

# SHERWOOD CITY COUNCIL

September 23, 2013

7:00 P.M.

1. Prayer
2. Pledge of Allegiance
3. Roll Call
4. Approval of minutes of the regular meeting on August 26, 2013, as transcribed.
5. Committees and/or Commissions:

**Advertising & Promotion Commission:** Alderman Brooks, Chairman

**Civil Service Commission:** Herb Moore, Chairman

**Parks & Recreation Committee:** Alderman Harmon, Chairman

**Personnel Committee:** Alderman Butler, Chairman

**Planning Commission:** Lucien Gillham, Chairman

**Senior Citizen Committee:** Jean Harrison, Chairman

**Sewer Committee:** Amy Sanders, Chairman

**Street Committee:** Alderman Lilly, Chairman

(a) A resolution prohibiting the parking of vehicles on the Sherwood City Street known as Kamis Alley Drive (Alderman Lilly)

6. An ordinance authorizing the Mayor to negotiate a contract for yard waste processing and composting for the citizens of Sherwood, Arkansas, waiving competitive bidding and for other purposes (Mayor Hillman)
7. An ordinance appropriating funds for the City of Sherwood's contribution to the expansion of the Pulaski County Regional Detention Facility; and for other purposes (Mayor Hillman)
8. A resolution re-appointing Darrell Brown to the Central Arkansas Transit Board (Mayor Hillman)
9. Old Business
10. New Business
11. Announcement(s)
  - National Night Out, October 1, 2013, at Sherwood Forest 1111 W. Maryland Avenue, 6:30 p.m. – 9:00 p.m.

- Keep Sherwood Beautiful Cleanup, October 5, 2013, 8:30 a.m. at Bill Harmon Recreation Center
- Sherwood Drug Take Back, October 26, 2013, at St. Vincent Hospital on Wildwood, Sherwood Police Department 2201 E. Kiehl Avenue, Gravel Ridge Police Substation Hwy 107, and Sherwood Forest 1111 W. Maryland Avenue, 10:00 a.m. – 2:00 p.m.

## 12. Adjourn

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION PROHIBITING THE PARKING OF VEHICLES ON THE  
SHERWOOD CITY STREET KNOWN AS KAMIS ALLEY DRIVE**

**BE IT RESOLVED BY THE CITY COUNCIL OF SHERWOOD, ARKANSAS:**

**Section 1.** Pursuant to Ordinance 1952, the street located at the 6000 Block of Landers Road commonly known as Kamis Alley is hereby declared a Prohibited Parking street by virtue of an excessive amount of vehicles being parked on the paved area on said street causing an obstruction to the normal flow of traffic, hindering commercial vehicles from safely using ingress and egress of adjoining businesses, and creating conditions favorable for vehicular accidents as well as a danger to the well being and safety of employees, pedestrians, or visitors in the vicinity:

**Section 2.** Based upon this resolution the street known as Kamis Alley Drive shall be posted with proper signage to be enforced by Police and Code Enforcement Officials as necessary to resolve the obstructions and hazardous conditions as set forth in Ordinance 1952.

**ADOPTED** on this \_\_\_\_ day of **September 2013**.

\_\_\_\_\_  
Virginia R. Hillman, Mayor

**ATTEST:**

\_\_\_\_\_  
Angela Nicholson, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Stephen Cobb, City Attorney

# COPY

## ORDINANCE NO. 1952

### **AN ORDINANCE REGULATING THE PARKING OF VEHICLES ON CITY STREETS CREATING OBSTRUCTIONS AND HAZARDOUS CONDITIONS; REPEALING ORDINANCE 89 AND FOR OTHER PURPOSES:**

WHEREAS, the City Council of the City of Sherwood recognizes that within its community a large number of citizens are vehicle owners; and

WHEREAS, the City Council wishes to encourage responsible, courteous parking by vehicle owners of operational, licensed, and insured vehicles on city streets; and

