

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD JUNE 15, 2010

The Board of Directors of the City of Siloam Springs, Arkansas, met in regular session at the City of Siloam Springs Administration Building, June 15, 2010.

The meeting was called to order by Mayor Allen.

Roll Call:

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

City Administrator David Cameron, City Clerk Peggy Woody, City Attorney Jay Williams, Police Chief Joe Garrett – Present.

Opening prayer was led by Long.

Mayor Allen led the Pledge of Allegiance.

A copy of the June 01, 2010, minutes of the regular meeting had previously been given to each Director. A motion was made by Long and seconded by Turner that the minutes of the June 01, 2010, meeting be approved. Mayor Allen 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 Cundiff, 601 W. Tahlequah, stated that people should have the right to collect signatures and petitions in a public park. Mayor Allen read a revised statement based on new developments regarding Main Street Siloam Springs use of the City Park. John Vest, 1314 Villa View, spoke regarding the newspaper article on the Main Street Farmers' Market and people collecting signatures for a petition.

The next agenda item was Ordinance No. 10-06. A motion was made by Smiley and seconded by Nation to place Ordinance No. 10-06, Accept Annexation 3030 North Mt. Olive/Guffey, on its third 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 ACCEPTING THE ANNEXATION OF CERTAIN
TERRITORY TO THE CITY OF SILOAM SPRINGS, ARKANSAS, AND
MAKING SAME A PART OF THE CITY OF SILOAM SPRINGS,
ARKANSAS, AND ASSIGNING SAME TO WARDS.

was read for its third reading.

A motion was made by Fuller and seconded by Nation to adopt Ordinance No. 10-06, Accept Annexation 3030 North Mt. Olive/Guffey.

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. 10-07. A motion was made by Smiley and seconded by Turner to place Ordinance No. 10-07, Rezone Development Permit 1502 Waukesha Road A-1 to C-2/ Seventh Adventist Church, on its second reading suspending the rules and reading title only.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

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An ordinance entitled:

AN ORDINANCE AMENDING SECTION 102-21 OF THE
SILOAM SPRINGS MUNICIPAL CODE (CITY ZONING
MAP); REZONING FROM A-1 TO C-2 THE PROPERTY
DESCRIBED AS 1502 WAUKESHA ROAD

was read for its second reading.

The next agenda item was Resolution No. 23-10. A motion was made by Smiley and seconded by Long to adopt Resolution No. 23-10, Authorize Purchase of Boulders Without Competitive Bid/Sager Creek Phase II. Cameron stated the reason for not having competitive bidding is that all the quarries are owned by the same vendor and finding the rock within driving distance. The City will be hauling the rock. Adam Roark, City Engineer, stated that of all the quarries the City contacted APAC had the boulders we were needing. This is the only available source in this area. The unit cost is \$15.00 per ton not to exceed \$40,000.00.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Resolution No. 24-10. A motion was made by Long and seconded by Wasson to adopt Resolution No. 24-10, Authorize Sale of Real Property to Franklin Electric Company, Inc. Cameron stated a point of clarification that though the sale price is small, the bonds and work and capital invested in that building was \$3.35 million. This was not money the community put in to the property, it was bonds issued to Franklin. We are not giving away something that we spent millions of dollars to build. It is Franklin's money that is invested in the building or property. After discussion regarding the option to extend the Act 9 Lease Agreements, Cameron requested this be tabled for 30 days for further review. A motion was made by Long and seconded by Nation to table Resolution No. 24-10 to the second meeting in July.

Roll Call: (Table)

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was the Administrator's Report:

Cameron stated that they are doing work on the Cox Communication change over. This information is going out in the utility bills. Siloam Springs cable channel 4 is moving to channel 245 due to Cox performing a digital upgrade. Beginning July 6th, the Board of Directors' meetings will broadcast on channel 245. Some televisions may need an extra piece of equipment in order to see our new digital channel. This equipment is provided by Cox Communications and is free for a two year period. Please consult your electric bill insert for more information. If you have technical questions, call Cox Communications at 479-524-6400 or visit their Siloam office at 160 Hwy 412 East. They are required to give us 30 days written notice and they have done so. There was a question asked about the sale of fireworks. Fayetteville has changed their rules and are allowing the sale of fireworks to increase sales tax revenue. We will look at a change of allowing the sale of fireworks in Siloam in

2011 if this is something the Board would like. I am frequently approached about the Library and where the City is with moving forward. Over the last several years, I have worked on places where we could go. Several places have been suggested such as the old Hospital when vacated, the medical building on Mt. Olive, property out east of town that the City already owns, and the vacant M & D building on Wright Street. There is a piece of property in the downtown area that is the M & D building which Cameron asked for consideration tonight because there is a good opportunity to get this building well under the appraised value. If this is something the Board would like for him to pursue for the potential Library or for other City use. It would require action by this Board to allow him to pursue a contract. His idea was this would not come out of the general reserve fund, but from the interest earned on a restricted cash account. This would not take away from the operating expense or increase the 2010 operating budget. A motion was made by Long and seconded by

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Nation to place discussion of the library on the agenda. Mayor Allen called for a voice vote on the motion, and it was approved unanimously. Cameron stated he was needing to get a feel on this project from the Board as to what they would like for us to do. Wasson asked how much property is involved with it compared to what we already have as far as building space and parking space. Long stated he was all for the idea of having the Library in this location. Smiley stated she is also in favor of having the Library in the downtown area, and she is in favor of pursuing this property. Wiles stated he was in favor of looking into this and have further discussion. Allen stated his concern was this is not enough land for the size of library we would want and for possible future expansion. He felt the library needs to stay downtown if possible. Allen felt we would be buying this essentially for the land not for what is there. There are other groups expecting the City to assist them in building soon. Allen stated that with the economic situation the way it is that buying land, he just doesn't think it is a very good idea right now. Nation asked what The Friends of the Library have to say about the location. Cameron stated they were agreeable to this location. Of all the locations mentioned, they would prefer to keep the Library in the downtown. Sandy Luetjen, Director of Community Services, addressed the Board stating she attended The Friends of the Library's last meeting and they discussed the different locations and why they felt this location was the most suitable. Turner stated he did not have any issues with being in this location and he would like to see it stay downtown. Turner stated he was not sure this is enough property. Fuller brought up the use of the old hospital building when it becomes available. A motion was made by Long and seconded by Wasson to instruct the Administrator to look into the purchase of the M & D Building subject to the Board's approval, appraisal and use of the land. Cameron stated he would make it subject to if we want to enter into a contract it is subject to this Board's approval, subject to an appraisal and use of the land. Cameron stated there would be nothing that still does not come back to this Board for review. And also with the discussion that's gone on tonight, you can get feedback from people whether they like the idea of it being in the area. I mean I think that's what you have it in a public meeting and open discussion. So it's a good dialog. But I just want to clarify what I will bring back.
Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

Cameron reported that a delegation from NW Arkansas was supposed to travel to Dallas to meet with the regional administrator of the EPA. This meeting has been canceled. We are not pleased with this. The reason was that the administrator has been called to the Gulf coast for the oil spill which has been going on for several months. This meeting was to express our concerns over new regulations enacted since starting our new wastewater treatment plant. In the upcoming elections, you need to ask each candidate how they are going to protect your interest in NW Arkansas because someone needs to hold EPA accountable for that rule.

The next agenda item was the Open Hearing for Directors:

Turner followed up on what Cameron had stated about the EPA and the effects on Siloam Springs' residents. Turner asked consideration for an ordinance regarding parking in yards, and if there is any interest by the other Board members to go forward with this.

Wasson reminded everyone about the Rodeo this week and the parade on Saturday.

Nation stated she has been contacted by a resident on State Line Rd. inside the City limits regarding not having sewer. Nation requested that they start thinking about ways to provide sewer inside the City. Nation asked about the EPA rules and whether this will be enforced across the Country or just in this area? Cameron stated this is nationwide and what we are allowed to put into the creek per day, and gave an explanation of these rules and how strict and costly they are. Nation stated it is important that if an organization has been granted exclusive access through a City issued permit, no one has the authority to ban or limit access to public parks or property. This Board believes that and will back that up.

Mayor Allen stated that Cameron had made a great point on EPA. The definition of "family" is coming before the Planning Commission, and requested the Board also get a copy of this. Cameron stated this will be coming before the Board, and will have three readings. There will be time for revisions.

Long commented on the parking in the yard and thanked everyone who does park in the yard and not on the narrow streets. He stated he would be against any version for this.

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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:

David E. Allen, Mayor

(SEAL)

ATTEST:

Peggy Woody, City Clerk, MMC