

Pea Ridge City Council
Regular Meeting
October 17, 2023

The Pea Ridge City Council met in a Regular Meeting on Tuesday, October 17, 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 Nadine Telgemeier, Matt Blood, Steve Guthrie, Cody Keene and Jeff Neil. Also present was City Attorney Shane Perry. Absent was Council Member Ginger Larsen.

Others present were: Annette Beard, Ken Hayes, Clint Bowman, Sheila Wilkerson, Jessica Grady, Stephanie Henson, Sue Elverston, Dan Cole, Colton Lucas, Isaac Vanderhoff and Zach Bush.

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 Neil moved, seconded by Alderman Keene to approve the minutes of the September 19, 2023, Regular Meeting. The roll being called, the vote was as follows: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Alderman Keene, seconded by Alderman Neil, moved to introduce Ordinance Number 815 by title only. The roll being called, the vote was as follows: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 815 by title only, which is entitled:

AN ORDINANCE AMENDING THE “ACCESSORY USES”
SECTION OF PEA RIDGE MUNICIPAL CODE 14.04;
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: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

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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: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Alderman Neil, seconded by Alderman Keene, 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: Nadine Telgemeier voted aye; Matt Blood 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 Blood, moved to introduce Ordinance Number 818 by title only. The roll being called, the vote was as follows: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 818 by title only, which is entitled:

AN ORDINANCE AMENDING PEA RIDGE MUNICIPAL
CODE SECTION 11.05, TITLED "LARGE SCALE
DEVELOPMENT", AND FOR OTHER PURPOSES

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: Nadine Telgemeier voted aye; Matt Blood 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: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

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Alderman Neil, seconded by Alderman Keene, 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: Nadine Telgemeier voted aye; Matt Blood 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 Blood, moved to introduce Resolution Number 512 by title only. The roll being called, the vote was as follows: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Resolution Number 512, which is entitled:

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO OBTAIN
PROFESSIONAL URBAN PLANNING SERVICES FROM GARVER-USA, INC.
D/B/A GARVER ENGINEERS

Alderman Keene moved, seconded by Alderman Neil to approve Resolution Number 512 as read. The roll being called, the vote was as follows: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Alderman Keene, seconded by Alderman Neil, moved to introduce Ordinance Number 513 by title only. The roll being called, the vote was as follows: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Resolution Number 513, which is entitled:

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO
APPLY FOR AND PARTICIPATE IN A SMALL CITIES INITIATIVES
GRANT FROM THE URBAN LAND INSTITUTE

Alderman Keene moved, seconded by Alderman Blood to approve Resolution Number 513 as read. The roll being called, the vote was as follows: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Alderman Keene moved seconded by Alderman Blood to approve two Permanent Easements and Right of Way Grants as listed below:

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Suzanne V. Harmon
Parcel #18-07426-005
9751 E. AR 72 HWY
Bentonville, AR 72712

Jose A. Hernandez, Jr.
Parcel #13-00032-000
995 E. Pickens
Pea Ridge, AR 72751

The roll being called, the vote was as follows: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

The Council discussed a Mural Easement Agreement between the City of Pea Ridge and GKS Properties. The Mural will be located at 372 N. Curtis Ave., and will depict scenes of Arkansas state parks, and native trees, flowers, and wildlife. Alderman Keene moved seconded by Alderman Blood to approve the Mural Easement Agreement: The roll being called; the vote was as follows: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Alderman Keene, seconded by Alderman Neil, moved to introduce Ordinance Number 819 by title only. The roll being called, the vote was as follows: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 819 by title only, which is entitled:

AN ORDINANCE ACCEPTING THE FINAL PLAT OF WELLINGTON HILLS PHASE I 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: Nadine Telgemeier voted aye; Matt Blood 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.

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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: Nadine Telgemeier voted aye; Matt Blood 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: Nadine Telgemeier voted aye; Matt Blood 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 moved, seconded by Alderman Blood, to approve a bill from the Arkansas Municipal League for the AML Service Charge in the amount of \$40.00 and the Municipal Legal Defense Program in the amount of \$12,134.15. Regarding the MLDP-CDL employee Drug Testing Program, CDL testing will continue to be included in the MLDP dues, but the Optional Non-CDL Drug Testing Program will not be offered or administered through MLDP in 2024. The total amount due for these two services is \$12,174.15. The amount last year was \$15,453.65. The roll being called; the vote was as follows: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Alderman Keene, seconded by Alderman Neil, moved to introduce Ordinance Number 821 by title only. The roll being called, the vote was as follows: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Mayor See read Ordinance Number 821 by title only, which is entitled:

AN ORDINANCE TO CORRECT A SCRIVENER'S ERROR
CONTAINED IN THE FINAL PLAT OF SARATOGA
SUBDIVISION TO THE CITY OF PEA RIDGE, ARKANSAS,
ACCEPTED BY THE CITY COUNCIL ON DECEMBER 20,
2022, BY ORDINANCE NO. 779; 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: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

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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 Blood, 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: Nadine Telgemeier voted aye; Matt Blood voted aye; Steve Guthrie voted aye; Cody Keene voted aye; and Jeff Neil voted aye. Motion passed.

Alderman Neil, seconded by Alderman Keene, 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: Nadine Telgemeier voted aye; Matt Blood 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:

Mayor See stated that over 2,000 people attended the 34th Annual Pea Ridge Mule Jump. He thanked each and every one who helped make this year's jump so successful.

The Committee of the Whole meeting to discuss the 2024 Budget will be Thursday, November 16, 2023, at 3:30 p.m. Department heads will be asked to attend this meeting to answer any questions concerning their individual budget.

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

Nathan See, Mayor

Sandy Button, City Clerk