

MINUTES
Goshen City Council
November 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: Paula Anderson, Colton Martin, Max Poye, John Vaillancourt and Birch Wright were present. Shawn Mayfield was absent. Attorney Brian Hogue and Recorder/Treasurer Marjorie Vaillancourt were present.

Approval of Agenda: Alderman Martin asked to move, under Old Business Item A. 1st Christmas Tree Lighting to under the approval of the Agenda and the Pledge of Allegiance. Motion made by Max Poye to approve the agenda with the edit. Seconded by John Vaillancourt. All in favor. Yay (5). Opposed (0) The motion carried.

Christmas Tree Announcement: Linda Moore presented. Thank you to all who got the Christmas tree. December 2nd will be our 1st Annual Christmas Tree Lighting. From 6-8:00pm. We will have dessert, hot cocoa, and hot cider.

Public Input: Betty Nichols, I attend most of the meetings. At the special meeting, you were working on some changes to ordinances, I would like to the City Council to amend Ordinance 181 G. Duty of Alderman to attend. It states that it shall be the duty of each Alderman to attend all meetings. There are no percentages listed under the statement, under Ordinance 181. It needs to be clearly stated how many meetings can be missed and the consequences. Alderman have missed from one to up to seven meetings of the 15 meetings of this year, so it needs to be addressed and I appreciate you all taking the time and looking at this ordinance 181. Thank you. Tom Fraser, I want to thank you Mr. Mayor and City Council for the American Flag and doing the Pledge of Allegiance.

Approval of Minutes: John Vaillancourt motioned to approve the minutes for October 10, 2023 as written. Seconded by Max Poye. All in favor. Yay (5) Opposed (0). The motion carried. John Vaillancourt made a motion to approve the October 24, 2023 working session minutes as written. Seconded by Max Poye. All in favor. Yay (5) Opposed. (0). The motion carried.

Reports for October 2023:

- A. Police Department Report:** Report is in Council's packet. Chief Travis reported. Birch Wright, thank you Chief, and your officers, they stopped and checked on our POA President, who was out trying to get our lights on at the wall.
- B. Street Report:** Report is in Council's packet. Mayor Stroud presented.
- C. Goshen Fire District:** Report is in Council's packet. Mayor Stroud presented.
- D. Planning Commission:** Mayor Stroud has nothing to report on the Planning Commission.

- E. **Building Inspection Report:** Mayor Stroud presented. Report is in Councils packet.
- F. **Financial Report:** Report is in the Council’s packet. KaSeana Williams presented. As of October 31, 2023, the General Fund was \$607,036.57 The Street Fund was \$241,114.07. The Act 988 Police Account was \$3,311.67. The CDs are \$988,757.91. Birch Wright motioned to accept the Finance report. Seconded by John Vaillancourt. All in favor. Yay (5) Opposed. (0). The motion carried.
- G. **Park and Recreation Report:** Report is in Council’s packet. Ken Smith presented.
- H. **Arbor Board Report:** Report is in Council’s packet. Mary Smith presented.

Old City Business:

- A. **1st Annual Christmas Tree Lighting:** Moved to after Approval of Agenda and Pledge of Allegiance.
- B. **Amending Ordinance 175:** Brian Hogue presented. Brian stated amendments to the Parks and Recreation Ordinance 175. Paula Anderson made a motion to suspend the rules and waive the 2nd & 3rd readings, read in title only. Birch Wright seconded.

Roll Call Vote Yay

Paula Anderson
 Colton Martin
 John Vaillancourt
 Max Poye
 Birch Wright
 The motion carried.

Roll Call Vote Nay

None

Absent
 Shawn Mayfield

Hogue read: “AN ORDINANCE AMENDING NUMBER 175.”

Paula Anderson motioned to adopt Ordinance 175. John Vaillancourt seconded.

Roll Call Vote Yay

Paula Anderson
 Colton Martin
 John Vaillancourt
 Max Poye
 Birch Wright
 The motion carried.

