



**CITY OF CENTERTON
CITY COUNCIL MEETING
DECEMBER 10, 2024
6:00 PM**

- (1) **Pledge** – The Pledge Allegiance was recited.
- (2) **Prayer** – Keith Higginbotham offered the prayer.
- (3) **Roll Call** - Those Present and answering Roll Call were Mayor Bill Edwards, Cody Miles, Darren Warren, Josie Reed, Keith Higginbotham, Justin Cowgur (via Zoom) and Cliff Thompson. Those present and not answering Roll Call were Mayor’s Assistant Nicola Hoofard, City Attorney Brian Rabal, HR Director Jocelyn Diaz, Senior Planner Dianne Morrison Lloyd, Police Chief Cody Harper, Fire Chief Matt Thompson and Parks & Recreation Superintendent Joshua Price.

(4) **Council Minutes** –

Cody Miles made a motion to Approve the Minutes of the November 12, 2024 City Council Meeting, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

Cliff Thompson made a motion to Approve the corrected Minutes of the October 8, 2024 City Council Meeting, with a 2nd from Keith Higginbotham. All Council Members voted in favor and the motion carried.

CWSD, Planning Commission, Parks and Recreation Advisory Board Minutes –

Keith Higginbotham made a motion to Acknowledge Receipt of the Minutes of the October 15, 2024 and November 14, 2024 CWSD Meetings, November 5, 2024 & November 19, 2024 Planning Commission Meetings and the November 6, 2024 Parks and Recreation Advisory Board Meeting, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

(5) City and Court Financials -

Financial Director Shannon Zappettini addressed the Council, detailing the Financial Reports for November 2024, as provided in the Council packets. Revenue was at 103.62 % and Expenses were at 90.87 %.

The November 2024 Financial Report and Court Report were contained in the Council packets.

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

Josie Reed made a motion to accept the November, 2024 City & Court Financials, with a 2nd from Cliff Thompson. All Council Members voted in favor and the motion carried.

(6) Department Reports -

The Department Reports were in the Council Packets.

Mayor Edwards recognized Councilman Darren Warren for his service on both the City Council since 2016, as well as serving previously on the Planning Commission.

Mayor Edwards recognized Councilman Keith Higginbotham for his service on the City Council for 33 years.

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

(7) Public Comments –

Chris Mooney – 1325 N, Main Street – Mr. Mooney addressed the Council, gave an update on the Centerton Chamber of Commerce. He also recommended an annual public forum review of the financials. He also recognized Darren Warren and Keith Higginbotham for their service on behalf of the city.

Wendy Henson – 368 N. B Street – Ms. Henson Addressed the Council, commending Police Chief Cody Harper and Officer Bridenstine with their efforts toward victims of domestic violence. She also recognized Darren Warren and Keith Higginbotham for their service on behalf of the city.

Council Member Justin Cowgur recognized both Keith Higginbotham and Darren Warren for their service, then dropped off of the call and did not return to the meeting.

(8) Ordinances –

Darren Warren made a motion to Read Ordinances 2024-32, 2024-33, 2024-34, 2024-35 and 2024-36; and Resolutions 2024-37, 2024-38 and 2024-39 by Title only, with a 2nd from Cody Miles. There was a roll call. All Council Members voted in favor and the motion carried.

Josie Reed made a motion to Suspend the Rule Requiring the Reading on three (3) Separate Occasions for Ordinances 2024-32, 2024-33, 2024-34, 2024-35 and 2024-36, with a 2nd from Cliff Thompson. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2024-32 - AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO STEELE DEVELOPMENT, INC FROM AGRICULTURAL (A-1) TO MEDIUM-HIGH DENSITY SINGLE FAMILY RESIDENTIAL (R3-SF) AND MEDIUM-HIGH DENSITY MULTI-FAMILY RESIDENTIAL (R3-MF).**

Mayor Edwards addressed the Council, stating that this Ordinance is to rezone property on Bliss Street and Keller Road from Agricultural (A-1) to Medium-High Density Single Family Residential (R3-SF) and Medium-High Density Multi-Family Residential (R3-MF). He said it was recommended for Council approval at the 12/03/2024 PC meeting. A copy of the Land Use Plan and Final Plat were provided for Council.

Council Member Cody Miles asked if a study has been done regarding all of the high density zoning in this area and asked what the tipping point to being overloaded is, from an infrastructure standpoint. Senior Planner Dianne Morrison Lloyd addressed his questions.

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

City Attorney Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to adopt the Ordinance, with a 2nd from Cliff Thompson. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2024-33 - AN ORDINANCE UPDATING THE SCHEDULE OF FEES, DEPOSITS AND OTHER CHARGES FOR THE CENTERTON WATER AND SEWER DEPARTMENT; AND FOR OTHER PURPOSES.**

Mayor Edwards addressed the Council, stating that this Ordinance is to amend the Schedule of Fees for the Water and Sewer Department. A list of new fees was provided in the Council packets. Mayor Edwards detailed the proposed changes for both Water and Sewer fees, stating that the water supplier is raising the rate to the city by \$.25 per 1000 gallons. A list of the water & sewer fees of other cities in the area was also provided for Council. He stated that the Water & Sewer Commission voted 4-1 to bring the amended fee schedule to Council for approval.

