

**CITY OF CENTERTON
CITY COUNCIL MEETING
DECEMBER 11, 2012**

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

- (1) Council Minutes-** Robin Reed made a motion to adopt the minutes from the November 12, 2012 special council meeting with a 2nd from Skye Petty. All council members present voted in favor and the motion carried. Skye Petty made a motion to adopt the minutes from the November 13, 2012 council meeting with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Tommy Laird made a motion to adopt the minutes from the November 26, 2012 special city council meeting with a 2nd from Skye Petty. All council members voted in favor and the motion carried. Skye Petty made a motion to adopt the minutes from the December 4, 2012 special council meeting with a 2nd from Josie Reed. All council members voted in favor and the motion carried.
- (2) Planning, Water & Sewer, Parks and A&P Minutes-** Robin Reed made a motion to acknowledge receipt of the October 23, 2012 Planning minutes and the October 18, 2012 CWSD minutes with a 2nd from Josie Reed. All council members voted in favor and the motion carried.
- (3) City and Court Financials-** Mayor Edwards stated that we are 93% through the year with 115% of our revenue in and our expenses are at about 80%. He stated that we still have a couple of bills let for the PD and that one of them is around \$180,000.00. The mayor stated that we are going to be able to cover all of the expenses for the PD through the General Fund, so we will not be using the loan we had taken out for the PD. He stated that we will close that loan out next week. Tommy Laird made a motion to accept the November 2012 City and Court financials with a 2nd from Skye Petty. All council members voted in favor and the motion carried.
- (4) Department Reports- Building Inspections and Code Enforcement-** Robert Coffelt stated that Cherie was going to be trained to assist him in Building

Inspections starting after the first of the year. He stated that we had \$19,900.00 in permits in November. He stated that we have had 11 permits so far this month and that we had some investors contact the city today, interested in putting in 19 duplexes in Meadowland off of Womack. He stated that we have collected \$143,000.00 in inspection fees this year. **Police-** Police Chief Lance Johnson pointed out the stats and asked if there were any questions. He stated that the new PD would be ready when it is ready. He stated that they are painting right now and setting cabinets tomorrow. He said the plumbers, electricians and HVAC people will come in after. Lance stated that Daryl Reed is no longer with the PD due to his medical retirement and thanked him for his service. He stated that it creates an opening in the PD. Lance stated that the new Tahoe is almost ready. He stated that they would be having a PD meeting at the FD on Thursday at 6:00 p.m. and invited all of the council to come and meet the officers. **Street-** Rick Hudson stated that they are back to full staff. He mentioned recent ADEQ, STAA, MS4 and equipment training and stated that they would be doing some more T2 training after the first of the year. Rick stated that they have been working on some of the annexed county roads and making them passable and cleaning up the drainage. **Planning-** Lorene Burns stated that Bill went to the GIS meeting for her today. She stated that we and Washington and Benton County are looking at doing some cost sharing on the aerial photography and mapping under one contract. She stated that our aerial photography amount has come down since we reduced the size of our planning area to 25 square miles. Lorene stated that the Planning Commission has decided that since most of the alcohol sales are controlled by the permitting process with the State of Arkansas, they are going to amend the schedule of uses in the C-2 zoning code next week to include alcohol sales. Lorene stated that they are still working on a development plan for Living Waters, stating that we have received 3 submittals and expect the 4th tomorrow and gave details of some of their issues. Lorene stated that they have a request for some lot splits in Sienna Estates and gave the council members copies of the diagrams, stating that it could possibly deed some land back to the city. She gave details. Lorene stated that the LOMR became effective on 12/6/12 and that the FEMA website has not been updated yet. Lorene stated that Planning will have to do a final site inspection on the PD before it can be approved for use. Lorene stated that she still has to go through the applicants for the open assistant position. **Fire-** Mayor Edwards stated that Delton was on duty tonight and mentioned that the stats were included in the council's packets. He detailed the runs. Keith stated that the ladder truck was down again and that #651 and #611 have had some maintenance. He mentioned that the fire trucks will be driving Santa around the city on Saturday. **Water-** Frank Holzkamper stated that the final phase of the Bella Vista Bypass is in the last stages of easement acquisitions and will be ready to put out to bid. Frank stated that they are looking at upgrading the sewer lines on Fair Street to replace all of the old clay lines. He detailed the process and stated that property owners should have at least 30 days notice. Frank mentioned that the CWSD was able to refinance all but one of their loans and will be able to save over \$1,000,000.00. He stated that they will close on that loan next Wednesday. Bob Anderson addressed the council and detailed the upcoming

