

**MINUTES(Revised)**  
**Goshen City Council**  
**March 14, 2023 at 6:30PM**  
**Goshen Community Building, 244 Clark Street**

**Call to Order:** Mayor Stroud called the meeting to order at 6:30PM.

**Roll Call:** Colton Martin, John Vaillancourt, Paula Anderson, and Shawn Mayfield were present. Jamie Van Becelaere and Birch Wright were absent. City Attorney Brian Hogue and Mayor Russell Stroud were present.

**Approval of Agenda:** The agenda was reviewed. We have a motion by John Vaillancourt to approve the agenda and a second by Colton Martin, all those in favor 4, all those opposed 0. The motion carried.

**Approval of Minutes:** Approval of the minutes for February 14, 2023 with amended Bank Balances, Gen Fund \$1,485,719.78, Street Fund \$435,386.61, Police 988 Fund \$3,305.49, Ark Fun Park Grant \$75, 031.03and ARPA Funds Account Closed. We have a motion by John Vaillancourt to approve the amended minutes and a second by Shawn Mayfield. All in favor Yeah, 4 all those opposed 0, motion carries.

**State of the City Address: Mayor Stroud**

The state of our City of Goshen is good. We are financially secure, we have a clear vision for our future, our citizens are vested in our city, we have a new park to be proud of, we have one of the most beautiful cities anywhere in the country, and we are proud to call Goshen our home.

The transition since January has not been easy for this administration. I was met with requests for my resignation as Mayor within my first 3 days in office from two Councilpersons, then being forced to make a decision about terminating a second city employee within my first two weeks as Mayor. These implications were overwhelming. While I understood the Council's discontent with these decisions regarding personnel, they never came to me to ask my reasons for the termination of the City Office Manager. The Council never called for an executive session nor requested information leading to the decision to terminate the City's Office Manager. Then, on day 10 in office, I received notification that a petition was circulating from four councilpersons calling for my removal from office. I have made copies of these if you would like to read these for yourselves. They are available on the table next to the Parliamentarian.

Yet, I continue to WANT to work with each and every person on our City Council as long as they are willing to work with me. I have no intention to resign as Mayor. I was elected by the Citizens of Goshen to be Mayor, and I intent to do this to the best of my abilities. We, as Mayor and City Council, should work together respectfully and for the good of our citizens.

Despite the ordinances created to limit my ability to adequately function as Mayor and to staff City Hall, this administration has paid all taxes on time, completed payroll with little issue, has received payments at City Hall, continued to receive building permits, requests for minor subdivisions, lot line adjustments, supported the Planning Commission, the Parks Commission, and many more daily functions of City

business. The work never stopped. As the only office employee, newly-hired Ms. KaSeana Williams was now tasked to function as the city's new Office Manager by default. While I assisted her in keeping the city running smoothly, I could not have kept City Hall functioning without her. Yes, there were a few learning curves and it was not easy to succeed, but we have succeeded and are now on a path to improve the overall functioning of City Hall.

We have successfully hired a new HR director and Zoning Official, Ms. Alisha Willis, who also happens to be a practicing attorney. We have identified broken processes that are inefficient and outdated. We have re-evaluated contracts with trash providers and pest control services, re-negotiating these to save the city over \$4,000 for 2023. As we learn and grow in our positions, we recognize gaps in processes and continue to work to repair these gaps. As Goshen grows, so will our needs as a city, and this will cause changes to occur in our day-to-day operations.

We have called for a state legislative audit, which officially started yesterday. The auditors initially came on February 22<sup>nd</sup>, gathering some documents and information, but have now returned to complete the audit. We will be working diligently to get through this audit and we look forward to its completion.

We have not forgotten about our citizens and we know they are the reason we are here doing the work for the city. Customer service will remain a priority for all employees with the City of Goshen. We want to hear from our citizens, and we want to assist them in any way we are able. So, let's work together to move forward with city business in a positive and productive manner! Let us not focus on our individual differences. Let's support one another like I know Goshen has always done. Together, we are strong. Divided, we fail our constituents and the great city we all call home.

### **Reports for February 2023**

#### **Hillside Homes Driveway Variance**

Hi my name is Caleb with hillside homes we're here to try to get a variance 41111 Riverpointe Rd., this lot is in a cul-de-sac we're trying to get a driveway variance because on both sides of the lot, there's a driveway that is directly within probably 5 to 10 feet of the property line so either way we have the house facing were going to need a variance. We also have the house push back about as far as we can to allow for the septic fields to work on the side of the cul-de-sac. This was also presented to The Planning Commission. The Planning Commission thinks at this time, this probably should be allowed. They have very little option. The POA did sign off on it though. Colton Martin made a motion to approve the variance and second by John Vaillancourt all those in favor yeah (4) all opposed (0) Motion carried

**A. Police Department Report:** Chief Travis reported. Info in packet.

Betty Nichols asked any new hires? Chief Travis no we're in the process of doing interviews.

