

June 22, 2009

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on June 22, 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, Fender, Davis, Sulcer, Brooks, Harmon and Lilly..

David Gough, of Celebration Church of Sherwood, 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 May 26, 2009, as transcribed. The roll call vote was unanimous.

Alderman Sulcer, Chairman of the Advertising and Promotion Commission stated the commission would meet in July.

Alderman Rankin, Chairman of the Parks and Recreation Committee stated the committee would meet in July. Alderman Vassar announced that the golf course superintendent has been hired and will be introduced at next months council meeting.

Ordinance No. 1824, entitled, "AN ORDINANCE AMENDING ORDINANCE 445, CITY OF SHERWOOD CONTROL OF DEVELOPMENT AND SUBDIVISION OF LAND (RULES AND REGULATIONS) TO REFLECT THE CHANGES CONTAINED HEREIN REGARDING DESIGN REQUIREMENTS FOR STREETS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES" was read. This ordinance is in regard to East Woodruff from Highway 107 to Brockington Road. 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 unanimous. The ordinance was read for the second time. Alderman Vassar, seconded by Alderman Davis, made a motion 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. Alderman Rankin, seconded by Alderman Harmon, made a motion to adopt the ordinance. The roll call vote was unanimous. The emergency clause passed with a unanimous roll call vote.

Ordinance No. 1825, entitled, "AN ORDINANCE AMENDING ORDINANCE 445, CITY OF SHERWOOD CONTROL OF DEVELOPMENT AND SUBDIVISION OF LAND (RULES AND REGULATIONS) TO REFLECT THE CHANGES CONTAINED HEREIN REGARDING DESIGN REQUIREMENTS FOR STREETS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES" was read. This ordinance is in regards to Maryland Avenue from Highway 107 to Brockington Road. Alderman Harmon asked if this ordinance reflected East Maryland with the design discussion in the working session with Metroplan. Ellen Norvell, City Engineer stated it did. Alderman Harmon stated specifically the design discussions they had with regard to the west end of East Maryland and the fact that this appears to affect all of East Maryland from Highway 107 to Brockington. Ms. Norvell stated yes. Alderman Harmon stated that in the discussion there was talk the city did not have sufficient right of way on the west end to do as much as the city has done in other areas of East Maryland. Ms. Norvell stated that on the western end along the south side of Maryland there is less area. There is more room on the lots on the north side. More right-of-way maybe required from the north properties. The city hopes to be able to design full improvements by using a curved street section on the western end. Alderman Sulcer stated that Metroplan did not have a problem with the city doing this and she thought there might be some funds available. Ms. Norvell stated they did check to see if federal funds might become available in time for construction. Metroplan stated that due to the residential nature of the subject property and a large section of the street was annexed into the city, Metroplan did not have a problem doing a modified street section for that section of Maryland. As long as the city had it approved in the ordinances, as funds became available the city would be eligible. Mayor Hillman stated the city wanted to be ready for when the funds do become available for construction. Alderman Harmon, seconded by Alderman Sulcer, made a motion 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. Alderman Sulcer, seconded by Alderman Lilly, made a motion 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. Alderman Brooks, seconded by Alderman Rankin, made a motion to adopt the ordinance. The roll call vote was unanimous. The emergency clause passed with a unanimous roll call vote.

Ordinance No. 1826, entitled, “AN ORDINANCE AMENDING ORDINANCE 445, CITY OF SHERWOOD CONTROL OF DEVELOPMENT AND SUBDIVISION OF LAND (RULES AND REGULATIONS) TO REFLECT THE CHANGES CONTAINED HEREIN REGARDING DESIGN REQUIREMENTS FOR STREETS; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES” was read. This ordinance is in regard to the entire section of Oakdale Road. Steve Deere of Sherwood Land Company, addressed the council and stated they did not have a problem with this as long as there will be federal funds to try and build it. The street is a minor arterial and the land area the developer has left cannot justify an arterial street built to the required width. Mr. Deere believes that if they are willing to work with right of way dedication, it puts it higher up on the priority list for funding from Metroplan. Mayor Hillman stated that the money has been earmarked for Maryland when it becomes available. Steve Deere stated that the standards required of the developers are not profitable for them. Alderman Vassar asked if the street and planning commission discussed this. Alderman Rankin stated the street committee did, and Lucien Gillham stated the planning commission did when the master street plan was discussed. Oakdale road was made a minor arterial just like Brockington road. Alderman Lilly asked how this would affect the west end of Oakdale that is not in the city limits. Ellen Norvell stated that the city’s section would have to transition down to meet the residential area. Dwight Pattison stated that the area is in the cities planning jurisdiction and the city has subdivision control. Mr. Deere stated there was discussion on the commercial area of Oakdale and Highway 107 and there is little multi-family, but from there it will be strictly residential. Alderman Harmon asked Dwight Pattison if the land use map showed this area as residential. Mr. Pattison stated it did. Alderman Vassar, seconded by Alderman Brooks, made a motion 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. Alderman Vassar, seconded by Alderman Brooks, made a motion 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. Alderman Rankin, seconded by Alderman Vassar, made a motion to adopt the ordinance. The roll call vote was unanimous. The emergency clause passed with a unanimous roll call vote.

Alderman Fender, Chairman of the Street Committee, stated the committee did not meet. Alderman Fender stated staff had asked him that the ordinance on the agenda only be read one time. Steve Cobb, City Attorney, stated this would be the second reading.

An ordinance entitled, **“AN ORDINANCE APPROVING THE ACCESS MANAGEMENT PLAN AND AGREEMENT FOR BROCKINGTON ROAD, AUTHORIZING THE MAYOR’S EXECUTION OF THAT AGREEMENT AND FOR OTHER PURPOSES”** was read. Alderman Sulcer asked why this is only being read once. Mayor Hillman stated the city engineer has requested this. Ellen Norvell stated that she is still being approached with questions on the ordinance and would like to give everyone an opportunity to get their questions answered.

A resolution entitled, **“A RESOLUTION FINDING THE STRUCTURE LOCATED ON PARCEL #22S-001-05-041-00, COMMONLY KNOWN AS 103 WINONA TO CONSTITUTE A PUBLIC NUISANCE”** was read. Scott Kelley, Code Enforcement Officer, stated he checked the property today and found the property unsecured. Mr. Kelley temporarily secured the property. There will be another check of the property in the morning. Mr. Kelley stated that Mr. Jackson is rehabilitating the home. Alderman Vassar, seconded by Alderman Sulcer, made a motion to table the resolution until the next council meeting. The roll call vote was unanimous. Alderman Vassar asked Mr. Kelley to make sure that Mr. Jackson secures the property.

Resolution No. 18-2009, entitled, “A RESOLUTION FINDING THE STRUCTURE LOCATED ON PARCEL #22R-021-00-027-00, COMMONLY KNOWN AS 7416 JACKSONVILLE CUTOFF ROAD TO CONSTITUTE A PUBLIC NUISANCE” was read. Trudy Collins, co-owner of the property addressed the council and stated they are getting things in order to remove the home. Alderman Sulcer, seconded by Alderman Rankin, made a motion to adopt the resolution. The roll call vote was unanimous.

Mayor Hillman stated that the following is an ordinance the state passed in the last legislative session. This ordinance is mandated and the city is a conduit for the county. All money will go to Pulaski County for the regional jail.

Ordinance No. 1827, entitled, “AN ORDINANCE LEVYING AN ADDITIONAL FINE OF TWENTY DOLLARS (\$20.00) TO BE COLLECTED FROM EACH DEFENDANT WHO PLEADS GUILTY OR NOLO CONTENDRE TO, IS FOUND GUILTY OF, OR FORFEITS BOND FOR ANY MISDEMEANOR OR TRAFFIC VIOLATION IN THE DISTRICT COURTS OR CITY COURTS OF PULASKI COUNTY TO HELP DEFRAY VARIOUS COSTS OF MAINTENANCE, OPERATION, AND CAPITAL EXPENDITURES OF THE PULASKI COUNTY REGIONAL DETENTION FACILITY; TO ESTABLISH A SPECIAL FUND FOR THE DEPOSIT OF THE REVENUES GENERATED BY THIS FINE; DECLARING AN EMERGENCY AND FOR OTHER PURPOSES” was read. Alderman Harmon, seconded by Alderman Sulcer, made a motion 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. Alderman Rankin, 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 unanimous. The ordinance was read for the third time. Alderman Vassar, seconded by Alderman Brooks, made a motion to adopt the ordinance. The roll call vote was unanimous. The emergency clause passed with a unanimous roll call vote.

Steve Cobb stated that item #10 on the agenda has been withdrawn by request of the developers.

Mayor Hillman requested that item #11 be read only one time. Mayor Hillman would like for the permits and engineering department to review the plans. Steve Cobb stated that the sponsor on the ordinance is showing to be Alderman Fender, although Alderman Fender is a sponsor other members of the council sponsored this ordinance..

An ordinance entitled, **“AN ORDINANCE COMMITTING FUNDS FOR REIMBURSEMENT FOR EXPANSION OF THE LIVING QUARTERS AT THE LANTRIP ROAD SHERWOOD FIRE DEPARTMENT BUILDING”** was read. Tom Brooks, a member of the Sherwood Fire Commission, addressed the council requesting the funds be made available to the fire department. The commission has a plan to facilitate better accommodations. Mr. Brooks stated that he has been asked for plans and the fire department has no surplus to pay the expense of the plans. Mayor Hillman stated that \$60,000 was budgeted in their 2009 budget. Mayor Hillman stated that the state has \$14,000 for the fire department and she is of the understanding there are grants that became available recently. Mr. Brooks stated that he and Chief Teague would like to get a committee together that consisted of the firefighters who accommodated the sleeping quarters to come up with a design that would fit their needs. The money for drawing up plans is not available. Alderman Harmon asked what the cost of the plans would be. Mr. Brooks stated he believed the amount to be \$25,00.00. Mayor Hillman stated the city could pay for the plans since it was a city building. Alderman Vassar stated if this ordinance was passed tonight the plans could not start tomorrow. Mr. Brooks stated they would begin immediately. They have a concept of a 40 x 50 free standing building which cost about the same as the addition to the existing building. Mayor Hillman stated she would like to have plans before the city commits to this money. Alderman Vassar stated that if the plans could be drawn up in the next week or so she has no problem calling a special council meeting to pass this ordinance. Ellen Norvell stated that anything constructed in the city limits needs to be permitted through the city. Mayor Hillman stated that she would like for Mr. Brooks to work with the city engineer.

Doris Anderson addressed the council on behalf of the Sherwood Citizen Police Academy Alumni Association, and stated that the association voted to buy cooling vests for the K-9 dogs. The association is trying to raise money for bulletproof vests for the dogs.

Thomas Pownall with Thomas Engineering addressed the council to request a sewer easement at Sherwood Forest. Steve Cobb, City Attorney stated he would need to go before the sewer commission and the sewer commission would have to make a recommendation to the council.

Alderman Vassar stated that there is a structure on the parking lot of the former bowling alley this is a modular structure. The city permitted this after lengthy consideration. Alderman Vassar stated she has spoke with Randy Wiggins, who placed this on the property. Alderman Vassar would like that Ordinance No. 957 in regard to the issuing of a building permit for any metal building along Brookwood, Brockington, Highway 107, Kiehl, or North Hills to have a façade, be looked into. Alderman Vassar stated that this ordinance was not applied to this situation. Mr. Wiggins stated that it is a vending machine and he went through the proper channels to obtain a permit. Alderman Vassar stated the city is working hard on cleaning up the southern portion of Sherwood. Alderman Vassar asked if there could be a suspension on permits for buildings of this sort until further investigation and verbiage could be obtained. Steve Cobb, City Attorney stated that a suspension could be done for a period of time. Mayor Hillman believes the façade did not come into place because the structure is not a building, it is a huge vending machine. Alderman Vassar, seconded by Alderman Brooks, made a motion for a 60-day suspension on issuing permits for portable vending machines. The roll call was unanimous. Ellen Norvell suggested that a workshop be set up for the council and planning commission for discussion.

Mayor Hillman made the following announcements:

- Sherwood Family 4th of July celebration is at Sherwood Forest on Saturday, July 4th from 6:00 p.m. – 9:00 p.m.
- There are boards placed in the council chambers in reference to the 2010 Census

Alderman Brooks, seconded by Alderman Davis made a motion to adjourn at 8:09 p.m.

ATTEST:

Angela Nicholson, City Clerk

Virginia R. Hillman, Mayor