sewage rate increases from Bentonville beginning 1/1/13 as well as options the CWSD is looking into for our rates and possible future service. There was discussion. **Animal Control-** Terry Sanchez addressed the council and stated that everything was going well. He stated that they currently have 7 dogs at the shelter and 2 in foster care. He gave details about couple of injured dogs they had picked up. Mayor Edwards stated that Terry was going to be cross-training for Code Enforcement after the first of the year to be able to help Robbie. **Admin-** Jennifer Robinson stated that she was working on the budget, trying to get all of the bills paid by the end of the year and dealing with the audit. She stated that the audit is going before the Legislative Audit Committee to be approved and that it could take up to 3-4 months before they send their report back to us. She stated that we still have only had the initial exit interview. She said we should have another interview after the first of next year. **Mayor-** Mayor Edwards stated that the 2013 City calendar is in the council's packets. He stated that the CACC budget is also included in the packets and that PJ was not able to attend tonight's meeting. He stated that the monthly pancake breakfast is this Saturday 8-11. Mayor Edwards handed out a magazine article naming Centerton the Honorable Mention for the 2012 City of Distinction Award for the State of Arkansas and detailed the article. He stated that he is going to send a letter to all of the current builders in the area, thanking them for building here and also will send out a personal letter to the Walker's and Tim McGuire inviting them to come back and build in Centerton. Mayor Edwards gave a report on the Christmas Parade and thanked everyone that participated. Mayor Edwards stated that he met with Mayor McCaslin of Bentonville and proposed a \$90,000.00 flat rate for ambulance service for the city. He said he will bring it back to the council when he responds. He pointed out to the council that we are looking into having our own ambulance service, hopefully as soon as next year's budget. Tommy Laird asked the mayor how they were going to get sworn in and the mayor said he could swear them in at the next council meeting. He stated that they could go to the County Courthouse to be sworn in if they want to.

- (5) **Resolution 2012-22- A RESOLUTION APPOINTING AN ATTORNEY TO SERVE AS PRIMARY ATTORNEY FOR THE CITY OF CENTERTON, ARKANSAS.** Mayor Edwards addressed the council and explained the need for this resolution to appoint the city's Primary Attorney. The council decided to do it by ballot. By a vote of 6-0, Brian Rabal was appointed. His rate is to remain \$135.00/hr. Keith Higginbotham 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. Robin Reed made a motion to adopt the resolution with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.

- (6) Resolution 2012-23- A RESOLUTION APPOINTING A CITY PROSECUTOR FOR THE CITY OF CENTERTON, ARKANSAS.** Mayor Edwards addressed the council and explained the need for this resolution to appoint a Prosecuting Attorney for the city. He stated that Tim Hutchinson has been our Prosecuting Attorney and that our Police Chief was pleased with the work he has been doing. The mayor stated that Tim was making \$725/month but has asked for an increase to \$775.00/month. There was discussion. The council agreed to keep Tim Hutchinson as the Prosecuting attorney for 2013 and to allow presentations for the position next year. Keith Higginbotham made a motion to read the resolution by title only with a 2nd from Skye Petty. All council members voted in favor and the motion carried. Brian Rabal read the resolution by title only. Robin Reed made a motion to adopt the resolution with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.
- (7) Resolution 2012-24- A RESOLUTION APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF CENTERTON, ARKANSAS, AND BENTON COUNTY, ARKANSAS REGARDING HAZARDOUS MATERIALS INCIDENT RESPONSE SERVICES.** Mayor Edwards addressed the council and explained the need for this resolution to contract with a haz-mat provider. There was discussion. Skye Petty 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. Josie Reed made a motion to adopt the resolution with a 2nd from Skye Petty. All council members voted in favor and the motion carried.
- (8) Resolution 2012-25- A RESOLUTION ACCEPTING FEE IN LIEU OF “A” STREET IMPROVEMENTS IN THE AMOUNT OF \$37,180.60 FROM CASEY’S GENERAL STORE, INC.** Mayor Edwards addressed the council and explained the need for this resolution. Keith Higginbotham asked why we would be splitting this cost instead of the developer paying for all of it. Rick Hudson addressed the council and explained why we would do this in this case. There was discussion. Jennifer stated that this money will be held in our cash bond account and will be paid out upon receipt of invoices. 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. Brian Rabal 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 2012-26- A RESOLUTION IN SUPPORT OF STATUTORY AMENDMENTS TO AUTHORIZE IMPROVEMENTS IN THE INFORMATION PROVIDED TO LOCAL GOVERNMENTS BY THE STATE OF ARKANSAS RELATED TO COLLECTIONS OF LOCAL**

