



A G E N D A
SILOAM SPRINGS BOARD OF DIRECTORS
MAY 3, 2016

**WORKSHOP - DISCUSSION OF QUALITY OF LIFE IMPROVEMENTS (LIBRARY AREA) /
MT. OLIVE STREET DIET DESIGN REVIEW – 5:30**

BOARD MEETING - 6:30 PM
ADMINISTRATION BUILDING, 400 N. BROADWAY

Workshop – Discussion of Quality of Life Improvements (Library area) / Mt. Olive Street Diet
Design Review – 5:30

Regular Board of Directors Meeting:

Opening of Regularly Scheduled Meeting

Call to Order

Roll Call

Prayer

Pledge of Allegiance

Approval of Minutes

Regular Meeting of April 19, 2016

I. Public Input

Items from the Public not on the Agenda (public may address any City business not listed on the agenda)

II. Regularly Scheduled Items

Resolutions

A. Resolution 11-16 / Significant Development Permit / Lykins Leasing, LLC / 310 N. Progress Ave.

B. Resolution 12-16 / Amending Employee Handbook / Mandatory Participation in Deferred Compensation Plan

Staff Reports

J. Administrator's Report

III. Directors Reports

IV. Adjournment

MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD APRIL 19, 2016

The Board of Directors of the City of Siloam Springs, Arkansas, met in regular session at the City of Siloam Springs Administration Building, on April 19, 2016.

The Meeting was called to order by Mayor Turner.

Roll Call: Smith, Jones, Coleman, Johnson, Smiley, Burns, Beers –Present

Phillip Patterson, City Administrator; Jay Williams, City Attorney; Renea Ellis, City Clerk; James Wilmeth, Police Chief; Todd Colvin, Deputy Fire Chief; Sean Baker, Airport Manager; present.

Opening prayer was led by Bob Coleman.

Mayor John Turner led the Pledge of Allegiance.

A copy of the April 5, 2016 minutes of the regular meeting had previously been given to each Director. A Motion was made by Smiley and seconded by Beers to accept the minutes. Mayor called for a voice vote. Motion passed unanimously.

The first agenda item was the Open Hearing for Citizens Present.
No one came forward.

The next item on the agenda: Economic Development Agreement / John Brown University / Walton Lifetime Health Complex.

Discussion: Beers recused from the vote, and stepped out during discussion. Phillip Patterson, City Administrator, briefed the item. Chip Pollard, 2000 Villa View, expressed his excitement to partner with the City, and then gave an overview of progress on projects. Don Cundiff, 601 W. Tahlequah, said he believed that this agreement goes against state law. He then reminded JBU that people go to bed hungry because of decisions that they have to make; \$500,000 would go a long way to help feed people. Johnson stated he is proud of JBU and their progress, and how they make him feel welcome. Coleman stated this agreement is completely different than the one with Pulaski County; it's much more specific. He then referred back to the Board meeting in September 2014, and how he solicited statistics from a JBU staff member that showed the number of residents that use the health center. He stated he believes this addition will benefit the City. He then wanted to make note that the funds for this are not coming out of tax payer funds, but from the sale of the old hospital. He stated he is in favor of the agreement. Burns stated these funds are not only hospital funds which are going back to the community, but it's also continuing the quality of life. He stated they have a great retiree program, and a mountain bike trail that's also going in; overall the facility is a win/win. Smiley expressed her excitement about this project and has wanted a health/wellness center for City. She then asked if there is an estimate on fees and on day-passes. Pollard stated the fees will stay basically the same; and a \$5 fee for day a

pass with a member. Jones asked if a cash payment has ever been done with an economic development agreement. Patterson stated he doesn't know before 2014, but believes this is the first one. Jones agrees with Cundiff whether taxpayer money should be going towards a project like this. He stated the key is it's coming from the hospital funds; and doesn't want to set precedent with giving money. Smith asked what the use is by citizens. Pollard answered there are about 1300 membership cards, and of that there are 938 community members, and the other 400 would include people like the Silver Sneakers and the Silver and Fit, and also JBU employees. He stated membership falls in Spring/Summer while weather is nice. Smith asked what is the value of labor that the City will be providing. Patterson answered roughly \$132,500. Smith expressed her enthusiasm for the partnership with the City and JBU. Mayor stated the relationship with JBU and the City goes back a long way; and that students get engaged with the City. A Motion to approve the economic development agreement with John Brown University for the renovation of the Walton Lifetime Health Complex was made by Coleman and seconded by Smiley.

Pollard expressed thanks and stated they are very privileged to be in the City.

Roll Call:

Jones, Coleman, Johnson, Smiley, Burns, Smith –Aye.

Beers - Abstain

6 Ayes. 1 Nay. Motion passed.

The next item on the agenda: Arkansas Department of Aeronautics / Grant Application / Airport. Discussion: Sean Baker, Airport Manager, briefed the item. Smiley asked where the funds required from the City are coming from. Phillip Patterson, City Administrator, stated the funds would come from the general fund. Smiley then asked if there are no lights working at the end of the runway. Baker answered there are some, but not all. Smith asked what the likelihood of obtaining this grant is. Adam White of Garver Engineering stated safety grants are first priority. Smith asked when the City would pay their part. Patterson explained the City paid up front and the City would be reimbursed. White stated the City will have to go out and get bids for this project. He stated the City would receive half of the grant half way through, and the other half at the completion. Smiley asked if a grant denial has ever been received by the Airport. White stated not in the past 10 years. Smiley clarified that this is a safety feature and is no longer functioning. She then asked if this is mandatory. White answered it is not, but is typical with the size of this airport. Beers asked if expanding the lighting in the future is a possibility. White stated LEDs will be put in, and if expanding, it would only be one end. Patterson stated they looked at opportunities to expand, but the City does not see any expansion in the near future. A Motion to approve the submission of grant application to the Arkansas Department of Aeronautics was made by Smiley and seconded by Coleman.

Roll Call:

Coleman, Johnson, Smiley, Burns, Beers, Smith, Jones –Aye.

7 Ayes. No Nays. Motion passed.

Administrator's Report: Phillip Patterson, City Administrator, reported an expenditure in the amount of \$6,000 out of pocket for the purchase of a new tractor for the airport. He stated last year we approved a swap of hangars for Simmons Food with the intent to allow Simmons a bigger hangar for their jet. He stated through the 1st quarter of 2016, the airport has sold almost 36,000 gallons in aviation fuel compared to almost 16,000 gallons in the 1st quarter of 2015. He

then stated the City has saved over \$6,000 by having the vehicle fuel farm for the City; which comes out to about \$87,000 in savings since late 2013. He stated city sales tax receipts are up 4.6%, and that county receipts are slightly down for the City by 2%, over the 1st quarter of 2015. He included a copy of the 2015-2016 Board Goals and then pointed out that there are a few goals that have and been pushed from the 1st quarter to the 2nd. He asked Deputy Fire Chief Colvin to give an update on the Fire Department Banquet that occurred on April 8th. Todd Colvin, Deputy Fire Chief, gave an overview of the banquet as well as the awards and recognitions that were given. Patterson congratulated Nathan Reed, Utility Billing Supervisor, for being voted as the friendliest employee in the City. He announced the filing period for the Board of Director candidates and Mayor's position is May 11-26, and that packets are available for individuals to pick up at the Clerk's Office.

Open Hearing of Directors: Mayor reminded everyone that the Dogwood Festival is this weekend, April 22-24. He stated he had attended the grand opening for the County Satellite facility at our Transfer Station, and that this will help with receiving large items, electronics, paint, etc. He then stated his thoughts and prayers are with Don Tennison for the loss of their home due to a fire. He then gave his condolences to Renea Ellis for her losses, and stated everyone seems to have a "Carl Hill" story. He stated Joann McDougal passed away, and that her husband asked him to thank the hospital and staff. Beers expressed thoughts and prayers for Renea Ellis and family. He said he was excited for the Dogwood Festival and the visit from both Congressman Womack and the Governor. Burns reminded everyone that if anyone is in need, there are several food banks in the City. He stated there was a block party just north of his residence, and went into detail of the people he met while attending. He mentioned a compliment from the citizen that thanked the Fire Department and he said believes with the growth in the area, he believed we'd be seeing more specialists in the area. Smiley gave her condolences to Renea Ellis and family. She then congratulated the Fire Department as well as Nathan Reed. She stated she is looking forward to the Dogwood Festival and then reminded everyone that the high school is having their plant sale going on for the rest of the week. She then stated she is going to run for re-election. Coleman stated he would like citizens to know more about items such as what was on the Administrator's report. He stated he would like to see a report on the once a week trash pickup. He then stated he has changed his mind about running and will seek re-election due to not moving out of the City.

Coleman then made a motion to adjourn; seconded by Burns. The Mayor called for a voice vote. All Ayes. Motion passed.

Meeting adjourned.

APPROVED:

ATTEST:

John Mark Turner, Mayor

Renea Ellis, City Clerk
{seal}



CITY OF
Siloam Springs
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STAFF REPORT

TO: Phillip Patterson, City Administrator
FROM: Ben Rhoads, AICP, Senior Planner *BZR*
Cc: Don Clark, Community Services Director
DATE: April 15, 2016
RE: Resolution 11-16 / Significant Development Permit / Lykins Leasing, LLC / 310 N. Progress Ave.

Recommendation: Approval of Resolution 11-16, authorizing a significant development permit for 310 N. Progress Ave.

Background:

The applicant, Lykins Leasing, LLC, requests to construct an 18,480 sq. ft. pharmacy with drive-thru pick-up window and medical offices.

The Planning Commission reviewed the Significant Development Permit application at the April 12, 2016 regular meeting. There was one question from the public regarding the site fencing, drainage, and parking lot lighting. The question on the fencing was if the applicant was required to add fencing on the north property line, abutting the land owned by the questioner. Staff informed the questioner (who owns property abutting the site) that as there is already a fence on the property line, the developer would not be required to add a second fence. Staff also addressed the gentleman's questions on the drainage (which will be directed off site) and the parking lot lighting, which will be cut off lighting and will not shine onto the neighbor's property. The questions from the public were answered to his satisfaction. After follow-up discussion by the Planning Commission, the Commission recommended to approve the significant development permit by a 7-0 vote, with no abstentions.

Fiscal Impact:

Street fees are not applicable for this project due to this section of Progress Ave. being constructed prior to seven years ago. No fiscal impact is anticipated.

Attachments:

Resolution 11-16

Staff report to Planning Commission, dated March 18, 2016 with attachments

RESOLUTION NO. 11-16

**A RESOLUTION AUTHORIZING A SIGNIFICANT DEVELOPMENT
PERMIT FOR PROPERTY LOCATED AT 310 N. PROGRESS AVENUE**

Whereas, a public hearing on the proposed significant development permit was held on the 12th day of April 2016, before the City of Siloam Springs Planning Commission, after proper notice required by law; and

Whereas, no objections were registered at said hearing, and a motion approving issuance of said permit was passed by the Planning Commission; and

Whereas, said proposal is consistent with the 2030 Land Use Map; and

Whereas, it appears that the significant development permit is in the public interest; **Now Therefore:**

Be It Resolved by the Siloam Springs Board of Directors as follows:

A significant development permit for property located at 310 N. Progress Avenue, as set forth on Exhibit "A" attached hereto, is hereby granted.

Done and Resolved this _____ day of May 2016.

APPROVED:

ATTEST:

John Mark Turner, Mayor

Renea Ellis, City Clerk

(SEAL)

DEVELOPMENT PLANS FOR LYKINS LEASING LLC SILOAM SPRINGS, ARKANSAS

LOCAL UTILITY CONTACTS

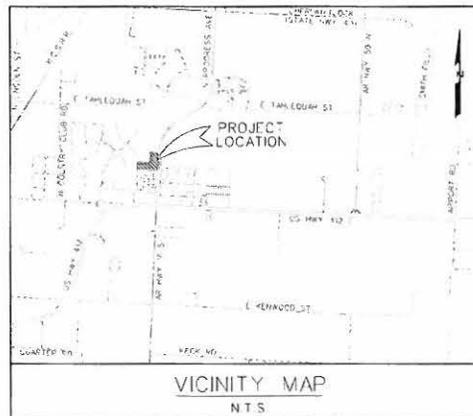
Water and Wastewater
City of Siloam Springs
Dan Farine, Maintenance Supt
(479)238-0927

Electric
City of Siloam Springs
Johnny Bland
(479)524-3777

Natural Gas
SourceGas
Wayne Meek
(479)549-7834

Telephone
Centurytel
Mike Edwards, Engineer
(479)524-9943

Cable TV
Cox Communications, Inc
Terry Frank
(479)871-2432



PREPARED FOR
**LYKINS
LEASING LLC**

PO BOX 1095
GRAVETTE, AR 72736-1095
(479) 770-0111

701 S MT OLIVE, P.O. BOX 12
F-MAIL: mail@civilengineeringss.com



SILOAM SPRINGS, ARKANSAS 72761
(479)524-0956 (OFC) - (479)524-4747 FAX

INDEX

- 1 TITLE PAGE
- 2 SITE PLAN
- 3 DIMENSION PLAN
- 4 GRADING PLAN
- 5 STORM SEWER PLAN AND PROFILES
- 6 SANITARY SEWER PLAN AND PROFILES
- 7 SEDIMENT AND EROSION CONTROL PLAN & DEMOLITION PLAN

DETAILS

- 1 PAVING/DRAINAGE DETAILS
- 2 WATER DETAILS
- 3 SANITARY SEWER DETAILS
- 4 EROSION AND SEDIMENT CONTROL DETAILS

GENERAL NOTE: NOT DESIGNED FROM MEASUREMENTS. THE DESIGNER HAS CONDUCTED VISUAL SURVEYS AND PHOTOGRAPHS OF THE SITE AND HAS FOUND NO EVIDENCE OF ANY UNLAWFUL CONSTRUCTION OR ALTERATION OF THE SITE. THE DESIGNER HAS CONDUCTED VISUAL SURVEYS AND PHOTOGRAPHS OF THE SITE AND HAS FOUND NO EVIDENCE OF ANY UNLAWFUL CONSTRUCTION OR ALTERATION OF THE SITE.

The Designer shall be responsible for the accuracy of the information provided to him by the client. The Designer shall not be responsible for the accuracy of the information provided to him by the client. The Designer shall not be responsible for the accuracy of the information provided to him by the client.



