



**CITY OF CENTERTON
CITY COUNCIL MEETING
MAY 13, 2025
6:00 PM**

(1) Pledge – The Pledge Allegiance was recited.

(2) Prayer – Joshua Hagan offered the prayer.

(3) Roll Call - Those Present and answering Roll Call were Mayor Bill Edwards, Cody Miles, Joshua Hagan, Josie Reed, Wendy Henson and Cliff Thompson. Justin Cowgur was absent. Those present and not answering Roll Call were Mayor's Assistant Nicola Hoofard, City Attorney Brian Rabal, HR Director Jocelyn Diaz, City Engineer Alan Craighead, Planning Director Lorene Burns, Police Chief Cody Harper, Fire Chief Matt Thompson, Chief Building Inspector Robert Coffelt and Director of Public Works Anthony Martinez.

(4) Council Minutes –

Joshua Hagan made a motion to Approve the Minutes of the April 8, 2025 and April 23, 2025 City Council Meetings, with a 2nd from Cliff Thompson. All Council Members voted in favor and the motion carried.

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

Josie Reed made a motion to Acknowledge Receipt of the Minutes of the March 18, 2025 CWSD meeting, April 1, 2025 & April 15, 2025 Planning Commission meetings and March 3, 2025 Parks & Recreation Advisory Board meeting, with a 2nd from Wendy Henson. All Council Members voted in favor and the motion carried.

(5) City and Court Financials -

Mayor Edwards addressed the Council, detailing the Financial Reports for April 2025, as provided in the Council packets. Revenue was at 39.72 % and Expenses were at 35.27 %. The Street Fund Revenue was at 59.20 % and Expenses were at 28.53 %.

The April 2025 Financial Report and Court Report were contained in the Council packets.

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

Wendy Henson made a motion to accept the April, 2025 City & Court Financials, with a 2nd from Josie Reed. All Council Members voted in favor and the motion carried.

(6) Department Reports –

Council Member Joshua Hagan acknowledged Brimstone & Brass, a local business, for purchasing a scooter for a local youth who had their scooter stolen.

The Department Reports were in the Council Packets.

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

(7) Public Comments –

John Box – 742 Appleridge Drive – Mr. Box addressed the Council, expressing concern with solicitors in the city. He pointed out a recent incident and recommended that Centerton adopt a policy similar to the City of Rogers, which has a sun up to sun down rule for soliciting (Box recommended a 9:00 pm cut-off). He stated that the City of Bentonville provides their citizens with “No Soliciting” signs and recommended that Centerton does the same.

(8) Ordinances –

Josie Reed made a motion to read all Ordinances and Resolutions by Title only and to suspend the Rule Requiring the Reading on three (3) Separate Occasions for all Ordinances with a 2nd from Wendy Henson. There was a roll call. All Council Members voted in favor and the motion carried.

- **Ordinance 2025-19 – AN ORDINANCE WAIVING BIDDING REQUIREMENTS FOR THE PURCHASE OF A MODEL BC1000XL WOODCHIPPER FROM VERMEER MIDSOUTH SPRINGDALE, ARKANSAS, FOR THE CENTERTON PUBLIC WORKS DEPARTMENT.**

Mayor Edwards addressed the Council, stating that this Ordinance is to waive the bidding requirement for purchase of a wood chipper for the Public Works Department, in the amount up

to \$31,400.00. A quote was provided for Council, for a higher amount, but a trade-in was going to be provided by the city.

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

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

- **Ordinance 2025-20 - AN ORDINANCE TO REZONE CERTAIN LANDS WITHIN THE CENTERTON CITY LIMITS, BELONGING TO TWELVE STONE CONSTRUCTION AND DESIGN, LLC FROM MEDIUM-HIGH DENSITY SINGLE FAMILY RESIDENTIAL AND MEDIUM-HIGH DENSITY MULTI-FAMILY RESIDENTIAL (R3-SF, R3-MF) TO MEDIUM-HIGH DENSITY SINGLE FAMILY RESIDENTIAL, MEDIUM-HIGH DENSITY MULTI-FAMILY RESIDENTIAL, AND NEIGHBORHOOD COMMERCIAL (R3-SF, R3-MF, AND C-3).**

Mayor Edwards addressed the Council, stating that this Ordinance is to rezone properties on Bliss Street and Keller Road. He stated that a rezone request had been approved recently, but the developer now wanted to rezone the corner of the property to Commercial (C-3). He said this request was approved by the Planning Commission at their 4/15/25 meeting and is being recommended for Council Approval. A copy Zoning Map and Land Use Map were provided for the Council.

