MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CITY OF SILOAM SPRINGS, BENTON COUNTY,
ARKANSAS, HELD FBRUARY 2, 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 February 2, 2016.

The Meeting was called to order by Mayor Turner.

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

Phillip Patterson, City Administrator; Jay Williams, City Attorney; Renea Ellis, City Clerk; James Wilmeth, Police Chief; Greg Neely, Fire Chief; Justin Bland, City Engineer; Ben Rhoads, City Planner, Don Clark, Community Services Director, Christina Petriches, Finance Director; present.

Opening prayer was led by Brad Burns.

Mayor John Turner led the Pledge of Allegiance.

A copy of the January 19, 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.
Don Cundiff, 601 W. Tahlequah, spoke about the Morris, Contempt of Court, matter and the amounts ordered to pay.

The next item on the agenda: Approve Purchase / Kenwood Drainage Court / Scurlock Industries.
Discussion: Justin Bland, City Engineer, briefed the item. A Motion to approve the purchase of the Kenwood Drainage Box Culvert from Scurlock Industries in the amount of $130,350.00 was made by Burns and seconded by Johnson.
Roll Call:
Smiley, Burns, Beers, Smith, Jones, Johnson –Aye.
6 Ayes. No Nays. Motion passed.

The next item on the agenda: Ordinance 16-01 / 3rd Reading / Amending Chapter 6 of the Code of Ordinances / Alcoholic Beverages.
Discussion: Phillip Patterson, City Administrator, briefed the item. A Motion to Place Ordinance 16-01 amending Chapter 6 of the City's code of ordinances regarding alcoholic beverages on its third reading, suspending the rules and reading title only, was made by Smiley and seconded by Burns.
Roll Call:

Burns, Beers, Smith, Jones, Johnson, Smiley,–Aye.
6 Ayes. No Nays. Motion passed.

An Ordinance entitled:

AN ORDINANCE AMENDING CHAPTER 6, ALCOHOLIC BEVERAGES, OF THE SILOAM SPRINGS MUNICIPAL CODE TO ADD DEFINITIONS, STATE SPECIFIC GROUNDS FOR SUSPENSION OR REVOATION OF PERMITS, AND FOR OTHER PURPOSES.

Was read on its third reading.

A Motion to adopt Ordinance 16-01 / 3rd Reading / Amending Chapter 6 of the Code of Ordinances / Alcoholic Beverages was made by Johnson and seconded by Smith.
Roll Call:
Beers, Smith, Jones, Johnson, Smiley, Burns –Aye.
6 Ayes. No Nays. Motion passed.

The next item on the agenda: Ordinance 16-02 / 2nd Reading / Amend Article VI, Division 1 of the Municipal Code / Preference Among Municipal Bidders.
Discussion: Phillip Patterson, City Administrator, briefed the item. A Motion to Place Ordinance 16-02 providing a five percent (5%) preference to local resident bidders, up to a maximum of $500 on its second reading, suspending the rules and reading title only, was made by Smiley and seconded by Jones.
Roll Call:
Smith, Jones, Johnson, Smiley, Burns, Beers –Aye.
6 Ayes. No Nays. Motion passed.

An Ordinance entitled:

AN ORDINANCE AMENDING ARTICLE VI, DIVISION 1 OF THE SILOAM SPRINGS MUNICIPAL CODE TO ADD SECTION 2-227 REGARDING A PREFERENCE FOR MUNICIPAL BIDDERS.

Was read on its second reading.

The next item on the agenda: Ordinance 16-03 / 2nd Reading / Amending Section 74-72 of the Municipal Code to revise the Family Aquatic Center rates.
Discussion: Don Clark, Community Services Director, briefed the item. Smiley asked if any public comments had been received since the prior reading. Clark answered no. Smith asked about rates for out-of-town residents. Clark explained it was for simplicity. A Motion to Place Ordinance 16-03 Family Aquatic Center Rates on its second reading, suspending the rules and reading title only, was made by Burns and seconded by Smiley.
Roll Call:
Jones, Johnson, Smiley, Burns, Beers, Smith –Aye.
6 Ayes. No Nays. Motion passed.

An Ordinance entitled:

AN ORDINANCE AMENDING SECTION 74-72(a) OF THE SILOAM SPRINGS MUNICIPAL CODE; REVISING RATES FOR THE FAMILY AQUATIC CENTER.

