



**CITY OF CENTERTON
CITY COUNCIL MEETING
OCTOBER 8, 2024
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 Mayor Bill Edwards, Cody Miles, Darren Warren (via Zoom), Josie Reed, Keith Higginbotham, Justin Cowgur and Cliff Thompson. Those present and not answering Roll Call were City Clerk Todd Wright, City Attorney Brian Rabal, City Planner Kayla Knight, Police Chief Cody Harper, Fire Chief Matt Thompson (via Zoom) and Director of Public Works Anthony Martinez (via Zoom).

(4) Council Minutes –

Cody Miles made a motion to Approve the Minutes of the September 10, 2024 City Council Meeting, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

CWSD, Planning Commission, Parks and Recreation Advisory Board Minutes –

Keith Higginbotham made a motion to Acknowledge Receipt of the Minutes of the August 20, 2024 CWSD Meeting, September 3, 2024 & September 17, 2024 Planning Commission Meetings and the September 5, 2024 Parks and Recreation Advisory Board Meeting, with a 2nd from Justin Cowgur. All Council Members voted in favor and the motion carried.

(5) City and Court Financials -

Mayor Bill Edwards addressed the Council, detailing the Financial Reports for September 2024, as provided in the Council packets. Revenue was at 83.67 % and Expenses were at 74.89 %.

The September 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 September, 2024 City & Court Financials, with a 2nd from Cliff Thompson. 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 Zumstein – 230 Town Vu Road – Ms. Zumstein addressed the Council, expressing concern with Resolution 2024-27, proposing that a City Council Member be allowed to continue to sell medical supplies to the city. She stated that she was strongly in opposition, due to possible conflict of interest. She stated that she felt it was not disclosed during the interview process for the open City Council Position. She stated that not everything legal is ethical. She also expressed concern about negative feedback about local government.

Wendy Henson – 368 N. B Street – Ms. Henson Addressed Council, expressing concern with Resolution 2024-27, proposing that a City Council Member be allowed to continue to sell medical supplies to the city. She expressed concern with the optics of it and the proposed change of the sales role not taking place until January 31, 2025. She stated that the information should have been disclosed during the interview process for the Council position. She said she feels the trust of the citizens is important for a City Council Member, and the trust has been broken in this case.

Thomas Loukes – 1421 Florentine Road – Mr. Loukes addressed the Council, stating that he feels the citizens are being taxed for full-time professional government, but are getting self-served government. He expressed concern with not having his requests fulfilled by the government. He asked Council to consider: 1) Non-Voters 2) Voters 3) People who vote with their pocket book 4) People who vote with their feet; during the next election. He recommended voting for change on the City Council.

(8) Ordinances –

Darren Warren made a motion to Read Ordinance 2024-27, 2024-28, 2024- 29 and 2024-30; and Resolutions 2024-27, 2024-30, 2024-31, 2024-32 and 2024-33 by Title only, with a 2nd

from Keith Higginbotham. 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 2024-27, 2024-28, 2024-29 and 2024-30, with a 2nd from Josie Reed. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2024-27 - AN ORDINANCE ACCEPTING THE SUBDIVISION FINAL PLAT OF SILVER LEAF PHASE II, CREATING RESIDENTIAL LOTS 129 TO 203, IN THE 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 Silver Leaf Subdivision Phase II on Wade Drive. He said it was recommended for Council approval at the 9/17/2024 PC meeting. A copy of the Final Plat was provided for Council, including Bond amounts.

Mayor Edwards asked the Council if there were any 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 2nd from Justin Cowgur. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2024-28 - AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, CHAPTER 6.04; AND FOR OTHER PURPOSES.**

Mayor Edwards addressed the Council, stating that this Ordinance is to amend the code for Animal Services. A copy of the changed code was provided in the Council packets.

Police Chief Cody Harper addressed Council, detailing the changes from dog tags and yearly registration to the use of micro-chips and a one-time registration.

