

MINUTES OF THE REGULAR MEETING OF
THE CITY BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD OCTOBER 07, 2008

The Board of Directors of the City of Siloam Springs, Arkansas, met in regular session at the City of Siloam Springs Administration Building, October 07, 2008.

The meeting was called to order by Mayor Van Poucke.

Attendance Roll Call:

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

Mayor M. L. Van Poucke, Jr., City Administrator David Cameron, City Clerk Peggy Woody, City Attorney Jay Williams, Police Chief Joe Garrett – Present.

Opening prayer was led by Wasson.

Mayor Van Poucke led the Pledge of Allegiance.

A copy of the September 16, 2008, 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 16, 2008, meeting be approved. Mayor Van Poucke called for a voice vote on the motion, and it was approved unanimously.

A copy of the September 23, 2008, special-called meeting had previously been given to each director. A motion was made by Long and seconded by Nation that the minutes of the September 23, 2008, 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. There being none, Mayor Van Poucke continued with the agenda.

The next agenda item was Ordinance No. 08-13. A motion was made by Smiley and seconded by Nation to place Ordinance No. 08-13, Rezone Development Permit R-2 to R-4 1596 North Lincoln/Ellis, on its second reading suspending the rules and reading title only. Fuller stated concerns with the density and drainage. David Williams, Community Development Director, addressed questions of this property during a 100-year flood and the surrounding properties. Cameron stated there needs to be a regional detention pond.

Roll Call:

No Aye.

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

No Ayes. Seven Nays. Motion Failed.

The next agenda item was Ordinance No. 08-17. A motion was made by Smiley and seconded by Wiles to place Ordinance No. 08-17, Amend Code for Sign Regulations, on its second reading suspending the rules and reading title only. Mayor gave a recommendation by staff since meeting with businesses and sign companies after the first reading of this ordinance regarding Sec. 81-32. A motion was made by Nation and seconded by Smiley to amend Page 16 Sec. 81-32 to strike **“electronic message boards/LED signs** and all of 81-32 (b). Nation thanked staff for their work. David Williams, Community Development Director, stated why staff was requesting this amendment. Business owners who attended the meeting were concerned about restrictions on LED signs. If there are problems in the future, we can address this issue then.

Roll Call: (amendment)

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

An ordinance entitled:

AN ORDINANCE AMENDING SIGN REGULATIONS OF THE
CITY; AMENDING CHAPTER 81 OF THE MUNICIPAL CODE.

was read for its second reading.

The next agenda item was Ordinance No. 08-20. A motion was made by Smiley and seconded by Wiles to place Ordinance No. 08-20, Rezone Development Permit A-1 to P-D 3840 Cheri Whitlock Dr/Western Arkansas Nursing Inc, on its first reading suspending the rules and reading title only. Cameron stated they could make it a stipulation that if there were any drainage work to be done that there would be a proportionate share associated within that basin. Nation asked if the drainage issues need to be addressed on the rezone application or on the significant development permit. Jay Williams stated it would be more appropriate in the development phase than zoning, but you can address it in either. Mayor asked staff to come up with a possible amendment, and review this on the second reading. Cameron recommended they pay a proportionate share for the regional detention.

Roll Call:

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

No Nay.

Seven 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 P-D THE
PROPERTY DESCRIBED AS 3840 CHERI WHITLOCK DRIVE.

was read for its first reading.

The next agenda item was Resolution No. 34-08. A motion was made by Fuller and seconded by Wasson to adopt Resolution No. 34-08, Significant Development Permit 1701 Hwy 412 East/Crye-Leike. Cameron addressed the question about detention. Cameron stated he had negotiated with the engineer working on the project and staff worked with the banker that owns the property north of Kenwood on the opposite side of the street which is where we were creating the request the last development, and they came back to an easement cost of \$8,300.00 to build and move the ditch to relieve the issues in Quail Run Addition. The developer has agreed to pay the \$8,300.00 for the easement if the City would construct the ditch. David Williams, Community Development Director, stated revisions that had been made with this project. It is now one lot instead of seven. Williams stated they are recommending this project with the new plan. Ron Homeyer, Civil Engineering, stated the owner is now wanting to build a street all the way from Kenwood to 412 in this first phase which will be built to City street standards. Wiles stated concerns about this being a cut-thru street and accidents at Hwy 412. Homeyer stated most accidents are left-turn accidents. Cameron stated we have the land for the detention, but we have no intention of doing anything any time soon other than cutting the ditch. If they were willing to pay for the easement, we would cut that ditch. Staff is spending the majority of their time where homes have been flooded, taking care of individual homes first because they are recurring problems.

No Aye.

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

No Ayes. Seven Nays. Motion Failed.

The next agenda item was Resolution No. 38-08. A motion was made by Wasson and seconded by Wiles to adopt Resolution No. 38-08, Special Use Development Permit 3840 Cheri Whitlock Dr/Western Arkansas Nursing Inc. Turner brought up discussion requiring walking trails in this area.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Resolution No. 39-08. A motion was made by Smiley and seconded by Fuller to adopt Resolution No. 39-08, Authorize Survey and Purchase of Rights-of-Way for Tahlequah and Hico Intersection Redesign. David Allen, 1600 Villa View Dr., stated he had noticed a lot of children that play on Tahlequah near this intersection.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Resolution No. 40-08. A motion was made by Long and seconded by Smiley to adopt Resolution No. 40-08, 2009 Proportionate Share Agreement for District Judge's Salary. Mayor commented on his opinion that the City's of the County are being taken advantage of with this agreement, but in his capacity as Mayor, he does have to recommend this.

Roll Call:

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

Long – Nay.

Six Ayes. One Nay. Motion Carried.

The next agenda item was the Administrator's Report:

Cameron welcomed Adam Roark as the new City Engineer. Fall Clean-up is underway this week. There is a ribbon cutting for Progress Ave. on October 10th at 9:00 a.m. from the south end of the street by Wal-mart. On our website, we have added a link to help our residents on conserving energy. At the next Board meeting, we will need to convene the Illinois Water Development Board to discuss the pending litigation that was filed by Mr. Farley in Adair County regarding the property by the Illinois Water Development Board. So plan for an additional meeting at the end of the next regular meeting on October 21st.

The next agenda item was the Open Hearing for Directors:

Turner stated he is proud of the Board for what they are wanting to do for our citizens regarding drainage.

Wasson thanked the Sanitation Dept crews for all they are doing this week.

Fuller also thanked them.

Nation also thanked Sanitation Dept. and welcomed Adam Roark.

Smiley stated the same comments, and appreciated the cleanup crews for working hard even in the rain.

Mayor Van Poucke stated there would be no Executive Session.

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:

(SEAL)

ATTEST:

M. L. Van Poucke, Jr., Mayor

Peggy Woody, City Clerk, MMC