

May 24, 2004

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on May 24, 2004, at 7:00 p.m. in the Council Chambers. Those present were Alderman Henry, Vassar, Butler, Fender, Sulcer, Davis, and Stedman. Mayor Bill Harmon, City Attorney Steve Cobb, and City Clerk Virginia Hillman.

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

A motion was made by Alderman Vassar to approve the minutes of the regular meeting on April 26, 2004, as transcribed. Alderman Sulcer seconded the motion and the roll call vote was unanimous.

Mayor Harmon recognized the Sherwood Youth Council, and presented each with a Certificate of Appreciation. Cassie Johnson and Stephanie Rowland each were presented with a five hundred dollar Youth Council scholarship award for outstanding service in the City.

Alderman Sulcer, Chairman of the Advertising and Promotion Commission, stated that they met and discussed the 4th of July celebration. This year it will be held on Saturday, July 3rd.

Mayor Harmon announced the resignation of Chief Jim Thomas, effective July 5th, 2004, Captain Kel Nicholson was appointed to succeed Chief Thomas.

Ordinance No. 1634 entitled, "AN ORDINANCE REZONING THE PROPERTY AT 10213 HIGHWAY 107 (LOT 2, BLOCK 1, SYLVAN HILLS ADDITION) FROM R-1 RESIDENTIAL TO C-3 COMMERCIAL" 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 to adopt the ordinance.

Ordinance No. 1632 entitled, "AN ORDINANCE REZONING THE PROPERTY LOCATED AT 5902 WARDEN ROAD (LOT 1, CRAIN ADDITION) FROM C-3 COMMERCIAL TO C-4 COMMERCIAL" was read for the first time. Mayor Harmon announced an amendment to this ordinance to read that there will be no loud speakers or audios used. Alan Berry, a resident of Beaconsfield, asked that this amendment be placed in the ordinance. A Crain representative stated they were in agreement with the amendment. A motion was made by Alderman Stedman, seconded by Alderman Davis to amend the ordinance. The roll call vote was unanimous. The ordinance was read for the first time as amended. A motion was made by Alderman Rankin, seconded by Alderman Davis to suspend the rules and place the ordinance on the second reading as amended. The roll call vote was unanimous. The ordinance was read for the second time as amended. A motion was made by Alderman Vassar, seconded by Alderman Henry, to suspend the rules and place the ordinance on the third and final reading as amended. The roll call vote was unanimous. The ordinance was read for the third time as amended. A motion was made by Alderman Rankin, seconded by Alderman Davis, to adopt the ordinance as amended. The roll call vote was unanimous to adopt the ordinance.

Alderman Vassar asked about the lighting for this property. Michael Clayton, City Engineer, stated that the lighting will be monitored closely to ensure that the lighting is away from the residential areas.

Resolution No. 15-2004 entitled, "A RESOLUTION FINDING THE STRUCTURE AT LOT 4, BLOCK 7, LAKE CHERRYWOOD #2 ADDITION, COMMONLY KNOWN AS 208 PINEVIEW, A PUBLIC NUISANCE" was read. A motion was made by Alderman Vassar, seconded by Alderman Rankin to adopt the resolution. The roll call vote was unanimous to adopt the resolution.

A motion was made by Alderman Davis, seconded by Alderman Butler, to suspend the rules and place **Resolution No. 16-2004 entitled, "A RESOLUTION REAFFIRMING THE INTERJURISDICTIONAL PRETREATMENT AGREEMENT ENTERED**

May 24, 2004

REGULAR MEETING 2

INTO BY AND BETWEEN NORTH LITTLE ROCK WASTEWATER UTILITY OF NORTH LITTLE ROCK, ARKANSAS AND THE CITY OF SHERWOOD, ARKANSAS” on the agenda. The roll call vote was unanimous. Michael Clayton stated this was a pre-treatment resolution for industry or manufacturing. This resolution is a requirement from the EPA and has to be renewed every five years. The last resolution was passed May 30, 1997. A motion was made by Alderman Rankin, seconded by Alderman Henry to adopt the resolution. The roll call vote was unanimous to adopt the resolution.

Alderman Fender, Chairman of the Street Commission, read a letter from the Highway Department concerning Oakbrooke and Kiehl. The letter stated that the Highway Department declined, at this time, to put a traffic signal at this intersection. Mayor Harmon announced they did approve a left turn signal at Club Road and Highway 107.

Ordinance No. 1633 entitled, “AN ORDINANCE GRANTING FIRST ELECTRIC COOPERATIVE CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE EXCLUSIVE RIGHT, PRIVILEGE AND AUTHORITY TO SELL, FURNISH, AND DISTRIBUTE ELECTRIC POWER AND ENERGY AND ERECT, MAINTAIN, EXTEND, AND OPERATE A SYSTEM FOR THE DISTRIBUTION, TRANSMISSION, FURNISHING, OR SALE OF ELECTRIC POWER AND ENERGY WITHIN CERTAIN AREAS OF THE CITY OF SHERWOOD, ARKANSAS, AND TO ITS INHABITANTS, AND TO USE THE STREETS, ALLEYS, BRIDGES, AND OTHER PUBLIC GROUNDS OF THE CITY IN CONNECTION THEREWITH” was read for the first time. Julann Carney asked about the status report of the lawsuit between the City of Sherwood and North Little Rock Electric. Mayor Harmon stated it has been filed and the City of Sherwood has answered. City Attorney Steve Cobb advised that we are on a twelve month track from now. There is a requirement that we set down to a conference and try to negotiate a settlement and report to the court what has been achieved in that regard. Trial is set for May, 2005. Steve Cobb also advised that he spoke with the attorney for First Electric, and when the dispute began First Electric worked out an agreement whereby First Electric would go ahead and service Miller’s Crossing with the understanding that they were not agreeing that they could ultimately do that. A motion was made by Alderman Stedman, seconded by Alderman Rankin, 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 Vassar, to adopt the ordinance. The roll call vote was unanimous to adopt the ordinance. The emergency clause passed by a unanimous roll call vote.

Mr. Ray Medlock, owner of 9902 Sylvan Hills Highway, addressed the Council in reference to the re-zoning of property south of 9902 Sylvan Hills Highway for the construction of a strip mall developed by Jenkins Enterprises. He advised that drainage pipe was installed by the developer and it encroaches onto his property. Mayor Harmon advised that Michael Clayton would look into this situation and assist Mr. Medlock in resolving this matter.

Alderman Sulcer announced a concern a citizen had with the upkeep of a cemetery off of Jamesway Street. Mayor Harmon stated the State of Arkansas Commission on Cemeteries will be contacted to see what can be done with this situation.

Mayor Harmon announced that we received notice from the Arkansas Revenue and Taxation Department that effective July 1, 2004, the environmental sanitation fee will be taxed. Also the Supreme Court ruled in favor of the municipalities within Pulaski County to collect the Use Tax that was challenged in a lawsuit. An order will be issued to Judge Gray, for her to prepare documents to release the funds to the County, and then to each respective City involved.

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

ATTEST:

Virginia Hillman
City Clerk

Bill Harmon
Mayor