

**CITY OF CENTERTON
CITY COUNCIL MEETING
May 6, 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, Josie Reed and Tommy Laird. Those present and not answering roll call were Todd Wright, Jennifer Robinson, Brian Rabal, Police Chief Lance Johnson, Water & Sewer Superintendent Frank Holzkamper, Planning Director Lorene Burns and Fire Chief Delton Bush, Street Superintendent Rick Hudson, Building Inspector Robert Coffelt and Animal Control Supervisor Terry Sanchez.

PUBLIC HEARING- Mayor Edwards opened the public hearing for comments on the name change of South Fish Hatchery Road and Ginn Road to South Main Street. There were no public comments and Mayor Edwards closed the public hearing.

- (1) **Council Minutes-** Skye Petty made a motion to adopt the minutes from the April 8, 2014 city council meeting with a 2nd from Robin Reed. All council members voted in favor and the motion carried.

- (2) **Planning, Board of Zoning Adjustments and Water & Sewer Minutes-** Keith Higginbotham made a motion to acknowledge receipt of the March 25, 2014 Planning minutes, March 25, 2014 Board of Zoning adjustments and February 20, 2014 Water & Sewer minutes with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.

- (3) **City and Court Financials-** Mayor Edwards stated that we are 33% through the year and we have received 39% of our revenue. He stated that our expenditures are at 29.25%. Mayor Edwards stated 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 Misty Elam. All council members voted in favor and the motion carried.

- (4) **Department Reports- Animal Control-** Terry Sanchez addressed the council and stated that everything was going well at the shelter. He said they sold 121 dog tags on Saturday at the clinic. He said that the Centerton Animal Shelter has a week-long Rabies Clinic every year. He stated that the heater for the Shelter is about half as big as it should be for the size of the Shelter and could cause heating cost issues to continue. Terry stated that Amber Randolph is working part-time, up to 20 hrs/week at the clinic to help out as a temp worker. **Building Inspection-**

Robert Coffelt addressed the council and mentioned that building permits were up and that they already have 22 permits for the month of May. He stated that he and Delton are meeting with the architects for the new high school. He said that he thought the plans may be 90% ready by August. He said there has been communications from both parties. He gave an update on Mercy and the Liquor Store, as well as the Featherstone Nursing Home and Wal-Mart projects and ongoing residential projects. **Planning-** Lorene Burns addressed the council and stated that there are 2 tract splits approved, a conditional use for a fireworks stand and a snow cone stand, a manufactured home and the High School, as well as the plans for the High School at the last meeting. Lorene stated that the timeline for the construction of the school was posted if the council wanted to follow along. She said she was also working on annexation of some property and trying to get all of the signatures and has had 2 other inquiries recently about the annexation process. Lorene stated that there was an opening on the Planning Commission to fill the position opened by the resignation of Todd Van Es. She said Melissa a working on the forms. Lorene said she is working on many Flood Plain questions, including the house that was destroyed on "A" Street that is in the Flood Plain. **Police-** Police Chief Lance Johnson addressed the council and pointed out the stats for April 2013 and 2014, gave some details and asked if there were any questions. Robin reed asked if you had to wear a helmet when you ride a moped. Lance stated that anyone operating a motorized vehicle under the age of 21 must wear a helmet. He stated that anything over 50 CC's must be registered and anyone between 13 and 16 years of age must have a permit, and over 16 requires a valid driver's license, and the vehicle must be insured no matter what the CC. He said he doesn't believe a motorized wheelchair fits the description of a motorized vehicle. Ron Yousey and Ty Eggebrecht were promoted to Corporal and Nathan Yeargain was promoted from part-time to full-time status. He stated that he has four offices taking vacations this month and is still trying to keep up with training his officers. **Street-** Rick Hudson addressed the council and stated that he went to the Spring Flood Plain Conference. He said the street department was working on spring clean-up and just finished the first mowing of the city properties. He said they were starting to work on the secondary and county roads. He stated that we contracted to have the streets swept after the winter weather was behind us and that the result was less than satisfactory, so they leased a sweeper broom of our own and finished the job. He said they have been doing some cleanup on the right-of-ways and on some of the trees and that they were doing some leveling around Allen Road in preparation of the Trail process that they have started building. He said they will be using the prisoners to help with the concrete work May 12-16. Rick stated that we received approval from the state and that the funding for this fist portion will cover the road going in, the parking area and the first ball field, the bathrooms and concession stand and a walking trail around this. He said that Scotts is partnering with Wal-Mart to do the sodding and seeding, as well as equipment companies donating 100 hours of basically any equipment we could want and we will be calling equipment operators to operate the equipment. He said he also hopes to get some of the other fields at least ready for practicing, with dirt infields, as well. Rick stated that the \$250,000.00 grant

