



**CITY OF CENTERTON  
CITY COUNCIL MEETING  
MARCH 13, 2018**

The city council was called to order at 6:00 p.m. 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, Wayne Low, Darren Warren, Misty Elam, Robin Reed and Josie Reed. Those present and not answering role call were City Clerk Todd Wright, Financial Director Pam Grant, City Attorney Brian Rabal, Director of Public Works Rick Hudson, Police Chief Cody Harper, Fire Chief Delton Bush, Planning Coordinator Larry Wilms, Water & Sewer Superintendent Frank Holzkamper, Animal Control Supervisor Terry Sanchez and Chief Building Inspector Robert Coffelt.

- (1) **Council Minutes-** Josie Reed made a motion to approve the February 13<sup>th</sup>, 2018 City Council minutes, with a 2<sup>nd</sup> from Misty Elam. 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 January 23<sup>rd</sup>, 2018 Planning Commission meeting, January 23<sup>rd</sup>, 2018 Board of Zoning Adjustment meeting, and January 16<sup>th</sup>, 2018 and January 18<sup>th</sup>, 2018 CWSD 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 16.67% through the year we have received 18.77% of our budgeted Revenue. He stated that our expenditures were at 17.00%. Edwards highlighted some of the financials for the Council. Wayne Low made a motion to accept the February, 2018 City and Court Financials, with a 2<sup>nd</sup> from Josie Reed. All council members voted in favor and the motion carried.

- (4) **Department Reports- Building Inspection-** Robert Coffelt's report was in the council member's Dropbox packets. **Planning-** Lorene Burns' Planning Project Status Report was in the council member's Dropbox packets. **Police-** Cody Harper's report was in the council member's Dropbox packets. **Streets / Parks & Rec-** Rick Hudson's reports were in the council member's Dropbox packets. **Fire-** Delton Bush's report was in the council member's Dropbox packets. **Water & Sewer-** Frank Holzkamper's report was in the council member's Dropbox packets. **Animal Control-** Terry Sanchez's report was in the council member's Dropbox packets.

Keith Higginbotham asked Frank Holzkamper about the status of the lawsuit with the City of Gravette. Holzkamper said that they had a court date this morning and the judge took everything under advisement and heard from both sides, but did not render a decision at this time. Holzkamper said the judge was going to review the information and render a written decision when completed. City Attorney Brian Rabal said he thought it might take 6-8 weeks. Holzkamper said they filed a rebuttal, based on the information presented at today's meeting.

- (5) **Ordinance 2018-09- AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS BELONGING TO LANCE ASHMORE; FROM AGRICULTURAL (A-1) TO MEDIUM DENSITY RESIDENTIAL (R-2).**

Mayor Edwards addressed the Council, stating that this ordinance is to rezone certain lands north of the High School. Edwards said there was a Public Hearing and it was approved by the Planning Commission on 2/27/18. Mayor Edwards said that Mr. Ashmore has a sale pending on this property, but would like the option to repeal this rezone, should the sale fall through.

Mayor Edwards asked the Council if there were any questions. There were none.

**Keith Higginbotham made a motion to read the ordinance by title only, with a 2<sup>nd</sup> from Wayne Low. 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. Keith Higginbotham 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.**

- (6) **Ordinance 2018-10- AN ORDINANCE ACCEPTING 30' RIGHT-OF-WAY ALONG ARLIN LANE AND ROW CLEANUP ALONG HWY AR-72 DEDICATIONS BY CEDARIDGE CONFERENCE CENTER, LLC, PER**

**TRACT SPLIT PLAT FOR PROPERTY LOCATED IN S27-T20N-R31W,  
THE CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Bill Edwards addressed the Council and explained the need for this ordinance to accept 30-ft. of right-of-way along Arlin Lane and right-of-way cleanup along Hwy 72 for the Cedaridge Conference Center.

Mayor Edwards asked the Council if there were any questions. There were none.

**Robin Reed made a motion to read the ordinance by title only, with a 2<sup>nd</sup> from Keith Higginbotham. 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. Keith Higginbotham made a motion to adopt the ordinance with a 2<sup>nd</sup> from Wayne Low. All council members voted in favor and the motion carried.**

**(7) Ordinance 2018-11- AN ORDINANCE TO ACCEPT RIGHT-OF-WAY  
ALONG CUTBERTH LANE, DEDICATED BY JUSTIN AND KRISTEN  
CUMMINGS PER WARRANTY DEEDS RECORDED IN BOOK 2018  
PAGE L201809221 AND; DECLARING AN EMERGENCY.**

Mayor Bill Edwards addressed the Council and explained the need for this ordinance to accept right-of-way on Cutberth Lane.

Mayor Edwards asked the Council if there were any questions. There were none.