Mayor Edwards 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 2nd from Josie Reed. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2024-29 - AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF CENTERTON, ARKANSAS SALES AND USE TAX REVENUE IMPROVEMENT BONDS, SERIES 2024 FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COST OF THE CONSTRUCTION OF A MULTI-USE COMMUNITY CENTER, AND CERTAIN BETTERMENTS AND IMPROVEMENTS TO THE CITY'S STREETS,**

ROADS AND BRIDGES AND TO THE CITY'S PARKS AND RECREATION FACILITIES, AND FACILITY IMPROVEMENTS, VEHICLES AND ROLLING STOCK FOR THE CITY'S POLICE DEPARTMENT; PLEDGING NET COLLECTIONS OF THE CITY'S 1.0% SALES AND USE TAX TO PAY THE PRINCIPAL OF AND INTEREST ON THE SERIES 2024 BONDS; AUTHORIZING THE BOND PURCHASE AGREEMENT AND THE EXECUTION AND USE OF A PRELIMINARY OFFICIAL STATEMENT IN CONNECTION WITH THE MARKETING OF SUCH BONDS; AUTHORIZING A TRUST INDENTURE SECURING THE SERIES 2024 BONDS; AUTHORIZING AND APPROVING THE EXECUTION AND USE OF AN OFFICIAL STATEMENT, AND PRESCRIBING OTHER MATTERS PERTAINING THERETO; AND DECLARING AN EMERGENCY.

Mayor Edwards addressed the Council, stating that this Ordinance is to issue the Series 2024 Sales and Use Tax bonds.

Jill Grimsley of Mitchell Williams addressed Council, detailing the 2024 Series Bond Issue and the timeline for use of the funds. The issuance is for \$38,175.00, to be used for a Multi-Use Community Center, Street Improvements, Parks Improvements and Facility and Rolling Stock Improvements for the Police Department. She said if approved, the funds will be available on November, 14, 2024.

Cheryl Schluterman of Raymond James addressed Council, detailing the payoff of the 2017 Series Bonds Issue and detailing the 2024 Series Bond Issue which is for \$38,175.00. She said the all-in interest rate came in at 4.13% with an 8-Year call. She detailed the financials of the Bond sale, stating that the maturity is in 2054, but they are structured to pay off in 2041. She said current growth would pay them off in 8 ½ years.

Mayor Edwards 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 2nd from Keith Higginbotham. 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 2024-30 - AN ORDINANCE GRANTING A WAIVER FROM THE DRAINAGE MANUAL REQUIREMENT FOR THE PROPOSED POLICE STATION EXPANSION.**

City Engineer Alan Craighead addressed the Council, stating that this Ordinance is to grant a waiver from Centerton Stormwater Management and Drainage Manual for the proposed Centerton Police Station improvements. He detailed the current detention pond and the likely requirements of the changed pond.

Council Member Darren Warren asked if we were only looking at a waiver for the separation distance, but are still designing the pond to maintain the construction of the new Police Station. Craighead said that is correct.

Mayor Edwards 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 2nd from Justin Cowgur. There was a roll call. All Council Members voted in favor and the motion carried.

(9) Resolutions –

- **Resolution 2024-27 - A RESOLUTION AUTHORIZING COUNCIL MEMBER CLIFF THOMPSON WITH ROUND TREE MEDICAL LLC. DUBLIN OHIO TO SELL MEDICAL SUPPLIES TO THE CITY OF CENTERTON, ARKANSAS.**

Mayor Bill Edwards addressed the Council, stating that the original Resolution was to authorize City Council Member Cliff Thompson to continue to sell medical supplies to the city, as a sales consultant representative of Round Tree Medical LLC. He stated that the item was tabled at the last Council meeting. He said that Round Tree Medical LLC has since assigned the account to another salesperson in the company and this was verified by Fire Chief Matt Thompson by phone. He said Thompson's name cannot be removed from the bill until sometime in January 2025, due to company guidelines. He said this Resolution states that the name change is to take place by January 31, 2025.

