \$450,000.00 for completion of the football field at the Kinyon Sports Complex, and to install temporary ball fields on Keller Road. He said the reason for waiving the bidding requirement, is that we already have this particular lighting at Kinyon, the control panel is already there, and the electrical service has already been pre-wired for this service. He said the \$178,500.00 is turnkey for the lighting.

Josh Price with Parks & Recreation addressed the Council, stating that the electrical service has already been stubbed out, and the control panel is already there, for this lighting. He said this will be a football/soccer field. He said the soccer and football equipment has already been purchased, but needs to be installed. He said there has already been league interest for both sports.

Justin Cowgur asked if there was money in the budget for this purchase. Mayor Edwards said we already appropriated funds from the American Rescue Funds, which will be transferred over, and we will amend the budget to account for it.

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.

- **Ordinance 2022-47 - AN ORDINANCE ACCEPTING DEDICATIONS OF 10 FOOT DRAINAGE EASEMENT BY BYRON E. PIERCE, LOCATED IN S04-T19N-R31W, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept Dedication of 10' Drainage Easements on Kimmel Road and Daisy Road.

City Engineer Alan Craighead and Planning Director Lorene Burns detailed the property and the reason for the easement, so the city can manage water runoff onto this property.

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 2022-48 - AN ORDINANCE ACCEPTING DEDICATION OF UTILITY AND DRAINAGE EASEMENTS BY A&K NWA LLC, PER TRACT SPLIT PLAT TITLED "EASEMENT PLAT".**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept Dedication of Utility and Drainage Easements at the Centerton Retail Center on Centerton Blvd.

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

Brian Rabal read the Ordinance by title only. Amy Rochette 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.

- **Ordinance 2022-49 - AN ORDINANCE ACCEPTING THE FINAL SUBDIVISION PLAT OF THE VALLEY OAKS SUBDIVISION, CREATING RESIDENTIAL LOTS 1-19, AND**

DETENTION LOT A, CITY OF CENTERTON, S-32, T20N, R31W, BENTON COUNTY, ARKANSAS.

Mayor Edwards addressed the Council, stating that this Ordinance is to accept the amended Final Plat of the Valley Oaks Subdivision. A map was provided for Council. He said this Final Plat was approved 1/11/2022, but a Utility Statement needed to be added to the plat, per Carroll Electric.

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 Amy Rochette. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2022-50 - AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY BELONGING TO NWA FRIENDS FIRST VENTURE LLC; KINYON LLC AND INFAS CORPORATION INC, TO THE CITY OF CENTERTON, APPROVING THE SCHEDULE OF SERVICES TO BE EXTENDED TO SAID AREA; ASSIGNING SUCH AREA TO WARD 3; AND ZONING AS MEDIUM-HIGH DENSITY MULTI FAMILY (R3-MF), RESIDENTIAL TOWNHOME MULTI FAMILY (RTH-MF12) AND NEIGHBORHOOD COMMERCIAL (C-3).**

Mayor Edwards addressed the Council, stating that this Ordinance is to annex property on Kinyon Road, east of Hwy 279 North. A map was provided for Council. The Mayor detailed the history of the zoning for the properties. He said this has been approved by the County Judge.

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

Brian Rabal read the Ordinance by title only. Darren Warren 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.

(8) 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 add Carl Rabey to the city's bank accounts. He provided a list of the cities accounts and the approved signers.

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

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.

- **Resolution 2022-14 - A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE VACATION OF UTILITY EASEMENTS LOCATED ON LOT 169 OF OAK TREE SUBDIVISION, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Resolution is to set a date of 7/12/2022 for a Public Hearing, to discuss the Vacation of Utility Easements on Lot 169 of the Oak Tree Subdivision.

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

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

- **Resolution 2022-15 - A RESOLUTION EXPRESSING THE WILLINGNESS OF CITY OF CENTERTON TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS.**

Mayor Edwards addressed the Council, stating that this Resolution is to express the willingness of the City, to apply for a grant for TAP Funds. He said he has been in conversations with Northwest Regional Planning, to apply for this grant to continue funding for the McKissic Trail improvements. He said he has applied for two (2) other grants as well. He said this is an 80/20 grant, and he applied for \$625,000.00. He said the city's portion if we receive this grant would be \$125,000.00.

