

**MINUTES
(CORRECTED)
GOSHEN CITY COUNCIL
January 8, 2019**

1. CALL TO ORDER: Cathy Oliver, Mayor, called the regular meeting of the Goshen City Council to order on January 8, 2019 at 6:30 p.m. at Goshen City Hall.

2. ROLL CALL AND DECLARATION OF QUORUM: Paula Anderson, Angie Driver, Bill Hewat, Colton Martin, John Vaillancourt and Birch Wright were present for roll call, and Cathy Oliver declared a quorum. Charles Harwell, City Attorney, and Sharon Baggett, Recorder/Treasurer, were also present.

3. APPROVAL OF AGENDA: Sharon Baggett reported that it had been requested by the applicant/presenter that Items "A" and "B" under City Business be postponed until a later meeting. A motion was made by Paula Anderson, with a second by Bill Hewat, to approve the agenda as amended. All voted in favor and the motion carried.

4. APPROVAL OF MINUTES OF DECEMBER 11, 2018 MEETING: In reviewing the minutes, Birch Wright asked about Item "5A" regarding the timeframe for any follow-up action on the non-conforming use of a recreational vehicle. It was reported that the RV in question had been removed from the property. He also asked about Item "5C" in regards to the fee for a fireworks variance. It was confirmed that a \$50 fee would be charged to anyone granted a fireworks variance. Birch Wright also brought up Item "5E" in regards to approving the 2019 budget by February 1st. He explained that due to the fact that he had just received the budget at 1:18 today and the lack of time to review the figures, he was not prepared to vote on the budget at this meeting. He asked if the Council should call a special meeting to address the budget. Sharon Baggett apologized for the delay in sending the revised budget and explained that the new Mayor, Cathy Oliver, and city staff had worked the past several days, including nights and over the weekend, to finalize the numbers. She stated that the revised budget had been sent the previous night, but that she had reformatted it to an easier-to-understand version, which was the one to which Birch Wright was referring that had been sent earlier that day. Birch Wright stated that he appreciated the work, but was not comfortable voting on the budget at this meeting since he had not had a chance to review it. He also asked about Item "7" in regards to bonuses for city employees. It was explained that no action was taken at that meeting. A motion as then made by Paula Anderson, with a second by John Vaillancourt, to approve the minutes as transcribed of the December 11, 2018 meeting. All voted in favor and the motion carried.

5. CITY BUSINESS:

A. CUBICLES FOR OFFICE SPACE: John Vaillancourt stated that there had been previous discussions regarding adding office space at City Hall and he wanted to bring forth the fact that he could facilitate obtaining \$3,000 worth of cubicles for under \$500. There was a short discussion regarding the city's current need for the cubicles, and John Vaillancourt reiterated that he wanted the Council to know they were available.

B. RESOLUTION APPROVING 2019 BUDGET: The Council discussed the 2019 budget presented to the previous Council with a few revisions recommended by new Mayor, Cathy Oliver. Paula Anderson

brought up vacant positions in the city, such as Code Enforcement Officer and Flood Plain Administrator. She also mentioned the Building Official and the part-time office position and stated that one option to consider would be to bundle those two into one position to work 30 hours a week. It was mentioned that the Code Enforcement Officer and Building Official could be combined into one position. It was agreed that a decision did not have to be made tonight and further research could be done on combining some of the positions. Cathy Oliver stated that she was not opposed to options, but would like to have another month to think about them. Charles Harwell reminded the Council that revisions could be made to the budget throughout the year as needed. It was agreed to go ahead and review the budget at tonight's meeting.

It was noted that all of the line items on the budget were explained to the new Council at an orientation session on January 3, 2019. Cathy Oliver then asked Sharon Baggett to go over the line item figures in the proposed 2019 budget. In reviewing the income, the Council agreed to the following increases: (1) City's 1% sales tax to \$20,000; (2) Sales and use tax to \$210,000; and (3) Road tax to \$22,000 and adjusted accordingly in both income and the expense to transfer the funds to the street fund.

In reviewing the expenses, Sharon Baggett pointed out that engineering fees under professional services had been reduced from \$15,000 to \$5,000. She and Cathy Oliver explained that if a capital improvement project was needed, the engineering fee would more than likely be considered and approved as part of that project. Additionally, it was pointed out that the Mayor's spending authority was limited to \$5,000, and any amount in excess of that would have to come back before the Council for approval.

After discussion, it was the consensus of the Council to raise the expense for maintenance of the Generac generator to \$2,000 because of the issues that continued to be experienced with the generator. It was noted that \$2,500 had been approved in the 2018 budget, but the needed repairs and maintenance had not been done. Also, under office expense, the Council agreed to increase subscriptions/dues to \$1,000.

There was discussion regarding the Building Official position. Cathy Oliver stated that she learned this past Friday that the current Building Official, Jeff Hutcheson, worked full-time for another city. It was noted that he also served in the same capacity for perhaps two other cities. It was pointed out that the Recorder/ Treasurer's office provided a great deal of support and clerical work for him. There were comments concerning the fact that he was not available at City Hall to meet with contractors, and also, discussion regarding justification for the compensation he received. Cathy Oliver pointed out that the City did not have a written contract with him. There was discussion regarding whether this needed to be addressed tonight. Cathy Oliver suggested that this be left as a separate line item and that this be revisited next month. Birch Wright asked if the job would be posted if the Council chose to go in another direction. Cathy Oliver answered that it would definitely be posted, and further stated that if the Council would be coming back to approve the budget, she would have more information by then.

In going over the expenses for the Recorder/Treasurer, Sharon Baggett pointed out that she did not request an increase in salary because her preference was to get additional office help in order to decrease her hours. She reported that Lora Nanak, Office Manager, was currently working approximately 40 hours a week. Birch Wright stated that, if Sharon Baggett wanted to cut back on her hours, it might be a possibility to combine the planning work she was doing with the Building Official's duties, and potentially office help. Sharon Baggett stated that it was certainly something to consider and would be entirely up to the Council. Bill Hewat brought up the positions of Zoning Official, Flood

Plain Administrator, and Code Enforcement Officer. Sharon Baggett reported that she had also been doing most all of the duties of the Zoning Official for some time. Cathy Oliver asked Charles Harwell how the Council could assist her with the process of combining/filling these positions outside a public meeting and not violate the FOIA. Cathy Oliver said that she would come up with two or three scenarios for the next budget meeting for the Council to review.

Paula Anderson suggested increasing the salary for planning services to \$13,000, but Sharon Baggett suggested that it be left at the \$12,000 until a decision was made regarding the position. In regards to the salary of the Office Manager, Sharon Baggett asked that this be increased to \$17.45 per hour and that the annual total be increased to \$36,000 to allow her to work approximately 40 hours per week.

There was considerable discussion regarding the salaries for the Police Department, and in particular, annual leave, overtime, holiday pay and compensatory time. Cathy Oliver stated that she had discussed all of these with Chief Mike Ball and compiled a list with information addressing holiday pay, vacation time and comp time. She then explained the information, and each item was followed by discussion. In regards to holiday pay, it was agreed that holiday pay was included in each officer's salary; however, if an officer worked on any of the ten holidays recognized by the city, he/she should receive additional compensation at their normal rate of pay for that day. Sharon Baggett agreed to calculate the expense for the additional holiday pay and add as a line item on the budget. As far as vacation time, Cathy Oliver stated that the current policy provided that they were allowed to carry over 40 hours of annual leave until April of the following year. It was the consensus of the Council that this should be extended to carry over until December 31st of the following year. Cathy Oliver pointed out that there had been confusion in the past concerning compensatory time because there was an email from the former mayor stating that comp time would be calculated based on 106 hours per pay period; however, the policy adopted by Ordinance 130 stated that the police would receive no compensatory pay. She stated that she had found that 86 hours was the threshold before law enforcement began accumulating compensatory time. The Council also discussed carry over of comp time and the accumulation of that time in addition to accumulated annual leave time. The Council agreed that a police officers should earn compensatory time calculated at 1.5 hours for each hour worked over 86 hours during a two-week period, and also, each officer may carry over 40 hours of compensatory time until December 31st of the following year. It was also agreed that the officers would each receive the 5% salary increase over the previous year. In reviewing other Police Department line item expenses, Sharon Baggett pointed out that fuel for each officer had been reduced, and also, their health and dental insurance had been adjusted.

Sharon Baggett continued to go through the line items on the budget. It was agreed to leave the part-time office expense at \$10,000 at the present time, and also, to add \$1,200 for recycling program expense. In discussing the election expense in the amount of \$5,157, Sharon Baggett explained that this was an expense for 2018; however, it had been left off of last year's budget. She asked that the Council go ahead and approve this expenditure so she could remit payment. A motion was made by Paula Anderson, with a second by Bill Hewat, to approve the expenditure for the election expense. All voted in favor and the motion carried. In reviewing the street fund budget, the Washington County road tax income was increased to \$22,000 as discussed previously in the meeting.

There was discussion regarding going ahead and approving the 2019 budget with the revisions discussed. However, after further consideration and since all of the budget figures were not finalized, the Council agreed to hold a special meeting on January 15, 2019 at 6:30 p.m. to address the 2019 budget. Sharon Baggett reminded them that the City was operating under an interim budget.

