

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD OCTOBER 06, 2009

The Board of Directors of the City of Siloam Springs, Arkansas, met in regular session at the City of Siloam Springs Administration Building October 06, 2009.

The meeting was called to order by Mayor Allen.

Roll Call:

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

Wasson – Absent.

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

Mayor Allen recognized the Boy Scout Troop 310 present at tonight's meeting.

Opening prayer was led by Nation.

Troop 310 led the Pledge of Allegiance.

A copy of the September 15, 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 September 15, 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, stated he was speaking on behalf of Post 3031 VFW of Rogers, and presented certificates of appreciation for their attention at their 911 remembrance. Don Bunker, 403 East University, asked what the plans are for the low-water bridge improvement. David Cameron stated there are no plans in the 2009 budget other than the repairs made to get it back open.

The next agenda item was Ordinance No. 09-21. A motion was made by Fuller and seconded by Long to place Ordinance No. 09-21, Rezone Development Permit 4950 Hwy 412 East A-1 to C-2/Eastgate Freewill Baptist Church, on its first reading suspending the rules and reading title only. David Williams, Community Development Director, addressed Nation's question of why they were requesting this rezone by stating this would allow them to expand their buildings, parking lots, etc.

Roll Call:

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

No Nay.

Six Ayes. No Nays. Motion Carried.

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 4950 HIGHWAY 412 EAST.

was read for its first reading.

The next agenda item was Ordinance No. 09-22. A motion was made by Smiley and seconded by Fuller to place Ordinance No. 09-22, Alley Closing Block 21 Lots 3 and 4 Beauchamps Addition/Barnett, on its first reading suspending the rules and reading title only. Long asked about the process for alley closings as to whether the petition was signed by adjacent property owners only or owners within 300 feet of the alley. After further discussion regarding City procedures, a motion was made by Wiles and seconded by Nation to table Ordinance No. 09-22. Cameron stated the process for closing alleys will be addressed by staff and will look into notification requirements.

Roll Call:

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

No Nay.
Six Ayes. No Nays. Motion Carried.

The next agenda item was Ordinance No. 09-23. A motion was made by Wiles and seconded by Turner to place Ordinance No. 09-23, Amend Code in Respect to Humane Treatment of Animals, on its first reading suspending the rules and reading title only.

Roll Call:
Turner, Nation, Wiles, Long, Smiley, Fuller – Aye.
No Nay.
Six Ayes. No Nays. Motion Carried.

An ordinance entitled:

AN ORDINANCE AMENDING SECTION 10-2 OF
THE SILOAM SPRINGS CODE WITH RESPECT TO
HUMANE TREATMENT OF ANIMALS.

was read for its first reading.

The next agenda item was Ordinance No. 09-24. A motion was made by Smiley and seconded by Wiles to place Ordinance No. 09-24, Amend Code in Respect to Vicious/Dangerous Dogs, on its first reading suspending the rules and reading title only. Don Clark, Animal Services Manager, stated the collar for dangerous dogs would be required to be reflective so as to be seen at night. These collars would be issued by Animal Control. Don Clark gave an overview of this amendment to the ordinance. Wiles requested a notice be placed on the utility bills as a reminder that the dog ordinance requires a leash and license. Don Clark stated the Animal Shelter's hours of operation for the public.

Roll Call:
Nation, Wiles, Long, Smiley, Fuller, Turner – Aye.
No Nay.
Six Ayes. No Nays. Motion Carried.

An ordinance entitled:

AN ORDINANCE AMENDING ARTICLE III OF
CHAPTER 10 OF THE SILOAM SPRINGS CODE
WITH RESPECT TO VICIOUS AND DANGEROUS DOGS.

was read for its first reading.

The next agenda item was Resolution No. 36-09. A motion was made by Long and seconded by Fuller to adopt Resolution No. 36-09, Significant Development Permit 2802 Hwy 412 East/Aldi, Inc.

Roll Call:
Wiles, Long, Smiley, Fuller, Turner, Nation – Aye.
No Nay.
Six 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 to Don Peters Construction in the amount of \$379,710.75 for the Airport T-Hangar construction. The City's portion is estimated at \$77,737.

Roll Call:
Long, Smiley, Fuller, Turner, Nation, Wiles – Aye.
No Nay.
Six Ayes. No Nays. Motion Carried.

The next agenda item was approval of Grant Application for Airport. A motion was made by Nation and seconded by Long to approve a grant application to the ADA for an 80/20 grant to provide primary funding of the Airport T-Hangar construction.

Roll Call:

Smiley, Fuller, Turner, Nation, Wiles, Long – Aye.
No Nay.
Six Ayes. No Nays. Motion Carried.

The next agenda item was approval of Water Contract/Watts. A motion was made by Wiles and seconded by Nation to approve the Inter-Municipal Water Contract with Watts, Oklahoma. This becomes effective 01-01-10. Cameron gave a summary of steps taken by the City and Watts to arrive at this final contract.

Roll Call:

Fuller, Turner, Nation, Wiles, Long, Smiley – Aye.
No Nay.
Six Ayes. No Nays. Motion Carried.

The next agenda item was an appeal for reconsideration of staff's definition of family/Arnold & Kathy Mayer at 1504 Holly Place. A motion was made by Long and seconded by Smiley to reconsider staff's definition of family. Jay Williams, City Attorney, stated the process for this appeal. David Williams, Community Development Director, addressed Nation's question about the complaints received from the neighbors. Arnold Mayer, 1504 Holly Place, addressed the Board and stated he was also representing Charles & Carol Hesselink. Ed Renfrow, 1505 Holly Place, requested the Board not grant this appeal, and clarified his request. Kathy Mayer, 1504 Holly Place, addressed the Board. The agenda item for an appeal for reconsideration of staff's definition of family/Charles & Carol Hesselink at 1502 Holly Place was considered with the Mayer appeal. No action was taken.

The next agenda item was the Administrator's Report:

Cameron reminded residents of the Fall Cleanup the week of October 12th. The milling on Tulsa Street was started this week. Asphalt work is scheduled to begin next week and should take one week. The permit for the downtown trick or treat is October 30th from 3:00 to 4:00 p.m. We also have a street closing permit for October 31st for the Siloam Springs Marching Band contest on Dogwood Street between Jefferson and Tulsa from 6:00 a.m. to midnight. Cameron commended staff for the work on the operating budget and reaching goals for 2009. There will be more challenges in 2010. Cameron will be traveling to Washington, D.C. tomorrow with a delegation from NW Arkansas to discuss phosphorus in the watershed.

The next agenda item was the Open Hearing for Directors:

Mayor Allen extended prayers to the Ric Gray family. Allen welcomed Boy Scout Troop 310 who are working on their citizenship badges. He stated concern over the number of permits signed for street closings recently. He stated concern about rushing into a project of updating our gazebo. He appreciates the support of Lowes', but would like to be sure the project has a detailed plan. He had heard the rumors of cutting employee's hours in order to balance the budget, and this is not the case. We are not cutting hours or services to our citizens.

Wiles asked that we check the hours for trick or treating.

Nation asked if the permits for street closings are being checked by police and fire, etc. Yes, they are per Cameron and Woody. Nation has noticed a lack of house numbers being displayed on homes.

Fuller congratulated Elaine Carr of West Siloam Springs for 2009 Mayor of the Year for Oklahoma.

Turner thanked citizens for coming to tonight's meeting.

There being no other business to come before this Board, a motion was made by Turner 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