Council Member Cliff Thompson addressed Council, addressing the public concern and detailing the change in salesperson and the reason for the January timeline. He stated that he has been hands-off of the Centerton account since the last City Council meeting and that a salesperson from Oklahoma is now handling the account. He said there was no ill-intent on his part.

Council Member Josie Reed asked Fire Chief Matt Thompson if his intent continues to be to get the best possible price for our citizens. Chief Thompson said that continues to be his goal.

Council Member Justin Cowgur said there comes a point where you need to be able to trust our Department Heads.

Fire Chief Matt Thompson offered to provide Council receipts for purchases through January 31, 2025, to show transparency.

Council Member Darren Warren stated that the purchases are being made out of the 2024 Budget, which has already been approved.

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

Josie Reed made a motion to Adopt the Resolution, with a 2nd from Darren Warren. There was a roll call. Keith Higginbotham and Cliff Thompson both Abstained and Cody Miles, Darren Warren, Josie Reed and Justin Cowgur voted Yes, and the motion carried.

- **Resolution 2024-30 - A RESOLUTION TO DESIGNATE INDIVIDUALS AUTHORIZED TO PERFORM VARIOUS ACTIONS ON BEHALF OF THE CITY OF CENTERTON REGARDING THE CITY'S BANK ACCOUNTS AT FIRST NATIONAL BANK OF NWA, CENTERTON BRANCH; AND FOR OTHER PURPOSES.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to authorize City Officials as signers of Bank Accounts at First National Bank of NWA. A list of Bank Accounts and Authorized Signers was provided for Council. He stated that Sara Lombard has left her position as Court Clerk, so we are adding new Court Clerk Lily Bounds and HR Director Jocelyn Diaz as authorized signers on the accounts listed.

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

City Attorney Brian Rabal read the Resolution by title only. Cliff Thompson made a motion to adopt the Resolution, with a 2nd from Cody Miles. All Council Members voted in favor, and the motion carried.

- **Resolution 2024-31 - A RESOLUTION EXPRESSING THE AGREEMENT OF THE CITY OF CENTERTON TO CERTAIN STIPULATIONS FOR THE ISSUANCE OF A TRAFFIC SIGNAL PERMIT AT: HWY 102 (CENTERTON BOULEVARD) AND SIENNA DRIVE.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to express the willingness and agree to the terms of a Traffic Signal Permit at Hwy 102 and Seba Drive. He said this is for the future and will help allow us to apply for grants. He said the city will also be looking at a possible future traffic signal at Centerton Boulevard and Womack Road. An exhibit was provided for Council.

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 Cliff Thompson. All Council Members voted in favor, and the motion carried.

- **Resolution 2024-32 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS TO ENTER INTO AN AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT, SAINT LOUIS, MISSOURI FOR VEHICLE LEASING FOR VARIOUS DEPARTMENTS.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to enter into an agreement with Enterprise Fleet Management of St. Louis, Mo. for a lease program for various city vehicles. A copy of the agreement was provided for Council.

John Holland from Enterprise Fleet Management made a presentation to Council. A copy of the presentation of the program was provided for Council. Holland answered all Council questions.

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

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

- **Resolution 2024-33 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS TO ENTER INTO AN AGREEMENT WITH VERZANI CONSTRUCTION LLC. BELLA VISTA, ARKANSAS FOR AN ANIMAL SHELTER BUILDING REMODEL FOR THE CITY OF CENTERTON.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to enter into an agreement with Verzani Construction LLC of Bella Vista, Ar. for a building remodel of the Centerton Animal Shelter. A copy of the agreement was provided for Council.

Police Chief Cody Harper addressed Council, detailing updates needed for the Animal Shelter.

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, pending contract review by the City Attorney, with a 2nd from Justin Cowgur. All Council Members voted in favor, and the motion carried.

