

MINUTES
GOSHEN CITY COUNCIL
February 11, 2020 at 6:30pm
Goshen City Hall
124 S. Church Street

Call to Order: Mayor Cathy Oliver called the meeting to order at 6:30pm

Roll Call and Declaration of a Quorum: Colton Martin, Birch Wright, John Vaillancourt, Angie Driver, and Bill Hewat were present; Paula Anderson was absent. Lora Nanak the Office Manager, Bernadette Boyle the Planning Commission Liaison, Linda Moore the Recorder/Treasurer, Jeff Hawkins from the NWA Regional Planning, and Josh Baily from Hogue Law Firm were also present.

Approval of Agenda: Mayor Oliver added item 6 "D" Elkins Court Update to the agenda. Bill Hewat added item 6 "E" Community Building Update to the agenda. Colton Martin added item 6 "F" Parks Discussion to the agenda. Birch Wright made a motion to accept the amended agenda, 2nd by Bill Hewat. All voted in favor and the motion carried.

Approval of Minutes: Bill Hewat made a motion to approve the January 14, 2020 City Council Meeting minutes as written, 2nd by John Vaillancourt. All voted in favor and the motion passed.

Reports for 2020

Update on State & County Health Requirements for Property Owners: Jeff Hawkins from the NWA Regional Planning was in attendance to help answer questions or concerns in regards to the revision of our subdivision regulations and lot split ordinances. Mr. Hawkins explained that the NWA Regional Planning offers technical assistance with land use, planning, flood plains, zoning and subdivision matters in addition to other things as well. He stated that in May Goshen passed an ordinance asking NWA Regional Planning to perform certain planning functions. Questions arose in regards to surveys and plats and what's required; also, what constitutes a subdivision, what defines a lot split, and when does a lot split becomes a subdivision. The bigger question is: do the Health Department on site waste disposal regulations apply to subdivisions and are they required?

Richard Murphree, the Environmental Manager with the Arkansas Department of Health talked about State Health requirements and how they apply to our county. The State's definition of a subdivision is when a piece of property is divided into three (3) or more lots, and if any one of those lots is less than three (3) acres and is used for residential purposes, we call it a subdivision and it has to be approved by the State Health Department as such. Through this approval process the state has to go out and make sure that every lot will perk and be able to hold a septic system, then a plat is submitted to the health department, we review the plat locally then it is sent to Engineering in Little Rock and they review it. If there is a water line extension, they review that as well. Cities and municipalities may have more stringent requirements and request approval from the State Health Department even when the lots are 5 acres; if a request is made for the Health Department approval, we will review it and hold it to the same standards. The State Health Department is not doing perk testing; we dig test pits and do soil morphology to determine if a septic system is going to work in that lot.

The purpose of the regulation is to make sure we don't have any lots in a subdivision that won't pass. Washington County Ordinance #37, for unincorporated areas (not withing Goshen City limits), says that if a piece of property is to be sold for residential purposes then it is supposed to have a test done on it to make sure it passes; The seller is responsible for hiring a designated representative who is licensed by the state to come out and have test pits dug and make sure it will pass, the results are then submit to the health department, the health department then presents a letter that says the test was done and suitable; the seller will then have this letter at closing.

Mayor Oliver asked if we are required to abide by the state laws and our ordinances. Mr. Murphree said that the state will abide by our Ordinance as long as it is not too lenient, the main thing is if it meets our definition of a subdivision it should be reviewed that way.

Jeff Hawkins stated that making the determination upfront is the right thing to do and protects the future buyer.

Bill Hewat suggested Goshen adopt the state's definition of a subdivision so that we keep in line with the state. A citizen voiced a concern regarding a well near his property and Mayor Oliver suggested he bring his concerns to the next Planning Commission meeting.

Ken Smith from the Parks Commission and Task Force inquired about when our subdivision and lot splits ordinances will be complete. Attorney Bailey said he and Jeff Hawkins are in the process of putting the ordinances together and coding them so that we will have a new subdivision code that is easy to follow.

Financial Reports with Resolution Adopting Revised Budget: Reports are in Council's packets. The General Fund is \$646,723.49 as of 1/31/2020. The Street Fund is \$74,960.06 as of 1/31/2020. Birch Wright made a motion to read the resolution adopting the 2019 budget by title only, 2nd by John Vaillancourt. All Voted in Favor. Resolution No. 2020-04 Resolution Adopting Revised 2019 Budget. Birch Wright made a motion to adopt the resolution, 2nd by John Vaillancourt. All voted in favor and the resolution passed.

The new accounting program, Center Point, is going to cost \$100.00 more than what was budgeted for. John Vaillancourt made a motion to approve the Center Point Accounting contract, 2nd by Bill Hewat. All voted in favor.

