

**CITY OF CENTERTON
CITY COUNCIL MEETING
APRIL 12, 2011**

The city council was called to order by Mayor, Bill Edwards. The Pledge of Allegiance was recited and the prayer was offered by Todd Wright. Those Present and answering roll call were Mayor Bill Edwards, Skye Petty, Josie Reed, Keith Higginbotham, Tommy Laird and Robin Reed. Patricia Thornhill was absent. Those present and not answering role call were Todd Wright, Howard Slinkard, Lorene Burns, Rick Hudson, Lance Johnson, Jeff Coffelt and Brian Rabal. Jennifer Robinson was not present.

- (1) Patricia Thornhill- Appointment to Vacant Seat-** Mayor Edwards addressed the council stated that he had spoken to Patricia Thornhill and that she stated that she had moved out of the immediate area and that according to Arkansas Law 14-43-310, it says that “duly elected alderman shall cease to reside in the ward from which he or she was elected, that person shall be disqualified to hold the office and a vacancy shall exist, which shall be filled as prescribed by law”. Keith Higginbotham stated that he told the Mayor that we could put the position back out there for applications as we did in October, when we had interviewed 5 or 6 applicants with members of the City Council and Todd Wright was present as well. He stated that this seat (Patricia’s) was offered two ways at that time to Tyler Steele that the position could be for two months or for the following term and he was asked if he would be willing and he stated that he would either way. Keith asked Tyler Steele if he were still interested in the position if the council voted in favor. Tyler stated that he would be. Keith Higginbotham made a motion to appoint Tyler Steele back to the seat that was vacated by Patricia Thornhill with a 2nd from Josie Reed. Skye Petty asked if it was legal to appoint this way and Howard Slinkard stated that the statute states that we could put it off until the next Council meeting, but states just that you should fill the position and doesn’t give any instructions or guidelines. All council members voted in favor and the motion carried. Mayor Edwards had Tyler Steele approach the bench and swore him in to fill the vacant seat.
- (2) Council Minutes-** Robin Reed made a motion to adopt the minutes from the March 8, 2011 council meeting with a 2nd from Skye Petty. All council members voted in favor and the motion carried.
- (3) Planning, Water & Sewer and A & P Minutes-** Josie Reed made a motion to acknowledge receipt of the March 8, 2011 Planning minutes, February 2011 Water & Sewer minutes and the February 2011 A & P Commission minutes with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

- (4) **City and Court Financials-** Mayor Edwards stated that these financials were for March, 2011 and that we have received 35% of our revenue and the expenses are at 22%. Skye Petty made a motion to accept the March, 2011 City financials with a 2nd from Tommy Laird. Skye Petty questioned the security expenses and Mayor Edwards stated that we had a service call and made some updates. He stated also that we would meet again in June to look at some items in the budget that may need adjustment. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to accept the March, 2011 Court Financials with a 2nd from Josie Reed. All council members voted in favor and the motion carried.
- (5) **Habitat for Humanity-** Debby Wieneke addressed the council and stated that Habitat for Humanity would be building another home in Centerton. She stated that it would start in June and asked if the building fees could be waived. She stated that the house would be built at 331 W. 2nd Street for Michael Conley and his 12 year old daughter Hailey and they hoped to have it completed the week before school starts. Keith Higginbotham made a motion to waive the fees with a 2nd from Robin Reed. All council members voted in favor and the motion carried.
- (6) **Update on Ginn and L.C. Hickman Abatement-** Mayor Edwards addressed the council and gave details of the 2 abatements in Robert Coffelt's absence. Mayor Edwards also pointed out the Building Permits Report for February and March.
- (7) **Resolution 2011-08- A RESOLUTION AMENDING RESOLUTION NO. 96-5 ADJUSTING THE THRESHOLD IN DOLLAR VALUE OF ITEMS REQUIRED TO BE LISTED IN THE INVENTORY OF CITY-OWNED TANGIBLE PERSONAL PROPERTY.** Mayor Edwards addressed the council and stated that this resolution came about through our audit and that we are currently capitalizing anything over \$1000.00 and that it would be more cost effective to change it to \$2500.00. He gave some details. Keith Higginbotham 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. Howard read the resolution by title only. Keith Higginbotham made a motion to adopt the resolution with a 2nd from Robin Reed. All council members voted in favor and the motion carried.
- (8) **Resolution 2011-09- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY A CONTRACT WITH CLEARPOINT TECHNOLOGY INC. FOR INFORMATION TECHNOLOGY TO BE UTILIZED BY THE CITY OF CENTERTON.** Mayor Edwards addressed the council and gave details of our current computer contract and the new contract and pointed out the advantages of the new contract. He stated that the cost will be \$1000.00 per month and that the hours will roll over each month. He stated that it will help consolidate the departments as well. He stated that the contract could be terminated with 30 days notice. Tommy Laird

