

**CITY OF CENTERTON
CITY COUNCIL MEETING
APRIL 8, 2014**

The city council was called to order by Mayor, Bill Edwards. The Pledge of Allegiance was recited. The prayer was offered by Keith Higginbotham. Those Present and answering roll call were Mayor Bill Edwards, Keith Higginbotham, Skye Petty, Misty Elam, Robin Reed, Josie Reed and Tommy Laird. Those present and not answering roll call were Todd Wright, Jennifer Robinson, Brian Rabal, Police Chief Lance Johnson, Water & Sewer Superintendent Frank Holzkamper, Planning Director Lorene Burns and Fire Chief Delton Bush. Street Superintendent Rick Hudson, Building Inspector Robert Coffelt and Animal Control Supervisor Terry Sanchez were absent.

- (1) **Council Minutes-** Josie Reed made a motion to adopt the minutes from the March 11, 2014 city council meeting with a 2nd from Skye Petty. All council members voted in favor and the motion carried.

- (2) **Planning, Water & Sewer and A&P Minutes-** Keith Higginbotham made a motion to acknowledge receipt of the February 25, 2014 Planning minutes, February 20, 2014 Water & Sewer minutes and the January 16, 2014 A&P minutes with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- (3) **City and Court Financials-** Mayor Edwards stated that we are 25% through the year and we have received 29.5% of our revenue. He stated that our expenditures are at 21.5%. Mayor Edwards stated that Building Permits, City Sales Tax, County Turn backs and Fire Dues were all up. Tommy Laird made a motion to accept the March 2014 City and Court financials with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- (4) **Department Reports- Building Inspection-** Robert Coffelt was absent but included a written report in the council's packets. Mayor Edwards touched on that report. He mentioned that we are asking people with storm shelters to come in and get free permits for those shelters so that we can keep track of who has shelters in case of emergencies. **Planning-** Lorene Burns stated that there is a Re-zone and Subdivision Plat approvals for the Wal-Mart property that will be covered in ordinances later in the meeting, and that the Development Plans for the Supercenter were approved with contingencies. She stated that she has several Conditional Use requests, a Variance request for a lot at 2nd and C Street. She

stated that she has an 80 acre Tract Split that is being split into 3 tracts and the Development plan for the new High School that they are working on. Lorene stated that Melissa attended an EPA Conference last week and that they are going to the Flood Plain Conference Spring Workshop together. She also mentioned the Traffic study and asked for the council to give a recommendation for staff to give to the Planning Commission regarding road improvement. **Police-** Police Chief Lance Johnson pointed out the stats for March 2013 and March 2014, gave some details and asked if there were any questions. He mentioned that he had heard of zero accidents since the widened Hwy102 opened. He stated that he has some concerns with people running the red lights at Hwy102 and Main Street and they are keeping a close Eye on it. He said that the State sets the speed limit and he assumes that it will stay at 45mph and that additional signs will be getting placed. He stated that he is still 1 officer short, but that all the vehicles are up and running. He mentioned that they have been in the new PD for 1 year and all is going well. He stated that Court was going well. He said that they are hit and miss on training right now and gave some details about their Continuing Education. Lance stated that he thought they brought in about \$7950 from the Chili Supped for "The Children of Centerton". **Street-** Rick Hudson was not present as he was attending the Benton County Quorum Court meeting to discuss the Traffic Study fund matching. Mayor Edwards detailed a few items about the Street and Parks Departments. Robin Reed gave an update on recent training and an update on the City Park. **Fire-** Fire Chief Delton Bush stated that they have had 184 fire runs for the year and that they have 40 firefighters at this time. He stated that Mercy Lifeline helicopter came in and did some training. Delton stated that he has a new firefighter training in Camden. Delton detailed other training that they received. He said the new Medical Truck is in transit. He stated that the budgeted repairs on the FD are starting to take place. He stated that the Ladder and Pump Service tests are scheduled. He said there is Captain Testing going on currently in the department. He said he is looking into some youth grant programs. Delton stated that they have begun a tradition at the FD where they start all of their meetings with a prayer. **Water-** Frank Holzkamper stated that the Greenhouse Road Sewer Project is nearing completion and should be done by the next council meeting. He said they are waiting on Wal-Mart to get their lines across Hwy 102 and we are working on the pump station on the other end. He stated that both water towers have been drained and sanitized, with good results and no issues. He stated that it is done once every 3 years. He said the Decatur project was submitted to the State Health and came back with only minor comments that we are addressing. He stated that they are starting to send out letters to people affected by the easement process. He stated that they will be interviewing financial firms at their next CWSD meeting and that they will approach the council in the next month or two. He said they are estimating \$9,000,000.00. **Animal Control-** Mayor Edwards addressed the council and stated that Terry has a personal medical issue and stated that everything was going well at the shelter. He stated that they currently have 9 dogs at the shelter. **Administration-** Jennifer thanked Bill and Anthony for helping while she has been part-time. She stated that the audit is in progress and should be completed Wednesday or Thursday. She said she is back to work full-

time. **Mayor-** Mayor Edwards gave an update on the Outdoor Weather Warning Devices.

