

April 26, 2021

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on April 26, 2021 at 6:00 p.m. in the Council Chambers. Those present were Mayor Virginia R. Young, City Attorney Steve Cobb, City Clerk Angela Nicholson, Council Members Brooks, Lilly, McMinn, Heye-Townsell, Sanders, Williams and Broderick. Council Member Harmon arrived at 6:09 p.m.

Council Member Tim McMinn led in prayer, and the Pledge of Allegiance was given to the flag.

Council Member Brooks, seconded by Council Member Lilly, made a motion to approve the minutes of the regular meeting on March 22, 2021 as transcribed. The roll call vote 7 ayes. Council Member Harmon had not arrived.

Mayor Young opened discussion for the March 2021 financials. No comments were made.

**Resolution No. 6-2021, entitled, "A resolution authorizing the mayor to extend the contract for ambulance service and the granting of an exclusive franchise for services with MEMS for the City of Sherwood, Arkansas"** was read. Jon Swanson, Director of MEMS addressed the council and gave an update for MEMS. Mr. Swanson stated MEMS will be moving the Sherwood location to E. Kiehl. Council Member Brooks, seconded by Council Member Sanders, made a motion to adopt the resolution. The roll call vote was 7 ayes. Council Member Harmon had not arrived. Council Member Brooks informed the council that Mr. Swanson would be retiring in the next month and wanted to thank him for his service to MEMS and to Sherwood.

Council Member Brooks, Chairman of the Advertising and Promotion Commission, stated the commission did meet. The next meeting will be Wednesday, May 5, 2021 at 3:00 p.m. at the Bill Harmon Recreation Center.

A proposed ordinance entitled, "*An ordinance amending Ordinance No. 48 of 1956, declaring an emergency; and for other purposes*" was read. Council Member Williams, seconded by Council Member Heye-Townsell, made a motion to amend the ordinance to add to Section 1. "school sponsored." The roll call vote was 7 ayes. Council Member Harmon had not arrived. **Ordinance No. 2356, entitled, "An ordinance amending Ordinance No. 48 of 1956, declaring an emergency; and for other purposes"** was read as amended. Council Member Brooks, seconded by Council Member Heye-Townsell, made a motion to suspend the rules and place the ordinance on the second reading as amended. The roll call vote was 7 ayes. The ordinance was read for the second time as amended. Council Member Brooks, seconded by Council Member Sanders, made a motion to suspend the rules and place the ordinance on the third and final reading as amended. The roll call vote was 7 ayes. The ordinance was read for the third time as amended. Council Member Heye-Townsell, seconded by Council Member Lilly, made a motion to adopt the ordinance as amended. The roll call vote was 7 ayes. The emergency clause passed with a roll call vote of 7 ayes.

Council Member Harmon arrived at 6:09 p.m.

Council Member Sanders, Chairman of the Human Resources Committee, stated the committee did meet twice. Discussion was on several new positions. The next meeting will be Thursday, May 6, 2021 at 5:30 p.m. at the Bill Harmon Recreation Center.

**Ordinance No. 2357, entitled, "An ordinance creating one (1) Communication Center Supervisor (Civilian) position and three (3) Dispatcher Positions with the City of Sherwood Police Department"** was read. Chief Hagar addressed the council and explained the need for these positions. Council Member Brooks, seconded by Council Member Heye-Townsell, 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. Council Member Heye-Townsell, seconded by Council Member Brooks, made a motion to suspend the rules and place the ordinance on the third and final reading.

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The roll call vote was unanimous. The ordinance was read for the third time. Council Member Brooks, seconded by Council Member Heye-Townsell, made a motion to adopt the ordinance. The roll call vote was unanimous.

**Ordinance No. 2358, entitled, "An ordinance reclassifying three existing Patrol positions to three Sergeant positions with the City of Sherwood Police Department"** was read. Chief Hagar explained to the council the need for this reclassification. Council Member Harmon, seconded by Council Member 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. Council Member Brooks, seconded by Council Member Harmon, 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. Council Member McMinn, seconded by Council Member Williams, made a motion to adopt the ordinance. The roll call vote was unanimous.

A proposed ordinance entitled, "*An ordinance creating a Code Enforcement Supervisor position in the City of Sherwood Engineering and Planning Department; declaring an emergency; and for other purposes*" was read. Council Members had questions regarding working weekend shifts, staggering shifts, and riding together in the same vehicle. City Engineer Richard Penn stated that it has not been discussed at this time. Council Member Williams, seconded by Council Member Harmon, made a motion to amend Section 2 to read "*the Code Enforcement Supervisor at a grade 106 with a midpoint of \$44,928 annually.*" The roll call vote was unanimous. **Ordinance No. 2359, entitled, "An ordinance creating a Code Enforcement Supervisor position in the City of Sherwood Engineering and Planning Department; declaring an emergency; and for other purposes"** was read as amended. Council Member Brooks, seconded by Council Member Williams, made a motion 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. Council Member Harmon, seconded by Council Member Sanders, made a motion 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. Council Member Brooks, seconded by Council Member Williams, made a motion to adopt the ordinance as amended. The roll call vote was unanimous. The emergency clause passed with a unanimous roll call vote.

