

**CITY OF CENTERTON
CITY COUNCIL MEETING
NOVEMBER 12, 2013**

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, Skye Petty, Misty Elam, Josie Reed, Robin Reed, Tommy Laird and Keith Higginbotham. Those present and not answering role call were Jennifer Robinson, Todd Wright, Brian Rabal, Andrew Huntsinger, Robert Coffelt, Lorene Burns, Lance Johnson, Frank Holzkamper, Rick Hudson, Terry Sanchez and Paul Higginbotham.

- (1) **Council Minutes-** Skye Petty made a motion to adopt the minutes from the October 8, 2013 city council meeting and October 23, 2013 special council meeting with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

- (2) **Planning, Parks & Recreation and Water & Sewer Minutes-** Robin Reed made a motion to acknowledge receipt of the September 24, 2013 and October 24, 2013 Planning, September 3, 2013 Parks & Rec and September 19, 2013 Water & Sewer minutes with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

- (3) **City and Court Financials-** Mayor Edwards stated that we are 83% through the year and we have received 108% of our revenue. He stated that our expenditures are at 78%. Skye Petty made a motion to accept the October 2013 City and Court financials with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.

- (4) **Department Reports- Building Inspection-** Robert Coffelt provided a Building Permit Report in the council's packets and gave details from the report. He stated that we just had our best month of the year and are over \$207,000.00 for year in revenue from permits. **Planning-** Lorene Burns presented the council with a report for planning items in October and November in their packets and gave details of the report. She also included information about the Two-County Bicycle/Pedestrian Plan Update in the council's packets and stated that there would be a representative speaking at the Coffee with the Mayor on 11/16. She

stated that she and Rick attended a Regional Trail Strategy Session last Thursday.

Police- Chief Lance Johnson pointed out the stats for October 2013 and asked if there were any questions. He stated that they would be having their annual “Shop with a Cop” on 12/10/13 and that there will be 8 children from Centerton-Gamble Elementary involved, with 4 sponsored by “Children of Centerton” and 4 others sponsored by the City/PD. Lance stated that the profits from the “Pork Butt” sale were just under \$1000.00. Lance stated that they hired Chuck Eggebrecht as the 14th officer and that he has worked for the Centerton PD before. He stated that Anthony would be back in 30-45 days. Lance stated that he went and picked up the 2 Tahoe’s and that there are being striped and equipped. He said they will keep the 2007 Charger and the Expedition in reserve. He said that the Hummer is at Fire Station #2. He stated that they participated in Trunk-or-Treat at CGE.

Keith Higginbotham made a motion to allow Mayor Edwards to purchase a Chevrolet Tahoe this year for the Police Department that was budgeted for next year with a 2nd from Misty Elam. All council members voted in favor, except for Tommy Laird, who voted no. The motion carried. Lance Johnson stated that Sherry Peoples has been employed as the Centerton Police Clerk for 7 years. He asked the council to raise her pay from \$13.07/hr. to \$14.50/hr. Robin Reed made a motion to approve the raise to \$14.50/hr. with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

Streets/Parks- Street Superintendent Rick Hudson stated that the HWY102 project has lost a few days due to weather, but are on pace for completion by the end of December. He said that they have spent \$176,000.00 on their overlay projects and another \$70,000.00 in gravel, stone and culverts. He stated that this has been one of the biggest years of improvement of our existing roads that we have had and gave some details. He said that they spent \$10,000.00 on the recently completed engineering project for drainage issues around Walker Street and that the project went out to bid last Sunday. He said the opening will be on 11/26. Rick gave the council an update on training. Rick stated that we entered into a contract with Morrison/Shipley on the engineering for the Seba Road Extension Project and gave an update. He said he hopes it can go out for bid in December.

Parks- Rick stated that they have sent off the plans to the State for the Walking Trail and that they got their 404 permit. He hopes to get that back quickly. He stated that the mayor is working with our local legislators for some additional funding. Rick stated that the land deal was completed to change the entrance into the park closer to the school. He said they have preliminary plans in with some changes. He said once the changes are approved, it can be turned into the State and the funds can be released. He stated that the mayor has spoken to some local folks about donating some “in-kind” labor, which can begin while the bidding process is taking place. Rick stated that they hired Jacob Barrett that has worked around us for years.

Fire- Paul Higginbotham addressed the council and stated that they have had 615 runs for the year. He gave details on a structure fire on South Coffelt Cemetery Road. He stated that the new Support Truck has exceeded all expectations and thanked the council and Centerton citizens. He also read a short note from Delton. Paul stated that the majority of the trucks at the substations are County-owned, but that we own all but one of the trucks at Station #1.

Animal Control- Terry Sanchez

addressed the council and stated that everything was going good at the shelter. He stated that they adopted all 4 dogs out at the adoption event at Sam's. He stated that he just received level 4 certification, which is as highly certified as you can be. Misty asked if we were a no-kill shelter and Terry said we are not. He said we have only put down 13 dogs this year, of which 9 were very ill or hit by a vehicle. He stated that we do a very good job of adopting out our dogs. **Water-** CWSD Superintendent Frank Holzkamper stated that the water project on Greenhouse Road from Kimmel Road to Quail Ridge is almost complete and that they will be moving to the Hwy102 portion tomorrow or the next day and should be done in the next 2-3 weeks. He said that the sewer project in the same vicinity, from Greenhouse and Hwy102 down to the Business Park lift station is moving along, with all of the easements already obtained and the bid already awarded. He said that job should begin probably next week. Frank stated that they just completed plotting their route on the big Decatur sewage project and are in the process of getting names to acquire easements. The last thing Frank discussed was a rate increase for sewer treatment. He stated that water rates would not be increased. He gave details on how our sewer is currently treated through Bentonville and that they have increased our rates 125% since 2009. He said that they absorbed the last increase, but that the rates are being raised again on January 14, 2014 by another 10%, which will put the CWSD in a position where we are paying Bentonville more than we are collecting and that can't happen. He said that after the increase, Bentonville will be charging us \$7.87/1000 gallons and we are only collecting \$7.31/1000 gallons. He said that they will have a public hearing at the next council meeting and will propose a 9% increase, putting at \$7.99/1000 gallons, to get us through, until we get our funding secured and get started on our project with Decatur. He stated that he hopes to break ground on the Decatur project in the summer of 2014. He said they are looking at breaking the projects up into 2 separate bids, one for the line and one for the plant, to speed things up. **Administration-** Jennifer Robinson stated that she has been dealing with the Municipal League on our insurance and fortunately it will be staying the same for next year. She stated that she is still working on Workman's Comp. She is also working on insurance for the vehicles. She said that we received the bill for legal services for next year and it is around \$24,000.00-\$25,000.00. She said that she is still working on budget info for Thursday's meeting and working on getting everything ready for the end of the year. **Mayor-** Mayor Edwards stated that he applied for a \$250,000.00 grant for re-paving. He stated that he talked to Mr. Poore and asked that the city be allowed to be in attendance at the construction meetings for the new High School.

- (5) **Contract Attorney and Prosecutor Interviews-** Yvette DuVall, Brian Verneti and Brian Rabal all made presentations to the council. No action was taken.

- (6) **Retail Strategies Presentation-** Matt Petro and Chuck Branch with Retail Strategies made a presentation to the council. No Action was taken.
- (7) **Ozark Regional Transit Presentation-** Joel Gardener with Ozark Regional Transit made a presentation to the council. No action was taken.
- (8) **Ordinance 2013-17- AN ORDINANCE APPROVING A NEW PLANNING AREA BOUNDARY DESCRIPTION AND MAP FOR THE CITY OF CENTERTON, ARKANSAS.** Lorene Burns addressed the council and explained the need for this ordinance to put us in accordance with new state law in regard to the city's planning area boundary from 5 miles down to 1 mile. 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. Tommy Laird 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. Tommy Laird made a motion to adopt the ordinance with a 2nd from Misty Elam. All council members voted in favor and the motion carried. Brian Rabal 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.
- (9) **Ordinance 2013-18- AN ORDINANCE DESIGNATING THE DISTRICT COURT CLERK AS THE OFFICIAL RESPONSIBLE FOR THE COLLECTION OF FINES ASSESSED IN DISTRICT COURT FOR THE CITY OF CENTERTON, ARKANSAS.** Lorene Burns addressed the council and explained the need for this ordinance. She said that the City of Centerton has not had a Master Street Plan adopted since 1979. She stated that she started really working on a comprehensive plan again in 2009 and that this was a revision of that plan. She stated that a public hearing was held before the last Planning meeting and this plan was approved by the Planning Commission at that meeting. Skye Petty asked what the life expectancy of this plan is and Lorene said 5 years. She said these new roads are just ideas for where we need connections and may have to be re-routed in the future. Ralph Williams, an attorney for Tony Steele, addressed the council and expressed concerns, as did Tony Steele and Roger Anderson. There was discussion. Josie Reed made a motion to send this plan back to the Planning Commission to address these concerns and table this ordinance with a 2nd from Misty Elam. All council members voted in favor and the motion carried.

- (10) **Ordinance 2013-19- AN ORDINANCE AMMENDING CENTERTON MUNICIPAL CODE, TITLE 14 TO REZONE VARIOUS LANDS WITHIN THE CITY OF CENTERTON CITY LIMITS.** Lorene Burns 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 Skye Petty. All council members voted in favor and the motion carried. Brian Rabal read the ordinance by title only. Tommy Laird 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 the ordinance with a 2nd from Robin Reed. All council members voted in favor and the motion carried. Brian Rabal read the emergency clause. Tommy Laird made a motion to adopt the emergency clause with a 2nd from Robin Reed. All council members voted in favor and the motion carried.
- (11) **Resolution 2013-27- A RESOLUTION TO DESIGNATE INDIVIDUALS AUTHORIZED TO PERFORM VARIOUS ACTIONS ON BEHALF OF THE CITY OF CENTERTON WITH REGARD TO THE CITY'S BANK ACCOUNTS AT FIRST NATIONAL BANK OF ROGERS, CENTERTON BRANCH: AND FOR OTHER PURPOSES.** Mayor Edwards addressed the council and explained the need for this resolution to add Elizabeth Hulse to the list of authorized signers for the City of Centerton. Keith Higginbotham made a motion to read the resolution by title only with a 2nd from Misty Elam. Brian Rabal read the resolution by title only. Tommy Laird made a motion to adopt the resolution with a 2nd from Josie Reed. All council members voted in favor and the motion carried.
- (12) **Resolution 2013-28- A RESOLUTION ADOPTING THE LAND USE PLAN FOR THE CITY OF CENTERTON, ARKANSAS.** Lorene Burns addressed the council and explained the need for this resolution. Keith Higginbotham made a motion to read the resolution by title only with a 2nd from Josie Reed. Brian Rabal read the resolution by title only. Tommy Laird made a motion to adopt the resolution with a 2nd from Misty Elam. All council members voted in favor and the motion carried.
- (13) **Resolution 2013-29- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ACCEPT DONATION OF PARTIAL PARCEL OF LAND BY THE BENTONVILLE SCHOOL DISTRICT NO.**

6. Mayor Edwards addressed the council and explained the need for this resolution to accept the 55 foot easement donation on the North side of CGE from the Bentonville School District. Keith Higginbotham made a motion to read the resolution by title only with a 2nd from Robin Reed. Brian Rabal read the resolution by title only. Tommy Laird made a motion to adopt the resolution with a 2nd from Misty Elam. All council members voted in favor and the motion carried.
- (14) **Levelization Pay-** Mayor Edwards addressed the council and asked to be able to give levelization pay of \$500.00 to full-time employees with a year or more tenure and \$250.00 for full-time employees with 6-12 month tenure and \$125.00 for full-time employees with less than 6 months tenure. Robin Reed made a motion to approve the levelization pay as proposed by the mayor with a 2nd from Josie Reed. All council members voted in favor and the motion carried.
- (15) **Executive Session-** Misty Elam made a motion to enter into Executive Session for a personnel issue between Jennifer Robinson and Bill Edwards with a 2nd from Skye Petty. The council retired to the Conference Room. The council returned. Tommy Laird made a motion to return to the council meeting with a 2nd from Josie Reed. Misty Elam stated that the allegation of harassment issue between Jennifer Robinson and Mayor Bill Edwards has been addressed and resolved and no further action is required.
- (16) **Other Business-** Mayor Edwards stated that the Budget meeting would be held on November 14th at 6:00 p.m.
- (17) **Announcements-** Mayor Edwards stated that “Coffee with the Mayor” would be Saturday at 9:00 a.m. and reminded everyone about the Community Thanksgiving Dinner at City Hall on Thanksgiving Day from 1:00 p.m.-3:00 p.m.

There was no more 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