

MINUTES OF THE REGULAR MEETING OF
THE CITY BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD FEBRUARY 20, 2007

The Board of Directors of the City of Siloam Springs, Arkansas, met in regular session at the City of Siloam Springs Administration Building, February 20, 2007.

The meeting was called to order by Mayor Van Poucke.

Attendance Roll Call:

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

Opening prayer was led by Nation.

Mayor Van Poucke led the Pledge of Allegiance.

A copy of the minutes of the February 06, 2007, regular meeting had previously been given to each director. A motion was made by Long and seconded by Smiley that the minutes of the February 06, 2007, meeting be approved. Mayor Van Poucke called for a voice vote on the motion, and it was approved unanimously.

A copy of the minutes of the February 08, 2007, special-called meeting had previously been given to each director. A motion was made by Long and seconded by Fuller that the minutes of the February 08, 2007, 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.

Mayor Van Poucke requested to move the approval of contract for Main Street to the first of the agenda. Ellie Zwaryck, Director of Main Street, was present and stated they have increased the number of projects each year. They also apply for grants and will be holding a fundraiser. Gloria McEnroe, Chairman, noted projects the Main Street does for the City. A motion was made by Fuller and seconded by Nation to approve an additional \$6,000 above the budgeted amount of \$6,500 for the contract with Siloam Springs Main Street.

Roll Call:

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

Long – Nay.

Six Ayes. One Nay. Motion Carried.

The next agenda item was Ordinance No. 07-01. A motion was made by Nation and seconded by Smiley to place Ordinance No. 07-01, Rezone Development Permit R-3 to R-4 1600 Block West Quarter Road/Hemm, on its first reading suspending the rules and reading title only. David Williams, Community Development Director, responded to the question as to whether significant changes had been presented to staff. He stated they changed the configuration of some of the buildings to better fit that area. Staff has also worked with the property owner across the street to try to come up with a compromise solution for all parties involved. A motion was made by Smiley and seconded by Nation to amend the motion to include the condition that this is contingent on the attached plans. Williams stated the applicant will either have to widen their portion of the street or pay street fees.

Roll Call: (Amendment)

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

Engineer for the project asked what exactly this amendment means. Cassandra Olverson, Planner, stated that staff recommends 92 unit density with single-story buildings adjacent to single-family residential. Steve Stitt, City Attorney, recommended to add the condition “Density and building height shall be as shown on Exhibit A, attached”.

Roll Call:

Fuller, Turner, Nation, Wiles, Long, Wasson, Smiley – 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 R-3 TO R-4) THE PROPERTY
DESCRIBED AS THE 1600 BLOCK OF WEST QUARTER ROAD.

was read for its first reading.

A motion was made by Wasson and seconded by Fuller to place Ordinance No. 07-01 on the agenda for its second reading. Mayor Van Poucke called for a voice vote on the motion, and it was approved unanimously.

A motion was made by Wasson and seconded by Nation to place Ordinance No. 07-01, Rezone Development Permit R-3 to R-4 1600 Block West Quarter Road/Hemm, on its second reading suspending the rules and reading title only. David Cameron, City Administrator, thanked Mr. Young for working with the City staff. Mayor Van Poucke reminded them this includes the amendment from the first reading.

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 R-3 TO R-4) THE PROPERTY
DESCRIBED AS THE 1600 BLOCK OF WEST QUARTER ROAD.

was read for its second reading.

The next agenda item was Ordinance No. 07-04. Mayor Van Poucke requested to read this for its second and third readings. Ward Jones, Realtor, stated the reason for this request was because Mr. McEwan is in the nursery business, and need to get this started before spring. Long stated he was against reading for the third reading. A motion was made by Wasson and seconded by Nation to place Ordinance No. 07-04, Rezone Development Permit R-2 to C-2 1000 Block East Kenwood/McEwan, on its second reading suspending the rules and reading title only.

Roll Call:

Nation, Wiles, Long, Wasson, Smiley, Fuller, Turner – 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 R-2 TO C-2)
THE PROPERTY DESCRIBED AS THE 1000 BLOCK
OF EAST KENWOOD STREET.

was read for its second reading.

A motion was made by Nation and seconded by Turner to place Ordinance No. 07-04 on the agenda for its third reading. Mayor Van Poucke called for a voice vote on the motion, and there were six ayes, one nay, motion carried.

A motion was made by Turner and seconded by Nation to place Ordinance No. 07-04, Rezone Development Permit R-2 to C-2 1000 Block East Kenwood/McEwan, on its third reading suspending the rules and reading title only.

Roll Call:

Wiles, Long, Wasson, Smiley, Fuller, Turner, Nation – 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 R-2 TO C-2)
THE PROPERTY DESCRIBED AS THE 1000 BLOCK
OF EAST KENWOOD STREET.

was read for its third reading.

A motion was made by Nation and seconded by Fuller to adopt Ordinance No. 07-04, Rezone Development Permit R-2 to C-2 1000 Block East Kenwood/McEwan.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

Ward Jones commended the Electric Dept. for their work they did during the recent ice storm. He is on Carroll Electric and was without electricity for five days.

The next agenda item was Ordinance No. 07-05. Mayor Van Poucke stated he was asked to place this on its second and third readings. Ron Homeyer, Civil Engineering, stated the reason for this request was because this project has been through the preliminary plat process twice, has been through the annexation process, and has been through the final plat process. There has been no opposition to any of these steps. David Williams, Community Development Director, stated no one has spoke against this development. It originally was 17 lots, and then was brought down to 5 lots. A motion was made by Smiley and seconded by Fuller to place Ordinance No. 07-05, Rezone Development Permit A-1 to R-1 1800 Block Villa View Drive/Walnut Ridge Addition/Haxel, on its second and third readings 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 R-1)
THE PROPERTY DESCRIBED AS THE 1800 BLOCK
OF VILLA VIEW DRIVE.

was read for its second and third readings.

A motion was made by Smiley and seconded by Nation to adopt Ordinance No. 07-05, Rezone Development Permit A-1 to R-1 1800 Block Villa View Drive/Walnut Ridge Addition/Haxel.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Ordinance No. 07-07. A motion was made by Smiley and seconded by Wiles to place Ordinance No. 07-07, Amend Municipal Code for Disinterment/Cemetery, 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 PROVIDING A DISINTERMENT
FEE FOR OAK HILL CEMETERY; AMENDING
SECTION 26-38 OF THE MUNICIPAL CODE.

was read for its second reading.

The next agenda item was Resolution No. 15-07. A motion was made by Nation and seconded by Long to adopt Resolution No. 15-07, Sole Source for Cardiac Monitor Purchase and Upgrade/Fire Department. This is to purchase a cardiac monitor and upgrade three existing monitors from Zoll Medical, Inc. for a cost of \$29,727.97 plus tax. Chief Jimmy Harris, Fire Department, stated the reason for the sole source was that we currently have Zoll monitors, and due to a Health Dept. upgrade that is required, other monitors might not be compatible with what we have.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Resolution No. 16-07. A motion was made by Nation and seconded by Smiley to adopt Resolution No. 16-07, Sole Source for Rescue Equipment/Fire Department. This was for the purchase of rescue equipment from Matrx Medical, Inc. for a cost of \$44,178.45, which included tax. Chief Harris stated this was compatible with our current equipment. The Fire Dept. has researched this before requesting a sole source.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Resolution No. 17-07. A motion was made by Nation and seconded by Long to adopt Resolution No. 17-07, Grant Application/Public Roads Improvement Tax Credit Program.

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. 18-07. Mayor Van Poucke noted the amended Resolution No. 18-07, with red print, was given to them tonight. This resolution was drawn up from the one received and approved by the Hospital Board after our packet was sent out. A motion was made by Nation and seconded by Fuller to adopt the amended Resolution No. 18-07, Authorize Administrator to Solicit Proposals from Private Equity Investors to Construct/Operate a New Full-Service Hospital. Steve Stitt, City Attorney, stated that the Hospital Board did want to preserve that purchase option. David Cameron, Administrator, recommended that Shattuck Hammond has done their work and have contacts in this business and won't overlook any options. He did not feel this would slow us down at all.

Roll Call:

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

No Nay.
Seven Ayes. No Nays. Motion Carried.

The next agenda item was review of bids for an Excavator for the Electric Dept. John Bland, Electric Dept., was present to state that of the eight bids, three met the minimum weight and the operating weight is the critical item for this machine. The Kubota KX121 does have an angle blade which makes it better for clean up. This is a safer machine for the employees. A motion was made by Long and seconded by Nation to approve the bid from Springdale Tractor Co. for the price of \$38,100.00 plus tax.

Roll Call:
Wasson, Smiley, Fuller, Turner, Nation, Wiles, Long – Aye.

No Nay.
Seven Ayes. No Nays. Motion Carried.

The next agenda item was review of bids for Sirens/Administration. Mayor Van Poucke requested that all bids be rejected. Then the staff will bring back proposals for nine new sirens instead of 4 new ones and 4 upgrades. This will not need to go back out for bids. A motion was made by Nation and seconded by Turner to reject all bids for Sirens for the Administration Dept.

Roll Call:
Smiley, Fuller, Turner, Nation, Wiles, Long, Wasson – Aye.

No Nay.
Seven Ayes. No Nays. Motion Carried.

The next agenda item was approval of purchase of vehicle for Parks Department. A motion was made by Long and seconded by Nation to approve the purchase of a pickup truck from State contract in the amount of \$22,435.00 for the Parks Department per the recommendation from Peggy Woody, City Clerk/Parks Dept. Head.

Roll Call:
Fuller, Turner, Nation, Wiles, Long, Wasson, Smiley – Aye.

No Nay.
Seven Ayes. No Nays. Motion Carried.

The next agenda item was approval of contract with Civil Engineering for North Carl Street Reconstruction Design. A motion was made by Smiley and seconded by Nation to approve the contract with Civil Engineering for the North Carl Street Reconstruction Design not to exceed \$80,600.00.

Roll Call:
Turner, Nation, Wiles, Long, Wasson, Smiley, Fuller – Aye.

No Nay.
Seven Ayes. No Nays. Motion Carried.

The next agenda item was approval of contract with Civil Engineering for East Tahlequah Street Extension Design. A motion was made by Nation and seconded by Fuller to approve the contract with Civil Engineering for East Tahlequah Street Extension Design (from Progress Ave. to Hwy 59) not to exceed \$81,000.00. Cameron stated the surveying was not included in this contract, but was approved at the last Board meeting for survey and right-of-way costs. Cameron thanked Ron Homeyer for his work on these designs, and the price for which he was willing to doing these projects.

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 reminded the Board there would be a work session next week on February 27th at 6:30 p.m. There are some issues that will be discussed, which will include the annexation, land by the Rodeo Grounds, and the Solid Waste routes.

The next agenda item was the Open Hearing for Directors:

Mayor Van Poucke commented that it was very windy yesterday, and in picking up the garbage, some of the bags are not strong enough when throwing them into the trucks. On windy days like we had yesterday, the trash is going all over the place. He requested that citizens understand that normally there would not be a problem. Please tie down your trash better when we have windy conditions, and help pick up loose trash if you can.

Turner asked about the time of Planning Commission meetings. He asked if applicants could state what they are wanting to do on the application form, so they will know what is going on.

Wasson thanked Peggy Woody for having the packets early, and she is an asset to the community and this Board.

Nation seconded what Wasson said. She also stated she appreciates our Hospital. They do a great job.

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:

M. L. Van Poucke, Jr., Mayor

(SEAL)

ATTEST:

Peggy Woody, City Clerk, MMC