

November 22, 2004

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on November 22, 2004, at 7:00 p.m. in the Council Chambers. Those present were Aldermen Henry, Vassar, Rankin, 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 October 25, 2004, as transcribed. Alderman Sulcer seconded the motion and the roll call was unanimous to approve the minutes.

Alderman Sulcer, Advertising and Promotion Chairman, announced a reception for the Enchanted Forest on Wednesday, December 1<sup>st</sup> from 5:00 p.m. to 6:00 p.m.

Alderman Vassar, Personnel Commission Chairman, announced that the revisions to the personnel manual were complete and ready to present to the Council. The revisions will be presented at the December meeting.

**A proposed ordinance entitled, "AN ORDINANCE REZONING THE PROPERTY AT 9400 HIGHWAY 107, LOCATED AT THE NORTHEAST CORNER OF EAST MARYLAND AVENUE AND HIGHWAY 107, FROM R-1 RESIDENTIAL TO C-3-COMMERCIAL"** was read for the third time. Alderman Stedman commended Steve Deere, proposed purchaser of the property, for his willingness to work with the surrounding neighbors. Alderman Stedman recommended that the property be zoned 300 feet down Maryland and the remainder to C-1. Steve Deere has proposed a nice brick fence buffer between the commercial and residential. Bob Richardson, representing the property owner stated that he and Steve Deere agree with regards to the proposal from Steve Deere. The property is 431 feet deep. Mayor Harmon stated that conditional zoning stayed with the property as long as the conditional zoning requirements were met. Dale McGee, adjoining property owner, addressed the Council. He has concerns because purposed use of the property has not been disclosed. Mayor Harmon stated that zoning classifications were based upon the property itself and not individual businesses. Mr. McGee stated that the residents would be more comfortable if Mr. Deere planned to keep the property and develop it rather than someone else. Alderman Stedman stated that Mr. Deere and area residents have agreed that C-3 for the first 300 feet is workable and he recommends this to the Council. If the property is zoned only 300 feet, the proposed brick wall will not be included. Dave Phillips, an area resident, does not feel comfortable with the conditions being enforced in the event that the property changed owners. Mayor Harmon stated that the conditions would not be in place if the entire property were not zoned C-3. Alderman Stedman made a motion, seconded by Alderman Vassar, to amend the ordinance to reflect C-3 Commercial for the first 300 feet and C-1 Commercial for the remaining portion. The roll call was unanimous to accept the motion.

**Ordinance No. 1648 entitled, "AN ORDINANCE REZONING THE FRONT 300' OF THE PROPERTY LOCATED AT 9400 HIGHWAY 107 FROM R-1 RESIDENTIAL TO C-3 COMMERCIAL AND THE REMAINING DEPTH TO C-1 COMMERCIAL; AMENDING THE ZONING MAP AND FOR OTHER PURPOSES"** was read for the first time as amended. A motion was made by Alderman Vassar, seconded by Alderman Rankin, 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 Stedman, 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 Sulcer, seconded by Alderman Stedman, to adopt the ordinance, as amended. The roll call vote was unanimous to adopt the ordinance.

**Ordinance No. 1649 entitled, "AN ORDINANCE REZONING THE PROPERTY LOCATED AT 7523 WARDEN ROAD, ALSO DESCRIBED AS LOT 1, BOWLING WORLD ADDITION 11, FROM C-3 COMMERCIAL TO C-4 COMMERCIAL; AMENDING THE ZONING AND LAND USE MAP AND FOR**

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**OTHER PURPOSES**” as read for the second time. Adjoining property owners stated that everyone was comfortable with the proposed zoning. A motion was made 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 Davis, seconded by Alderman Sulcer, to adopt the ordinance. The roll call vote was unanimous to adopt the ordinance.

**Ordinance No. 1650 entitled, “AN ORDINANCE REZONING THE PROPERTY AT 9714 HIGHWAY 107 FROM R-1 RESIDENTIAL TO C-3 COMMERCIAL; AMENDING THE ZONING MAP AND FOR OTHER PURPOSES”** was read for the first time. Charles Greenfield, owner of the property stated that the business has been operating in a C-3 capacity for several years. A motion was made by Alderman Rankin, seconded by Alderman Davis, 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 Vassar 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 to adopt the ordinance.