Council Member Darren Warren stated that Council had already approved a rate increase earlier in 2024. He also expressed concern with the rate of water loss in our system, due to leaks.

Council Member Josie Reed also pointed out the recent rate increase that was approved by Council and questioned the rate of water loss.

Council Member Keith Higginbotham asked why rate increases couldn't be less for citizens inside the city versus those outside the city.

Water & Sewer Commissioner Robert Anderson addressed Council, answering their questions and detailing the challenges the Water & Sewer Department is facing, from a budget standpoint, as well as the needs to maintain the water and sewer system. Comparative rates of surrounding cities was provided for Council. He stated that they met with Decatur recently and requested that they move forward with a study to increase their sewer capacity. He said they are looking at other alternative means as well.

Water & Sewer Commissioner Joshua Hagan addressed Council, detailing the Water & Sewer Budget and where the proposed rate increase would be used. He explained the Operating Expenses, Bond payments, the portion of the budget that will need to be available for the widening of Hwy 102, the Downtown Water & Sewer Project and the Osage Lift Station. He also addressed the fact that the Commission is looking at options to increase the city's sewer capacity. He asked Council to present all of their questions in written form for the Commission to be able to respond.

Fire Chief Matt Thompson addressed Council, stating that there are currently four (4) subdivisions in development in the city that cannot get water and sewer service and said there will be more. He recommended that the Water & Sewer Commission be dissolved and for the city to take it over. He also expressed concern about providing water and or sewer service outside of our city limits, placing an unnecessary burden onto our own citizens.

Senior Planner Dianne Morrison Lloyd addressed Council, stating that there are indeed four (4) developments under construction inside the city limits that are awaiting sewer service. She said they are currently being held up by the ADH.

Robert Anderson stated that ADH is using an antiquated formula, creating the current service issue.

Mayor Edwards stated that he has offered to get Arkansas State Representatives involved to help resolve the issues.

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

Josie Reed made a motion to Table the Ordinance, with a 2nd from Darren Warren. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2024-34 - AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE OPERATION OF THE CITY OF CENTERTON, ARKANSAS FOR THE CALENDAR YEAR 2025.**

Mayor Edwards addressed the Council, stating that this Ordinance is to approve and adopt the City Budget for 2025. He said that this budget was covered in our Budget Workshop and that Financial Director Shannon Zappettini has gone in and added current revenue. A copy of the 2025 Budget was provided in the Council packets.

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

City Attorney Brian Rabal read the Ordinance by title only. Keith Higginbotham made a motion to adopt the Ordinance, with a 2nd from Cliff Thompson. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2024-35 - AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, SECTION 2.14.03, TITLED COMPENSATION.**

Mayor Edwards addressed the Council, stating that this Ordinance is to amend the salary for the office of Mayor. He said the Centerton Municipal Code requires a review of the Mayor's salary at the first regularly scheduled Council Meeting each December.

Council Member Josie Reed recommended a 4% increase. Council Member Cody Miles agreed with 4%. Council Member Cliff Thompson agreed with 4%.

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

City Attorney Brian Rabal read the Ordinance by title only. Josie Reed made a motion to adopt the Ordinance, approving a 4% salary increase to \$101,588.72, with a 2nd from Cody Miles. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2024-36 - AN ORDINANCE AMENDING CENTERTON MUNICIPAL CODE, SECTION 2.16.03 FIXING THE SALARY FOR CITY CLERK.**

Mayor Edwards addressed the Council, stating that this Ordinance is to amend the salary for the office of City Clerk. He said the Centerton Municipal Code requires a review of the City Clerk's salary at the first regularly scheduled Council Meeting each December.

Council Member Josie Reed recommended a 4% increase. Council Member Cody Miles agreed with 4%.

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

City Attorney Brian Rabal read the Ordinance by title only. Cliff Thompson made a motion to adopt the Ordinance, approving a 4% salary increase to \$18,807.12, with a 2nd from Josie Reed. There was a roll call. All Council Members voted in favor and the motion carried.

(9) Resolutions –

- **Resolution 2024-37 - A RESOLUTION SETTING A PUBLIC HEARING TO DISCUSS IMPACT FEES, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to set a Public Hearing for 1/14/25 at 6:00 pm, to discuss Impact Fees for the city. He said this will allow us to bring back an Ordinance to the February Council Meeting.

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

City Attorney Brian Rabal read the Resolution by title only. Keith Higginbotham made a motion to Adopt the Resolution, with a 2nd from Cody Miles. There was a roll call. All Council Members voted in favor and the motion carried.

- **Resolution 2024-38 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS TO ENTER INTO A PURCHASE AGREEMENT WITH GRAYBAR ELECTRIC COMPANY SPRINGDALE, ARKANSAS FOR PURCHASE OF LIGHTING EQUIPMENT FOR CORNERWOODS PARK AND TRAIL.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to enter into an agreement with Graybar Electric Company of Springdale, Ar. for lighting for the Cornerwoods Park and Trail. A copy of the agreement, not to exceed \$100,000.00, was provided for Council. He said this will be purchased as part of the OMNIA Cooperative Purchasing Program Acct # EV 2370. He said the City Attorney will need to review corrections to the agreement.

