

**CITY OF CENTERTON
CITY COUNCIL MEETING
FEBRUARY 11, 2014**

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, Keith Higginbotham, Skye Petty, Misty Elam, Robin Reed and Josie Reed. Tommy Laird was absent. Those present and not answering role call were Todd Wright, Brian Rabal, Street Superintendant Rick Hudson, Police Chief Lance Johnson, Animal Control Supervisor Terry Sanchez, Water & Sewer Superintendant Frank Holzkamper, Planning Director Lorene Burns, Building Inspector Robert Coffelt and Mike Cerasale from the Fire Department. Fire Chief Delton Bush and Jennifer Robinson were absent. Boy Scouts and Leaders from Troop 622 from the Church of Jesus Christ of Latter Day Saints were also in attendance to meet their merit badge requirements.

State of the City- Mayor Edwards addressed the council and audience, stating:

Ladies and Gentleman of the Centerton City Council, and fellow citizens, as your Mayor, I am honored to report to you the state of the city and its future needs. I am grateful for the opportunity that the citizens have given me to serve the citizens of the City of Centerton over the past 3 years.

First of all, I am happy to announce that the City of Centerton is financially sound, and thru fiscal conservation, your staff and City Council has balanced its budget over the past 3 years. The 2013 financial statement will be presented tonight and you will see that we are in a good financial condition.

I would like to report that Highway 102 is about 85 percent complete and should be completed in the spring of this year. We had challenging weather that delayed the project; however, the crew has worked even in the bad weather to get the highway ready to lay asphalt and stripe the roadway. Sidewalks are almost complete on both sides of the roadway and this is going to have a huge impact on the eastern side of our city.

Talking about the east side of the city, our Planning department has been very busy with several commercial projects starting this year to include a new Wal-Mart Neighborhood Market, a new Mercy Health Clinic, a new liquor store, and 2 new nursing facilities. Also the voters have approved a 2nd Bentonville School District High School to be built in the northwest part of our city which will break ground in June of this year. Another commercial project completed is a new Casey's store and several new residential subdivisions.

Centerton has seen a huge impact on building in our city with a total of 4,587 inspections and 1,087 permits issued in 2013, and over \$53,000 worth of permits issued in the first month of 2014. Currently we are seeing 30-40 new housing starts each month, and as the highway is completed, we anticipate our

number of new commercial permits to increase. A backup inspector has been designated to assist when the work load is high or the main inspector is on vacation, keeping all inspections in-house.

The Police department had over 6,000 calls and has increased its staff by 2 this year. The plan is to increase the police department each year by adding 2 officers, and in 2016 add 3 officers to accommodate the new high school. The current police fleet is up to date. Despite a steady increase of calls for service, there has been no notable increase in serious crimes, and there has been not been an increase of trends in criminal activity in our community that should be cause of concern for our community.

Next is the Street department, this year we added a parks and recreation person to the staff due to the increased amount of city properties to maintain. This individual will be responsible for upkeep on all city parks and city buildings. The street department has done an outstanding job on keep our street repaired and up to date, and has done well maintaining the 45 miles of roads in our city limits. Major projects for this year include paving Seba Road another 850 feet to accommodate the new high school, and improving the intersection of Seba and Gamble Roads to add turning lanes for the increased traffic. The city also received a \$250,000 State Aid Grant which will help the city double its overlay projects for 2014.

Another parks project to be completed in 2014 are the first phase of the Kinyon Sports Complex, which will include one competition ball field and 3 practice fields. Trails will be added to the Centerton Lake to include a walking trail around the lake and also some natural trails on the north side of the lake, and a pavilion where the Centerton Farmers Market and other events can be held.

The Centerton Fire Department responded to over 700 calls for service in 2013. As the transition to becoming a full time fire department takes place, a full time fire chief has been added, a part time assistant chief, and 2 firefighters working 9 hours shifts and rotating thru the volunteers. A new support truck was added, and a new medical rescue truck has been ordered. A new chief's vehicle has been purchased along with a new Polaris to help remove snow and ice in the parking lots of the fire and police departments, and also can be used on fire scenes to assist with brush type fires.

The Centerton Water and Sewer Department also had a good year and has reached an agreement with the City of Decatur to provide waste water treatment for our community. This will help keep our waste water bill steady, and keep our rates steady. The department will also be reading meters every 29 to 31 days to help keep the bills more consistent. Two new people were added to the department and the department is in the process of hiring another full time billing clerk to help with the increased workload.

Centerton Animal control had a great year in adoptions and returning missing pets to their owners by the use of Face Book and Pet Finder, and to also help adopt pets that were not claimed. Thru these efforts the normal population is kept low. A new truck has been added to replace an aging vehicle and dog tag sales are up from the previous year.

The City received several grants this year. As I mentioned earlier, a \$250,000 grant for road improvements along with a \$25,000 grant from State Rep. Dan Douglass to help place a walking trail around the lake. A grant for \$50,000 was received by State Senator Bart Hester to help purchase “Storm Sirens” or outdoor warning devices for the community which will be installed in March of this year.

Lastly, no administration is complete without the loyal staff of great employees and support of the Centerton City Council. Our city has many hard working employees, from the Department heads to the troops, that carry out the daily activities and duties to help keep our city running smooth and efficiently. Thanks for a Job Well Done!!!

- (1) **Council Minutes-** Skye Petty made a motion to adopt the minutes from the January 14, 2014 city council meeting with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

- (2) **Planning, Board of Zoning, Water & Sewer and A&P Minutes-** Keith Higginbotham made a motion to acknowledge receipt of the December 17, 2013 Planning and Board of Adjustment meetings minutes, December 19, 2013 Water & Sewer minutes and the December 19, 2013 A&P minutes with a 2nd from Robin Reed. All council members voted in favor and the motion carried.

- (3) **City and Court Financials-** Mayor Edwards stated that we are 8.3% through the year and we have received 14.19% of our revenue. He stated that our expenditures are at 8.05%. Robin Reed made a motion to accept the January 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 presented the council with a new format of his report and gave details on permit revenue and current projects. **Planning-** Lorene Burns gave an update on Sara’s Hope and Featherstone Assisted Living and a Coffee Kiosk in Beckendale Plaza. Lorene stated that the Featherstone Development Plan was approved as well as the Mercy Clinic. Lorene stated that Creekside Subdivision was submitted and that Brian Rabal was working on annexation paperwork. She stated that the open Planning Assistant was narrowed down to 4 applicants and there will be 2nd interviews this week. Lorene stated that Darren Warren Resigned from the Planning Commission, so there is an opening that will be posted with applications on-line. **Police-** Police Chief Lance Johnson pointed out the stats for January 2014 and asked if there were any questions. He said there were quite a few accidents and assists due to the snow and ice. He stated that people with warrants were mailed

letters stating that law enforcement would be going after their taxes, which really encourages them to come in and have their warrants served. He said they were right on track with that. Brian Rabal asked what fits into the Misc. Incident column. Lance gave several examples. Josie Reed asked if the council could get the prior year's monthly stats beside the current month for comparison. Lance stated that vehicles were up and running and that he was still an officer short, but hoped to hear something next week. Lance stated that they have training coming up next week and next month, with more in-house training through the year. Lance stated that the new snow removal equipment worked great. There was discussion about utility costs in the new PD. Lance stated that Court was going well. He stated that the Chili Supper is going to be March 15th at New Life Christian Church at 5:00 p.m. **Street-** Rick Hudson stated that snow and ice removal has been killing them. He said that they have had no major breakdowns, but that there are some operating and maintenance costs involved. He said the supply costs are going up. He stated that we are going to have to build a salt bunker and buy our salt in the summer. He stated that the Hwy102 project is in the final stages before the pour the final asphalt and that he felt like they were within 3 good work weeks of getting to that point. He stated that the walker Street Drainage Project is at about 50% of completion and gave some details. He stated that we got approval from the State on the Walking Trail Project and that we are ready to go on that as soon as the weather cooperates and we get a crew together. He said we are going to try to do most of the work in-house to save money, but that some of the work will have to be contracted out. Todd wright stated that it sounded like an Eagle Scout Project to him. Rick stated that he was waiting for ESI to submit paperwork to the State for the Sports Park and mentioned that they were able to pick up 6 nice sets of nice bleachers with railings for the Sports Park from Springdale for \$3000.00. Rick stated that we did get the \$250,000.00 grant and he provided the council a list of streets to be paved using this grant money. He stated that if there is an overrun, the City will be required to pay for it out of the Street Improvement Fund. Rick stated that he has a couple of streets in Sienna (Cooper's Way and McKissick Springs) that are going to get repairs. Rick stated that the Seba Road Project engineering has been approved and will hopefully be ready to put out to bid by the next council meeting, with an estimated cost of around \$380,000.00. He stated that it will come out of the \$1.4 million in appropriated funds from the City. He said the engineering costs were about \$7000.00. Rick stated that we are waiting on routing and zoning information from the Bentonville School District before much more can be done on the High School Project. He said the District did hire a professional from Little Rock to study it and he met with the City Engineer and said the Seba Improvement will be good no matter what the solution is and the money for that project is not being wasted. Rick stated that he met with the County and re-established the working relationship with them. He said the County is going to the repairs on some of these roads and that we will do the maintenance. He said it may take some time due to the FEMA projects that the County has ahead of them. Rick stated that the County Judge came to the City wanting to finish the East end of Kimmel Road, offering to do the work if we paid the cost. Rick stated that the new subdivision's

improvement funds may help in that cost. Rick stated that he has an old salt machine/ manure spreader, that hasn't been used in 3 years that he would like to take off of his inventory and re-purpose. Robin Reed made a motion to allow Rick to re-purpose the spreader with a 2nd from Josie Reed. All council members approved and the motion carried. **Fire-** Mike Cerasale- Division Chief, stood in for Delton Bush, who was out with back/neck problems. Mike stated that there have been 90 runs YTD and that the current roll is 37 firefighters. Mike stated that their Social Media Protocol should be done by the next meeting. He stated that the floors have been polished at the station and that we should come by and look at them any day 7-4. Mike stated that they are still waiting on the new Medical Truck to replace #653 and one of the tankers is down with a flat tire. **Water-** Frank Holzkamper stated that they have been doing a lot of maintenance around the shop and assisting customers with frozen lines and broker lines during the cold weather. He stated that they hired 2 new workers in the field and 1 new office position. Frank stated that the 40ft deep Lift Station hole on Greenhouse Road has been dug. Frank stated that the Decatur Project plans should be coming this month. He said once the design and path has been approved, they will start working on easements. **Animal Control-** Terry Sanchez addressed the council and stated that everything was going well at the shelter. He stated that the new truck is coming tomorrow. Terry stated that they currently have 3 dogs left at the shelter after the 2 adoptions today. Terry stated that the new heater is working well, but uses more propane. He said they are going to lower the thermostat to 55 degrees. **Administration-** Jennifer was absent, but did put 2 pieces of information in the council's packet, which the Mayor briefly went over. **Mayor-** Mayor Edwards recognized Robin Reed for becoming a Certified Municipal Official. Robin Reed acknowledged Mayor Edwards for receiving a Continuing Education plaque.

- (5) **Discuss Old Police Building-** Mayor Edwards gave details to the council on the mold inspection and report and stated that Sara's Hope was supposed to pay for the inspection, but that the City went ahead and paid for it. There was discussion.

- (6) **Refund of Centerton Land Company Cash Bond and Close Account-** Lorene Burns addressed the council and gave details about this cash bond. She stated that the 2-year agreement has expired and that the City has not had to do any maintenance or repairs. There was discussion. Robin Reed made a motion to refund the cash bond and close the account with a 2nd from Skye Petty. All council members voted in favor and the motion carried.

- (7) **Cemetery Update- Brian Rabal-** Brian Rabal addressed the council and gave them an update on the negotiations for the Centerton Cemetery. Brian stated that the contract presented to him states "\$52,000.00 less attorney fees". Brian stated that for audit and accounting purposes it needs to be an exact amount. He said that

some of the money is tied up in annuities, certificates of deposit, money markets, etc. Brian said we just need a certified check. Brian stated that there is some ambiguity as far as maintenance and liability in the contract as well. There was discussion. Brian stated that the ball is back in their court. Keith Higginbotham made a motion to accept Brian Rabal's proposal back to the Cemetery Board with a 2nd from Skye Petty. All council members voted in favor and the motion carried

(8) Ordinance 2014-05- AN ORDINANCE AMMENDING THE 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. Jennifer placed a page in the council's packets stating:

Dear Mayor and Council,

The Finance Department has been extremely busy this past month.

- A. As some of you are aware, The Annual Audit for 2013 has already begun. David Williams with the Legislative Audit started on Thursday, January 30, 2014.
- B. All W-2's and 1099's were mailed out.
- C. There are two ordinances for your approval this month.
 1. The First ordinance is an amended ordinance to approve the following
 - a) As for additional appropriations for the following Departments in the General Fund
 - 1) General Revenues- The anticipated beginning balance are funds available at the beginning of 2013. This includes o the Investor Fund.
 - 2) Building Inspection - \$27,498.20 - Overage is due to the purchase of a 2014 Dodge Ram Pickup;
 - 3) Fire - \$95,392.49 - Overage is due to the purchase of a 2014 Chevy Tahoe, ½ cost of Polaris, 2014 Chevy Pickup and loan payment on new rescue truck;
 - 4) Parks and Rec - \$10,945.28 – Overage is due to the purchase of a lawn mower, additional expenses on the Sports Complex and Park Maintenance;
 - 5) Police - \$100,901.12 - Overage is due to the purchase of 3 Tahoe's and ½ cost of Polaris;
 - 6) Street- \$4,179.71 – Overage is due to MS4 Storm Water Compliance.
 - b) Street Fund - \$70,355.00 - Overage is due to the purchase of a 2014 Ford F-250, trailer, asphalt roller and additional expenses in street improvements.