SALES AND USE TAXES. Mayor Edwards addressed the council and explained the need for this resolution. Keith Higginbotham 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. Keith Higginbotham made a motion to adopt the resolution with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

- (10) **Ordinance 2012-26- AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE SECTION 10.08.09 TITLED “COMPENSATION”.** Mayor Edwards addressed the council and explained the need for this ordinance. Josie Reed made a motion to read the ordinance by title only with a 2nd from Skye Petty. 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. Tommy Laird made a motion to adopt the ordinance with a 2nd from Josie Reed. All council members voted in favor and the motion carried.
- (11) **Ordinance 2012-27- AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE OPERATION OF THE CITY OF CENTERTON, ARKANSAS FOR THE CALENDAR YEAR 2013; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.** Mayor Edwards addressed the council and explained the need for this ordinance to approve the budget for next year. He addressed a few changes to the proposed budget with the council. Jennifer helped to explain those changes. There was discussion. Keith Higginbotham 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. 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 Keith Higginbotham. All council members voted in favor 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 and the motion carried. Brian Rabal read the emergency clause. Tommy Laird made a motion to adopt the emergency clause with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.
- (12) **Ordinance 2012-28- AN ORDINANCE AMENDING THE CENTERTON MUNICIPAL CODE, SECTION 2.14.05, TITLED RE-FIXING COMPENSATION.** Mayor Edwards addressed the council and explained the need for this ordinance to fix the salary of the Mayor. Tommy Laird made a motion to set the Mayor’s salary at \$52,015.00 for 2013 with a 2nd from

Skye Petty. All council members voted in favor. 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 Huntsinger 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 Robin Reed. All council members voted in favor and the motion carried. Josie Reed made a motion to adopt the ordinance with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

- (13) **Ordinance 2012-29- AN ORDINANCE AMENDING SECTION 2.28.02 AND 2.28.10 OF THE CENTERTON MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.** Mayor Edwards addressed the council and explained the need for this ordinance to raise the pay per run and per regularly scheduled meeting for our volunteer firefighters from \$10.00 to \$12.50. There was discussion. Tommy Laird made a motion to read the ordinance by title only with a 2nd from Skye Petty. All council members voted in favor except for Keith Higginbotham, who abstained, 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 except for Keith Higginbotham, who abstained, and the motion carried. Tommy Laird made a motion to adopt the ordinance with a 2nd from Josie Reed. All council members voted in favor except for Keith Higginbotham, who abstained, and the motion carried. Brian Rabal read the emergency clause. Tommy Laird made a motion to adopt the emergency clause with a 2nd from Misty Elam. All council members voted in favor except for Keith Higginbotham, who abstained, and the motion carried.

Other Business- Mayor Edwards asked for the council's permission to purchase 2 Tahoe's for the PD and 1 F-350 for the Street Department. Keith Higginbotham made a motion to approve the purchase of 2 Tahoe's and 1 F-350 with a 2nd from Tommy Laird. All council members voted in favor.

The mayor also asked for permission to surplus a 2002 Crown Victoria. Skye Petty made a motion to allow the mayor to surplus a 2002 Crown Vic with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.

Mayor Edwards stated that Brad Carpenter tendered his resignation from Parks & Rec and A&P. He stated that he was going to try to meet with Brad to see if he would be interested in staying on in one area, but that it was up to him.

Mayor Edwards stated that there will be an A&P meeting 12/20/12 at 7:30 a.m.

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

Bill Edwards, Mayor

Todd Wright, City Clerk