

**CITY OF CENTERTON
CITY COUNCIL MEETING
APRIL 13, 2010**

The city council was called to order by Mayor, Bobbie Griffith. The Pledge of Allegiance was recited and the prayer was offered by Todd Wright. Those Present and answering roll call were Mayor Bobbie Griffith, Kathy Huber, Keith Higginbotham, Patricia Thornhill, Josie Reed and Randy Thomas. Josie Reed and Tommy Laird was absent from council and Lance Johnson and Robert Coffelt were absent. Those present and not answering role call were Jan Dolan, Todd Wright, Brian Rabal, Howard Slinkard, Andrew Huntsinger, Lorene Burns and Jeff and Robert Coffelt. Randy Clark was there representing the Police department for Lance Johnson.

- (1) **Council Minutes** - Keith Higginbotham made a motion to adopt the minutes from the March, 2010 council meeting and public hearing with a 2nd from Randy Thomas. All members present voted in favor and the motion carried.
- (2) **Planning & Water & Sewer Minutes** - Keith Higginbotham made a motion to acknowledge receipt of the February 23, 2010 planning minutes and the February Water & Sewer minutes with a 2nd from Randy Thomas. All members present voted in favor and the motion carried.
- (3) **City and Court Financials** - Randy Thomas made a motion to accept the March, 2010 City and Court financials with a 2nd from Patricia Thornhill. All members voted in favor and the motion carried.
- (4) **Planning Commission - Approve Appointment of Rick Hudson**- Mayor Griffith introduced Rick Hudson to the council. Rick addressed the council and gave them information on his background. Randy Thomas made a motion to accept the appointment of Rick Hudson to the Centerton Planning Commission with a 2nd from Kathy Huber. All council members voted in favor and the motion carried.
- (5) **Ordinance 2010-07- AN ORDINANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON THE BEHALF OF THE CITY AN AGREEMENT WITH THE TOWN OF HIGHFILL, ARKANSAS FOR THE PURCHASE OF A PORTION OF HIGHFILL'S WATER SUPPLY DISTRIBUTION SYSTEM; AND PRESCRIBING OTHER MATTERS PERTAINING THERETO.** Jeff Coffelt addressed the council and explained that this was the last step in the process of purchasing this portion of Highfill's water supply. Keith Higginbotham made a motion to read the ordinance by title only with a 2nd from Randy Thomas. All council members present voted in favor and the motion carried. Andrew read the ordinance by title only. Josie Reed made a motion to suspend the rule requiring the reading of the Ordinance on 3 separate occasions with a 2nd from Randy Thomas. All council members voted in favor and

the motion carried. Kathy Huber made a motion to adopt ordinance with a 2nd from Keith Higginbotham. All members voted in favor and the motion carried. Andrew read the emergency clause. Kathy Huber made a motion to adopt the emergency clause with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

(6) Ordinance 2010-08 - AN ORDINANCE ADDING CHAPTER 08.28 TO THE CITY OF CENTERTON MUNICIPAL CODE ON THE USE OF ALL-TERRAIN VEHICLES ON CITY STREETS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Mayor Griffith addressed the council and explained that this has to do with operation of ATV's, any 3 or 4 wheel vehicles, in the city, unless you own 3 acres in the city. Keith Higginbotham made a motion to read the ordinance by title only with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Andrew read the ordinance by title only. Keith Higginbotham made a motion to suspend the rule requiring the reading of the ordinance 3 times with a 2nd from Patricia Thornhill. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Kathy Huber. All members voted in favor and the motion carried. Andrew read the emergency clause. Kathy Huber made a motion to adopt the emergency clause with a 2nd from Patricia Thornhill. All council members voted in favor and the motion carried.

(7) Resolution 2010-03 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY A REAL ESTATE OFFER AND ACCEPTANCE AGREEMENT.

Mayor Griffith addressed the council and stated that this is land we want to purchase with bond money for a fire service sub-station. Jeff Coffelt addressed the council and presented a map of the property and explained the location and a little about the purchase process and plan for usage. Patricia Thornhill made a motion to read the resolution by title only with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Andrew read the resolution by title only. Keith Higginbotham made a motion to adopt the resolution with a 2nd from Patricia Thornhill. All council members voted in favor and the motion carried.

(8) Resolution 2010-04 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY A REAL ESTATE CONTRACT.

Jeff Coffelt addressed the council and explained the details of working out the Real Estate Contract with the Farrer's and the ideas for usage of the property. Randy Thomas made a motion to read the resolution by title only with a 2nd from Patricia Thornhill. All council members voted in favor and the motion carried. Andrew read the resolution by title only. Keith Higginbotham made a motion to adopt the resolution with a 2nd from Randy Thomas. All council members voted in favor and the motion carried.

(9) Resolution 2010-05 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY A REAL ESTATE CONTRACT. Mayor Griffith addressed the council and suggested approval of this ordinance to be done with a change in the “body” of it to read Street Department instead of Fire Service System. Keith Higginbotham made a motion to read the resolution by title only with that change with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Andrew read the resolution by title only. Patricia Thornhill made a motion to adopt the resolution with a 2nd from Kathy Huber. All council members voted in favor and the motion carried.

