

**MINUTES
GOSHEN CITY COUNCIL
SPECIAL MEETING
May 28, 2019**

1. CALL TO ORDER: Cathy Oliver, Mayor, called the special meeting of the Goshen City Council to order on May 28, 2019 at 6:25 p.m. at Goshen City Hall.

2. ROLL CALL AND DECLARATION OF QUORUM: Paula Anderson, Angie Driver, Bill Hewat, Colton Martin and John Vaillancourt were present, and a quorum was declared. Birch Wright was absent. Brian Hogue, City Attorney, was present. Sharon Baggett, Recorder/Treasurer, was absent.

3. APPROVAL OF AGENDA: Cathy Oliver stated that she would like to add a resolution to amend Resolution 2013-3 as Item "F" under City Business. Lora Nanak, Office Manager, stated that Sharon Baggett had requested that the Council approve an expenditure for engaging the services of a certified Quickbooks accountant, and it was noted that this could be added as Item "G" under City Business. Paula Anderson made a motion, with a second by John Vaillancourt, to approve the amended agenda. All voted in favor and the motion carried.

4. CITY BUSINESS:

A. REQUEST FOR DEVIATION TO CONSTRUCTION PLANS (STREET LIGHTS) – RIVERSIDE ESTATES: Kevin Riggins, developer of Riverside Estates, explained the reason for the deviation. Loren Shackelford, Chairman of the Planning Commission, stated that the Commission had voted at their meeting to recommend that the Council approve the deviation. Bill Hewat made a motion, with a second by John Vaillancourt, to approve the request. All voted in favor and the motion carried.

B. REQUEST FOR REZONING FROM R-1 RESIDENTIAL TO RR RURAL RESIDENTIAL ON BEHALF OF OWNER, DAVID T. BAILEY TRUST – 679 TUTTLE ROAD – PARCEL #770-17540-001: It was noted that this request had been heard at a special meeting of the Planning Commission just prior to this meeting. John Vaillancourt made a motion, with a second by Bill Hewat, to approve the rezoning request. All voted in favor and the motion carried. Brian Hogue reminded the mayor to allow public input, which she did at that time. There was no public comment. Cathy Oliver then asked for a voice vote again. All voted in favor and the motion carried.

C. REQUEST FOR CONDITIONAL USE PERMIT ON BEHALF OF OWNER, DAVID T. BAILEY TRUST – 679 TUTTLE ROAD – PARCEL #770-17540-001: Loren Shackelford stated that the Planning Commission had voted to make a recommendation to the City Council to approve this conditional use permit subject to the following five terms: (1) A landscape design plan will be submitted and approved by the Planning Commission to address Sections 4 and 5, specifically street-frontage buffering and adjoining-property buffering. Also, onsite parking should be noted and screened as part of this landscape plan. (2) Commercial lighting plan will also be submitted and approved by the Planning Commission to show the locations of the light fixtures and verify full cutoff of the fixtures as stipulated in the Lighting Commercial Design Standards. (3) Hours of operation will be limited to 7:00 a.m. until 7:00 p.m. Monday through Friday. (4) There will be no on-site retail sales associated with this applicant on this property. (5) Storage of refuse and/or plant waste material will be limited to short-term storage only, with short-term

being defined as less than seven days. When asked, the applicant confirmed that they would not be storing ammonia nitrate on the property. Cathy Oliver then opened the meeting for public input. It was brought forward that there were 23 petitions from residents of Tuttle Road and Wandering Way who were not in favor of approval of this application. It was reported that there were two additional oppositions, making the total 25. The applicants answered questions, and Loren Shackelford gave additional input explaining the position of the Planning Commission. There was discussion regarding the applicant meeting the requirements and contingencies recommended by the Planning Commission. A motion was made by John Vaillancourt, with a second by Bill Hewat, to approve the conditional use permit subject to approval by the Planning Commission of those requirements and contingencies. The public was allowed to again make comments. A voice vote was taken. All voted in favor and the motion carried.

D. RESOLUTION APPOINTING ZONING OFFICIAL: It was reported that Lora Nanak had agreed to serve as the Zoning Official in addition to her existing duties. Cathy Oliver stated that the Council could go into executive session to discuss remuneration. A motion was made by Bill Hewat, with a second by John Vaillancourt, to go into executive session. All voted in favor and the motion carried. The Council went into executive session. The meeting reconvened, and a motion was made by Bill Hewat, with a second by Angie Driver, to appoint Lora Nanak as the zoning official and to give her a one-time appreciation bonus of \$500. Cathy Oliver then asked if this would be a gross bonus of \$500 or a net bonus after taxes of \$500, and Bill Hewat confirmed that she would net \$500 after taxes. When requested to do so, Bill Hewat amended his motion to appoint Lora Nanak as the zoning official. John Vaillancourt seconded the motion. Brian Hogue then advised that the Council may want to move to read the resolution that is on the agenda, either in full or by title only. Bill Hewat then made a motion to read the resolution that is on the agenda by title only. John Vaillancourt seconded the motion. Brian Hogue advised Cathy Oliver that a voice vote was sufficient. All voted in favor and the motion carried. Brian Hogue then read the title of the resolution and advised Cathy Oliver that a motion to pass was in order. Bill Hewat made a motion, with a second by Angie Driver, to adopt the resolution. All voted in favor and the motion carried. Paula Anderson made a motion, with a second by Angie Driver, to give a one-time bonus of \$500 post-tax as a way to show appreciation to Lora Nanak and the service she would be providing. All voted in favor and the motion carried.

