

MINUTES OF THE REGULAR MEETING OF
THE CITY BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD MAY 15, 2007

The Board of Directors of the City of Siloam Springs, Arkansas, met in regular session at the City of Siloam Springs Administration Building, May 15, 2007.

The meeting was called to order by Mayor Van Poucke.

Attendance Roll Call:

Wasson, Smiley, Fuller, Turner, Nation, Wiles, Long – Present.

Opening prayer was led by Fuller.

Mayor Van Poucke led the Pledge of Allegiance.

A copy of the minutes of the May 01, 2007, regular meeting had previously been given to each director. A motion was made by Long and seconded by Smiley that the minutes of the May 01, 2007, meeting be approved. Mayor Van Poucke called for a voice vote on the motion, and it was approved unanimously.

The next agenda item was the open hearing for citizens present. Don Bunker, 403 East University, asked what ordinance allows an inspector to issue a fine for not waiting for an inspection before proceeding with work. He also complained about the traffic light at Carl & Tulsa. The Mayor suggested he get with the City Clerk to get copies of City ordinances. The Mayor then continued with the agenda.

The next agenda item was Ordinance No. 07-17. A motion was made by Smiley and seconded by Wasson to place Ordinance No. 07-17, Prohibited Use Development Permit 2503 South Elm/The Church of Jesus Christ of Latter-Day Saints, on its second and final reading suspending the rules and reading title only.

Roll Call:

Wasson, Smiley, Fuller, Turner, Nation, Wiles, Long – Aye.

No Nays.

Seven Ayes. No Nays. Motion Carried.

An ordinance entitled:

AN ORDINANCE AUTHORIZING A PROHIBITED
USE DEVELOPMENT PERMIT FOR PROPERTY
LOCATED AT 2503 SOUTH ELM STREET.

was read for its second and final reading.

A motion was made by Nation and seconded by Smiley to adopt Ordinance No. 07-17, Prohibited Use Development Permit 2503 South Elm/The Church of Jesus Christ of Latter-Day Saints.

Roll Call:

Smiley, Fuller, Turner, Nation, Wiles, Long, Wasson – Aye.

No Nays.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Ordinance No. 07-18. A motion was made by Wasson and seconded by Nation to place Ordinance No. 07-18, Amend Municipal Code to Change Name of Portions of North Mt. Olive, on its first reading suspending the rules and reading title only. David Williams, Community Development Director, explained the reasons for wanting to change the name. He stated it would be better for the future. There was a lengthy discussion.

Roll Call:

Turner – Aye.

Fuller, Nation, Wiles, Long, Wasson, Smiley – Nay.

One Aye. Six Nays. Motion Failed.

The next agenda item was Resolution No. 32-07. A motion was made by Fuller and seconded by Nation to adopt Resolution No. 32-07, Significant Development Permit 2503 South Elm/The Church of Jesus Christ of Latter-Day Saints. David Williams, Community Development Director, answered questions of the Board. A motion was made by Turner and seconded by Nation to amend Resolution No. 32-07 to add the condition that applicant shall remove existing fences to the east if permitted by neighbors. Ken Stufflebeam with GHN Architects and Engineers recommended the wording for the condition regarding the fence. Turner's concern was for the property between the fences being maintained.

Roll Call: (amendment)

Turner, Nation, Wiles, Long, Wasson, Smiley, Fuller – Aye.

No Nay.

Seven Ayes. No Nays. Motion Carried.

Roll Call:

Nation, Wiles, Long, Wasson, Smiley, Fuller, Turner – Aye.

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Resolution No. 33-07. A motion was made by Smiley and seconded by Fuller to adopt Resolution No. 33-07, Preliminary Plat Development 1595 East Kenwood/Kingston Pointe/Beeler. David Cameron, City Administrator, assured Louis Wilmoth they would look at the ordinance on the pro-rata share to include drainage on any development that was built. Staff will research this to draft the language needed.

Roll Call:

Wasson, Smiley, Fuller, Turner, Nation – Aye.

Wiles, Long – Nay.

Five Ayes. Two Nays. Motion Carried.

The next agenda item was Resolution No. 34-07. A motion was made by Smiley and seconded by Long to adopt Resolution No. 34-07, Solid Waste Contract/Roll Off Service, Inc. Randy Atkinson, Solid Waste Director, addressed questions regarding the performance bond issue. The previous contract did not allow a letter of credit, but a performance bond. When this was re-bid, the agreement allowed for either. Roll-Off was the low bidder. David Cameron, City Administrator, gave an explanation of why the solid waste hauling was re-bid.

Roll Call:

Long, Wasson, Smiley, Fuller, Turner, Nation, Wiles – Aye.

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was review of bids for the sanitary sewer improvements/RLF. A motion was made by Nation and seconded by Fuller to approve the bid to Superior Utility & Excavating Co. in the amount of \$206,630.43. Trevor Bowman, Water/Wastewater Director, commended Engineering and Junior Wilson for doing a good job in saving money on this project.

Roll Call:

Wasson, Smiley, Fuller, Turner, Nation, Wiles, Long – Aye.

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was the Administrator' Report:

Cameron requested the Board put on the agenda a letter of intent for the Cherokee Nation Casino which is a guideline for what the agreement will be like. A motion was made by Long and seconded by Nation to place this item on the agenda.

Roll Call:

Smiley, Fuller, Turner, Nation, Wiles, Long Wasson – Aye.

No Nay.

Seven Ayes. No Nays. Motion Carried.

A motion was made by Wiles and seconded by Nation to approve the letter of intent with the Cherokee Nation Enterprises, LLC. They will be getting the same rate as our other large users. The final agreement will come before this Board for approval.

Roll Call:

Fuller, Nation, Wiles, Long, Wasson, Smiley – Aye.

Turner – Nay.

Six Ayes. One Nay. Motion Carried.

Cameron continued with the Administrator's Report. Cameron stated there will not be a May Workshop on the 22nd. There will be a workshop meeting on the 24th with the Hospital. Cameron reported that the Court Amnesty Week of May 07- 11 came in with a total of 30 warrants for \$9,938.00. If the Board members wish to attend the Spring Convention, please contact the City Clerk by June 7th. Cameron gave an update on Progress Ave. and Highway 43 construction projects. Progress Ave. is expected to be done this year. Hwy 43 should be done sometime in June. Cameron thanked Ben Rhoads and staff for the Comprehensive Plan meeting held May 14th. The maps are available to review in the Board Room. The City removed 221 tons during the Spring Cleanup Week.

The next agenda item was the Open Hearing for Directors:

Turner noted the cost to Roll Off for trash hauling, and encouraged residents to recycle.

Wiles commended David Williams, Ben Rhoads, and Cassandra Olverson for their work on the Comprehensive Plan. They did a great job!

Smiley echoed Wiles comments.

There being no other business to come before this Board, a motion was made by Long and seconded by Nation that this meeting be adjourned. A voice vote was called for on the motion, and it was approved unanimously.

APPROVED:

M. L. Van Poucke, Jr., Mayor

(SEAL)

ATTEST:

Peggy Woody, City Clerk, MMC