

November 27, 2006

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on November 27, 2006, at 7:00 p.m. in the Council Chambers. Those present were Mayor Bill Harmon, City Attorney Steve Cobb, City Clerk Virginia Hillman, Aldermen Vassar, Rankin, Fender, Davis, Sulcer, Stedman, Henry, and Brooks.

Alderman Sulcer led in prayer and the Pledge of Allegiance was given to the flag.

A motion was made by Alderman Vassar to approve the minutes of the regular meeting on October 23, 2006, as transcribed. Alderman Rankin seconded the motion and the roll call was unanimous to approve the minutes.

Alderman Sulcer advised the Advertising & Promotion Commission did meet. The commission is preparing for the opening of The Enchanted Forest, December 1, 2006. The reception will begin at 5:00 p.m. and the lights turned on at 6:00 p.m. on December 1, 2006.

Alderman Fender advised the Street Commission did meet. The street commission is looking at a horizontal grinder to purchase for the City. Information is still being gathered for this purchase.

Resolution No. 15-2006, entitled, "A RESOLUTION AUTHORIZING THE MAYOR TO CONTRACT FOR AMBULANCE SERVICE" was read. A motion was made by Alderman Vassar, seconded by Alderman Sulcer to adopt the resolution. The roll call vote was unanimous. Mayor Harmon advised that when the City had to release the old ambulance service MEMS was available to the City and has done an outstanding job. Alderman Vassar stated that Jon Swanson invited her to tour the MEMS building and wanted everyone to know how outstanding it is. MEMS has its own training facility, and do their own work on their vehicles.

Linda Nickle, City of Sherwood Economic Development Director, gave an update on the Round Top service station on Trammel Road. The property is owned by the City of Sherwood. Registration was submitted to the Arkansas Department of Heritage three weeks ago. To complete the registration process, the City must indicate a specific use for this property and also provide grant funds to rehabilitate the property. Ms. Nickle would like the council to recommend what the City's use for this property will be to apply to the application. The application must be submitted to the review board by January 31, 2007. The review board meets three times a year, and the City application would be on the April 2007 agenda. A recommendation to the National Historic Register takes one to two weeks to receive the letter stating the property is eligible. This will allow the City to apply for grant funds by the middle of June 2007. Alderman Stedman stated a possible use for the property might be a police substation for Pulaski County. Alderman Sulcer stated she would like to see this used for a Sherwood COPPS location. Mayor Harmon asked Alderman Stedman and Alderman Sulcer to meet and come up with recommendations on the use of this property.

Resolution No. 16-2006, entitled, "A RESOLUTION FINDING THE STRUCTURE LOCATED ON PARCEL #23S-003-00-001-29, COMMONLY KNOWN AS LOT 367 OF THE SUNWOOD VILLAGE MOBILE HOME PARK ON CHERRIE AVENUE TO CONSTITUTE A PUBLIC NUISANCE" was read. A motion was made by Alderman Vassar, seconded by Alderman Sulcer to adopt the resolution. The roll call vote was unanimous.

Resolution No. 17-2006, entitled, "A RESOLUTION APPOINTING RESIDENTS AND BUSINESS OWNERS TO BOARDS AND COMMISSIONS" was read. A motion was made by Alderman Rankin, seconded by Alderman Sulcer to adopt the resolution. The roll call vote was unanimous.

Mayor Harmon advised the petition for formation of Austin Gardens Municipal Multipurpose Property Owners' Improvement District will be put on hold until the December 2006, council meeting.

Ordinance No. 1720, entitled, "AN ORDINANCE REZONING APPROXIMATELY 47 ACRES OF LAND IN THE SOUTHWEST QUADRANT OF STATE HIGHWAY 107 AND MARYLAND AVENUE FROM R-1 TO C-3" was read for the first time. Mayor Harmon invited anyone to come forward with issues concerning this ordinance. Stephen Giles, Attorney for Wal-Mart advised that several representatives and engineers from Wal-Mart, Inc. were available for any questions. Alderman Stedman asked if there were any chance that on the South side of the property near Katy Lane could be left with a fifty-foot buffer of trees to go between the store and residential area. Mr. Giles advised that this has been discussed earlier and he would let Jimmy Epley, Design Manager and Dean Carlson, Consulting Engineer, from Wal-Mart answer these questions. Mr. Carlson stated this particular area does have opportunity for buffering, there is some drainage that runs through here and to leave a 50 foot buffer would not be feasible, but they would like to work with the City staff to come up with a buffer having a combination of material that would be acceptable in this area. A resident from 134 Tiffany Circle, stated she would like to see something besides trees to cover the eyesore of looking out of her backyard into a parking lot. Mayor Harmon advised the planning department would request that a wall be put in place to separate the properties of the residents and the business. Sandy Baker requested that the City look toward the future in this decision. Ms. Baker would like to see this Wal-Mart store have a similar look as the one built in the Chenal area. Mike Rose, of Robin Lane, stated that the Wal-Mart for Sherwood should look as nice as the one located on Highway 10, and that he wants the City to keep the public informed as to the development of the Sherwood Wal-Mart. Jay, of Woodruff Creek, stated that the builders of Woodruff Creek are required to meet certain building specifications to beautify the residences, and that Wal-Mart should be held to the same standard of construction. His second concern is the traffic, Wal-Mart has conceded to add a left-turn lane part way down West Maryland; the City needs to look into it now to make sure that West Maryland does not turn into another Brockington Road. Alderman Stedman requested that Wal-Mart pay the expense for a traffic signal at Woodruff Creek and W. Maryland to aide the residents in getting out of their neighborhood. Mr. Giles advised this issue would have to be placed on a memorandum and reviewed with Wal-Mart before approval. Mayor Harmon advised that the City had been recently put on hold with the Highway Department on a traffic light at Hwy 107, but hopes as traffic picks up in the area they will approve a light to go in. Alderman Rankin inquired about the lighting of the store parking lot. Mr. Epley stated the levels of ground lighting would be less intense than a full moon. The lighting on this store has been changed to include shielding and a full cut off lumination to cut down on glare. Alderman Vassar asked about the noise level of the speakers, she was advised they have taken all the paging out and it is no longer a part of their store. Mr. Epley stated the front elevation and the elevation that faces Maryland will be focused on. He would like to come up with materials used in this development to match the neighborhood. Alderman Stedman requested that it be made clear that a memorandum stating Wal-Mart will be responsible for the traffic light on Highway 107 and that Wal-Mart and the City will share expenses for a traffic signal at W. Maryland. Alderman Fender asked if any drainage issues have been inquired about in the area. Mr. Carlson advised that the engineers could contain the flood flows within the banks of Woodruff Creek getting all the water out of the way of the neighborhood. Alderman Sulcer inquired about the amount of landscaping and was advised it would be efficient. Mr. Carlson stated they did not want to disturb Cypress Bottom Creek, they wanted to preserve it, and the site plan has been worked around to accommodate this. Alderman Vassar asked what other development would come with the Wal-Mart stores, Mr. Carlson stated that there are not any definite stores at this time, but that normally you would have banks, restaurants, and small retail that complements the Wal-Mart development. Doris Anderson stated she and her husband Mike Anderson held a community forum for the residents of Sherwood and Wal-Mart before the council meeting to help with any concerns with this development. She felt that most of the issues have been answered to some satisfaction. Robert Walla, 8212 Mark Avenue, stated his issue would be the fire and police protection once Wal-Mart was developed, and would there be an added tax to Wal-Mart to offset costs for fire and police service. Mayor Harmon advised the one percent sales tax that we get off Wal-Mart sales would be enough to provide police and fire protection. We have an outstanding fire department, and the flow for water hydrants will be met. Jason Layfette

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of Woodruff Creek Subdivision wanted to clarify some issues already discussed like the monitoring of the construction of Wal-Mart development and the extension of the turning lane on Maryland, to make it merging lane for the Woodruff Creek Subdivision. Mayor Harmon stated when the building plans are submitted the planning committee will review them before approval is made. Mayor Harmon also stated that Wal-Mart has been a great help in making sure the City is pleased with the development and to maintain the quality of life for people in the Sherwood area. A motion was made by Alderman Rankin, seconded by Alderman Brooks to suspend the rules and place the ordinance on the second reading. The roll call vote was unanimous. The ordinance was read for the second time. A motion was made by Alderman Sulcer, seconded by Alderman Brooks, to suspend the rules and place the ordinance on the third and final reading. The ordinance was read for the third time. A motion was made by Alderman Rankin, seconded by Alderman Brooks, to adopt the ordinance. The roll call vote was unanimous to adopt the ordinance.

Alderman Vassar asked Scott Kelley, Code Enforcement Officer, about the issue with the residence at the corner of East Lee. Attorney Steve Cobb addressed the issue and advised that the owner of the house called him and is going to evict the person living at this residence. Steve Cobb advised that they are still in Circuit Court on the old charges, but there have been new charges filed.

Mayor Harmon announced the Enchanted Forest Trail of Lights Ceremony Reception is on Friday, December 1, 2006, from 5 p.m. - 6 p.m. The annual Christmas parade is Sunday, December 3, 2006 at 2:00 p.m. Alderman Brooks stated that this is the largest parade with 100 units in the parade. There will be a reception at the Senior Citizen Center with cookies and hot chocolate following the parade.

Alderman Sulcer announced the Festival of Trees at the Bill Harmon Recreation Center and viewing of the trees starts November 29 and 30th and bidding starts on December 1, 2006, ending on December 2, 2006, at 4:00 p.m. All proceeds go to participating schools in Sherwood.

A motion was made by Alderman Vassar to adjourn.

ATTEST:

Virginia Hillman
City Clerk

Bill Harmon
Mayor