

October 28, 2019

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on October 28, 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.

Sarah Bayles, Pastor Sylvan Hills United Methodist Church, led in prayer, and the Pledge of Allegiance was given to the flag.

Council Member Brooks, seconded by Council Member McMinn, made a motion, to approve the minutes of the regular meeting on September 23, 2019 as transcribed. The roll call vote was unanimous.

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

Council Member Brooks, Chairman of the Advertising and Promotion Commission, stated the commission did meet.

Council Member Harmon, Chairman of the Parks and Recreation Committee, stated the committee did meet. Council Member Harmon announced that Sonny Janssen, Director of the Sherwood Parks and Recreation Department, will be retiring after 28 years on January 31, 2020. The next meeting will be Monday, November 11, 2019, at 6:00 p.m. at the Bill Harmon Recreation Center.

Council Member Sanders, Chairman of the Human Resources Committee, stated the committee did not meet. The next meeting is November 7, 2019 at 5:30 p.m. at the Bill Harmon Recreation Center.

Ordinance No. 2274, entitled, "AN ORDINANCE AMENDING THE OFFICIAL ZONING DISTRICTS MAP AND FOR OTHER PURPOSES" was read for the third time. The ordinance is regarding property along Powhatan & Warden also referred to as the MM & M Subdivision. Don Harris addressed the council once again asking the council deny this rezoning. Bob Williams addressed the council and stated his concerns regarding the traffic in the area. Robert Middleton, Chairman of the Sherwood Planning Commission, stated that the Planning Commission recommends this rezoning. Council Member Williams, seconded by Council Member Brooks, made a motion to adopt the ordinance. The roll call vote was 6 ayes. Council Members Harmon and Broderick voted no.

A proposed ordinance entitled, "*An ordinance permitting a conditional use in a zoning district and for other purposes*" was read one time. This ordinance is regarding city property located at 9121 Jacksonville Cato Road. Robert Middleton, Chairman of the Sherwood Planning Commission, stated the ordinance setbacks are consistent with Industrial Zoning standards. Mr. Middleton stated the Planning Commission recommends the zoning. Natalie Brown of 9105 Jacksonville Cato Road, spoke to the council against the zoning of this property. Mrs. Brown stated that she does not feel like she is being represented by the council to make sure the zoning regulations are met. Anthony Brown of 9105 Jacksonville Cato Road, spoke to the council regarding the representation to him from the council. Mr. Brown would like to see the council place stipulations on this ordinance as the council has done with other ordinances in the past. Council Member Heye asked that the pending road project on Jacksonville Cato Road be completed before the process of relocating the Public Works building to this property.

Council Member McMinn, Chairman of the Senior Citizen Committee, stated the committee met on October 15, 2019. The Senior Citizen Department, through a grant, was able to obtain a new 2019 van with only a cost of \$9,131 to the city.

Council Member Lilly, Chairman of the Street Committee, stated the committee did meet. The Kohl's Extension project is moving forward. Leaf pickup will begin November 4, 2019 and run until the end of January 2020.

Ordinance No. 2275, entitled, “AN ORDINANCE AMENDING THE 2019 STREET FUND BUDGET, APPROPRIATING FUNDS; AND FOR OTHER PURPOSES” was read. Council Member Heye asked where the funds were appropriated from. Council Member Lilly stated they are in the Street Fund Reserves. Council Member Williams, 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 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 McMinn, seconded by Council Member Lilly, made a motion to adopt the ordinance. The roll call vote was unanimous.

Council Member Williams, seconded by Council Member Harmon, made a motion to substitute the proposed ordinance that was read one time at the September 2019 council meeting entitled, *“An ordinance amending Ordinance No. 1952, to include regulating the parking of vehicles on all city rights-of-way”* with an ordinance entitled *“An ordinance amending Ordinance 1952, to include regulating the parking of vehicles on all city rights-of-way, and pertaining to the removal of vehicles by the city.”* The roll call was unanimous. The proposed ordinance entitled, *“An ordinance amending Ordinance 1952, to include regulating the parking of vehicles on all city rights-of-way, and pertaining to the removal of vehicles by the city”* was read for the first time as amended. Council Member Williams explained the need for the ordinance regarding vehicles parked on the rights-of-way, not just on the street. Council Member Williams stated that in some areas this causes a hazard. Council Member Lilly asked who has the authority to deem the vehicle is a hazard. Council Member Lilly, seconded by Council Member Brooks, made a motion to amend Section 5 to read *“Section 5: Removal of Vehicle: Any vehicle creating an immediate traffic hazard or obstruction, as deemed by First Responders, or which has been cited under this ordinance may be towed by the City’s contracted towing company.”* The roll call vote was unanimous. **Ordinance No. 2276, entitled, “AN ORDINANCE AMENDING ORDINANCE 1952, TO INCLUDE REGULATING THE PARKING OF VEHICLES ON ALL CITY RIGHTS-OF-WAY, AND PERTAINING TO THE REMOVAL OF VEHICLES BY THE CITY”** was read for the first time as amended. Council Member Brooks, seconded by Council Member Sanders, 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 McMinn, 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 Sanders, made a motion to adopt the ordinance as amended. The roll call vote was unanimous.

Resolution No. 15-2019, entitled, “A RESOLUTION TO CLARIFY THE NAME OF THE SHERWOOD RETIREMENT COMMITTEE” was read. Council Member Brooks, seconded by Council Member Heye, made a motion to adopt the resolution. The roll call vote was unanimous.

A proposed ordinance entitled, *“An ordinance establishing the Sherwood City Council sitting as a committee-of-the-whole as the budget committee for the City of Sherwood; declaring an emergency; and for other purposes”* was read one time. Council Member Heye explained the reason she is bringing forth this ordinance is to make the budget process more transparent and to have the meetings in a location and at a time that is convenient for everyone to attend. Council Member Heye stated that other cities such as Bryant, North Little Rock, and Jacksonville have a budget committee that consists of all the council members as a whole. Council Member Heye believes that all the council members should be given equal opportunity for input and influence on the budget. Council Member Heye state the meetings have been behind closed doors and the press has only been given two-hour notifications. Council Member Sanders asked why an ordinance is needed for this purpose. Council Member Sanders also stated he does not see a need to have an ordinance in place for this purpose. Council Member Sanders stated the

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meetings have been audio recorded since July 2016, and that the issue of the location and time of the meetings could be resolved by moving the location and having the time set that would be convenient for all to attend. Council Member Brooks stated that in past mayoral history the budget committee only consisted of three (3) members chosen by then Mayor Harmon. Council Member Brooks stated that under Mayor Young every council member, with the exception of newly elected Council Member Broderick, has sat on the budget committee. Council Member Brooks does not believe that anyone has ever been excluded from attending the budget meetings. Council Member Williams stated that other cities do have this procedure in place but it is not set by ordinance. Council Member Williams has always felt the budget meetings have been open meetings and does not believe an ordinance is necessary. Mayor Young corrected Council Member Heye regarding the notification of the press, stating that notification has been done way before the two-hour required notice. Council Member Harmon stated Council Member Heye is trying to create a committee and all city committees are created by ordinance. Council Member Harmon stated he is concerned about criticizing an ordinance that includes everyone and allows for the budget committee meetings be open to the public. Council Member Lilly stated that state law requires the budget be set by the Mayor and then presented to council and that it is the responsibility of the council to ask what is in the budget. Council Member McMinn stated that every mayor has the right to choose what the budget is going to include and the budget is the mayor's responsibility. Mayor Young stated that by law she is to present a balanced budget to the council by December 1st.

Colleen Carr, Director of Economic Development, gave the council an update on economic development. Ms. Carr stated that the Holiday Inn Express will be coming in the Spring of 2020. There will be more information regarding the Entertainment District in early 2020.

Under old business:

Council Member Heye asked that signage be put in place where the video recorders are located.

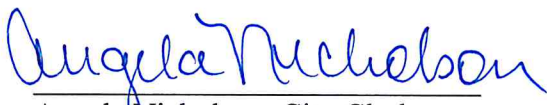
Council Member Heye asked that the invoices for the video equipment not be split up.

Mayor Young made the following announcements:


- Animal Shelter Events: **October** – Adopt A Shelter Dog Month \$25 adoptions; Happy Halloween: Free adoptions October 31st
- Sherwood Halloween Carnival October 31, 2019 6-8 p.m. at Sherwood Forest
- Mayor's Youth Council Halloween Haunted House October 30th 7-10 p.m. and October 31st 7-10:30 p.m. at Sherwood Forest

No further business, Council Member Brooks made a motion to adjourn at 7:09 p.m.

ATTEST:



Angela Nicholson, City Clerk



Virginia R. Young, Mayor