

**CITY OF CENTERTON
CITY COUNCIL MEETING
JUNE 10, 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, Robin Reed and Tommy Laird. Josie Reed and Misty Elam were absent. Those present and not answering role call were Todd Wright, Jennifer Robinson, Amanda Jarvis (Standing in for Brian Rabal), Sgt. Randy Clark, Water & Sewer Superintendent Frank Holzkamper, Planning Director Lorene Burns and Fire Chief Delton Bush, Street Superintendent Rick Hudson, Asst. Building Inspector Cheri Vaughn and Animal Control Supervisor Terry Sanchez. Brian Rabal and Robert Coffelt were absent.

PUBLIC HEARING- Mayor Edwards opened the public hearing for comments on the Water and Sewer Bond issue. There were no public comments and Mayor Edwards closed the public hearing with a motion from Skye Petty and a 2nd from Robin Reed. All council members voted in favor and the motion carried.

(1) Council Minutes- Skye Petty made a motion to adopt the minutes from the May 6, 2014 city council meeting with a 2nd from Tommy Laird. All council members present voted in favor and the motion carried.

(2) Planning, Board of Zoning Adjustments, Water & Sewer and Parks and Recreation Minutes- Keith Higginbotham made a motion to acknowledge receipt of the April 22, 2014 Planning minutes, April 22, 2014 Board of Zoning adjustments minutes, April 17, 2014 Water & Sewer minutes and March 4, 2014 and May 13, 2014 Parks and Recreation minutes with a 2nd 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 42% through the year and we have received 54.83% of our revenue. He stated that our expenditures are at 37.55%. Mayor Edwards stated again that building permits, fire dues and franchise taxes were all up. Robin Reed made a motion to accept the April 2014 City and Court financials with a 2nd from Keith Higginbotham. All council members present voted in favor and the motion carried.

(4) Department Reports- Building Inspection- Robert Coffelt was absent and Mayor Edwards addressed the council and went over the report Robert had included in the council's packets. Cheri Vaughn was present for any questions

from the council. There were no questions. **Planning-** Lorene Burns addressed the council and updated them on the Neighborhood Market and the Centerton Liquor Store. She stated that they were getting close to a pre-construction meeting for the new High School to get started on site work as well. Lorene stated that the Centerton Manor Nursing Home is trying to find a good concrete contractor. She said there is about 5 different things going on in the Tuscany subdivision, including smaller lot sizes in phase one, tract splits, plans for a clubhouse and phases two and three. Lorene stated that Craig Langford had applied for the open Planning position, was approved by the Planning Commission and is being presented for the council's approval tonight. She stated that there would be an Annexation Hearing for the Fryer property tomorrow night, and that there would be an Annexation Hearing for the Creekside Subdivision property on June 30th and that there is another property inquiring about annexation in the near future. .

Police- Police Chief Lance Johnson was absent and Randy Clark gave the PD report. He pointed out the stats to the council. He stated that they did participate in the "Click-it or Ticket" campaign and were compiling numbers. **Street-** Rick Hudson addressed the council and stated that materials and supplies budget for winter maintenance repairs have hit them pretty hard and gave details. He stated that Seba Road is under construction and that they will be having a pre-construction meeting with Decco soon on the "A" Street project. Rick stated that there was extensive damage to Curtis Street by a contractor and that there have been issues dealing with the insurance company, so we will be asking for the council's approval for an Emergency Clause to get the street repaired for the citizens. He stated that he has a contractor that says he can be here the first of next week to get started so we can get the road opened up. Rick stated that there are 2 different projects that hit the paper today: Cooper's Way, for a Micro-Overlay and Asphalt for Tycoon and Shady Acres. Rick stated that our State Aid \$250,000.00 overlay project should be out for advertising as well. Rick stated that we got our new backhoe in. He said they are a little behind on mowing but not in bad shape.

Parks- Rick Hudson stated that they have been using the prisoners 3 out of the last 4 weeks to work on the Walking Trail and wanted to recognize them for the work that they have done. He stated that the Walking Trail is pretty much completed, but that there is a 50 foot section that will have to be replaced, and that there is some seeding and sodding to be done. He stated that they have gotten in the poles, banners and banner brackets for the Walking Trail just in time for Centerton Day. He said they already hung the banners in front of City Hall. He stated that the Bid Opening for the Sports Park came in shockingly high. He said a lot of the items were outrageously high. He said they would start re-evaluating that project tomorrow and look at some different ways of doing this project. **Fire-** Fire Chief Delton Bush stated that they have had 314 fire runs for the year. He said that they did receive the \$2500.00 Snack Pack grant. Delton stated that they finally received the new medical truck and are waiting on the camper shell and emergency lighting to get it into service as soon as possible. Delton stated that the ISO audit will be on June 26th and thanked the council for their support with the extra help to get prepared. Delton stated that they won't have to buy near as much equipment for the audit as he had originally thought. **Water-** Frank Holzkomper

addressed the sewer spill from a crack in the bottom of a main line with the council and gave details about the process they have been going through. He said there was sewer that went into McKissick Creek and 3 ponds. He said they removed any dead fish and are treating the waters with enzymes and doing daily oxygen tests. He stated that when the oxygen levels get back to normal, they will re-stock those ponds. Frank stated that the Decatur Project was approved by the Health Department and that it should go out to bid in the next 2 weeks. He said the Bid Opening is scheduled for 7/21/14. He said the project will take 9-12 months to complete and should be done before the contract with Bentonville is up, allowing us to make sure everything is up and running. **Animal Control-** Terry Sanchez addressed the council and stated that everything was going well at the shelter. He said they were on their 3rd temporary worker, due to the few hours available (12-16 hrs/wk) and the difficulty of the work. He stated that the shelter is currently open Monday-Friday. Terry stated that there were 2 dogs currently at the shelter. **Administration-** Jennifer Robinson stated that we just completed the Audit Exit Interviews. She said that Anthony is doing a great job assisting her. **Mayor-** Mayor Edwards stated that he and Anthony went to the 3 day Payroll Training together. He reminded everyone about Centerton Day coming up 6/28/14 and said they were still looking for donations for the auction. He mentioned the Centennial banners again. Mayor Edwards stated that Congressman Steve Womack will be at the event as a speaker and stated that the Governor will be declaring 6/28/14 as Centerton Day, in honor of our Centennial. He recognized Cheri for all of her hard work. He gave other details pertaining to Centerton Day. Mayor Edwards stated that Sara's Hope came back to him and said that they have someone willing to do the mold remediation for free and that there will be a resolution to come before the council next month. Mayor Edwards stated that we got the \$2500.00 grant for benches along the Walking Trail and has applied for another grant that we usually get. Lorene stated that she, Mayor Edwards and Melissa met with Cathy Deck to get prepared to start our Economic Development Study and hopes to have a proposal at the next council meeting.

- (5) **Ordinance 2014-14- AN ORDINANCE ADDING CHAPTER 12.16 TO THE CENTERTON MUNICIPAL CODE TITLED CEMETERY BOARD.** Mayor Edwards addressed the council and explained the need for this ordinance and stated that he checked around with other cities and proposes a Cemetery Board consisting of the Mayor, City Clerk and 3 citizens, with the Mayor and City Clerk not having a vote. Tommy Laird 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. Amanda Jarvis read the ordinance by title only. Tommy Laird made a motion to suspend the rule requiring the reading of the ordinance on three separate occasions with a 2nd from Skye Petty. All council members voted in favor and the motion carried. Tommy Laird made a motion to adopt the ordinance with a 2nd from Robin Reed. All council members voted in favor and the motion carried.

(6) Ordinance 2014-15- AN ORDINANCE PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$10,000,000 PRINCIPAL AMOUNT OF WATER AND SEWER REVENUE BONDS SERIES 2014; AUTHORIZING THE EXECUTION AND DELIVERY OF A TRUST INDENTURE, A BOND PURCHASE AGREEMENT, AND A TAX COMPLIANCE AGREEMENT IN CONNECTION THEREWITH; APPROVING AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFER AND SALE OF THE BONDS; PROVIDING FOR CERTAIN OTHER MATTERS RELATING THERTO; AND DECLARING AN EMERGENCY.

Robert Anderson from CWSD addressed the council and explained the need for this ordinance. Jim Fowler and David Mims with Raymond James & Associates, Inc. also addressed the council. 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. Amanda Jarvis read the ordinance by title only. Tommy Laird made a motion to suspend the rule requiring the reading of the ordinance on three separate occasions with a 2nd from Skye Petty. All council members voted in favor and the motion carried. Robin Reed made a motion to adopt the ordinance with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried. Amanda Jarvis read the emergency clause. Tommy Laird made a motion to approve the emergency clause with a 2nd from Skye Petty. All council members voted in favor and the motion carried.

(7) Ordinance 2014-16- AN ORDINANCE TO ACCEPT RIGHT-OF-WAY EASEMENT ON HOLLOWAY AS DEDICATED PER TRACT SPLIT BY STEELE DEVELOPMENT LLC.