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

City Attorney Brian Rabal read the Ordinance by title only. Joshua Hagan 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 2025-21 - AN ORDINANCE ACCEPTING DEDICATION OF RIGHT-OF-WAY AND UTILITY EASEMENTS BY TERRA ROSE PROPERTIES, LLC PER THE FINAL PLAT FOR COFFELT FARMS BEING LOCATED IN PART OF THE EAST HALF OF THE SE ¼ OF THE SW ¼ OF S28-T20N-R31W, CITY OF CENTERTON, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept dedication of ROW and utility easements for property located on N. Main Street and Seba Road, per a lot split. An exhibit was provided for Council.

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

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

- **Ordinance 2025-22 - AN ORDINANCE ACCEPTING UTILITY EASEMENTS DEDICATED BY MERCY HEALTH NORTHWEST ARKANSAS COMMUNITIES AND CENTERTON MFD, LLC PER REPLAT OF LOTS 1A-1 AND 2D-1 OF THE WILLOW CROSSING SUBDIVISION PHASE 1, CITY OF CENTERTON, LOCATED IN S03-T19N-R31W, BENTON COUNTY, ARKANSAS.**

Mayor Edwards addressed the Council, stating that this Ordinance is to accept dedication of utility easements for property located on E. Centerton Blvd. near the Mercy Clinic. An exhibit was provided for Council.

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

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

- **Ordinance 2025-23 - AN ORDINANCE AMENDING THE BUDGET FOR THE OPERATION OF THE CITY OF CENTERTON, ARKANSAS FOR THE CALENDAR YEAR 2024; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.**

Mayor Edwards addressed the Council, stating that this Ordinance is to amend the 2024 city budget. He said this allows us to place funds in our Supplemental Accounts, and we are able to do this once per year.

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

City Attorney Brian Rabal read the Ordinance by title only. Josie Reed made a motion to adopt the Ordinance, with a 2nd from Joshua Hagan. There was a roll call. All Council Members voted in favor and the motion carried. City Attorney Brian Rabal read the Emergency Clause. Wendy Henson made a motion to adopt the Emergency Clause, with a 2nd from Josie Reed. There was a roll call. All Council Members voted in favor and the motion carried

- **Ordinance 2025-24 - AN ORDINANCE AMENDING MUNICIPAL CODE, TITLE 15 – “SUBDIVISION AND DEVELOPMENT REGULATIONS”.**

Mayor Edwards addressed the Council, stating that this Ordinance is to replace the previous Municipal Code, Title 15 with a new code. A draft of the new code was provided for Council.

Derek Linn and Juliet Richey from Garver, were both present. They made a brief presentation of the updates to the code and answered questions.

Council Member Wendy Henson asked why the “Planning Area” was left in the new code, as recent Bill had been passed eliminating them from municipalities. Juliet Richey addressed the question, stating that they are still working with the Arkansas Municipal League in regard to this change, and they are recommending that municipalities leave it in their codes until they are able to work through this process. She also stated that the new law does not go into effect until August 2025. She recommended keeping it in place for the time being. City Attorney Brian Rabal said we will want to address it when the law actually goes into effect.

Council expressed appreciation to all involved in the process of updating this code.

City Attorney Brian Rabal recommended adding a Section 3, orally, stating that “Any clause or provision of this ordinance declared invalid or unconstitutional by the court shall not affect the validity of the regulation as a whole or any other part of the ordinance thereof”. The Mayor and City Attorney will verify the actual verbiage before filing the ordinance.

Wendy Henson made a motion to add Section 3 to the ordinance, as presented, with a 2nd from Josie Reed. There was a roll call. There was a roll call. All Council Members voted in favor and the motion carried.

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

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

(9) Resolutions –

- **Resolution 2025-19 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH TRI STAR CONTRACTORS LLC, SILOAM SPRINGS, ARKANSAS FOR SAFE ROUTES TO SCHOOL SIDEWALK PROJECT FOR THE CITY OF CENTERTON.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to enter into an agreement with Tri Star Contractors LLC, for Safe Routes to School sidewalk projects on Gamble Road, Seba Road and Bliss Street. He said we received four (4) bids for the project. He said the project is not to exceed \$303,000.00, of which \$269,000.00 will be covered through grant funds.

