

MINUTES OF THE REGULAR MEETING OF  
THE CITY BOARD OF DIRECTORS OF THE  
CITY OF SILOAM SPRINGS, BENTON COUNTY,  
ARKANSAS, HELD OCTOBER 21, 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 21, 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 Captain Geoff Lewis – Present.

Opening prayer was led by Fuller.

Mayor Van Poucke led the Pledge of Allegiance.

A copy of the October 07, 2008, regular meeting had previously been given to each Director. A motion was made by Nation and seconded by Turner that the minutes of the October 07, 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. Valerie Horn, 1008-B Meadow Lark, spoke representing the Siloam Springs High School Key Club requesting to use the park for a fall carnival using inflatables on October 31 during the day. This would be a fundraiser for Key Club to raise money for UNICEF and Make-A-Wish Foundation. A motion was made by Wasson and seconded by Wiles to place on the agenda to allow the Key Club fundraiser in Henry Park on October 31, 2008. They will still have to abide by the ordinance.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

A motion was made by Smiley and seconded by Wiles to approve the Key Club fundraiser for a circus in Henry Park, and they must comply with the ordinance requirements.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

Shelly Simmons, Director, Main Street Siloam Springs, introduced herself as the new director. She thanked the Board for sending her and Ron Drake to the Destination Downtown training in Mississippi. While at this conference, she was awarded a \$500 grant.

George Ellis, 21135 Arkotex Rd., spoke regarding his project at 1596 North Lincoln which had previously been voted down by the Board. He presented pictures showing the drainage in this area after a heavy rain.

The next agenda item was Ordinance No. 08-17. A motion was made by Fuller and seconded by Nation to place Ordinance No. 08-17, Amend Code for Sign Regulations including amendment to Section 81-32 adding title Electronic Message Boards (b) and (c), suspending the rules and reading title only. Mayor Van Poucke commended staff for their hard work on this ordinance. Long thanked David Williams, Community Development Director, and Jay Williams for their work on this. David Williams stated this ordinance is a very good compromise.

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 third reading.

A motion was made by Smiley and seconded by Fuller to adopt Ordinance No. 08-17, Amend Code for Sign Regulations.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Ordinance No. 08-20. A motion was made by Smiley and seconded by Nation to place Ordinance No. 08-20, Rezone Development Permit A-1 to P-D 3840 Cheri Whitlock Dr/Western Arkansas Nursing Inc., on its second reading suspending the rules and reading title only.

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 102-21 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 second reading.

The next agenda item was approval of contracts with West Siloam Springs. Mayor Van Poucke stated that each of the first four contracts will stipulate that the approval is based on the approval and signature of the Town of West Siloam Springs and Cherokee Nation Enterprise for the Mutual Release. A motion was made by Smiley and seconded by Wasson to approve the Inter-Municipal Water Contract with the Town of West Siloam Springs, Oklahoma. David Allen, 1600 Villa View Dr., asked if the City of Siloam Springs can raise prices in the future on this contract, and was told yes by David Cameron. Allen also asked if West Siloam Springs can re-sale these to their customers and make a profit. Cameron stated yes.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

A motion was made by Smiley and seconded by Nation to approve the Inter-Municipal Wastewater Treatment Contract with West Siloam Springs.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

A motion was made by Fuller and seconded by Wasson to approve the Inter-Municipal Emergency Medical Services Contract with West Siloam Springs.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

A motion was made by Nation and seconded by Smiley to approve the Inter-Municipal Fire Protection Services Contract with West Siloam Springs.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

A motion was made by Smiley and seconded by Nation to approve the Mutual Release agreement with West Siloam Springs and Cherokee Nation Enterprise (CNE).

Roll Call:

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 thanked the Mayor, Jay Williams, Trevor Bowman, Water/Wastewater Director, West Siloam Springs' attorneys, West Siloam Springs Mayor Elaine Carr, Judy Toler, Administrator Assistant, for all their hard work on these negotiations. Cameron reported the purchase of an automatic check processing system for \$12, 714.00. Following this meeting, there will be an Illinois Water Development meeting to discuss the litigation filed by Bob Farley. Cameron stated on the annexation that he has received numerous comments and questions. The City has in no way endorsed or stated that we would use property tax to fund the annexation. Historically, this City has utilized its existing utility rates. If you live inside the City of Siloam Springs right now, the only increase that you would see is not based upon annexation, it is based upon the millage vote that took place for the school. There is no increase in your property tax if you live inside the City of Siloam Springs right now associated with annexation, nor has it been discussed or is it planned. In addition to that, it would require a public vote even if it was. So we would be held accountable for saying, for the record, that is not a discussion we have had, and for clarification, if you live outside in the annexed area, you would see a 5.5 millage increase and 5.4 that was associated with the school. The City of Siloam Springs is not assessing an additional millage to the current residents. Cameron gave an update on the Hospital as to where they are with the process. The close on the transaction is by the end of the year. Cameron asked for consideration on the possible purchase of the two southern most commercial properties that front Progress Ave. Cameron has signed contracts, contingent upon the appraisal, City Board of Directors' and Hospital Board's approval. Cameron stated this Board had approved \$200,000 for the Tractor Supply waterline and work on Hwy 412 E. By doing this project ourselves, they saved the citizens \$82,000 of that money. Cameron thanked all the departments that worked on this.

The next agenda item was the Open Hearing for Directors:

Long stated in the past when Christmas Day fell on Thursday, that then Director Mike Flynn requested that City employees be given that day as an added holiday. Long noted that the Governor has declared this a holiday for state employees. A motion was made by Long and seconded by Nation to place on the agenda to make Friday, December 26, 2008, a holiday for City employees. Mayor Van Poucke called for a voice vote on the motion, and it was approved unanimously. A motion was made by Long and seconded by Smiley to approve a paid holiday on Friday, December 26, 2008, with standard City holiday policies.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

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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M. L. Van Poucke, Jr., Mayor

(SEAL)

ATTEST:

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Peggy Woody, City Clerk, MMC