

**CITY OF CENTERTON
CITY COUNCIL MEETING
DECEMBER 6, 2010**

Keith Higginbotham addressed the council and stated that Mayor Griffith will not be present at this meeting due to her husband's surgery. Kathy Huber made a motion for Keith Higginbotham to conduct the Centerton city council meeting in Mayor, Bobbie Griffith's absence with a 2nd from Josie Reed. All council members voted in favor and the motion carried. The city council was called to order by Keith Higginbotham. The Pledge of Allegiance was recited and the prayer was offered by Tommy Laird. Those Present and answering roll call were Kathy Huber, Josie Reed, Keith Higginbotham, Tyler Steele, Robin Reed and Tommy Laird. Those present and not answering roll call were Jennifer Robinson, Todd Wright, Brian Rabal, Tiffany Burnett, Howard Slinkard, Lorene Burns, Rick Hudson and Lance Johnson. Jeff Coffelt, Robert Coffelt and Mayor Bobbie Griffith were absent.

- (1) **Council Minutes-** Kathy Huber made a motion to adopt the minutes from the November 9, 2010 council meeting with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.
- (2) **Planning and Water & Sewer Minutes-** Kathy Huber made a motion to acknowledge receipt of the October 26, 2010 Planning minutes and the November 2010 Water & Sewer minutes with a 2nd from Josie Reed. All council members voted in favor and the motion carried.
- (3) **General City/ Street and Court Financials-** Kathy Huber made a motion to accept the November, 2010 City and Court financials with a 2nd from Josie Reed. All council members voted in favor and the motion carried.
- (4) **Parks & Recreation- New Members-** Brad Carpenter addressed the city council and stated that they would like to add 3 members to the Parks and Recreation Advisory Council. Brad introduced the 3 members and gave information on each. Tyler Steele made a motion to table the discussion until more information could be gathered about the Parks & Recreation organization with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.
- (5) **Tim Graham-** Lorene Burns addressed the council and stated that Tim Graham asked to be removed from the agenda as he was out of town on personal business. Lorene gave an update on the Willow Creek subdivision for him.
- (6) **Tony Steele- Land for a Sports Complex-** Tony Steele addressed the council and stated that he had been building in the city for over 15 years and stated that he had been talking to Mayor Griffith about land for a park or sports facility. He

stated that he had volunteered to do dirt work for the previous mayor on another piece of property for the same use that never came to fruition. Tony stated that he had been talking to Mayor Griffith about another property in town that was being discussed and had not heard about any progress with that property. Tony stated that he told Mayor Griffith that he had a track of land that had 17 acres that joins the Centerton-Gamble Elementary property. He stated that he could envision baseball, soccer, football fields out there. He stated that there will eventually be another school out there as well. He said that the property is flat, sits up high and would require little clearing, no building up and no drainage issues. He stated that he told the mayor he would sell it to the city for \$15,000.00 an acre and that there was a total of 80 acres available if we needed more in the future. Mr. Steele stated that he would be willing to bring sewer to the property line for rest rooms and concessions. He stated that the property is a prime location as far as light pollution as well. Keith Higginbotham described the other location in town and the challenges involved in getting it ready for a park. He also stated that there is a possibility of access from Hwy 72 for the property Mr. Steele is offering. Tony stated that Mr. Blackwell owns the one piece of property between his property and Hwy 72 and he would be glad to make a phone call to see if he would be willing to give that access. Tony stated that there would be parking and access from Centerton-Gamble as well as access from the Char-Lou subdivision as well in the future. Jennifer stated that the total dollar amount for the purchase is \$262,500.00. Mr. Steele stated that even if this property wasn't the right one for the city, he would support anything the city could do to get a park for our kids. Centerton Police Chief Lance Johnson stated his support for this property as a citizen and a department head. Brad Carpenter from Centerton Parks & Recreation stated his support for this property. Karen Ciampoli gave her support as a citizen and a business owner for this property. Rick Hudson gave his support for the property as the Centerton Street Department Supervisor. Keith Higginbotham stated that the money would have to come from the city's reserve fund.

