

November 24, 2014

REGULAR MEETING 1

The City Council of the City of Sherwood met for a regular meeting on November 24, 2014, at 7:00 p.m. in the Council Chambers. Those present were Mayor Virginia R. Young, City Attorney Steve Cobb, City Clerk Angela Nicholson, Aldermen Brooks, Harmon, McMinn, Butler, Heye, Keplinger and Sanders. Alderman Lilly absent.

Mayor Young, led in prayer, and the Pledge of Allegiance was given to the flag.

Alderman Brooks, seconded by Alderman McMinn, made a motion, to approve the minutes of the regular meeting on October 27, 2014, as transcribed. The roll call vote was 7 ayes. Alderman Lilly absent.

Alderman Brooks, Chairman of the Advertising and Promotion Commission, stated the commission met and discussed the Trail of Lights. The lights will be turned on December 1, 2014, at 6:00 p.m. Donations of cash or canned goods are accepted. The canned goods go to Sylvan Hills Community Church food pantry. The commission worked on their 2015 budget and the ordinance for the budget will be on the December council agenda.

Alderman Harmon, Chairman of the Parks and Recreation Committee, stated the committee did meet.

Alderman Butler, Chairman of the Personnel Committee, stated the committee did not meet. The next meeting will be announced.

Ordinance No. 2038, entitled, "AN ORDINANCE AUTHORIZING THE CITY OF SHERWOOD TO ENTER A CONTRACT WITH UTILITY SERVICE PARTNERS PRIVATE LABEL, INC. (USP) D/B/A SERVICE LINE WARRANTIES OF AMERICA, TO AUTHORIZE USP TO CREATE A SOLICITATION LETTER, AND TO OFFER SHERWOOD RESIDENTS AN EXTERNAL SEWER LINE REPAIR OR REPLACEMENT PROGRAM; AND FOR OTHER PURPOSES" was read for the third time. Discussion took place. Alderman Harmon, seconded by Alderman Heye, made a motion to adopt the ordinance without royalties.

A proposed ordinance, entitled, *"An ordinance fixing rates for services furnished by the sewer system of the City of Sherwood, Arkansas; and prescribing other matters pertaining thereto; declaring an emergency"* was read one time.

Ordinance No. 2039, entitled, "AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY AND LOCAL GOVERNMENT SERVICES, LLC FOR PURPOSES OF AN AUDIT TO DETERMINE CABLE SERVICE FRANCHISE FEE COMPLIANCE REQUIREMENTS; APPROPRIATING FUNDS FOR SAID SERVICE AND FOR OTHER PURPOSES" was read. Alderman Brooks, seconded by Alderman Harmon, made a motion to suspend the rules and place the ordinance on the second reading. The roll call vote was 7 ayes. Alderman Lilly absent. The ordinance 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 7 ayes. Alderman Lilly absent. The ordinance was read for the third time. Alderman Brooks, seconded by Alderman Harmon, made a motion to adopt the ordinance. The roll call vote was 7 ayes. Alderman Lilly absent.

A proposed ordinance entitled, *"An ordinance approving the purchase of certain real estate authorizing the mayor to agree to said purchase and appropriating funds for said purchase; and for other purposes"* was read one time. Alderman Keplinger stated that this is property located near the Roundtop and it could be used for parking or possibly a park. Alderman Keplinger stated that if the city purchases the property Metropolitan would donate some property located near it. Alderman Heye stated her objection to this purchase was there was no real need at this time for this property. The city had done a Master Park Study, and when you are looking for locations for parks you look for them in places there are a large number of people, this property is located at the far reaches of the city. Alderman Heye would like to see the money placed where it is necessary, possibly

in the Trammel Estates Subdivision once it is developed. Alderman Brooks stated that the city did not own the Roundtop Station when the Master Park Study was done. Alderman Harmon stated that usually parks follow roof tops and you don't place a park at the far edge of the city unless you intend to put in some attraction, like a water park. Alderman McMinn recommended the ordinance be read one time until further research as to the need of this property is done.

