

November 23, 2009

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on November 23, 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, and Harmon. Alderman Lilly absent.

Arthur Ward, Pastor of Rock City Harvest Church, led in prayer, and the Pledge of Allegiance was given to the flag.

Alderman Vassar, seconded by Alderman Brooks, made a motion, to approve the minutes of the regular meeting on October 26, 2009 and the special called meeting on November 9, 2009, as transcribed. The roll call vote was 7 ayes. Alderman Lilly absent.

Alderman Sulcer, Chairman of the Advertising and Promotions Commission, stated the commission met and discussed the Enchanted Forest.

Alderman Rankin, Chairman of the Parks and Recreation Committee, stated the committee met. Alderman Rankin announced that Breakfast with Santa would be on December 12, 2009 from 8:00 – 10:00 a.m. There will be a charge of \$3.00 for anyone over 14 years old. Alderman Rankin stated there was discussion on the discounts for the golf course and the committee voted for a 10% discount during the month of December.

Alderman Vassar, Chairman of the Personnel Committee, stated the committee met twice and will be meeting in December. The committee is looking at updating several policies, which will be brought before the council after the committee meets in December.

Steve Cobb, City Attorney, stated there was an appeal of the Planning Commission's decision to deny rezoning at 4600 East Kiehl Avenue from C-3 to C-4. Alderman Vassar stated there is confusion as to whether the property has remained a continuous car sales lot and the owner needs to show that the property has remained as a car sales lot continuously since Mr. Freeman sold it. If there has been interruption, it cannot be rezoned to C-4. Alderman Harmon, seconded by Alderman Brooks, made a motion to table the appeal until the Planning Commission can look into the circumstances. The roll call vote was 7 ayes. Alderman Lilly absent. Alderman Vassar stated for the record that it is being sent back to the Planning Commission because there is confusion and not because the council does not agree with the commission's decision.

Mayor Hillman stated to the council that prior to the council meeting the city signed off on the last acquisition of Brockington Road and the city can move forward with Phase II of Brockington Road.

Ordinance No. 1845, entitled, "AN ORDINANCE RENEWING THE MEMORANDUM OF UNDERSTANDING WITH A T & T OF ARKANSAS TO MAKE CERTAIN SERVICES AVAILABLE TO THE CITIZENS OF SHERWOOD AND FOR OTHER PURPOSES" was read. 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 7 ayes. Alderman Lilly absent. The ordinance was read for the second time. Alderman Sulcer, seconded by Alderman Rankin, 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 Lilly absent. The ordinance was read for the third time. Alderman Davis, seconded by Alderman Harmon, made a motion to adopt the ordinance. The roll call vote was 7 ayes. Alderman Lilly absent.

Resolution No. 31-2009, entitled, "A RESOLUTION APPOINTING CHERYL LADY VINES, REPLACING SARA DAWSON, TO THE CENTRAL ARKANSAS LIBRARY SYSTEM BOARD OF TRUSTEES" was read. Alderman Vassar, seconded by Alderman Rankin, made a motion to adopt the resolution. The roll call vote was 7 ayes. Alderman Lilly absent.

An ordinance entitled, **"AN ORDINANCE PROVIDING FOR THE ADOPTION OF A GENERAL FUND DEPARTMENT BUDGET FOR THE CITY OF**

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SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2010 AND ENDING DECEMBER 31, 2010; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES” was read.

An ordinance entitled, **“AN ORDINANCE PROVIDING FOR THE ADOPTION OF A STREET FUND DEPARTMENT BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2010, AND ENDING DECEMBER 31, 2010; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES”** was read.

Ordinance No. 1846, entitled, “AN ORDINANCE PROHIBITING BARKING, HOWLING AND OTHER UNREASONABLE ANIMAL NOISES; PROHIBITING HARRASSING OF DOGS AND OTHER DOMESTIC ANIMALS; SETTING PENALTIES FOR THE VIOLATIONS THEREOF; REPEALING ORDINANCE NO. 555; DECLARING AN EMERGENCY AND FOR ALL OTHER PURPOSES” was read. Alderman Vassar stated that under this new ordinance, if a second witness is not available the Animal Control Services could be used as a witness. 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 7 ayes. Alderman Lilly absent. The ordinance was read for the second time. Alderman Sulcer, 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 7 ayes. Alderman Lilly absent. The ordinance was read for the third time. Alderman Brooks, seconded by Alderman Davis, made a motion to adopt the ordinance. The roll call vote was 7 ayes. Alderman Lilly absent. The emergency clause passed with 7 ayes. Alderman Lilly absent.

Resolution No. 32-2009, entitled, “A RESOLUTION OF THE CITY COUNCIL OF SHERWOOD, ARKANSAS CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706 (d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003)” was read. Steve Cobb, City Attorney stated that Galley Support Innovations has made application with the Arkansas Economic Development for tax benefits in exchange for a pledge to do certain things that result of enhancing employment or growth of the company. This is a reimbursement for sales and use tax and the results of the benefits of this program will be growth of the company. Mayor Hillman stated this resolution is a formality and for the company to apply for the grant the city council has to give their endorsement. Gina, a representative of Galley Support Innovations, addressed the council and stated the company was a manufacturer and designer of interior hardware for corporate and commercial aviation. Gina also advised the council that their company was tax exempt and the city would not loose any tax funds. Alderman Rankin, seconded by Alderman Davis, made a motion to adopt the resolution. The roll call vote was 7 ayes. Alderman Lilly absent.

Alderman Vassar stated that she has received numerous calls about bagged leaves and when they would be picked up. Alderman Vassar stated the council told the public that if the citizens bagged the leaves they would be picked up quicker.

Alderman Harmon, seconded by Alderman Brooks, made a motion to suspend the rules and place the following ordinance on the agenda. The roll call vote was 7 ayes. Alderman Lilly absent.

Ordinance No. 1847, entitled, “AN ORDINANCE AMENDING ORDINANCE 1833 REGARDING REIMBURSEMENT OF CONSTRUCTION COSTS BY EXTENDING THE DEADLINE OF THE CITY OF SHERWOOD’S OBLIGATION FOR REIMBURSEMENT AND FOR OTHER PURPOSES” was read. Alderman Harmon stated this ordinance amends the ordinance that was passed for the costs of construction of the Lantrip Road Fire Department location. The original

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deadline was December 2009. Alderman Harmon, seconded by Alderman Brooks, made a motion to suspend the rules and place the ordinance on the second reading. The roll call vote was 7 ayes. Alderman Lilly absent. 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 7 ayes. Alderman Lilly absent. The ordinance was read for the third time. Alderman Rankin, seconded by Alderman Brooks, made a motion to adopt the ordinance. The roll call vote was 7 ayes. Alderman Lilly absent.

Mayor Hillman stated that the council is required to annually present the audit of the City of Sherwood. Steve Cobb, City Attorney asked the council if there was any discussion on their review of the 2007 audit. The council had no questions.

Mayor Hillman made the following announcements:

- Introduction of the Mayor's Youth Council
- Introduction of Tanner Angyal, with Troop 427, who is working on his Communications Merit Badge
- Enchanted Forest Trail of Lights, November 30, 2009 – December 30, 2009.
- Sherwood's annual Christmas Parade, Sunday, December 6, 2009 at 2:00 p.m.

A 2010 Census representative addressed the council and stated the census is currently hiring and they will be doing testing at the Amy Sander's Library.

Don Hindman, Director of Senior Citizens Center, stated that after the parade there will be hot chocolate and cookies at the center. Mr. Hindman also informed the council that the roof should be completed soon on the Senior Citizen Center.

Alderman Vassar, seconded by Alderman Davis, made a motion to adjourn at 7:44 p.m.

ATTEST:

Angela Nicholson, City Clerk

Virginia R. Hillman, Mayor