

**CITY OF CENTERTON  
CITY COUNCIL MEETING  
AUGUST 13, 2013**

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, Josie Reed and Tommy Laird. Robin Reed was absent. Those present and not answering role call were Todd Wright, Jennifer Robinson, Brian Rabal, Cheri Vaughn, Planning Supervisor Lorene Burns, Police Chief Lance Johnson, Water & Sewer Superintendant Frank Holzkamper, Street Superintendant Rick Hudson, Animal Control Supervisor Terry Sanchez and Fire Chief Delton Bush.

- (1) **Council Minutes-** Skye Petty made a motion to adopt the minutes from the June 9, 2013 city council meeting and with a 2<sup>nd</sup> from Misty Elam. All council members present voted in favor and the motion carried.
  
- (2) **Planning, Advertising & Promotions and Water & Sewer Minutes-** Keith Higginbotham made a motion to acknowledge receipt of the June 25, 2013 Planning, May 16, 2013 A&P and June 9, 2013 Water & Sewer minutes with a 2<sup>nd</sup> from Tommy Laird. All council members Present voted in favor and the motion carried.
  
- (3) **City and Court Financials-** Mayor Edwards stated that we are 58% through the year and we have received 77% of our revenue. He stated that our expenditures are at 66%. Skye Petty made a motion to accept the July 2013 City and Court financials with a 2<sup>nd</sup> from Josie Reed. All council members present voted in favor and the motion carried.
  
- (4) **Department Reports- Building Inspection-** Robert Coffelt provided a Building Permit Report in the council's packets. Cheri Vaughn was present and gave details from the report. She stated that we have done 130 permits this year.  
**Planning-** Lorene Burns stated that their next planning meeting is August 27<sup>th</sup>. She stated that they hired Allison Ransom as the new Planning Assistant and that she started on Monday. Lorene stated that there will be a re-zone hearing for property at HWY 102 and Greenhouse Road from A-1 to C-2. She said there will be a tract combination on those properties soon to follow to make it one property.

She stated that there is one tract split request out on HWY 72, splitting off 2.5 acres. Lorene stated that Forest Park II should be ready for approval at the next meeting and that Aspen Storage is working on submitting plans for expansion. She stated that the State law has changed as of August 16<sup>th</sup>, 2013 for planning jurisdiction to one mile outside the city limits and that there may be a few changes we will have to do. She stated that the Master Street Plans and Zoning maps are in Dropbox and will have to be revised. **Police-** Chief Lance Johnson pointed out the stats for July 2013 and asked if there were any questions. Skye asked why the number of reports were up and Lance stated that he has a new officer and that he is getting his feet wet. He said that he is not writing a lot of tickets, but that he is making a lot of stops and making people aware of their infractions. Lance stated that he did informal interviews over the last two days to fill the open officer position and has narrowed the pool down to 5 with one more interview to go with a candidate from out of town on 8/22-8/23. He said that this will put us up the 13 officers. He said officer Martinez is supposed to get pins removed in 6-7 weeks and then he has rehab. **Streets/Parks-** Street Superintendent Rick Hudson stated that he spoke to the contractor on the HWY102 project last week and that they should still complete the project by November. He stated that they are on hold with their overlay projects. He stated that the mowing should be caught up by the end of next week. He said we came through the storms with no drainage issues. Rick stated that they have asked for some revisions from the engineers on the Sports Park and Walking Trail and those need to go back through Planning. He stated that he hopes to get started in November on the Walking Trail. He stated that there is an ownership issue with some land behind CGE that could give us a shared entrance to the Sports Park with CGE that could save some money that could be spent in the park itself. **Fire-** Fire Chief Delton Bush stated that they have had 455 calls YTD. He stated that the response time has been great due to the part-time help during the day and looks forward to the future when we can add more help and work toward becoming a full-time FD. He added that things are cleaner and neater around the station and that the trucks are in better shape. Delton stated that they have almost completed their annual hose testing and that the ladder testing is done and the air packs have been flow-tested. He said they still lack the annual service tests on the pumps on their engine and ladder truck. He said that the snow stops have been reinstalled on the roof at the station and should eliminate issues with ice or snow coming down. He mentioned that the FD will be used for voting again. Delton stated that the Skid Unit, which is a pump and tank for the oldest Brush Truck, should be in by the end of the month, giving us a brush truck at each station. He stated that the new Support Truck is ahead of Schedule and should be ready in September. **Animal Control-** Terry Sanchez addressed the council and stated that they got their shed up and power ran to it. He stated that they had a Pit Bull litter born at the shelter today with 10 puppies. He stated that they currently have 16 dogs at the shelter. **Water-** CWSD Superintendent Frank Holzkamper stated they had a small amount of damage to some water lines from the flooding that they have been working on. He stated that the B Street sewer project is complete and that the Greenhouse Road water project from Kimmel to Quail Ridge and from Womack down past the electrical sub-