**B. Street Report:** Mayor Stroud presented

We spread mulch from the front of the walking trail to the creek. Spread one load of gravel at the main park entrance. Burned large brush pile at the park. Cut out fence and cleared an opening at the back gate of park for equipment to be hauled into the park. Picked up brush along some of the roads after the storm. Mayor Stroud dug out a blocked culvert on Goshen-Tuttle with his tracer-hoe allowing the water to divert properly under the street, preventing additional water flow towards Anderson's Store. Patched 9 potholes on Firetower and Hale. Identified locations of all street culverts for future clean out. As per Councilwoman Paula Anderson request from the November City Council meeting. I was asked to determine the process for getting a road "Chip and Sealed" off Goshen Tuttle. I found out it is only done April 15<sup>th</sup> to September 15<sup>th</sup> and that it works well for an initial surface for prior graveled roads, but is not good option for roads that have has prior "Chip and Seal" with years of wear and tear. Any area of the road with buckling or ripples will likely still be present after an additional coat of "Chip and Seal". Replace bolts on snowplow/replaced bent arm. Patched roof of City Hall to stop leak (every rain).

**C. Report from Goshen Volunteer Fire Department: report in packet**

**D. Planning Commission Report: Tom Hennelly presented**

We only had two things on the agenda this month and one was the variant you just heard. The other thing that we had on the agenda wasn't even required to be reviewed by the Planning Commission, it was subject to the subdivision regulations. I wanted it on the agenda anyway so that I could get all the Planning Commission members eyes on the plat to make sure that nothing got missed because sometimes I get rushed or staff gets rushed and we don't always catch everything on the plats, and so that kind of stimulated some conversation about things that could be approved administratively whether they even need to be put on the planning commission's agenda and whether any planning commissioners even need to see it. You know it's just check the box and have staff approve it. That's one thing we wanted to discuss another thing that we are going to be discussing here in the coming months is adjacent property owner notification. We don't do that now and I think it's important particularly if it's a zoning issue that people that have property adjacent to the property being applied for can come up here and air their grievances or show their support or whatever they want to do. Paula Anderson asked so you're referring to notifying whenever there is a property use change or it may be, because I thought we did have some notifications. Tom there may be a clear requirement for notification but there are no checks on the notification there's no green cards that get turned in, there's no affidavit. Paula it's likely that it is in our Regs somewhere that we do have because I just know that whenever we've had them in the past the I've seen indications of it. It may very well be out there and that kind of brings me to another, we did a good job I think with the subdivision regulations but I think we need to expand that a little bit into a unified development code that the subdivision regulations cover obviously what is required of a subdivision there's some commercial design standards and landscaping in there but there's a whole host of other things procedural how somebody gets something approved that sort of thing that I think can be that is probably in there but it's hard to find and is not very clear so we're going to be reviewing that and then the other thing is fire review we've done several tandem lot splits and that's sort of thing where there's a long access drive that runs to a back piece of property that you know we always make the statement that the driveway needs to be able to support a 75,000 pound fire engine and they OK thanks and we never see them again we have no idea if they just dump some SB2 on that driveway or you know what they may have done and they're really the day that house is on fire and they try and get that engine down there and get stuck it's going to be a problem so I don't know whether we can maybe use

the County Fire Marshall to supplement the volunteer I don't know how all that works but it'd be worth maybe talking to the board about it. Mayor Stroud, so I started using Anthony Harbor for any building permit that we get for him to review before we actually sign off on a building permit OK I mean we maybe we need to go to the county as well but I've been using him so far somebody just needs to take a look at the at the engineering numbers on the let us know who Anthony he's the Fire Chief for the addition Volunteer Fire Department OK yeah sorry anyway that's all I got unless you guys have any questions for me. Cheryl Nimmo: I have a question about the roads that you just mentioned what about the city street road going up to your driveway I mean because like Nimmo lane I don't think that it's up to code yeah that's driveway is and that's really out of our realm because it's an existing condition I think it'd be councils place to maybe address that but new roads we review that and make we asked for that street to be renamed so that we could access our house there was just gravel dumped on top of it used to be a road bed so it may be OK but I think there was just some loads of gravel dumped on top. Mayor Stroud I can look into it. Thank you, Tom.