- (7) **Resolution 2010-20- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS TO ENTER INTO A CONTRACT TO PURCHASE REAL ESTATE.** Kathy Huber made a motion to read the resolution by title only with a 2nd from Josie reed. All council members voted in favor except for Tyler Steele, who abstained, and the motion carried. Howard Slinkard read the resolution by title only. Kathy Huber made a motion to adopt the resolution with a 2nd from Josie Reed. All council members voted in favor except for Tyler Steele, who abstained, and the motion carried. The council and audience clapped in appreciation.
- (8) **Resolution 2010-18- A RESOLUTION APPOINTING AN ATTORNEY TO SERVE AS A PRIMARY ATTORNEY FOR THE CITY OF CENTERTON, ARKANSAS.** Howard addressed the council and stated that he

left the rate blank and that it has been set at \$150.00 for the last 3 years and that he was satisfied leaving it at that amount. The council agreed to leave it at that amount. Tyler Steele asked why the city had an attorney set up like it does. Howard addressed the council and stated that the Attorney General determines what classification a city should be in, such as town, city of the first class and city of the second class, with each having a different set of rules. Howard stated that the city was notified when the population moved up to make us a city of the first class, making it necessary to have an elected City Attorney. He stated that many of the cities around us are this way and that is what the council chose to do. He said that the City Prosecutor and City Attorney positions have been separate for a long time. He stated that the council chose to make the Elected City Attorney a part-time job and appoint a Primary Attorney that is full-time and officially create a position for the City Prosecutor. Keith stated that he thought something happened in the past that made it necessary to have a different person for Prosecutor and Attorney, rather than it be the same person. Howard stated that you probably get better service from someone who focuses their practice in a certain area. Kathy Huber 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. Howard Slinkard read the resolution by title only. Kathy Huber made a motion to adopt the resolution with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

- (9) **Resolution 2010-19- A RESOLUTION APPOINTING A CITY PROSECUTOR FOR THE CITY OF CENTERTON, ARKANSAS.** Jennifer stated that the current compensation for the City Prosecutor is \$725.00 per month. The council agreed to leave the amount the same. Tommy Laird made a motion to read the resolution by title only with a 2nd from Tyler Steele. All council members voted in favor and the motion carried. Howard Slinkard read the resolution by title only. Kathy Huber made a motion to adopt the resolution with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.
- (10) **Ordinance 2010-28- AN ORDINANCE AMENDING THE CENTERTON MUNICIPAL CODE, SECTION 2.14.03, TITLED COMPENSATION.** This Ordinance is to set the compensation for the office of Mayor, beginning the 1st day of January, 2011, and continuing through the expiration of the term of office (12/31/14) at the fixed sum of \$49,000.00 per year. Howard Slinkard addressed the council and stated that currently the compensation is set to last the full term of office. Tyler Steele 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. Howard Slinkard read the ordinance by title only. Kathy Huber 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. Tommy Laird made a motion to adopt ordinance with a 2nd from Tyler Steele. All council members present voted in favor and the motion carried. There was no emergency clause.

- (11) **Ordinance 2010-31- AN ORDINANCE AMENDING THE CENTERTON MUNICIPAL CODE, SECTION 2.14.05, TITLED COMPENSATION.** This ordinance requires the City Council, on or before its first regularly scheduled meeting in December annually during the term of office of Mayor, review the adequacy of the compensation for the office of Mayor as previously fixed. Tommy Laird 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. Howard Slinkard read the ordinance by title only. Tommy Laird made a motion to suspend the rule requiring the reading of the ordinance 3 times with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Kathy Huber made a motion to adopt the ordinance with a 2nd from Tyler Steele. All council members voted in favor and the motion carried. There was no emergency clause.
- (12) **Ordinance 2010-29- AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE OPERATION OF THE CITY OF CENTERTON, ARKANSAS FOR THE CALENDAR YEAR 2011; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.** Robin Reed 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. Howard Slinkard read the ordinance by title only. Kathy Huber made a motion to suspend the rule requiring the reading of the ordinance 3 times with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. Kathy Huber made a motion to adopt the ordinance with a 2nd from Robin Reed. All council members present voted in favor and the motion carried. Howard Slinkard read the emergency clause. Kathy Huber made a motion to adopt the emergency clause with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.
- (13) **Ordinance 2010-30- AN ORDINANCE AMENDING THE BUDGET FOR THE OPERATION OF THE CITY OF CENTERTON, ARKANSAS FOR THE CALENDAR YEAR 2010; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.** Jennifer Robinson stated that there were 3 items to be amended. She stated that the first item was in Administration under Capital Purchases for \$74,999.32 expensed for some land that was purchased prior to her hiring, so it was showing a deficit in that account. She stated that we also included the \$262,500.00 for the sports complex land. Jenny stated that under the Planning budget, they purchased a vehicle for Robert Coffelt, and this year, Planning and Building Inspections are under the same budget. She said they increased that budget to cover the cost of his vehicle. She stated that we already received the invoice for the vehicle. Kathy Huber 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. Howard Slinkard read the ordinance by title only. Tommy Laird made a motion to suspend the rule requiring the reading of the ordinances 3 times with a 2nd from Kathy Huber. Kathy Huber made a


motion to adopt the resolution with a 2nd from Tyler Steele. All council members voted in favor and the motion carried. Howard Slinkard read the emergency clause. Tommy Laird made a motion to adopt the emergency clause with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

- (14) **Department Reports- Police-** Police Chief Lance Johnson addressed council and stated that all patrol cars are up and running. He stated that the department did “Shop With A Cop” today with 4 kids from Centerton-Gamble Elementary school. He reminded everyone about the City Christmas Party and Santa’s Neighborhood Run with the Fire Department on Saturday. He stated that the City has a family of 5 (a mother and 4 children) that it is sponsoring this year for Christmas. **Street-** Street Superintendent Rick Hudson stated that Community Service provided 161.5 hours last month. He stated that their main progress for the month was asphalt and cleaning up drainage on the back roads. Rick stated that they spent \$50,670.00 on asphalt. He stated that they purchased a roller for \$4700.00 and that it looks good. He stated that they picked up a new truck for \$24,595.00 and that it was covered in this year’s budget. He said he picked up \$6600.00 worth of various sized culverts to do drainage repairs on back roads. He said the pad for the new building is done and the plumbing was approved. He said hopefully a slab will be poured by the end of the week. Rick stated that he scheduled a striping contractor to come in before Christmas to try and stripe the new overlays and the main streets and faded areas. He said that they had a Flagging and Traffic Control class that the Police and Street Department took and passed. He also stated that he had to put together a 25 year plan for some Federal money. He presented council with a drawing. The last thing Rick had was that the bids for the auction of the surplus items go in at 2:00 p.m. on Friday 12/17/10. **Planning-** Lorene Burns stated that on the LOMR status, F.E.M.A. has finally accepted the last model. She said that David Todd hopes to have it submitted to the clearinghouse on Wednesday 12/08/10. She said a 90 day appeal period will follow. She said there will be a meeting on the flood study with Bentonville and Centerton tomorrow for public officials. She stated that there will be a Trails meeting tomorrow that she will enlist the Centerton Parks & Rec to attend that to get something submitted and adopted. She said there is still money available from the Walton family. Lorene stated there is also a TAC 10 meeting for road projects in the morning. She stated that Family Dollar is looking for a C of O so they can turn the building over to start looking at hiring and she has a list put together for them to complete. She said the city is cost sharing and Family Dollar is trying to get 5 more feet of right-of-way for the turn lane. Keith stated that they are the ones putting the burden on “D” street. He said he would not support the C of O until the street is done. Tyler Steele asked Rick Hudson about a time line to complete the road work once the right-of-way is gained and Rick stated that we are still having issues with the engineer. Rick stated that we are to the time of year where asphalt will not be an option and we will have to go with concrete. He stated that it will be a 25% increase in cost. Tyler asked if we should wait until March. Rick stated that he would go ahead

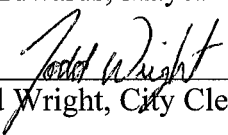
and do it now. She stated that Morningside subdivision is in the process of final platting, with some sewer line tests to finish up and a punch list. Lorene stated that there is an opening on the Planning Commission to fill Rick Hudson's position and possibly one more opening coming. **Administration-** Jenny reminded everyone about the City Christmas party on 12/10/10 at 6:00 p.m. She also reminded everyone of the Building permits in their packets.

- (15) **Other Business-** Howard Slinkard stated that it was brought to his attention during the meeting that the Centerton Parks & Recreation Commission was abolished by Ordinance 04-05 and set up as an Advisory Committee to the City Council, so it falls on the Council to run the Parks Department. Todd Wright stated that when he joined the Advisory Board in late 2004, any expenditure for Parks were made in the form of a presentation brought before the Council for approval. Brad Carpenter read the minutes from the February 2004 Parks meeting that gave details of how the Advisory Committee for Parks worked, stating that they could only make recommendations to the Council and that the Council makes the decisions. He stated that in page 2 of the minutes they voted to become an Advisory Board rather than a Committee and there was no limit to the number of members on the board. He asked Howard if he understood it correctly and Howard said yes. Brad wanted to make clear that he was the Chairman of the Parks Advisory Board and asked if he could be put on the agenda for the next Council meeting as he had agenda of items he would like to present to Council. Jenny said she could put Boards and Commissions on the agenda. Tyler Steele stated that the Council could review its options now that there is a piece of property to be developed. Howard Slinkard recommended that the Advisory Board present its ideas for makeup and by-laws to the Council next month for review. Keith Higginbotham offered a vote of thanks to Kathy Huber for her 33 years of service on the Centerton City Council. The audience stood and applauded.

Keith Higginbotham asked if there was any other business and there was not. Tyler Steele 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/Recorder