Parks Superintendent Joshua Price addressed Council detailing the lights being purchased.

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

City Attorney Brian Rabal read the Resolution by title only. Josie Reed made a motion to adopt the Resolution, contingent on approval of the Master Purchase Agreement by the City Attorney, with a 2nd from Darren Warren. There was a roll call. All Council Members voted in favor, and the motion carried.

- **Resolution 2024-39 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS TO ENTER INTO AN AGREEMENT WITH MILESTONE CONSTRUCTION COMPANY SPRINGDALE, ARKANSAS FOR A POLICE DEPARTMENT ADDITION AND REMODEL FOR THE CITY OF CENTERTON.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to enter into an agreement with Milestone Construction Company of Springdale, Ar. for a building remodel and addition to the Centerton Police Department. A copy of the agreement was provided for Council. A copy of all of the five (5) competitive bids were also provided. Mayor Edwards said this project has already been approved by the Planning Commission.

Police Chief Cody Harper addressed Council, detailing the process of selecting Milestone Construction for the Police Department remodel and addition, and gave a tentative timeline for construction.

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

City Attorney Brian Rabal read the Resolution by title only. Darren Warren made a motion to adopt the Resolution, contingent upon contract review by the City Attorney, with a 2nd from Josie Reed. There was a roll call. All Council Members voted in favor and the motion carried.

(10) Discuss Overtime Policy, Centerton Police Department –

Police Chief Cody Harper addressed Council, stating that this item has come about due to a Lieutenant transitioning from an hourly position to a salary position. He said this resolution would not change the day-to-day Overtime Policy. He said this would affect overtime funded by a third party, such as grant funds, athletic events funded by school districts or vendors, Event Centers, etc. He said current Overtime Policy exempts a person in a salary position from being able to work those types of events. He said these types of events are paid for by a third-party, not by city funds.

Mayor Edwards stated that this update to the policy has been approved by STEP and also by Legislative Audit, as long as this Policy matches the Employee Handbook match.

Council Member Darren Warren asked that this policy include both Exempt and Non-Exempt Officers. Chief Harper said both will be eligible.

HR Director Jocelyn Diaz asked for a copy of the policy, to be able to match the Employee Handbook to it and asked for a way to see that Hourly Officers have the opportunity for this overtime prior to it being offered to Salary Officers, if there are no takers. Chief Harper stated that it currently is only offered to hourly officers, and he can provide email chains to show that it is being offered to the hourly officers first. Ms. Diaz asked to be included in those email chains.

Chief Harper agreed. He said the assignments are currently first come-first served. He also detailed how the compensation is provided for Council.

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

No Action was taken by Council.

(11) Acknowledge Receipt of the ARDOT Grant for Sidewalk Study on Highway 279 at Grimsley Junior High –

Mayor Edwards addressed Council, stating that he applied for an ARDOT Grant for engineering for sidewalks along Hwy 279, and was approved for \$80,000.00. He said we do have to match \$20,000.00.

Josie Reed made a motion to acknowledge receipt of the \$80,000.00 ARDOT TAP Grant, with a 2nd from Darren Warren. All Council Members voted in favor and the motion carried.

(12) Acknowledge Receipt of the Centerton Water and Sewer Budget for 2025 –

Mayor Edwards addressed Council, asking for acknowledgement of the 2025 Centerton Water and Sewer Budget. A copy of budget was provided for Council.

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

Keith Higginbotham made a motion to acknowledge receipt of the 2025 Water and Sewer Budget, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

(13) Accept Resignation of Jerry Harris from the Centerton Planning Commission -

Mayor Edwards addressed Council, asking for approval to accept the resignation of Jerry Harris from the Centerton Planning Commission. A copy of the letter of resignation was provided for Council. He said he will post the opening tomorrow morning.

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

Cliff Thompson made a motion to accept the resignation of Jerry Harris from the Centerton Planning Commission, with a 2nd from Keith Higginbotham. All Council Members voted in favor and the motion carried.

(14) Other Business –

- **Chamber of Commerce Update** – A Chamber of Commerce update was provided for Council.
- **Water leaks** – Councilman Darren Warren, Centerton Utilities Director Malcom Attwood, and citizens Wendy Henson and Cindy Zumstein all spoke about water leaks.

(15) Announcements -

- **12/13/2024 – Centerton Christmas Parade @ 6:00 PM**
- **12/14/2024 – Santa in the Neighborhood**
- **12/17/2024 – Planning Commission Meeting @ 6:00 PM**
- **1/07/2025 – Planning Commission Meeting @ 6:00 PM**
- **1/14/2025 – City Council Meeting @ 6:00 PM**
- **1/21/2025 – Planning Commission Meeting @ 6:00 PM**

(16) Adjourn -

Darren Warren made a motion to Adjourn at 7:54 PM with a 2nd from Keith Higginbotham. All Council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk