

MINUTES OF THE REGULAR MEETING OF
THE CITY BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD MARCH 06, 2007

The Board of Directors of the City of Siloam Springs, Arkansas, met in regular session at the City of Siloam Springs Administration Building, March 06, 2007.

The meeting was called to order by Mayor Van Poucke.

Attendance Roll Call:

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

Nation – arrived late.

Opening prayer was led by Wiles.

Mayor Van Poucke led the Pledge of Allegiance.

A copy of the minutes of the February 20, 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 20, 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.

The next agenda item was Ordinance No. 07-01. A motion was made by Fuller and seconded by Wasson to place Ordinance No. 07-01, Rezone Development Permit R-3 to R-4 1600 Block West Quarter Road/Hemm, on its third reading suspending the rules and reading title. J.C. Kelly, 515 E. Franklin, owner of this property, is for this rezone and appreciated their consideration. John Sawyer, 1625 Hefton Ct., read a lengthy statement against this rezone. Nation arrived. Laurine Barnett, 1206 Lyndale, addressed the Board with opposition to this rezone. J.C. Kelley reminded them this has been zoned R-3 for a long time. Bill Hemm, developer, stated the reason they choice this property in this area is they love the people of Siloam Springs and this is who they want for their clientele. He noted they met with some concerned citizens on Sunday, and this is the first they knew of their opposition after this has been heard at six different meetings. They have followed the City's requirements of notification. Frank Sislo, 1571 W Quarter Rd., stated this property joins his, and he is opposed to this rezone. Jim Laudell, with Sanderson & Associates, noted the process this project has gone through, and that they have done what was required.

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

was read for its third and final reading.

A motion was made by Smiley and seconded by Turner to adopt Ordinance No. 07-01, Rezone Development Permit R-3 to R-4 1600 Block West Quarter Road/Hemm.

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. 07-06. Mayor Van Poucke requested that the wording of "Not more than 24 lots single-family dwellings" after the legal description be added. A motion was

made by Smiley and seconded by Nation to place Ordinance No. 07-06, Rezone Development Permit R-2 to P-D 1595 East Kenwood/Beeler, on its first reading, with the addition, suspending the rules and reading title only. Cameron commented on the drainage, and that there are no funds available for this project at this time unless it came from the reserves. Randy Ritchey, project engineer, commented regarding the drainage. Their proposal was to improve the channel all the way from Kenwood to the regional detention pond. There is more off-site improvements than on-site, and as soon as you leave this property to the north there is a tributary channel that comes in and adds to that. Cameron stated it is a matter of priority and available funds. Steve Stitt, City Attorney, stated that they can vote for this Ordinance without committing the City to participate in the drainage cost. Mayor Van Poucke stated that if the project is completed, it will have to be done by the contractor, as it stands today. Stitt stated they would have to come back with their preliminary plat and development plans.

Roll Call:

Turner, Nation, Wasson, Smiley – Aye.

Fuller, Wiles, Long – Nay.

Long changed vote to Aye.

Five Ayes. Two 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 P-D)
THE PROPERTY DESCRIBED AS THE 1500 BLOCK
OF EAST KENWOOD STREET.

was read for its first reading.

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

was read for its third reading.

A motion was made by Smiley and seconded by Fuller to adopt Ordinance No. 07-07, Amend Municipal Code for Disinterment/Cemetery.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Ordinance No. 07-08. A motion was made by Turner and seconded by Nation to place Ordinance No. 07-08, Amend Municipal Code to Repeal Animal Advisory Board, on its first 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 REPEALING ARTICLE IV OF
CHPT. 10 OF THE MUNICIPAL CODE (ANIMAL
SERVICES ADVISORY COMMISSION).

was read for its first reading.

The next agenda item was Ordinance No. 07-09. A motion was made by Nation and seconded by Smiley to place Ordinance No. 07-09, Amend Municipal Code to Repeal Airport Advisory Board, on its first reading.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

An ordinance entitled:

AN ORDINANCE REPEALING ARTICLE II
OF CHPT. 14 OF THE MUNICIPAL CODE
(AIRPORT ADVISORY BOARD).

was read for its first reading.

The next agenda item was Resolution No. 19-07. A motion was made by Wiles and seconded by Turner to adopt Resolution No. 19-07, Sole Source for Sirens/Administration, in the amount of \$78,282.41 plus tax to American Signal Corp. for 8 tornado sirens. Nathan Heald, Police Dept., stated this is computer controlled from the communications office.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

Chief Jimmy Harris, Fire Dept., requested the Board declare the four old sirens as surplus property in order to sale these by bid. There are some area communities that are interested in buying these. Cameron stated the Fire Chief had approached him prior to this meeting about this. A motion was made by Nation and seconded by Turner to declare the four old sirens as surplus property after the new ones are installed.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Resolution No. 20-07. A motion was made by Nation and seconded by Fuller to adopt Resolution No. 20-07, Special Use Permit 414 South Wright/Feyerabend. Cassandra Olverson, City Planner, stated the business will be by appointment only. Matt Feyerabend stated the hours are to be from noon to 6:00 p.m. He stated the hours would be no later than 6:00 p.m.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Resolution No. 21-07. A motion was made by Nation and seconded by Long to adopt Resolution No. 21-07, Special Use Permit 2101 Hwy 412 East/McGooden.

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. 22-07. A motion was made by Nation and seconded by Wasson to table Resolution No. 22-07, Significant Development Permit 900 Block East Lake Francis Drive/Lake Francis Village Apartments/Kershner Properties, until March 20, 2007.

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. 23-07. A motion was made by Turner and seconded by Nation to adopt Resolution No. 23-07, Sole Source Purchase Refueling Truck/Airport in the amount of \$102,450.00 to Chevron Leasing Company. Paul Calloway, City Treasurer, stated \$90,000.00 was budgeted.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was review of bids for North Hico Street reconstruction. A motion was made by Long and seconded by Wiles to approve the bid of \$1,724,029.79 to J. Johnson Construction Co. for North Hico Street reconstruction. Cameron stated this is a good bid and will free up money for other projects.

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 employee life insurance. A motion was made by Long and seconded by Wiles to approve the bid to Standard Life Insurance Company for employee group term life insurance. This is an approximate cost of \$32,000 per year.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was approval of contract amendment with Bailey Law Firm. A motion was made by Long and seconded by Smiley to approve the contract amendment with Bailey Law Firm.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was approval of contract with Siloam Springs School District for Land Sale. Mayor Van Poucke stated the contract should by law be signed by the School Board President and Secretary and not the Superintendent. The contract will be corrected. A motion was made by Nation and seconded by Fuller to approve the land sale contract with the Siloam Springs School District for the sale of 55 acres.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was the Administrator's Report:

Cameron stated the Airport finished in the black for 2006. He commended Paul Calloway, Michael Scroggins and staff for the improvements at the Airport which have enabled them to run in the black. Spring Cleanup will begin the week of April 2nd. Please do not set these out too early. Cameron gave an update on the Judge's ruling on the County Road Tax. He commended Steve Stitt and staff for their hard work. The County can still appeal. Cameron stated that five buses with troops

returning from Iraq will be coming through Siloam about 2:30 p.m. Wednesday on their way to Rogers. Please welcome them home if you're on Hwy 412.

The next agenda item was the Open Hearing for Directors:

Turner reminded everyone of Daylight Savings Time change this weekend.

Fuller likes the new trash routes, and also encouraged residents to be out on 412 and greet the troops.

Wiles liked the improvements with the trash route, and all City employees do such a good job.

Smiley thanked staff for the work on updating the Animal Shelter. She also encouraged everyone to welcome the troops.

Long stated he appreciates Steve Stitt. Long's son attended the meeting.

There being no other business to come before this Board, a motion was made by Long and seconded by Fuller 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