

**CITY OF CENTERTON
CITY COUNCIL MEETING
SEPTEMBER 11, 2012**

The city council was called to order by Mayor, Bill Edwards. The Pledge of Allegiance was recited and there was a moment of silence to honor the victims of the Sept. 11 attack on the World Trade Center. The prayer was offered by Todd Wright. Those Present and answering roll call were Mayor Bill Edwards, Josie Reed, Keith Higginbotham, Skye Petty, Misty Elam and Tommy Laird. Those present and not answering roll call were Todd Wright, Brian Rabal, Andrew Huntsinger, Street Superintendent Rick Hudson, Police Chief Lance Johnson, Animal Control Supervisor Terry Sanchez, Water & Sewer Superintendent Frank Holzkamper, Fire Chief Delton Bush and Planning Commissioner Lorene Burns. Robin Reed, Jennifer Robinson and Building Inspector Robert Coffelt were absent.

- (1) **Council Minutes-** Skye Petty made a motion to adopt the minutes from the August 14, 2012 council meeting with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.

- (2) **Corrected Council Minutes-** Mayor Edwards addressed the council and stated that the auditor found errors on 2 sets of minutes from earlier in the year and gave details of the errors. He stated that the corrections have been made and would need to be approved by the council tonight. Josie Reed made a motion to approve the correction to the Ordinance numbers in the January 2012 city council meeting minutes with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. Tommy Laird made a motion to approve the correction to the February 2012 city council minutes to state the approval to purchase 2- 2012 Tahoe's for the PD with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

- (3) **Planning, Water & Sewer, Parks and A&P Minutes-** Keith Higginbotham made a motion to acknowledge receipt of the July 24, 2012 Planning minutes, July 19, 2012 Water & Sewer minutes as well as the August 7, 2012 Parks & Recreation minutes and June 19, 2012 A&P minutes with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

- (4) **City and Court Financials-** Mayor Edwards stated Jennifer Robinson was out of town for her ex-husband's funeral and that he would get the August 2012 financials to the council as soon as he could after Jennifer returned to work. Josie Reed made a motion to accept the August 2012 Court financials with a 2nd from Skye Petty. All council members voted in favor and the motion carried.

(5) **Department Reports- Police-** Police Chief Lance Johnson stated that Sergeant Reed was still in the hospital. He pointed out the stats in the packets. He stated that they did get the \$4200.00 grant they had applied for and that they would use it for a new in-car camera for a Tahoe and a new computer for the detective. Lance stated that they had hired Jeremiah Nicholson from the Highfill PD and that he would be starting on Monday. He said that he was already certified. Lance stated that the foundation for the new PD was poured and that they planned on pouring the slab next Thursday. He said the completion date is still mid-December. He stated that he will have the new Tahoe in 2-3 weeks. He said that training was on hold while they were short-staffed. **Street-** Rick Hudson stated that they are still working on drainage and overlays. He said that the rain got the grass growing again and that the mowing should be caught up by the end of the week. He said that it has been an expensive month with equipment repairs. **Building Inspector-** Mayor Edwards stated that Robert Coffelt was not present for the meeting, but pointed out that the stats were in the council's packets. Mayor Edwards stated that he is handling Code Enforcement and the County is handling inspections. **Planning-** Lorene Burns provided the council with a copy of her monthly report. She stated that she met with Christina Groves and stated that they are putting information together. She stated that we are probably won't be able to go lower than an 8 rating, due mainly to a lack of available information on our building permit process. She said there is a lot of information to submit. Lorene stated that she and Rick will be attending the AFMA Fall Conference September 23-26 in Hot Springs. She said she has issued another couple of floodplain permits. Lorene gave some details on the last Planning Commission meeting. She pointed out that there was a lot of work involved in the Casey's project and that the City was not holding things up. She said the Street Department was ready for a C of O and that there was one more little item on the Fire Department with the sewer pump and that Delton was working on it. Lorene stated that Gamble Elementary had contacted her this week about a 5000 sf expansion and that Hight-Jackson will be putting a site plan together. Lorene stated that Living Waters Methodist church was looking at taking down the existing structure and constructing a new building. She stated that they presented her with a concept drawing. Lorene mentioned the AEP Transmission Line Project that has been going on for years and will be meeting with the Project Manager on October 3rd at 9:00 a.m. Lorene stated that she met with Mike Mitchell about GIS data compilation. She stated that he will be putting a bid together for the city. She mentioned again that Fred Miller had resigned and that the opening will be posted until 9/17/12 at 5:00 p.m. She stated that there is Planning Commission training on 9/19/12 in Eureka Springs if anyone wants to go with her and Rick. **Fire-** Fire Chief Delton Bush stated that there have been 516 runs YTD. He said they are waiting on a few parts for the ladder truck, but that it is okay to use if we need it. He said they are getting ready for fire prevention training in the schools in October. He stated that they received the \$500 Fire-Wise grant check. Delton stated that they need to put out for bid, 6 SCBA's and 6 bottles. He stated that it is about a \$32,000.00 purchase and that he needs the council's approval to put it out for bid on 9/28/12. Mayor Edwards stated that they have \$40,000.00 in the FD

