

**MINUTES**  
**GOSHEN CITY COUNCIL**  
**November 12, 2019**

**Call to Order:** Mayor Cathy Oliver called the regular meeting of the Goshen City Council to order on November 12, 2019 at 6:30pm at Goshen City Hall. Alderman Paula Anderson was absent.

**Roll Call and Declaration of Quorum:** Those in attendance were Colton Martin, Birch Wright, Angie Driver, John Vaillancourt and Bill Hewat. Brian Hogue from Hogue Law firm was also in attendance. *For the record* Alderman Angie Driver has moved back to Goshen Ward 3 and asked to withdraw her resignation. At the last Council meeting no vote was taken accepting Angie Driver's resignation; legal counsel by the Municipal League and our attorney advised she may return to her Council position.

**Approval of Agenda:** Angie Driver's name was added under roll call. A few items are being deleted and/or delayed from the Agenda due to Josh Bailey of Hogue Law Firm having had a death in the family and he was unable to complete the paperwork for the meeting, these items include: "E" Sales Tax Discussion, "G" Revision to Subdivision Regulations, and "I" Vacancy in Alderman Position. Birch Wright made a motion to approve the amended Agenda, 2<sup>nd</sup> by John Vaillancourt. Motion passed 5-0

**Approval of Minutes:** A correction was made to the October 8, 2019 Minutes: The Boy Scout Flag Pole item had an addition of "no vote was taken" in reference to allocating funds to assist Adam Ledzinski's Boy Scout project up to 50% of cash funds he and his troop are able to raise. Brian Hogue stated that the Resolution created incorporates this amendment. Birch Wright made a motion to accept the amended Minutes, 2<sup>nd</sup> by John Vaillancourt. Motion passed 5-0.

**Reports for 2019:**

**Financial Reports:** The Office Manager, Lora Nanak was absent; Mayor Oliver presented. The ending balance in the general fund is \$613,866.93. The ending balance in the street fund is \$47,931.96. Financial Reports are in your packets. Mayor Oliver would like to schedule a Special Meeting to discuss items that were delayed from tonight's Agenda as well as a budget workshop, the Special Meeting will be open to the public. The Budget reports will be emailed out to Council by November 16<sup>th</sup> for review prior to the Special Meeting. The Special Meeting will be held November 25<sup>th</sup> at 6:30pm.

**Police Department Report:** Chief Mike Ball presented; written reports are in your packets. Several Officers were sick and on vacation during the month of October. Drug take back yielded approximately another 20lbs. Trunk or Treats was a huge success. In your packets are the top 3 In Car Camera quotes per Council's request. Also included in your packets is information on the top 2 GPS trackers. State Bid for the Dodge Durango replacement vehicle is \$31,087.00, upfit total is \$10,336.44, with a grand total of \$42,344.00, this amount is \$275.00 less than the previous Durango. Insurance will cover \$16,625.00 Less the deductible of \$1000.00. The department was able to salvage the radar, radios and light bar on top. The cost to replace the vehicle plus the upfit amounts to +/- \$25,798.44. Bill Hewat made a motion to allow the vehicle be replaced for approximately \$25,798.44 with the upcharge, including the insurance which has been received, 2<sup>nd</sup> by John Vaillancourt. Motion passed 5-0. Birch Wright made a suggestion to Chief Ball that video and/or GPS be put on the budget request for next year.

**Street Report:** Russel Stroud stated that there is not a lot to report. Hale has some limbs down, stop sign is also down, and a truck tore up the ditch on Hale Rd. A resident sent a Thank You letter for work that was done to the roads. Goshen does not have a gravel cover so we had trouble spreading gravel; Mayor

Oliver will look into putting a gravel cover on the budget. We were unable to get our chat out last night but Washington County was called and they were able to get chat out on Tuttle Rd. Jeff Hawkins has sent a letter to the AR Department of Transportation, Mayor Oliver read the letter in its entirety. The letter requested that a study be taken of hwy. 45 from State Highway 265 to Eastern Goshen including turning lanes, intersections, and access management. Residents are not complying with the Ordinance regarding aprons on driveway; JD Demotte is working on this. Mr. Stroud requested a list of all address of new construction from 2014 to present and he will pull all the permits to verify if residents are in compliance.

**Report from Goshen Volunteer Fire Department:** Reports are in your packets.

**Planning Commission Report:** Bernadette Boyle, Planning Liaison, reported that the information in your packets is a combination of August, September, and October due to not having had a Planning Commission meeting during these months.

**Building Official's Report:** JD DeMotte's reports are in your packets, he stated that census reports are up to date.

## City Business

**Resolution to change Zoning Official:** We are changing the Zoning Official from Lora Nanak to Bernadette Boyle in order to spread out some of the office responsibilities. Brian Hogue has the resolution with him tonight. Bill Hewat asked if there was extra cost associated with this change, Mayor Oliver stated that there is compensation for the new appointment but that it is not outside the budget allocated for the part time position. Mrs. Boyle works closely with NWA Regional Planning. Brian Hogue pointed out that Section 3 of the Zoning Regulations specifies what the Zoning Official's role and enforcement authorities include. Mr. Hogue also pointed out that NWA Planning does not get to make decisions for the city of Goshen, their decisions are made based on information provided by us. Bernadette would like to attend a work shop to obtain more knowledge about this position. Mayor Oliver entertained a motion to accept the Ordinance. Birch Wright made a 1<sup>st</sup> to read by title only, 2<sup>nd</sup> by Angie Driver. All voted in favor. Brian Hogue read the title of the Resolution (Resolution providing for the designation and approval of the Zoning Official of the City of Goshen, AR). A motion was made by John Vaillancourt to adopt the resolution as it is written, 2<sup>nd</sup> by Bill Hewat making Bernadette Boyle the Zoning Official. Motion passed 5-0.

**Recycle Contract Review:** An automatic renewal will take place on December 1, 2019. The cost for the recycle service is \$200.00 per month (\$100.00 to the agency and \$100.00 a month to have someone run the event). A vote is not needed to continue the contract. A citizen stated that a couple hundred people use the service each month. Bill Hewat wants to make sure due diligence is done to see if its really worth the \$200.00 a month. We have a new web site advertising the recycle day. The contract will automatically renew for one more year as no vote was taken to cancel the contract.

**Jail Fee Ordinance:** Brian Hogue stated that Josh Bailey had drafted an Ordinance accepting the per capita lump sum rate in lieu of paying the daily jail rate, the Ordinance is in your packets. The Statute states that in order to charge an additional \$20.00 per arrest, as previously discussed, we would need to have a district court in our town which we do not. Birch Wright made a motion to accept the Ordinance to read in title only, 2<sup>nd</sup> by Bill Hewat. Roll call vote was taken; Colton Martin, Birch Wright, Angie Driver, John Vaillancourt and Bill Hewat voted yes. An Ordinance authorizing the Mayor of Goshen to enter into per capita jail fee agreement by and between the City of Goshen and Washington County AR. John Vaillancourt made a motion to suspend the rules and waive the 2<sup>nd</sup> and 3<sup>rd</sup> reading, 2<sup>nd</sup> by Bill Hewat. Roll call vote was taken; Colton Martin, Birch Wright, Angie Driver, John Vaillancourt and Bill Hewat voted yes.

The Jail Fee will be for the coming year and will most likely be reevaluated after the census. A motion was made by John Vaillancourt to adopt the Ordinance, 2<sup>nd</sup> by Birch Wright. Roll call vote taken; Colton Martin, Birch Wright, Angie Driver, John Vaillancourt and Bill Hewat all voted yes. Birch Wright made a motion to adopt the emergency clause, 2<sup>nd</sup> by Bill Hewat. Roll call vote was taken; Colton Martin, Birch Wright, Angie Driver, John Vaillancourt and Bill Hewat voted yes.

**Boy Scout Flag Pole Resolution:** A Resolution is in your packets. Birch Wright made a motion to read in title only, 2<sup>nd</sup> by John Vaillancourt. All voted in favor. Brian Hogue read the Resolution. John made a motion to adopt the resolution, 2<sup>nd</sup> by Birch Wright. All voted in favor

**Small Wireless:** All of the wireless carriers are trying to expand to 5G networks which will require new infrastructure. Goshen needs to be aware of this upcoming expansion in order to protect the aesthetics and safety issues before the development gets underway. Josh Bailey plans to draft an Ordinance for Council's review.

**Update on Community Building:** Air conditioning duct work has been completed. Bill Hewat has not had a chance to retest for mold. We are done with everything, just waiting on the mold retest.

**Reports/Comments by Mayor, Aldermen, City Attorney**

**or Recorder/Treasurer:** Just under \$5,800.00 was raised for Officer Freeman at the fund raiser. Freeman is still on workman's comp. and has not been cleared to work so there is still no one in the part time officer position.

Council briefly discussed a 1% sales tax increase to go on the March 2020 ballot, the only cost to the city would be the advertisement in the newspaper for 3 consecutive days. If we wait until the May election it would be considered a Special Election and we would have to pay the entire cost of about \$5,000 - \$7000. Brian Hogue stated that Josh Bailey will prepare an Ordinance to get this on the March ballot. There are many areas in our city that the extra money could be used, for example: a future park, our streets, a full-time person to mow and maintain the streets, etc. Bill Hewat and Birch Wright feel that we need the money earmarked for a specific project; they requested an itemized needs list showing where the money is needed. This does not need a vote but the Council can advise on what they want. Mayor Oliver will bring this to the Special Meeting on November 25<sup>th</sup>. Council stated they were all on board to get this on the March ballot. A list of city funds allocation can be made public before the election takes place.

**8. Public Input :** Citizen wanted to talk about an issue that was stricken from the agenda, Subdivision Regulations.

Regional planning is working on the 2020 census.

A concern was raised about the gravel on Wyman Rd. at hwy. 45 and it was stated that it is the homeowner's responsibility to have it removed.

The 35mph sign will be posted on Wyman Rd. tomorrow.

Citizen wanted to know about the long-term plans with the Community Building. We are going to continue to use it once it is deemed free of mold.

**9. Adjournment:** A motion by John Vaillancourt, 2<sup>nd</sup> by Birch Wright to adjourn the meeting. Motion passed 5-0. Meeting adjourned at 7:48pm.

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Linda Moore  
Recorder

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Cathy Oliver  
Mayor