for asphaltting, if approved tonight, will hopefully go out to bid in June. Rick stated that they had a pre-con meeting today on the Seba Road project and that they should be starting on that next week. He said the contract is for 100 days and the contractor is hoping to complete it in 60-90 days. Rick stated that a bid was accepted for the "A" Street improvement and gave details. He said they will start on that as quickly as we can if approved by council tonight. He stated that the Geo-tech report came back favorable on the Creekside subdivision and we are getting close on it. Rick stated that he hired Bobby Bright for the Street department. Rick stated that a local utility company broke through an 8" water line while doing work in Sienna subdivision, lifting about 326 lf of asphalt and pushing out the gravel. He said he is working with the insurance company and it is going to cost about \$34,000.00 to replace the asphalt. **Fire-** Fire Chief Delton Bush stated that they have had 243 fire runs for the year and that they have 40 firefighters at this time. He stated that he brought on a career firefighter from another department. Delton stated that the generator building is closed in now and that the awning on the west side is almost completed. Delton stated that he will be in a Core Rescue training Technical Rescue class. He said he completed the \$2500.00 Snack Pack grant application and feels pretty good about it. Delton stated that they assisted in a large structure fire in Bella Vista and we had our own structure fire at the Pomeroy Apartments in Centerton. Delton stated that the Captain's Testing has been completed and John Gavin, Nathan Maxwell and Matt Swanson were all promoted to Captain. Delton stated that they do have a Hydrogen Cyanide monitor now. Delton talked about our ISO rating and gave details on what they have been doing and are doing to prepare for an ISO audit. He said he planned on doing the audit at the end of the year, but ISO called him and they are coming to do the audit soon. Delton stated that he talked to the Mayor and they decided to stack their staffing this month to get prepared. He said he thought it was going to run us about \$3000.00 in staffing to get it done. Delton stated that they have located our new Rescue Truck in a lot in Michigan and that it will get here when it gets here. Keith stated that we had 2 more of our firefighters qualify as Paramedic's, putting us with at least 10 Paramedic's in the department. **Water-** Frank Holzkamper stated that the Greenhouse Road Sewer Project is nearing completion and should be done next week. He said they are pouring concrete at the pump station and will be putting out grass seed and straw. He stated that the Decatur Project is picking up steam. He said they have acquired the services of Raymond James Financial Firm for funding and their goal is to have a resolution ready by their next Commission meeting and to come to the city council with an ordinance by their next meeting to authorize the funding. He said they started the easement access process. He said he hopes to break ground in August or September. **Administration-** Jennifer had nothing for the council. **Mayor-** Mayor Edwards gave details on a NWA Highway Project map he put in the council's packets. Mayor Edwards gave an update on the families affected by the Pomeroy Apartments fire.