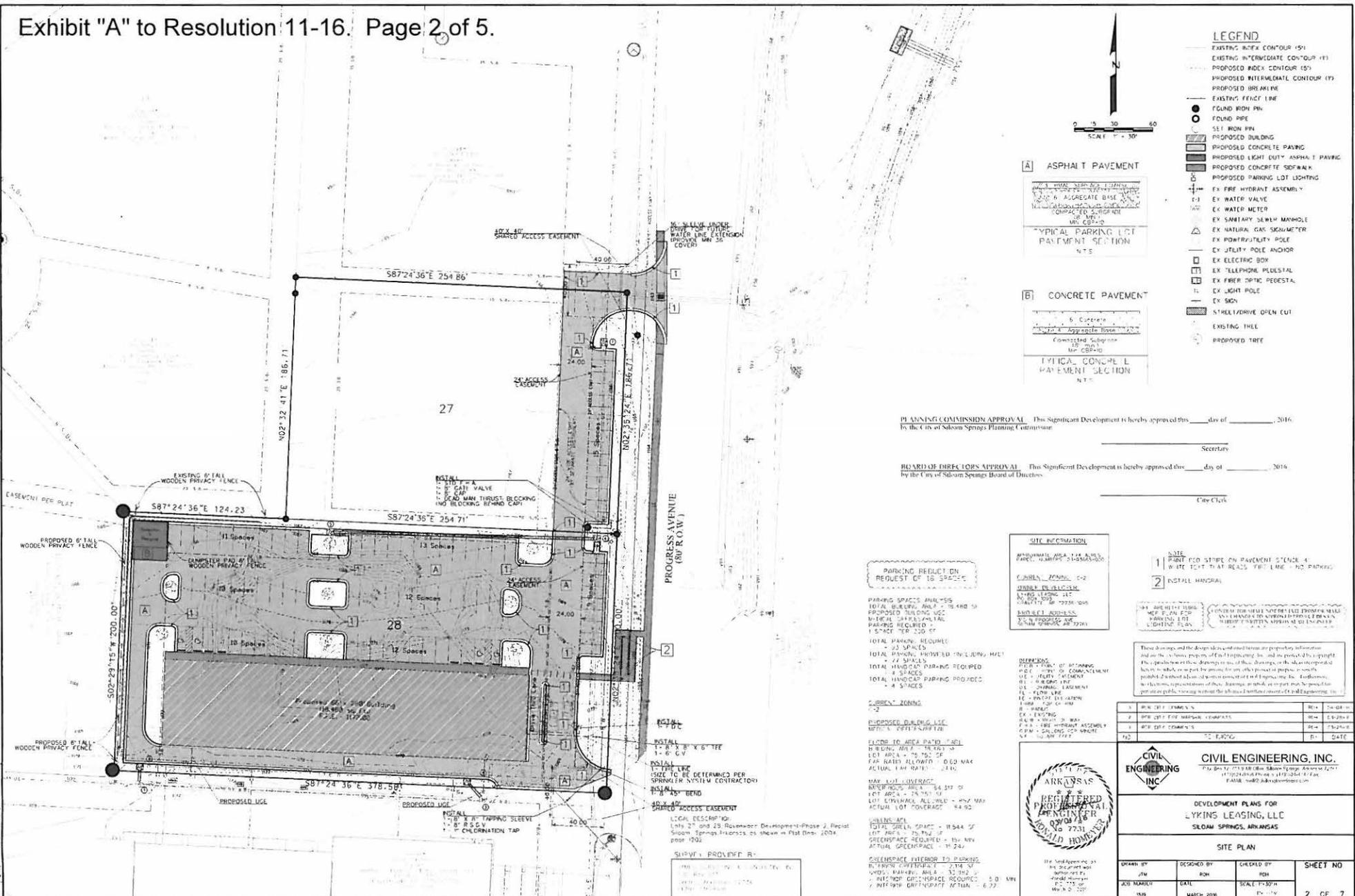
The State Agency on the Signature and Seal was issued by the State of Arkansas on March 21, 2016.



Know what's below.
Call before you dig.

DATE: 03/25/16

DATE PROVIDED BY: [Blank]



- LEGEND**
- EXISTING INDEX CONTOUR (5')
 - EXISTING INTERMEDIATE CONTOUR (1')
 - PROPOSED INDEX CONTOUR (5')
 - PROPOSED INTERMEDIATE CONTOUR (1')
 - PROPOSED BREAKLINE
 - EXISTING FENCE LINE
 - FOUND IRON PIN
 - FOUND PIPE
 - SET IRON PIN
 - ▭ PROPOSED BUILDING
 - ▨ PROPOSED CONCRETE PAVING
 - ▩ PROPOSED LIGHT DUTY ASPHALT PAVING
 - ▧ PROPOSED CONCRETE SIDEWALK
 - ⊕ PROPOSED PARKING LOT LIGHTING
 - ⊕ EX FIRE HYDRANT ASSEMBLY
 - ⊕ EX WATER VALVE
 - ⊕ EX WATER METER
 - ⊕ EX SANITARY SEWER MANHOLE
 - ⊕ EX NATURAL GAS SIGMETER
 - ⊕ EX POWER/UTILITY POLE
 - ⊕ EX UTILITY POLE ANCHOR
 - ⊕ EX ELECTRIC BOX
 - ⊕ EX TELEPHONE PEDESTAL
 - ⊕ EX FIBER OPTIC PEDESTAL
 - ⊕ EX LIGHT POLE
 - ⊕ EX SIGN
 - ▭ STEEL DRIVE OPEN CUT
 - EXISTING TREE
 - PROPOSED TREE

A) ASPHALT PAVEMENT



B) CONCRETE PAVEMENT



PLANNING COMMISSION APPROVAL This Significant Development is hereby approved this _____ day of _____, 2016, by the City of Siskoon Springs Planning Commission.

BOARD OF DIRECTORS APPROVAL This Significant Development is hereby approved this _____ day of _____, 2016, by the City of Siskoon Springs Board of Directors.

SITE INFORMATION

APPROXIMATE AREA: 1.1 ACRES
 ZONING: RESUB-2
 SUBJECT: 117
 PROJECT ADDRESS:
 11773 SISKOON SPRINGS AVENUE

PARKING REDUCTION REQUEST OF 16 SPACES

PARKING SPACES: 44/35
 TOTAL REQUIRED: 44/35
 PROPOSED BUILDING USE: 28/13
 MINIMUM REQUIRED: 28/13
 PARKING REQUIRED: 16/22
 1 SPACE PER 100 SF
 TOTAL PARKING REQUIRED: 33 SPACES
 TOTAL PARKING PROVIDED INCLUDING 16/22: 49 SPACES
 TOTAL HANDICAPPED PARKING REQUIRED: 4 SPACES
 TOTAL HANDICAPPED PARKING PROVIDED: 4 SPACES

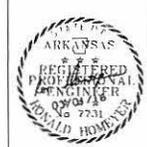
DEVELOPER:
 LYNKINS LEASING, LLC
OWNER:
 LYNKINS LEASING, LLC
DESIGNER:
 CIVIL ENGINEERING, INC.
 11773 SISKOON SPRINGS AVENUE
 SISKOON SPRINGS, AR 72750

1. POINT TO STORE ON PAVEMENT STENCIL & WRITE TEXT THAT READS "NO PARKING"
2. INSTALL MANHOLE

CONFORM TO ALL CITY ORDINANCES AND REGULATIONS. THE DESIGNER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND NO OBSTACLES TO THE PROPOSED DEVELOPMENT.

These drawings and the design data contained herein are proprietary information and are the sole property of the Engineering firm, and are provided by copyright. The Engineer does not warrant the accuracy or completeness of the drawings or the information herein, and is not responsible for any errors or omissions in the drawings or the information herein. The Engineer's liability is limited to the professional services provided by the Engineer. The Engineer does not warrant the accuracy or completeness of the drawings or the information herein, and is not responsible for any errors or omissions in the drawings or the information herein. The Engineer's liability is limited to the professional services provided by the Engineer.

1	DATE	BY
2	DATE	BY
3	DATE	BY
4	DATE	BY
5	DATE	BY



CIVIL ENGINEERING, INC.
 11773 SISKOON SPRINGS AVENUE
 SISKOON SPRINGS, AR 72750
 PHONE: 479.264.4744
 FAX: 479.264.4744

DEVELOPMENT PLANS FOR
LYNKINS LEASING, LLC
SISKOON SPRINGS, ARKANSAS

SITE PLAN

DRAWN BY	DESIGNED BY	CHECKED BY	SHEET NO
JTM	ROH	ROH	2 OF 7
JOB NUMBER	DATE	SCALE	
109	MARCH 2016	1" = 30'	

LOCAL DESCRIPTION:
 Lots 27 and 28 Reversion Development-Phase 2, Parcel
 Siskoon Springs, Arkansas, as shown in Plat Book 2004,
 page 1902.

SUBJECT PROPERTY:
 LOT AREA: 75,792 SF
 GREENSPACE REQUIRED: 15,153 SF
 ACTUAL GREENSPACE: 15,241 SF

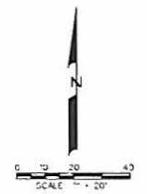
GREENSPACE DEFICIT TO PARKING:
 DEFICIT: 2,114 SF
 MINIMUM REQUIRED: 15,153 SF
 ACTUAL GREENSPACE: 15,241 SF
 DEFICIT: 812 SF

Exhibit "A" to Resolution 11-16. Page 4 of 5.

A LIGHT DUTY ASPHALT PAVEMENT



B CONCRETE PAVEMENT



LEGEND

- PROP. TOP OF CURB/SIDWALK SPD. ELEVATION (+11200)
- PROP. TOP OF GRAD/SPOT ELEVATION (+11200)
- EXISTING INDEX CONTOUR (15')
- EXISTING INTERMEDIATE CONTOUR (17')
- PROPOSED INDEX CONTOUR (15')
- PROPOSED INTERMEDIATE CONTOUR (17')
- PROPOSED BRR AKING
- EXISTING FENCE LINE
- FOUND IRON PIN
- FOUND PIPE
- SET IRON PIN
- PROPOSED BUILDING
- PROPOSED CONCRETE PAVING
- PROPOSED LIGHT DUTY ASPHALT PAVING
- PROPOSED CONCRETE SIDEWALK
- PROPOSED PARKING LOT LIGHTING
- EX FIRE HYDRANT ASSEMBLY
- EX WATER VALVE
- EX WATER METER
- EX SANITARY SLEWER MANHOLE
- EX NATURAL GAS SIGNMETER
- EX POWER/UTILITY POLE
- EX UTILITY POLE ANCHOR
- EX ELECTRIC BOX
- EX TELEPHONE PEDESTAL
- EX FIBER OPTIC PEDESTAL
- EX LIGHT POLE
- EX SIGN
- EXISTING TREE
- PROPOSED TREE

CONTRACTOR SHALL NOT DO A VALUE ADDED WORK WHICH IS WRITTEN A PART OF CONTRACT.

These drawings and the design shown contained herein are proprietary information and are the exclusive property of Civil Engineering, Inc. and are protected by copyright. The reproduction of these drawings or use of these drawings or the data incorporated herein, in whole or in part, for any other project or purpose, is strictly prohibited without the written consent of Civil Engineering, Inc. Furthermore, the electronic representations of these drawings, in whole or in part, may be posted for private or public viewing without the advanced written consent of Civil Engineering, Inc.

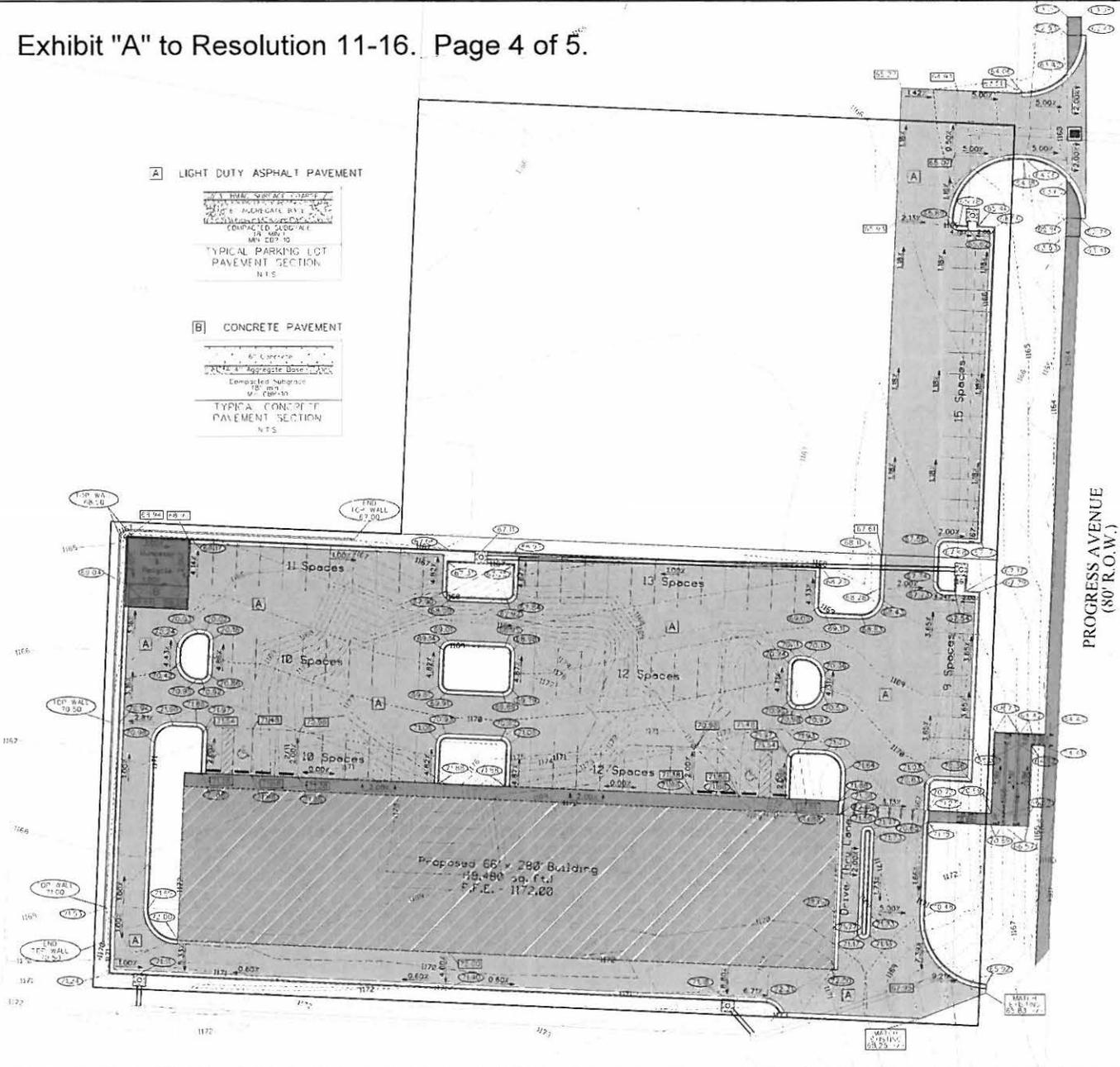
2	REV. CITY COMMENTS	07/14	24/04/16
1	REV. CITY COMMENTS	05/04	11/25/16
10	REV. CITY COMMENTS	01/14	01/14