**Wayne Low made a motion to read the ordinance 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 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 Keith Higginbotham. All council members voted in favor and the motion carried. Keith Higginbotham made a motion to adopt the ordinance with a 2<sup>nd</sup> from Misty Elam. 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 2<sup>nd</sup> from Wayne Low. All Council members voted in favor and the motion carried.**

**(8) Resolution 2018-02- A RESOLUTION TO ESTABLISH MAXIMUM  
SPEED LIMITS ON SPECIFIED ROADS, STREETS, EASEMENTS,**

**HIGHWAYS, WAYS OR PLACES USED FOR VEHICULAR TRAVEL, ACCESS OR PARKING.**

Mayor Edwards addressed the Council and explained the need for this resolution to raise the speed limit on Seba Road from the driveway south of the High School to Keller Road from 25 mph to 45 mph. Edwards said the speed limit had been reduced, due to subdivision construction going on, but a lot of it is done now and Director of Public Works Rick Hudson feels comfortable moving the speed limit up to 45 mph.

Mayor Edwards asked the Council if there were any questions. Robin Reed asked Police Chief Cody Harper if there have been any issues on that section of Seba Road. He said there have not been any major issues.

**Keith Higginbotham 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. Keith Higginbotham made a motion to adopt the resolution with a 2<sup>nd</sup> from Wayne Low. All council members voted in favor and the motion carried.**

**(9) Discuss Name Change of Water and Sewer Department to Centerton Utilities-**

Mayor Edwards addressed the Council, stating that this is regarding a resolution within the Water and Sewer Department, changing their name to Centerton Utilities. Edwards said the other surrounding communities are named in the same fashion. He said no action needs to be taken by the City Council.

**(10) State Aid Grant Update-**

Mayor Edwards addressed the Council, stating that we received a \$250,000.00 grant in 2013, as part of the ½ cent Sales Tax for roads. He said they allocated \$20 million, and municipalities could apply for a 100% grant of up to \$250,000.00. Edwards said the program is still going on, and we have applied for that grant every year since 2013. He said the State came out today and visited with Rick Hudson and himself and went out and looked at the project for Tycoon Road, past Shady Acres Road, Shady Acres Road and Dorsey Lee Road, as well as a portion of Bush Road. Hudson detailed the project. Edwards said this grant would be for the 2019 cycle should we be approved for it.

**(11) Other Business-**

- **Annexation Map-** Mayor Edwards addressed the Council, giving an update on the two Town Hall Meetings held to gather information regarding possible annexation opportunities, as well as some recent voluntary annexations that have taken place, and some pending and completed voluntary annexations. Edwards said there is an area to the west of Lost Oak Drive that is looking to voluntarily annex, most likely to be followed by the property behind the subdivision. Edwards said an area south of Herbaugh Road has recently voluntarily annexed, and the property to the east of it is preparing to subdivide and will be voluntarily coming into the city. Edwards said a property east of Walters Road and south of Hwy 72 has just voluntarily annexed into the city. He said the developer is having a meeting at City Hall on 3/15/18 from 4:00 pm-7:00 pm, to discuss their development plan. Edwards said that earlier today, a gentleman with 6 parcels north of Hwy 72, up to Short Road, came in stating that he would like to annex into the city. Edwards said he has been in contact with Cassie Elliott, to get paperwork started. Edwards said that no annexation action needs to take place until June, and he would like to keep reaching out to folks in “Area A” that are interested in annexing into the city. He said he would like to continue reaching out to the residents on Walters Road, to get it filled in, so we can pave that road. He said the County was going to pave it, but it is no longer on their priority list. Edwards said he would like to continue to use Cassie to help with the paperwork on these annexations. There was discussion. Edwards stated that he received a letter from an attorney, representing the Road District for Talamore/Stonebriar, asking to be updated on any Council discussion or action regarding their subdivisions. Edwards said he forwarded the letter to the council and responded to the attorney, that he would keep him informed.

**Wayne Low made a motion, based on the updates received, concerning the current status and costs of road repairs, to cease further action toward the annexation of Area B, including Talamore and Stonebriar Subdivisions, as well as Easy Street, at this time, with a 2<sup>nd</sup> from Darren Warren. All Council members voted in favor, except for Robin Reed, who abstained, and the motion carried.**

- **Fire Dues-** Mayor Edwards said that he and Fire Chief Delton Bush have met and talked about Fire Dues, and they feel we may need to make some adjustments, due to the number of calls in the county, but we will look at that at another time. Edwards said we may need to look at a mandatory collection. There was discussion. No Action was taken.
- **Public Meeting Notices-** Robin Reed asked if all of the City Meetings were posted in the local paper, for those residents that don't have social media. Edwards said the City Council and Planning Commission meetings are posted in the local paper on Sunday, as well as on the City Website,

and multiple social media pages. Reed said she would like to see the meeting, time, and location posted. Edwards said he would ask the paper to include the Parks & Recreation Meetings. There was discussion.

**(12) Announcements-**

- Coffee with the Mayor- 3/17/18 9:00 a.m. at City Hall.

**(13) Adjourn-**

Keith Higginbotham made a motion to adjourn at 7:58 PM with a 2<sup>nd</sup> from Wayne Low. 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