Roll Call Vote Nay

None

Absent
 Shawn Mayfield

- C. **Updating FEMA Maps/Ordinance Pertaining:** Lacie Lawson presented. Letters were sent out to the 13. Residence of Goshen that would be affected by the new FEMA flood area maps. I encourage you to adopt the ordinance, we do not have to but if we do not, we could be out a lot of FEMA funding. John Vaillancourt made a motion to suspend the rules, waive the 2nd & 3rd readings, read in title only. Colton Martin seconded.

Roll Call Vote Yay

Birch Wright
John Vaillancourt
Paula Anderson
Max Poye
Colton Martin
The motion carried.

Roll Call Vote Nay

None

Absent

Shawn Mayfield

Hogue read: "AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A FLOOD DAMAGE PREVENTION PROGRAM FOR THE CITY OF GOSHEN, ARKANASA AND FOR OTHER PURPOSES"

Motion made by Colton Martin to adopt the Ordinance. John Vaillancourt seconded.

Roll Call Vote Yay

Birch Wright
John Vaillancourt
Paula Anderson
Max Poye
Colton Martin
The motion carried.

Roll Call Vote Nay

None

Absent

Shawn Mayfield

Colton Martin motioned to adopt the emergency clause. Birch Wright seconded.

Roll Call Vote Yay

Birch Wright
John Vaillancourt
Paula Anderson
Max Poye
Colton Martin
The motion carried.

Roll Call Vote Nay

None

Absent

Shawn Mayfield

- D. **2024 Budget/Salary Appendix:** Mayor Stroud presented. Salaries discussed David becoming exempt. Possibility of needing part time employee for city hall staff. Stipends for Council Members, Planning Commissioner, Parks, and Recreation Commissioners. Suggested stipends for Council \$200.00 per meeting, Planning and Parks \$100.00 per meeting. Budget will be adjusted for stipends and looked at next months meeting. Paula asked about some line items, some line items will be combined. Budget will be discussed again at the December meeting.
- E. **Adoption of Recorder/Treasurer Salary:** Brian Hogue presented. Paula Anderson motioned to read in title only Colton Martin seconded. All in favor. Yay (4). Opposed. (0). John Vaillancourt abstained.

Hogue read: "RESOLUTION INCREASING RATE OF PAY FOR RECORDER/TREASURER."

Paula Anderson motion to adopt the resolution. Colton Martin seconded. All in favor, Yay (4). Opposed (0). John Vaillancourt abstained.

The motion carried.

New City Business

A. Proposed Code of Conduct: Max Poye presented. Goshen Code of Conduct

The City of Goshen hereby pledges that the mayor, members of the City Council and all City staff will strive to demonstrate respect, kindness, consideration, and courtesy in all interactions with the public and with each other. Personal attacks and derogatory comments will be avoided, and all discussions and disagreements will be handled with mutual respect, these guidelines should apply to all speakers at all meetings.

Colton Martin motioned to suspend the rules, waive 2nd & 3rd readings, read in title only. Paula Anderson seconded.

Roll Call Vote Yay

Birch Wright
John Vaillancourt
Paula Anderson
Max Poye
Colton Martin

Roll Call Vote Nay

None

Absent
Shawn Mayfield

The motion carried.

Hogue read: "AN ODRINANCE TO ADOPT THE CITY OF GOSHEN CODE OF CONDUCT."

Colton Martin motioned to adopt the ordinance. John Vaillancourt seconded.

Roll Call Vote Yay

Birch Wright
John Vaillancourt
Paula Anderson
Max Poye Yes
Colton Martin

Roll Call Vote Nay

None

Absent
Shawn Mayfield

The motion carried.

Max Poye motioned to adopt the emergency clause. No Vote.

B. Highlands Gravel Classic/Resolution: Kyle McGurk presented. A resolution to let Highlands Gravel Classic hold their gravel bicycle event starting and ending here at the community building, on April 27, 2024. Paula Anderson motioned to read in tile only. John Vaillancourt seconded. All in favor. Yay (5). Opposed. (0). The motion carried.

Hogue read: "A RESOLUTION ALLOWING CITY PROPERTY FACILITIES TO BE USED FOR THE HIGHLANDS GRAVEL CLASSIC."