Alderman Sulcer asked for an update on the Trammel Road sewer project. City Engineer Michael Clayton stated that the area would tie on to North Little Rock sewer system.

Alderman Fender announced that the Wildwood improvement project is approximately 90% complete. The City Engineer and staff are currently surveying the drainage problems from Cardinal Lane to Maryland. A comprehensive plan will be developed to alleviate the current conditions. Also, the Five Mile Creek work should resume as soon as the electric company installs poles. Alderman Fender announced that the leaf vacuum is in operation but requires two weeks to cycle throughout the City. Residents are encouraged to bag their leaves, which are picked up on a weekly basis. Alderman Vassar asked for an update regarding the installation of the traffic signal at Bear Paw and State Highway 107. City Engineer Michael Clayton stated that the plans have been submitted for review to the State Highway Department. The cameras for the traffic signal at Kiehl Avenue and Highway 107 are in the process of being installed.

Alderman Sulcer stated that some residents are raking their leaves to the street and then the leaves wash into the storm drains. There are also some residents setting old computers out on the street for extended lengths of time. Mayor Harmon stated that the police will stop and talk with residents when this is observed.

Mike Anderson asked if there was an update for the Brockington Road widening. Mayor Harmon stated that the City had to change bond attorneys for the TIF plan. A public hearing would be held, following a 15 day public notice.

**Resolution No. 23-2004 entitled, “A RESOLUTION RE-APPOINTING KAREN BRYANT TO THE ADVERTISING AND PROMOTIONS COMMITTEE AND LINDA NAPPER TO THE PUBLIC FACILITIES BOARD”** was read. A motion was made by Alderman Sulcer, seconded by Alderman Henry to adopt the resolution. The roll call vote was unanimous to adopt the resolution.

**Resolution No. 24-2004 entitled, “A RESOLUTION FINDING THE STRUCTURE LOCATED ON SPACE NO. 330 AT 4600 RIXEY ROAD, A HOUSE TRAILER LOCATED IN ROYAL OAKS MOBILE HOME PARK, TO CONSTITUTE A PUBLIC NUISANCE”** was read. Mayor Harmon stated that a meth lab had been found in the mobile home. 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.

**Ordinance No. 1651 entitled, “AN ORDINANCE PROVIDING FOR THE ADOPTION OF A GENERAL FUND DEPARTMENT BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2005, AND ENDING DECEMBER 31, 2005;**

**APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; AND FOR OTHER PURPOSES”**

was read for the first time. After discussion of several line items, Julann Carney questioned the expending of the sales and use tax refund. Mayor Harmon stated that the funds were calculated into the budget. A portion of the funds are being used to set up a capital reserve. Alderman Stedman questioned if the City was actively pursuing grants. Mayor Harmon stated that the City would love to have a grant writer. Some departments are benefiting from grants. A motion was made by Alderman Vassar, 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 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 Davis, to adopt the ordinance. The roll call vote was unanimous to adopt the ordinance. The emergency clause passed by a unanimous roll call vote.

**Ordinance No. 1652 entitled, “AN ORDINANCE PROVIDING FOR THE ADOPTION OF A STREET DEPARTMENT BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2005, AND ENDING DECEMBER 31, 2005; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; AND FOR OTHER PURPOSES”**

was read for the first time. 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 Vassar, seconded by Alderman Henry 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 Rankin, to adopt the ordinance. The roll call vote was unanimous to adopt the ordinance. The emergency clause passed by a unanimous roll call vote.

The December council meeting will on Tuesday, December 28<sup>th</sup>.

Mayor Harmon announced the following:

- Enchanted Forest Holiday Trail of Lights beginning December 1<sup>st</sup> and open through December 26<sup>th</sup>.
- The first annual Christmas tree auction @ Bill Harmon Recreation Center with proceeds divided between two Sherwood elementary schools.
- Breakfast with Santa on December 11<sup>th</sup>
- Children’s Christmas party on Friday, December 3<sup>rd</sup> @ 6:00 p.m.
- Christmas parade on Sunday, December 5<sup>th</sup> @ 2:00 p.m.

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

ATTEST:

Virginia Hillman  
City Clerk

Bill Harmon  
Mayor