Police Department Report: Chief Mike Ball reported: Reports are in Council's packets. Chief Ball informed Council that when the Jail Fee Ordinance was voted on last November, Council made the right decision in going with the lump sum amount as opposed to the \$62.00 a day per detainee; if we had gone with the daily rate it would have cost the city \$1515.00 for a one month period.

Street Report: Mike Bowen presented: Hopefully by the next meeting we will have the bids for the Paul Pray bridge. Mr. Bowen requested that council let him know what kind of building they want for the chat cover; he suggested a three (3) foot stem wall with two (2) loads of chat kept on hand. Bill Hewat suggested that Mr. Bowen get bids on a couple different size buildings and bring the bids back to the next City Council meeting.

Goshen Volunteer Fire Department: Reports are in Council's packets.

Planning Commission Report: Bernadette Boyle presented, reports are in Council's packets.

Building Officials Report: JD DeMotte is not here tonight; reports are in Council's packets.

Arbor Board Report: Betty Nichols presented. April 22, 2020 is the Arbor Day Tree City USA Event to be held at Goshen Community Center from 4-6pm., Betty went over what topics will be covered at the program. Mary Smith showed the plaque that was made in order to recognize the donors of the Goshen City sign. Mrs. Smith read the names of the donors. Mary thanked all who donated to our city sign. John Vaillancourt suggested getting lights on either side of the city sign so that it could be seen at night.

City Business

United Methodist Church Sign: Greg Garner presented on the church's desire to have an electronic sign installed at the church, he stated that the church is more than just a church but is also a community building being used for events hosted by the community. Our current sign Ordinance and Lighting Ordinance does not allow for the type of sign the Methodist Church is wanting to install. Birch Wright stated that as we continue to grow as a city, we have to be very stringent with what we allow. Attorney Baily said that once we allow a sign, we cannot regulate content and what we allow for one business we have to allow for all; you can regulate on safety to drivers but you have to be very careful as to why a variance was denied. Council will take some time reviewing our ordinances and

make their decision. It was suggested that Mr. Garner come back to the council meeting in two months to see if the desired sign will fit within the parameters of our ordinance.

Resolution Depository Board: Paula Anderson is willing to serve another year on the Depository Board. The City Council approved her reappointment. Birch Wright made a motion to read the resolution in title only, 2nd by John Vaillancourt. All voted in favor. Resolution 2020-05 Confirming the Appointment of Paula Anderson to Municipal Depository Board. Birch Wright made a motion to adopt the resolution, 2nd by Bill Hewat. All voted in favor and resolution 2020-05 has passed.

Two Resolutions Confirming the re-appointment of Planning Commission Members Tom Hennelly and Levon Ogden: John Vaillancourt made a motion to accept the re-appointment of Tom Hennelly and Levon Ogden to the Planning Commission and to read the resolution in title only, 2nd by Bill Hewat. All voted in favor. Resolution 2020-06 Confirming the Appointment of Tom Hennelly to Planning Commission. Resolution 2020-07 confirming the appointment of Levon Ogden to Planning Commission. Birch Wright made a motion to adopt the resolutions, 2nd by Angie Driver. All voted in favor and Resolution 2020-06 and 2020-07 have passed.

Elkins Court Update: Springdale and Fayetteville courts have rejected our request to hear our tickets. Attorney Bailey has been trying to get in touch with the City Attorney for Elkins to try to work out terms that are more favorable to the fees we are required to pay to use their court services. Attorney Bailey had a conversation with the Mayor of Greenland to see if they have the capacity to hear our tickets; we are awaiting their response but this is not a good long-term solution. We do have the option to have our own court house but it is a long process.

Update on Community Building: Bill Hewat did a screening for mold in the community building, the laboratory in Springdale did the testing for free. In Mr. Hewat's opinion he feels that there is no reason why we cannot use the Community Building. Mr. Hewat will get the written results to City Hall. John Vaillancourt plans do a structural review of the Community Building.

Parks Discussion: Liz Mashee inquired about how our park survey is coming and if we have a time line as to when we may be interested in purchasing land for a park. Surveys are available for citizens to complete to indicate if they want a park and what kind. A land cost proposal was requested from the Mashees'. Angie Driver suggested purchasing more land than just what we need as we are a growing city and the land could be used for future growth. The Parks Commission is meeting this Thursday at 6:30pm at City Hall; the meeting is open to the public. The Parks Commissioners will consider reaching out to the Mashees' to gather information about their property.

Reports/Comments by Mayor, Aldermen, City Attorney or Recorder/Treasurer: Birch Wright thanked the Eagle Scouts for the dedication of the flag pole.

Recorder reminded everyone of the March 3rd election for the 1% sales tax increase.

Public Input: No public input was given

Adjournment: Bill Hewat made a motion to adjourn the City Council meeting, 2nd by John Vaillancourt. All voted in favor. The meeting adjourned at 8:29pm.



Linda Moore/Recorder



Cathy Oliver/Mayor