

## Garfield Regular City Council Meeting April 10, 2019

The Garfield City Council met in Regular Meeting on Tuesday, April 10th, 2019, in the Terry Warren meeting room.

Mayor Blackburn prior to opening the meeting; started with the Pledge of Allegiance, and a moment of silent reflection and/or prayer.

Mayor Blackburn called the meeting to order at 5:58 p.m.

Recorder-Treasurer Vining called Roll: Aldermen present: Barry Kitterman, Jim Teeselink, David Edwards and Scott Wassman. Also, present, Mayor Gary Blackburn, Recorder-Treasurer Teresa Vining and City Attorney Mike Bearden.

Council member Kitterman moved, seconded by Council member Edwards, to approve the March 12<sup>th</sup>, 2019 Regular City Council Minutes as presented. The roll being called, the vote was as follows: Jim Teeselink voted aye, David Edwards voted aye, and Barry Kitterman voted aye, Scott Wassman aye. Motion passed.

Council member Teeselink moved, seconded by Council member Wassman, to approve the March 12<sup>th</sup>, Special Forum Minutes covering Sunday Sales, as presented. The roll being called, the vote was as follows: Jim Teeselink voted aye, David Edwards voted aye, and Barry Kitterman voted aye, Scott Wassman aye. Motion passed.

Council member Wassman moved, seconded by Council member Edwards, to approve the special Forum Minutes, regarding Ordinance #180, as presented. The roll being called, the vote was as follows: Jim Teeselink voted aye, David Edwards voted aye, and Barry Kitterman voted aye, Scott Wassman aye. Motion passed.

Scott Borman General manager of BWRPWA presented with concerns pertaining to City Ordinance #180. recently (3/26/2019) passed. Mr. Borman said Ordinance #180 impacts the BWRPWA water storage tank project on Blueberry Lane in Garfield, this Ordinance has brought the project to a halt. Mr. Borman said the Ordinance puts their new tank project on hold due to the weight restrictions and trailer sizes. Mr. Borman stated they cannot mobilize work equipment to the site and stay in compliance with the City Ordinance #180. Therefore, Benton Washington Regional Water has offered several options to the City of Garfield to help mitigate the traffic concerns on Blueberry. The BWRPWA offers to help mitigate the traffic issues by installing steel plating across Blueberry Lane to protect the water line that crosses it, they will install construction barricade fencing along Blueberry Lane in front of the houses of concern, in the project specifications they also will cover dust control, they also offer to purchase DOT warning signs regarding heavy truck or construction traffic for installation on Blueberry Lane, and Mr. Borman will notify Benton County Sheriff office of when large volume of trucks were expected during the foundation pour, pedestal pour, and steel delivery, they also made an offer to have a \$100,000 Surety Bond issued between BWRPWA and the City of Garfield to help ensure that if damages occurred on Blueberry Lane and those damages were not corrected by BWRPWA and / or their subcontractors, funds would be available to the City of Garfield to make the repairs, also suggested by BWRPWA at the pre-construction meeting was that Garfield establish and post a 25 mph speed limit on Blueberry for the construction period. This way BCSO has an enforcement tool if there are problems. As it stands right now, the BWRPWA water storage tank project cannot proceed under Garfield Ordinance #180 because of the

specified non-standard weight and trailer sizes specified by Ordinance #180. Mr. Borman said BWRPWA sees four options.... The first being they request that the City of Garfield grant to BWRPWA and their Contractor, a Special Permit or Waiver to the requirements of Ordinance #180 and allow them to operate at standard Arkansas DOT load weights and sizes, the second option being the City of Garfield City Council repeals Ordinance #180 in its entirety, the third option; BWRPWA and its Contractors attempt to operate under Ordinance #180 knowing that it will result in a significant project cost increase to BWRPWA and its customers, maybe logistically impossible with heavy equipment deliveries such as crane and earth moving equipment, and will result in doubling the amount of concrete and material delivery trucks necessary to complete the project, and the last option would be entering into litigation with the City of Garfield regarding Ordinance #180 and the subsequent cost impact to BWRPWA. Mr. Borman said the roads are secondary to the safety of the citizens that live there. Mr. Borman said he will have a half hour window placed, Monday-Friday in the morning and afternoon to protect the children that walk to the bus on that road. He said that they will so this the safest way possible, he will make sure there will be the Sheriff Dept. and Highway patrol to do spot checks with scales, and a project inspector will be on site at all times to make sure specifications of the project are being followed. Mr. Borman stated that, Landmark Construction who got the bid for the project, are very safety conscience and diligent.

Council Member Wassman moved, seconded by Council Member Teeselink, to repeal Ordinance #180. The roll being called, the vote was as follows: Jim Teeselink voted aye, David Edwards voted aye, Barry Kitterman aye and Scott Wassman voted aye. Motion passed; Resolution #180 repealed.

Water Clerk Stacy Thompson presented with the water report for the month of March. Mrs. Thompson distributed graphs to the Council displaying daily meter reads. Water loss was not accurate for the month due to estimates being done, since the installing of the meters took place during normal meter reading time. Mayor Blackburn, said there was a large amount of water loss due to a leak at Pea Ridge Military Park. Once the contractors fix the line, the Park has stated they will help reimburse the City for the water loss.

Code Enforcer Scott Wassman reported on March permits. Mr. Wassman said it's that time of year when work is picking up. He emphasized how important it is for citizens to pick up their permit applications at City Hall before doing any kind of work on their property, once they complete it, he will do the inspection within 2 weeks and make sure it is safe and up to code before presenting the Citizen with the Permit. Once you receive the approved permit from the City, you can then move forward with your project. He said due to Benton County taking aerial views, the City has to have permits for any improvements on City property to present to the County. Governor Asa Hutchinson passed Bill 1624, for cities of second class, now cities are responsible for their local building inspection process.

