

Pea Ridge City Council
Regular Meeting
July 18, 2023

The Pea Ridge City Council met in a Regular Meeting on Tuesday, July 18, 2023, at 6:00 p.m., in the Council Room at the City Hall Administration Building.

Those present were: Mayor Nathan See, City Clerk Sandy Button, Council Members Ginger Larsen, Nadine Telgemeier, Steve Guthrie, Cody Keene, and Jeff Neil. Also present was City Attorney Shane Perry. Absent was Council Member Matt Blood.

Others present were: Annette Beard, Monte Keene, Jessica Grady, Dustin Phy, Ken Hayes, Tony Townsend, David Eaton, Robbie Bullis, Clint Bowman, Angie Jennings, Wendy Martin, Keith Martin, Aaron Clark, Roy Wade, Patrick Price, Doug Sperber, Sheila Wilkerson, Aaron Morgan, Patrick Hudson, Michael Smith and Dylon Jump.

Mayor Nathan See called the meeting to order.

Mayor Nathan See opened the meeting in prayer and led those present in the Pledge of Allegiance.

Public Comments: None

Alderman Keene moved, seconded by Alderman Guthrie to approve the minutes of the June 20, 2023, Public Hearing and the June 20, 2023, Regular Meeting. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

David Eaton, CPA Audit Manager, Przybysz Associates, CPAs, P.C., presented the Audited Financial Statements December 31, 2022, for the City of Pea Ridge Waterworks and Sewer System. Mr. Eaton stated that they found no material violations. He stated the audit was very good with no findings. City Clerk Button questioned the format of the audit not including the past years audit information. Mr. Eaton explained due to GAP and lease purchases it was not feasible to include the past years numbers as has always been done. He further stated that for the same reason last year's numbers were changed. Alderman Keene moved, seconded by Alderman Neil to accept this audit as presented. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Fire Chief Bowen requested authorization to surplus the 1986 Chev CD30903. This vehicle is no longer practical for use for the Fire Department. Alderman Guthrie moved, seconded by Alderman Keene, to surplus the 1986 Chev CD30903. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

July 18, 2023

Alderman Keene, seconded by Alderman Neil, moved to introduce Ordinance Number 813 by title only. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 813 by title only, which is entitled:

AN ORDINANCE WAIVING THE REQUIREMENTS OF COMPETITIVE
BIDDING; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

Alderman Keene, seconded by Alderman Guthrie, moved that the rule requiring the reading of an ordinance by title only on three different days be suspended. Mayor See put the question on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Thereupon Mayor See declared that at least two-thirds of all members of the council have voted in favor of the motion to suspend the rule. The motion was carried, and the rule suspended. Mayor See then read the Ordinance by title only.

Alderman Neil, seconded by Alderman Keene, moved that the Ordinance be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Alderman Keene, seconded by Alderman Neil, moved that the Emergency Clause be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

The Mayor thereupon declared the Ordinance and Emergency Clause were adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the Seal of the City.

Alderman Keene, seconded by Alderman Neil, moved to introduce Ordinance Number 804 by title only. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 804 by title only, which is entitled:

AN ORDINANCE COMPLYING WITH ACT 372 OF 2023;
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

July 18, 2023

Alderman Keene, seconded by Alderwoman Larsen, moved that the rule requiring the reading of an ordinance by title only on three different days be suspended. Mayor See put the question on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Thereupon Mayor See declared that at least two-thirds of all members of the council have voted in favor of the motion to suspend the rule. The motion was carried, and the rule suspended. Mayor See then read the Ordinance by title only.

Alderman Keene, seconded by Alderman Neil, moved that the Ordinance be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Alderman Neil, seconded by Alderman Guthrie, moved that the Emergency Clause be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

The Mayor thereupon declared the Ordinance and Emergency Clause were adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the Seal of the City.

Alderman Keene, seconded by Alderman Guthrie, moved to introduce Ordinance Number 795 by title only. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 795 by title only, which is entitled:

AN ORDINANCE AMENDING THE “BY-LAWS FO THE
PEA RIDGE PLANNING COMMISSION” FOR THE CITY
OF PEA RIDGE, ARKANSAS.

Alderman Guthrie, seconded by Alderwoman Larsen, moved that the rule requiring the reading of an ordinance by title only on three different days be suspended. Mayor See put the question on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Thereupon Mayor See declared that at least two-thirds of all members of the council have voted in favor of the motion to suspend the rule. The motion was carried, and the rule suspended. Mayor See then read the Ordinance by title only.

July 18, 2023

Alderman Keene, seconded by Alderman Guthrie, moved that the Ordinance be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

The Mayor thereupon declared the Ordinance adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the Seal of the City.

Alderman Keene, seconded by Alderman Neil, moved to introduce Ordinance Number 811 by title only. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 811 by title only, which is entitled:

AN ORDINANCE AMENDING PEA RIDGE MUNICIPAL CODE
11.6, TITLED "DRAINAGE REGULATIONS"; DECLARING
AN EMERGENCY; AND FOR OTHER PURPOSES

Alderman Keene, seconded by Alderman Neil, moved that the rule requiring the reading of an ordinance by title only on three different days be suspended. Mayor See put the question on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Thereupon Mayor See declared that at least two-thirds of all members of the council have voted in favor of the motion to suspend the rule. The motion was carried, and the rule suspended. Mayor See then read the Ordinance by title only.

Alderman Keene, seconded by Alderwoman Larsen, moved that the Ordinance be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted nay. Motion passed.

Alderman Keene, seconded by Alderwoman Larsen, moved that the Emergency Clause be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

The Mayor thereupon declared the Ordinance and Emergency Clause were adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the Seal of the City.

July 18, 2023

Alderman Keene, seconded by Alderman Neil, moved to introduce Ordinance Number 806 by title only. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 806 by title only, which is entitled:

AN ORDINANCE AMENDING PEA RIDGE MUNICIPAL
CODE, TITLE 14, THE OFFICIAL ZONING ATLAS MAP
OF PEA RIDGE, ARKANSAS, TO REZONE CERTAIN
LAND BELONGING TO PENSAGO LLC FROM AG TO C1

Alderman Keene, seconded by Alderman Guthrie, moved that the rule requiring the reading of an ordinance by title only on three different days be suspended. Mayor See put the question on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Thereupon Mayor See declared that at least two-thirds of all members of the council have voted in favor of the motion to suspend the rule. The motion was carried, and the rule suspended. Mayor See then read the Ordinance by title only.

Alderman Neil, seconded by Alderman Guthrie, moved that the Ordinance be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

The Mayor thereupon declared the Ordinance adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the Seal of the City.

Alderman Guthrie, seconded by Alderman Keene, moved to introduce Ordinance Number 807 by title only. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

July 18, 2023

Mayor See read Ordinance Number 807 by title only, which is entitled:

AN ORDINANCE AMENDING PEA RIDGE MUNICIPAL CODE, TITLE 14, THE OFFICIAL ZONING ATLAS MAP OF PEA RIDGE, ARKANSAS, TO REZONE CERTAIN LAND BELONGING TO DOUGLAS L. SPERBER, D.B.A. SPERBER HOLDINGS FROM C-1 TO R-2

Alderman Keene, seconded by Alderman Neil, moved that the rule requiring the reading of an ordinance by title only on three different days be suspended. Mayor See put the question on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Thereupon Mayor See declared that at least two-thirds of all members of the council have voted in favor of the motion to suspend the rule. The motion was carried, and the rule suspended. Mayor See then read the Ordinance by title only.

Alderman Keene, seconded by Alderman Guthrie, moved that the Ordinance be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted nay; Nadine Telgemeier voted nay; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

The Mayor thereupon declared the Ordinance adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the Seal of the City.

Alderman Keene, seconded by Alderman Neil, moved to introduce Ordinance Number 808 by title only. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 808 by title only, which is entitled:

AN ORDINANCE AMENDING PEA RIDGE MUNICIPAL CODE, TITLE 14, THE OFFICIAL ZONING ATLAS MAP OF PEA RIDGE, ARKANSAS, TO REZONE CERTAIN LAND BELONGING TO BARRY AND MECHEL WALL FROM AG: AGRICULTURAL TO R-1

Alderman Keene, seconded by Alderwoman Larsen, moved that the rule requiring the reading of an ordinance by title only on three different days be suspended. Mayor See put the question on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

July 18, 2023

Thereupon Mayor See declared that at least two-thirds of all members of the council have voted in favor of the motion to suspend the rule. The motion was carried, and the rule suspended. Mayor See then read the Ordinance by title only.

Alderman Guthrie, seconded by Alderwoman Larson, moved that the Ordinance be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

The Mayor thereupon declared the Ordinance adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the Seal of the City.

Alderman Keene, seconded by Alderman Guthrie, moved to introduce Ordinance Number 809 by title only. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 809 by title only, which is entitled:

AN ORDINANCE ACCEPTING THE FINAL PLAT OF STEPHANIE
ESTATES SUBDIVISION PEA RIDGE, BENTON COUNTY, ARKANSAS;
THE DEDICATION OF UTILITY EASEMENTS, STREETS AND OTHER
PUBLIC WAYS THEREIN; AND DECLARING AN EMERGENCY

Alderman Keene, seconded by Alderman Guthrie, moved that the rule requiring the reading of an ordinance by title only on three different days be suspended. Mayor See put the question on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Thereupon Mayor See declared that at least two-thirds of all members of the council have voted in favor of the motion to suspend the rule. The motion was carried, and the rule suspended. Mayor See then read the Ordinance by title only.

Alderman Keene, seconded by Alderman Guthrie, moved that the Ordinance be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

July 18, 2023

Alderman Keene, seconded by Alderman Guthrie, moved that the Emergency Clause be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

The Mayor thereupon declared the Ordinance and Emergency Clause were adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the Seal of the City.

Alderman Keene, seconded by Alderwoman Larson, moved to introduce Ordinance Number 810 by title only. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 810 by title only, which is entitled:

AN ORDINANCE ACCEPTING THE FINAL PLAT OF SEDONA ROSE
PHASE 2 SUBDIVISION PEA RIDGE, BENTON COUNTY, ARKANSAS;
THE DEDICATION OF UTILITY EASEMENTS, STREETS AND OTHER
PUBLIC WAYS THEREIN; AND DECLARING AN EMERGENCY

Alderman Neil, seconded by Alderman Keene, moved that the rule requiring the reading of an ordinance by title only on three different days be suspended. Mayor See put the question on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Thereupon Mayor See declared that at least two-thirds of all members of the council have voted in favor of the motion to suspend the rule. The motion was carried, and the rule suspended. Mayor See then read the Ordinance by title only.

Alderman Keene, seconded by Alderman Guthrie, moved that the Ordinance be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Alderman Keene, seconded by Alderman Guthrie, moved that the Emergency Clause be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

The Mayor thereupon declared the Ordinance and Emergency Clause were adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the Seal of the City.

July 18, 2023

Alderman Keene, seconded by Alderman Guthrie, moved to introduce Ordinance Number 812 by title only. The roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 812 by title only, which is entitled:

AN ORDINANCE ACCEPTING THE FINAL PLAT OF WALNUT HILL
PHASE II SUBDIVISION PEA RIDGE, BENTON COUNTY, ARKANSAS;
THE DEDICATION OF UTILITY EASEMENTS, STREETS AND OTHER
PUBLIC WAYS THEREIN; AND DECLARING AN EMERGENCY

Alderman Keene, seconded by Alderman Neil, moved that the rule requiring the reading of an ordinance by title only on three different days be suspended. Mayor See put the question on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Thereupon Mayor See declared that at least two-thirds of all members of the council have voted in favor of the motion to suspend the rule. The motion was carried, and the rule suspended. Mayor See then read the Ordinance by title only.

Alderman Keene, seconded by Alderman Neil, moved that the Ordinance be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Alderman Keene, seconded by Alderman Neil, moved that the Emergency Clause be adopted. The question was put by Mayor See on the adoption of the motion and the roll being called, the vote was as follows: Ginger Larsen voted aye; Nadine Telgemeier voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

The Mayor thereupon declared the Ordinance and Emergency Clause were adopted and signed the Ordinance, which was attested by the City Recorder and sealed with the Seal of the City.

Announcements:

Thirty People attended the Project for Public Spaces Meeting June 29, 2023.

The drive thru window at the Water Department is now open.

The Carroll Electric Board Meeting will be July 27, 2023 for the potential land purchase.

Police Officer Charles Snyder will graduate from the academy July 20, 2023 at 10 a.m.

The 34th Annual Mule Jump will be Saturday, October 14, 2023.

The attendance at the Pea Ridge Second Saturdays has really been great this year.

July 18, 2023

City Clerk Sandy Button recognized Nathan See with a plaque for 20 years of loyal and dedicated service to the City of Pea Ridge. A reception for Nathan will follow directly after this meeting in the lobby.

Alderman Keene moved, seconded by Alderman Guthrie to adjourn the meeting. Motion passed unanimously.

Nathan See, Mayor

Sandy Button, City Clerk