(5) Ordinance 2014-11- AN ORDINANCE CHANGING THE NAME OF SOUTH FISH HATCHERY ROAD AND GINN ROAD TO SOUTH MAIN STREET; AND CHANGING THE NAME OF MAIN STREET TO NORTH MAIN STREET; IN THE CITY OF CENTERTON, ARKANSAS. Mayor Edwards addressed the council and explained the need for this ordinance and stated that we did the first reading at the March council meeting. Mayor Edwards stated that he sent letters to the 6 property owners that would be affected and got no responses. He stated that he would like to have a Public Hearing to discuss this before our May city council meeting. Keith Higginbotham made a motion to do a 2nd reading of the ordinance with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. Brian Rabal did a 2nd reading of the ordinance by title only.

(6) Ordinance 2014-12- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS BELONGING TO FOREST C. TROUTNER AND JANET L. TROUTNER FROM AGRICULTURAL (A-1) TO HIGHWAY COMMERCIAL (C-2). Lorene Burns addressed the council and explained the need for this ordinance. Tommy Laird 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. Brian Rabal read the ordinance by title only. Tommy Laird 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. Josie Reed made a motion to adopt the ordinance with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

(7) Ordinance 2014-13- AN ORDINANCE ACCEPTING THE FINAL PLAT OF WREN HOLLOW SUBDIVISION, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS. Mayor Edwards addressed the council and explained the need for this ordinance. He introduced Steven Giles, Attorney for the property owners, Keith with Carlton Consulting and Bryant Adams, who works for a public relations firm that works for Wal-Mart. Mayor Edwards stated that there are 6 lots on the property, 1 to be used for the Supercenter, 1 to be used for the gas station and 4 lots along Hwy102 to be used for future development. Keith stated that there is also right-of way dedication on the future South Main Street. He commented that the Centerton City staff was a pleasure to work with. Tommy Laird 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. Brian Rabal read the resolution by title only. Tommy Laird made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Robin Reed. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Skye Petty. All council members voted in favor and the motion carried.

(8) Resolution 2014-05- A RESOLUTION AUTHORIZING THE MAYOR AND CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN EQUIPMENT RENTAL AGREEMENT WITH JA RIGGS TRACTOR CO, SPRIGDALE, ARKANSAS, FOR RENTAL OF A TRACTOR/LOADER/BACKHOE. Mayor Edwards addressed the council and explained the need for this resolution, reminding the council that Brian recommended that the council approve the proposal and come back with a resolution when there is an actual contract during the last meeting. Josie Reed made a motion to read the resolution by title only with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. Brian Rabal read the Resolution by title only. Tommy Laird made a motion to adopt the resolution with a 2nd from Robin Reed. All council members voted in favor and the motion carried.

(9) Resolution 2014-06- A RESOLUTION AUTHORIZING THE MAYOR AND CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH ARCO EXCAVATING AND PAVING, BENTONVILLE, ARKANSAS, FOR SEBA ROAD IMPROVEMENTS. Mayor Edwards addressed the council and explained the need for this resolution, telling the council that the school has asked us to get started on this project, so they can start moving dirt for the high school. He stated that the 6 bids are in the packet and have been reviewed by Brian Rabal. He stated that this project will put turn lanes at all 4 corners of Seba Road and Gamble Road and will pave 850 feet to the West and there will be widened turn lanes at the West end for busses and/or other traffic. Mayor Edwards stated that the low bid came in at \$422,856.50. Mayor Edwards stated that this is part of the \$1.4 million that the council pledged for street improvements for the 2nd High School, that we will amend the budget to account for it. Tommy Laird 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. Brian Rabal read the Resolution by title only. Josie Reed made a motion to adopt the resolution with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- (10) **Appoint Donna Schwartz to A & P Commission-** Donna Schwartz addressed the council. Keith Higginbotham made a motion to appoint Donna Schwartz to the A & P Commission with a 2nd from Robin Reed. All council members voted in favor and the motion carried.
- (11) **Discuss Benefits for Fire and Council-** Mayor Edwards addressed the council and stated that the council had had asked him to check on supplemental insurance. Jennifer Robinson stated that she talked to Matt Bartholomew with All State Insurance about supplemental insurance for council and firefighters that are employees of the city, but that do not get a regular paycheck. He said we could add them to the city's group plan as a supplemental insurance. She said she talked to him before the meeting and he said that the cost would be about \$18.00/month for an accident policy and that a good cancer policy would be about \$18.00/month. She said they offer Disability and Life Insurance as well. Jennifer stated that the auditor said that the City would not be able to pre-pay the insurance for council or firefighters, so they would have to pay the City the first 2 months in advance. There was discussion. Jennifer stated that she is going to start taking appointments next week. She said that Colonial Insurance will still be coming in as well. She stated that Open Enrollment for the next 2 weeks, with a policy start date of May 1st.
- (12) **Discuss Closing of Friends of the Park Account-** Mayor Edwards addressed the council and stated that there is confusion with the origin and use of this account. He stated that the A&P Tax funds are set up to go 80% into city parks and 20% to go towards promoting the city. He stated that it appears that they took \$35,000.00 into an account called "Friends of the Parks" and another \$35,000.00 and put it into Parks and Recreation and the other 20% into the A&P, for a 40/40/20 split. He stated that the money has just been sitting there. He said that he brought it before the A&P Commission and they agreed to just transfer the \$35,388.19 in funds into the Parks and Recreation account and close the "Friends of the Parks" account. Mayor Edwards asked the council to approve this action. Keith Higginbotham made a motion to transfer the \$35,388.19 in funds into the P&R account and close the "Friends of the Parks" account with a 2nd from Robin Reed. All council members voted in favor and the motion carried.
- (13) **Approve 2013 Street Fund Amended Budget Correction-** Jennifer Robinson addressed the council and stated that she had made a clerical (Scribner's) error on the 2013 Street Fund budget. She stated that their amended Turn back amount should have been \$530,000.00 and she entered \$53,000.00 Keith Higginbotham made a motion to acknowledge the clerical error and