Planning Chairman Jeff Dodson reported on the Planning Commissions March meeting. He thanked Mayor Blackburn and Council Member Teeselink for attending the March meeting. They passed a lot split, they voted, adopted and signed the Garfield Boundary map. Mr. Dodson said he is in need of a legal definition of a Master Street Plan, he is working with the NWARPC on this issue, so the Planning Commission can be informed. They received the Verizon Wireless cell tower plan and it is tabled until Verizon supplies their completed application and supported documents. The Planning Commission has scheduled a public forum for Thursday April the 25th, The public forum will be to discuss changes to Zoning Ordinance #153, to reflect that residential areas can be reduced to one half acre, provided the

lot passes a perk test. They adopted the Arkansas State Hwy. road classification system, the City of Garfield has three, and at this time they are looking at reclassifying North Wimpy Jones road. BWRPWAs new tower was discussed, the commissioners are concerned about the damage it will cause to Blueberry. The commission also discussed the Public Restroom for Hamilton Park and they will not be moving forward with that project. However, the Park trail will be done, and then there will be a 10-year Park anniversary, with celebration of the new trail. Mr. Dodson also thanked the Mayor for protecting the birds in the City Park. Mayor asked if they have reviewed Ordinance #34 & #72 and Mr. Dodson said he is making sure these two Ordinances are up to State guidelines by getting the Master Street plan definition and waiting on a response from Mr. Jeff Hawkins before moving forward with this project.

Mr. Bearden asked if Verizon was paying their franchise fees to the City of Garfield.

Council member Edwards moved, seconded by Council member Teeselink, to approve the March 'monthly' financials for General, Street and Water as presented on the Statement of Revenue and Expenses as; The roll being called, the vote was as follows: Jim Teeselink voted aye, David Edwards voted aye, and Barry Kitterman voted aye, Scott Wassman aye. Motion passed.

Mayor Blackburn presented with copies of all City Permits and Applications. He said since the City has to pay for Code Enforcement for all Permits as well as administrative fees, and the changing law; permits will involve the assessment of fees. Therefore, he asked the Council to study the documents, as well as what dollar amounts, they may want to assess for each Permit, if any; and then schedule a Special Public Input session, to hear the Citizens input before they considering passing the Permits and Fees. Council Member Kitterman moved, seconded by Council Member Edward's to wait until after the Public forum before moving forward with the new Forms and Fees. The roll being called, the vote was as follows: Jim Teeselink voted aye, David Edwards voted aye, and Barry Kitterman voted aye, Scott Wassman aye. Motion passed.

Mayor Blackburn presented with the 2019 first quarter financial Reconciliations. After review and discussion; Council Member Edwards moved, seconded by Council Member Wassman to approve the January-March 2019 Quarterly Reconciliations. The roll being called, the vote was as follows: Jim Teeselink voted aye, David Edwards voted aye, and Barry Kitterman voted aye, Scott Wassman voted aye. Quarterly Financial Reconciliations passed.

Spring Clean Up discussed and Scheduled for May 11<sup>th</sup>. 2019.

Mayor Blackburn Presented with Suzan Holts City Website renewal contract with Azure Post. Council Member Edwards moved, seconded by Council Member Edwards to approve the contact renewal as presented. The roll being called, the vote was as follows: Jim Teeselink voted aye, David Edwards voted aye, and Barry Kitterman voted aye, Scott Wassman voted aye. Contract approved; Motion passed.

Mayor Blackburn presented the Privacy Act; Ordinance #130 that is required by law to be reviewed annually. The Council reviewed the Ordinance and updates. After review and discussion; Council Member Wassman moved, seconded by Council Member Edwards to accept and approve amended Privacy Act Ordinance #130. The roll being called, the vote was as follows: Jim Teeselink voted aye, David Edwards voted aye, and Barry Kitterman voted aye, Scott Wassman voted aye. Amended Ordinance #130 passed.

Mayor Blackburn presented with the Official City Ward Maps for the Councils review and records.

Mayor Blackburn said Council Member Teeselink brought up a local Citizens for recognition, for her improving the quality of life in the City of Garfield; Ms. Evie Comfort. She takes in the stray animals around Garfield and takes care of them until owners are found and/or a good home is located for them to be placed in. After discussion the Council decided that a Short Story be written and Highlight it for a month on Social Media and the City Webpage, as well as a present her with a Certificate of Appreciation signed by the Mayor and endorsed by the Council; framed then presented to Ms. Comfort and possibly posted in the Paper.

Council Member Wassman moved, seconded by Council Member Kitterman to adjourn the meeting at 7:14 p.m., after roll being called, motion passed unanimously.

Passed and approved this 11<sup>th</sup> day of April, 2019.

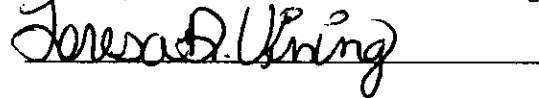
Gary Blackburn, Gary Blackburn; 4/11/19

Approved, Mayor Gary Blackburn

A handwritten signature in cursive script, appearing to read "Gary Blackburn", written over a horizontal line.

Teresa D. Vining, Teresa D. Vining; 4/11/19

Attested, Recorder-Treasurer Teresa Vining

A handwritten signature in cursive script, appearing to read "Teresa D. Vining", written over a horizontal line.