Public Input: Cheryl Nimmo: What will be the financial impact to the city? Mayor, as far as significant outlay there should not be much, except some police overtime pay. Michael Thompson: We need to

have more trail races & running in this area. I do not think costs are really material. We are going to bring more runners and cyclists to the area, when they see this, they will be back.

Birch Wright motioned to approve. John Vaillancourt seconded. All in favor. Yay (5). Opposed. (0). The motion carried.

C. ARDOT ADA Trail Project: Caleb LeBow/Ken Smith presented. We now have 90% construction plans for the ADA Trail project as part of our dot TAP grant, recent cost estimate from Crafton Tull was \$231,000 based on this 90% plans that we are looking at. That is with a \$40,000 contingency fee. This covers pavement striping, earthwork, bridge foundations and transportation for the Creek crossing. It does not cover the bridge however, so previously we had a bridge that we were hoping to have donated. It sadly went to another project current estimate on this for a 6 foot by 40-foot prefabricated pedestrian bridge right around \$60,000. Crafton Tull additionally has suggested that we obtain geotechnical investigations for these bridge footings considering that Northwest Arkansas is harsh and so including this with the finalization of the design. So, finishing out that last 10%, their amendment is just over \$13,500.00. So right around \$14,000 for this would be amendment #2. So, in total the current estimate bridge and amendment conservatively come out to right around \$305,000, which is still below what ARDOT has previously approved at \$315,000. What we are requesting now from the council is approval of these 90% plans so that we can resubmit them to ARDOT and can continue the process for this and keep things moving. Beyond that clearance for us to pursue an official quote for the bridge. Bridge could be \$30,000 to \$40,000, that is conservative it could be as high as \$60,000. Also, consideration of Crafton's second amendment. So that we can hopefully get this all wrapped up. Birch: \$40,000 contingency on a \$220,000 project? Caleb: Yeah, effectively it is high. They were conservative especially about that. Additionally, the bridge Foundation of transportation, they have \$30,000 just for transporting the bridge. And it is high. It is closer to \$10,000 to \$15,000. but they made a point to let us know that anything that they are not doing directly, they do not want to give us an incorrect quote. Birch: It is a fixed cost once actual numbers are known. Caleb: It is close. Birch Wright motioned to proceed to submit to ARDOT. Max Poye seconded. All in Favor. Yay (5). Opposed (0). The motion carried.

D. Fritchie Farms Update: Carolyn Jordan/Bernadette Boyle presented. About two years ago. I came to the city because Fritchie Farms, as we feared when they put the facility in, that we were going to be blasted by the amplified music. Unfortunately, that has been the case many, many times. And I had come to the city asking for help with that because we really did not know what to do. We did not know if we should call the County Sheriff because it is in the county. On some Saturday nights, you cannot get away from the music even in your house. The base is just so very loud. Matt Fritchie has sold to the Roderiguez's; they will take over in January 2024. Mayor will pursue this with Carolyn, if it still is a problem, when the new owners take over.

E. Ordinance Setting Tax Levy: Mayor Stroud presented. We received a letter from the Assessor's office saying we cannot pass a mileage of 3%, that would put us over 10% of last year's income. The 2.9 is what they recommended. We cannot stay at 3. It will be a reduction in mileage. Colton Martin made a motion to suspend the rules waive 2nd & 3rd readings, read in title only. John Vaillancourt Seconded

Roll Call Vote Yay

Birch Wright

Roll Call Vote Nay

None

John Vaillancourt

Paula Anderson

Max Poye

Colton Martin

The motion carried.

Absent

Shawn Mayfield

Hogue read: "AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE CITY OF GOSHEN, ARKANSAS, FOR THE YEAR 2023 FIXING THE RATE THEREOF AT 2.9 MILS AND CERTIFYING THE SAME TO THE CITY CLERK OF WASHINGTON COUNTY, ARKANSAS AND TO DECLARE AND EMERGENCY AND FOR OTHER PURPOSES."

Colton Martin motioned to adopt the ordinance. John Vaillancourt seconded.

Roll Call Vote Yay

Birch Wright

John Vaillancourt

Paula Anderson

Max Poye

Colton Martin

The motion carried.

Roll Call Vote Nay

None

Absent

Shawn Mayfield

Birch Wright motion to adopt the emergency clause. Paula Anderson seconded.

Roll Call Vote Yay

Birch Wright

John Vaillancourt

Paula Anderson

Max Poye

Colton Martin

The motion carried.

Roll Call Vote Nay

None

Absent

Shawn Mayfield

F. Amendment of Ordinance 194: Brian Hogue/KaSeana Williams presented.

John Vaillancourt motioned to table until next month. Colton Martin seconded. All in Favor. Yay (5).

Opposed. (0). The motion carried.

G. Disposition of Ford Explorer: Mayor Stroud presented. Ford Explorer will be used for City employees for city business. Colton Martin motioned to allow city employees to use the explorer for city business. Birch Wright seconded. All in Favor. Yay (5). Opposed. (0). The motion carried.

H. Upcoming Auction: Mayor Stroud presented. City will Auction old items not being used at City Hall.

I. Adoption of ICC Codes: Lacie Lawson presented. It is what you all want to adopt; Jeff Hawkins recommends just the fire code. Because the fire code, when you look at what's the electrical code for such and such, you go to the fire code and it says see The National Electric Code. When you look up swimming pool code it references the international swimming pool codes. JD. Our inspector thinks that it is better to adopt the international building and residential code. If we adopt the international code,

we must enforce it. The Arkansas code would be a little more leant than the international code. It is something that we have already been enforcing is the IBC and the IRC. Arkansas statute, it is state. The city previously has adopted the International Residential Code. The Arkansas Energy Code, National Electric Code, Arkansas State Mechanical Code, Arkansas State, Gas, and Fuel code. Arkansas State Plumbing Code, Arkansas Fire Prevention Code. Brian: We will need to have three copies of each code before we can adopt. We need the copies in city hall and published when they are available.

- J. **Working Session Update:** Colton Martin presented. Changes to ordinance 181. John Vaillancourt motion to read in title only the ordinance 181. Colton Martin seconded.

Roll Call Vote Yay

Birch Wright
John Vaillancourt
Paula Anderson
Max Poye
Colton Martin

Roll Call Vote Nay

None

Absent
Shawn Mayfield

The motion carried.

Hogue read: "AN ODRDIANCE AMENDING ORDINANCE NO. 181."

Ordinance 42 and 45, Amending ordinance 165: Brian Hogue presented.

Colton Martin motioned to read in title only, waive the 2nd and 3rd readings. Birch Wright seconded.

Roll Call Vote Yay

Birch Wright
John Vaillancourt
Paula Anderson
Max Poye
Colton Martin

Roll Call Vote Nay

None

Absent
Shawn Mayfield

The motion carried.

Hogue read: "AN ORDINANCE REPEALING ORDIANCE NOS. 42 AND 45 AND AMENDING ORDINANCE NO 165."

Colton Martin motioned to adopt. Max Poye seconded.

Roll Call Vote Yay

Birch Wright
John Vaillancourt
Paula Anderson
Max Poye
Colton Martin

Roll Call Vote Nay

None

Absent
Shawn Mayfield

The motion carried.

Max Poye motion to adopt the emergency clause. John Vaillancourt seconded.

Roll Call Vote Yay

Birch Wright

Roll Call Vote Nay

Colton Martin Nay

John Vaillancourt
Paula Anderson
Max Poye
The motion carried.

Absent
Shawn Mayfield

Public Input:

Max Poye: Status of the bench for Dwayne? Mayor: Waiting on the concrete, another bench will be donated in honor of Lonnie Stroud. Max: Drainage at Anderson's? Mayor: That has been turned over to Crafton Tull. Birch: Any news on 45? Mayor: Bid will be going out from the State in January 2024.

Adjournment:

John Vaillancourt made a motion to adjourn at 9:59 PM. Seconded by Colton Martin. All in favor Yay (5) The motion carried. Meeting adjourned at 9:59 PM



Marjorie Vaillancourt
Recorder/Treasurer

Russell Stroud
Mayor