

**CITY OF CENTERTON
CITY COUNCIL MEETING
MAY 12, 2009**

The city council was called to order by Mayor Bobbie Griffith. The Pledge of Allegiance was recited and the prayer was offered by Todd Wright. Those present and answering role call were Mayor Bobbie Griffith, Tommy Laird, Josie Reed, Randy Thomas, Kathy Huber, Patricia Thornhill and Keith Higginbotham. Those present and not answering role call were Todd Wright, Jan Dolan, Lorene Taul, Jeff Coffelt, Howard Slinkard, Andrew Huntsinger, Brian Rabal and officer Abbott standing in for Chief Johnson.

- (1) **Council Minutes** - Keith Higginbotham made a motion to adopt the minutes from the April 14, 2009 city council meeting with a 2nd from Josie Reed. All members voted in favor and the motion carried.
- (2) **Planning and Water & Sewer Minutes** - Kathy Huber made a motion to acknowledge receipt of the Planning minutes from April 6, 2009 and the Water & Sewer minutes from March 19, 2009 with a 2nd from Randy Thomas. All members voted in favor and the motion carried.
- (3) **Financials for General/ Street and Court** - Mayor Griffith stated that with 33.33% of the year gone, 32% of our revenue has come in and we have spent 30% of our expenses. Keith Higginbotham made a motion to accept the city financials along with court financials with a 2nd from Randy Thomas. All members voted in favor and the motion carried.
- (4) **Ordinance 09-08 - AN ORDINANCE ADDING CHAPTER 15.09 OUTDOOR LIGHTING/ ILLUMINATION TO THE CENTERTON MUNICIPAL CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.** This ordinance is to better serve the citizens of Centerton, Arkansas by adopting lighting/illumination regulations. Kathy Huber made a motion to read the ordinance by title only with a 2nd from Tommy Laird. All members voted in favor and the motion carried. Andrew read the ordinance by title only. Patricia Thornhill made a motion to suspend the rule requiring the reading of the ordinance 3 times with a 2nd from Josie Reed. All members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Patricia Thornhill. All members voted in favor and the motion carried. Andrew read the emergency clause. Kathy Huber made a motion to adopt the emergency clause with a 2nd from Josie Reed. All members voted in favor and the motion carried.
- (5) **Ordinance 09-12 - AN ORDINANCE GRANTING A NON-EXCLUSIVE FRANCHISE TO COXCOM, INC. D/B/A COX COMMUNICATIONS, A DELAWARE CORPORATION, ITS SUCCESSORS AND ASSIGNS, TO**

CONSTRUCT, OPERATE AND MAINTAIN A CABLE SYSTEM FOR THE PURPOSE OF TRANSMISSION OF CABLE SERVICE WITHIN CERTAIN AREAS OF THE CITY OF CENTERTON, ARKANSAS; TO USE AND OCCUPY THE STREETS, ALLEYS, PUBLIC RIGHTS OF WAY, EASEMENTS DEDICATED FOR COMPATIBLE PURPOSES, AND OTHER PUBLIC PLACES OF SAID CITY FOR SUCH PURPOSES; AND SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF FRANCHISE, PROVIDING FOR CITY REGULATION, AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

This ordinance grants Cox Communications a 3 year non-exclusive franchise, renewing our contract, in the best interest of the citizens of Centerton., Arkansas. Keith Higginbotham made a motion to read the ordinance by title only with a 2nd from Josie Reed. All members voted in favor and the motion carried. Andrew read the ordinance by title only. Keith Higginbotham made a motion to suspend the rule requiring the reading of the ordinance 3 times with a 2nd from Tommy Laird. All members voted in favor and the motion carried. Kathy Huber made a motion to adopt the ordinance with a 2nd from Keith Higginbotham. All members voted in favor and the motion carried. Andrew read the emergency clause. Patricia Thornhill made a motion to adopt the emergency clause with a 2nd from Kathy Huber. All members voted in favor and the motion carried.

(6) Ordinance 09-13 - AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, TITLE 14 TO REZONE CERTAIN LAND BELONGING TO PALMCO PROPERTIES, LLC FROM AGRICULTURAL (A-1) TO HIGH DENSITY SINGLE FAMILY RESIDENTIAL (R-3).

This is a rezoning ordinance for a piece of property on Ginn Road. Keith Higginbotham made a motion to read the ordinance by title only with a 2nd from Patricia Thornhill. All members voted in favor and the motion carried. Andrew read the ordinance by title only. Keith Higginbotham made a motion to suspend the rule requiring the reading of the ordinance 3 times with a 2nd from Josie Reed. All members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Tommy Laird. All members voted in favor and the motion carried. Andrew read the emergency clause. Patricia Thornhill made a motion to adopt the emergency clause with a 2nd from Josie reed. All members voted in favor and the motion carried.