- 1) The anticipated beginning balance was changed is the funds available at the beginning of 2013. This includes any Street Savings Fund.
- c) Per Arkansas Code and general governmental accounting practices, we are required to have an annual budget for all Funds of the City. I have attached budgets for each Fund for your review and approval as the Final Budget for 2013.
- d) Finally, the approval of the Amended 2013 General Fund and Street Budgets.

Robin Reed asked what the “Friends of the Parks” Fund was. Mayor Edwards stated that \$35,000.00 came from the A&P account on check #3001 in May of 2010. He said there was no ordinance to set up that account. There was discussion. 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. Brian Rabal read the ordinance by title only. Skye Petty 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. Josie Reed 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. Keith Higginbotham made a motion to adopt the emergency clause with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

(9) Ordinance 2014-06- AN ORDINANCE AMMENDING CENTERTON MUNICIPAL CODE, CHAPTER 4.04.04; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES. Mayor Edwards addressed the council and explained the need for this ordinance for “No Soliciting” signs and Door-to-Door Sales and gave details. There was discussion. Robin Reed recommended that we evaluate the ordinance after 6 months to see if any amendment is needed. Robin 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 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 Misty Elam. 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. Brian Rabal read the emergency clause. Keith Higginbotham made a motion to adopt the emergency clause with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

(10) **Ordinance 2014-07- AN ORDINANCE ACCEPTING THE FINAL PLAT OF THE MAXWELL MANOR SUBDIVISION, CENTERTON PLANNING AREA, BENTON COUNTY, ARKANSAS.** Lorene Burns 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 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 suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Misty Elam. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

(11) **Ordinance 2014-08- AN ORDINANCE ACCEPTING THE EASEMENT DEDICATION PER EASEMENT PLAT OF TRACT "C" OF THE KENSINGTON HILLS SUBDIVISION, CENTERTON, BENTON COUNTY, ARKANSAS; AND DECLARING AN EMERGENCY.** Lorene Burns addressed the council and explained the need for this ordinance. Robin 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. Josie Reed made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Misty Elam. 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. Brian Rabal read the emergency clause. Robin Reed 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 2014-09- AN ORDINANCE AMMENDING THE BUDGETS FOR THE OPERATION OF THE CITY OF CENTERTON, ARKANSAS FOR THE CALENDAR YEAR 2014; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.** Mayor Edwards addressed the council and explained the need for this ordinance and gave details. Jennifer placed a letter in the council's packets stating:

The Second Ordinance is to amend the ordinance approving the 2014 budget to approve the additional budgets for all funds to include

- a) Act 1949
- b) Act 988
- c) Act 883
- d) Cash Bond Account
- e) Drug Fund
- f) Court Automation Account

- g) Fire Department Donation Account
- h) Incarceration Account
- i) Investor Fund
- j) Police Department Donation
- k) Street Saving
- l) Willow Crossing-Cash Bond
- m) Law Enforcement
- n) A&P Fund
- o) Parks and Rec
- p) Friends of the Park

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. Skye Petty made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Josie Reed. 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. Brian Rabal read the emergency clause. Keith Higginbotham made a motion to adopt the emergency clause with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

(13) Resolution 2014-04- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXTEND A CONTRACT FOR SOLID WASTE COLLECTION SERVICES FOR THE CITY OF CENTERTON, ARKANSAS. Mayor Edwards addressed the council and explained the need for this resolution. There was discussion. 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. Robin Reed made a motion to adopt the resolution with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

(14) Executive Session- Robin Reed made a motion to enter into Executive Session to discuss a personnel with a 2nd from Skye Petty. All council members voted in favor and the motion carried. The Mayor and council retired to the Conference Room. Keith Higginbotham made a motion to return to the council meeting with a 2nd from Skye Petty. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to allow the current part-time position holder to be kept on at the Street Department and a full-time position to be added with a 2nd from Robin Reed. All council members voted in favor and the motion carried.

There was no more business or announcements and Keith Higginbotham 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