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 2nd from Keith Higginbotham. All council members voted in favor and the motion carried. Amanda Jarvis read the ordinance by title only. Keith Higginbotham made a motion to suspend the rule requiring the reading of the ordinance on three separate occasions with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. Tommy Laird made a motion to adopt the ordinance with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

(8) Ordinance 2014-17- AN ORDINANCE WAIVING BIDDING REQUIREMENTS FOR THE REPAIR OF CURTIS STREET; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Mayor Edwards addressed the council and explained the need for this ordinance to waive the bidding process to get the street repaired for the citizens. Rick Hudson detailed the damages and the repair process. Skye Petty made a motion to read the ordinance by title only with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. Amanda Jarvis read the ordinance by title only.

Robin Reed made a motion to suspend the rule requiring the reading of the ordinance on three separate occasions with a 2nd from Tommy Laird. 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. Amanda Jarvis read the emergency clause. Tommy Laird made a motion to approve the emergency clause with a 2nd from Skye Petty. All council members voted in favor and the motion carried.

(9) Ordinance 2014-18- AN ORDINANCE CREATING A CRIMINAL NUISANCE ABATEMENT BOARD PURSUANT TO ACT 1190 OF 2003.

Mayor Edwards addressed the council and explained the need for this ordinance and stated that he just wanted to get a first reading at this time. He stated that this has been brought to the forefront mainly due to people parking in the grass. He said that he will attend some of Bentonville's N/A Board meetings and hearings to see how their meetings go, to get some experience for our city going into this. Mayor Edwards stated that it will be a 5 member board with staggered 5 year terms. Tommy Laird 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. Amanda Jarvis did the first reading of the ordinance by title only.

(10) Resolution 2014-10- A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE VACATING OF UTILITY AND DRAINAGE EASEMENTS ON LOTS 17-19, 28-30, 34-40 AND 44-48 OF THE TUSCANY, PHASE I, SUBDIVISION.

Mayor Edwards addressed the council and explained the need for this resolution, stating that this to set up a Public Hearing for discussion for these easement vacancies to be had right before our July, 8, 2014 City Council meeting. Robin 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. Amanda Jarvis read the Resolution by title only. Skye Petty made a motion to adopt the resolution with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.

(11) Water and Sewer Audit Update- Robert Anderson-

Mayor Edwards pointed out the CWSD Audit Power Point presentation in the council's packets. Robert Anderson addressed the council and stated that the financial audit has been completed and has been given a clean opinion by the auditor. Robert touched on a few of the highlights of the CWSD accomplishments over the last year. Robert gave the council an update on CWSD assets, revenue and expenses.

- (12) **Ozark Regional Transit Update-** Joel Gardner from the Ozark Regional Transit gave an update to the council on their transit service in NWA. He stated that Centerton currently only has demand response from ORT and that there have been 70 of those trips in the first 5 months of 2014. There was discussion. No action was taken.
- (13) **Approve Bank Account for Centerton Cemetery Board-** Mayor Edwards addressed the council and stated that we need to set up an account to manage the money for the Centerton Cemetery. Robin Reed made a motion to approve opening a bank account for the money for the Centerton Cemetery with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.
- (14) **Appoint Craig Langford to Planning Commission-** Mayor Edwards addressed the council and presented Craig Langford to the council for approval to the Planning Commission. Craig addressed the council. Tommy Laid made a motion to accept the appointment of Craig Langford to the Planning Commission with a 2nd from Robin Reed. All council members voted in favor and the motion carried.
- (15) **Re-appoint Bethy Slyther, Devin Murphy and Carol Parker to the Planning Commission, term expires June 30, 2017. -** Mayor Edwards addressed the council and asked for council's approval of 3 re-appointments to the Planning Commission. Keith Higginbotham made a motion to accept the re-appointment of Bethy Slyther, Devin Murphy and Carol Parker to the Planning Commission, terms to expire June 30, 2017, with a 2nd from Skye Petty. All council members voted in favor and the motion carried.

Executive Session- Skye Petty made a motion to enter into Executive Session to discuss a personnel issue with a 2nd from Keith Higginbotham. 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 asked the council to approve the hiring of an additional Police Officer.

Keith Higginbotham made a motion to approve the hiring of an additional Police Officer with a 2nd from Robin Reed. All council members voted in favor and the motion carried.

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

Bill Edwards, Mayor

Todd Wright, City Clerk