#### **E. Building Official's Report: J.D. DeMontte presented**

During the month of February, I did 19 field inspections, several were finals on homes some other projects that were final inspections. Including some slabs and new starts. It was a slow month due to rain and being a short month.

#### **F. Financial Report:**

CD's & Money Market Accounts: Marjorie Vaillancourt presented, As of February 28, 2023, Legacy CD \$126,243.20, First National Bank \$10,050.41, Signature Bank CD \$120,017.00, and Encore Bank Money Market \$120,766.81. Totaling \$377,077.42

Bank Statements Mayor Stroud presented, balances as of February 28, 2023: General Fund \$1,453,230.00, Street Fund \$442,026.00, 988 Fund \$3306.12, Arkansas Fun Park Grant closed & ARPA Fund closed. Sales Tax summary: January 2023 \$41,149.00 & February 2023 \$36,778.00 it was a shorter month. Year to date \$77,927.00 on sales tax. No update on the sales. Chuck is working in the Sales tax. Paula Anderson: what is the Wex Payment? Chief Travis: Fleet(fuel) cards, Paula: R&R Truck & Trailer Mayor Stroud: hopper repair, Paula: Ball enterprises Mayor Stroud City Hall & Community Ctr. housekeeping. Mayor Stroud renegotiated dumpster fee from \$275.00 a month to \$135.00. Mayor Stroud changed Pest Control from monthly to quarterly, monthly is not needed

#### **G. Parks and Rec. Report: Adam Walker presented.**

**Carbon Reduction Fund Grant Application** The city of Goshen "will not" receive a carbon fund grant for 2023. Most of the remaining funds for 2023 likely will be awarded to the city of Rogers and Springdale for school sidewalk projects. Chuck Jacobus as Goshen's representative on a grant review team toured each of the six project sites. Though Goshen scored well and had support from other area municipalities, Rogers and Springdale appeared to have most of the support among those touring the project sites including the NWA Planning Commissioner leader. Mayor Stroud provided lunch at Ponchos for the municipal team. Goshen was encouraged not to pursue a carbon reduction grant application but use the TAP grant for its second project phase through the NWA Regional Planning Commission. Chuck recommends focusing on AR DOT again for phase 2 and to impressing the highway staff with progress by keeping on schedule and costs.

**AR DOT TAP Fund Application** AR DOT has opened the 2023 grant application year for TAP and RTP projects. AR DOT issued a March 1st press release. The Goshen Parks and Recreation Commission (PRC) will request council approval for a second grant (phase 2) to finish the ADA trailway/Emergency and Maintenance Access Path project. Grant application will require a council resolution, like last year's application. PRC likely will request the resolution at the April council meeting. The grant application is due June 1, 2023. Key to being successful with the phase 2 application is to be well underway with the current TAP grant.

The PRC also is requesting council approval to amend the existing (phase 1) contract with Crafton Tull for construction oversight and environmental services such as review/compliance. The requested amendment is necessary as the current contract (scope of work) is complete after the project is bid and a contractor is recommended to the city.

**State Outdoor Recreation Grant Update** the PRC met with Charles Hudson, Hudson Appraisals, Inc., to discuss a US PAP appraisal at Mill Branch Park, parcel#: 770-17551-000. The US PAP appraisal is required by the state and once completed and submitted the appraisal must be verified by AR DOT. The appraisal should be completed the week of March 12th. Mayor Stroud signed the project agreement with the state outdoor recreation grants program.

Additionally, the PRC is having the remainder of Mill Branch Park, three parcels totally about 75 acres, surveyed to determine boundaries and acreages of each parcel. An accurate survey is necessary for remaining acquisitions through awarded state and federal grants.

**RFQ for Mowing/Baling of City Property** A public notice appeared in the NW ADQ on February 26, 2023, Sunday, page 7F, column 9. Notices also were posted onto area Face Book sites and at city buildings. Interest/qualification statements will be received through March 31st, noon. Five+ parties have expressed interest in response to the public notice.

**Park Damage – North Boundary Line** the PRC met with Mr. Tyler Royal, the owner of the property bordering the north boundary of Mill Branch Park. The commission noted the lack of progress on restoring the damaged area. Silt fences have not been installed. The slope has not been re-graded. Debris remains on park land. Mr. Royal said his crew did not complete the silt fencing because they could not hammer the wooden stakes into the rocky site. Mary Smith of the Arbor Board had Wesley McGinnis provide an estimate (\$1,800) on re-grading the slope and removing debris. Mr. Royal said he would cover the costs outlined above. Other details are being worked on including replanting that also have costs.