Birch Wright made a motion, with a second by John Vaillancourt, to make the revisions discussed earlier to the police officers' salaries retroactive back to January 1st once the budget is adopted. There was discussion regarding the fact that no payroll checks had been issued so far this year, so Birch Wright amended his motion, with a second by Bill Hewat, to approve the Police Department salaries to include a 5% pay increase, as well as implement the policies discussed earlier regarding holiday and compensatory time and for these to be effective January 1, 2019. All voted in favor and the motion carried. Paula Anderson then made a motion, with a second by Birch Wright, to increase the rate of pay for the office manager to \$17.45 per hour effective January 1, 2019. All voted in favor and the motion carried.

6. REPORTS FOR DECEMBER, 2018:

A. FINANCIAL REPORTS: Written reports, including a budget spreadsheet for 2018 and a CD spreadsheet, were presented and reviewed. Sharon Baggett reported balances of \$396,587.28 in the general fund and \$109,889.72 in the street fund for the year ending December 31, 2018. She explained that one check issued as a refund of a donation to the Police Department had been returned to the city; therefore, the check had been voided and an adjustment made in the general fund in December. It was pointed out that the appointment of a Council member to the Depository Board would be on next month's agenda.

B. POLICE DEPARTMENT REPORT: Written reports were presented and reviewed. Mike Ball asked if the compensation for working on holidays would be paid during that pay period or in a lump sum at the end of the year. The Council agreed that this would be expended during the pay period.

C. STREET REPORT: Cathy Oliver reported that a Street Committee, consisting of Russell Stroud and Tom Hennelly, had been formed and that she would be meeting with these individuals in the next few days to discuss some of the street issues that needed to be addressed.

D. REPORT FROM GOSHEN VOLUNTEER FIRE DEPARTMENT: A written report was presented, and Steve Weir summarized the report.

E. PLANNING COMMISSION REPORT: Sharon Baggett reported that December had been one of the slower months, but that she already had three requests that she was working on this month.

F. BUILDING OFFICIAL'S WRITTEN REPORT: A written Building Official's report was presented and reviewed.

7. REPORTS/COMMENTS BY MAYOR, CITY COUNCIL, CITY ATTORNEY OR RECORDER/TREASURER: As a follow up to a letter and discussions by the previous Council regarding the discharge of firearms around the twin bridges, Paula Anderson brought up the need to install signage in that area. She stated that she had contacted Andy Bethell, who owned property adjoining the river, and he had agreed to allow the city to also put up signs on his property. It was pointed out that the installation of signage was approved by the previous Council, but it was never done. After some discussion, it was agreed that the signs should be put up. Mike Ball explained that when the police department received complaints about the discharge of firearms in that area, the way the city's ordinance was written and unless they are shooting in an unsafe manner, there was nothing he could do. Cathy Oliver stated that perhaps the City should review the ordinance and suggested that this be on next month's agenda for discussion purposes only.

Paula Anderson asked about the process for codification of City ordinances. Charles Harwell stated that he would obtain information from the Arkansas Municipal League and this could be put on next month's agenda.

Colton Martin asked about repair to the east bridge on Paul Pray Drive. It was noted that this would require specifications, and more than likely, be required to go through the bidding process. Cathy Oliver stated that this could be discussed at the next meeting.


Cathy Oliver stated that residents in Waterford had inquired as to whom they should call about non-emergency law enforcement issues. She asked that these calls not go to the police officers' cell phones on nights and weekends, but to the Goshen Police Department at 479-443-7171. She reported that if no one answered in Goshen, it would roll over to the Washington County Dispatcher, or residents could call the Dispatcher directly at 479-444-5712. She stated that the Goshen Police Department's phone number would be made more visible in the future on the City's web site.

8. PUBLIC INPUT: Dick Seddon asked about the status of the traffic count study on Highway 45, as well as the speed limit. It was confirmed that the Highway Department had been contacted and a traffic count and speed limit study scheduled. Dick Seddon also asked if anyone had mentioned the potholes on the highway, and Cathy Oliver stated that she would find out about repair of these. Max Poye commented on the fact that the engineering fee had been reduced on the budget and suggested that it be increased. Zeb Rone thanked the Council for the changes to the Police Department policies, and stated that since the policy in place said non-uniform officers, he thought the benefits should be made retroactive. When asked by a member of the audience, it was confirmed that all city council meetings were public. There were comments made about limiting public input, and also, the police officers being on call. Bernadette Boyle asked about FDIC insurance and any effect this had on the City's certificates of deposit. It was clarified that the City had a collateral agreement for funds that exceeded the \$250,000 limit.

9. ADJOURNMENT: There being no further business, a motion was made by Bill Hewat and seconded by John Vaillancourt to adjourn the meeting. All voted in favor and the meeting adjourned at 9:30 p.m.



Sharon Baggett
Recorder / Treasurer



Cathy Oliver
Mayor