

MINUTES OF THE REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
CITY OF SILOAM SPRINGS, BENTON COUNTY,  
ARKANSAS, HELD OCTOBER 20, 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 20, 2009.

The meeting was called to order by Mayor Allen.

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 Wiles.

Mayor Allen led the Pledge of Allegiance.

A copy of the October 06, 2009, minutes of the regular meeting had previously been given to each Director. A motion was made by Long and seconded by Fuller that the minutes of the October 06, 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. There being none, Mayor Allen continued with the agenda.

The next agenda item was Ordinance No. 09-21. A motion was made by Smiley and seconded by Fuller to place Ordinance No. 09-21, Rezone Development Permit 4950 Hwy 412 East A-1 to C-2/Eastgate Freewill Baptist Church, on its second 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 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 second reading.

The next agenda item was Ordinance No. 09-22. A motion was made by Smiley and seconded by Turner 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. Jonathan Barnett, 604 Hickory Lane, stated he owns property adjacent to this alley. This is to help improve this area, and stop traffic going thru this alley that the neighborhood does not want. The City will still have access to utility easements that are in this alley. Police Chief Joe Garrett stated this would not be an issue for law enforcement.

Roll Call:

Smiley, Fuller, Turner, Wasson – Aye.

Nation, Wiles, Long – Nay.

Four Ayes. Three Nays. Motion Carried.

An ordinance entitled:

AN ORDINANCE ABANDONING AND CLOSING CERTAIN  
ALLEYS AND RIGHT-OF-WAY IN THE BEAUCHAMPS ADDITION  
TO THE CITY OF SILOAM SPRINGS.

was read for its first reading.

The next agenda item was Ordinance No. 09-23. A motion was made by Smiley and seconded by Turner to place Ordinance No. 09-23, Amend Code in Respect to Humane Treatment of Animals/Animal Services, 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.

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 second reading.

The next agenda item was Ordinance No. 09-24. A motion was made by Smiley and seconded by Fuller to place Ordinance No. 09-24, Amend Code in Respect to Vicious/Dangerous Dogs/Animal Services, on its second reading suspending the rules and reading title only.

Roll Call:

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

No Nay.

Seven 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 second reading.

The next agenda item was Ordinance No. 09-25. A motion was made by Fuller and seconded by Turner to place Ordinance No. 09-25, Prohibit Non-Emergency Use of Engine Brakes, on its first reading suspending the rules and reading title only. Wiles suggested contacting other cities who have this type of ordinance as to if this has made a difference and how they enforce their ordinance.

Roll Call:

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

Long – Nay.

Six Ayes. One Nay. Motion Carried.

An ordinance entitled:

AN ORDINANCE PROHIBITING NON-EMERGENCY USE  
OF ENGINE BRAKES WITHIN THE CITY; AMENDING  
SEC. 94-261 (DEFINITIONS) AND CREATING SEC. 94-263  
OF THE MUNICIPAL CODE.

was read for its first reading.

The next agenda item was the Administrator's Report:

Cameron stated he will look into information from other cities, courts and police departments regarding the ordinance for engine brakes. Cameron asked for clarification on whether Ordinance No. 09-22, Alley Closing was one reading or three readings. The Downtown Trick or Treat permit is October 30<sup>th</sup> from 3:00 to 6:00 p.m. on Broadway, University and Twin Springs Park. We have a

permit for the Fall Festival at the Community Building on October 30<sup>th</sup> from 5:30 to 8:30 p.m. There is another permit for a street closing on October 31<sup>st</sup> for the Siloam Springs marching band contest on Dogwood Street between Jefferson and Tulsa Streets from 6:00 a.m. to midnight. There is another permit for a Fall Festival for Harvard Avenue Baptist Church on October 31<sup>st</sup> from 4:30 to 7:30 p.m. to close Harvard Ave. from Lincoln Street to the west side of the church property. Sager Creek has been drained for repairs to some of the fountains. We are getting a lot of the debris from the ice storm that is noticeable. We are looking at the wall that is protected by fence post and we hope to get this taken care of. This is not permanent. Today Cameron submitted another grant application for \$600,000 to do Sager Creek Phase II which would not cost the community any money. This is 319 money. We hope to get this grant which would take us from the low-water bridge to the dam. That work would start in February of 2010. 319 money is for water quality issues only.

The next agenda item was the Open Hearing for Directors:

Mayor Allen asked about the Family Fall Festival at the Community Building if this was a fundraiser or a business. Peggy Woody stated that Hog Wild Entertainment has a business license. Allen requested that the City review every overhead or street light within the City because we have some that are not working at night. With Halloween coming up, kids out at night, we need to make sure every bulb is working and working properly. Cameron stated that when they get calls from residents or the police department reporting a street light out, they go out and take a look at those.

Turner thanked staff for the good job they did during fall cleanup week.

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:

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David E. Allen, Mayor

(SEAL)

ATTEST:

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Peggy Woody, City Clerk, MMC