station opens bid next Thursday and that we might see some work going on before the next council meeting. Frank stated that there will be a meeting Thursday to discuss providing sewer to the project at Greenhouse Road and HWY 102. Frank stated that they have started talking to the State in regard to the wastewater treatment project with Decatur and that ADEQ has responded to our letter asking us to send paperwork through to a review committee with the State, which should be ready on Friday. **Administration-** Jennifer stated that our audit was wrapping up and gave some details. She said that she is working on unclaimed property (checks). **Mayor-** Mayor Edwards read a letter of appreciation from the First Baptist Church of Centerton to the City, FD and PD for their Annual 4<sup>th</sup> Fest. He mentioned that we will be getting the 1 acre property at 577 Main from the Land Commission on 10/10/13 and that we applied for another property on Walker Street. Mayor Edwards stated that there was an issue with water entering City Hall on the North side of the building, which caused damage to the carpet in his office, and stated that we will be putting in a new drainage system covered with gravel and would like to remove and rebuild the sidewalk on that North side, along the parking area and gazebo with assistance from Parks & Recreation. Rick Hudson stated that the total project will cost under \$8000.00. Mayor Edwards stated that after the drain repair is done, he would like to replace the carpet in his office, hallway, kitchen and dining room with ceramic tile, which will run around \$2200.00. **Chamber-** PJ addressed the council and stated that they will be having a monthly mill-around and a weekly networking event. He said the Rodeo was not a financial success.

- (5) **Cemetery Update- Donna Amos-** Donna Amos addressed the council and presented them with a letter requesting resolution for the City of Centerton to assume ownership and maintenance of the Centerton Cemetery. She stated that her attorney Bryan Verneti recommended to the trust that the City of Centerton make a resolution expressing its willingness to take over ownership and maintenance of the cemetery, so that there is physical documentation for the trustees to vote on. She read the letter that she presented to the council. Brian Rabal stated that he would disagree from the standpoint of the City, stating that he feels that the trust should come to the City with a proposal laying out expectations, with the City's proposal coming at a later time. Brian asked if the trust owned the entire property and are there any contracts with the families of the deceased. Donna stated that Brian explained that there are no individually deeded lots and that when individuals purchased lots, they were buying the right to be buried there and that the cemetery is owned by the trust. Brian stated that he would like to know what would be expected of the city in regard to the stones, record keeping, etc. There was discussion. Jennifer Robinson stated that the Municipal League told her the same thing, that the council should have a detailed proposal outlining everything before they can make a decision and vote on it. There was discussion. Keith asked if they just wanted to know if the city was interested and Donna stated that they did not want to spend \$2000-\$3000 on a proposal that is not going anywhere. Brian stated that the City would be doing the

same thing, essentially. Todd asked Brian if he meant that the City would have to do even more research because we know nothing, whereas they would have to do less because they already have knowledge about the cemetery. Brian agreed. There was more discussion. Skye told Brian that he thought they presented a proposal when they originally came to us. Brian stated that he wants more details about what burdens the City is expected to take on. Donna stated that their problem is that they may not know all the details. There was discussion. Skye stated that he thought the City could incur the cost of Brian outlining some of the details. Keith agreed and stated that he thought Brian could work with Mr. Verneti to come up with the proposal. Brian stated that he was afraid of what that could open up the City to have to do for research in future transactions. Todd stated that he felt that Brian was asking for more a more detailed proposal and said that he thought he remembered when discussing the original proposal that there were contracts with families, holding them responsible for damage to their plot. Donna agreed, but stated that there is not much family left. Todd stated that we are looking at spending taxpayer's money to do the research and that the Trust would be spending money that is already in the trust and they already have an attorney. There was more discussion. Skye Petty made a motion to allow Brian Rabal to work with the Centerton Cemetery Trust to come up with a detailed proposal for the City to assume the ownership and maintenance of the Centerton Cemetery and for Brian to draw up an Ordinance to be voted on next month with a 2<sup>nd</sup> from Keith Higginbotham. All council members present voted in favor and the motion carried.

**(6) Request for 3- 2014 Chevrolet Tahoe's for the Police Department-** Police Chief Lance Johnson addressed the council and asked for their approval to purchase 3-2014 Tahoe's for the PD. The council were presented a document in their Dropbox, stating that the prices of the Tahoe's are going up after 8/23/13. He stated that one of the Tahoe's will replace the 2007 Dodge Charger, One will be for the new officer that will be hired after the current round of interviews and the last Tahoe would be for an officer to be hired if the additional position is approved on 1/1/14. He said the vehicles will take a minimum of 60-90 days to receive. He said they can pay for some of the equipment from the ACT988 money. There was discussion. Tommy stated that he didn't think we should buy the vehicle before we have the 14<sup>th</sup> position filled. Skye agreed. Tommy Laird made a motion to allow the City to purchase 2-2014 Chevrolet Tahoe's and equipment for the Police Department with a 2<sup>nd</sup> from Skye Petty. All council members voted in favor and the motion carried.

