

**August 27, 2007**

**REGULAR MEETING 1**

The City Council of the City of Sherwood met for a regular meeting on August 27, 2007, at 7:00 p.m. in the Council Chambers. Those present were Mayor Virginia Hillman, City Attorney Steve Cobb, Deputy City Clerk Angela Nicholson, Aldermen Vassar, Rankin, Fender, Davis, Sulcer, Henry, Brooks, and Harmon.

Pastor Hugh Yarbrough, of First Christian Assembly led in prayer and the Pledge of Allegiance was given to the flag.

A motion was made by Alderman Brooks to approve the minutes of the regular meeting on July 23, 2007, as transcribed. Alderman Sulcer seconded the motion and the roll call was unanimous.

Alderman Harmon introduced Boy Scout Troop #770. The scoutmaster's are Ken Keplinger, Mike Lucas, and Charles Grasby. Several members of the scout troop were present at the Council meeting. They are working on a merit badge in civic duties. They are required to attend a local government meeting and observe government in action.

Alderman Sulcer, Chairman of Advertising and Promotion Commission, advised they met and discussed the July 4<sup>th</sup> event. They are making preparations for the Sherwood Fest on October 20, 2007. There are booths available.

Alderman Rankin, Chairman of Parks and Recreation Committee, advised they did meet. On September 22, 2007, the junior softball camp will be in Sherwood. The interviews for the new tennis pro are in process.

Alderman Vassar, Chairman Personnel Commission, advised they didn't meet. She advised the packet on the policy updates will be on the agenda for next months council meeting.

**Ordinance No. 1745, entitled, "AN ORDINANCE REZONING THE PROPERTY AT OAKDALE AND BROCKINGTON ROAD FURTHER DESCRIBED AS PART OF SECTION 29, TOWNSHIP 3 NORTH, RANGE 11 WEST, PULASKI COUNTY ARKANSAS, FROM R-1 SINGLE FAMILY RESIDENTIAL TO R-3 MULTI-FAMILY RESIDENTIAL; AMENDING THE ZONING MAP; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES"** was read for the second time. Alderman Vassar stated she has received two calls from people to discuss with her that this is the first multi-family rezoning request for an area that is not already developed. She spoke with the developer and this area is not already developed and it will be a buffer between C-3 and residential. They are doing this prior to any construction of R-1 property and it will be done in phases. If phase one doesn't build to their expectations the development will be minimized. Brooks McRae advised it will be developed in two phases. The total development is 228 units, with half to begin development and as those become occupied the other half will be developed. Alderman Vassar asked if the units with garages would be in the first phase and she was advised that they are in both phases. Tim McClure developer of the complex was on hand to answer any questions. He stated the clubhouse, pool, park, and gated entrance will be in the first phase, and that management will be available 24/7. Alderman Fender asked about security on site, and was advised that the fence should suffice for now and if needed later they would add security. Once approved by the council, it will go back to the planning commission for approval of the site plan. A motion was made by Alderman Vassar, seconded by Alderman Davis, to suspend the rules and place the ordinance on the third and final reading. The roll call vote was 6 ayes, Aldermen Sulcer and Brooks abstained. The ordinance was read for the third time. A motion was made by Alderman Rankin, seconded by Alderman Harmon, to adopt the ordinance. The roll call vote was 6 ayes, Aldermen Sulcer and Brooks abstained. The emergency clause passed with 6 ayes, Aldermen Sulcer and Brooks abstained.

