

MINUTES OF THE REGULAR MEETING OF
THE CITY BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD APRIL 03, 2007

The Board of Directors of the City of Siloam Springs, Arkansas, met in regular session at the City of Siloam Springs Administration Building, April 03, 2007.

The meeting was called to order by Vice-Mayor Smiley.

Attendance Roll Call:

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

Opening prayer was led by Long.

Vice-Mayor Smiley led the Pledge of Allegiance.

A copy of the minutes of the March 20, 2007, regular meeting had previously been given to each director. A motion was made by Long and seconded by Wiles that the minutes of the March 20, 2007, meeting be approved. Vice-Mayor Smiley called for a voice vote on the motion, and it was approved unanimously.

A copy of the minutes of the March 21, 2007, special-called meeting had previously been given to each director. A motion was made by Long and seconded by Wiles that the minutes of the March 21, 2007, meeting be approved. Vice-Mayor Smiley 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, Vice-Mayor Smiley continued with the agenda.

The next agenda item was Ordinance No. 07-06. A motion was made by Turner and seconded by Wasson to place Ordinance No. 07-06, Rezone Development Permit R-2 to P-D 1595 East Kenwood/Beeler, on its third reading suspending the rules and reading title only. Turner went on record stating the developer is to be responsible for the drainage, and not come back to the City.

Roll Call:

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

Wiles, Long – Nay.

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 third reading.

A motion was made by Nation and seconded by Turner to adopt Ordinance No. 07-06, Rezone Development Permit R-2 to P-D 1595 East Kenwood/Beeler.

Roll Call:

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

Wiles, Long – Nay.

Five Ayes. Two Nays. Motion Carried.

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

was read for its third reading.

A motion was made by Nation and seconded by Fuller to adopt Ordinance No. 07-08, Amend Municipal Code to Repeal Animal Advisory Board.

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. 07-09. A motion was made by Turner and seconded by Nation to place Ordinance No. 07-09, Amend Municipal Code to Repeal Airport Advisory Board, on its third 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 REPEALING ARTICLE II
OF CHPT. 14 OF THE MUNICIPAL CODE
(AIRPORT ADVISORY BOARD).

was read for its third reading.

A motion was made by Fuller and seconded by Turner to adopt Ordinance No. 07-09, Amend Municipal Code to Repeal Airport Advisory Board.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was Ordinance No. 07-11. A motion was made by Nation and seconded by Wasson to place Ordinance No. 07-11, Rezone Development Permit R-3 to C-2 785 South Lincoln/Barnett, on its first reading suspending the rules and reading title only.

Roll Call:

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

Fuller – Nay.

Six Ayes. One Nay. 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 C-2) THE PROPERTY
DESCRIBED AS 785 SOUTH LINCOLN STREET.

was read for its first reading.

The next agenda item was Ordinance No. 07-12. A motion was made by Nation and seconded by Wasson to place Ordinance No. 07-12, Rezone Development Permit A-1 to I-1 3760 Hwy 412 East/East, on its first 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 I-1) THE PROPERTY
DESCRIBED AS 3760 HIGHWAY 412 EAST.

was read for its first reading.

The next agenda item was Ordinance No. 07-13. A motion was made by Nation and seconded by Wasson to place Ordinance No. 07-13, Rezone Development Permit R-2 and A-1 to R-2, R-3, C-2 2000-2400 Block Hwy 412 North/Mathias/Autumn Glen Addition, on its first reading suspending the rules and reading title only. David Williams, Community Development Director, explained that the C-2 zoning is next to the highway, with the single-family at the back of the property. David Cameron stated this property was in the county, but has been annexed.

Roll Call:

Smiley, Fuller, Turner, Nation, Wiles, Long, Wasson – 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 AND A-1 TO C-2, R-2 AND R-3)
THE PROPERTY DESCRIBED AS 2000-2400 HIGHWAY 43 NORTH.

was read for its first reading.

The next agenda item was Ordinance No. 07-14. A motion was made by Wasson and seconded by Fuller to place Ordinance No. 07-14, Rezone Development Permit R-2 to C-2 1109 Cheri Whitlock Drive/Knepp, on its first reading suspending the rules and reading title only. Sherry Littrell, agent for owner, stated the rezoning was in hopes to be able to better sell the house.

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 102-21 OF THE
SILOAM SPRINGS MUNICIPAL CODE (CITY ZONING
MAP); REZONING (FROM R-2 TO C-2) THE PROPERTY
DESCRIBED AS 1109 CHERI WHITLOCK DRIVE.

was read for its first reading.

The next agenda item was Ordinance No. 07-15. A motion was made by Nation and seconded by Wasson to place Ordinance No. 07-15, Rezone Development Permit A-1 to R-3 and I-2 4200 Block

North Country Club Road/Mathias/Nottingham Addition, on its first 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 SECTION 102-21 OF
THE SILOAM SPRINGS MUNICIPAL CODE (CITY
ZONING MAP); REZONING (FROM A-1 TO I-2 AND
R-3) THE PROPERTY DESCRIBED AS 4200 NORTH
COUNTRY CLUB ROAD.

was read for its first reading.

The next agenda item was Resolution No. 25-07. A motion was made by Long and seconded by Nation to adopt Resolution No. 25-07, Significant Development Permit 200 Block Progress Avenue/Zaxby's Chicken Restaurant/Green Street Capital Corp. David Cameron clarified about the detention pond and that this is not on their property. David Williams, Community Development Director, stated the pond will be done by the time they get their building done. This will not hold them up at all. This property is part of the Signature Plaza project.

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. 26-07. A motion was made by Nation and seconded by Long to adopt Resolution No. 26-07, Final Plat Development Permit 1700 Block North Mt. Olive/Copper Leaf Addition/Krein Development. David Williams, Community Development Director, confirmed this is 14 lots as was approved on the preliminary plat permit.

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. 27-07. A motion was made by Wiles and seconded by Nation to adopt Resolution No. 27-07, Authorize Appointment to Benton County Solid Waste Board.

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. A motion was made by Long and seconded by Nation to approve the bid for concessions at the Family Aquatic Center to Paradise Snacks per the agreement.

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 destruction orders. A motion was made by Long and seconded by Nation to approve the Destruction Orders as presented by the City Clerk.

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 revised 2007 Budget. A motion was made by Nation and seconded by Wiles to approve the revised 2007 Budget. David Cameron stated what the revisions were for 2007.

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 final close 2006 Budget. A motion was made by Nation and seconded by Fuller to approve the final close 2006 Budget. Paul Calloway, City Treasurer, clarified that these changes come about from things that happen the last six weeks of the year that are not predicted. We did come in under budget for 2006.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

The next agenda item was appointments to Boards and Commissions. A motion was made by Nation and seconded by Long to approve the appointment of Lisa Ray to fill position 9 on the Parks Advisory Board until 12-31-08, and John Elledge to fill position 7 until 12-31-07 on the Planning Commission. Vice-Mayor Smiley thanked all those who apply for boards and commissions.

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 stated he has recommended that Ken Wiles be appointed to the Chamber of Commerce Board. Cameron reminded everyone that this is Spring Cleanup Week, and to thank the crews working on the cleanup. He reminded everyone about the Comprehensive Plan open house on Monday, April 9th at the Community Building from 5:00 to 8:00 p.m. The results of the visioning session, the draft future land use maps and more will be presented. The communities input is needed. The flags in front of the Police Dept/Court building are placed there by the Children's Advocacy Center which represent cases from the previous year (2006) of cases that were found to be actual child abuse cases. The Children's Advocacy Center provides assistance to law enforcement in medical forensics, interviews and mental health. We are working on an ordinance pertaining to Adult Businesses in Siloam Springs. There are a number of issues involved in an ordinance like this that have to be legally researched. The Adult Development Center is in need of financial assistance. They have asked the City to assist with a contribution. They are seeking the Board's assistance. A motion was made by Wasson and seconded by Nation to place this item on the agenda. Vice-Mayor Smiley called for a voice vote on the motion, and it was approved unanimously. A motion was made by Wasson and seconded by Nation to approve a service contract in the amount of \$10,000.00 to the Siloam Springs Adult Development Center.

Roll Call:

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

No Nay.

Seven Ayes. No Nays. Motion Carried.

Cameron noted the Mayor is out of town and wished him a good time.

The next agenda item was the Open Hearing for Directors:

Smiley thanked staff for the cleanup this week. She also reminded the community to attend the Comprehensive Plan open house on the 9th.

Wasson also echoed Smiley's comments on the cleanup week.

Nation stated she gets questions about the new movie theater. It has been approved and is in the process. This is behind Mazzio's. It is coming.

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