(7) Resolution 09-10 - A RESOLUTION AUTHORIZING THE CONDEMNATION OF LAND BELONGING TO EARNEST C. HERBERT FOR A WATER LINE RIGHT-OF-WAY EASEMENT.

This ordinance is to condemn an easement that the city has been unable to acquire through good faith efforts to be able to install a water transmission line. Keith Higginbotham made a motion to read the ordinance by title only with a 2nd from Josie Reed. All members voted in favor and the motion carried. Andrew read the resolution by

title only. Keith Higginbotham made a motion to adopt the resolution with a 2nd from Josie Reed. All members voted in favor and the motion carried.

(8) Resolution 09-11 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY A REAL PROPERTY SALES AGREEMENT. This resolution to purchase property through the Water & Sewer dept. necessary for the completion of the water “project” on Hwy 72. Keith Higginbotham made a motion to read the resolution by title only with a 2nd from Josie Reed. All members voted in favor and the motion carried. Andrew read the resolution by title only. Patricia Thornhill made a motion to adopt the resolution with a 2nd from Keith Higginbotham. All members voted in favor and the motion carried.

(9) Emergency Preparedness Fair Overview - Julia Bernard from The Church of Jesus Christ of Latter Day Saints addressed the city council about the 3rd Annual Emergency Preparedness Fair to be held on Saturday, September 12th, 2009 from 10 a.m.- 3 p.m. at The Church of Jesus Christ of Latter Day Saints building in Bentonville, and invited the city of Centerton to be involved in the fair by possibly having a booth at the fair and to spread word throughout the city regarding the fair.

(10) A&P Commission Change - Keith Higginbotham made a motion to approve Luke Colley of Arvest Bank as Public at Large Member to replace Debbie Monroe of Arvest and to approve appointment of Caryn Ciampoli of Domabella Italian Eatery with a 2nd From Josie Reed. All members voted in favor and the motion carried.

(11) Parks and Recreation Committee Report - Patricia Thornhill reported on the latest meeting where it was decided that the plans for a Veteran’s Memorial Park may be more suited for the Black Springs Park as opposed to the location at Bliss and Main. She stated that we are also looking at the park at Brimwoods possibly for a basketball court and volleyball pit with some benches and maybe a grill.

(12) Department Reports - Mayor Griffith stated that Bert Johnson was in the hospital and to keep him in our prayers and that the remainder of the Street dept. was trying to keep up without him. **Administration -** Jan Dolan stated that the system upgrade begins tomorrow. **Planning -** Lorene Taul stated that the Church Of Jesus Christ of Latter Day Saints building is almost ready. She said that there had been some problems with the final Plat and that they were waiting for it to come back from Salt Lake City. Lorene said that Centerton-Gamble Elementary has asked for permission for 2 portable buildings to be placed in the front of the school for conditional use for 2 years. She said that the McKissick Estates re-plat will also be coming up. **Police -** Officer Abbott stated that there wasn’t much to report, he said the stats were all looking good. He stated that the 2 offices at the Academy were still scheduled to graduate on June 5th. **Fire -** Jeff Coffelt said that

there have been 289 runs this year. He stated that they are still looking for 2 pieces of property for substations and that there is a 5 acre property near Centerton-Gamble that is for sale, but the Fire Dept. doesn't need 5 acres. Jeff suggested maybe we could look at the rest of the property for a possible park. **Water** - Jeff Coffelt stated that 6-7000 feet of the water lines have been laid. He said they are also working on the north end out on Hwy 72, where they will be constructing a couple of buildings by the water tower and will be moving to the west with a new line. Jeff said that they are still about 30 days out on the drive-by water meter system. Jeff said the GPS of our system is still going on and should be completed in about 30 days. Another project they are working on is the cleaning and painting of the 2 water towers. Jeff said the tanks will be cleaned inside as well which takes about 21 days. The towers will be camel in color when painted and will have a giant water drop and will say Centerton. The last thing Jeff mentioned was that this is the 10 year anniversary of the two-ton water system and there will be a celebration on the 28th at the treatment facility.

- (13) **Announcements** - Mayor Griffith pointed out that the April building permits and Fire and Street transactions are contained in the council's packets. She stated that there will be an A&P Commission meeting on Thursday, May 21, 2009 at 7 a.m. She also mentioned that there will be a Centerton Day at Arvest Ballpark on Sunday, June 14, 2009 at 2:30 p.m. Tickets are \$8.00 each and can be purchased at the Centerton City Hall and the Centerton banks. Mayor Griffith recognized a group of Boy Scouts attending the meeting from Varsity Team 622 for their Citizenship in the Community merit badge.

Kathy Huber made a motion to adjourn the meeting with a 2nd from Tommy Laird. All members voted in favor and the motion carried.

Bobbie Griffith, Mayor

Todd Wright, City Clerk/ Recorder