- (5) **Ordinance 2014-11- AN ORDINANCE CHANGING THE NAME OF SOUTH FISH HATCHERY ROAD AND GINN ROAD TO SOUTH MAIN STREET; AND CHANGING THE NAME OF MAIN STREET TO NORTH MAIN STREET (HWY 102B); IN THE CITY OF CENTERTON, ARKANSAS.** Mayor Edwards addressed the council and explained the need for this ordinance and stated that we did the first reading at the March council meeting and second reading at the April council meeting. He stated that he sent letters to the 6 property owners that would be affected and got no responses. He stated that we also had no public comments at the public hearing. Keith Higginbotham made a motion to do a 3rd reading of the ordinance with a 2nd from Robin Reed. All council members voted in favor and the motion carried. Brian Rabal did a 3rd reading of the ordinance by title only. Tommy Laird made a motion to adopt the ordinance with a 2nd from Skye Petty. All council members voted in favor and the motion carried.
- (6) **Resolution 2014-07- A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF CENTERTON TO UTILIZE STATE AID STREET MONIES FOR THE FOLLOWING CITY PROJECT:** Mayor Edwards addressed the council and explained the need for this resolution, stating that this means we plan on participating in this project. Tommy Laird 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. Keith Higginbotham made a motion to adopt the resolution with a 2nd from Skye Petty. All council members voted in favor and the motion carried.
- (7) **Resolution 2014-08- A RESOLUTION AUTHORIZING THE MAYOR AND CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO EXECUTE AN ASSET TRANSFER AGREEMENT WITH THE TRUSTEES OF THE PERPETUAL CARE TRUST AND ACCEPT A QUITCLAIM DEED FOR THE PURPOSE OF THE CARE AND MAINTENANCE OF SAID CEMETERY BY THE CITY OF CENTERTON.** Brian Rabal addressed the council and explained the need for this resolution, stating that we have reached an agreement and have an asset transfer agreement that has met his approval. He said that Brian Verneti provided him the title, a copy of the survey and a quitclaim deed that will be executed tomorrow if approved by the council tonight. There was discussion. Tommy Laird 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. Keith Higginbotham 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 2014-09- A RESOLUTION AUTHORIZING THE MAYOR AND CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH DECCO CONTRACTORS AND PAVING, ROGERS, ARKANSAS, FOR IMPROVEMENTS TO “A” STREET.

Mayor Edwards addressed the council and explained the need for this resolution. Tommy Laird made a motion to read the resolution by title only with a 2nd from Misty Elam. 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 Robin Reed. All council members voted in favor and the motion carried.

(9) Little Osage Creek Flood Study Results- Adam Lasso and David Todd with CEI made a slide presentation and suggestions to the council regarding the results of their Little Osage Creek Flood Study. There was lengthy discussion. No action was taken.

(10) Resignation of Todd Van Es from Planning Commission- Mayor Edwards addressed the council and read a letter of resignation from Todd Van Es. Keith Higginbotham made a motion to accept the resignation of Todd Van Es from the Planning Commission with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

(11) Update on Cost Sharing of Traffic Study for 2nd High School- Mayor Edwards addressed the council and stated that the County voted to participate with us. Mayor Edwards stated that he, Rick, the County Judge and the Traffic Study contractor are meeting tomorrow to discuss the study. He gave more details and hoped to have a better timeline after this meeting.

Executive Session- Tommy Laird made a motion to enter into Executive Session to discuss personnel issues with a 2nd from Skye Petty. 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.

1)Mayor Edwards asked the council to approve 2 additional part-time firefighters per day, 5 days a week, to be paid \$11.00-\$13.00/hr. for the month of May in preparation for the ISO audit. Robin Reed made a motion to allow the funding for the 2 additional firefighters per day, 5 days a week, to be paid \$11.00-\$13.00/hr. for the month of May for the preparation for the ISO audit with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

2)Mayor Edwards stated that City Hall was closed several days in 2013 and 2014, due to inclement weather. He stated that he followed the County's policy and paid the Street crews their regular rate of pay plus the hours that they worked on those days, essentially making it double-time pay. He asked the council to approve the 153 total hours of double pay that took place in 2013 and 2014 as opposed to writing a new policy. He stated that we had the money in the budget. He stated that they will be paid at a rate of time and a half for anything over 40 hours/week moving forward. Tommy Laird made a motion to approve the pay of the 153 total hours in 2013 and 2014 with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

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

Bill Edwards, Mayor

Todd Wright, City Clerk