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

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

- **Resolution 2022-16 - A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE VACATION OF UTILITY EASEMENTS LOCATED ON LOT 7 OF QUAILRIDGE SUBDIVISION, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Resolution is to set a date of 7/12/2022 for a Public Hearing, to discuss the Vacation of Utility Easements on Lot 7 of the Quailridge Subdivision, but the applicant is not ready to go before the Planning Commission at this time.

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

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

- **Resolution 2022-17 - A RESOLUTION EXPRESSING THE WILLINGNESS OF CITY OF CENTERTON TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS.**

Mayor Edwards addressed the Council, stating that this Resolution is to express the willingness of the City, to apply for a grant for TAP Funds. He said he has been in conversations with Northwest Regional Planning, to apply for this grant to continue funding for the McKissic Trail improvements. He said he has applied for two (2) other grants as well. He said this is an 80/20 grant, and he applied for \$625,000.00. He said the city's portion if we receive this grant would be \$125,000.00. He said these are Federal Funds.

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

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

- **Resolution 2022-18 - A RESOLUTION EXPRESSING THE WILLINGNESS OF CITY OF CENTERTON TO UTILIZE FEDERAL-AID TRANSPORTATION ALTERNATIVES PROGRAM FUNDS ADMINISTERED BY THE NORTHWEST ARKANSAS REGIONAL PLANNING COMMISSION.**

Mayor Edwards addressed the Council, stating that this Resolution is to apply for a grant to put a 10ft side-path on the south side of Hwy 102. He said a 5ft side-path was planned for both sides with the highway widening by the State. He said this is an 80/20 grant, and he applied for \$725,000.00. He said this would be for next year's budget.

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

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

(9) Request to Promote a Crew Leader for the Parks and Street Departments –

Mayor Edwards addressed the Council, stating that we previously had Crew Leaders for both the Parks and Street Departments, but they were not included in this year's budgets. He said he is

asking for a \$1.00/hour raise for these two (2) positions, which would be a \$2100.00 increase in the budget. He said we are not adding any staff.

Darren Warren recommended considering the recent Salary Study in this decision. There was a brief discussion.

Keith Higginbotham made a motion to promote Crew Leaders for the Parks & Recreation and Street Departments, with a \$1.00/hour pay increase, with a 2nd from Darren Warren. All Council Members voted in favor and the motion carried.

(10) Acknowledge Receipt of Water and Sewer Audit –

Mayor Edwards addressed the Council, stating that the 2021 Water & Sewer Audit in Dropbox and requires acknowledgement of receipt by City Council.

Keith Higginbotham made a motion to Acknowledge Receipt of the 2021 Water and Sewer Audit, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

(11) Request to Surplus Sidearm from Street Department –

Mayor Edwards addressed the Council, stating that this is a request to surplus a sidearm attachment for a lawn mower at the Street Department. Financial Director Carl Rabey said the funds from the surplus will go back to the budget of the department it was purchased from

Keith Higginbotham made a motion to Surplus the Firearm from the Street Department, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

(12) Appoint Brandon Swoboda, Craig Langford and Ben Lewis to the Centerton Planning Commission, Term Expiring June 30, 2022 –

Mayor Edwards addressed the Council, stating that this is to approve a new Planning Commissioner and re-appoint two (2) other Commissioners.

Josie Reed made a motion to Appoint Brandon Swoboda, Craig Langford and Ben Lewis to the Centerton Planning Commission, Term Expiring June 30, 2022, with a 2nd from Darren Warren. All Council Members voted in favor and the motion carried.