correction of the amendment to the 2013 Street Fund Budget in with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

(14) Update on Joint Traffic Study for 2nd High School- Mayor Edwards addressed the council and stated that the Benton County Quorum Court did not originally want to participate in this joint traffic study and voted not to. He stated that the Bentonville School District met with them tonight along with our Street Superintendent Rick Hudson, where they voted 15-0 to participate. He stated that it will be split 3 ways. There was discussion. Mayor Edwards stated that we are going to ask the School District to cost share the widening/improvement of their half of Gamble Road on their part of the project as we would with any other development. He stated that it is stated in the ordinance that the School District could be responsible for any off-site improvements caused by traffic increase, but that the District is going to ask the Planning Commission for a waiver for that. He stated that the District also feels that they didn't put any money in their budget for this project for any road improvements and could ask the Planning Commission for a waiver for that. Mayor Edwards stated that the City and the School District are working together to come to a good resolution. Mayor Edwards stated that he remembers there being \$570,000.00 in the budget for adjacent infrastructure costs shown in the plan that was being presented to the voters during the millage campaign presentations.

(15) Update on Centerton Cemetery- Brian Rabal addressed the council and stated that he has been in discussion with Brian Verneti and that things are getting a little bit closer. He stated that all of the monies have been consolidated and that there is still an issue with the exact amount of funds and an issue with getting certified copies of all documents w. He said he hopes to have resolution by the May City Council meeting.

Executive Session- Tommy Laird made a motion to enter into Executive Session to discuss personnel issues with a 2nd from Josie Reed. The Mayor and the Council retired to the Conference Room. Keith Higginbotham made a motion to exit the Executive Session return to the City Council meeting with a 2nd from Tommy Laird. Mayor Edwards stated that it has been determined that Sargent Anthony Martinez will not be returning to the Police department at this time. He asked the council to approve the hiring of a new patrol officer for the PD. Keith Higginbotham made a motion to allow the hiring of an additional patrol officer for the Police Department with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. Mayor Edwards asked the council to approve 2 Corporal positions at the PD with an increase of \$2080.00/year effective May 1, 2014 for those 2 positions. Tommy Laird made a motion to approve the 2 Corporal positions at the Police Department with a salary increase of \$2080.00

effective May 1, 2014 with a 2nd from Misty Elam. All council members voted in favor and the motion carried. Mayor Edwards also stated that there is an Administration Assistant Position open at City Hall. He stated that it was a part-time position, paying up to \$12.00/hr. He stated that he would like to change that position to a full-time position paying up to \$14.00/hr. and that he would like to offer that position to Mr. Martinez as a transfer when he is done at the Police Department due to his disability. He stated that he would like that position to include backup bookkeeping duties. Tommy Laird made a motion to change the Administrative Assistant position to a full-time position, paying up to \$14.00/hour and to allow Mr. Martinez to transfer to that position upon completion of his duties at the Police Department with a 2nd from Robin Reed. All council members voted in favor and the motion carried. The last thing Mayor Edwards stated was that Terry Sanchez was dealing with an illness and asked the council to approve a temporary position at the Animal Shelter for up to 24 hours/week at a salary of up to \$10.00/hour to assist while needed during Terry's treatment. Tommy Laird made a motion to approve that hiring with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

There was no other business or announcements and Tommy Laird made a motion to adjourn with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk