

July 22, 2019

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on July 22, 2019 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, Harmon, Lilly, McMinn, Heye, Sanders, Williams and Broderick.

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

Council Member Brooks, seconded by Council Member Heye, made a motion to approve the minutes of the regular meeting on June 24, 2019 as transcribed. The roll call vote was unanimous.

Mayor Young opened discussion for the June 2019 financials. No comments were made.

Council Member Heye introduced the Sherwood Sharks. The Sharks have been undefeated for sixteen (16) straight years.

Council Member Brooks, Chairman of the Advertising and Promotion Commission, stated the commission did not meet in July. The 4<sup>th</sup> of July Family Celebration was successful. The Sherwood Splashpad has opened. The next meeting will be August 7, 2019 at 3:00 p.m. at the Bill Harmon Recreation Center.

Council Member Harmon, Chairman of the Parks and Recreation Committee, stated the committee did not meet. The next meeting will be August 12, 2019 at 6:00 p.m. at the Bill Harmon Recreation Center.

Council Member Sanders, Chairman of the Personnel Committee, stated the committee did not meet. The next meeting is August 1, 2019 at 5:30 p.m. at the Bill Harmon Recreation Center.

**Ordinance No. 2256, entitled, "AN ORDINANCE AMENDING THE SHERWOOD ZONING CODE AND FOR OTHER PURPOSES"** was read. This ordinance is regarding legislation passed enacting Act 446 of 2019. Sherwood Planning Commission Chairman Robert Middleton explained that Act 446 of 2019 prohibits counties and cities from regulating residential building designs. The Sherwood Planning Commission voted that amendments to the Sherwood Zoning Code need to be made and submitted to the city council to be voted on. Council Member Brooks, seconded by Council Member Lilly, 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 McMinn, seconded by Council Member Heye, made a motion to adopt the ordinance. The roll call vote was unanimous.

A proposed ordinance entitled, "*An ordinance amending the Sherwood Zoning Code and for other purposes*" was read. Council Member Williams, seconded by Council Member McMinn, made a motion to amend in Section 3 and Section 4 striking "*entire city*" and just have "*City*". The roll call vote was unanimous. **Ordinance No. 2257, entitled "AN ORDINANCE AMENDING THE SHERWOOD ZONING CODE AND FOR OTHER PURPOSES"** was read as amended. This ordinance is regarding the zoning classification for the municipal use planned for certain property. Sherwood Planning Commission Chairman Robert Middleton explained the proposed revisions to the Sherwood Zoning Code. Natalie Brown of 9105 Jacksonville Cato Road, addressed the council. Mrs. Brown stated that this ordinance did not coincide with the intent of Resolution 4-2019. Mrs. Brown explained that the ordinance would allow for the city to place municipal property in any R-1 zoning. Anthony Brown of 9105 Jacksonville Cato Road, addressed the council. Mr. Brown was concerned with the setbacks. Mr. Brown recommended the city relocate the Public Works building outside of residential areas or change the setbacks. City Engineer Richard Penn stated that the setbacks for this specific

property will be 50 feet from the residence property line of 9105 Jacksonville Cato Road. Council Member Harmon, seconded by Council Member Brooks, 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 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 Harmon, seconded by Council Member McMinn, made a motion to adopt the ordinance as amended. The roll call vote was unanimous. The emergency clause passed with a roll call vote of 7 ayes. Council Member Brooks voted no.

**Ordinance No. 2258, entitled, "AN ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICTS MAP AND FOR OTHER PURPOSES"** was read. Sherwood Planning Commission Chairman Robert Middleton was available for questions. The ordinance is in reference to a re-zoning request made by North Little Rock Wastewater Utility and a parcel of property near Trammel Estates. Council Member Brooks, seconded by Council Member McMinn, 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 McMinn, 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 Brooks, seconded by Council Member Sanders, made a motion to adopt the ordinance. The roll call vote was unanimous.

**Ordinance No. 2259, entitled, "AN ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICTS MAP AND FOR OTHER PURPOSES"** was read. The ordinance is regarding rezoning of property located at 14177 Hwy 107. Council Member Heye, 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 7 ayes. Council Member Brooks abstained. The ordinance was read for the second time. Council Member Harmon, seconded by Council Member McMinn, made a motion to suspend the rules and place the ordinance on the third and final reading. The roll call vote was 7 ayes. Council Member Brooks abstained. The ordinance was read for the third time. Council Member McMinn, seconded by Council Member Harmon, made a motion to adopt the ordinance. The roll call vote was 7 ayes. Council Member Brooks abstained.

**Ordinance No. 2260, entitled, "AN ORDINANCE AMENDING THE SHERWOOD ZONING CODE AND FOR OTHER PURPOSES"** was read. Council Member Brooks, 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 Lilly, 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 Harmon, seconded by Council Member Sanders, made a motion to adopt the ordinance. The roll call vote was unanimous.

A proposed ordinance entitled, *"An ordinance providing for the installation of small cell wireless facilities to be placed in city right-of-way's in the City of Sherwood, Arkansas; and for other purposes"* was read one time. City Attorney Steve Cobb stated that the standards in the attachment of this ordinance will be tweaked and asked that the ordinance only be read one time. Sherwood Planning Commission Chairman Robert Middleton stated that the federal communication has enacted guidelines for cities and small cell wireless and there is a deadline of September 1, 2019. Council Member Heye stated she has done research on small cell towers and cities that do not have their own utilities would not benefit from this. Council Member Heye recommended that the city contract with Garver Engineering to write up an ordinance for the City of Sherwood. Mayor Young stated that the Arkansas Municipal League, along with North Little Rock Attorney Jason Carter are working on an ordinance for cities to use. Doris Anderson of 2507 Bearskin addressed the council stating she has studied wireless technology and the 5G is designed to work with a small amount of homes, and that this will cause several

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small cell towers to be located in residential areas. Jill Ponder of North Little Rock Electric addressed the council and advised the City of North Little Rock has an ordinance in place for small cell wireless facilities and will make it available to other cities. The City of North Little Rock is currently making revisions to the ordinance and the revisions should be complete in the next two weeks. The Mayor and Council agreed that communication will be made with Garver and Attorney Jason Carter and to have a workshop for discussion on the drafting of an ordinance for small cell wireless facilities.

Council Member McMinn, Chairman of the Sherwood Senior Citizen Center, stated that the annual Fish Fry Fundraiser raised \$6,307. The Senior Center has a wellness check every Wednesday. The Senior Citizen Center will have classes for Zumba, Genealogy, and computer.

Council Member Lilly, Chairman of the Street Committee, stated the committee did meet.

**Resolution No. 11-2019, entitled, "A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SHERWOOD TO UTILIZE STATE AID STREET MONIES FOR THE FOLLOWING CITY PROJECT: SHERWOOD OVERLAY NO. 2"** was read. Council Member Lilly, seconded by Council Member Harmon, made a motion to adopt the resolution. The roll call vote was unanimous.

**Ordinance No. 2261, entitled, "AN ORDINANCE BY THE CITY OF SHERWOOD ARKANSAS CALLING FOR THE SIMULTANEOUS DETACHMENT AND ANNEXATION OF LAND CURRENTLY LOCATED IN JACKSONVILLE, PULASKI COUNTY, ARKANSAS, PURSUANT TO ARK. CODE ANN. §14-40-2101"** was read. Council Member McMinn, 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 Brooks, seconded by Council Member McMinn, 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 Sanders, made a motion to adopt the ordinance. The roll call vote was unanimous.

**Ordinance No. 2262, entitled, "AN ORDINANCE PROVIDING FOR THE ADOPTION OF A SHERWOOD SOBRIETY (DWI) COURT BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2019; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES"** was read. Council Member Brooks, 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 Heye, 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 Harmon, 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. 2263, entitled, "AN ORDINANCE PROVIDING FOR THE ADOPTION OF A JUSTICE ASSISTANCE GRANT (JAG) BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2019; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES"** was read. Council Member Brooks, 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

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second time. Council Member Harmon, seconded by Council Member McMinn, 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 Harmon, 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. 12-2019, entitled, "A RESOLUTION APPOINTING CERTAIN PERSONS TO SERVE ON VARIOUS SHERWOOD BOARDS, COMMISSIONS, AND COMMITTEES"** was read. Council Member Harmon, seconded by Council Member Williams, made a motion to adopt the resolution. The roll call vote was unanimous.

**Ordinance No. 2264, entitled, "AN ORDINANCE RENAMING THE FORMER AMY SANDERS LIBRARY BUILDING LOCATED AT 31 SHELBY ROAD TO THE BARBARA COLLIER MUNICIPAL COMPLEX"** was read. Council Member Harmon, seconded by Council Member Heye, 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 Heye, 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, seconded by Council Member Sanders, made a motion to adopt the ordinance. The roll call vote was unanimous. Mayor Young announced the Barbara Collier has been with the city for 48 years and will be retiring August 1, 2019.

Kyle Wade, the Sherwood Representative on the Rock Region Metro Board gave the following update:

- June 2019 marked the one-year anniversary for the new director
- Sherwood has an express route that is serviced with three trips in the morning and three trips in the evening
- Rock Region is partnered with UALR, Shorter College, and Pulaski Technical College to allow students a reduced fare, resulting in a 45% increase in riders
- Pilot Projects (not currently in Sherwood): (1) Community Shuttle begins August 5, 2019; (2) Van Pool Service agreement with Enterprises Rental for persons traveling same routes; and (3) Seniors and Veterans non-emergency medical transportation

Mayor Young made the following announcements:

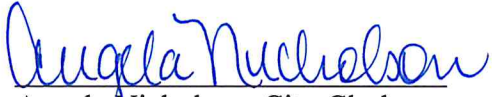
- Sherwood Farmer's Market begins May 21 at 4 p.m. at Sherwood Forest, 1111 W. Maryland Avenue. 1<sup>st</sup> and 3<sup>rd</sup> Tuesdays of the month
- Sherwood Parks & Recreation Stories in the Park: Wednesday's at 10:00 a.m. July 24<sup>th</sup> Lake Cherrywood; July 31<sup>st</sup> Hughes Park
- Sherwood Mayor's Youth Council "Movies in the Park" –August 2<sup>nd</sup> – Wreck-it Ralph 2 – Ralph Breaks the Internet; October 11<sup>th</sup> – Shrek
- Sherwood Police Department National Night Out, Tuesday, August 6, 2019 6:00 – 8:30 p.m. Sherwood Forest, 1111 W. Maryland Avenue
- History Committee is looking for the Indianhead sign

Colleen Carr announced that Metropolitan will be furnishing electricity at the old bowling alley lot for food trucks. The goal is to make this area the Historic and Arts Entertainment area. There will be a mural painted on the side of the building where JoJo's BBQ was.

Mayor Young announced there will be a Census 2020 meeting July 30<sup>th</sup>, at 2:00 p.m. at the Bill Harmon Recreation Center.

No further business Council Member Brooks, seconded by Council Member Heye, made a motion to adjourn at 7:31 p.m.

**ATTEST:**

  
Angela Nicholson, City Clerk

  
Virginia R. Young, Mayor

