

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD AUGUST 04, 2009

The Board of Directors of the City of Siloam Springs, Arkansas, met in regular session at the City of Siloam Springs Administration Building August 04, 2009.

The meeting was called to order by Mayor Allen.

Attendance Roll Call:

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

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

Opening prayer was led by Smiley.

Mayor Allen led the Pledge of Allegiance.

A copy of the July 21, 2009, minutes of the regular meeting had previously been given to each Director. A motion was made by Long and seconded by Smiley that the minutes of the July 21, 2009, 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 West Tahlequah, spoke on behalf of the VFW with an invitation to the annual 911 remembrance.

The next agenda item was Ordinance No. 09-19. A motion was made by Smiley and seconded by Nation to place Ordinance No. 09-19, Amend Code for H-1 District, on its first reading suspending the rules and reading title only. Cameron stated this is a revision due to a lot split on South College Street, and gave the history of an appeal for the lot split. This ordinance will help address future issues. The Planning Commission has endorsed this amendment to the ordinance. Mike Butler, 309 S. College, stated what his concerns were during the lot split process. Kameron Slater, 306 S. College, expressed his thanks for the effort the City has put forth to try to bring a reasonable resolution. This is a difficult matter. David Williams, Community Development Director, addressed the question by Nation of why this lot split was requested. Williams stated Mr. Rediske has had his property for sale for quite some time, and thought if he was able to split it into two lots he might be able to sale one or the other.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

An ordinance entitled:

AN ORDINANCE AMENDING SECTION 102-50 OF THE SILOAM SPRINGS
CODE WITH RESPECT TO THE H-1 (HISTORIC) OVERLAY DISTRICT;
ADDING SECTION “B” RELATING TO NON-CONFORMING LAND USES
ON SUBDIVIDED LOTS.

was read for its first reading.

The next agenda item was Ordinance No. 09-20. A motion was made by Wiles and seconded by Turner to place Ordinance No. 09-20, Amend Code Pertaining to Industrial Pretreatment Programs, on its first reading suspending the rules and reading title only.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

An ordinance entitled:

AN ORDINANCE AMENDING ARTICLE V. OF
CHAPTER 98 OF THE SILOAM SPRINGS CODE TO
COMPLY WITH U.S. ENVIRONMENTAL PROTECTION
AGENCY REGULATORY CHANGES PERTAINING TO
INDUSTRIAL PRETREATMENT PROGRAMS.

was read for its first reading.

The next agenda item was Resolution No. 31-09. A motion was made by Smiley and seconded by Long to adopt Resolution No. 31-09, Establish 69KV Transmission Line Route. Cameron stated they received the appraisals today, and they came in about \$225,000. This will be brought back to the Board at the next meeting for consideration to purchase the property for the substation. Clarence Klopfenstein, 277 Oak Crest Rd; Ann Bailey Bynum, 13014 Little Rock, AR, who owns 78 acres on this route; Glen Kelley, 303 W. Walnut, Rogers, AR, attorney for Ms. Bynum; Norman Pervis, 3015 N. Hico; Jonnie Ware, 3016 Dawn Hill Rd., spoke opposing this route. Fuller asked if the City has looked into putting this line underground and also if we have looked to see if there is government money that is available to help with this project. Fuller asked for a yes or no answer, and if no why. Cameron stated that yes we have for going underground, and no for funding. We have looked into what projects we could ask the government for funding. We did submit a list of things, but they had to be construction ready. This project is not ready. Without the easements, we could not solicit for grant funds. The cost to go underground was significantly more than going overhead. Sue Klopfenstein, 277-1/2 Oak Crest Rd., asked about the cost of repairing these overhead lines from ice storms versus having lines underground. Art Farine, Electrical Director, addressed the questions about maintenance issues and costs. Smiley stated that the Board has to consider all of the citizens of Siloam Springs and the industries. Nation noted this route effects the fewest number of residences. Turner stated his reasons for supporting this route. Bob Lansaw, 14481 Dawn Hill Rd., and Don Bunker, 403 East University, who owns property along this route, spoke opposing this route. A motion was made by Long and seconded by Turner to call for the question.

Roll Call: (Question)

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was review of bids. A motion was made by Long and seconded by Smiley to approve the bid from ResourceOne for the City's Third Party Administrator and Employee Health Insurance for three (3) years.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was review of bids. A motion was made by Fuller and seconded by Smiley to approve the bid from Water Products Inc for 354 ERT Water Meters in the amount of \$70,226.52.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was the Administrator's Report:

Cameron commended Art Farine and staff for their hard work on the transmission line route. He welcomed Ed Fite with the Oklahoma Scenic Rivers Commission attending tonight's meeting. Cameron reported three expenditures for the Fire Department which were an ambulance repair at a cost of \$11,247.58, the purchase of 5 sets of gear for \$9,890.75 which was in the budget, and

replacement slide pads and cables on the Ladder-One truck in the amount of \$5,835.08. Cameron authorized to install more rock on the Tahlequah Street Phase 2 project at the intersection of Tahlequah and Progress not to exceed \$10,000.00. We are going forward with Tahlequah Street and this project is going very well. When we are doing projects, we are making sure we comply with our own rules. ARCO Excavation, contractor doing the Hwy 412 water and wastewater relocates, will be closing South Elm from 412 to Eliff on Monday, August 10th and may carry over to August 11th. They have done a very good job. This is a very difficult job. Regarding the waterline installation on Mt. Olive between University and Central, the street is reopened, but the Street Department will begin pouring concrete in the morning and hope to be complete in two days. We ask residents to use caution in this area. Tomorrow is the start of the Baseball World Series which is being hosted in Siloam. The folks that have put this together have worked tirelessly to get it ready. We appreciate everyone who has stepped up to help with this project. We encourage you to come out to watch the games.

The next agenda item was the Open Hearing for Directors:

Mayor Allen congratulated Fire Chief Jimmy Harris on his 50th birthday. At the next meeting, Mayor Allen stated he hoped to bring before the Board a proposal for the name change for a couple of streets on our new Progress Ave. When we purchased the Spainhower property for the future Hospital, there are two streets not yet built. Mayor Allen would like to honor some of our pioneering doctors. He will be asking for a resolution to rename two new streets near the new CPG building running east off of Progress to be named for the late Dr. Huskins and Dr. Puckett.

Turner stated the local form of government is the most difficult kind there is because we live with the people that we represent. This was a difficult decision tonight. There will be more to come. He appreciates the opportunity to represent his ward. Turner thanked Art Farine.

Wasson stated he appreciates those that came to the meeting, and he understands and sympathizes with the emotional nature of this issue. He hopes they will understand that difficult decisions have to be made sometimes that affect people we care about.

Fuller stated this was a difficult meeting, but he appreciates the fact that this will effect as few people as we possibility could have in any route we picked. He is proud of everyone on the Board, and we have a good town. Fuller asked residents to help pick up the Shopper newspapers left around town.

Nation stated it was a very difficult meeting, and a difficult decision. She stated we do care about these people this route will effect, and understands it is a very emotional issue. This decision was made after a very long, long time, discussion, and looking and research. Nation thanked Art Farine for his hard work and understands that this is difficult for him and his staff also.

Mayor Allen also noted that they are looking to fix the Sager Creek wall and is glad to hear this. He would like the limbs removed from the creek that fell during the ice storm. He also sympathizes with the group here tonight.

Wiles echoed the same thoughts that this was not an easy decision. He feels they do care about them and maybe sometimes care too much. He appreciates those who came to the meeting.

Smiley said it is true that it is a very difficult decision, but the one great thing that comes out of this is that we do live in a country that allows us to do this. We have the freedom to speak and say what we feel. We have to look at our entire community. She appreciates people coming and having their say.

Long stated they were elected to make these tough decisions. He thanked Art Farine and his department for their efforts.

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