

April 23, 2007

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on April 23, 2007, at 7:00 p.m. in the Council Chambers. Those present were Aldermen Vassar, Rankin, Fender, Davis, Sulcer, Henry, Brooks, and Harmon; Interim Mayor Bill Harmon, City Attorney Steve Cobb, and City Clerk Virginia Hillman.

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

A motion was made by Alderman Sulcer to approve the minutes of the regular meeting on March 26, 2007, special called meetings on April 10, 2007, and April 11, 2007, as transcribed. Alderman Henry seconded the motion and the roll call was unanimous to accept the minutes.

Alderman Sulcer, Advertising and Promotion Commission Chairman, announced that the commission did meet and plans are well underway for the Annual Fourth of July Celebration.

Alderman Rankin, Parks and Recreation Committee Chairman, announced that the Parks and Recreation Committee did meet and announced that the Lady Razorback game attendance had surpassed previous records with 2,938 in attendance.

An ordinance No. 1736 entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 371, THE MASTER STREET PLAN OF SHERWOOD, REPEALING CONFLICTING CLAUSES; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES" was read for the first time. Alderman Sulcer stated that she was abstaining from voting on the next two ordinances on the agenda since she worked with the agent representing the property. A motion was made by Alderman Vassar, seconded by Alderman Rankin, to suspend the rules and place the ordinance on the second reading. The roll call votes 7 ayes. Alderman Sulcer abstained. The ordinance was read for the second time. A motion was made by Alderman Rankin, seconded by Alderman Henry, to suspend the rules and place the ordinance on the third and final reading. The roll call votes 7 ayes. Alderman Sulcer abstained. The ordinance was read for the third time. A motion was made by Alderman Brooks, seconded by Alderman Davis to adopt the ordinance. The roll call votes 7 ayes. Alderman Sulcer abstained. The emergency clause passed with a roll call votes of 7 ayes. Alderman Sulcer abstained.

An ordinance No. 1737 entitled, "AN ORDINANCE REZONING FOUR PARCELS OF LAND AT HIGHWAY 107 AND KELLOGG ROAD FROM R-1 RESIDENTIAL TO C-3 COMMERCIAL; AMENDING THE ZONING MAP AND THE LAND USE MAP AS SHOWN IN EXHIBIT A, DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES" was read for the first time. A motion was made by Alderman Vassar, seconded by Alderman Rankin, to

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suspend the rules and place the ordinance on the second reading. The roll call votes 7 ayes. Alderman Sulcer abstained. The ordinance was read for the second time. A motion was made by Alderman Davis, seconded by Alderman Henry, to suspend the rules and place the ordinance on the third and final reading. The roll call votes 7 ayes. Alderman Sulcer abstained. The ordinance was read for the third time. A motion was made by Alderman Davis, seconded by Alderman Harmon to adopt the ordinance. The roll call votes 7 ayes. Alderman Sulcer abstained. The emergency clause passed with a roll call vote of 7 ayes. Alderman Sulcer abstained.

Mayor Harmon asked for a motion to suspend the rules and place a resolution concerning the golf course on the agenda. A motion was made by Alderman Brooks, seconded by Alderman Vassar, to suspend the rules and place the proposed resolution on the agenda. The roll call vote was unanimous.

Resolution No. 10-2007 entitled "A RESOLUTION TO DECLARE A MORATORIUM FOR A PERIOD OF SIX MONTHS TO STOP THE ISSUANCE OF PERMITS OR ACCEPTANCE OF REZONING APPLICATIONS OR PLATS FOR THE AREA OF NORTH HILLS COUNTRY CLUB, AND FOR OTHER PURPOSES" was read. A motion was made by Alderman Vassar, seconded by Alderman Sulcer, to adopt the resolution. Mayor Harmon stated that the attorney's for the City recommended the moratorium to allow more time for the City to make a decision. This is the same practice that was followed during the building of the Clinton Library. The purchaser of the North Hills Country Club has given the City 30 days to make a decision as to whether or not to purchase the property. More time is needed to have an appraisal, feasibility study, bond approval, election, and approve a tax to pay for it. If the feasibility study comes back and says that this is something that the City should do, then it will put it to a vote of the people with a bond issue and a means to pay the bond issue off. The whole idea of the moratorium is to give more time and is not intended to hinder or hurt the purchaser in any shape, form, or fashion.

Mr. Ron Campbell, one of the buyers of the property addressed the Council. He stated that he had a meeting at the City one week ago and did not remember anything about the 30 days other than what he read it in the paper. He feels that if more than 30 days were needed, the City should have asked. The moratorium will cost him \$35,000 per month. The proposed resolution reads for one year. City Attorney Steve Cobb stated that it meant for six months only and is not intended for another six months thereafter. Mr. Campbell suggested that in order for the City to avoid a lawsuit, they should lease the property for \$35,000 per month while the City makes up their mind. Mayor Harmon asked how much time would be given if the City had asked? Mr. Campbell said he did not know since it was to the point of the moratorium. Mr. Campbell proposed to lease the property to the City of Sherwood for \$35,000 per month. He would pay the taxes and

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insurance and the City could maintain it. The City would have six months to make up their mind. Mr. Campbell stated that the proposed excavating ordinance with an emergency clause was also to keep him from altering the golf course and disturbing the greens. Mayor Harmon stated that he was right and it also included any other five acres tracts or more and would only be read one time tonight. Mr. Campbell does not believe that the residents of Sherwood will approve a tax to purchase the property. Mr. Campbell stated that he did not think it was fair and that the golf course has been run down for 10 years. Mr. Campbell asked if it was fair for him to take a loss? He stated that the City has had a lawsuit in the past for imposing a moratorium regarding Chapel Ridge Apartments. Mayor Harmon stated that the lawsuit did not go to court since the moratorium was lifted. The roll call was unanimous to adopt the resolution.

Alderman Fender, Street Commission Chairman, announced that the City has not given up on a horizontal grinder. Research is still underway to determine the feasibility. Also, the Standard Details and Street Specifications draft is still under review. The document is technical in nature and will be presented to the Council next month to be read one time to allow for any questions. The purpose of the document is to avoid future problems similar to those experienced in Stonehill. Alderman Vassar announced that the proposed excavation ordinance would probably package well with this. City Engineer Michael Clayton stated that the proposed ordinance is for informational purposes only and will be reviewed at next months meeting. It was only provided to allow for more time to review.

Resolution No. 11-2007 entitled "A RESOLUTION FINDING THE STRUCTURE LOCATED ON PARCEL NO. 23S-003-00-001-12, COMMONLY KNOWN AS LOT 707 OF THE EDGE WOOD MANOR MOBILE HOME PARK LOCATED AT 729 CHERRIE AVENUE TO CONSTITUTE A PUBLIC NUISANCE" was read. A motion was made by Alderman Vassar, seconded by Alderman Brooks, to adopt the resolution. The roll call vote was unanimous to adopt the resolution.

Resolution No. 12-2007 entitled "A RESOLUTION DECLARING MAY 5, 2007. SENIOR CITIZENS' DAY IN SHERWOOD" was read. A motion was made by Alderman Rankin, seconded by Alderman Sulcer, to adopt the resolution. The roll call vote was unanimous to adopt the resolution.

Resolution No. 13-2007 entitled "A RESOLUTION APPOINTING MARINA BROOKS TO THE JOINT EMERGENCY MEDICAL SERVICES BOARD (MEMS)" was read. A motion was made by Alderman Sulcer, seconded by Alderman Rankin, to adopt the resolution. The roll vote call was unanimous to adopt the resolution.

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Resolution No. 14-2007 entitled “**A RESOLUTION IN SUPPORT OF THE STATE HIGHWAY DEPARTMENTS ANNOUNCED ROUTE FOR THE NORTH BELT FREEWAY**” was read. Alderman Fender stated that the Street Commission was in favor of the resolution but also wanted the resolution to include that a grade separation north of Oakdale and east of Mine Road. A motion was made by Alderman Vassar, seconded by Alderman Davis, to adopt the resolution as amended. The roll call vote was unanimous to adopt the resolution as amended.

Resolution No. 15-2007 entitled “**A RESOLUTION RENAMING THE STREET AND PERSONNEL COMMISSIONS TO THE STREET AND PERSONNEL COMMITTEES**” was read. A motion was made by Alderman Sulcer, seconded by Alderman Vassar, to adopt the resolution. The roll vote call was unanimous to adopt the resolution.

The following announcements were made:

- National week of prayer will be the week of April 30th – May 4th.
- Senior Citizens annual Fun Day, Saturday, May 5th.

Mayor Harmon recognized Lance Green, Sherwood Youth Council Vice President.

Alderman Vassar made a motion to adjourn, seconded by Alderman Brooks.

ATTEST:

Virginia Hillman, City Clerk

Bill Harmon, Interim Mayor