Brian Hogue told Cathy Oliver that this next item was not on the agenda, and Cathy Oliver stated that this ordinance was what was decided in the executive session. She started explaining by saying that when the Council comes out of executive session, they must state, but she was interrupted by Brian Hogue, who advised that they needed to take action if there was any to be taken based on the discussions. Paula Anderson stated that based on discussions, they had decided to take action on the ordinance entitled, "An Ordinance Removing Planning Function Duties from Sharon Baggett and Appointment of Northwest Arkansas Regional Planning Commission to Perform Planning Function Duties." Bill Hewat stated that he seconded the motion. Paula Anderson stated that they now needed to adopt the ordinance. Brian Hogue stated that Bill Hewat had seconded a motion, but there was not necessarily a motion made. Paula Anderson then explained her statement and said that this action would be taken as a result of the executive session. John Vaillancourt made a motion, with a second by Angie Driver, to read the ordinance by title only. Cathy Oliver called for a voice vote, but Paula Anderson stated that a roll call vote should be taken. Paula Anderson, Angie Driver, Bill Hewat, Colton Martin and John Vaillancourt voted in favor and the motion carried. Brian Hogue then read the title of the ordinance. Angie Driver then made a motion, with a second by Bill Hewat, to move to suspend the rules and waive the second and third readings. A roll call vote was taken. Paula Anderson, Angie Driver, Bill Hewat, Colton Martin and John Vaillancourt voted in favor and the motion carried. Cathy Oliver then

asked for a motion to adopt the ordinance. Bill Hewat made a motion, with a second by Angie Driver, to adopt the ordinance and pay a rate of \$50 per hour to Northwest Arkansas Regional Planning. Cathy Oliver asked for a roll call vote. Someone asked at this point if public input was required, and Cathy Oliver stated that she had forgotten about public input. Paula Anderson, Angie Driver, Bill Hewat, Colton Martin and John Vaillancourt voted in favor and the motion carried. Angie Driver made a motion, with a second by John Vaillancourt, to enact the emergency clause. A roll call vote was taken. Paula Anderson, Angie Driver, Bill Hewat, Colton Martin and John Vaillancourt voted in favor and the motion carried. There was discussion regarding salary paid to Sharon Baggett, and also, the planning items that were pending.

E. APPROVAL OF BUDGET FIGURES FOR POLICE DEPARTMENT HOLIDAY PAY AND OVERTIME PAY FOR COVERAGE OF VACATION, SICK TIME, INJURY TIME, ADMINISTRATIVE LEAVE AND TRAINING : After some discussion, a motion was made by John Vaillancourt, and seconded by Angie Driver, to approve \$20,000 in the 2019 budget as a worst case scenario for overtime pay to cover for vacation time only. When asked, there was no public input. All voted in favor and the motion carried. There was further discussion regarding whether this \$20,000 was for overtime pay for vacation, sick time, injury time, administrative leave and training. It was noted that this figure was requested for coverage for vacation time only. Colton Martin then stated that this would at least be a starting place and could be changed.

F. RESOLUTION AUTHORIZING A THIRD DISBURSING OFFICER TO SIGN CHECKS: There was discussion regarding how many signatories and who to add as a signatory to sign checks. A motion was made by Colton Martin, with a second by Bill Hewat, to add John Vaillancourt as a third disbursing officer to sign checks. No vote was taken on those motions. Angie Driver made a motion, with a second by Bill Hewat, to read the resolution by title only. All voted in favor and the motion carried. Brian Hogue then read the title of the resolution. A motion was made by Bill Hewat, with a second by Colton Martin, to adopt the resolution. Cathy Oliver clarified that this would be adding John Vaillancourt giving him the authority to sign checks. All voted in favor and the motion carried.

G. EXPENDITURE FOR QUICKBOOKS CERTIFIED ACCOUNTANT: Lora Nanak stated that Sharon Baggett had requested this expenditure. She explained that there had been recent issues with the Quickbooks software in regards to adjustments for payroll liabilities and balancing those liabilities. After some discussion, a motion was made by Colton Martin, with a second by John Vaillancourt, to approve up to \$300 on engaging the services of a Quickbooks certified accountant to assist with the issues with the Quickbooks software. All voted in favor and the motion carried.

5. REPORTS/COMMENTS BY MAYOR, CITY COUNCIL, CITY ATTORNEY OR RECORDER/TREASURER:
There were no additional comments.

6. PUBLIC INPUT: There was minimal public input.

7. ADJOURNMENT: There being no further business, a motion was made by Colton Martin, with a second by Bill Hewat, to adjourn the meeting. All voted in favor and the meeting adjourned at 8:10 p.m.



Sharon Baggett
Recorder / Treasurer



Cathy Oliver
Mayor