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. Howard read the resolution by title only. Tommy Laird made a motion to adopt the resolution with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

(9) Resolution 2011-10- A RESOLUTION AMMENDING THE EMPLOYEE POLICY HANDBOOK OF THE CITY OF CENTERTON, ARKANSAS.

Mayor Edwards addressed the council and gave details of the changes being made to the Employee Policy Handbook. Changes were made in the policy for Department Heads to hire and fire, travel meal expenses and payment for meeting attendance. A copy of the changes was provided to the council. Josie Reed made a motion to read the resolution by title only with a 2nd from Robin Reed. All council members voted in favor and the motion carried. Howard read the resolution by title only. Josie Reed made a motion to adopt the resolution with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.

(10) Resolution 2011-11- A RESOLUTION AMENDING THE POLICY AND PROCEDURE MANUAL OF THE CENTERTON POLICE DEPARTMENT AS PROMULGATED BY THE CHIEF OF POLICE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Mayor Edwards and Chief Johnson addressed the council and gave details of the changes to the Centerton Police department Policy and Procedure Manual. Keith Higginbotham asked that a provision be added to allow the officer to go to the hospital if required and not be required to remain at the scene in case of serious medical needs. Keith Higginbotham made a motion to read the resolution by title only with approved changes with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. Howard read the resolution by title only. Tommy Laird made a motion to adopt the resolution with a 2nd from Skye Petty. All council members voted in favor and the motion carried. Howard read the emergency clause. Keith Higginbotham made a motion to adopt the emergency clause with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

(11) Ordinance 2011-08- AN ORDINANCE AMENDING THE CENTERTON MUNICIPAL CODE, CHAPTER 3.04, TITLED PURCHASES; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Mayor Edwards addressed the council and stated that currently the Mayor's spending allowance is \$10,000.00 and the auditor suggested changing it to \$20,000.00 to match the state law. Howard stated that it was for supplies and not for building materials. Josie Reed made a motion to read the ordinance by title only with a 2nd from Robin Reed. All council members voted in favor and the motion carried. Howard read the ordinance by title only. Keith Higginbotham made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Skye Petty. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the

ordinance with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Howard read the emergency clause. Tyler Steele made a motion to adopt the emergency clause with a 2nd from Robin Reed. All council members voted in favor and the motion carried.

(12) Ordinance 2011-09- AN ORDINANCE ACCEPTING THE FINAL PLAT OF THE MORNINGSIDE SUBDIVISION, PHASE 1, CENTERTON, BENTON COUNTY, ARKANSAS; AND DECLARING AN EMERGENCY.

Lorene Burns addressed the council, presented them with a map and gave details of the final plat. She stated that they had a punch list with a May 31st deadline. Jeff Coffelt stated that they had some water and sewer repairs that need to be done as well before they accept it. Robin Reed 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. Howard read the ordinance by title only. Tommy Laird made a motion to suspend the rule requiring the reading of the ordinance 3 times with a 2nd from Tyler Steele. All council members voted in favor and the motion carried. Josie Reed made a motion to adopt the ordinance with a 2nd from Skye Petty. All council members voted in favor and the motion carried. Howard read the emergency clause. Tyler Steele made a motion to adopt the emergency clause with a 2nd from Robin Reed. All council members voted in favor and the motion carried.