A proposed ordinance entitled, "*An ordinance amending certain definitions and provisions of the Sherwood Zoning Code regarding Home Occupations; and for other purposes*" was read. Sherwood Planning Commission Chairman Rob Middleton addressed the council. Mr. Middleton stated that HB1460 was passed regarding licensing of businesses and HB1416 was passed, which stipulates that cities and counties must adopt and approve a zoning code regarding home occupation licenses. There are eight conditions that cities and counties use to regulate home based businesses. Mr. Middleton compared the eight conditions to the proposed ordinance and determined that two parts of the ordinances should be deleted. Council Member Williams, seconded by Council Member Heye-Townsell, made a motion to delete in Section 1 Item #3 and #6. The roll call vote was unanimous. **Ordinance No. 2360, entitled, "An ordinance amending certain definitions and provisions of the Sherwood Zoning Code regarding Home Occupations; and for other purposes"** was read as amended. Council Member Brooks, seconded by Council Member Heye-Townsell, made a motion 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. Council Member Heye-Townsell, seconded by Council Member Lilly, made a motion 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. Council Member Heye-Townsell, seconded by Council Member Brooks, made a motion to adopt the ordinance as amended. The roll call vote was unanimous.

**Ordinance No. 2361, 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**

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**for streets, authorizing expenditure of funds, signing of contracts; declaring an emergency; and for other purposes (Hemphill Road)**” was read. Sherwood Planning Commission Chairman Rob Middleton addressed the council stating there are design standards for collector streets. The right-of-way (ROW) standards, travel lane and parking standards and the sidewalk standards should be waived due to the size of the road. The Planning Commission determined that pedestrian safety was a more viable choice than the parking issue. Mr. Middleton stated that he overheard the Fire Marshall say that No Parking signs would not be placed on the street unless traffic blocking the road becomes an issue. City Engineer Richard Penn stated that three (3) options were presented to the residents 1) 27’ back to curb, back to curb, and no parking on the street, 2) 32’ back to curb, back to curb with a 4’ grass buffer and 5’ sidewalk, and 3) 32’ back to curb, back to curb with no buffer and a 6’ sidewalk. Out of the written responses received, the vote was for a 32’ with a 4’ buffer and a 5’ sidewalk, which staff agreed. Council Member Harmon, seconded by Council Member Broderick, 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. Council Member Lilly, seconded by Council Member Harmon, 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. Council Member Harmon, seconded by Council Member Williams, 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. 2362, 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, authorizing expenditure of funds, signing of contracts; declaring an emergency; and for other purposes (Country Club Road)”** was read. Sherwood Planning Commission Chairman Rob Middleton addressed the council and stated that this ordinance is similar to the prior ordinance, however, it is an arterial street. Council Member Williams, seconded by Council Member Harmon, 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. Council Member Harmon, seconded by Council Member 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. Council Member Lilly, seconded by Council Member Sanders, made a motion to adopt the ordinance. The roll call vote was unanimous. The emergency clause passed with a unanimous roll call vote.

**Resolution No. 7-2021, entitled, “A resolution re-appointing Steve Bruno to serve on the Sherwood Planning Commission and Board of Adjustments”** was read. Council Member Harmon, seconded by Council Member Brooks, made a motion to adopt the resolution. The roll call vote was unanimous.

**Ordinance No. 2363, entitled, “An ordinance amending the existing Zoning Code with respect to minimum side yards on corner lots; and for other purposes”** was read. Sherwood Planning Commission Chairman Rob Middleton stated the Planning Commission voted to recommend a revision to the Zoning Code to provide limited discretion in reducing the minimum side yard requirement on corner lots. Mr. Middleton stated the current requirement is 25’ on both sides of the yard. Some circumstances a 15’ is needed in R-1 and R-2 zoning that have corner lots. This would allow some deviation in the minimum side yard requirement on corner lots when safety would not be impaired. Council Member Brooks, seconded by Council Member Heye-Townsell, 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. The ordinance was read for the second time. Council Member Brooks, seconded by Council Member Sanders, 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. Council Member Brooks, seconded by Council Member McMinn, made a motion to adopt the ordinance. The roll call vote was unanimous.

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**Resolution No. 8-2021, entitled, "A resolution calling for a public hearing for consideration of petition to vacate a portion of Bentley Road"** was read. Sherwood Planning Commission Chairman Rob Middleton stated that before a final plat or building permit could be approved a request to the council to abandon this street would be required. Council Member Harmon, seconded by Council Member Brooks, made a motion to adopt the resolution. The roll call vote was unanimous.

Council Member McMinn, Chairman of the Senior Citizen Committee, stated that attendance is increasing at the Sherwood Senior Center.

Council Member Lilly, Chairman of the Street Committee, stated the committee did meet. Council Member Brooks inquired about the street overlay list. Council Member Lilly stated that Brockington Road is number one on the list.

**Ordinance No. 2364, entitled, "An ordinance appropriating funds in the 2021 Street Budget for street improvements, and for other purposes"** was read. Mayor Young stated these funds were from an insurance settlement where a utility company damaged an area on Brockington Road. These funds will be added to the street overlay. Council Member Harmon, seconded by Council Member Heye-Townsell, 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. Council Member Harmon, seconded by Council Member 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. Council Member McMinn, seconded by Council Member Heye-Townsell, made a motion to adopt the ordinance. The roll call vote was unanimous.

**Ordinance No. 2365, entitled, "An ordinance authorizing the mayor to sign a contract for professional engineering services related to Sherwood, Runyan Acres, Gravel Ridge Consolidation Study; and for other purposes"** was read. City Engineer Richard Penn stated this would be an opportunity for the city to investigate the benefits of sharing services with Gravel Ridge, Runyan Acres and Sherwood. Council Member Heye-Townsell, seconded by Council Member Harmon, 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. Council Member Heye-Townsell, seconded by Council Member Williams, 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. Council Member Heye-Townsell, seconded by Council Member McMinn, made a motion to adopt the ordinance. The roll call vote was unanimous.

**Ordinance No. 2366, entitled, "An ordinance authorizing the mayor to sign a contract for professional engineering services related to Sherwood Wastewater Utility; declaring an emergency; and for other purposes"** was read. City Engineer Richard Penn stated this is in response to a Consent Administrative Order from the Arkansas Department of Environmental Quality. Council Member Williams, seconded by Council Member Sanders, 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. Council Member Harmon, seconded by Council Member Heye-Townsell, 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. Council Member Lilly, seconded by Council Member Heye-Townsell, 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. 2367, entitled, "An ordinance approving Garver, LLC to complete a design of the Oakbrook Roundabout Project, authorization to enter into contract for services; and for other purposes"** was read. Council Member McMinn stated he thought a design for this project had already been drawn. City Engineer Richard Penn stated that it had been for a grant, but we were not selected for the grant. The total design cost would not exceed the \$215,000. Council Member McMinn, seconded by Council

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Member Harmon, 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. Council Member Brooks, seconded by Council Member Sanders, 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. Council Member Harmon, seconded by Council Member Brooks, made a motion to adopt the ordinance. The roll call vote was unanimous.

Under old business:

Council Member Brooks asked when the 2020 Census numbers would be available. Mayor Young stated September or October 2021.

Under new business:

Council Member Heye-Townsell agreed to witness the document destruction for city records. Date will be set when schedules can be reviewed.

Mayor Young made the following announcements:

- 501 Day, Saturday, May 1, 2021 at the Sherwood Entertainment District, Country Club Road, 5-9 p.m.
- Mother's Day free adoption event May 3<sup>rd</sup> – May 7<sup>th</sup>
- Remember our Veteran's free adoption event May 24<sup>th</sup> – May 28<sup>th</sup>
- May is National Pet Disaster Preparedness month

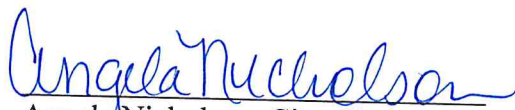
Council Member Brooks announced that Keep Sherwood Beautiful is accepting Yard of the Month nominations.

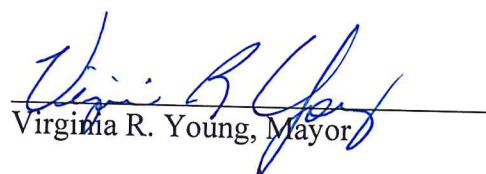
David Barnes of Hemphill Road, addressed the council concerning the Hemphill Road improvements. Mr. Barnes stated the residents needs assurance on the obvious concerns. Mayor Young stated that there would not be "No Parking" signs as a result of the project. The Fire Marshall has said he would not place "No Parking" signs unless fire equipment is unable to get through the road due to parking issues.

Council Member McMinn stated the Mayor's Prayer Breakfast will be virtual and held on Tuesday, May 4, 2021 at 7 a.m.

No further business, Council Member Brooks, seconded by Council Member Heye-Townsell, made a motion to adjourn at 7:46 p.m.

**ATTEST:**

  
Angela Nicholson, City Clerk

  
Virginia R. Young, Mayor