

MINUTES
Goshen City Council
July 12, 2022 at 6:30PM
Goshen Community Building, 244 Clark Street

Call to Order: Paula Anderson called the meeting to order at 6:30PM.

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

Approval of Agenda: The agenda was reviewed. John Vaillancourt requested to change the name for the Street Report to David Gatlin from Mike Bowen. Motion to accept agenda with noted changes by John Vaillancourt, Second by Birch Wright. The motion carried.

Approval of Minutes:

John Vaillancourt requested an amendment to the minutes. Vaillancourt requested updates to the Mileage Reimbursement discussion. A motion was made to approve the June 14, 2022 minutes as amended by Birch Wright and seconded by John Vaillancourt. The motion carried.

Reports for June:

- A. Police Department Report:** Report is in Council's packet. Officer Sorrell presented. Sorrell stated Chief Travis is asking if the 988 fund can be used to restripe the police vehicles. The cost is about \$9,000.00 to complete this project. Sorrell stated his personal request is to use it for radios, but the radios are \$4,000.00 each, or \$20,000.00 for all of them. The Ford Explorer would be kept as a spare, since about \$4,000.00 suspension work was done. Birch Wright motioned to spend 988 funds for vehicle striping. John Vaillancourt seconded. The motion carried. Officer Sorrell asked to keep the Ford Explorer as a back-up unit. John Vaillancourt asked that be tabled until the new vehicles come in. Lora Nanak stated she did not believe there was any concern regarding depreciation.
- B. Street Report:** David Gatlin spoke. Gatlin is ahead of the schedule, and referred the Council to the report. Paula Anderson asked if any bids have been received for paving. Gatlin stated he does not have any bids for paving. Anderson recommended Gatlin talk to Mayor Poye. Lora Nanak stated that the wait was for the Mayor to come back from vacation before the bids were pursued.
- C. Building Official's Report:** Report is in Council's packet. JD DeMotte presented. Birch Wright stated it appears Riverside is filling up. DeMotte agreed.
- D. Financial Report:** Report is in Council's packet. Lora Nanak presented. As of June 30, 2022, the General Fund was \$966,568.64; the Street Fund was \$315,384.49; the ARPA Stimulus Fund was \$164,353.06; the Act 988 Police Account was \$16,349.66. The Arkansas Fun Park Grant is \$75,002.98.

Sales tax was about \$35,000.00 for the month.

- E. Parks and Rec. Report:** Report is in Council's packet. Ken Smith presented. Smith read a statement from Mayor Poye. Good news was received from Congressman Steve Womack's office. Funding for Goshen's Mill Branch Park was included by the US House of Representatives into the Fiscal Year 2023 Appropriations Bill. This is a big step. It was earmarked to the Transportation, Housing and Urban Development Committee in the amount of \$880,000.00. This amount was to

address the first priority for Goshen, which has been the acquisition of Mill Branch Park, the entire 104 acres. Thirty acres, to-date, has been acquired, and this will allow the acquisition of the rest of the park.

Smith reported Mayor Poye wished to thank the community for the 50+ letters in support of this application. Council Member Colton Martin was thanked for his wife's support. Her class wrote 20 letters in support of the project. Ron Russell was recognized for arranging the meeting with Congressman Womack. Mr. Russell is also helping the city with an access easement on Fire Tower Road into the park.

John Beneke stated construction will begin on the play gym project sometime next month.

Photos for the city of Goshen are requested to include in the Walk Bike Plan project.

Chuck Jacobus stated that the city may hear about the ARDOT grant around November.

- F. **Arbor Board Report:** Report is in Council's packet. Mary Smith shared her appreciation for the people watering trees, Colton Martin for the "Tree Trail" and John Beneke for his help, as well. Thanks to Steve Schneider – the kiosk looks great.
- G. **Goshen Volunteer Fire Department:** No one presented. The report is in the Council's packet.
- H. **Planning Commission:** Report is in Council's packet. Lora Nanak presented. In June, the Commission had two minor subdivisions. One was approved, and one was tabled. Brizzolara, the decision from the prior meeting, was expunged. This will be on the following month's agenda.
- I. **Annexation Report:** City Attorney Hogue presented. Hogue stated a decision needs to be made on which properties to annex, prepare an ordinance and have it read at three consecutive meetings.

After this, the citizens of Goshen and the area to be annexed will vote to determine if the process moves forward. Agricultural property can't be annexed. It is unclear if a property owner of such a property wants to be annexed, if they can. Hogue stated it is up to the Council to determine whether to proceed.

Birch Wright asked what thoughts Colton Martin's group had on this. Martin stated moving forward on limited areas, within the planning zone is the thought. Paula Anderson asked if the vast majority of it is agricultural land, does it make sense to move forward? Martin stated that information needs to be considered in the current plan. John Vaillancourt stated perhaps it should be paired down to determine what can be included. Hogue and Martin will work together to determine what is qualified. Hogue reviewed the criteria for inclusion with the Council. Wright stated he does not believe there is enough information at this point to move forward. Hogue stated he has a clerk in his office that can get started on this.

Vaillancourt asked if there was anything at City Hall that tells us if something is agricultural. Nanak stated there is a Zoning Map and a Plat Map.

- J. **Stimulus Report:** Lora Nanak reported. The second stimulus payment of \$220,000.00 will be on July 22, 2022. Central EMS, to whom a quarterly fee is paid for medical transportation, had a board of directors meeting and is requesting payment for a list of needs. The city's portion of the expense is \$14,000.00. During COVID, they had to answer every 911 call, and they do not get paid if they do not transport anyone to the hospital. Few were transported.

Vaillancourt asked who would be used, if not them? Nanak was unsure. Vaillancourt stated \$14,000.00 is nothing, as he hears them go by 1-3 times a day. Nanak stated the Director offered to come to the City Council meeting and explain it.

Birch Wright said Central EMS will not survive without an infusion of cash. Wright stated he is on the Board, and will recuse himself from voting. Not supporting this could mean that Goshen may not have ambulance service. Central EMS is approaching all cities served and asking for support. He supports paying this amount, as it is based on a per-capita assessment.

Paula Anderson asked Hogue if an ordinance or resolution needs to be drawn up for this. Hogue stated yes, a resolution is needed. The Council asked Hogue to prepare the resolution.

Nanak said she spoke with Steve Harrison, the Interim Chief, to get information on the request. Wright stated the calls for Central EMS are down 10% and gas costs are up. Vaillancourt stated he doesn't believe Central EMS needs to come out and present to the Council; the city needs the service.

City Business

- A. Resolution Renaming Paula Anderson to Depository Board:** Anderson's term had expired. John Vaillancourt motioned to read the resolution in title only. Second by Colton Martin. The motion carried.

City Attorney Hogue read, "RESOLUTION CONFIRMING THE REAPPOINTMENT OF PAULA ANDERSON TO MUNICIPAL DEPOSITORY BOARD".

Motion to pass the resolution given by Colton Martin, and seconded by John Vaillancourt. The motion carried.

Paula Anderson asked for public input. None was given.

- B. Ordinance Regarding Time and Date Planning Commission Meeting Agenda Is to be Posted:** Birch Wright stated if there were not enough agenda items, or Lora Nanak did not get what she needed, the meeting would be cancelled? Nanak agreed.

John Vaillancourt motioned suspend the rules, and waive the 2nd and 3rd reading, and read the Ordinance in title only. Second by Birch Wright.

A roll call vote was held

Paula Anderson – YES

Colton Martin – YES

John Vaillancourt – YES

Birch Wright – YES

Absent: Jaime Van Becelaere, Bill Hewat, Mayor Max Poye

City Attorney Hogue read, "AN ORDINANCE FORMALIZING THE DEADLINE FOR AGENDA OF PLANNING COMMISSION MEETINGS TO BE PUBLISHED".

A motion to accept given by John Vaillancourt, second by Colton Martin.

Paula Anderson asked for public comment. None was offered. The motion carried.

A roll call vote was held

Paula Anderson – YES

Colton Martin – YES

John Vaillancourt – YES

Birch Wright – YES

Absent: Jaime Van Becelaere, Bill Hewat, Mayor Max Poye

- C. Mileage for Elected Officials and Mileage Rate:** City Attorney Hogue presented. Mileage reimbursement should be paid under certain circumstances. When travelling for work, reimbursement should occur. Travel between the home and principal place of business should not be included for reimbursement.

John Vaillancourt stated this is what he was referring to in the last meeting. Birch Wright asked what brought this up. Vaillancourt stated travelling from home to the office should not be included for reimbursement.

Wright stated there is not a need to consult a tax attorney. John Vaillancourt wanted to get that clarified so everyone knows what the common-sense rules are. Lora Nanak stated the question she would like answered is the mileage rate payment amount.

Nanak stated the rate is \$0.54 now, and has not been raised in years. Vaillancourt stated it should match the federal rate. Hogue stated the clearest thing to do is to adopt an ordinance for this, and he will prepare one.

- D. LED Sign at Goshen United Methodist:** Russell Gayer presented. Gayer would like to consider this a Community Bulletin Board, and shared examples of community messages that could be posted. The sign ordinance of 2018 forbids electronically changing signs, Gayer stated. Gayer is asking for someone from the Council to work with the church to come up with an option that will work for both parties, and the benefit of the community.

Birch Wright asked how the church would handle controversial message requests? Gayer stated that both parties could consider this, and set rules and guidelines. John Vaillancourt volunteered to work with the church on this request.

Paula Anderson asked about a variance for the ordinance. City Attorney Hogue stated this ordinance explicitly precludes this type of a sign. Entertaining this request would require amending the ordinance.

- E. Resolution Authorizing Grant Application to the State Outdoors Grant Program:** Ken Smith presented, and introduced John Beneke. This issue has been discussed for the last two years. The matching grants program is the genesis of the Resolution. The conversations with Congressman Womack have encouraged Goshen to apply for grants and funding for Mill Branch Park.

One of the main steps for applying for matching grants has been fulfilled – the Public Meeting on May 12. Comments from 30-40 individuals were collected. The priority has been on funds for acquisition of lands.

The last public meeting on May 12, with the Mayor's blessing, discussed obtaining about 20 acres – which is very important, as it abuts the 30 acres the city already owns. This area also includes the old springhouse.

The matching grant will be about \$250,000.00. The city would be responsible for about half of that - approximately \$116,000.00, leaving about \$9,000.00 for appraisals, and associated costs. Beneke stated that 19.3 acres at \$12,000.00 per acre, the total cost would be \$231,600.00. The grant would pay for half of that, and the grant would also pay half of any mandatory appraisals, which seem to be around \$5,000.00. The total amount for the acquisition, plus the appraisals would be about \$236,600.00. Goshen would pay half of that amount, which is approximately \$118,300.00.

Smith stated the reason he estimated \$250,000.00 was to cover everything, and Beneke is more precise with the numbers. Beneke stated the reason for the resolution is to show the agency (State Parks) and committee that awards grants that the Council and Governor are behind it – this is a requirement of the application. Smith stated going for the full \$250,000.00 puts this project in the top end, and he feels this is a reasonable request.

Beneke stated his experience indicates the committee funds more conservative grant requests – instead of requests asking for the full \$500,000.00. Smith shared wording in the request. Beneke stated most of the wording for the request is taken from the application guide.

Birch Wright asked what happens if we apply and don't get it? Smith stated they will apply again next year. The application is still in the bank, and the city could also turn down the grant if conditions change, but that is not recommended, per Beneke.

Wright asked if the grant verbiage needs to be reworded. Beneke stated this is custom-tailored, somewhat, and there is support for this acquisition-only grant.

Beneke stated these grants typically go for outdoor development. Typically, the program receives development grants, not acquisition grants. Wright asked if we had any insight as to competition for these grants? Beneke stated they typically look to the staff for direction on what is a good or bad project. Beneke stated his belief that Goshen's commitment to outdoor recreation will be advantageous, and there is support for the grant based on the location of the park.

Beneke stated this is funded from real estate transfer tax. Beneke predicts there will be quite a lot of money available for grants, and applications will rise based on the amount of money available.

Wright asked about the number of acres already procured. Smith stated 30 are already procured, and referred to a visual of the park for the Council.

Wright asked if the \$125,000.00 request would come from the General Fund? Lora Nanak confirmed.

Wright commented what will the city do in 20-50 years from now when there is nowhere to build a house in Goshen?

Colton Martin stated the location of the park is in the middle, it appears there are limitations with the grant. Is it better to move the land to the end? Paula Anderson asked what restrictions Martin sees? Martin stated he doesn't know what the next 50 years will bring.

Anderson stated that there is land with easier access, that the city just purchased, which would be capable of holding city functions.

Beneke stated he moved here from West Little Rock and that the city did not have the foresight to get acreage for public recreation, and land was too expensive by the time this happened. Wright stated that was a population of 400,000 people vs. 2,000 people.

Smith stated that this park land has development limitations for housing infrastructure. Wright asked what the resolution was for – Hogue stated it is to put up \$125,000.00, if approved.

Vaillancourt asked if this falls into next fiscal? Beneke stated the city will be notified in November, or at the end of the year.

Anderson believed the city is ok to commit to items in the resolution. Wright asked if the city has first right of refusal on the property? The city is two years into the five-year term.

Chuck Jacobus stated 87% of people surveyed wanted a walk park. Smith added, in the May 12 public meeting, this amount was basically reconfirmed. Vaillancourt stated the concrete pad can be used for many things.

Mary Smith stated she has looked into the archaeological history of the land. Moses Dutton's homesite was up on the top of the hill.

John Vaillancourt motioned to read the resolution in title only. Paula Anderson seconded. Vaillancourt and Anderson voted YES. Birch Wright and Colton Martin voted NO. The motion failed.

Birch Wright stated that this is a spend of 10% of the operating budget, and since Goshen is growing, there may be other needs, such as Police and Fire Department growth. It's a great idea, in theory. Martin stated that the location of the area is his challenge, especially since it's in the middle of the park. Limiting the area in the middle isn't best for what is down the road.

Anderson asked about a deadline for the application. Smith stated August 26th.

Smith stated he would like ideas back from the Council. If there is a change to configuration, conditions, etc. the Council could advise.

Wright stated the city has three years left on the five-year first right of refusal. The city should hold off, being unsure what is coming. Wright asked why Anderson supports the resolution.

Anderson stated she knows the grant process takes time, and it's a queue in a certain sense. Sometimes you have to apply a couple of times to get an approval. Vaillancourt agreed and stated if you put \$100,000.00-\$125,000.00, and get the grant, you are that much farther ahead.

Wright stated that the Council was just arguing about \$4,000.00 radios.

Matt Meyer stated the deadline is coming up for the grant application. The ask was for the city to match the funds. Why not do a "Hail Mary" and apply for the whole amount? Anderson stated that this is a matching grant, so the city has to pay half.

Carolyn Jordan was disappointed that the Council has reservations about approving this. After learning about the historic part, she really thinks this is an opportunity. The city sort of committed to buying these 104 acres - with the looming deadline and good chance of approval, we need to acquire this land and reconsider.

Martin asked about the \$880,000.00 federal appropriation – Smith stated it is not a done deal, and explained the steps still pending. It could happen by the end of this year or it could take longer. The Parks and Rec. board won't do any more work on this, until it receives direction from the City Council.

Reports / Comments by Mayor, Aldermen, City Attorney

Paula Anderson stated thank you to everyone for the outpouring of support during the passing of her husband.

Public Input

A citizen asked about the ordinance for Planning Commission – does the City Council have that same requirement? There are signs at the corner of Tuttle and 45 – what is happening there? Paula Anderson stated this this needs to be addressed. Also, voting on the park resolution in the absence of the Mayor and two Council members is unfortunate. Anderson stated it could be brought up next month.

Carolyn Jordan asked if the public can request the grant be put on the agenda next month? Lora Nanak asked for an email requesting it from Carolyn Jordan. Jordan asked if this would give enough time to the Parks and Rec. Commission?

Smith stated he needs advice from the Council on how to proceed. They have worked on the matching grant for two years and stated the Parks and Rec. team will move on to other topics until the Council brings it back to them. Jordan asked about a Special Meeting – would that be helpful? Would more Council members be there? Anderson stated perhaps, it depends on the opinions of the other Council members and Mayor, and whether they can make it to the meeting.

Martin asked if this got approved tonight, would there be another opportunity to look at the boundaries?

Smith stated the Council would need to tell him what boundaries they are looking at and want. Smith stated this was taken to a public meeting on May 12 and this met the many of the needs, criteria. Anderson stated that carving out another piece of property involved another \$20,000.00 in surveys.

Martin stated he wants the entire property, but doesn't want certain limitations on the property in the middle of the park. If there are limitations, they should be in areas that are not going to be used for anything other than outdoor use.

Hogue asked Beneke if the application has to be specific to certain parcels. Beneke stated the application will define the piece of property by a map. If a grant is awarded, it has to be used for the property in the application. Hogue asked if the grant could be to help the city exercise the option of identifying parcels? Beneke stated no.

Carolyn Jordan asked what the restrictions are? Anderson read from the Resolution. Vaillancourt stated that Mayor Poye wants to preserve the land for park use only.

Smith stated that including the specific-use language in the grant was included avoid any surprises, since the beginning. This was to make sure all parties are aware of the use of the property and conditions.

Wright stated that the grant may have this language, but the appropriation bill will not. Smith disagreed.

Wright stated a vote has been taken, and it was 2-2.

Martin asked if there is anyone in public attendance, not in favor of this? No response was given. Martin stated, with input from the public, he was changing his vote and motioned to read the resolution in title only. Anderson seconded it. Vaillancourt voted Yes. Wright's vote was not audible.

Hogue read, "RESOLUTION AUTHORIZING GRANT APPLICATION TO THE STATE OUTDOORS GRANT PROGRAM".

Motion to approve by Martin. Vaillancourt seconded the motion.

Paula Anderson asked for public comment. Mary Smith stated that many groups want to come use this park.

Anderson, Martin and Vaillancourt voted YES. Birch Wright voted NO. The motion carried.

Adjournment

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



Michael Thompson
Recorder/Treasurer



Max Poye
Mayor