

MINUTES
Goshen City Council
January 14, 2020 at 6:30pm
Goshen City Hall

Call to Order: Mayor Cathy Oliver called the meeting to order at 6:30 pm at Goshen City Hall

Roll Call and Declaration of Quorum: Those in attendance were Colton Martin, Birch Wright, Angie Driver, John Vaillancourt, and Bill Hewat. Mayor Oliver declared a quorum. Also, in attendance was the city attorney, Josh Bailey; the Office Manager, Lora Nanak, and the Recorder/Treasurer, Linda Moore. Paula Anderson was absent.

Approval of Agenda: Mayor Oliver made three changes to the agenda: 6. "B" will be a resolution instead of an ordinance. 6 "F" will be changed to Elkins Court Fees. 6 "G" will now be City Hall Remodel. Birch Wright made a motion to adopt the amended agenda, 2nd by John Vaillancourt. Motion passed 5-0

Approval of the December 10, 2019 Minutes: Bill Hewat made a motion to accept the December 10, 2019 Minutes as written, 2nd by Angie Driver. Motion passed 5-0

Reports for 2019/2020:

Financial Reports: Written financial reports were presented and reviewed. Mrs. Nanak reported balances of \$628,856.78 as of 12/31/2019 for the General Fund and \$66,943.18 as of 12/31/2019 for the Street Fund. Mrs. Nanak also informed council that their financial interest statements are in their packets and are due back to her by January 23, 2020.

Police Department Report: Chief Mike Ball presented a written report and verbally reviewed the report. Birch Wright thanked the officers for the Christmas event that the police held for the children.

Street Report: Engineer, Tom Hennelly, gave a report on the Paul Pray Rd. bridge: Mr. Hennelly said that we have a reasonable bid from Tomlinson Asphalt Co., Inc. in the amount of \$38,695.00, this bid is good for 60 days. Overtime we may want to consider putting in some concrete head walls. No guard rails are needed. Mr. Hennelly will take a look at the larger bridge on Paul Pray to see if it has any structural issues. A motion was made to accept the bid but was later withdrawn because we need to get competitive bids for this project because it is over \$20,000.00. Bill Hewat suggested getting a bid for several project as opposed to one project at a time, stating this may save us some money. Tom Henley will do a detailed scope report to give to the other companies in order to get their bids.

No need for a formal vote to move forward with getting 2 other bids.

We have a bid from Tomlinson Asphalt for \$6,865.00 to fix the pot holes on Sharp Rd., this is a 45-day bid. The City is going to see if these are pot holes we can fix ourselves or if we need to have them done by Tomlinson.

Mayor Oliver sent a letter to the Road grant people in regards to Goshen Tuttle Rd., Habberton Rd. and Sharp Rd. The grant is for \$250,000.00, if we get the grant it will be at least a year or more before they can come out and do the work.

Mr. Bowen talked about building a chat cover in the location where the chat sits right now. Mr. Bowen

suggested building a 6-foot-high stem wall on each side of the chat; Bill Hewat suggested building a smaller wall to save on cost, Mr. Bowen will get estimates for a large building and small building. Mr. Bowen also talked about clearing trees on Tuttle Rd. near the Baptist Church.

Report from Goshen Volunteer Fire Department: Reports are in council's packets.

Planning Commission Report: Bernadette Boyle, the Planning Commission Liaison, reported that there was no Planning Commission meeting held in January. There was only one project in December, it was a lot combination in Waterford that brought in \$200.00. Three other projects are pending.

Building Official's Report: J.D. Demotte reported that there were 30 inspections for December. Building permits are being sold, and the Drive Way Ordinances are being followed up on.

City Business:

Ordinance – Organization of Governing Body A.C.A 14-43-501: City Attorney, Josh Bailey, spoke about an Ordinance referred to as: Organization of Governing Body A.C.A 14-43-501 which establishes procedural guidelines of the governing body for the year. Mayor Oliver pointed out a correction that needed to be made on page 1, section B., item d. to read: Shall, no later than the January council meeting of each year, adopt a budget for the operation of the city. Attorney Baily explained that a lot of this is covered by state statue but that council has discretion as to how meetings are run and how items are placed on the agenda. Council raised some questions about required attendance and rules regarding voting, it was determined that a council member has to be physically present in order to vote so an amendment will be made to "G" on this ordinance. Council decided to vote on this ordinance, as amended, rather than wait until it is corrected next month. Birch Wright made motion to accept the Ordinance as amended to be read in title only, 2nd by Bill Hewat. A roll call vote was taken; Colton Martin, Birch Wright, Angie Driver, John Vaillancourt, and Bill Hewat. All voted in favor. The Motion Passed. Ordinance #181 An Ordinance of the City Code Regarding the City Council, its meetings, and Rules of their Proceedings. Birch Wright made a motion to suspend the rules and waive the 2nd and 3rd readings, 2nd by Bill Hewat. Roll call vote was taken; Colton Martin, Birch Wright, Angie Driver, John Vaillancourt, and Bill Hewat all voted in favor. Motion passed. Birch Wright made a motion to adopt Ordinance #181 as amended, 2nd by Bill Hewat. Roll call vote was taken; Colton Martin, Birch Wright, Angie Driver, John Vaillancourt, and Bill Hewat. All voted in favor. Ordinance #181 has passed.

A Resolution appointing three Park Commissioners: Included in Council packets are the bios of the three assigned Park Commissioners that Mayor Oliver has appointed; Chuck Jacobus, Chairman, Adam Walker, and Ken Smith, secretary. Ordinance 175 states that the Mayor of Goshen shall appoint three commissioners to the Parks and Recreation Commission, and City Council shall approve the appointed commissioners by majority vote. Ken Smith spoke about the goals of the Park Commission and their dedication to work with City Council and the Mayor to build some recreation opportunities for the families of Goshen. Cathy has been in touch with an organization that is willing to help us with grants for the park. A motion was made by Birch Wright to read in title only the resolution for the commissioners, 2nd by Angie Driver. All in favor. Attorney Bailey read Resolution No. 2020-01: A Resolution Appointing Three (3) Commissioners to the Parks and Recreation Commission of the City of Goshen, Arkansas. A citizen asked about putting designated park money back into the bank if we should get the grant. Birch Wright made a motion to adopt the resolution, 2nd by Bill Hewat. All voted

in favor. Mayor Oliver requested that the citizens who would like to receive a survey about the park supply their email address before leaving the meeting tonight.

Resolution amending Flagpole Resolution #2019-15: There was an error in the calculation on the original resolution; this resolution amends the incorrect resolution. Adam Ledzinski and Troop 102 will complete construction of the flag pole this Saturday and on January 20th at 11am the Troop and Color Guard will do a ceremony to raise the flag. City Recorder will make sure the dedication day is posted on our web site. Birch Wright made a motion to read the Resolution in title only, 2nd by John Vaillancourt. All voted in favor. Resolution #2020-02: A Resolution Amending Resolution No. 2019-15 Approving the Construction of a Flagpole on City Property by Eagle Scout Troop 102. Birch Wright made a motion to adopt the resolution, 2nd by Bill Hewat. All voted in favor. Resolution 2020-02 has passed.

Ordinance Amending Ordinance #130 with Respect To Law Enforcement Holiday Pay: Birch Wright made a motion to revise the agenda item "D" under City Business to read Ordinance Modifying Holiday Pay of Law Enforcement, 2nd by Bill Hewat. This Officers will be paid their statutory pay in December as opposed to being prorated. Holiday pay for officers is further explained on the budget. Bill Hewat made a motion to read in title only, 2nd by Birch Wright. Roll call vote was taken; Colton Martin, Birch Wright, Angie Driver, John Vaillancourt, and Bill Hewat. All voted in favor. Motion passed. Ordinance #182 An Ordinance Amending Ordinance No. 130 With Respect to Law Enforcement Holiday Pay and To Declare an Emergency and For Other Purposes. Bill Hewat made a motion to suspend the rules and waive the 2nd and 3rd readings, 2nd by John Vaillancourt. Roll call vote was taken; Colton Martin, Birch Wright, Angie Driver, John Vaillancourt, Bill Hewat. All voted in favor. Motion passed. Bill Hewat made a motion to adopt the ordinance, 2nd by John Vaillancourt. Roll call vote was taken; Colton Martin, Birch Wright, Angie Driver, John Vaillancourt, and Bill Hewat. All voted in favor. Motion passed. Bill Hewat made a motion to enact an emergency clause, 2nd by Birch Wright. Roll call vote was taken; Colton Martin, Birch Wright, Angie Driver, John Vaillancourt, and Bill Hewat. All voted in favor. Ordinance #182 has passed.

2020 Budget Review: The 2020 Budget has been emailed out to Council. Mayor Oliver made a change to the amount under Parks for grant purposes and to the amount under Police based on above changes before Council gave their input.

Josh spoke about the Fair Labor Standards Act and its requirements in regards to how it applies to our police officers. Mayor Oliver has an email that explains all of this if anyone wants to review it. John Vaillancourt made a motion to adopt the 2020 budget resolution 2020-03 with amended changes discussed, 2nd by Birch Wright. All voted in favor.

Bill Hewat did not purchase a zero-turn mower as discussed at the December City Council meeting because there was an issue of safety with using a zero-turn mower on hills around the city and the old mower was not traded in because the representative from Kubota said it is actually a tractor and not a mower.

John Vaillancourt made a motion to read in title only, 2nd by Birch Wright. All voted in favor. Resolution 2020-03: Resolution Adopting the 2020 Budget. John Vaillancourt made a motion to adopt the resolution, 2nd by Bill Hewat. All voted in favor.

Elkins Court Fee Discussion: An email from the Elkins Mayor is included in Council's packets. Elkins is increasing the percentage they charge Goshen for using their court services to 60% of Salaries for Court Clerks, Judges, and court related expenses. Goshen has the option to hold their own court. Mayor

Oliver has reached out to Springdale to see if they would consider hearing our tickets, we are awaiting their response. If Springdale says “no” then Goshen is in a position to have to negotiate with Elkins. Bill Hewat made a motion to reject Elkin’s interlocal proposal, 2nd by Angie Driver. All voted in favor. Mayor Oliver will go to Mayor Ledford and tell him that Council has rejected his proposal.

City Hall Remodel: A diagram of the remodel is in Council’s packets. Mayor Oliver said that we have tried several times to get a grant for the remodel but have been continually denied. We plan to move forward with the remodel and will have to move the City Council meetings to the Community Building. Council gave their approval to move forward with the competitive bidding for the remodel project and hopes to have some of those bids back by next month’s City Council meeting.

Reports/Comments by Mayor, Aldermen, City Attorney: The sales and use tax vote is coming up in March; if it passes our sales and use tax will increase by 1% making it a total of 2% sales and use tax. Angie Driver suggested getting flyers made that will educating the public on the use of the 1% increase if it passes, for example; the Police Department improvements, road improvements, city hall improvements and a city park. We could also put this information on our City website.

Public Input: A citizen suggested including a link on our website that shows the Sale and Use Tax increase ballot explaining what a “yes” vote means.

A citizen voiced a concern about mowing around Goshen on a regular basis; Mayor Oliver said that we are working on getting someone to get that done.

Tomlinson Asphalt gave a \$1,400 bid to fix the dip on Firetower Rd. that was caused when a contractor cut across Fire Tower rd. to bring water across to a resident. We have gone through the Surety Insurance Co. with hopes to have the insurance bond pay for the repairs.

Adjournment: John Vaillancourt made a motion to adjourn the meeting, 2nd by Bill Hewat. All in favor. Meeting adjourned at 8:44pm.



Linda Moore
Recorder/Treasurer



Cathy Oliver
Mayor