

January 26, 2009

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on January 26, 2009, 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, Davis, Sulcer, Brooks, Harmon, and Lilly. Alderman Fender absent.

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

Alderman Vassar, seconded by Alderman Rankin, made a motion, to approve the minutes of the regular meeting on December 22, 2008, and the special called meeting on December 30, 2008, as transcribed. The roll call vote was 7 ayes. Alderman Fender absent.

Alderman Sulcer, Chairman of Advertising and Promotion Commission, stated there would not be a February 4, 2009, meeting. The next meeting will be March 4, 2009, at North Hills Park at 3:00 p.m.

Alderman Rankin, Chairman of the Parks and Recreation Committee, stated that there were questions concerning the rate increase. Alderman Vassar stated that it has been brought to her attention about the fees and requested the parks committee look into these and discuss. Alderman Rankin announced that the Sherwood Optimist Club would host a 2nd Annual Chili Supper on January 31, 2009, from 6-8 p.m. at Sherwood Forest. Registration for baseball and softball can be done at this event.

Resolution No. 1-2009, entitled, “A RESOLUTION RE-APPOINTING CHARLIE HARMON TO THE PARKS AND RECREATION COMMITTEE” was read. Alderman Brooks, seconded by Alderman Davis, made a motion to adopt the resolution. The roll call vote was 6 ayes. Alderman Harmon abstained and Alderman Fender absent.

Resolution No. 2-2009, entitled, “A RESOLUTION RE-APPOINTING BRUCE MASON TO THE PARKS AND RECREATION COMMITTEE” was read. Alderman Rankin, seconded by Alderman Brooks, made a motion to adopt the resolution. The roll call vote was 7 ayes. Alderman Fender absent.

Alderman Vassar, Chairman of the Personnel Committee, stated there were policy changes made and an ordinance will follow. She has not received any questions pertaining to these changes. Maureen Pylant, Director of Human Resources, stated that she spoke with Aldermen Sulcer and Brooks and was able to answer their questions.

Ordinance No. 1815, entitled, “AN ORDINANCE ADOPTING THE ATTACHED NEW AND AMENDED POLICIES AND RULES CHANGES TO THE CITY POLICY MANUAL, AND FOR OTHER PURPOSES” was read. Alderman Sulcer, seconded by Alderman Rankin, made a motion to suspend the rules and place the ordinance on the second reading. The roll call vote was 7 ayes. Alderman Fender absent. The ordinance was read for the second time. Alderman Harmon, seconded by Alderman Vassar, made a motion to suspend the rules and place the ordinance on the third and final reading. The roll call vote was 7 ayes. Alderman Fender absent. The ordinance was read for the third time. Alderman Sulcer, seconded by Alderman Brooks, made a motion to adopt the ordinance. The roll call vote was 7 ayes. Alderman Fender absent.

Resolution No. 3-2009, entitled, “A RESOLUTION APPOINTING CHARLIE HARMON TO THE PERSONNEL COMMITTEE” was read. Alderman Vassar, seconded by Alderman Rankin, made a motion to adopt the resolution. The roll call vote was 6 ayes. Alderman Harmon abstained and Alderman Fender absent.

“AN ORDINANCE AMENDING THE MASTER STREET PLAN FOR THE CITY OF SHERWOOD, ARKANSAS” was read for the third time. Alderman Harmon stated he spoke with Steve Mitchell with the Arkansas Highway Department, on Friday at 5:00 p.m. and Mr. Mitchell stated the he had the appraisal and work is being done with the appraiser to get the appraisal in the proper format for federal guidelines. Mr. Mitchell advised that the highway department would not be able to generate an offer to the

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developers by council meeting. An offer should be made available this week. Alderman Harmon stated his opinion is to table the ordinance until the offer to the developers is made. He further stated that when the council passed Resolution No. 14-2007, stating the approval of the Arkansas State Highway Department preferred route the North Belt Loop was placed at the location north of Brockington. The north belt loop is there now. It is not shown on the map. The council's vote when they pass the master street plan is to correct the map where it exists now. Alderman Vassar was not pleased that the council was not contacted when the appraisal was in. Alderman Harmon, seconded by Alderman Vassar, made a motion to table the ordinance for 30 days. The roll call vote was 6 ayes. Alderman Sulcer no and Alderman Fender absent.

Charles Edens, owner of Sherwood Tire Service, Inc., stated to the council that he wanted to withdraw his request on his appeal to have his rezoning sent back to the planning commission. City Attorney Steve Cobb advised the council should make a motion to send the request back to the planning commission. Alderman Rankin, seconded by Alderman Brooks, made a motion to send the rezoning request back to the planning commission. The roll call vote was 7 ayes. Alderman Fender absent.

Don Hindman, Director of the Senior Citizens Department, stated that the City of Sherwood was approved for a grant to purchase a bus for the senior citizens department. The grant came from the Federal Transit and State Highway Department. The bus is on a 21 seat chassis. The cost of the bus was \$46,531.00 and the city's cost was \$9,311.00.

Ellen Norvell, City Engineer, stated that Larry Gaddis, with Crist Engineering and Jim Forbes with Pipeline Analysis, LLC, were available to give an overview on the status of the ADEQ Consent Order. Mr. Gaddis provided the council with a report of the schedules to be submitted to ADEQ for the city to be in compliance with the consent order. Mr. Forbes also provided the council with a report of the analysis that will be done on the Sherwood sewer areas. Alderman Davis asked if the smoke testing would be done on the North Little Rock sewer system. Mr. Forbes stated it would only be done on the sewers owned by the City of Sherwood. Ellen Norvell stated that the tie-ons with North Little Rock sewer system would be monitored. Work will only be done on the City of Sherwood systems.

Resolution No. 4-2009, entitled, "A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE SHERWOOD WASTEWATER UTILITY COMMITTEE AND AUTHORIZING THE ENTERING OF A CONTRACT BETWEEN THE CITY OF SHERWOOD AND PIPELINE ANALYSIS FOR MAPPING AND EVALUATION OF THE SANITARY SEWER SYSTEM AND IMPLEMENTATION OF A SANITARY SEWER EVALUATION SYSTEM" was read. Alderman Sulcer asked where the funds to pay for this would come from. Ellen Norvell stated that she and Larry Carpenter have been researching whether funds could be used from the City of Sherwood 1% Sales Tax fund. Larry Carpenter stated that statute 14-235-214 in the Municipal League book that stated the cost of construction for projects includes the engineering studies and lab testing. Ms. Norvell and Mr. Carpenter are comfortable using the 1% Sales Tax funds for the engineering fees and studies for the reports. Larry Carpenter stated the statute talks about the cost of works. The statute refers to capital improvement to the system and this language is used in the ordinance that was referred to by the vote on the sales tax. Steve Cobb, City Attorney, stated that Mr. Carpenter was correct. Alderman Lilly, seconded by Alderman Sulcer, made a motion to adopt the resolution. The roll call vote was 7 ayes. Alderman Fender absent.

Alderman Brooks, seconded by Alderman Davis, made a motion to table **"A RESOLUTION DETERMINING THE PRIORITIES FOR FUTURE STREET PROJECTS IN THE CITY OF SHERWOOD, ARKANSAS"**. The roll call vote was 7 ayes. Alderman Fender absent.

Ordinance No. 1816, entitled, "AN ORDINANCE PROVIDING FOR THE ADOPTION OF A WASTEWATER BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1,

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2009, AND ENDING DECEMBER 31, 2009; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES” was read for the third time. Alderman Vassar, seconded by Alderman Rankin, made a motion to adopt the ordinance. The roll call vote was 7 ayes. Alderman Fender absent. The emergency clause passed with 7 ayes. Alderman Fender absent.

Resolution No. 5-2009, entitled, “A RESOLUTION FINDING THE COMMERCIAL STRUCTURE LOCATED ON PARCEL #33S-006-00-001-00, COMMONLY KNOWN AS 7300 HIGHWAY 107, SUITES 5 THROUGH 10 TO CONSTITUTE A PUBLIC NUISANCE” was read. Alderman Harmon made an amendment for the third line of the text to state “commercial” instead of “residential. Alderman Vassar stated that an attempt to contact the owner started in 2005. Scott Kelley, Code Enforcement Officer, confirmed the statement. Mr. Kelley further stated that he spoke with the owner at 5:30 this evening and the owner was requesting the city to table the resolution. Alderman Vassar, seconded by Alderman Brooks, made a motion to adopt the resolution as amended. The roll call vote was 7 ayes. Alderman Fender absent.

Resolution No. 6-2009, entitled, “A RESOLUTION FINDING THE STRUCTURE LOCATED ON PARCEL #22R-028-00-059-00, COMMONLY KNOWN AS 7225 JACKSONVILLE CUT OFF ROAD, TO CONSTITUTE A PUBLIC NUISANCE” was read. Alderman Brooks, seconded by Alderman Sulcer, made a motion to adopt the resolution. The roll call vote was 7 ayes. Alderman Fender absent.

Ordinance No.1817, entitled, “AN ORDINANCE AMENDING THE ORDINANCE ACCEPTING THE TERRITORY KNOWN AS GRAVEL RIDGE AND FOR OTHER PURPOSES” was read. Steve Cobb, City Attorney, stated this ordinance was to correct the exemption of lake property owned by Mr. Jack Wilson. Alderman Harmon, seconded by Alderman Rankin, made a motion to suspend the rules and place the ordinance on the second reading. The roll call vote was 7 ayes. Alderman Fender absent. The ordinance was read for the second time. Alderman Vassar, seconded by Alderman Sulcer, made a motion to suspend the rules and place the ordinance on the third and final reading. The roll call vote was 7 ayes. Alderman Fender absent. The ordinance was read for the third time. Alderman Rankin, seconded by Alderman Davis, made a motion to adopt the ordinance. The roll call vote was 7 ayes. Alderman Fender absent.

Mayor Hillman stated that a request had been made by the Public Works Department for a new sanitation truck. A workshop was held in the Mayor’s office discussing the cost of automated trash pickup. A request for bids would be obtained and brought back before the council. Alderman Vassar stated the city would furnish one trashcan per household. Mayor Hillman stated the leaf season has gone well this year.

Alderman Vassar thanked Animal Control and would like to move forward into the quarantine section of the department. Robin Breaux, Director of Animal Services, stated she would look into a grant for the quarantine section.

Mayor Hillman made the following announcements:

- Welcome to Alderman Kevin Lilly
- Youth Council Mayor Jordan Pruitt was welcomed.

Alderman Vassar, seconded by Alderman Davis, made a motion to adjourn. Meeting adjourned at 8:02 p.m.

ATTEST:

Angela Nicholson, City Clerk

Virginia R. Hillman, Mayor