#### **Other Business**

The PRC has ordered disc golf for Mill Branch Park.

Many people have asked if swings can be added to the play gym. The commission has asked RJR Enterprises about ideas for a swing set component to the play gym and cost estimates.

In coming weeks old wire fencing will be removed along Mill Branch. Improvements are underway for improving the south entrance into Mill Branch Park - culvert, gravel, posts, and gate. Mr. Ron Russell, owner of the property, supports the improvement

**H. Arbor Board Report:** Betty Nichols presented

You all have a print out in your packets, so I'll read the highlights. Thank you, Mayor, for recognizing all the awesome volunteers on March 1<sup>st</sup>, that came and got rid of all the mulch and help spread it all over. We also had the paper here and there are some pictures that were in the papers March 2<sup>nd</sup> edition. April 1<sup>st</sup> we are having an Easter Egg Hunt at Mill Branch Park, Marilyn Maya is handling this. They're doing it from 1-3: 00pm. and so any volunteers please contact Marilyn. We are going to have the Goshen Arbor Day Celebration on Friday April 14<sup>th</sup> at City Hall. There's a new program with the Urban Forester and the Department of Agriculture and they are doing the events giving us 200 seedlings. They will have it set up on the grounds of City Hall. Goshen Arbor volunteers are going to be there to hand out the seedlings. It will be 9:00 to 11:00 am.

### **Old City Business**

#### **A. 2022 Budget Finalization-Legislative Audit: Mayor Stroud presented**

We at this point are still waiting for the legislative audit to finish. We have a letter of engagement from the legislative audit they started yesterday. They came to get some information on the 22nd but they sent the Auditor back yesterday and he will be here until it's complete. I would be able to finalize the 2022 budget and have it ready to present next month

#### **B. Repeal of ORDINANCE 209-Limiting Spending-Violates State Law:**

Ordinance 209 and that should be in your packets. Brian: discussed this briefly last month if you recall after a review of an old ordinance well you all amended an old ordinance that was ordinance #30 that pertained to the spending limits of the mayor that after reviewing that in conjunction with the applicable statute that conflicts with what the statute allows the council to regulate which would be the process of spending money but not the limits of it so. This ordinance repeals ordinance 209 that you all adopted maybe in January and repeals the section in ordinance #30 that pertains to this issue. John, are you saying that all these years that we've had this. Brian, I don't know when thirty was adopted but yes, John and then we increased it a few years ago, yeah so there we are all that time. Brian, if you all want to adopt it tonight you would have to obviously suspend the rules and go through those motions to have this read tonight and adopt it tonight. Paula I'll make a motion to suspend the rules and reading in title only, the ordinance repealing ordinance #209 and waiving the second and third reading. John Vaillancourt seconded the motion.

### **Roll Call Vote**

Paula Anderson Yes

Colton Martin Yes

Shawn Mayfield Yes

John Vaillancourt yes

The motion carried.

Hogue read: "An ordinance repealing ordinance #209 and a portion of ordinance #30 as it pertains to spending limits of the mayor"

I'll make a motion to adopt the emergency clause made by Paul Anderson second by Colin Martin.

### Roll Call Vote

Paula Anderson Yes

Colton Martin Yes

Shawn Mayfield Yes

John Vaillancourt yes

The motion carried

### **C. Land Acquisition HUD funds: Mayor Stroud presented.**

We have been approved through the \$880,000 for the HUD grant that we received part of that grant requires us to fill out several things but one of which is what we're going to do with that \$ 880,000 dollars \$660,000 will be for the land acquisition of the land that's there that 50 acres that we're planning on purchasing that some of that money leftover there's been talked about what should be done with that what we would like to do is to try to pay for some of the other project fees that we've encouraged with that money as well as using some of that money to actually do some of the infrastructure on the actual park itself correct me if I'm wrong is that correct Chuck yes OK so that would take us down to utilizing almost all of that fund there would be a little bit leftover that we would if we are able to expend that, we would try to build facilities like bathrooms at the park. Paula- do we have this in writing anywhere as to what you're suggesting. Mayor Stroud no because we haven't created the budget for it. That's part of what we want your input is to what I mean there's a couple of options you know we can use this to pay for if you look at this agreement here owner engineer agreement with Crafton Tull so part of this is the primary contract that we did for the engineering with them to do the engineering for the initial ARDOT grant. We can use the initial part but we can use it for the amendment which is the \$ 31,200 but then also we could use that for the infrastructure bringing the park up to what we call the center of the park up by the old chicken house pad. Paula how much acreage do we have after we've got that will 30 acres that already purchased is that correct and then we've got the 50 acres so that leaves us with 19 acres with the matching fund grant OK so the matching fund so complete the purchase of the park OK so the 50 acres were talking about finishes the rest of the park. The other thing Parks Commission had talked about was some of that money could be utilized as well to build basketball court and to do swing sets behind the community building and call this an accession of the Mill Branch park right, so what we're looking from you guys is how would you like to see that money spent there's another option to buy 4 acres next to the park but my feeling is that four acre lot between Debbie McDonald and Ron Russell which is just up here on the left hand side of Firetower is way overpriced they want \$250,000 + 30% to cover their and it's 4.7 or 4.8 acres and so I don't think that's the best utilization of those funds so I think that getting the access into the park make sure we get that road fixed. To be sure that we if we have money for facilities we do that or we build you know the playground at the additional basketball court and swing sets here and I can bring that you know I can actually send that out to the group if you guys would like and we can have input, I mean once we get those together I can give you options John: why don't you put the options down and mail it e-mail it out to us and putting input you all want to give you'll need to do it here and put it on the agenda for next month, Paula: but I think that we can also hear from the community members over the next month as to their input as well now that it's out here in the public meeting where people are hearing it. Yes, we can look at it ourselves each individually. Yes, and hear from our constituents. So, check correct me if I'm wrong isn't this pretty time sensitive. Chuck no I don't think it really is, it just depends on when you want to execute the buying of the rest of the park and that's the main thing if you want to execute the

buying of the park by next month you would have to have a budget in before that So what my recommendation is and I think Kens is to let the Commission come up with you know budget recommendations bringing to the council and then discuss what our rationale is and then you guys make a decision on what you want to do. Shawn but from a public input standpoint and we'll have a public meeting when we have our meeting so we get public input and we'll make a recommendation to you guys. Their meeting right the first Tuesday of April and if you and the community can disseminate this to the community as well, to get input as to what is wanted and needed by the community that's what we would like the following week. Cheryl Nimmo: so, what would be the purpose of buying that little four acres? Mayor Stroud so, the problem right now with the park is that the only access at this point besides the easement that Ron Russell gave us is that entrance off Hwy. 45, which is extremely busy it's kind of a hard to navigate even with the new construction that we're planning to get a new road built in there it's still going to be a busy access point and so we're trying to find an alternate access to the park. We're talking about putting a parking lot on the land on the other side of the road so people could park there and walk across the road. I mean why do we have to buy land; we are planning on building a parking lot at the park on this entrance. There is no entrance, it's a walk-in easement that Ron Russell gave us. It's a walking entrance we can use that as an easement to bring in and out equipment for the park for traffic and we are going to be improving that so that we have better access during the construction phase of the new road on the north side of the park so but at this time we don't have any actual property to be able to connect Firetower to the park for a road for public access road. Does that help yes OK. Debbie MacDonald: being one of the owners of the property that would connect to the park, we don't want all that foot traffic or parking right in our front door is there not property for you to purchase on the eastern most point of the park, that could gain access safer? It's a difficult conversation because I don't know that there's great access anywhere except off Hwy. 45 for the public. That's the back end of the Knoll's. So, I think we have a plan, go ahead some public comment, Chad: 2 things can highway 45 take another lane? That would be doing two lanes coming in. We haven't talked about that yet but that is the case we're bringing in two lanes with a with a wide enough area up there for 2 cars to pass and then I was also wondering does all that money have to be spent or can it be in a fund for later? Chuck: no it has to be presented to Hud in a budget once we agree and we present that money is very difficult to change the budget so we want to be we want to be clear about what we want and not change our mind although you can do it but it's very difficult to do it will be a long time process to get it done and we want to make sure that the budget we submit to them is what we really want. John: so, you're going to go over that in your meeting and then bring it to us. Yes, you'll bring us your final presentation and will have the public input correct, thanks John sounds like a plan.

#### **D. Washington County Regional Ambulance Authority: Tabled**

#### **E. Zoning Official/Building Permits/Certificates of Occupancy: Mayor Stroud presented.**

Around the 24th of February I received an e-mail from John Vaillancourt where we really thought that we had a zoning official and what I was finding was none of our zoning official documents had signatures. I think 2018 or 2019 when Bernadette Boyle became the zoning official. Then when Bernadette resigned her position, we really didn't have an official acting zoning official. We also changed our certificate of occupancy form to now have the zoning officials' signature and date and the building inspector signature and date. These are things we're cleaning up, so there in compliance with our ordinances and we know exactly how to address something with a violation of an order six years ago. I've looked at all our building permits over the last two years I've looked through all those files and none of those have been signed and the other thing that I kept finding on our certificates of occupancy we had under the section. They're in R3, it's not an actual zone in the city of Goshen

but almost all our certificates had R3 listed. It's either R1 which is residential or RR rural residential. we've got a new zoning map from the north or South original planning that's up on the wall so we can look and see where everything's at within the zone based on address so that's getting cleaned up.

**F. ARDOT Grant-Administrative Oversight -Crafton Tull: Luke Jost presented**

So, Crafton-Tull had initially put together the oversight agreement that we did would look at for the oversight of the ARDOT grant so the engineering fees and essentially what we would like to include with that not just the engineering fees I think you guys have the same document from Crafton-Tull the addendum but then there's also the oversight that will be able to oversee and supervise and oversee the construction for the Grant. Chuck, first thing you must do \$12,250 that environmental survey and then of course we must bid out the work and then they're going to supervise that and that's the bill for \$12,950. There's one more element and that is we obviously need a road in and they are they have they're going to charge us nothing they're going to use the money that's left over from the current contract to design the road in again so that's a \$0.00. Questions, Shawn, so they oversee it but the original estimates that they had in that particular agreement are just that it's not necessarily a bid it's just no this is just the supervision of the actual work that is being done to go to put the culvert over the Creek yeah it's not the bid for the work it's the that's what they're giving us is that the addendum for the bid to continue the project because the scope is bigger than what we originally had their services for yeah so we didn't put in the original contract to supervise the grant that we didn't know we were going to get, but we got the grant so now we got to do bids get people selected and then that the work that work is \$12,950 worth of supervision of them. Shawn, we had a previous document from them and that's what was trying to yeah so this is if you look at what's in your packet this is the basically the amendment so called modification of services amendment number one to owner engineering agreement and the back page of that just has the breakdown of the services that and the cost. So, they have spent all the money except for enough money to design the road this other money is in addition to that I mean they spent all the money we gave them first time. Do we vote on the services? Brian yeah, I was trying to find the ordinance in the ordinance it's 181 where the council organized of the body and that we renew that every year it clearly states in here that any contracts to be entered into must be approved by resolution before executed. The absolute cleanest way to deal with this is that we bring the resolution back at the April meeting and execute the contract after that's adopted. John yeah because we haven't voted. Chuck that means that all the work that we were going to get started on will not get started for at least another month in fact we have to complete that environmental survey and then we have to send that to ARDOT they have to agree that that we did it correctly and then they have to make an order for us well for bids so the issue that we're running into especially because we haven't got the agreement yet is that we don't want to miss the summer time when the Creek is low so I'm thinking that postponing it. John, we don't have any choice. Chuck, we have the contract and I think for engineering contracts if you do the resolution for the initial one but then you can do amendments without doing another resolution. John, we'll have to have our lawyer tell us yeah or nay. Mayor Stroud, If we don't have to have another resolution do you guys want me to sign this contract and move forward with this? Paula, let's just wait for an answer. Brain, yeah you all can vote on that and then go ahead and address the mayor's question because it may take him a while to find the answer to that. That's the question is that I have a contract you know that's here that requires my signature but I'm not going to sign until I have approval from you guys to sign this amendment to the agreement but that particular contract states for which piece of work right there this is for the added work of \$31,200 amendment one which would include the increased environmental services theme the construction administration yeah oversight of space show is this an addendum yes this is to the contract in the amendment one modification it's amendment number one modification additional service debuted performing the cost

amendment costly paid by the grant right that's what we're wanting to do unfortunately that that is not correct no they will not allow us to take that out of the ground design lot of supervision so this is the number one engineering correct and the modifications to that on the second page goodness that's at the bottom of page 31,200 correct I don't so it's a total fee increase of 31,000 and that's going to be coming out of our general fund budget because with the ARDOT grant that's what we have to pay I don't want to cost associated it's 80/20 but 20 plus yeah and I can tell you so this would be outside of what we what was budgeted already we have the money in the account if that's not the issue the issue is it wasn't actually budgeted ahead of I don't think this was going to be I know I don't have a problem approving it as an amendment but I would also like to go ahead and get a resolution to approve to make it official at the next meeting I mean we yeah I think that's belts and suspenders I think the fact that it's merely an addendum to the existing contract I think you all can go ahead and take action on it tonight but if you want me to bring back a resolution I certainly didn't get it well we can come in the budget later on do that first so I will well probably want to have a motion on the table and then let me make sure clear so you agree tonight on this then we can execute as soon as we get the agreement from ARDOT we can execute the environmental is that correct that's correct make a motion to approve the modifications and the amendment one to the services provided by a Crofton-Tull and associates and the amount of \$31,200 a motion made by Paula Anderson and the second by John Vaillancourt. All those in favor Yea (4). Motion carried.

## **8. New City Business**

**A. Driveway Variance 41111 Riverpoint Rd.** Discussed at beginning of reports

**B. I.T. Proposal by Critical Edge:** Shelly Marquis presented.

See packet. She will return to April's meeting with update.

**C. Proposed a new contract with ACEONE Technologies.** Mayor - This would be to update our website that has been so difficult to use and get items posted in a timely manner. One time design & development fee of \$2000.00, Yearly Hosting \$85.00 & Yearly SSL Certificate \$79.99. (See packet)

**D. Resolution appointing Zoning Official:** Mayor Stroud presented.

This resolution would be confirming the hire of Alisha Willis as Zoning Official, as well as Administrative Associate and Human Resources. Colton Martin made a motion to read the resolution by title only. Second By John Vaillancourt. All in favor Yae (4).

Brian: Resolution confirming the appointment of Alisha Willis as Zoning Official.

Colton Martin made a motion to adopt the resolution. Second by John Vaillancourt. All in favor aye (4). Motion carried.

**E. Resolution Appointing City Human Resources Director:** Mayor Stroud.

This resolution confirming Alisha Willis as Human Resources Director. Colton Martin made a motion to read in title only. Second by Shawn Mayfield. All in favor aye (4).

Brian: Resolution confirming the appointment of Alisha Willis as Human Resources Director.

Colton Martin made a motion to adopt the resolution. Second by Shawn Mayfield. Motion carried.

Public input: Cathy Oliver: does this mean the employee files will be turned over to Alisa? Mayor Stroud: yes, the files will be turned over, that's the way Ordinance 211 states.

**F. Resolution Adopting City Employees Handbook:** Mayor Stroud Tabled.

**G. New Hires/Vacancies/Applicants:** Mayor Stroud presented.

We have two new people coming on board, their resumes are in your packet. We have Lacie Lawson; she will be a parttime employee working at City Hall as administrative associate. We also have Alfred Bennett; he will be working parttime working with the street department. We have several applicants for the Police Department. Mayor Stroud and Chief Travis discussed the applicants are not comfortable with hiring anyone that is not Certified Officers. We are still receiving applicants.

**H. Improvements to Community Building/City Hall:** Mayor Stroud presented.

Last year we were supposed to replace this floor in the community building, that was not translated back over into the budget for this year. Can we move that money back to the community building for repairs this year? John, we'll have to look at the budget and see where we can derive it from. Mayor Stroud, when it was in the budget last year and it rolled over, we have \$300,000 plus some in excess this last year. Paula: right but that can only be spent on capital expenditures in the future. Mayor: but it was approved for last year and it didn't get done. Paula: the budget doesn't work that way. John: We'll just go back and look at the budget, see what we can do. Paula: the auditors will let you know that as well, that you know if something doesn't get spent in the previous year and you have the money left, if it didn't get spent you still have it whenever it rolls over unless you budget for it that year. Mayor Stroud, so why are we letting almost \$400,000 rollover without it being spent? Paula, well we can still spend that money on capital

expenditures. Which we do and we have, but again we don't know what those numbers are going to be on tax income. But we have been spending some of those on capital expenditures. The funds that are in the bank account that came from years previous we can only spend on capital expenditures. Mayor Stroud, that's my understanding as the mayor I need to really understand that I need to really be looking at our income and expenditures so that we can modify the budget as needed throughout the year. Paula: yes, Mayor Stroud, ok I mean that's what I need to know because what I feel like is what I'm looking at in the past is that I'm looking at the budget we have all these things that like the street fund last year you know we brought in \$200,000 from the street fund and we spent none, Paula: right but with the street funds whenever you're spending money on a road you can spend capital expenditure on those because you're putting that money into something that is a material thing owned by the city. Mayor: outside the street there's also things that were in the general fund last year that just rolled over almost \$400,000 in 2022. That didn't get spent that we needed done but just didn't get done. Again, the budget, make sure that these things need to get done. The citizens wanted done correct that we make sure those get done before that money rolls back over and we can only spend it on capital expenditures correct. John, there was opposition about moving ahead the flooring in this building. There were people who didn't want to do it without doing some other stuff first wasn't budgeted. it was budgeted and why didn't get done. I'm not sure but I think that there is money that was budgeted for improvements for buildings significantly less with the community building what was approved for last year. So that's one of the things I wanted to ask and then the other thing on, for the improvements to community building and the City Hall.

One of the things that the parks is recognized is that we have a playground out here now, we've got people that are utilizing the playground on a regular basis but we don't have bathrooms. One of the proposals that I would like to propose to the council is that we add an exterior door to this entrance to the bathrooms. and we think about adding on to the outside of this corridor here to open that up to the public on the outside of the building with an exterior door. I'd like to at some point get a bid and bring that back to the council. Paula: the issue you're going to have with that is this building is not used very often right now. If it starts getting used on a regular basis by people, we're going to quickly overuse our septic system that's here at the Community Center. My guess the septic system is here that's something. We must find out but

you know my recommendation. I'm not disagreeing with you I believe that. yes, we do need the bathroom facility but I think we would be better off putting a bathroom facility for the playground. To build a whole new one because and yes you could use capital expenditures for that but I think that also into the purview of our park folks and something for them to discuss by the park Commission before we start coming up with ideas here. We talked about it in the parks Commission. I think was down closer to the old chicken house, were talking about one on this side. We also need to consider that bathroom is going to have somebody to maintain it clean it check it and so it's not just that you got your bathroom and you're paying for it and you want it done. We need to find out how much that bathroom is going to cost us every month with water. We won't have sewer because it'll be septic. We'll have to have somebody that's cleaning and sanitizing and checking on it. Colton, we could go ahead with a porta potty it doesn't look good but it's a temporary solution. Actually I think this is a great opportunity for the parks Commission to weigh in and come up with a proposal for bathrooms for here as well as the other facility. Paula, we need to find out the monthly expenditure cost.

**I. Improvement to Park' South Entrance & Parking Plan:** Mayor Stroud presented.

One of the things that's going to occur soon is that the North entrance will be closed because they're going to be building the road into the park. The only other access point we have is the easement through Ron Russell's property. We have gone in there and cleaned out the draw where that goes through but it is a big dip and there's not really any great way to get equipment into the park. I'm proposing that we take a 36-foot culvert 24 inches. The cost is about \$1,600 and use Creek gravel to cover it up. I've already spoken to Ron Russell he's fine with us putting the culvert in and improving that road bed. The other thing is parking for people to gain access to the entrance. We own the property directly across the road. We can put a parking lot there for parking. People can walk directly across the road to that access easement if not we're going to have people walking up Firetower along the road. I can talk to David about getting a crosswalk sign in addition to the park sign. I would say to consider our future as far as you know. If we are looking for a new City Hall location that if we try to coordinate things so that if that parking lot stays a parking lot for future City Hall. Considerations again just and the positioning location of the driveway kind of put some foresight there. I think we could do it for minimal cost I think it is a huge benefit to the public. While we're while working on that north side of the park access point for people on this side of the ocean. It will continue to be an access point.

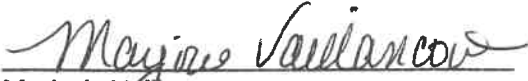
**8. Comment by the council.** John, we must put it on the next agenda without fail January 3rd minutes for approval. Colton, landscaping business on Tuttle and I don't know who does code enforcement but whenever we agreed to rezone that property, they agreed to put up a land barrier of vegetation barrier and I don't know who would go by and look and see if they've held up to what they said they would do but it does not look like they've done what they said they were going to do. Mayor, do you know whether that was in agreements, there are all kinds of things across the city that were in agreements. Waterford said that whenever they would go in that they would put landscaping all around their treatment system area now they've got three dead trees and they were replaced they died this winter, they'll have to replace them again. Yes but you know I'm just saying that as an example that was supposed to be on the mound that's out there and whenever that went in that was supposed to have vegetation all over so we need to be really careful about what all of a sudden we decide to start enforcing as a city wow you know I mean I received a complaint On this you know so if we could yeah I'm just you know again there's lots of history.

Brian: Lora Nanak, has filed an EEOC charge of discrimination against the city, she has an attorney. There will be mediation hearing on May 15, 2023.

**9. Public input: None**

**10. Adjournment:**

John Vaillancourt made a motion to adjourn at 9:15 pm. Seconded by Colton Martin.  
The motion carried. Meeting adjourned at 9:15pm.



Marjorie Vaillancourt  
Recorder / Treasure



Russell Stroud  
Mayor