

**February 28, 2022**

**REGULAR MEETING 1**

The City Council of the City of Sherwood met for a regular meeting on February 28, 2022, 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-Townsell, Sanders, Williams, and Broderick.

Council Member Tim McMinn led in prayer, and the Pledge of Allegiance was given to the flag.

Council Member Brooks, seconded by Council Member Lilly, made a motion to approve the minutes of the regular meeting on January 24, 2022, as transcribed. The roll call vote was unanimous.

Council Member Brooks, seconded by Council Member Heye-Townsell, made a motion to approve the removal of assets from the 2021 asset list. The roll call vote was unanimous.

Mayor Young opened discussion for the January 2022 financials. There were no comments.

Council Member Brooks, Chairman of the Advertising and Promotion Commission, stated the commission did meet. The next meeting will be March 2, 2022, at 3:00 p.m. at the Bill Harmon Recreation Center.

Council Member Harmon, Chairman of the Parks and Recreation Committee, stated the committee did not meet. Council Member Harmon gave an update on the soccer renovations and the Park Study survey. The next meeting will be March 14, 2022, at 6:00 p.m. at the Bill Harmon Recreation Center.

Council Member Sanders, Chairman of the Human Resources Committee, stated the committee did meet. Council Member Williams chaired the meeting. Council Member Williams stated that discussion was on the separation of duties of the City Clerk and City Treasurer duties.

A proposed ordinance, entitled, "*An ordinance amending the Official Zoning Districts Map; and for other purposes (Lot A Wandering Ridge Subdivision)*" was read for the second time. Rob Middleton, Chairman of the Sherwood Planning Commission was available for questions. Council Member Harmon stated that he received an email regarding the number of mini-storage facilities in the city. Council Member Harmon stated that Sherwood is becoming the mini-storage capital. Council Member Brooks stated that she agrees that the city has too many mini storage units, but the city cannot regulate businesses if the business meets the zoning requirements. Council Member stated the Planning Commission made mini-storage conditional zoning so the council can consider the business because the zoning is conditional. Council Member Broderick stated she agrees with Council Member Harmon. Council Member Broderick stated the city has 14.5 square feet per person within a three (3) mile radius of storage units. The National average is 8 square feet per person. Josh Minton the Civil Engineer for the project stated that the project will be done in phases and there would be 600-700 storage units. Council Member Williams stated that there could be conditions placed on the phase. Mr. Minton stated that the intent is to build the first two to three buildings and once those buildings were full, they would continue to build additional units as the market needed. Mr. Minton stated that speaking as a storage facility owner in Cabot, there is a need for storage units because all facilities are full. There is a need because of the houses being sold and the location of the Little Rock Air Force Base. Council Member Harmon stated that there is a cycle of home sales at this time and once that

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cycle decreases the need for storage units will also decrease. Council Member Heye-Townsell stated she heard from constituents that do not want another storage rental facility. Council Member Heye-Townsell is concerned about the demand once the large facility is completed on Highway 107. Mr. Jim Jez, owner of the property, stated that mini storages are always full. Council Member Brooks asked Michael Hall, owner of two facilities in Sherwood, how many units is he building on Highway 107, how many storage facilities does he own in Sherwood, and how full are his units. Mr. Hall stated that the storage facility on Highway 107 will have approximately 550-600 storage units. Mr. Hall owns the North Pulaski Storage facility and the new facility opening on Highway 107. Mr. Hall stated that he averages about a 10% vacancy rate. Council Member Lilly stated that if the city continues to give out C-3 zoning there will not be property available for grocery stores or sit-down restaurants. Mr. Middleton stated the city should put a cap on the number of storage units. Mr. Middleton explained that in a C-3 zoning mini storages are permitted, not by right, but by condition. Which means that mini storages are allowed but the council may put conditions on the use. Council Member Lilly inquired what tax other cities impose. No further action was taken on the proposed ordinance.

Council Member McMinn, Chairman of the Senior Citizen Committee, stated the Senior Center had a Valentine luncheon in the month of February that was well attended. The next luncheon will be March 21, 2022.

Council Member Lilly, Chairman of the Street Committee, stated the committee did meet. Council Member Lilly stated the committee voted to carry over the funds on the street improvement and an ordinance will come to the council at the next council meeting.

**Ordinance No. 2402, entitled, "An ordinance authorizing a purchase of land by the City of Sherwood, Arkansas, and for other purposes"** was read. City Attorney Steve Cobb stated the ordinance has been read three times. Council Member Williams, seconded by Council Member Harmon, made a motion to adopt the ordinance. Council Member Williams stated she had three (3) facts that she felt would be a beneficial for the city to obtain the property, 1) this type of wetland diminishing in the United States; 2) being a Cypress Wetland makes it rare; and 3) no other city has this type of property. Council Member Heye-Townsell stated that the land may be cheap but to develop it would be expensive. Council Member Heye-Townsell stated the Osage Park in Bentonville is a private park. Council Member Harmon stated that this is rare property, and it needs to be protected. Council Member Lilly inquired what the cost of the maintenance be while the city is determining the use for the property. Carol Williams, Executive Director of Land Trust of Arkansas, stated that when the Land Trust of Arkansas obtained the property, they spent time cleaning up debris from the area. Council Member Broderick stated her concern is does the city have the resources to keep this property maintained. Mayor Young stated that there is not thought as to the immediate development but would like for the council to keep in mind that there are a lot of amenities in the city that are expensive that not everyone uses. The roll call vote was Council Members McMinn, Williams, Harmon, Sanders, and Brooks aye. Council Members Lilly, Heye-Townsell, and Broderick no.

**Resolution No. 4-2022, entitled, "A resolution regarding an appeal of a building official's decision pursuant to Ordinance No. 2074, regarding 3610 East Kiehl Avenue, Sherwood, AR"** was read. Brad Place, of SCM Architect, brought a larger piece of material for the council to view. Council Member Lilly, seconded by Council Member Heye-Townsell, made a motion to adopt the resolution approving the appeal. The roll call vote was unanimous.

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A proposed ordinance entitled, *"An ordinance to provide for the separation of the positions of Clerk and Treasurer; and other related provisions"* was read. Council Member Harmon stated that out seventeen cities between Cabot and Fort Smith, based on size, only five (5) had part-time city clerks. Council Member Harmon stated he would like to research more closely the duties of the city clerk before the council votes. Council Member Williams stated the objective was to separate the duties at this time. The council must vote on the separation of the positions before the next filing period. Council Member Williams, seconded by Council Member Heye-Townsell, made a motion to amend Section 2 of the ordinance to read *"The City Treasurer shall be a department head appointed by the mayor. The position shall be subject to removal upon a majority vote of the city council per Arkansas Code Annotated §14-42-109(a)(2). The City Clerk, upon the effective date of the Clerk Treasurer separation shall have no city treasurer duties."* The roll call vote was unanimous. **Ordinance No. 2403, entitled, "An ordinance to provide for the separation of the positions of Clerk and Treasurer; and other related provisions"** was read as amended. Council Member Harmon, seconded by Council Member Williams, 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 Brooks, seconded by Council Member Sanders, 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 Heye-Townsell, seconded by Council Member Williams, made a motion to adopt the ordinance as amended. The roll call vote was unanimous.

**Ordinance No. 2404, entitled, "An ordinance approving new ward boundaries in the City of Sherwood, Arkansas"** was read. Council Member Harmon, seconded by Council Member Heye-Townsell, 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 McMinn, 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 Brooks, seconded by Council Member Sanders, made a motion to adopt the ordinance. The roll call vote was unanimous.

**Ordinance No. 2405, entitled, "An ordinance adopting the 2021 International Mechanical Code for the City of Sherwood, Arkansas; repealing conflicting ordinances; and for other purposes"** was read. Council Member Brooks, seconded by Council Member Harmon, 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 Sanders, 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 Brooks, seconded by Council Member Lilly, made a motion to adopt the ordinance. The roll call vote was unanimous.

**Ordinance No. 2406, entitled, "An ordinance adopting the 2018 Arkansas Fuel Gas Code for the City of Sherwood, Arkansas; repealing conflicting ordinances; and for other purposes"** was read. Council Member Harmon, seconded by Council Member Heye-Townsell, 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 McMinn, made a motion to suspend the rules and place the ordinance on the third and final reading. The roll

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

**Ordinance No. 2407, entitled, "An ordinance adopting the 2018 Arkansas Plumbing Code for the City of Sherwood, Arkansas; repealing conflicting ordinances; and for other purposes"** was read. Council Member Brooks, seconded by Council Member Lilly, 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 McMinn, seconded by Council Member 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. Council Member Brooks, seconded by Council Member McMinn, made a motion to adopt the ordinance. The roll call vote was unanimous.

A proposed resolution entitled, *"A resolution approving and granting authorization to Mayor Young and other officials to enter into a service agreement with Rock Region Metropolitan Transit Authority; and for other purposes"* was read. Becca Green, Director of Public Engagement for Rock Region Metro, addressed the council and provided details of the proposed transportation agreement. Council Members had concerns with the cost to the city compared to the number of participants. Mayor Young asked Council Member Broderick to represent the council to work with Kyle Wade and find out more about this service for the city. Council Member Harmon, seconded by Council Member Heye-Townsell, made a motion to table the ordinance. The roll call vote was unanimous.

Under Old Business:

Council Member McMinn inquired of the mayor if there are city projects planned at this point for the American Rescue Funds Act 2021 (ARPA). Mayor Young stated there are a couple of projects in mind such as sewer infrastructure, and Oakdale Park. Mayor Young asked the council to submit thoughts on projects.

Under New Business:

Mayor Young introduced Josh Alexander as the new Economic Development Director for the City of Sherwood.

Mayor Young asked the council how the Planning Department should handle enforcing campaign signs in response to the new sign ordinance. Richard Penn, City Engineer, stated that the takeaway from the new sign ordinance is that signs can be placed at any time of the year in locations in the city limits as long as the sign regulations are met.

Robert Middleton, Chairman of the Sherwood Planning, distributed a draft Zoning Code Executive Summary and Content to the council for review.

Council Member Harmon stated that a constituent on Fork River has contacted himself and Council Member Broderick on several occasions regarding speeding on that street. Council Member Harmon asked that the Street Committee or city do something about this. Council Member Lilly stated he felt like the council as a whole should do something about this, not leave it up to the Street Committee. Discussion was on stop signs and speed tables. Council Member Lilly recommended the council hold a workshop on ways to deal with the speeding.

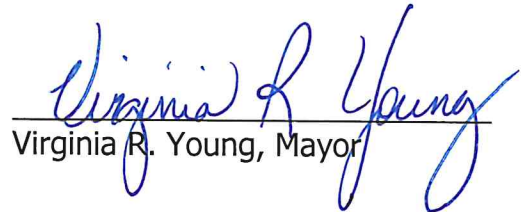
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No further discussion, Council Member Brooks, seconded by Council Member Heye-Townsell, made a motion to adjourn at 8:24 p.m.

**ATTEST:**

  
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Angela Nicholson, City Clerk

  
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Virginia R. Young, Mayor