

**MINUTES**  
**GOSHEN CITY COUNCIL**  
**October 8, 2019**

**CALL TO ORDER:** Mayor Cathy Oliver called the regular meeting of the Goshen City Council to order on October 8, 2019 at 6:30 p.m. at Goshen City Hall.

**ROLL CALL:** Those in attendance were Paula Anderson, Angie Driver, Colton Martin, John Vaillancourt and Birch Wright. Mayor Oliver declared a quorum. Lora Nanak the Office Manager and Linda Moore the Recorder/ Treasurer, were also present. Josh Bailey the City Attorney from Hogue Law Firm and Council member Bill Hewat arrived shortly after the meeting began.

**APPROVAL OF AGENDA:** John Vaillancourt added one item to the agenda under Old Business: 7 "F" Update on the Community Building. Birch Wright made a motion to approve the agenda, 2<sup>nd</sup> by Paula Anderson. Motion passed 5-0.

**APPROVAL OF MINUTES:** Mayor Oliver noted a name change had been made on page 4 of the Minutes under Public Input; incorrect name was changed to read "Citizen". Motion to approve corrected Minutes was made by John Vaillancourt, 2<sup>nd</sup> by Birch Wright. Motion passed 5-0.

**REPORTS FOR 2019:**

**FINANCIAL REPORTS:** Written financial reports were presented and reviewed. The Office Manager reported balances of \$559,423.27 in the general fund and \$64,441.66 in the street fund. The Office Manager also informed the council that she attended the Clerks Training and she intends to share with the council some of what she learned via power point. Mayor Oliver and the Office Manager will report on the budget next month.

**POLICE DEPARTMENT REPORT:** Chief Mike Ball presented a written reported. Chief Ball spoke about the upcoming benefit for Officer Freeman who was involved in a high-speed accident while pursuing a criminal; the event will be held at Church of Truth, Saturday, October 12<sup>th</sup> from 4-6pm. *For the record* this event has been made possible through the efforts of volunteers, the city of Goshen has not provided any funds to support this event. The driver of the vehicle has been identified and apprehended; criminal charges will ensue. The patrol vehicle was a total loss with the exception of some equipment that was able to be salvaged. Insurance has come back from the Arkansas Municipal League and they will pay \$16,725.00 less a \$1,000 deductible for the loss of the vehicle. Chief Ball asked for the replacement of the vehicle, he has request it be replaced with the same make of vehicle. Chief Ball will have information at next month's council meeting regarding the cost of a new vehicle, he will also have information on the cost of tracking devices and cameras to be placed in the police vehicles. Chief Ball stated that the State Police have taken over the investigation, they have removed the black box but have not sent a report yet.

Chief Ball made a request for candy donations for Trunk or Treats to be held on October 31<sup>st</sup>.

**STREET REPORT:** Russel Stroud reported that Sharp Rd. and Spring Valley were checked on and graded after the rains. The price for what was paid on Misty Valley Lane has been adjusted. Trees and limbs on Blue Springs are still being removed; they are almost finished with Tuttle Rd. Mr. Stroud sprayed for limbs and overgrowth on Brush, Oxford Bend and Spring Park Lane. A citizen voiced a need to put lines on Tuttle Road.

**REPORT FROM GOSHEN VOLUNTEER FIRE DEPARTMENT:** Thank you to those who came to community day. Fire Department report is in the packets.

**BUILDING OFFICIAL'S WRITTEN REPORT:** JD DeMotte is at a class tonight. Report is in the packet. The amount listed for a deck on Magnolia Court for \$75,000 is incorrect.

**PLANNING COMMISSION WRITTEN REPORT:** Nothing to report

**NEW BUSINESS:**

**Follow up Discussion on Land Purchase around the Community Building:** Liz Mashie spoke on behalf of her parents Mr. & Mrs. Mashie. The Mashies are ready to move forward with their retirement this includes selling the land around the Community Building; there are 60 acres available for purchase. Mayor Oliver wants to take some time to get the communities opinion on this matter. Birch Wright suggested tabling this item for 2 months so that there is time to get the Park Commission established and together on this project. Bill Hewat suggested looking into a conservation easement and finding out if we would have to pay anything at all. This item has been tabled until the December 2019 council meeting.

**Jail Fee Agreement Ordinance:** Attorney Bailey presented: Washington county passed a tax on municipalities to charge cities for jail costs. The options for payment are as follows: a per capita flat fee of \$4,829.00 for the entire year, based on population or a daily jail fee of \$62.00 for each day a prisoner spends in jail. This will go into effect Jan. 1, 2020. Birch Wright made a motion to adopt the per capita flat fee. Attorney Bailey will prepare an ordinance reflecting this. Attorney Bailey suggested tacking on an additional fine to arrests made in order to recoup some of this money, most other cities are applying an additional \$20.00 fine to each arrest. Attorney Bailey will put this on the ordinance for next month's Council Meeting.