Alderman Fender, Chairman of Street Committee, stated the committee did meet. Alderman Fender advised that he has spoken with Frank Bosle, Deputy Director and Chief Engineer of the Highway Department, concerning the north belt freeway and

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interchanges at the Highway 107 and Oakdale crossover. There is concern that the location of the interchange of the north belt freeway will effect the development of the four corners. The understanding of this by the council was that the crossover interchanges would be far enough north having no effect on the intersection of the four corners. If no changes are made it is possible the Highway Department will not go forward with the north belt freeway. The development of the four corners is very important to the City of Sherwood. Alderman Fender wants the council to be aware of both sides of the issue, and he wants this to be solved in a compromised way. Michael Clayton, City Engineer made a power point presentation showing the area in question. Mayor Hillman stated that this would be for information purposes only. Mr. Clayton advised he wanted to address the facts and proceeded to have a power point of the preliminary route of the north belt. The proposed north belt as showed on the preliminary splits the location on top of the ridge between the Brockington Road intersection and the swamp area on the north side. There are two tracts of land that have been rezoned in the past year. One having approximately 43 acres and the other having around 60 to 63 acres and both are zoned C-3. Both tracts have the potential for development. The proposed design of the interchange is in the early stages. The classic diamond interchange has pros and cons. The Highway Department doesn't have the power to place a moratorium on the property. The Highway Department is relying on the City of Sherwood to place a moratorium on the property for one year. The Highway Department has to get a record of decision made before it is approved by the federal highway administration. They have to complete an environmental impact study. Once this is completed and submitted then they can go on the record with their decision, and proceed to move forward with surveying and preliminary design on the interchange after a public hearing on the design issues. They want to do an advance purchase of the right of way for the interchange location. Mr. Clayton has met with three major developers in this area. He is trying to work with the developers to come up with a consensus on what is the best solution to move forward with this. One concern is that the on and off ramp at Brockington Road and Highway 107 will cause a major traffic problem because the on and off ramps are too close to a signal light intersection. Mr. Clayton would like to come back before the council at the next meeting and make a recommendation to have a potential consensus with the developers and the Highway Department to protect the integrity of the north belt interchange and allow some development to occur. Alderman Fender summarized that with the proposed design the Highway Department is advocating, the City is faced with either the north belt freeway being developed or the development in the four corners area. Alderman Vassar asked Mr. Clayton if he has been in contact with engineers in other areas that have a similar situation as this. Mr. Clayton advised he has been studying different case studies throughout the region. He stated that any development that comes before the council, the council has to go by the master street plan that is in place right now. The City cannot deny any development unless a moratorium is in place. Alderman Fender would like the council to revisit this issue next month. In other discussion the street committee is studying an ordinance on storm water management. Next month an ordinance will be presented to the council to be read one time and allow the council time to review. Alderman Fender thanked Bill Miller on the work he has done on the standard details. Alderman Vassar asked about the Senior Citizen parking lot. Alderman Fender advised he spoke with the Mayor, who spoke with Michael Clayton and Mr. Clayton advised that a bid opening will be held on September 11, 2007. Alderman Fender advised the parking lot would be done by Thanksgiving. Alderman Sulcer reminded the council that the bid on Brockington Road would be September 19, 2007.

**Ordinance No. 1746, entitled, "AN ORDINANCE WAIVING COMPETITIVE BIDDING FOR THE PURCHASE OF A TRUCK FOR PUBLIC WORKS DECLARING AN EMERGENCY AND FOR OTHER PURPOSES"** was read. Mayor Hillman asked Michael Clayton to explain to the council the necessity for this. He stated that leaf season is coming up and the extra truck will add to the load transporting leaves. The vehicle is a used 2002 truck costing \$22,000.00. A motion was made by Alderman Vassar, seconded by Alderman Davis, 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 Vassar, to suspend the rules and place the ordinance on the third and final

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reading. The roll call vote was unanimous. The ordinance was read for the third time. A motion was made by Alderman Vassar, seconded by Alderman Rankin, to adopt the ordinance. The roll call vote was unanimous. The emergency clause passed with a unanimous roll call vote.

**Ordinance No. 1747, entitled, "AN ORDINANCE APPROPRIATING \$84,669.72 FROM THE GENERAL FUND FOR SALARY INCREASES; MAKING SAID SALARY INCREASES RETROACTIVE TO BEGINNING OF PAY PERIOD, JULY 9, 2007; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES"** was read. Mayor Hillman stated this was a 2% pay increase covering all employees of the City of Sherwood. A motion was made by Alderman Rankin, seconded by Alderman Davis, 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 Davis, to suspend the rules and place the ordinance on the third and final reading. The roll call vote was unanimous. The ordinance was read for the third time. A motion was made by Alderman Sulcer, seconded by Alderman Henry, to adopt the ordinance. The roll call vote was unanimous. The emergency clause passed with a unanimous roll call vote.

A motion was made by Alderman Vassar, seconded by Alderman Harmon to table the sign ordinance for 30 days and form a committee. The roll call vote was unanimous. Mayor Hillman asked Alderman Harmon to chair the committee, and include someone from the Sherwood Chamber.

**Resolution No. 23-2007, entitled, "A RESOLUTION FINDING THE STRUCTURE LOCATED ON PARCEL #23S-023-01-042-00, COMMONLY KNOWN AS 108 PINEVIEW, TO CONSTITUTE A PUBLIC NUISANCE"** was read. A motion was made by Alderman Brooks, seconded by Alderman Sulcer to adopt the resolution. The roll call vote was unanimous. Michael Clayton advised that the owner of the property is willing to work with the City to bring this property in compliance.

**Resolution No. 24-2007, entitled, "A RESOLUTION FINDING THE STRUCTURE LOCATED ON PARCEL #23S-023-01-069-11, COMMONLY KNOWN AS 106 GREENWOOD 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. 25-2007, entitled, "A RESOLUTION APPOINTING REX KYLE AND REAPPOINTING CLYTICE KOEHLER TO THE CIVIL SERVICE COMMISSION"** was read. A motion was made by Alderman Davis, seconded by Alderman Sulcer, to adopt the resolution. The roll call vote was unanimous. Mayor Hillman introduced Rex Kyle to the council.

A resolution for the appointment of a City Clerk/Treasurer was read. A motion was made by Alderman Vassar, seconded by Alderman Rankin, to go into executive session. The roll call vote was unanimous.

A motion was made by Alderman Vassar, seconded by Alderman Rankin to come out of executive session. The roll call vote was unanimous.

**Resolution No. 26-2007, entitled, "A RESOLUTION APPOINTING ANGELA NICHOLSON CITY CLERK/TREASURER TO FILL THE VACANCY RESULTING FROM VIRGINIA HILLMAN BECOMING MAYOR"** was read. A motion was made by Alderman Vassar, seconded by Alderman Sulcer to adopt the resolution. The roll call vote was unanimous. Mayor Hillman stated that the Deputy City Clerk/Treasurer would be selected by the City Clerk within the administration.

Alderman Sulcer asked that an ordinance be established to have any metamphetamine drug houses that have been busted to be recorded at the courthouse. Attorney Steve Cobb advised he is presently working on this.

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Mayor Hillman advised that upon consulting with the City Engineer that it is time to update the storm sirens. There is a one-time turn back that the state will give to the City of Sherwood at \$6.75 per capital, totaling \$145,000. She stated that the current sirens are not functioning, as they should.

Drew Wilson addressed the council in reference to the parks and recreation doing a study on the feasibility of a skateboarding park in the City of Sherwood.

Lance Green, Mayor's youth Council was present at the meeting.

Mayor Hillman announced there will be a meeting on September 27, 2007 at 6:30 p.m. at the Bill Harmon Recreation Center regarding the new Wal-Mart. In attendance will be the attorney for Wal-Mart, the construction manager, marketing manager as well as an engineer.

Frank Hill, Sherwood Fire Department Chief, announced that he heard from Ron Myers of ISO, and the Rixey area has been updated to an ISO 2. This rating will go into effect on December 2, 2007. He advised that a new fire truck has been purchased and will be available in September.

A motion was made by Alderman Brooks to adjourn.

ATTEST:

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Angela Nicholson  
City Clerk/Treasurer

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Virginia R. Hillman  
Mayor