(10) Resolution 2010-06 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY AN AGREEMENT WITH ENGINEERING SERVICES INC., FOR ENGINEERING SERVICES FOR THE CITY OF CENTERTON, ARKANSAS. Mayor Griffith addressed the council and stated that this resolution is to allow us to contract with ESI for engineering services for the Highway Department Project for HWY 102, for the water and sewer relocation. She reminded the council that this is for us to do the project as opposed to us paying the Highway Department to do it. Jeff stated that this is a standard Highway Department contract. He told the council members that whether we move the water and sewer and work something out with the Highway Department about the \$2,000,000.00 or not, we still have to be the utility to move it. He said that if they do not decide to work something out with us, this contract would become null and void and the Water & Sewer Commission would have to do a contract with ESI to send to HDT. Jeff stated that we were trying to help move things along because the project is supposed to go out to bid in June and that they won’t bid anything until all utilities are out. Jeff said that it will take 4 months to move the utilities. Kathy Huber made a motion to read the resolution by title only with a 2nd from Randy Thomas. All council members voted in favor and the motion carried. Andrew read the resolution by title only. Keith Higginbotham made a motion to adopt the resolution with a 2nd from Kathy Huber. All council members voted in favor and the motion carried. Mayor Griffith asked for a motion to allow her to draft a letter and send it to The Highway Department offering to move the water & sewer ourselves and give them some right-of-way that we already have in lieu of the \$2,000,000.00. She stated that Scott Bennett told us that we would get whatever was set aside to do the work. Jeff stated that 6 months ago the high end estimate to do the work was about \$1.3 million. He said the bond money is there to do the project. He said the city owned right-of-way can also be considered as part of the funds and that there is \$2 million in estimated right-of-way. Kathy Huber made a motion to allow Mayor Griffith to draft and send the letter with a 2nd from Patricia Thornhill. All council members voted in favor and the motion carried.

- (11) **Waive permit Fees for Habitat House To Be Built at 311 W. 2nd in Centerton** - Lorene Burns addressed the council and reminded them of the Habitat House to be built in Centerton. She stated that the Planning Commission is requesting permission from the council to waive the permit fees for the house. Keith Higginbotham made a motion to waive the fees with a 2nd from Kathy Huber. All council members voted in favor and the motion carried.
- (12) **Progress Report On 577 Main Street** - Mayor Griffith addressed the council and stated that most of the work had been done on the property at 577 Main Street. She stated that the house is gone, the chicken house is gone and it was seeded today. She said that so far we have spent between \$4700.00 and \$4800.00 so far, not including legal fees. She thanked all of those involved.
- (13) **Tim Graham - Requests 3 More Building Permits-** Tim Graham addressed the council and stated that he would like to request 3 more building permits for the Willow Crossing subdivision. He said that of the 6 previous permits granted, 3 were currently under contract and the other 3 will be completed this month. He said that one of the 3 permits he is currently seeking is pre-sold. He said that CEI will be bringing the final plat to the Planning Commission. He stated that everything around the detention pond has been cleaned up and looks good. He said he met with CEI about water coming back over the spillway and that there was a letter from AEP/SWEPCO about the 2 easement issues. Keith Higginbotham asked when all of these issues would be resolved. He said that when we gave the 3 initial permits, it was with the understanding that these issues would be resolved. He asked if we kept issuing 3 permits at a time, would this thing keep dragging out. He asked for the bottom line, when will it be done, to keep Tim from coming before the council every month asking for 3 permits. Tim stated that he thought it would all be complete within the next couple of months. Randy Thomas made a motion to issue only 3 more building permits until the final plat is filed with a 2nd from Patricia Thornhill. All council members present voted in favor and the motion carried.
- (14) **Department Reports – Street** - Bert stated that he was working on right-of-ways and that the dirt roads are a mess from the winter weather. He also stated that mowing season is here. He said that they have cleaned out the brush on both sides of Kimmel and that his goal was to get LC Hickman and Bush ready for gravel. **Police** - Randy Clark said that they have one at the academy and that Cody is in Little Rock learning about crime scene photos. **Planning** - Lorene said that she has been and will be attending Transportation Improvement Plan meetings. She invited anyone to attend. She said there is also an on-line survey that can be filled out and that all feedback helps. She mentioned the Regional Trails Program that she and Todd had attended meetings for and talked about the Wal-Mart Foundation and their involvement in the program. The last thing Lorene had was about a couple of properties that are on McKissick Creek and Allen Road and Town Vu Road that are struggling to get affordable Flood insurance, because they

were annexed into the city, which has a different grandfather period than the County has, which they used to be in before being annexed. She also stated that she has heard nothing new on the LOMR **Fire** - Jeff Coffelt stated that we are at 145 fire runs currently. He said that they will be bringing in lot split and development plans for the new sub-station and start putting packages together to start bidding out buildings. He stated that the County truck was in the shop and that we have already received the check for the repairs. **Water** - Jeff Coffelt stated that they were waiting on the Highway Department to tell them how much Stimulus money they will give us to start moving utilities for the Toll Road. He said that we will start seeing construction within the next 30-458 days on the recently purchased Highfill Water & Sewer lines on the west side of HWY 102. **Administration** - Jan Dolan stated that the audit went well, without exception, last week and that we should be getting a report back in a couple of weeks.

- (15) **Announcements** - Mayor Griffith pointed out to the council that the March, 2010 Permits and Fire and Street transactions were in the council's packets.

There was no other business and Josie Reed made a motion to adjourn with a 2nd from Kathy Huber. All members present voted in favor and the motion carried.

Bobbie Griffith, Mayor

Todd Wright, City Clerk