

Sherwood Street Committee
Minutes
June 9, 2022

The Sherwood Street Committee met for a special meeting on June 9, 2022, at 5:30 p.m. in the Dogwood Room at 51 Shelby Road, Sherwood, Arkansas. The meeting was open to the public.

Members Present

Kevin Lilly
Beverly Williams
Kyle Blakely
Walt Barnhardt
April Broderick

Staff Present

Brian Galloway
Richard Penn
Dennis Webb
Lon Warneke
Jesse Morrison
Chief Jeff Hagar
Belinda Shaw

Also present were Council members Marina Brooks and Mary Jo Heye-Townsell, Steve Cobb, John and Jane Crum, Denise Devlin, Fred and Valerie Smith, and Sharif Hassan.

Kevin Lilly called the meeting to order.

There was a motion by Beverly to approve the minutes. There was a 2nd by Kyle and the vote was unanimous.

Kevin asked for a motion to suspend the agenda for Items 4 thru 7 and go directly to the items under New Business. There was a motion to suspend the agenda by Walt with a 2nd by Beverly and the vote was unanimous.

Mr. Hassan addressed the committee with concerns about the ditch and street in front of the new construction at E. Lee and Merriwood. Mr. Hassan states he met with Brian and Tracy, and they had a good discussion. Mr. Hassan is asking for grates to be installed over the ditch and at that time, Brian stated he could not put grates there but could repair it back to the way it was. A discussion followed. Mr. Hassan stated he has given up on the grates. Mr. Hassan wants the city to commit to fixing the problem and Brian stated he could not commit but as time permits, he will repair what is there. Brian said this will not affect having the driveway installed and Brian asked Mr. Hassan to contact him when the contractor was going to put in the driveway and Brian would meet with the contractor

to discuss options. A discussion followed. Kevin stated he understand Mr. Hassan's viewpoint. The ditch is there to move water, it is an open ditch in the city's right-of-way and does need repair. Kevin stated the city would not intentionally do a job that looks horrible. A discussion followed. Beverly stated she appreciated Brian offering to go out and meet with the contractor regarding the driveway installation. Brian told Mr. Hassan that he hoped it would be sooner than 6 months and that he could not commit to any specific style of how we would fix. It is a city ditch and is our responsibility to maintain. Brian stated we would fix it the best we can.

Beverly opened the discussion regarding the alleyways in Silver Creek. Beverly stated she proposes this never happens again in the City of Sherwood. That you have alleyways running behind houses that appear to belong to the property owners and not to the city. Kevin stated it doesn't appear, it does belong to the property owners. The subdivision was developed in 1975 and there was a Bill of Assurance stating the alleyways were not the property of the city. The developer would form POA to maintain the alleyways. Beverly stated she would like to see the city fix the alleyways one last time and the residents would maintain going forward. Beverly stated Brian had a contractor give an estimate of \$57,000 to repair five alleyways. Beverly said John Theis, who attended a meeting a year ago to discuss this problem, was looking into forming an improvement district to maintain the alleyways. Beverly said all she hears is the city can't use public funds for private property. A discussion followed. Jane Crum stated she assumed the city took care of the alleys. Mrs. Crum said the alleys are horrible. The residents want a solution. Mrs. Crum asked if the city could tax residents for repairs and to maintain. Kevin stated we have been down this road before, and the city can't make an assessment on property just to certain people. Kevin stated we are not against the residents, but we have never found a solution. Brian stated there are approximately 10 roads in Sherwood that are private. The city was invited to pick up garbage in these areas. We do not repair the private roads. Brian stated when we started picking up garbage on Ison Rd and Cayenne Cv., he talked with Steve Cobb and was told we can go into these areas as long as we are invited. A discussion followed. Kyle asked what happens when the covenant ends. Steve Cobb stated legally, first there was the failure of the developer to put the POA in place and second, even if it has expired, the conveyance of the land, at that time, that is of the same description, still is the of the private citizen, not the property of the city. Kyle asked why it was taken care of by the city for so many years. Steve stated he is trying to get independent verification of that, he is not saying he doesn't believe it, it may be true, but it needs to be demonstrated to him before he is comfortable with it because Denver's letter of 1989 and the very last sentence of that letter references private property. Steve stated he thinks it was known, at the time, that was private property. As understood, the way it is written, the property owner, on the alleyway, owns the alleyway to the center and on the other side, the property owner owns to the center. A discussion followed. Steve read a case, Barber vs. Watson, a Supreme Court case, that stated the covenants and restrictions of the Bill of Assurance, shall be binding for a period of 25 years from the date of recording, after which time the covenants and restrictions shall be automatically extended for successive periods of 10 years unless an instrument signed by the majority of the owners has been recorded. Kevin stated the city does not own the covenants; the covenants were never with the city. A discussion followed. Kevin stated

we had a meeting several years ago and the consensus to solve the problem was the formation of a property improvement district or homeowners improvement district. Once they had that the property could be assessed an annual value, whatever that may be, and then they can bond against that assessment. Beverly stated that is what John Theis is working on for them. A discussion followed. Beverly stated the improvement district seems to be the best thing and let's make sure we move on that.

Kevin asked for a motion to view items 4, 5, and 6 silently and move on to item 7. There was a motion by Walt and a second by April. The vote was unanimous.

On Jacksonville Cato, Richard stated CAW is supposed to move water lines next month and 1st Electric should start moving lines anytime. The contractor is looking at August 1st to start Jacksonville Cato.

On Coolhurst, the city has received permission to advertise for bids on June 19 and 25 with a bid opening on July 12 and to the council by July 25 for approval of the low bid. This is an 80/20 reimbursable ARDOT project.

On Deerfield sidewalks, Davidson Engineering is doing the 1-foot contours to do the design work for the drainage required to support the sidewalk project. A discussion followed.

On Indianhead and Laramie, we have an estimate from Davidson Engineer, with the improvements he suggested, and Richard said he agreed with him to put in some curb and gutter and increase the size of the pipe to improve the water course all the way down to the lake is around \$300,000. Kevin stated he thought this was going to land on the list of needs. Richard said this is on the list and this list will be carried over into the Stormwater Utility when we get that up and running. A discussion followed.

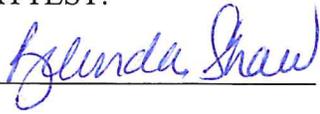
Regarding the Silver Creek flooding, Beverly stated that she and Marina went to the Municipal League to train on Mitigation Grants. A partnership for mitigation grant between Sherwood, North Little Rock, and the Corp to get that flooding issue in Silver Creek fixed. A discussion followed.

At 506 May Ave, Richard stated the staff engineer is working on this internally in our department and we will be coming up with some calculations. We are going to run some numbers to see what is possible. A discussion followed. Kevin asked if a list of drainage needs could be provided monthly so that the committee could keep an eye on these.

Regarding the right-of-way purchases, April wondered if there was a better way to do this. The city spent \$244,000 and the money that went to residents was \$15,000. Richard stated this is legal work, appraisals, assessments, basically the body of legal work that they do to create the temporary construction easement. A discussion followed.

Walt made a motion to adjourn and there was a 2nd by Beverly.

ATTEST:





Kevin Lilly, Chairman

SHERWOOD

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RICHARD T. PENN, PE, CFM, CPSWQ - CITY ENGINEER

Street Projects Update

June 9, 2022

1. **E. Maryland Widening** – Construction began August 23, 2021. GSC has installed asphalt binder from Hwy 107 to Barber. 46% of the contract for construction is paid as of the end of May, 2022. Estimated completion date is October 20, 2022. Recent developments in the Bicycle & Pedestrian Master Plan suggest plastic lane delineators may help to mark the bike lanes on Maryland. Further safety enhancements for the bike lanes, including a possible cycle track, are being investigated. Specific items completed are: Drainage = 50%, Subgrade 45%, Curb & Gutter = 45%, Aggregate Base Course = 45%, Driveways/Sidewalks = 40%, Asphalt Binder = 20%.
2. **E. Maryland Extension** – (*East end – city project; Burkhalter Technologies, contractor*) – Curb and gutter and sidewalks are 80% complete. 65% of the contract for construction is paid as of the end of April, 2022. Installing utility lines in edge of ROW. Specific items completed are: Box Culvert (Bridge) = 100%, Drainage = 100%, Subgrade = 100%, Aggregate Base Course = 100%. (*West end – private developer project Stonehill Ph8; Harper Construction, contractor*) – Roadbed is being built up at the Willow Grove roundabout. Expecting to see curb and gutter in 2-3 weeks, weather permitting.
3. **Country Club Road Improvements** – Weaver-Bailey Construction has installed 80% of drainage pipes along Country Club as far westerly as Sherwood Ave. Sherwood Wastewater Utility replaced a gravity line across Country Club at N. Fairway Ave. 31% of the contract for construction is paid. Estimated completion is May 25, 2023. CAW is onsite relocating a small water main. Garver is designing additional improvements on North Hills Blvd from Country Club Road to Hwy 107 to replace failed and failing drainage structures underneath North Hills.
4. **Hemphill Road Improvements** – Redstone Construction Group, Inc. is working on the North end of the project at the creek crossing. Installed large drainage pipe in open ditch from Maryland to the creek. Precast bridge components should be arriving soon. Hemphill Road from Barbara to Cherrie is the first phase of work and will be substantially completed before moving southward on Hemphill to the second phase. Entergy and AT&T have completed their relocations. 9% of the contract for construction is paid.
5. **Jacksonville-Cato Road Improvements** – First Electric released their relocation layout to Garver. ROW acquisitions are underway on Phase 1 and documents are being prepared for Phase 2. Capital Paving & Construction, LLC, Garver, and CAW met with city engineering staff to coordinate utility relocations with start of construction. All ROW for Phase 1 is expected to be complete by August, 2022. Construction of Phase 1 beginning at the bridge nearest Cato Elementary begins August, 2022. As a result of a city council workshop on speeding in Sherwood, and in consultation with Chief Hagar and Garver Traffic Engineers, Phase 2 is being realigned to incorporate an additional roundabout and other traffic calming measures. These traffic calming measures are reflective of the design of E. Maryland Widening where traffic circles and lane shifting are under construction to calm anticipated traffic loads. Phase 2 design is 50% complete. Garver is surveying for Phase 2.
6. **Oakbrooke Roundabout and Maryland Ave Reconstruction from Raywood to Whitewood** – Garver is incorporating replacement of the street section from Raywood to Whitewood into the Roundabout Project.

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Additional engineering is 50% complete. Right-of-Way documents are being prepared. A cost estimate to replace the concrete section is being developed.

7. **Baring Cross Road (Kohl's Road Extension Project)** – Completed. Project Closed.
8. **Coolhurst Sidewalk** – Permission to advertise for bids for construction was granted by ArDOT on 6/9/2022. Advertisements are scheduled to run in the paper June 19th and 26th with bid opening scheduled for July 12th. Bid results and low bidder will be presented to city council on July 25th for approval. Construction may be underway as early as mid-August.
9. **Greenview Drainage Project** – Project construction is complete.
10. **Sherwood Acres Drainage Project** – a project to replace failing drainage structures underneath several roads (Coulter, S. Claremont) has been designed by Thomas Engineering. Acquisition of Temporary Construction Easements is complete.
11. **Brockington / Kiehl Ave Traffic Study** – ArDOT has engaged the consulting engineering services of Halff Associates. Halff has developed Goals & Objectives, Traffic Forecasting Methodology, analysis of existing conditions, and has prepared a Purpose & Need Memo for ArDOT. Several traffic counters have been deployed to gather data around town.
12. **Gap Creek Traffic Signal** – Metroplan tentatively approved funding for a traffic signal pending a favorable Traffic Warrant Study. Garver completed a Traffic Warrant Study and submitted it to Metroplan. The study indicated that a signal on Brockington at Gap Creek Drive is not warranted.
13. **Project Management Project** – Garver is the consultant. Contract is signed and delivered. Data is being compiled.
14. **114 Whitewood Drive** – drainage improvements are being designed by Garver. A HMGP application has been submitted to ADEM for a 75/25 grant to construct the improvements. This location was included on an early list of deficient crossdrains to be funded out of street bonds.
15. **Deerfield Sidewalk** – Davidson Engineering has a contract to survey and collect 1-ft contour data; surveyors are onsite this week. FTN has provided a hydrologic analysis. Davidson will design drainage improvements necessary to support construction of a sidewalk and have the completed design ready for funding or for submission during a grant cycle.