

October 22, 2012

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on October 22, 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 Tim McMinn, led in prayer, and Boy Scout Troop #770 let the Pledge of Allegiance.

Alderman Brooks, seconded by Alderman McMinn, made a motion, to approve the minutes of the regular meeting on September 24, 2012, as transcribed. The roll call vote was unanimous.

Steve Cobb, City Attorney, advised that at this time there would be a public hearing on the liens to be certified to the Pulaski County Tax Collector against certain real properties as a result of grass cutting. Mr. Cobb asked if there was anyone present to speak about the liens. There was no reply. The public hearing concluded.

Resolution No. 18-2012, entitled, "A RESOLUTION APPROVING AMOUNTS OF LIENS TO BE CERTIFIED TO THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTIES AS A RESULT OF GRASS CUTTING EXPENSES AND ABATEMENT OF OTHER NUISANCES BY THE CITY OF SHERWOOD; AND FOR OTHER PURPOSES" was read. Alderman McMinn, seconded by Alderman Heye, made a motion to adopt the resolution. The roll call vote was unanimous.

Alderman Harmon, seconded by Alderman McMinn, made the motion to move Item # 11 up on the agenda. The roll call vote was unanimous.

Ordinance No. 1949, entitled, "AN ORDINANCE RENEWING THE MEMORANDUM OF UNDERSTANDING WITH AT & T OF ARKANSAS TO MAKE CERTAIN SERVICES AVAILABLE TO THE CITIZENS OF SHERWOOD AND FOR OTHER PURPOSES" was read. Alderman Brooks, seconded by Alderman Butler, made a motion to suspend the rules and place the ordinance on the second reading. The roll call vote was 7 ayes. Alderman Lilly recused. The ordinance was read for the second time. Alderman Harmon, 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 7 ayes. Alderman Lilly recused. 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 Lilly recused.

Kelly Coughlin, Director of Economic Development, addressed the council and gave an update of the progress that has been made in the city by the Economic Development Department.

Mayor Hillman acknowledged the citizens that were appointed to the electric committee, Jim Davis, who served as chair, Amy Sanders, George Haas, Michael Clayton, and Carolyn Chalmers.

Resolution No. 19-2012, entitled, "A RESOLUTION AUTHORIZING THE MAYOR TO NEGOTIATE A CONTRACT FOR UTILITY SERVICE FOR THE PORTION OF THE CITY OF SHERWOOD, ARKANSAS, CURRENTLY SERVED BY NORTH LITTLE ROCK ELECTRIC" was read. Alderman Keplinger, seconded by Alderman Heye, made a motion to amend Section 1 of the resolution to add Entergy and First Electric. Discussion then took place on the resolution. Alderman Fender stated that he would like for the franchise agreement to be only for 20 years and that he felt the rates would be comparable in the next few years. Alderman Fender stated that if there were no compelling differences between the utilities he was in favor of the city staying with North Little Rock Electric. Alderman Brooks stated that she agreed with Alderman Fender the agreement should be for 20 years. Alderman Brooks also addressed the issue that was in the paper stating that she should abstain from voting on this issue

because her spouse did contract work with North Little Rock. Alderman Brooks stated she did not feel that it would be unethical for her to vote on this issue because she would be doing what was in the best interest of the city. Alderman Harmon stated that he felt that the motion to negotiate a contract with all three utilities would be difficult. Alderman Harmon felt that the requests for proposals were sufficient. Alderman Heye stated she felt that competition is highly valued in our country and she disagrees that all the utility rates would be comparable in a few years. Alderman Keplinger stated that this is a challenging issue and he would like to see which utility would give the city the best deal, Alderman Keplinger would like to have an "opt out" clause and that neither the city nor the citizens should incur the costs for the infrastructure. Alderman Keplinger stated that the council needs to help the mayor with the negotiations. Alderman McMinn stated that he was informed by Hugh McDonald, CEO for Entergy that by the beginning of 2014, the power pull would be level and this would dictate the rates. Alderman Lilly stated that he does not feel any negotiations have been made and that he has not heard any new information. Alderman Butler stated she resented how the resolution was written to read that the contract negotiations would be with North Little Rock when the majority vote of the council did not select North Little Rock Electric. The roll call vote for the motion was Aldermen Fender, Lilly, Butler, Heye, and Keplinger yes. Aldermen Brooks, Harmon, and McMinn no. The resolution was read as amended. Alderman Keplinger, seconded by Alderman Butler, made a motion to adopt the resolution as amended. The roll call vote was Aldermen Fender, Lilly, Butler, Heye, and Keplinger yes. Aldermen Brooks, Harmon, and McMinn no.

Alderman Brooks, Chairman of the Advertising and Promotion Commission, stated the commission met and discussion was on the 2013 budget. The next Advertising and Promotion Commission meeting will be announced at a later time.

Alderman Harmon, Chairman of the Parks and Recreation Committee, stated the committee met and discussion was on the Trail of Lights and updates at The Greens at North Hills Park.

Alderman Butler, Chairman of the Personnel Committee, stated the committee met, and an ordinance on market adjustments is on the agenda. Alderman Butler stated the next personnel meeting will be in December.

Ordinance No. 1950, entitled, "AN ORDINANCE AUTHORIZING CERTAIN MARKET ADJUSTMENTS TO PAY RATES FOR CERTAIN CITY POSITIONS IN ACCORDANCE WITH ORDINANCE NO. 1899 AND AUTHORIZING PAY ADJUSTMENTS RETROACTIVE TO SEPTEMBER 24, 2012, AND RECLASSIFICATION OF ONE POSITION IN THE MUNICIPAL COURT OF THE CITY OF SHERWOOD" was read. Alderman Harmon, seconded by Alderman 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. 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.

Richard Magee, representative with Metroplan, presented to the council a Comprehensive Plan Review for the city.

Ordinance No. 1951, entitled, "AN ORDINANCE REZONING THE PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EAST MARYLAND AND HIGHWAY 107, FROM R-1 SINGLE FAMILY RESIDENTIAL TO C3 COMMERCIAL; AMENDING THE ZONING MAP; AND FOR OTHER PURPOSES" was read. Alderman McMinn, seconded by Alderman 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. Alderman Brooks, seconded by Alderman Keplinger, made a motion to suspend the rules and place the ordinance on the third and final reading. The roll call vote was unanimous. The

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ordinance was read for the third time. Alderman McMinn, seconded by Alderman Butler, made a motion to adopt the ordinance. The roll call vote was unanimous.

Alderman Lilly, Chairman of the Street Committee, stated the committee did not meet.

An ordinance entitled, *“An ordinance regulating the parking of vehicles on city streets creating obstructions and hazardous conditions; repealing Ordinance 89 and for other purposes”* was read. Alderman Harmon, seconded by Alderman McMinn, made a motion to amend the ordinance with the changes provided in the red-lined version. The roll call vote was unanimous. **Ordinance No. 1952, entitled, “AN ORDINANCE REGULATING THE PARKING OF VEHICLES ON CITY STREETS CREATING OBSTRUCTIONS AND HAZARDOUS CONDITIONS; REPEALING ORDINANCE 89 AND FOR OTHER PURPOSES”** was read as amended. Alderman Brooks, seconded by Alderman Butler, 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 Keplinger, seconded by 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 as amended. Alderman Harmon, seconded by Alderman McMinn, 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.

Resolution No. 20-2012, entitled, “A RESOLUTION MOVING THE DECEMBER 2012, SHERWOOD CITY COUNCIL MEETING FROM THE FOURTH MONDAY TO THE THIRD MONDAY OF THE MONTH” was read. Alderman Heye, seconded by Alderman Harmon, made a motion to adopt the resolution. The roll call vote was unanimous.

A proposed ordinance 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 one time.

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 one time.

Steve Cobb, City Attorney, advised the council that Resolution No. 16-2012, needed to be corrected in Section 1 to say “Arkansas State Highway Commission”.

Alderman Harmon, seconded by Alderman Heye, made a motion to place on the agenda the following resolution. The roll call vote was unanimous.

Resolution No. 21-2012, entitled, “A RESOLUTION CORRECTING RESOLUTION NO. 16-2012, AND FOR OTHER PURPOSES” was read. Alderman Harmon, seconded by Alderman Butler, made a motion to adopt the resolution. The roll call vote was unanimous.

Alderman Fender asked what the procedure would be with the electric negotiations. City Attorney Steve Cobb stated he will need to do research to determine the next step.

Under old business, Ronald Ragan, Rose Eiza, Jeanne Burroughs, and Mary Carol Williams, addressed the council asking that the annexation ordinance be recalled. The above citizens stated that they did not want to be annexed into Sherwood city limits. Alderman McMinn asked if there was a legal alternative for rescind the ordinance. Steve Cobb, City Attorney, advised that the ordinance for annexation has already been certified at Pulaski County and the issue would have to go before a circuit judge.

Under new business, Alderman McMinn stated that Chief Bedwell is asking for a standard type of pay raise for Sherwood Police Officers. Alderman McMinn asked that this issue be brought before the budget committee. Chief Bedwell addressed the council

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and advised that the current pay scale for officers is low and not competitive to nearby cities resulting in six (6) qualified officers leaving Sherwood. The approximate loss to the city is \$25,000 per officer. Chief Bedwell stated that his request for pay raises is approximately \$50,000.

Mayor Hillman made the following announcements:

- Keep Sherwood Beautiful Shred-A-Thon, Saturday, October 27, 2012, at Neighborhood Market, 9:00 a.m. to 1:00 p.m.
- Sherwood Halloween Carnival, Wednesday, October 31, 2012, at Sherwood Forest, 6:30 p.m. to 8:30 p.m.
- Veterans' Golf Tournament, Thursday, November 1, 2012, at The Greens at North Hills, 1:00 p.m.
- Veterans' Day Parade, Sunday, November 4, 2012, 2:00 p.m.
- Great Arkansas Cleanup, Saturday, November 10, 2012, Sherwood Senior Citizen Center, 8:30 a.m. to 12:00 p.m.
- Early voting has begun at the Senior Citizen Center the hours are Monday-Friday 10:00 a.m. to 6 p.m. and Saturday 10:00 a.m. to 4:00 p.m.

Alderman Brooks stated the Sherwood Chamber Christmas Parade will be on Saturday, December 1, 2012, with a rain date of Sunday, December 2, 2012.

Alderman Brooks, seconded by Alderman Harmon, made a motion to adjourn at 8:28 p.m.

ATTEST:

Angela Nicholson, City Clerk

Virginia R. Hillman, Mayor