

MINUTES OF THE REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
CITY OF SILOAM SPRINGS, BENTON COUNTY,  
ARKANSAS, HELD MAY 3, 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 May 3, 2016.

The Meeting was called to order by Mayor Turner.

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

Phillip Patterson, City Administrator; Jay Williams, City Attorney; Judy Toler, Acting City Clerk; James Wilmeth, Police Chief; Greg Neely, Fire Chief; Christina Petriches, Finance Director; Don Clark, Community Services Director; all present.

Opening prayer was led by Steve Beers.

Mayor John Turner led the Pledge of Allegiance.

A copy of the April 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, pointed out it was said at the last board meeting that no new taxes would be used in the partnership with John Brown University and that the money that was given was from proceeds received from the sale of the old hospital. He stated parents and grandparent's tax money helped pay for the hospital and believed that money should have gone back in to the general fund. Laura Diaz, 2016 W. Central, stated she lives next door to a drug dealer. She stated she has gone to the P.D. many times and nothing has been done. She stated in 2011 when the City had a Narcotics Division, the same house was busted for drugs. She stated she wants something done to take care of the situation.

The next item on the agenda: Resolution 11-16 / Significant Development Permit / Lykins Leasing, LLC / 310 N. Progress Ave.

Discussion: Ben Rhoads, City Planner, briefed the item. Johnson asked if the two intakes for water on the east side would be large enough to accommodate the runoff. Justin Bland, City Engineer, stated there are 3 more, being 5 total. Johnson asked if this structure is on two lots. Rhoads stated yes, the building sits on the southern lot and the access easement would accommodate ingress and egress if the northern lot were to sell. A Motion to approve Resolution 11-16 / Significant Development Permit / Lykins Leasing, LLC / 310 N. Progress Ave. was made by Smiley and seconded by Johnson.

Roll Call:

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

7 Ayes.

No Nays.

Motion passed.

The next item on the agenda: Resolution 12-16 / Amending Employee Handbook / Mandatory Participation in Deferred Compensation Plan.

Discussion: Phillip Patterson, City Administrator, briefed the item. Burns expressed his appreciation to Patterson and staff. He stated there are still other options available to them. He stated as long as the City can absorb the cost, than it's a better option. Patterson stated they can still voluntarily contribute to the 457; any funds in the 457 right now remain in their name. Beers stated this change needs to happen if we are in violation with the State. He asked what percent it comes to if we absorb. Patterson stated it is unknown at the moment. Beers asked if the budget for 2017 will need to be expanded. Patterson stated the budget for 2016 will not, but not sure about 2017. Smiley stated she is in favor of moving forward. She stated if it's funded for 2016, we would need to fund it for 2017. Patterson agreed. Jones asked if a salaried employee will get the higher pay upon being hired, rather than waiting the 12 months. Patterson stated not exactly. He then went over the system. Jones stated he fails to see the difficulty in decisions between smaller financial adjustments versus the larger projects we agree to. A Motion to approve Resolution 12-16 / Amending Employee Handbook / Mandatory Participation in Deferred Compensation Plan was made by Smiley and seconded by Smith.

Roll Call:

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

7 Ayes.

No Nays.

Motion passed.

Administrator's Report: Phillip Patterson, City Administrator, stated he has attached the 2016 First Quarter Financial Report. He stated if there are any questions, to email him or Christina Petriches. He then stated the Spring Cleanup is scheduled for May 16-20; items need to be on the curb no sooner than Saturday, May 14<sup>th</sup>. He stated the crews will only make one round of pickups, and that more information is available on the City's website, or by calling the City Hall. He reminded everyone this is the Municipal Clerks Week. He then went over some of the background and duties of the Clerk. He thanked Renea Ellis for all her hard work as City Clerk, and thanked Judy Toler as well for acting as City Clerk during Ellis' absence. He then asked Police Chief Wilmeth to give an overview of what has been done with regard to earlier comments. Wilmeth stated this information is under investigation; but are unable to operate under opinion. He stated they have made a commitment to operate in a manner that is constitutionally correct and morally sound. He stated this requires any action taken is predicated upon facts and evidence. He stated Miss Diaz has been in contact with the P.D. for quite some time and that the information has been reviewed. He stated they look for clusters of complaints and events occurring, which failed to take place in this situation. He stated investigations have been done on this particular residence, and none have led to reasonable belief that this individual is partaking in illegal activity. He said if further information was received, the PD would continue to look into it within the scope of its authority. He then explained the difference between a public nuisance, and a private nuisance.

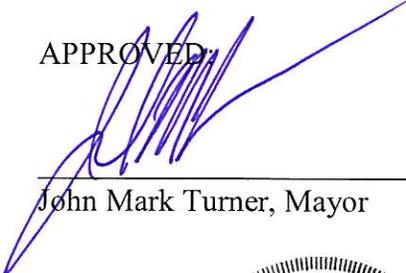
Open Hearing of Directors: Mayor stated the Southside Park dedication was last Saturday and that the family of Eliana Chacon were present and very appreciative. He pointed there were lots of kids at the park. He reminded everyone that the National Day of Prayer is Thursday, May 5<sup>th</sup> at 12pm at the Presbyterian Church. He then stated several were in attendance for the send-off and welcome back for the Honor Flight at XNA. He said it is a great thing we can do for our

veterans. He said staff had recovered from this last Dogwood Festival; a vendor commented that vendors are treated much better here than at other festivals. Beers stated he drove past the Farmers' Market, the new Southside Park, and then out by the Kayak Park. He was reminded how beautiful this town is. Burns said on April 29<sup>th</sup> started with a kick-off breakfast for Bright Futures at the Middle School and that Bright Futures purpose was helping the less fortunate that citizens can get involved with. He said later on that day, Crystal Bridges came and did a pop-art at Pour Jon's downtown and Main Street gave walking tours. He said he appreciates the fuel farm savings and sanitation savings being placed on the website. Johnson expressed his appreciation for the workers that helped replace the Sager Creek wall. He stated he read in the paper that JBU received a \$3,000,000 donation from Windgate Foundation for remodeling Mayfield Hall. He said he was at the Southside Park ribbon cutting. He expressed appreciation for the Dogwood Festival and helping with security. Smith stated the Eliana Chacon Memorial Park is a tremendous gift. She then stated she believes she responded properly to a citizen's complaint by meeting with the Police Chief, Jim Wilmeth and City Administrator Patterson on the matter. Smiley expressed her appreciation for the gorgeous weather at the Dogwood Festival this past weekend. She then stated she appreciates the updates they have been receiving regarding various projects and activities. She went on to say that she would like to see an update on the soccer fields and what's happening with them. Coleman said he was excited to go through the workshop before the meeting. He then stated he is also appreciative of the additional financial performance data they have been receiving on the website.

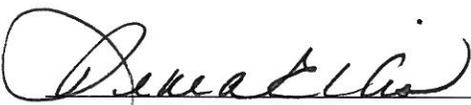
Coleman made a motion to adjourn; seconded by Smiley. The Mayor called for a voice vote. All Ayes. Motion passed.

Meeting adjourned.

APPROVED:

  
\_\_\_\_\_  
John Mark Turner, Mayor

ATTEST:

  
\_\_\_\_\_  
Renea Ellis, City Clerk

