

MINUTES
Goshen City Council
October 8, 2024 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, Shawn Mayfield, John Vaillancourt & Birch Wright were present. Colton Martin & Max Poye were absent. City Attorney and Recorder/Treasurer Marjorie Vaillancourt were present.

Approval of Agenda: Birch Wright motioned to approve agenda as written. Seconded by Paula Anderson. All in favor? Yay (4). Opposed? (0). The motion carried.

Public Input: None

Approval of Minutes: September 10, 2024 minutes. Birch Wright motioned to approve September minutes with edit. Seconded by John Vaillancourt. All in favor? Yay (4). Opposed? (0). The motion carried.

Approval of Financial Report: Mayor Stroud presented. Balances as September 30, 2024 are General Fund \$700,392.81. Street Fund \$229,107.43. 988 Act \$9,648.13. Certificates of Deposit \$1,028,178.75. Paula Anderson motioned to approve the financial report for September 2024. Seconded by Birch Wright. All in favor? Yay (4). Opposed? (0) The motion carried.

Reports for September 2024:

- A. Police Department Report:** Report is in Council's packet. Chief Travis presented. Birch: Chief, that's all contact? Chief: That's calls for service. That's everything we get called to.
- 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 presented. Fees collected Rusell Gayer; Lot line adjustment \$200.00. Kenneth Gunter: Lot line adjustment \$200.00. Carly Walker: Lot line adjustment \$200.00. Totaling \$600.00 for the month of September, with a total of \$3,200.00 for the year. Birch: There's still no change to the two acres? Lacie: correct. Birch: The four lots that are being developed off Highway 45. Did I hear that the city went off on a water event? Lacie: Correct. So, there's one tap existing, so he'll be able to build on one of those lots. But the other three, unless he decides to dig wells, there won't be any building there. And the city of Fayetteville won't do that until they fix the water pressure issues? Fayetteville Water District has a moratorium on all water taps until the summer of 2026. And that could be lifted if this project gets completed before then.
- E. Building Inspection Report:** Mayor Stroud presented. Report is in Council's packet.

- F. Parks and Recreation Report:** Mayor Stroud presented. We have good news this week. We got approved to go to the second phase to present in Little Rock on the 24th of October for the State Park Grant. If we get this grant, we get to use that property for the offset of the expenditure. It's an eight-minute presentation in Little Rock. Danielle, Lacie, and I will be going. Birch: Do you know how many were competing against? Mayor: I don't know how many were competing against. Not yet.
- G. Arbor Board Report:** Mary Smith presented. Report is in Council's packet. My name is Barbara Lupton. As a member of the Arbor Board, it's been my good fortune to meet and work with so many dedicated, hardworking fellow nature lovers. The Arbor Board and all those volunteers behind the scenes have made this an incredibly fun and educational experience for me. When I met Mary and Ken for the first time, their enthusiasm about the park and all that was going on over there was contagious, and I wanted to be a part of it, so I signed on to plant some trees. We've planted trees and so much more. It's been a very wonderful thing to experience. Mary is a very gifted educator. She has such great knowledge about trees, which trees host, which butterflies, about all the local wildflowers, the history of the Mill Branch Park, the history of the Arbor Society, and it has been a great experience and especially important learning experience for me. We have had hikes with Jennifer Ogle, identifying trees, walking to the park, on an Audubon bird watching adventure, and learning from the Beaver Lake folks. There is so much to appreciate in our own backyard. Learning to nurture and celebrate trees is what the Arbor Board has shared with me, and I'm very grateful to have had the opportunity. I want the Council to know that the ordinance should not be changed until the Arbor Board meets as a group and we have time to review and discuss the proposed changes.

Old City Business:

- A. Police Presents Riverside Estates Request: Mandy McCorkindale/Dan Padula presented.**
I'm Mandy McCorkindale, and I am on the board of directors for Riverside Estates Homeowners Association. I know that Dan has done a lot of the legwork to get us to this point. So, I want to defer to him, but also just to know that I'm here representing the board and can answer any questions. Dan: Riverside Estates had an HOA meeting; the quorums were met. And we held a vote for the issue at hand, and the result was overwhelmingly positive. Mandy: 41 lots were represented, which met the requirement, and 92% voted in favor of having the speeding enforced by the Goshen Police Department. Dan: So those are the statistics. I feel like we met the requirement that you posed to us. So, the next action item is to proceed as we had discussed. Shawn, you were there. If you have anything you want to add as both the resident or the council person. You have a unique kind of standing in the deal. Shawn: Just that, I think we as a council said 51%, far exceeding 51%. So, I think the importance here is the independence of each residence or each HOA. And I think the main thing I want to stress here is that in our conversations, it's not to put a requirement or anything upon anybody else. But it's an independent residence HOA that would be affected by that. Birch: So, in reviewing the minutes and what it looks like the Judge, saying yes, maybe, but not going to say no. Brian: Yeah, I'm basically going to try it and wait until it gets challenged. Chief Travis: That's what she told me. So basically, yeah, let's go for it. If it gets challenged, we'll figure it out. Birch: Then operationally, would you do it on a regular duty? You'd be contracting those? Chief: It would not be regular duty. John: But you're not going to sit down there with radar waiting for somebody to come in. Chief: Well, we might be. John: That's a waste of time. Chief: It's not a waste of time. That's what we do out on the street. Dan: It's ridiculous to suggest that safety for the public is a waste of

time. As a council person, I'm shocked to hear you say that. I mean, there's no other gain in this but personal safety. Mandy: We would like, you know, I work from home, and I see the Goshen Police Department come past down my street every day, sometimes a couple of times a day. And we would just like them to be able to issue citations for people who are clearly exceeding the speed limit. Birch: I support it. To your point, Shawn, I think it's the HOA. They choose to do so, or they choose not to do so. So, I applaud them. Brian: We need to have an ordinance. That authorizes, statistically, the enforcement in this section before we can get anything prosecuted. Next step is draft a new ordinance that you all would pass. Paula: Would the ordinance cover all POAs. Brain: No each POA should have their own. Ordinance will be brought back next month.

- B. Ordinance 52 Discussion:** Lacie Lawson presented. We don't know how really to enforce this. We have gotten no stipulations back from the Council on how tall you want the grass to be, or how dirty you want somebody's front yard to be, or what's considered one man's trash and another man's treasures. I don't know what to do with this. I have given a couple of violations and gotten some kickback. One particular property, there was a lady there that was like, hey, this isn't trash. And to me, it looked very much like trash bags. So, I don't know what to do. Birch: I was out of town for the last few months, and I missed the conversation. Honestly, it's subjective. And I don't know how you're going to define everything that's unsightly or unsanitary. Lacie: I just need a bar. If you don't want to enforce it, then I think we need to repeal it. Birch: It needs to be enforced. I'm fine with you having that authority and taking pictures. And let them challenge it.
- C. Arbor Board Ordinance Discussion:** Mayor Stroud presented. I wanted to bring it up again because we talked about Ordinance 127 last time. Ordinance 127, as it was written, it only had three Arbor Board members and it staggered the membership one, two, and three years. It didn't really assign anything after that. So, we really had specifics as to how many people are on the board, how many members there are, and how long the terms have been. So that was the reason that we had this meeting, to talk about the ordinance. And the ordinance that you guys will have to look at, this edited Arbor Board ordinance, this was after the meeting. And it was at the meeting we had discussed that we would bring this to the council once and then bring it back to the Arbor Board for them to make corrections, adjustments, suggestions, and then we'd bring it back to the council again. So, this is just the first presentation of a new ordinance for Arbor Board. And again, the name isn't set, it's just that this is one of the recommendations that came from that meeting. So, we'll go back to the Arbor Board meeting on the 24th for them to discuss as well. Brian, if we even want to do the first reading, or if we want to just discuss it? Brian: Discuss it, and then, I guess, let the Arbor Board meet and talk a little bit. Mayor: At the meeting I had with the Arbor Board, one of the things that we discussed whether 127 and the noncompliance report, and it's 127, and not really having an organized body, was that we need to have this organized in a way that we have records of who's on the board, what their terms are, and how the decisions are being made. So, like all the other commissions or boards, we need to have a set number of people on the board, how they're appointed, who's going to be chairperson. I asked Mary if she'd be willing to serve as the president over the next year to get the Arbor Board more organized and keep them going in the same direction, so that everybody's aware of what has been going on over the last seven years, educate them on trees and what we're looking for the city. So, she agreed to do that. Betty will stay on until December. Mary will take over in January. There were a lot of discussions about whether the name should stay Arbor Board or whether it should be tree board, tree, and city beautification board. We'll let them take that back and go over that again and come up with a decision. John: Well, my opinion would be

that it's been known as the Arbor Board since day one. Mayor: Really the thing I really wanted was organization of the board to know how many members when they're going to meet, they need to meet quarterly because that was what they decided when they first set up the Arbor Board initially, and that there's some minutes of those meetings so that we can know what's been done throughout the year. The other thing that I would like is for us to have them look at the budget. So, there is \$2 per capita. You know, we put \$5,000 in the budget for our board. That covers all the citizens' budget and \$2 per capita. And to come up with a budget plan and present it to the council and have that carried out throughout the year. So that's really the only significant things I wanted to accomplish around the meetings that we had. And I think the ordinance, you know, the revisions of the ordinance, I'll let them go through and adjust and then bring that back to council next month if you guys agree with that. Birch: I think that makes sense to what she wants. The only question I had, it like there was some disagreement between invasive to Fayetteville and not specifically non-invasive to Fayetteville. What would be planted or not planted? Mary: There's two lines on that. Russell will not support any kind of ban or anything other than natives. I'm going to say it's my opinion, and I'm not going to represent the other board here, is that we're in a special situation on the actual Mill Branch Park because we had a \$12,000 grant with Arkansas Forestry to develop a tree trail and to focus on native plants. And we're working with the University of Arkansas, Herbarium, Dendrobium, and all that. I don't think it upsets people in Goshen. They can plant on their land anything they want. We just want to model native plants that can work in your landscape and try to share with them that, one, you're more likely to survive if you plant it properly, and, two, they support native pollinators and wildlife, which, you know, everyone knows we're losing so much of our wild spaces, and we try to, make that point. Mayor: My concern was that I don't feel like it's appropriate to put into the ordinance that we can only plant native plants in northwest Arkansas. Not that I don't think we should encourage it. I think we should encourage it and educate people about the benefits and why we want to do that. But I don't think that it's beneficial for us to put that into an ordinance to limit us.

- D. Ordinance Regarding Master Plan:** Brian Hogue presented. Brian requested to table master plan Ordinance. He'd like to revisit with Max on revisions. John Vaillancourt motioned to table the Ordinance. Seconded by Birch Wright. All in favor? Yay (4). Opposed? (0). The motion carried.
- E. Highway 45 Goshen/Tuttle Contract:** Brian Hogue presented. I got a phone call, with T.J. at Curtis Construction, looking for a follow-up, and he and I discussed some of the issues. When Curtis Construction submitted their bid schedule, the total amount of that was \$38,050, I believe. And then when we had the contract drafted, which I think was prepared or filled out by Crafton Tull, but it left out one itemized item for traffic control, it was \$2,500 short. So, the bid schedule was one number. The contract inadvertently left out a \$2,500 item. So, he wanted me to point that out and see if there would be some consideration on that to be able to get that paid. Additionally, we had installed some ballads down here. Mayor: Which were in the contract. Brian: Okay, He explained to me on the phone that they were not, and that was an additional cost of \$3,500. So, I told him I would ask you all to address it again this month, see what you wanted to do, and then I would report back to him tomorrow. Birch: I mean if you had someone oversee your contract, and they didn't authorize it with the city, that's on them. They can argue between each other. John: I agree. Mayor: They signed the contract. Birch: I don't know why the city's being held hostage for what they did. That's my opinion. Brian: Sounds like the consensus is we are standing firm, where we were. Paula: That's their error. Birch: Brian, do you advise anything different? Brian: Not at this time.

New City Business:

- A. Resolution Authorizing 2025 Highlands Gravel Classic:** Bruce Dunn Presented. Date of April 26th, 2025. Birch Wright motioned to read in title only. Seconded by John Vaillancourt.

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

Birch Wright motioned to approve. Seconded by John Vaillancourt. All in favor? Yay (4). Opposed? (0). The motion carried.

- B. Ordinance Setting Tax Levy:** Mayor Stroud presented. There are two different ordinances because we had a tax of three mills before this year, and the reason we couldn't keep it at three mills was because they reassessed all the values of the properties and it would have been greater than 10%, so we had to go to 2.9 mills. So, the question is, can we go to 2.9, or do we want to go back to three mills? That's the council's decision, you guys can vote on that. You'll have to decide whether you want to stay at 2.9 or go to three mills, which we were at before. Birch: So, three mills in theory is 0.01 acres. Mayor: Correct. It's not significant. John: We were forced to go back to 2.9. Mayor: Yes. But it's up to you guys to decide 2.9 or 3. Those are the two ordinances before you. Paula Anderson motioned to read in title only. Waive the 2nd and 3rd readings. Ordinance tax levy at 2.9 mills. Seconded by John Vaillancourt.

Roll Call Vote Yay

Roll Call Vote Nay

Birch Wright Yes
John Vaillancourt Yes
Paula Anderson Yes
Shawn Mayfield Yes

Absent

Max Poye
Colton Martin

Hogue read: "AN ORDINANCE LEVYING A TAX ON THE REAL AND PERSONAL PROPERTY WITHIN THE OF GOSHEN, ARKANSAS FOR THE YEAR 2024 FIXING THE RATE THEREOF AT 2.9 MILLS AND CERTIFYING THE RATE THE SAME TO THE COUNTY CLERK OF WASHINGTON COUNTY, ARKANSAS TO DECLARE AND EMERGENCY AND FOR OTHER PURPOSES."

Birch Wright motioned to approve. Seconded by Shawn Mayfield.

Roll Call Vote Yay

Roll Call Vote Nay

Birch Wright Yes
John Vaillancourt Yes
Paula Anderson Yes
Shawn Mayfield Yes

Absent

Max Poye
Colton Martin
The motion carried.

Paula Anderson motioned to pass the emergency clause. Seconded by Birch Wright.

Roll Call Vote Yay

Birch Wright Yes
John Vaillancourt Yes
Paula Anderson Yes
Shawn Mayfield Yes

Roll Call Vote Nay

Absent

Max Poye
Colton Martin
The motion carried.

- C. **Preliminary 2025 Budget:** Finance Committee presented. Overall, if you look at the bottom line, just give you a little bit of a summary, overall, it's less than like a 1% change. And if you look at the total number, the total revenue is a decrease from 2024. And that's because of the moratorium on water. Mayor: We are concerned about overestimating our profits from permits, given the fact that there won't be as many water taps available. Jerry: So that's why you're seeing the numbers lower. It will get revised once we get a little bit more clarity. But we just want to be realistic about it. But overall, we still do not have to trim back on any of our expenses. Because believe it or not, it's just from where we are with the budget for 24 that was approved. It's less than 1%, 1% change overall with those same expenses. And this is with some increases in salaries, administrative salaries. Police salaries have been increased, just to bring them up to speed a little bit with competitive salaries in other surrounding cities. And to retain the police officers we have. And anticipating that if the annexation goes through, we're going to have higher salaries anyway. We're trying to plan for this, get ahead of it. So even with the reduced amount and the increase, we're still like 1% difference with everything we've got. Birch: I've gone through this. The 1% is incredible. With this amount of money. The only question I have, we had a line item in there for Curtis construction. And that's what we just talked about, right? \$10,000. Mayor: That's in the street fund. We put that in there just in case.
- Mayor: I wanted to point out also on the parks, one of the things that Jerry was very good to point out is that we don't want to spend things on the parks that's actual capital expenditure. So, we want to put that under capital expenditure, even though the park budget may look like it's significant because it's still coming in as capital. When we look at how much we're spending on parks, the other thing that we haven't really looked at is that all the matching funds that we use for any of the grants that we get, those are also expenditures that are park related. So, it may not come out of the budget, but it's a park expenditure. So, does that help you guys to see why that number changed drastically? Jerry: And the other bottom line I didn't want you to pay attention to was that you see at the end of year-to-date where we are, year-to-date 24, it's showing like we're on the 37. That's going to narrow probably down to hopefully a neutral. We just top-loaded some of our expenses early on. And so that's going to catch itself. So that will not be a negative 37. We don't anticipate much of a carryover from this budget going into 2025. So that should be eaten up by the time the end of the year because it's the final things that have not come through yet. And plus, there are going to be some approvals we'll probably have at the end of the year. Things that did get finished; the money has already been allocated for. And that money's still in the account. It just hasn't been spent. Yeah, it just hasn't been spent. But it is included in the budget, so you don't have to worry about it showing up again. Birch: Jerry, do we capture the depreciation? Jerry: On the depreciation side, it is not reflected in this amended budget yet. It is not recaptured yet at this point. Birch: But it will be. Jerry: It will be, yes. Because it's just a non-cash deduction that does show up. But we get the valuation on the asset side. So,

we could get the valuation on our balance sheet side. So that'll show up on the balance sheet side, not on this P&L. Birch: Do we have any liabilities? Mayor: The only liabilities we have right now is the \$63,000 grant match for the ARDOT, which we haven't even proceeded with the ARDOT grant yet. And that'll be a carryover. John: The last item then, engine for Goshen number three \$20,000. Mayor: So that was Jesse's vehicle, he feels like it is in great condition. But the engine has so many hours on the engine itself. Not necessarily miles, but hours. It's cheaper to buy a new engine than to buy a new vehicle.

- D. Resolution Appointing Parks Commission Member:** Mayor Stroud presented. Resolution appointing Nathan Snipes to the Parks Commission. John Vaillancourt motioned to read in title only. Seconded by Birch Wright. All in favor? Yay (4). Opposed? (0).

Hogue read: "A RESOLUTION APPOINTING NATHAN SNIPES TO THE PARKS AND RECREATION COMMISSION OF THE CITY OF GOSHEN, ARKANSAS."

John Vaillancourt motioned to approve resolution. Seconded by Paula Anderson. All in favor? Yay (4). Opposed? (0). The motion carried.

Public Input: Chief Travis: Lacie has passed her 120-hour class, so she is officially considered an Auxiliary Officer.

Adjournment: Birch Wright motioned to adjourn at 8:05pm. Seconded by John Vaillancourt. Adjourned at 8:05pm.


Marjorie Vaillancourt
Recorder/Treasurer




Russell Stroud
Mayor

