



**CITY OF CENTERTON
CITY COUNCIL MEETING
JANUARY 11, 2022
6:00 PM**

(1) Pledge – The Pledge Allegiance was recited.

(2) Prayer – Todd Wright offered the prayer.

(3) Roll Call - Those Present and answering Roll Call were Mayor Bill Edwards, Keith Higginbotham, Darren Warren (via Zoom), 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 Assistant Shannon Zappettini, HR Director Jocelyn Diaz, Senior Planner Dianne Morrison Lloyd, Police Chief Cody Harper, Fire Chief Matt Thompson (via Zoom), Director of Public Works Lance Johnson, Chief Building Inspector Robert Coffelt and Animal Control Director Cody Wilson.

Mayor Edwards read through A.C.A. – 14-43-501, pertaining to the Organization of the Governing Body of the City of Centerton, Arkansas for the year 2022.

Mayor Edwards selected City Clerk Todd Wright to remain as Mayor Pro Tem, allowing the City Council to keep each of their votes.

(4) Council Minutes –

Keith Higginbotham made a motion to Approve the Minutes of the December 14, 2021 City Council Meeting and December 20, 2021 Special City Council Meeting, with a 2nd from Justin Cowgur. 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 November 18, 2021 CWSD Meeting, the December 7, 2021 and December 21, 2021 Planning Commission Meetings and the December 21, 2021 Board of Zoning Adjustments

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 100.00 % through the year we have received 141.24 % of our Budgeted Revenue. He stated that our Expenditures were at 110.04 %. He stated that a portion of change to these financials is from the payout of the American Rescue Funds. He said we will have an amended budget at the 100% mark, at the next City Council meeting. He said the Court Report was contained in the Council packets.

Amy Rochette asked for a detailed report each month, showing any Miscellaneous Income and Expenses for all departments. Mayor Edwards said that can be provided.

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

Josie Reed made a motion to Accept the December, 2021 City & Court Financials, with a 2nd from Keith Higginbotham. All Council Members voted in favor, and the motion carried.

(6) Department Reports -

The Department Reports were in the Council Packet.

- Fire Chief Matt Thompson asked for City Council approval to apply for six (6) Firefighters through the SAFER Grant. He and Mayor Edwards made a brief presentation to Council to use this grant to help staff Fire Station #2. There was discussion.

Amy Rochette made a motion to allow the City to apply for the Safer Grant for use by the Fire Department, as presented, with a 2nd from Justin Cowgur. All Council Members voted in favor and the motion carried.

- Darren Warren asked Mayor Edwards to show the list of the current mileage of the Police Vehicles. Mayor Edwards presented the list to Council.
- Justin Cowgur asked Director of Animal Control Cody Wilson how the Temporary Worker was doing at the Shelter. Wilson said he has been there for about four (4) weeks and is doing well.

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

(7) Ordinances –

Josie Reed made a motion to Read Ordinances 2022-01, 2022-02, 2022-03, 2022-04, 2022-05, 2022-06 and 2022-07 and Resolutions 2022-01, 2022-02 and 2022-03 by Title only, with a 2nd from Amy Rochette. 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 2022-01, 2022-02, 2022-03, 2022-04, 2022-05, 2022-06 and 2022-07, with a 2nd from Amy Rochette. All Council Members voted in favor, and the motion carried.

- **Ordinance 2022-01 - AN ORDINANCE ACCEPTING THE FINAL SUBDIVISION PLAT OF THE PRAIRIE BROOK PHASE 1 SUBDIVISION, CREATING RESIDENTIAL LOTS 1-21 AND 27-41, CITY OF CENTERTON, S06-T19N-R31W, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to approve the Final Plat of Phase 1 of the Prairie Brook Subdivision, on Tycoon Road and Bush Road. He said it was heard at the 12/21/2021 Planning Commission Meeting and it was recommended for approval by the City Council. He listed the Bond amounts and said that we have received those Bonds. A map including the property was provided.

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

Brian Rabal read the Ordinance by title only. Justin Cowgur 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 2022-02 - AN ORDINANCE ACCEPTING THE FINAL SUBDIVISION PLAT OF THE VALLEY OAKS SUBDIVISION, CREATING RESIDENTIAL LOTS 1-19 AND DETENTION LOT A, CITY OF CENTERTON, S32-T20N-R31W, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to approve the Final Plat of the Valley Oaks Subdivision, on Gamble Road. He said it was heard at the 1/04/2022 Planning Commission Meeting and it was recommended for approval by the City Council. He listed the Bond amounts and said that we have received those Bonds. A map including the property was provided.