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, with a 2nd from Cliff Thompson. There was a roll call. All Council Members voted in favor and the motion carried.

- **Resolution 2025-20 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH HUMBARDE CONTRACTING INC. GREEN FOREST, ARKANSAS FOR A CULVERT INSTALLATION PROJECT FOR THE CITY OF CENTERTON.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to enter into an agreement with Humbarde Contracting Inc. for culvert installation in the Sienna Estates subdivision, not to exceed \$165,000.00.

Public Works Director Anthony Martinez address Council stating that a change in drainage regulation and existing culvert failure requires that some drainage culvert be repaired/re-stabilized in the Sienna Estates subdivision. He said there are two (2) properties that are being effected and those are the sections that will be repaired. Martinez detailed the process for Council.

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

City Attorney Brian Rabal read the Resolution by title only. Wendy Henson made a motion to adopt the Resolution, contingent upon the City Attorney approving the final contract, with a 2nd from Joshua Hagan. There was a roll call. All Council Members voted in favor and the motion carried.

- **Resolution 2025-21 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH CEI ENGINEERING, ASSOCIATES INC. BENTONVILLE, ARKANSAS FOR CONSTRUCTION PLANS FOR HIGHWAY 102 DRIVEWAY IMPROVEMENT PLAN PER ARDOT IN THE CITY OF CENTERTON, ARKANSAS.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to enter into an agreement with CEI Engineering, for construction plans for driveway improvements on Centerton Blvd, pertaining to the highway widening project, per ARDOT. He said the city will be responsible for some driveway improvements on the north side of Hwy 102 from Sonic to Main Street and on the south side of Hwy 102 where McDonalds is. He stated that we are eligible for reimbursement from Wal-Mart for up to \$30,000.00 of this cost. He said this project is an ARDOT requirement.

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

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

- **Resolution 2025-22 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN EXTRA WORK AGREEMENT #2 WITH CEI ENGINEERING, ASSOCIATES INC. BENTONVILLE, ARKANSAS FOR PREPARATION, SUBMITTAL AND COMPLETION OF THE LETTER OF MAP REVISION ALONG MCKISSIC CREEK IN THE CITY OF CENTERTON, ARKANSAS.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to enter into an extra work agreement with CEI Engineering, to complete the letter of map revision along McKissic Creek thru downtown, not to exceed \$9500.00.

Planning Director Lorene Burns detailed some of the history of this Flood Study process for downtown.

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

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

- **Resolution 2025-23 - A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK, AS REPRESENTATIVES OF THE CITY OF CENTERTON, ARKANSAS, TO ENTER INTO AN AGREEMENT WITH BODARK BUILDERS LLC. SPRINGDALE, ARKANSAS FOR FLOORING INSTALL AT THE CENTERTON COMMUNITY ROOM IN THE CITY OF CENTERTON, ARKANSAS.**

Mayor Bill Edwards addressed the Council, stating that this Resolution is to enter into an agreement with Bodark Builders LLC to replace the flooring in the Community Room at the old City Hall, to remove the old podium and stage, and to sand down the walls and replace some doors, not to exceed \$20,000.00.

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

City Attorney Brian Rabal read the Resolution by title only. Joshua Hagan made a motion to adopt the Resolution, with a 2nd from Wendy Henson. There was a roll call. All Council Members voted in favor and the motion carried.

(10) Centerton Recreation Center Presentation – WER and Sapp Architecture –

Representatives from Crossland Construction, WER and Sapp Architecture were present for a presentation of the proposed Centerton Recreation Center, provided by Kristi and John with Sapp Design Architects.

No Action was taken by Council.

(11) Drug Fund Cash on Hand Increase Request –

Police Chief Cody Harper addressed Council, requesting Council approval to increase the current Drug Fund cash on hand from \$300.00 to \$1300.00, to aid in the ability to perform duties pertaining to the use of that fund. He also detailed the protection of those funds for Council.

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

Josie Reed made a motion to approve an increase of the Drug Fund Cash on Hand to \$1300.00, with a 2nd from Wendy Henson. All Council Members voted in favor, and the motion carried.