An ordinance entitled, *"An ordinance to acknowledge the results of a ballot question placed upon the general election ballot November 4, 2014, regarding the question of the passage of an annual ad valorem tax at the rate of one and three tenths mills (1.3) for acquisition, construction, and equipping of land and capital improvements, which tax shall expire upon payment in full of bonds to which it is pledged; said ad valorem tax to be pledged to an issue or issues of bonds of the City of Sherwood, Arkansas, issued under Amendments 30 and 72 to the Constitution of the State of Arkansas, and Act 920 of 1993, not to exceed \$6,000,000.00 in aggregate principal amount, to finance the costs of acquiring, constructing, and equipping land and additional capital improvements for the public city libraries operated by the City of Sherwood and the Central Arkansas Library System, levying said tax, certifying to the Pulaski County Clerk the rate of taxation to be levied by the City of Sherwood on the taxable real and personal property commencing with tax year 2014; declaring an emergency and for the other purposes"* was read. Alderman Harmon, seconded by Alderman Brooks, made a motion to amend the ordinance to read *"the public city libraries owned by the City of Sherwood and operated by the Central Arkansas Library System"*. The roll call vote was 7 ayes. Alderman Lilly absent. Alderman McMinn asked how the tax can be collected for 2014. Steve Cobb, City Attorney, stated that the deadline for cities to certify a tax levy with the county is usually in October. The county decided to extend that deadline to November 25, 2014. Alderman Butler stated that this was presented to the people that the taxes would not be collected until 2016, Alderman Butler asked if it stated the year on the ballot. Alderman Harmon stated that it is the council's ministerial duty to adopt this ordinance because the citizens voted on this. Alderman Heye asked if the city asked for the extension. The answer was no. **Ordinance No. 2040, entitled, "AN ORDINANCE TO ACKNOWLEDGE THE RESULTS OF A BALLOT QUESTION PLACED UPON THE GENERAL ELECTION BALLOT NOVEMBER 4, 2014, REGARDING THE QUESTION OF THE PASSAGE OF AN ANNUAL AD VALOREM TAX AT THE RATE OF ONE AND THREE-TENTHS MILLS (1.3) FOR ACQUISITION, CONSTRUCTION AND EQUIPPING OF LAND AND CAPITAL IMPROVEMENTS, WHICH TAX SHALL EXPIRE UPON PAYMENT IN FULL OF BONDS TO WHICH IT IS PLEDGED; SAID AD VALOREM TAX TO BE PLEDGED TO AN ISSUE OR ISSUES OF BONDS OF THE CITY OF SHERWOOD, ARKANSAS, ISSUED UNDER AMENDMENTS 30 AND 72 TO THE CONSTITUTION OF THE STATE OF ARKANSAS AND ACT 920 OF 1993, NOT TO EXCEED \$6,000,000.00 IN AGGREGATE PRINCIPAL AMOUNT, TO FINANCE THE COSTS OF ACQUIRING, CONSTRUCTING, AND EQUIPPING LAND AND ADDITIONAL CAPITAL IMPROVEMENTS FOR THE PUBLIC CITY LIBRARIES OWNED BY THE CITY OF SHERWOOD AND OPERATED BY THE CENTRAL ARKANSAS LIBRARY SYSTEM, LEVYING SAID TAX, CERTIFYING TO THE PULASKI COUNTY CLERK THE RATE OF TAXATION TO BE LEVIED BY THE CITY OF SHERWOOD ON THE TAXABLE REAL AND PERSONAL PROPERTY COMMENCING WITH TAX YEAR 2014; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES"** was read as amended. Discussion took place. Alderman Brooks, 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 6 ayes. Alderman Butler no. Alderman Lilly absent. 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 6 ayes. Alderman Butler no. Alderman Lilly absent. The ordinance was read for the third time as amended. Alderman Brooks, seconded by Alderman Harmon, made a motion to adopt the ordinance. The roll call vote was 6 ayes. Alderman Butler no. Alderman Lilly absent. The emergency clause passed with a roll call vote of 6 ayes. Alderman Butler no. Alderman Lilly absent.

November 24, 2014

REGULAR MEETING 3

Resolution No. 10-2014, entitled, “A RESOLUTION OF THE CITY COUNCIL OF SHERWOOD, ARKANSAS, CERTIFYING LOCAL GOVERNMENT ENDORSEMENT OF BUSINESS TO PARTICIPATE IN THE TAX BACK PROGRAM (AS AUTHORIZED BY SECTION 15-4-2706(d) OF THE CONSOLIDATED INCENTIVE ACT OF 2003)” was read. Alderman Brooks, seconded by Alderman Keplinger, made a motion to adopt the resolution. The roll call vote was 7 ayes. Alderman Lilly absent.

Alderman Harmon, seconded by Alderman McMinn, made a motion to table a proposed ordinance entitled, *“An ordinance amending Ordinance No. 1079; allowing certain Off-Site Commercial Signage; declaring an emergency and for other purposes”* The roll call vote was 7 ayes. Alderman Lilly absent.

Under Old Business:

Alderman McMinn informed the council of the progress that has been made on the issue with Hidden Lake Estates. The engineering firm selected to do the review is Bond Consulting Engineers, Inc. They have been selected to review the City of Sherwood’s Subdivision Standards and to consult with residents of Hidden Lake Estates and the city engineer to see if anything further can be done. Alderman McMinn stated the engineer firm’s fee is not to exceed \$3,000.00. The engineer’s review will consist of a) submittal and approval of Engineering Agreement, b) Request to various parties for records, c) follow-up request for missing or additional information and d) review and correlate information from all sources. Alderman McMinn, seconded by Alderman Heye, made a motion to accept the services from Bond Engineers, Inc. pertaining to the Hidden Lakes Estates Subdivision drainage review. Alderman Brooks stated the \$3,000 for the review could be used to fix the issues. Alderman McMinn stated that an independent review was asked for and if the city does the work without a review it could cause the city to become liable. Alderman Harmon’s concern was the precedence this would set. Ellen Norvell, City Engineer, stated the city did not design the subdivision. The subdivision was designed by an engineer who by placing their engineer stamp on the design stated they were following the city’s rules and regulations and the engineer is to have their own inspector on site. Alderman Heye stated the city may need to look at how inspection processes are handled.

Under New Business:

Mayor Young presented the council with copies of the proposed 2015 budget. Mayor Young stated the budget committee would be meeting in December.

Jeff Conley, Captain of the Sherwood Fire Department, informed the council that the “Fill the Boot Program” this year in Sherwood raised \$32,830 for MDA over a six (6) day period. This placed Sherwood 11th in the nation per capita. The money raised will remain local.

Mayor Young made the following announcements:

- Enchanted Forest Trail of Holiday Lights, begins December 1-30, 2014, from 6:00- 9:30 p.m. at Sherwood Forest
- Festival of Lights 2014, Friday, December 5, 2014, 10:00 a.m. – 9:00 p.m. and Saturday, December 6, 2014, 8:00 a.m. – 12:00 p.m. All proceeds benefit participating Sherwood Elementary Schools. Donations are requested
- Sherwood Chamber Annual Christmas Parade, sponsored by Sherwood Advertising and Promotion Commission, Saturday, December 6, 2014, at 2:00 p.m (Rainout is Sunday, December 7, 2014) Theme is “A Candy Cane Christmas”
- Breakfast with Santa, Saturday, December 13, 2014, 8:00 – 10:00 a.m. Sherwood Forest. Children 6 and under FREE, Children/Adults 7 and up \$3.00
- Sherwood Animal Shelter “Home for the Holidays” adoption promotion. Receive a free adoption gift bag from Blue Buffalo and free health check from Baeyens Hawk Veterinarian Group

November 24, 2014

REGULAR MEETING 4

- Sherwood Animal Shelter “Free Fridays”. Adult cats and dogs free with approved application
- Sherwood Animal Shelter Fill the Bowl Project. Information available on Facebook at Sherwood Shelter or call (501) 834-2287.

Alderman Brooks, seconded by Alderman Harmon, made a motion to adjourn at 8:00 p.m.

ATTEST:

Angela Nicholson, City Clerk

Virginia R. Young, Mayor