Mayor Edwards asked the Council if there were any other 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 Justin Cowgur. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2022-03 - AN ORDINANCE ACCEPTING THE FINAL SUBDIVISION PLAT OF THE BEQUETTE FARMS PHASE 2 SUBDIVISION, CREATING RESIDENTIAL LOTS 31-101 AND DETENTION LOTS A AND B, CITY OF CENTERTON, S28-T20N-R31W, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to approve the Final Plat of Phase 2 of the Bequette Farms Subdivision, on Hwy 72. He said it was heard at the 1/04/2022 Planning Commission Meeting and it was recommended for approval by the City Council. He listed the Bond amounts and said that we have received those Bonds. A map including the property was provided.

Mayor Edwards asked the Council if there were any other 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 2022-04 - AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE OPERATION OF THE CITY OF CENTERTON, ARKANSAS FOR THE CALENDAR YEAR 2022.**

Mayor Edwards addressed the Council, stating that this Ordinance is to approve and adopt the City Budget for 2022. He stated that we had a Budget Work Session in October and another meeting last week, regarding some changes. He asked the Council if they had any questions.

Amy Rochette asked Police Chief Cody Harper how many vehicles the PD purchased in 2021. Chief Harper said we purchased five (5) police vehicles in 2021. Harper detailed the process for vehicle replacement. Discussion included mileage, vehicle surplus, idle-time, K-9 use, and difficulty in getting vehicles for 2022. Harper asked for Council approval for earmarking four (4) vehicles (Dodge Chargers and/or Dodge Durango's), with three (3) to come out of the General Fund and one (1) to come out of ACT 988. He said the price in the budget includes equipment.

Amy Rochette asked about the new replacement vehicle for the Parks & Recreation Department. Director of Public Works Lance Johnson stated that they already traded in an E16 truck, due to the lack of power and maintenance issues, and this new vehicle would be a replacement. Discussion included growth of the department, type of use and the lack of availability of vehicles in 2022. Johnson said there is a ½ ton Dakota at the Street Department that is having Maintenance issues, and they are looking at adding a ¾ ton truck in its place. There was continued discussion about the types of use for trucks in Parks & Rec and the Street Department, as well as the efficiency of using ¾ tons trucks vs. ½ ton trucks. Darren Warren recommended working toward having all ¾ ton trucks.

Amy Rochette asked if the new Accounts Receivable position is included in the budget. Mayor Edwards said that it is included. He said the plan is to discuss it again at the February Meeting.

Mayor Edwards asked the Council if there were any other 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 2022-05 - AN ORDINANCE AMENDING SECTION 3.04.05 (a) OF THE CENTERTON MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

Mayor Edwards addressed the Council, stating that this Ordinance is to require a Purchase Order for any city purchase over \$100.00.

There was discussion about how different purchases and purchase amounts will be handled in the city. There was also discussion about purchases over \$100.00 requiring prior approval. There was continued discussion about credit card protection, along with Policy and Procedure.

Mayor Edwards said the Purchase Order Process will start as a manual program, beginning immediately. He said we are continuing to research other Purchase Order programs to best fit our needs.

Mayor Edwards asked the Council if there were any other 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 Amy Rochette. There was a roll call. All Council Members voted in favor, and the motion carried. Brian Rabal read the Emergency Clause. Amy Rochette made a motion to adopt the Emergency Clause, with a 2nd from Josie Reed. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2022-06 - AN ORDINANCE ACCEPTING PUBLIC DEDICATION OF AN ADDITIONAL TWENTY-FOOT (20') UTILITY EASEMENT ALONG THE WEST SIDE OF WAGNER ROAD BY RUSSELL & CHRISTINE SULLIVAN, PER TRACT SPLIT PLAT FOR PID 06-00085-279, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept a 20' Utility Easement on Wagner Road. A map including the property was provided.