(10) Acknowledge Receipt of ARDOT Letter Concerning Highway 102B and Highway 279 South –

Mayor Edwards addressed Council, reading a reply letter from ARDOT in response to the city's requests for upgrades to Hwy 102B and Hwy 279 South. A copy of the letter was provided for Council.

Republican nominee for District 19 Nick Burkes addressed Council, stating that he wishes to work as a liaison between the City of Centerton and ARDOT.

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

Josie Reed made a motion to acknowledge receipt of the ARDOT letter regarding Hwy 102B and Hwy 279 South, with a 2nd from Justin Cowgur. All Council Members voted in favor and the motion carried.

(11) Acknowledge Receipt of the Northwest Arkansas ULI Small Cities Initiative Grant

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Mayor Edwards addressed Council and read a letter from ULI NWA congratulating Centerton on being selected as the next participant in the Small Cities Initiative Grant. A copy of the letter was provided for Council. He said the grant is up to \$250,000.00.

Keith Higginbotham made a motion to acknowledge receipt of the Northwest Arkansas ULI Small Cities Initiative Grant, with a 2nd from Justin Cowgur. All Council Members voted in favor and the motion carried.

(12) Acknowledge Receipt of the DOJ Domestic Violence Grant –

Mayor Edwards addressed Council, stating that the City of Centerton was awarded the DOJ Domestic Violence Grant for \$463,811.00. A copy of the Award Notification was provided for Council.

Police Chief Cody Harper addressed Council, detailing this grant.

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

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

(13) Request Additional Officer for the Centerton Police Department -

Police Chief Cody Harper addressed Council, asking for their approval to promote Officer Cassandra Bridenstine to Detective, at a rate of \$29.03/hour.

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

Josie Reed made a motion to approve the promotion of Officer Bridenstine to Detective at the rate of \$29.03/hour and to create the opening for a Police Officer, to be paid for by the DOJ Grant, as presented, with a 2nd from Cliff Thompson. All Council Members voted in favor and the motion carried.

(14) Acknowledge Receipt of Updated Animal Control Policy and Procedures and Animal Shelter Policy –

Mayor Edwards addressed Council, stating that the updated Animal Control Policy and Animal Shelter Policy were in the council packets. He asked for their acknowledgement.

Keith Higginbotham made a motion to acknowledge receipt of the updated Animal Control Policy and Procedures and Animal Shelter Policy, as presented, with a 2nd from Justin Cowgur. All Council Members voted in favor and the motion carried.

(15) Other Business –

- **Chamber of Commerce Update** – A Chamber of Commerce update was provided by Council Member Josie Reed.
- **2022 Chevrolet Tahoe – Proposed Sale to Highfill** – Police Chief Cody Harper detailed a request from the Police Chief of Highfill to purchase our black 2022 Chevrolet Tahoe. He said we purchased it for \$40,108.00, with our all-in price outfitted at \$52,000.00. Council agreed to allow Chief Harper to negotiate the sale of the 2022 Tahoe to the City of Highfill, at a minimum of \$50,000.00.

Cliff Thompson made a motion to allow the negotiation of sale of a 2022 Chevrolet Tahoe to the City of Highfill, at a minimum price of \$50,000.00, with a 2nd from Justin Cowgur. All Council Members voted in favor and the motion carried.

(16) Announcements -

- **10/15/2024 – Planning Commission Meeting @ 6:00 PM**
- **10/19/2024 – Coffee with the Mayor @ 9:00 AM**
- **10/24/2024 – Community Center Public Forum @ 6:30-8:00 PM**
- **10/26/2024 – Community Trunk of Treat & Movie @ 6:30 PM**
- **10/29/2024 – Budget Work Session @ 6:00 PM**
- **11/05/2024 – Planning Commission Meeting @ 6:00 PM**
- **11/12/2024 – City Council Meeting @ 6:00 PM**
- **11/19/2024 – Planning Commission Meeting @ 6:00 PM**

(17) Adjourn -

Keith Higginbotham made a motion to Adjourn at 7:45 PM with a 2nd from Justin Cowgur. All Council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk