

MINUTES
Amended
Goshen City Council
August 8, 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, Birch Wright, and Shawn Mayfield were present. City Attorney Brian Hogue was present.

Approval of Agenda: The agenda was reviewed. Mayor Stroud made some changes under Old Business to tabled item B. Follow up From Prosecuting Attorney. Item A. Mayor will be presenting Resolution Appointing New Council Member. John Vaillancourt made some changes, add Approval of Minutes for July 11, 2023, Special Sessions. KaSeana wanted to table under New Business item G. Amendment Ordinance 130(Time Off). Move Item I. up to Old Business Response to Calls for Resignation and Statements on Recording from January 4, 2023 (Paula Anderson). J. Response to call for Resignation and recording of January 4, 2023 (John Vaillancourt). Colton Martin made a motion to approve agenda as written with the changes. Seconded by Birch Wright. All in favor. Yay (5). Opposed (0). The motion carried.

Approval of Minutes: Approval of July 11, 2023, Special Session minutes. Motion made by Birch Wright to approve as written. Seconded by John Vaillancourt. All in favor. Yay (5). Opposed (0). The motion carried. Approval of July 11, 2023, minutes. Birch had a correction on the first paragraph where it said verification should be clarification. Under Building Inspection Report, discussion about fences around pools, asked Brian to follow up. Motion made by Colton Martin to approve the minutes with the edits. Seconded by John Vaillancourt. All in favor Yay. (5) Opposed (0). The motion carried. Approval of Jul 24, 2023, Special Session minutes. Motion made by Colton Martin to approve as written. Seconded by Paula Anderson. All in favor Yay. (5) Opposed (0). The motion carried.

Reports for July 2023

A. Police Department Report: Chief Travis reported. Report is in the Council's packet.

B. Street Report: Dave Gatlin. Report is in the Council's packet.

C. Report from Goshen Volunteer Fire Department: Report is in the Council's packet. Mayor Stroud: Goshen Fire District is not a part of the city. We have a contract where they do provide services for us, but they're not actually part of that actual city budget or function. David Smith: We pay our taxes for the Goshen Fire department. Why are they never here to give the report? Cathy Oliver: They were coming in 2019, and in early 2020. He sat here forever while all the reports were being read. He asked me one day do I have to come here while all the reports are being read? I told him that I would present the report. Mayor: If anybody wants to contact them, I can give you the number.

D. Planning Commission Report: Mayor Stroud, presented. There were two different items on the agenda, we collected \$400 in fees in July. Total for 2023 is \$2,200.00. Birch what was the variance? J.D. Blagg, set back 20 feet away from the property line he asked for a 10-foot set back.

E. Building Official's Report: J.D. DeMotte presented. Report is in the Council's packet.

F. Financial Report: KaSeana Williams presented As of July 31st, 2023, the general fund was \$850,399.97. The street fund was \$399,028.40 and the Active 988 fund was \$3,309.58.

Parks and Recreation. Report: Ken Smith presented. Report is in the Council's packet. Work continues the State Outdoor Grant, ARDOT ADA Pathway Project and Housing and Urban Development (HUD) Grant.

G. Arbor Board Report: Mary Smith presented. Report is in the Council's packet.

Old City Business

A. Resolution Appointing New Council Member: Mayor Stroud presented. Candidates: David Sparks, Cheryl Nimmo, Curtis Vaughan, Gina Swanson, David Smith, and Max Poye. All candidates expressed their interest in filling the vacant council seat, except for Max Poye. Mayor Stroud read his statement. Birch Wright: For point of clarification so everyone hears it, our duty tonight is to appoint someone and that is the only option we have, correct? Brian: The Statue says you all shall appoint a new Council Member. Paula Anderson made a motion to move into Executive Session to discuss the candidates. Seconded by John Vaillancourt. All in favor. Yay (5). Opposed (0). The motion carried. Council moves to Executive Session.

Council Members return from Executive Session. Shawn Mayfield: First, we would like to thank everyone that has put their name forward. Great deliberation, great candidates for the position. One thing that we talked about is how do we create a community here. How do we stop the divide, so to speak, because we know there's obviously some areas where different opinions are present. Some items that came up, ideas that have been brought forward is just that. How do we work as a community to come together and build a cohesiveness and one of those things is that line of communication. Among all of us, we must be open. It's imperative, and the example that I want to use is no different in our relationship with our significant other. If that line of communication breaks down, our relationship breaks down. We've got to bring that back together. We all have areas that we can all improve. Obviously, it's a very tough decision among six candidates. We know there's going to be 5 individuals that obviously are not going to be currently sitting on the council. So how do we take your abilities and how can we resource that? To build that unity and help bridge the gap. I'm no different I think the comment a couple of weeks ago was we don't know you and unfortunately, we've got to get to know one another. Some ideas that came about were a great idea about community gatherings and I think that's a great, great point. That being said. I need to make a motion to elect Max Poye to the opening. Motion by Shawn Mayfield to elect Max Poye to City Council. Seconded by Birch Wright. All in favor Yay (5) Opposed (0). The motion carried.

Roll Call Vote

Paula Anderson Yes
Colton Martin Yes
Shawn Mayfield Yes
John Vaillancourt yes
Birch Wright Yes
The motion carried.

B. Follow Up from Prosecutors Office: Mayor Stroud presented. Tabled

C. Working Council/Finance Committee: Mayor Stroud presented. I would like to recommend that we have a Finance Committee that includes myself, KaSeana Williams, Jerry Jackson, Birch Wright. We could meet once a month. Brian: You may have to look into you serving with a council member, unless these are going to be public meeting. Mayor: Maybe they can meet privately and then a public meeting with all of us. Birch: I have no issue with that, Shawn mentioned maybe one of the candidates would like to serve. David Smith is a CPA and ran a million-dollar company. Mayor: David do you want to be on the committee, David: Maybe. Mayor: ok, Birch are you willing to sever? Birch: I need to know the time frame this is the first I've heard of it. Mayor: one meeting a month. Birch: I can commit to one a month, yes. (Side conversation, Birch: I thought you said you wanted to be a part of the that to David Smith. If I step off you can be a part of that. David Smith agreed to be part of the Working Finance Committee).

I. Response to Calls for Resignation and Statements on Recording from January 4, 2023: Paula Anderson. Tabled.

J. Response to Calls for Resignation and Recording of January 4, 2023: John Vaillancourt, presented. I just want to address the comment that was made last month after the recording was played. Russell didn't play the recording that he said I was included in. I listened to the all the recordings, and I had not made one comment in that recording, that had any discussion, whatsoever about Russell and him being in the office etc., that I had with Lora. I simply went down there that afternoon; I had my dog with me. I talked to Lora to see how she was doing, we had small talk and no conversation about anything to do with Russell and getting rid of him. I just want to make that clear. And so, I am very adamant that somebody would ask me for my resignation, not having all the facts. Thank you.

New City Business

A. Resolution Appointing New Parks Commissioner: Mayor Stroud. Presented. We have a vacant seat on the Parks Commission, we need to fill. I would like to nominate Mike Nimmo to the Parks Commissioner seat. Birch: I just have a couple of questions, what are the terms of the commissioners? Are they staggered? And when did Kens term expire? Mayor: Ken's term expired in March, he was never reappointed to the position and the term limit is 2 years. That's how the ordinance is written. Birch: Was it just an oversight that it expired in March and now we're into August. I'm sure Mike would do a wonderful job, are there others that are considered? Mayor: There are others that would be considered as well. If Mike is not appointed. Birch: Are we Privy to those names? Mayor: The other names are contingent upon Mike being appointed, David Smith, Sarah Ferguson, Gina Swanson, Curtis Vaughn, David Sparks have all also said that they would be willing to serve on the Parks Commission.

Mayor Stroud Nominated: Mike Nimmo, David Smith, Fara Ferguson, Gina Swanson, Curtis Vaughan, and David Sparks to the Parks Commission.

Roll Call Vote for Each Nominee

Birch Wright No

John Vaillancourt No

Paula Anderson No

Shawn Mayfield No

Colton Martin No

The motion carried.

Note: Mayor Stroud let it be known on the record I've attempted to appoint 6 different citizens from the City of Goshen for the vacant seat on the Parks Commission. The Council has voted no on all. Birch Wright, let it be known the names were not provided until tonight.

- B. **Resolution Establishing City Code of Conduct:** Mayor Stroud presented. Tabled.
- C. **Discussion of Violation Notices:** Alisha Willis presented. Violation notices will be caught up and sent out.
- D. **Discussion to Amend City Code for City Wide Use:** Lacie Lawson presented; Ordinance will be brought back next Council Meeting to change public land to City Wide Use.
- E. **Discussion on Elected Official Pay:** Mayor Stroud presented There is nothing in the budget at this time.
- F. Budget will be looked at for 2024. Cheryl Nimmo: According to the Parks and Planning ordinances, their supposed to appoint a secretary. So why aren't they taking care of their own minutes and their own agendas and bringing it to the Commission? Why is Marjorie doing it? Is there not supposed to be an ordinance, do we have an ordinance for her job duties? Should we not have an ordinance that says that she's doing these additional duties? I'm just asking the question. Mayor: That's a good question for Brian. Brian: I don't know offhand what ordinance we do or don't have on that, so I'll look into it. Mayor: I know what you're talking about. They wanted to change their meeting days, the Parks Commission. Ken: I think if I remember right, the opportunity was for us to have Planning Commission and Parks meetings on the same night so that we could consolidate resources and the mayor could be at the meeting. That was something you wanted to do, Mayor, be at the meeting. And then we could also have support through recording of minutes and help with preparation agenda, things like that. I think the way we looked at it at the time, if I'm not mistaken, was a saving of labor and streamlining. And that's the way we've looked at it since, right? Mayor: That is correct. Ken: okay and I appreciate the help. It's been very helpful. Thank you.
- G. **Amendment of Ordinance 71(Recognizing Juneteenth)** KaSeana Williams presented. Tabled
- H. **Amendment of Ordinance 130 (Paid time off)** KaSeana Williams, Tabled
- I. **Presentation of "City of Goshen, Arkansas Financial & Compliance Report December 31, 2021, and 2022" completed by the Arkansas Legislative Joint Audit Committee.** The report is in the councils' packet. Paula Anderson presented this mainly to promote transparency and let everyone know where we stood with the audit. The audit will be put on the website.

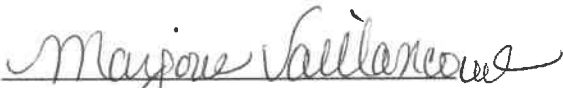
Reports/Comments by Mayor, Alderman, City Attorney

Public Input

Birch: Have we had a chance to talk to ARDOT about 45? Mayor: I've e-mailed ARDOT twice and called ARDOT once, have had no response, I put a phone call out, goes to voice mail and no response, it's not that I haven't tried, but I've gotten nowhere, kind of like the prosecutor. Ken: we will be pushing on our end through transportation for the walk/ bike. Kyle: we were told only resurface will be done on 45. Fara: will something be done about the air conditioning. Mayor: We have two bids and are looking into getting it repaired. Dan Padula: I'm looking for an opinion on an ordinance about security gates. I asked the Police Chief and Fire Chief for their opinion of the risk of a gate not opening. Birch: The ordinance states no more gates in the city. Dan: Yes. Chief Travis: we have no problems with gates if we can get in. Mayor: I think that's something we can put on the agenda.

Adjournment

Motion made by Colton Martin to adjourn at 10:20 PM. Seconded by John Vaillancourt. The meeting was adjourned at 10:20 PM. The motion carried.



Marjorie Vaillancourt
Recorder/Treasurer

Russell Stroud
Mayor