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

Brian Rabal read the Ordinance by title only. Justin Cowgur made a motion to Approve the Ordinance with a 2nd from Amy Rochette. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Ordinance 2022-07 - AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, SECTION 2.14.03, TITLED COMPENSATION.**

Mayor Edwards addressed the Council, stating that this Ordinance is to set the minimum starting salary of a newly elected Mayor. He said the salary could be reviewed by the City Council at the December Council meeting, following the election.

There was discussion.

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

Josie Reed made a motion to set the newly elected Mayor's salary at \$65,000.00 with a 2nd from Amy Rochette. There was discussion. There was a roll call. All Council Members voted in favor, except for Darren Warren, who voted NO, and the motion carried.

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, except for Darren Warren, who voted NO, and the motion carried.

(8) Resolutions –

- **Resolution 2022-01 - A RESOLUTION APPROVING AN AGREEMENT OF UNDERSTANDING BETWEEN THE CITY OF CENTERTON, ARKANSAS, AND THE BENTON COUNTY SOLID WASTE DISTRICT, REGARDING THE OPERATION OF THE CONVENIENCE CENTER.**

Mayor Edwards addressed the Council, stating that this Resolution is for an Interlocal Agreement between the City of Centerton and the Benton County Solid Waste District, for the operation of the Convenience Center in Centerton. He said the city provided \$14,000.00 last year, and they are asking for \$18,651.10 this year. He said the Center is a convenience to our residents. He gave a brief history of a lawsuit that Benton County Solid Waste is a party in, which has created a need for financial assistance from local communities, for continued operation of the Center. A spreadsheet was provided, showing which communities have chosen to help support the Center financially. City Clerk Todd Wright asked if there was some Rescue Fund money available to the County, rather than them coming to the cities for assistance. There was discussion. Council asked for the Mayor to research whether there are other funds available to the County for this. They also asked him to look into charges the City is currently having to pay, for use of the facility.

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

- **Resolution 2022-02 - A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE VACATION OF UTILITY EASEMENTS LOCATED ON LOT 42 OF OAK TREE SUBDIVISION, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Resolution is to set a Public Hearing for 2/08/2022 for discussion of the Vacation of Utility Easements on Lot 42 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. Justin Cowgur made a motion to adopt the Resolution, with a 2nd from Keith Higginbotham. All Council Members voted in favor, and the motion carried.

- **Resolution 2022-03 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH EMERGENCY VEHICLE SPECIALISTS, CONWAY, ARKANSAS FOR THE PURCHASE OF SCBA AIR PACKS.**

Mayor Edwards addressed the Council, stating that this Resolution is to allow the purchase of 42 Air-Pak X3 Pro SCBA's from Emergency Vehicle Specialists, for the Fire Department, as discussed in our last Council meeting. He said the total amount is \$407,274.84. There was a brief discussion.

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

(9) Acknowledge Receipt of the 2020 Audit –

Mayor Edwards addressed the Council, stating that Council Members should have received copies of the 2020 Audit, and that there were no Findings.

Keith Higginbotham made a motion to acknowledge receipt of the 2020 Audit, with a 2nd from Justin Cowgur. All Council Members voted in favor, and the motion carried.

(10) Little League Update –

Director of Public Works Lance Johnson gave an update on Centerton Little League and their use of the fields at the Kinyon Sports Park. He said there were 33 teams last spring and 30 Teams in the fall of last year, and the League gave the city \$4000.00 to offset some of the costs of the fields. He said Little League used two (2) fields on Monday, Tuesday, Thursday and Saturday. He said other teams used the fields as well. He said the city paid \$5031.00 for electricity, water and sewer for the fields, in the spring and \$4597.00 in the fall. He said there were approximately 200 kids that were unable to participate last year, and the Little League would like to be able to increase the number of teams to 40-41 this year. He said that would require the use of four (4) fields on those same four days. He said he has discussed a flat fee of \$5000.00 with Little League President Cody Miles, and Miles said they could pay that with the added field use. Johnson said that still allows use of the fields by others on Wednesdays, Saturday evenings, and Sundays. He said the Little League season is twelve (12) weeks.

Cody Miles, President of the Centerton Little League, addressed the Council, sharing more details of League use.

There was discussion about the potential use of the fields on Keller Road. Keith Higginbotham asked Johnson to put together some financials for preparing the fields on Keller Road, and recommended looking at using some of the City's Reserve Funds.

