

AMENDED MINUTES
Goshen City Council
April 12, 2022 at 6:30PM
Goshen Community Building, 244 Clark Street, or by Zoom

Call to Order: Mayor Max Poye called the meeting to order at 6:30PM.

Roll Call: Paula Anderson, Bill Hewat, Colton Martin, John Vaillancourt and Birch Wright were present. Jamie Van Becelaere was absent. Mayor Max Poye and City Attorney Brian Hogue were also present.

Approval of Agenda: The agenda was reviewed. Motion to approve the agenda was given by John Vaillancourt, second by Colton Martin. The motion carried.

Approval of Minutes: Mayor Poye asked for correction to Page 8 of the March 8, 2022 minutes, changing "Mayor Hogue" to "Mayor Poye". A motion was made to approve the March 8, 2022 minutes as corrected by Vaillancourt and seconded by Bill Hewat. The motion carried.

A motion was made to approve the March 15, 2022 minutes as written by Vaillancourt and seconded by Hewat. The motion carried.

New Business

- A. Discussion of reflective siding and roofing:** Colton Martin would like to have the Planning Commission take up reflective siding, and have it added to the agenda for next month.
- B. Eagle Scout Project:** Ty Mitchell with Troop 460 in Elkins is working on his Eagle. He is Mayor Poye's grandson. The project he would like to work on is repairing the creek bank in the new park. It has been damaged by cattle. Bill Hewat asked what it would take – rocks from the creek or from somewhere else? There is a big pile where the fields have been cleared. Mayor Poye recommends using the city tractor and dump truck to the area, and then let the Scouts move the rocks.

Ken Smith stated he will be working with the Scout team on this project. Mary Smith some of the team has experience with this and will be there to support.

Hewat motioned that the Council accept the support of Ty Mitchell to work on the park. John Vaillancourt seconded the motion.

- C. Stimulus Premium Pay:** Kim Watson spoke. Funds have to be obligated for a project by December 31, 2024, and spent by Dec 31, 2026. The city has received about \$200,000.00 and spent about \$13,000.00 on AED and air purification systems. The city will receive another \$200,000.00 in the next month or two. This will bring total funds for the city to \$400,000.00.

The Committee is recommending a premium pay of \$29,500.00 to be paid to eligible city employees who supported the City during the pandemic. Information is in the Council's packet regarding eligibility and calculations for premium pay. In order to pay premium pay, an ordinance is required. The total amount for premium pay shall not exceed \$29,500.00, but the Excel schedule only shows approximately \$22,000.00 in payouts. This is because payroll taxes are not included in the Excel schedule, but they will be included once the payroll is run, and those amounts (taxes) are covered under the Act.

Bill Hewat asked about the calculation of the premium pay. Watson explained the rationale behind the methodology used.

Birch Wright asked if the request was for approval of the proposal, pending the usage of the funds? John Vaillancourt stated they know they can use the funds.

Watson stated approval of the Resolution must occur before the funds can be distributed to the employees.

Hewat asked if it's a lump sum for back pay? Watson said yes, and this could occur again in 2022. The maximum per person that can be paid is \$25,000.00. Hewat asked if it would be used in subsequent years? Watson shared that is up to the Council to decide. Hourly employees are the only employees eligible for this. Salaried employees are not eligible, but could be recognized by the City in another way.

John Vaillancourt made a motion to read the resolution in title only. Hewat seconded the motion. Mayor Poye asked for public comment. None was offered. The motion carried.

City Attorney Hogue read **"A RESOLUTION ADOPTING PREMIUM PAY FOR CERTAIN MUNICIPAL EMPLOYEES FROM THE AMERICAN RESCUE PLAN ACT GRANT"**.

Hewat motioned to adopt the resolution. Wright seconded the motion. Mayor Poye asked for public comment. None was offered. The motion carried.

- D. Farmer's Market Signage:** Liz Mashie shared this year's market starts on May 5. She is seeking approval from the Council to put up signs.

Mayor Poye asked if these signs would be on private property. Mashie said yes, with the permission of the land owner.

Paula Anderson asked if there is some signage that could be used to direct people to the Community Center. Birch Wright and Mayor Poye agreed. Poye recommended the allowance of this temporary signage until the permanent signage is ready.

Wright suggested an end date to the signage.

Bill Hewat moved to accept the proposal as discussed with an end date of the Farmer's Market closing for the season. John Vaillancourt seconded the motion. Mayor Poye asked for public input. Ken Smith asked about park signage. No other input was given. The motion carried.

- E. Redistricting City Wards:** Mayor Poye shared the population growth required wards to be adjusted. Birch Wright made a motion to suspend the rules and read by title only. Bill Hewat seconded the motion.

A roll call vote was taken:

Paula Anderson, YES	Bill Hewat, YES
Colton Martin, YES	John Vaillancourt, YES
Birch Wright, YES	

City Attorney Hogue read **"AN ORDINANCE REDISTRICTING CITY WARDS"**.

Hewat motioned to accept, John Vaillancourt seconded. Mayor Poye asked for public comment. None was offered.

A roll call vote was taken:

Paula Anderson, YES Bill Hewat, YES
Colton Martin, YES John Vaillancourt, YES
Birch Wright, YES

F. Community Building Flooring: Lora Nanak discussed the issue. The best price for vinyl flooring would be \$9,600.00 and to include the restrooms would be another \$1,400.00. The budget has \$12,000.00 for repairs and maintenance, she is not sure if that would come out of this line item. She suggests raising rental fee for the Community Building higher than the current \$40.00 to help offset expenses.

John Vaillancourt asked if the stimulus money could be used for this. Lora Nanak said yes.

Bill Hewat asked about the echo and audio quality for meetings. Tile will not have the same quality, and he recommends acoustic tiles for the walls. Lora Nanak stated white noise machines in the walls will help this issue.

Paula Anderson asked if there was an insurance claim that could be made. Lora Nanak said no.

Mary Smith asked how resistant is the proposed flooring to scuffing from moving items in and out? Nanak stated she has experience with it, and the flooring has a warranty. Linda Moore said it's commercial grade.

Mayor Poye stated the question is where the money will come from, and that does not need to be answered now.

Kim Watson mentioned that if stimulus funds are being used, multiple bids need to be taken.

City Council will take this up next month.

Reports for March

A. Police Department Report: Report is in Council's packet. Chief Travis spoke. Travis stated lights inside the car are cheaper than on the top of the car, by about \$20.00. He wanted the Council's opinion. Travis can see pros and cons of both positionings.

Birch Wright is not in favor of in-car lights, he doesn't want Goshen to be a speed trap. Paula Anderson states seeing the light bar across the top is more visible and also safer to identify officers. John Vaillancourt agrees with Wright and Anderson.

Bill Hewat believes this is a decision to be made by the Police Department, and the Chief. He also believes that uniformity is important in the decision.

Travis reports the open officer position is still open. Two accepted offers by candidates were later declined.

The Durango upfit will be around \$11,000.00. The original upfit quote was about \$10,600.00.

B. Street Report: Report is in Council's packet. Mike Bowen spoke. There are four roads that need work: Wandering Way, Paul Pray, White, Hale Road from Leadford to the bridge. Bowen asked for approval to get bids. Bowen has two roads where the citizens living on them have asked to have them paved (Spring Park Lane, South Sharp). This would be approximately 0.5 to 0.6 of a mile of paving.

Birch Wright asked for pictures in the future for the roads being discussed. Bowen agreed.

Paula Anderson recommended bundling these asks to get the best deal. Bowen stated the price of oil is causing bid prices to fluctuate.

John Vaillancourt asked if chip seal was an option. Bowen said in this situation, it would not be best.

C. Building Official's Report: Report is in Council's packet.

D. Financial Report: Report is in Council's packet. Lora Nanak presented. As of March 31, 2022, the General Fund was \$1,105,759.83; the Street Fund was \$253,868.12; the Stimulus Fund was \$201,332.44; the Police Act 988 Fund was \$16,159.59. Money Markets mature as of May 7, 2022. Linda Moore and Michael Thompson will work together on setting up the Depository Meeting.

The CD report has a mistake. Both CDs are listed as Encore, and the first should actually be Legacy Bank. Nanak will correct.

Nanak reports there are four checking accounts now. There will be separate checking accounts for grants. Nanak has the ability now to print checks. She is asking for another emergency signer for checks for the city.

Birch Wright asked who is a signer now. Mayor Poye, Michael Thompson and John Vaillancourt are signers currently. City Attorney Hogue stated an ordinance must be prepared.

Wright recommended Colton Martin, and the Council agreed. An ordinance will be prepared.

Wright asked if the Parks and Rec. Commission is set up as a non-profit to apply for grants from the City of Fayetteville. Ken Smith states that they are not set up as a 501c3. It requires a board and a lot of set up to complete this.

E. Parks and Rec. Report: Report is in Council's packet. Ken Smith presented. There is cost overrun of \$4,000.00-\$7,000.00 due to concrete costs. The Parks Commission will host a public meeting on May 12, 2022 at the Farmer's Market from 4:00 - 7:30PM. This meeting is for the state outdoor grant the Parks Commission is applying for later this year, along with AR DOT grants. Ken Smith reports they should be prepared on time to submit three grant proposals in/by June 2022.

F. Arbor Board Report: Report is in Council's packet. Mary Smith presented. There was a cost overage. Mary Smith was able to get donations to cover the overages. She has applied for a grant from Kubota.

G. Goshen Volunteer Fire Department: Report is in Council's packet. No one presented.

H. **Planning Commission:** Report is in Council's packet. Lora Nanak presented.

I. **Annexation Committee:** Colton Martin stated there is no update. City Attorney Hogue will provide what the process should be in the next meeting.

Old Business

Proposed amendment to the Subdivision Regulations, Section 1-2, definition of a minor subdivision: City Attorney Hogue reviewed the history of the amendment, and the new language of the ordinance.

John Vaillancourt made a motion to suspend the rules and read in title only.

A roll call vote was taken:

Paula Anderson, YES Bill Hewat, YES
Colton Martin, YES John Vaillancourt, YES
Birch Wright, YES

City Attorney Hogue read, **"AN ORDINANCE AMENDING CITY OF GOSHEN SUBDIVISION REGULATIONS ORIGINALLY ADOPTED BY ORDINANCE 198"**.

A motion to adopt the ordinance was offered by Vaillancourt and seconded by Birch Wright.

A roll call vote was taken:

Paula Anderson, YES Bill Hewat, YES
Colton Martin, YES John Vaillancourt, YES
Birch Wright, YES

The ordinance was adopted.

A motion to adopt the Emergency Clause was made by Vaillancourt; Bill Hewat seconded the motion.

A roll call vote was taken:

Paula Anderson, YES Bill Hewat, YES
Colton Martin, NO John Vaillancourt, YES
Birch Wright, YES

The Emergency Clause was adopted.

Reports / Comments by Mayor, Aldermen, City

City Attorney Hogue shared that Dr. Buell's appeal date is now May 9, 2022. Hogue granted an extension for the appeal date.

Bill Hewat shared his appreciation for the Police Department and the team he works with here.

Mayor Poye reports that he received a letter from Brandon Pack, the Director of Cycling Tourism for Experience Fayetteville. This group promotes parking for cyclists. They are asking if Goshen has a parking area for cyclists who want to ride their bikes. Mayor Poye suggests the obvious choice is the Community Building. Ken Smith

states the Park and Rec. Commission is looking at this as part of a comprehensive plan for NW Arkansas. Smith also reports that Congressman Womack's office is asking for more information regarding funding requests through the Congressman's office.

Mayor Poye stated it would help to have letters of support from the community. Anyone from the public interested could send the letter to the city. Bill Hewat asked if the letter could be electronic, and the answer is yes.

Mary Smith stated there are people sleeping in their cars at the Community Building, and if there is a biking parking area, there should be something indicating which cars are part of the program, so the police are not called on them.

Birch Wright stated it would be short-sighted to not let people park in Goshen.

Mayor Poye brought up conservation easements. He has spoken to City Attorney Hogue about this and would like some permanent protection for the park as a possible land trust. Hogue will investigate this protection.

Mayor Poye also stated that loaning of city equipment to individuals is a bad idea and is no longer possible.

Public Input

Carolyn Jordan stated she is concerned about non-adherence to Ordinance 144, dated December 18, 2017. She stated there is a requirement that no more than five lots may utilize a private street, as described in the ordinance. There are additional properties being prepared for access to the private street, and she has approached the Planning Commission about it. Ordinance 123, February 9, 2016 was also referenced by Jordan.

City Attorney Hogue stated Ordinance 198 repealed all the prior ordinances. Jordan thought the residents had protection, and now doesn't feel as if they do.

The Council reviewed and discussed. Mayor Poye stated that depending on the configuration of the lots, only three tandem lots are allowed. Jordan stated that all lots will have access to Tuttle. She is concerned about access in and out. Mayor Poye stated his opinion is that if they are not tandem lots, there is no restriction to access to the road.

Adjournment

John Vaillancourt made a motion to adjourn. The motion was seconded by Bill Hewat. The motion carried and the meeting adjourned at 8:25 PM.



Michael Thompson
Recorder/Treasurer



Max Poye
Mayor