CIVIL ENGINEERING, INC.
 2115 N. 11th Street, Suite 200, Arkansas 72117
 (501) 485-1111
 E-MAIL: info@civilenginc.com

**DEVELOPMENT PLANS FOR
 LYKINS LEASING LLC
 SLOW SPRINGS, ARKANSAS**

GRADING PLAN			
DRAWN BY	DESIGNED BY	CHECKED BY	SHEET NO.
JTV	RBH	RBH	
JOB NUMBER	DATE	SCALE	
158	MARCH 2016	AS SHOWN	4 OF 7





CITY OF
Siloam Springs
It's a natural

STAFF REPORT

TO: Planning Commission
FROM: Ben Rhoads, AICP, Senior Planner *ZLR*
Cc: Don Clark, Community Services Director
DATE: March 18, 2016
RE: Significant Development Permit, SD16-02/ Significant Development/ 310 N Progress Ave.

Recommendation: Approval of SD16-01 (Significant Development Permit).

Background:

APPLICATION REVIEW DATES

Planning Commission review: April 12, 2016

Board of Directors review: May 3, 2016

APPLICANT AND AGENT

Applicant/Owner: Lykins Leasing, LLC.

Agent: Civil Engineering, Inc. – Ron Homeyer, PE

SUBJECT PROPERTY ADDRESS

310 N. Progress Ave.

INTERNET MAP INFORMATION

Planning staff has created a map made with Google My Maps.

Attribution: Map data ©2015 Google Imagery ©2015, Arkansas GIS, DigitalGlobe, Landsat, State of Arkansas, USDA Farm Service Agency Washington County.

Please click on the following link to access. This link will only operate if reading this report digitally.

<https://www.google.com/maps/d/edit?mid=zHgGzzL4Wl4o.kK-zFe19ZM1U&usp=sharing>

PROJECT INTENT

The applicant requests to construct an 18,480 sq. ft. pharmacy with drive-thru pick-up window and medical offices.

EXISTING LAND USES AND ZONING

<i>EXISTING LAND USE</i>		<i>EXISTING ZONING</i>	
Vacant		C-2 District (Roadway Commercial)	
<i>SURROUNDING LAND USE</i>		<i>SURROUNDING ZONING</i>	
North:	Vacant / Single-family residential	North:	C-2 District (Roadway Commercial) R-2 District (Residential, medium)
South:	Retail commercial	South:	C-2 District (Roadway Commercial)
East:	Retail commercial	East:	C-2 District (Roadway Commercial)
West:	Single-family residential	West:	R-2 District (Residential, medium)

ZONING USE UNIT CONSISTENCY

The subject proposal is consistent with large impact commercial or office uses associated with Use Unit 16, which is permitted in C-2 District.

LOT STANDARDS CONSISTENCY

The minimum C-2 zones standards are compared with the subject property's tracts below.

MINIMUM (C-2) ZONING REQUIREMENTS	SUBJECT PROPERTY PROPOSAL
Lot Area: 8,000 sq. ft.	1.74 acres
Lot Width: 80 ft.	200 ft. (approx.)
Maximum Lot Coverage: 85 %	85% (approx.)
Maximum Floor to Area Ratio: 0.60 (60%)	0.2440

PARKING STANDARDS CONSISTENCY

According to Municipal Code Sec. 102-75(a)(1)(a)(6), parking is calculated by the total number of square feet in the proposal.

USE TYPE	REQUIRED PARKING	EXISTING PARKING	NET PROPOSED PARKING	PARKING SURPLUS/ DEFICIT
Office/Retail 1 space/200 sq. ft.	93	0	81*	-16**

* Including ADA accessible parking

** The applicant is requesting a parking reduction of 16 spaces or 17.2%

STAFF DISCUSSION

The applicant is requesting to construct an 18,480 sq. ft. medical office complex and drive-thru pharmacy. The proposal is occurring on a platted lot due north of the existing Signature Plaza shopping center and Generations Bank on Progress Ave. The site will utilize an existing driveway at the southeast corner of the lot, through a shared access easement between both lots. In a similar fashion, a shared access driveway is proposed on the northeast corner of Lot 27, which is the lot to the north of the subject property. The applicant owns both lots, Lot 28 (project site) and Lot 27. Both lots will be burdened with an access easement to allow for free traffic flow to and from both lots in the event one lot is sold to a different party separate from the other.

The driveway leading to the parking lane on the southeast corner of the lot will allow for two-way ingress and egress from the property as well as a one-way drive for the pharmacy's drive up window. Staff looked closely at this layout to determine if there is sufficient driveway width. The original plan was for a 34.5 ft. wide parking lane, including the bi-directional in/out, plus the drive-thru lane. While this arrangement did not present any Code violations, staff was concerned about the ease of traffic flow at this location.

Staff looked at various options for the developer to address the southeast corner drive aisles. The first was to shift the building to the west (to provide more space for this drive), however this is not possible due to the expanded rear setback at 35 ft., this is a deeper setback than normal because the property to the west of the subject property is a single-family residence, and all C-2 lots that abut an R-2 zone are required to have additional setbacks. Staff then looked at the possibility of moving the drive-thru lane to the building's rear (south-facing) wall. This would eliminate the need for a drive-thru lane on the east wall of the structure, where there is limited drive space. This idea, however, was not acceptable to the developer due to the need and desire for customers to quickly access the drive-thru from the main entrance (southwestern) drive, rather than needing to pass through the parking lot to the far western lane on the lot and then loop around. The rear drive is also intended for delivery trucks, and this would impact customers queuing at the window. This conflict is inversely true for the trucks who may be detained by customers queuing at the window. This extra distance, while working from a site geometry perspective, does not clearly work for site legibility for the customers.

After discussion with the project engineer, it was determined that the most feasible solution is adding a small curb that will better channel vehicles into the 10 ft. drive-thru lane and widening the bi-directional drive by 4 feet. This will allow for the most space possible for the bi-directional ingress/egress lanes. The reduction in greenspace, by widening the drive, was made up by increasing the size of one of the parking islands. Due to this change, a greater parking reduction of 16 spaces (compared to the original plan) is requested. Staff also requested that a "do not block" sign be painted at the entrance of the rear drive to deter vehicles from queuing in front of the drive and blocking delivery trucks from egressing the property.

A sidewalk is constructed along N. Progress Ave. Staff requested that this sidewalk be connected to the main facility, through a ramp system due to the grade, so pedestrians do not have to share space on the driveways with vehicles while walking to and from the facility. A crosswalk is also added at the northeast corner of the building to allow for better pedestrian mobility to connect with the building. The interior drive spacing from the right-of-way, or also known as the driveway throat rule, meets the regulations to the first parking lane, although the cross drive does intersect closer, but staff has made the determination that cross traffic driveways are not applicable, given the prevalence of shared access/ cross traffic drives throughout the City. It has been determined that vehicle stacking will occur at the drive-thru lane and not at the drive entrance off of Progress Ave.

Due to the limitations of the lot size, the applicant is requesting a 17.2 percent parking space reduction, per Code Section 102-75(6)(d), which grants the permitting authority the ability to reduce parking to up to 30 percent of the quantity required. In this case, the lost parking is not likely needed due to the nature of the proposed uses being focused more on office space rather than heavy trafficked retail. Staff is in support of the proposed parking reduction. There is an existing cemetery north of the subject property; the proposal will *not* disturb the cemetery. The facility meets all greenspace, landscaping, screening and drainage requirements.

The dumpster pad location is on the northwest corner of the lot and will be screened with a privacy fence. Storm water drainage will be handled through a culvert which passes under Progress Ave. and flows into an existing basin/drainage area on the north side of Wal-Mart. The traffic and drainage reports were reviewed by the City Engineer and received a positive recommendation. All of staff's technical comments were addressed by the applicant.

LEGAL NOTICE

Staff received no information that:

- the proposal interferes with the reasonable peace or enjoyment of the neighboring properties;
 - the property values may be substantially damaged;
 - the proposal may impact the present or future uses of neighboring properties;
 - the proposal is not adequately supported by infrastructure.
-
- Site posted: March 08, 2016.
 - Newspaper legal notification: March 20, 2016 (Herald-Leader).
 - Letter legal notification: March, 17-20, 2016.
 - Staff received no phone calls or correspondence.

COMPREHENSIVE PLAN CONSISTENCY

The 2030 Land Use Map describes this area as general office and retail of varying densities. The proposed use is consistent with the 2030 Land Use Map.

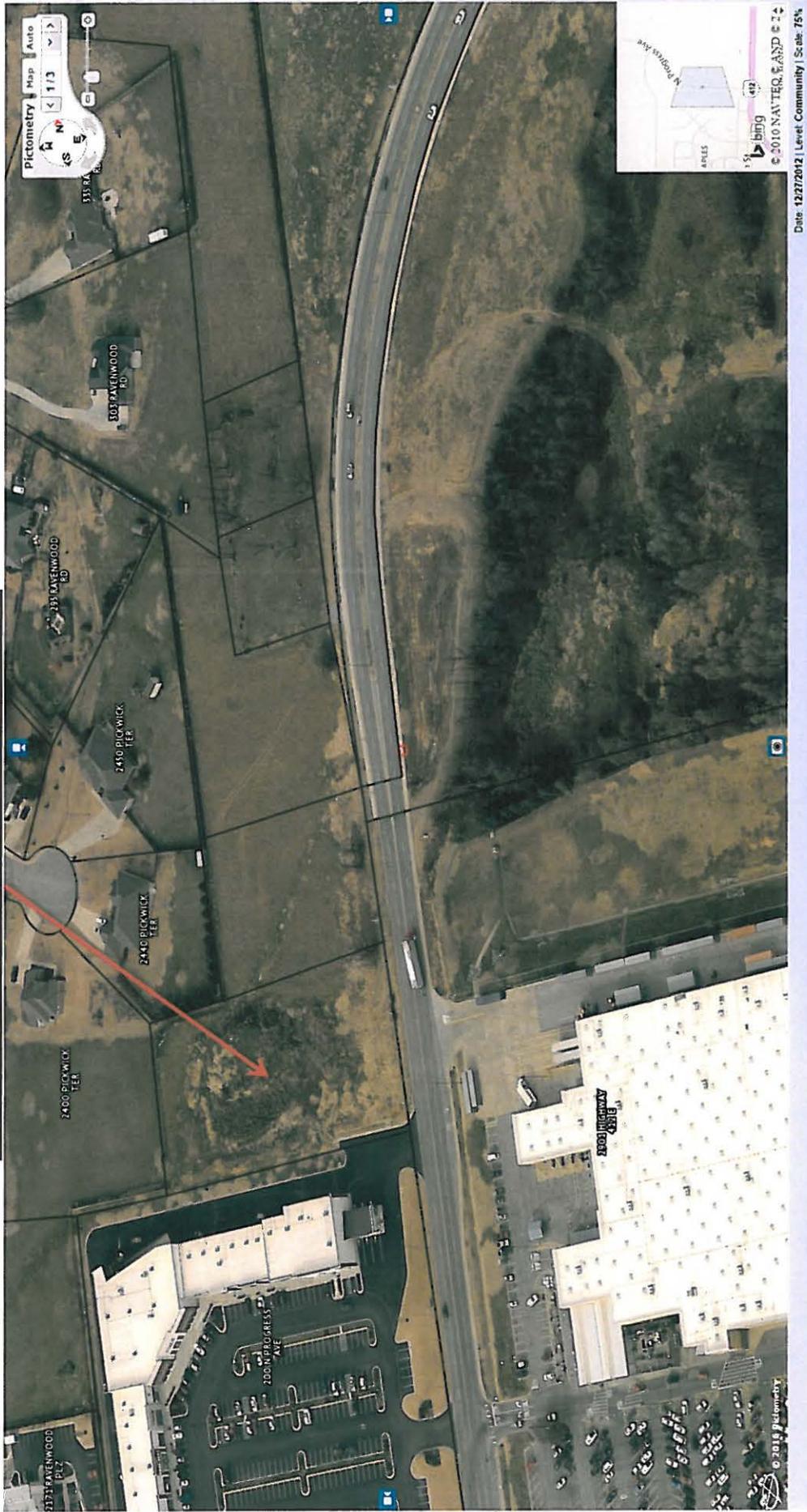
Fiscal Impact:

No fiscal impact is anticipated.

Attachments:

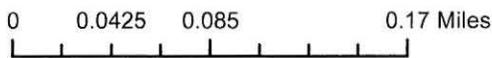
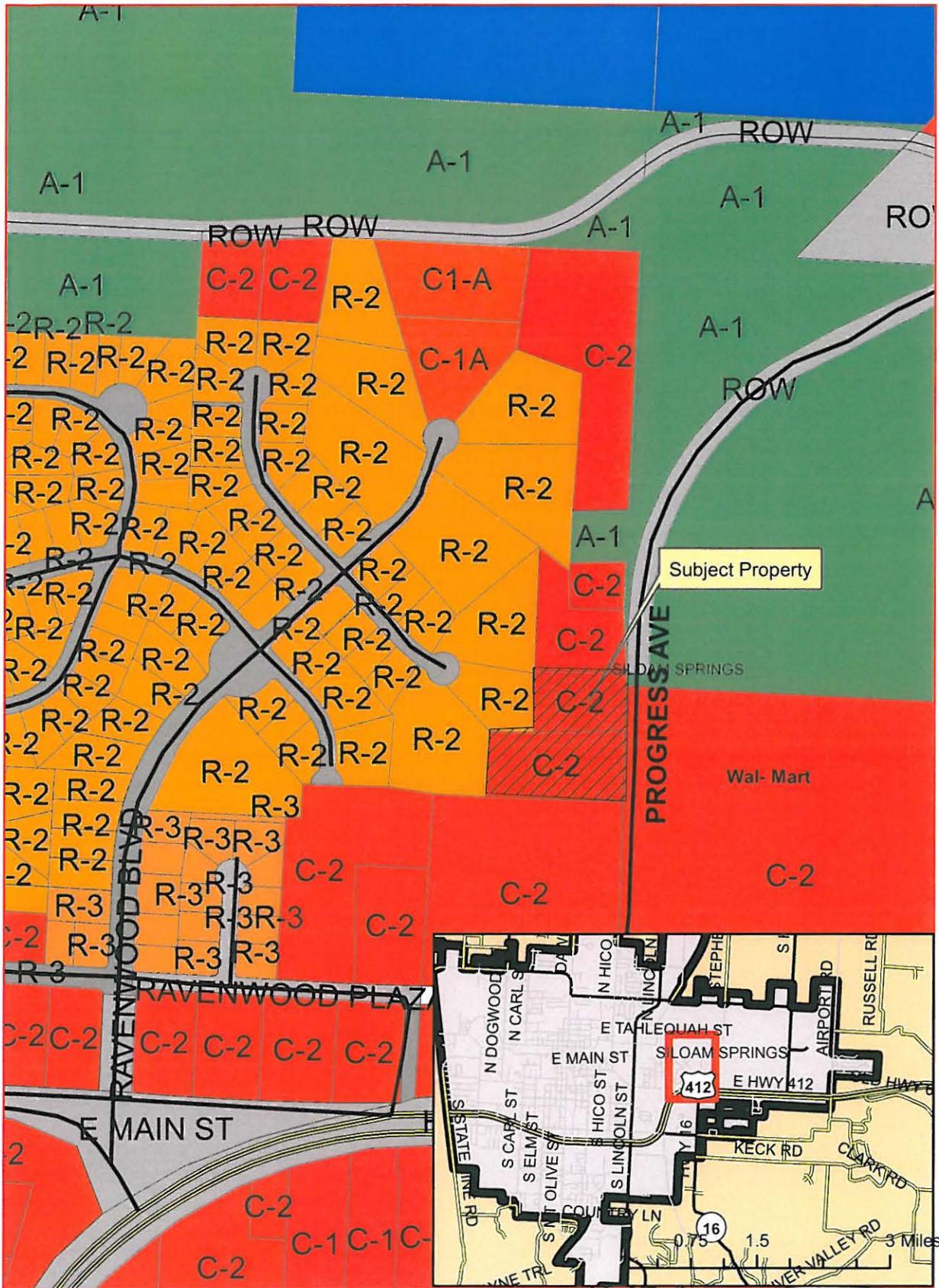
Site Specific Proposal
Bird's Eye View of Subject Property
General Area Map

Site – Looking West



GENERAL AREA MAP

Significant Development
Permit SD 16-01





CITY OF
Siloam Springs
It's a natural

STAFF REPORT

TO: Mayor and Board of Directors
FROM: Phillip Patterson, City Administrator
DATE: April 27, 2016
RE: Resolution 12-16 / Amending Employee Handbook / Mandatory Participation in Deferred Compensation Plan

Recommendation: Approval of Resolution No. 12-16 eliminating the requirement for mandatory participation in the City's deferred compensation plan for employees eligible for state retirement plans such as the Arkansas Local Police and Fire Retirement System (LOPFI).

Background: In 1991 the City began offering a deferred compensation plan to employees per Section 457 of the Internal Revenue Code (457 Plan). At that time, or at some point following this offering, the City mandated that after 1-year of continuous service all employees participate in the 457 Plan by contributing a minimum of three percent (3%) of the employee's gross wages. In addition to the employee's contribution, the City contributes six percent (6%) of the employee's gross wages, or higher for certain exempt employees.

Recently, staff became aware of the fact that certain Arkansas statutes regulating membership and benefits of LOPFI stipulate that local governments shall not provide police officers and firefighters a retirement plan similar in purpose to LOPFI, and no benefit is to be paid by LOPFI based upon pay which is covered by another retirement plan, except for social security. For this reason, staff is proposing to amend Section 404 of the Employee Handbook and exempt police officers and firefighters from the 457 Plan's mandatory participation requirement.

The elimination of the 457 Plan's mandatory participation requirement for police officers and firefighters effectively decreases the benefit package for these employees. In-lieu of actually decreasing their benefit package, staff proposes to roll the City's 457 Plan contribution into the police officers' and firefighters' wages, subject to Board approval of the Handbook amendment. This accomplishes two objectives: 1) it resolves the conflicts with the Arkansas statutes without decreasing the benefit package, and 2) it increases the annual salaries of police officers and firefighters and makes Siloam Springs more competitive when compared to similar wages of cities in the I-49 corridor. Staff is currently in the process of conducting a full salary survey of the I-49 corridor cities and other cities within the state similar to Siloam Springs. However, in comparing salaries of the police and fire departments it is clear that our salary ranges are, on average, lower than the I-49 corridor cities.

The overall total compensation package provided to police officers and firefighters will not be impacted by this change. The following are two (2) examples of how the total compensation package will change:

<i>Police Officer</i>	<i>Salary</i>	<i>Holiday Pay</i>	<i>LOPFI</i>	<i>457 Plan</i>	<i>Payroll Tax*</i>	<i>Total</i>
Current	\$36,309.59	\$1,568.03	\$8,333.08	\$2,272.66	\$3,071.50	\$51,554.85
Proposed	\$38,118.49	\$1,646.14	\$8,748.22	N/A	\$3,041.99	\$51,554.85
<i>Firefighter/EMT</i>	<i>Salary</i>	<i>Holiday Pay</i>	<i>LOPFI</i>	<i>457 Plan</i>	<i>Payroll Tax*</i>	<i>Total</i>
Current	\$35,305.46	\$1,690.97	\$8,057.82	\$2,219.79	\$568.64	\$47,842.68
Proposed	\$37,049.39	\$1,774.50	\$8,455.84	N/A	\$562.95	\$47,842.68

(*The reason for the difference in payroll taxes is that the fire department does not participate in social security.)

In addition to the above change, staff is also proposing to roll the holiday pay into the police officers' and firefighters' annual salary. State statutes require that police officers and firefighters be compensated for all legal holidays established by the city, and allow the holiday compensation to be included within the base pay. Of the four major I-49 corridor cities, all but one includes holiday pay in the base pay. The change will adjust the above examples as follows:

<i>Police Officer</i>	<i>Salary</i>	<i>Holiday Pay</i>	<i>LOPFI</i>	<i>457 Plan</i>	<i>Payroll Tax</i>	<i>Total</i>
Current	\$36,309.59	\$1,568.03	\$8,333.08	\$2,272.66	\$3,071.50	\$51,554.85
Proposed	\$39,764.63	N/A	\$8,748.23	N/A	\$3,041.99	\$51,554.85
<i>Firefighter/EMT</i>	<i>Salary</i>	<i>Holiday Pay</i>	<i>LOPFI</i>	<i>457 Plan</i>	<i>Payroll Tax*</i>	<i>Total</i>
Current	\$35,305.46	\$1,690.97	\$8,057.82	\$2,219.79	\$568.64	\$47,842.68
Proposed	\$38,823.89	N/A	\$8,455.84	N/A	\$562.95	\$47,842.68

Fiscal Impact: As previously stated, the proposed changes do not impact the total compensation package provided to police officers and firefighters. The only fiscal impact to the City will be in police and fire overtime expenses due to increased hourly wages. The annual impact is estimated to be approximately \$12,000 for the police department and \$14,000 for the fire department with the impact being split fairly evenly between the 457 Plan amendment and the holiday pay amendment. Both departments currently have sufficient budgeted funds, due to unfilled positions, to absorb this increase for the remainder of 2016.

Attachments:

Resolution No. 12-16

Memo from Adrienne Barr, Human Resources Manager, dated 4/18/16



Memorandum

To: Phillip Patterson, City Administrator

Cc: Christina Petriches, Finance Director

From: Adrienne Barr, Human Resources Manager

Date: April 18, 2016

Re: 457b plan and the State retirement plans

The City began a 457 retirement plan in 1991 for all employees and at some point it became a mandatory employee contribution. In researching retirement, it was discovered our LOPFI participants are not to contribute into another or "similar" retirement plan per state statute A.C.A. 24-10-601 (1987). As such we would like to self-correct and not harm our employees that this affects (police & fire). We would also like to word it for "any state retirement plans" which would include APERS (Arkansas Public Employees Retirement System).

RESOLUTION 12-16

**A RESOLUTION ADOPTING AN AMENDMENT TO THE CITY OF SILOAM SPRINGS
EMPLOYEE HANDBOOK**

WHEREAS, the Siloam Springs Employee handbook contains policies governing employment with the City, including eligibility for and provision of benefits, for active and retired employees.

WHEREAS, City Code §2-101 provides that amendments to the Employee Handbook shall be presented by resolution to the Siloam Springs Board of Directors by the city administrator at a regularly scheduled meeting of the Board; and

WHEREAS, city staff proposes removing the requirement of participation in the City's 457(b) retirement plan for the employees that are participants in a state retirement plan.

NOW THEREFORE, BE IT RESOLVED, by the Board of Directors of the City of Siloam Springs, as follows: the Siloam Springs Employee Handbook, section 404, attached to this resolution as Exhibit A, is hereby adopted subject to the change as shown therein.

DONE AND RESOLVED this ____ day of May 2016.

APPROVED:

John Mark Turner, Mayor

ATTEST:

Renea Ellis, City Clerk

{Seal}

EXHIBIT A

404 DEFERRED COMPENSATION

The City sponsors a deferred compensation plan under Section 457 of the Internal Revenue Code (the "457 Plan"). The 457 Plan is a separate and very detailed document – this description is intended to serve only as an overview.

The 457 Plan permits both employee and City contributions. Upon completion of the introductory period, a new full-time employee may make contributions to the 457 Plan, up to the limits established by law. After 12 months of continuous, full-time service, an eligible employee's enrollment in the 457 Plan is mandatory for all employees, except employees that are eligible to participate in a state retirement plan such as the Arkansas Local Police and Fire Retirement System (LOPFI) or the Arkansas Public Employees Retirement System (APERS). Upon mandatory enrollment, the employee will be required to make a contribution equal to at least 3% of the employee's gross earnings; in addition, the City will be required to make a contribution of at least 6% of the employee's gross earnings. Provided, however, that the employee's contribution shall not be required if the City's contribution meets or exceeds the IRS contribution limit. In the event the City's contribution remains below the IRS maximum, but the employee's 3% contribution would cause the total to meet or exceed said limit, the employee shall only be required to contribute until the IRS limit is met.

In an effort to provide exempt employees compensation for the time and effort put forth serving the City of Siloam Springs, certain exempt employees will receive a different contribution from the City, as follows:

- City Administrator – 18%
- Professional exempt status – 15%
- Department Heads – 15%
- Department managers with budget responsibilities who supervise more than 3 employees – 12%
- Department Supervisors – 10%

Employees who are exempt from the mandatory participation in the 457 Plan, due to their eligibility to participate in a state retirement plan, may voluntarily contribute a portion of their gross earnings to the 457 Plan; however, the City will not contribute to the employee's 457 Plan.

All contributions to the 457 Plan are subject to limitations that may be imposed by law or by the 457 Plan document itself. Contributions from the City that exceed the statutory maximum are not permitted, and any such excess funds shall be returned to the City's General Fund.

MINUTES OF THE REGULAR MEETING
OF THE PLANNING COMMISSION OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD APRIL 12, 2016

The Planning Commission of the City of Siloam Springs, Benton County, Arkansas, met in regular session at the City Administration Building, Tuesday, April 12, 2016.

The meeting was called to order by Chairman Mounger.

Roll Call:

Engle, Blakely, Nation, Mounger, Williams, Smith – Present.

Colvin – Absent.

Acting City Clerk, Judy Toler; City Planner, Ben Rhoads; City Engineer, Justin Bland; City Attorney, Jay Williams, all present.

A copy of the February 9, 2016, regular minutes had previously been given to each Commissioner. A motion was made by Smith and seconded by Williams to accept the minutes. Mounger called for a voice vote.

All Ayes. No Nays. Motion passed.

The first item on the agenda was a Lot Split Development Permit, LS16-02, 2207 S. Stateline Road, United Bilt Homes, Don Pitts / Dan Jenkins.

Ben Rhoads, City Planner, briefed the item. A Motion to approve was made by Blakely and seconded by Engle.

Roll Call:

Engle, Blakely, Nation, Mounger, Williams, Smith – Aye.

6 Ayes. No Nays. Motion passed.

Mounger announced at 4:15pm that Commissioner Colvin arrived.

The next item on the agenda was a Significant Development Permit, SD16-01, 310 Progress Ave., Lykins Leasing, Civil Engineering, Inc. – Ron Homeyer.

Ben Rhoads, City Planner, briefed the item and went over staff recommendations. Mounger asked if this property is borderline with Ravenwood. Rhoads answered yes. Mounger asked about fencing. Rhoads stated some properties already have a fence, but they are including adding a fence in necessary areas. Engle asked if the fence is a requirement. Rhoads answered yes. Robert Timmons, 2440 Pickwick Terrace, expressed several concerns regarding drainage, additional privacy fencing, and lighting restrictions to residents. Justin Bland, City Engineer, responded to the drainage concern. He stated they will be filling the side in and raising it by several feet to catch the drainage and have it flow east. Rhoads responded to the concern over the privacy fence. He stated the privacy fence is required, but a second fence on the north side is not required. Rhoads also responded to the concern over lighting. He stated the City requires the parking lot to be lit at night due to safety, but will not be pointed at the residential area. Smith asked if the northwest corner is the dumpster bin. Rhoads answered yes. Smith asked if that area will be lit. Rhoads stated he doesn't think there will be lighting on the bin, just in the open area. Engle asked about fencing requirements. Rhoads stated a 6 foot opaque screen. Timmons expressed his concerns to wear and tear to the residential fencing; and asked who would be responsible for the upkeep. Rhoads stated there would be a 6 foot green space between the fence and first parking space, and maintenance would be fence owner's responsibility. Timmons asked

if fence is on property line. Rhoads stated he does not know. Timmons asked if the fence falls down, who would replace it since fencing is required. Rhoads stated the fence owner would need to replace it. Jay Williams, City Attorney, stated he would need to clarify, but he doesn't think the owner would be under obligation to replace the fence in the event it falls down. He also stated the City Code puts the responsibility on the developer of fence requirements. Ron Homeyer, Civil Engineer, Inc., stated it would be full cut off lighting, but has not been designed yet. He stated it would only shine on the parking lot. Nation asked if it would be similar to the lighting they have at the Neighborhood Market parking lot. Homeyer answered yes. A Motion to approve was made by Williams and seconded by Nation.

Roll Call:

Blakely, Nation, Mounger, Williams, Smith, Colvin, Engle – Aye.

7 Ayes. No Nays. Motion passed.

Jay Williams, City Attorney, announced this will go to the Board of Directors on May 3, 2016.

Ben Rhoads, City Planner, announced there is a Placemaker's Conference on April 22-24 in Bentonville. He stated Planning Commissions, City Council members, and anyone interested in development is encouraged to attend. He stated he would be speaking at one of the panels.

There being no further business, a Motion was made by Smith and seconded by Engle to adjourn. A voice vote was taken. All ayes. Meeting Adjourned.

{Seal}

APPROVED:

ATTEST:

Karl Mounger, Chairman

Renea Ellis, City Clerk