Keith Higginbotham made a motion to Approve the Flat Rate of \$5000.00 to the Centerton Little League, for the use of four (4) fields for four (4) nights and five games on Saturday, with a 2nd from Justin Cowgur. All Council Members voted in favor, and the motion carried.

(11) Acknowledge Receipt of the Utilities Department Budget –

Mayor Edwards addressed the Council, asking them to acknowledge receipt of the Centerton Utilities 2022 Operating Budget, as presented in the Council packets.

Keith Higginbotham made a motion to acknowledge receipt of the Centerton Utilities 2020 Budget, with a 2nd from Amy Rochette. All Council Members voted in favor, and the motion carried.

(12) Update on Street Aid Grant –

Mayor Edwards addressed the Council, stating that we were not approved for the \$300,000.00 Street Aid Grant that we had applied for, but that we are still in the applicant pool.

(13) Work Session Dates –

Mayor Edwards proposed the following dates for Work Sessions:

- **February 22, 2022 – 6:00PM**
- **April 26, 2022 – 6:00 PM**
- **June 28, 2022 – 6:00 PM**
- **August 23, 2022 – 6:00 PM**
- **October 25, 2022 – 6:00 PM**

Council agreed with the proposed Work Session dates.

(14) Update on City Hall Project –

Mayor Edwards gave Council an update on the New City Hall Project.

(15) Schedule Special City Council Meeting for January 19, 6:00 PM to Accept Final Plat of Brookside Estates –

Mayor Edwards asked Council if they were available for a Special Meeting on 1/19/2022, to approve a Subdivision Final Plat.

Council agreed to the date of 1/19/2022 for a Special City Council Meeting.

(16) Public Comments –

Jason McCoy – 1261 Clydesdale – Mr. McCoy thanked the city leaders for their efforts. He recommended that the city not purchase any trucks smaller than $\frac{3}{4}$ ton. He complimented the City on the efforts with the baseball fields.

Lisa McCoy – 1261 Clydesdale - Mrs. McCoy asked where City Ordinances and Codes could be found. Mayor Edwards stated that they are in the Code Book on the City Website.

Carl Rabey – 122 Skinner Street – Mr. Rabey complimented the City on discussion of policies and procedures. He said Benton County got \$54 million in Rescue Funds, which can be applied for. He complimented the City on tonight's meeting.

(17) Other Business –

- **Police Vehicles** – Police Chief Cody Harper asked for Council approval for earmarking four (4) vehicles for the Police Department. He said the Dodge Durango State Bid came in below the \$31,027.50 he has in the budget. He said the Dodge Chargers came in at \$27,600.00. He said Red River Dodge has vehicles coming in, which are possibly not spoken for, and he would like to earmark some. He said he would like to replace three (3) vehicles out of the General Fund, and one (1) vehicle out of the ACT 988 Fund. He said the vehicles will not have to be paid for until they come in. There was a brief discussion.

Keith Higginbotham made a motion to allow the earmark and purchase of the four (4) Police Vehicles, as presented, with a 2nd from Josie Reed. All Council Members voted in favor, and the motion carried.

- **Fire Department: Air Packs & Brush Truck** – Mayor Edwards addressed the Council, stating that we have both the Air Packs and the Brush Truck included in the 2022 Budget. He said we do qualify for an ACT78 Loan, to be able to finance these items. He said the interest is around 3% and we can pay the loan off early, without penalty.

Justin Cowgur made a motion to finance both the Air Packs and the Brush Truck as presented, with a 2nd from Keith Higginbotham. All Council Members voted in favor, and the motion carried.

(18) American Rescue Plan Project Meeting – Tuesday 1/25/2022 @ 6:00 PM

Mayor Edwards stated that all departments that want to present a project for consideration are invited to this Special Meeting, to allow City Council to hear the requests and make decisions on how to best use this funding.

(19) Announcements -

- **1/18/2022 – Planning Commission Meeting @ 6:00 PM**
- **1/25/2022 – Special City Council Meeting @ 6:00 PM**
- **2/01/2022 - Planning Commission Meeting @ 6:00 PM**
- **2/08/2022 – City Council Meeting @ 6:00 PM**

(20) Adjourn -

Justin Cowgur made a motion to Adjourn at 8:28 PM with a 2nd from Amy Rochette. All Council members voted in favor, and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk