

May 27, 2008

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on May 27, 2008, at 7:00 p.m. in the Council Chambers. Those present were Mayor Virginia R. Hillman, City Attorney Steve Cobb, City Clerk Angela Nicholson, Aldermen Vassar, Rankin, Fender, Davis, Sulcer, Henry, Brooks and Harmon.

Jim Roland, pastor of Sylvan Hills Methodist Church, led in prayer, and the Pledge of Allegiance was given to the flag.

Alderman Brooks, seconded by Alderman Vassar, made a motion to approve the minutes of the regular meeting on April 28, 2008, as transcribed. The roll call vote was unanimous.

Corey Malloy and Alicia Hamilton, Advisors for the Sherwood Mayor's Youth Council, presented a \$500.00 scholarship award to Lance Green, outgoing Mayor of the Youth Council. Mayor Hillman presented Mr. Green with a key to the City.

Alderman Sulcer, Chairman Advertising & Promotion Commission, stated they would meet on June 4, 2008, with the 4th of July meeting beginning at 2:30.

Alderman Rankin, Chairman Parks & Recreation Committee, asked Sonny Janssen, Director of Parks and Recreation to advise the council on the progress of the ball fields. Mr. Janssen reported that today would have been the first day ball would have been played had the weather not rained them out. The baseball side is bare with all the lights down. The fence company has been doing work on the field; the concession stand has its roof back on. It will still take time to get everything back in order. The 5-6 year olds are playing on the soccer fields. The super series tournaments will still be held at the end of the year in July during daylight hours.

An ordinance entitled, "**An ordinance rezoning Lot 1, Block 7, Lake Cherrywood Subdivision No 1 From R-1 to C-1; amending Ordinance 729 as amended; declaring an emergency; and for other purposes**" was read. Michael Clayton, of Clayton Engineering, spoke on behalf of Kelly Powers. Mr. Clayton requested that the City Council refer this rezoning back to the Planning Commission for reconsideration. The owners had originally requested a C-3 rezoning and ultimately came out with a C-1. Mr. Powers owns the strip mall property and it is currently zoned C-3. The piece of property in question is on the corner between the strip center and Ash Street. The issue that came up at the planning commission was whether the lot was wide enough to sustain a C-3 position. Mr. Powers has agreed to re-plat the property. Alderman Sulcer asked about the drainage pipes that are across the property. Mr. Clayton stated there would have to be revisions on these with the new site plan. Alderman Davis asked if Mr. Powers wanted a C-2 rezoning instead of a C-1. Mr. Clayton stated Mr. Powers originally requested a C-3. Alderman Davis asked what this property would be used for. Mr. Clayton stated speculation is for retail. Alderman Vassar stated she was concerned because this was a corner lot, and C-3 rezoning sounds high to her. If the planning Commission receives this back she would like for the planning commission to look very carefully at the plat. Mr. Clayton stated there would be a survey of the property for clarification. Mr. Clayton further stated that there is a separate request at the planning commission for the area behind the strip center and they are planning on remodeling or vacating existing structures. He believes it is about 2.5 acres. Alderman Sulcer asked if Mr. Powers planned on connecting to the existing building. Mr. Clayton stated no, it would be a stand-alone development. Alderman Vassar asked if the replat would allow for the amount of space for width of the property. Mr. Clayton stated that was correct. Alderman Sulcer stated she would like for the planning commission to widen the streets. The businesses in Cabot have streets behind them. A motion was made Alderman Vassar, seconded by Alderman Sulcer, to send the ordinance back to the planning commission. The roll call vote was unanimous.

Ordinance No. 1777, entitled, "AN ORDINANCE REZONING PROPERTY ON HIGHWAY 107 AND OAKDALE FROM C-2 TO C-3; AMENDING ORDINANCE 729 AS AMENDED; DECLARING AN EMERGENCY; AND FOR OTHER

PURPOSES” was read. A motion was made by Alderman Harmon, seconded by Alderman Vassar, to suspend the rules and place the ordinance on the second reading. The roll call vote was 7 ayes, Alderman Sulcer abstained. The ordinance was read for the second time. Alderman Vassar asked if this had any conflict with the intersection that the Highway Department was doing. Mr. Clayton stated Hwy 107 is under construction and the Highway Department is relocating part of Hwy 107 and there should be no problems. 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 7 ayes, Alderman Sulcer abstained. The ordinance was read for the third time. A motion was made by Alderman Davis, seconded by Alderman Rankin, to adopt the ordinance. The roll call vote 7 ayes, Alderman Sulcer abstained. The emergency clause passed with 7 ayes, Alderman Sulcer abstained.

An ordinance entitled, **AN ORDINANCE APPROPRIATING FUNDS FOR A SIDEWALK PROJECT IN THE AREA OF SEMINOLE TRAIL IN THE CITY OF SHERWOOD, ARKANSAS AND FOR OTHER PURPOSES”** was read. A motion was made by Alderman Rankin, seconded by Alderman Sulcer, to table the ordinance until a further time. The roll call vote was 7 ayes, Alderman Brooks abstained.

Resolution No. 8-2008, entitled, “A RESOLUTION FINDING THE STRUCTURE LOCATED ON PARCEL #23S-024-00-087-00, COMMONLY KNOWN AS 7900 HWY 107, ALSO KNOWN AS COUCH’S GARAGE TO CONSTITUTE A PUBLIC NUISANCE” was read. Alderman Rankin stated that at the last meeting it was discussed that the owner’s would take care of the demolition of the property. Alderman Davis stated it had not been done. Alderman Rankin stated he has seen cleanup. Alderman Harmon stated all he has seen is cleanup around the outside of the property. A motion was made by Alderman Brooks, seconded by Alderman Davis, to adopt the resolution. The roll call vote was unanimous.

An ordinance entitled, **“AN ORDINANCE AMENDING THE CITY OF SHERWOOD, ARKANSAS MASTER STREET PLAN AS TO HEMPHILL ROAD AND FOR OTHER PURPOSES”** was read. Mayor Hillman stated she brought this to the council because she has received numerous calls from citizens wanting to know when something would be done on Maryland to get an east/west entrance/exit. The developer does not have to open the street at this time because he is not developing the lots. The city cannot force him to open the road. The developer has agreed that if Hemphill is taken off the Master Street Plan he will go ahead and spend the \$350,000.00 dollars to open up Maryland. At this time there is no way that the citizens can get out of the Stonehill subdivision if there were to be a catastrophe like the tornado on Loop Road. It is what is best for the northern portion of this area to relieve traffic. It is not to help a developer. This has been going on for ten years and the residents need relief. Alderman Sulcer stated that two years ago the developer sent a letter out saying awful things about the neighbors over in the Grandview, Witts, and Ridgelea addition. She has received calls for and against opening Hemphill. Alderman Sulcer asked if the developer approached the Mayor. Mayor Hillman stated no she approached him. Alderman Sulcer is concerned about getting emergency personnel through to the area. The closest way to get emergency personnel through at this time is not to close Hemphill. If Maryland is opened emergency personnel are going to have to go through Oakbrooke and Autumnbrook. *Mayor Hillman:* We are not closing Hemphill because it is not open. There is no access right now. If the city does the opening of the street there will be hundreds of thousands of dollars spent improving that street. *Alderman Rankin:* Do we have a time frame when this project is going to start? *Mayor Hillman:* The developer stated it could be started this summer. Wes Lowder, Engineer for the Melberger Firm, was asked to address the council. *Alderman Sulcer:* I have a question for him. Are you the one that designed that road? Are we going to have to spend \$200,000 to repair the street that this developer built? Is it going to be the same quality as the other one he built in Stonehill? *Mr. Lowder:* My name is Wes Lowder, I’m with the Melberger Firm. I have been in charge of this project for the last few years. The phase that you are talking about is an embarrassment to me. It is the only project that I have ever done that I have had a

