

**CITY OF CENTERTON  
CITY COUNCIL MEETING  
SEPTEMBER 9, 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, Misty Elam, Robin Reed, Josie Reed and Tommy Laird. Those present and not answering roll call were Todd Wright, Brian Rabal, Police Chief Lance Johnson, Water & Sewer Superintendent Frank Holzkamper, Planning Director Lorene Burns, Fire Chief Delton Bush, Street Superintendent Rick Hudson, Animal Control Supervisor Terry Sanchez and Cheri Vaughn with Building Inspections. Jennifer Robinson was absent.

- (1) **Council Minutes-** Skye Petty made a motion to adopt the minutes from the August 12, 2014 city council meeting with a 2<sup>nd</sup> from Robin Reed. All council members voted in favor and the motion carried.
  
- (2) **Planning and Water & Sewer Minutes-** Keith Higginbotham made a motion to acknowledge receipt of the July 22, 2014 and July 29, 2014 Planning minutes and July 17, 2014 and July 28, 2014 Water & Sewer minutes with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.
  
- (3) **City and Court Financials-** Mayor Edwards stated that we are 66% through the year and we have received 78% of our revenue. He stated that our expenditures are at 52%. Robin Reed made a motion to accept the July 2014 City and Court financials with a 2<sup>nd</sup> from Skye Petty. All council members voted in favor and the motion carried.
  
- (4) **Department Reports- Building Inspection-** Cheri Vaughn addressed the council and went through the report that Robert Coffelt had prepared for the council and was in their packets. She stated that we were almost completely built out on available multi-family lots and that Robert wanted the council to be aware of that. Cheri said that Building Inspections have gone to a mandatory 24 hour notice, due to the volume of permits we are currently doing. Mayor Edwards stated that Robert has the Architect drawings for the new high school. He said the dirt work is moving along and everything is on schedule. **Planning-** Lorene Burns addressed the council and stated that there was a re-zone approved from A-1 to R-2 at the last Planning meeting for ARC Construction for the Creekside Subdivision and that it is before the council tonight. She said that the re-zone for North Gamble Road from A-1 to R-3 was denied. Lorene stated that there was a

conditional request for a model home in the Morningside subdivision that was approved. She stated that Pomeroy Place was approved to get started on construction and that the building will happen first and then the second access. Lorene told the council that Youth Bridge had submitted plans for a pavilion, a fence and an area for a fire pit and volleyball. Lorene stated that there will be 2 re-zone hearings coming up. She said one is for Bliss Meadows on Bliss Street across from Timber Ridge and they are requesting R-3. Lorene stated that there are 2 property line adjustments on the agenda before the council tonight. Lorene stated that ANRC brought the city a plaque for participation in the National Flood Insurance Program. She said it is our 8<sup>th</sup> year in the program and that they have offered to come and spend a day with her to help get the city more points to help get bigger flood insurance discounts for our citizens. The last thing Lorene had for the council was that this was Melissa's last day of work and that the opening has been posted. **Police-** Police Chief Lance Johnson addressed the council and pointed out the stats for July 2013 and 2014. He reminded them that he is no longer doing the stats, gave some details and asked if there were any questions. He stated that Cody has been very busy with Lance being out with his shoulder surgery and the fact that we lost our #2 man. Lance stated that his surgery was 3 weeks ago and he is back to work. Lance stated that TJ Reed resigned and that the opening is posted. He said he currently has 12 applicants. He said that the vehicles and the PD are in good shape. **Street-** Rick Hudson addressed the council and pointed out his report in the council's packets and went through that report with them. He said that the School project was going well, with about 70% of the dirt work completed. He said that there was supposed to be enough dirt on-site being moved around to complete the job, but that they actually have an excess of 60,000 yards of material. He said we can use some of that material on our Sports Park, but there is still quite a bit of excess material. Rick stated that the "A" Street project is complete and looks good. He said that the Curtis Street project is complete and paid for. He said the Seba Road project is pretty much done. He said there is still a hold up on the Gamble Street intersection because of utilities. Rick stated that they have most of the sub-grade stabilization has been completed for the city-wide overlay projects. He said they are hoping the contractor will begin by the end of this week and there are several weeks' worth of work for them to do. Rick stated that. He said that Thompson Park is formed and ready to pour the basketball court on Monday. He said that the trails are cut in and the gravel has been placed at the McKissick Creek Walking Trail and that they are just waiting for the paving bids to close on the 18<sup>th</sup>. He said they have some benches and a couple of picnic tables ordered. Rick stated that they are asking for some re-design on the Sports Park to simplify things like the sewer lines and the building. He said they will begin site-prep on that project at the beginning of next week, weather permitting. Rick stated that the first section of the Kimmel Road improvement from the Industrial Park to Greenhouse Road at a cost of \$850,000.00 is before the council tonight. Rick stated that all of the undercut is done in the Creekside Subdivision. He said they have their sub-base in and are starting to put their storm drains in and the project is coming along well. He stated that Forest Park has their Grading permit in. Rick stated that they are going to ask

the engineer to provide a contract on the re-design of Gamble Road next month. He stated that this is the part that the \$1.4 million is for. He said that we have the traffic study now and we are ready to go. He said they thought that designing it now and bidding it in the winter months might get us our best price. Rick stated that we got the final report back on the Traffic Study and said that it basically said that our roads were sufficient, but that our intersections were not, that our intersections were going to need additional turn lanes and signalization. He stated that it is not just in the city. He said it also involves the County and the ADHT. He stated that the first thing we have done is sent a letter to the State, asking them to validate the traffic study. He said the other thing we have to look at is funding, stating that there are 2 different ways to go. He said we can do the design and pay for it ourselves or they can help a little bit out of their Maintenance Fund, which is not very much. He said we can also wait our turn for some Federal funding, which is usually an 80/20%. Rick stated that we are asking the State to expedite this process. Rick stated that his crew has grown and that they are in the need for another Gator at a cost of about \$14,000.00. There was discussion. Robin Reed made a motion to allow the Street department to purchase a new Gator with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.

**Fire-** Fire Chief Delton Bush stated that they have had 507 fire runs for the year and that they have 41 firefighters at this time. Delton stated that He is back to work after his surgery, but is on light duty. He said that he is working on his needs for next year and preparing his budget. He stated that they had a good training burn at the Lawrence property on Saturday. He said they have another training burn coming up. He said they hope to hear something on the ISO Audit in November.

**Water-** Frank Holzkamper stated that they will be having a pre-con meeting for the Decatur Project next week and expect to break ground by the end of the month. Keith complimented Frank on his article in the paper. Frank stated that they are working on some future services in November, such as E-Statements and on-line payment and that it went out in last month's statements.

**Animal Control-** Terry Sanchez addressed the council and stated that everything was going well at the shelter. He said the Moxie case was resolved today, with the surrender of the dog to the foster family. Keith asked if there was any expense to the Shelter and Terry said there were more than enough donations to offset the cost. Terry said the dog has diabetes and will be expensive to care for, but the foster family is willing to provide the care. He stated that he will be missing some more work and they still need to keep the part-time help. He said that there were 8 dogs currently at the shelter, that they picked up 12 yesterday, but still had 8 of them.

**Administration-** Jennifer Robinson was absent and may be out the rest of the week. Mayor Edwards addressed the council and gave details on the status of our bonds according to Raymond James. He said that we had \$800,000.00 available in Fire Bonds and \$2.1 million available in Street Bonds. Mayor Edwards stated that he had been talking to Delton and that they both would like for the City to purchase a new Engine for the FD. He said he asked if those funds could be used for that and was told that it could. Mayor Edwards reminded the council about the road work that will likely need to be done for the new High School as a result of the Traffic Study, as well as other road projects within the

city. He said that if we take the remainder of Bond Funds that were approved by the voters, we would have up to 3 years to use it. He stated that it is all paid back by sales tax. There was discussion. Robin Reed made a motion to allow the Mayor to pursue the remainder of the bonds with them not to be issued until the first part of 2015 with a 2<sup>nd</sup> from Tommy Laird. All council members voted in favor and the motion carried. **Mayor-** Mayor Edwards pointed out to the council, a letter from the Municipal League about 2015 Turnback Funds. He stated that we are receiving an increase in Street Turnback, but that we are getting a \$1.10 overall decrease in Turnback Funds. He stated that we will receive \$14.90 per capita.

(5) **Lions Club- Earl Sears-** Earl Sears addressed the council and stated his interest in having a Lions Club in Centerton. He gave details about Lions Club. There was discussion.

(6) **Ordinance 2014-29- AN ORDINANCE DETACHING LANDS OF ROSS BULL PREVIOUSLY ANNEXED BY CITY OF CENTERTON ORDINANCE NO. 2014-25.** Mayor Edwards addressed the council and explained the need for this ordinance. He stated that the 3 properties owned by A.R.C., the Kline's and Ross Bull were annexed into the city in the last council meeting. He stated that he and Frank Holzkamper met with Mr. Bull and the County the next day and it was decided that Mr. Bull would de-annex from the city. Mayor Edwards stated that Brian Rabal and County Clerk Tina Obrien had reviewed this ordinance and found it to be satisfactory. Mayor Edwards stated that no services have been provided to Mr. Bull by the city and that this is the right thing to do. Tommy Laird made a motion to read the ordinance by title only with a 2<sup>nd</sup> from Skye Petty. All council members voted in favor and the motion carried. Brian Rabal read the ordinance by title only. Keith Higginbotham made a motion to suspend the rule requiring the reading the ordinance on 3 separate occasions with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor. Tommy Laird made a motion to adopt the ordinance with a 2<sup>nd</sup> from Keith Higginbotham. All council members voted in favor and the motion carried.

(7) **Ordinance 2014-30- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS BELONGING TO ARC CONSTRUCTION & DEVELOPMENT, INC. FROM AGRICULTURAL (A-1) TO MEDIUM DENSITY RESIDENTIAL (R-2).** Mayor Edwards addressed the council and explained the need for this ordinance to re-zone the property that was annexed into the city at the last council meeting. Tommy Laird made a motion to read the ordinance by title only with a 2<sup>nd</sup> 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 2<sup>nd</sup> from Robin Reed. All council members voted in favor and the motion carried. Robin Reed made a motion to adopt the ordinance with a 2<sup>nd</sup> from Keith Higginbotham. All council members voted in favor and the motion carried.

- (8) **Resolution 2014-13- A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE VACATING OF UTILITY EASEMENTS ON LOTS 134 AND 135 OF THE OAK TREE SUBDIVISION.** Mayor Edwards addressed the council and explained the need for this resolution to set a public hearing for October 14, 2014, before the start of our next council meeting to vacate these 2 easements. Tommy Laird made a motion to read the resolution by title only with a 2<sup>nd</sup> from Josie Reed. 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 2<sup>nd</sup> from Misty Elam. All council members voted in favor and the motion carried.

- (9) **Resolution 2014-14- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE ON BEHALF OF THE CITY AN AGREEMENT WITH MORRISON SHIPLEY ENGINEERS FOR ENGINEERING SERVICES FOR THE CITY OF CENTERTON, ARKANSAS.** Mayor Edwards addressed the council and explained the need for this resolution, stating that this will authorize the city engineers, Morrison Shipley to engineer the section of Kimmel Road from Greenhouse Road to the West, almost to Buckhorn Flats Road, to get it ready to go out for bid. There was discussion. Tommy Laird made a motion to read the resolution by title only with a 2<sup>nd</sup> from Robin Reed. 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 2<sup>nd</sup> from Keith Higginbotham. All council members voted in favor and the motion carried.

- (10) **Resolution 2014-15- A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS THE VACATING OF UTILITY EASEMENTS ON LOTS 138 AND 139 OF THE OAK TREE SUBDIVISION.** Mayor Edwards addressed the council and explained the need for this resolution to set a public hearing for October 14, 2014, before the start of our next council meeting to vacate these 2 easements. Tommy Laird made a motion to read the resolution by title only with a 2<sup>nd</sup> from Misty Elam. 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 2<sup>nd</sup> from Skye Petty. All council members voted in favor and the motion carried.

**(11) Discuss City Council Meeting Date Change for November 11, 2014-**

Mayor Edwards stated that the November 11, 2014 scheduled city council meeting falls on Veteran's Day and that City Hall is closed. He asked the council if the meeting could be moved to 11/18/14. Skye Petty made a motion to move the city council meeting to 11/18/2014 with a 2<sup>nd</sup> from Robin Reed. All council members voted in favor and the motion carried.

**Executive Session-** Mayor Edwards stated that the council needed to discuss a couple of personnel issues. Skye Petty made a motion to enter into Executive Session to discuss personnel issues with a 2<sup>nd</sup> from Robin Reed. 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 2<sup>nd</sup> from Tommy Laird. Skye Petty made a motion to allow Mayor Edwards to hire a Planning Assistant for the City at a wage of \$15.00/hr. without experience and \$17.00/hr. with experience with a 2<sup>nd</sup> from Tommy Laird. All council members voted in favor and the motion carried.

**(12) Other Business-** Keith Higginbotham asked the Mayor what was going on with the white truck that was approved to be surplused. Mayor Edwards stated that he did some checking on it and would like to keep it. He said it came from the 833 Fund and that he talked to the State and they said that it belongs to the city once it is approved for surplus. He said that he took it to Horton's and was told that it needed about \$1000.00 worth of front end work. Tommy said that \$1000.00 is cheaper than a new vehicle. Mayor Edwards stated that it could be used for Inspections if both inspectors needed to get out or other uses for the city. None of the council members had an objection to the city keeping the truck and having the front end repaired..

There was no other business or announcements and Robin Reed made a motion to adjourn with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.

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Bill Edwards, Mayor

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Todd Wright, City Clerk

