

December 28, 2004

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on December 28, 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 November 22, 2004, as transcribed. Alderman Sulcer seconded the motion and the roll call was unanimous to approve the minutes.

Blake Calloway, on behalf of the Sherwood Mayor Youth Council, awarded the Duncan Family, Narragansett Place; the Branson Family, Koehler Avenue; and the Williams Family, Country Club Road, as winners of the annual Christmas lighting contest.

Alderman Sulcer asked for a motion to suspend the rules and add an item to the agenda. Alderman Vassar seconded the motion. The roll call vote was unanimous to add the following to the agenda:

Resolution No. 25-2004 entitled, "A RESOLUTION TO RECOGNIZE AND HONOR THE OUTSTANDING SERVICE TO THE CITY OF SHERWOOD BY OUR ANIMAL SERVICES DIRECTOR MICHAEL SHREWSBURY" was read. A motion was made by Alderman Sulcer, seconded by Alderman Vassar to adopt the resolution. The roll call vote was unanimous to adopt the resolution.

Mayor Harmon and the City Council presented Alderman Butler with a plaque for service as alderman from January 1, 1997 to December 31, 2004, serving with dedication and distinction.

Alderman Vassar commended the Sanitation Department for all of their extra efforts regarding garbage pickup due to the inclement weather as well as Christmas holidays. Also, Alderman Fender also commended the entire Public Works for their response also during the inclement weather. Mayor Harmon announced that the City had to use their surplus of sand to keep Kiehl Avenue and Arkansas State Highway 107 passable during the inclement weather. The lack of availability of the Arkansas State Highway Department to sand City owned streets forced our Public Works Department to concentrate on the State Highways rather than City owned streets. The Arkansas State Highway Department has assured the City that a better way of handling the situation will be mandated and apologized to the City.

Alderman Sulcer, Advertising and Promotion Chairman, announced a wonderful attendance despite the inclement weather for the Enchanted Forest Lighting. Even though inclement weather hampered the attendance, donations were up from last year. Mayor Harmon thanked Alderman Sulcer for spearheading the Enchanted Forest Lighting.

Alderman Vassar, Personnel Commission Chairman, announced that the revisions to the personnel manual have been reviewed and a meeting was also held prior to the Council meeting. Bob Wheeler, Director of Human Resources addressed the Council. Purposed changes include a revision to the inclement weather policy. Department heads will be given the discretion of allowing employees to leave work earlier in accordance to the distance they drive to work. Also, a department head may ask for a doctor's certificate of illness at any time upon absence from work rather than waiting three days. Employees will also be allowed to continued to leave for voting purposes, but at the discretion of the department head. The education policy will clarify that undergraduate and graduate courses will be allowed for payment but not doctoral courses. Twenty-two days of annual leave will be awarded after fifteen years of service rather than the current twenty-one days. It will take approximately 60 days for the manuals to reach the employees.

Ordinance No. 1653 entitled, "AN ORDINANCE ADOPTING THE ATTACHED NEW POLICIES AND RULES CHANGES TO THE CITY'S POLICY MANUAL, AND FOR OTHER PURPOSES" was read for the first time. A motion was made by

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Alderman Sulcer, 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 Vassar, 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 Rankin, seconded by Alderman Sulcer, to adopt the ordinance. The roll call vote was unanimous to adopt the ordinance.

Alderman Fender, Street Commission Chairman, announced that the overlay program is complete with the exception of one street. The traffic signals at Club Road and Bear Paw drive are waiting for word from the Highway Department. Alderman Vassar asked about a street sweeper being used to clean up debris from the overlay. Alderman Fender stated that the issue would be put on the next street commission agenda. Michael Clayton, City Engineer, stated that there was no provision in the contract for cleaning the debris. If the sweeper brush were used, it would simply dispense the debris into the lawns which would create more of a problem. Mayor Harmon stated that the street sweeper would be in use as soon as the stockpile of sand was refurbished.

Ordinance No. 1654 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, 2005, AND ENDING DECEMBER 31, 2005; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; 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 Sulcer, 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 Davis, seconded by Alderman Sulcer, 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. 1655 entitled, "AN ORDINANCE ABANDONING AN EXISTING UTILITY EASEMENT FOR LOT 173, SILVER CREEK ADDITION AS DESCRIBED AND ACCEPTING THE NEW PROPOSED EASEMENT; AND FOR OTHER PURPOSES" was read for the first time. Michael Clayton stated that the current 40' easement, which was unusual, was not needed. A motion was made by Alderman Vassar, 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 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 Vassar, 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. 1656 entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 1362 BY APPOINTING THE CITY ENGINEER AS THE DIRECTOR OF EMERGENCY SERVICES FOR THE CITY OF SHERWOOD, ARKANSAS; AND FOR OTHER PURPOSES" was read for the first time. Mayor Harmon stated that the engineer has worked with FEMA during our last disaster. 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 Sulcer, 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 Vassar, seconded by Alderman Davis, to adopt the ordinance. The roll call vote was unanimous to adopt the ordinance.

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Ordinance No. 1657 entitled, **“AN ORDINANCE ALLOWING THE COMPLETION OF NEEDED INFRASTRUCTURE IN UNDERDEVELOPED AREAS OF THE CITY ESTABLISHING A PROCEDURE FOR REIMBURSEMENT TO THE CITY BY DEVELOPERS; AND FOR OTHER PURPOSES”** was read for the first time. Mayor Harmon stated that this would allow the City to proceed with sidewalks, etc. that needed to be completed now and then place a lien on the property for collection of the costs when the property is developed. A motion was made by Alderman Vassar, seconded by Alderman Henry, 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 Sulcer 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.

Ordinance No. 1658 entitled, **“AN ORDINANCE ABANDONING EXISTING RIGHT-OF-WAY EASEMENTS FOR LOT 15 AND LOT 16, STONEHILL ADDITION PHASSE III, AS SHOWN ON “EXHIBIT A” ATTACHMENT”** was read for the first time. A motion was made by Alderman Sulcer, 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 Rankin, seconded by Alderman Sulcer 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 Henry, to adopt the ordinance. The roll call vote was unanimous to adopt the ordinance.

A proposed ordinance entitled **“AN ORDINANCE ALLOWING SPOUSES OF ELECTED OFFICIALS TO CONDUCT BUSINESS WITH THE CITY OF SHERWOOD, ARKANSAS, ESTABLISHING DISCLOSURE REQUIREMENTS AND FOR OTHER PURPOSES”** was read for the first time. A motion was made by Alderman Fender, seconded by Alderman Vassar to amend the Ordinance to read as follows. The roll call vote was 6 ayes, 1 nay, and 1 abstention, to amend the ordinance.

Ordinance No. 1659 entitled, **“AN ORDINANCE ALLOWING ANY ELECTED CITY OFFICIALS AND SPOUSES OF ELECTED OFFICIALS, OR CITY EMPLOYEES TO CONDUCT BUSINESS WITH THE CITY OF SHERWOOD, ARKANSAS, ESTABLISHING DISCLOSURE REQUIREMENTS AND FOR OTHER PURPOSES”** 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 6 ayes, 1 nay, and 1 abstention. 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. The roll call vote was 6 ayes, 1 nay, and 1 abstention. The ordinance was read for the third time. A motion was made by Alderman Davis, seconded by Alderman Henry, to adopt the ordinance. The roll call vote was 6 ayes, 1 nay, and 1 abstention to adopt the ordinance.

Resolution No. 26-2004 entitled, **“A RESOLUTION APPOINTING OFFICIALS AND RESIDENTS TO VARIOUS COMMISSIONS”** was read. A motion was made by Alderman Vassar, seconded by Alderman Davis to adopt the resolution. The roll call vote was unanimous to adopt the resolution.

Ordinance No. 1660 entitled, **“AN ORDINANCE AMENDING THE 2004 GENERAL FUND BUDGET ORDINANCE NO. 1623 AND THE 2004 STREET FUND BUDGET ORDINANCE NO. 1624; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES”** was read for the first time. A motion was made by Alderman Sulcer, seconded by Alderman Henry, 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 Vassar to suspend the rules and place the ordinance on the third and final

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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 Henry, to adopt the ordinance. The roll call vote was unanimous to adopt the ordinance. The emergency clause passed by a unanimous roll call vote.

Doris Anderson, with Austin Lakes/Westlake Property Owner's association, addressed the Council regarding the lack of the agenda for the current Council meeting not being on the City website.

Mayor Harmon announced the following:

- Swearing in on January 1, 2005 @ 9:00 a.m.
- Called Council meeting on January 3, 2005 @ 2:00 p.m.

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

ATTEST:

Virginia Hillman
City Clerk

Bill Harmon
Mayor