WHEREAS, the City Council also recognizes that within a community where neighbors live within close proximity to each other as they do in the City of Sherwood with minimum space for drive way parking, from time to time the parking of vehicles in streets are necessary and one element of responsible parking includes preventing a vehicle from being an obstruction or a traffic hazard.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERWOOD, ARKANSAS THAT:

**SECTION 1: UNLAWFUL ACTS:** It shall be unlawful for any person to park a vehicle directly in front of a public or private driveway obstructing ingress and egress from said driveway, or within 4 feet of a driveway on the same side of the street as said driveway, or to block a curbside mail or trash receptacle or any other curbside service other than that of the owner of the vehicle's residence or property. Impeding or blocking the flow of traffic on any public street shall be prohibited, and all vehicles parked on allowable streets within the city limits shall be parked in accordance with state laws and in the direction of the flow of traffic with right hand wheels of the vehicle parallel to, and within 18 inches of the curbing measuring from the outer edge of the right side tires to the backside of the curb. Where there is no curbing this measurement shall be taken from the engine compartment side of tire to the edge of street.

**SECTION 2: INTERSECTIONS:** To avoid traffic hazards, parking within 30 feet of an intersection, stop sign, or traffic signal on streets where parking is allowed shall be prohibited.

**SECTION 3: NO PARKING ZONES:** Parking in designated areas posted with no parking signs, the blocking of any fire hydrant, traffic beacon, and pedestrian cross walk or side walk shall be strictly prohibited. Other than vehicles used for commuting to work, the parking of any type of commercial vehicle in allowable parking areas other than for delivery, loading, unloading, or other commercial operations is prohibited. From time to time it may be necessary to post areas so as to prohibit parking based on sight distance and obstructions of view because of difficulty navigating curves and inclines, or because of heavy traffic on major and minor arterial streets posing a danger for drivers or pedestrians. Said posting shall be placed after the Sherwood Police Department, Engineering Department, or Planning Commission presents just cause for the posting to the City Council and a resolution designating said area or street is passed in conjunction with section 27-51-1301 of the Arkansas Motor Vehicle and Traffic Regulations Guide. For safety concerns a temporary sign may be displayed until the council makes a ruling at which time the sign may be placed on a permanent basis or removed based on the council's decision.

**SECTION 4: ENFORCEMENT:** Violations of this ordinance shall be enforced by Police and Code Officials as necessary to keep peace and safety by issuing citations to offenders or by posting said vehicle with a parking violation or citation on a conspicuous place upon said vehicle using vehicle ownership information pertaining to that vehicle.

**SECTION 5: REMOVAL OF VEHICLE:** Any vehicle creating an immediate traffic hazard, obstruction, or which has been cited under this ordinance and has not been removed within 24 hours shall be considered abandoned and towed by the City's contracted towing company.

**SECTION 6: PENALTIES:** Any parking ticket or citation issued under this ordinance shall be no less than \$50.00 and shall be payable before said court date named on the parking ticket or

COPY

citation unless the defendant wishes to appear before Sherwood District Court at which time the court may impose a fine of a maximum of \$250.00 at its discretion.

**SECTION 7: RIGHT TO TRIAL:** Any person, firm, or corporation that has been issued a citation or parking ticket shall have the right to request a fair trial before the District Court Judge at which time the defendant(s) and the issuing officer(s) with or without the presence of legal counsel shall present the case before the court for a decision.

**SECTION 8: REPEALS AND AMMENDMENTS:** Ordinance 89 is hereby repealed and Ordinances 197, 709, 1605, and 1687 are amended to allow the posting of tickets on vehicles for violations of those ordinances. This Ordinance shall not change, alter, or affect the verbiage, regulations, or enforcement of these amended ordinances.

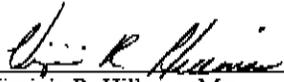
**SECTION 9:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 10:** If any part of this Ordinance were declared void, unconstitutional, or otherwise unenforceable, it shall not affect the remaining provisions of this Ordinance.

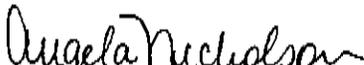
**SECTION 11:** It has come to the attention of the City Council that there are in the city now multiple disputes and traffic concerns of parking causing traffic hazards and that the current ordinances are insufficient in assisting the Police and Code Officers in either resolving disputes or bringing them to court. For that reason an emergency is hereby declared to exist.

**SECTION 12:** This ordinance is necessary for the orderly growth of the City of Sherwood.

**ADOPTED** on this 22<sup>nd</sup> day of **October 2012**.

  
\_\_\_\_\_  
Virginia R. Hillman, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Angela Nicholson, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Stephen Cobb, City Attorney

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE A CONTRACT FOR YARD WASTE PROCESSING AND COMPOSTING FOR THE CITIZENS OF SHERWOOD ARKANSAS, WAIVING COMPETITIVE BIDDING AND FOR OTHER PURPOSES**

**WHEREAS**, State Audit has requested the City enter into a formal agreement for Yard Waste Processing and Composting Services, and

**WHEREAS**, Through inquiry with ADEQ, three entities have been identified as having proper state permits to provide the needed services, and

**WHEREAS**, Communication with the three identified entities has resulted in two of the three declining any interest in submitting a bid for the required services, and

**WHEREAS**, American Composting, Inc. appears to be the only entity holding the proper environmental permits that has indicated an interest in a long term commitment to the City

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF SHERWOOD, ARKANSAS**

**Section 1.** Based upon the State Audit request, it is in the best interest of the City of Sherwood that a long term agreement be negotiated for Yard Waste Processing and Composting services. Investigation by Sherwood Public Works confirms that American Composting, Inc. is the only entity having an interest in such relationship with the City.

**Section 2.** It appearing that American Composting, Inc. is the only properly permitted entity that can provide the necessary services, competitive bidding for this type of service is deemed not to be feasible or practical and is thereby waived.

**Section 3.** The Mayor is hereby authorized to negotiate and enter into a contract with American Composting, Inc. for Yard Waste Processing and Composting services.

**ADOPTED** on this \_\_\_\_ day of **September 2013**.

\_\_\_\_\_  
Virginia R. Hillman, Mayor

**ATTEST:**

---

Angela Nicholson, City Clerk

**APPROVED AS TO FORM:**

---

Stephen Cobb, City Attorney

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE APPROPRIATING FUNDS FOR THE CITY OF SHERWOOD'S CONTRIBUTION TO THE EXPANSION OF THE PULASKI COUNTY REGIONAL DETENTION FACILITY; AND FOR OTHER PURPOSES**

**WHEREAS,** The City of Sherwood, Arkansas is one of six central Arkansas municipalities served by the Pulaski County Regional Detention facility, and

**WHEREAS,** The facility has increased inmate capacity by eighty (80) beds and

**WHEREAS,** The six municipalities and Pulaski County have reached an agreement regarding funding the expansion.

**Now Therefore, Be it Ordained by the City Council of Sherwood, Arkansas**

The sum of \$45,447.00 is hereby appropriated from the general fund as the Cities' share of the contribution toward expenses of the Pulaski County Regional Detention Facility.

**ADOPTED** on this \_\_\_\_ day of **September 2013**.

\_\_\_\_\_  
Virginia R. Hillman, Mayor

**ATTEST:**

\_\_\_\_\_  
Angela Nicholson, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Stephen Cobb, City Attorney

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION RE-APPOINTING DARRELL BROWN TO THE CENTRAL ARKANSAS TRANSIT BOARD (CAT)**

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SHERWOOD, ARKANSAS, THAT:

The following person is re-appointed to serve on the Central Arkansas Transit Board for the term as set forth:

Darrell Brown                      Term to expire: 8/25/2017

**ADOPTED** on this \_\_\_\_ day of **September 2013**.

\_\_\_\_\_  
Virginia R. Hillman, Mayor

**ATTEST:**

\_\_\_\_\_  
Angela Nicholson, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Stephen Cobb, City Attorney