

March 6, 2007

SPECIAL CALLED MEETING 1

The City Council of the City of Sherwood met for a special called meeting on March 6, 2007, at 6:00 p.m. in the Council Chambers. Those present were Mayor Danny Stedman, City Attorney Steve Cobb, City Clerk Virginia Hillman, Aldermen Vassar, Rankin, Fender, Davis, Sulcer, Brooks, and Harmon. Alderman Henry Absent.

Mayor Stedman led in prayer and the Pledge of Allegiance was given to the flag.

Alderman Harmon, seconded by Alderman Rankin, made a motion that pursuant to Ark. Code Ann. §14-42-110(a)(1) the City Council override the Mayor's appointment for Public Works Department Head and declare a vacancy exist in that position.

Mayor Stedman: Ladies and gentleman, this is a sad day for our City. I was elected last November with almost 63 percent of the vote, carrying every precinct. I have been hired as the CEO for this City by you the citizens. I have been in office a mere 65 days. Change has been difficult, for some people. But ladies and gentlemen, change is good.

Alderman Harmon: I am sorry but is this discussion relevant to the public works position?

Mayor Stedman: Yes it is and I will get to it in just a moment. Change brings new energy, new ideas, and new efficiencies. The City has many, many challenges ahead of it. I'm calling them opportunities at this point. As your mayor I've been working every day for you the citizens. I'm in the day to day trenches of City operations. That's my job. I have the authority to select my department heads to run this City. I've been here a little over two months and this City Council has taken action to overrule my selection of Lee Church as Director of Public Works. This council has not given me a chance or Lee Church to succeed or even to fail. This is government at its worst. I can guarantee the citizens of this City that I am here working for you every day to make your government more efficient in giving you the best services possible. I can't do that if this Council will not let me do my job. The Council's function is to legislate and my job is to run the City's day-to-day operations. I ask this Council tonight to join hands with me and give me and Lee Church a chance. Now Alderman, do you have something to say? *No comments were made.* Do we have any public comments for or against?

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Alderman Harmon: Before we start comment, I would like to make an additional motion that we limit discussion on the subject tonight so that the question is called by 6:20 this evening.

Mayor Stedman: Will two minutes be fair?

Alderman Rankin seconded the motion. The roll call was 7 ayes. Alderman Henry absent.

Mayor Stedman: Ok. Two minutes per individual. Do we have anybody who would like to speak for or against? Please come to the microphone.

Hershel Bowman: My name is Herschel Bowman. I do not know if I am here to support or to not to support the mayor's decision. I think he ought to be able to do what he wants to do. The question I have is what are the qualifications? When I have talked to some of the people of around, one of the questions has been whether or not he is qualified. I was wondering if someone could tell me what the qualifications are and which ones that he or someone else needs to or does not meet.

Mayor Stedman: Mr. Bowman, I can tell you that the man is qualified; if you look at the job description he meets all of the requirements. I did the interviews. I made the selection based on the best man for the job. That's the qualifications that he has. Anybody else?

Mike Anderson: I know and you know that I am here to support the mayor because I think the mayor should have that choice. I think that should be his right. I am not here to support any particular person. I just think that this is wrong. I just think that it is too soon. I just think that it is not right to come up and not give him a chance with that person he has. If the person is not right, he can always get rid of him and get somebody who would work. I just do not think you all are treating him right. That's the way I feel about it. I want every one of you to know that we have not left this City. We will be around this City and we will be around here for a long time.

Julann Carney: I am here to state for the public record that I am here to support Mayor Stedman as Chief Executive Officer of the City of Sherwood. To politicize the Public Works Department to some issue that doesn't seem to be tied directly to Lee Church's

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qualification is very, very improper to do. Politicizing the Public Works decision puts at jeopardy the service you are elected to provide the citizens of this City. Besides Police and Fire protection, Public Works is the single most important service that we offer our community and we pay very dearly for it each and every month. For any of you who have benefited directly or indirectly financially from a contract with the Public Works Department, you should not vote on this issue tonight. Although legally you are able to do business with the City, ethically it would be a dilemma for you to vote on this. Third of all, I do support Lee Church. He's got immense background. Who knows our streets better than a fireman who took the call for nine years for our community? Or one that served for 38 years for the City of Little Rock. He also has heavy equipment operation experience, and prepared. I encourage you to think very carefully before you make your vote tonight. I haven't been here for a long time, but I will be back.

Doris Anderson: All of you alderman asked for my help last year because you wanted to have four year terms on the ballot. I helped you, but I can change it back. You have to give this mayor the time that it takes and the authority to run this City. I have the job description here for Lee Church. It says that he has to have a valid driver's license or the ability to attain one. I'm pretty sure he has that. It says he must have a competent Persons certification. Now I wanted to know what that was. I took the time today to go to City Hall. Nobody knew what that was so I asked the HR director what that was. He said he didn't know what that was. I said where did it come from? He said from the Arkansas Department of labor. I said oh really. I happen to work for that agency. It doesn't come from there. He said oh yes it does. I said well hand me your phone. I called my legal department; it doesn't come from there. I called my certification's department; it doesn't come from there. I called the person that's the business manager of the agency that's been there 28 years. It doesn't come from the Arkansas Department of Labor. So I asked is there anybody in the City of Sherwood who has this Competent Person's Certificate. I would like to know where it comes from and what it means. He says I think the engineers has one. Well might there be a certificate I could look at? I would like to see where it comes from. Well, Michael Clayton, our City Engineer has one. And it comes from the National Utility Contractor's Association. That is an agency that puts on a program for eight hours. You get a competency certification, and that's it. I think that Lee Church is fully qualified and capable of doing the same thing there. Going to an eight hour class is not difficult. And learning what he needs to do for this City is something that he ought to have the opportunity to do. He served the City in other capacities and y'all have supported him. Every one of you have called our homes and said we need your help; we need your help, on whatever issues it's been. You need to learn this mayor do what he needs to do for this City. I have called some of you alderman and asked why this is going on? What's the deal? I was told that we have the vote so we are going to do what we are going to do. How did you know that you had the votes unless you had in illegal meeting? The FOI prevents aldermen from discussing any City business outside the citizens. So how did y'all know?

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Richard Seville: A lot of you know me. You've called on my services. I know Lee Church. I know Danny. Lee's got a lot of experience. Don't go to the good ole boy system anymore. Let's don't do it. Give him the chance. You've got to give Lee a chance. Give the mayor the chance to run this City like he said. I've helped you a lot. Some of you know it. Leave it alone. Don't even vote on it.

Barbara Stedman: I want to know from you alderman how many constituents have called you and asked you not to have Lee Church as Public Works Director. Can any of you say anyone other than Tom Brooks, who had the gall to call me and try to influence me to influence my husband not to appoint him. Can you think of anyone else? Has there been one citizen that's called anybody? Ok, would you please reveal that to us.

Alderman Vassar: I've had several calls.

Barbara Stedman: Well, I'd like to hear some names because I haven't heard of any.

Alderman Vassar: I really don't think that would be fair.

Barbara Stedman: I don't think you can name a single one is what I think.

Alderman Vassar: I'm sorry but I have had a number of phone calls. When I called Mayor Stedman, I expressed that information to him.

Barbara Stedman: Well, if anyone called you and objected, it was from the cornbread mafia. That's what I have to say.

David Phillips: I talked with some of you people this afternoon. The only comment that I have to make is that none of us have the power to look into the future. We elected Dan Stedman as mayor. I think if he's made a mistake, I don't know if he has because we can't look into the future, if he made a mistake and he cannot rectify that mistake by the next election, I will be the first one to vote against him. I think in the mean time, we ought to let him give it his best shot.

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Mike Presson: I take offense to a small group of disgruntled people trying to keep the City Council from doing their job. These are friends of mine and I tell you what. I take it personal. If you've got a problem with any of these people up here, you talk to me.

Laverne Jones: I've never met Mr. Church until today. I have complained for over a year about a water problem behind my house that runs all in my yard. I had numbers, numbers, numbers but no one showed up. Mr. Church showed up today. He did go through all of it. He did look at all of it. He did tell me what he was capable of doing through the help here. But there is some of it he cannot do because it is legal problems. But if you would get together and if you would try, you can get the legal problems solved because it comes a piece of property that you're trying to do whatever. I don't know what you're trying to do.

Mayor Stedman: Is there anyone else? Council, I guess it's at your pleasure at this point.

City Attorney Cobb: You have a motion and a second on the original motion.

Mayor Stedman: To retain Lee or not to retain Lee.

From the audience: You called the meeting, why don't you tell us why.

Alderman Vassar: We have a motion, do we not? To remove"

City Attorney Cobb: You need to call the roll.

The roll call was 6 ayes (Aldermen Vassar, Rankin, Fender, Sulcer, Brooks, and Harmon), 1 nay (Alderman Davis). Alderman Henry absent.

Mayor Stedman: The Council has spoken. Meeting adjourned.

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ATTEST:

Virginia R. Hillman

Danny Stedman

City Clerk

Mayor