budget for capital purchases. Tommy Laird made a motion to allow for it to be put out for a bid of up to \$32,000.00 with a 2nd from Josie Reed. All council members present voted in favor and the motion carried. Delton stated that John Gavin, Dakota Smith and Jose Hernandez are going to Camden for Firefighter 1&2 and EMT certification. **Water-** Frank Holzkamper addressed the council and stated that the CWSD is looking at refinancing several of their loans, still keeping the pay-off dates and taking advantage of the low interest rates that are out there now, to help prevent having a rate increase. He said he received notice from Two-Ton and Bentonville about upcoming rate increases. He said our waste water rates are already high. **Animal Control-** Terry Sanchez addressed the council and stated that they participated in the NWA Dog Walk in Bentonville and that we got a check for \$310.00 for part of the proceeds. He said we did not qualify for the \$1000.00 grant from Wal-Mart. Mayor Edwards said that they had to give it to a 501-C. Terry said everything was going well. **Admin-** Mayor Edwards stated that Jennifer should be back tomorrow. **Mayor-** Mayor Edwards stated that he, Rick, Lorene and Lance all met with the Highway Department and that the work should start 9/13/12. He said that the engineer said that APAC should do a good job.

- (6) **CACC Report-** PJ presented the council with the chamber's financial report and gave some details. He stated that there will be a Pancake Breakfast this Saturday from 8-11. He said the Board was gathering more information about the Gravette Chamber.
- (7) **Resolution 2012-15- A RESOLUTION AUTHORIZING THE GRANT OF A GENERAL UTILITY EASEMENT TO THE CITY OF CENTERTON ON A PARCEL OF LAND OWNED BY THE CITY REQUIRED FOR CONSTRUCTION OF THE NEW POLICE DEPARTMENT.** Mayor Edwards 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 Skye Petty. All council members voted in favor and the motion carried. Brian Rabal read the resolution by title only. Josie Reed made a motion to adopt the resolution with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.
- (8) **Ordinance 2012-18 - AN ORDINANCE APPROVING A NEW PLANNING AREA MAP FOR THE CITY OF CENTERTON, ARKANSAS.** Mayor Edwards addressed the council and explained the need for this ordinance. Lorene also addressed the council. Mayor Edwards stated that it was approved by the Planning Commission at their last meeting. 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. Brian Rabal read the resolution 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 Skye Petty. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Josie Reed. All council members voted in favor and the motion carried. Brian Rabal read the emergency clause. Josie Reed made a motion to adopt the emergency clause with a 2nd from Keith Higginbotham. All council members voted in favor and the motion carried.