Was read on its second reading.

The next item on the agenda: Resolution 03-16 / Referendum on City Contributions of Social Security.
Discussion: Christina Petriches, Finance Director, briefed the item. Smiley asked if this was referring to only staff or if the Board was included. Petriches answered it is for part-time staff and Board members which included the Mayor. Smiley asked for pros and cons. Petriches explained part-time staff needs 10 years' work history to become eligible for social security. She stated this referendum allows polling of both classes and a decision made based on majority vote. After continued discussion, Phillip Patterson, City Administrator, clarified issues of the item. Jones asked why we have been paying Social Security if there was an agreement from 1951 not to and for the length of time it had been being paid. Petriches answered it is unknown. Smith asked if anyone would fall through the cracks if this fails. Petriches answered potentially. Beers confirmed if this passes, employees and the Board are left to decide. A Motion to approve Resolution 03-16 / Referendum on City Contributions of Social Security was made by Burns and seconded by Beers.
Roll Call:
Johnson, Smiley, Burns, Beers, Smith, Jones –Aye.
6 Ayes. No Nays. Motion passed.

The next item on the agenda: Resolution 04-16 / Significant Development Permit / 2500 Hwy 412 E. / Burger King.
Discussion: Ben Rhoads, City Planner, briefed the item. Johnson stated in the past, concern was always traffic. He stated there is no protective arrow west off of Highway 16, and traffic piles up and it seems like it doesn't fit on that lot. Burns asked about Master Plan in that area and if the Arkansas Highway and Transportation Department has any plans to improve Highway 16. Rhoads stated none that he is aware of. Jones pointed out the State won't respond to maybes, and shouldn't keep businesses out of there. Smith echoed concerns about ingress and egress. She then asked if parking could be reduced. Rhoads stated they felt it was prudent to provide as much parking as possible. Smiley asked if Burger King has met all requirements. Rhoads told her it had. She then agreed with Jones regarding the traffic count. She also expressed her excitement. Beers stated he is excited for this as well. He pointed out the similarity with this project and McDonald's on Hwy 412. He then stated the City has done their job and we need to support the item. Jones asked if it's the long term plan for the median to go out to this area. Rhoads answered yes. Mayor echoed excitement about Burger King coming to town. A Motion to approve Resolution 04-16 / Significant Development Permit / 2500 Hwy 412 E. / Burger King was made by Smiley and seconded by Smith.
Roll Call:
Smiley, Burns, Beers, Smith, Jones, Johnson –Aye.
6 Ayes. No Nays. Motion passed.

Tim Clower, 415 Star St., Corpus Christie, TX, expressed his appreciation to the City and stated he is the preferred Burger King developer.

Administrator's Report: Phillip Patterson, City Administrator, reported the Scroggin v. City of Siloam Springs has been officially settled for $20,000 from the City and $20,000 from Arkansas Municipal League. He then went over a program called SeamlessGov that allows online forms that don't require downloading. He stated it will allow the forms to be truly seamless with no printing or downloading required, as well as the ability to receive payments accompanying the forms. He stated they are looking over total cost and that it may be a possibility down the road. He then stated they are looking at a mid-March grand opening for the Library, but no official date has been set. He asked Jay Williams, City Attorney, will go over the Morris lawsuit status. Jay Williams, City Attorney, recapped the Morris v. City of Siloam Springs case and contempt matter.

Open Hearing of Directors: Mayor gave his condolences to Bill Allison's family. Beers expressed how impressed he is with the American Legion service while in conflict, but also how they really try to reach out. He then stated he attended a meeting of a group of mountain bikers in the area who are set on supporting additional mountain biking trails and help with the upkeep of those trails. Burns reminded everyone of the Adult Development Center 1st Friday Coffee at 7:30 a.m. and encouraged attendance. Johnson stated he bought a bike at Goodwill this past Thursday and that on his way home, he went by the new Library and went in to see the progress. He expressed his excitement for the upcoming grand opening. Smith wished everyone a happy Groundhog Day. She then announced the Daddy Daughter dance is this Saturday, which is a big deal in her household. She thanked Tony Peevyhouse for the tour of the Fire department, and she also thanked the Library for taking ordering suggestions. Jones stated sales tax numbers are up over 10%, which is a good sign.

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

Meeting adjourned.

APPROVED:

John Mark Turner, Mayor

ATTEST:

Renea Ellis, City Clerk

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