**OLD BUSINESS:**

**Boy Scout Flag Pole:** Adam Ledzinski from Boy Scout Troop 102 provided a very detailed packet for the council to review. Adam verbally reviewed the packet in its entirety. Mayor Oliver asked Adam if he is needing the city to donate any money and Adam stated that it is up to the city if they want to donate but that he and his troop are prepared to raise all of the needed funds. Bill Hewat suggested matching the funds raised by the troop at 50% but no vote was taken. Attorney Bailey stated that a resolution would need to pass. Attorney Bailey asked Adam who would do future maintenance of the pole; City will have to do the future maintenance.

**Ordinance Levying A Real Estate and Personal Property Tax:** Ad Valorem Tax Ordinance is provided in councils packets. Birch Wright recommended we adopt the 3 mills as is, no increase. A Citizen suggested raising the mills in order to meet all the needs of the city. Bill Hewat suggested putting this item on the agenda in March 2020 so we have more time to discuss this issue next year. Birch Wright wants us to start a list of needs for the city so next year we have more of an idea of how much money we will need. A Citizen suggested raising the retail sales tax including Amazon sales and Dollar General. Paula Anderson suggested raising franchise tax. Current sales tax in our city is 1%, we are currently 1% below average. Recorder/Treasure will look into putting an increased sales tax vote on the May ballot and will bring this information to next month's meeting.

Birch Wright made a motion for ordinance to be read in title only leaving the mills at 3, 2<sup>nd</sup> by Bill Hewat. Roll Call vote taken; Colton Martin, Birch Wright, Angie Driver, Paula Anderson, John Vaillancourt and Bill Hewat voted yes. Ordinance will be #177. Bill Hewat made a motion to suspend the rules and

waive the 2<sup>nd</sup> and 3<sup>rd</sup> reading, 2<sup>nd</sup> by John Vaillancourt. Roll call vote was taken; Colton Martin, Birch Wright, Angie Driver, Paula Anderson, John Vaillancourt and Bill Hewat voted yes. Birch Wright made a motion to adopt the 3 mills, 2<sup>nd</sup> by John Vaillancourt. Roll call vote taken; Colton Martin, Birch Wright, Angie Driver, Paula Anderson, John Vaillancourt and Bill Hewat voted yes. Bill Hewat made a motion to adopt the emergency clause, 2<sup>nd</sup> by Birch Wright. Roll call vote taken; Colton Martin, Birch Wright, Angie Driver, Paula Anderson, John Vaillancourt and Bill Hewat voted yes. Ordinance 177 keeping the millage at 3 passed.

**Review of Public Speaking Ordinance 165:** Birch Wright presented and stated we should leave the Ordinance the way it currently reads.

**Sign Ordinance Discussion:** Matt Meyer, who is handling the church sign at the Goshen United Methodist Church, was not in attendance. Russell Stroud will let the church know on Sunday that Attorney Bailey needs more information about the sign before he can move forward with the variance. As the ordinance stands now it prohibits electronic signs. Paula Anderson suggested that the sign ordinance be brought to the next planning commission meeting. This item will be discussed at the next month's City Council meeting once we have received more information from the church.

**Pool Fence Discussion:** This item has been tabled until the November Council Meeting. The Ordinance on pool fencing is not currently being enforced. A decision has to be made as to whether the Ordinance will be enforced across the board or grandfathered in, another option is to put the responsibility of following the code on the homeowner by requiring them to sign an acknowledgement of said code.

**Update on Community Building:** John Vaillancourt followed up with TS (Tatum-Smith Engineers, Inc.) regarding their proposal. TS suggested we should cut holes in the ceiling ourselves (1 by each wall and 1 in the center) so that we can take a picture and monitor any further leaning issues. After the first of the year John Vaillancourt will do the cutting. Bill Hewat will test for mold and see if there is anything else that needs to be done. Council authorized HVAC cleaning to rid the ducts of mold.

**REPORTS/COMMENTS BY MAYOR, CITY COUNCIL, CITY ATTORNEY OR RECORDER/TREASURER:** Angie Driver had to resign as a council member due to relocating out of Goshen. Council will vote at the next meeting to fill the vacant position. Notice of the available position will be posted in the 5 designated public areas around the city as well as at The Knolls.

**PUBLIC INPUT:** Due to view obstruction, a citizen asked if a 'No Parking' sign could be placed at Andersons gas station restricting parking on the striped area along Bowen Rd.

**ADJOURNMENT:** Motion by Birch Wright, 2<sup>nd</sup> by Angie Driver to adjourn. Motion passed 5-0. Meeting adjourned 8:52 pm.



Linda Moore  
Recorder



Cathy Oliver  
Mayor