(13) Salary Study Presentation – Carl Rabey –

Financial Director Carl Rabey addressed the Council, giving a presentation of salary recommendations, based on the Minimum, Median and High salaries from the 2021 Salary Study

that had been provided to the city by the Johanson Group in January. He detailed each scenario. His recommendation to Council was Scenario #3 (as presented to Council), which brings employees to the minimum salary plus up to a \$2.00/hour raise, based upon the number of hours worked. He also stated that his goal is to get every employee to a January 1 review date, for next year. He also recommended looking at a bonus structure to reward exceptional employees, not affecting base salaries.

Darren Warren asked if we should adopt the Salary Study prior to making this decision. City Clerk Todd Wright recommended that the Council review the presentation and use the upcoming 6/28/2022 Work Session to work through the details. Justin Cowgur, Amy Rochette and Keith Higginbotham agreed. Rabey said he could visit with each Department Head prior to the Work Session, to discuss up to \$2.00/hr. increase for employees.

Amy Rochette stated that she preferred scenario #1, due to it being 50% of revenue, versus more revenue with scenario #3. Carl Rabey said most cities run between 65-70% on their salary expense.

There was lengthy discussion addressing:

- Longevity
- Performance
- Minimum Standards
- Bonus Program
- Employee Performance Reviews
- Employee Benefits
- Cost of Living Raises

Police Chief Cody Harper, Fire Chief Matt Thompson and Compliance Supervisor Anthony Martinez each addressed the Council, in favor of adopting the Salary Study and bringing all employees to the minimum salary, with the opportunity for further discussion at the 6/28/2022 Work Session. There was continued discussion.

Council agreed to move forward with adopting the Salary Study, to bring all employees up to the minimum salary at this time, and to continue the discussion for up to \$2.00/hour increase for employees at the 6/28/2022 Work Session.

Darren Warren made a motion to adopt the Salary Study and bring all employees up to the minimum salary, effective July 1st, 2022 with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

(14) Public Comments –

Lisa McCoy – 1261 Clydesdale Drive – Mrs. McCoy expressed concern with no feedback to Public Comments made in a Council Meeting, or response to e-mails. She asked for more details about the A&P Commission (Minutes, Meeting dates, Openings, etc.).

Lance Johnson – Stated that he was an employee of the city for 22 years. He thanked everyone for the opportunity. He said his work with the city is not complete, and will see everyone in November.

Robin Reed – Mrs. Reed addressed the Council, encouraging Council Members to know their duties. She encouraged Municipal League Training. She cautioned them about social media. She said Council directed the Mayor to reach out to businesses for the city when she was on the Council.

(15) Other Business –

- **Library Board** – Mayor Edwards said he spoke with Mrs. Hadley from the Bentonville Library. He said she gave him some contacts with the State of Arkansas and agreed to meet with him at a later date. He said she suggested having a Library Advisory Board.

No action was taken by Council.

- **Attracting Retail Businesses** – Amy Rochette asked to revisit how we bring businesses to the city. Mayor Edwards said a lot of times interested businesses reach out to himself or the Planning Department. He said developers or real estate companies also decide who leases property. There was discussion again about having a point person, full-time Economic Development position and/or a Chamber of Commerce.

City Clerk Todd Wright said it is a big-picture opportunity, where we should make sure the infrastructure is in place, the zoning is in place, the Comprehensive Plan is being considered, and we are including our Department Heads in the discussions during our Work Sessions.

Justin Cowgur asked how we consider our developer base. Anthony Martinez said developers are selected by property owners.

Keith Higginbotham pointed out that many larger businesses are population driven.

No action was taken by Council.

- **Additional Business** – Justin Cowgur asked for updates on the Dude Solutions software for the Planning Department, Solid Waste budgets for surrounding communities, and the Purchase Order System for the city. Carl Rabey said CSA

training on the new Purchase Order System module with CSA starts next week for Department Heads. Rabey detailed the P.O. process.

No action was taken by Council.

(16) Announcements -

- **6/21/2022 – Planning Commission Meeting @ 6:00 PM**
- **6/28/2022 – Work Session @ 6:00 PM**
- **7/05/2022 - Planning Commission Meeting @ 6:00 PM**
- **7/12/2022 – City Council 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