(12) Request to add Parks and Recreation Admin Position and Remove Open Street Department Position–

Director of Public Works Antony Martinez addressed Council, requesting to convert one of his Maintenance Tech positions over to an Administrative position. He stated that he needs help up front, to allow his supervisors to be in the field, utilizing their skills. He said this Admin position will aid in scheduling fields and events and applying for grants, as well as handling Parks invoicing. He said he is not adding to the budget, he is just shifting an open position and renaming it. He said he will post the position internally first, to see if there is any interest.

A copy of the job description was provided for Council.

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

Wendy Henson made a motion to open a Parks & Recreation Admin position, with a 2nd from Joshua Hagan. All Council Members voted in favor, and the motion carried.

(13) Reappoint Ben Lewis, Craig Langford and Brandon Swoboda to Centerton Planning Commission, Term Ending June 30, 2028 –

Mayor Edwards addressed Council, asking for Council approval to reappoint Ben Lewis, Craig Langford and Brandon Swoboda to Centerton Planning Commission, Term Ending June 30, 2028.

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

Josie Reed made a motion to reappoint Ben Lewis, Craig Langford and Brandon Swoboda to Centerton Planning Commission, Term Ending June 30, 2028, with a 2nd from Cody Miles. All Council Members voted in favor, and the motion carried.

(14) Add Rank Structure for Fire Station #2 – Fire Chief Matt Thompson –

Fire Chief Matt Thompson addressed Council, stating that Fire Station #2 is now fully manned. He asked for Council approval to add Engineer and Captain Positions to Station #2. He said it will add approx. \$21,000.00/year in salary and will give Station #2 the same rank structure as Station #1. He said this is not a budgeted item.

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

Joshua Hagan made a motion to create add Captain and Engineer positions to Fire Station #2, with a 2nd from Josie Reed. All Council Members voted in favor, and the motion carried.

(15) Discuss No Soliciting Policy –

Mayor Edwards addressed Council, stating we recently had a company violate our current No Soliciting Policy, with multiple complaints on consecutive days, where we ended up pulling the business license and issuing a citation to a salesperson for violation of the time of solicitation. The business claimed that the citation was unconstitutional and had an attorney contact the city. He said we have been in contact with the Municipal League and AML felt that the time restriction that the city has in its policy could possibly be considered unconstitutional in regard to freedom of speech. Rabal said the “No Soliciting” signs or stickers are not considered unconstitutional. Mayor Edwards stated that each applicant that applies to solicit in our city receives notification of our rules for soliciting and are issued a Business License or Solicitor’s Permit. He stated that he has looked into the policies of several surrounding cities. He detailed some of those policies. He stated that it is up to the City Council to determine if they would like to make any changes to our current policy.

City Attorney Brian Rabal expressed his opinion, stating that he had asked the Municipal League to provide policies that they would consider reasonable. He agreed that he believed that a citizen displaying a “No Soliciting” sign or sticker is within his or her legal rights. He said there has been no acceptable time for soliciting given by any Supreme Court decision that he could find.

Mayor Edwards recommended that Council recommend the City Attorney to do more research and come back to Council with a new recommended policy. Mr. Rabal asked for some guidance from Council. He recommended that a new policy be narrowly tailored and supported by articulable facts. There was discussion among the Council.

Police Chief Cody Harper shared his perspective from a Law Enforcement standpoint.

Council recommended that City Attorney Brian Rabal fashion an ordinance allowing for solicitation from 9:00 am to “sunset” as published by NOAA. Mayor Edwards also stated that he will also look into ordering new stickers for the citizens. Council also recommended looking at the fees for the permits at this time as well. Rabal said he will review the facts and recommendations from this evening with the Mayor and Mayor’s Assistant, and will propose a new policy to the Council for their review and approval.

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

There was no action taken by Council.

(16) Other Business –

- **Chamber of Commerce Update** – A Chamber of Commerce update was provided by Josie Reed.

(17) Announcements -

- **5/20/2025 – Planning Commission Meeting @ 6:00 PM**
- **5/29/2025 – Community Engagement Meeting @ 5:30 PM**
- **6/03/2025 – Planning Commission Meeting @ 6:00 PM**
- **6/10/2025 – City Council Meeting @ 6:00 PM**
- **6/17/2025 – Planning Commission Meeting @ 6:00 PM**

(18) Adjourn -

Wendy Henson made a motion to Adjourn at 7:35 PM with a 2nd from Josie Reed. All Council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk