

**CITY OF CENTERTON  
CITY COUNCIL MEETING  
AUGUST 9, 2016**

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, Josie Reed, Robin Reed, Wayne Low, Skye Petty and Misty Elam. Those present and not answering roll call were Todd Wright, Pam Grant, Brian Rabal, Planning Director Lorene Burns, Street Superintendent Rick Hudson, Police Chief Cody Harper, Chief Building Inspector Robert Coffelt and Fire Chief Delton Bush. Water & Sewer Superintendent Frank Holzkamper and Animal Control Supervisor Terry Sanchez were absent.

- (1) **Council Minutes-** Robin Reed made a motion to approve the July 12<sup>th</sup>, 2016 city council minutes with a 2<sup>nd</sup> from Wayne Low. 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 June 21<sup>st</sup>, 2016 CWSD, June 28<sup>th</sup>, 2016 Board of Zoning Adjustments and June 28<sup>th</sup>, 2016 Planning meeting minutes with a 2<sup>nd</sup> from Wayne Low. All council members voted in favor and the motion carried.
  
- (3) **City and Court Financials-** Mayor Edwards stated that 58% through the year we have received 64% of our budgeted revenue. He stated that our expenditures were at 52%. He highlighted some of the financials for the council. Wayne Low made a motion to accept the July 2016 City and Court financials with a 2<sup>nd</sup> from Misty Elam. All council members voted in favor and the motion carried.
  
- (4) **Ordinance 2016-25- AN ORDINANCE AMMENDING SECTION 17.16.04 OF THE CENTERTON MUNICIPAL CODE; FIREWORKS.** Mayor Bill Edwards addressed the council and explained the need for this ordinance to amend the fireworks ordinance and detailed the changes. There was discussion. Skye Petty made a motion to read the ordinance 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 ordinance by title only. Josie Reed made a motion to suspend the

rule requiring the reading of the ordinance on 3 separate occasions with a 2<sup>nd</sup> from Wayne Low. All council members voted in favor and the motion carried. Skye Petty made a motion to adopt the ordinance with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.

**(5) Ordinance 2016-26- AN ORDINANCE ACCEPTING THE RIGHT-OF-WAY AND UTILITY EASEMENTS DEDICATED BY CENTERTON ENTERPRISES LLC AND BRUCE & DIANE RICH PER THE PROPERTY LINE ADJUSTMENT PLAT OF TRACTS 1A AND 1B, CREATING TRACTS 2A AND 2B, CITY OF CENTERTON, LOCATED IN PART OF THE NE ¼ NE ¼ S6-T19N-R31W, BENTON COUNTY, ARKANSAS; AND DECLARING AN EMERGENCY.** Mayor Bill Edwards addressed the council and explained the need for this ordinance to accept right-of-way and easements per property line adjustments. There was discussion. Robin Reed made a motion to read the ordinance 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 ordinance by title only. Wayne Low made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2<sup>nd</sup> from Josie 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 Skye Petty. All council members voted in favor and the motion carried. Brian Rabal read the emergency clause. Wayne Low made a motion to adopt the emergency clause with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.

**(6) Ordinance 2016-27- AN ORDINANCE ACCEPTING DEDICATION OF UTILITY EASEMENTS, STREET RIGHT-OF-WAY AND WATER AND SEWER MAIN IMPROVEMENTS BY THE BENTONVILLE SCHOOL DISTRICT PER THE LOT/TRACT COMBINATION PLAT OF TRACT 3, SEBA ROAD CHURCH SUBDIVISION, ALL OF THE NW ¼ OF THE SE ¼, PART OF THE NE ¼ OF THE SE ¼ AND ALL OF THE NORTH ½ OF THE SE ¼ OF THE SE ¼, ALL BEING IN S29-T20N-R31W, BENTON COUNTY, ARKANSAS; AND DECLARING AN EMERGENCY.** Mayor Bill Edwards addressed the council and explained the need for this ordinance to accept dedication of utility easements, street right-of-way and water and sewer main improvements by the Bentonville School District. There was discussion. Wayne Low 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 of the ordinance on 3 separate occasions with a 2<sup>nd</sup> from Misty Elam. 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. Brian Rabal read the emergency clause. Wayne Low made a motion to adopt the emergency clause with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.

**(7) Ordinance 2016-28- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS BELONGING TO MORNINGSIDE DEVELOPMENT LLC FROM MEDIUM DENSITY RESIDENTIAL (R-2) TO HIGH DENSITY RESIDENTIAL (R-3) FOR SINGLE FAMILY USE.** Mayor Bill Edwards addressed the council and explained the need for this ordinance to rezone lands belonging to Morningside Development. There was discussion. Josie Reed made a motion to read the ordinance 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 ordinance by title only. Robin Reed made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2<sup>nd</sup> from Skye Petty. All council members voted in favor and the motion carried. Wayne Low made a motion to adopt the ordinance with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.

**(8) Ordinance 2016-29- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS BELONGING TO CENTERTON COMMERCE PARK LLC FROM HIGHWAY COMMERCIAL (C-2) TO HIGH DENSITY RESIDENTIAL (R-3) FOR MULTI-FAMILY DEVELOPMENT.** Mayor Bill Edwards addressed the council and explained the need for this ordinance to rezone property off of Hwy 102 and Greenhouse Road for multi-family development. Daniel Ellis also spoke on behalf of the development. There was discussion. Robin Reed 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. Josie Reed made a motion to suspend the rule requiring the reading of the ordinance on 3 separate occasions with a 2<sup>nd</sup> from Misty Elam. All council members voted in favor and the motion carried. Skye Petty made a motion to adopt the ordinance with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.

**(9) Resolution 2016-16- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF**

**CENTERTON, ARKANSAS TO ENTER INTO AN AGREEMENT WITH AAA BUSINESS SYSTEMS INC. FAYETTEVILLE, ARKANSAS, FOR LEASE OF A COPIER FOR THE CITY OF CENTERTON.** Mayor Edwards addressed the council and explained the need for this resolution to lease a copier for City Hall. There was discussion. Robin Reed made a motion to read the resolution 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 resolution by title only. Josie Reed 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.

(10) **Resolution 2016-17- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS TO ENTER INTO AN AGREEMENT WITH N COURT KENNESAW, GEORGIA, FOR COURT PAYMENT SERVICES.** Mayor Edwards addressed the council and explained the need for this resolution to contract with N Court for court payment services. There was discussion. Robin Reed made a motion to read the resolution 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 resolution by title only. Robin Reed made a motion to adopt the resolution with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.

(11) **Resolution 2016-18- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH PROFESSIONAL BUSINESS SYSTEMS INC. , BENTONVILLE, ARKANSAS, FOR LEASE OF COPIERS FOR THE CITY OF CENTERTON.** Mayor Edwards addressed the council and explained the need for this resolution to lease copiers for the PD and FD. There was discussion. Keith Higginbotham made a motion to read the resolution 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 resolution by title only. Keith Higginbotham made a motion to adopt the resolution with a 2<sup>nd</sup> from Robin Reed. All council members voted in favor and the motion carried.

(12) **Resolution 2016-19- A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS TO ENTER INTO AN AGREEMENT**

**WITH TOMLINSON ASPHALT COMPANY, FAYETTEVILLE, ARKANSAS, FOR INTERSECTION IMPROVEMENTS AT WEST FISH HATCHERY AND SOUTH MAIN STREET.** Mayor Edwards addressed the council and explained the need for this resolution for asphalt improvements at Fish Hatchery and Main Street. Rick Hudson also spoke. There was discussion. Robin Reed 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. Wayne Low made a motion to adopt the resolution with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.

- (13) **Department Reports- Building Inspection-** Robert Coffelt addressed the council and detailed the report in the council's Dropbox packets, giving updates on current projects in the City. **Planning-** Lorene Burns addressed the council and detailed her Planning Project Status Report. Lorene updated the council on the upcoming software improvements from Kyle for on-line job folders. She stated that she is going to be working with Doug from Morrison-Shipley on getting some of our city codes revised, starting with subdivision requirements, with landscaping as a prime example. Lorene stated that they were working on CRS compliance. Lorene also gave an update on upcoming training. Lorene stated that Wal-Mart has requested a pre-con meeting for the stream relocation phase of the project. **Police-** Chief Cody Harper addressed the council and pointed out the stats for the previous month. Cody said that Officer Boyd has joined the department on a part-time basis. Cody detailed the sex offender notification process. Cody said that the new cars are in and that they are starting to put the equipment in. Cody stated that they hired one of the part-time/reserve officers to fill one of the full-time open positions, leaving the department with one opening that they will be testing for a week from today. Cody stated that the Boys and Girls Club donated a "Drug Take-Back" box and gave details. Cody stated that Chris Cummins and Henry Brockmeyer have tested for Sargent and are on a 90 day probationary period for that position. **Streets / Parks & Rec-** Rick Hudson addressed the council and detailed his reports in the Council's Dropbox packets. Rick gave an update on the Gamble Road and Seba Road intersection. Rick gave updates on Streets, Subdivisions and Parks. Rick gave a detailed report on the road conditions in the city. Rick gave an update on training for Streets and Code Enforcement. **Fire-** Delton Bush said they are at 590 runs for the year and have a staff of 29 firefighters. He said that they got the okay to burn the 2 houses on Hwy 102 between 8/15-8/31. Delton gave an update on training for the department. Delton stated that he has 3 excellent candidates going through testing to be put on full-time at the department. **Water & Sewer-** Frank Holzkamper was absent, but included a report in the council's Dropbox. **Animal Control-** Terry Sanchez was absent. **Administration-** Pam said she continues to work on getting donations for

Centerton Day and gave an update. She also gave an update on the Pancake Breakfast for Centerton Day. **Mayor-** Mayor Edwards addressed the council complimented Pam and Katie on their efforts for Centerton Day. He said booth spaces are running out. He gave an update on the Open House for Bentonville West High School. Mayor Edwards gave an update on Coffee with the Congressman and stated that Coffee with the Mayor will be Saturday 8/20. He said there has been a couple of businesses that have come in and showed interest in coming to our city. Mayor Edwards also gave an update on a couple of local restaurants.

**(14) Proclaim September Hydrocephalus Awareness Month-** Mayor Edwards proclaimed September Hydrocephalus Awareness Month for the City of Centerton.

**(15) Other Business-** Mayor Edwards stated that Thursday 8/4/16, he, the City Clerk, City Attorney and City Council attended a Settlement Conference in Fayetteville for a pending lawsuit: Yarbrough vs. Centerton. He stated that after negotiations between her attorneys and the Municipal League attorneys, it was decided to settle the case. Mayor Edwards stated that the city's portion of the settlement for approval tonight is \$8750.00. Keith Higginbotham made a motion to approve the settlement with terms as prescribed in the courtroom with the city's financial portion of the settlement to be \$8750.00, with a 2<sup>nd</sup> from Misty Elam. All council members voted in favor and the motion carried.

Keith Higginbotham made a motion to adjourn with a 2<sup>nd</sup> from Skye Petty. 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