problem with the streets. I will not go into detail of the problems. *Alderman Sulcer*: That cost the city over \$200,000 dollars. *Mr. Lowder*: I understand that, but it is a mystery to me because the city had a maintenance bond. *Alderman Sulcer*: Apparently the bonds are not worth anything. *Mayor Hillman*: This is not about what happened in the past, tonight we want to talk about opening Maryland east to west. *Mr. Lowder*: I am not sure what the question is. *Alderman Davis*: What is your time frame in opening Maryland? *Mr. Lowder*: If the master street plan were amended I would start work tomorrow. The survey work is already completed. It will be about two months work for design and five months of construction. *Alderman Sulcer*: So, it is like a trade off. If we do one thing for you then you will do one thing for us. Is that right? If the city does not do this then you will not do the development of the road for the city. *Alderman Harmon*: It is an ultimatum. *Mr. Lowder*: I do not think this is an ultimatum. I believe the developer understands they need another way out of the subdivision. *Mayor Hillman*: Nobody has to do anything. I believe we are cheating our citizens by not being willing to work with them to get the road open. *Alderman Vassar*: It is my understanding that seven years ago there was an agreement to open it by Phase III. Was there not an agreement on paper between the city of Sherwood and this developer to open Maryland? *Mr. Lowder*: Actually Maryland was originally proposed to be done in Phase III of the subdivision and it has not occurred. *Alderman Vassar*: What happened? *Mr. Lowder*: That particular phase of the subdivision does not make much economic sense. Of the \$350,000 to be spent to open Maryland, it has to go over major drainage that is in the neighborhood of five 60" pipes, the soil is bad, and there will be undercutting. It is a problem to develop. There are only twelve lots that will be a result of extending Maryland. It was the city's decision to allow us to develop some of the other phases that made more economic sense. *Alderman Vassar*: Did the city or the developer request this? *Mr. Lowder*: We requested this. *Alderman Vassar*: I am just trying to remember some of this background, because nobody wants Maryland opened anymore than these nine or ten people sitting up here. Maryland Avenue needs to be opened. We need to move people. By the same token I am very concerned about fire protection. It concerns me greatly. I know Lantrip serves the citizens well now, but at one time it was just like Hemphill. It was not an improved street. We would not have Clinton Elementary, we probably would not have the fire station located where they are now. To get fire protection to those businesses along the access road and fire protection to others is of the up most importance. My real concern if there is a fire right now in Stonehill, the fire truck will have a real hard time getting there. It would make it a lot easier if there were a south route. Because of the concern, and the fire chief could address this better, it is my understanding for the best fire protection we would be making a mistake if we remove Hemphill from the master street plan. *Alderman Sulcer*: Why does he care if we remove it? That's the problem, why does he, like it matters if we did it tonight, because we could put it back on there, so how does this benefit him. I cannot understand why that is a major thing with this developer. It is like the Mayor said if we removed it tonight we could put it back on at a later date. That is no guarantee to him. *Mr. Lowder*: As long as Hemphill is on the master street plan in order for him to develop in that area and finish that part of the subdivision he is required to build that part of the road, which he does not want to do because of economic reasons. The pipe is running parallel with the road. If the road has to cross the same drainage that Maryland has to cross consisting of five 60" pipe it is going to be a very expensive proposition to extend Hemphill. *Alderman Rankin*: This is nothing new. This has been there since you started the subdivision, correct? *Mr. Lowder*: As you know when you develop a subdivision you do not know all the problems. You try to develop a layout that works for a large piece of property. We were well into developing the subdivision before we realized what a problem it was. *Alderman Davis*: What would it cost you to add Hemphill onto Maryland? *Mr. Lowder*: I am guessing around the \$300,000 range. *Alderman Davis*: What would it cost the city to pick up the street from there and running it to Kiehl? *Mr. Lowder*: I really do not know the answer to that. I could sit down and have it in an hour or two. *Alderman Davis*: Would we have to widen the street? *Mr. Lowder*: I think you would have to widen and work on the alignment. There is probably some right of way acquisition. *Alderman Davis*: And there are ditches on both sides, which filter, from where you are. *Mr. Lowder*: If you are going to bring it up to city standards you would have to add curb and gutter, drainage and if you have enough room probably sidewalks. *Alderman Davis*: If you ran Maryland through could you tie on to

Willow Grove cheaper? *Mr. Lowder*: Actually we are required to do that. Yes, because we have already crossed the creek at that point. *Alderman Davis*: You could still come out at a streetlight? *Mr. Lowder*: Yes sir. *Alderman Brooks*: If we tie this through from Maryland in Stonehill to Maryland where it ends now, that is just going to dump everybody off in Autumnbrook. It does not solve the problem from getting them from Brockington to Hwy 107 it dumps them off in the middle of the city. The city has a portion of Maryland that we have to also do. *Mayor Hillman*: We put that in the budget for 2008. We anticipated opening Maryland this year. We budgeted to do the regular portion of Maryland. *Alderman Brooks*: So if this is done, are you saying we are definitely going to do that this year? *Mayor Hillman*: We would like to. If we cannot get anyone to work with us to get Maryland opened. *Alderman Rankin*: No, the only thing about that right there is we have not done any plans. *Mayor Hillman*: There are plans that have been done since the 1980's by Thomas Engineering for that portion. Thomas Engineering has them. *Alderman Rankin*: Can we see them? *Mayor Hillman*: Thomas Engineering has them. He brought them by my office one day. He said this has been the topic of conversation for the regular portion of Maryland since the 1980's. *Alderman Sulcer*: Are there any other streets coming out of Stonehill that can intersect with any other streets besides Maryland and Hemphill. *Alderman Brooks*: The back streets going through to Johnson on into Highway 107. *Mr. Lowder*: Eventually we have two additional outlets on the north but they are contingent on property owners that the road has to go through before it gets to Brockington. Then there are three additional connections to the south. East and west is Maryland, and Willowgrove and Hemphill. *Alderman Vassar*: We are running into all kinds of problems. You say there are two to the North but it involves other private properties. This is the problem we are in. If we continue to close streets then I think it just magnifies the problem. *Alderman Davis*: It is not a matter of closing the street it has never been open. *Mayor Hillman*: It is not open. *Alderman Vassar*: It is taking it off the street plan. *Alderman Harmon*: It is taking it off the master street plan. It seems to me like the City has done previous plans with the intention of Hemphill being opened. We have fewer north/south arteries than we have east/west arteries by far. We need more north/south, and you are going to knock one of the major north/south arteries out. *Alderman Davis*: This is not something that is new. This has been going on for fifteen years. *Alderman Harmon*: You spent money on Lantrip with the intention of opening Hemphill. Lantrip was opened from the freeway out with the plan that it would cross Kiehl go into Hemphill then into Stonehill. *Alderman Davis*: Lantrip was open because of Clinton Elementary. *Alderman Vassar*: No. *Alderman Harmon*: It was the intention of going into Hemphill. *Alderman Vassar*: It looks to me like, Mr. Lowder you are mentioned in these minutes from 2000, that was the original plan. It connects the collector street, Master street plan for Hemphill. Was that not on your radar at that time? *Mr. Lowder*: Like I said at that time we did not realize the obstacles we were going to have to overcome. The obstacles are that it just does not make economic sense. *Alderman Sulcer*: No, what happens is that it is better for the developer and not better for the City. *Mayor Hillman*: We are sure in a loose- loose situation right now because we do not have anything running north/south or east/west. So why not try to go east/west? It will not cost the City anything. *Alderman Vassar*: Let me ask this, are we setting a precedent? We have a developer that wants to take this off the master street plan. If we do that then he agrees to help us with the east/west artery. Suppose we have a developer that comes in here next week and says I have a deal for you, if you take so and so off the master street plan. That's what concerns me. Are we setting a precedent when we let developers tell us? *Mayor Hillman*: We have made all kinds of deals this public has no idea about. *Alderman Sulcer*: I do not know of any deals I have made. *Mayor Hillman*: You have not but they been made I assure you. *Mr. Lowder*: I deal with a lot of planning commissions and cities all over the state and it is not unusual at all for a street to be removed or added to a master street plan. *Alderman Harmon*: It appears to be unusual here. I went and researched our ordinances to see how often we have added or removed and I could not find where the city had taken a street off from the master street plan and I could only find three or four where we added a street. Apparently it is very rare for Sherwood. *Alderman Vassar*: I want to hear from the Fire chief. Am I putting you on the spot? *Frank Hill (Sherwood Fire Chief)*: No ma'am. *Alderman Vassar*: I am very concerned about these people in Sherwood. I can tell you from personal experience it only takes a matter of minutes for a home to burn down.

Chief Hill: If you open Hemphill up that would give us access from the Lantrip Fire Station into Stonehill. If you open Maryland up, it will give you access from Station 2, which is up on Highway 107 to come down Maryland. Other than a house fire it is not going to help you out in that area because we do not run everything from Highway 107. Rescue wise we do not run it down to Stonehill. Engine 1 out of Central Station covers that section, which is on Lantrip. It would only help you on rescues or house fires if you open one way or another. *Alderman Vassar:* House fires and rescues are pretty much what we consider emergencies. *Chief Hill:* Depending on what you have. We do not send everything to Stonehill, we are not going to send Engine 2 which is on Highway 107 to a rescue in Stonehill, even if Maryland is open. We are still going to run it around. *Alderman Sulcer:* You are going to run it around? *Chief Hill:* Yes. Our fire trucks cover districts. Just like the police have districts. They send police cars to different districts. So if you have a rescue in Stonehill, it is going to come down Lantrip to Kiehl, to Brockington then on Maryland. If you open Hemphill on a rescue it will go across Kiehl downward to Hemphill then in. But if you open Maryland up we are not going to send one from Highway 107 down Maryland. It is still going to back around the path. *Alderman Sulcer:* Even though that will be the shortest cut? *Chief Hill:* It would not be the shortest path because it is closer to go from the Lantrip station around than it is from Highway 107. *Alderman Sulcer:* To go through Oakbrook, Autumnbrook and all up through there? *Chief Hill:* Yes. I do not know if I would remove the street from the master street plan. *Alderman Sulcer:* Because that is a main artery for you all. *Chief Hill:* It would help us both ways. If both streets were open it would be great. *Alderman Vassar:* I thought that was part of the plan seven years ago. *Chief Hill:* If both were open that would be great. *Alderman Vassar:* Was that not part of the plan seven years ago? *Mr. Lowder:* Yes ma'am. *Alderman Vassar:* I thought so. *Mayor Hillman:* The thing is nothing has happened and we are trying to get something done. Is there anyone here that would like to speak for or against, please come forward? *David Barnes:* I live at 504 Hemphill, my concern in opening Hemphill is that you already have problems with people just coming through speeding. The safety concerns we have with the children. The lady across the street had to go to the police department to complain about speeders on that street. I am concerned that if it is opened you have more congestion from traffic coming through there. Of course with developing that road they will have to expand that and take up more of our property. We are already in close proximity around there anyway. It will shove everything closer into our yards and put the kids that are out there playing at more risk. Hemphill is a short segment from Kiehl down to the end when you are talking a bigger way would be along Maryland. The drainage is also a problem and the last time they did any work in the area it only worsened things. I am concerned they are going to change things around and make it worse. I would be in opposition to this. *Justin Smith:* I live at 8704 Claremont Avenue. I do not live in this area so I am not effected one way or another. However, I will say this when the tornados came through on Loop Road, there was one artery in and out. Between police, fire and rescue and hundreds of power company trucks it was a total nightmare. It was like this for a long time. It was difficult for people to get in and out. For that period of time those people had no way out. Currently Hemphill is not open. One way or the other we want something opened. To me Maryland would make the most sense. If anything were to happen there at a corner were Hemphill is you are still cut off. With Maryland you can either go one way or the other. That is my opinion. I do not want to see something like what happened at Loop Road ever happen again here in Sherwood. It is absolutely dangerous for your citizens. *Mike Rose:* I live at 109 Robin Lane. On the master street plan did you also figure out what is going to happen to Brockington in four or five years? I was just informed that in five or six years Brockington is going to be a four-lane highway. *Mayor Hillman:* Hopefully by next year or the year after it is going to be. *Mr. Rose:* Well what I am saying is you got a four-way highway, my opinion is open up Maryland, but go back to the master street plan and look at it. What Council member Vassar said is that it is somewhere in that plan, if it is not somewhere it fell through the cracks, find it before you make that decision. *Alderman Davis:* Mr. Lowder this figures out to be about seven or eight months time frame that you would have to open up Maryland is that correct? *Mr. Lowder:* Yes sir. *Alderman Davis:* If this board were to take Hemphill off, you would have that time frame, if you did not we could put Hemphill right back on again. You understand that? *Mr. Lowder:* Yes. *Alderman Vassar:* Why

not in good faith do it? Then when you do it then we take it off. Give us the good faith. *Alderman Brooks*: If we give you seven months and the job is completed and you come back to the council and we take it off the master street plan at that time. *Alderman Vassar*: If we see the benefit there, that Hemphill is really not that important with Maryland being open, we would have Maryland open by that time and we would see the benefit, and it would be a lot easier for us to say we really do not need Hemphill. At that point take it off. It really puts us in a bad light for the developer to be making the decision, you have to do this if you want us to do this. *Mr. Lowder*: It certainly was not meant to be an ultimatum. I do not know how it got to this. It started out I do not want to build Hemphill it does not make since then it kind of evolved that Maryland needs to be connected. The developer was not happy when he was told how much it would cost and he is not getting one single lot. *Alderman Vassar*: By the same token he has been working with us since the first preliminary plat. It started with Thomas Engineering, and then your firm picked up. This certainly is not something new to him. Today it is not a satisfactory situation and has gotten bad as appearing to be an ultimatum. I think this council and this city would certainly accept the fact that if you all in good conscience open your part of Maryland and the city open the other and we look and see how successful this was. I think you would be a lot closer than it looking bad on record where you had agreed in the past to do both and you have not done either and we have reached this point tonight. I would ask that you please confer with the developer and see if in good conscience he would work with the city and do his part first. *Mr. Lowder*: So you are suggesting that if we get Maryland completed in seven months the city will consider? *Alderman Vassar*: I would be willing to talk to you in seven months if Maryland were open. I am not speaking for everyone on this council but I think that would be a lot better than us having to the ultimatum. *Alderman Davis*: Do I understand correctly that when you develop an area it is done in stages, and then you have to follow things in order of that stage? *Mr. Lowder*: It depends on the city ordinances and the city government. You do not have to necessarily build it in sequence. Some cities insist that you do. *Mayor Hillman*: The bottom-line here, whether we agree on this or not, our citizens are hung out to dry out on Brockington Road and we have an opportunity to change it. Whether you like the developer or not, or you think it is the right thing to do. I think we need to consider the residents. I understand how you are going to vote tonight, I know your going to flunk it. I want the residents to know that we have worked hard to help them and go on record that we have had the opportunity and we are not giving it either. We cannot have our cake and eat it too, and that is the direction we are going tonight. *Alderman Vassar*: I think in 30 days he could come back to us and say he has discussed it with the developer and he has agreed in good faith. That is what he ought to do. *Alderman Sulcer*: I do not think I want my cake and eat it too. *Mayor Hillman*: Well we are not getting Hemphill or Maryland. We are going home with nothing. *Alderman Sulcer*: Your saying go with the developer? *Alderman Rankin*: Are you saying the developer is not going to agree to this? *Mayor Hillman*: It does not sound like anything is going to get done. We are not willing to give in either. We are at a standoff. *Alderman Vassar*: I think it is a compromise that I proposed. *Mayor Hillman*: What have you given though? *Alderman Rankin*: Excuse me Mayor, I've got a question. As far as the bids go can you (developer) bid something tomorrow or next week on Maryland? *Mr. Lowder*: I would have to design it still. *Alderman Rankin*: It has not been designed? *Mr. Lowder*: It would take about two months to design and about five months to build. *Alderman Rankin*: You are looking at July or August before you can start on construction. With the bid prep you are looking at the first of September before you can start construction. *Mr. Lowder*: Actually we are looking at probably the first or middle of August. It needs to be done in dry weather because the soil is so bad. *Alderman Rankin*: Exactly. *Alderman Davis*: Would you be willing to talk to your developer and come back before this council next month? *Alderman Rankin*: We can call a special meeting. *Alderman Davis*: What we would like is to hold off on Hemphill until you can get all of this done. Could you come back and do all of this for us? *Mr. Lowder*: Let me understand what you are asking. You are saying construct Maryland, to come back and tell you before that occurs whether we would do that or not, and after Maryland is constructed then you will consider taking Hemphill off the master street plan at that point, or are you saying you will take it off at that point? *Alderman Davis*: Consider would be the better word. *Alderman Rankin*: I would consider it, but I would like to see everything done. We have been here seven

years. I think that is a lot of effort. What are you in phase 7 now? *Mr. Lowder:* We just finished Phase 5. *Alderman Rankin:* It was suppose to be completed by Phase 3. *Alderman Vassar:* It was not. *Alderman Rankin:* I am just like everyone else up here. I want an east/west corridor faster than you know. I want to do what is best for the city, not jump through hoops because someone says we need to do this, and not set precedence. We are trying our best. *Alderman Sulcer:* I am concerned about the citizens in Stonehill, Hemphill and all over our city. If you could just talk to the developer and get back with us, we could do a called council meeting. *Mayor Hillman:* What do you think the chances are of something else developing? *Mr. Lowder:* What are the chances of us building Maryland and see what happens? I do not think real well. I do not know that. *Scotty Thurman:* I am the Director for the State for Cypress properties. I represent the developer. We are not here as an ultimatum by any means. I think what Keith suggested as far as calling a special meeting to try and work with you. It is not about how we feel, it is about how they feel, and they live there. It is not an ultimatum. Whenever we can sit down and discuss whatever we can do. That is what I am here for, not to prove a point to anyone individually. The developer is not either. We are here to work with the city of Sherwood. *Alderman Vassar:* That would be better than have us turn it down. This is keeping the door open. I think we are in better shape leaving tonight to discuss this with the developer. *Alderman Rankin:* Mr. Cobb how do we need to do this. Mr. Thurman is there anyway we can get anything done this week? *Mr. Thurman:* I do not want to go on record as saying definitely but I will do whatever I can to make that happen. *Alderman Sulcer:* Could he sit down with us tomorrow? *Mr. Thurman:* I would say tomorrow is too early. *Steve Cobb (City Attorney):* To answer your question, I have read it one time. If you want to have the ability to reconsider, I am not talking about the merits of this ordinance I am talking about procedure. You will need to have a motion to suspend the rules and that will need to be voted on. Then we will go to the second and third reading when you take it back up. But if you do not suspend the rules, then all we can do is read it one time tonight and then it cannot be read until another occasion, and on and on. So procedurally I think if you want to take it up soon, that is what you should do. Then after you do that you may make a motion to table it. *Alderman Rankin:* I want to leave the door open. If Mr. Thurman can get the meeting I am open to come at any time. Mr. Thurman if you could get something together. *Mr. Lowder:* Do we need to communicate with the Mayor on the time? *Alderman Rankin:* Yes sir. A motion was made by Alderman Rankin, seconded by Alderman Sulcer, 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 Rankin, seconded by Alderman Harmon, to table the ordinance. The roll call vote was unanimous.

Ordinance No. 1778, entitled, "AN ORDINANCE APPROPRIATING MONIES FROM THE CITY OF SHERWOOD, ARKANSAS GENERAL FUND BUDGET FOR STAFF FUNDING OF THE GRAVEL RIDGE FIRE DEPARTMENT" was read. Alderman Vassar asked if the amount was for \$149,269.12, and was it for around the clock fire protection. Mayor Hillman stated it was. Alderman Rankin asked if it was for the remainder of the year. Mayor Hillman stated it was prorated for the remainder of the year. The amount is the same per month as what is paid to Sherwood Fire Department. A motion was made by Alderman Vassar, 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 Rankin, 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 Rankin, seconded by Alderman Davis, to adopt the ordinance. The roll call vote was unanimous.

Alderman Vassar advised the council that Mr. Ebbs, the principal of Sylvan Hills High School, will remain at the school. The community has made a request to Mayor Hillman to get the education committee to meet and have a Resolution drawn up in support of Mr. Ebbs. Mayor Hillman stated that she would work on getting the committee together.

May 27, 2008

REGULAR MEETING 8

Mayor Hillman stated that the MLRA 2008 Contribution was due for \$7,165.00. Mayor Hillman advised that there is no representative for Economic Development, she has had no reports and she does not believe that we are getting anything for our money. Alderman Vassar asked if the Mayor would like for the personnel committee to come up with some ideas that they might bring to the council to consider what needs there might be for an individual. Mayor Hillman stated they were the same needs as in November when the Economic Developer was let go. Alderman Vassar asked if the Mayor would like for Herschel Bowman to be more involved. Mayor Hillman stated we are five months into the year and no report has been forwarded to her. Alderman Sulcer stated she could not see giving them \$7,100.00. A motion was made by Alderman Vassar, seconded by Alderman Fender, to pay the dues. Alderman Sulcer asked if they were leaving Herschel Bowman in charge. Alderman Vassar stated Mr. Bowman was in place now, she would have Human Resources look into this and come up with some criteria for a position because the last position the City had was done away with because it did not work. If improved criteria can be made this would satisfy the council. Alderman Fender stated the money was not paid until late in the year of 2007. He feels the City should remain in the alliance. The alliance is what got Cardinal Health here in the city. Alderman Vassar suggested to the council and the Mayor to have Human Resources look into the criteria and come up with a study of some characteristics for this position that work. Alderman Sulcer stated that she would not put it on Herschel Bowman because he has his own workload. Alderman Sulcer further stated she believed it was Mayor Harmon that got Cardinal Health here. Alderman Vassar stated Mr. Bowman is the interim person that is serving as a representative to Sherwood. Alderman Brooks stated that he is just on the committee, he really does not represent Sherwood. Mayor Hillman asked if the City needed economic development so bad, why was it not worked out in November, instead of just doing away with economic development. Alderman Vassar stated they tried. Mayor Hillman stated no one said a word to her until they got to the council meeting and made a motion to pull economic development out of the budget. Why was it not salvaged then? Alderman Davis asked Maureen Pylant, Director of Human Resources if she had time to take over for this. Mrs. Pylant replied she could look into the criteria for this, but she did not have time to do economic development. Alderman Sulcer stated most cities economic development was done out of the Mayor's office. Alderman Vassar stated she believes there were several requests at council meetings that were never fulfilled and that was an indication that it was not working. Mayor Hillman stated again that no one ever came to her and made a comment. The roll call vote was 7 ayes, Alderman Sulcer no, to pay the MLRA 2008 dues.

Mayor Hillman advised that Trammel Road Estates Developers have proposed a question to the Mayor asking if they could purchase the City's property on Trammel Road. The developers stated they would give the city one or two acres back if the city was still interested in building a fire station. A committee was formed consisting of Alderman Sulcer, Alderman Davis, and Alderman Rankin to meet with the developers and discuss the possibility of a sale.

Mayor Hillman introduced Alison Frymark, Sarah Dunnavant, Lance Green, Jordan Pruitt, Alex Pavan and Tristen Walker, members of the Sherwood Mayor's Youth Council that were present at the council meeting.

Alderman Vassar stated the health coalition is still working on the house-numbering situation and will require help from the city attorney.

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

ATTEST:

Angela Nicholson, City Clerk

Virginia R. Hillman, Mayor