(9) Ordinance 2012-19 - AN ORDINANCE VACATING THE ALLEY AND EASEMENTS LOCATED BETWEEN LOTS 9, 10, 11, 12, 13, 14, AND 15, BLOCK 12 OF THE ORIGINAL TOWN OF CENTERTON, PLAT BOOK B, PAGE 81 OF THE RECORD OF BENTON COUNTY, ARKANSAS; AND FOR OTHER PURPOSES. Mayor Edwards addressed the council and explained the need for this ordinance. Lorene also addressed the council. 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 resolution by title only. Josie Reed made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Tommy Laird. 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 Keith Higginbotham. All council members voted in favor and the motion carried.

(10) Ordinance 2012-20 - AN ORDINANCE ACCEPTING THE FINAL PLAT FOR THE GREENSTONE ESTATES SUBDIVISION, CENTERTON PLANNING AREA, BENTON COUNTY, ARKANSAS; AND DECLARING AN EMERGENCY. Mayor Edwards addressed the council and explained the need for this ordinance. Ken Booth addressed the council and detailed the process with the county up to this point. He stated that the city really was great to work with. He stated that all of the streets will be private. 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. Brian Rabal read the ordinance by title only. Keith Higginbotham made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Skye Petty. All council members voted in favor and the motion carried. Tommy Laird made a motion to adopt the ordinance with a 2nd from Keith Higginbotham. 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.

- (11) **Ordinance 2012-21 - AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, TITLE 14 TO REZONE CERTAIN LAND BELONGING TO BOBBIE GRIFFITH FROM HIGH DENSITY RESIDENTIAL (R-3); AND LAND BELONGING TO GEORGE DUNCAN AND ROGER DUNCAN FROM CENTRAL BUSINESS DISTRICT (C-1); TO HIGHWAY COMMERCIAL (C-2).** Mayor Edwards addressed the council and explained the need for this ordinance. Lorene also addressed the council. 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. Brian Rabal read the resolution by title only. Keith Higginbotham made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Skye Petty. All council members voted in favor and the motion carried. Tommy Laird made a motion to adopt the ordinance with a 2nd from Keith Higginbotham. 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 Keith Higginbotham. All council members voted in favor and the motion carried.
- (12) **Ordinance 2012-22 - AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, TITLE 14 TO REZONE CERTAIN LAND BELONGING TO BENTON COUNTY REGIONAL SOLID WASTE MANAGEMENT DISTRICT FROM AGRICULTURAL (A-1) TO HEAVY INDUSTRIAL (I-2).** Mayor Edwards addressed the council and explained the need for this ordinance. Lorene also addressed the council. 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. Brian Rabal read the resolution by title only. Skye Petty made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. 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. 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.
- (13) **Ordinance 2012-23 - AN ORDINANCE WAIVING BIDDING REQUIREMENTS FOR ASPHALT AND PAVING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES** Mayor Edwards addressed the council and explained the need for this ordinance, stating that he spoke with the auditor after approval in the last meeting and was told that since this was a project and not just asphalt material, it should have been put out for bid. Josie Reed made a motion to read the ordinance by title only with a 2nd from Keith Higginbotham. 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 Skye Petty. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2nd from Tommy Laird. All council members voted in favor and the motion carried. Brian Rabal read the emergency clause. Keith Higginbotham made a motion to adopt the emergency clause with a 2nd from Tommy Laird. All council members voted in favor and the motion carried.

- (14) **Appoint New Members of Advertising and Promotion Commission-** Mayor Edwards addressed the council and detailed issues that they have had with vacancies on the A&P Commission. He recommended to the council that they approve the appointment of Melissa Weigel from Domabella's and Rick Gibson from McDonalds to the Centerton A&P Commission board. Tommy Laird made a motion to approve their appointment with a 2nd from Josie Reed. All council members voted in favor and the motion carried.

Announcements- Mayor Edwards stated that the P&R is going to have a community work day in the City Park on Saturday, September 29th and that breakfast and lunch will be provided as well as t-shirts for the workers. He reminded everyone about the Pancake Breakfast this Saturday. He also reminded everyone that there would be an A&P meeting next Thursday morning.

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

Bill Edwards, Mayor

Todd Wright, City Clerk