**(7) Cat Concerns-** Mayor Edwards addressed the council and explained that there was a concern for cats by a citizen and that she was not able to attend this meeting. He had Animal Control Supervisor Terry Sanchez address the issue and his findings with the council briefly. There was discussion. Keith Higginbotham

made a motion to table this item until the next council meeting with a 2<sup>nd</sup> from Tommy Laird. All council members voted in favor and the motion carried.

**(8) Resolution 2013-20- A RESOLUTION SUPPORTING THE BUILDING OF A 2<sup>ND</sup> HIGH SCHOOL IN THE BENTONVILLE SCHOOL DISTRICT.**

Mayor Edwards addressed the council and explained the need for this resolution to show the City of Centerton's support for a 2<sup>nd</sup> High School. He read the entire resolution out loud. Skye Petty made a motion to adopt the resolution with a 2<sup>nd</sup> from Misty Elam. All council members present voted in favor and the motion carried.

**(9) Ordinance 2013-11- AN ORDINANCE APPROVING A CONTRACT FOR WASTEWATER TREATMENT WITH THE CITY OF DECATUR, ARKANSAS; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE CONTRACT ON THE CITY'S BEHALF; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

Mayor Edwards addressed the council and explained the need for this ordinance. Brian Rabal expressed concern with part of the contract. Robert addressed his concern. Tommy Laird made a motion to read the ordinance by title only with a 2<sup>nd</sup> from Keith Higginbotham. 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 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried. Tommy Laird made a motion to adopt the ordinance with a 2<sup>nd</sup> from Keith Higginbotham. All council members voted in favor and the motion carried. Brian Rabal read the emergency clause. Tommy Laird made a motion to adopt the emergency clause with a 2<sup>nd</sup> from Skye Petty. All council members voted in favor and the motion carried.

**(10) Ordinance 2013-12- AN ORDINANCE AMMENDING SECTION 4.04.05 TITLED PROCURMENT OF BUSINESS LICENSE AND SECTION 04.04.06 TITLED APPLICATION OF THE CENTERTON MUNICIPAL CODE.**

Mayor Edwards addressed the council and explained the need for this ordinance to reduce business license fees. Keith Higginbotham made a motion to read the ordinance by title only with a 2<sup>nd</sup> 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 2<sup>nd</sup> from Misty Elam. All council members voted in favor and the motion carried. Tommy Laird made a motion to adopt the ordinance with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.

**(11) Ordinance 2013-13- AN ORDINANCE AMMENDING CENTERTON MUNICIPAL CODE, SECTION 2.16.03 FIXING THE SALARY FOR THE CITY CLERK, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.** Mayor Edwards addressed the council and explained the need for this ordinance. Tommy Laird made a motion to read the ordinance by title only with a 2<sup>nd</sup> from Keith Higginbotham. All council members voted in favor and the motion carried. Brian Rabal 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 2<sup>nd</sup> from Skye Petty. All council members voted in favor and the motion carried. Tommy Laird made a motion to adopt the ordinance with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried. Brian Rabal read the emergency clause. Tommy Laird made a motion to adopt the emergency clause with a 2<sup>nd</sup> from Keith Higginbotham. All council members voted in favor and the motion carried.

**(12) Ordinance 2013-14- AN ORDINANCE AMMENDING CENTERTON MUNICIPAL CODE, CHAPTER 2.12 FIXING THE SALARY FOR THE CITY COUNCIL, DECLARING AN EMERGENCY; AND FOR OTHER PUPOSES.** Mayor Edwards addressed the council and explained the need for this ordinance. Tommy Laird made a motion to read the ordinance by title only with a 2<sup>nd</sup> from Skye Petty. 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 2<sup>nd</sup> from Misty Elam. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2<sup>nd</sup> from Skye Petty. All council members voted in favor and the motion carried. Brian Rabal read the emergency clause. Tommy Laird made a motion to adopt the emergency clause with a 2<sup>nd</sup> from Keith Higginbotham. All council members voted in favor and the motion carried.

**(13) Announcements-** Mayor Edwards pointed out the Emergency Preparedness Fair flyer in the council's Dropbox. Mayor Edwards stated that Coffee with the Mayor is Saturday August 17th at 9:00 a.m.

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

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Bill Edwards, Mayor

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Todd Wright, City Clerk