(13) Ordinance 2011-10- AN ORDINANCE ACCEPTING CONVEYANCE OF TRACT 4 (OFFSITE SANITARY SEWER LIFT STATION) OF THE MORNINGSIDE SUBDIVISION, PHASE I, CENTERTON, BENTON COUNTY, ARKANSAS; AND DECLARING AN EMERGENCY.

Lorene Burns addressed the council and gave details of this ordinance. Skye Petty 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. Howard read the ordinance by title only. Tommy Laird made a motion to suspend the rule requiring the reading of the ordinance 3 times with a 2nd from Tyler Steele. All council members voted in favor and the motion carried. Skye Petty made a motion to adopt the ordinance with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. Howard read the emergency clause. Josie Reed made a motion to adopt the emergency clause with a 2nd from Robin Reed. All council members voted in favor and the motion carried.

(14) Ordinance 2011-11- AN ORDINANCE WAIVING THE REQUIREMENTS OF COMPETITIVE BIDDING; AUTHORIZING THE CITY TO ENTER INTO A CONTRACT FOR PURCHASE AND INSTALLATION OF METAL BUILDING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Rick Hudson addressed the council and gave details of the need for this building and the reason for this option as opposed to the more expensive building that was originally proposed. He stated that he priced it out with KNO in Searcy and also on line. He stated that Steele

Development gave them the best price, at \$28,000.00 for the 100'x50' building installed w/ a concrete foundation. He stated that they got at least 4 bids. Robin Reed made a motion to read the ordinance by title only with a 2nd from Keith Higginbotham. All council members voted in favor except for Tyler Steele, who abstained, and the motion carried. Howard 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 Skye Petty. All council members voted in favor except for Tyler Steele, who abstained, and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Robin Reed. All council members voted in favor except for Tyler Steele, who abstained, and Tommy Laird, who voted no, and the motion carried. Howard read the emergency clause. Keith Higginbotham made a motion to adopt the emergency clause with a 2nd from Skye Petty. All council members voted in favor except for Tyler Steele, who abstained, and Tommy Laird, who voted no, and the motion carried.

- (15) **Department Reports- Police-** Police Chief Lance Johnson stated that they sent 33 bikes to the County Auction and that a check is in the mail. He said that a portion of the proceeds go to the auctioneer. He stated that they participated in the recent meth bust that Bentonville and the County initiated. He stated that we transported the prisoners and that officer Wallace got to see his first meth scene. He stated that the new car is still in the paint phase. He stated that the new officer Alex Wallace was trained in Missouri and that he took a 40 hour refresher course in Elm Springs that he graduated from last Friday and is now certified in Arkansas. He stated that he started on March 9th and will finish FTO training and be on his own by the end of the month. He said he is mainly working midnights right now. Lance stated that they need help with snack packs to get through half of May and the rest of the school year in June. He stated that they still plan on doing the fireworks stand and that the proceeds will be split 3 ways between the teachers, shop with a cop and snack packs. Todd asked the Mayor if the e-mails helped and he stated that he received no responses. Lance stated that the floors and walls have been sealed at Animal Control and that it should last 3-4 years. He said they found some fungus that was treated and some new sealer will be applied at no cost. Lance stated that both of the girls will be going for training at the end of the month to keep up their Court Clerk certifications. Mayor Edwards mentioned that the Police stats are in the packets. Mayor Edwards asked for the council's approval to hiring of Alex Wallace at a rate of \$28,000.00 per year (\$13.70/hr). Keith Higginbotham made a motion to approve the hiring with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Mayor Edwards asked for the council to approve the \$22,194.00 for the new police car that was ordered to replace the one that had been totaled and had not been approved in previous minutes. Keith Higginbotham made a motion to approve the purchase with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. **Street-** Rick Hudson stated that he appreciated the council's quick response on the approval for the striping bid, which has now been completed. He stated that the new building is about 95% complete, still waiting on landscaping, seeding and gas connection and security. He said they are

still under budget. He stated that they will be looking for a new dump truck and a wider blade. He stated that Tycoon needs a lot of work and will get an overlay as soon as the weather stabilizes. He stated that he figures about \$130,000.00 will be needed for gravel to do a major portion of it. He stated that "D" Street has utilities moved already. He said that 2 of his guys are going for striping training. Robin asked who cleans up the property across from "D" Street and Rick stated that it is a construction dump site and will be cleaned off and covered with top soil at the end of the project and that he hopes it will be done in 45-60 days. Mayor Edwards asked for a motion to accept the \$13,976.98 approved by the council by e-mail for the cost of the striping. Robin Reed made a motion to approve the amount to be spent for striping with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried. **Water- Planning-** Lorene Burns stated that Eden's Court submitted final plat and is ready for final inspection and that Char Lou III has changed contractors to Steele Development and they have done site inspections and are replacing some drainage pipe. **Fire-** Fire Chief Jeff Coffelt stated that Centerton Day is coming and they are looking for volunteers. He stated that the Substation #2 on Hwy 72 is almost complete with plumbing and electricity left. He stated that Substation #3 on Hwy 102 should have the drives poured by the end of the week and the electrician should be in on Monday. He said they will be doing the air line work themselves at night. Jeff stated that they should have both stations operational by the end of April and have trucks in them. He said there should be about \$3000.00 left from the 2006 and 2007 bonds. He said there is more money, but that is all that is all that is available right now. He detailed the equipment to be put in each station. Jeff stated that he hopes to get a program together where we don't use trucks until they just wear out. He stated that he would like to get a light rescue truck to tack the burden off of other trucks. He stated that the 2 substations are going to come out at under \$400,000.00 and that they were designed for expansion if we ever go full time. He said the runs were at 191 and that there have been and will be some burn bans. He said they had 1 or 2 controlled burns since the last meeting and have 2 more scheduled for training the young guys. **Water-** Jeff stated that the contractor is on sight for the Bella Vista by-pass and that it is scheduled for 2014 completion. He said that he hopes to not have service outages during the dirt work, but the dirt work was released at the same time as we were. Jeff stated that the info was sent to the Highway Department on Hwy 102 and hopefully they will send a contract back next week so we can initiate the acquisition of easements and hopefully get started by the end of June and it should take about 6 months to move all the water and sewer lines. **Administration-** Mayor Edwards stated that Jenny was in Little Rock for software training. **Mayor-** Mayor Edwards detailed last month's "Coffee with the Mayor" and reminded the council that next Saturday is the next one and invited everyone to come out. He told the council about the Storm Spotter class with Dan Scoff that had about 50 people in attendance. The Mayor addressed the billing error on the Waste Management invoices and stated that the bill should be \$41.06 and gave details and a comparison to the old Roll-Off invoices. He stated that there were 70 bags of trash picked up during the city wide clean-up. The mayor showed a color photo of the Michael Savard Memorial bench and stated

that he would like to discuss a Park Bench Donation Program at a later date. He stated that he was summoned to the County to meet with the other area mayors and the County Judge and that they discussed Benton County Alert which is an alert system for bad weather and he stated that there were 1485 citizens signed up and 145 data (e-mail and text) users. He stated that it was funded by grant money for the first year but that after July 1st the county will be coming to the cities to ask for their help and that our part would be about \$3900.00. Mayor Edwards stated that the Highway Department had asked for 3 properties for easement for the Hwy 102 widening and that there should be something prepared by the next council meeting. He stated that they are continuing to update the city website.

- (16) **Other Business-** Mayor Edwards appointed Tyler Steele to fill the Personnel Committee and Parks & Recreation Advisory Board openings vacated by Patricia Thornhill. Keith Higginbotham made a motion to accept those appointments with a 2nd from Skye Petty. All council members voted in favor and the motion carried.

Mayor Edwards asked if there was any other business and there was not. Tommy Laird made a motion to adjourn with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk/ Recorder