

**December 17, 2012**

**REGULAR MEETING 1**

The City Council of the City of Sherwood met for a regular meeting on December 17, 2012, at 7:00 p.m. in the Council Chambers. Those present were Mayor Virginia R. Hillman, City Attorney Steve Cobb, City Clerk Angela Nicholson, Aldermen Fender, Brooks, Harmon, Lilly, McMinn, Butler, Heye, and Keplinger.

Alderman McMinn, led in prayer, and the Pledge of Allegiance was given to the flag.

Mayor Hillman presented Alderman Steve Fender with a plaque honoring his years of service as Alderman for the City of Sherwood.

Alderman Brooks, seconded by Alderman Heye, made a motion, to approve the minutes of the regular meeting on November 26, 2012, as transcribed. The roll call vote was unanimous.

Alderman Brooks, Chairman of the Advertising and Promotion Commission, stated the commission did not meet. The Trail of Lights will remain open through December 30, 2012. There are two new displays. Approximately 6,000 cars have gone through. The Christmas Parade was very successful.

**Ordinance No. 1962, entitled, "AN ORDINANCE PROVIDING FOR THE ADOPTION OF AN ADVERTISING AND PROMOTION COMMISSION BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES"** was read for the second time. Alderman Brooks, seconded by Alderman Butler, 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. Alderman Brooks, seconded by Alderman Keplinger, made a motion to adopt the ordinance. The roll call vote was unanimous. The emergency clause passed with a unanimous roll call vote.

Alderman Harmon, Chairman of the Parks and Recreation Committee, stated the committee did not meet in December. The January meeting will be on the second Monday, at 5:00 p.m. at the Bill Harmon Recreation Center.

Alderman Butler, Chairman of the Personnel Committee, stated the committee did not meet. At this time there is possibly no meeting for January 2013.

Alderman Fender asked the Mayor to consider him for the vacancy on the Senior Citizen Committee. Mayor Hillman stated that Alderman Fender is up for appointment on the committee.

Alderman Lilly, Chairman of the Street Committee, stated the committee did not meet in December. The next meeting will be the second Thursday in January at 5:30 p.m. at the Bill Harmon Recreation Center.

Alderman Heye, seconded by Alderman Harmon, made a motion to amend Section 1 of the following ordinance to strike January 2013 and replaced with March 2013. The roll call vote was unanimous.

**Ordinance No. 1963, entitled, "AN ORDINANCE IMPOSING A FRANCHISE FEE EQUAL TO 4.25 PERCENT OF THE GROSS REVENUES OF CENTERPOINT ENERGY WITHIN THE CORPORATE LIMITS OF THE CITY OF SHERWOOD, ARKANSAS"** was read for the first time as amended. Alderman Harmon stated he would like to see some of the funds from this franchise to help protect the schools in the city by having a school resource officer in each school. Alderman Harmon, seconded by Alderman Heye, 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. Alderman Harmon, seconded by

December 17, 2012

REGULAR MEETING 2

Alderman Butler, 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. Alderman Harmon, seconded by Alderman Lilly, made a motion to adopt the ordinance. The roll call vote was unanimous. The emergency clause vote passed with 7 ayes. Alderman Brooks no.

Alderman Heye, seconded by Alderman Lilly, made a motion to amend Section 1 of the following ordinance to strike January 2013 and replaced with March 2013. The roll call vote was 7 ayes. Alderman Brooks abstained.

A proposed ordinance, entitled, *“An ordinance imposing a franchise fee equal to 4.25 percent of the gross revenues of Central Arkansas Water within the corporate limits of the City of Sherwood, Arkansas”* was read as amended. Alderman Harmon stated that he received information that the City of Sherwood is charged approximately 60% higher water rates than Little Rock and North Little Rock. Alderman Harmon stated that Central Arkansas Water has inner city rates and outside city rates and Sherwood is considered to be rural. Alderman Harmon further stated that Central Arkansas Water charges the outside city rates because they consider the rural areas are more difficult to deliver water to because of the distance of the water meters. This was theory at the time. Alderman Harmon stated it is as easy to deliver water to the City of Sherwood as Little Rock and North Little Rock. Central Arkansas Water will have a 7% rate increase that will be going in over the next four years. Alderman Harmon would like to work with Central Arkansas Water to go over the rates. Alderman Keplinger disagreed stating that this was the same deal as with CenterPoint Energy. The city could use the money to build up a reserve. Alderman Heye stated that all of the other communities have the franchise fee. Alderman Fender asked what the projections of revenue on the above ordinance and the ordinance just passed with CenterPoint Energy. Mayor Hillman stated approximately half a million total. Alderman Heye, seconded by Alderman Keplinger, made a motion to suspend the rules and place the ordinance on the second reading as amended. The roll call vote was 5 ayes. Alderman Brooks abstained. Aldermen Harmon and McMinn no. The ordinance failed to move on to the second reading. The ordinance will be on the January 2013, council agenda.

**Ordinance No. 1964, entitled, “AN ORDINANCE PROVIDING FOR THE ADOPTION OF A GENERAL FUND BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES”** was read for the second time. Alderman Harmon, seconded by Alderman Fender, made a motion to suspend the rules and place the ordinance on the third and final reading. The roll call vote was 7 ayes. Alderman Keplinger no. The ordinance was read for the third time. Alderman McMinn, seconded by Alderman Brooks, made a motion to adopt the ordinance. The roll call vote was 7 ayes. Alderman Keplinger no. The emergency clause passed with a roll call vote of 6 ayes. Aldermen Heye and Keplinger no.

A proposed ordinance, *“An ordinance providing for the adoption of a Street Fund Department Budget for the City of Sherwood, Arkansas, for the twelve month period beginning January 1, 2013, and ending December 31, 2013; appropriating money for each and every item of expenditure therein provided for; declaring an emergency; and for other purposes”* was read for the second time. Alderman Harmon, seconded by Alderman Brooks, made a motion to amend the ordinance to add in \$180,000 that will be revenue from the passage of the state ½% sales tax. The roll call vote was unanimous.

**Ordinance No. 1965, entitled, “AN ORDINANCE PROVIDING FOR THE ADOPTION OF A STREET FUND DEPARTMENT BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY;**

**AND FOR OTHER PURPOSES”** was read as amended. Alderman Harmon, seconded by Alderman 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. Alderman Harmon, seconded by Alderman Brooks, 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. Alderman Heye, seconded by Alderman Butler, 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. 1966, entitled, “AN ORDINANCE PROVIDING FOR THE ADOPTION OF A WASTEWATER FUND DEPARTMENT BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES”** was read for the second time. Alderman Harmon, seconded by Alderman 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. Alderman McMinn, seconded by Alderman Heye, 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. 1967, entitled, “AN ORDINANCE PROVIDING FOR THE ADOPTION OF A WASTEWATER SALES TAX FUND DEPARTMENT BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES”** was read for the second time. Alderman Brooks, seconded by Alderman 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. Alderman Lilly, seconded by Alderman Butler, 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. 1968, entitled, “AN ORDINANCE PROVIDING FOR THE ADOPTION OF A COURT AUTOMATION FUND DEPARTMENT BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES”** was read for the second time. Alderman Harmon, seconded by Alderman 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. Alderman McMinn, seconded by Alderman Heye, 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. 1969, entitled, “AN ORDINANCE PROVIDING FOR THE ADOPTION OF A DEPARTMENTAL DONATION BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES”** was read for the second time. Alderman Brooks, seconded by Alderman 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. Alderman Lilly, seconded by Alderman Brooks, made a

December 17, 2012

REGULAR MEETING 4

motion to adopt the ordinance. The roll call vote was unanimous. The emergency clause passed with a unanimous roll call vote.

**Ordinance No. 1970, entitled, "AN ORDINANCE PROVIDING FOR THE ADOPTION OF A P.A.W.S. FUND DEPARTMENT BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013; APPROPRIATING MONEY FOR EACH AND EVERY EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES"** was read for the second time. Alderman McMinn, seconded by Alderman 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. Alderman Keplinger, seconded by Alderman Heye, 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. 1971, entitled, "AN ORDINANCE PROVIDING FOR THE ADOPTION OF A DRUG FUND DEPARTMENT BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES"** was read for the second time. Alderman McMinn, seconded by Alderman 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. Alderman McMinn, seconded by Alderman Brooks, 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. 1972, entitled, "AN ORDINANCE PROVIDING FOR THE ADOPTION OF A FEDERAL DRUG FUND DEPARTMENT BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES"** was read for the second time. Alderman Harmon, seconded by Alderman 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. Alderman Heye, seconded by Alderman Brooks, 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. 1973, entitled, "AN ORDINANCE PROVIDING FOR THE ADOPTION OF A FRANCHISE FUND DEPARTMENT BUDGET FOR THE CITY OF SHERWOOD, ARKANSAS, FOR THE TWELVE MONTH PERIOD BEGINNING JANUARY 1, 2013, AND ENDING DECEMBER 31, 2013; APPROPRIATING MONEY FOR EACH AND EVERY ITEM OF EXPENDITURE THEREIN PROVIDED FOR; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES"** was read for the second time. Alderman Brooks, seconded by Alderman 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. Alderman Brooks, seconded by Alderman McMinn, 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. 27-2012, entitled, "A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SHERWOOD, ARKANSAS, TO OBTAIN A CONSERVATION EASEMENT AGREEMENT WITH THE ARKANSAS HISTORIC PRESERVATION PROGRAM (AHPP) FOR THE ROUNDTOP STATION; AUTHORIZING THE MAYOR TO SUBMIT A GRANT**

December 17, 2012

REGULAR MEETING 5

**APPLICATION; AND FOR OTHER PURPOSES**” was read. Alderman Heye, seconded by Alderman Keplinger, made a motion to adopt the resolution. The roll call vote was unanimous.

**Resolution No. 28-2012, entitled, “A RESOLUTION EXPRESSING THE WILLINGNESS OF THE CITY OF SHERWOOD, ARKANSAS, TO UTILIZE ARKANSAS HIGHWAY & TRANSPORTATION DEPARTMENT “SAFE ROUTES TO SCHOOL” PROGRAM FUNDS; AUTHORIZING THE MAYOR TO SUBMIT A GRANT APPLICATION; AND FOR OTHER PURPOSES**” was read. Alderman Harmon, seconded by Alderman Heye, made a motion to adopt the resolution. The roll call vote was unanimous.

**Resolution No. 29-2012, entitled, “A RESOLUTION APPROVING THE POLICY FOR THE CITY OF SHERWOOD VOLUNTARY BUYOUT POLICY**” was read. Ellen Norvell, City Engineer, stated that criteria had to be met through FEMA for the homes to qualify. Alderman Harmon, seconded by Alderman Brooks, made a motion to adopt the resolution. The roll call vote was unanimous.

**Ordinance No. 1974, entitled, “AN ORDINANCE AMENDING THE 2012 GENERAL FUND BUDGET ORDINANCE NO. 1928, THE 2012 STREET FUND BUDGET ORDINANCE NO. 1918, AND THE 2012 WASTEWATER BUDGET ORDINANCE NO. 1919; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**” was read. Alderman Harmon, seconded by Alderman 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. Alderman McMinn, seconded by Alderman 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. Alderman Harmon, seconded by Alderman McMinn, 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. 30-2012, entitled, “A RESOLUTION RE-APPOINTING ALDERMEN AND CITIZENS TO CERTAIN BOARDS, COMMITTEE, AND/OR COMMISSIONS**” was read. Alderman Lilly, seconded by Alderman Keplinger, made a motion to adopt the resolution. The roll call vote was unanimous.

Mayor Hillman introduced Jason Carter, North Little Rock City Attorney, and Joe Smith, North Little Rock Mayor elect. Mr. Carter addressed the council and stated that Mike Russ is no longer with North Little Rock Electric. Mr. Carter stated there was some discussion at the North Little Rock council meeting about an electric commission and that Sherwood would have representation.

Alderman McMinn commended Alderman Fender’s wife, Bobbie Fender, for staying by him as Alderman.

Alderman Butler also stated that she has served with Alderman Fender and he has become a friend.

Mayor Hillman made the following announcements:

- Trail of Lights, Sherwood Forest, 6:00 – 9:00 p.m. through December 30, 2012
- Swearing in ceremony, January 1, 2013, at 9:00 a.m. council chambers

Alderman Brooks, seconded by Alderman Keplinger, made a motion to adjourn at 8:07 p.m.

ATTEST:

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Angela Nicholson, City Clerk

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Virginia R. Hillman, Mayor